



## **BUSINESS OPPORTUNITY REQUEST FOR PROPOSALS (“RFP”)**

NAT25003\_NIVEN OUTDOOR RECREATION

*Delaware Department of Natural Resources and Environmental Control, Division of Parks and Recreation (“DNREC”)*

WHITE CLAY CREEK STATE PARK

**A Concession Business Opportunity for**

**PUBLIC OUTDOOR RECREATION AT THE NIVEN PROPERTY WITHIN WHITE CLAY CREEK STATE PARK**

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**INTRODUCTION****Summary of Terms and Conditions of  
the Opportunity*****Niven Property - Venue Location***

71 Nine Foot Road, Newark, DE 19711

***Draft Contract Term***

**Ten (10) years with three (3) five (5) year extension options.** The Division of Parks and Recreation reserves the right to contract for up to twenty-five (25) years if vendor improvements warrant additional time for return on investment. Vendor may propose alternate Contract Terms based on their business model, by taking "Exception" (process included in Appendix A "Proposal Response Packet and Requirements") to the initial Term posted above, not to exceed twenty-five (25) years.

***Projected Effective Date***

January 1, 2026, or prior.

***Required Services***

Public Outdoor Recreation opportunities – all services must be affiliated with some type of outdoor recreation and functional use of the property for the public.

***Initial Investment (Year 0)***

Bidder shall include available funds/budget to address improvements and maintenance required to start operation, personal property investment and start-up costs such as collateral materials and supplies.

***Estimated Real Property Investment (Year 1-2)***

Bidder shall include available funds/budget for completion of proposed construction projects. If the contract requires the Vendor(s) to complete any construction projects.

***Fee Structure***

Year 1 through Year 3 (negotiated % of Gross); Year 4 through End of 1st Term (negotiated Annual Flat Fee and % of Gross)

***Repair and Maintenance Reserve***

A Capital Improvement Fund (CIF) shall be established for each venue and will be held in a segregated account by the Bidder. Any Capital Improvements in which CIF fund are used must be approved by DNREC in advance.

***Non-Mandatory Site Visit and Pre-Bid Meeting***

Tuesday, May 13, 2025, at 10:00 AM (Local Time) at Venue Location

***Proposals Due***

Tuesday, July 1, 2025, at 1:00 PM (Local Time)



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## NON-MANDATORY SITE VISIT

DNREC will host a NON-MANDATORY site visit for individuals and/or organizations interested in bidding on this opportunity on **Tuesday, May 13, 2025 at 10:00 AM (Local Time)**. The site visit will provide a short overview of the opportunity along with a self-tour of the facilities to be assigned to the Draft Contract. **To ensure a fair bid process for potential Bidders that are unable to attend the site visits, there will NOT be a question-and-answer session. All questions must be submitted per the requirements included in this RFP.**

## STATE'S RIGHT TO AWARD MULTIPLE SOURCE CONTRACTING

Pursuant to 29 Del. C. § 6986, the State of Delaware may award a contract for a particular professional service to two or more vendors if the agency head decides that such an award is in the best interest of the State of Delaware. **DNREC is open to joint ventures if Bidders are interested in partnering with other business owners to provide services.** Note – *any joint ventures shall be submitted by the Bidders, DNREC will not “partner” businesses together*, the joint venture must be included in Bidder's proposal.

## INFORMATION REGARDING THIS SOLICITATION

In this document, DNREC refers to WHITE CLAY CREEK STATE PARK as “the Park.”

**Bidders must compile and present their own financial projections based on independent assumptions, due diligence, and industry knowledge.**

Bidders must review all sections of this RFP especially the terms and conditions of the Draft Contract No. NAT25003\_NIVEN OUTDOOR RECREATION (“Draft Contract” included in this RFP as Appendix B), including its appendices, to determine the full scope of the future Vendor's responsibilities.

The Draft Contract appears in Appendix B of this RFP. In the event of any inconsistency between the description of the terms contained in this RFP and the Draft Contract itself, the terms of the Draft Contract will control. The Draft Contract shall be updated upon determination of Awarded Vendor's service offering. Upon Contract award and execution, order of precedence shall be as follows:

- Contract Amendments or Addendums
- Contract
- Request for Proposal (including all parts)
- Bidder's Proposal
- Purchase Order
- Special Instruction

“Vendor(s)” refers to the entity or entities that are awarded and will be the Vendor/operator under the Draft Contract.

In performance of the contract, the awarded Vendor(s) will be required to comply with all applicable federal, state and local laws, ordinances, codes, and regulations. The cost of permits and other relevant costs required in the performance of the contract shall be borne by the successful Vendor(s). The Vendor(s) shall be properly licensed and authorized to transact business in the State of Delaware as provided in 30 Del. C. § 2101.



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The selected Vendor(s) will warrant that it possesses, or has arranged through subcontractors, all capital and other equipment, labor, materials, and licenses necessary to carry out and complete the work hereunder in compliance with any and all Federal and State laws, and County and local ordinances, regulations and codes.

The laws of the State of Delaware shall apply, except where Federal Law has precedence. The successful Vendor(s) consent to jurisdiction and venue in the State of Delaware.

DNREC intends Vendor(s) to commence operations **January 1, 2026 or prior if possible**. Award and execution of a contract does not occur until the competitive process has been completed and both the selected Bidder(s) and DNREC have signed the contract. DNREC will make every effort to meet this schedule, but it is subject to change.

## PROPOSALS

Bidders shall utilize the Proposal Packet included herein for proposal submission. All required documents, including the Proposal Packet spreadsheet shall be submitted with the Bidders proposal. Primary Evaluation Factors are as follows:

- **Primary Evaluation Factor 1.** The Bidders proposed concept and service offering for the venue site. **(25 points)**
- **Primary Evaluation Factor 2.** The experience and specific background of the Bidder, including the past performance and expertise of the Bidder in providing the same or similar Outdoor Public Recreation Service as those to be provided under the Concession Contract. **(50 points)**
- **Primary Evaluation Factor 3.** The financial capability of the Bidder to carry out its proposal. **(50 points)**
- **Primary Evaluation Factor 4.** The responsiveness of the proposal to the objectives, as described in the Prospectus, of protecting, conserving, and preserving natural and cultural resources of the park. **(40 points)**
- **Primary Evaluation Factor 5.** The responsiveness of the proposal to the objectives, as described in the Prospectus, of providing high quality visitor service. **(50 points)**
- **Primary Evaluation Factor 6.** Pricing proposal response – the amount of the proposed minimum annual flat fee and % of gross revenue and other forms of financial consideration. **(35 points)**

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Photo: White Clay Creek State Park meadow

### DOING BUSINESS WITH THE DIVISION OF PARKS AND RECREATION

The Division of Parks & Recreation offers programs and services in a wide range of disciplines, from natural sciences, historic preservation, health, and the environment, to performing arts, sports, culture, and education. This depth of field allows us to develop strong relationships with many different types of local and national businesses, agencies, and nonprofit groups in ways that are beneficial and fulfilling for both our partners and the Division.

Requests for Proposal (RFP) for all State of Delaware agencies are available through the state's [Bid Solicitation Directory](#). Visit [Doing Business With the State](#) and the State of [Delaware's MyMarketplace Procurement Portal](#) for complete information about the process.

### ABOUT DELAWARE'S DIVISION OF PARKS AND RECREATION MISSION

The Division of Parks and Recreation operates and maintains 17 state parks and related preserves and greenways throughout Delaware. The state's land protection programs are also administered by the Division. The Division is additionally responsible for providing recreational opportunities as well as educational and interpretive programs for the public. Other responsibilities include:

- Acquiring and developing recreational lands and facilities
- Providing for the protection of natural and cultural resources/areas
- Overseeing and planning for statewide recreational needs
- Developing an entrepreneurial approach to management and adaptive reuse of historic structures, special use facilities, concession operations, programs and services provided to the public in support of the Division's 70% self-funded business model.



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**Our mission** is to provide Delaware's residents and visitors with safe and enjoyable recreational opportunities and open spaces, responsible stewardship of the lands and the cultural and natural resources that we have been entrusted to protect and manage, and resource-based interpretive and educational services.

### **Our Principles of Operation**

Recognizing that this mission cannot be successfully achieved without dedicated and professional employees and volunteers and the active support of the people we serve, we pledge to operate and abide by the following principles:



- **A Commitment to the Customer:** State parks and preserves are managed for Delaware's residents and visitors and shall be both accessible and affordable to all segments of society. Since our operations are almost entirely supported by our customers, every effort shall be made to not only satisfy their needs and requests with respect and courtesy, but also to ensure that the quality of the services offered remains high and the costs remain reasonable.

- **A Commitment to Our Employees:** By training our employees and volunteers in resource protection and customer service and by exposing them to new challenges, they will remain motivated and better able to serve the public, our customers. Because of their desire to maintain a high standard of public service, they shall be empowered to do so, and their efforts and successes shall always be recognized.

- **A Commitment to Future Generations:** State parks and preserves are irreplaceable public assets and must be secured for future generations. We shall provide

for their protection and preservation as well as their use, enjoyment, and understanding, through planning, strategic land acquisition, appropriate development, interpretive and educational programming, and the management of grounds and facilities.

- **A Commitment to Cooperation:** We will always want to accomplish more than our resources will allow; therefore, we will continue to seek opportunities to form partnerships and alliances with other government agencies, non-profit organizations, and the private sector. We will strive to lead by example in all aspects of natural and cultural resource protection and management, and, whenever possible, we will offer technical and financial assistance so that others may share in our mission.

*Photo Above: White Clay Creek State Park bridge/trail*



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## ORIENTATION TO WHITE CLAY CREEK STATE PARK

Named for the clay that was once mined in the area, White Clay Creek State Park's natural vistas, woodlands and creek with its many small tributaries span piedmont ridges and stream valleys along Delaware's northern edge. White Clay Creek, a National Wild and Scenic River, is stocked with fish for anglers and is a regional trout destination. The forest provides critical habitat for migrating and nesting birds, including the rare cerulean warbler. Nearly 40 miles of trails welcome hikers, bikers, and runners on the most diverse trail system in Delaware. The Park offers summer concerts for music enthusiasts and is home to a very popular disc golf course. The rich history of the Park, woven through natural and cultural resources, is still evident in the ruins and buildings found here, like the 1790s Judge Morris Estate and Chambers House Nature Center.



Photo: Judge Morris Estate

As overdevelopment in the northern part of the state became a matter of increasing concern in the late 1960s, the state began to purchase lands adjoining a small recreational park, which in 1975 became known as Walter S. Carpenter State Park. State land acquisitions and donations, from the du Pont family and others, eventually expanded the Park to over 3,600 acres. The Park was renamed White Clay Creek State Park in 1995. The White Clay Creek was named a National Wild and Scenic River by the National Park Service in 2000, which added an additional layer of protection to the area. Today, the Park continues to serve as a vital protected area of scenic and recreational open space in northern Delaware. White Clay Creek State Park also features a



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pavilion, a bandshell and stage, a playground, accessible fishing pond and docks, disc golf course, and more.

### **Essential Experience**

Discover White Clay Creek's National Wild and Scenic Watershed by exploring the Chambers House area. Experience the watershed on trails that meander from the bank of the creek to scenic views of the valley. Explore the most diverse trail system in Delaware State Parks with scenic views, the Millstone Pond, Mason-Dixon marker, and bridges spanning White Clay Creek.

### **Concession Opportunities and Recent Highlights**

The Park serves approximately 303,812 visitors each year and provides activities and programs that highlight our diverse offerings.



- Population within 100 miles of the Park is approximately 21,991,649.
- Programming is a key component of offerings within the Park with 119 individual programs with 9,252 participants.
- Parade magazine included White Clay Creek State Park in "Best Fishing Spot Best Fishing Spots in Every State Have Us Totally HOOKED!"
- Peak volunteer engagement with 9,805 hours.
- Day camps were successful with 15 camps and 167 campers experiencing

recreational and cultural activities.

- The Park's concert series brought artistic experiences to 6,585 attendees at seven concerts.
- Active Friends Group - The Friends of White Clay Creek State Park advocate for the preservation and care of the Park. They staff the nature center, battle invasive species, monitor bluebird boxes, conduct trail maintenance, support the Summer Concert Series, and provide fundraising and grant support to the Park.
- White Clay Creek State Park is the home course for the University of Delaware cross-country team. Additionally, there are a total of 24,039 enrolled at the University of Delaware Students with close access to the Park.
- Avid mountain bikers travel from other states (and local areas around the State of Delaware) to enjoy the Parks' biking trail system that has a large draw. The National Interscholastic Cycling Association hosts a Delaware youth team.
- Hunting occurs for herd management and provides potential opportunities for overnight guests.

Photo above: White Clay Creek State Park fall foliage hikers.

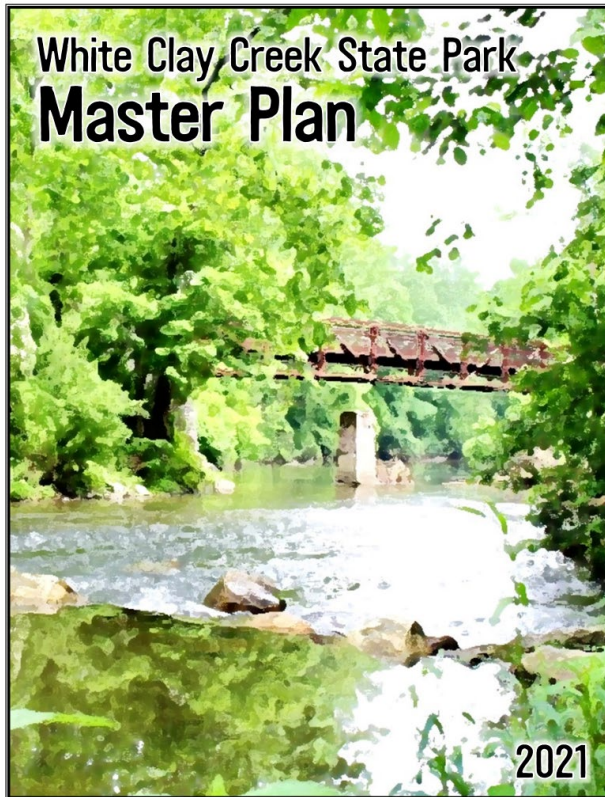


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- Adaptive reuse of historic structures
- Protection and enhancement of ecology and natural resources
- Reconfiguration of some vehicular ingress/egress and parking area
- Programming and signage
- Trails and camping

The public was integral in the creation and approval of the master plan. More than 1,200 participants provided feedback. All comments received were thoroughly evaluated for inclusion in the plan.



White Clay Creek State Park offers scenic and recreational open space among 3,689 acres and nearly 40 miles of trails in northern Delaware. The Park is popular for hiking, bicycling, trail running and fishing. It includes accessible fishing docks, a disc golf course, a pavilion, bandshell, playground, agricultural concessionaires, public golf course, and diverse natural areas. It is next to the University of Delaware and City of Newark.

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## CONCESSION OPPORTUNITIES

### OVERVIEW OF WHITE CLAY CREEK STATE PARK

The awarded Vendor(s) will operate **OUTDOOR PUBLIC RECREATION SERVICES** at the following **Venue Location**:

- **Niven Property** - 71 Nine Foot Road, Newark, DE 19711

### DRAFT CONTRACT TERM

The Draft Contract will have a term of ten (10) years with an estimated effective date of **January 1, 2026, or prior**.

If Capital Improvements (defined in the Draft Contract) are included in Bidder(s) proposal and resulting award, DNREC may shorten the contract term if the Vendor(s) does not complete the required Capital Improvement project (discussed later in this document) as required by the Draft Contract.

### SERVICE OPPORTUNITIES

The following describes the required and authorized services as specified in the Draft Contract. The Vendor(s) must provide the required services. Identified opportunities for services are subject to approval from DNREC and the Park Superintendent.

#### Exhibit 3. NAT25003\_NIVEN OUTDOOR RECREATION – Service Opportunities

Service Opportunities	Description
Agritourism	Agricultural activity that may include direct sales, education, hospitality, outdoor recreation, and entertainment (i.e., farm-to-table programming)
Group Activities	Patron planned activities such as yoga/active recreational, recreational tours, spa services, local tours, movie nights, educational interpretation services, beverage and food tastings, etc.
Special Events	Weddings, family gatherings, music events, corporate functions, etc.
Recreational Business Support	Recreational business office, brick-and-mortar operations – must provide on-site recreational services
Caretaker/workforce housing	Operation support staff housing
Overnight Accommodations	Public and private uses with bedroom and bathroom accommodations arranged for short-term stays of less than 30 days through booking; limited tent camping and/or glamping
Recreation Services	Bike rentals and tours, hiking tours, birding, pickleball, tennis, fishing, outdoor recreation outfitter services, etc.
Bed and Breakfast	Overnight accommodations with morning meal; operations include unique recreational and cultural features



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Food & Beverage Services	Catering for events, waiter service meals, buffet meals, private dining, and overnight guest food services
Cultural Resource Engagement	Programs and activities that support cultural resource information such as historical information related to White Clay Creek State Park and/or Newark, Delaware that include nonrenewable and unique historical sites, culture, history, architecture, archeology, etc.
Retail	Gifts, souvenirs, and convenience items for sale. 100 percent of the retail environment will feature interpretive messages and merchandise concepts linking the store and its products to the Park's significance.
Open	Vendor(s) to provide alternative use (not listed above) that includes recreational and/or cultural use that is in-line with public use and Division goals.

The awarded Vendor(s) shall keep itself fully informed of and shall observe and comply with all applicable existing Federal and State laws, and County and local ordinances, regulations and codes, and those laws, ordinances, regulations, and codes adopted during its performance of the work.

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## INVESTMENT ANALYSIS

### INITIAL INVESTMENT

The Vendor(s) total estimated required initial investment includes personal property, inventory, working capital, start-up costs, and operating supplies. The Bidder's proposal in response to the prospects should address how it intends to fund these items.

#### *Personal Property*

The Vendor(s) shall estimate the initial personal property investment associated with the Draft Contract. This total includes personal property such as furniture, trade fixtures, equipment, and vehicles.

#### *Start-Up Costs and Working Capital*

At the start of the Draft Contract, the Vendor(s) may need to make a one-time investment in a range of activities to ramp up operations including hiring staff, training (which may involve compensation to staff in addition to normal wages), systems implementation, legal support services, and marketing and advertising.

In addition to any necessary investment in these activities, the Vendor(s) will need to invest a certain amount of cash to cover the first few months of operating expenses the Vendor(s) likely will incur.

The Vendor(s) will be required to make Capital Improvements required to bring Venue up to code for its proposed services offering.

#### *Additional Financial Requirements in Contract Years (Estimated Year Two)*

In addition to the initial investment, the Draft Contract requires the Vendor(s) to complete Capital Improvement project(s) throughout the contract term. Bidder's proposal in response to this RFP should address how it intends to fund these items. A third-party inspection report is included for each site for Bidders review and determination of potential capital needs.

### DNREC DEFERRED CAPITAL MAINTENANCE OF CONCESSION VENUES; BIDDER PRELIMINARY ACTION PLAN FOR CAPITAL IMPROVEMENTS AND DEFERRED MAINTENANCE

DNREC has no anticipated deferred maintenance actions at this time. **The Bidder shall be responsible for full Venue and site inspection to identify Capital Improvement and Deferred Maintenance Actions and submit a Preliminary Action Plan with its proposal, in addition to showing how it intends to fund such actions. Bidders are allowed to propose tiered percent of gross payments or revenue adjustments for Capital Improvements as part of their proposal.**

### ONGOING FINANCIAL AND OPERATIONAL REQUIREMENTS

In addition to the investments listed above, the Draft Contract includes the following requirements that are ongoing through the term of the Contract. The Bidder's proposal to this RFP should address how you intend to fund these items or account for them.

#### *Repair and Maintenance of Facilities*

The Draft Contract requires the Vendor(s) to be responsible for repair and maintenance of the Venue Site. Additionally, Vendor(s) must **allocate a percent of annual gross receipts to the Capital Improvement Fund (CIF)**. This establishes a fund for improvement activities.



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*Annual Fee and Percent of Gross Revenue Payment*

Vendor(s) shall be required to pay the annual fee and percent of gross revenue payment, according to the schedule set forth, as set out in the RFP.

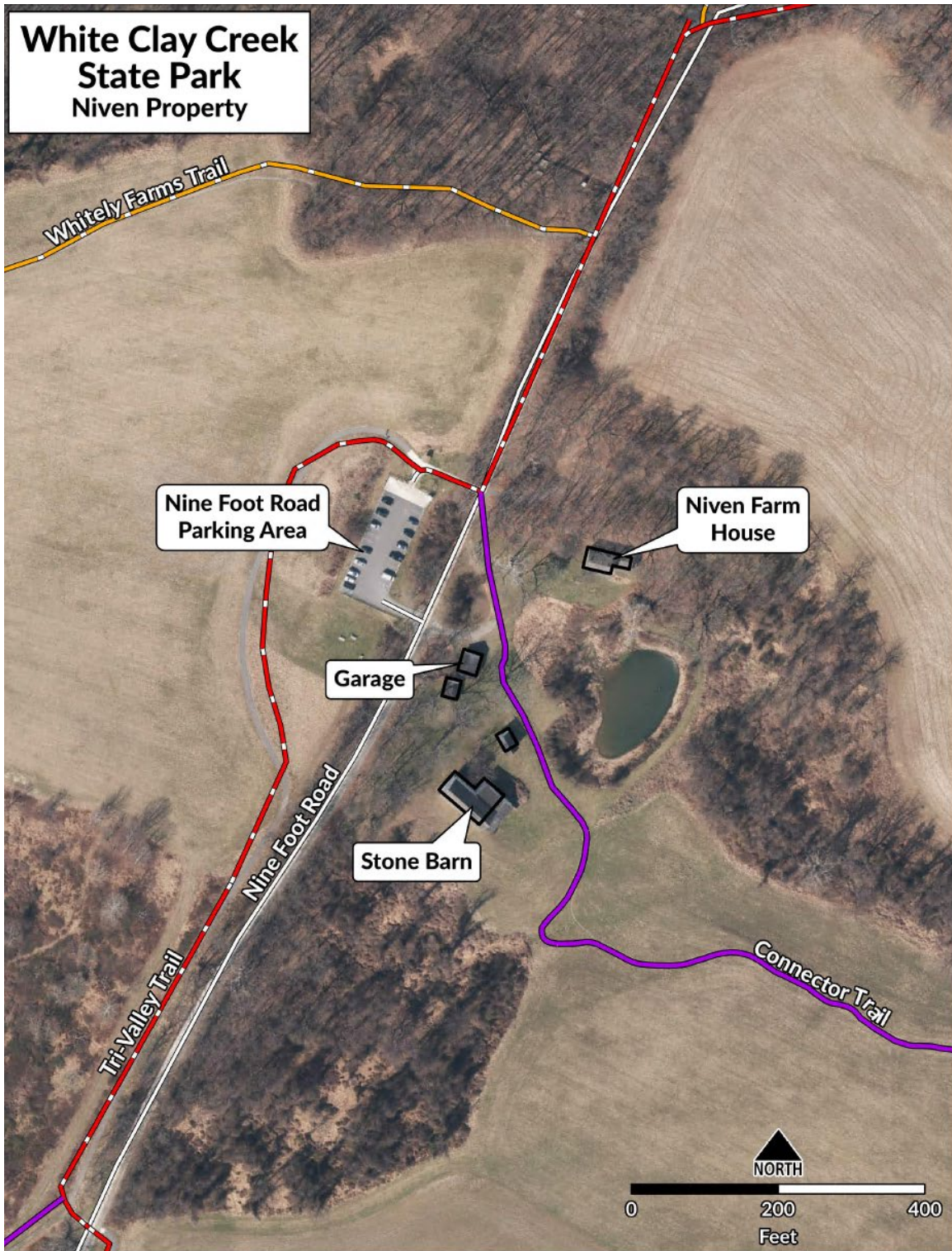
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## INFORMATION ABOUT EXISTING VENUE

- **Niven Property** - 71 Nine Foot Road, Newark, DE 19711



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## NIVEN PROPERTY DESCRIPTION AND INFORMATION

The Niven property (tax parcel 08-041.00-030) resides on the south side of Nine Foot Road in the Possum Hill Area of White Clay Creek State Park. The original portion of the house was built in 1850, with two additions dating back to the early twentieth century. The main house is approximately 2100 sq. ft. The house underwent initial renovations to improve efficiency and accessibility (interior was cleared in preparation for full interior replacement). Along with the farmhouse, the property is comprised of a garage, two large sheds, a 2500 sq. ft. bank barn, and a springhouse. The property is within proximity of a public parking lot, two multi-use trails for hiking and biking, and the Park's newest accessible trail. The parking lot also serves as headquarters for the fall hayride programs.

### The main house of the estate includes:

1. Elevated front porch

### Outbuildings include:

1. Barn
2. Pull through garage
3. 2-story shed (second floor requires reconstruction)
4. Single story shed
5. Spring house

### Utility Specifics:

Septic and Well water.

### Photos and Video:

Photos and video of the property are available at [https://destateparks.photoshelter.com/galleries/C0000TYrbw\\_GFxtg/G0000\\_6iRjdPFa\\_gc/Niven](https://destateparks.photoshelter.com/galleries/C0000TYrbw_GFxtg/G0000_6iRjdPFa_gc/Niven) Note – the barn has had a new roof, foundation/masonry work and siding repairs which are more current than the condition shown in some of these photos. Additionally, the barn was treated for termites during the recent construction work.

### Parking:

Shared parking is nearby (across the street); there is no parking lot or finished driveway at the Niven property.

### Third Party Inspection Report and Additional Condition Information Available:

Included on <https://mmp.delaware.gov/Bids> as **Exhibit 4** (“Niven Inspection”) to this RFP. Note – the barn has had a new roof, foundation/masonry work and siding repairs which are more current than the condition noted in this report. Additionally, the barn was treated for termites during the recent construction work.

- Property previous use as residential.
- Access from main park drive is via an old path that consists of gravel and dirt.



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- Structure has elevated entry in front an at-grade entry in rear.
- Structure faces man-made pond with outlet to regulated NHD Blue-Line Stream.
- All improvements require adhered permits and code compliance.
- For drive access, a new paved driveway is required extending from main Park Drive up to house.
- House is completely cleared/gutted- no HVAC.
- Barn needs framing repair and roof.
- Outbuildings require repairs.
- Pond outflow pipe is out of order- needs repair.

**Previous improvements made by DNREC in the past several years:**

- Interior gutted/cleared in preparation for new plans/construction.
- Barn (**2024/2025 recent improvements include:** foundation/masonry work, new roof, repaired wood siding, and some newly repainted siding).

**Landscaping and use of Pond:**

- Vendor responsible for tree maintenance (no cutting without DNREC approval), mowing, mulching, weed control, planting (trees and plants must be non-invasive to Delaware and must have DNREC approval), and snow removal within their area of responsibility on the map below.

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Area of Vendor Responsibility shows on the following map:



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## ADDITIONAL RFP COMPONENTS

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The awarded Vendor(s) will operate **OUTDOOR PUBLIC RECREATION** at the following **Venue Location**:

- **Niven Property** - 71 Nine Foot Road, Newark, DE 19711

The following Appendices are included as part of this RFP. Bidders shall review each section carefully and respond where required to ensure consideration for award.

- **APPENDIX A** – PROPOSAL RESPONSE AND REQUIREMENTS PACKET
- **APPENDIX B** – DRAFT CONTRACT

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