

Mooring Administration RFP Pre-Proposal Conference

October 28, 2009

1. **What is the breakdown on the size of the moorings?**
Offshore – between 35' – 40'. 25' is the smallest, 90' is the largest and 40' is average size.
Onshore, it's about 15' – 18'.
2. **Who manages the yacht clubs?**
The yacht clubs manage their own moorings, and they report their moorings to the City in bulk. However, staff makes sure that the moorings are properly managed. We do get rent from them on a per/foot/year basis.
3. **Will mooring sizes change?**
Five years ago, we stopped allowing increase in sizes.
As an aside, we are currently trying to put together a plan to tighten the mooring fields. We're also trying to change the rules on mooring transferability. Hopefully, this will happen by next spring. This is all administrative and should not affect your proposal.
4. **Who would handle the billing?**
The City would continue to send out the invoices. The mooring permittees are billed annually in January, or if they're residents, billed bimonthly on the water bill. It's their option.
5. **Would the Harbor Patrol moorings be together or separate from the City moorings?**
County moorings would stay separate, but they're a small percentage. However, if County wants their moorings to be included within this management agreement, we're okay with that, but it's up to County.
6. **So there are potentially two entities handling moorings in Newport Beach?**
Yes, but the County only has 5 or 6 single point moorings which handle slightly larger vessels. There are some limitations as to availability, i.e. weather etc...
7. **Are there City moorings set aside for County usage, and if so, how many?**
The County has some moorings in the City mooring field – the County has three for impounding boats. They might rent them to us, but they might not.
8. **We would only be impounding the boats on moorings, correct? And where should the impounded boats be stored?**
We have to figure out that process. Currently, the impound moorings are on County moorings. We're looking for ingenuity on your part. We look to you for some of the problem solving.
9. **How many boats can go in a storage area?**
We keep them all on the water – there is no storage area on land for impounded boats. We then have an auction or hire a contractor to destroy them.

10. **If a boat is impounded on an impound mooring and it's uninsured, and that boat is somehow damaged or destroyed, who pays for that?**
Probably the City.
11. **What is the drop dead date for the County and City agreement?**
December 31, 2009, but we'll go month-to-month until we have another mooring management agreement in place.
12. **What are you spending on the County agreement right now?**
Between \$115,000 and \$120,000.
13. **Thought it was \$124,000.**
The County agreement includes moorings that will not be included here.
14. **How are you going to select the next mooring management provider? County's deal is too good – too hard to compete with them – why should I use my resources to submit a proposal if you'll just go with County anyway?**
County has offered to increase their rates to approximately \$250,000. County also collects and keeps approximately \$30,000/year in short-term rental fees (short-term rentals on long-term moorings).
Bottom line numbers is only one factor of the selection process. The City will also be looking at reputation, references, background, knowledge of the harbor and the work, and many other things.
15. **If Harbor Patrol is no longer managing the moorings, how can you ensure safety on the moorings? There is now one more layer of communication required to get to the sheriff's, the Harbor Patrol, the FBI, the CIA, Homeland Security.**
Harbor Patrol will still be at the Harbor as well as the Coast Guard. If there is a Homeland Security issue, they will still respond from an enforcement perspective. That wouldn't change.
16. **Just want to make a point that private operators don't have enforcement ability – it's easier to enforce permits with a gun. Not having the gun can make things more difficult. Having a gun streamlines things.**
Okay.
17. **According to attached agreement, the City shall issue the administrative citations, and the provider will report those boats in non-compliance to the City. Is that right?**
Yes, but we also expect the provider to work with the boat owner on compliance – such as writing demand letters, communicating with them, etc., before the City steps in.
18. **A private contractor can't do what the Harbor Patrol does in terms of enforcement. The private contractor will have to comply with the laws, and it could take up to four months to get someone off the mooring.**
Don't know about that, but there will have to be changes if a different mooring provider takes over.
19. **Who controls pricing on the moorings?**
City Council.

20. **What is the annual vacancy rate?**
All annual moorings currently have a permittee assigned to them. There are no vacancies on those – but currently there are about 100 vacant moorings for temporary rentals.
21. **Would the mooring contractor have to be involved in the wait list maintenance?**
Because this is a component of transferability, and the mooring transferability regulations are going to change, any wait list issues are almost resolved. But in the meantime, the mooring contractor will be maintaining the wait list.
22. **Are you going to change the insurance requirements? The current requirements do not protect the City.**
The question is currently with our broker. Once we receive a response from her, we'll post an addendum to the RFP online, but if we receive her response too late for the RFP response, or if proposers did not see the addendum, we will clarify the insurance issue with each qualified proposer after we receive the proposals.
23. **Will the City permit subcontracting?**
The City expects the selected proposer to do the day-to-day management, but for certain services, we may allow subcontracting. Put it in the proposal – and the more details, such as name of the proposed subcontractor, the cost, etc... – the better.
24. **Will the City allow current contractors to the City or employees of the City to propose?**
There may be a conflict of interest issue here. Disclose it in your proposal.
25. **Will the mooring administration provider be responsible for maintenance of the moorings?**
The maintenance is the responsibility of the mooring permittee, and we no longer have an approved list of the contractors. It is up to the mooring administrator to ensure that the permittee maintains the mooring.
26. **It would be more advantageous to have the mooring administrator office in some parts of the harbor than others, but it would increase the cost. How would you like us to address this issue in our proposal?**
Set down the variables and corresponding costs in the proposal. If the City wants, it will contact the proposer for clarification.
27. **Is the City planning to take this in-house? Are we bidding against the City?**
No.
28. **Will the City accept proposals that use the Consumer Price Index or Producer Price Index as a means for year over year increases to cover COLA and other increases in cost as the years pass by?**
Yes. You will not be penalized for suggesting a payment structure that incorporates a COLA increase. You may use your creativity in submitting your proposal.
29. **What are the rules for renting moorings?**
The mooring rental rules may be found on the Harbor Patrol's website:
http://www.ocsd.org/divisions/homeland_security/harbor/newport/

30. What is the annual revenue derived from the mooring permittees?
Approximately \$685,730.