Environmental Monitoring Support Services for the State-Licensed Disposal Area (SDA) and the Western New York Nuclear Service Center (WNYNSC)
Request for Proposal (RFP) 1885

Proposals Due: 04/08/2010 by 5:00 PM Eastern Time*

NYSERDA seeks proposals from firms and/or individuals for Environmental Monitoring Support Services for the State-Licensed Disposal Area (SDA) and the Western New York Nuclear Service Center near West Valley, New York. The activities covered under this Scope of Work (SOW) include: groundwater monitoring, groundwater and trench leachate elevation measurements, surface water monitoring, SDA stormwater monitoring, environmental TLD monitoring, support services for health and safety and emergency response, rapid response and minor effort work activities and GIS/database support.

The initial term of the contract will be one year, with the option to renew annually for up to four additional years at NYSERDA's discretion. The contract is expected to start on or about July 15, 2010.

Proposal Submission: Proposers must submit seven (7) copies of the proposal with a completed and signed Proposal Checklist attached to the front of each copy, one of which must contain an original signature. Proposals must be clearly labeled and submitted to:

Roseanne Viscusi, RFP 1885
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

If you have technical questions concerning this solicitation, contact Martin J. Willett at (716) 942-9960, ext. 4027 or mjw@nyserda.org. If you have contractual questions concerning this solicitation, contact Venice Forbes at (518) 862-1090, ext. 3507 or vwf@nyserda.org.

No communication intended to influence this procurement is permitted except by contacting Martin J. Willett (Designated Contact) at (716) 942-9960, ext. 4027 or mjw@nyserda.org. Contacting anyone other than this Designated Contact (either directly by the proposer or indirectly through a lobbyist or other person acting on the proposer's behalf) in an attempt to influence the procurement: (1) may result in a proposer being deemed a nonresponsible offerer, and (2) may result in the proposer not being awarded a contract.

*Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist will be returned. Faxed or e-mailed proposals will not be accepted. Proposals will not be accepted at any other NYSERDA location other than the address above. If changes are made to this solicitation, notification will be posted on NYSERDA's web site at www.nyserda.org.

I. Introduction

The New York State Energy Research and Development Authority (NYSERDA) is seeking proposals for Environmental Monitoring Program Support Services for the West Valley Site Management Program (WVSMP) for the New York State Licensed Disposal Area (SDA) and the Western New York Nuclear Service Center (Center) near West Valley, New York. The objectives of this solicitation are to provide the services, expertise, and materials needed to implement and support the WVSMP Environmental Monitoring Program. Services will include routine monitoring for radiological and chemical contaminants in environmental media, providing rapid-response support for emergency recovery and minor-effort operations and maintenance activities and providing programming support to upgrade and/or maintain the WVSMP environmental monitoring database (NYSIMSII) and GIS projects.

II. Program Requirements

A. Services Requested

NYSERDA has convened a Technical Evaluation Panel (TEP), with representation from NYSERDA and three outside environmental monitoring experts, to assist in the evaluation of proposals for this work. The attached Scope of Work (Attachment C) is being circulated to solicit bids from firms with environmental monitoring expertise interested in performing the tasks defined by this proposal. The initial term of the contract will be one year, with the option to renew annually for up to four additional years at NYSERDA's discretion. The contract is expected to start on or about July 1, 2010.

All field work must be performed in accordance with the requirements described in the following documents:

- Attachment D – *Safety, Training, and Handling of Chemicals and Waste*
- Attachment E – *West Valley Site Management Program Safety and Health Program Plan* (HAS503)
- Attachment F – *Groundwater Monitoring Plan for the State-Licensed Disposal Area (SDA)* (ENV502)
- Attachment G – *Leachate Monitoring Plan for the State-Licensed Disposal Area (SDA) (ENV501)*
- Attachment H – *Surface Water Monitoring Plan for the State-Licensed Disposal Area (SDA)* (ENV504)
- Attachment I – *Sampling and Analysis Plan for Stormwater Discharge at the State-Licensed Radioactive Waste Disposal Area (SDA)* (ENV505)
- Attachment J – *Environmental TLD Monitoring Program Plan for the SDA* (ENV506)
- Attachment K – *Emergency Response Services Procedure* (OPS014)
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Historical results of environmental monitoring, inspections and maintenance activities conducted during calendar year 2008 are provided in Attachment L (*State-Licensed Disposal Area at West Valley: 2008 Annual Report*.)

B. Range/Scope of Services to be Provided

The attached Scope of Work provides a detailed description of the requested services and program requirements. The activities covered under this Scope of Work (SOW) include:

- Groundwater monitoring
- Groundwater and trench leachate elevation measurements
- Surface water monitoring
- SDA Stormwater monitoring

- Environmental TLD monitoring
- Rapid Response and Minor Effort Work Activities
- Support Services for Health and Safety and Emergency Response
- GIS/Database Support

C. Proposer Qualifications

NYSERDA seeks proposal from firms with environmental monitoring expertise who have:

- Relevant education and experience in environmental monitoring
- Experience with similar environmental monitoring activities.
- The resources necessary to provide the full breadth of services required.

Relevant education and training would include relevant degrees, training certificates, and other accredited education focused on, but not limited to, sampling/measuring environmental media for chemical and radiological constituents, proper management and transport of samples for analyses and statistical analyses of results.

Experience with similar environmental monitoring activities would include past environmental monitoring activities in mixed-waste environments, activities involving sampling of radiological and chemical contaminants in environmental media, ground surface and elevation surveys and programming experience with ESRI ARCGIS software, Microsoft Office 2007, compliant programming languages (e.g., Visual Basic, SQL, Python, etc.) and other spatial analysis software for GIS/database support.

Resources necessary to provide the full breadth of services would include sufficient organizational resources to provide the services described in the Scope of Work.

D. Division of Responsibilities

NYSERDA shall provide the following:

- Radiation safety support for all applicable on-site field work
- Site-specific training for all contractor employees to allow unescorted access to the SDA

The Contractor shall provide the following:

- 24-Hour Hazardous Waste Operations and Emergency Response trained personnel for all on-site field work
- Site-Specific Health and Safety Plan for all on-site field work
- Equipment needed to perform tasks outlined in the Statement of Work (Attachment C)

III. Proposal Requirements

A. Proposal Content

The Proposer will be required to prepare a proposal, schedule, and firm cost estimate for environmental monitoring services described in this solicitation. The proposal must identify how the contractor will provide all the required services. Proposals should not be excessively long or submitted in an elaborate format that includes expensive binders or graphics. Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and effective response will not influence the evaluation of the proposal. Each page of the proposal should state the name of the proposer, the RFP number, and the page number.

Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist will be returned. Faxed or e-mailed copies will not be accepted.

A complete response to this Request for Proposals shall include two parts:

1. A "Technical and Management" section including the following elements:

- Completed **and signed** "Proposal Checklist" form (Attachment A) to be attached as the front cover to all copies of Part I of the proposal, one of which must contain an original signature.
- Background/Objectives (1 page maximum)
- Services to be Provided (3 pages maximum)
- Management Plan and Schedule for the Work (8 pages maximum)
- Current Qualifications Statement that clearly presents the proposer's education, training and experience relevant to the Scope of Work
- Letters of commitment from all participating organizations (if applicable)

2. A "Cost and Disclosures" section including the following elements:

- Disclosure of Prior Findings of Non-Responsibility – "Executive Order 127" form (Attachment B)
- Cost proposal including hourly rates and any other applicable costs or rates included on the attached Contracts Pricing Proposal Form (Attachment M, instructions included);
- Indictment/Conviction of Felony (if applicable)
- NYSERDA Contracts Awarded (if applicable)
- Prior and/or Competing Proposals (if applicable)

Attach supporting documentation to support indirect cost (overhead) rate(s) included in your proposal as follows:

1. Describe the basis for the rates proposed (i.e., based on prior period actual results; based on projections; based on federal government or other independently-approved rates).
2. If rate(s) is approved by an independent organization, such as the federal government, provide a copy of such approval.
3. If rate(s) is based on estimated costs or prior period actual results, include calculations to support proposed rate(s). Calculation should provide enough information for NYSERDA to evaluate and confirm that the rate(s) are consistent with generally accepted accounting principles for indirect costs.

NYSERDA reserves the right to audit any indirect rate presented in the proposal and to make adjustment for such difference. Requests for financial statements or other needed financial information may be made if deemed necessary.

B. Proposal Evaluation Criteria

Proposals that meet Proposal requirements will be reviewed by a Technical Evaluation Panel (TEP) using the following Evaluation Criteria:

1. Quality of the Individual and Organization

- Qualifications and experience of the firm or individual proposer (Note: proposers should be aware that information may be requested from client references)
- Qualifications, including educational background, training and experience of the key personnel

- Quality, experience, availability, and depth of the resources and support systems identified and necessary to perform environmental monitoring services in a timely manner.

2. Capability of the Organization

- Soundness of the approach to provide the required services
- Breadth of prior and current experience providing and/or performing similar environmental monitoring program services.
- Ability to provide the necessary resources to conduct high quality work in a timely manner.

3. Cost Criteria

- The reasonableness of the hourly rates proposed
- A comparison of all proposers costs and fees
- A comparison of all proposers firm cost estimate for required activities

TEP members will use a score sheet to rate and rank the proposals. After assessing the proposals from the technical and management and cost criteria, the TEP will make a recommendations as to which proposal is most beneficial to the WVSMP.

IV. General Conditions

A. Proprietary Information

Proprietary Information - Careful consideration should be given before confidential information is submitted to NYSERDA as part of your proposal. Review should include whether it is critical for evaluating a proposal, and whether general, non-confidential information, may be adequate for review purposes. The NYS Freedom of Information Law, Public Officers law, Article 6, provides for public access to information NYSERDA possesses. Public Officers Law, Section 87(2)(d) provides for exceptions to disclosure for records or portions thereof that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information submitted to NYSERDA that the proposer wishes to have treated as proprietary, and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to accept it from disclosure, including a written statement of the reasons why the information should be excepted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501 www.nyserda.org/about/nyserda.regulations.pdf. However, NYSERDA cannot guarantee the confidentiality of any information submitted.

B. Omnibus Procurement Act of 1992

It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority- and women-owned business enterprises, as bidders, subcontractors, and suppliers on its procurement Agreements.
Information on the availability of New York subcontractors and suppliers is available from:

Empire State Development
Division For Small Business
30 South Pearl Street
Albany, NY 12245

A directory of certified minority- and women-owned business enterprises is available from:
Empire State Development
Minority and Women's Business Development Division

30 South Pearl Street
Albany, NY 12245

C. State Finance Law (Section 139-j and 139k)

NYSERDA is required to comply with the procurement lobbying requirements contained in State Finance Law sections 139-j and 139-k, which became effective on January 1, 2006. (The text of the laws are available at: http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html). In compliance with §139-j and §139-k of the State Finance Law, for proposals submitted in response to this solicitation, additional forms must be completed and filed with proposals: (1) a signed copy of the Proposal Checklist including required certifications under the State Finance Law and (2) a completed Disclosure of Prior Findings of Non-Responsibility form. Failure to include a signed copy of the Proposal Checklist referenced in this solicitation will disqualify your proposal.

D. Tax Law Section 5-a

Tax Law Section 5-a - NYSERDA is required to comply with the provisions of Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with NYSERDA having a value in excess of $100,000, to certify to the Department of Taxation and Finance (the "Department") whether the contractor, its affiliates, its subcontractors and the affiliates of its subcontractors have registered with the Department to collect New York State and local sales and compensating use taxes. The Department has created a form to allow a prospective contractor to readily make such certification. *See,* ST-220-TD (available at http://www.tax.state.ny.us/pdf/2006/fillin/st/st220td_606_fill_in.pdf). Prior to contracting with NYSERDA, the prospective contractor must also certify to NYSERDA whether it has filed such certification with the Department. The Department has created a second form that must be completed by a prospective contractor prior to contacting and filed with NYSERDA. *See,* ST-220-CA (available at http://www.tax.state.ny.us/pdf/2006/fillin/st/st220ca_606_fill_in.pdf). The Department has developed guidance for contractors which is available at http://www.tax.state.ny.us/pdf/publications/sales/pub223_606.pdf.

E. Contract

~~Award~~ NYSERDA anticipates making one award under this solicitation. It may award a contract based on initial applications without discussion, or following limited discussion or negotiations. Each offer should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support applications. NYSERDA will use the Sample Agreement (Attachment N) to contract successful proposals. NYSERDA expects to notify proposers in approximately eight weeks from the proposal due date whether your proposal has been selected.

F. Limitation

This solicitation does not commit NYSERDA to award a contract, pay any costs incurred in preparing a proposal, or to procure or contract for services or supplies. NYSERDA reserves the right to accept or reject any or all proposals received, to negotiate with all qualified sources, or to cancel in part or in its entirety the solicitation when it is in NYSERDA's best interest.

G. Disclosure Requirement

The proposer shall disclose any indictment for any alleged felony, or any conviction for a felony within the past five years, under the laws of the United States or any state or territory of the United States, and shall describe circumstances for each. When a proposer is an association, partnership, corporation, or other

organization, this disclosure requirement includes the organization and its officers, partners, and directors or members of any similarly governing body. If an indictment or conviction should come to the attention of NYSERDA after the award of a contract, NYSERDA may exercise its stop-work right pending further investigation, or terminate the agreement; the contractor may be subject to penalties for violation of any law which may apply in the particular circumstances. Proposers must also disclose if they have ever been debarred or suspended by any agency of the U.S. Government or the New York State Department of Labor.

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VI. Attachments:

Attachment A - Proposal Checklist Form
Attachment B - Disclosure of Prior Findings of Non-Responsibility Form
Attachment C - West Valley Site Management Program Statement of Work For the Environmental Monitoring Support Services For The State-Licensed Disposal Area (SDA) And The Western New York Nuclear Service Center
Attachment D - *Safety, Training, and Handling of Chemicals and Waste*
Attachment E - *West Valley Site Management Program Safety and Health Program Plan* (HAS503)
Attachment F - *Groundwater Monitoring Plan for the State-Licensed Disposal Area (SDA) at West Valley* (ENV502)
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Attachment J - *Environmental TLD Monitoring Program Plan for the SDA* (ENV506)
Attachment K - *Emergency Response Services Procedure* (OPS014)

Attachment L - *State-Licensed Disposal Area at West Valley: 2008 Annual Report*
Attachment M - Contracts Pricing Proposal Form (CPPF) and CPPF Instructions
Attachment N - Sample Agreement