

How to Charter the R/V *Tiglax* 2017

1. Contact Jeff Williams (jeff_williams@fws.gov), (907) 226-4612, R/V *Tiglax* ship scheduler with:

Short project description
Requested dates/voyage segment
No. of berths requested
Scientific leader contact information
Administrative (payment) contact information

Current charter rate is \$ 10,723/day non USFWS or external users and
\$9,118/day for USFWS groups with a valid cost structure.

Minimum charter is 1 day

Payment is expected 30 days before you board the R/V *Tiglax*

Preferred (and easiest) method of payment is purchase order

2. Contact Frances Murphey (frances_murphey@fws.gov), (907) 226-4674, Alaska Maritime NWR Administrative Officer, who will provide the information you need to prepare documents for your charter based on the number of days requested. Prepare a purchase order (or other document as your group requires) as listed below.

3. Forward the purchase order (or other document) to Frances Murphey. Frances will retain a copy for refuge information, and forward the document to Ruth Johnson in our regional office who will implement the fund exchange and work with you to resolve any questions/issues. Contact Frances when funds have been transferred.

4. What type of document do I need? Choose one of the following:

- **Purchase Order:** Your agency's normal purchasing document for goods or services, or
- **Reimbursable Agreement:** What is a reimbursable agreement? It is a contractual relationship under which we provide a product or service to a non-Service party, the costs of which are paid by the recipient, or
- **Letter:** Simple letter requesting services needed.

Regardless of the type of document you use, it must include a funding authority and a program authority and a period of performance (see below). We are regulated by [264 FW 2](#).

5. What format should I use for document? The **paying agency** (you) will determine the format of the written contractual or reimbursable agreement. This is especially the case with other Federal agencies who will utilize their own agency's procurement format. For example, Department of Defense agencies use a Military Interdepartmental Purchase Request (MIPR) and other agencies may use purchase orders or inter/intra agency agreements, etc. Regardless of the format, you must include the information listed in this memo. You may provide the required information as an attachment if there are space limitations in your document.

Remember, simple is better. If you can avoid the long form, why not use a PO? Your organization will make the call.

6. What must I include in my document? <http://www.fws.gov/policy/e1264fw2.html>

A. Authorities. You must cite two different types of legal authorities for the Fish and Wildlife Service:

(1) The *program authority* to perform the requested work. There are many, but we suggest you cite:

National Wildlife Refuge System Administration Act
16 USC 668dd-668ee

(2) The appropriate authority for entering into the agreement and allowing the USFWS to **accept** the funds. Choose the correct one:

a. Fish and Wildlife Coordination Act (16 U.S.C. 661-666c). Authorizes Federal agencies to (1) to provide assistance to, and cooperate with, **Federal, State, and public or private agencies and organizations** in the development, protection, rearing, and stocking of all species of wildlife, resources thereof, and their habitat, in controlling losses of the same from disease or other causes, in minimizing damages from overabundant species, in providing public shooting and fishing areas, including easements across public lands for access thereto, and in carrying out other measures necessary to effectuate the purposes of said sections; (2) *to make surveys and investigations of the wildlife of the public domain, including lands and waters or interests therein acquired or controlled by any agency of the United States*; and (3) to accept donations of land and contributions of funds in furtherance of the purposes of said sections.

b. Intergovernmental Cooperation Act (31 U.S.C. 6505). Authorizes Federal agencies to provide specialized or technical services to **State and local governments**. Under Federal regulations, a Federal agency must receive a valid reimbursable agreement and advance payment before incurring obligations and expenditures. The Secretary of the Interior has delegated this authority to the Director.

c. Appropriations Act for the Department of the Interior and Related Agencies. Beginning in Fiscal Year 1999, annual appropriations act language for the Resource Management account authorizes us to enter into reimbursable agreements with **private entities**. The Director has delegated limited authority.

Or, if none of the above applies, use the following catchall for Federal entities:

d. The Economy Act (31 U.S.C. 1535). Authorizes **Federal** agencies to perform work or furnish materials to each other on a reimbursable basis. The performing agency may incur obligations or expenditures for another agency after a reimbursable agreement is executed and before payment is received. The Secretary of the Interior has delegated this authority to the Director. Contact us first if you choose this authority. These funds are deobligated at the end of our fiscal year and we must be able to ensure funds are available when billed (264 FW 2 2.23 C).

In addition, you may require your own authorities to be cited. If so, place them in the document. Our regional office will review for appropriateness.

B. Scope of Work. You must describe the work we will perform, including services and products we will deliver. This section should include:

- (1) Performance period - Funds must not expire before the end of the period of performance which is 180 days after the last day of your charter.
- (2) Budget period, and
- (3) Project period

C. Payment Terms and Schedule. Our policy is to receive payment 30 days before a charter is performed.

D. Agreement Amount. The total amount is the sum of the Service's direct and indirect costs. See Questions below. The current year R/V *Tiglax* charters costs are listed in Item 1 above. For projects that are multi-year in nature, charterers should budget for an estimated increase of 3% per year.

E. Accounting Information.

(1) You should place our cost center on your document:

FF07RAMT00

Also place your own internal accounting numbers on if required

(2) Tax identification number (TIN) or Dun and Bradstreet (DUNS) numbers.

FWS 151157950 DUNS 530201504 TIN
Yours XXXXXXXX

(3) For Federal entities only, include the Treasury Account Symbol (TAS) and the Business Event Type Code (BETC). Federal entities only.

FWS TAS 0145/61611 (changes annually)
Your TAS
FWS BETC COLL
Your BETC DISB (probably)

(4) Include the Business Partner Number (BPN) for both the other party and for us. Federal entities only.

FWS BPN **151157950**
Your BPN

(F) Special clauses You must also include the following dispute clause for Reimbursable Agreements (264 FW 2 2.11 B (1)):

"If the Buyer cancels the agreement, the Seller may collect costs incurred prior to the cancellation of the agreement plus any termination costs."

See [Intergovernmental agreements](#) for a list of clauses that must be inserted into Inter- and Intra-agency agreements.

7. Who reviews and signs reimbursable agreements? A USFWS Contracting Officer will review all charter contracts and approve them for contractual sufficiency. Individuals from both entities authorized to enter into contractual agreements must sign the agreement. Agreement review is necessary to assure that paying entity authorities are consistent with Service policy and do not preclude the recovery of all Service costs.

8. Where do I send the signed agreements? Submit the signed agreement, after contractual review, through the servicing Regional Finance Office within 30 days of any financial obligation. Ruth Johnson, ruth_johnson@fws.gov USFWS, 1011 E. Tudor Rd. Anchorage, AK 99503, 907-786-3540, **with copies** of all materials sent to Frances Murphey (frances_murphey@fws.gov) to inform her of your payment.

9. What is needed for approval of a reimbursable agreement with a private entity?

A. Regional Directors may approve reimbursable agreements with private entities when the agreement does not exceed \$250,000. The AMNWR will draft a memorandum for the Regional

Director's signature and provide a copy to the Assistant Director - Business Management and Operations. Include the following information in the transmittal memorandum:

- (1) How this agreement will benefit the national mission of the Service.
- (2) Why the private entity needs the Service's expertise.
- (3) Summary of scope of work and cost of agreement.
- (4) Assurance that the private entity is not a prohibited source.

B. What is a prohibited source? Exercise caution regarding the acceptance of funding from a person or entity that could reflect adversely on the Department or the Service. If you have any doubts as to whether or not we should contract with the entity, coordinate with the Office of the Solicitor. Do not accept funding from persons and entities who:

1. Have litigation pending with, or have or are seeking to obtain a contract, lease, grant or other business, benefit or assistance from the Service. Excluded from this provision is funding obtained from potentially responsible parties for responses to oil spills or release of hazardous substances under the authorities of CERCLA, OPA, the CWA, the National Contingency Plan (NCP), or other similar authorities.
2. Appear to be offering funding with the expectation of obtaining advantage or preference in dealing with the Department or any of its agencies.

Other Questions:

- **What if there is bad weather during our charter that prevents us from completing our work?** You charter a specific number of days when you board the R/V *Tiglax*. We cannot guarantee the weather conditions during that time. If you must complete your work and expect bad weather to delay your data collection, you should build that into account and charter for more days.
- **How is the number of my charter days determined?** The ship scheduler will use their best professional judgment to determine the appropriate number of days estimated to complete your project tasks and locations visited. If necessary, the scheduler will work with the ship captain and refuge manager to resolve issues.
- **Can I bring any one on my chartered cruise?** No. Personnel on your charter should be essential to your project and accomplish an approved component of your project. Work with the scheduler to determine appropriateness of your requested passengers. The ship captain and manager have ultimate authority to limit specific people aboard ship. Ask early if in doubt.
- **Do I or my crew need a medical physical before coming aboard?** No. Nonetheless, life aboard ship in stormy regions is demanding and emergency options are limited. You and your passengers should be in good physical condition, **not have major health conditions**, and not be prone to excessive motion sickness. Persons younger than 16 and older than 80 must have permission from the captain before boarding.
- **What if someone on my charter crew becomes ill and we have to take them to the nearest port?** If someone on your crew becomes injured or ill and you must return to port, you would be expected to absorb that time from your charter. Nevertheless, we will work with you within the constraints of our vessel schedule to accomplish your project.
- **What if there is a marine emergency (Mayday, SOS, evacuation of USFWS field camp, or ship mechanical failure etc...) which the R/V *Tiglax* must undertake during your charter?** If the R/V *Tiglax* is required to undertake a rescue or evacuation operation while you are aboard, we would work with you to accomplish your charter and/or award credit if we deem it appropriate.

- **What if everything goes great during our charter and we are done early?** You would still be required to pay for the full charter period. Work with the ship scheduler and captain to develop contingency plans.
- **What if my work is not complete at the end of the charter?** You will return to port or disembark as scheduled. You should work with the ship scheduler to make sure they are fully informed of the complexity of your project and number of tasks to accomplish so that the proper amount of time is scheduled.
- **My organization requires a U.S. Coast Guard inspection certificate for all ship charters. Can you provide one?** No. As a U.S. government vessel it is not subject to inspection by the USCG much as U.S. Navy ships are not inspected. Nonetheless, our internal safety standards meet all USCG requirements and our crew are professional mariners and USCG licensed for the tasks they are expected to perform during your charter.

- **Are there different types of charters?** Yes.

Sole or Entire use – a specific period of time is chartered. Full control of the ship's mission for a set number of days. Ability to reserve berths to accomplish mission. Usually pay for deadhead time to and from port of embarkation.

Shared use – No specific day chartered and a broader window to accomplish tasks because of linked nature of projects with other tasks. Number of berths determined by scheduler to accomplish a variety of linked projects. Usually don't pay deadhead time, but may occasionally depending on a variety of factors determined by the scheduler, captain, and manager.

- **When does my charter begin?** For sole/entire use charterers, your charter generally begins at midnight on the day when you board the ship at a port of embarkation. If the R/V *Tiglax* is required to travel to your port of embarkation, you will pay for travel from its last port of call (deadhead time). However, if you are already on board (shared use), you would only pay for the exact day of your scheduled charter (e.g. a 1 day drop/off or pick up at an island) then you will usually only be charged for the day(s) that work is performed, however there are occasions when deadhead time is paid by shared use charters. Note that on shared use charters, you do not get to select the precise day(s) of your activity; we will fit it in with the other tasks being accomplished. Contact Jeff if you are unsure of when your charter begins and how your charter will be administered.
- **Can I use the ship's satellite telephone and data services?** Your charter of the ship allows you to use the satellite voice phone to coordinate work-related activities for you and your crew. The use should be normal and reasonable in nature. This cost is built into the vessel charter. We have not built voice sat phone use of a personal nature into the vessel costs and they are not included. As an alternative, we have limited digital email ability that is available to charterers and their staff to use for work and a personal nature. This service is limited to text-only emails with no large documents or photographs. In the event of family emergencies, the captain could authorize use of the voice phone to allow charterers to deal with personal issues.
- **What services are provided by the ship?** Your charter provides for food, fuel and crew to take you to the locations you wish to accomplish your mission. Bedding and berths are provided along with shower facilities, towels and normal sundries.
- **We have special equipment requirements for our charter. Do you provide them? Consult with the scheduler who will tell you our ability to provide these items. It is possible to adapt specialized equipment to the ship depending on a variety of factors determined by the ship's captain and engineer.**
- **We have special dietary requirements for some of our passengers. Do you provide them?** Passengers with specialized dietary requirements beyond normal availability should plan to bring

their own items with them. The ship's captain and cook should be informed of food allergies and other conditions for health and safety.

- **How many scientific crew are accommodated?** 14 passengers and 6 crew for a total maximum compliment of 20.
- **Who's in charge of our charter?** The captain always has final decision-making authority on the ship. Each project will have only 1 person designated as the charter lead. We refer this charter lead as the chief scientist and they consult directly with the ship captain on scheduling matters during the charter. Charterers are encouraged to internally determine priorities for their charter and speak with 1 voice through the lead scientist for simplicity.
- **Who can ride on the R/V *Tiglax*?** There are several types of passengers:
 - Non- paying
 - Employees and volunteers
 - Invited (determined by the refuge depending on alignment of mission with refuge)
 - Cooperators – researchers, collaborators etc...
 - Guests - Familiarization and VIP
 - Paying (charters)
 - Internal – Pay the estimated daily rate and 18% for deferred maintenance
 - External - Pay the estimated daily rate, 17% overhead and 18% for deferred maintenance

