

**Determination of Procurement Method for Concession Nos. RCA-2022-01**


The best interests of the Authority are served by awarding this new concession by:

- Bid
- Request for Proposal
  - The Evaluation Committee may include non-Authority employees

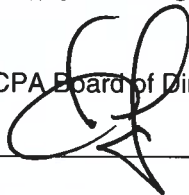
The Board specifically determines that the best interests of the Authority are served by awarding CPA Concession No. RCA-2022-01 via request for proposal. Using the RFP method in this situation is in the best interest of the Authority because the Authority wishes to acquire services and products that cannot be evaluated by cost alone. The concession is for the non-exclusive privilege to provide retail gifts shop services to the traveling public at a certain location within the Benjamin Taisacan Manglona International Airport. Upon approval, this notice will be posted at the CPA Offices at Francisco C. Ada/Saipan International Airport and Benjamin Taisacan Manglona International Airport for a period of 14 calendar days.

Approved by the Authority Board of Directors by a vote of 6 of 7 this 22<sup>nd</sup> day of December, 2022.

  
\_\_\_\_\_  
KIMBERLYN KING-HINDS  
Chairwoman, Board of Directors

  
\_\_\_\_\_  
THOMAS P. VILLAGOMEZ  
Secretary, Board of Directors

Submitted for CPA Board of Directors approval by:

  
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\_\_\_\_\_  
CPA Executive Director

### Determination of Scope of Concession

The Commonwealth Ports Authority ("the Authority") hereby determines the scope of a new concession, CPA Concession No. RCA-2022-01, pursuant to 4 CMC § 2201(b) and NMIAC § 40-70-101:

1. Privilege of establishing, operating, and maintaining facilities at the following port(s) of entry:

- |                                                                                                                                                              |                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Port of Saipan<br><input type="checkbox"/> Specific location therein: _____                                                         | <input type="checkbox"/> Tinian Harbor<br><input type="checkbox"/> Specific location therein: _____                |
| <input type="checkbox"/> Francisco C. Ada/Saipan International Airport<br><input type="checkbox"/> Specific location therein: _____                          | <input type="checkbox"/> Tinian International Airport<br><input type="checkbox"/> Specific location therein: _____ |
| <input type="checkbox"/> Saipan Commuter Terminal<br><input type="checkbox"/> Specific location therein: _____                                               | <input type="checkbox"/> Rota West Harbor<br><input type="checkbox"/> Specific location therein: _____             |
| <input checked="" type="checkbox"/> Benjamin Taisacan Manglona International Airport<br><input checked="" type="checkbox"/> Specific location therein: _____ | <input type="checkbox"/> Other: _____<br><input type="checkbox"/> Specific location therein: _____                 |

2. For the  sale/ delivery / sale & delivery] of items as set forth below:

Souvenirs; Food, including confectionery and snacks; Drinks, excluding alcohol; Books; Magazines; Newspapers; Clothing; Electronics; Perfume and Fragrances; Jewelry; Toiletries; Luggage; Supplements; and other similar products commonly found in airport gift shops or snack bars.

This concession does not include the right to sell alcohol or cannabis, including other intoxicating cannabis-related products.

3. For the provision of retail services as set forth below:

The right to operate a retail shop, such as a gift shop or a shop that sells local produce; a snack bar; or other similar retail services commonly found within airports.

This concession does not include the right to operate a restaurant.

4. Imposition or collection of the following taxes and fees by the Commonwealth Ports Authority upon the holder of the concession, its property, or its customers may be waived: N/A

5. This an exclusive concession:  Yes, Concessionaires will have the exclusive right to advertise only at the certain designated locations.  
 No

6. The best interests of the Authority are served by awarding this new concession by:  Bid  
 Request for Proposal  
 The Evaluation Committee may include non-Authority employees

7. The Authority requires  Bids/ Proposals on the basis of a prepaid minimum concession fee:  No  
 Yes, no less than: \_\_\_\_\_

8. Enjoyment of the privileges of CPA Concession No. RCA-2022-01 shall commence only upon the execution of a corresponding concession agreement between the concession grantee and CPA.

The Board of Directors determines that it is in the interests of the Authority and the public using its ports of entry to have concessionaires providing advertising services corresponding to this concession's

scope. The Executive Director shall announce the scope of this concession by publicly posting it at the Authority office at the Saipan International Airport for a period of fourteen days.

Approved by the Authority Board of Directors by a vote of 6 of 7 this 22<sup>nd</sup> day of December, 2022.

  
\_\_\_\_\_  
KIMBERLYN KING-HINDS  
Chairwoman, Board of Directors

  
\_\_\_\_\_  
THOMAS P. VILLAGOMEZ  
Secretary, Board of Directors

Submitted for CPA Board of Directors approval by:

  
\_\_\_\_\_  
CPA Executive Director (or her/his authorized designee)

**Evaluation Plan for RFP for Concession No. RCA-2022-01**

CPA Board of Directors action on CPA Concession No. RCA-2022-01 Evaluation Plan:

Pursuant to NMIAC § 40-70-205(e)(2), the Executive Director (or her/his authorized designee) shall develop an evaluation plan for evaluating submitted proposals for this concession and submit it to the CPA Board of Directors for approval. The CPA Board of Directors shall approve an evaluation plan for evaluating submitted proposals for these concession before any evaluation of proposals for this concession shall be conducted.

- Pursuant to NMIAC § 40-70-205(e)(2), the Executive Director (or her/his authorized designee) has developed and submitted to the CPA Board of Directors the evaluation plan for evaluating submitted proposals for these concessions attached as Attachment 1. The CPA Board of Directors **APPROVES** this evaluation plan for evaluating submitted proposals for this concession.

Non-CPA Employees on the Evaluation Committee:

- The CPA Board of Directors determines that the participation of the non-CPA employees included in the evaluation committee would be in the best interests of the Commonwealth.
- There are no non-CPA employees included in the evaluation committee.
- Pursuant to NMIAC § 40-70-205(e)(2), the Executive Director (or her/his authorized designee) has developed and submitted to the CPA Board of Directors the evaluation plan for evaluating submitted proposals for these concessions attached as Attachment 1. The CPA Board of Directors **DOES NOT APPROVE** this evaluation plan for evaluating submitted proposals for this concession. The Executive Director (or her/his authorized designee) is directed to submit an updated evaluation plan for evaluating submitted proposals for this concession to the CPA Board of Directors for approval. The CPA Board of Directors shall approve an evaluation plan for evaluating submitted proposals for this concession before any evaluation of proposals for these concessions shall be conducted.

Approved by the Authority Board of Directors by a vote of 6 of 7 this 22<sup>nd</sup> day of December, 2022.

  
\_\_\_\_\_  
KIMBERLYN KING-HINDS  
Chairwoman, Board of Directors

  
\_\_\_\_\_  
THOMAS P. VILLAGOMEZ  
Secretary, Board of Directors

**ATTACHMENT 1**  
**Proposed Evaluation Plan for RFP for Concession Nos. CRS-2022-01**

**EVALUATION FACTORS, PLAN, AND PROCEDURES**

1. **Preliminary Review.** Upon receipt of a proposal, the CPA Evaluation Committee will conduct a preliminary review of the submitted information for adequacy and completeness. The proposer must satisfy the following requirements to have its proposal ranked as meeting the minimum requirements of the RFP:
  - a. An officer or director of Proposer must not hold an office or directorship in another proposer;
  - b. The legal or beneficial owner of an interest in Proposer must not be the legal or beneficial owner of an interest in another proposer;
  - c. No evidence that Proposer colluded or collaborated with another proposer or proposers in respect to their proposal;
  - d. Proposer must not have pending prior obligations or accounts owing to the Authority at the time of submission of its proposal; and

If the submitted information is incomplete, the CPA Evaluation Committee may, in its sole discretion, disqualify the applicant from consideration. CPA reserves the right to waive any defects, irregularities, or informalities in any of the responses and may permit the timely correction of errors contained in them. If a proposal lacks information the evaluation committee deems necessary or contains errors due to potentially ambiguous RFP requirements, the evaluation committee will inform the Executive Director of the issue. The Executive Director may then provide all proposers with either a date and time to discuss and clarify the issue or provide such discussion or clarification through any other substantially similar procedure. There shall be no separate discussions nor communications between the Executive Director with any proposer at any time and should any correspondence be sent to the Executive Director, that correspondence and the Executive Director's response will be shared with all proposers. All proposers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submission and prior to award.

2. **Substantive Review.** The proposals that have met the minimum requirements, as stated above, shall undergo a substantive review and evaluation by an evaluation committee selected by the Executive Director or his/her authorized designee.
3. **Evaluation Committee.** The Executive Director or his/her authorized designee will assign at least three CPA employees to the Evaluation Committee from different CPA sections/divisions. The evaluation committee shall select the applicant whose proposal best satisfies CPA's objectives and the selection criteria below.
4. **Evaluation Factors.** The evaluation committee shall evaluate the qualified applicants' development proposals submitted to this RFP and shall select the applicant whose proposal, in the sole judgment of the evaluation committee, best meets the following criteria:
  - a. Qualifications, Experience, and Operation Plan (19 points total):
    - 1) Provides firm's full legal name, address, phone number, fax number and form of

- organization. (1 point)
- 2) Provides list of any applicable principal owners, officers, or partners of the organization and includes respective addresses and phone numbers. (1 point)
- 3) Provides name and contact persons who are authorized to negotiate the contract. (1 point)
- 4) Provides local manager/contact personnel to be assigned and their qualifications. (1 point)
- 5) Provides the number of qualified personnel that will perform the necessary hours of operation of the gift shop concession. (1 point)
- 6) Provides a list of three (3) of firm's clients that can be used as references; preferably in communities approximately the same size as the CNMI and preferably at least one airport or similar concession arrangement. (1 point)
- 7) Provides a Policy/Procedures manual which structures itself to the operations of the Rota International Airport. State hours of operations, any seasonal operations, and minimum weekly hours. (1 point)
- 8) Provides a detailed innovation plan for gift shop displays and merchandise to be used at the Rota International Airport that is creative and aesthetically appealing. (1 point)
- 9) Provide a detailed marketing plan that states how applicant plans to promote maximum local and regional merchandise as well as general and a national merchandise at the Rota International Airport. (1 point)
- 10) Degree to which the applicant's operation plan is feasible and will result in meeting CPA's best interests. (10 points)

b. Financial Capability (13 points total):

- 1) Provides evidence of applicant's past or current debt or equity financing, such as letters from past or current lenders or financing sources confirming the amounts financed, repayment terms, and repayment status. (1 point)
- 2) Provides financial statements for the past three fiscal years, current credit report(s), and evidence of capital resources or financing commitments. (1 point)
- 3) Provides information regarding any loan or lease defaults, bankruptcies, judgments, or any litigation or other disputes that may potentially have an adverse effect on the applicant's current financial capability. (1 point)
- 4) Degree of applicant's financial capacity, including creditworthiness, to fund the applicant's proposed operations. (10 points)

5. Weighted Average and Final Scores. CPA has provided the following weights for each evaluation factor:

Factor	Weight
Qualifications, Experience and Operation Plan	50
Financial Capability	50

For each of these four categories, the evaluation committee will total the amount of points earned and divide that amount by the total available points for that category. This number will represent the applicant's ability to satisfy the requirements of that category, and a score of 1 will represent that an applicant 100% satisfies the requirements of that category. The evaluation committee will then take that number and multiply it by that category's assigned

weight. The product will be the final score for that category. The evaluation committee will then add the final score for each category, and that sum will be the applicant's final total score. A final total score of 100 will mean that the applicant submitted a perfect proposal. The evaluation committee will round all calculations to the nearest hundredth decimal place.

For example, an applicant receives 11 points in the "Financial Capability" category. The evaluation committee will divide that amount by 13, which is the total points for that category. The product after it is rounded to the nearest hundredth is .85. The evaluation committee will then multiply .85 by 50, which is the weighted average seen above. The product is 42.5 and this number represents the final score the applicant will receive for the "Financial Capability" category. This methodology is performed for each category, and the sum of the final scores for each category will be the applicant's final total score.

6. **Responsibility Determination.** Authority concessions may only be granted to financially responsible persons of good moral character and reputable experience. The evaluation committee shall follow NMIAC § 40-70-401(a) to determine whether a proposer is a financially responsible person of good moral character and reputable experience.
7. **Additional Information.** If a proposal is reasonably susceptible of being selected for an award but lacks information the evaluation committee deems necessary or contains errors due to potentially ambiguous RFP requirements, the evaluation committee will inform the Executive Director of the issue. The Executive Director may then provide all proposers with either a date and time to discuss and clarify the issue or provide such discussion or clarification through any other substantially similar procedure. There shall be no separate discussions nor communications between the Executive Director with any proposer at any time and should any correspondence be sent to the Executive Director, that correspondence, excluding materials protected as confidential, private, or exempt in accordance with NMIAC § 40-70-701, and the Executive Director's response, will be shared with all proposers. All proposers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submission and prior to award for the purpose of obtaining the best and final offers.
8. **Proposal Ranking.** After reviewing and deliberating the proposals, applying the evaluation factors set forth in the evaluation plan, applying any additional requirements set forth in this RFP, and determining whether each proposer is a financially responsible person of good moral character and reputable experience, the evaluation committee shall rank the proposals meeting the minimum requirements of the RFP from financially responsible persons of good moral character and reputable experience according to the quality of their proposals as measured by the evaluation plan, highest score to lowest score, and shall then report this ranking to the Executive Director or his/her authorized designee.
9. **Timeline.** The evaluation process will be conducted by the Evaluation Committee in earnest, with the goal of completing the evaluation process and proposal rankings within six weeks following the end of the proposal period.