

Determination of Procurement Method for Concession Nos. SCX-2021-01


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

- Bid
- Request for Proposal

The Board specifically determines that the best interests of the Authority are served by awarding CPA Concession No. SCX-2021-01 via request for proposal. Using the RFP method for this concession will efficiently and effectively accomplish the intent of awarding this concession because this concession requires an evaluation of the Proposer's technical ability to operate a currency exchange. Proposers shall be limited to one proposal submission. Award of this concession will utilize a single ranking of proposals generated from the RFP per NMIAC § 40-70-205(g)(3). A ranked proposer selected for award by the Board per NMIAC § 40-70-205(h)(1).

Approved by the Authority Board of Directors by a vote of 6 of 6 this 31st day of MARCH, 2021.


KIMBERLYN KING-HINDS
Chairwoman, Board of Directors


THOMAS P. VILLACOMEZ
Secretary, Board of Directors

Submitted for CPA Board of Directors approval by:


CPA Executive Director

Determination of Scope of CPA Concession No. SCX-2021-01

The Commonwealth Ports Authority (“the Authority”) hereby determines the scope of the new concession, CPA Concession No. SCX-2021-01, pursuant to 4 CMC § 2201(b) and NMIAC § 40-70-101, as follows:

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

- Port of Saipan Tinian Harbor
- Francisco C. Ada/Saipan International Airport Tinian International Airport
- Specific location therein: Main Terminal Secured Departure Area and Main Terminal Non-Secured Area.
- Saipan Commuter Terminal Rota West Harbor
- Benjamin Taisacan Manglona International Airport Other: _____

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

None.

3. For the [sale/ delivery / sale & delivery] of merchandise as set forth below:

None.

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

Currency exchange services for arriving and departing passengers at the Saipan International Airport.

5. 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:

None.

6. This an exclusive concession: Yes No

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


There is no prepaid minimum concession fee as described under 4 CMC § 2203, but CPA anticipates that this concession will require a minimum investment, a minimum annual guaranteed concession fee, and fee deposit.

8. Enjoyment of the privileges of CPA Concession No. SCX-2021-01 shall commence only upon the execution of a corresponding concession agreement between the concession grantee and CPA. Unless this concession is renewed by negotiation with the concessionaire via a new concession agreement per 4 CMC § 2206(b) and NMIAC § 40-70-210, this concession shall expire upon the expiration or earlier termination or cancellation of the last corresponding concession agreement between the concessionaire 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 a concessionaire providing services corresponding to this concession's scope. The reasoning behind this scope of concession is to address the needs of the traveling public by providing a convenient way to exchange currency. 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 6 this 31st day of MARCH, 2021.


KIMBERLYN KING-HINDS
Chairman, Board of Directors


THOMAS P. VILLAGOMEZ
Secretary, Board of Directors

Submitted for CPA Board of Directors approval by:



CPA Executive Director

Evaluation Plan for RFP for Concession No. SCX-2021-01

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 this concession before any evaluations of proposals for this concession are 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 non-CPA employees may be included in the evaluation committee.
- 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 6 this 31st day of MARCH, 2021.


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

ATTACHMENT 1
Proposed Evaluation Plan for RFP for Concession No. SCX-2021-01

EVALUATION OF PROPOSALS:

The Authority Executive Director has developed the following evaluation plan for evaluating proposals submitted in response to the RFP for award of CPA Concession No. SCX-2021-01:

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; and
 - d. Proposer must not have pending prior obligations or accounts owing to the Authority at the time of submission of its proposal.

If the submitted information is incomplete, CPA 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 authorized designee.

3. *Evaluation Committee.* The Executive Director or his authorized designee will assign at least three CPA employees to the Evaluation Committee from different CPA sections/divisions. The Executive Director may assign at most two non-Authority employees. 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' proposals submitted to this RFP and shall identify the proposers that have attained an evaluation score of at least seventy points based on the following criteria:
 - a. The plan for performing the required services, including proposer's plan to meet the minimum investment requirement (**20 Points**); and
 - b. The ability to perform the services as reflected by the proposer's general experience, specific experience in providing the required services, and the qualification and abilities of person(s) proposed to be assigned to perform the services (**20 Points**); and
 - c. The personnel, equipment, and facilities and financial resources to provide the services or demonstrated to be available at the time of contracting (**20 Points**); and
 - d. Proposer's record of past performance on similar currency exchange contracts. The references provided by proposer will be assessed to determine whether the proposer's expertise and experience qualify it to develop and manage the proposed concession (**40 Points**).

Technical proposals that have attained an evaluation score of at least seventy points will be deemed "Sufficiently Acceptable" and will then be evaluated based solely on the price submitted. The Sufficiently Acceptable Technical Proposal submitting the highest price bid shall be selected for award.

6. *Documentation Requirements:* The Executive Director or his designee shall prepare an evaluation form to be completed by each member of the Evaluation Committee in evaluating each proposal. The Executive Director or his designee shall also prepare an overall evaluation form to be completed by the Evaluation Committee as a whole to record the scores and evaluation of each proposal. The Executive Director or his designee shall also prepare a proposal ranking form on which the Evaluation Committee shall record its ranking of proposals and report its ranking to the Executive Director or his designee. These documents shall be retained by the Executive Director or her/his authorized designee per NMIAC § 40-70-715.
7. *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.

8. *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.
9. *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 and shall then report this ranking to the Executive Director or his authorized designee.
10. *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.