

First Addendum to RFB 030926 - Cumberland Viewing Concession

Cumberland Falls State Resort Park

This Addendum hereby extends RFB 030926 from MARCH 9 to MARCH 16, 2026.

Q&A

1. Section III, paragraph 7 states

Maximum Cost: The maximum cost per raft ride shall be recommended and submitted by the Bidder, with final approval of the maximum cost determined by the Department of Parks, prior to beginning operations. Thereafter, the Bidder may request, in writing, a price adjustment, only between the months of June 15 and August 15 of each year.

Is this for each type of trip offered, ie Rainbow Mist (raft), Moonbow Mist (raft), Rainbow Mist SUP/Kayak, and Moonbow Mist SUP/kayak? Is the approval done at the beginning of each season, or in the 1st year of this contract? If in the 1st year of the contract, does that mean we would only be able to raise prices mid-season?

Response: Yes, this is for each type of trip offered. Approval is done at the beginning of each season with the issuance of the agreement renewal. Changes to pricing can only be made between June 15th and August 15th of each year.

2. Section III, paragraph 9 states

Customer Hold Harmless Disclaimer: Customers shall sign a “Hold Harmless Disclaimer” at the time of purchasing tickets for the Cumberland Falls Waterfall Viewing Concession, for the benefit of the vendor and the Park. The vendor shall provide a copy of their Hold Harmless to the Department of Parks for review and approval.

Since tickets can be purchased in advance, and customers cannot be forced to sign the waivers at the time of booking, can this be changed to signing ‘before the beginning of the trip’?

Response: As long as the waiver has been obtained prior to the patrons taking the trip, this is fine.

3. Section IV, Hours of operation states

The Waterfall Viewing Concession shall operate from at minimum, Wednesday through Sunday as safe daylight hours & weather conditions allow. These hours and days may be extended at the discretion of the awarded bidder as seasonal daylight hours and weather dictate. All deviations from the schedule above should be approved by the Department of Parks. The operating schedule for the balance of the year shall be at the mutual consent of

the park and the Bidder. Any variation from the park hours during June through August shall require a request from the Bidder to the park manager 48 hours prior to the proposed schedule variation and approval by the park manager.

This section does not address the season of the required schedule (I am guessing June through August?). More critically, the exception to the minimum operating days needs to include water level/conditions as well as weather. In addition, critical water/weather conditions may not be knowable 48 hours in advance for notification and approval of closure.

Response: We kept the operations language ambiguous due to the variety of uncontrollable natural issues that could come up that would prevent trips from being able to safely run.

4. Section V, Paragraph 6 states

Bidder's employee(s) shall have River Rescue training provided by a nationally recognized and/or certified training provider and provide copies of the certificates for each employee to the Department of Parks. Any questions regarding approved training requirements for employees should be provided to the Department of Parks for agreement on prior to beginning operations.

The Rainbow Mist trips do not take place on whitewater. The techniques taught in the nationally certified river rescue classes are of little to no use on the rainbow mist trips. In addition, RR certification is prohibitively expensive in both time and money for this particular trip. We have been doing in-house river rescue training, focused on the skills needed in the RM environment. Can this requirement be changed to allow in-house river rescue training, for all ON RIVER employees involved with the Rainbow Mist trips? Specifically, the reservationists staffing the sign-up area would generally have no use for the river rescue training.

Response: This is a very good point-river rescue certification would be overkill. I feel that in-house river training would be acceptable as long as it is documented.

5. Section IX, paragraph 3 states

The balance of the license payment for the term of the resulting license shall become due and payable within thirty (30) calendar days of the acceptance of the successful bid. Payment shall be made payable to Cumberland Falls State Resort Parks, 7351 Highway 90, Corbin, KY 40701.

Is there additional money due other than the initial \$500?

Response: The bid deposit in the amount of \$500.00 is due at the time of the bid opening.

6. Section XI, paragraph 2 states

Bidder shall maintain a clean and litter-free area throughout the leased premises.

What constitutes the leased premises? Where the RM trailer is? Does it include the beach area? Just where we launch on any given day? The entire beach?

Response: The leased area includes the area in which the trailer is located and directly surrounding it.

7. Section XI, paragraph 3 states

The Cumberland Falls Waterfalls operation and rafting excursion ready for tourists by 10:00 a.m.

Is that when the reservation office opens? When the RM trips must start?

Response: This is the time the reservation office opens to be able to book trips for the onsite and walk up guests. Trips would typically begin 1 hours later at 11 am.

8. Section XXIV, paragraph 2 states

Gross Receipts shall also include, for the purposes of the resulting License, Kentucky Tax, writing fees for licenses, and Federal Excise Tax on those items subject to it, which are exempt from the Gross Receipts for fee purposes.

To clarify, Gross receipts for reporting of the license fee, does not include sales tax. Is that correct?

Response: According to KRS 139.010 (12) (a) 2-4, yes, you must charge the tax on gross receipts for taxable service. An example would be if there was a recreation tax, that would be added into the gross receipts and sales tax would be charged on that total amount. If there was a convenience fee or local tax charged to the customer, this would all be included in the gross receipt, and sales tax would be added to the total amount.