



Baltimore
Metropolitan
Council

REQUEST FOR QUALIFICATIONS THEN LETTERS OF INTEREST

Project

DRAFT AND FINAL WATERSHED MONITORING PLAN FOR THE BALTIMORE METROPOLITAN RESERVOIR WATERSHED MANAGEMENT AGREEMENT PROGRAM

Date of Issue

June 16, 2015

Submit Qualifications to:

Baltimore Metropolitan Council
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Contact for More Information:

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I. INTRODUCTION AND BACKGROUND

ABOUT THE COUNCIL

The Baltimore Metropolitan Council (BMC) staff provides technical support to the Baltimore Regional Transportation Board (BRTB). The BMC is a private nonprofit organization committed to identifying regional interests and developing collaborative strategies through plans and programs which will improve the quality of life and economic vitality throughout the region. Our Board of Directors includes the Mayor of Baltimore City, the BMC Executive Director, Executives of Anne Arundel, Baltimore, Harford and Howard counties, and a Carroll County Commissioner.



The work of BMC staff includes transportation forecasting and analysis, economic and demographic research, computer mapping applications, air and water quality programs, cooperative purchasing, and rideshare coordination.

ABOUT THE AGREEMENT

The Baltimore Metropolitan Reservoir Watershed Management Agreement is a voluntary agreement coordinated through the Baltimore Metropolitan Council (BMC). The Agreement signatories include the water supply reservoir host jurisdictions: Baltimore City (system owner and operator), Baltimore County and Carroll County. The list of signatories also includes a group of state agencies that have a stake in management and operation of the water supply system. They are the MD Departments of Environment and Agriculture as well as the Carroll and Baltimore County Soil Conservation Districts. The Agreement sanctions two functional working groups:

- The Reservoir Technical Group (RTG) meets regularly to discuss technical and scientific issues of common concern regarding protection of the watersheds; and
- The Watershed Protection Committee (WPC) which functions in a management and oversight role.

The practicing members participating in the RTG and WPC also include the water supply user jurisdictions; Anne Arundel, Harford, and Howard Counties and other state agencies that have an interest in how the system is managed. That group includes the MD Dept. of Planning. The MD Dept. of Natural Resources has historically participated, but is not currently an active participant.

The Agreement's intent is to provide for reservoir watershed protection based on established jurisdictional authority. The 2005 reauthorized Reservoir Agreement includes an updated set of "Action Strategies" that call for regular efforts to protect and improve

water quality in the system. One such strategy is in response to many years of concern over the need for an appropriate level of monitoring for both the reservoirs and across the watershed. That Strategy states that the RTG will evaluate the existing reservoir watershed monitoring programs and will determine the resources needed to develop and maintain a monitoring program which will meet certain long-term informational/management “objectives.”

II. PROJECT PURPOSE, DESCRIPTION & PROCESS

PURPOSE

The purpose of this procurement is to retain a qualified firm to develop a detailed watershed monitoring plan document for the Baltimore regional drinking water reservoir system. Subsequent to the development of this plan, BMC will announce a second procurement to retain a firm to oversee the data management and evaluation of the plan’s implementation.

DESCRIPTION

The RTG, through Carroll County, a member jurisdiction, sponsored a study that was performed by the United States Geological Survey (USGS) that evaluated the existing monitoring program and subsequently offered recommendations for improvement. That having been accomplished, the RTG evaluated the USGS recommendations and responded through a proposal to adopt the majority of those recommendations, thus updating the watershed monitoring program to an appropriate level.

The RTG’s recommendation adopts the USGS recommended level of monitoring including the addition of stormwater monitoring. But, it is also more specific as it recommends adjusting certain jurisdictional practices to achieve true consistency. The recommendation provides a list of analytical constituents and also recommends test methods and limits of detection. But, It will be the contractor’s responsibility to verify that the recommended constituents, test methods and limits of detection are appropriate and optimal.

The needed work will be bid in two phases:

Phase I: Development of Watershed Monitoring Plan

The first stage in implementing the RTG recommendation is to secure a consultant to develop a Watershed Monitoring Plan document based on the RTG’s work that has been accomplished thus far. Since the resultant watershed monitoring plan is based principally on sampling and testing that is currently being performed, the plan document will reference and include both known and new information that can be easily accessed. A description of that information will be provided to bidders. But, the RTG will look to the contractor to verify information and to develop a detailed plan document using the RTG’s work as a basis.

In addition, the plan will be based on the work accomplished by the USGS in the 2011 assessment performed for the RTG jurisdictions (<http://pubs.usgs.gov/sir/2011/5101/>) and the report prepared by the RTG in response to that assessment. Considerable information is included in both documents that will be incorporated into the final Watershed Monitoring

Plan document. It is the contractor's responsibility to use both documents as well as other information that can be provided by member jurisdictions in the development of the contracted document.

The following stage will be to secure a contractor to conduct the added monitoring and to manage the overall needs of the monitoring program, including data management and reporting. **Phase I is the subject of this request.**

Phase II: Plan Implementation, Data Management and Evaluation

The Watershed Monitoring Plan developed in this first phase will be used as the basis for the management bid. Throughout this process the current ongoing monitoring will continue to be performed by each jurisdiction. When the newly developed plan is implemented the RTG's recommendation is that sample coordination, analysis and data management will be handled by a single contractor. That contractor will also be responsible to secure analytic services such that all analysis is performed by one laboratory. The ultimate contractor will also be responsible to manage the collected data and to provide the RTG with regular and special reports based on designed statistical analysis of the collected data that would be analyzed in a consistent and qualified manner. The data would be more reliable, offering the following benefits:

- More complete watershed monitoring with a QA/QC element;
- Consistent, comparable and reliable data;
- Reliable predictive analysis ability;
- Regular data analysis and reports with higher confidence;
- Improved data accessibility;
- An RTG that will have a more active hands-on role; and
- The ability to actively manage the watershed as a resource.

Phase II will be the subject of a second bid process.

PROCESS

For clarity, the bid process is also being broken down into two separate procurements:

- Bid and contract of the Detailed Watershed Monitoring Plan (WMP); and
- Bid and contract of the WMP implementation and management contract.

Both procurements are proposed to follow a "Qualified Bidder" process where firms first submit qualifications and then the bid is requested of no more than the five top firms that submitted qualification packages. This process not only ensures that the bidders are experienced and qualified to perform the work in question, but it does so without removing the competitive elements in the bid process.

III. SCOPE OF WORK

PHASE I – DEVELOPMENT OF DETAILED WATERSHED MONITORING PLAN

Phase I is the subject of this RFQ/LOI request.

First, the Detailed Watershed Monitoring Plan (the Plan) will need to be developed. That document will define what will be done, by whom and when it will be done. The plan will include a detailed QA/QC element that will set standards for all of the participating jurisdictions in regard to their contributing work. That document will be controlled (control documents are official versions of documents that may only be changed by a designated individual) and used to give the monitoring effort that control and confidence that it needs to satisfy the Action Strategies.

Watershed Monitoring System Components

Watershed Monitoring Plans must adequately describe the results of field study in order to document current water quality and identify trends that affect the quality of water resources within the watershed and in this case, that ultimately affect the drinking water reservoirs. Implementation of the recommendations would commence with the development and preparation of a Watershed Monitoring Plan.

The basic components of that Plan would be as follows:

1. Watershed Delineation and Characterization - This defines the geographic and political extent of the subject watersheds. Note that the current monitoring locations are to be maintained, however, new stormwater sampling locations are to be added. This component will include the following:
 - A narrative description of the contributing watershed;
 - A narrative description identifying any contributing potential pollutant sources and water users within the watershed;
 - The delineated boundaries of each included watershed, including political boundaries; and
 - Any 303(d) listed stream segments or water bodies within those watersheds and their status, including any Water Quality Analyses (WQAs) performed and Total Maximum Daily Load (TMDL) documents adopted.

Note that the BMC member jurisdictions will be able to supply considerable information that can be used in the needed plan. For example, details on the definition of the watershed, known pollutant sources in the watershed, 303(d) list information, and details on the existing monitoring system that is currently being utilized.

2. Water Quality Monitoring Program Components – This information will define where and what type of sampling will be performed and the iteration of each sample location. As was noted earlier, the current sample locations and testing are to be maintained, however, a detailed sampling and analysis element needs to be developed for the existing system. That will include the following elements:
 - Plan and element rationale;
 - Monitoring station coordinates and map location;

- A narrative of the sampling schedule, inclusive of the type and iteration of each sample.
- In addition, any requirements relative to sampling needs during critical conditions (i.e., high or low flow, high temperature, etc.);
- In regard to stormwater, whether sampling is to be accomplished during wet and/or dry weather events and whether the effects of stormwater during low or high flow conditions is a consideration;
- The location of non-storm related stressors;
- The number and timing of each regular sampling event;
- Applicable standard operating procedures (SOPs);
- Quality Assurance Project Plan; and
- QA/QC elements to support sampling and analysis.

Note - Attached to this document is the RTG report that includes an assessment of the USGS recommendations and further recommendations to expand the existing program. Note that there is established monitoring that will remain and thus will become a part of the expanded monitoring effort. That existing monitoring in addition to the added stormwater monitoring proposed will combine to become the expanded monitoring system. It is the successful vendors' responsibility to contact and coordinate with the jurisdictions currently performing the monitoring and develop the updated monitoring system description. While doing so the contractor is responsible to evaluate the proposed system's effectiveness. The vendor may suggest changes. The RTG will evaluate those recommendations.

PHASE II – DATA MANAGEMENT AND EVALUATION

*This phase will be the subject of a subsequent procurement. It is described here only to provide potential bidders with an overview of the entire project. Once the Watershed Monitoring Plan document is complete and agreed upon by all then the bid process to secure a WMP and Data Management contractor can begin. The bid submitted by the second bid will yield more refined project cost numbers. Data collected will become part of the systemic data collection utilized by the Baltimore City Drinking Water System that is distributed throughout the metropolitan area. **The implementation and management element of the program will be the topic of a subsequent bid.***

CONSULTANT QUALIFICATIONS

BMC is seeking a firm, or team, with the following experience and qualifications.

- Experience and understanding regarding watershed management science;
- Experience and current knowledge regarding watershed monitoring techniques, including collection methods and applicable technology;

- Experience and current knowledge regarding monitoring constituents and appropriate test methods, including the best and most cost effective methods to apply when designing a watershed monitoring plan designed to protect water quality in drinking water reservoir systems;
- Coordination of chosen drinking water quality analyses with needed TMDL compliance monitoring;
- Experience with the design and implementation of such water quality monitoring plans, including evidence of success; and
- Experience with participation in operational aspects of said watershed management program, including any experience and knowledge of data management and trend analysis.

IV. LETTER OF INTEREST, QUALIFICATIONS & PROJECT APPROACH CONTENT AND REQUIREMENTS

Interested firms will submit a letter of interest, qualifications and a summary of their project approach to BMC. The letter of interest shall be no more than two pages long. Along with your letter of interest, include specific information relative to the project that will assist in the evaluation of your firm. The information regarding the firm's experience and qualifications shall be limited to ten (10) standard letter sized pages. The summary of project approach should be no more than ten (10) standard letter sized pages. The summary of project approach is expected to be responsive to the scope of work laid out in this RFQ and should identify key staff. The summary of project approach should also include a schedule that is initiated upon contract award. The information regarding experience and qualifications and the project approach should be bound as one document with a single cover page.

Cover page should contain the firm's name and contact information and be titled as follows:

**BALTIMORE METROPLITAN RESERVOIR MANAGEMENT PROGRAM
RESERVOIR WATERSHED MONITORING PLAN
QUALIFICATIONS**

Responding firms will first be evaluated and ranked in order of their qualifications accompanying the Letters of interest. Firms will be evaluated based on the following criteria:

- Responsiveness to the RFQ
- Their background and experience on similar projects, management experience and team credentials, and
- The experience of current professional staff, proximity to project site, equipment and facilities, and

- Quality of project approach.

A maximum of five (5) firms will be selected and asked to submit financial bid documents.

V. SUBMISSION OF PROPOSALS

Consultants who wish to be considered for contract selection should reply with ten (10) copies of their submission. The proposal must be received by BMC no later than 4:00 p.m. Eastern Standard Time on **Friday, July 24, 2015**. Allow adequate time for mail or other carrier delivery. Proposals arriving after the deadline will not be accepted.

Please direct any questions to James E. Slater by e-mail: jslater@baltometro.org.

BMC will not pay for the development and submission of letters of interest in response to this RFQ. BMC reserves the right to reject any letters of interest without cost or detriment to BMC.

The Consultant shall not make changes in the specifics put forth in a letter of interest, including staff participation, without the prior written consent of BMC.

The BMC Staff member listed above shall be the sole point of contact for any offeror during the procurement process.

BMC reserves the right to waive minor irregularities, to negotiate in any manner necessary to best serve the public interest, and to make a whole award, multiple awards, a partial award, or no award. BMC reserves the right to cancel this RFQ, in whole or in part, any time before the closing date.

An original signed copy of Proposal Affidavit attached at the end of this RFP shall be included in the Cost Proposal.

Proposals not meeting the above requirements may be rejected.

VI. BID SCHEDULE

RFQ Issued:	June 16, 2015
Pre-Bid Meeting	June 23, 2015, 9:00 am at BMC Offices
Proposals Due:	July 24, 2015
Finalist Selection:	August 7, 2015
Request for financial bids forwarded:	August 7, 2015
Financial Bid Due from Selected Firms	August 21, 2015
Contract Award	TBD
Project Completion	Within six (6) months after contract award.

The pre bid meeting is scheduled for Tuesday June 23 at 9:00 am at the BMC Offices at 1500 Whetstone Way, Suite 300, Baltimore, MD 21230

VII. CONSULTANT SELECTION CRITERIA

All proposals will be evaluated on the basis of technical merit and proposed cost. This is not a low-bid procurement. BMC staff and/or appropriate project partners will conduct the evaluation of proposals. Technical merit includes work program and approach, as well as staff experience and qualifications. Teaming is permissible but the contract will be with a single prime contractor.

BMC reserves the right to negotiate with one or more respondents selected on the basis of the initial technical merit and proposed cost. Respondents may be asked to make personal appearances to provide additional information on proposals.

Contract award will be made as soon as is possible after review of the financial bids to be submitted on August 21, 2015.

VIII. "SAMPLE" FORM CONTRACT

BMC's form contract is available on BMC's website and is incorporated into this solicitation. By the act of submitting a proposal, the offeror expressly acknowledges that he/she/it accepts the terms and conditions as stated in the form contract unless exceptions are submitted in writing with the proposal. BMC reserves the right to amend the terms of the form contract as it sees fit during contract negotiation.

The offeror's acceptance of, or deviations from, the form contract terms and conditions are considered during the evaluation and subsequent award.

If the offeror submits an exception, which alters BMC's risk, liability, exposure in, or the intent of this procurement, BMC reserves the right in its sole and absolute discretion to deem the offeror non-responsive.

IX. CONFIDENTIALITY

Offerors must specifically identify any portions of their proposals deemed to contain confidential information, proprietary information or trade secrets. Those portions must be readily separable from the balance of the proposal. Such designations will not be conclusive, and offerors may be required to justify why such material should not, upon written request, be disclosed by BMC under the Public Information Act, State Government Article, Title 10, Sub-Title 6, of the Annotated Code of Maryland, as amended. BMC may disclose such information if required by law, court order or subpoena.

X. MARYLAND REGISTRATION/QUALIFICATION REQUIREMENTS

BMC requires vendors to register or qualify to do business with Maryland Department of Assessments and Taxation (SDAT) in accordance with the Annotated Code of Maryland, Corporations and Associations Article: §2-102 Formation generally, §7-202 Registration to do interstate and foreign* business, and/or §7-203 Qualification to do intrastate.

For information on registering or qualifying a corporation, LLC, LLP or LP call SDAT at 410-

767-1340. Sole Proprietors and General Partnerships should call 410-767-4991 or you may download the SDAT forms at <http://www.dat.state.md.us/sdatweb/sdatforms.html>

The successful bidder may be required to submit a Good Standing Certificate (also known as "Certificate of Status") issued by SDAT within 10 days of being notified of potential award.

(*Note: "a corporation, association, or joint-stock company organized under the laws of the United States, another state of the United States, a territory, possession, or district of the United States, or a foreign country," § 1-101 Annotated Code of Maryland Corporations and Associations.)

XI. MANDATORY STATEMENTS

Public Information Act Notice

Respondents should give specific attention to the identification of those portions of their proposals they deem to be confidential, proprietary information or trade secrets and provide any justification why such materials, upon request, should not be disclosed.

PROPOSAL AFFIDAVIT

A. (ANTI-BRIBERY AFFIRMATION). I HEREBY CERTIFY THAT

(1) I am the (title) _____ and the duly authorized representative of (vendor) _____ and that I possess the legal authority to make this Affidavit on behalf of myself and the vendor for which I am acting.

(2) Except as described in paragraph 3 below, neither I, nor to the best of my knowledge, information, and belief, the above vendor, nor any of its officers, directors, or partners, nor any of its employees directly involved in obtaining contracts with the State or any county, bi-county, multicounty agency or subdivision of the State has been convicted of, or has pleaded nolo contendere to a charge of, or has during the course of an official investigation or other proceeding, admitted in writing or under oath acts or omissions committed after July 1, 1977, which constitute bribery, attempted bribery, or conspiracy to bribe under the provisions of Article 27 of the Annotated Code of Maryland or under the laws of any state or federal government.

(3) State "none" or, as appropriate, list any conviction, plea or admission described in paragraph 2 above, with the date; court official, or administrative body; and the sentence or disposition, if any:

_____.

(4) I ACKNOWLEDGE THAT this Affidavit is to be furnished to the Procurement Officer, and may be furnished to the Attorney General pursuant to Sections 16-201, et seq., of the State Finance and Procurement Article of the Annotated Code of Maryland. I acknowledge that if the representations set forth in this Affidavit are not true and correct, the Council may

terminate any contract awarded and take any other appropriate action.

B. (NON-COLLUSION AFFIRMATION). I HEREBY FURTHER AFFIRM THAT neither I nor, to the best of my knowledge, information and belief, the above firm nor any of its other representatives I here represent have:

(1) Agreed, conspired, connived or colluded to produce a deceptive show of competition in the compilation of the bid or offer being submitted herewith;

(2) In any manner, directly, or indirectly, entered into any agreement, participated in any collusion to fix the bid price or price proposal of the bidder or respondent herein or any competitor, or otherwise taken any action in restraint of free competitive bidding in connection with the contract for which the within bid or offer is submitted.

C. (PROCUREMENT AFFIRMATION). I HEREBY FURTHER AFFIRM THAT

(1) Neither the above business nor, to the best of my knowledge, information, and belief, any officer, controlling stockholders, partner, principal, or other person substantially involved in the contracting activities of the business has in the past five (5) years: (a) been convicted under state or federal statute of a criminal offense incident to obtaining or attempting to obtain or performing a public or private contract, fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property; (b) been found civilly liable under state or federal antitrust statutes for acts or omissions in connection with the submission of bids or proposals for a public or private contract; (c) been convicted of any violation of a state or federal antitrust statute; (d) been convicted under the provisions of Title 18 of the United States Code for violation of the Racketeer Influenced and Corrupt Organizations Act, 18 USC Section 1961 et seq.; or (e) the Mail Fraud Act, 18 USC Section 1341 et seq., for acts arising out of the submissions that would constitute grounds for conviction or liability under any statute described above. Also, the undersigned vendor was not founded or established or is not operated in a manner designed to evade the application or defeat the purpose of the Debarment Regulations, COMAR 21.08; is not currently suspended or debarred pursuant to COMAR 21.08 or by the action of any other public entity; and is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred business.

(2)

(a) If the affirmation described in subsection (1) cannot be given and debarment proceedings have not been instituted against the business pursuant to COMAR 21.08, indicate the reasons why the affirmation cannot be given, including any conviction or admission described in subsection (1), above, with the date, court and sentence or disposition, if any; the name(s) of the person(s) involved, and their current positions and responsibilities with the business; the activity specified in COMAR 21.08 in which each person was involved; and the details of the person's participation in the activity, including the name(s) of an entity involved and the person's positions and responsibilities with the

entity. (Attach additional sheets as necessary.)

(b) If the affirmation described in subsection (1) cannot be given, and debarment proceedings have been instituted against the business pursuant to COMAR 21.08, indicate the status of such proceedings.

I ACKNOWLEDGE THAT this Affidavit is to be furnished to the Procurement Officer and may be distributed to units of: (1) the State of Maryland; (2) counties or other subdivisions of the State of Maryland; (3) other states; and (4) the federal government. I further acknowledge that this Affidavit is subject to applicable laws of the United States and the State of Maryland, both criminal and civil, and that nothing in this Affidavit or any contract resulting from the submission of this bid or proposal shall be construed to supersede, amend, modify or waive, on behalf of the State of Maryland or any unit of the State of Maryland having jurisdiction, the exercise of any statutory right or remedy conferred by the Constitution and the laws of Maryland in respect to any misrepresentation made or any violation of the obligations, terms and covenants undertaken by the above firm in respect to (1) this Affidavit, (2) the contract, and (3) other Affidavits comprising part of the contract.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

(Date)

_____ (Affidavit)
