



Agenda Item No. 1

To: Building and Operating Committee/Committee of the Whole Meeting of April 23, 2009

From: Christian N. Stark, Marine Projects Manager, Ferry Division  
James P. Swindler, Deputy General Manager, Ferry Division  
Celia G. Kupersmith, General Manager

Subject: **APPROVE ACTIONS RELATIVE TO THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MARINE SYSTEMS CORPORATION FOR REQUEST FOR PROPOSALS NO. 2009-FT-10, ENGINEERING AND DETAILED DESIGN SERVICES FOR THE RE-FURBISHMENT OF THE M.V. SNOHOMISH (NAPA) AND M.V. CHINOOK**

**Recommendation**

The Building and Operating Committee recommends that the Board of Directors approve the following actions relative to Request for Proposals No. 2009-FT-10, *Engineering and Detailed Design Services for Refurbishment of the M.V. Snohomish (Napa) and M.V. Chinook*:

1. Authorize execution of a Professional Services Agreement with Marine Systems Corporation, Boston, MA, in an amount not-to-exceed \$546,000, for the work outlined in the Request for Proposal; and,
2. Establish a contingency reserve fund in the amount of \$54,000,

with the understanding that requisite funds are available in the FY 08/09 Ferry Transit Division Capital Budget.

**Summary**

On March 10, 2009, the District issued Request for Proposals (RFP) No. 2009-FT-10, *Engineering and Detailed Design Services for Refurbishment of the M.V. Snohomish (Napa) and M.V. Chinook*. By the proposal due date of April 10, 2009, the District received proposals from the following two naval architecture firms in response to the RFP.

1. Guido Perla and Associates, Inc., Seattle, Washington
2. Marine Systems Corporation, Boston, Massachusetts

The District's Evaluation Committee evaluated proposals in accordance with the technical criteria set forth in the RFP, and unanimously selected Marine Systems Corporation (MSC) as the highest ranked proposer. MSC's high score was based on the firm's qualifications and experience in the area of ferry vessel design and projects similar to the refurbishment we are contemplating; its capability to perform the required work; its understanding of this specific project; its performance on other similar projects; and its proposed engineering schedule. The District's attorney has confirmed that MSC is responsive to the RFP's requirements.

The RFP allows for, but does not require, interviews as part of the evaluation process. MSC's proposal was responsive to the RFP, thorough in every way, and superior to the other proposal in all of the evaluation criteria. In addition, MSC currently is working for the District pursuant to RFP 2009-FT-3 performing design services related to the Repower of the *M.V. Del Norte*. The District is very familiar with MSC and the Evaluation Committee therefore determined that interviews were not necessary.

In accordance with the statutory rules governing this RFP, staff then opened MSC's price proposal and negotiated a not-to-exceed contract price of \$546,000. This is more than the originally estimated cost of \$500,000. However, staff has concluded that the negotiated price from MSC is fair and reasonable. The burdened rates of their engineering staff are well within reason for marine engineering services, and are exactly the same as the rates charged the District on Contract No. 2009-FT-3.

Staff is also requesting that a contingency budget of \$54,000 be set for this contract. Because MSC's price is a not-to-exceed amount, making the actual cost unknown at this time, and because this contract is part of the \$23,410,000 included in the FY 08/09 Ferry Transit Division Capital Budget for the purchase and refurbishment of the *M.V. Snohomish (Napa)* and *M.V. Chinook*, staff is not requesting any budget adjustment at this time.

Because there were no subcontracting opportunities identified by District staff for this Contract, there were no Disadvantaged Business Enterprise (DBE) forms required for submittal. Although MSC identified itself as a Service-Disabled Veteran-Owned Business Enterprise, the DBE Program Office has determined that the firm is not certified as a DBE. Therefore, no DBE participation is anticipated during the performance of this contract.

The *M.V. Snohomish (Napa)* and *M.V. Chinook* were recently acquired from Washington State Ferries (WSF) for \$2 million each. The vessels were built for WSF in 1999 and operated approximately three years. The District acquired the vessels with the understanding that significant improvements and modifications would be necessary to prepare them for regular service. A summary of the major items to be accomplished as part of the refurbishment is as follows:

- As required by the California Air Resources Board (CARB), both vessels will be re-powered with Tier 2 engines. Consistent with District Board policy, the engines will be Tier 2-20 engines, which exceed CARB requirements.
- Other machinery to be replaced includes reduction gears; main shafting; bearings; engine controls and monitoring panels; electrical generator sets; and other miscellaneous pumps and controllers.

- The four water jets will be completely refurbished to like-new condition.
- Certain above-hull structures will be modified to accommodate additional inside seating capacity and new embarkation doors for passenger access at the upper deck.
- Each vessel will be outfitted with new accessible restrooms; snack bar; new seating and tables; bicycle racks; new deck covering (carpet and tile).
- The pilot house will be outfitted with new updated navigation equipment.
- The vessel will be completely repainted.

MSC will provide the District with the engineering and design drawings and the technical specifications necessary to create a bid package so the Refurbishment project can be advertised. We anticipate that this project will be of interest to several shipyards up and down the west coast.

Based on the schedule included with MSC's proposal, we anticipate the bid package should be complete and available for advertisement in September of this year.

### **Fiscal Impact**

These two projects are included in the FY 08/09 Ferry Transit Division Capital Budget as follows:

Purchase and Rehabilitate *M.V. Chinook* is budgeted at \$11,705,000 and is funded with \$8,566,469 ARRA (economic stimulus) funds, \$1,964,815 Federal Transit Administration, \$1,058,161 State I-Bond funds, and \$115,555 District funds (99% Grant/1% District).

Purchase and Rehabilitate *M.V. Snohomish (Napa)* is budgeted at \$11,705,000 and is funded with \$7,955,185 Federal Transit Administration funds, \$1,058,161 State I-Bond funds, and \$2,691,654 District funds (77% Grant/23% District).

The total budget for the two vessels is \$23,410,000 and is funded with (88% Grant/12% District). This budget includes not only the purchase of the vessels which was completed earlier this year and procurement of the professional services that are the subject of this staff report, but also all costs necessary to complete the refurbishment of both vessels. Sufficient funds are available to support the award of this contract.