

TOWN OF BYRON, GENESEE COUNTY, NEW YORK

REQUEST FOR QUALIFICATIONS – QUALIFIED ENGINEERING FIRMS NYS ENVIRONMENTAL FACILITIES CORPORATION FUNDING FOR WASTEWATER PLANT IMPROVMENT RELATED PROJECTS

September 25, 2024

I. PROJECT OVERVIEW

The Town of Byron is seeking proposals from qualified engineering firms to provide professional services to assist the Town in the final design and construction of identified wastewater projects. A selection panel will review and evaluate the proposals and submit a recommendation for a single engineering firm for this project. This recommendation will be made to the Town Board of the Town of Byron.

The Town of Byron has been listed on the 2025 NYS EFC Intended Use Plan under category D and has qualified for 0% hardship financing and applications are anticipated to be prepared for EFC short-term loan and grants and WIIA grant consideration.

A preliminary engineering report, dated June 2023 prepared by the MRB Group to meet NYSEFC's Engineering Report format for an updated Intended use Plan listing and CWSRF application for eventual loan and grant assistance has been prepared (copy attached). If adequate funding is secured, it is the Town 's intent to utilize the firm selected for this project for future wastewater projects as well.

The project will be subject to 20 percent participation by Minority and/or Women Owned Business Enterprises (MWBE) for professional service contracts over \$25,000.

As part of the final design process, alternatives considered should be identified and the rationale of the selected alternative will be discussed and reviewed with the Town. Smart Growth, energy efficiency and climate resiliency project alternative(s) must be considered and documented as part of the design process.

Any final engineering agreement must have the current copy of the NYS EFC terms and conditions attached as a supplement to the agreement.

Any future wastewater projects undertaken by the Town are anticipated to be funded with NYS and/or Federal loan and grant funds. All project bidding, construction administration, and inspection/closeout activities associated with future projects must be performed in accordance with appropriate NYSEFC, US EPA, and/or USDA Rural Development requirements and regulations.

In keeping with these requirements, the qualifications-based procurement standards for the Procurement of Architectural, Engineering, and Surveying (A/E) Services shall apply. Utilizing a qualifications-based process, the Town will select a consulting engineering firm to design, bid,

administer and close-out the current and any future wastewater projects, if any, undertaken by the Town. Proposals will be received from all firms which wish to be considered for this engagement. Qualified Minority and Women Owned Business as well as Section 3 Businesses are encouraged to submit a proposal.

Questions regarding this solicitation may be directed to the Town of Byron Supervisor, Candace Hensel, PO Box 9, 7028 Byron Holley Rd., Byron, NY 14422; (585) 548-7123 x 14 or by email at supervisor@byronny.com.

II. CONSULTANT SELECTION CRITERIA

Consultants must demonstrate their level of competence and qualification, and each subcontractor's level of competence and qualification (if any), with respect to the listed evaluation factors for the needed services.

NOTE: These factors are not listed in order of importance.

Evaluation factors include:

1. Be a New York State licensed engineering firm that possesses the ability to serve as Engineer-of-Record for the Town's projects.
2. The consultant's project understanding and project approach.
3. The ability of the selected firm to provide the technical skills necessary to perform wastewater capital improvements or maintenance projects, or evaluate such projects on a very short notice, and on an as-needed basis as determined by the Town.
4. Size and experience of the consultant's professional and technical staff with respect to the magnitude and complexity of various projects.
5. Experience of the consultant's professional staff with wastewater plant design, plant operations, and collection system improvements.
6. The consultant's ability to make practical sewer treatment plant process evaluations and develop best practice treatment recommendations.
7. Record of success by the consultant, demonstrated by work previously performed for the Town or similar work performed for others.
8. Individual within the consultant's organization who will have direct charge of the work.
9. Whether the consultant has adequate staff and/or other resources to perform the work within schedule and meet funding program MWBE requirements.
10. The approach the consultant proposes to use for the work and to keep the project within budget and on schedule.
11. Pertinent new ideas that may be presented by the consultant during the selection process.
12. Whether the consultant has an effective quality control program.
13. The consultant's demonstrated record of keeping construction costs within project budgets and design estimates.

14. Demonstrated ability to identify all necessary permits, regulatory requirements, and processes and obtain involved agency approvals.
15. Understanding of the importance of safety in design and constructability.
16. Demonstrated ability to run a diverse program including managing and coordinating schedules, deliverables, resources, and multiple consultants/subconsultants.
17. Submit a list of communities/clients where you have provided similar wastewater design services over the last three years.

After initial review of the submittals, a short list of consultants will be developed for further consideration. These firms may be invited for an interview. The best qualified firm or firms will be selected based on its demonstrated competence and qualification for the services required for the project. A more detailed scope of work and fee schedule will be negotiated with the best qualified firm. If negotiations are not successful with any selected firm, the Town will terminate negotiations with that firm and initiate negotiations with the next best qualified firm. When a fair and reasonable fee is established, a contract award recommendation will be made to the Town of Byron Town Board for its consideration.

III. ENGINEERING FIRM INSURANCE REQUIREMENTS

The firm must meet the following insurance requirements.

1. Proof of Workers Compensation insurance coverage.
2. General Liability \$1,000,000 per occurrence/\$2,000,000 aggregate. The Town must be listed as additional insured and endorsement required.
3. Auto Liability Insurance \$1,000,000 per occurrence combined single limits applicable to claims due to bodily injury and/or property damage. The Town must be listed as additional insured and endorsement required.
4. Professional Liability not less than \$2,000,000 per loss.

IV. PROPOSAL EVALUATION

The selection of the Consultant will be based upon the following criteria: successful performance in providing Engineering Services for similar projects; knowledge and familiarity with the Town's sanitary sewage collection system, technical capability (including experience) of the Project Manager and Project Team; the availability of the Consultants Staff and resources to assist the Town of Byron; and experience with NYSEFC Funded Projects. The relative weight of each criterion to be used by the Town in evaluating the proposals will be as follows:

- Knowledge and familiarity with the Town of Byron's wastewater treatment plant and collection system.

Maximum Points: 20

- Project Management Approach: Response as outlined regarding the firm's project management approach and the performance of the identified services as well as the timeliness of project deliverables

Maximum Points: 25

- Availability of staff and experience of the project team: Having the right team helps deliver a project within budget and on schedule. The Town will give considerable weight to the individual qualifications of the project team members who will be assigned to do a majority of the work identified. Considerations will include the individuals' qualifications, experience, and location of key personnel.

Maximum Points: 30

- Experience with NYSEFC funded projects: The firm's familiarity and experience in successfully satisfying NYSEFC engineering report and MWBE requirements will be reviewed and ranked.

Maximum Points: 25

Following the review of the Statement of Qualifications, no guarantee of future work assignments or projects can be made, however, the assignment of projects will be based on the Town's needs.

The selection of the consultant will be valid for a period of three (3) years from the date of Town Board approval and the Town reserves the right to renew the selected consultants for an additional three (3) years.

V. PROJECT SCHEDULE

| DATE | DESCRIPTION |
|-------------------|--|
| 09/23/24 | Request for Qualifications Advertised |
| 10/22/24 | Statement of Qualifications Received |
| October 30, 2024 | Review Qualifications and Short List Consultants, Begin Interviews, if needed. |
| November 13, 2024 | Award to consultant at Town Board Meeting |

VI. MBE/WBE

The Town of Byron is an equal opportunity employer and supports the use of Minority Business Enterprise, Women's Business Enterprise firms as part of your proposal.

Minority and Women's business enterprises and Section 3 firms are strongly encouraged to apply.

VII. SUBMISSION

Please provide a copy of your qualifications and related materials via electronic or hard copy. Proposals may be transmitted electronically in a PDF format consisting of a Statement of Qualifications or four (4) bound copies of your qualifications statement via mail in a sealed envelope no later than 3:00 pm, October 22, 2024, the submittal deadline date. Please mark your response **“REQUEST FOR ENGINEERING QUALIFICATIONS – TOWN OF BYRON”** and send or mail your response to:

Candace Hensel
Town Supervisor
Town of Byron
7028 Byron Holley Road
PO Box 9
Byron, NY 14422
Tel: (585) 548 – 7123 x14
Email: supervisor@byronny.com

VIII. RIGHTS

The Town of Byron shall be the sole judge of whether a submittal conforms to the requirements of this RFQ and of the merits and acceptability of the individual submittals. Notwithstanding anything to the contrary contained herein, the Town reserves the right to take any of the following actions in connection with this RFQ: amend, modify or withdraw this RFQ; waive any requirements of this RFQ; require supplemental statements and information from any respondents to this RFQ; award a contract to as many or as few or none of the respondents as the Town may select; to accept or reject any or all proposals received in response to this RFQ; extend the deadline for submission of proposals; negotiate or hold discussions with one or more of the respondents; permit the correction of deficient proposals that do not completely conform with this RFQ; waive any conditions or modify any provisions of this RFQ with respect to one or more respondents; reject any or all proposals and cancel this RFQ, in whole or in part, for any reason or no reason, in the Town's sole discretion. The Town may exercise any such rights at any time, without notice to any respondent or other parties and without liability to any respondent or other parties for their costs, expenses or other obligations incurred in the preparation.