



**Department of Environmental Conservation  
Division of Division of Water**

**Request for Proposals (RFP)  
RFP 18-332-21**

**Addendum One**

**COMMERCIAL PASSENGER VESSEL OVERSIGHT**

**Date of Issue: March 2, 2021**

The RFP Package is hereby clarified or changed as follows:

1. Submittal deadline has not been changed.
2. Remove and Replace
3. Questions and Answers

The questions and answers, remove and replace, begin on page two. This Addendum is hereby made part of the RFP and is a total of seven pages not including the attachment.

All other terms and conditions for this RFP remain unchanged.

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## **Remove and Replace:**

1. Remove “Attachment 1, Cost proposal Form G” and **Replace** with “**Addendum One-Revised Attachment 1, Submittal Form G-Cost**”.

2. On page 10 of the RFP, Section 3.02,

Remove “The length of the contract will be from the date of award, approximately January 18, 2021 through December 31, 2021 with three one-year renewal options at the State’s discretion.” and

**Replace** with “The length of the contract will be from the date of award, **approximately April 1, 2021** through December 31, 2021 with three one-year renewal options at the State’s discretion.”.

3. On page 21 of the RFP, Section 3.05,

Remove “The State will make a single payment when all of the deliverables are received, and the contract is completed and approved by the project director.” and

**Replace** with “Tasks A, B, C, D, E and F will occur prior to the observer deployment period. As time and resources are expended by the contractor and these tasks are satisfactorily completed and approved by the project director, the contractor may invoice the State for payment.

During the observer deployment period, the contractor may invoice the State monthly for Task G: Deployment and Task H: Observer Reporting. The cost proposal form has been updated to reflect the in-port versus underway costs which will need to be detailed as part of your proposal.”.

## **Questions and Answers**

**Question 1:** In light of Section 3.05, will the State pay for each deliverable specified by in Form G, Tasks A-H as long as the deliverable is approved by the project director?

**Answer 1:** Yes.

**Question 2:** It’s a fixed fee contract so if one inspection is performed, is the Task G fixed fee amount payable in full? Section 1.02 seems to indicate that if the season is cancelled, there will be no payment, but the program implementation costs must be expended to prepare, even if only one inspection is conducted.

**Answer 2:** A fixed price contract is one that obligates the contractor to performance at a specified price., so the rates provided in the Submittal Form G are firm rates that remain throughout the contract. For example, if vessels cancel, reduce, delay, or do not complete their planned 2021 Alaska itinerary for COVID-19 related or any other reason and the contractor deploys observers on 3 vessels, instead of the 30-40 required by the contract, the contractor would be paid at the rate in the Submittal

Form G for coverage of those 3 vessels only.

Deployment rates will only be paid if vessel coverage occurs. Offerors must communicate with the project director prior to flying observers out for deployment.

**Question 3:** We propose the following payment plan to afford flexibility, efficiency and fairness to both parties:

- 1) Payment for Tasks A, B, C, D, E and F as “Implementation of Program” when the deliverables are approved by the project director;
- 2) Payment for Tasks G and H on a per inspection basis, invoiced monthly, with 2 possible rates:
  - i) One rate for in-port inspections
  - ii) One rate for the 25% of underway inspections; and
- 3) Payment for Ongoing Reports invoiced monthly

Payment on a routine basis is in line with general business practices and will result in a business having the capability to dedicate the resources necessary to implement an effective program.

**Answer 3:** Tasks A, B, C, D, E and F will occur prior to the observer deployment period. As time and resources are expended by the contractor and these tasks are satisfactorily completed and approved by the project director, the contractor may invoice the State for payment.

During the observer deployment period, the contractor may invoice the State monthly for Task G: Deployment and Task H: Observer Reporting. The cost proposal form has been updated to reflect the in-port versus underway costs which will need to be detailed as part of your proposal (see attached- **Addendum One-Revised Attachment 1, Submittal Form G-Cost**).

**Question 4:** RFP Section 2: From 2007 to 2019, environmental observers and United States Coast Guard (USCG) licensed engineers have been onboard cruise ships. DEC proposes a repeal and reenactment of portions of AS 46.03.460-490. Accordingly, DEC is pursuing an alternate monitoring and inspection program for commercial passenger vessels. This contract will serve to assist DEC in carrying out its authority to inspect commercial passenger vessels and monitor compliance with applicable State and Federal requirements.

- a) Does this mean that this version of the RFP takes into account the alternate monitoring and inspection program, or does it mean that will be future changes to the program?

**Answer 4a:** This version of the RFP takes into account the alternate monitoring and inspection program but does not preclude the Department from implementing the necessary changes for maintaining regulatory oversight.

- b) If the statute stays in place, what will be the impact on the contract?

**Answer 4b:** If the current statute stays in place, this contract will still be valid.

**Question 5:** Are the documents referenced in the RFP and utilized in past programs public information?

**Answer 5:** Yes, as long as the document does not contain proprietary or confidential information.

**Question 6:** Specifically, is there an example available for the following:

- Communications Plan
- Weekly Status Report
- Access Report
- Close-out Report
- Deployment schedule
- Standard Operating Procedure for deployment schedule
- Job descriptions for hiring, or is this needed?
- Training materials and certificates
- Inspection Checklist
- Oil and Sheen Spill Report
- Inspection Report

Although our Marine Engineers are experienced with the program, we will use the past program documents, when available, to suggest improvements identified by the team and to implement updated technology considerations. Please advise if these documents are available for review.

**Answer 6:** All materials referenced below will be provided after the award of the contract.

The Department will provide a template example of the communications plan.

The Department will provide copies of previous reports or templates for the weekly status, access, and close out reports, and standard operating procedure for deployment schedule. Please note, however, that if example reports from previous contracts are provided, they may not encompass the same requirements as this contract. They may be used for reference and as a starting point for document development, but the contractor will be responsible for developing the reports based on the conditions as set forth in this RFP.

The Job descriptions for hiring is not required.

The contractor is responsible for developing the six-week deployment schedule with an outline of methods used to coordinate schedules and dispatch independent observers based on the vessels identified by the Department. The Department will determine which vessels will be included in the deployment schedule no later than April 1. Note, however, that vessels are subject to change after that date.

The Department will provide general PowerPoint outlines for the training material modules required as a minimum in the RFP. The contractor will produce the certificates.

The contractor will not develop the Inspection Checklist, Oil and Sheen Spill Report and Inspection Report forms. The Department will provide these documents to be utilized during the observer deployment period.

**Question 7:** Section 3.03, C: The Department will dictate which vessels must be inspected and the Contractor shall develop the deployment schedule for coverage of those vessels. The Contractor shall be expected to schedule and conduct no more than 25% of the observations while underway, versus in-port, in this deployment schedule. Underway observations shall be conducted on a typical overnight port to port vessel voyage and shall not include berth purchase. For deployment scheduling, an independent observer shall not be assigned to more than 2 vessels per day.

a) Please clarify what the State means by “shall not include berth purchase”.

**Answer 7a:** The State will not pay any costs associated with berth purchases. The contractor will be responsible for determining if berth purchases will be required by commercial passenger operators for the underway inspections and will be responsible for all costs associated with berth purchase.

**Question 8:** Section 3.07 – No payment will be made until the contract is approved by the Commissioner of the Department of Environmental Conservation or the Commissioner's designee. Under no conditions will the State be liable for the payment of any interest charges associated with the cost of the contract. The State is not responsible for and will not pay local, State, or Federal taxes. All costs associated with the contract must be Stated in U.S. currency.

Please clarify whether this includes sales tax since there will be expenses that are taxed, such as hotels and gear. Payment of fixed fees does not require itemized expenses for reimbursement, so this issue is unclear.

**Answer 8:** The State of Alaska will not pay any sales tax.

**Question 9:** Sec 3.08 – Quarterly Usage Report – how does this apply?

**Answer 9:** A report detailing the money spent by the contractor between April 1 – June 30 is due on July 31, 2021, and any additional quarters worked require a quarterly usage report by the due date stated in the RFP. The Contractor must provide a quarterly usage report to the procurement officer in an electronic format (Excel). The report must contain at least the following information: purchasing entity, description of items and/or services purchased, date of purchase, contract price, retail price, extended contract and retail price, and savings.

**Question 10:** Section 3.11 – Subcontractor experience shall not be considered in determining whether the offeror meets the requirements set forth in **SEC. 1.04 PRIOR EXPERIENCE**.

a) are employees that are 1099 employees considered to be Subcontractors? Since this is a seasonal project, our team is comprised of some individuals who commit to the project implementation period but may not be W-2 employees. All team individuals and subcontractors will present a written commitment to performing the project.

**Answer 10a:** 1099 employees are considered subcontractors.

**Question 10b:** if individuals are considered to be subcontractors, will the individuals be required to have an Alaska business license?

**Answer 10b:** Per Alaska Statute AS 36.30.210(e), subcontractors working in Alaska must have a valid Alaska Business License.

**Question 10c:** If part-time, seasonal 1099 employees or subcontractors are used to staff the team, will the State consider a waiver to considering the experience of these individuals? For example, if one of the most qualified and experienced team members is retired and commits to being an observer for the June 1 – July 13 term, then that person may be considered a subcontractor, but their exceptional qualifications would not be taken into account.

**Answer 10c:** There is no waiver for prior experience. The State will not consider subcontractor experience for the Prior Experience requirements.

**Question 11:** Section 3.13: At reasonable times, the State may inspect those areas of the Contractor's place of business that are related to the performance of a contract. If the State makes such an inspection, the Contractor must provide reasonable assistance.

We do not believe that performance of the contract requires dedicated office space. With the new “work from home” era, technology advancements ensure that communication and productivity are at least as robust as provided in an office environment. Is it a disqualifying issue if business is conducted from the home offices of the team members and manager?

**Answer 11:** This contract will not require inspection of the contractor’s place of business.

**Question 12:** Submittal Form A, Certifications: The offeror is presently engaged in the business of providing the services & work required in this RFP.

a) A special purpose company has been formed and licensed in Alaska specifically to provide the most qualified and best located inspectors for implementation of this contract. The company itself will be the “offeror” and has not been presently engaged in the business of providing such service. Will this be disqualifying since it is a new company, or should we just explain that the individuals who are committed to perform the services are currently or have previously been engaged in the services?

**Answer 12:** Refer to Submittal Form A page two, \* For any “False” responses, provide clarification (up to 250 word maximum for each “False” clarification).

**Question 13:** Is there a place to view the schedule for small vessels, as that is likely the type that will travel in Alaska this summer? That schedule would be helpful in refining travel cost estimates.

**Answer 13:** To date, two small vessels have registered with the Department and one has submitted an itinerary. However, small vessels that work with Cruise Line Agencies of Alaska have submitted tentative schedules which can be viewed online at: [https://claalaska.com/?page\\_id=1250](https://claalaska.com/?page_id=1250)

**Question 14:** Also, will inspections be required for the Alaska Marine Highway ferries?

**Answer 14:** The vessel inspections will be identified by the Department after the award of the contract.

Offerors must acknowledge receipt of this addendum prior to the submittal deadline.

The proposal documents require acknowledgment individually of all addenda to the drawings and/or specifications. This is a **mandatory requirement** and any proposal received without acknowledgment of receipt of addenda may be classified as not being a responsive proposal.

**End of Addendum**