



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

MARJORY STONEMAN DOUGLAS BUILDING
3900 COMMONWEALTH BOULEVARD
TALLAHASSEE, FLORIDA 32399-3000

RICK SCOTT
GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

May 16, 2013

Dear Prospective Contractor:

The enclosed addendum has been issued for consideration in the preparation of your response to the Florida Department of Environmental Protection (DEP) Solicitation No. 2013012C, entitled " Request for Proposals (RFP) for Osborne Reef Tire Abatement Services", issued on April 29, 2013.

All responses to the subject solicitation must be received no later than 2:30 P.M. (ET) on Wednesday, May 29, 2013 (per attached addendum). A response received after the exact time specified will not be considered. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes (F.S.). Written notices, formal requests and proceedings must conform with the requirements set forth in Chapter 28-110, Florida Administrative Code (F.A.C.). Protests must be filed with the Procurement Section, Department of Environmental Protection, Douglas Building, Room 438, 3900 Commonwealth Boulevard, MS#93, Tallahassee, Florida 32399 within the time prescribed in Section 120.57(3), Florida Statutes and Chapter 28-110, Florida Administrative Code.

Any person who files an action protesting a decision or intended decision pertaining to contracts administered by the DEP pursuant to Section 120.57(3), F.S. shall post with the DEP at the time of filing the formal written protest a bond payable to the DEP in an amount equal to 1 percent (1%) of the estimated contract amount as determined pursuant to Section 287.042(2)(c), Florida Statutes, which bond shall be conditioned upon the payment of all costs which may be adjudged against him in the administrative hearing in which the action is brought and in any subsequent appellate court proceeding. In lieu of a bond, the DEP may accept a cashier's check or money order in the amount of the bond. FAILURE TO FILE THE PROPER BOND AT THE TIME OF FILING THE FORMAL PROTEST, WILL RESULT IN A DENIAL OF THE PROTEST.

Sincerely,

Debbie Bates

Debbie Bates
Operations & Management Consultant II

DB/db

Enclosures

ADDENDUM NO. 1

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Procurement Section
3900 Commonwealth Boulevard, MS#93
Tallahassee, Florida 32399-3000

May 16, 2013

Addendum to: **DEP Solicitation No. 2013012C, entitled “Request for Proposals (RFP) for Osborne Reef Tire Abatement Services”**

ITEM #1

The opening date for DEP Solicitation No. 2013012C has been changed from 2:30 P.M. (ET) on Thursday, May 23, 2013 to 2:30 P.M. (ET) on Wednesday, May 29, 2013. All references in the solicitation package to the opening date shall be changed to reflect this new date.

ITEM #2

The anticipated posting date for the recommended contract award has been changed from Monday, July 15, 2013 to Monday, July 22, 2013. All references in the solicitation package to the posting date shall be changed to reflect this new date.

ITEM #3

Attachment B, B.28, Section B. Technical Response, item 7. Availability, is hereby deleted in its entirety and replaced with the following language:

7. The DEP intends to execute contracts as soon as possible after the announcement of contract awards. The respondents shall identify available contract capacities and notification time required to initiate site operations, including the following:
 - a. Guaranteed capacity (tons/week) for removal available for contract implementation during each of the calendar years 2013 through 2016, including an explanation of any major seasonal or annual variations.
 - b. Time required to **initiate** operations from the date of notification of intended contractor task award.

ITEM #4

Attachment C, Section 2.0, Permits, is hereby deleted in its entirety and replaced with the following language:

The Contractor shall be responsible for obtaining all permits necessary for this project. The Contractor shall provide the Contract Manager with a copy of all required permits for the project. Prior to the start of deployment activity, the Contractor shall provide a letter to the Contract Manager indicating that the Contractor has read and completely understands all licenses, lease

agreements, permits, permit conditions, and all project plans and specifications. The Contractor shall abide by all notes, conditions, and specifications indicated on the plans, permits and specifications. If the Contractor violates any condition of any permit or work is stopped by any public entity, any additional costs incurred by the Contractor shall be the responsibility of the Contractor and not charged to the DEP.

END OF ADDENDUM NO. 1

Attachments to Addendum No. 1:

Exhibit I, Questions and Answers (5/16/13) (8 pages)

EXHIBIT I

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
Procurement Section
3900 Commonwealth Boulevard, MS#93
Tallahassee, Florida 32399-3000

May 16, 2013

**Questions and Answers for DEP Solicitation No. 2013012C
Request for Proposals (RFP) for Osborne Reef Tire Abatement Services**

The following questions were raised by prospective contractors through e-mails received on the date shown next to the company names. The answers are herein provided for your consideration in responding to the above referenced solicitation.

Seamar Divers International – May 2, 2013

- Question 1: Will the respondent/contractor be allowed to utilize salvage/scrap containers of any other size other than the 60' mentioned in the RFP?
- Answer 1: The selected contractor may use scrap containers of other sizes but ultimately the waste tires will be put into the 60' open top containers supplied by the waste tire processor.
- Question 2: Are we responsible for providing the open topped containers? If so, we intend to provide two containers which would be swapped. An empty container would remain at dock as vessel worked offshore to fill a deployed bin. Once it was filled with tires, the full container would be swapped out at dock. Is this method satisfactory?
- Answer 2: No, a DEP contracted waste tire processor will supply the 60' open top containers for the transportation of the waste tires. The waste tire processor will provide multiple containers for use if necessary.
- Question 3: We will be proposing to utilize a four point anchoring vessel which will allow safer placement of crane immediately over the divers position and limit turbidity/water quality concerns. Anchors would be placed within the limits of the RFP as delineated in Attachment C page 5 of 5 "Exhibit A". Would you have any objection to this proposed method?
- Answer 3: Yes. The vessels are restricted to anchoring in areas that are sandy bottom and contain no submerged resources and areas with tires that do not contain transplantable corals.
- Question 4: Will FDEP allow a 24hrs. removal process, i.e. 2 shifts of divers working around the clock?
- Answer 4: Diving in 2 shifts around the clock is not an issue for DEP. Prospective contractors will need to consult the Coast Guard regulations to see if there is an issue regarding 24 hour diving.
- Question 5: Will alternate methods other listed in Attachment C, page 1 of 5, sections 1.1.4 and

1.1.5 be allowed? We intend to negate the use of lift bags except when absolutely necessary as it is safer to have crane remove tire bundles. Our 4pt. vessel can maneuver by adjusting length of wire rope in four directions without turning on engines and place crane over work area. This limits hazards to diver inherent in lift bag usage and will keep costs down by limiting the use of any “tow” vessel.

Answer 5: Alternate methods are not allowed.

Question 6: Who will be the ultimate owner of the tires once they are brought to dock for offloading? Who will dispose of the tires once they are offloaded? We intend to qualify out that the FDEP/State of Florida is responsible for them once they reach shore. Will this intention be allowed?

Answer 6: DEP’s tire abatement contractor will be responsible for disposal of the tires.

Question 7: Will a chase vessel be provided by FDEP, as is sometimes required by USCG during diving operations? Or should contractor provide this amenity?

Answer 7: The contractor would need to provide this if required.

Question 8: IS FDEP providing a turbidity/water quality monitoring crew and vessel on site?

Answer 8: No, not unless waste tire salvaging methodology deems it necessary.

Question 9: Is a Manatee watch required? If so, will FDEP be providing the observers? Will they need accommodations on the vessel?

Answer 9: No, but manatee signs will need to be posted per the conditions of the permit.

Question 10: Is the work area a ZERO Discharge zone, i.e. can vessel Gray and Black water (effluent) be pumped overboard?

Answer 10: Yes, the work area is a Zero Discharge Zone.

Question 11: Will environmental services such as pumping off of Black water/Gray water while in port be billable to FDEP?

Answer 11: No, the contractor will be required to obtain and pay for these services.

Question 12: Will a pre-bid meeting occur for this RFP process? If so, when and where?

Answer 12: There is no pre bid meeting scheduled for this RFP.

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Brownie's Marine Group/Global Underwater Explorers– May 5, 2013

Question 1: Please cite previous tire removal projects that DEP will be referencing as performance and compensation benchmarks

Answer 1: DEP will be using the 2007-2009 military missions.

Question 2: Attachment "C", page 1 of 5 references a "60 ft. open-topped container for tire storage" in section 1.1.4; is this a typo and meant to read "60 cubic yard open topped container"?

Answer 2: No.

Question 3: If "60 Cubic Yard" is correct, could multiple, smaller containers with the combined total volume capacity be substituted in use?

Answer 3: No.

Question 4: Is the RFP scope of work limited to removal of the tires and delivery to a 3rd party shore side? Or does the contractor also need to arrange for transport and ultimate disposal beyond delivery to the dock?

Answer 4: Transportation and disposal of the tires will be performed by a different contractor.

Question 5: Rather than a "pay-per-tire" compensation method, would DEP / Bureau of Solid and Hazardous Waste consider a flat rate fee for 100% verified clearing per priority zone?

Answer 5: DEP would like a per tire rate.

Question 6: What is the total estimated minimum and maximum budget as reported to the budget committee for each priority area?

Answer 6: No minimum amount of work is guaranteed under this Contract. The estimated budget available for this entire project is \$1,146,524.86.

Question 7: How much of the budget is currently committed to each priority area?

Answer 7: DEP's current focus will be in Priority Area 1.

Question 8: What is the total estimated tire count in each of the priority areas and what is the source of the data?

Answer 8: Estimates were based on video surveys of the area and volume/number calculations by FDEP contactor (Terry Gray). It was originally estimated that 300,000 tires are in Priority Area 1 and 400,000 tires in the other Areas combined.

Adventure Environmental, Inc. – May 6, 2013

Question 1: Please identify where and when the contractor's responsibility for care, custody and control of the tire ends. Who is responsible for land side transportation and disposal of the tires?

Answer 1: Once the waste tires are on land and in the transport/processing contractors transport container, the waste tires are no longer the contractors responsibility. The transporter contractor can provide multiple transport trailers for shipping if needed.

Question 2: A. Please identify a budget or estimate per task assignment and per year for this project. Due to "economy to scale" the unit price for removed tires would be less as the volume increases.
B. Are we to assume a target of 1,000 tires p/task assignment?
C. Is there an anticipated minimum task order quantity?

Answer 2: You can anticipate one task assignment per dive season. Dive season being mid June through September. No minimum amount of work is guaranteed under this Contract. However, the estimated budget available for this entire project is \$1,146,524.86.

Question 3: Does the Department have a current contract for tire abatement at this or any similar project site and if so can we have the pricing and name of the contractor?

Answer 3: The Department does not currently have another contract for abatement of a specific site.

Question 4: Has the Department had a contract for tire abatement at this or any similar project site and if so can we have the pricing and name of the contractor?

Answer 4: In 2008 and 2009 when tires were removed from Osborne Reef, transportation and processing of the waste tires was at a cost of \$2.50 per tire with Wheelabrator Ridge Energy.

Question 5: Can the Department provide us with a list of plan holders/interested vendors in this project?

Answer 5: No, as interested vendors download the solicitation from the Vendor Bid System, DEP does not have a list of interested Vendors or plan holders.

Question 6: Are dive operations limited to surface supplied?

Answer 6: No

Question 7: Is the mobilization line item in solicitation intended to be used per task assignment or per year?

Answer 7: Per task assignment.

Resolve Coastal Recovery, Inc. – May 6, 2013

Question 1: Contract Period: Attachment B, under Section B.13 indicates the contract period will be 3 years; Attachment B, under Section B.28.B.7 refers to a Contract Period spanning 2012 – 2014. What is the proposed contract period both in number of years and from start date to end date?

Answer 1: This contract shall begin upon execution by both parties and remain in effect for a period of three (3) years, inclusive.

Question 2: Permits: Attachment B, under section B.18 indicates that all necessary Permits for the project are the responsibility of the Contractor; Attachment C, under Section 2 indicates that the Contracting Officer will supply the Contractor with copies of the required permits for the project. Which party, the Contractor or the Contracting Officer and the entity which they represent, is responsible for applying for and funding necessary permits for this project?

Answer 2: Per the most recent decision by the Broward County Board of County Commissioners, the contractor will be required to obtain a permit to proceed with the Osborne Reef salvage project in Broward County.

Question 3: Corals: It is likely that the salvage of tires from the Osborne Reef will result in the recovery of attached coral colonies; are any special considerations or procedures required in the event of ‘salvaged’ corals? If so, will there be any special considerations based on species of coral ‘salvaged’?

Answer 3: Coral 10 cm or larger needs to be salvaged. Based on previous activities in Area 1, we anticipate very little 10 cm or larger coral needing to be salvaged. No special consideration based on species.

Question 4: Corals: Will a technical approach which considers methodology for the recovery and preservation of salvaged corals be considered? If so, is there any preference as to whether the corals ‘salvaged’ are used for later mitigation usage or for transplantation immediately, provided to academic institutions for research, used to construct a nursery habitat for turnover to state or county level environmental resource entities for management upon project completion or provisioned otherwise?

Answer 4: FDEP and Broward County will be responsible for transplantation.

Question 5: Anchoring: Attachment C, under Section 1.1.3 indicates certain specifics on the anchoring of project assets about the project site. Expanding of this, would significant floating assets such as a crane barge be permitted to remain moored on the project site over the duration of the project, excluding preparation for significant weather events and special circumstances otherwise?

Answer 5: Yes.

Question 6: Anchoring: Attachment C, under Section 1.1.3 indicates certain specifics on the anchoring of project assets about the project site. Expanding of this, will significant floating assets associated with this project such as tug boats be permitted to moor within the Port Everglades Anchorage for this projects duration excluding preparation

for significant weather events and special circumstances otherwise?

Answer 6: Yes, but this is always dependent on Port Everglades harbor master discretion.

Question 7: Methodology: Attachment C, under Section 1 a general methodology for the salvaging of tires is described; is this methodology a suggested methodology or a mandated methodology?

Answer 7: The Method in Attachment C were developed by the U.S. military in their previous salvage operations.

Question 8: Methodology: Attachment C, under Section 1 describes a general methodology for salvage of tires from the Osborne Reef; what is the origin of this methodology? May a more detailed explanation of this methodology, to include minimum, mean and maximal rate of recovery utilizing this methodology as well as the dates and the weather corresponding to these rates, be provided? May contact information be provided to bidders for entities which have developed and/or used this methodology in the past?

Answer 8: The Method in Attachment C were developed by the U.S. military in their previous salvage operations. DEP does not have weather information from the previous salvage operation. The military removed approximately 50,000 tires in a 4 week period in the month of July 2008 and approximately 40,000 tires in a 3 week period in the month of June 2009.

Question 9: Diving Operations: Attachment C, under Section 5, it is stated that the Contractor shall operate in full compliance with pertinent U.S Coast Guard and Occupational Safety and Health administration regulations regarding commercial diving operations. It is our understanding that SCBUA operations under OSHA Regulations are limited to Survey and Inspection iterations. Based on this understanding, it is our interpretation that Surface Supplied Diving Operations will be required for all operations resulting in the actual removal of tires from the Osborne Reef Site; please confirm if this interpretation is correct?

Answer 9: SCUBA is going to be allowed on this project.

Question 10: Container: Attachment C, under Section 1.1.4 a sixty-foot open top container is referenced; is this container mandated for use or provided as an example? If this container is mandated, may details of this container to include l x w x h, rigging points, actual interior volumetric capacity, maximum weight capacity when lifted with a crane and the tare weight of the container be provided? If this container is not specifically mandated, what requirements will be placed on the equivalent containers for use? If this container is mandated, will the containers be provided by the State/Department or will the Contractor be required to make provisions for the rental/lease of the containers for the project duration? If the containers are furnished by the State/Department, how many containers will be furnished? If the containers are to be provisioned by the Contractor, how many containers are available through the supplier?

Answer 10: A DEP contracted waste tire processor will supply the 60' open top constrainers for the transportation of the waste tires. The waste tire processor will provide

multiple containers for use if necessary.

Question 11: Container: Attachment C, under Section 1.1.8 the use of Ro-Ro ramps for offload of containers is mentioned. Does this mean that these specific containers are mandated, that they have wheels and that they must be handled at the Ro-Ro docks rather than by crane at other dock spaces within PEV.

Answer 11: A DEP contracted waste tire processor will supply the 60' open top constrainers for the transportation of the waste tires. The waste tire processor will provide multiple containers for use if necessary.

Question 12: Tire Offload: Attachment C, under Section 1.1.8 it is stated that the Contractor will coordinate with Everglades (Port) Harbor Master's office for port transit, required dockage, access to Ro-Ro docks for loading and offloading containers, and all other required activities. Will any arrangement between the State/Department and PEV be in place to offset fees associated with Port interactions, absorb fees associated with Port interactions, subsidize said fees or eliminate them otherwise; will the contractor be expected to handle each Port transit as a separate iteration and provide the payment of fees iteratively as a result?

Answer 12: DEP will ask for a waiver of dockage fees from the port authority. However there may be incidental fees that the contractor will be responsible for.

Question 13: Tire Disposal: Once tires have been offloaded in Port Everglades, are the subsequent operations for tire disposal turned over to the State/Department or does this remain the responsibility of the Contractor? If this remains the responsibility of the Contractor, where must the tires go and to what end game? Is this cost to be factored into the 'Per Tire' Costing?

Answer 13: Yes, once the tire is on the bank in the transport container the contractor is no longer responsible for the waste tires. The cost associated with transport over land and processing should not be factored into the per tire costing.

Question 14: Dockage within Port Everglades: During the course of this project, will any special considerations for significant project floating assets be made within Port Everglades such as to provide dockage or to provide reduced dockage rates and fees? In the event of a significant weather event, will dockage within the protected harbor of Port Everglades be provided or at least guaranteed as available for floating assets associated with this project?

Answer 14: DEP will be asking for waiving of docking fees. Whether docking will be allowed during a weather event will depend on severity of the storm event.

Question 15: Project Magnitude: Based on a costing assembly composed of Mobilization Cost + Per Tire Recovery Cost, an estimated project magnitude will be necessary to provide competitive costing; may one or more of the following regarding this temporal/funding iteration be provided?

a. A project funding ROM

b. A projected number of funded days on site described as working and weather/standby days

c. A projected quantity of tires to be recovered

Answer 15: There is not a projected number of funding days. There are 300,000 waste tires in Area 1, and in Area 2 and Area 3 combined there are 400,000 waste tires. Work will be incrementally authorized through the issuance of task assignments.

Question 16: Project Magnitude: Priority Area 1 is the focus of this RFP; may an estimate of the number of tires remaining in Priority Area 1 be provided? May an estimate of the number of tires remaining in Priority Area 2 & 3 be provided? If all tires within Priority Area 1 are recovered prior to reaching the fiscal or temporal bounds of this proposed contract, will the Contractor be permitted to continue recovery seamlessly or be required to submit for approval to continue removing tires outside of Priority Area 1?

Answer 16: There are 300,000 in Area 1, and in Area 2 and Area 3 combined there are 400,000. The selected contractor should focus effort in Priority Area 1 but may be tasked to move to other areas once all waste tires in Area 1 have been removed.

Question 17: Third Party Inclusion: Attachment I, under Section 6 it is stated that The Department may contract, at its sole discretion, with a county government, municipality, or any other third party for the purpose of site security, supervision, project management and project oversight of specific sites; in the event the Department pursues any of the stated discretionary options please confirm who will bear the financial burdens associated with said discretionary allocations, the Contractor or the Department?

Answer 17: The Department.

End of Questions and Answers (5/16/13) for DEP Solicitation No. 2013012C