

CRUISE PIER EXPANSION PROJECT: LANDSIDE DEVELOPMENT BRITISH VIRGIN ISLANDS

SPONSORED BY BRITISH VIRGIN ISLANDS PORTS AUTHORITY

PROJECT HEAD OFFICE

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Invitation for Expressions of Interest (EOI):Cruise Pier Expansion Project – Landside Development – Installation of piles, construction of buildings, and associated civil works.

1. INTRODUCTION

1. The Government of the Virgin Islands (herein referred to as “BVI”), acting through The British Virgin Islands Ports Authority (herein referred to as “BVIPA” or the “Client”), desires to secure the services of competent contractors for the build out of an approximate four (4) acres of land adjacent to the cruise pier facility as a component of the overall Cruise Pier Expansion Project, located in Road Town, Tortola, British Virgin Islands (herein referred to as the Project).
2. The Project will include the following key components:
 - i. Installation of piles to form the foundation of the proposed building structures;
 - ii. Site infrastructure works including hardscape, softscape, drainage, provisions for utilities, and all other civil works required to deliver the completed Project;

iii. Construction of seventeen (17) buildings and (18) kiosks to include:

- Terminal and Welcome Center (1)
- Mixed-use building: retail and offices (3)
- Mixed-use building: retail, offices, residential (7)
- Restaurants (2)
- Market (1)
- Chapel (1)
- Boat Museum (1)
- Pier Bar (1)
- Kiosks (18)

3. The development of the landside is intended to be harmonious with the Cruise Pier Expansion Project, which includes the lengthening, widening and strengthening of the existing cruise pier, concurrent upgrade/provision of an excursion dock, and associated marine works to accommodate cruise ships such as the Disney Cruise Lines Dream, Norwegian Cruise Lines Breakaway and Epic, Royal Sunshine and Celebrity Solstice, and similar class of ships. Cruise ships in this class are expected to service the region in the very near future, and the consequent growth in passenger levels will necessitate the provision of innovative attractions and activities for passengers. It is expected that the landside components will be fully operational by May 2015.
4. The BVIPA intends to solicit Expressions of Interest from resourceful, experienced, and competent contractors as part of a pre-qualification process, so that a shortlist of qualified contractors to perform the works may be prepared. Multiple contracts will be required for the various key components of this project, and therefore multiple contractors will be shortlisted in accordance with the works type and magnitude.

2. POLITICAL & ECONOMIC OVERVIEW OF THE BVI

Political Overview

Executive authority in the British Virgin Islands is vested in The Queen and is exercised on her behalf by the Governor. The Governor is appointed by the Queen on the advice of the British Government. Defense and Foreign Affairs remain the responsibility of the United Kingdom.

A new constitution was adopted in 2007 (the Virgin Islands Constitution Order, 2007) and came into force when the Legislative Council was dissolved for the 2007 general elections. The Head of Government under the new constitution is the Premier (prior to the new constitution the office was referred to as Chief Minister), who is elected in a general election along with the

other members of the ruling government as well as the members of the opposition. A Cabinet is nominated by the Premier and appointed by the Governor. The Legislature consists of the Queen (represented by the Governor) and a House of Assembly made up of 13 elected members plus the Speaker and the Attorney-General. The current Governor is His Excellency William Boyd McCleary (since 2010). The current Premier is Dr. the Honorable Orlando Smith (since 9 November 2011).

Economic Overview

As an offshore financial center the British Virgin Islands enjoys one of the more prosperous economies of the Caribbean region, with a per capita average income of around \$38,500 (2004 est.) The "twin pillars" of the economy are tourism and financial services. Politically, tourism is the more important of the two, as it employs a greater number of people within the Territory, and a larger proportion of the businesses in the tourist industry are locally owned, as are a number of the highly tourism-dependent sole traders (for example, taxi drivers and street vendors). Economically however, financial services associated with the territory's status as an offshore financial centre are by far the more important. 51.8% of the Government's revenue comes directly from license fees for offshore companies, and considerable further sums are raised directly or indirectly from payroll taxes relating to salaries paid within the trust industry sector (which tend to be higher on average than those paid in the tourism sector).

Tourism accounts for 45% of national income. The islands are a popular destination for U.S. citizens. In 2006 a total of 825,603 people visited the islands (of whom 443,987 were cruise ship passengers). Tourists frequent the numerous white sand beaches, visit The Baths on Virgin Gorda, snorkel the coral reefs near Anegada, or experience the well-known bars of Jost Van Dyke. The BVI are known as one of the world's greatest sailing destinations, and charter sailboats are a very popular way to visit less accessible islands. Every year since 1972 the BVI has hosted the Spring Regatta, which is a seven-day collection of sailing races throughout the islands. A substantial number of the tourists who visit the BVI are cruise ship passengers, although they produce far lower revenue per head than charter boat tourists and hotel based tourists. They are nonetheless important to the substantial (and politically important) taxi driving community.

Substantial revenues are also generated by the registration of offshore companies. As of June 2008, 823,502 companies were so registered (of which 445,865 were 'active'). In 2000 KPMG reported in its survey of offshore jurisdictions for the United Kingdom government that over 41% of the world's offshore companies were formed in the British Virgin Islands. Since 2001, financial services in the British Virgin Islands have been regulated by the independent Financial Services Commission.

3. BACKGROUND AND SCOPE

1. The Government of the Virgin Islands is desirous of building a Cruise Pier Park that integrates the seamless transfer of passengers from the latest class of cruise ship to the shores of the Virgin Islands and a heightened cruise experience within walking distance, through the availability of shops and leisure activities to these passengers. This experience is envisioned to include not only onshore activities around the cruise pier itself but in addition is expected to include the integration of the surrounding areas around the cruise pier in the area of Road Town.
2. This project will include, in general terms, the build-out of approximately four (4) acres of land adjacent to the Cruise Pier. The Project includes the following components:
 - a. Installation of piles to form the foundation of the proposed building structures, as detailed in the project design plans. This component is key to the longevity of the buildings once constructed, especially as they will be built of reclaimed land. This component will be procured by one or more contracts.
 - b. Development of all site infrastructure including walkways, sidewalks, paved areas, lighting fixtures, drainage, street furniture, provisions for utilities, landscaping, and all other civil works required to deliver the completed Project. This component will be procured through one contract.
 - c. Construction of the following seventeen (17) buildings and (18) Kiosks will be procured by a minimum of eight (8) independent contracts:
 - i. Terminal and Welcome Center (1)
 - ii. Mixed-use building: retail and offices (3)
 - iii. Mixed-use building: retail, offices, residential (7)
 - iv. Restaurants (2)
 - v. Market (1)
 - vi. Chapel (1)
 - vii. Boat Museum (1)
 - viii. Pier Bar (1)

ix. Kiosks (18)

3. In order to bring the Project to substantial completion, the BVIPA intends to implement the works through multiple contracts of varying magnitudes. This procurement method is expected to maximize opportunities for fast tracking the works and thereby adhering to the anticipated aggressive schedule by which the Project will be implemented.
4. The contractor(s) will be responsible for establishing the Project site, which includes, but are not limited to mobilization and demobilization of all plant, equipment, labour, material, site offices, staging areas, and any other site establishments required in the execution of the works.

4. PROCUREMENT PROCESS AND SCHEDULE

The procurement process includes two consecutive stages:

The current Expression of Interest and Prequalification Phase:

Potential contractors are invited to respond to the request for Expressions of Interest document in detail during the Prequalification stage. Subject to the results of an evaluation process, prequalified contractors will be invited to submit tenders following the issuance of Request for Proposals in accordance with the various stages and components of the Project.

This Request for Expression of Interest shall be issued on 1st April, 2014 and submissions should be delivered to the issuing officer no later than Monday, 14 April, 2014.

Tendering Phase:

Pre-qualified contractors will then be required to submit final detailed proposals for construction of the various components Project following BVIPA's issuance of a RFP for each component. One successful respondent will be selected to execute the works for each component after each process.

5. ELIGIBILITY CRITERION

Prequalification is open to suitably qualified and experienced construction contractors. Contractors that fulfill all of the following requirements shall be eligible to apply:

- i. Confirmation of the firm's interest to be considered for short-listing for the RFP stage;

- ii. Achieved as the Main Contractor or consortium leader in the construction of at least three (3) similar-sized projects commissioned in the last five (5) years, demonstrating capacity to a project of similar nature. (See attached site plan).
- iii. Above such project(s) shall have been executed in the Caribbean region.
- iv. Successful track record of timely completion of projects.
- v. A signed statement by a duly authorized representative of the firm to the effect that the firm is in good financial order, is not bankrupt, is not having their affairs managed by a court, has not entered into an arrangement with its creditors, or has not suspended its business, or similar or related situations

Parties short-listed will be issued a Request for Proposal.

6. SUBMISSION OF EXPRESSIONS OF INTEREST

Firms may request to be qualified alone, or in a team with other firms. If the Expressions of Interest is from a consortium of firms, information on all firms making up the consortium or team must be provided. It must be clearly indicated which firm is the lead firm of the team. The nature of the team arrangement should be specified, including a team letter or agreement signed by all participating firms. Evidence of association will add to the team's eligibility.

Expressions of Interest must be submitted with the above particulars supported by documentary evidence which should include the following:

- i. Detailed company profile and capability.
- ii. General information on the firm including main business, country(ies) of establishment and operation and duration of business activities as per attached **Form I: General Information**.
- iii. Annual financial statements for last three (3) financial years as per attached **Form II: Financial Information of the Contractor & Form III: Average Annual Contracting Turnover** (audited financial statements are required for the last three years).

- iv. Detailed project documentation clearly enumerating the projects completed including but not limited to client certification, description of role and responsibility and works executed, schedule/actual start and end date, budgeted and actual cost of the project as per attached **Form IV: Statement of Experience on Construction Projects**.
- v. Litigation history, including current material litigation detailed as per attached **Form V: Litigation History**.
- vi. Any other documentary evidence to establish credentials and eligibility.

7. EVALUATION CRITERIA

Expressions of Interest will be evaluated according to the following criteria:

- i. Company (single firm or consortium) profile and demonstrated capability. *(20 points)*
- ii. Company experience in construction of similar projects of any of the key components of the present project. *(20 points)*
- iii. Company financial capacity. *(20 points)*

Companies achieving a score of 70% would be deemed to have qualified and will be invited to submit tenders in accordance with the components of the Project.

8. OTHER CONDITIONS

- i. BVIPA reserves the right to accept or reject any or all EOI(s) without assigning any reasons and is not obliged to correspond with the Applicants in this regard. Further, BVIPA reserves the right to change and/or cancel the pre-qualification and tender process without assigning any reasons and without prejudice to its right to re-tender at any time in the future and in such case no bidder/intending bidder shall have any claim arising out of such action.

- ii. BVIPA reserves the right to invite revised responses from the Applicants by issue of an addendum, prior to the tender deadline, without liability or any obligation for such invitation and without assigning any reason. This request for EOI does not give rise to any rights and is not an offer or an invitation to offer.
- iii. The BVIPA, by this process, does not intend to assume any legal obligation whatsoever, including any binding relationship of any kind, with any Applicant, nor will the BVIPA accept any liability howsoever arising, in relation thereto. By this document, applicants are so informed, and unconditionally acknowledge that they are fully aware that through an expression of interest, no entitlement whatsoever vests, or will vest in them.
- iv. Participation by any party in this EOI pursuant to the invitation by BVIPA shall be considered to be an acceptance of all the terms and conditions of this invitation by such party and no claims or disputes raised by it during or subsequent to the award process shall be entertained by BVIPA.
- v. All documents and other information supplied by BVIPA or submitted by an Applicant to BVIPA shall remain or become the property of BVIPA. BVIPA will not return any application or any information provided along therewith.
- vi. Scope of the requirement and qualification criteria may be modified at Tendering Phase.
- vii. The applicants shall bear all costs associated with the preparation and submission of its EOI. BVIPA will in no case be responsible or liable for these costs, regardless of the conduct or outcome of EOI process.

Expression of Interest must be delivered in a sealed envelope to the “Address for Communication” provided below, latest by **3:00 pm EST, on Monday, 14th April, 2014** and be clearly marked “**Expressions of Interest for Cruise Pier Expansion Project – Landside Development**”. BVIPA shall not be responsible for the loss or non-receipt or delay in the receipt of any Expressions of Interest application sent by post or courier.

Address for Communication:

Mr. Claude Skelton Cline
Managing Director
British Virgin Islands Ports Authority
Port Purcell
P.O. Box 4
Road Town, Tortola
British Virgin Islands

FORMS FOR EXPRESSION OF INTEREST

FORM I - GENERAL INFORMATION

ITEM	BIDDER'S INFORMATION
Bidder's registered name:	
Bidder's country of constitution	
Bidder's year of constitution	
Bidder's registered address in the country of constitution	
Bidder's authorized representative (name, address, telephone numbers, fax numbers, e-mail address)	

Note:

- Please provide a certified true copy of the constitutional documents of the bidder.
- Please provide board resolution/power of attorney in favor of authorized representative authorizing him/her to submit the EOI.

FORM II - FINIANCIAL INFORMATION OF THE CONTRACTOR

FINANCIAL INFORMATION IN USD	FINANCIAL INFORMATION FOR PREVIOUS 3 (THREE) FINANCIAL YEARS		
YEAR	2011-2012	2010-2011	2009-2010
Information from Balance sheet			
Total Assets			
Total Liabilities			
Net Worth			
Liquid Resources (Cash in hand)			
Current Liabilities			
Information from Income Statement			
Total Revenue			
Profit Before Taxes			

Note:

Contents of this form should be certified by the statutory auditor of the applicant.

FORM III - AVERAGE ANNUAL PROJECT TURNOVER

Financial Information in USD	Annual Turnover data (Consultancy only)
2011-2012	
2010-2011	
2009-2010	
Total Revenue	
Average Annual Project Turnover	
2011-2012	

FORM IV – STATEMENT OF EXPERIENCE ON CONSTRUCTION PROJECTS

Item No.	Customer Name, Address, Representative and Phone No.	Project Description	Scope of Works	Location	Value	Start/ Stop dates	Schedule (On schedule / delayed)	Budget (On budget/overrun)

FORM V – LITIGATION HISTORY

YEAR	Award For or AGAINST Applicant	Name of client, cause of litigation, and matter in dispute	Disputed amount (current value)