



**NRPB**  
NATIONAL RECOVERY  
PROGRAM BUREAU

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# National Recovery Program Bureau

## Minutes Pre-bid Meeting and Site Visit Simpson Bay Lagoon

**Ship Recovery, Salvaging, Decommissioning,  
Cleaning Lagoon Shorelines**

Procurement  
12-3-2019

## 1. General Information

**Country:** Sint Maarten

**Name of Project:** Emergency Debris Management Project.

**Contract Title:** Ship Recovery, Salvaging, Decommissioning, Cleaning Lagoon Shorelines

**Grant No.:** TF-A9261

**RFB Reference No.:** SX-NRPB-140867-CW-RFB

## 2. Introduction

On December 3, 2019 at 9.30 am, the NRPB organized a pre-bid meeting with a consecutively schedule site visit to the Simpson Bay Lagoon. This event was organized in relation to the tender described above. The event was announced in the original bidding documents published on November 13, 2019 and later more specifically communicated through Amendment 1 on November 21, 2019.

The pre-bid meeting was held at the office of the NRPB in Sint Maarten. The site visit consisted of a boat ride on the Simpson Bay Lagoon and Mullet Pond. In total, 8 companies were represented during the pre-bid meeting. The site visit was attended by 7 companies. In addition to companies, the NRPB was represented by the EDMP Project Manager and Program Manager. Furthermore, Government's Maritime Affairs Department was represented as well as the Sint Maarten Nature Foundation (SXMNF). The sign-up sheet is attached to these minutes.

This document represents the information provided during the event and clarifications requested including their follow-up.

## 3. Pre-bid Meeting

The pre-bid meeting kicked off with a PowerPoint presentation prepared by the NRPB, which is attached to this document. In addition, the NRPB was introduced to all attendants, as the Project Implementation Unit of the Trust Fund Projects. Part of the presentation was to present an updated map showing the location of the vessels that are part of the contract. These are made available through the following links (click on the link):

- i. [Shipwreck locations](#)
- ii. [Shoreline debris](#)

The files can be opened with Google Earth Pro, which is a freely accessible application and can be downloaded via this [link](#).

The main conclusion of the most recent inventory is that the amount of vessels included in the project has increased to 111, including 5 large barges, 4 large metal ships and one large wooden ship.

The presentation was followed-up with a round of questions and, where possible, clarifications. The NRPB stressed that minutes of the meeting and site visit will be made public and furthermore advised that questions will be sent to the appropriate address, in writing. The NRPB will then respond to these questions in writing via an updated clarification sheet.

The following was discussed during the pre-bid meeting:

- a. Mr. Paul Ellinger from Maritime Affairs noted that the maximum width of vessels entering the Simpson Bay Lagoon is 54 ft. The Causeway Bridge (swing bridge) is no concern.

- b. Mr. Ellinger proceeded stating that the role of Maritime Affairs is to provide oversight and inspections related to compliance on vessels entering and operating on St. Maarten waters. This includes but is not limited to valid registration and certifications of specified equipment.
- c. The NRPB proceeded explaining roles of a number of stakeholders to the project. The NRPB is the contracting authority and will have a firm acting as environmental and contract supervisor. In addition, the SXMNF will supervise on environmental risks on behalf of government and NRPB. The department of Maritime Affairs will inspect compliance as mentioned above.
- d. *Question:* There is a ship with two masts sunk in the Lagoon, is this included? *Answer:* The ship referred to is not included as it is located on the French side of the Lagoon.
- e. *Question:* Will the spreadsheet that was published be updated according to the new maps and is the numbering aligned? *Answer:* The numbering on the map is not the same as the spreadsheet. The pictures therefore will not correspond. We can look into making the information correspond better and update the spreadsheet to represent what wrecks are still part of the project.
- f. *Question:* What happens if a contractor cleans a specific area and later, people will dump new debris or garbage in that area? *Answer:* After a specific area is cleared of debris and/or wrecks, this will be verified by the supervising firm and the area will be considered finished. Should any new debris occur in this area, and this is not due to the salvaging and cleaning activity of the contractor, this debris does not need to be cleared by the contractor. If the debris is the result of drifting materials due to the activities of the contractor, this will be the responsibility of the contractor. This will be verified in cooperation with the supervising entity.
- g. *Question:* Some of the ships on your list are owned by people, how does that work? *Answer:* All ships on the list are now legally owned by the Minister of VROMI who mandated the Department Head of Civil Aviation and Maritime Affairs under the Ministry of TEATT to take decisions on the shipwrecks. Ownership by the Minister of VROMI was assumed after following a process where boat owners were asked to present themselves and a cleaning plan for their vessels within a specific timeframe. All wrecks that were not claimed within that timeframe are now in the possession of the Government of Sint Maarten. Attachment 3 to these minutes contains the article as was published on March 12, 2019. Reference is made to the National Ordinance for clearing ships and wrecks (*Landsverordening opruiming van schepen en wrakken*):  
[https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/Historie/Sint%20Maarten/142705/142705\\_1.html](https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/Historie/Sint%20Maarten/142705/142705_1.html) (in Dutch).
- h. *Question:* The boat called Silver Queen is known to be under litigation and a company was in fact stopped working on the vessel by a bailiff. *Answer:* No claim was made to this ship during the time of publication and as such the Minister of VROMI assumed ownership.
- i. *Question:* What if a contractor is working on a vessel and somebody claims to be the owner? This can create a liability for the contractor, will the NRPB assume this? *Answer:* Maritime Affairs reiterated that ships are owned by Government and as such, they cannot be claimed anymore. The NRPB referred back to explaining how the Minister of VROMI is owner of these ships.
- j. *Question:* What should be done with the fiberglass that comes from the ships? This is a major concern as this is a material that is not suitable for reuse or recycling. *Answer:* This is up to the contractor to propose. Fiberglass will not be accepted at the Landfills, which is also indicated in the Environmental and Social Management Plan, which is part of the bidding documents.

- k. Multiple parties expressed their concern on this matter as they expect that disposing of fiber glass is going to be a challenge. This is taken note of and the NRPB stated that should they learn more about potential solutions, this could be shared with interested bidders. At this time however, the NRPB is asking contractors to find (environmentally) acceptable solutions.
- l. *Question:* If a ship is in a relatively good condition, can it be sold? *Answer:* This would require a clear title on the vessel given by the current owner, and this will not be done. As such, all boats will need to be decommissioned and disposed of.
- m. *Question:* Is there land allocated as a storage/ decommissioning yard? *Answer:* At this time, the Government does not have land available. The bidding documents provide for other options where the bidder identifies and provides land, the bidder uses a (set of) barge(s) or the bidder finds a way to export the vessels and decommissions off island. In the meanwhile, the NRPB and Government of Sint Maarten will remain to look for potentially available land.
- n. *Question:* What about the land next to the Red Cross [located on Airport Road]? *Answer:* This is land under legal dispute and therefore cannot be used for the purpose of this project.
- o. *Question:* Who is responsible for taking out the oil and other fluids from the vessels? *Answer:* This is the responsibility of the contractor.
- p. *Question:* How does the artificial reefing element work? Is this part of the contractor's responsibilities, or will the contractor only be responsible for preparing the vessels? There is a risk that if no sinking site is identified yet, the contractor has to wait on other parties to be able to continue its work. *Answer:* This concern is noted. Artificial reefing will happen in coordination with the Sint Maarten Nature Foundation. Under the contract on bid, it will be required to prepare identified ships for sinking for the purpose of artificial reefing. The sinking can only take place after safeguards instruments are finalized and approved. As such, a separate contract will be tendered for this part of the artificial reefing.
- q. *Question:* Some older vessels may contain asbestos. What is expected with that? *Answer:* Asbestos needs to be properly handles and disposed of. More details will be provided in the ESMP and are currently described in the *Clarifications to Bidding Documents* as follows:  
*Generally, the ESMP for the project refers to operational practices under chapter 3.2.*  
*In addition: If in the event salvaging or decommissioning requires the stabilization or removal of asbestos construction materials, the contractor shall immediately contact and inform the Supervision Consultant, the NRPB, the Inspectorate of Public Health, Social Services and Labor of the Ministry of Public Health, Social Development and Labour (VSA) and The Inspection Department of the Ministry of Public Housing, Spatial Planning, Environment and Infrastructure (VROMI)) (VROMI) and work towards implementing an asbestos management (removal and disposal) plan with appropriate experts and authorities.*
- r. *Question:* Are all vessels in one contract? *Answer:* Yes, all vessels are to be handled under one contract in one single lot.
- s. *Question:* Is Oyster Bay included? *Answer:* No. On this topic, the ESMP reads: "The Oyster pond was at the initial phase of project design identified as an area under dispute. World Bank operational guidelines as such required that the French Authorities would not object to activities taking place in that area. This 'no objection' was not granted and as such we were not allowed to implement any action funded through the World Bank in the Oyster Pond. Based on the Operation Policy: Projects in Disputed Areas (OP7.60/BO7.60)".
- t. *Question:* Are there areas identified as priority under the project? *Answer:* Prioritization will happen in the planning phase of the contract. It is expected that specific areas where a lot of marine traffic is happening and where wreck cause the main navigational risks, are going to be considered priority.

- u. *Question:* Are contractors to arrange work permits, etc.? *Answer:* Everybody working on St. Maarten will need to comply with national legislation. This includes that the relevant work permits, immigration papers, etc. will need to be in place. The NRPB recommends foreign contractors to reach out to the local Chamber of Commerce for more information.

Foreign labor: Generally, contractors bringing in foreign labor will need to request work permits for their staff via the Department of Labor Affairs (<http://www.sintmaartengov.org/government/VSA/Department-of-Labor-Affairs/Pages/default.aspx>). Work permits can only be requested by a company that is registered on Sint Maarten. With a work permit, if necessary, a residency permit can be requested at the Immigration Department (more information can be found here: <http://www.sintmaartengov.org/government/JUS/Immigrationdepartment/Pages/Brochures-and-Forms.aspx>).

Dutch and United States Nationals do not need to request a work permit but can get a 'Verklaring van Rechtswege' at the department of Immigration.

Tax: A foreign company, not registered on Sint Maarten will need to declare profits to the Tax Administration. For more information, we recommend to contact the Tax Department (<http://www.sintmaartengov.org/government/FIN/Pages/Tax-Administration.aspx>).

- v. *Question:* What are the main evaluation criteria? In essence, what are the most important factors for the NRPB to award a contract? Is this for example environment or price? *Answer:* The evaluation criteria are defined in Section II of the bidding documents. Evaluation criteria are clearly detailed in the Request for Bids. ITB 40 specifies:

*"Having compared the evaluated costs of Bids, the Employer shall determine the Most Advantageous Bid. The Most Advantageous Bid is the Bid of the Bidder that meets the Qualification Criteria and whose Bid has been determined to be:*

- (a) *substantially responsive to the bidding document; and*  
(b) *the lowest evaluated cost."*

Responsiveness to the bidding documents is determined based on various aspects one of the most important being the quality of the Technical Proposal, including how this section addresses the environmental aspects set forth in the ESMP. Minor deviations in the technical proposal may be voided by the Employer, but overall the Technical Proposal is evaluated on a pass/fail basis. Obviously, if the bid is declared nonresponsive it does not pass to the stage of evaluation of cost. Accordingly, properly addressing environmental aspects in the technical proposal is important.

Price is also important as only the bid determined responsive to the bidding document and offering the lowest evaluated cost will be proposed for award. Procedures for evaluating cost are clearly defined in the BD.


Finally, once a bidder meets (a) and (b) above, a determination on its qualification shall be made. And only a bidder that meets the qualification criteria, assessed as set forth in the BD, can be awarded the contract.

In conclusion, both technical (including environmental) and price factors are very important in evaluation.

- w. *Question:* Are the dates mentioned in the bidding documents set in stone? January 7<sup>th</sup> is a very tight deadline. *Answer:* At the moment of the pre-bid meeting the deadline is January 7<sup>th</sup>. The deadline has meanwhile been extended to January 28, 2020.

After the pre-bid meeting, a 2-hour site visit started at 11.30 am at the Simpson Bay Marina. The visit gave interested bidder the opportunity to take pictures and make a more visual assessment of the situation on the Simpson Bay Lagoon and Mullet Pond.


### Attachment 1 – signup sheets



**NRPB**  
NATIONAL RECOVERY  
PROGRAM BUREAU

Ship Recovery, Salvaging, Decommissioning, Cleaning Lagoon Shorelines  
Pre-Bid Meeting  
December 3, 2019  
**Attendance List**

#	Name	Organization	Email	Phone	Signature
1	Dean Swart	Aquatic Solutions	[REDACTED]	[REDACTED]	[Signature]
2	Max Philippe	SNR			[Signature]
3	Paul Koolle	HABS			[Signature]
4	Sheryl Nicholls	Yacht Assist			[Signature]
5	David Dvornikov	SHIPMATE MARINE			[Signature]
6	Cyrille Philippe	SNR			[Signature]
7	Taylor Reiss	Resolve			[Signature]
8	Francis Lackey	Resolve			[Signature]
9	M LLOYD	RMSBU			[Signature]
10	Ellinger Paul	Shipping Maritime			[Signature]
11	Melanie Meijer	NFSXM			[Signature]



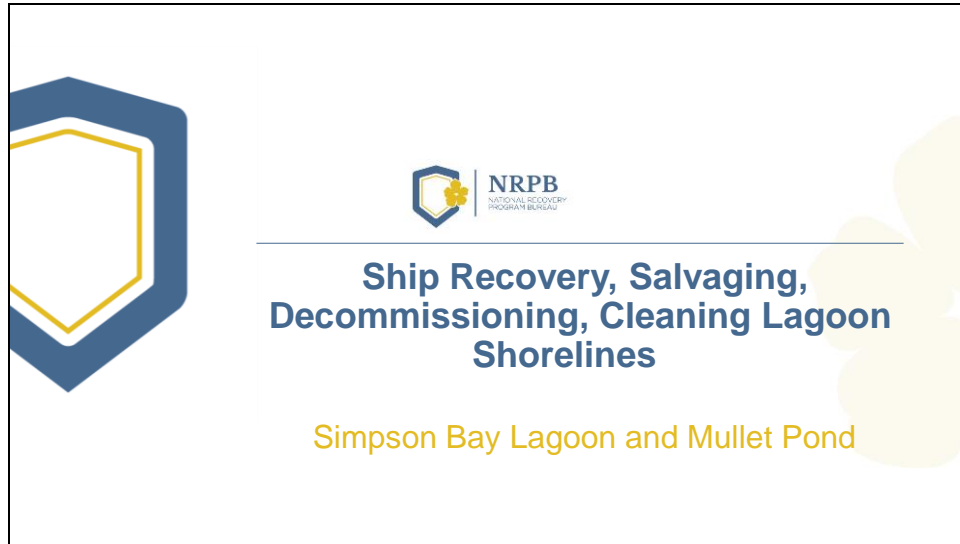
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Ship Recovery, Salvaging, Decommissioning, Cleaning Lagoon Shorelines  
Pre-Bid Meeting  
December 3, 2019  
**Attendance List**

#	Name	Organization	Email	Phone	Signature
12	Thijn Laurens	NRPB	[REDACTED]	[REDACTED]	[Signature]
13	Jose Luis D	NRPB			
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## Attachment 2 – PowerPoint Presentation

Slide 1





### Project Information

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**Country:** Sint Maarten

**Name of Project:** Emergency Debris Management Project.

**Contract Title:** Ship Recovery, Salvaging, Decommissioning, Cleaning Lagoon Shorelines

**Grant No.:** TF-A9261

**RFB Reference No.:** SX-NRPB-140867-CW-RFB



Slide 3



### Project Objective

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The salvaging, decommissioning and disposing of around 110 shipwrecks in the Simpson Bay Lagoon and Mullet Bay Pond as well as cleaning of the shores from remaining debris from Hurricanes Irma and Maria

Shipwrecks include 5 large barges, 4 large metal ships and 1 large wooden ship.

## Slide 4



### Tender Information

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- Bidders may obtain further information from the NRPB by sending an e-mail to [procurement@nrpbsxm.org](mailto:procurement@nrpbsxm.org)
- All questions on the pre-bid meeting will be responded by writing.
- Last date for submitting clarifications is December 17, 2019
- Electronic Bidding will not be permitted
- Bids on or before January 7, 2019 at 14:00 local time Sint Maarten
- Bids will be publicly opened on *December 7, 2019 at 14:00 local time Sint Maarten*
- Bids must include a *Bid-Securing Declaration*



## Project Considerations

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- Depth of water in many areas is about 1 meter
- Some shipwreck might only be reachable by land
- There will be constant traffic at lagoon
- Limited bridge openings
- High season for mega yacht from October to March
- Hurricane season start in June thru November
- Areas of environmental significance
- For local salvaging companies:

St. Maarten Marine Trades Association, Isle del Sol Marina Airport  
Road – Simpson Bay, Email: [infosmmta@gmail.com](mailto:infosmmta@gmail.com) Telephone +1  
(721) 586-1514

St. Maarten Chamber of Commerce & Industry, 11 C.A. Cannegieter  
Street, Philipsburg, St.Maarten, Telephone: (721) 542.3595 / 542.3590

## Attachment 3 – NOTICE OF REMOVAL OF SHIPWRECKS FROM SIMPSON BAY AND MULLET POND



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### OFFICIAL PUBLICATION

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#### NOTICE OF REMOVAL OF SHIPWRECKS FROM SIMPSON BAY AND MULLET POND

The Minister of Public Housing, Spatial Planning, Environment and Infrastructure (VROMI), as the legally assigned custodian of the Simpson Bay Lagoon and Mullet Pond, wishes to inform of the Government's intention to remove the shipwrecked vessels located in the above-mentioned areas.

Pursuant to Article 9 of the National ordinance removal ships and wrecks (AB 2015, no.9), the owners of the remaining shipwrecks located in the Simpson Bay Lagoon and Mullet Pond are hereby informed that there remains an opportunity to remove their vessel themselves. A six (6) week period starting at the date of today's publication, March 12, 2019, will be given to the owners of the remaining vessels to remove their vessels in an environmentally friendly way. After this period, all owners forfeit their legal rights to their vessels and the Minister of VROMI will initiate a procurement procedure to have all listed remaining shipwrecks removed. Vessel owners are requested to contact the Inspection Department of Maritime Affairs of the Ministry of Tourism, Economic Affairs, Transport and Telecommunications (TEATT - +1-721-542-2507 or email [Ellinger.Paul@sintmaartengov.org](mailto:Ellinger.Paul@sintmaartengov.org)) and discuss your Plan of Approach. These remaining shipwrecks have been listed in a so-called Vessel list, that can be perused on the website: [www.nrpbsxm.org/vessellist](http://www.nrpbsxm.org/vessellist) or after an appointment has been made at the Department of Maritime Affairs. Each shipwreck has been numbered and its location has been GPS tagged. Photos of each shipwreck can be viewed by clicking on the number associated with the shipwreck.

Owners that have had their shipwrecks removed in the meantime are requested to also contact the Department of Maritime Affairs and provide details of the removal.