

REQUEST FOR QUALIFICATIONS
ENVIRONMENTAL, HEALTH & SAFETY
CONSULTING SERVICES
FOR
ERIE COUNTY

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS
95 Franklin Street, Room 1400, Buffalo, New York 14202
Gary M. Zawodzinski
Deputy Commissioner - Highways

REQUEST FOR QUALIFICATIONS

ENVIRONMENTAL, HEALTH & SAFETY

CONSULTING SERVICES

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1. INTRODUCTION AND OVERVIEW

1.1 General:

The ERIE COUNTY DEPARTMENT OF PUBLIC WORKS (hereinafter COUNTY) is inviting qualified firms to provide comprehensive professional environmental, health & safety consulting services related to County facilities. The County is requesting proposals from qualified consultants to assist in complying with Federal Agencies including but not limited to the requirements of OSHA, DOT, SARA, EPCRA, RCRA, CBS, CWA, CAA, and TSCA.

It is the intention of the County to select a qualified firm (Proposer) to provide these services over the course of a two year contract. Program efforts will commence in 2011 and continue through 2012.

Each firm should submit a Request for Qualifications (RFQ) response **by 10:00 A.M., on Thursday, March 10, 2011 to:**

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS
Attn: Mr. Gary M. Zawodzinski, Deputy Commissioner – Highways
95 Franklin Street, Room 1400
Buffalo, New York 14202

Please send **one (1) original and three (3) copies of requested materials**. It is the responsibility of the Proposer to submit the response by the proper time. No oral, telegraphic, electronic, facsimile, or telephone statements will be considered. Proposals received after **10:00 a.m. EST, on Thursday, March 10, 2011** will not be considered and will be returned unopened.

Should you have any questions concerning the information contained in the RFQ document, please submit them in writing to Mr. Gary M. Zawodzinski, Deputy Commissioner - Highways at zawodzig@erie.gov or the above address no later than **10 a.m. EST, Wednesday, March 9, 2011**.

1.2 Project Overview:

The County has various facilities in the Parks, Building and Grounds, REAM, Highway Departments and other locations that are primarily used for storage and maintenance of facility equipment. In addition the County owns and operates an extensive network of sanitary sewer collection and treatment facilities including wastewater treatment plants and pumping stations. The objective of this project is to assist the County in identifying concerns and maintaining environmental, health & safety compliance at each facility. As such, the selected consultant will be required to complete a comprehensive environmental, health & safety audit at each facility and prepare a report of the findings. The consultant will also be responsible for all communication between the agencies and the County in addition to required remedies. The overall purpose is to ensure that the County is compliant in all matters regarding the above agencies.

1.3 Proposals:

Proposers are requested to submit proposals offering environmental, health & safety services as described in 1.6 above and in a format specified in Section 3 of this RFQ. Before submitting a Proposal, each Proposer must: a) examine the RFQ and all attachments and exhibits thoroughly and, b) become familiar with federal, state, and local laws, ordinances, rules, and regulations that may in any manner affect cost, progress, or performance of the work. The Proposer must complete the RFQ in its entirety.

Proposers may be invited to present their proposal at the request of the County.

1.4 Selection:

The County will select a successful Proposer based on the Proposer's ability to best meet the requirements as stated in the RFQ, qualifications and experience conducting similar projects.

1.5 The Selection Process:

The Proposal is open to all responding parties. Processing of this RFQ will be handled in the following manner:

1.5.1 All proposals will be evaluated. Some proposers may be invited to the County to present. The Evaluation Committee will recommend a Proposer to the County for approval. The recommendation for selection will be made on the basis of the Evaluation Criteria identified in Section 4.

1.5.2 In the event that additional services, elements, changes, or enhancements to existing elements contained in this RFQ may be required, the County reserves the

right to negotiate with the Proposer to cause these changes to be incorporated in the work product.

- 1.5.3 If the County is not successful in negotiating an agreement with the selected Proposer, the County may, at its sole discretion, after notification, begin to negotiate an agreement with another Proposer.
- 1.5.4 Upon conclusion of negotiations, the Deputy Commissioner - Highways will recommend award of an Environmental, Health & Safety Consulting Services agreement to the County for approval.
- 1.5.5 Notwithstanding a recommendation of a department, agency, individual, or other, the County retains the right to exercise its judgment regarding the terms of any resultant agreement, and to determine which Proposer best serves the interests of County. The Erie County Department of Public Works is the ultimate decision making body and makes the final determinations necessary to arrive at a decision to award, or not award, a contract.

1.6 Professional Services:

The following is a general framework of services that could be provided by the Engineering firm selected. Services shall not be limited by this framework. Instead, the scope of services will be tailored to the project, its budget, schedule and extent of work.

- Multi-Media Environmental Audit
- EPA Self-Audit Program
- Stormwater Discharge
- Used Oil Management
- Petroleum Storage Tanks
- Hazardous and Universal Waste Management
- Air Emissions Sources
- Safety Compliance
- Safety Program Review and Considerations
- Safety Training Review and Compliance

2. GENERAL CONDITIONS

2.1 General Conditions:

This RFQ is a solicitation for proposals only, and is neither intended, nor to be construed as, an offer to enter into an agreement or engage in any formal competitive bidding or negotiation

pursuant to any statute, ordinance, rule, or regulation. Thus, the County reserves the unqualified right to reject any or all proposals for any reason.

2.2 County Responsibilities:

The County is responsible only for that which is expressly stated in this RFQ. The County is not responsible for, and shall not be bound by, any representations otherwise made by any individual acting or purporting to act on its behalf.

2.3 Cost of RFQ:

The County shall not, in any way, be liable or responsible for any costs incurred in connection with the preparation, submittal, or presentation of any Proposal submitted in response to this request.

2.4 Compliance with RFQ:

Responses to this RFQ shall be made according to the specifications and instructions contained herein. Failure to adhere to RFQ instructions may be cause for rejection of any Proposal.

2.5 Truth and Accuracy of Representations:

Substantially false, misleading, incomplete, or unresponsive statements and/or failure to adhere to the format herein described may be sufficient cause for rejection. The evaluation and determination of the fulfillment of the above requirement shall be in County's sole judgment and shall be final.

2.6 Contract Execution:

The resultant negotiated contract terms of this RFQ, once approved by the County and sent to the selected firm, shall be executed and returned by the selected firm within ten (10) calendar days from the time of receipt of the contract.

2.7 County Changes to RFQ:

The County reserves the right to interpret or change any provisions of this RFQ at any time prior to the Proposal submittal date. Such interpretations or changes shall be in the form of addenda to this RFQ. Such addenda will become part of this RFQ and may become part of any resultant contract. Such addenda shall be made available to each person or organization which has received an RFQ. Should such addenda require additional information not previously requested, a Proposer's failure to address the requirements of such addenda may result in the Proposer not being considered. The County, at its sole discretion, may determine that a time extension is required for submittal of proposals, in which case an addendum shall indicate the new Proposal submittal date.

2.8 Proposer Changes to Proposal:

No changes to the Proposals shall be allowed after submittal to the County.

2.9 Consistency with Laws:

Any agreement entered into by the Proposer shall be consistent with applicable federal, state, and local laws.

2.10 Public Records Act:

Responses to this RFQ become the exclusive property of the County. All proposals submitted in response to this RFQ become a matter of public record. Exceptions will be those elements in each Proposal which are trade secrets and which are so marked as "TRADE SECRET," "CONFIDENTIAL," or "PROPRIETARY." The County shall not in any way be liable or responsible for the disclosure of any such records including, without limitation, those so marked if disclosure is deemed to be required by law or by an order of the Court. Proposers which indiscriminately identify all or most of their Proposal as exempt from disclosure without justification may be deemed unresponsive.

2.11 Proposer Contact with County Employees:

As of the issue date of this RFQ and continuing until the final date for submittal of Proposals, all Proposers are specifically directed not to hold meetings, conferences, or technical discussions regarding the RFQ with County employees. During the submittal period, questions regarding this RFQ may be directed in writing to the person indicated as the contact person shown within this RFQ. The County will provide written responses to questions that have been submitted in writing and will distribute to all Proposers. Answers will be at the sole discretion of the County.

3. REQUIRED INFORMATION AND FORMAT OF PROPOSAL

The response to this RFQ must be made according to the requirements set forth in this Section, both for content and for sequence. Noncompliance with these requirements or the inclusion of conditions, limitations, or misrepresentations, may be cause for rejection of the Proposal. All RFQ's will be date/time stamped upon receipt/delivery to DPW. **Please send one (1) original and three (3) copies of requested materials.** It is the responsibility of the Proposer to submit the response by the proper time. No oral, telegraphic, electronic, facsimile, or telephone statements will be considered. These shall be submitted to:

**ERIE COUNTY DEPARTMENT OF PUBLIC WORKS
Attn: Mr. Gary M. Zawodzinski, Deputy Commissioner – Highways
95 Franklin Street, Room 1400
Buffalo, New York 14202**

Proposals must be received by the date and time indicated in this RFQ. PROPOSALS RECEIVED BY THE COUNTY AFTER THE STATED DEADLINES WILL NOT BE CONSIDERED FOR EVALUATION.

3.1 Format of Proposal Summary

In order to be considered for selection as an Environmental, Health & Safety Consultant Firm, the respondent entities will submit the following items in the specified order:

A. Contact Information

FIRM NAME: _____
CONTACT NAME: _____
ADDRESS: _____
TELEPHONE NUMBER: _____
FAX NUMBER: _____
E-MAIL ADDRESS: _____

B. Statement

A statement is required of each firm submitting qualifications; it shall not exceed two (2) pages in length. This statement can be used to best describe: the firm's understanding of this undertaking, their unique qualifications and their flexibility in implementing projects of varied scope and nature.

C. Manpower Commitment

Provide information regarding Manpower Commitment in the following order:

1. A statement clearly indicating that your firm has the capacity to enter into the Agreement for the Environmental, Health and Safety Consulting Services.
2. Indicate the location of the office(s) where the work would be performed. List current or anticipated obligations, which will require professional or technical manpower commitments from the same office that will be utilized for this project. Indicate the size of these jobs and the aggregate manpower requirements.
3. As estimate of the lead time required by your firm to respond to a Request for Proposal from DPW.
4. An organizational chart indicating the staff that may be assigned to the contract and their responsibilities.
5. Indicate the percent of minority personnel, at the firm and in particular on the project team.
6. Provide a disclosure indicating, by name, any principal or staff member presently employed by your firm who was employed by the County of Erie in the year prior to the date of this RFQ. This disclosure shall also include he

individual's title and the department within the County of Erie for whom the employee worked.

D. Consultant Company Information and Scope of Service

Please include number of years in business, number of Employees, etc. Discuss sample experience, proposed methodology and any issues that may need to be addressed.

E. Project Experience & References

Please provide information related to similar project experience and at least three (3) references with whom you have been doing similar work for more than five (5) years each.

4. EVALUATION CRITERIA

The Proposal will be evaluated based on each firm's qualifications and relevant experience with similar work. All Proposals will also be evaluated based on experience providing the same services for other similar projects. Once the evaluation panel makes a determination of the proposals ranked from most advantageous to the least advantageous, the Proposers will be informed. Good faith negotiations will begin with the most advantageous consultant.

Terms and Conditions of the Contract:

All items noted negotiable in the Request for Qualification documents will be reviewed, evaluated, accepted or rejected, and the proposed terms and conditions will be adjusted accordingly.

Essential Requirements for Evaluation include:

- Consultant Qualifications
- Team Members Qualifications
- Prior Experience
- Proposed Scope of Service
- Regulatory Negotiation Experience
- Past Working Relationship with County