



TOWN OF AYER
REQUEST FOR PROPOSALS
AQUATIC PLANT MANAGEMENT FOR TOWN PONDS
(Town Bid # 17CC01)

Town of Ayer
1 Main Street
Ayer, MA 01432

The Town of Ayer, acting through its Conservation Commission, is seeking services from lake management consulting/contracting firms (hereafter known as the Consultant) for Aquatic Plant Management Projects at Sandy Pond, Pine Meadow Pond, and Flannagan Pond in spring/early summer of 2017.

Seven copies of the sealed technical (non-price) proposal, and one copy of the sealed price (cost) proposal, should be submitted to Ayer Conservation Commission c/o Office of the Board of Selectmen, Town Hall, One Main Street, Ayer, MA, 01432. Proposals must be received at the above location **prior to 12 p.m., Tuesday, January 24, 2017**. Postmarks are not acceptable. **Technical (non-price) proposals will be opened at 12:00pm on Tuesday, January 24, 2017 in the First Floor Meeting Room of the Ayer Town Hall, 1 Main Street, Ayer, MA 01432.**

Questions regarding the substantive content of the RFP should be submitted in writing via e-mail to Mr. Brian Colleran, Conservation Agent at bcolleran@ayer.ma.us

Questions regarding the administrative/procurement content of the RFP should be submitted in writing via e-mail to Mr. Robert A. Pontbriand, Town Administrator at ta@ayer.ma.us

Objective Statement

The goal of pond treatment in Ayer is for the reduction, control, and management of the growth of aquatic invasive plants for the purpose of restoring and maintaining habitat, public enjoyment, and recreation. All management plans and strategies should reference and address the findings of the "Biological Survey, Assessment and Management Recommendations for Ayer's Ponds" prepared by Geosyntec Consultants (Final Report May 2016).

Sandy Pond

Sandy Pond encompasses an area of approximately 75 acres and is a deep kettle-hole pond (maximum and average depth of about 29 and 15 feet, respectively). The objective of the project at Sandy Pond is to control the growth of invasive and nuisance aquatic plants, specifically the eradication of 90% of fanwort (*Cabomba caroliniana*) and variable leaf water milfoil (*M. heterophyllum*), for the purpose of maintaining habitat and facilitating the recreational use of this Great Pond for swimming, boating, and fishing. The application of USEPA/MA registered aquatic herbicides has been identified as the most cost-effective and

only feasible method of plant control at this time, given the environmental and budgetary constraints for utilizing other potential pond management techniques.

Lowering of Sandy Pond has been done through the dam that controls Flannagan Pond through the removal of two boards from the East Main Street spillway, subject to all restrictions of the East Main Street spillway guidelines, dated August 22, 2001 and revised October 24, 2005.

Pine Meadow (AKA Erskines) Pond

Pine Meadow Pond is a 23 acre pond located north of Flannagan Pond, with an average depth of 6 to 7 feet. The objective of the project at Pine Meadow Pond is to control the growth of invasive and nuisance aquatic plants, specifically the eradication of 90% of fanwort (*Cabomba caroliniana*) and variable leaf water milfoil (*M. heterophyllum*), as well as a reasonable reduction of the invasive form of *Phragmites*, for the purpose of maintaining habitat and facilitating the recreational uses of boating and fishing. The water level of Pine Meadow Pond is set through a fixed-height dam and cannot be lowered.

Flannagan Pond

Flannagan Pond encompasses an area of approximately 85 acres and is a shallow impoundment type pond (maximum and average depth of 3-5 feet, respectively). The objective of the project at Flannagan Pond is to control the growth of invasive and nuisance aquatic plants, specifically the eradication of 90% of fanwort (*Cabomba caroliniana*) and variable leaf water milfoil (*M. heterophyllum*), for the purpose of maintaining habitat and facilitating the recreational uses of boating and fishing. The application of USEPA/MA registered aquatic herbicides has been identified as the most cost-effective and only feasible method of plant control at this time, given the environmental and budgetary constraints for utilizing other potential pond management techniques.

Lowering of Flannagan Pond has been done through the dam at the East Main Street spillway, subject to all restrictions of the East Main Street spillway guidelines, dated August 22, 2001 and revised October 24, 2005.

Scope of Work

The Consultant shall provide all materials, labor, and equipment to perform the required herbicide treatment(s) during the spring/summer of 2017 to meet the performance objective of 90% eradication of fanwort (*Cabomba caroliniana*) and variable leaf water milfoil (*M. heterophyllum*) in Sandy, Flannagan, and Pine Meadow Ponds. A minimum of four (4) sampling rounds with three (3) samples per round (twelve [12] samples total per pond) shall be collected post-treatment by the Consultant and analyzed for herbicide content by a qualified laboratory. The Consultant shall perform all required pre-treatment notifications and posting of printed signs, prior to each herbicide application. A minimum notice of 7 calendar days is required for Town offices and must be confirmed by same. All work shall be performed by properly licensed personnel, in accordance with all local, state and federal requirements.

The Consultant shall perform and provide written documentation of pre-treatment and post-treatment inspections; herbicide residue sample collection/testing; and a project completion report including the calculated pre- and post-area (sf) of targeted species, and the total percentage of area (sf) where the invasive plants were eradicated. Pre- and post-treatment inspections shall include a photographic survey and GPS-generated plot of the region(s) to be treated. Data points taken with the GPS should be spaced at 10' or less and provide an accurate plot of the area to be treated. A plot of pre-treatment data points is to be submitted to the Commission a minimum of seven (7) days prior to the first treatment. Post-treatment inspection shall include a photographic survey and GPS-generated plot of the final distribution of the targeted species. Pre- and post-treatment photographs shall be taken from the vantage points listed on the attached Photography plan. The total surface area of water being treated is to be calculated and specified in the reports.

The project completion report shall include the pre- and post-treatment inspection data, an overlay of the GPS-generated pre- and post-treatment plots, a calculation of the pre- and post-treatment areas, and a notarized statement by the Consultant that the eradication goal of 90% was met in all three ponds throughout the project year of 2017.

The Consultant shall secure a Massachusetts Department of Environmental Protection [DEP] license to apply chemicals and comply with any applicable Orders of Condition issued by the Ayer Conservation Commission.

Minimum Qualifications

The Consultant shall be licensed for Aquatic Pesticide Application by the Commonwealth of Massachusetts, and shall be fully insured. The Consultant shall have a minimum of five years experience in the field of Aquatic Plant Management.

All proposals submitted in accordance with the requirements of this RFP will be reviewed for completeness and responsiveness. Proposals from firms that do not meet the minimum qualifications above may be deemed non-responsive by the Town in its sole discretion.

Proposals shall be evaluated by the Town and ranked for each of the following comparative evaluation criteria as follows:

- Highly Advantageous
- Advantageous
- Not Advantageous
- Unacceptable

Any proposal receiving an unacceptable rating for any single criterion will be considered unacceptable in all respects. Technical proposals will be ranked and evaluated on the following criteria.

1. Utilizing Sonar or other appropriate herbicides to provide fanwort and variable water milfoil control of at least 90 percent through the year of treatment.
2. Demonstrated regional experience with Sonar or an appropriate herbicide for fanwort control and control of variable water milfoil and reported success of those projects. Two examples of project completion reports for similar, previously completed projects shall be submitted with the Proposal.
3. Experience and qualifications of key project personnel to perform chemical treatments, aquatic plant surveys/mapping, the chemical residue testing and reporting tasks required for this project. Specific college degrees held, and discipline, shall be provided for all key project personnel.
4. Technical approach for the project, thoroughness of the proposal, and probable success of the proposed treatment program. Provide example of pre- and post-treatment inspection methodology including forms and photographs. Pre- and post-treatment photographs must be taken per the Photography plan.
5. Demonstrated knowledge and understanding of the scope as relates to Sandy and Pine Meadow Ponds.
6. Demonstrate satisfaction with previous work performed for other municipalities.

Amendments (including formal questions submitted in writing by requestors) to the RFP will be issued by the Town of Ayer in writing via e-mail to all requestors on record who have signed out the RFP from the Ayer Board of Selectmen's Office. Requestors who have not signed out the RFP from the Town will not receive any amendments.

An award will be based on the evaluation and ranking of the technical proposals only with the award going to the top-ranked responsible and responsive consultant; the Town of Ayer will negotiate a contract with the top-ranked consultant, based on a review and justification of costs included in the Consultant's proposal. Should the Town and selected Consultant not be able to reach an agreement, the Town would then negotiate with the remaining firms in order of their ranking until a suitable agreement is reached.

All required information requested in the RFP will be utilized to evaluate each Consultant. The contract will be awarded within sixty (60) calendar days from opening of proposals.

Required Information

Seven copies of the proposal must be submitted in a sealed envelope labelled "Technical-Non Price Proposal" and the following information is required in each consultant's qualifications and proposal package:

1. Name, address, and telephone number of the consultant and the principal contact person.
2. Name, address, telephone number, and qualifications of all personnel to be associated with this project, if applicable.
3. Type of organization (i.e. individual, corporation, partnership, joint venture, etc.). Include a list of the principals.

4. List of municipal clients in Massachusetts in the past three years. Include the following information:
 - a. Location
 - b. Scope of involvement
 - c. References, with name, title, and telephone numbers
5. Certifications that all personnel associated with this project are licensed to undertake the task.
6. Insurance certificate showing coverage for General Liability, Automobile and Workman's Compensation (statutory). It is the vendor's responsibility to purchase and maintain adequate insurance to protect the vendor and Town for all claims.

The following minimum insurance is required:

a. Workman's Compensation	Statutory
Employer's Liability	
BI Each Accident	\$100,000
BI – Aggregate	\$500,000
BI – Each Employee	\$100,000
General Liability of at least \$1,000,000 Bodily Injury and Property Damage Liability, Combined Single Limit with a \$2,000,000 Annual Aggregate Limit. The Town should be named as an "Additional Insured"	
b. Comprehensive General Liability:	
Owner's Protective Liability	\$1,000,000
Comprehensive Public Liability	\$1,000,000
Bodily Injury	Any one person \$1,000,000
	Aggregate \$2,000,000
<i>The Town should be named as "Additional Insured"</i>	
Property Damage	\$1,000,000
c. Professional Liability	Per occurrence \$1,000,000
Aggregate \$2,000,000	
Contractors Pollution Liability	Per occurrence \$1,000,000
Aggregate \$2,000,000	
Motor Vehicle Pollution Liability	Per occurrence \$1,000,000
The Liability Policy shall be Broad Form and include coverage for Premises and Operations and Product Liability.	
d. Comprehensive Automobile Liability	
Bodily Injury:	Any One person/Aggregate
\$1,000,000	
Property Damage	Per Occurrence/Aggregate
\$500,000	

The Comprehensive Automobile Liability Insurance should be written to include owned, hired and non-owned vehicles and it shall provide Extra-Territorial Coverage.

e. **Umbrella Liability** At least \$500,000/ occurrence,
\$1,000,000/aggregate.

f. The Town of Ayer shall be named as an additional insured on the vendor's policy. No insurance shall be subject to cancellation without at least thirty (30) days prior written notice forwarded by registered or certified mail to the Town of Ayer. All parties shall also be notified of the attachment of any restrictive amendments to the policies.

- Proposals must be sent to and received on or before to: Ayer Conservation Commission, c/o Ayer Board of Selectmen, Town Hall, One Main St., Ayer, MA 01432 by **Tuesday, January 24, 2017 by 12 p.m.**
- Seven copies of the Technical Proposal must be submitted in a sealed and clearly marked envelope marked "Technical – Non Price Proposal".
- One copy of the Price Proposal (outlining the project costs) must be submitted in a separate, sealed envelope marked "Price Proposal".
- Questions regarding this bid may be directed to: Bill Daniels through the Conservation Commission office at 978-772-8249 or by email at concom@ayer.ma.us.

The Town of Ayer is an EEO/AA employer and reserves the right to accept or reject any or all proposals as deemed to be in the best interest of the Town.

Bill Daniels
Chairman, Ayer Conservation Commission

Available on the Conservation Commission's Town website, www@ayer.ma.us:

Order of Conditions	10 pages
East Main Street Spillway Policy Dated August 22, 2006	1 page
"Biological Survey, Assessment and Management Recommendations for Ayer's Ponds," prepared by Geosyntec Consultants (Final Report, May 2016)	113 pages

TAX ATTESTATION AND NON-COLLUSION STATEMENT

Pursuant to MGL Chapter 62C Section 49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I have filed all state tax returns and paid all state taxes required under law.

The undersigned certifies under penalties of perjury that this proposal is in all respects bona fide, fair, and made without collusion or fraud with any other person. As used in this section, the word "person" shall mean any natural person, joint venture, partnership, corporation, or other business or legal entity.

The undersigned declares that the only parties interested in this proposal as principals are named herein; that this proposal is made without collusion with any other person, firm, or corporation; that he has carefully examined the specifications therein referred to; and he proposes and agrees that, if this proposal is accepted, he will contract the Owner, in accordance with the specifications, to provide all necessary work to be done and also furnish all the materials specified in the manner and time prescribed and according to the requirements as set forth; and that he will take in full payment the following sum(s) to wit:

Social Security Number or
Federal Identification Number

By: _____

Print Name: _____

Date: _____





