



Solicitation Information

RFP # 7548629

TITLE: Construction, Testing and Delivery of Two (2) Dry Cargo Deck Barges

OPENING DATE AND TIME: May, 15, 2014 @ 2:00 PM (EDT)

Questions concerning this solicitation shall be e-mailed to the Division of Purchases at gary.mosca@purchasing.ri.gov no later than **Friday, April 18, 2014 @ 3:00 PM (EDT)**. Please reference the RFP / LOI number on all correspondence. Answers to questions received, if any, will be discussed at the pre-proposal meeting and included in the meeting summary, which will be posted on the internet at <http://www.purchasing.ri.gov>

BID SURETY REQUIRED: YES

BOND REQUIRED: YES

Daniel W. Majcher, Esq.
Assistant Director, Special Projects

Vendors must register on-line at the State Purchasing Website

NOTE TO VENDORS:

Offers received without the entire completed three-page RIVP Generated Bidder Certification Form attached may result in disqualification.

THIS PAGE IS NOT A BIDDER CERTIFICATION FORM

SECTION I - GENERAL INFORMATION AND INSTRUCTIONS

Purchasing Agent: The Rhode Island Department of Administration, Office of Purchases
One Capitol Hill, Providence, RI 02908

Project Owner: Rhode Island Commerce Corporation
315 Iron Horse Way, Providence, RI 02908

Architect: JMS Naval Architects Salvage Engineers
34 Water Street
Mystic, CT 06355
860-536-0009

Project: Construction, testing of each barge, and delivery of two (2) new dry deck barges or two used dry deck barges specifically outfitted – for stevedoring operations at the ProvPort Inc., which shall each accommodate the operation of one (1) mobile harbor crane (customized Model LHM 550 Litronic) as described in the attached specifications.

Completion Time: The goal is completion within approximately 18 Months or less from issuance of Purchase Order. The proposed timeline will be considered as part of the evaluation. The State of Rhode Island will entertain an alternative schedules but reserves the right to reject any proposal requiring longer than 18 months.

Introduction:

The Rhode Island Division of Purchases (“Division”), on behalf of the Rhode Island Commerce Corporation (“RICC”), is issuing a Request for Proposals (“RFP”) for the **purchase or construction, testing and delivery of two (2) dry cargo deck barges** or the delivery of two used barges conforming to the stated specifications which will be placed into service at ProvPort, Inc (“ProvPort”). The Division is acting as procurement agent on behalf of the RICC and ProvPort, the owner and operator of the Port of Providence.

The Division is considering three (3) options: 1) The construction of two (2) barges meeting the technical specifications attached hereto as **Appendix A** ; 2) the purchase of two (2) used barges which modified by the bidder to meet the approved barge specifications attached to this RFP as **Appendix B (Alternate Proposal)**; or 3) a combination of purchasing one (1) used modified barge and the construction of one (1) new barge. The construction or purchase and modification of barges shall be governed in accordance with terms stated in this RFP, any addendums thereto, the vendor certification form, the State Procurement Regulations and the model contract attached as **Appendix C**.

The technical specifications for the barges are contained in **Appendix A**. Alternate proposal specifications are in **Appendix B**. These specifications were prepared by JMS Naval Architects and have received federal approval. Each barge will be required to accommodate the operation of a mobile harbor crane.

General Instructions and Notifications to Bidders

1. Potential bidders are advised to review all sections of this RFP carefully and to follow instructions completely. Failure to make a complete submission as described herein may result in a rejection of the proposal.
2. Proposals which depart from, or materially alter, the terms and requirements in this RFP may be rejected as being non-responsive. Additionally, the Division reserves the right to reject or accept any and all proposals on such a basis that the Division deems to be in its best interest.
3. In order to submit a proposal, vendors must properly register with the State of Rhode Island. For information of registering, please see the Division's website at www.purchasing.ri.gov and under the heading "Vendor Registration Information."
4. Proposals for construction and/or modification will only be considered from entities which have an established reputation in the field of barge construction and meet the minimum requirements stated herein. The Purchasing Agent reserves the right to request additional information regarding the "responsibility" of any vendor and accept or reject any bid on the basis of "responsibility" in his or her discretion.
5. All costs associated with developing or submitting a proposal in response to this Invitation, or to provide oral or written clarification of its content shall be borne by the bidder. The State assumes no responsibility for costs during the RFP process.
6. Proposals are considered to be irrevocable for a period of not less than ninety (90) days following the opening date, and may not be withdrawn, except with the express written permission of the State Purchasing Agent. Any such withdrawal may result in forfeiture of the submitted bid surety.
7. All pricing submitted will be considered to be firm and fixed unless otherwise indicated herein.
8. Proposals misdirected to other state locations, or which are otherwise not present in the Division at the time of opening for any cause will be determined to be late and will not be considered. For the purposes of this requirement, the official time and date shall be that of the time clock in the reception area of the Division.
9. All proposals should include the vendor's FEIN or Tax Identification number as evidenced by a W9, downloadable from the Division's website at www.purchasing.ri.gov.
10. The purchase or construction of barges under an award made pursuant to this RFP will be contingent on: the availability of funds; bank appraisal; bank written approval of the

bidder and any contract; and all required federal approvals. For purposes hereof any and all references to "Bank" or "bank" shall mean Bank of America, N.A., its successors and assigns.

11. Bidders are advised that all documents submitted to the State in response to this RFP maybe considered "Public Records" as defined in Title 38, Chapter 2 of the General Laws of Rhode Island, without exception, and will be released for inspection immediately upon award.
12. Interested parties are instructed to peruse the Division of Purchases website on a regular basis, as additional information or changes relating to this solicitation may be released in the form of an addendum.
13. Equal Employment Opportunity (G.L. 1956 § 28-5.1-1, et seq.) – § 28-5.1-1 Declaration of policy – (a) Equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities, and in the classified, unclassified, and non-classified services of state employment. This policy applies to all areas where State dollars are spent, in employment, public services, grants and financial assistance, and in state licensing and regulation. For further information, contact the Rhode Island Equal Opportunity Office at (401) 222-3090.
14. In accordance with Title 7, Chapter 1.2 of the General Laws of Rhode Island, no foreign corporation, shall have the right to transact business in the State until it shall have procured a Certificate of Authority to do so from the Rhode Island Secretary of State (401-222-3040). *This is a requirement only of the successful vendor.*
15. The vendor should be aware of the State's Minority Business Enterprise (MBE) requirements, which address the State's goal of ten percent (10%) participation by MBE's in all State procurements. For further information, contact the MBE Administrator at (401) 574-8253 or visit the website www.mbe.ri.gov or contact dorinda.keene@doa.ri.gov.
16. Questions and Proposal Submission Questions concerning this solicitation may be emailed to the Division in accordance with the terms and conditions expressed on the cover page of this solicitation. Questions received, if any, will be posted on the internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information and track the website for information and addendums.

SECTION II - PREPARATION OF PROPOSAL

Proposals should include the following:

1. A completed and signed four (4) page R.I.V.I.P. generated Bidder Certification Cover Form downloaded from the Division's Internet home page at <http://www.purchasing.state.ri.us>.

2. An original (marked "Original") plus five (5) copies of a signed and sealed Cost Proposal. The Cost Proposal should also be submitted electronically in PDF or Microsoft Word format on a CD-ROM or an electronic storage device.
3. An original (marked "Original") plus five (5) copies of a separate Technical Proposal. The Technical Proposal should also be submitted electronically in PDF or Microsoft Word format on a CD-ROM or another electronic storage device.
4. One (1) completed and signed W-9 Form downloaded from the Division's website at <http://www.purchasing.state.ri.us> (click on RIVIP, then General Information and then Standard Forms). The W-9 should be included with the original proposal.

A unit price must be stated for each barge as specified, either typed in or written in ink. Any exceptions or deviations from the requested specifications must be clearly indicated in writing and must be submitted with the proposal form. The Division reserves the right to reject any proposal that contains exceptions or deviations.

Submission Deadline: please refer to page one of this RFP.

The Division reserves the right to extend the submission deadline if necessary. Any extension will be posted on the Division's website as an addendum to the RFP. An original plus five (5) copies of the Technical Proposal and an original plus five (5) copies of the Cost Proposal must be either mailed and received or hand-delivered in a sealed envelope prior to the submission deadline. The proposals container should be marked with the RFP # and title and shall be addressed to:

Rhode Island Department of Administration
Division of Purchases, 2nd Floor
One Capitol Hill
Providence, RI 02908-5855
Attention: Gary Mosca

Note: Proposals received even one (1) minute after the above-referenced due date and time, designated on page 1 as "OPENING DATE AND TIME", will not be considered. Proposals misdirected to other locations by the scheduled due date and time will be determined to be late and will not be considered. The proposal must be accepted by the Division and time stamped. Proposals faxed or emailed to the Division will not be considered.

BID SURETY -- A bid surety (i.e. cashier's check, bank check, bid bond, treasurers' check, money order) payable to the **Rhode Island Commerce Corporation**, in the amount five percent (5%) of the contract price must be furnished by each bidder with their proposal in accordance with State Procurement Regulation 5.7 and the State's General Conditions of Purchase. Withdrawal or cancellation of a proposal after the closing date for acceptance of proposals will result in the forfeiture of the bid security. The proposal guaranty will be furnished by surety companies authorized/licensed to do business in the State of Rhode Island. The State reserves

the right to retain the surety of all bidders until the successful bidder enters into the Contract or until such time as the award or cancellation of the Contract is announced at which point Sureties will be returned to all bidders by the State of Rhode Island.

SECTION III - PROPOSAL CONTENT

A. Technical Proposal

The Technical Proposal shall contain the following sections and information:

1. Executive Summary

The Executive Summary will highlight the contents of the Technical Proposal as well as provide evaluators with an overview and broad understanding of the bidder's technical approach and capability. **PLEASE CLEARLY STATE WHETHER THE PROPOSAL IS FOR THE MODIFICATION AND SALE OF A USED BARGE(S) OR IS FOR THE CONSTRUCTION OF A NEW BARGE(S) OR A COMBINATION.**

2. Work Plan/Approach Proposed (35 Points)

This section shall contain a thorough explanation of all aspects and services required to provide either used or newly constructed barges to the State, including but not limited to the following:

- a. This section shall describe the bidder's understanding of the State's requirements, including the result(s) intended and desired, the approach and/or methodology to be employed,
- b. A detailed work/project plan and timeline for modifying and/or constructing new barges for the State.
- c. If the proposal is intended to sell a barge(s) already in service, the proposal shall provide the following:
 - i. Letter of Commitment from shipyard performing the modification (if other than the bidder).
 - ii. Evidence that the bidder has direct ownership of the barge or the contractual right to acquire the barge.
 - iii. Current Certificate of Class.
 - iv. Existing vessel drawings including:
 - i. General Arrangement
 - ii. Scantling Plan
 - iii. Longitudinal Sections
 - iv. Typical Bulkheads and Frames
 - v. Hydrostatic Table
 - vi. Stability Letter

- v. Most recent hull gaging report -- If there are no hull gaging reports, the bidder shall provide sufficient evidence of the condition of the hull through visual inspection reports, vessel history, and/or photos. If visual inspection is submitted this should be reported by a registered surveyor.
- vi. Technical Plan of the proposed modifications. The Technical Plan shall demonstrate how the bidder will modify the barge to suit the requirements in the technical specifications.
 - i. Identify Naval Architect who will be designing the modifications.
 - ii. Identify all proposed deviations from the Contract Drawings and Technical Specification.
 - iii. Demonstrate that the modified barges will meet all operational and technical requirements specified in the Technical Specification including stability and crane loadout.
 - iv. Provide General Arrangement Drawing and Scantling Plan of proposed barge as modified.

The State and its agents reserve the right to inspect the barges in service as part of the technical evaluation. (Please note that the State reserves the right to determine whether a solution involving the purchase of existing barges versus the construction of new barges is in the State's best interests as part of its evaluation.)

- d. If the proposal is intended for the construction of new barges, the proposal shall also provide the intended construction commencement and completion. Please note that bidders will be evaluated on their ability to complete the requirements within 18 months for the issuance of a purchase order contract; and
- e. Any perceived hurdles or challenges.
- f. This portion of the technical proposal should include concise information regarding the vendor's ability to address all portions of specifications. Additionally, the vendor should include a description of any additional services.

3. Previous Experience, Background and Capacity (25 Points)

This section includes the following information:

1. Bidder's Organizational information and Staffing -- This section shall include identification of all staff and/or subcontractors proposed as members of the project team, and the duties, responsibilities, and concentration of effort which apply to the vendors' organization.
2. A comprehensive listing of similar projects undertaken. Bidder should include a brief description of the project, size of project, time to complete, etc.
3. The applicant should provide the company name, address, contact person and telephone number of a **minimum** of three (3) references for similar projects.

4. The bidder's status as a Minority Business Enterprise (MBE), certified by the Rhode Island Department of Administration, and/or a subcontracting plan which addresses the State's goal of ten percent (10%) participation by MBE's in all State procurements. Questions concerning this requirement should be addressed to Charles Newton, MBE Officer, at (401) 222-6253.
5. A description of the bidder's organization, including the information requested in the minimum qualifications stated below. The bidder must have an organization that meets the minimum qualifications stated below and that is financially and logistically able to handle the performance of the contract for barges. The vendor should make an affirmative statement to this effect and shall provide high level details regarding the vendor's financial capacity. Additionally, the State may request financial statements, a balance sheet and CPA reports during the evaluation and the bidder shall provide this information if so requested or be disqualified by the State. The Division, at its sole discretion, may disqualify any vendor based on concerns regarding the vendor's capacity.

Minimum Qualifications:

- 5.1. **This engagement is subject to "Buy American" Provisions. Therefore, all products and services shall be produced or procured by qualifying United States entities.**
- 5.2. **CONSTRUCTION EXPERIENCE WITH SIMILAR BARGE(S) -- PROPOSAL EVALUATION CRITERIA** -- Demonstrated experience during the past ten (10) years in the construction of ABS Classed Dry Cargo Deck Barges with an equivalent or greater level of complexity. The offeror shall provide a description of the shipyard facility and resources that will be used for the construction.
- 5.3. **CONSTRUCTION EXPERIENCE WITH SIMILAR BARGE(S) - REQUIRED PROPOSAL SUBMITTALS** -- The Bidder shall provide a list of the organization's experience during the past ten (10) years in construction of Dry Cargo Deck Barges of similar type and equivalent level of complexity. The list shall identify the barge(s) and the barge type, describe the work done (construction, design, testing), the principal dimensions of the barge(s), the principle features of the barge(s) , deck load rating, ABS classification, systems/machinery and outfit, and the names of the customers.
- 5.4. **PAST PERFORMANCE - EVALUATION CRITERIA** -- Past performance means the bidder's performance on previous contracts for vessels of comparable complexity. It includes formal ratings and surveys from government systems, corporate experience, history of project completions or terminations, and input from previous customers. The State may, at its discretion, independently contact customers or representatives of other Contracting officers to validate information provided by bidders. The bidder shall provide a minimum of three references.

5.5. **PAST PERFORMANCE - PROPOSAL SUBMITTAL REQUIREMENTS -**

The bidder shall list all vessel contracts with a value over 4 million dollars that have been performed over the past 3 years and all government contracts where any work has been performed over the last 5 years. Any formal ratings on government contracts performed over the last 5 years shall be identified.

The bidder shall provide a narrative description of organizational contract performance on contracts performed over the past 3 years, to include the type and extent of the contract, the order of magnitude cost of the contract, the customer, a point of contact for the customer, and any details associated with the actual performance of the contract to include timeliness of completion and customer satisfaction with the product. The narrative should focus on performance on vessels that are similar in complexity to the vessel being procured under this solicitation.

The bidder shall identify any contracts within the last 5 years that were not completed, whether Government or commercial. In the case of government contract(s), the bidder shall identify the contract, whether it was terminated for convenience or default, and any explanations to assist in an assessment of performance. In the case of any commercial contracts that were terminated, the bidder shall explain the termination and provide a customer point of contact familiar with the termination. If all contracts were completed, the proposal shall so state.

B. **COST (40 Points):** Bidders shall provide cost proposals in a separately sealed envelope using the worksheet attached in **APPENDIX D**. The vendor may propose a cost for either the construction of new barges or the modification and sale of existing barges currently in service. The cost shall itemize the construction/testing (sale price/modification and testing in the case of used barges) and the delivery. The cost proposal shall contain all costs proposed by the vendor.

SECTION IV - CRITERIA USED IN EVALUATING PROPOSALS

Proposals will be evaluated by a review team for cost effectiveness and compliance with the requirements contained in the specifications and the criteria stated above. The technical proposal will be reviewed without consideration to the cost proposal. **Bidder shall receive a minimum of 45 points out of 60 to have their cost proposal opened and considered.** Bidders who receive less than 45 points will not be considered further.

The contract will be awarded to the responsible bidder who submits a superior but economical proposal based on an analysis of its compliance with the specifications, qualifications and cost in accordance with the following:

Work Plan/Approach –	35 Points
Previous Experience, Background and Capacity --	25 Points

Cost –
Total –

40 Points
100 Points

SECTION V – EVALUATION AND AWARD PROCESS

- The Division will commission a review team to evaluate and score all proposals that are complete and minimally responsive using the criteria described above. The evaluation of any item may incorporate input from sources other than the bidder's response and supplementary materials submitted by the bidder. Those other sources could include assessments made by evaluators based on findings recorded from reference checks (including but not limited to those supplied by the bidder), prior experience with or knowledge of bidder's work, input provided by the Bank, responses to follow-up questions posed by the State and/or oral presentations by the bidder if requested by the review team. The State may elect to use any or all of these evaluation tools, or other evaluation tools it deems appropriate.
- The review team may contact any, all or some of the bidders with questions and clarifications at any point during the process at its own discretion. During its technical evaluation, the review team or its agents may inspect the bidder's operations or any barges already in service proposed for modification and sale as a contingency of an award and may adjust technical scoring accordingly. The review team may adjust the technical score of any bidder after conducting such an interview or inspection.
- The review team will present written findings, including the results of all evaluations, to the State Purchasing Agent or designee, who will make the final selection for this solicitation on behalf of the RICC. When a final decision has been made, a notice will be posted on the Rhode Island Division of Purchases web site.
- In order for the Cost Proposal to be reviewed, all technical proposals must meet a minimum technical score of **45 points**. If the proposal submitted does not achieve this minimum, the cost proposal submitted by the bidder will not be considered and the proposal will be dropped from further consideration.
- Because the evaluation takes into consideration both the technical and cost components in a value based approach, the lowest costing vendor may not necessarily be awarded the contract.
- Notwithstanding anything above, the Division reserves the right to unilaterally: 1) accept or reject any, or all, bids, proposals, and award on cost alone; 2) cancel the solicitation; 3) waive any technicality in order to act in the best interests of the State, RICC and/or ProvPort and 4) to conduct additional negotiations as necessary.
- Proposals found to be technically or substantially non-responsive, at any point in the evaluation process, will be rejected and not be considered further. The State, at its sole option, may elect to require presentation(s) by bidders in consideration for the award. An

award will not be made to a contractor who is neither qualified nor equipped to undertake and complete the required work within the specified time.

SECTION VI - SPECIFIED REQUIREMENTS

A. ADDENDUMS TO REQUEST FOR PROPOSAL

If it becomes necessary to revise any part of this request for bids, a written addendum will be posted on the Division's website. All bidders are responsible for monitoring the website on a regular basis.

B. COMPLIANCE WITH LAWS

The Division requires that the barge is to be delivered with all current ABS certificates required by state and federal laws for operation. All bidders involved shall observe and comply with all applicable regulations, laws, ordinances, executive orders, policies, guidelines and requirements etc., of local, state, and federal governments as they apply to this bidding process, the application, acceptance and use of federal funds and to the purchase of the barges, including but not limited to the provisions of the Davis-Bacon Act, 40 U.S.C. 3141, et seq. and the Cargo Preference Act of 1954, 46 U.S.C. 55305. The State's procurement laws and regulations can be found on the Division's website at www.purchasing.ri.gov.

The following applicable Federal requirements shall apply:

- a. Davis-Bacon Act- 40 U.S.C. 3141, et seq.
- b. Federal Fair Labor Standards Act- 29 U.S.C. 201, et seq.
- c. Hatch Act- 5 U.S.C. 1501, et seq.
- d. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
- e. Title- 42
U.S.C. 4601, et seq.
- f. National Historic Preservation Act of 1966- Section 106- 16 U.S.C. 470f
- g. Archeological and Historic Preservation Act of 1974- 16 U.S.C. 469a through 469c.
- h. Native American Graves Protection and Repatriation Act- 25 U.S.C. 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended
- j. Section 404 of the Clean Water Act, as amended 33 U.S.C. 1251, et seq.
- k. Section 7 of the Endangered Species Act, P.L. 93-205, as amended.
- l. Coastal Zone Management Act, P.L. 92-583, as amended.
1. Flood Disaster Protection Act of 1973- Section 102(a)- 42 U.S.C. 4012a
- m. Age Discrimination Act of 1975- 42 U.S.C. 6101, et seq.
- n. American Indian Religious Freedom Act, P.L. 95-341, as amended
- o. Drug Abuse Office and Treatment Act of 1972, as amended, 21 U.S.C. 1101, et seq.
- p. The Comprehensive Alcohol Abuse and Alcoholism Prevention,
Treatment and Rehabilitation Act of 1970, P.L. 91-616, as amended- 42
U.S.C. 4541, et seq.
- q. Sections 523 and 527 of the Public Health Service Act of 1912, as amended, 42
U.S.C. 290dd through 290dd-2

- r. Architectural Barriers Act of 1968- 42 U.S.C. 4151, et seq.
- s. Power Plant and Industrial Fuel Use Act of 1978, P.L. 100-42- Section 403- 42 U.S.C.8373
- t. Contract Work Hours and Safety Standards Act- 40 U.S.C. 3701, et seq.
- u. Copeland Anti-kickback Act, as amended- 18 U.S.C. 874 and 40 U.S.C. 3145
- v. National Environmental Policy Act of 1969-42 U.S.C. 4321, et seq.
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended- 16 U.S.C. 1271, et seq.
- x. Federal Water Pollution Control Act, as amended- 33 U.S.C. 1251-1376
- y. Single Audit Act of 1984-31 U.S.C. 7501, et seq.
- z. Americans with Disabilities Act of 1990-42 U.S.C. 12101, et seq.
 - aa. Title IX of the Education Amendments of 1972, as amended- 20 U.S.C. 1681 through 1683, and 1685 through 1687
 - bb. Section 504 of the Rehabilitation Act of 1973, as amended- 29 U.S.C. 794
 - cc. American Recovery and Reinvestment Act of 2009- P.L. 111-5
 - dd. Title VI of the Civil Rights Act of 1964- 42 U.S.C. 2000d *et seq.*
 - ee. Title IX of the Federal Property and Administrative Services Act of 1949- 40 U.S.C. 541, et seq.
 - ff. Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting

Buy American Provision: Bidder's must have a shipyard based in the United State to comply with Jones Act provisions.

C. AUTHORIZED SIGNATURE

All bid proposal forms, including the Vendor Certification Cover Form, must be signed by persons who have the legal authority to bind the bidder to the equipment and services that are proposed.

D. DISQUALIFICATION AND REJECTION OF PROPOSALS

Failure to comply with the requirements or the procedures set forth herein, or to satisfy the criteria as set forth in the specifications, may result in disqualification. It is not intended that exceptions to the specifications will, in and of themselves, result in disqualification. Additionally, the State Purchasing Agent reserves the right to reject any proposal based on a determination that the bidder is not "Responsible," as defined in the State Procurement Regulations.

E. DELIVERY OF TWO (2) Construction, Testing and Delivery of Two Dry Cargo Deck Barges – Time Horizon

It is anticipated that the successful bidder will be notified on or around the end of May 2014. The goal of the Division is to have the successful bidder assemble and deliver the requested barges to ProvPort by **December 15, 2015**. The bidder shall state the date of delivery and assembly in their proposal. **The Division reserves the right to give reasonable weight to the proposed date of delivery and assembly during the selection process. A proposed delivery**

after December 15, 2015 would be considered, but would be subject to approval by the US Maritime Administration and the Bank.

F. TECHNICAL SPECIFICATIONS

The technical specifications are attached as **Appendix A**. Bidder shall construct two barges that meet the specifications stated in **Appendix A**. Alternatively, the bidder will modify an existing barge(s) to meet the specifications stated in **Appendix B**.

G. Warranty

The Barges shall be warranted from defect in accordance with the provisions of the model contract attached as **APPENDIX C**.

H. Delivery Requirements

The barges shall be delivered to the site specified by ProvPort at the Port of Providence Delivery shall be governed by the terms and conditions provided in **APPENDIX C**.

I. Paint and Markings

The Division requires barge names and/or numbers (graphics to be supplied) be painted on each vessel at the bidder's expense. All areas of the vessels to be painted shall be coated with a system appropriate for the maritime environment. Paint system and thickness shall be described in detail in the attached specifications.

J. Optional Equipment

The Division is requesting that bidders propose as separate item the following option:

- Delivery. Bidders shall propose and itemize additional costs in their cost proposal.

K. Currency

All bids proposal prices are to be in US Dollars.

L. Determination of Compliance with Specifications

The Division, in consultation with RICC, the Bank and ProvPort, will examine the barges as necessary during the construction phase and then again on the date of delivery for completeness of the order and will accept the barges when they are assembled, tested and determined to comply with specifications attached as Appendix A, or any amendments thereto and with the successful bidder's bid proposal.

M. Terms of Payment

The following payment terms are a general guideline and are subject to the approval of the Bank. The bidder may propose alternate payment terms to the ones stated below, but the State reserves the right to reject any alternate payment terms at its sole discretion:

- 25% up front
- 15% receipt of material/start fabrication
- 10% start of major assembly
- 10% completion of assembly and final weld out
- 10% completing of paint/coatings
- 15% completion of final inspection prior to towing
- 15% acceptance at ProvPort

N. Contract and Performance Bond

The successful bidder shall provide upon selection and execution of a mutually satisfactory contract substantially in the form attached hereto as Appendix C and otherwise subject to Bank written approval, and prior to the issuance of a purchase order, a performance bond covering 100% of the work to be performed under the contract and for the benefit of RICC AND PROVPORT and its successor. The performance bond shall run to RICC and PROVPORT any other entity or person it requires. All surety companies must be listed with the Department of Treasury, Fiscal Services, Circular 570, (Latest Revision published by the Federal Register). The Purchasing Agent reserves the right to consider and accept alternative forms.

**Construction, Testing and Delivery of Two (2) Dry Cargo Deck Barges
- Bidder's Acknowledgement Form**

Having carefully examined the information, notices and specifications and conditions contained in this package, the undersigned Bidder's agent or representative hereby proposes and agrees to furnish proposed barges in strict compliance with the specification at the prices quoted. The bidder affirms that, to the best of their knowledge, this bid proposal has been arrived at independently and is submitted without collusion with anyone to obtain information or gain any favoritism that would in any way limit competition or give bidder an unfair advantage over other bidders in the award of this bid.

Vendor:
Address:
Phone:
Signature of Bidder:
Position with Company:
Signature of Company Official Authorizing this Bid Proposal:
Position with Company: