

Town of Middlesex, VT

REQUEST FOR PROPOSALS

Emergency Watershed Program – Engineering Services

OVERVIEW

The Central Vermont Regional Planning Commission and the Town of Middlesex (collectively referred to as the Project Partners) invite qualified firms to submit a Scope of Work and Cost Proposal to complete final designs and provide bid and construction oversight for ten pre-approved watershed protection projects.

Inquiries regarding this Request for Proposals (RFP) may be directed to Lincoln Frasca, Planner, Central Vermont Regional Planning Commission via email at frasca@cvregion.com. Please submit questions pertaining to this RFP to Lincoln Frasca in writing at frasca@cvregion.com by 4:00 PM 8 March 2024 with the subject line "Middlesex EWP RFP Questions." Answers to questions will be compiled into a single document and attached to the bid advertisement on the [Vermont Bid Registry](#) and posted to the [CVRPC website](#) on 11 March 2024. If changes are made to this RFP, an addendum will be issued to firms that express interest and provide CVRPC with contact information. Any addendum(s) will also be attached to the original advertisement on the [Vermont Bid Registry](#) and posted to the [CVRPC website](#). Proposals must be submitted by 4:00 PM 26 March 2024.

Project Partners encourage qualified disadvantaged (DBE) and women-owned (WBE) businesses to submit proposals. Proposals are required to document whether the individual is a DBE or WBE. Project Partners, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C §§ 2000b to 2000b-4) and its associated Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, will afford DBE and WBE full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award. It is the policy of CVRPC that DBEs have the opportunity to participate to the maximum extent feasible in procurement and contracting.

SCHEDULE

Construction must take place during the 2024 season. Project construction must be completed by 27 November 2024.

Date	Item
22 February 2024	Request for Proposals issued
8 March 2024	Deadline for submission of questions in writing
11 March 2024	Response to questions posted on Vermont Bid Registry and the CVRPC website
26 March 2024	Proposals Due by 4:00 PM
4 April 2024	Award Notification
8 April 2024	Estimated Contract Start
2 December 2024	Contract Completion

BACKGROUND

The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) administers the [Emergency Watershed Protection Program](#) (EWP) to help respond to emergencies created by natural disasters. The EWP Program is a recovery effort aimed at relieving imminent hazards to life and property caused by floods, fires, windstorms, and other natural disasters. EWP projects must be technically sound, as well as, economically, environmentally, and socially defensible. Threats that the EWP Program addresses are termed watershed impairments. These include, but are not limited to:

- debris-clogged waterways,
- unstable streambanks,
- severe erosion jeopardizing public infrastructure,
- wind-borne debris removal, and
- damaged upland sites stripped of protective vegetation by fire or drought.

The Town of Middlesex requested EWP funding to restore damage sustained by the July 2023 storms. The NRCS awarded the town funding to support engineering final design and construction for projects at ten sites. The NRCS State Engineer completed individual Damage Survey Reports (DSR) which provide the details of a site-level investigation and the recommended measures for implementation. This RFP seeks a Professional Engineer to complete final (100%) design, bid and construction oversight for the ten projects. Proposed remediation strategies for the ten project sites include:

- streambank protection – four locations;
- debris removal – three locations;
- streambank protection and debris removal – two locations; and
- rock-lined waterway – one location

The DAMAGE SURVEY REPORT REPAIRS TABLE on the following page includes additional details and total estimated construction costs for the remediation measures at the ten project sites. **The budget for design, bid and construction phase support shall not exceed \$40,000.**

DAMAGE SURVEY REPORT REPAIRS TABLE

DSR Number	Proposed Remediation	Riprap Key	Comments	Estimated Construction Cost
5041-005	Streambank Protection: Armor 140 feet of streambank with 7-foot-high x 4-foot-thick riprap.	4-foot deep		\$81,250.00
5041-006	Streambank Protection and Debris Removal: Armor 145 feet of streambank with 6-foot-high x 4-foot-thick riprap. Remove woody debris from channel.	3-foot deep		\$73,731.00
5041-007	Streambank Protection and Debris Removal: Armor 70 feet of streambank with 5-foot-high x 4-foot-thick riprap. Remove sediment from channel.	3-foot deep	May not require sediment removal. Suggest getting input from Jaron Borg, ANR River Management Engineer.	\$30,706.00
5041-011	Debris Removal: Woody debris removal and excavation of approximately 100 LCY of sediment to restore channel capacity.		7 trees Landowner called about a second location that has filled in. Need to visit site to determine scope.	\$25,750.00
5041-012	Debris Removal: Woody debris removal.		2- 8 to 12" trees.	\$4,938.00
5041-014	Rock Lined Waterway: Armor 104 feet of outlet channel with 4-foot-thick riprap.			\$115,938.00
5041-019	Debris Removal: Woody debris removal and excavation of approximately 200 LCY of sediment to restore channel capacity.		2- 8 to 12" trees.	\$20,563.00
5041-024	Streambank Protection: Armor 30 feet of streambank with 8-foot-high x 4-foot-thick riprap.	3-foot deep		\$19,631.00
5041-025	Streambank Protection: Armor 80 feet of streambank with 3-foot-high x 3-foot-thick riprap.	1.5-foot deep	May be shallow to bedrock in parts.	\$19,531.00
5041-227	Streambank Protection: Armor 100 feet of streambank with 4-foot-high x 4-foot-thick riprap.	3-foot deep		\$25,969.00
TOTAL CONSTRUCTION BUDGET:				\$418,007.00

SCOPE OF WORK – REQUIRED SERVICES

TASK 1: ATTEND PROJECT KICK-OFF MEETING AND SITE VISIT

The Selected Consultant shall attend a project kick-off meeting and site visits with the Project Partners to discuss the project timeline, division of labor, design plans, permit requirements and any other issues pertinent to the project. The meeting may be held in person or remotely at the discretion of the participants. CVRPC will schedule the meeting within two weeks of the contract start date. The Selected Consultant shall provide meeting minutes for the project kick-off meeting to CVRPC.

TASK 2: ASSESS PERMIT NEEDS AND PERMIT FEASIBILITY

The Selected Consultant shall document any permit requirements for project implementation, including an indication of potential challenges or conflicts for obtaining said permit(s). Completion of Cultural Resources and Environmental Review is necessary for areas of impact extending beyond the boundaries established by the Damage Survey Report. Changes to the area of impact shall be reported in a detailed and timely manner to the NRCS State Engineer and appropriate state or federal agencies. This includes but is not limited to ingress / egress routes, staging areas, disposal areas and the work area.

TASK 3: 90% ENGINEERING DESIGN

The Selected Consultant shall prepare an Intermediate Design Report which includes 90% design(s) and cost-estimates for the ten sites. The Intermediate Design Report shall be submitted to the NRCS State Engineer to determine whether further review is necessary.

TASK 4: MEET WITH PROJECT STAKEHOLDERS

The Selected Consultant, in coordination with the Middlesex Conservation Commission, shall organize landowner meetings to discuss project design(s), estimated cost(s) and confirm landowner commitment to proceed with project implementation.

TASK 5: PLAN OF OPERATIONS, CONSTRUCTION QUALITY ASSURANCE PLANS and OPERATION & MAINTENANCE PLANS

The Selected Consultant shall prepare a Construction Quality Assurance Plan and Operation & Maintenance Plan for each of the project sites. The NRCS has created templates for Construction Quality Assurance Plans ([structural work](#), [debris removal](#), [typical inspection](#)) and [Operation & Maintenance](#).

TASK 6: 100% DESIGN COMPLETE

The Selected Consultant shall prepare a Final Design Report which includes 100% designs, signed landowner agreement letter (provided by the Middlesex Conservation Commission) and a final cost-estimate.

TASK 7: SUBMISSION OF PERMIT(S) APPLICATION

The Selected Consultant shall prepare and submit any and all permit applications necessary for project implementation.

TASK 8: PREPARE AND ISSUE BID DOCUMENTS

The Selected Consultant will prepare all documents necessary to put construction out to bid. The Selected Consultant shall submit bidding documents to CVRPC for review and approval prior to issuance. With assistance from CVRPC, publicly issue bid documents via the [Vermont Bid Registry](#), the [CVRPC website](#) and through direct solicitation of local contractors.

TASK 9: FACILITATE PRE-BID CONFERENCE

The Selected Consultant shall prepare and facilitate a pre-bid conference with earthwork contractors interested in bidding on the project. Attendance at the pre-bid conference is optional for Prospective Bidders. In addition to a map of the ten project sites, the Selected Consultant shall provide photographs, engineering plans and an overview of each project site. The Selected Consultant should answer questions posed by Prospective Bidders to aid in bid preparation. The Selected Consultant shall provide notes to the Project Partners documenting the discussion at the pre-bid conference (including a list of earthwork contractors represented at the conference, their contact information, and a summary of the Q&A portion of the conference).

TASK 10: BID EVALUATION

The Selected Consultant shall evaluate bids received from earthwork contractors. The Selected Consultant shall submit a memorandum to the Project Partners summarizing bids received, documenting the review process, and recommending an earthwork contractor to be awarded the Contract (the SELECTED CONTRACTOR). The memo should include a brief rationale for the recommendation (e.g. bid price, references). Ideally, a single earthwork contractor will be selected. However, the selection of more

than one earthwork contractor may be allowed if justified by cost or scheduling constraints.

TASK 11: PREPARE CONTRACT DOCUMENTS

Upon selection of an earthwork contractor(s), the Selected Consultant shall prepare draft contract documents to be executed by and between the Town of Middlesex and the Selected Contractor.

TASK 12: CONSTRUCTION OBSERVATION, INVOICE & CHANGE ORDER APPROVAL, AND INTERIM REPORTING

The Selected Consultant shall provide project stakeout and part-time construction observation to ensure the projects are constructed in accordance with design specifications. The Selected Consultant should be generally available throughout the construction cycle to address any questions or concerns the Selected Contractor may pose. Any changes to the area of impact shall be reported in a detailed and timely manner to the NRCS State Engineer and appropriate state or federal agencies. This includes but is not limited to ingress / egress routes, any staging areas, any disposal areas, and the project area. The Selected Consultant shall review and approve Invoices and any Change Orders submitted by the Selected Contractor.

The Selected Consultant will provide bi-weekly updates to the Project Partners on construction progress. These updates should include:

- construction photographs,
- work completed to-date,
- a summary of any project complications (if applicable),
- a summary of any work other than EWP projects performed for the Town, and
- any other information deemed pertinent by the Selected Consultant.

TASK 13: FINAL REPORT

Upon completion of the construction phase, the Selected Consultant shall prepare a Final Engineering Report to be submitted to the Project Partners which, at a minimum, includes:

- a brief summary of the work performed at each project site,
- pre- and post-construction site photographs (ideally taken from the same position and angle), and
- a description of any deviation from the original 100% design and a rationale for that deviation (if applicable).

MILESTONES & DELIVERABLES TABLE

The table of Milestones and Deliverables below corresponds to Tasks 1 – 13 (detailed above). **Please copy the table and paste it directly into your proposal. Provide proposed due dates for each task & deliverable in the Delivery Date column.**

TASK		DELIVERABLE(S)	DELIVERY DATE
1	Kick-off meeting held	Copy of kick-off meeting notes	
2	Permit needs and feasibility assessed	a) Documentation of additional required permits; b) Indication of potential challenges / conflicts for obtaining permit; and c) Report detailing any potential changes to the area of impact.	
3	90% engineering design submitted	Intermediate Design Report: a) Synthesis of prior completed project deliverables; b) 90% designs; and c) Revised cost-estimates.	
4	Project stakeholder meetings held	Meeting minutes, including: a) Meeting outcomes; b) Planned actions; and c) Letter of landowner commitment.	
5	Plan of Operations, Construction Quality Assurance Plans and Operation & Maintenance Plans complete	Complete NRCS templates for each site: a) Construction Quality Assurance Plan; and b) Operation and Maintenance Plan.	
6	100% design complete	Final Design Report, including: a) Synthesis of prior completed project deliverables; b) 100% design(s); c) Signed landowner agreement; and d) Final cost-estimates.	
7	Permit application submitted	a) Completed permit applications; b) Site plans; and c) Engineering Final Design to Project Partners for approval.	

8	Bid documents prepared and issued	Copy of construction bid documents	
9	Pre-bid conference held	a) Copy of pre-bid conference notes; b) Contact information for pre-bid conference attendees; and c) Summary of questions and answers from the pre-bid conference.	
10	Bids received / evaluated	a) Memo summarizing bids received; b) Recommendation for the selection of an earthwork contractor to be awarded the contract; and c) Rationale for earthwork contractor selection.	
11	Contract documents prepared	Draft contract documents – contract to be executed between the Town of Middlesex and the Selected Contractor	
12	Construction observation, invoice & change order approval, and interim reporting	a) Provide project stakeout and part-time construction observation; b) Review and approve invoices and any Change Orders submitted by Selected Contractor; c) Bi-weekly updates to the Project Partners on construction progress; and d) Report detailing changes to any of the areas of impact.	
13	Final Report	Final Engineering Report, including: a) Summary of the work performed at each project site; b) Pre- and post-construction site photographs; c) Description of any deviation from the original 100% design.	

REQUIRED PROPOSAL CONTENT

Firms responding to this RFP shall propose a Scope of Services necessary to complete the Scope of Work described herein. The proposal must describe how the firm intends to complete the Scope of Services, establish a project schedule, and identify any Project Partner support required for all phases of the project. In addition, the proposal shall contain the following sections:

TECHNICAL QUALIFICATIONS

- 1) A cover letter demonstrating an understanding of the services requested through this RFP.
- 2) A Scope of Services.
- 3) A description of the firm, including addresses of all offices proposed for involvement in this project, structure of the firm, size of the firm, number of years the firm has been in business, and a statement of the firm’s financial stability.
- 4) A list of staff who will work on the contract, including names, education, professional licenses, registrations or certifications, relevant experience (resumes are acceptable), and role in the contract. Project Partners must pre-approve the use of staff not identified in the proposal.
- 5) Examples of relevant past experience for three projects, including a brief description of the project, contact person, phone number, and address of reference. Reference projects should demonstrate the experience of the specific staff proposed to work under this contract. CVRPC reserves the right to check references beyond those provided by the contractor. ***Please use the table below as a template for detailing past projects.***

Year of Completion	
Project Sponsor(s)	
Project Reference	Name: Title: Email: Phone: Address:
Project Name	
Project Phase(s)	<input type="checkbox"/> Identification <input type="checkbox"/> Development <input type="checkbox"/> Preliminary Design <input type="checkbox"/> Final Design <input type="checkbox"/> Construction <input type="checkbox"/> O&M <input type="checkbox"/> Inspection
Project Description (<100 words)	

- 6) The Selected Contractor will be required to add the Town of Middlesex and its officers and employees as an additional insured for services performed. The proposal must demonstrate that the contractor either

has insurance or is eligible for insurance as outlined in the [Vermont State Insurance Specifications](#).

COST PROPOSAL

Provide a detailed budget with a cost breakdown for all ten projects. Reference the DAMAGE SURVEY REPORT REPAIRS TABLE, in the **BACKGROUND** section, in your estimate and include the following:

- 1) Identify costs by task and person hours.
- 2) List hourly rate(s) by individual(s) providing services.
- 3) Detail other expenses, including but not limited to overhead rate, travel, fees, materials, mileage reimbursement.
- 4) Provide a total project cost.

SUBMISSION REQUIREMENTS

Proposals must be submitted by 26 March 2024 at 4:00 PM. Proposals submitted after the deadline will not be considered. Proposals must be submitted via email to Lincoln Frasca, Planner, at frasca@cvregion.com with the following subject line "Middlesex Emergency Watershed Program." Proposals sent via fax or mail will not be considered. Alternative delivery methods may be arranged by request. Once submitted, the proposal becomes the property of the Project Partners.

A contractor may correct, modify, or withdraw a response to this RFP via written notice to Lincoln Frasca (frasca@cvregion.com) prior to the submission deadline. Modifications must be submitted electronically and clearly labeled "Modification No. ___". Each modification must be numbered in sequence, and must reference the original RFP.

After the opening of responses to this RFP by the Project Partners, a contractor may not change any provision of the response in a manner prejudicial to the interests of the Project Partners or fair competition. If a mistake was made and the intended correct wording is clearly evident on the face of the response document, the mistake will be corrected to reflect the intended meaning and the contractor will be notified in writing. Contractors may not withdraw responses to this RFP so corrected. A contractor may withdraw an opened response to this RFP if a mistake is clearly evident on the face of the response document, but the intended correct wording is not similarly evident.

PROPOSAL EVALUATION

All proposals will be evaluated by a selection committee composed of CVRPC staff and representatives from the Town of Middlesex. Proposals will be ranked according to the following criterion:

1. Scope of Work Format and Contents (10%):
 - a. Is the proposal written in concise language understandable to a non-technical audience?
 - b. Is the proposal complete, well organized, responsive to the project requirements, and easily navigable?
 - c. Does the proposal show understanding of the process necessary to complete project tasks including stakeholder involvement and construction oversight?
2. Qualifications and Responsiveness (60%):
 - a. Do the personnel to be assigned to this project have the necessary qualifications to conduct this work?
 - b. Do the personnel to be assigned to this project have experience in support and maintenance for similar systems and organizations?
 - c. Does the firm have a proven record of successful completion of similar work within time and budget constraints?
 - d. Are communication skills responsive to the audience that will be served?
 - e. If multiple staff will be used to serve this contract, do the assigned staff members demonstrate success working with each other as a team?
 - f. Is the contractor's availability and accessibility adequate for the Project Partner's needs?
3. Cost Proposal (10%):
 - a. Is the cost proposal thorough and clearly linked to the proposed Scope of Services?
 - b. Are rates and costs reflective of an efficient level of effort necessary to complete the task, compensation reflective of level of expertise, materials appropriate to the task and expectations of quality, and overall reasonable costs as accepted in the industry?

4. References (20%):

- a. What types of services did the contractor provide to the reference?
- b. How satisfied was the reference with contractor interactions?
- c. How satisfied was the reference with the contractor's technical expertise, ability to meet deadlines and budgets, reporting, public outreach, and overall value and quality of work?
- d. Did the contractor demonstrate value-added expertise? If so, how?
- e. Was the reference satisfied with how the contractor dealt with problems that arose? Example(s) of problems and their solutions.
- f. Did the reference experience any challenges with the contractor?
- g. How does this contractor compare with others the reference has worked with?
- h. Would the reference recommend the contractor for providing the described Scope of Services and desired qualifications?

DISCLAIMER

The Project Partners assume neither responsibility nor liability for costs incurred relevant to the preparation and submission of the proposal or any other costs prior to issuance of a contract. The expense of preparing, submitting, and presenting a proposal is the sole responsibility of the applicant.

The Project Partners reserve the right to examine all aspects of responses submitted, tangible and intangible. The Project Partners reserve the right to seek clarification of any statement submitted, conduct interviews with contractors, and to select a contractor that is best able to provide the requested services and promote the public interest. The Project Partners reserve the right to withdraw this RFP, and/or to advertise for new submissions at any time if it is in the best interest of the Project Partners to do so. A contract will be awarded as deemed to be in the best interest of the Project Partners.

The Project Partners retain the right to reject any and all proposals received, to interview or not interview any or all firms responding to this RFP prior to selection, to negotiate with any qualified source, or to cancel in part or in its

entirety this RFP if it determines such action to be in the best interest of the Project Partners or that of eligible parties. Reasons for cancellation or rejection will be provided to all registered vendors in writing. This solicitation in no way obligates the Project Partners to award a contract.

If any proposer is aggrieved by the proposed award of the contract, they may appeal in writing, via U.S. Mail or Delivery Service or via email to CVRPC at:

Central Vermont Regional Planning Commission
Attn: Lincoln Frasca, Planner
29 Main Street, Suite 4
Montpelier, Vermont 05602
E-mail: frasca@cvregion.com

The appeal must be postmarked or sent within fourteen (14) calendar days following the date of the written notice to award the contract.

STANDARDS AND DELIVERABLES

- 1) All reports are to:
 - a. be presented for ease of readability by the average citizen;
 - b. include photographs, charts, graphs, maps, and other graphics as appropriate;
 - c. include executive summaries or abstracts suitable for broad distribution;
 - d. include a glossary of technical terms; and
 - e. include a reference list for all sources of data and information.
- 2) Reports must be provided in digital form (Microsoft Word for report text and Portable Document Format (PDF) for full report). Presentations must be provided in digital form (Microsoft PowerPoint). Images (photographs, charts, graphs, maps, and other graphics) must be provided as individual files for use by the Project Partners. Spatial data developed with project money must be provided in digital form (as ESRI shapefiles (vector data) and GeoTiff (raster data)).
- 3) Advance copies of all reports and documents, including drafts, should be provided to the Project Partners at least one week prior to any scheduled review or discussion.

- 4) All data, databases, reports, programs and materials, in digital and hard copy formats, created under this contract must become the property of the Project Partners.

CONTRACTING PROVISIONS

CONTRACT COMPLETION

Performance under the scope of work must be completed by the dates indicated in the Project Schedule section.

PAYMENT

The Selected Contractor will invoice the Project Partners on a monthly basis for all fees and expenses accrued during the preceding month. Invoices should be submitted to Lincoln Frasca (frasca@cvregion.com) for review and approval. The Town of Middlesex anticipates making payments within 30 days of invoicing.

OWNERSHIP OF MATERIAL

All rights, titles to and ownership of the data, material, and documentation resulting from this contract and/or prepared for the Project Partners pursuant to a contract between the Town of Middlesex and the Selected Contractor must remain with the Project Partners.

COMPLIANCE WITH STATE AND FEDERAL LAWS

The Selected Consultant and Selected Contractor must comply with any and all applicable laws, statutes, ordinances, rules, regulations, and/or requirements of federal, state, and local governments and agencies thereof, which relate to or in any manner affect the performance of this agreement.

Pursuant to State of Vermont Laws, anyone in any matter relative to the procurement of services who intentionally makes a material statement that is false, omits or conceals a material fact in a written statement, submits or invites reliance on a material writing that is false, submits or invites reliance on a sample or other object that is misleading, or uses any trick, scheme or device that is misleading in a material respect will be subject to sanction pursuant to the laws of the State of Vermont.

Confidentiality:

Materials used in the proposal process will become a matter of public record. In case the applicant includes any material that is considered proprietary

and / or confidential under 1 VSA, Chapter 5, the applicant shall clearly designate the material as such, explaining why such material should be considered confidential. Under no circumstances can the entire response be marked confidential. If the applicant marks portions of the Qualifying Materials as confidential, a redacted version of the Qualifying Materials shall be provided for release to the public.