



**NYSERDA**

Environmental Monitoring Support Services for the State-Licensed Disposal Area (SDA) and the Western New York Nuclear Service Center (WNYNSC)  
Request for Proposal (RFP) 3047

Proposals Due: April 22, 2015 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 thermoluminescent dosimeter (TLD) monitoring, support services for health and safety and emergency response, rapid response and minor effort work activities and Geographic Information System (GIS)/database support.

The term of the contract will be for five years. The contract is expected to start on or about July 15, 2015.

**Proposal Submission:** Electronic submission is preferable. NYSERDA will also accept proposals by mail or hand-delivery. If submitting electronically, proposers must submit the proposal in either PDF or MS Word format with a completed and signed Proposal Checklist and Disclosure of Prior Findings of Non-Responsibility, in PDF format. Proposal PDFs should be searchable and should be created by direct conversion from MS Word, or other conversion utility, rather than scanning. For ease of identification, all electronic files must be named using the proposer's entity name in the title of the document. Proposals may be submitted electronically by following the link for electronic submissions found on this **RFP's** webpage, which is located in the "Current Opportunities" section of NYSERDA's website (<http://www.nyserderda.ny.gov/Funding-Opportunities/Current-Funding-Opportunities.aspx>). Instructions for submitting electronically are located in that section as Attachment **O** to this **RFP**.

If mailing or hand-delivering, proposers must submit (4) paper copies of their proposal with a completed and signed Proposal Checklist, along with a CD or DVD containing either a PDF or MS Word digital copy of the proposal, following the above guidelines. Mailed or hand-delivered proposals must be clearly labeled and submitted to:

**Roseanne Viscusi, RFP 3047**  
**NYS Energy Research and Development Authority**  
**17 Columbia Circle**  
**Albany, NY 12203-6399**

If you have technical questions concerning this solicitation, contact Douglas Coble at (716) 942-9960, ext. 4027, or [Douglas.Coble@nyserda.ny.gov](mailto:Douglas.Coble@nyserda.ny.gov). If you have contractual questions concerning this solicitation, contact Venice Forbes at (518) 862-1090, ext. 3507, or [Venice.Forbes@nyserda.ny.gov](mailto:Venice.Forbes@nyserda.ny.gov).

No communication intended to influence this procurement is permitted except by contacting Douglas Coble (Designated Contact) at (716) 942-9960, ext. 4027, or [Douglas.Coble@nyserda.ny.gov](mailto:Douglas.Coble@nyserda.ny.gov). Contacting anyone other than the 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 non-responsible 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.nyserderda.ny.gov](http://www.nyserderda.ny.gov).

## **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, rapid-response support for emergency recovery and minor-effort operations and maintenance activities, and programming support to upgrade and/or maintain the WVSMP environmental monitoring database (NYSIMSII) and Geographic Information System (GIS) projects.

## **II. Program Requirements**

### **A. Services Requested**

NYSERDA has convened a Technical Evaluation Panel (TEP), with representation from NYSERDA and outside environmental monitoring experts, to assist in the evaluation of proposals for this work. The attached Scope of Work (SOW) (Attachment C) is being circulated to solicit bids from firms with environmental monitoring expertise interested in performing the tasks defined by this proposal. The term of the contract will be five years and is expected to start on or about July 15, 2015.

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); and
- Attachment L - *State-Licensed Disposal Area at West Valley: 2013 Annual Report*. This report provides historical results of environmental monitoring, inspections and maintenance activities conducted during calendar year 2013.

### **B. Range/Scope of Services to be Provided**

The attached SOW provides a detailed description of the requested services and program requirements. Activities covered under this SOW include:

- Groundwater monitoring
- Groundwater and trench leachate elevation measurements
- Surface water monitoring
- SDA stormwater monitoring
- Environmental thermoluminescent dosimeter (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 SOW.

#### **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 in accordance with the subtask specifications provided below. As part of the proposal, describe any additional subcontracts and procedures that need to be put in place to establish a defensible and compliant environmental monitoring program.

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. The proposal must be in the following format:

#### **Part I - Technical and Management**

- Completed "Proposal Checklist" Form (Attachment A) - to be attached to the front page of all copies of Part I of the proposal.
- Background/Objectives (one-page maximum).
- Services to be provided (three-page maximum).
- Approach for providing environmental monitoring program services (six-page maximum).
- Current Qualifications Statement that clearly presents the experience of the firm or individual(s).
- Current Qualifications Statement that clearly presents the education, training and experience of key personnel proposed to be used relevant to the Scope of Work.
- Plan for meeting the contract participation goals for minority and women-owned business enterprises in Attachment K (one-page maximum).
- Letters of commitment from all participating firms or individuals (if applicable).
- Work Plan including key personnel and schedule for tasks or services that are anticipated to require lead time in order to implement (five-page maximum).

#### **Part II - Cost and Disclosures**

- Disclosure of Prior Findings of Non-Responsibility –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).
- Names and contact information for client references (maximum of three).
- Any Indictment/Conviction of Felony (if applicable).

- Any NYSERDA Contracts awarded (if applicable).
- Prior and/or Competing Proposals (if applicable).
- Cost Estimate for performing the services described in this solicitation.
- Exceptions to Terms and Conditions (if applicable).

In compliance with §139-j and §139-k of the State Finance Law (see Section VI, General Conditions below for additional information), 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 may disqualify your proposal.

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 adjustments for any such difference(s). 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. Technical and Management Criteria**

- Quality and depth of the resources and support systems necessary to perform services.
- Qualifications of the firm including the educational background, training and experience of key personnel. Key personnel include field, technical, and supervisory and/or project management staff.
- Ability to provide the necessary resources to conduct high quality work in a timely manner.
- Breadth of prior and current experience in providing environmental monitoring program support services.
- Approach to provide the required services

##### **2. 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.

Interviews may be scheduled to further assess the qualifications of the proposers. After assessing the proposals from the technical and management criteria, cost criteria, and interviews (if necessary), the TEP will make a recommendation as to which proposer 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, nonconfidential 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 except 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 <http://www.nyserda.ny.gov/About/-/media/Files/About/Contact/NYSERDA-Regulations.ashx>). 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  
625 Broadway  
Albany, NY 12207

A directory of certified minority and women-owned business enterprises is available from:

Empire State Development  
Minority and Women's Business Development Division  
625 Broadway  
Albany, NY 12207

**New York Executive Law Article 15-A** - NYSERDA is required under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises, and the employment of minority group members and women in the performance of NYSERDA contracts. The MWBE participation goals and obligations of the selected Contractor are set forth in Attachment K.

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

NYSERDA is required to comply with State Finance Law Sections 139-j and 139-k. These provisions contain procurement lobbying requirements which can be found at <http://www.ogs.ny.gov/aboutOgs/regulations/advisoryCouncil/StatutoryReferences.html>

The attached Proposal Checklist calls for a signature certifying that the proposer will comply with State Finance Law Sections 139-j and 139-k and the Disclosure of Prior Findings of Non-Responsibility Form includes a disclosure statement regarding whether the proposer has been found nonresponsible under Section 139-j of the State Finance Law within the previous four years.

**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.ny.gov/pdf/current\\_forms/st/st220td\\_fill\\_in.pdf](http://www.tax.ny.gov/pdf/current_forms/st/st220td_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 perspective contractor prior to contacting and filed with NYSERDA. See, ST-220-CA (available at [http://www.tax.ny.gov/pdf/current\\_forms/st/st220ca\\_fill\\_in.pdf](http://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf)). The Department has developed guidance for contractors, which is available at <http://www.tax.ny.gov/pdf/publications/sales/pub223.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 pertaining to the Statement of Work. 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 reserves the right to limit any negotiations to exceptions to standard terms and conditions in the Sample Agreement to those specifically identified in the submitted proposal (see Proposal Checklist). Proposers should keep in mind that acceptance of all standard terms and conditions will generally result in a more expedited contracting process. NYSERDA expects to notify proposers in approximately 6 weeks from the proposal due date whether your proposal has been selected to receive an award. NYSERDA may decline to contract with awardees that are delinquent with respect to any obligation under the previous or active NYSERDA agreement.

#### **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. NYSERDA reserves the right to reject proposals based on the nature and number of any exceptions taken to standard terms and conditions of the Sample Agreement.

#### **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 "Right to Stop Work," 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.

### **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 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)*

**Attachment G** - *Leachate Monitoring Plan for the State-Licensed Disposal Area (SDA) at West Valley (ENV501)*

**Attachment H** - *Surface Water Monitoring Plan for the State-Licensed Disposal Area (SDA) at West Valley (ENV504)*

**Attachment I** - *Sampling and Analysis Plan for Stormwater Discharge Monitoring at the State-Licensed Radioactive Waste Disposal Area (ENV505)*

**Attachment J** - *Environmental TLD Monitoring Program Plan for the SDA (ENV506)*

**Attachment K** - *Article 15-A (MWBE) Provisions for Solicitation Documents (non-construction)*

**Attachment L** - *State-Licensed Disposal Area at West Valley: 2013 Annual Report*

**Attachment M** - Contracts Pricing Proposal Form (CPPF) and CPPF Instructions

**Attachment N** - Sample Agreement

**Attachment O** - Electronic Proposal Submittal Instructions