

2018 Wild Seed and Shell Transport Request for Bid

Deadline for Bid Submission: March 19, 2018

The Project:

- A. To transport shucked shell and/or wild seed from Virginia (Bevans Oyster Company) and plant the shell and wild seed onto public shellfish fishing areas (PSFAs) throughout Maryland's tributaries in an effort to enhance the oyster population and shell substrate on those natural oyster bars where harvesting has occurred over the last several years. This work is funded by the Maryland Department of Natural Resources (DNR) and will be implemented by the Oyster Recovery Partnership (ORP). The program is open to all bidders that meet the participation requirements. Should more vessels apply than are needed, preference will be given to those who hold a Maryland commercial fishing authorization and have prior experience with shell/seed movement & planting operations. Submission of a bid does not guarantee applicant will be selected for work
- B. The project will commence with transport of wild seed upon receipt of an import permit from DNR. All potential vessels should be ready to start work no later than March 26th. Due to the variables involved with the importation of wild seed (permits, weather, water temp, availability, etc.), the actual start date may be as early as March 26th but that is not guaranteed. It is anticipated that work would start no later than April 2nd and planting totals are projected to be at 40,000+ bushels of wild seed. Shell planting will commence once all wild seed planting has been completed, which we can expect to be after May 1. We anticipate planting approximately 100,000 bushels of shell. **The projected totals for both wild seed and shell are estimated totals; actual totals may vary and are not guaranteed.**
- C. There are no guarantees vessels selected for the program will receive an equal number of trips per vessel (work days). Best efforts will be made, pending the planting schedule is not negatively impacted. Vendors may also be selected on a per project basis; vessels will be chosen based upon readiness and load volumes as indicated by the minimum carrying capacity stated on the application for both seed and shell movement. Maximum load volume is not guaranteed. Vessels should be prepared to begin seed planting operations no later than March 26th pending permit approval and other favorable conditions. There is no guarantee work will start on March 26th and not all vessels will start concurrently. Vessels should be prepared to go to various planting sites throughout the Chesapeake Bay and Tributaries with planting operations to occur at certain sites in waters no less than eight feet of depth.
- D. If you are interested in participating, **you MUST submit BOTH a flat per-bushel fee to load, transport and plant the shell/seed regardless of the distance AND a per bushel load fee and a per-bushel per mile transport/plant rate that would include all expenses associated with loading and planting the shell/seed.** Total fees (loading, transport and planting) would be capped at \$2.00 per bushel. Not providing both rates could disqualify you from the project(s).

Participation Requirements:

- A. A bidder may have more than one vessel.
- B. For loading purposes, vessels exceeding 75 feet in length and/or not able to carry at least 1,000 bushels will not be considered.
- C. Vessels must have the ability to operate in shoal water (less than eight feet) and in restrictive navigational areas.
- D. Vessels used in the program must have a valid U.S. Coast Guard certification for the current year.
- E. For safety considerations, all vessels participating in the program shall have a boat captain and a crew member onboard during operations.
- F. DNR will select applicants based on bid amount and/or amount of work to be performed. References may be required.
- G. DNR reserves the right to limit the total number of vessels to be employed in any planting operation. Planting operations will commence during daylight hours only, however, it may be necessary for seed transport to occur during the overnight hours. In that instance, it is the responsibility of the boat captain to take the necessary steps to find overnight accommodations for the vessel until planting operations are able to commence.

- H. Boat captains will NOT be eligible to participate if starting in January 1, 2010 to present they have any of the following violations. (Note: Pending violations need to be satisfied with a not guilty verdict or PBJ before you will be considered for participation. These violation criteria are consistent with those established by the Department for eligibility to participate in any commercial industry advisory commission or committee.)
 - a. One (1) violation pertaining to working over an oyster line by more than 150 feet, a time violation for taking oysters more than 2 hours after sunset, and any time before sunrise, or a cull violation of more than 15% while harvesting oysters.
 - b. Two (2) violations pertaining to: working over an oyster line by less than 150 feet, or a cull violation of 10% to 15% while harvesting oysters.
 - c. Have 10 or more points on their commercial license through the DNR commercial penalty point system.
 - d. Received four (4) or more PBJs pertaining to any seafood harvesting violations.
- I. Boat captains will be told in advance of planting sites for wild seed and shell plantings, but it's the vessel captain's responsibility to confirm receipt of planting coordinates and load amounts prior to departure to the destination site. Prior to leaving the dock, captains must confirm that the destination area has been buoyed off and arrangements have been made with a county representative to be onsite to sign for the delivery. Captains are responsible for confirming load totals and counts prior to departure and must submit to ORP all wild seed and shell tally sheets provided to them by the supplier upon loading. Failure to do so may result in loss of compensation.
- J. A minimum of a sturdy three (3) sided box is required on each participating vessel. All sides must be of equal height. The height, length and width of this cargo space will be entirely up to the discretion of the boat captain. The captain shall permit DNR, NRP or ORP to board the vessel prior to project initiation and throughout the project to verify conditions of the contract including but not limited to measuring the size of the holding area.
- K. In the case of delivering shell, the boat captain shall notify the local contact (to be provided by ORP) prior to arrival and ensure they are on-site to accept the shell delivery, confirm the volume delivered, and sign a receipt for the load. Should a dispute occur and no receipt is available, the contractor may not be compensated for the delivery.
- L. All vessels participating in the program will be required to have a GPS tracking device to track the shell transport and record the shell planting which must be turned on at all times. A GPS tracking device will be issued by ORP for the duration of the plantings and will be returned when requested at any point during the program. Vessels (captains) must have the ability to receive and communicate GPS coordinates in degrees decimal minutes. If GPS tracks are not provided for each trip, the contractor may not be compensated for the delivery.
- M. Vessel and crew safety is paramount. Shell supplier may limit load quantity for safety purposes.
- N. Failure to comply with these requirements may result in termination from the program or loss in compensation.

Application Process:

- A. When submitting your application, please read the directions and criteria carefully.
- B. To participate in the program, boat captains must agree to undergo a drug test if you are randomly selected. Once you receive the bid, you may be directed to go and have a drug test completed at an approved laboratory at no charge to you. You must pass the test prior to commencing work. If you are in possession of a Coast Guard Captain's license, then you are already in a random sampling program as part of the Coast Guard maritime random drug testing program. You will be requested to submit a copy of your Coast Guard license with your bid application so we are aware of your enrollment status.
- C. DNR works within Maryland State procurement law and policy, and therefore reserves the right to disqualify bids based on whether the business is not in "good standing" with the State meaning there may be some outstanding legal or State compliance issue including taxes or other debts to the state.
- D. By submitting a bid application, the bidder, on behalf of themselves, his heirs, personal representatives and subcontractors, hereby voluntarily and fully releases the State of Maryland and the Oyster Recovery Partnership, its directors, officers and employees from any and all claims, suits or liability for bodily injury, death or property damage resulting from participating in this contract

and voluntarily assumes all risk and full responsibility for any such bodily injury, death or property damage that occurs during the course of conducting the contract.

- E. If hired, the bidder shall maintain protection and indemnity (P&I) insurance with minimum limits of at least \$500,000 and is to include coverage for any crew excluding the owners of the vessel. The Participant shall furnish certificates of insurance and other appropriate documentation (including renewal certificates) evidencing all coverage.
- F. If awarded a contract, you will receive a 1099 tax document no later than January 2019.
- G. Program managers and/or Natural Resource Police officers may be on station and be allowed to board, inspect and/or accompany your boat at any time.
- H. Please read the form carefully and fill it out completely before faxing, hand carrying or mailing it to the Oyster Recovery Partnership office. Please return the forms to us as soon as possible and no later than 11:59 p.m. on March 19th.
- I. When submitting your application please include copies of: Your commercial fishing license and USCG license (if applicable)
- J. Send or fax all completed forms to:

Oyster Recovery Partnership
1805 A Virginia Street
Annapolis, MD, 21401
Tel: 410-990-4971 // Fax: 443-782-2275

2018 Wild Seed & Shell Transport Request Bid Form

Please read the form carefully and fill it out completely before faxing, hand carrying, or mailing it to the Oyster Recovery Partnership office. All fields are required to be completed.

Captain Name: _____ Date of Birth: _____

Social Security or Company Employer ID #: _____

Vessel Name: _____ / _____ bushels able to carry (if applicable)

Vessel Name: _____ / _____ bushels able to carry (if applicable)

Vessel Name: _____ / _____ bushels able to carry (if applicable)

Vessel Length: _____ Draft: _____

Mailing Address

Street: _____ City: _____

State: _____ Zip Code: _____

Telephone # cell: _____ (required)

Telephone # home: _____

Email: _____ (required)

Home Port: _____ Resident County: _____

I hereby am submitting a bid for the transport and planting of shell. All rates that are submitted would include all expenses associated with loading and planting the shell including vessel usage, fuel, insurance, and crew.

I am hereby submitting bids of: (**BOTH BIDS ARE REQUIRED**)

- 1) \$ _____ per bushel flat fee **and** a
- 2) \$ _____ per bushel load fee and a \$ _____ per bushel per mile fee to transport and plant shell on sites designated by the MD DNR. Total fees would not exceed the maximum load, transport and planting rate of \$2.00 per bushel. (E.g. \$1 per bushel load fee and \$.02 per mile.)
- 3) Please indicate the **minimum** bushel load you are willing to carry for:

Wild Seed _____ Fresh Shell _____

Bidder Signature

Bidder Name (Printed)

Date Signed