

TOWN OF OYSTER BAY

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

REQUEST FOR PROPOSALS
FOR
CONSULTANT SERVICES

SOLICITATION NO. 2019-05

NOTES:

- 1. ISSUANCE DATE: August 14, 2019
- 2. THIS RESPONSE IS DUE BY: September 4, 2019
- 3. COPIES TO SUBMIT: Four (4) Hardcopies + One (1) Electronic Copy

ON-CALL ENGINEERING SERVICES RELATIVE TO:
TANK MANAGEMENT

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:

John C. Tassone, Deputy Commissioner
Town of Oyster Bay Department of Public Works
150 Miller Place
Syosset, New York 11791
Telephone: (516) 677-5722
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 2020-2021.

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** 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** 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.

SCOPE OF SERVICES

ON-CALL ENGINEERING SERVICES FOR TANK MANAGEMENT PROGRAM

General Project Description

The Town, through this RFP, seeks the services of a qualified consultant(s) to assist the Town in the management of its storage tank inventory.

At any time during the contract period, the consultant may be requested to submit a proposal to perform engineering services on a task-specific basis. The scope of services anticipated during the contract period may include, but is not limited to, the following:

- Performing tank testing and appropriate notifications in accordance with Nassau County Public Health Ordinance Articles III and XI and NYSDEC requirements.
- Well monitoring at sites where monitoring wells may be required due to tank failures.
- Overfill and leak detection system and alarm inspection and repair for all tanks.
- Preparation of new tank registrations, as necessary.
- Installation of groundwater monitoring wells and/or soil boring and performance of groundwater monitoring and/or soil analysis as required as a result of tank test failures.
- Provide immediate and appropriate response and oversight involving incidents of tank test failures or where tank leaks are discovered during the tank testing program including proper notification to the Town and other agencies.
- Preparation of work plans for submission to appropriate agencies for environmental assessments and cleanup following a tank test failure.
- Prepare plans and specifications for the installation of new tank facilities, abandonment of existing tank facilities, and upgrades or repairs to existing facilities. Consultant will be required to obtain permits as necessary for all work, and provide construction management services.
- The consultant shall include with this RFP sub-contractors or sub-consultants to perform this type of work (or demonstrate that the consultant can perform this work themselves). If the Town authorizes repair, the consultant shall hire the sub-contractor/ sub-consultant, in accordance with the terms of this agreement, to perform the necessary repair alarm or leak detection system. After the repairs are complete, the consultant shall be responsible for rechecking the system to ensure that the repairs have been effectuated and the alarms are operational.
- During all tank testing the Consultant shall only be present during start-up of the test. In the event of a tank test failure, or any problem encountered during the test, the consultant must provide the Town and the sub-contractor or sub-consultant with at least 3(three) phone numbers at which the consultant can be reached.

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 a schedule with employee wage rates for the contract period.

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.

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. The multiplier and maximum allowable billable rate is set by the Town Board. 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.
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.

DISCLOSURE AFFIDAVITS

A DISCLOSURE AFFIDAVIT MUST BE SUBMITTED BY ALL FIRMS AND ALL PROPOSED SUB-CONSULTANTS. IF ADDITIONAL SUB-CONSULTANTS ARE REQUIRED DURING THE CONTRACT PERIOD, A DISCLOSURE AFFIDAVIT MUST BE SUBMITTED PRIOR TO THE START OF WORK.

CONTRACT# _____ TITLE _____

**TOWN OF OYSTER BAY
DISCLOSURE QUESTIONNAIRE**

All questions on this questionnaire must be answered by an officer and any stakeholders who hold a majority or greater ownership interest in the proposer. Answers must be typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO
SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL
MAY BE REJECTED AS NON-RESPONSIVE AND IT MAY NOT BE CONSIDERED FOR
AWARD

NOTE: All questions require a response, even if response is “none” or “not-applicable.” No blanks.

SECTION I: GENERAL INFORMATION

1. Business name (legal name): _____
2. Federal Employer ID No. (FEIN): _____
3. d/b/a – doing business as (if applicable): _____
County filed: _____
4. Website address (if applicable): _____
5. Business e-mail address: _____
6. Principal place of business address: _____
7. Telephone number: _____ 7. Fax number: _____
8. Does the business use, or has it used in the past five (5) years, any other business name, FEIN, or d/b/a other than what is listed in questions 1-3 above? Yes ___ No ___
If yes, please provide details. _____

9. Authorized contact:
Name: _____
Title: _____
Telephone number: _____ Fax number: _____
E-mail: _____

10. How many years has this entity been in business? _____
11. The proposer is a (check one): Sole Proprietorship Partnership Corporation
 Other (Describe) _____

SECTION II: PRINCIPAL INFORMATION

1. Principal Name _____
 Date of birth ____/____/____ % Equity Interest in Company _____
 Home address _____
 City/state/zip _____
 Telephone _____

2. Positions held in submitting business

3. Within the past five years, have you been a principal owner or officer of any business or not-for-profit organization other than the one submitting the questionnaire?
 YES ___ NO ___; If Yes, provide details. _____

4. Has any governmental entity awarded any contracts to a business or organization listed in question 3 above in the past five (5) years while you were a principal owner or officer?
 YES ___ NO ___; If Yes, provide details. _____

SECTION III: DUE DILIGENCE QUESTIONS - TO BE COMPLETED IF CONTRACT VALUE IS \$25,000.00 OR OVER IN A 12 MONTH PERIOD.

1. Does the business possess all certifications, licenses, permits, approvals, insurance, bonds or other authorizations issued by any local, state, or federal governmental entity in connection with the proposal/project, business services, operations, business, or ability to conduct its activities? Please note this does not include construction related activities such as building permits and certificates of occupancy.
 YES ___ NO ___ If no, please provide details _____

2. Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business?
 YES ___ NO ___ If Yes, provide details. _____

3. Has the proposer ever had a bond or surety cancelled or forfeited, or a contract with any entity terminated? YES ___ NO ___ If Yes, state the name of bonding agency, (if a bond), date, amount of bond and reason for such cancellation or forfeiture; or details regarding the termination.

4. List all contracts that business has entered into with any municipality in the past three (3) years. Please list the names, address and contact person for the contracting entities. _____

Attach additional pages if necessary.

5. Has the proposer, during the past five (5) years, been declared bankrupt? YES ___ NO ___ If Yes, state date, court jurisdiction, amount of liabilities and amount of assets _____

6. In the past five years, has this business and/or any of its owners and/or officers and/or any affiliated business, been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency?

YES ___ NO ___ If Yes, provide details for each such investigation. _____

7. In the past 5 years, have any owner and/or officer of any affiliated business been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency, where such investigation was related to activities performed at, for, or on behalf of an affiliated business.

YES ___ NO ___ If Yes, provide details for each such investigation. _____

8. In the past 5 years, has this business and/or any of its owners and/or officers and/or any affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies?

YES ___ NO ___ If Yes, provide details for each such investigation. _____

9. In the past 5 years, has any owner and/or officer of an affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies, for matters pertaining to that individual's position at or relationship to an affiliated business.

YES ___ NO ___ If Yes, provide details for each such investigation. _____

10. Has any current or former director, owner or officer or managerial employee of this business had, either before or during such person's employment, or since such employment(if the conduct pertained to events that allegedly occurred during the time of employment):

a) Any felony charge pending? YES ___ NO ___ If Yes, provide details for each such charge.

b) Any misdemeanor charge pending? YES ___ NO ___ If Yes, provide details for each such charge. _____

c) Any violations of administrative, statutory or regulatory provisions pending? YES ___ NO ___ If Yes, provide details for each such charge. _____

d) In the past ten (10) years, you been convicted, after trial or by plea, of any felony and/or any other crime, an element of which relates to truthfulness.? YES ___ NO ___ If Yes, provide details for each such conviction.

e) In the past ten (10) years, been convicted, after trial or by plea, of a misdemeanor? YES ___ NO ___ If Yes, provide details for each such conviction. _____

f) In the past ten (10)years, been found in violation of any administrative, statutory, or regulatory provisions? YES ___ NO ___ If Yes, provide details for each such occurrence.

11. In the past five (5) years, has this business or any of its owners or officers, or any other affiliated business had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? YES ___ NO ___; If Yes, provide details for each such instance.

12. For the past five (5) tax years, has this business failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges? YES ___ NO ___ If Yes, provide details for each such year. _____

SECTION IV: CONFLICT OF INTEREST

Please disclose any conflicts of interest as outlined below. NOTE: If no conflicts exist, please expressly state "No conflict exists."

1. Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest in being awarded this contract with the Town of Oyster Bay.

2. Any family relationship that any employee of your firm has with any public servant that may create a conflict of interest or the appearance of a conflict of interest in being awarded this contract with the Town of Oyster Bay.

3. Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of interest in being awarded this contract with the Town of Oyster Bay.
