



Solicitation Information  
BID 7550296  
LOBSTER VENTLESS TRAP SURVEY

Date: February 15, 2016

RFQ #7550296

TITLE: LOBSTER VENTLESS TRAP SURVEY.

Submission Deadline: 3/11/16 at 10am

Questions concerning this solicitation may also be e-mailed to the Division of Purchases at [doa.purbidinfo@purchasing.ri.gov](mailto:doa.purbidinfo@purchasing.ri.gov) no later than 2/26/16 at 5pm. (Eastern Time). Please reference the RFQ #7550296 on all correspondence. Questions received, if any, will be answered and posted on the Internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information.

SURETY REQUIRED: No

BOND REQUIRED: No

Administrator of Purchasing Systems

Vendors must register on-line at the State Purchasing Website at [www.purchasing.ri.gov](http://www.purchasing.ri.gov).

**NOTE TO VENDORS:**

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

**THIS PAGE IS NOT A BIDDER CERTIFICATION FORM**

**SECTION 1 – INSTRUCTIONS AND NOTIFICATIONS TO OFFERERS:**

The Rhode Island Department of Administration/Division of Purchases, on behalf of the **Department of Environmental Management** is soliciting proposals for chartering three commercial lobster vessels for a minimum of 9 days each during the period between June 1<sup>st</sup> to August 31<sup>st</sup> for the purpose of conducting a lobster ventless trap survey in Rhode Island waters. **TITLE: Lobster Ventless Trap Survey** from qualified **COMMERCIAL LOBSTER VESSELS**, and in accordance with the terms of this Request for Quote and the State's General Conditions of Purchase.

This solicitation, and subsequent award, is governed by the State's General Conditions of Purchase, which is available at [www.purchasing.ri.gov](http://www.purchasing.ri.gov).

To access the State's General Conditions of Purchase, enter our website, click on Rules and Regulation. Once the Rules and Regulations are displayed, scroll to the bottom of the page and double click on Appendix A, which contains the State's General Conditions of Purchase.

The scope of work is described herein (Appendix I).

Potential Offerers are advised to review all sections of this solicitation carefully and to follow instructions completely, as failure to make a complete submission as described elsewhere herein may result in rejection of the proposal.

The state reserves the right to award to one or more offerer. The State also reserves the right to award this project based on pricing alone.

All costs associated with developing or submitting a proposal in response to this Request, or to provide oral or written clarification of its content shall be borne by the offerer. The State assumes no responsibility for these costs.

**Proposals are considered to be irrevocable for a period of not less than sixty (60) days following the opening date, and may not be withdrawn, except with the express written permission of the State Purchasing Agent.**

All pricing submitted is to be considered fixed, unless otherwise indicated herein.

Proposals misdirected to other State locations or which are otherwise not present in the Office of Purchases at the time of opening for any cause will be determined to be late and will not be considered.

It is intended that an award pursuant to this request will be made to a prime contractor, who will assume responsibility for all aspects of the work. Joint venture and cooperative proposals will not be considered, but subcontractors are permitted, provided that their use is clearly indicated in the OFFERER's proposal, and that the subcontractor(s) proposed to be used are identified in the proposal.

In accordance with Title 7, Chapter 1.1 of the General Laws of Rhode Island, no foreign corporation, a corporation without a Rhode Island business address, 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 selected vendor(s).*

Bidders are advised that all materials submitted to the State of Rhode Island for consideration in response to this Request for Quote will be considered to be public records, as defined in Title 38 Chapter 2 of the Rhode Island General Laws, without exception, and will be released for inspection immediately upon request, once an award has been made.

Interested parties are instructed to peruse the Division of Purchases website on a regular basis, as additional information relating to this solicitation may be released in the form of an addendum to this RFQ.

The offerer should be aware of the State's Minority Business Enterprise (MBE) requirements, which addresses the State's goal of ten per cent (10%) participation by MBE's in all State procurements. For further information, contact the MBE Administrator, at (401) 574-8670 or visit the website at [www.mbe.ri.gov](http://www.mbe.ri.gov)

Awards resulting from this Request will be subject to the State's General Conditions of Purchase, which are available through the Internet at [www.purchasing.ri.gov](http://www.purchasing.ri.gov). The selected Contractor will provide services for a period of *two (2) years, renewable at the sole option of the State for a maximum of two (2) additional twenty-four (24) month periods.*

This Request for Quote to provide the required services must be received by the Division of Purchases on or before **3/11/16 at 10am**. Responses should be mailed or hand-delivered in a sealed envelope marked "BID NUMBER: 7550296, with opening date and time to:

**RI Dept. of Administration  
Division of Purchases, 2<sup>nd</sup> floor  
One Capitol Hill  
Providence, RI 02908-5855**

NOTE: Proposals received after the above-referenced due date and time will not be considered. Proposals misdirected to other State locations or which are otherwise not presented in the Division of Purchases by the scheduled due date and time will be determined to

be late and will not be considered. Proposals faxed, or emailed, to the Division of Purchases will not be considered. The "official" time clock is located in the reception area for the Division of Purchases. (Please be advised that Fedex/UPS do not always arrive by 10:00 am, you would be smart to send your submission to arrive at least one day early)

### RESPONSE CONTENTS

Responses must include the following:

- A completed and signed three-page RIVIP generated bidder certification cover sheet (downloaded from the RI Division of Purchases Internet home page at [www.purchasing.ri.gov](http://www.purchasing.ri.gov)).
- A statement of experience describing the Offerer's background, qualification, and experience with similar projects and all information described elsewhere in this solicitation.
- A completed and signed W-9 Form downloaded from the RI Division of Purchases Internet home page at [www.purchasing.ri.gov](http://www.purchasing.ri.gov).
- This Scope of Work shall be included as an appendix.
- Attachment A-Application
- Attachment B-Requirement checklist
- A current photo of the bidder's vessel

## **SECTION 2 – SCOPE OF WORK**

### BACKGROUND

The mandated management changes in lobster trap gear selectivity (increased escape vent size) have affected the ability of fisheries scientists to adequately monitor the lobster population in Rhode Island waters. Historically, fisheries-dependent commercial lobster trap sea sampling data have been used to generate relative index of abundance for American lobster. However, regulatory changes in the lobster trap escape vents created an increasing bias in the index of abundance over time due to lack sampling of sub-legals. In order to address this need, the Department of Environmental Management has developed a method in cooperation with the states of CT, MA, NH, and ME to adequately sample the lobster population by deploying ventless traps in major lobster fishing areas. This project has been ongoing for 8 years, with various funding sources.

The Department is seeking proposals to charter three (3) separate commercial lobster vessels for a minimum of 9 days each during the period between June 1<sup>st</sup> to August 31<sup>st</sup> for the purpose of conducting a lobster ventless trap survey in Rhode Island waters. Vessels must be in the 28-48 ft range, capable of cruising at a minimum of 10 knots, and have a covered area to protect scientific equipment from weather and waves. The vessel must be equipped, at a minimum, with a compass, depth recorder, plotter, radar, GPS, VHF radio, pot hauler, and davit. The vessel must also be capable of hauling, re-baiting, and deploying experimental traps arranged in 6-trap trawls under the direction of RIDEM staff.

### VENTLESS LOBSTER TRAP SURVEY OBJECTIVES:

- Develop more precise estimates of relative abundance of legal-sized and sublegal-sized lobsters in the Rhode Island portion of LCMA 2.
- Develop a pilot project for a coast-wide fishery-dependent monitoring program for American lobster.
- Document the relative importance of depth as it pertains to American lobster abundance and distribution.
- To monitor the status of the chronic shell disease epidemic in LCMA 2.
- To foster and maintain a strong relationship between the commercial lobster industry and fisheries scientists and managers in the interest of strengthening communication between science and industry.

- To foster industry “buy-in” to the lobster stock assessment process.

### SURVEY DESIGN:

In order to sample the American lobster population from Maine through New York, the overall sampling effort has been divided into two regions: the Gulf of Maine and Southern New England. These regions are further subdivided based on National Marine Fisheries Service (NMFS) statistical areas. The Rhode Island portion of the coast-wide ventless trap survey will be conducted within Rhode Island state waters (0-3 miles) of NMFS Statistical Area 539. The distribution of survey traps within this sample area is based on three (3) strata associated with water depth and are defined as 0-20 meters (0-65.6 feet), 21-40 meters (68.9-131.2 feet), and >40 meters (>131.2 feet). Rhode Island state waters are divided into grid cells based on 1 minute of latitude and longitude. Once the extent of the study area was identified and each grid cell defined, each grid cell was classified into the appropriate depth strata based on the grid cell being comprised of at least 75% of the designated depth. Grid cells that are defined as “mixed” relative to depth are removed from the sampling station selection process. The >40 meter depth strata did not occur within Rhode Island state waters (0-3 miles). As a result, the number of survey traps allotted to the >40 meter depth strata are divided equally between the two shallower depth strata. A total of 144 survey lobster traps will be deployed, consisting of 72 vented and 72 unvented survey lobster traps. A total of 24 sampling stations are selected randomly, with 12 sampling stations selected in each of the two (2) defined depth strata (0-20 meters and 21-40 meters). Each sampling station will be sampled by one (1) six-trap trawl, in which vented and unvented traps are alternated (3 of each trap type per trawl). All survey lobster traps will be sampled twice per month, with a standard 3-4 night soak time. Survey lobster traps are separated by 60 feet of ground line between traps and baited with locally available bait.

### SPECIFICATIONS

The Rhode Island Department of Environmental Management / Division of Fish and Wildlife (RIDEM / DFW) is seeking three (3) industry participants for a Ventless Lobster Trap Survey Program through a competitive bid process. This survey program will run during June, July and August 2016. Contract bidders will need to complete the supplied application to identify vessel specifications, daily charter rate and sampling zone. Three survey zones will be covered, all within Rhode Island state waters, and each survey zone will have randomly-selected sampling stations where 6-trap trawls are set. This is an opportunity to participate in an existing cooperative research project supported by industry along the entire range of the lobster resource.

Vessels must be in the 28-48 ft range, be capable of cruising at a minimum of 10 knots, and have a covered area to protect scientific equipment from weather and waves. The vessel must be equipped, at a minimum, with a compass, depth recorder, plotter, radar, GPS, VHF radio, pot hauler, and davit. The vessel must also be capable of hauling, re-baiting, and deploying experimental traps arranged in 6-trap trawls under the direction of RIDEM staff. The duration of this study is three months (June-August), in which each contractor will be expected to complete a total of three sea-days each month in no more than a continuous ten day period.

The bidder must possess a valid Rhode Island commercial fishing license that enables him/her to fish for lobsters with lobster traps. Vessels must possess sufficient room to accommodate a maximum of two sea samplers and associated gear/equipment, in addition to the normal crew. The contractor will be responsible for providing all necessary personnel who will be responsible for operating the vessel, including deployment, operation, retrieval and setting of all survey sampling gear. The contractor shall be responsible for all fuel, lubricants, dockage, bait, and other consumables necessary to conduct the operation.

The vessel shall be licensed by all pertinent state and federal agencies and carry safety equipment in accordance with all U.S. Coast Guard regulations. RIDEM/DFW staff will supply their own survival suits. RIDEM/DFW staff or contracted agent will serve as Chief Scientist and will supervise all sampling activity. Prospective contractors must submit a bid for the cost per sea-day of operation. The cost of the vessel, fuel, use of gear, dockage fees, bait, and any other related expenses should be included in the day rate. The acceptance of a bid is not a guarantee that the RIDEM will contract for services; it merely sets up a mechanism so that a vessel may be contracted if necessary. A total of three (3) contracts for work will be awarded for conducting the survey in the Rhode Island state waters portion of NMFS Statistical Area 539. **NO CATCH, INCLUDING BY-CATCH, CAN BE TAKEN OR LANDED FROM VENTLESS LOBSTER TRAP SURVEY GEAR.**

The contractors will work in coordination with RIDEM/DFW staff to implement a ventless lobster trap survey in Rhode Island state waters. RIDEM/DFW staff will deliver all necessary survey gear (survey traps, ground lines, end lines, and buoys) to the contractor prior to the scheduled beginning of the survey work. Each contractor will set the survey gear in the zone for which they bid at the locations shown in Table 1. Table 2 provides the approximate “round-trip” distance for the survey stations, but does not include the start or end points.

ZONE A	Station ID	Latitude	Longitude	LORAN 1	LORAN 2
Narragansett Bay	4435	41.6385	-71.2704	14328.42	44055.16
	4109	41.5504	-71.4267	14407.93	44034.89
	4584	41.6804	-71.3126	14334.6	44076.21
	4387	41.6137	-71.3959	14381.86	44057.74
	3958	41.5137	-71.3626	14391.81	44013.47
	4434	41.6304	-71.2792	14333.66	44052.8
	4544	41.6637	-71.2792	14325.84	44066.17
ZONE B	Station ID	Latitude	Longitude	LORAN 1	LORAN 2
Ri Sound/ BI Sound	3190	41.3618	-71.5959	14512.43	43971.85
	3100	41.3471	-71.5292	14490.34	43959.26
	3191	41.3632	-71.5792	14505.83	43970.9
	187	41.1971	-71.5459	14526.7	43895.73
	3199	41.3637	-71.4459	14455.61	43958.6
	3109	41.3471	-71.3792	14434.23	43945.37
	188	41.1971	-71.5292	14520.53	43894.26
	3203	41.3637	-71.3792	14430.7	43952.42
ZONE C	Station ID	Latitude	Longitude	LORAN 1	LORAN 2
RI Sound/ Sakonnet	3704	41.4637	-71.2792	14371.63	43984.86
	3451	41.4137	-71.3459	14407.53	43970.34
	3298	41.3804	-71.2626	14383.72	43948.71
	3380	41.3971	-71.2126	14361.55	43951.08
	3458	41.4137	-71.2292	14364.06	43959.51
	3377	41.3971	-71.2626	14380.1	43955.66
	3454	41.4137	-71.2959	14388.86	43965.68
	3452	41.4137	-71.3292	14401.3	43968.78
	3544	41.4304	-71.1792	14341.82	43961.79

Zone	Location	Number of Stations	Approximate Distance NM "Round Trip"
A	Narragansett Bay	7	32
B	RIS / BIS	8	36
C	RIS / Sakonnet	9	20

**TASKS AND DELIVERABLES:**

Each contractor will be expected to complete no less than 9 sea-days, but no more than 12 sea-days, during the survey duration. The duration of the survey is 3 months (June, July, and August). The survey gear for each zone will be hauled over 3 sea-days per month distributed in the following monthly haul cycle:

**Monthly Survey Gear Set and Haul Cycle:**

- Sea-Day 1 – Initial set; enable, bait and set survey gear

- Sea-Day 2 – First haul; Haul survey gear for first time and re-bait (no less than 3, but no greater than 5 days after the initial set with a RIDEM/DFW observer on board).
- Sea-Day 3 – Second haul; Haul and disable survey gear (no less than 3, but no greater than 5 days after the first haul with a RIDEM/DFW observer on board. Re-set survey gear with disabling door open (do not re-bait) or bring survey gear back to dock.

Contracted fishermen will be assigned (after consultation) a week of the month in which they will be required to perform the required work. Each contracted fisherman will then always haul the gear during that same timeframe each month for the duration of the survey.

All survey trawls must be reset in the same assigned location each time. Contracted fishermen are not allowed to conduct their commercial fishing activities during the same sea-day as the hauling and servicing of the survey lobster traps. All lobsters and by-catch caught with the survey gear will be returned to the water immediately after processing by RIDEM/DFW staff. The contracted fishermen are not allowed to fish the survey lobster traps at any other time, other than their assigned haul cycle. No catch, including by-catch, will be taken or landed from the survey lobster traps.

Fishermen may only bid on one zone (one set of gear). If contracts were to be awarded to one fisherman in multiple zones, it could create conflict in the setting and hauling cycle, especially on days where cancellation of survey gear sampling is necessary.

PERMITS AND COMPLIANCES:

The selected vessels must possess all valid required documentation to enter into a business contract with the state of Rhode Island and must be in compliance with applicable laws, statutes, regulations and codes of regulating entities. Vessel operation must possess a valid protection and indemnity coverage required in the amount of \$1 million.

**END OF SCOPE OF WORK**

**BID 7550296**  
**Rhode Island Ventless Trap Survey**  
**Attachment A - Application**

Vessel Services for a Ventless Lobster Trap Survey in Rhode Island State Waters.

Vessel Name: \_\_\_\_\_ Captain's Name: \_\_\_\_\_

Vendor may bid on more than one zone, but will only be awarded one zone.

ZONE A \_\_\_\_\_/PRICE PER SEA DAY

ZONE B \_\_\_\_\_/PRICE PER SEA DAY

ZONE C \_\_\_\_\_/PRICE PER SEA DAY

**Amount of bid in US dollars per sea day in selected zone: (please read specifications and tasks and deliverables section carefully)**

Vessel Owner - Address and contact telephone number:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Home Port: \_\_\_\_\_

Vessel Specifications:

LOA: \_\_\_\_\_

Engine Type and HP: \_\_\_\_\_

Effective Cruising Speed: \_\_\_\_\_

Is covered space available to protect scientific equipment? \_\_\_\_\_

Does your vessel have a current US Coast Guard inspection? \_\_\_\_\_

How many 40" pots can your vessel safely transport at once? \_\_\_\_\_

Have you, or any of your crew, been convicted of or assessed a fine for a fisheries violation? \_\_\_\_\_

Other vessel characteristics information or comments. (You may include an attachment)

What is the experience of the captain? Please provide specific information relative to you experience in the zone for which you are bidding. (You may include an attachment)



ADDITIONAL INFORMATION  
BID 75500296

**Frequently Asked Question for Regional Ventless Trap Survey**

**How many days total am I bidding for, on each leg?**

*There will be total of nine contracted days for each leg for the duration of the survey. Each month participants will schedule three days to (1) bait traps and (2) haul traps twice on three nights set. The project will run from June through August..*

**Can I haul my normal traps the same day I haul Ventless traps?**

*No, each day will be dedicated to exclusively hauling experimental traps.*

**Each leg covers a large area, are we expected to haul all traps in a single day?**

*Yes.*

**What if we miss a day due to weather or a breakdown?**

*We would go the next available day.*

**Who is picking the locations to set traps?**

*The locations will be randomly selected by the DEM. Participants will be asked to set gear as near as possible to selected coordinates to ensure sites are "random".*

**What depths are traps going to be set in?**

*There are three depth strata to be covered 0-20 meters, 21-40 meters, greater than 40 meters.*

**How many locations within each leg?**

*Zone A- Narragansett Bay -7 sites/Zone B- Block Island and Rhode Island Sound-Block Island Sound- 8 sites/Zone C-Rhode Island Sound-Sakonnet-9 sites*

**Are there any sites in federal waters?**

*No, all sites will be in Rhode Island state water, within 3 miles.*

**Are the traps left in the water between months?**

*Yes, unless it is convenient to bring the traps ashore. We may need to shift some traps out of high traffic areas to reduce chances of trap loss.*

**Who measures the lobsters we catch?**

*A DEM staff biologist will be on board each hauling day to record all lobsters, crabs and fish bycatch.*

**Can we keep legal lobsters we catch?**

*No, all lobster will be returned immediately to the water.*

**Will experimental traps count towards my personnel trap limit?**

*No*

**What size boat are you looking for?**

*Boats will need to carry a maximum of 60 traps, and be able to cover each leg in a safe timely manner. We are looking for boats within the 28-48' range.*

**What kind of bait will be used?**

*Skate and Menhaden are preferred, however, availability may dictate other bait types.*

**Why is the project only in the summer months?**

*We are limited by funds to three months, and it was decided that collecting data before and immediately after the summer molt would provide the most valuable information in the limited time period.*

**Contract Terms and Conditions**

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## Terms and Conditions

### BID STANDARD TERMS AND CONDITIONS

### TERMS AND CONDITIONS FOR THIS BID

#### INSURANCE REQUIREMENTS

AN INSURANCE CERTIFICATE IN COMPLIANCE WITH PROVISIONS OF ITEM 31 (INSURANCE) OF THE GENERAL CONDITIONS OF PURCHASE IS REQUIRED FOR COMPREHENSIVE GENERAL LIABILITY, AUTOMOBILE LIABILITY, AND WORKERS' COMPENSATION AND MUST BE SUBMITTED BY THE SUCCESSFUL BIDDER(S) TO THE DIVISION OF PURCHASES PRIOR TO AWARD. THE INSURANCE CERTIFICATE MUST NAME THE STATE OF RHODE ISLAND AS CERTIFICATE HOLDER AND AS AN ADDITIONAL INSURED. FAILURE TO COMPLY WITH THESE PROVISIONS MAY RESULT IN REJECTION OF THE OFFEROR'S BID. ANNUAL RENEWAL CERTIFICATES MUST BE SUBMITTED TO THE AGENCY IDENTIFIED ON THE PURCHASE ORDER. FAILURE TO DO SO MAY BE GROUNDS FOR CANCELLATION OF CONTRACT.

NOTE: IF THIS BID COVERS CONSTRUCTION, SCHOOL BUSING, HAZARDOUS WASTE, OR VESSEL OPERATION, APPLICABLE COVERAGES FROM THE FOLLOWING LIST MUST ALSO BE SUBMITTED TO THE DIVISION OF PURCHASES PRIOR TO AWARD: \* PROFESSIONAL LIABILITY INSURANCE (AKA ERRORS & OMISSIONS) - \$1 MILLION OR 5% OF ESTIMATED PROJECT COST, WHICHEVER IS GREATER. \* BUILDER'S RISK INSURANCE - COVERAGE EQUAL TO FACE AMOUNT OF CONTRACT FOR CONSTRUCTION. \* SCHOOL BUSING - AUTO LIABILITY COVERAGE IN THE AMOUNT OF \$5 MILLION. \* ENVIRONMENTAL IMPAIRMENT (AKA POLLUTION CONTROL) - \$1 MILLION OR 5% OF FACE AMOUNT OF CONTRACT, WHICHEVER IS GREATER. \* VESSEL OPERATION - (MARINE OR AIRCRAFT) - PROTECTION & INDEMNITY COVERAGE REQUIRED IN THE AMOUNT OF \$1 MILLION.

#### LICENSE REQUIREMENTS

VENDOR (OWNER OF COMPANY) IS RESPONSIBLE TO COMPLY WITH ALL LICENSING OR STATE PERMITS REQUIRED FOR THIS TYPE OF SERVICE. A COPY OF LICENSE/PERMIT SHOULD BE SUBMITTED WITH THIS BID. IN ADDITION TO THESE LICENSE REQUIREMENTS, BIDDER, BY SUBMISSION OF THIS BID, CERTIFIES THAT ANY/ALL WORK RELATED TO THIS BID, AND ANY SUBSEQUENT AWARD WHICH REQUIRES A RHODE ISLAND LICENSE(S), SHALL BE PERFORMED BY AN INDIVIDUAL(S) HOLDING A VALID RHODE ISLAND LICENSE.

#### RIVIP INFO - BID SUBMISSION REQUIREMENTS

It is the Vendor's responsibility to check and download any and all addenda from the RIVIP. This offer may not be considered unless a signed RIVIP generated Bidder Certification Cover Form is attached and the Unit Price column is completed. The signed Certification Cover Form must be attached to the front of the offer. When delivering offers in person to One Capitol Hill, vendors are advised to allow at least one hour additional time for clearance through security checkpoints.

MAILING ADDRESS FOR BID PROPOSALS ISSUED BY THE STATE OF RHODE ISLAND,  
DIVISION OF PURCHASES

All Bid Proposals must be submitted by mail or hand delivered to:

- State of Rhode Island
- Department of Administration
- Division of Purchases, Second floor
- One Capitol Hill

- Providence, RI 02908-5855

**DIVESTITURE OF INVESTMENTS IN IRAN REQUIREMENT:**

No vendor engaged in investment activities in Iran as described in R.I. Gen. Laws §37-2.5-2(b) may submit a bid proposal to, or renew a contract with, the Division of Purchases. Each vendor submitting a bid proposal or entering into a renewal of a contract is required to certify that the vendor does not appear on the list maintained by the General Treasurer pursuant to R.I. Gen. Laws §37-2.5-3.

**DELIVERY PER AGENCY**

DELIVERY OF GOODS OR SERVICES AS REQUESTED BY AGENCY.

**MULTI YEAR AWARD**

THIS IS A MULTI-YEAR BID/CONTRACT. PER RHODE ISLAND STATE LAW 37-2-33, CONTRACT OBLIGATIONS BEYOND THE CURRENT FISCAL YEAR ARE SUBJECT TO AVAILABILITY OF FUNDS. CONTINUATION OF THE CONTRACT BEYOND THE INITIAL FISCAL YEAR WILL BE AT THE DISCRETION OF THE STATE. TERMINATION MAY BE EFFECTED BY THE STATE BASED UPON DETERMINING FACTORS SUCH AS UNSATISFACTORY PERFORMANCE OR THE DETERMINATION BY THE STATE TO DISCONTINUE THE GOODS/SERVICES, OR TO REVISE THE SCOPE AND NEED FOR THE TYPE OF GOODS/SERVICES; ALSO MANAGEMENT OWNER DETERMINATIONS THAT MAY PRECLUDE THE NEED FOR GOODS/SERVICES.

**AWARD**

THE STATE, AT ITS SOLE DISCRETION, SHALL RESERVE THE RIGHT TO MAKE ONE OR MULTIPLE AWARDS FOR THIS REQUIREMENT AND/OR TO REJECT ANY OR ALL BIDS.