



## INVITATION TO BID

### AVAILABILITY OF LEASING FOR 30 FOOT CHARTER BOAT SLIP CAPE COD CANAL, MASSACHUSETTS

Sealed bids will be received until 10:00 A.M. Eastern Standard Time (EST) on Wednesday November 3, 2021 for leasing docking facilities at East Boat Basin, Cape Cod Canal, Massachusetts, Further information may be obtained from:

Town of Sandwich Marina  
12 Freezer Road  
Sandwich, MA 02563  
(508) 833-0808  
Website: [www.sandwichmarina.com](http://www.sandwichmarina.com)

at which time and place they will be publicly opened and read aloud. The Sandwich Marina is owned by the U.S. Government, within the control of the Army Corps of Engineers, and is operated by the Town of Sandwich pursuant to a lease. While not required to be awarded by bid under the Uniform Procurement Act, the Town is conducting this competitive procurement pursuant to the request of the U.S. Government.

The successful bidder will be required to enter into a lease with the conditions of this Invitation to Bid. The term of each lease will be for a period of five (5) years encompassing the 2022, 2023, 2024, 2025, and 2026 boating seasons as directed by the Rules and Regulations.

#### **INSTRUCTIONS TO BIDDER**

All bids submitted shall be deemed to have been made with full knowledge of all the terms, conditions and requirements herein contained. Bidders are advised to review carefully the attached Terms of Agreement and Rules and Regulations. Bids must be submitted on the bid form attached hereto.

The attached Certificate of Non-Collusion and Certificate of Tax Compliance must be executed by the bidder and submitted with their bid.

Each bid must include the full address of the bidder and be signed by the bidder. A bid executed by an attorney or agent on behalf of the bidder must be accompanied by two authenticated copies of his power of attorney, or other evidence of their authority to act on behalf of the bidder.

It will be the duty of each bidder to assure that his bid is received in the designated town office by the time prescribed in the Invitation to Bid. Bids received prior to the time of opening will be securely kept, unopened. Bid notifications or withdrawals, appropriately marked as was the original bid, may be submitted in writing prior to the deadline for submission of bids. No bid or modifications of bid or withdrawals of a bid shall be received after the time established for submission. All modifications of a bid or withdrawals of a bid must be in writing. Telegraphic bids will not be considered, but modifications or withdrawals by telegraph of bids already submitted will be considered if modifications are expressed as an addition to or deduction from the original bid price rather than the actual revised bid and are received prior to the time set for opening bids.

Negligence on the part of the bidder in preparing their bid confers no right to withdraw the bid after it has been opened. At the time fixed for the opening of bids, their contents will be made public for the information of bidders and other interested persons, who may be present either in person or by representative.

Bidders must complete and meet the qualifications and conditions certified in the attached Bid Qualification Form. The Bid Qualification Form must be included in the bid submitted.

#### **BID DEPOSIT and LEASE PAYMENT DETAILS**

The Sandwich Marina will require two (2) certified bank checks to be included with each bid submitted, payable to the Town of Sandwich.

The first check will be in the amount of \$500.00 and will be applied against the first annual lease payment of the successful bidder. \$500.00 will be refunded in its entirety to the bidder if no lease is awarded.

The second certified bank check will be in the amount of \$500.00. This amount will be held in an interest bearing escrow account for the duration of the lease. At that time, it will be refunded, with interest to the bidder at the term of the lease. In the event that the lease is vacated by mutual agreement prior to expiration of its full term, the reasonable costs of re-bidding the lease will be deducted from the \$500.00 deposit, and the balance if any, will then be refunded.

Once awarded the slip the bidder has Fifteen (15) days to pay the balance of the first payment of 50%. The remaining 50% shall be paid by May 1, 2022.

The lease season begins May 1st of each year and ends the October 31st. The annual payments will be made in two (2) installments with the first one due the first Monday in January, the second payment will be due the first Monday of May of each year.

**ACCEPTANCE OF BIDS:**

Bids will be accepted in the Town of Sandwich Harbormaster's Office until Wednesday November 3, 2021 at 10:00 A.M, and will be opened in public at that time. Notice of award will be given to successful bidders as soon after the date of opening bids as practicable, but in no event later than (60) days after the date for submission stated above. Notice of the acceptance of a bid, if not given to the successful bidder personally or to a duly authorized representative of such bidder, will be deemed to have been sufficiently given when mailed in a postpaid or franked envelope to the successful bidder at the address indicated in their bid.

**REJECTION OF BIDS:**

The right is reserved, as the interest of the Town may require, to reject any and all bids and to waive any informality in bids received, to accept or reject any portion of the bid, or to cancel this procurement at any time.

**AWARD OF SLIP ASSIGNMENT:**

Slip assignments will be awarded to the bidder offering the highest total bid price for each size slip and complying with the conditions of this Invitation to Bid, provided that the bidder is deemed responsible, and the award is in the best interest of the Sandwich Marina. Specific slip assignments will be made by the Harbormaster.

**DEFAULT:**

In the event of failure on the part of the successful bidder to enter into a lease agreement and to pay 50% of the rental due within Fifteen (15) days of award of the lease the Town may declare the bidder in default, withdraw the slip award and retain the deposit as liquidated damages. The Town may thereafter award the lease to the bidder offering the next highest lease payment. The remaining 50% shall be paid by May 1, 2022.

Attachment

- Charter Boat Terms of Agreement
- Charter Boat Rules and Regulations
- Certificate of Non-collusion and Tax Compliance

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Boating Season runs from May 1st thru October 31st

Minimum Bid for Charter Fishing vessels per season for five (5) years 2022, 2023, 2024, 2025, and 2026.

Current Pleasure Rate = \$135/foot, Minimum bid increase is 15% or \$155.25/per foot for length of slip or boat, whichever is greater. Total Minimum Bid is **\$4,657.50** per year.

**BID QUALIFICATION FORM**

I. Please provide the following information for each person who has an ownership interest in vessel (i.e. Partner):

Name(s):

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

Address(es)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

Telephone Number(s):

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

Driver's License Number(s):

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

State/Date of Expiration:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

Email

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

- Copy of valid U.S. Coast Guard Charter Boat License
- Copy of Documentation Papers/Registration
- Copy of Insurance Policy with full liability coverage
- Copy of Vessel's 2021 Log:

II Vessel Information:

- Name of Boat: \_\_\_\_\_
- Boat Registration No./Coast Guard Documentation No.: \_\_\_\_\_
- Length overall (Including pulpit): \_\_\_\_\_
- Beam: \_\_\_\_\_ Draft (Unloaded): \_\_\_\_\_ Loaded: \_\_\_\_\_
- Hull type (check one): Wood \_\_\_\_\_ Steel \_\_\_\_\_ Fiberglass \_\_\_\_\_
- Name of Insurance Company: \_\_\_\_\_

Minimum Insurance Requirements:

Hull: \_\_\_\_\_ P & I: \_\_\_\_\_ Pollution: \_\_\_\_\_

Emergency contacts: Two names are required other than those listed above and telephone numbers.

Name: \_\_\_\_\_ Telephone # \_\_\_\_\_

1. \_\_\_\_\_

2. \_\_\_\_\_

Certification:

Applicants for Charter Boat lease must provide the following documents:

a. That their boat was used for carrying 6 or less passengers for hire on at least 25 days of the previous year and that the charter boat was available with a licensed captain aboard for chartering.

b. If the proposed vessel is new or purchased in the prior year and the applicant has the intent and ability to comply with section a. owner and/or captain must document previous experience and the possession of a valid US Coast Guard license as an Operator of an Inspected Vessel to transport up to six (6) people for hire.

c. Submit copy of Captains License for captain and any other crewmember that may pilot the boat.

d. Vessel owner must provide Certificate of Insurance with a combined single limit of liability of at least one million dollars naming the Town and Marina as additional insured.

e. Identify number of years' experience running and/or working in charter boat operations. - \_\_\_\_\_ Years

f. Upon notification of Chapter Slip award, charter slip holder agrees to provide Harbormaster with business cards and brochures which will be distributed to general public in Harbormaster's office.

g. Bidder must own 51% of vessel and show proof of registration and/or documentation.

h. Harbormaster reserves the right to revoke slip if vessel is not actively engaged in charter fishing.

**BID APPLICATION FOR CHARTER BOAT SLIP**

Certification by Owner/Authorized Agent:

I, \_\_\_\_\_, do hereby certify that I acting on behalf of (please check appropriate box)  
\_\_\_\_myself  
\_\_\_\_said partnership

have read and am familiar with the Sandwich East Boat Basin Marina Rules and Regulation and shall comply with all the regulations, including that portion addressing the commercial fisherman's, and charter boat's terms of agreement.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Minimum Annual bid is \$4,657.50 (\$155.25 X 30' = \$4,657.50).

Bid: \_\_\_\_\_ 2022 Boating Season

Bid: \_\_\_\_\_ 2023 Boating Season

Bid: \_\_\_\_\_ 2024 Boating Season

Bid: \_\_\_\_\_ 2025 Boating Season

Bid: \_\_\_\_\_ 2026 Boating Season

Total: \$ \_\_\_\_\_

Sum of all five years will be used to determine the total bid price.

Slip Size: 30' Feet Vessel Size: \_\_\_\_\_

Each bid must be enclosed in a sealed envelope, marked and addressed as follows:

TO: Charter Bid 30 foot  
Sandwich Harbormaster  
12 Freezer Road  
P.O. Box 1393  
Sandwich, Massachusetts 02563

**Location to be opened:**

Time: 10:00 a.m.

Date: Wednesday, November 3, 2021

Place: Harbormaster Office

12 Freezer Rd  
Sandwich, MA 02563