

**TOWN OF EASTHAM  
REQUEST FOR PROPOSALS**

**Action Plan:                    For Eleven (11) Ponds**  
**Remediation Plan:        For Two (2) of the Eleven (11) Ponds**

The Town of Eastham is seeking proposals for the evaluation of the conditions of eleven (11) ponds and to seek the acquisition of permits for the remediation of two (2) of the eleven ponds. Proposal shall consider evaluation of pond conditions, treatment options for two (2), permitting requirements and schedule.

Applicants should submit the following: (1) an original *non-price* proposal with seven (7) copies clearly marked "Pond Action and Remediation Plan – NON-PRICE PROPOSAL" and (2) an original *price* proposal with three (3) copies (sealed) and clearly marked Pond Action and Remediation Plan – PRICE PROPOSAL, on or before **Thursday, March 31, 2011 at 3:00 p.m.** at which time and place the RFP will be opened and recorded. The aforementioned should be addressed as follows:

Sheila Vanderhoef, Town Administrator  
Chief Procurement Officer  
Eastham Town Hall  
2500 State Highway  
Eastham, MA 02642

All proposals for consideration must be received by the date and time indicated, and in the manner prescribed. Late, fax or E Mail proposals will not be considered. The Town Administrator reserves the right to accept and/or reject any and all proposals and waive any informalities to the extent allowed by law and make the award as may be deemed to be in the best interest of the Town. AA/EOE

## **I. BACKGROUND**

As do many towns on Cape Cod, Eastham has a large number of beautiful kettle ponds. These ponds are an important component of the natural assets offered by the Town as they provide a valuable resource, beautiful scenery and support for recreational activities.

The town is concerned about water quality in the ponds. In 1987 a study was done of Great Pond. This report was entitled “A Diagnostic Feasibility Study for the Management of Great Pond” by Baystate Environmental Consultants and outlined current water quality in the ponds. A 1991 study of Herring Pond, entitled “A Diagnostic Feasibility Study For The Management of Herring Pond” by Baystate Environmental Consultants, indicated that Herring Pond was in a mesotrophic state. The following remedial options were listed: Benthic barriers, macrophyte harvesting or phosphorus inactivation by alum addition.

In 2001, a program to monitor the water quality of all Eastham ponds was initiated. Volunteers collected samples on a regular basis. Those samples are checked for nitrogen, transparency, temperature, dissolved oxygen and chlorophyll-a. Analysis of the samples and visual evidence reveals most of the ponds have significant eutrophication. The full analytical summary is in the “Cape Cod Pond and Lake Atlas” by the Cape Cod Commission (May 2003). The results suggest that ten (10) out of the eleven (11) ponds monitored in Eastham were impacted by anoxia, high phosphorus, chlorophyll and nitrogen concentrations. A more detailed analysis of the data is given in the report “Freshwater Ponds: Water Quality Status and Recommendations for Future Activities” by the Coastal Systems Group and the Cape Cod Commission (June 2009).

In 2008, the Town of Eastham contracted to develop a town wide wastewater study. The focus of the report is on the reduction of nitrogen input into Town Cove and Rock Harbor. A section dealing with the protection of the water quality in the ponds, however, recommends one approach to improve fresh water quality is by alum treatment on a periodic basis. Town-wide sewerage, a long term and expensive option, would take decades to show beneficial impacts.

The Town of Eastham Board of Selectmen appointed a Water Management Committee (WMC), an advisory board charged with assisting the Board of Selectmen to formulate plans to protect water quality both subsurface and surface. The Committee work with pond associations, the Cape Cod Commission and the local Board of Health suggests that action needs to be taken now. Action needs to include citizen education as well as science-based intervention.

In recent years, pond water quality has deteriorated. Herring Pond has experienced substantial algae and submerged plant growth, resulting in a negative impact on the pond and those that use it for swimming, fishing and boating. Adverse impacts on the alewife fishery have also been noticed.

## **I. SCOPE OF WORK**

The objective of this RFP is to obtain professional assistance for the development of a strategic approach to restore the water quality in the following eleven (11) ponds:

Pond locations shown on **Exhibit C** Attached.

- Bridge Pond
- Great Pond
- Jemima Pond
- Widow Harding Pond
- Herring Pond
- Muddy Pond (also known as Mill Pond)
- Depot Pond (also known as Long Pond)
- Little Depot Pond
- Minister Pond (connected to Schoolhouse Pond)
- Schoolhouse Pond (connected to Minister Pond)
- Molls Pond

The selected consultant will evaluate the eutrophic conditions in these eleven (11) ponds, to evaluate the feasibility of treatment options including, but not limited to alum; determine permit requirements; develop detailed cost estimates; develop a recommended plan of appropriate actions to mitigate the eutrophic conditions and obtain permits from all relevant agencies for the remediation of two selected ponds.

The work will be divided into two (2) phases.

**Phase 1** seeks to evaluate the existing data on the eleven (11) ponds, (suggest additional data that may be necessary) prioritizing ponds for remedial action, and develop a budget and a time line to remediate those ponds which would benefit from remediation.

**Phase 2** seeks the acquisition of permits to remediate at least two (2) of the eleven (11) ponds. (A future phase will cover the actual implementation of the remediation).

The objective is to complete Phase 1 within six (6) months on award of the contract and to complete Phase 2 within eighteen (18) months of award.

## II. **SPECIFICATIONS:**

### (A) **PHASE 1:**

#### **Evaluate Eleven (11) ponds and prioritize for recommended mitigation plan**

The selected consultant will evaluate the conditions and review existing information on the following Eastham ponds to include: Bridge Pond; Great Pond; Jemima Pond; Widow Harding Pond; Herring Pond; Muddy Pond (also known as Mill Pond); Depot Pond (also known as Long Pond); Little Depot Pond; Minister Pond (connected to Schoolhouse Pond); Schoolhouse Pond (connected to Minister Pond) and Molls Pond, and prioritize them for remedial action. Based on that evaluation, the consultant will suggest two (2) ponds to obtain permits to implement a remediation plan.

As part of that evaluation, the consultant will perform, at a minimum, the following tasks:

1. Review existing pond related reports and all analytical data collected over the years for each of the ponds.

(List of known documents below. All reports posted on the Town website are large and take time to download – please be patient)

#### **Reports #1 - #6 can be downloaded from the following Town website:**

[http://easthamma.virtualtownhall.net/Public\\_Documents/EasthamMA\\_BComm/waste\\_water](http://easthamma.virtualtownhall.net/Public_Documents/EasthamMA_BComm/waste_water)

1. “A diagnostic/feasibility study for the management of Great Pond” by Baystate Environmental Consultants.(1987)
2. “A diagnostic/feasibility study for the management of Herring Pond” by Baystate Environmental Consultants (December 1991)
3. “Eastham Freshwater Ponds: Water Quality Status and Recommendations for Future Activities” by the Coastal Systems Group and the Cape Cod Commission (December 2008)
4. “Interim Needs Assessment and Alternatives Screening Analysis Report” March 2009 (executive summary) by Stearns & Wheler
5. “Wastewater Management Plan for Eastham” June 2009 (executive summary) Stearns & Wheler
6. Analytical Data collected from October 2006 – October 2010

7. “The Cape Cod Pond and Lake Atlas Final Report”

<http://www.capecodgroundwater.org/PALS.html>

2. Evaluate the eutrophic conditions in the eleven (11) ponds and prioritize them for remedial action.
3. Recommend to the Town two (2) ponds for remediation and establish schedule to implement program for the two ponds selected.
4. Evaluate the feasibility of treatment methods including alum, identify and evaluate all method of remediation, and recommend the most appropriate remediation approach for at least two (2) ponds.

**(B) PHASE 2:**

**Acquire Permits to implement nutrient inactivation plan**

Undertake the permitting for the nutrient inactivation treatment for two (2) selected ponds in accordance with the requirements of the Eastham Conservation Commission and applicable state and/or federal rules or regulations.

As part of the work, the consultant will attend, at a minimum, seven (7) meetings in Eastham as listed below, and will complete the following tasks:

- An initial kick-off meeting with Town staff to review schedule and expected activities. (1)
- Coordinate and conduct a pre-application meeting with town staff and other relevant agencies. (1)
- Meet with DEP to present the recommended remedial action. (1)
- Conduct up to two public meetings to present the proposed remedial action to Eastham Residents. (2)
- Attend at least two meetings with the Conservation Commission and others to move application process forward. (2)

To implement this program in an orderly fashion work required includes preparation of permit applications and identification of all the activities required to get Federal/State/Local permits to remediate two (2) ponds.

**IV. INSURANCE**

The successful respondent shall provide insurance certificates as follows:

Professional Malpractice/Errors and Omissions Insurance Policy  
\$1,000,000 Per Claim  
\$2,000,000 Aggregate

Worker's Compensation  
As required by Massachusetts General Laws  
\$ 500,000 each accident  
\$ 500,000 contract limit  
\$ 500,000 each employee

All such certificates shall name the Town as an additional insured.

**V. CERTIFICATE OF NON-COLLUSION  
AND TAX COMPLIANCE CERTIFICATION**

In accordance with State law, all respondents are required to sign and submit the attachment in Exhibit A (Statement of Tax Compliance and Certificate of Non-Collusion).

**VI. EVALUATION CRITERIA**

All proposals will be judged based on complete accordance with criteria below as:

*Highly Responsive:* Exceeding the requirements or criteria;  
*Responsive:* Meeting the requirements or criteria;  
*Unresponsive:* Does not meet the requirements or criteria.

All proposals will be ranked and evaluated based on the following criteria:

1. Technical Approach:  
Proposals will be evaluated based on the Consultant's understanding of the Scope of Work; thoroughness of the proposed work program and clarity of the work program.
2. Qualifications:  
Professional qualifications of the respondent (training/educational background appropriate to the project described herein) and of all project personnel. All key project

personnel must have a minimum of five (5) years experience in this work, preferably for municipalities.

Consultant must have demonstrated experience with water monitoring and nutrient inactivation. Consultant must also have experience working with municipalities and/or private pond associations on similar projects.

3. References:

A minimum of three (3) references for related work shall be provided. All references shall include the complete address and recently verified telephone number, as well as the name and title of the individual who is familiar with the firm's performance on the project (Form provided in Exhibit B).

Preference will be given to proposers providing at least one (1) municipal reference.

References shall be for projects performed by key project personnel who will be involved in this work.

4. Quality of Written Materials:

Evaluators will review up to three (3) samples of materials provided to determine relative quality, readability, and depth of recommendations.

5. Project Schedule:

Proposed project schedule and demonstration that the Consultant will have sufficient resources and time to complete the project given other commitments.

6. Interview:

After review of submitted materials, up to three (3) respondents will be asked to attend an interview. Interview panel may include Board of Selectmen, Town staff and members on the Conservation Commission, Water Management Committee or others. All interviews will be conducted at Eastham Town Hall and all key project personnel must attend.

**VII. BASIS OF AWARD**

The Town will select the proposal that ranks "Highly Responsive" or "Responsive" and where the project schedule and key personnel after an interview, appear best suited for the Town. Once an award is made, the consultant should be prepared to begin work within four (4) weeks.

## VIII. SUBMISSION REQUIREMENTS

### 1. Requested information from consultant.

All responses, at a minimum, shall include the following:

1. General applicable experience of the firm;
2. A description of the approach to be taken by the firm to select the most appropriate remedial activity and a listing of potential associated permitting requirements;
3. Completion of List of References Form (Exhibit B);
4. Up to three (3) samples of documents for work of a similar nature;
5. Resumes of key people proposed to work on this project;
6. Experience with similar projects on Cape Cod and/or Massachusetts and
7. Completion of Statement of Tax Compliance and Certificate of Non-Collusion (Exhibit A).

### 2. TO SUBMIT:

Applicants should submit the following: (1) an original *non-price* proposal with seven (7) copies and (2) an original *price* proposal with three (3) copies, on or before **Thursday, March 31, 2011 at 3:00 p.m.** at which time and place the RFP will be opened and recorded. Proposals should be clearly marked "Pond Action and Remediation Plan - NON-PRICE PROPOSAL" with seven (7) copies and "Pond Action and Remediation Plan - PRICE PROPOSAL" with three (3) copies (sealed), to be addressed as follows:

Sheila Vanderhoef, Town Administrator  
Chief Procurement Officer  
Eastham Town Hall  
2500 State Highway  
Eastham, MA 02642

All proposals for consideration must be received at the date and time indicated, and in the manner prescribed to be eligible for consideration. Late, fax or E Mail proposals will not be considered.

If possible, one (1) copy of the complete work submission, on disc or flashdrive, would be appreciated.

**IX. INQUIRIES:**

Any questions concerning this RFP must be in writing.

*No questions will be answered after the close of business on Thursday, March 24, 2011.*

All questions pertaining to this RFP should be directed **in writing to:**

Sheila Vanderhoef  
Town Administrator  
Town of Eastham  
2500 State Highway  
Eastham, MA 02642

On **Friday, March 25, 2011** a single response will be prepared for all questions received, and circulated to all recipients of this RFP.

**X. MISCELLANEOUS**

Any correction or amendment may be submitted in writing prior to the time the RFP is due in a sealed envelope appropriately labeled.

The Consultant may not subcontract the work without the prior written approval of the Town of Eastham. The Consultant may not substitute for the person identified to undertake the work without the prior written approval of the Town of Eastham. It is expected the person named for each phase or section of the contract will remain with the project for its duration.

**TOWN OF EASTHAM**

**EXHIBIT A**

**CERTIFICATE OF NON-COLLUSION**

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity or group of individuals.

\_\_\_\_\_  
(Signature of individual signing bid or proposal)

\_\_\_\_\_  
(Name of business)

**STATEMENT OF TAX COMPLIANCE**

Pursuant to M.G.L. Chapter 62C, Section 49A, I certify under penalties of perjury that I, to my best knowledge and belief, have complied with all laws of the Commonwealth of Massachusetts relating to taxes.

Social Security or Federal  
Identification Number

\_\_\_\_\_

Signature of Individual signing  
bid or proposal

\_\_\_\_\_

TOWN OF EASTHAM  
REQUEST FOR PROPOSAL  
ACTION PLAN AND REMEDIATION PLAN - PONDS

**EXHIBIT B**

LIST OF REFERENCES

1. Name \_\_\_\_\_  
Address: \_\_\_\_\_  
Contact: \_\_\_\_\_  
Phone: \_\_\_\_\_
  
2. Name \_\_\_\_\_  
Address: \_\_\_\_\_  
Contact: \_\_\_\_\_  
Phone: \_\_\_\_\_
  
3. Name \_\_\_\_\_  
Address: \_\_\_\_\_  
Contact: \_\_\_\_\_  
Phone: \_\_\_\_\_

