



**Duluth Seaway
Port Authority**

802 Garfield Avenue
Duluth, Minnesota 55802-2640 U.S.A.
218-727-8525 ■ Fax 218-727-6888
E-Mail: admin@duluthport.com ■ www.duluthport.com

DREDGED MATERIAL PLACEMENT SITE SOLICITATION June 30, 2022

Proposal Deadline: 4:30 PM on July 20, 2022

The Duluth Seaway Port Authority (DSPA) is working with the U.S. Army Corps of Engineers (USACE) to design a project that will beneficially use soil material that was dredged from the federal navigation channel in the Port of Duluth-Superior. The DSPA seeks proposals from parties owning upland property who are interested in having the proposer's property considered as beneficial use placement sites for approximately 200,000 cubic yards of soil material to be removed from the Erie Pier Dredged Material Management Facility in Duluth, MN. If the beneficial use project is implemented by the USACE, it is anticipated that soil material will be delivered to selected site locations beginning as soon as October 2022. It is anticipated that the USACE will contract with a private hauler so that soil material is delivered to selected sites at no cost to the property owner.

Placement sites proposals must include: 1) material delivery location; 2) estimated truck route and distance from the Erie Pier Dredged Material Management Facility; 3) the proposer's planned handling and use of the soil material after delivery; 4) requested volume (10,000 cubic yard minimum); 5) a statement that the proposed site meets the applicability requirements of NPDES/SDS Permit MN0052612 or that an alternative regulatory authorization will be acquired by the proposer; 6) a statement regarding the proposer's ability to prepare and implement a plan to monitor and control possible invasive plant species including purple loosestrife; 7) a statement describing possible needs for similar soil material in the future, and 8) a signed Tennesen Warning (see Attachment A).

Final site selections will be based on material availability, cost efficiency, potential for establishing future soil material utilization opportunities and other factors identified in the final project guidelines. Site selections will be subject to final project guidelines and contracting requirements, access agreement, liability releases and all applicable laws, rules and regulations. Soil material characteristic information, NPDES/SDS Permit MN0052612, and other information can be reviewed at <https://duluthport.com/about-us/public-notices/>. Proposals should be directed to Jeff Stollenwerk, Director of Government and Environmental Affairs, Duluth Seaway Port Authority, 802 Garfield Ave., Duluth, MN 55802. Emailed proposals will be accepted at jstollenwerk@duluthport.com. Proposals must be received no later than 4:30 PM on July 20, 2022. Late submittals will not be considered. There will not be a public opening of the proposals.

Additional terms:

1.1 Rejection of Proposals. The DSPA reserves the right, in its sole and complete discretion, to reject any and all proposals ("Proposal or Proposals") or cancel this RFP, at any time prior to the time a proposal is accepted for any reason. The DSPA is not liable for any costs the proposer ("Proposer") incurs in preparation and

submission of its Proposal, in participating in the RFP process or in anticipation of the acceptance of a proposal.

1.2 Questions & Answers. Any questions regarding this RFP must be submitted by e-mail to the jstollenwerk@duluthport.com no later than the date indicated on the RFP Schedule. Answers to the questions will be posted as an Addendum to the RFP.

1.3 Addenda to the RFP. If the DSPA deems it necessary to revise any part of this RFP before the Proposal response date or respond to questions, the DSPA will post an addendum to its website <https://duluthport.com/about-us/public-notices/>. It is the Proposer's responsibility to periodically check the website for any new information.

1.4 Proposals. Proposals must be signed by an authorized official of the Proposal. Proposals are for project planning and design purposes and do not obligate the Proposer to accept material.

1.5 Data Practices Advisory. All materials submitted in response to this RFP will become property of the DSPA and will become public record. The Tennesen Warning attached hereto must be included with any Proposal.

1.6 Mandatory Disclosures. By submitting a Proposal, each Proposer understands, represents, and acknowledges that:

- A. The Proposal has been developed by the Proposer independently and has been submitted without collusion with and without agreement, understanding, or planned common course of action with any other vendor or suppliers of materials, supplies, equipment, or services described in the RFP, designed to limit independent bidding or competition, and that the contents of the Proposal have not been communicated by the Proposer or its employees or agents to any person not an employee or agent of the Proposer;
- B. Proposer has no conflict of interest with the DSPA or in any matter related to the Proposal. A conflict of interest exists if a Proposer has any interest that would actually conflict, or has the appearance of conflicting, in any manner or degree with the performance of work on the Project. If there are potential conflicts, identify the municipalities, developers, and other public or private entities with whom Proposer is currently, or have been, employed and which may be affected;
- C. Proposer is not currently under suspension or debarment by the State of Minnesota, any other state or the federal government; and
- D. Proposer is either organized under Minnesota law or has a Certificate of Authority from the Minnesota Secretary of State to do business in Minnesota, in accordance with the requirements in M.S. 303.03.

1.7 Notification of Selection. Proposers whose Proposals are not selected will be notified in writing.

Attachment A

**TENNESSEN WARNING
Data Practices Advisory**

Information requested in this solicitation is classified by state law as either public, private, or confidential. Public data is information that can be given to the public. Private data is information that generally cannot be given to the public but can be given to the subject of the data. Confidential data is information that generally cannot be given to either the public or the subject of the data.

The Duluth Seaway Port Authority's intended use of this information is to evaluate potential placement sites for dredged material from the Erie Pier Dredged Material Management Facility in Duluth, MN.

The undersigned is not legally required to provide this information and may refuse to provide this information.

The consequences of supplying or refusing to supply data are that your request or application may not be considered, or it may be denied.

Other persons or entities may be authorized by law to receive this information. Data may be shared upon court order or provided to the state or legislative auditor.

The undersigned has read this advisory and understands it.

Dated this ____ day of _____, 2022.

Print Name

Signature and Title (if signing on behalf of an entity)