March 31, 2015

Dear [Redacted]

RE: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (Our File TW/004/2015)

On February 5, 2015, the Department of Transportation and Works received your request for access to the following records/information:

Correspondence—in any and all formats, including paper and electronic—between the losing bidders of the Bell Island and Fogo Island ferry contracts (or their representatives) and the department. Date range of request is Nov. 1, 2013 through May 1, 2014 inclusive.

I am pleased to inform you that your request for access to this information has been granted and is attached.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement’s website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact the undersigned at 729-3676.

Sincerely,

[Signature]

LORI ANNE COMPANION
Deputy Minister

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Good day Sirs,

In regard to the RFP and tendering procedure organized by DTW, we would be very grateful if you could inform us about the progress of the evaluation process.

In addition, your clarifications to below indicated questions would be much appreciated:

- Are you currently requesting clarifications from yards?
- When do you expect to officially announce a shortlist or winner?

We remain at your disposal for any further information you may require.

Thanks in advance.

Kind regards,

Santiago Sio Dopeso

Business Development Manager
Hijos de J. Barreras, S.A.
Avda. Beiramar, 2
36208 Vigo, Spain
Direct: (+34) 986 213 297 Ext. 2450
Mobile: (+34) 618 819 369
Skype: santiago.sio
ssio@hjbarreras.es

www.hjbarreras.es

El 27/09/2013, a las 12:11, "Dawe, Keith" <dawek@gov.nl.ca> escribió:

Received. Thanks

From: Santiago Sio Dopeso [mailto:ssio@hjbarreras.es]  
Sent: Friday, September 27, 2013 5:50 AM  
To: Dawe, Keith  
Cc: Mulrooney, Stephen R.; Alfonso Lopez Loureiro; Patricia Aires Serantes  
Subject: Fwd: RFP Validity Extension
Mulrooney, Stephen R.

From: Mulrooney, Stephen R.  
Sent: Tuesday, November 05, 2013 3:25 PM  
To: 'Santiago Sio Dopeso'  
Subject: RE: RFP Validity Extension

Santiago,

We have not made a decision as of yet but hope to do so in the coming weeks.

Regards,  
Stephen

From: Santiago Sio Dopeso [mailto:ssio@hjbarreras.es]  
Sent: Monday, November 04, 2013 6:29 AM  
To: Dawe, Keith; Mulrooney, Stephen R.  
Subject: Re: RFP Validity Extension

Good day Sirs,

In regard to the RFP and tendering procedure organized by DTW, we would be very grateful if you could inform us about the progress of the evaluation process.

In addition, your clarifications to below indicated questions would be much appreciated:

- Are you currently requesting clarifications from yards?

- When do you expect to officially announce a shortlist or winner?

We remain at your disposal for any further information you may require.

Thanks in advance.

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Santiago Sio Dopeso

Business Development Manager  
Hijos de J. Barreras, S.A.  
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Direct: (+34) 986 213 297 Ext. 2450  
Mobile: (+34) 618 819 369  
Skype: santiago.sio  
ssio@hjbarreras.es  
www.hjbarreras.es
Best regards,

Santiago Sio Dopeso

Hijos de J. Barreras, S.A.
Commercial and Projects Department
Avda. Beiramar, 2
36208 Vigo, Spain
Direct: (+34) 986 213 297 Ext. 2450
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Please find attached letter from the Deputy Minister regarding the RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries.

Regards,
Stephen

Stephen Mulrooney, P.Eng
Director of Vessel Replacement (A)
Marine Transportation Services
Department of Transportation and Works
Government of Newfoundland and Labrador
P.O. Box 8700
St. John’s, NL
A1B 4J6
t: (709) 729-5771
m: (709) 693-4819
f: (709) 729-3440
e: mulrooneys@gov.nl.ca
TO: Hijos De J. Barreras S.A.
Avda. Beiramar, 2, 36208
Vigo, Espana-Spain

Re: Government of Newfoundland and Labrador, Canada
Department of Transportation and Works
Request for Proposals Construction, Delivery and Warranty of Ro-Ro Passenger Ferry Vessels

Dear Sirs:

We thank you for your response to the above noted Request for Proposal (RFP). The Government of Newfoundland and Labrador as represented by the Department of Transportation and Works has completed the process of evaluation and assessment of the proposals received in response to this RFP.

This is to advise you that your company’s proposal for the Construction, Delivery and Warranty of an 80-metre vessel was not successful.

The Government of Newfoundland and Labrador also wishes to advise you of its decision to not award a contract for a 42-metre vessel and to cancel the RFP for the Construction, Delivery and Warranty of the 42-metre vessel.

Thank you for your submission in this regard.

Sincerely,

[Signature]

BRENT MEADE
Deputy Minister
Start of
Email chain between S. Mulrooney (TW) and Barreras Representative, November 13-25, 2013

30 pages total
Hi Santiago,

Sorry for not getting back to you, but I hope to have a response to you soon.

Regards,

Stephen

---

From: Santiago Sio Dopeso [mailto:ssio@hjbarreras.es]
Sent: Monday, November 25, 2013 12:23 PM
To: Mulrooney, Stephen R.; Slaney, Stephen; Dawe, Keith
Subject: Fwd: RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries

Dear Sirs,

We look forward to your response to our previous e-mail.

Thanks.

Kind regards,

Santiago Sio Dopeso

Business Development Manager
Hijos de J. Barreras, S.A.
Avda. Beiramar, 2
36208 Vigo, Spain
Direct: (+34) 986 213 297 Ext. 2450
Mobile: (+34) 618 819 369
Skype: santiago.sio
ssio@hjbarreras.es

www.hjbarreras.es

---

Inicio del mensaje reenviado:

De: Santiago Sio Dopeso <ssio@hjbarreras.es>
Good day Sirs,

In regards to my previous message as seen in the email trail below, please would you be so kind to let me have your feedback?

Thanks in advance.

Kind regards,

Santiago Sio Dopeso

Business Development Manager
Hijos de J. Barreras, S.A.
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Thanks in advance.

Santiago Sío Dopeso

Business Development Manager
Hijos de J. Barreras, S.A.
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36208 Vigo, Spain
Direct: (+34) 986 213 297 Ext. 2450
Mobile: (+34) 618 819 369
Skype: santiago.sio
ssio@hibarreras.es
www.hibarreras.es

Inicio del mensaje reenviado:

De: Santiago Sío Dopeso <ssio@hibarreras.es>
Asunto: Re: RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries
Fecha: 13 de noviembre de 2013 13:58:39 GMT+01:00
Para: "Mulrooney, Stephen R." <mulrooneys@gov.nl.ca>

Good day Stephen,

Understood. Thanks for your e-mail.

Regarding the 80 m project and just as a pure self-enhancement exercise, we would be very grateful if you could identify/describe major weaknesses and strengths that, from DTW’s point of view, have been shown in our proposal.

In addition, could you please inform about the number of yards involved/shortlisted?

Thanks in advance.

Kind regards,

Santiago Sío Dopeso

Business Development Manager
Hijos de J. Barreras, S.A.
Avda. Beiramar, 2
36208 Vigo, Spain
Direct: (+34) 986 213 297 Ext. 2450
El 13/11/2013, a las 13:08, "Mulrooney, Stephen R." <mulrooneys@gov.nl.ca> escribió:

Please find attached letter from the Deputy Minister regarding the RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries.

Regards,
Stephen

Stephen Mulrooney, P.Eng
Director of Vessel Replacement (A)
Marine Transportation Services
Department of Transportation and Works
Government of Newfoundland and Labrador
P.O. Box 8700
St. John's, NL
A1B 4J6
t: (709) 729-5771
m: (709) 693-4819
f: (709) 729-3440
e: mulrooneys@gov.nl.ca

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<Signed letter by DM to Hijos De J Barreras S.A.PDF>
We look forward to your response to our previous e-mail.

Thanks.

Kind regards,

Santiago Sio Dopeso

Business Development Manager
Hijos de J. Barreras, S.A.
Avda. Beiramar, 2
36208 Vigo, Spain
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Mobile: (+34) 618 819 369
Skype: santiago.sio
ssio@hjbarreras.es

www.hjbarreras.es

Inicio del mensaje reenviado:

De: Santiago Sio Dopeso <ssio@hjbarreras.es>
Asunto: Fwd: RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries
Fecha: 25 de noviembre de 2013 16:41:58 GMT+01:00
Para: "Stephen R. Mulrooney" <mulrooneys@gov.nl.ca>, Stephen Slaney <StephenSlaney@gov.nl.ca>, Keith Dawe <dawek@gov.nl.ca>
Cco: Santiago Sio Dopeso <ssio@hjbarreras.es>, Patricia Aires Serantes <paires@hjbarreras.es>, Alfonso Lopez Loureiro <alopez@hjbarreras.es>

Good day Sirs,
In regards to my previous message as seen in the email trail below, please would you be so kind to let me have your feedback?
Thanks in advance.

Kind regards,

Santiago Sio Dopeso

Business Development Manager
Hijos de J. Barreras, S.A.
Avda. Beiramar, 2
Good day Stephen,

I am following up on the email I sent you last week regarding your new building program.

Your feedback about why we have been disqualified would be much appreciated.

Thanks in advance.

Santiago Sio Dopeso

Business Development Manager
Hijos de J. Barreras, S.A.
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<Signed letter by DM to Hijos De J Barreras S.A.PDF>
Good day sirs,

Congratulations for your new contract signed with Damen.

According to Tradewinds headlines, fifteen proposals were received in response to the Government’s request for proposals for the construction of new ferry vessels.

As previously mentioned, we would be very grateful if you could identify/describe major weaknesses and strengths that, from DTW’s point of view, have been shown in our proposal (price, finance, technical risk, position in the final ranking...).

Thanks in advance,

Santiago Sio Dopeso

Business Development Manager
Hijos de J. Barreras, S.A.
Avda. Beiramar, 2
36208 Vigo, Spain
Direct: (+34) 986 213 297 Ext. 2450
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Kind regards,

Santiago Sio Dopeso

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Thanks in advance.

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Your feedback about why we have been disqualified would be much appreciated.

Thanks in advance.

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Good day Stephen,

Understood. Thanks for your e-mail.

Regarding the 80 m project and just as a pure self-enhancement exercise, we would be very grateful if you could identify/describe major weaknesses and strengths that, from DTW’s point of view, have been shown in our proposal.

In addition, could you please inform about the number of yards involved/shortlisted?

Thanks in advance.

Kind regards,

Santiago Sio Dopeso

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Please find attached letter from the Deputy Minister regarding the RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries.

Regards,

Stephen

Stephen Mulrooney, P.Eng
Director of Vessel Replacement (A)
Marine Transportation Services
Department of Transportation and Works
Government of Newfoundland and Labrador
P.O. Box 8700
St. John’s, NL
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<Signed letter by DM to Hijos De J Barreras S.A.PDF>
Mulrooney, Stephen R.

From: Santiago Sio Dopeso <ssio@hjbarreras.es>
Sent: Monday, November 25, 2013 12:27 PM
To: Mulrooney, Stephen R.
Subject: Re: RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries

Thanks Stephen, your feedback will be much appreciated.

Kind regards,
Santiago

El 25/11/2013, a las 16:55, "Mulrooney, Stephen R." <mulrooneys@gov.nl.ca> escribió:

Hi Santiago,

Sorry for not getting back to you, but I hope to have a response to you soon.

Regards,
Stephen

From: Santiago Sio Dopeso [mailto:ssio@hjbarreras.es]
Sent: Monday, November 25, 2013 12:23 PM
To: Mulrooney, Stephen R.; Slaney, Stephen; Dawe, Keith
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Cco: Santiago Sio Dopeso <ssio@hjbarreras.es>, Patricia Aires Serantes <paires@hjbarreras.es>, Alfonso Lopez Loureiro <alopez@hjbarreras.es>

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Regards,
Stephen

Stephen Mulrooney, P.Eng
Director of Vessel Replacement (A)
Marine Transportation Services
Department of Transportation and Works
Government of Newfoundland and Labrador
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Mulrooney, Stephen R.

From: Santiago Sio Dopeso <ssio@hjbarreras.es>
Sent: Monday, November 25, 2013 12:23 PM
To: Mulrooney, Stephen R.; Slaney, Stephen; Dawe, Keith
Subject: Fwd: RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries

Dear Sirs,

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Thanks.

Kind regards,

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Inicio del mensaje reenviado:

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Asunto: Fwd: RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries
Fecha: 25 de noviembre de 2013 16:41:58 GMT+01:00
Para: "Stephen R. Mulrooney" <mulrooneys@gov.nl.ca>, Stephen Slaney <StephenSlaney@gov.nl.ca>, Keith Dawe <dawek@gov.nl.ca>
Cco: Santiago Sio Dopeso <ssio@hjbarreras.es>, Patricia Aires Serantes <paires@hjbarreras.es>, Alfonso Lopez Loureiro <alopez@hjbarreras.es>

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Thanks in advance.

Kind regards,

Santiago Sio Dopeso

Business Development Manager
Hijos de J. Barreras, S.A.
Avda. Beiramar, 2
36208 Vigo, Spain
Direct: (+34) 986 213 297 Ext. 2450
Mobile: (+34) 618 819 369
Skype: santiago.sio
ssio@hjbarreras.es

www.hjbarreras.es

Inicio del mensaje reenviado:

De: Santiago Sio Dopeso <ssio@hjbarreras.es>
Asunto: Fwd: RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries
Fecha: 18 de noviembre de 2013 11:05:11 GMT+01:00
Para: "Stephen R. Mulrooney" <mulrooneys@gov.nl.ca>

Good day Stephen,

I am following up on the email I sent you last week regarding your new building program.

Your feedback about why we have been disqualified would be much appreciated.

Thanks in advance.

Santiago Sío Dopeso

Business Development Manager
Hijos de J. Barreras, S.A.
Avda. Beiramar, 2
36208 Vigo, Spain
Direct: (+34) 986 213 297 Ext. 2450
Good day Stephen,

Understood. Thanks for your e-mail.

Regarding the 80 m project and just as a pure self-enhancement exercise, we would be very grateful if you could identify/describe major weaknesses and strengths that, from DTW’s point of view, have been shown in our proposal.

In addition, could you please inform about the number of yards involved/shortlisted?

Thanks in advance.

Kind regards,

Santiago Sio Dopeso

Business Development Manager
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Please find attached letter from the Deputy Minister regarding the RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries.

Regards,
Stephen

Stephen Mulrooney, P.Eng
Director of Vessel Replacement (A)
Marine Transportation Services
Department of Transportation and Works
Government of Newfoundland and Labrador
P.O. Box 8700
St. John’s, NL
A1B 4J6
t: (709) 729-5771
m: (709) 693-4819
f: (709) 729-3440
e: mulrooneys@gov.nl.ca

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<Signed letter by DM to Hijos De J Barreras S.A.PDF>
Good day sirs,

Regarding the 80 m project and just as a pure self-enhancement exercise, we would be very grateful if you could identify/describe major weaknesses and strengths that, from DTW’s point of view, have been shown in our proposal.

In addition, could you please inform about the number of yards involved/shortlisted?

Please kindly note that your feedback is very important for us, your response will be much appreciated.

Thanks in advance.

Kind regards,

Santiago Sio Dopeso
Business Development Manager
Hijos de J. Barreras, S.A.
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Inicio del mensaje reenviado:

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Para: "Stephen R. Mulrooney" <mulrooneys@gov.nl.ca>
Cco: Santiago Sio Dopeso <ssio@hjbarreras.es>, Alfonso Lopez Loureiro <alopez@hjbarreras.es>, Patricia Aires Serantes <paires@hjbarreras.es>
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Santiago Sío Dopeso

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Inicio del mensaje reenviado:

De: Santiago Sío Dopeso <ssio@hjbarreras.es>
Asunto: Re: RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries
Fecha: 13 de noviembre de 2013 13:58:39 GMT+01:00
Para: "Mulrooney, Stephen R." <mulrooneys@gov.nl.ca>

Good day Stephen,

Understood. Thanks for your e-mail.

Regarding the 80 m project and just as a pure self-enhancement exercise, we would be very grateful if you could identify/describe major weaknesses and strengths that, from DTW’s point of view, have been shown in our proposal.

In addition, could you please inform about the number of yards involved/shortlisted?

Thanks in advance.

Kind regards,

Santiago Sío Dopeso

Business Development Manager
El 13/11/2013, a las 13:08, "Mulrooney, Stephen R." <mulrooneys@gov.nl.ca> escribió:

Please find attached letter from the Deputy Minister regarding the RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries.

Regards,
Stephen

Stephen Mulrooney, P.Eng
Director of Vessel Replacement (A)
Marine Transportation Services
Department of Transportation and Works
Government of Newfoundland and Labrador
P.O. Box 8700
St. John's, NL
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Regards,
Stephen

Stephen Mulrooney, P.Eng
Director of Vessel Replacement (A)
Marine Transportation Services
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Thanks in advance.

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Stephen Mulrooney, P.Eng
Director of Vessel Replacement (A)
Marine Transportation Services
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<Signed letter by DM to Hijos De J Barreras S.A.PDF>
End of
Email chain between S. Mulrooney (TW) and Barreras Representative,
November 13-25, 2013
Mulrooney, Stephen R.

From: Santiago Sio Dopeso <ssio@hjbarreras.es>
Sent: Wednesday, January 29, 2014 6:00 AM
To: Mulrooney, Stephen R.; Slaney, Stephen; Dawe, Keith
Subject: Re: RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries

Importance: High

Good day Sirs,

In regards to our previous correspondence as seen in the email trail below, please would you be so kind to let me have your feedback?

As mentioned before, your cooperation would be very much appreciated.

Best regards,

Santiago Sio Dopeso

Business Development Manager
Hijos de J. Barreras, S.A.
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36208 Vigo, Spain
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Skype: santiago.sio
ssio@hjbarreras.es

www.hjbarreras.es

El 25/11/2013, a las 16:55, Mulrooney, Stephen R. <mulrooneys@gov.nl.ca> escribió:

Hi Santiago,

Sorry for not getting back to you, but I hope to have a response to you soon.

Regards,
Stephen

From: Santiago Sio Dopeso [mailto:ssio@hjbarreras.es]
Sent: Monday, November 25, 2013 12:23 PM
To: Mulrooney, Stephen R.; Slaney, Stephen; Dawe, Keith
Subject: Fwd: RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries

Dear Sirs,
COR/2014/00422

February 5, 2014

Hijos De J. Barreras S.A.
Avda. Beiramar, 2, 36208
Vigo, Espana-Spain

Attention: Santiago Sio Dopeso

RE: Government of Newfoundland and Labrador, Canada, Department of Transportation and Works Request for Proposals Construction, Delivery and Warranty of Ro-Ro Passenger Ferry Vessels

Dear Sir:

As a follow up to the letter sent on November 13, 2013, and as per your request, we would like to inform you that your submission to the above noted Request for Proposal (RFP) was one of six that was evaluated for the construction of the 80-metre ferry vessel. Using the evaluation matrix, six out of a total of fifteen proposals were scored based on the criteria set out in the RFP. Your submission was complete in all respects and provided the required information as requested in the RFP. Unfortunately your proposal did not receive the highest overall score.

Again, we thank you for your interest and response to our RFP and wish you success in your future endeavors.

Sincerely,

BRENT MEADE
Deputy Minister

cc: Stephen Mulrooney
Good day,

Many thanks for your kind email. Your feedback is much appreciated.

Kind regards,

Santiago Sío Dopeso

Business Development Manager
Hijos de J. Barreras, S.A.
Avda. Beiramar, 2
36208 Vigo, Spain
Direct: (+34) 986 213 297 Ext. 2450
Mobile: (+34) 618 819 369
Skype: santiago.sio
ssio@hjbarreras.es
www.hjbarreras.es

El 06/02/2014, a las 13:04, Olford, Ann <AnnOlford@gov.nl.ca> escribió:

Good morning:

Attached is the response to your Request for Proposal (RFP) for the above noted.

Thanks
Ann Olford
Secretary
Assistant Deputy Ministers
(Transportation & Marine Transportation Services)
Department of Transportation and Works
---< HP TRIM Record Information >---

Record Number : COR/2014/00422
Title : Barreras - Request for Proposals Construction, Delivery and Warranty of Ro-Ro Passenger Ferry Vessels

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<Signed by DM.PDF>
Dear Sirs!

Please be advised that Mr Roland Andrews is part of our trusted network in Canada. In matters concerning Fiskerstrand BLRT AS, Mr. Andrews is acting on behalf of our agent company Vinland Offshore Ltd. located in Halifax, St. John's, Montreal and Toronto.

If there is any information from the Newfoundland and Labrador Governmental Department of Transportation and Works to be shared with Fiskerstrand BLRT AS in Norway, we are more than pleased to receive this through Mr. Roland Andrews.

Best Regards/ Med vennlig hilsen

Einar Kjerstad
Sales Director
Direct line +47 70 19 93 67
Mobile +47 957 67039
einar.kjerstad@fiskerstrand.no

FISKERSTRAND
BLRT AS

Risevegen 23, N-6035 Fiskarstrand, Norway
www.blrt.com

Thank you Brent for the response, my apology in that I did not clarify my position with Fiskerstrand, my role is as a consultant to them and so the question we are asking is in relationship to a discussion Einar had with Max
Harvey during the Trade Show at St. John’s in which it was suggested that Einar would submit additional information. We now understand that this information has been acknowledged as being received. In view of this submission, can we assume that Fiskerstrand is accepted and subsequently qualified as a bidder during this process. We appreciate very much your response.

From: Meade, Brent [mailto:BMeade@gov.nl.ca]
Sent: Friday, November 01, 2013 10:56 AM
To: rolandcandrews@gmail.com
Cc: Mulrooney, Stephen R.; Harvey, Max
Subject: RE: Ro Ro Ferries

Mr Andrews, we have communicated with the appropriate contacts at Fiskerstrand regarding the status of their proposals/bids.

Regards
Brent

From: rolandcandrews@gmail.com [mailto:rolandcandrews@gmail.com]
Sent: Friday, November 01, 2013 9:52 AM
To: Meade, Brent
Subject: Re: Ro Ro Ferries

Thanks Brent can you confirm that the info sent by Fiskerstrand puts them in the bidding process

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Meade, Brent
Sent: Friday, November 1, 2013 9:40 AM
To: rolandcandrews@gmail.com
Subject: RE: Ro Ro Ferries

Mr Andrews:
No decision has been made yet. The Department is finalizing its evaluation of the bids. We are hoping to be a position to complete the evaluation process and award the contract in the coming weeks.

Regards
Brent

From: rolandcandrews@gmail.com [mailto:rolandcandrews@gmail.com]
Sent: Friday, November 01, 2013 9:15 AM
To: Meade, Brent
Subject: Ro Ro Ferries

Good morning Brian is there any decision yet on above topic re awarding contract

Sent from my BlackBerry 10 smartphone on the Bell network.
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Mulrooney, Stephen R.

From: Roland C. Andrews <rolandcandrews@gmail.com>
Sent: Tuesday, November 05, 2013 2:47 PM
To: Mulrooney, Stephen R.
Subject: RE: Ro Ro Ferries

Stephen< I am having some difficulty to determine if the info sent to you by Einar was satisfactory to get them back into the bidding process, can you confirm please.

From: Einar.Kjerstad@fiskerstrand.no [mailto:Einar.Kjerstad@fiskerstrand.no]
Sent: Tuesday, November 05, 2013 10:10 AM
To: 'Meade, Brent'; 'Harvey, Max'; 'Mulrooney, Stephen R.'
Cc: Roland C. Andrews
Subject: RE: Ro Ro Ferries

Dear Sirs!

Please be advised that Mr Roland Andrews is part of our trusted network in Canada. In matters concerning Fiskerstrand BLRT AS, Mr. Andrews is acting on behalf of our agent company Vinland Offshore Ltd. located in Halifax, St. John's, Montreal and Toronto.

If there is any information from the Newfoundland and Labrador Governmental Department of Transportation and Works to be shared with Fiskerstrand BLRT AS in Norway, we are more than pleased to receive this through Mr. Roland Andrews.

Best Regards/Med vennlig hilsen
Einar Kjerstad
Sales Director

Direct line +47 70 19 93 67
Mobile +47 957 67039
einar.kjerstad@fiskerstrand.no

FISKERSTRAND
BLRT AS

Risevegen 23, N-6035 Fiskarstrand, Norway
www.fblrt.com
Thank you Brent for the response, my apology in that I did not clarify my position with Fiskerstrand, my role is as a consultant to them and so the question we are asking is in relationship to a discussion Einar had with Max Harvey during the Trade Show at St. John’s in which it was suggested that Einar would submit additional information. We now understand that this information has been acknowledged as being received. In view of this submission, can we assume that Fiskerstrand is accepted and subsequently qualified as a bidder during this process. We appreciate very much your response.

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Mr Andrews, we have communicated with the appropriate contacts at Fiskerstrand regarding the status of their proposals/bids.

Regards
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Subject: Re: Ro Ro Ferries

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Subject: RE: Ro Ro Ferries

Mr Andrews:
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Regards
Brent

From: rolandcandrews@gmail.com [mailto:rolandcandrews@gmail.com]
Sent: Friday, November 01, 2013 9:15 AM
To: Meade, Brent
Good morning Brian is there any decision yet on above topic re awarding contract.

Sent from my BlackBerry 10 smartphone on the Bell network.
Hi Roland,

Here is the link to the news release that was issued today.
http://www.releases.gov.nl.ca/releases/2013/tw/1113n01.htm

Regards,
Stephen

Good day Stephen, is there announcements on Tenders being awarded.

regards,
Roland Andrews (Rol)
Andrews Professional Services Ltd
Please find attached letter from the Deputy Minister regarding the RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries.

Regards,
Stephen

Stephen Mulrooney, P.Eng
Director of Vessel Replacement (A)
Marine Transportation Services
Department of Transportation and Works
Government of Newfoundland and Labrador
P.O. Box 8700
St. John's, NL
A1B 4J6
t: (709) 729-5771
m: (709) 693-4819
f: (709) 729-3440
e: mulrooneys@gov.nl.ca
November 13, 2013

TO: Ocean Industries Inc
3 Chemin de la Traverse
Isle-aux-Coudres, QC
G0A 3J0

Re: Government of Newfoundland and Labrador, Canada
Department of Transportation and Works
Request for Proposals Construction, Delivery and Warranty of Ro-Ro Passenger Ferry Vessels

Dear Sirs:

We thank you for your response to the above noted Request for Proposal (RFP). The Government of Newfoundland and Labrador as represented by the Department of Transportation and Works has completed the process of evaluation and assessment of the proposals received in response to this RFP.

The Government of Newfoundland and Labrador wishes to advise you of its decision to not award a contract for a 42-metre vessel and to cancel the RFP for the Construction, Delivery and Warranty of the 42-metre vessel.

Thank you for your submission in this regard.

Sincerely,

BRENT MEADE
Deputy Minister
Please find attached letter from the Deputy Minister regarding the RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries.

Regards,
Stephen

Stephen Mulrooney, P.Eng
Director of Vessel Replacement (A)
Marine Transportation Services
Department of Transportation and Works
Government of Newfoundland and Labrador
P.O. Box 8700
St. John's, NL
A1B 4J6
t: (709) 729-5771
m: (709) 693-4819
f: (709) 729-3440
e: mulrooneys@gov.nl.ca
TO: Kiewit Offshore Services
Main Road
Spanish Room, NL
A0E 2M0

Re: Government of Newfoundland and Labrador, Canada
Department of Transportation and Works
Request for Proposals Construction, Delivery and Warranty of Ro-Ro Passenger Ferry Vessels

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Marine Transportation Services
Department of Transportation and Works
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A1B 4J6
t: (709) 729-5771
m: (709) 693-4819
f: (709) 729-3440
e: mulrooneys@gov.nl.ca
November 13, 2013

TO: Fincantieri
Passeggio S. Andrea 6/A 34123
Trieste, Italy

Re: Government of Newfoundland and Labrador, Canada
Department of Transportation and Works
Request for Proposals Construction, Delivery and Warranty of Ro-Ro Passenger Ferry Vessels

Dear Sirs:

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This is to advise you that your company’s proposal for the Construction, Delivery and Warranty of an 80-metre vessel was not successful.

The Government of Newfoundland and Labrador also wishes to advise you of its decision to not award a contract for a 42-metre vessel and to cancel the RFP for the Construction, Delivery and Warranty of the 42-metre vessel.

Thank you for your submission in this regard.

Sincerely,

[Signature]

BRENT MEADE
Deputy Minister
Please find attached letter from the Deputy Minister regarding the RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries.

Regards,
Stephen

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Marine Transportation Services
Department of Transportation and Works
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St. John's, NL
A1B 4J6
(t: (709) 729-5771
m: (709) 693-4819
f: (709) 729-3440
e: mulrooneys@gov.nl.ca
TO: Chantier Davie Canada  
22 George-D. Davie  
Levis, QC  
G6V 0K4  

Re: Government of Newfoundland and Labrador, Canada  
Department of Transportation and Works  
Request for Proposals Construction, Delivery and Warranty of Ro-Ro Passenger Ferry Vessels  

November 13, 2013  

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The Government of Newfoundland and Labrador also wishes to advise you of its decision to not award a contract for a 42-metre vessel and to cancel the RFP for the Construction, Delivery and Warranty of the 42-metre vessel.  

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Regards,
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Director of Vessel Replacement (A)
Marine Transportation Services
Department of Transportation and Works
Government of Newfoundland and Labrador
P.O. Box 8700
St. John’s, NL
A1B 4J6
t: (709) 729-5771
m: (709) 693-4819
f: (709) 729-3440
e: mulrooneys@gov.nl.ca
November 13, 2013

TO: Meridien Maritime Reparation
1460 rue Matane sur Mer
Matane, QC
G4W 3M6

Re: Government of Newfoundland and Labrador, Canada
Department of Transportation and Works
Request for Proposals Construction, Delivery and Warranty of Ro-Ro Passenger Ferry Vessels

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e: mulrooneys@gov.nl.ca
Dear Sirs:

We thank you for your response to the above noted Request for Proposal (RFP). The Government of Newfoundland and Labrador as represented by the Department of Transportation and Works has completed the process of evaluation and assessment of the proposals received in response to this RFP.

This is to advise you that your company’s proposal for the Construction, Delivery and Warranty of an 80-metre vessel was not successful.

The Government of Newfoundland and Labrador also wishes to advise you of its decision to not award a contract for a 42-metre vessel and to cancel the RFP for the Construction, Delivery and Warranty of the 42-metre vessel.

Thank you for your submission in this regard.

Sincerely,

[Signature]

BRENT MEADE
Deputy Minister
Stephen,

We were sorry to hear the news that Eastern was not the successful on the 80m Ferry and the cancellation of the 24m Ferry. In keeping with the RFP Appendix A attached, we would like to know how Eastern Shipbuilding was evaluated by the NLDOT. This is very important to us for the future. We also, request that Eastern Shipbuilding Group remain on the NLDOT bidders list. Thank you for your consideration.

Regards,

Steve

Stephen J. Berthold
Vice President
Sales & Marketing
e-mail: sberthold@easternshipbuilding.com
www.easternshipbuilding.com
office: 850-763-1900 ext. 3216
cell: 850-896-9869

---

From: Mulrooney, Stephen R. [mailto:mulrooneys@gov.nl.ca]
Sent: Wednesday, November 13, 2013 6:10 AM
To: Steve Berthold; Ken Munroe
Subject: RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries

Please find attached letter from the Deputy Minister regarding the RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries.

Regards,

Stephen

Stephen Mulrooney, P.Eng
Director of Vessel Replacement (A)
Marine Transportation Services
Department of Transportation and Works
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February 5, 2014

Eastern Shipbuilding Group Inc.
2200 Nelson St.
P.O. Box 960
Panama City, FL
32404

Attention: Stephen J. Berthold

RE: Government of Newfoundland and Labrador, Canada, Department of Transportation and Works Request for Proposals Construction, Delivery and Warranty of Ro-Ro Passenger Ferry Vessels

Dear Sir:

As a follow up to the letter sent on November 13, 2013 and as per your request, we would like to inform you that your submission to the above noted Request for Proposal (RFP) was one of six that was evaluated for the construction of the 80-metre ferry vessel. Using the evaluation matrix, six out of a total of fifteen proposals were scored based on the criteria set out in the RFP. Your submission was complete in all respects and provided the required information as requested in the RFP. Unfortunately your proposal was not commercially competitive and therefore did not receive the highest overall score.

Again, we thank you for your interest and response to our RFP and wish you success in your future endeavors.

Sincerely,

BRENT MEADE
Deputy Minister

cc: Stephen Mulrooney
APPENDIX A

PROPOSAL EVALUATION
## PROPOSAL EVALUATION CRITERIA

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Maximum Points (A)</th>
<th>Minimum Points</th>
<th>Reviewer Comments</th>
<th>Scoring Guide (B)</th>
<th>Points Awarded (A*B)</th>
<th>Meets Min (Y or N)</th>
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</thead>
<tbody>
<tr>
<td>1 Mandatory Requirements</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>a Project Manager</td>
<td></td>
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<tr>
<td>b Bonding / Insurance</td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>c Contract Form Accepted OR Proposed Contract Offered</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>2 Methodology / Approach</td>
<td>40</td>
<td>20</td>
<td></td>
<td></td>
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<tr>
<td>a Proposed Process/Concept Methodology</td>
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<td></td>
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<tr>
<td>b Scope of Work / Technical Requirements</td>
<td>20</td>
<td>N/A</td>
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<td></td>
<td></td>
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<tr>
<td>c Project Plan</td>
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<td></td>
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<tr>
<td>d Project Schedule</td>
<td>5</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Experience / Qualifications</td>
<td>30</td>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a Demonstrates Expertise / Experience</td>
<td>15</td>
<td>N/A</td>
<td></td>
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<tr>
<td>b Financial Ability</td>
<td>10</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c International Labour Standards, Fair Wage, and Safety Compliance</td>
<td>5</td>
<td>N/A</td>
<td></td>
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<td></td>
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<tr>
<td>Subtotal</td>
<td>70</td>
<td>35</td>
<td></td>
<td></td>
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<tr>
<td>4 Cost (Price of Vessel Offered)</td>
<td>30</td>
<td>N/A</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Total Points</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Failure of a proposal to meet the Mandatory Requirements or attain a minimum threshold of points indicated above will result in disqualification of that proposal.
Please find attached letter from the Deputy Minister regarding the RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries.

Regards,

Stephen

Stephen Mulrooney, P.Eng
Director of Vessel Replacement (A)
Marine Transportation Services
Department of Transportation and Works
Government of Newfoundland and Labrador
P.O. Box 8700
St. John's, NL
A1B 4J6
t: (709) 729-5771
m: (709) 693-4819
f: (709) 729-3440
e: mulrooneys@gov.nl.ca
TO: Asenav  
Fidel Oteiza 1956, Pto 13  
Casilla 16417  
Santiago, Chile

Re: Government of Newfoundland and Labrador, Canada  
Department of Transportation and Works  
Request for Proposals Construction, Delivery and Warranty of Ro-Ro Passenger Ferry Vessels

Dear Sirs:

We thank you for your response to the above noted Request for Proposal (RFP). The Government of Newfoundland and Labrador as represented by the Department of Transportation and Works has completed the process of evaluation and assessment of the proposals received in response to this RFP.

This is to advise you that your company's proposal for the Construction, Delivery and Warranty of an 80-metre vessel was not successful.

The Government of Newfoundland and Labrador also wishes to advise you of its decision to not award a contract for a 42-metre vessel and to cancel the RFP for the Construction, Delivery and Warranty of the 42-metre vessel.

Thank you for your submission in this regard.

Sincerely,

BRENT MEADE  
Deputy Minister

P.O. Box 8700, St. John's, N.L., Canada A1B 4J6 1709.729.3676 1709.729.2895
Stephen

Although we are obviously disappointed with your selection I wish you the best of luck with the project. If there is any operational or other assistance required as things progress, I would be delighted to participate in any way. I will send you contact details for my company under a separate cover.

Can you advise who was the successful bidder?

Thanks and Regards

--
John Hughes, MM, MBA
Mobile: 1 902 448 9801

On Nov 13, 2013, at 8:09, "Mulrooney, Stephen R." <mulrooneys@gov.nl.ca> wrote:

Please find attached letter from the Deputy Minister regarding the RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries.

Regards,
Stephen

Stephen Mulrooney, P.Eng
Director of Vessel Replacement (A)
Marine Transportation Services
Department of Transportation and Works
Government of Newfoundland and Labrador
P.O. Box 8700
St. John's, NL
A1B 4J6
t: (709) 729-5771
m: (709) 693-4819
f: (709) 729-3440
e: mulrooneys@gov.nl.ca

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<Signed letter by DM to Asenav.PDF>
John,

Again we would like to thank you for your patience and corporation with regards to the RFP process. I look forward to hearing from you and hope to have the opportunity to work with you in the future.

Here is a link to the news release that was issued this morning.  
http://www.releases.gov.nl.ca/releases/2013/tw/1113n01.htm

Regards,
Stephen

---

John Hughes, MM, MBA
Mobile: 1 902 448 9801

On Nov 13, 2013, at 8:09, "Mulrooney, Stephen R." <mulrooneys@gov.nl.ca> wrote:

Please find attached letter from the Deputy Minister regarding the RFP for the Construction, Delivery, and Warranty of Ro-Ro Passenger Vehicle Ferries.

Regards,
Stephen

---

Stephen Mulrooney, P.Eng
Director of Vessel Replacement (A)
Marine Transportation Services
Department of Transportation and Works
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<Signed letter by DM to Asenav.PDF>
Honourable Minister,

This company bid on the recently awarded RFP for the Request for Proposals — Construction, Delivery and Warranty of Ro-Ro Passenger Vehicle Ferries. We were advised by a letter from Mr. Brent Meade, Deputy Minister, dated November 13, 2013, advising that we were unsuccessful in our bid. The contract for the construction of two ferries for the Department of Transportation was publicly awarded to the Damen shipbuilding group from Holland.

During the few weeks following the public announcement of the award, several attempts were made to contact the Department to benefit from lessons learnt that would assist us in increasing our potential to win future works. This culminated in a call on December 9th from the project team, a few hours after the public announcement of the award of the second ferry contract to Damen. We have been assessing the information obtained during that call, and seeking advice about what, if any, follow up we should initiate. Up to this point in time, we had believed that the contract values being reported in the press were all inclusive prices with "all fees and tariffs" included as per the RFP. This is not the case, apparently.

We are very concerned about the award process following the guidelines of the RFP, and would ask for a response and/or meeting to review the process and ensure best value has indeed been obtained for the taxpayers in Newfoundland and Labrador.

The facts as we know them are as follows:

1. The ferry design package for the 85m ferry vessels was provided to all bidders by your Government, and therefore the technical assessment was of the capability to build and deliver identical vessels, as all yards would be building the same design.
2. We have been told the final selection was between ourselves and the successful proponent.

3. We have been told that the process was scored 70% on technical and 30% on price.

4. We have been told that the technical scores were "very close" and there were no deficiencies in our submission.

5. The RFP document required pricing inclusive of "all fees and tariffs as applicable".

6. There is a 25% Customs tariff on a ferry vessel built outside of Canada less than 129m in length.

7. Chile has a free trade agreement with Canada for remission of the 25% duty payable on ALL ferry vessels of under 129m in length, and thus the ferries for your DoT.

8. We have been told that the publicly released price of $1 million is a BEFORE duty price. The duty payable on the two vessels will thus be a further 25.5 million dollars.

9. The full price of our one of our vessels, delivered to St. John's, inclusive of "all fees and Tariffs" was CDN50,486,000. Each Damen vessel will be (based on public information) a full price of CDN63,750,000.

10. Our shipyard has built and delivered four (4) of six (6) very high specification offshore vessels for Maersk Supply in St. John's, and has delivered another tug to a Canadian operator. The successful proponent has built one non-powered barge which was purchased for use in Newfoundland.

11. The team from the Department of Transport visited with us at the yard in Chile and reported to us favourably on the yard and capabilities.

12. We have been told the vessels from Damen are actually to be constructed in Romania.

13. Our delivery to St. John's was for July of 2015. The Damen vessel is to be delivered in February of 2016, seven (7) months later.

In short, the award went to a firm with no comparable experience in building ships for the waters of Newfoundland or Canada, for an identical ferry design both Classed and quality controlled by the American Bureau of Shipping irrespective of the builder, delivered 7 months later, and which is going to cost the taxpayer CDN25.5 million more for the two vessels.
It is evident from the above facts that we are puzzled by the award decision, and would seek some clarification as to our perceived shortcomings, confirmation from you that the bidding process was full, clear and as per the RFP, and assurance that Cabinet had all the pertinent information necessary to make the best decision for the taxpayers of the province. From our perspective, the chosen shipyard has no experience building vessels for Newfoundland or Canada under Transport Canada, submitted a bid price for an identical vessel package that is going to cost the taxpayers of Newfoundland and Labrador an additional CDN 25.5 million dollars, and yet was the successful bidder.

We would respectfully ask for a formal response to our request for clarification and a date for a meeting no later than by Friday, January 31st.

Most Respectfully,

ASTILLEROS Y SERVICIOS NAVALES S.A.

Eberhard Kossmann
Executive President

EKB/ogm
Hon. Nick McGrath
Minister of Transportation and Works
Minister's Office
Department of Transportation & Works
6th Floor, West Block, Confederation Building
P.O. Box 8700St. John's, NL A1B 4J6
CANADA

Re.: ASENAV's Project 5.1543 – Ferries for Canada

Honourable Minister,

This letter is a follow up to the original letter delivered to your office via UPS dated January 20th, 2014. We had respectfully requested a response by Friday past, but wished to reach out a second time with some additional information in the hopes of obtaining the clarification we need to further our future business in Canada.

My Company, through the provisions of the Free Trade Agreement negotiated between our two countries in 1997, has been successful in delivering a number of high specification ships to the Canadian registry for work in the waters off Newfoundland. These vessels offered the best value to the customer. The free trade agreement has been instrumental in enabling us to be successful in these opportunities, and, as stated in the preamble to the FTA, the agreement has done this by "Ensure(ing) a predictable commercial framework for business planning and investment".

The recent award of the ferry contract has impacted the predictability of our commercial framework as we look to bid against other countries for opportunities in Canada. It is for this reason that we seek the opportunity for understanding in order that we can make well founded commercial and strategic decisions going forward.

I would like to make a final request for a clarification meeting, noting that we have additionally nominated our representative in Canada, Mr. John Hughes to attend on our behalf. This will allow us to be more flexible in meeting your schedule. Our original letter provides the background for the meeting (copy is hereby attached).

I look forward to hearing from you, and would respectfully request a response during next 7 days in order that we can continue to move forward.

Most Respectfully,

ASTILLEROS Y SERVICIOS NAVALES S. A.

Eberhard Kossmann
Executive President
COR/2014/00471

February 6, 2014

ASENAV S.A.
Avda, Espana 1135
Valdivia, Chile

Attention: Eberhard Kossmann
Executive Director

Reference: Government of Newfoundland and Labrador
Request for Proposals, ASENAV Project 5.154
Ferries for Canada

Dear Sir:

I write in response to your letter of January 20, 2014 to the Honourable Nick McGrath, Minister of Transportation and Works regarding the above referenced matters.

In response to your letter I can indicate that I have caused a review of this matter to be conducted.

Further to the points that you make in paragraphs 1 and 3 of your letter, I can inform you that an evaluation was done of your proposal as well as that of all who submitted a response to the above noted request for proposals in accordance with its terms and that responses were considered and ultimately scored on the basis of the criteria contained in the Request for Proposals and the scoring matrix that formed part of the same.

An initial evaluation was completed of the responses to this request for proposals, without concluding if an award would be made to any proposal. This initial evaluation was for the purpose of determining which proposals were compliant with the terms of the Request for Proposals and which were not. Those proposals that did not qualify were not considered further. As a result of this process, of the fifteen (15) proposals received, six (6) were disqualified and nine (9) were to be considered further. Yours was one of the qualifying proposals considered further. You are correct when you state that a visit was made to your yard to meet with your team to help evaluate your proposal and your work and work facilities. A visit for the same purposes was made to the Damen yard(s) in the Netherlands and Romania where it proposed to construct the sought after vessel.
In keeping with paragraph 6 of your letter I can confirm that the Department was and is aware of the existence of the 25% customs tariff on vessels constructed in the European Union and imported into Canada. It was and is likewise aware of the Canada-Chile Free Trade Agreement and the amount of tariff exigible on vessels constructed in Chile and imported into Canada from Chile referenced in paragraph 7 of your letter. We are also aware of the fact that you built and delivered four offshore vessels to Maersk Supply as referenced in paragraph 10 of your letter.

Following the completion of the evaluation of all qualifying responses to this request for proposals, a recommendation and decision was made based on the evaluations conducted and the evaluation criteria and the scoring matrix contained in the request for proposals to award the construction of the 80 meter vessel in question to Damen Shipyards. In making this evaluation and decision, I wish to make it clear to you that the Department considered and used the Damen offered price to construct and deliver this vessel that included the customs duty and tariff referenced above in its evaluation of that proposal. That inclusive price was the price used when evaluating and comparing Damen’s proposal with all other qualifying proposals that were considered, including yours, in the context of the criteria referenced in the request for proposals. When this was done, it was determined that the best value to the province would be achieved by awarding this contract to Damen.

With respect to the issue that you raise in paragraph 13, the date of delivery of the first vessel to the Province is September 2015 not February 2016 as you report.

I trust this explains the situation and thank you for your proposal and interest in this matter.

Yours truly,

BRENT MEADE
Deputy Minister
Hon. Nick McGrath  
Minister of Transportation and Works  
Minister's Office  
Department of Transportation & Works  
6th Floor, West Block, Confederation Building  
P.O. Box 8700 St. John's, Nl. A1B 4J6  
CANADA  

February 10th, 2014

Honourable Minister,

Thank you for the response we received to our second letter of request, provided by your Deputy Minister Mr. Brent Meade.

I must confess that the response is still not completely clear, so in keeping with the comment that we should not hesitate to contact your office with further questions, perhaps you would be so kind as to provide final clarity with respect to our price competitiveness.

We would respectfully ask specifically for clarification of the following:

1. If the price published officially in press releases of CAD 51 million contracted with DAMEN for each vessel is a fully inclusive price, including the 25% import duty, this would mean that the basic price offered by DAMEN is CAD 40.8 million (plus CAD 10.2 of import duty); or

2. If the price offered by DAMEN was CAD 51 million for the vessel, this would mean that the final actual price, including the 25% import duty, is CAD 63.75 million; or

3. The DAMEN price is CAD 51 million Canadian delivered, and there is an expectation of relief for the import duty on the vessel from the Federal Government.

If you confirm that it is as per item 1, then we completely understand and can assess this internally for future bids from our yard. If the situation is as in scenario 2 or 3, then we would respectfully request a fuller explanation, as the evaluation and final award decision are less easily understood.

We would most appreciate confirmation of which of the three suggested scenarios is correct, as this will assist us in moving forward with our strategic planning for future opportunities. We look forward to your earliest possible reply within this week.

Respectfully,

Eberhard Kossmann  
Executive President  
ASENAV S.A.
February 21, 2014

ASENAV S.A.
Avda, Espana 1135
Valdivia, Chile

Attention: Eberhard Kossmann
Executive Director

Reference: Government of Newfoundland and Labrador
Request for Proposals, ASENAV Project 5.154
Ferries for Canada

Dear Sir:

I write further to my letter of February 6, 2014 to you and in response to your letter to the Honourable Nick McGrath, Minister of Transportation and Works dated February 10, 2014 in relation to this matter.

In respect of points 1 and 2 of your February 10, 2014 letter I can advise that the price for the vessels that was communicated publicly was not inclusive of Harmonized Sales Tax or a 25% import duty. It is not the practice of the Government of Newfoundland and Labrador or this Department when announcing the contract price for which an asset is to be acquired or service provided, to include such amounts in the announced price.

In respect of points 1 and 2 of your February 10, 2014 letter and your letter generally, to be clear, the price that was used by the Department of Transportation and Works and the Government of Newfoundland and Labrador in assessing and evaluating Damen’s bid, factored in the 25% import duty (customs tariff) that is exigible on vessels constructed in the European Union and imported into Canada.

As for the matter raised in point 3 of your February 10, 2014 letter of whether any relief will be given with respect to the customs tariff referenced above, the province has received no assurance regarding the same and made its decision without any assurance regarding the same.
I trust the foregoing satisfactorily addresses your questions and wish you well in your future endeavours.

Yours truly,

BRENT MEADE
Deputy Minister
Mulrooney, Stephen R.

From: johnh@hughesoffshoreservices.ca
Sent: Friday, March 28, 2014 10:16 AM
To: Meade, Brent; Williams, Ann Marie
Cc: 'twilliams@odeaearle.ca'; Harvey, Max; Mulrooney, Stephen R.; Fitzgerald, Peter
Subject: RE: Re; Meeting Date

Brent,

Thanks for the update. I will await further news.

Regards

John

John Hughes, MM, MBA
Tel: +1 902 405 8994
Fax: +1 902 405 8995
Mobile: +1 902 448 9801

-------- Original Message --------
Subject: Re: Re; Meeting Date
From: "Meade, Brent" <BMeade@gov.nl.ca>
Date: Fri, March 28, 2014 9:34 am
To: "johnh@hughesoffshoreservices.ca"
<johnh@hughesoffshoreservices.ca>, "Williams, Ann Marie"
<WilliamsA@gov.nl.ca>
Cc: "twilliams@odeaearle.ca" <twilliams@odeaearle.ca>, "Harvey, Max"
<MaxHarvey@gov.nl.ca>, "Mulrooney, Stephen R." <mulrooneys@gov.nl.ca>,
"Fitzgerald, Peter" <fitzgeraldp@gov.nl.ca>

Mr Hughes
We may need to change the meeting date as the Dept may have to appear before the Estimates Committee (a House of Assembly Committee) on that date. When we know for certain, we will be in touch to confirm or reschedule this meeting. Sorry for the inconvenience.

Regards

Brent

From: johnh@hughesoffshoreservices.ca [mailto:johnh@hughesoffshoreservices.ca]
Sent: Friday, March 28, 2014 09:43 AM
To: Meade, Brent; Williams, Ann Marie
Cc: Thomas Williams <twilliams@odeaearle.ca>
Subject: RE: Re; Meeting Date

Thank you for the opportunity to meet with you o behalf of my client, Asenav.
I did reply to the automatic meeting request, and just wanted to confirm that I will be there for 0900hrs on Monday the 7th of April.

Kind Regards

John Hughes, MM, MBA
Tel: +1 902 405 8994
Fax: +1 902 405 8995
Mobile: +1 902 448 9801

Original Message

Subject: RE: Re; Meeting Date
From: "Thomas Williams" <twilliams@odeearle.ca>
Date: Tue, March 25, 2014 1:38 pm
To: "Meade, Brent" <BMeade@gov.nl.ca>
Cc: "Williams, Ann Marie" <WilliamsA@gov.nl.ca>, <johnh@hughesoffshoreservices.ca>

Thanks Brent I'll wait for confirmation from Ann Marie.

Thomas E. Williams  Q.C.

O'DEA EARLE
INSURANCE LAWYERS

Thomas E. Williams, Q.C. | Barrister & Solicitor | t. 709-726-3524 | f. 709-726-9600 | www.odeearle.ca

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From: Meade, Brent [mailto:BMeade@gov.nl.ca]
Sent: March-25-14 1:56 PM
To: Thomas Williams
Cc: Williams, Ann Marie
Subject: RE: Re; Meeting Date

Hi Tom
We should be able to do one of those dates, especially Monday, the 7th. I have copied my assistant, Ann Marie, with whom final arrangements can be made. Ann Marie will send a proposed time asap. Ann Marie, Max Harvey (ADM, Marine Services) and Stephen Mulrooney (Acting Director of Vessel Renewal) should participate as well.

Thanks
Brent,

I have touched base with John Hughes who will be attending the meeting on behalf of my clients. He has indicated that he is available to meet on April 7th or 8th if that works for your group. Can you confirm if the same is satisfactory and if so provide me with the particulars of where and when you would like to meet. Thanks.

Thomas E. Williams Q.C.

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