

2020 Wild Seed, Shell and Spat on Shell Transport and Planting Request for Bid

Deadline for Bid Submission: March 6th, 2020

1.0 Background- The Oyster Recovery Partnership (ORP) is seeking qualified bidders to support the transport and deployment of Wild Seed, Shell and Spat on Shell (SOS) onto selected areas throughout the Maryland portion of Chesapeake Bay. This solicitation identifies two distinct project types for qualified bidders to consider.

Project A- Transport shucked shell and/or wild seed (pending seed is available) from Virginia (Bevans Oyster Company) and plant it onto selected areas designated by the Maryland Department of Natural Resources (MDNR).

Project B- Transport spat on shell (SOS) to pre-determined restoration sites throughout Maryland's tributaries.

Please read the proposal and project requirements carefully as there may be specific requirements that apply to only one project type. In addition, there are more projects for 2020 as well as additional project requirements. **Failure to follow rules as outlined and presented in the documents will result in your bid being disqualified.**

2.0 Project A:

- A. Project A is to transport shucked shell and/or wild seed (pending seed is available) from Virginia (Bevans Oyster Company) and plant it throughout Maryland's tributaries on areas designated by the MDNR. The goal of this activity is to enhance the oyster population and shell substrate on 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 and coordinated by the Oyster Recovery Partnership (ORP).
- B. The Project 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.
- C. Wild Seed Planting: Should wild seed become available; the project would 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 April 1st, however, due to the variables involved with the importation of wild seed (permits, weather, water temp, availability, etc.), the actual start date could be later than April 1. There is no guarantee there will be seed, that work will start on April 1st and not all vessels will start concurrently.
- D. Shell Planting: Shell planting will commence once all wild seed planting has been completed. If there is no wild seed, shell planting will NOT commence until at least May 1st or potentially later to target natural spat set and also depending on the individual County Oyster Committee requests. We anticipate planting approximately 150,000-200,000 bushels of shell. There is no guarantee work will start on May 1st and vessels may not start concurrently.
- E. There are no guarantees vessels selected for Project A 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 go to various planting sites throughout the Chesapeake Bay and Tributaries with planting operations to occur at certain sites in varying water depths.

- F. **TO BE ELIGIBLE FOR PROJECT A:** (1) All vessels and captains must provide assurance that vessels can adhere to relevant requirements outlined in Section 2, 4, and 5, and (2) must submit a flat per-bushel fee to load, transport and plant the shell/seed regardless of the distance. Total fees (loading, transport and planting) would be capped at \$2.00 per bushel. The bid form is located in Section 5.

3.0 Project B:

- A. Project B includes the transport of spat on shell (SOS) to pre-determined sites throughout Maryland’s tributaries. This work is funded by the Maryland Department of Natural Resources (DNR), the National Fish and Wildlife Foundation (NFWF), and National Oceanic and Atmospheric Administration (NOAA) and will be implemented by ORP.
- B. Project B operations includes loading participating vessels with SOS at UMCES Horn Point Hatchery (Cambridge), and potentially from the DNR Aquaculture Facility at Piney Point where indicated. SOS plantings are slated to occur in the following tributaries noted with the estimated SOS requirements and estimated distance from Horn Point and Piney Point.

Table 1. 2020 SOS tributaries and bushel estimates.

Project	Tributary (1,2)	Estimated Bushels to be Planted (Total) (3)	Estimated Distance from Horn Point To Planting Site (NM)	Estimated Distance from Piney Point To Planting Site (NM)
1	Little Choptank	19904	23	N/A
2	Harris Creek	10313	15	N/A
3	Tred Avon	12800	10	N/A
4	St. Mary’s (2)	12704	72	N/A
5	Manokin	40000	66	N/A
6	Nanticoke	11200	61	N/A
7	Upper Bay (Severn/South/Magothy)	11200	41	N/A
8	St. Mary’s (2) from the DNR Aquaculture Facility at Piney Point (Piney Point)	12704	N/A	10
9	Eastern Bay -	11200	26	N/A

Note (1): Additional projects may be added during the planting season.

Note (2): Water depth at the planting site could be four (4) feet MLW.

Note (3): Actual bushel amounts may vary based on hatchery production. There is no guarantee that indicated amounts will be moved.

- C. 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 seed movement and SOS planting operations. Submission of a bid does not guarantee applicant will be selected for work.
- D. Transport and planting of SOS is expected to commence around April 1st and is projected to continue weekly into the summer, potentially through September. Due to the variables associated with SOS production, there is no guarantee that work will start in April and last until September.

- E. Vessel Operations: Due to current loading and planting area restrictions, vessel(s) must:
- a. Be able to dock, load and undock without any bilge discharge occurring – **Absolutely no discharge is allowed to occur while vessel is on site at Horn Point for load out, dockage, etc.**
 - b. No onsite fueling is allowed. Vessels must arrange to fuel their vessels away from the Horn Point facility.
 - c. Be at the load out facility (Horn Point or Piney Point) ready to load by 6AM.
 - d. Not draw more than six (6) feet fully loaded for all projects except St. Mary’s which is four (4) feet MLW.
 - e. Vessels will be loaded by conveyor or crane; vessels must have ability to maneuver fore and aft while loading.
 - f. Able to carry no less than 1,000 bushels and potentially up to 1,920.
 - g. Have a means by which to plant the spat on shell (e.g. water hose, spreader, etc.).
 - h. Able to safely and effectively operate in a confined/restricted area.
- F. It is expected that SOS planting will be operational for the majority of each week during the proposed project timeframe listed in item D, and selected vessels could receive up to four days of work per week for a given project. However, actual planting days is dependent on SOS availability, the amount that a given vessel can safely transport and plant, and environmental conditions (tides, weather, etc.) and other planting requirements.
- G. One or more contracts may be awarded for each tributary and a vessel may receive more than one contract.
- H. Vessels would be expected to be ‘on call’ throughout the duration of the planting season, or until the contract (s) awarded are complete. If vessels are involved with seed and or shell planting, best efforts will be made to coordinate schedules accordingly so as not to interfere with both Projects, however, there is no guarantee that planting days will not overlap. Should an overlap occur, planting SOS will be the priority.
- I. Tributaries are listed in no particular order; vessels will be notified the week prior of the upcoming week’s schedule.
- J. Since SOS is a perishable product and needs to be planted within a specific timeframe, bidders are required to provide a contingency plan with your bid should your vessel incur mechanical issues during transport; i.e. dual engines, tow, etc. In addition, the bidder must have adequate insurance to reimburse the State for the spat on shell should the planting not occur as required (e.g. within the planting timeframe and/or on the designed planting area).
- K. Trucking the spat on shell to another site and loading on a boat at that location will not be permitted.
- L. Planting documentation requirements: Planting protocols require onboard observers to document and monitor planting operations for an official record of plantings and to ensure SOS is planted on designated reef locations. Vessel operators must provide safe and ample space for onboard observers. Observers require suitable space for a laptop computer, water quality equipment and personal gear. Observers will board planting vessels either at the starting point of each planting trip, or at a convenient and safe location close to the tributary planting area. It is anticipated that observers will board vessels when SOS is loaded for short distance plantings (e.g., within Choptank River complex), and will need to board and offload at some designated location near the tributary planting area during longer trips (e.g., Manokin River). A list of suggested loading locations is presented in Section 6. Bidders should review this when developing the Bids. If bidders have alternate methods for picking up and offloading observers, then this should be presented in your Bid.

For the passenger's safety and operation of the equipment, the vessels are required to have the following:

- Current (Within 36 months of project duration) Condition & Valuation Marine Survey.
- Current USCG Safety Examination.
- Covered cabin with seating and counter space.
- Potable water sufficient for all on board.
- Toilet, portable or installed, including barrier for privacy.
- 120-volt AC and/or 12-volt DC power outlets.
- Area for GPS mount external to cabin.
- Ability to pick up and drop off observers at pre-determined locations for longer trips, en route to planting locations; i.e. Nanticoke Harbor.

M. **TO BE ELIGIBLE FOR PROJECT B**: (1) All vessels and captains must provide proof that vessels can adhere to relevant requirements listed in Sections 3, 4, and 5, and (2) must submit a flat per-bushel fee to load, transport and plant the spat on shell for each tributary that you are interested in supporting. When preparing your bid, please note that all plantings will originate from Horn Point Hatchery in Cambridge or DNR Aquaculture Facility at Piney Point where noted. The bid form and required details are located in Section 5.

N. All bushel amounts are estimates; they could be less, due to hatchery production and other environmental conditions or more than what was provided above. Also note that the actual number of planting days may vary due to the number of bushels that a vessel can carry. Bidders will NOT be able to dictate available days or weeks. Best efforts will be made to be as accommodating as possible.

4.0 Participation Qualifications and Requirements (For Project A & B):

- A. A bidder may have more than one vessel. For loading purposes, vessels exceeding 85 feet in length and/or not able to carry at least 1,000 bushels will not be considered.
- B. Vessels must have the ability to operate in shoal water (no less than eight (8) feet for seed/shell and six (6) feet for SOS for all tributaries except St. Mary's which is four (4) feet. All spat on shell plantings could be in restrictive navigational areas.
- C. Vessel and crew safety is paramount. Supplier may limit load quantity for safety purposes.
- D. Vessels must provide all documentation resulting from a valid Condition and Valuation Marine Survey was performed by a marine surveyor within 36 months of the bid. Vessel owner/Captain's are responsible for setting up the Condition and Valuation Marine Survey and supplying ORP with all documentation that the survey has occurred and proof that any and all issues found by the surveyor have been addressed and resolved.
- E. Vessels must provide a valid U.S. Coast Guard safety certification for the current year. USCC Inspections shall be conducted by a Coast Guard agent. Vessel owner/Captain's information will be provided to the Coast Guard to set up a time for inspection, and it is the Vessel owner/Captain's responsibility to see that the inspection occurs and receives a satisfactory outcome before they will be permitted to work.
- F. For safety considerations, all vessels participating in the program shall have a boat captain and a crew member onboard during operations.
- G. DNR will select applicants based on bid amount, amount of work to be performed and/or vessel capabilities (draft, speed, etc.). References may be required.

- H. 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 transport to occur during between sunset and sunrise. 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.
- I. 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.
- J. For **PROJECT A**, boat captains will be told in advance of planting sites but it is the responsibility of the vessel captain 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.
- K. For **PROJECT B**, boat captains will be told the week prior of the number of plantings to be conducted in the upcoming week. Given a biologist/scientist/observer will be onboard during the planting vessel, boat captains will not need coordinate details.
- L. Given the time restrictions associated with transporting spat on shell (time out of the water), the bidder shall provide a contingency plan should the vessel break down in transit to the planting location. In the event that the bidder's vessel is unavailable for a SOS planting, ORP reserves the right to select another vessel to conduct the planting, if required.
- M. A minimum of a sturdy three (3) sided box is required on all participating vessels. 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.
- N. The vessel shall have a hose and water to deploy shell, seed and SOS from the vessel deck onto reef planting location. SOS, seed and shells must be planted as evenly as possible to avoid planting in piles. Bidder must provide a contingency plan for removal of SOS, seed and shell should equipment become inoperable prior to or during deployment.
- O. In the case of delivering wild seed and 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.

- P. For **PROJECT A**, all vessels participating in the programs will be required to have a GPS tracking device to track the shell and seed transport and record where plantings occur. GPS units must always be turned on. A GPS tracking device will be issued by ORP for the duration of the shell and seed 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.
- Q. For **PROJECT B**, planting coordinates for sanctuary restoration plantings will be recording by the onboard observer using a separate GPS unit or through a separate connection to the vessels GPS unit. Vessel (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.
- R. Failure to comply with these requirements may result in termination from the program, forfeiture of future plantings and/or loss in compensation.

5.0 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 also required to carry crew insurance. The Participant shall furnish certificates of insurance and other appropriate documentation (including renewal certificates) evidencing all coverage. If bidder is selected to plant spat on shell, the bidder shall secure an additional insurance policy of \$55,000 per trip should the vessel be unable to deliver and plant the oysters.
- F. If awarded a contract, you will receive a 1099 tax document no later than January 2021.
- 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, mailing or emailing 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 6, 2020.
- I. When submitting your application please include copies of: Your commercial fishing license and USCG license (if applicable), and documents certifying a valid Condition and Valuation Marine Survey and U.S. Coast Guard safety examination.
- J. Send or fax or email all completed forms to: Oyster Recovery Partnership
1805 A Virginia Street
Annapolis, MD, 21401
Tel: 410-990-4971 // Fax: 443-782-2275
kbarnes@oysterrecovery.org

2020 Wild Seed, Shell and Spat on 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. **Submit one form for each vessel that is participating. All fields are required to be completed.**

Vessel Owner: _____

Captain Name: _____ Date of Birth: _____

Social Security or Company Employer ID #: _____

Vessel Name: _____ / _____ bushels able to carry

Vessel Length: _____ Propulsion (Engines): 1 2

Vessel Draft (Loaded): _____ Vessel Draft (Unloaded): _____

Vessel Speed (loaded): _____

Mailing Address

Street: _____ City: _____

State: Maryland Zip Code: _____

Telephone # cell: _____

Telephone # home: _____

Email: _____

Home Port: _____ Resident County: _____

PROJECT A: I hereby am submitting a bid for the transport and planting of shell and wild seed. 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)**

\$_____ per bushel flat fee. (There will be a cap of \$2.00 per bushel)

2) Please indicate the **minimum** bushel load you are willing to carry for:

Wild Seed _____ bu. Fresh Shell _____ bu.

PROJECT B: I hereby am submitting an all-inclusive bid for the transport and planting of spat on shell for the tributaries indicated below. All per bushel rates that are submitted would include all expenses associated with loading, transporting and planting the spat on shell including vessel usage, fuel, insurance, crew and all bidder requirements outlined in the Bid document. Bidders must also account for picking up and loading on-board observers. A list of suggested loading locations is presented in Section 6. Bidders should review this list when developing the Bids. If bidders have alternate methods for picking up and offloading observers, then this should be presented with your Bid.

Please indicate the **cost per bushel** to plant the tributary you are bidding on. You may bid on more than one tributary. I recognize that my vessel will be on a weekly on- call basis and that there is no guarantee on the number of bushels that will be available for any given tributary.

Manokin - \$ _____/ bu.

Severn/South/Magothy - \$ _____/ bu.

Little Choptank - \$ _____/ bu.

Nanticoke - \$ _____/ bu.

St. Mary's (HPL) - \$ _____/ bu.

St. Mary's (Piney) - \$ _____/ bu.

Harris Creek - \$ _____/ bu.

Tred Avon - \$ _____/ bu.

Eastern Bay - \$ _____/ bu.

Please provide your contingency plan, should the vessel/engine break-down. _____

Bidder Signature

Bidder Name (Printed)

Date Signed

6.0 Potential Load and Offload Locations for On-Board Observers Associated with PROJECT B

Site:	Name of Location:	Estimated Depth: min/max (ft.)	County:	Address:	Closest body of water:	Comments:
Manokin	Goose Creek Marina	3/5	Somerset	25763 Rumbley Road, Westover, MD 21871	Goose Creek (branches from Manokin)	1 Pier is available at this location.
Manokin	Rumbley Boat Ramp	3/5	Somerset	Drive past Goose Creek Marina keep going until you see the docks	Goose Creek (branches from Manokin)	2 Piers are available at this location.
Manokin	Somers Cove Marina	8/12	Somerset	715 Broadway, Crisfield, MD 21817	Somers Cove/ Daugherty Creek	Not much information, but has multiple docks to pull up to. Definitely far away from Manokin.
Manokin	Webster's Cove	3/4	Somerset	13301 Dorsey Road, Mt Vernon, MD 21853	Wicomico River/ Websters Cove	1 Pier is available at this location
Manokin	Janes Island State Park	3/6	Somerset	26280 Alfred J. Lawson Drive, Crisfield, MD 21817	Daugherty Creek Canal/ Annemessex Canal	Hours are 6:30 AM - sunset between December-February and 5:30 AM - sunset from March - November. 1 Pier is available at this location.
Manokin	Jenkins Creek	7/9	Somerset	2990 Calvary Road, Crisfield, MD 21817	Jenkins Creek/ Little Annemessex River	1 Pier is available at this location

Nanticoke	Elliott's Island/ McCready's	2/3	Dorchester	MD Route 50/301. Slight right to MD Route 50 east. Right at Salem Rd. Second right at Ravenwood Rd. Left at Drawbridge Rd. Slight right at Griffith Neck Rd. Second left onto Henrys Cross Rd. Right at Elliott Island Rd. Left at Wharf Road, drive to end	McCready's Cove/ Fishing Bay	1 Pier is available at this location
Nanticoke	Bivalve Wharf	2/2	Wicomico	Bivalve Wharf Road, Bivalve, MD 21814	Nanticoke River	1 Pier is available at this location. Hours open are from dawn - dusk
Nanticoke	Dames Quarter	2/5	Somerset	11320 Messick Road, Dames Quarter, MD 21821	Dames Quarter Creek	1 Pier is available at this location
St. Mary's	Piney Point Recreation Area	1/2	St. Mary's	17139 Piney Point Road, Piney Point MD 20674	St. George Creek	1 Pier is available at this location. Hours open are from sunrise - sunset
St. Mary's	St. Ingoes Landing	11/15	St. Mary's	46621 Beachville Road, St. Ingoes, MD	Smith Creek	2 Piers are available at this location. Hours are from sunrise - sunset
St. Mary's	Piney Point Lighthouse Museum and Park	9/12	St. Mary's	44720 Lighthouse Road, Piney Point, MD 20674	Potomac River	1 Pier is available at this location. Hours open are from sunrise - sunset

Upper Bay	Annapolis Maritime Museum	4/6	Anne Arundel	723 2nd St, Annapolis, MD 21403	Back Creek	3 Piers available
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