

**NOTICE OF MEETING
SPECIAL MEETING AGENDA**

1. CALL TO ORDER

2. APPROVAL OF THE AGENDA

3. PUBLIC COMMENTS

The public may comment regarding items on the agenda (3 minute time limit)

4. PENDING BUSINESS

- A. Draft Fish Pump RFP Final Review Page 3

5. NEW BUSINESS

- A. Request For Executive Session Pursuant to AS 44.62.310(c)(3), Matters which by law, municipal charter, or ordinance are required to be confidential (Review of Proposals for RFP for a Wireless Communication Tower for Homer Spit Property) Page 15

6. COMMENTS OF THE AUDIENCE

Members of the audience may address the Commission on any subject. (3 minute time limit)

7. COMMENTS OF THE CITY STAFF

8. COMMENTS OF THE COMMISSION

9. ADJOURNMENT/NEXT REGULAR MEETING IS SCHEDULED FOR WEDNESDAY, FEBRUARY 22, 2017 at 5:00 p.m. in the City Hall Cowles Council Chambers located at 491 E. Pioneer Ave, Homer, Alaska



City of Homer

www.cityofhomer-ak.gov

Port and Harbor

4311 Freight Dock Road

Homer, AK 99603

port@cityofhomer-ak.gov

(p) 907-235-3160

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Memorandum

TO: PORT & HARBOR ADVISORY COMMISSION
FROM: BRAYN HAWKINS, PORT DIRECTOR/HARBORMASTER
DATE: FEBRUARY 1, 2017
SUBJECT: FINAL COMMENTS RE: FISH PUMP RFP

At their January 4 and 25, 2017 meetings, the Port and Harbor Advisory Commission discussed outlining specifics for a Fish Pump RFP for the operation of potentially two fish pumps on the City's Fish Dock.

Port and Harbor staff has compiled the commission's comments and is working on a final RFP with the intentions of advertising it by the second week of February. During the special meeting on Monday, February 6th, please share any additional suggestions, comments, or concerns so staff may incorporate it into the final RFP.

Recommendation

Final request for input on the Fish Pump RFP

REQUEST FOR PROPOSAL
AND QUALIFICATIONS FOR
Wet Fish Pump Transfer Services
Homer Port & Harbor

Insert Picture of Harbor or Fish Dock

CITY OF HOMER, ALASKA

Bryan Zak, Mayor

CITY MANAGER

Katie Koester



Request for Proposal & General Qualifications

January 2017

REQUEST FOR PROPOSAL FOR WET FISH PUMP TRANSFER SERVICES

The City of Homer, Alaska has begun the competitive selection process for two Wet Fish Pump Transfer Services Leases at the Homer Port & Harbor Fish Dock. The City is soliciting proposals and statements of qualifications from individuals or firms interested in this business opportunity.

Each designated area is XXX square feet on the north drive of the trestle and XXX square feet at the south drive on the trestle. These locations are shown on the overview map included in this RFP. The Lease will be awarded pursuant to a Request for Proposal process.

This RFP document contains:

- Instructions for submitting a Proposal
- Schedule of important dates and deadlines
- Evaluation Criteria
- Lease Application
- Lease Agreement

You are encouraged to review this RFP carefully so you may offer your feedback or request clarification prior to the submittal deadline. We look forward to your participation.

Bryan Hawkins, Harbormaster/Port Director

SCHEDULE

ACTIVITY

DATES

Publish Dates: Homer News or Tribune: February 2 & 9th, 2017

Submittal Deadline: Thursday, February 16, 2017 at 4:00 PM

Submittal Address/Location: City Clerk's Office
Homer City Hall
491 East Pioneer Avenue
Homer, AK 99603

Proposal Review & Recommendation: February 17-22, 2017

Homer City Council Approval of Successful Proposals and Lease Agreements: March 13, 2017

Estimated Lease Award Date: After March 13, 2017

Please note that this schedule is subject to change. Any date(s) may be extended by the City Manager when in the interest of the City to do so.

PART I

Please note that the economic and other terms of this Business Opportunity, including the provisions relating to rent, Lease term, deposits, insurance, and operational requirements, are described in more detail in the attached Lease.

1. INTRODUCTION

This RFP is intended to inform interested parties about the competitive selection process for a General Business Opportunity at the Homer Port & Harbor Fish Dock. It is anticipated that the selection process will take one month, culminating with the City Council's award of two Leases.

2. DESCRIPTION OF THE LEASE

In participating in this selection process, each Proposer will be seeking the opportunity to conduct the Permitted Use, as described in Section I.3.b below, within the Harbor pursuant to the Lease. The Lease describes the business and operational requirements of this Business Opportunity, including the premises, rent, Lease term, deposits, insurance requirements, nondiscrimination requirements, and other important requirements.

The Proposer is encouraged to provide in detail every aspect of the activity, equipment, type, brand names and capacities, attachment points to the dock. All details and drawings are to be detailed and to specifications and include the offload process from pump location, dewatering tote loading plan, icing and loading.

Additional information to be included in the proposal is the need to reduce truck loading congestion on Fish Dock Road and is seeking responses to address that issue in the proposals.

The City Manager reserves the right to revise the form of the Lease prior to its execution to:

- (a) reflect the Business Opportunity developed pursuant to this RFP,
- (b) incorporate any City requirements adopted or deemed applicable after the drafting of such draft Lease; and
- (c) incorporate any other non-substantive provisions desired by City Council.

3. SUMMARY OF BUSINESS TERMS

a. Term. General leases will have a lease term of three years with the option for two one year renewals. The Rent Commencement Date refers to the date the Lessee takes possession of the Premises, as determined by the City Manager and/or Harbormaster.

b. Permitted Use. The Lease is intended for the north and south trestle areas and for no other use without Landlord's consent. Without limiting the generality of the foregoing, Lessee shall operate the Premises in strict conformity with the requirements herein, including those set forth in the Lease and provide the following to include but not limited to:

- No one entity may own or control both locations.
- Pumps are for the purposes of increasing fish offload speeds

- Increasing volume of fish crossing the dock
- providing fish offload service for hire

Business hours? Minimum?

c. Rent. Per Lease Year, the base rent is structured as follows:

_____ plus taxes, payable in **monthly installments of** _____ plus taxes.

In addition, 10% of Lessee's Gross Sales ("Percentage Rent"), but in no case shall the Percentage Rate be lower than \$200.00 per month.

d. Deposit Amount. At the time of execution of the Lease, the Lessee is required to provide a \$_____ **security deposit.**

e. Utilities and Service. Applicant will be responsible for any type of utilities required to perform the services.

f. Comprehensive General Liability and Workers Compensation Insurance. Upon signing of lease, Lessee shall maintain comprehensive general liability insurance with a single combined liability limit of not less than **five hundred thousand dollars (\$500,000.00)** insuring against all liability of Lessee, it's employees, and authorized representatives in regard to the Premises. The City of Homer shall be named as additionally insured.

If employees are hired, proof of workers compensation insurance is required.

PART II

1. INQUIRIES REGARDING RFP

A Pre-Proposal Meeting will be conducted or granted upon request.

Technical Inquiries regarding the RFP and all requests for written modification or clarification of the RFP must be directed to:

Bryan Hawkins, Harbormaster/Port Director

Email: bhawkins@cityofhomer-ak.gov

Phone: (907)235-3160

Proposal Submittal process inquiries of a general nature regarding the RFP can be directed to the City Clerk's Office to:

Renee Krause, CMC, Deputy City Clerk

Email: rkrause@ci.homer.ak.us

Phone: 907-235-8121 ext. 2224

2. TIME AND PLACE FOR SUBMISSION OF PROPOSALS

Proposals must be received by **4:00 p.m. on THURSDAY, FEBRUARY 16, 2017**. Postmarks will not be considered in judging the timelines of submission. Late submissions will not be considered. Proposals submitted by fax or email will not be accepted.

Proposals may be delivered in person or mailed to: City Clerk's Office
RFP for Wet Fish Pumping
City of Homer

3. FORMAT

Proposals shall be submitted in a sealed envelope clearly marked, "**WET FISH PUMPING TRANSFER SERVICE PROPOSAL.**"

To be deemed responsive, Proposals must include:

1. Lease Application- provided by the City
2. Lease Application Fee (\$30 non-refundable fee submitted with proposal)
3. Proposer's Transmittal Letter- should list all items contained in the proposal
4. Business Plan- clear and precise narrative description of your plans, experience and stability.
5. Summary of Qualifications- attach information which demonstrates that the proposer has adequate qualifications and experience in successfully conducting a concession business.
6. Financial Report- should demonstrate Proposers ability to directly finance and/or obtain financing for proposed lease. List assets and liabilities, and note what assets are available to start a business.
7. Project Schedule- a specific time schedule for business activity to commence. Additionally, list hours of operation you intend to be open, as well as how many employees will be hired.
8. Attachments Requested- per the application form, including, but not limited to the following documentation:
 - a. Partnership or corporate agreement
 - b. Business License
 - c. References and any other information that is directly pertinent to the Evaluation Criteria contained herein

PART III

1. PROPOSAL EVALUATION PROCESS – GENERAL

To participate, each proposal must be submitted on or before the Submittal Deadline.

Proposals will be reviewed by staff to ensure the application is complete. If the application is incomplete, the proposal will be deemed nonresponsive. If the application is complete, the proposal will be reviewed and evaluated by the Port & Harbor Advisory Commission and established committee and recommendations will be forwarded to City Council.

2. EVALUATION CRITERIA

Proposals will be evaluated on the following criteria and scored according to the point scale:

Evaluation Criteria	
1. Proposed Concept	<i>10 points</i>
• Description in narrative form of your plans, experience, and stability • Overall appeal of proposed concept • Conformance with concept sought in RFP, including compliance and timely submission of all documents requested	
2. Business Plan	<i>20 points</i>
• Financial report including credit history, listing your assets and liabilities. Also note what assets are available to support operations of this venture • Overall appeal and quality of plan • The development plan including all proposed improvements, and timetables to commence business activity	
3. Hours of Operation and Staffing	<i>10 points</i>
• Intended hours of operation • Number of employees anticipated to be hired	
4. Experience	<i>10 points</i>
• Qualifications and experience in the specified business • Current business and how you plan to incorporate your vision into the Homer Port & Harbor • Ability to maximize sales, revenue and customer satisfaction • Lease history • Current performance, if applicable	
Total Possible Points 50	

3. SELECTION & NEGOTIATION AGREEMENT

After evaluation and ranking of proposals, a recommendation will be forwarded to the City Council. If the Council approves, the City will offer the highest ranking proposer(s) an opportunity to negotiate lease agreements. The commencement date of the lease will be negotiated with the successful Proposer(s).

- a. If the City determines, at its sole discretion, that it will be unable to reach an acceptable agreement with a Proposer within an acceptable amount of time, the City may terminate negotiations with that Proposer and begin negotiations with the next highest ranking Proposer.
- b. The City may withdraw its solicitation of proposals to lease the property at any time before the City Council approves a definitive lease document.

- c. The City reserves the right to reject any or all responses, may waive any or all informalities or irregularities, and may permit the correction of errors or omissions in responses.
- d. A tour of the property will be provided prior to the Submittal Deadline, if requested by a Proposer, with sufficient notice.

STAFF & COUNCIL REPORT/COMMITTEE REPORTS/ BOROUGH REPORTS

A. Port and Harbor Director's Report for January 2017

Deputy Harbormaster Clarke reviewed the staff report. In response to questions he reviewed the schedule for the high mast light RFP.

Commissioner Carroll commented this winter has been a good illustration of having the team out there trained for fire suppression and the ETT training. He commended the harbor staff for their work.

PUBLIC HEARING

PENDING BUSINESS

A. Fish Pump RFP

a. Draft Request for Proposals for the Operation of Fish Pumps on City Dock

Commissioner Carroll expressed concern that they avoid getting into another situation like the last 20 years. The typical person who is going to pay for dock space to have a fish pumping facility isn't going to have a high priority of pumping other peoples fish. He has had second thoughts about the whole idea and thinks it would be better to look at a fee for use of power for and leave it open for portable equipment.

The Commission discussed the notion of tenders using portable fish pumps on the docks and the process for pumping fish, dewatering, and so on. It was pointed out that the smaller drift boats do not use fish pumps.

Deputy Harbormaster Clarke commented the idea of portable fish pumps has been proposed in the past but it isn't a workable situation in maneuvering around the dock, which is why they are considering this RFP.

Discussion ensued regarding how to keep the tenders moving through the fish pumping areas on a first come first serve basis. There was concern about whoever has the lease with the fish pump could have an expectation they have priority to access the pumping location. There will also be availability for unloading with brailer bags and cranes. Recommendation was made that the RFP include language clarifying that says the dock will continue to be available on a first come first serve basis, no matter the outcome of the RFP. It was also recommended that the statement "No one entity may own or control both locations" be reworded so as not to suggest that anyone owns or controls a location.

Deputy Harbormaster Clarke commented that during the peak time, particularly in the pink season when bulk fish offloads are occurring, they would need to consider the exclusive area and access for the the lessees of the pump locations and honor their ability to utilize the pumps to offload tenders. He encouraged them to consider that in the peak time you wouldn't want to force them out with some other offload or activity that would obstruct their ability to utilize their pumps.

Vice Chair Zimmerman questioned what happens then if there is a line of boats offloading halibut. They can't be told to stop offloading and move, and you can't hold an empty spot on the dock until the tender comes in.

Deputy Harbormaster Clarke agreed it can get to that point when dealing with the space given. He explained that communication between buyers goes a long way. When the buyers are working with one another they realize what boats are inbound and what schedules they are looking at. It has worked in the past with the handful of fish dock use permits and buyers making it work with the 345 feet of dock space, eight cranes, ice shoot that are available. It seems that most of the salmon deliveries happen in the evening when the small boats come in. Halibut is a daytime delivery operation and rarely do they extend into the evening. The tender activity is typically later in the evening, especially in July when they are running around the clock for salmon offloads.

Other discussion points regarding the RFP included:

- Wording so the the applicant can apply for one end of the dock or the other, or state first and second choice in their proposal.
- Offloading solutions like a private entity leasing and providing labor for fish pumping.
- The Harbor own both pumps, hire crews, and do the job. That would keep it first come first serve and the only way to ensure no conflicts, but it's probably not the best solution.
- Leave the business hours open to allow for 24-hour availability when needed.
- Eliminate language regarding 10% of lessee's gross sales and lower than \$200 per month. That is something that they can address another time through the tariff for offload of all species equally, not just salmon at the fish pumps.
- Change - *No one entity may own or control both locations. To - No one entity may lease both locations.*
- Increase liability insurance requirement amount from \$500,000 to \$1 million.

B. Homer Marine Repair Facility

i. Haul Out Trailer Info (*if provided by commissioners*)

There was no additional information for this topic.

NEW BUSINESS

A. Recommendation from CityScape re: Wireless Communication Tower on Homer Spit Property

Deputy City Clerk Jacobsen advised that the recommendation from CityScape included information that isn't available for public review until after the contract award by City Council.

The Commission discussed dates and agreed to schedule a special meeting to hold an executive session on Monday, February 6, 2017 at 5:30 p.m. in the conference room. It was suggested they could have the Fish Pump RFP on that agenda as well if a revised copy is available and staff is ready to discuss it further.

INFORMATIONAL ITEMS



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum

TO: THE PORT & HARBOR ADVISORY COMMISSION

FROM: MELISSA JACOBSEN, MMC, DEPUTY CITY CLERK

DATE: FEBRUARY 2, 2017

SUBJECT: REQUEST FOR EXECUTIVE SESSION PURSUANT TO AS §44.62.310(C)(3), MATTER,
WHICH BY LAW, MUNICIPAL CHARTER, OR ORDINANCES ARE REQUIRED TO BE
CONFIDENTIAL (CITYSCAPE RECOMMENDATION RE: RFP FOR A WIRELESS
COMMUNICATION TOWER ON THE HOMER SPIT)

In accordance with HCC 3.16.110 (d) Proposals shall be received at the time and place designated in the request for proposals, and shall be opened so as to avoid disclosing their contents to competing proponents during the process of negotiation. Proposals, tabulations and evaluations thereof shall be open to public inspection only after the contract award.

An executive session is scheduled to allow the Port and Harbor Advisory Commission the opportunity to review and make a recommendation regarding the information provided by CityScape. This has been publicly and internally noticed as required.

RECOMMENDATION: Approve a motion for the Executive Session.

