

TOWN OF OYSTER BAY

Department of Public Works
Division of Engineering
Nassau County, New York

REQUEST FOR PROPOSALS
FOR
CONSULTANT SERVICES

SOLICITATION NO. 2017-20

NOTES:

- 1. ISSUANCE DATE: Thursday, November 9, 2017
 - 2. **THIS RESPONSE IS DUE BY: Wednesday, November 29, 2017, 3:00PM**
 - 3. COPIES TO SUBMIT: Four (4) Hardcopies + One (1) Electronic Copy
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ON-CALL ENGINEERING SERVICES RELATIVE TO:
LABORATORY ANALYSIS

PLEASE NOTE REVISED DUE DATE

REQUEST FOR PROPOSALS

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AUTHORIZED CONTACT PERSON: Prospective firms are advised that the authorized Town of Oyster Bay contact person for all matters concerning this RFP is:

Matthew Russo, P.E., Engineering Division Head
Town of Oyster Bay Department of Public Works
150 Miller Place
Syosset, New York 11791
Telephone: (516) 677-5719
Fax: (516) 677-5940

INTRODUCTION: In accordance with the Town of Oyster Bay's qualification based consultant procurement policy, the Division of Engineering of the Town of Oyster Bay Department of Public Works (hereinafter referred to as "the Town") is seeking proposals from qualified professional consulting firms for various consulting services to be performed on an On-Call basis for the calendar years 2018-2019.

FORM OF PROPOSAL: Firms must submit four (4) hardcopies and one (1) electronic copy of each technical proposal with additional relevant information. Proposals should be organized as described in Attachment No. 1 herein.

QUALIFICATION BASED SELECTION PROCESS: The Town, after receipt and review of responses to this RFP, reserves the right to reject all proposals based upon the information provided by the firm in their proposals and based upon subsequent negotiations between the Town and the firm. The review process of the RFPs submitted is based on the qualifications of the firm for the nature of that project. The selection of the firm will be in accordance with the Town of Oyster Bay Procurement Policy procedures, and based upon a Qualification Based Selection (QBS) process. The Town also reserves the right to subdivide individual items and award one or more portions to one firm and other portions to one or more other firms.

CRITERIA FOR EVALUATION: The criteria to be used by the Town in evaluating these proposals shall be the following:

- The experience of the firm in assignments of similar size, scope and complexity
- Special knowledge relevant to the project
- Special equipment or facilities relevant to the project
- The size, staffing, resources and financial capability of the firm.

- The firm's knowledge and experience with Town facility(ies) and programs involved in the assignment.
- The firm's past performance with the Town
- Time constraints and deliverability service; and
- The firm's current workload, current workload remaining, workload remaining from prior years and total workload remaining with the Town.

It is further expressly acknowledged that the quality of the services to be rendered is of paramount importance to the Town.

USE OF SUBCONSULTANTS, CERTIFIED OUTSIDE LABORATORIES AND OTHER SUBORDINATE

ENTITIES: Prospective firms are advised that the Town will entertain proposals that include the use of sub-consultants, certified outside laboratories and/or other subordinate entities. In such event, the proposal must clearly state the extent and nature of the work proposed to be delegated to the sub-consultant, laboratory or other entity. Further, if the proposed sub-consultant is an architectural, engineering or surveying firm, the proposal must also be accompanied by a completed and current **Federal Form SF 330 (Part II)** if such form is not already on file with the Town.

FAMILIARIZATION WITH CURRENT PROGRAMS, FACILITIES AND DOCUMENTS: It is the sole responsibility of the prospective firms to familiarize themselves with the Town's current programs, facilities, documents and any other information which is necessary and relevant to the scope of this RFP. Upon sufficient and reasonable advance notice to the contact person named above, arrangements may be made to visit and inspect any involved Town facilities and/or to view applicable documents. Any and all costs borne by the prospective proposer in familiarizing themselves with the above are to be borne solely by the prospective proposer. In the event that the prospective proposer is ultimately awarded a contract pursuant to this RFP, the Town will not allow any claims for payment which include billable time for such familiarization costs, regardless of whether they were incurred prior to or following the submission of the proposer's proposal. The firm is to provide an updated **Federal Form SF 330 (Part II)** with their submission.

PAYMENTS AND CLAIMS: Payments to the successful proposer will be made in accordance with the terms of the Town of Oyster Bay Standard Consultant Agreement to be entered into between the firm and the Town.

ON-CALL ENGINEERING RELATIVE TO LABORATORY ANALYSIS

General Project Description

The Town of Oyster Bay requires the services of a New York State-certified outside laboratory for analysis of samples from the ongoing Consent Decree required environmental monitoring of the former Old Bethpage landfill, and for any other occasion when laboratory analysis is required.

For landfill-related analysis, two (2) groundwater monitoring rounds consisting of the sampling of thirteen (13) groundwater monitoring wells and one air monitoring event consisting of ambient air monitoring, soil gas monitoring, and landfill gas exhaust stack testing.

The services to be provided to the Town by the laboratory shall be accomplished in an acceptable manner and consist of, but not limited to, the following:

TASK 1 – Landfill Related Services

1. Laboratory personnel shall familiarize themselves with all requirements of the Consent Decree that pertain to monitoring, sampling and analytical procedures. A copy of the Consent Decree and copies of all analytical protocols submitted to the State are available at the Town's offices for review.
2. The laboratory shall provide the sample containers and sampling media for the work to be performed under this contract and shall coordinate with the sampling consultants performing the work regarding the delivery of containers, and the receipt and analysis of samples for each sampling event. Only new, unused sampling containers and sampling media shall be provided.
3. For estimation purposes, the number and type of samples are provided in Attachment 3. No additional allowances will be made for sample splits to determine breakthrough characteristics, method blanks, MS/MSD samples or other internal analyses performed by the laboratory. Such studies are considered part of the analytical protocols. Due to breakage or other factors, the number of glass vials or tubes provided may not equal the number of analyses performed. Moreover, as the Town may elect to modify the number of samples submitted for analysis, the laboratory shall provide unit costs for each type of analysis.
4. The laboratory shall be certified by New York State under the various categories to be performed under this contract, and the specific protocols for evaluating VOST air samples since no certification for VOST is provided by New York State. Laboratory equipment shall be able to detect the range of constituents listed in the Consent Decree and those that have been added and any that might be added during the contract. Detection levels shall be low enough to demonstrate compliance with the Town's Consent Decree and the most current version of the New York State Part 703 Class GA groundwater standards or guidance values.
5. Any unusual results detected during the laboratory analyses are to be immediately reported to the Town representatives and the sampling consultant for their evaluation and comment.
6. The laboratory will be responsible for performing manual interpretation of the GC/MS data to maximize the number of specific compounds positively identified under the tentatively identified compound list and other detected compounds. Where appropriate and with the approval of the Town, these compounds will be added to the target list of compounds for this project.

7. If the laboratory employs analytical methodology not in accordance with applicable approved protocols, the laboratory will bear the cost of repeating and field sampling event and analytical analyses.
8. It is imperative to the Town that the laboratory analyses and data be submitted to the sampling consultant in a timely fashion to allow for the agency's deadlines to be met.
9. The Town reserves the right to award contracts to separate firms for water and air analytical services or to assign both services to a single laboratory.
10. The Town anticipates that, from time to time, it may elect to perform other analytical studies pertaining to the various site operations at the OBSWDC. The laboratory shall therefore provide contract-specific unit costs for performing analyses for all parameters and parameter groups, including, but not necessarily limited to: individual Priority Pollutant List (PPL) metals, cyanide, PPL pesticides, PPL herbicides, PCBs, phthalate esters, phenols, total organic carbon, etc.

APPROXIMATE ANNUAL ENVIRONMENTAL SAMPLING REQUIREMENTS*

Semi-Annual Groundwater Monitoring

- 2 samples for VOCs
- 20 samples for total metals and leachate parameters
- 20 samples for dissolved parameters
- 12 samples for polyfluorinated compounds (PFCs) and 1,4-dioxane

Methods to be utilized:

- VOCs: Method SW846 8260C
- Metals: Total and dissolved by Method 200.7, Mercury by Method 245.1
- General Chemistry: Hardness (SM 2340C), Alkalinity (SM2320B), Chloride and Sulfate (USEPA 300.0), Hexavalent Chromium (SM3500), Nitrate (USEPA 353.2) Nitrite (USEPA 353.2), Ammonia (SM4500), Total Kjeldahl Nitrogen (USEPA 351.2), Cyanide (SM 4500), Phenolics (USEPA 420.1), Total Dissolved Solids (SM 2540C)
- PFCs: EPA Method 537
- 1,4-dioxane: 8260C SIM

Annual Ambient Air Monitoring

- 32 VOST samples for VOCs - EPA SW846 Method 5041 and EPA SW846 Method 8260
- 5 Condensate samples for VOCs – EPA SW846 Method 8260

Annual Landfill Gas Collection System Exhaust Stack

- 3 6L SUMMA canister for VOCs – EPA Method TO-15

Semiannual Leachate Treatment Facility Effluent Sampling**

- 2 samples for pH, COD, Cl, TSS, Al, Cu, Fe, Pb and Zn

*- Estimates per calendar year, actual number of samples for analysis will be determined by the Town.

** - Per Industrial Discharge Permit No. 45

TASK 2 – General Laboratory Analysis

Laboratory services may be required on a task-specific basis as part of environmental site assessments (ESA) or other environmental study. Soil, water, groundwater and air samples will be required to be analyzed for chemicals including individual Priority Pollutant List (PPL) metals, cyanide, PPL pesticides, PPL herbicides, PCBs, phthalate esters, phenols, total organic carbon, coliform, radon, etc. The laboratory shall meet the following conditions and requirements:

- The laboratory shall provide the sample containers and sampling media for the work to be performed under this contract and shall coordinate with the sampling consultants performing the work regarding the delivery of containers, and the receipt and analysis of samples for each sampling event. Only new, unused sampling containers and sampling media shall be provided.
- No additional allowances will be made for sample splits to determine breakthrough characteristics, method blanks, MS/MSD samples or other internal analyses performed by the laboratory. Such studies are considered part of the analytical protocols. Due to breakage or other factors, the number of glass vials or tubes provided may not equal the number of analyses performed.
- Any unusual results detected during the laboratory analyses are to be immediately reported to the Town representatives and the sampling consultant for their evaluation and comment.
- If the laboratory employs analytical methodology not in accordance with applicable approved protocols, the laboratory will bear the cost of repeating and field sampling event and analytical analyses.
- It is imperative to the Town that the laboratory analyses and data be submitted to the sampling consultant in a timely fashion.

ATTACHMENT NUMBER 1

FORMAT OF PROPOSAL

Proposals should be organized as shown below with tab dividers between sections and should include all the information indicated. Note that elaborate brochures or other presentations beyond those sufficient to present a complete and extensive response to this solicitation are not desired. Four (4) hardcopies and one (1) electronic copy shall be submitted.

SECTION A. INTRODUCTORY STATEMENT

SECTION B. QUALIFICATIONS AND APPROPRIATENESS OF PROPOSED STAFF

1. Project team.
2. Provide names and resumes of key personnel proposed for this project.

SECTION C. APPROPRIATENESS AND QUALITY OF PROPOSER'S EXPERIENCE

1. Please include experience on projects within Long Island including projects with the Town of Oyster Bay.
2. Minimum of five (5) references with contract information (recent, similar projects preferred).

SECTION D. PROPOSED METHODOLOGY

Based on the project description and scope of services, the firm should discuss how it would approach and manage the project.

SECTION E. MANPOWER COSTS

Provide contract-specific unit costs for performing analyses for all parameters and parameter groups, including, but not necessarily limited to: individual Priority Pollutant List (PPL) metals, cyanide, PPL pesticides, PPL herbicides, PCBs, phthalate esters, phenols, total organic carbon, etc.

SECTION F. WORKLOAD DISCLOSURE

Provide a chart showing current projects with the Town with remaining workload in dollars and project completion percentage.

SECTION G. SUPPLEMENTAL INFORMATION

The firm is to provide a current Federal Form SF 330 with their submission, which will remain on file for a period of one year, per the Town's procurement policies and procedures.

Any additional information relevant to the firm's qualifications for this project may be included at the firm's option.

SECTION H. DISCLOSURE AFFADAVIT

The firm is to provide a signed and notarized copy of the appropriate Disclosure Affidavit, provided as Attachment No. 3

ATTACHMENT NUMBER 2

SPECIAL REQUIREMENTS AND MODIFICATIONS

Provisions stated under Special Requirements and Modifications shall supersede and take precedence over information provided in the preceding documents and attachments.

1. Firms must provide a Maximum Hourly Wage Rate Schedule listing job classifications. The salary of all employees proposed in the response to this RFP must be within the limits of the schedule and will be subject to the approval of the Commissioner of Public Works.
2. Payment for services shall be negotiated at the time of the task proposal submission by methods outlined in Section V of the Standard Consultant Agreement.
3. When a wage rate-multiplier payment method is utilized, payment will be made on the basis of direct salary times a multiplier of **3.0**. Direct salary shall be actual salary or compensation paid by the consultant to all personnel for the work performed by them directly related to the particular project or projects assigned exclusive of insurances, payroll taxes and all other fringe benefits. In no event (regardless of the maximum wage rate schedule to be provided in accordance with the above) shall the Town pay more than the maximum hourly limit as approved by the Town Board, currently set at **\$175/hour**.
4. The consultant will not discriminate against employees or applicants for employment because of race, creed, color national origin, sex, age, disability or marital status and will undertake or continue existing programs of affirmative action to ensure that group members and women are afforded equal employment opportunities without discrimination. The consultant shall also make reasonable efforts to encourage the participation of Certified Minority- and Women-Owned Business Enterprises as sub-consultants, and retain the documentation of these efforts to be provided upon request of the Town. A listing of contractors can be found at www.nylovesmwbe.ny.gov.
5. The consultant shall submit with its proposal a copy of its current Certificate of Authorization pursuant to Section 7210 of the New York Education Law. Consultant shall also submit with its proposal the Certificate(s) of Authorization of any sub-consultant and/or subcontractor who shall perform any professional engineering services under this RFP. Failure to submit copies of said Certificate(s) shall be grounds to reject any proposal and disqualify consultant as not meeting the necessary minimum qualifications to perform the services to be performed herein.
6. Consulting firms shall be properly staffed by licensed Professional Engineers, Land Surveyors and Registered Architects by the New York State Department of Education as required by the Scope of Services. The consultant shall submit a list of licensed Professional Engineers, Land Surveyors and Registered Architects along with their license numbers to allow for proper evaluation by the Town.

ATTACHMENT NUMBER 3

TOWN OF OYSTER BAY DISCLOSURE AFFADAVIT

CORPORATE DISCLOSURE AFFIDAVIT

CONTRACT NO. _____

STATE OF NEW YORK)

ss.

COUNTY OF)

_____, being duly sworn, deposes and says:

1. That I am the (office held) _____ of the (name of corporation) _____ and am fully familiar with all the facts and circumstances hereinafter set forth.
2. That the business address of (name of corporation) _____ is (address) _____.
3. That said corporation was incorporated under and pursuant to the Law of the State of _____.
4. That the following are the names and residences of each officer, director and shareholder: (set forth names, residences and relationship to corporation): _____.
5. That the corporate stock of said corporation has not been pledged to any person nor has any agreement been made to pledge the said stock – except (if any, set forth details): _____.
6. That neither deponent nor any other person mentioned in this affidavit is an officer or employee, or is related to an officer or employee of the Town of Oyster Bay – except (if any, set forth details): _____.
7. That no officer of the State of New York, or officer or employee of the Town of Oyster Bay, or Nassau County, or person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision 4 of Section 2 of the Election Law, or his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them, is the bidder, or any officer, director or partner, member or employee of the bidder, or legally or beneficially owns or controls one (1) percent or more of the stock of the bidder, or is associated with the applicant in a joint venture, or is a party to an agreement with the bidder, expressed or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the award of such contract – except (if any set forth details – see General Municipal Law Section 809) _____.
8. That in the event there is any change in the matters set forth herein prior to the award of the contract, deponent(s) will file with the Town of Oyster Bay a supplemental affidavit indicating the details of such change within 48 hours of such change.

(signed)

Sworn to before me this _____ day of _____, 201_

NOTARY PUBLIC

PARTNERSHIP DISCLOSURE AFFIDAVIT

CONTRACT NO. _____

STATE OF NEW YORK)

COUNTY OF _____) ss.

_____, being duly sworn, deposes and says:

1. That I am a (partner, joint venture, etc.) _____ of the (name of partnership) _____ and fully familiar with all the facts and circumstances hereinafter set forth.

2. That the (name of partnership) _____ was established in (place) _____ on (date) _____.

3. That the following are the names, addresses and interests, respectively, of all partners (joint venturers, etc.) _____.

4. That neither deponent nor any other person mentioned in this affidavit is an officer or employee, or is related to an officer or employee of the Town of Oyster Bay – except: (if any, set forth details) _____.

5. That no officer of the State of New York, or officer or employee of the Town of Oyster Bay, or Nassau County, or person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision 4 of Section 2 of the Election Law, or his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them, is the bidder, or any officer, director or partner, member or employee of the bidder, or legally or beneficially owns or controls one (1) percent or more of the stock of the bidder, or is associated with the bidder in a joint venture, or is a party to an agreement with the bidder, expressed or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable award of such contract – except (if any set forth details – see General Municipal Law Section 809) _____.

6. That in the event there is any change in the matters set forth herein prior to the award of the contract, deponent(s) will file with the Town of Oyster Bay a supplemental affidavit indicating the details of such change within 48 hours of such change.

(signed)

Sworn to before me this _____ day of _____, 201_

NOTARY PUBLIC