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TO: ALL BIDDERS

FROM: TIFFANY MCCLELLAND, ECONOMIC DEVELOPMENT DIRECTOR

DATE: JUNE 28, 2019

RE: KELLEY'S ISLAND FERRY BOAT LINE REQUEST FOR BIDS

Below are the responses to questions that have been submitted to us. We will continue to provide additional answers and clarification as quickly as possible.

1. Please confirm that there are no Buy America or Buy American requirements.
See attached waiver.
2. The last line in Technical Specification Section 304 Windows and Portlights indicates window defrosters on all pilothouse windows. Do you have a preference between blowers or heated glass?
No preference.
3. Are aluminum framed windows an acceptable alternative to stainless steel framed windows? This may provide a more economical solution.
No, window frames shall be stainless steel.
4. If available, please provide the doors, hatches, and manholes schedule.
Doors, hatches and manholes schedule detail drawing is not available. They shall be compliant with applicable USCG and ABS rules.
5. If available, please provide the windows & portlights schedule.
Windows & portlights schedule detail drawing is not available. They shall be compliant with applicable USCG and ABS rules
6. Technical Specification Section 503.1 states "Provide four (5) diesel main engines, Caterpillar Model C18, Tier 3, Marine Propulsion Engines, Keel Cooled, 470 BHP, @, 1,800 RM @ 100% MCR." Please confirm this should be four (4) vs. five (5).
Section 503.1 should state "Provide four (4) diesel main engines, Caterpillar Model C18, Tier 3, Marine Propulsion Engines, Keel Cooled, 470 BHP, @, 1,800 RM @ 100% MCR."

7. Louisiana does not have a State EEO Coordinator, however our company "has participated in a previous contract or subcontract subject to the equal opportunity clause, as required by Executive Orders 10925, 11114, or 11246, and has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity...". Additionally, our company's HR director assures compliance with federal and state EEO regulations. Is this a sufficient alternative to furnishing "a valid Certificate of Compliance with Affirmative Action Programs, issued by the State EEO Coordinator or federal or state of operation equivalent" in Section 24 since we do not have a State EEO Coordinator?
Showing compliance at the federal level through such documentation as listed above is sufficient.
8. If available, please provide details on required Anchoring System.
Anchoring system details drawing is not available. Builder shall develop one to suit operational, and applicable ABS and USCG regulations.
9. Can you verify the date that is relevant to the requirement that states "In accordance with Ohio Administrative Code §9.47, before any Contract is awarded, the LPA will require the Bidder to furnish a valid Certificate of Compliance with Affirmative Action Programs, issued by the State EEO Coordinator or federal or state of operation equivalent dated prior to the date fixed for the opening of bids."
The date applicable is the Bid Due Date which is now July 29th, 2019 at 11AM EST.
10. Please confirm that a proposal submitted to you via e-mail by the Bid Due Date is acceptable.
Written, sealed proposals must be submitted to the Lorain Port Authority offices with an attention made to Tiffany McClelland. Please reference the Request for Bids document, Section 2.1.

DEPARTMENT OF TRANSPORTATION
Federal Highway Administration

General Material Requirements; Buy America Requirements

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of nationwide waiver of Buy America for ferryboat equipment and machinery.

SUMMARY: The FHWA is hereby granting a nationwide waiver of the Buy America requirements for certain steel items used in the construction of ferryboats. This action permits the use of specifically identified steel equipment and machinery manufactured outside of the United States in Federal-aid highway construction projects for ferryboats.

EFFECTIVE DATE: February 9, 1994.

FOR FURTHER INFORMATION CONTACT: Mr. David R. Geiger, Office of Engineering (202) 366-0355 or Mr. Wilbert Baccus, Office of the Chief Counsel (202) 366-0780, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except legal Federal holidays.

SUPPLEMENTARY INFORMATION: In accordance with 23 CFR 635.410(c)(6), the FHWA hereby provides notice that it is granting a nationwide waiver of the requirements of 23 CFR 635.410, Buy America requirements, for certain ferryboat equipment and machinery items. Section 635.410 provides, with exceptions, that no Federal-aid highway construction project using steel or iron materials is to be authorized to proceed unless all manufacturing processes including the application of coatings for such materials occur in the United States. Because the construction of ferryboats is increasingly difficult within the requirements of Buy America, a nationwide waiver of these requirements is being granted for certain ferryboat equipment and machinery items.

The items included in the waiver are marine diesel engines, electrical switchboards and switchgear, electric motors, pumps, ventilation fans, boilers, electrical controls, and electronic equipment. Items not included in the waiver are products which are readily available in the United States such as steel and stainless steel plate and shapes, sheet steel and stainless steel, steel and stainless steel pipe and tubing, and galvanized steel products. Items not specifically included in the waiver remain subject to the Buy America requirements.

The basis for the nationwide waiver is that certain equipment and machinery are not manufactured in the United States, using exclusively United States steel and iron, in sufficient and reasonably available quantities to avoid an enormous administrative burden on the State, contractor, and suppliers. Therefore, imposing Buy America requirements in this limited instance is not in the public interest.

On June 16, 1993 the FHWA published a notice (58 FR 33295) and requested comments on the proposed nationwide waiver and the availability of a domestic supply of the items included in the waiver.

Two comments were received to FHWA Docket No. 93-22. Both commentators were supportive of the waiver. They both requested that the waiver be expanded to include more items. Their comments were basically the same; the two sought to include items such as bearings, fasteners, valves, and outfitting in the

waiver. The FHWA does not agree that these items should be specifically included in the waiver. Bearings, fasteners, and valves are available in sufficient quantity and satisfactory quality from domestic manufacturers. Bearings, fasteners, and valves furnished as individual items are therefore not waived. However, bearings, fasteners, and valves included as a component of waived equipment and machinery are considered an integral part of the waived equipment and machinery and are included in the waiver. Outfitting is not included in the waiver. The FHWA believes that including outfitting in the waiver would allow the waiver to be applied to items which are domestically available in sufficient quantity and satisfactory quality.

The FHWA's Buy America requirements contained in 23 CFR 635.410 are based on section 165 of the Surface Transportation Assistance Act of 1982 (Pub. L. 97-424, Section 165, 96 Stat. 2097, 2136), as amended by Public Law 98-229, Section 10, 98 Stat. 55, 57, and Public Law 102-240, Sections 1041, 1048, 105 Stat. 1914, 1993, 1999.

Authority: 23 U.S.C. 315; 49 CFR 1.48; 23 CFR 635.410

Issued on: January 28, 1994.

Rodney E. Slater,
Federal Highway Administrator.

[FR Doc. 94-2906 Filed 2-8-94; 8:45 am]

BILLING CODE 4910-22-P