

PUBLIC NOTICE

AMENDED REQUEST FOR PROPOSAL

Passenger Ferry Operator

Notice is hereby given that the City of South Amboy, Middlesex County, New Jersey is soliciting and will accept Proposals for Passenger Ferry Operator no later than **Wednesday, August 4 2021 at 1:30 p.m.** prevailing time, to be received by Deborah Brooks, RMC, City Clerk, City of South Amboy, 140 North Broadway, South Amboy, NJ 08879.

Through the Request for Proposals process, persons and/or firms interested in assisting the City with the provision of such services must prepare and submit a Proposal and the information required in the RFP document in a sealed envelope.

The selection of Qualified Respondents will be subject to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. The City has structured a procurement process that seeks to obtain the desired results, as described in the RFP, while establishing a competitive process, to assure that each person and/or entity is provided an equal opportunity to submit a Proposal in response to the RFP. Proposals will be evaluated in accordance with the criteria set forth in the RFP, which will be applied in the same manner to each Proposal received.

The City will review Proposals only from those persons or entities that submit a Proposal that includes all the information required to be included as described in the RFP (in the sole judgment of the City). The City intends to qualify a person or entity that (a) possesses the highest professional, financial and administrative capabilities to provide the proposed services, and (b) will agree to work under a fair and reasonable compensation arrangement negotiated during the final selection process.

The RFP process commences with the issuance of the RFP. The steps involved in the process and the anticipated completion dates are set forth on **AMENDED** page four of the RFP entitled "Procurement Schedule". The City reserves the right to, among other things, amend, modify or alter the procurement schedule upon notice to all potential Respondents.

A copy of the relevant Reference Documents are available for inspection at South Amboy City Hall, 140 North Broadway, South Amboy NJ 08879 and will be posted to the City website at www.southamboynj.gov. All communications concerning this RFP or the RFP process shall be directed to the City's Designated Contact Person, in writing. The City's Designated Contact Person is:

Mr. Glenn Skarzynski, MPA
Business Administrator
City of South Amboy
140 North Broadway
South Amboy, New Jersey 08879
(732) 525-5933

I. Introduction and General Information

Boasting a rich and diverse history, South Amboy's Waterfront along the Raritan Bay was instrumental in the growth and development of America. Historically significant activities at or near the subject property began with the operation of the Radford Ferry service in 1684, which provided a vital link across the Raritan Bay for stagecoach line operating between New York and Philadelphia. Subsequently, during the Revolutionary War, the area was strategically significant and was referenced by General George Washington in written correspondence. Most notably, the area was a critical port and rail link, supporting the operations of the Camden & Amboy Railroad [ca. 1831-1871] and Pennsylvania Railroad [ca. 1871-1965]. This area hosted several industrial operations in the ensuing decades and was ultimately acquired by the City of South Amboy (the "City") to anchor its waterfront redevelopment efforts.

In the aftermath of the 9/11 attacks the City, in cooperation with Federal Authorities, initiated a temporary ferry service on a nearby site. When operation of this temporary service ceased, City, State, and Federal authorities identified the ongoing utility of establishing a permanent Ferry Operation in the City. Toward that end, the City identified the property designated as Block 161.02, Lot 91, immediately adjacent to the Raritan Bay (the "Ferry Terminal Site") as an appropriate location for a Ferry Terminal. Preliminary work including site remediation and the construction of a bridge and access road to the site was completed in 2009.

In 2018, the City engaged the services of French and Parello Associates to provide a comprehensive engineering plan and design for the construction of the Radford Ferry Intermodal Transportation Facility (the "Ferry Terminal"). That process is completed, and the City anticipates being positioned to begin the construction phase in Q4 2021.

Additionally, the City has entered into an agreement with Sherman Capital Group to develop 1750 high end residential units on the property immediately adjacent south of the proposed Ferry Terminal Site. The first 500 of the Manhattan Beach Club Project are currently under construction with 250+ slated to be available for lease in September 2021. Discussions are ongoing with at least three entities regarding the development of 70+ acres immediately north of the **Ferry Terminal Site** for light industrial use and the City is currently in negotiations for a 400-500 residential development immediately adjacent to the south of the Manhattan Beach Club property.

By virtue of its proximity to New York City, access to rail, explosive growth, and ongoing redevelopment, the City is uniquely positioned to become a *keystone* mass transit hub.

II. Purpose

The City is seeking a qualified service provider to operate a premier passenger only, commuter ferry service between South Amboy and Manhattan (the "Ferry Service") as an alternative and supplement to existing transportation options. The Ferry Service must be reliable, tickets must be competitively priced, and plans for maintaining the service over the long term must be present. Service will ensure ADA compliant vessels with handicap access, restroom(s), seating and stroller/baggage accommodations. Optional goals include off peak commuter service, high speed vessels, Wi-Fi, climate control, and on-board concessions for coffee, beverages, snacks, and newspapers.

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The operator of the Ferry Service (the "**Ferry Operator**") will be expected to outline plans for maintenance, fueling, and berthing of vessels on-site or off-site. Optional leisure excursions during the off-peak commuter schedule and on weekends will be considered and are strongly encouraged. The City desires to explore a variety of waterborne vessel activities, specifically water taxis to conveniently connect other municipalities to the Ferry Service, and to promote waterfront recreation, tourism, and interest in the City's ongoing redevelopment efforts while highlighting and preserving the historical aspects of the site.

III. **Parking, Terminal, and Dock Facilities**

The City shall be the owner of the land and physical plant of the Ferry Terminal. The City shall provide and maintain on-site parking facilities, outdoor lighting, and municipal services to the Ferry Terminal, including Department of Public Works, Police, Fire, and EMS. To expedite the initiation of the Ferry Service, the City shall complete all aspects of construction of the Ferry Terminal facility, including the supporting parking spaces, docks, bulkheads, lighting, and landscaping, minus the Ferry Terminal building, in Phase I which is expected to be completed in Q3 2022. The City will complete the Ferry Terminal building in Phase II with an estimated completion date in Q3 2023. Until the Ferry Terminal building is completed, the City will provide a temporary ticket/sales facility and temporary restroom facilities adequate to support initial operations. Once the Ferry Terminal building is completed and a certificate of occupancy issued therefor, the City shall provide adequate ground level space for a waiting area, restrooms, ticketing booth and office for the Ferry Operator. The Ferry Operator will provide janitorial services for the portion of the Ferry Terminal building apportioned for its use [ground floor].

The City shall construct/install bulkhead and dock equipment as needed for Ferry Service operations. After installation, the Ferry Operator will provide routine inspections of any and all dock related structures beyond the bulkhead/waterline at least monthly and will notify the City in writing of any maintenance issues identified. The City shall perform an annual survey to determine the need for maintenance dredging and will provide same if required. The City shall retain the rights to manage/lease any and all interior/exterior advertising at the Ferry Terminal Site, including digital signage and static displays. The City shall provide adequate opportunity for the Ferry Operator to identify/advertise their operation of the Ferry Service.

IV. **Request for Proposals: Objectives**

1. The City is soliciting proposals, through this Request for Proposals ("**RFP**"), from interested ferry operators/firms for the provision of weekday commuter passenger ferry service between the Ferry Terminal Site to destination(s) in Manhattan. Destination(s) shall be determined upon selection of the Ferry Operator and be based on which facilities the Ferry Operator owns, leases, or possesses the necessary permit(s) to embark/disembark passengers in Manhattan. Ultimately an itinerary of three morning rush hour departures and three evening rush hour return trips are anticipated. The City acknowledges that initial ridership may not sustain the desired amount of departures at inception. It is expected that as ridership develops, the successful Respondent will have the ability to expand operations to meet the demand. Optional leisure excursions during off-peak commuter schedule and weekends will be considered and encouraged.

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2. The Ferry Operator must provide certified vessels, operated by a U. S. Coast Guard certified, licensed crew, meeting existing State and Federal regulations for passenger ferry operations.
3. The Ferry Service must be reliable; tickets must be competitively priced and approved by the City of South Amboy. The service must be maintained for a minimum of ten (10) years with automatic renewal provision(s) based on performance.
4. The Ferry Operator must establish an effective terminal management system. Preference will be given to operators who will provide as many aspects of managing the dock facilities as possible. The City seeks a *turnkey* solution for the operation of the Ferry Service. Ticketing, embarking/disembarking, wayfinding, maintenance of the docks, and convenience/safety of the passengers are paramount considerations.
5. The City is interested in a partner who will make commuting via ferry service to Manhattan a preferred option by offering amenities, convenience, reliability and competitive pricing. This may include concessions or other amenities on board the ferry. Likewise, the City is interested in a partner who will maximize value of the Ferry Service and use of the facility with charter and excursion offerings. The City is also interested in an operator who would consider the addition of smaller, inter-coastal ferry operations to locations like New Brunswick, NJ if feasible and supported by market demand. The Ferry Operator shall be permitted to partner with a sub-contractor to provide such ancillary services.

The entity whose Proposal is selected through the process outlined herein shall be awarded the exclusive right to operate a commuter ferry service from the Ferry Terminal. The City of South Amboy shall retain and exercise public control of the Ferry Terminal site, and all publicly held facilities therein.

V. Procurement Process and Schedule

The City has structured a competitive procurement process that seeks to obtain the desired results described above, while ensuring that each person and/or firm is provided with an equal opportunity to submit a proposal in response to the RFP (a "**Proposal**"). Proposals will be evaluated in accordance with the criteria set forth in this RFP, which will be applied in the same manner to each Proposal received. All Proposals will be reviewed and evaluated by the Selection Committee and its legal, financial and other advisors. The Proposals will be reviewed to determine whether the Respondent has met the minimum professional, administrative and financial criteria described in this RFP. Under no circumstances will a member of the Selection Committee review responses to an RFP for a contract or position for which he/she or his/her firm submitted a response. Based upon the totality of the information contained in the Proposal, including information about the reputation and experience of each Respondent, the City shall, in its sole judgement, determine which Respondents are qualified. Each Respondent that meets the requirements set forth in the RFP, in the sole discretion of the City's Selection Committee, will be designated as a Qualified Respondent, and will be considered for selection by the City.

The RFP process commences with the issuance of this RFP. The steps involved in the process and the anticipated completion dates are set forth in the Procurement Schedule. The City reserves the right, among other things, to amend, modify or alter the Procurement Schedule upon notice to all potential Respondents who have provided contact information to the City upon receipt of this RFP. All communications concerning this RFP, or the RFP process will be directed to the City's designated contact person, in writing.

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City's Designated Contact Person:

Glenn Skarzynski, MPA

Business Administrator
City of South Amboy
140 North Broadway
South Amboy, NJ 08879
ba@southamboynj.gov or
732-525-5933 (phone)

Proposals [six (6) hard copies and one electronic copy] must be submitted to, and received by, the City's Designated Contact Person via US Mail, courier, or hand delivery by the due date. Proposals will not be accepted by facsimile transmission or email.

Responses and their sealed envelopes/packaging must be clearly marked with the project title "**City of South Amboy Ferry Operator Proposal**".

The City, through issuance of addenda to all firms that have received a copy of the RFP, may modify, supplement or amend the provisions hereof in order to respond to inquiries received from prospective Respondents or as otherwise deemed necessary or appropriate by, and in the sole judgement of the City.

Due to an internal error in the initial notice some alterations have been made to the procurement schedule. Changes are in **RED**.

Procurement Schedule

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|--|---------------------------------|
| 1. Issuance of Request for Proposals | June 19, 2021 |
| 2. Mandatory pre-Proposal walk through and engineering meeting | July 7, 2021/ or by appt |
| 3. Deadline for Respondents to submit Questions | July 21, 2021 |
| 4. Response to Respondent Questions | July 28, 2021 |
| 5. Due Date for receipt of Proposals | August 4, 2021 |
| 6. Review/Recommendations of Selection Committee | August 11, 2021 |
| 7. Interviews | August 18, 2021 |
| 8. Anticipated Contract Award Date | September 1, 2021 |

Applicable Conditions

Upon submission of a Proposal in response to this RFP, the Respondent acknowledges and consents to the following conditions relative to the submission, review and consideration of its Proposal:

- a. Ferry Operator will be required to obtain all necessary permits for docking and use of pier and terminal facilities at Manhattan and future destinations. All costs incurred by the Respondent in connection with responding to this RFP shall be borne solely by the Respondent.
- b. The City reserves the right, in its sole judgement, to reject for any reason, any and all responses and components thereof and to eliminate any and all Respondents responding to this RFP from further consideration for this procurement.

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- c. The City reserves the right, in its sole judgement, to reject any Respondent that submits incomplete responses to this RFP, or Proposals that are not responsive to the requirements of this RFP.
- d. The City reserves the right to supplement, amend or otherwise modify the RFP through issuance of addenda to all prospective Respondents who have received a copy of this RFP, and who have provided their contact information to the City.
- e. The City may request additional information from Respondents, including requiring Respondents to send representatives to the City for interviews.
- f. Any proposals not received by the City by the due date shall be rejected.
- g. Neither the City, nor its respective staff, consultants, or advisors shall be liable for any claims or damages resulting from the solicitation or preparation of the Proposal, nor shall there be any reimbursement to Respondents for the cost of preparing and submitting a Proposal or for participating in this procurement process.

Rights of the City

The City reserves, holds and may exercise, in its sole discretion, the following rights and options with regard to this RFP and the procurement process in accordance with the provisions of applicable law:

- a. To determine that any Proposal received complies or fails to comply with the terms of this RFP.
- b. To waive any technical non-conformance with the terms of this RFP.
- c. To change or alter the schedule for any events called for in this RFP upon the issuance of notice to all prospective Respondents who have received a copy of this RFP.
- d. To conduct investigations of any or all Respondents, as the City deems necessary or convenient, to clarify the information provided as part of the Proposal and to request additional information to support the information included in any Proposal.
- e. To suspend or terminate the procurement process described in this RFP at any time, in its sole discretion. If terminated, the City may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to the Respondents.

The City shall be under no obligation to complete all or any portion of the procurement process described in this RFP.

Addenda or Amendments to RFP

During the period provided for the preparation of responses to the RFP, the City may issue addenda, amendments or answers to written inquiries (each, an “**Addendum**” or, collectively, “**Addenda**”). Addenda will be provided by the City to all respondents who have provided the City with their contact information, and such Addenda will constitute a part of the RFP. All responses to the RFP will be prepared with full consideration of the Addenda issued prior to the submission due date.

Cost of Preparing Proposals

Each Proposal and all information required to be submitted pursuant to the RFP will be prepared at the sole cost and expense of the Respondent. There will be no claims whatsoever against the City, its staff, or consultants for reimbursement for the payment of costs or expenses incurred in the preparation of a

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Proposal or other information required by the RFP, including the costs of obtaining any necessary permits.

Submission Requirements

Responses shall provide all information requested in the RFP. Responses that, in the City's judgement, fail to meet the requirements of the RFP, or that are in any way conditional or incomplete, or that contain deletions from requested information or errors, may be rejected.

Ferry Operation Itinerary

- 1) The number and times of departures shall be determined between the City and the Ferry Operator based on market demand for the Ferry Service in order to maximize the use of the facility as a transportation hub.
- 2) The primary destination of the service shall be Manhattan. Particular destination(s) will be determined, by and between the City and the Ferry Operator, based on market demand for the service in order to maximize the use of the facility as a transportation hub.
- 3) At a minimum, the Ferry Service must include morning departures from the Ferry Terminal to Manhattan and evening departures from Manhattan to the Ferry Terminal.
- 4) The City desires to maximize the potential of the Ferry Service and operation of the Ferry Terminal as part of its inter-modal transportation village designation and to develop the proposed service as a seamless method of commuting to and from Manhattan. As such, Respondents who can augment basic ferry service through integration with existing mass transit systems, attract and accommodate bicycle riders, and provide additional support at destinations will be favored.

Operational Plan

Each proposal must include an operations plan to implement the itinerary and related goals and objectives outlined by the City in addition to a United States Coast Guard Security Plan. The following information must be included in a proposal:

- 1) The proposed route of the ferries;
- 2) Specifications for the ferries to be used in the service, including PAX count, LOA, beam, draft, cruising speed, and onboard amenities;
- 3) Plan for embarking/disembarking of passengers;
- 4) Ticket prices and infrastructure for ticketing;
- 5) Staffing plan that includes master mariner and a sufficient crew properly licensed by the US Coast Guard to carry fare paying passengers in open waters, and back-end staff to handle ticketing and administration.
- 6) Monitoring service levels and demonstrated ability to meaningfully handle customer feedback;
- 7) Regulatory compliance with Terminal/Vessel Security Plan as required by Federal Regulations;
- 8) A plan for complying with relevant regulations relating to scheduled safety and security inspections of the vessels;
- 9) A plan for compliance with the Clean Water Act;
- 10) Proof of vessel certification and/or classification as may be required by Federal or State regulations;

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- 11) Demonstrated ability to handle service disruptions; and
- 12) A plan for handling emergency situations.
- 13) A provision to submit monthly reports to the City detailing ridership and route miles.

Operations Timeline

Proposal should include a timeline indicating expected date the service will commence and any relevant milestones that will occur between award of contract and inception of service.

Marketing Plan

A proposal must include a detailed plan to market the Ferry Service. This plan must include messaging that the Respondent would use to market the Ferry Service to the public. Marketing materials for similar offerings by the Respondent must be appended to the Proposal.

Organizational Details

A Proposal must include the following details regarding the Respondent's organization:

- 1) A formal letter on company letterhead expressing interest in operating the service outlined in the Respondent's Proposal;
- 2) The name and contact information, including mailing address, telephone number and email address for the Respondent's authorized point of contact for this RFP;
- 3) An overview of the Respondent's organization, including key persons, partners, and a general description of the organization. Resumes and credentials of the organization's ferry operating experience and three (3) client references.
- 4) Disclosure of any conflicts of interest;
- 5) A demonstration of the ability to meet all State, Federal, and local regulatory requirements including safety and security plans; and
- 6) A demonstration of the ability to meet all insurance provisions and requirements consisting of Comprehensive General Liability Insurance, including premises and operations liability, Contractors Protective Liability, and Completed Operations and Product Liability, as well as such marine insurance for the vessels as Hull and Machinery Protection and Indemnity, pollution liability, and statutory coverage for any and all Longshoremen or Harbor workers. The list is not intended to be exhaustive. Insurance shall name the City as additional insured. Liability insurance should be personal injury at \$10,000,000 and property damage at \$20,000,000. In accordance with the Laws of the State of New Jersey, Workers' Compensation Insurance must cover all contractors and employees of associated with the Ferry Service;
- 7) Safety procedures/plans including copies of the fleet/vessel operating manuals;
- 8) Site and building maintenance or bond for damages if they occur; and;
- 9) ADA compliance.

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Signed Responses

All responses must be signed by an authorized representative of the Respondent company. This representative must be authorized to make decisions regarding the Respondent's participation as the Ferry Operator for the City.

Incomplete Submissions

Any submission that does not expressly address each of the items in this RFP may, in the City's sole discretion, be rejected.

Questions

All questions related to this RFP should be addressed in writing to the City's Designated Contact Person at:

Business Administrator
City of South Amboy
140 North Broadway
South Amboy, NJ 08879,
or via email at
ba@southamboynj.gov

Information relative to this RFP obtained from other sources should not be considered official or reliable.

Selection Process

Proposals will be evaluated for completeness, competitiveness and innovative approach to the Ferry Service. Preference will be given to responses that offer a reasonably priced and sustainable service that makes the best use of City facilities.

Selection Committee

The selection committee shall be comprised of the Mayor, Business Administrator, Confidential Aide to the Mayor, City Engineer, Consulting Engineer, and such other consultants as the City may engage.

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Selection Rubric

After verifying that all RFP submissions are materially complete, the selection committee shall score responses using the rubric displayed below. The committee shall then select the respondent with the highest overall score.

Respondents will be scored based on the following specifications	Points
Itinerary – location(s) of their selected Manhattan terminals as well as identifying an itinerary that is convenient for commuters.	20
Pricing – competitive ticket pricing and financial incentives for commuter passengers, while meeting or exceeding project goals.	20
Connectivity – Respondents will be scored based on the connectivity of the selected Manhattan terminals to other modes of transportation and the Respondent’s demonstrated cooperation and/or reciprocity with other transportation organizations in the event of service interruption.	10
Commuter Services – support services offered to their customers. For example; website, text alerts, and customer service infrastructure.	10
Operation Plan – how well the operational plan addresses the logistics of the service including: ticketing, embarking/disembarking, navigation, etc.	10
Resiliency of Service – the emergency and contingency plans in their Proposal that address service interruptions.	5
Marketing Plan – the quality of their marketing plan and its alignment with the goals of the service for the City.	5
Additional Services – how well proposed additional services maximize use of the facility.	10
Amenities – amenities offered, in the terminal and/or on the vessels.	5
Implementation Schedule – their ability to establish permanent Ferry Service in the shortest possible time.	5

Following selection of the winning Proposal, the City and the Respondent shall negotiate applicable financial terms, after which the City shall cause a contract to be drafted. The initial term of the contract shall be ten (10) years and may be extended by a term of ten (10) years on mutual agreement of the parties. Should the City and the winning Respondent not successfully conclude an agreement and execute a contract within sixty (60) days of the award, the City reserves the right to negotiate with the second-choice respondent.