

Request for Qualifications

Berkeley-Charleston-Dorchester Council of Governments BCD Water Quality Management Plan Update

The Berkeley-Charleston-Dorchester Council of Governments (BCDCOG) is soliciting qualifications from qualified consultants to assist with updating the Berkeley-Charleston-Dorchester Water Quality Management Plan.

The preparation of this document will allow for collaborative involvement with the stakeholders, BCDCOG Environmental Review Committee, Technical Advisory Committee, and Board of Directors. All federal and state guidelines applicable to an effort of this nature will be followed. The selected firm must be experienced in water quality planning and engineering and have sufficient qualifications and expertise to perform the required tasks in a timely manner.

Background

In South Carolina, the State Department of Health and Environmental Control (DHEC) regulates water quality and is responsible for establishing classifications and standards to protect beneficial uses of streams and lakes in the State. In the Berkeley-Charleston-Dorchester Region the areawide wastewater treatment planning process, pursuant to Section 208 of the Federal Clean Water Act, is a responsibility of the BCD Council of Governments. The Council of Governments maintains and periodically updates the Areawide Water Quality Management Plan to preserve and enhance state water quality and to meet the goals of the Federal Clean Water Act and the SC Pollution Control Act.

Project Schedule

Notice to Proceed for this project will be given as soon as a contract with the chosen consultant has been executed and all state and federal requirements are met. The project will be completed by June 1, 2011, or as directed by BCDCOG. Detailed scheduling of the project will be negotiated during the contract negotiations by the selected consultant and BCDCOG staff.

As part of the Request for Qualifications response, the responder is invited to submit a time schedule, if appropriate. Final payment will not be made to the consultant until the management plan is completed to the satisfaction of BCDCOG staff.

Project Description

The BCD Regional 208 Areawide Water Quality Management Plan was originally adopted in the early seventies. The Plan has been updated and amended over time but it has not undergone a comprehensive revision in ten years. The region has undergone significant change during that time due to incredible growth. As a result, the plan needs

to be reviewed and updated to incorporate new technologies including green infrastructure, water and energy efficiency and discussions of initiatives that may be utilized to address the issues unique to the region. In addition, the plan needs to be updated to address areas of the region which have not been previously identified as needing wastewater service but now are experiencing growth pressure and as such need service.

Scope of Services Requested

The COG is required to update the current BCD water quality management plan to incorporate amendments or standards, if any, set by EPA and SCDHEC. The plan update should include, but not limited to, updating the current designated management area agencies boundaries, incorporating all amendments since the last plan update, and identifying major planning goals.

The principal environmental benefits of the project include continuing an existing water quality management system with an updated plan focused on new and innovative technologies. In addition, the revised plan will focus on implementing technologies that will improve efficiencies in the areas of water and energy consumption related to wastewater collection and treatment.

Long-term economic benefits are expected to accrue in the Region as a result of improved water quality. New residential, commercial and industrial growth can be more easily accommodated in areas with available assimilative capacity. The region has previously experienced problems with limited assimilative capacity in the Cooper River. The recent expansion of DuPont required the reallocation of capacity among existing dischargers. The region is expected to continue to experience above average growth and development in the residential, commercial and industrial sectors. Therefore, effectively and efficiently addressing assimilative capacity is essential to the long-term economic well being of the region.

Finally, the revised plan will provide guidance on implementing green infrastructure, which will allow for sustainable development in areas that are near environmentally sensitive areas.

Qualifications

The consultant must demonstrate qualifications in the area of water quality planning and engineering. The consultant must be familiar with the BCD Region as it relates to WQM planning.

The staff assigned to the project must have extensive experience in water quality planning and engineering. The proposal should give specifics of the experience of the staff assigned to the project, including level of involvement in previous projects and names of contact persons for similar projects.

The contract for the Scope of Services will be based on a fee schedule with a not-to-exceed amount. Costs will be negotiated with the selected firm.

Selection Criteria/Selection Process

The following criteria will be weighed in evaluating the qualifications for each consultant:

1. Experience, qualifications, and technical competence in the types of work required (30%)
2. Past performance on projects of a comparable nature (20%)
3. Relevant experience and qualifications of personnel to be assigned to the project (20%)
4. Demonstration of consultant's approach to performing the work, including an indication of the degree of availability the consultant anticipates in scheduling staff to meet project needs (18%)
5. Familiarity with Berkeley Charleston Dorchester region (6%)
6. Disadvantaged Business Enterprise designation (6%)

A committee of BCDCOG staff and stakeholders will review each proposal. The Selection Committee may choose to interview the top two consultants. The Selection Committee will make a recommendation to the BCDCOG Executive Director. The Executive Director will approve or disapprove the recommendation. The selected consultants may be contacted for additional information concerning the proposal and contractual information. Upon agreement of the terms, the contract will be submitted to the BCDCOG Executive Committee for approval.

Signature Requirements

Proposals must be signed by a duly authorized official of the responder. Consortia, joint ventures, or teams submitting proposals, although permitted and encouraged, will not be considered responsive unless it is established that all contractual responsibility rests solely with one contractor or one legal entity which shall not be a subsidiary or affiliate with limited resources. Each proposal should indicate the entity responsible for execution on behalf of the proposal team.

Other Requirements

The BCDCOG has received an American Recovery and Reinvestment Act (ARRA) grant through SC Department of Health and Environmental Control (SC DHEC). The selected consultant will be required to perform as indicated in Attachment A on this solicitation.

Requested Proposal Format

Each proposal should contain the following elements:

1. Letter of interest, including name of organization, and project contact information.
2. Current resume of qualifications
3. Direct response to each of the selection criteria defined above
4. Any other pertinent information that will assist the BCDCOG in its decision.

At a minimum, the response should include the following information:

1. The understanding of and approach to the project
2. Qualifications of the consultant and experience in this type of work including a list of at least four (4) different projects completed by the consultant involving water quality planning and engineering with the names and phone numbers of contact persons for those projects.
3. The key staff persons who will be assigned to this project together with their experience and qualifications
4. SF 330 form for primes and subs

Additional Information

BCDCOG retains the right to reject all proposals and to re-solicit if deemed to be in their best interests. Selection is also dependent on the negotiation of a mutually acceptable contract with the successful responder.

Each proposal shall state it is valid for a period of not less than ninety (90) days from the date of receipt.

All plans, calculations, maps, digital files, reports, correspondence, minutes of meetings, and related data generated for this project will be included in the final documents submitted to BCDCOG.

The successful consultant shall comply with requirements of Title 49 CFR Part 21 and Title VI of the Civil Rights Act of 1964. The successful consultant shall provide services in compliance with the Americans with Disabilities Act of 1990. BCDCOG strongly encourages the use and involvement of Disadvantaged Business Enterprises (DBE) on this project.

Proposal Submission

All proposals shall be submitted in a sealed envelope. The outside of the package shall be marked “**Request for Qualifications WQM Plan**”. Proposals will be received no later than 3:00 pm on March 22, 2010. Please mail 1 (one) original, 6 (six) copies and one (1) digital copy to:

Robin Mitchum, Finance Manager
BCD Council of Governments
1362 McMillan Ave., Suite 100
N. Charleston, SC 29405

Please direct questions to Robin Mitchum at 843-529-0400 or robinm@bcdkog.com.

ATTACHMENT A

SUPPLEMENTAL TERMS AND CONDITIONS FOR CONTRACTS USING ARRA FUNDS

ARRA FUNDED PROJECT: Funding for this contract has been provided through the American Recovery and Reinvestment Act (ARRA) of 2009, Pub. L. 111-5. All contractors, including both prime and subcontractors, are subject to audit by appropriate federal or State of South Carolina (State) entities. The State has the right to cancel, terminate, or suspend the contract if any contractor or subcontractor fails to comply with the reporting and operational requirements contained herein.

ENFORCEABILITY: Contractor agrees that if Contractor or one of its subcontractors fails to comply with all applicable federal and State requirements governing the use of ARRA funds, the State may withhold or suspend, in whole or in part, funds awarded under the program, or recover misspent funds following an audit. This provision is in addition to all other remedies available to the State under all applicable State and federal laws.

PROHIBITION ON USE OF ARRA FUNDS: Contractor agrees in accordance with ARRA, Section 1604, that none of the funds made available under this contract may be used for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pools.

REQUIRED USE OF AMERICAN IRON, STEEL AND OTHER MANUFACTURED GOODS: Contractor agrees that in accordance with ARRA, Section 1605, neither Contractor nor its subcontractors will use ARRA funds for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel and manufactured goods used in the project are produced in the United States in a manner consistent with United States obligations under international agreements. The Contractor understands that this requirement may only be waived by the applicable federal agency in limited situations as set out in ARRA, Section 1605.

WAGE RATE REQUIREMENTS: In accordance with ARRA, Section 1606, the Contractor assures that it and its subrecipients shall fully comply with said Section and notwithstanding any other provision of law and in a manner consistent with other provisions of ARRA, all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the federal government pursuant to ARRA shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the United States Secretary of Labor in accordance with Subchapter IV of Chapter 31 of Title 40, United States Code (Davis-Bacon Act). It is understood that the Secretary of Labor has the authority and functions set forth in Reorganization Plan Numbered 14 or 1950 (64 Stat. 1267; 5 U.S.C. App.) and Section 3145 of Title 40, United States Code.

INSPECTION OF RECORDS: In accordance with ARRA Sections 902, 1514 and 1515, Contractor agrees that it shall permit the State of South Carolina, the United States Comptroller General or his representative or the appropriate Inspector General appointed under Section 3 or 8G of the United States Inspector General Act of 1978 or his representative to: (1) examine any records that directly pertain to, and involve transactions relating to, this contract; and (2) interview any officer or employee of Contractor or any of its subcontractors regarding the activities funded with funds appropriated or otherwise made available by the ARRA. Contractor shall include this provision in all of the contractor's agreements with its subcontractors from whom the contractor acquires goods or services in its execution of the ARRA funded work.

WHISTLEBLOWER PROTECTION: Contractor agrees that both it and its subcontractors shall comply with Section 1553 of the ARRA, which prohibits all non-federal Contractors, including the State, and all contractors of the State, from discharging, demoting or otherwise discriminating against an

employee for disclosures by the employee that the employee reasonably believes are evidence of: (1) gross mismanagement of a contract relating to ARRA funds; (2) a gross waste of ARRA funds; (3) a substantial and specific danger to public health or safety related to the implementation or use of ARRA funds; (4) an abuse of authority related to implementation or use of ARRA funds; or (5) a violation of law, rule, or regulation related to an agency contract (including the competition for or negotiation of a contract) awarded or issued relating to ARRA funds. Contractor agrees that it and its subcontractors shall post notice of the rights and remedies available to employees under Section 1553 of Title XV of Division A of the ARRA.

FALSE CLAIMS ACT: Contractor agrees that it shall promptly notify the State and shall refer to an appropriate federal inspector general any credible evidence that a principal, employee, agent, subcontractor or other person has committed a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving ARRA funds.

REPORTING REQUIREMENTS: Pursuant to Section 1512 of the ARRA, in order for state agencies receiving ARRA funds to prepare the required reports, Contractor agrees to provide the awarding state agency with the following information on a quarterly basis, in accordance with the below schedule:

Calendar Quarter	Due Date to DHEC Program
2/17/09 – 9/30/09	Monday, 10/5/09
9/01/09 - 12/31/09	Tuesday, 1/5/10
1/01/10 - 3/31/10	Monday, 4/5/10
4/01/10 - 6/30/10	Tuesday, 7/6/10
7/01/10 - 9/30/10	Tuesday, 10/5/10
9/01/10 - 12/31/10	Wednesday, 1/5/11
1/01/11 - 3/31/11	Tuesday, 4/5/11
4/01/11 - 6/30/11	Wednesday, 7/6/11
7/01/11 - 9/30/11	Wednesday, 10/5/11

FOR DETAILED DESCRIPTION OF DATA ELEMENTS GO TO RECOVERY.GOV AND VIEW DATA DICTIONARY.

1. For any contracts equal to or greater than \$25,000: (report data as of the end of the reporting quarter)
 - a. The DUNS number;
 - b. Contract number issued by DHEC;
 - c. Congressional District;
 - d. The amount of the contract award;
 - e. Total amount of award received;
 - f. Date contract signed;
 - g. The primary place of performance including the city, state, zip+4, congressional district and country;
 - h. The names and total compensation of each of the five most highly compensated officers of the company for the calendar year in which the award is awarded if:
 1. In the recipient’s preceding fiscal year, the recipient received:
 - i. 80% or more of its annual gross revenues in Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; and

- ii. \$25,000,000 or more in annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; and
- 2. The public does not have access to information about the compensation of senior executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 or section 6104 of Internal Revenue Code of 1986.;
 - i. An estimate of the number of jobs created and /or retained;

At a minimum, this estimate shall include any new positions created and any existing filled positions that were retained to support or carry out Recovery Act projects, activities, or federally awarded contracts managed directly by the recipient or federal contractor. For grants and loans, the number shall include the number of jobs created and retained by sub recipients and vendor. The number shall be expressed as “full-time equivalent” (FTE), calculated cumulatively as all hours worked divided by the total number of hours in a full-time schedule, as defined by the recipient or federal contractor.

For instance, two full-time employees and one part-time employee working half days would be reported as 2.5 FTE in each calendar quarter. A job cannot be reported as both created and retained.
 - j. An evaluation of the completion status of the project or activity;
 - k. A unique identifier of the entity receiving the contract and the parent entity of Contractor, should the entity be owned by another; and
- 2. For any contracts of less than \$25,000 or to individuals: the information required above (4) may be reported in the aggregate and requires the certification of an authorized officer of Contractor that the information contained in the report is accurate.

Standard data elements and federal instructions for use in complying with reporting requirements under Section 1512 of the ARRA, are pending review by the federal government, and were published in the Federal Register on April 1, 2009 [74 FR 14824], and are to be provided online at www.FederalReporting.gov.

NOTE: The ARRA reporting and monitoring requirements are constantly changing. If additional information is required during the contract period, DHEC will notify you of the ARRA changes and requirements. ARRA information should be reported to the DHEC program area and DHEC will provide this information to the Federal government. The DHEC contractor should NOT directly enter this information on the www.FederalReporting.gov website.