

**Letter of Solicitation from the Department of the Navy for
Transfer of Ex-ARTHUR W RADFORD (DD 968)
for Use as an Artificial Reef**

(I) Background: As authorized by 10 U.S.C. § 7306b, and in accordance with the requirements thereunder and any other terms and conditions as the Secretary of the Navy may consider appropriate, the Secretary of the Navy may transfer, by gift or otherwise, any vessel stricken from the Naval Vessel Register to any State, Commonwealth, or possession of the United States, or any municipal corporation or political subdivision thereof (jointly referred to as “Applicant”) to be used as an artificial reef. The Department of the Navy (“Navy”) seeks applications from those entities for acceptance of the stricken naval vessel cx-ARTHUR W RADFORD (DD 968) for use as an artificial reef. This Letter of Solicitation describes the overall process for the transfer of Ex-ARTHUR W RADFORD (DD 968).

(II) Limitations on Use:

The Secretary of the Navy will execute a Transfer Agreement with the successful Applicant for Ex-ARTHUR W RADFORD (DD 968) in accordance with 10 U.S.C. § 7306b. The Transfer Agreement shall require that the recipient use, site, construct, monitor, and manage the vessel only as an artificial reef in accordance with the requirements of the National Fishing Enhancement Act of 1984 (33 U.S.C. § 2101 et seq.), the Section 404 permit issued by the U.S. Army Corps of Engineers, and, if applicable, a PCB disposal approval. The recipient shall obtain, and bear all responsibility for complying with, applicable Federal, State, interstate, and local permits for using, siting, constructing, monitoring, and managing the vessel only as an artificial reef. Also, the recipient will bear all costs associated with towing the ship to the reef site, the preparation of the ship for sinking listed in paragraph IV(B)(3)(i)(c) and use, siting, monitoring and management listed in paragraph IV(B)(6). In accordance with 10 USC 7305b, the Transfer Agreement shall also require any additional terms and conditions in connection with the transfer as the Secretary considers appropriate.

(III) Overall Process:

The Navy, through its Inactive Ships Program Office (PMS 333), will advertise, solicit, and evaluate the application for the transfer of the vessel for use as an artificial reef. The Navy will provide the advertisement to the Artificial Reefing Coordinators of member States of the Gulf and Atlantic State Marine Fisheries Commissions and concurrently inform the Gulf and Atlantic State Marine Fisheries Commissions of the availability of the vessel for reefing.

Under 10 U.S.C. § 7306b(c), the Secretary of the Navy shall ensure that the preparation of a vessel transferred for use as an artificial reef is conducted in accordance with the environmental best management practices developed pursuant to section 3504(b) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 16 U.S.C. 1220 note) and any applicable environmental laws.

Applicants who are interested in the transfer of Ex-ARTHUR W RADFORD (DD 968) should first express their interest in writing by the final submission deadline of **28 March 2008** and include: (1) a letter of endorsement from the office of the Applicant's senior executive (e.g., Governor, Mayor, County Manager) and (2) all environmental data asked for under section (IV)(B)(2) of this Letter of Solicitation. Expressions of interest, along with the letter of endorsement and environmental data may be submitted to the point of contact identified in section (IV) (B) (7) of this Letter of Solicitation.

Only Applicants who have expressed an interest in the transfer of Ex-ARTHUR W RADFORD (DD 968) in writing may submit completed applications to the Navy by the final submission deadline of **28 April 2008**. All applications for the transfer of Ex-ARTHUR W RADFORD (DD 968) must be submitted to PMS 333 by the person or official authorized by the Applicant to sign the Artificial Reefing Transfer Agreement on behalf of the Applicant. Submission instructions are provided in section (IV)(B)(7) of this Letter of Solicitation.

An evaluation team of Navy personnel will conduct a comparative analysis of all applications eligible for review, including an assessment of the strengths and weaknesses of the responses provided by the Applicant to the application requirements outlined in section (IV) below, to determine the best qualified applicant. **An application is eligible for review only if it meets the mandatory requirement to include a copy of a valid Section 404 permit issued by the U.S. Army Corps of Engineers for the artificial reefing project. Applications that fail to meet this mandatory requirement will be rejected without any further review.**

The Navy intends to select the best qualified applicant on the basis of initial applications submitted, but reserves the right to conduct discussions with each applicant (except those rejected for failure to meet mandatory requirements or those rated unsatisfactory overall) and accept final applications responsive to those discussions for review, if deemed necessary. Therefore, applicants should ensure that their initial applications provide **all** of the information requested in each part and subpart of section (IV) of this Letter of Solicitation.

The Navy reserves the right not to make a selection following evaluation of applications.

Following the Navy's determination that an application has provided sufficient evidence of meeting the mandatory requirements in section (IV)(A) below and is, therefore, eligible for further review, the Navy will evaluate sections (IV)(B)(2), (3), (4), (5) and (6) for strengths and weaknesses and assign a rating of Good, Satisfactory, or Unsatisfactory to each section. Additionally, the Navy will assign a consensus adjective rating to the application overall, based on the ratings assigned to each section and the relative importance of each section. The ranking of the relative importance of each section, from most critical to least critical, is as follows: Preparation of the Ship for Sinking; Estimated Time of Reef Construction; Costs and Funding; Conservation Goals; and Reef Site. The

evaluation team will forward the results of its evaluation in writing to the decision authority within PMS 333. PMS 333 will forward its recommendation in writing to the Secretary of the Navy for final approval in accordance with 10 U.S.C. § 7306b.

(IV) Application Requirements: The Applicant must provide **all** of the information requested in sections (A) and (B) below. **Responses to section (B)(2) below should be provided with the written expression of interest requested in section (III) above and incorporated in the application by reference.** Section (B)(2) will be evaluated along with sections (B)(3), (B)(4), (B)(5) and (B)(6) as described in section (III) above.

(A) Mandatory Requirements

(A)(1) - Provide a copy of a valid Section 404 permit issued by the U.S. Army Corps of Engineers for the artificial reefing project.

(A)(2) The applicant must provide a written statement from the state's coastal zone management agency that the proposed reefing is consistent with the state's coastal zone management plan.

NOTE: Applications must meet the mandatory requirement in order to be eligible for further evaluation. Failure to meet the mandatory requirement will result in rejection of the application without further review.

(B) General Requirements for Eligible Applicants

(1) Applicant Information.

For subparts (i) through (vi) below, provide the title, telephone number, fax number, and e-mail address of the person(s) named.

(i) Name of the Applicant that will assume all responsibilities as recipient under the Transfer Agreement.

(ii) Name of the Applicant's Artificial Reefing Program Manager.

(iii) Name of the person or official authorized by the Applicant to sign the Artificial Reefing Transfer Agreement on behalf of the Applicant, and evidence of such signature authority.

(iv) Name of the person or official in the Applicant's senior executive office who will be the primary point of contact for the Artificial Reefing Project and Transfer Agreement.

(v) Name of the person or official who will be the primary legal point of contact for the Artificial Reefing Project and Transfer Agreement.

(vi) Identify other government agencies (other than the Navy) that will be involved in the Artificial Reefing Project. Include the name of the primary point of contact at each such agency and a brief description of the role of each in the project (e.g. environmental, public health).

(2) Reef Site

(i) Define the geographical position within 5 nautical miles of the proposed reef site, including reef site dimensions, and the relationship of this application to proposed and planned reef activities in the area.

(ii) Identify ocean conditions, including the depth of water bottom and seabed conditions in the immediate and general area of the proposed reef. Identify the depth of the water at the reef site during maximum and minimum tidal conditions. Attention should be given to the susceptibility of the area to large-scale wave or transport phenomena that might limit the use of the reef as a fishery resource. Provide information about the weather and how it affects water movements and coastal energy levels seasonally and cyclically.

(iii) Identify the effects of the reef on other uses of the area including:

(a) Navigational considerations, including modifications of existing channels and procedures by the State to assure nautical chart corrections;

(b) Interference with commercial fishing;

(c) Any uses of the area that will be curtailed by reef building, including commercial, recreational, and aesthetic uses; and

(d) Any enhancement of the area, other than fishing benefits, likely to result from reef building.

(iv) Locate and identify the following that exist or are contemplated within a 20 mile radius of the proposed reef site:

(a) Submerged pipelines;

(b) Transmission cables; and

(c) Coral reefs, recreational beaches, commercial fishing areas, and other sites having historic or cultural value.

(v) Identify the method of marking the reef site. Provide:

(a) Type of buoy;

(b) Charting;

(c) Depth of water;

(d) Buoy maintenance; and

(e) Minimum depth of water over the vessel when it is on the reef site

(vi) Address invasive species issues that may arise as a result of towing the vessel from the Navy Inactive Ship Site, Philadelphia Shipyard, Philadelphia, Pennsylvania to the proposed reef site.

(3) Preparation of Ship for Sinking

(i) Identify any and all vessel preparation requirements to be accomplished by the applicant. Vessel preparation shall be conducted in accordance with the environmental best management practices developed pursuant to Section 3504(b) of the Bob Stump National Defense Authorization Act for FY03 (P.L. 107-314) and any applicable environmental laws. Include:

(a) The name and address of primary party responsible for project management;

(b) The location and description of facilities where work will be performed;

(c) Complete description of preparation process with particular attention to:

- (I) Towing Preparation
- (II) Towing evolution to work locations and to reefing site
- (III) Oil removal
- (IV) Tank cleaning

(V) Disposal procedure of oil and other hazardous substances

(VI) Intended stripping such as machinery, structure, electrical components, and hazardous materials in preparation of the vessel for sinking

(VII) Intended disposition of stripped materials

(VIII) Nature, locations and quantity of any hazardous materials that will remain onboard including tank cleaning compounds

(IX) Inspection of preparation process

(X) Hazardous material abatement process

(ii) Complete description of any hull and structural modifications to be accomplished to make the vessel suitable for sinking and use as an artificial reef, along with the plan to accomplish this work.

(4) Estimated time of reef construction

Provide a schedule of the entire project to include all major activities and milestones from conveyance of vessel to sinking of vessel. The activities listed in part B(3), above, shall be included in the schedule. Identify and address the availability of any and all regulatory permits necessary to sink the vessel as an artificial reef. Identify all regulatory agencies requiring an inspection of the vessel prior to sinking and the purpose of such inspections.

(5) Conservation Goals

(i) Provide a statement of short-term and long-term conservation goals. If available, provide fisheries analysis, including a pre- and post-vessel reef study of:

(a) The recreational fishery, including annual catch and worth;

(b) The commercial fishery, including annual catch and worth; and

(c) The ecosystem, including productivity, species diversity, and population dynamic.

(6) Costs and Funding

(i) Address all projected costs considered necessary to accomplish the towing of the vessel (Part IV B (3) (i) (c)(I-II), preparation of the vessel for sinking (Part IV B (3) (i) (c) (III-X) and Part IV B (3)(ii)) reef construction (Part IV B (4)) reef use, siting, monitoring, and management costs considered necessary to meet the requirements of 10 U.S.C. § 7306b, the National Fishing Enhancement Act of 1984 (33 U.S.C. § 2101 et seq) and the Section 404 permit issued by the U.S. Army Corps of Engineers. Include a detailed listing of all projected costs, a five-year funding plan clearly confirming funding available, and proposed funding sources and amounts for any funding not immediately available.

(ii) Provide confirmation of firm funding to support all requirements inclusive of any required environmental studies, maintenance, management, fisheries surveys to ensure that five years of data can be captured following the reefing event.

(iii) Describe your ability to assume financial liability, and to indemnify and hold harmless, the U.S. Navy, its agents, or employees for any and all liabilities, damages, fines, enforcement actions, civil suits, or other liabilities arising out of the towing of the vessel, sinking of the vessel, and/or use of the vessel as an artificial reef for fisheries enhancement and for recreational diving, if so used, including but not limited to those predicated upon or relating to personal injury, death, property damage, or damage to natural resources, and those incurred in an action by third parties in tort, contract, or under environmental laws (CERCLA, RCRA, CAA, CWA, TSCA), Public Vessels Act, and Suits in Admiralty Act, and similar Federal, State, and local laws and regulations. Include a description of your statutory authority, if any, to indemnify the United States and the U.S. Navy for above.

(7) Instructions for Submitting Application

It is preferred that Applicants send a CD containing the completed application with all necessary attachments to:

The Columbia Group
Attn: Ms. Allison Kennedy for Ms. Elizabeth Freese
1201 M. Street, SE
Suite 010
Washington, DC 20003
(202)781-4423

Applicants may also e-mail completed applications to Elizabeth.Freese@navy.mil if the file size does not exceed 5 MB.

(V) Questions: Questions may be directed to Elizabeth Freese, 202-781-4423, or by e-mail to Elizabeth.Freese@navy.mil.