



**REQUEST FOR PROPOSAL (RFP) FOR
PROVISION OF TUGBOAT**

Specification No. PA7274

Required for use by:

**BRITISH VIRGIN ISLANDS PORTS AUTHORITY
Managing Director
BRITISH VIRGIN ISLANDS**

All qualifications and other communications must be addressed and returned to:

Managing Director
Telephone: (284) 494-3435
Email: llendor@bviports.org

British Virgin Islands Ports Authority
Port Purcell P.O Box 4, Road Town,
Tortola, British Virgin Islands

**PROPOSALS MUST BE RECEIVED NO LATER THAN 4:00 P.M., ATLANTIC STANDARD TIME, ON FRIDAY,
SEPTEMBER 20, 2019**

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**REQUEST FOR PROPOSAL (“RFP”) for
PROVISION OF TUGBOAT FOR BVI PORTS AUTHORITY
Specification No. PA7274**

I. GENERAL INVITATION

1.1 Purpose of the Request for Proposal

The British Virgin Islands Ports Authority (BVIPA) (hereafter abbreviated as “Authority”), through this Request for Proposal (hereafter abbreviated as “RFP”), extends an invitation to qualified tugboat Owners/Operators for the provision of one tugboat.

The British Virgin Islands Ports Authority (BVIPA) is responsible for the welcoming and safe arrival of seafaring passengers, as well as the reception, handling and security of cargo and sea-based trade.

The BVIPA was established by the British Virgin Islands Ports Authority Act, No. 12 of 1990 (“the Act”), as a separate corporate entity, solely owned by the Government of the Virgin Islands. The BVIPA is governed by a Board comprised of a Chairman, Deputy Chairman, five members, and seven ex-officio members.

The day to day operations are assessed and actioned by a management team headed by the Managing Director, which oversees ten departments: Office of the General Counsel, Administration, Business Development, Human Resources, Finance, Information Systems, Projects & Maintenance, Marine, Security, and Operations.

In addition to its Managing Director, the Authority’s management teams comprises a Deputy Managing Director, General Counsel, Business Development Manager, Information Systems Manager, Operations Manager, Marine Manager, Administration Manager, Compliance Manager, Security Manager, and Human Resources Manager.

Tug Companies are invited to respond to this RFP. There is no expressed or implied obligation for the Authority to reimburse responding companies for any expenses incurred in preparing proposals in response to this request. The selected Respondent(s) (hereinafter abbreviated as “Tug Company”) awarded a Contract shall provide a tugboat and operation as per the details outlined in Scope of Services.

The Tug Operator(s) shall deliver the tugboat to BVI Ports Authority in Tortola, British Virgin Islands. The Tug Operator(s) shall deploy the tugboat and shall assist in port operation as per the direction of the Managing Director or his representative and designated port management team.

The work contemplated is professional in nature. It is understood that the Respondent acting as an individual, partnership, corporation or other legal entity, is of professional status and will be governed by

professional ethics in its relationship to the Authority.

The Tug Company shall be financially solvent and each of its members if a joint venture, its employees, agents or subcontractors of any tier shall be competent to perform the services required under this RFP document.

1.2 Access to this RFP

All materials related to the RFP will be available via media outlets in the British Virgin Islands.

Respondents will be responsible for checking media outlets for Clarifications and/or Addenda, if any. Failure to obtain Clarifications and/or Addenda shall not relieve the Respondent from being bound by any additional terms and conditions in the Clarifications and/or Addenda, or from considering additional information contained therein in preparing your response. Note, there may be multiple Clarifications and/or Addenda. Any harm to the Respondent resulting from such failure shall not be valid grounds for a protest against award(s) made under the solicitation.

The Authority accepts no responsibility for the timely delivery of materials or for alerting Respondents on additional posting of information related to this RFP.

II. DEFINITIONS

“Authority” means the British Virgin Islands Ports Authority.

“Contract” or “Agreement” means a binding written agreement for the solicited Work and/or Services required by the Authority, including purchase orders, containing terms and obligations governing the relationship between the Authority and the Contractor.

“Addendum” means a revision of the RFP Documents issued by the Managing Director – BVI Ports Authority prior to the due date for submitting Proposals.

“Tug Company” means the Proposer or Respondent that receives an award of Contract or Agreement from the Authority as a result of this Solicitation.

“Proposal” means the documents timely remitted by Proposer or Respondent, in response to this Solicitation.

“Proposer” or “Respondent” means all companies, organizations, or other entities submitting a response to this RFP.

“Scope of Services” or “Scope of Work” means section III of this Solicitation, which details the work to be performed by the contractor.

“Solicitation” means this Request for Proposal (RFP) document, and all associated addenda and attachments.

“Work” or “Professional Services” means the provision and operation of a tugboat provided by the Tug Company in fulfilling its obligations to the Authority, as more specifically detailed in the Scope of Services.

III. SCOPE OF SERVICES

The objective of the RFP is to enter into an agreement with a Tug Company for the provision of a tugboat and operator for the BVI Ports Authority. The Tug Company will be awarded a contract for Services, whereby an estimated maximum compensation limit will be established for the duration of the contract term and adjusted by amendment, if necessary.

Contract Period: The contract period of the tugboat/operator shall be 3 (three) years from the commencement of charter. During every calendar year of the charter period, the tugboat is required to be deployed at BVI Ports Authority terminal.

3.1 Primary Function

The primary functions are as follows but are not limited to:

- Provide a tugboat and operator to ensure safe berthing and de-berthing of cruise ships and other berthing vessels.
- Assist in the firefighting duties when required at sea.

3.2 Requirements

The tugboat shall possess the following minimum technical requirements.

- The tugboat shall not be more than 10 (ten) years old. Documents in support of year of built and registration shall be submitted by the bidder / tug operator.
- Performance Speed: Twelve (12) knots approximately at trial condition.
- The tugboat must have a minimum of 3000 horsepower and be capable of handling cruise ships
- Tug Company is required to complete the specification chart located in Exhibit B

In addition to the minimum technical requirements, the Tug Operator is required to maintain the following, but not limited to:

1. Healthy Status of the Tugboat:

- a. Ensure that the operation, maintenance, inspection and testing of tugs, are carried out by well qualified, experienced and certified Engineers/ technicians who shall be arranged/ deployed at their own cost.
- b. Original Equipment Manufacturers (OEM) instructions shall be followed strictly for maintaining the tugboat and related equipment.
- c. Any inspection, maintenance, testing or crew change over etc. shall be planned in such a way that BVI ship berthing is not affected.

2. Disaster Prevention and Management and Safety Drills:

- a. Participate throughout the Contract period with BVIPA, in establishing and maintaining, operating suitable systems and efficient organization, skilled and trained personnel and

the necessary communication equipment and all other facilities for prompt deployment at any time of the Disaster Management Plan (DMP) and its procedures.

- b. Participate in periodic exercises and simulations in co-ordination with BVI Ports Authority
- c. Participate in safety training programs and fire drills.

3. Pollution Control:

- a. Ensure safe navigational operations as per guidelines of all international bodies for vessels and shore facilities.
- b. Ensure that the tugboat is equipped on board with readily deployable oil pollution control, spill response and clean up equipment or shall be able to promptly load such equipment.
- c. Tug Operator will be solely responsible for the all types of pollution caused by his/her own crafts, people, machineries

4. Documentation

- a. Prepare, submit and timely update following minimum documents:
 - Safety instructions and procedures
 - All Mandatory & Regulatory required certificates for providing these services.
 - Operating instructions and Procedures for every operation within the scope
 - Fuel and lubricant handling and disposal procedures
 - Incident reporting and management procedures
 - Security procedures and instructions
 - First Aid procedures
 - Firefighting procedures
 - Emergency procedures for tugboat
 - Environmental compliance plan and procedures
 - Coordination with the emergency response plans of BVIPA
 - Spill and pollution prevention plan
 - Waste Management procedure
 - Any other procedure required for operation of the services

5. Waste Reception Facilities

- a. Provide facilities for reception of the generated wastes from his own vessels and its disposal. The waste management plan must indicate and identify the location for landing of solid and liquid wastes after unloading waste from its vessels/equipment.

6. Registry

- a. The Tug Operator shall be responsible for the registration of the tugboat.
- b. Tugboat, operator and Tug Company must be in good standing in accordance with international standards and regulations.

If the Tug Operator or Tug Company is registered as an entity in the British Virgin Islands, then the company/operator is required to be in good standing with the Registry of Corporate Affairs, Inland

Revenue, NHI and Social Security and be the holder of a valid Trade License issued by the Department of Trade. If the Tug Operator or Tug Company is registered as a foreign entity, this clause applies in so much as the company/operator must be in good standing with government regulations in their jurisdiction.

3.3 Provision by the BVIPA to Tug Operator

The BVIPA will provide the following to the Tug Operator:

- Tug berth Jetty for berthing/ parking of the vessel.
- Workshop facilities of BVIPA will be made available to the Tug Operator for routine maintenance as per mutually agreed maintenance schedule on payment basis.

IV. GENERAL INFORMATION AND GUIDELINES

4.1 Communications between the Authority and Respondents

A. Submission of Questions or Requests for Clarifications

Respondents must communicate only with the Managing Director of BVI Ports Authority regarding this RFP. All questions or requests for clarification must be submitted to the following e-mail address llendor@bvipa.org. The subject line of the email must clearly indicate that the contents are "Questions and Requests for Clarification" about the RFP and must refer to "Request for Proposal (RFP) for the Provision of Tugboat, Specification No. PA7274." The specification number must appear in the subject line of the e-mail. No telephone calls will be accepted.

All questions and requests for clarifications must be submitted no later than 4:00 p.m., Atlantic Standard Time, on **Monday, August 19, 2019** or no response will be provided. A Respondent that deviates from any of these requirements is subject to immediate disqualification from this RFP process.

4.2 Deadline and Procedures for Submitting Proposals

1. To be assured of consideration, Proposal responses must be received by the Authority **no later than 4:00 P.M. Atlantic Standard Time on Friday, September 20, 2019.**
2. The Authority will not accept responses delivered after the established deadline, stated above. If the response is delivered after the established deadline, a Respondent shall be deemed non-responsive to the Solicitation requirements.
3. Proposals must be delivered to the following address:

Managing Director
British Virgin Islands Ports Authority
Port Purcell P.O Box 4, Road Town,
Tortola, British Virgin Islands

4. Respondent is required to submit one (1) sealed hard copy (either mailed or hand delivered) and an electronic copy in PDF format sent to the point of contact on this email llendor@bvipa.org. The outside of each sealed envelope shall clearly be marked as follows:

Proposal Enclosed: Request for Proposal (RFP) for Provision of Tugboat

Specification No. PA7274

Due: 4:00 p.m. Atlantic Standard Time, **Friday,**

September 20, 2019 Submitted by: (Name of Respondent) Package _____ of _____

5. The Authority is within its rights to consider a proposal non-responsive and disqualify a prospective Respondent if it does not follow this format or if the proposal fails to include all of the requirements of this RFP.

4.3 Procurement Timetable

The timetable for the RFP solicitation is summarized below. Note that these are target dates and are subject to change by the Authority.

Advertisement of Request for Proposal	Tuesday, August 27, 2019
Questions and Clarifications	Friday, August 30, 2019
Proposal Submission Deadline	Friday, September 20, 2019 at 4:00 pm

V. PREPARING PROPOSALS: REQUIRED INFORMATION

Each Proposal response must contain all of the following documents and must conform to the following requirements.

5.1 Format of Proposals

Proposal response must be prepared on 8 ½" X 11" letter size paper.

Each page of the Proposal must be numbered in a manner so as to be uniquely identified. Proposal response must be clear, concise and well organized.

5.2 Proposal Document Instructions

The submitted written proposal must utilize the following format and content detail. Proposals shall be prepared so that responses are specifically identified in the same order as the requested information identified below. Failure to comply with the instructions of this RFP may be cause for rejection of the non-compliant proposal.

A. Cover Letter – (Mandatory)

Respondent must submit a cover letter signed by an authorized representative of the entity committing Respondent to provide the Services as described in this RFP in accordance with the terms and conditions of any contract awarded pursuant to the RFP process. The cover letter must:

1. Indicate the number of years the Tug Company has been in operation.
2. Identify the legal name of the Tug Company, its headquarters address, its principal place of business, its legal form (i.e., corporation, joint venture, limited liability company or partnership, etc.), and the names of its principals or partners.
3. Indicate the name, telephone number(s) and e-mail address of the principal contact for this submittal, oral presentation or negotiations.

B. Declaration by Respondent

Respondent must submit a signed copy of 'Declaration' attached in **Exhibit A**. Only Respondents who completed the declaration below will be considered for evaluation.

C. Executive Summary

Respondent must provide an executive summary which explains its understanding of the Authority's intent and objectives and how their Proposal would achieve those objectives.

D. Company Profile

Respondent must provide a brief history and description of their Tug Company's business organization and its specialized services practice and experiences. Within the profile, Respondent is required to include the location of the tugboat and the number of tugboats owned by Company.

E. Rates and Associated Costs

The rates and associated costs shall be prepared using the attached standard form (**Exhibit C**).

VI. EVALUATING PROPOSALS

An Evaluation Committee, which will include representatives from the Board of BVI Ports Authority, and may include representatives of other departments of the Authority, will review and evaluate the Proposals, based on the total cost to BVIPA for operation of all the tugboats during the three (3) years of charter period.

Bidders are requested to provide their priced offers (Daily Charter Rates) for the tugboat in the Schedule of Rates format prescribed in **Exhibit C**. Priced offers provided at any other place shall not be accepted.

1. Following tugs related costs will be considered for evaluation:

- Total Charter Hire cost during the period of deployment in 3 years
- Total Estimated fuel cost during the period of deployment in 3 years
- Applicable taxes and duties, if any during the period of operation

2. The Bidder(s) with lowest cost to BVIPA shall be shortlisted and evaluated based on history of performance, year of vessel, compliance and other regulatory considerations.

3. All prices must be quoted in US (United States) dollars.

4. The British Virgin Islands Ports Authority is not bound to accept the lowest or any tender and reserves the right to reject all tenders. The Authority also reserves the right to evaluate the tenders in any manner it deems fit.

VII. ADDITIONAL DETAILS OF THE RFP PROCESS

7.1 Addenda

If it becomes necessary to revise or expand upon any part of this RFP, an addendum will be sent (electronically or by mail) to all of the prospective Respondents and media outlets in the British Virgin Islands. Each addendum is incorporated as part of the RFP documents, and the prospective Respondent should acknowledge receipt.

An addendum may include, but will not be limited to responses to questions and requests for clarification sent to the Managing Director – BVIPA.

7.2 Authority's Rights to Reject Proposals

The Authority reserves the right to reject any and all Proposals that do not conform to the requirements set forth in this RFP; or that do not contain at least the information required by this RFP.

7.3 No Liability for Costs

The Authority is not responsible for costs or damages incurred by Respondents in connection with the RFP process, including but not limited to costs associated with preparing the Proposal and/or participating in any conferences, oral presentations or negotiations.

7.4 Disclaimer

This RFP is a request for proposals only and not an offer document. Answers to this RFP must not be construed as acceptance of an offer or imply the existence of a contract between the parties. By submission of its proposal, Respondents shall be deemed to have satisfied themselves with and to have accepted all Terms & Conditions of this RFP. The Authority makes no representation, warranty, assurance, guarantee or endorsements to Respondent concerning the RFP, whether with regard to its accuracy, completeness or otherwise, and the Authority shall have no liability towards the Respondent or any other party in connection therewith.

7.5 Form of Contract

The successful Respondent will be required to enter into a contract drafted by or in a form approved by the General Counsel of the British Virgin Islands Ports Authority.

7.6 Corrupt, Fraudulent, Coercive, Collusive and other Prohibited Practices.

The BVIPA requires that all BVIPA Board Members, Employees, Respondents/Proposers, Suppliers, Service Providers and any other person or entity involved in BVIPA related activities observe the highest standard of ethics during the procurement and execution of all contracts.

The BVIPA may reject any proposal put forward by proposers, or where applicable, terminate their contract, if it is determined that they have engaged in corrupt, fraudulent, coercive, collusive or other prohibited practices.

7.7 Conflicts of Interest, Anti-Money Laundering, Anti-Bribery and Corruption

In their proposal, Respondents must

- (i) confirm that, to the best of their knowledge, information and belief, there are no real or potential conflicts of interest involved in rendering Services for the BVIPA, and
- (ii) confirm that they agree to be bound by any policies relating to Conflicts of Interest, Anti-Money Laundering and Anti-Bribery and Corruption which the BVIPA may have in force at any time during the term of the contract.

VIII. EXHIBITS

Exhibit A. Declaration

Only Respondents who completed the declaration below will be considered for evaluation.

RFP No: **PA7274**

I hereby undertake to render services described in the attached tendering documents to BVI Ports Authority in accordance with the requirements and task directives stipulated in RFP No **PA7274** at the price quoted. My offer remains binding upon me and open for acceptance by the BVI Ports Authority during the validity period indicated and calculated from the closing date of the proposal.

I confirm that I am satisfied with regards to the correctness and validity of my proposal; that the price(s) and rate(s) quoted cover all the services specified in the proposal documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this proposal as the principal liable for the due fulfilment of this proposal.

I confirm that, to the best of my knowledge, information and belief, there are no actual or potential conflicts of interest involved in rendering the Services to the BVIPA, and I agree to be bound by any policies relating to Conflicts of Interest, Anti-Money Laundering and Anti-Bribery and Corruption which the BVIPA may have in force at any time during the term of the contract. I accept that the BVI Ports Authority may take appropriate actions, deemed necessary, should there be a conflict of interest or breach of its policies relating to Conflicts of Interest, Anti-Money Laundering and Anti-Bribery and Corruption or if this declaration proves to be false.

I confirm that I am duly authorized to sign this proposal.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

Exhibit B. Specification

The Tug Operator shall furnish the specifications of the tugboat in the prescribed format as below to submit along with the RFP documents:

Specifications

FLAG	
BUILDER	
OVERALL DIMENSIONS	
TONNAGE	
CAPACITIES	
MAIN PROPULSION	
BOLLARD PULL	
DOUBLE DRUM TOW WINCH	
HEADLINE WINCH	
EMERGENCY TOW LINE	
ACCOMMODATIONS	

Navigation / Communications Equipment

Classification

Fuel Consumption			
During vessel berthing	Stand by (vessel operation	During vessel de-berthing	During Idling

Exhibit C. Schedule of Rates

Item Description	Name of Tug	Year built	Daily Charter Rate
Tugboat no.			

Other

Insert other associated costs with the provision of services.

Item	Description, number etc	Total
Other Total		

Contingencies: (utilization only after prior approval in writing by the Authority)	[contingency]
Total Amount of Financial Proposal	