

# **Request for Proposals (RFP)**

## **Phase I – Storm Water Utility Feasibility Study**



**RFP's DUE**  
**Monday, August 2, 2021**  
**10:00 AM**

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## ***BACKGROUND***

The Town's storm water management system includes approximately 5.47 miles of storm sewer, 186 inlets (including curb openings, grates, & combinations), 16 manholes, 15 outfalls, one filtration basin, and one PH 1-CPv Pond in Community Park. The Town budgeted \$130,000.00 in the 2020/2021 fiscal year for the operation and maintenance of that infrastructure and to meet the Town's mandatory requirements set forth in our National Pollutant Discharge Elimination System (NPDES) general permit. Storm water management activities are currently funded out of the Town's general revenues.

The Town's existing storm water management program includes the following activities and services:

- Capital construction projects;
- Storm sewer pipe, manhole, and inlet repair or replacement;
- Ditch grading and mowing;
- Storm sewer pipe, manhole, and inlet cleaning;
- Street sweeping;
- Community Park BMP inspection and maintenance;
- Yearly outfall inspections;
- Responding to citizen drainage concerns and property flooding issues;
- Implementing NPDES permit minimum control measures;
- Chesapeake Bay restoration and meeting total maximum daily loads; and
- Compliance with all other State and Federal storm water regulation.

The Town is required to comply with Phase II of the NPDES General Permit, No. 13-IM-5500 / General NPDES No. MDR055500, for Discharges from Small Municipal Separate Storm Sewer Systems that is administered by the Maryland Department of the Environment (MDE). The MDE issues the Town a NPDES Phase II Permit that applies to storm water discharges from storm sewers and drainage ways within the Town's jurisdiction for a permit period of five years. As a condition of the Phase II permit, the Town must adopt and implement six minimum control measures to improve the water quality of its storm water discharges.

Aging infrastructure and unfunded federal/state mandates have strained the available funds used to maintain existing storm water infrastructure and meet permit requirements. As a result of evaluating potential future budget solutions, the Town is considering a storm water utility as a viable alternative to funding its storm water management program services.

## ***PURPOSE***

The purpose of this "Request for Proposals: Phase I – Storm Water Utility Feasibility Study" (RFP) is to select a qualified professional consultant to assist the Town in evaluating the establishment of a storm water utility. Satisfaction of RFP requirements will be the basis for identifying a successful consultant. Following completion of Phase I Feasibility Study, the Town will proceed with Phase II – Storm Water Utility Implementation. The Town is seeking to identify qualified consultants with experience in storm water management, storm water management utility development, public relations and outreach, program organization, storm water legislation, program administration, and funding practices. The Town reserves the right to award the contract to multiple consultants based on their individual expertise.

***DETAILS OF SERVICES***

1. The consultant's firm, including principals, project managers, and key personnel, shall have relevant experience with similar work and shall be competent to perform the services required under this RFP.
2. The work contemplated is professional in nature. It is understood that the consultant, acting as an individual, corporation, or other legal entity, is of professional status, is licensed in the State of Maryland, is licensed for all applicable professional disciplines requiring licensing, and shall be governed by the professional ethics of said professions in its relationship to the Town.
3. It is understood that all reports, information, or data prepared or assembled by the consultant shall be confidential in nature and shall be made available only to the Town. It shall not be provided to any individual or organization without the prior written approval of the Town.
4. The consultant shall be responsible for complying with local, state, and federal codes, legislative procedures, and regulations pertaining to the work required under this RFP – Phase I.

***SCOPE OF SERVICES***

The selected consultant(s) will assist the Town with investigating the establishment of a storm water utility for the Town's storm water management program, and to perform the services as described in Phase 1. A phased approach will be taken; services to be provided include, but are not limited to, current program needs assessment, program administration, revenue source evaluation, revenue collection system, public education and outreach, and future needs analysis.

**Phase I – Storm Water Utility Feasibility Study:**

The scope of services for Phase I includes the following elements:

**1. Existing & Future Program Review:**

- Analysis of the Town's current storm water management system, practices, and plans must be conducted to determine the current level of service and its cost. Recommendations and costs regarding improvements to the level of service shall be developed. The consultant shall meet and/or interview appropriate staff members to identify and describe programs and services provided by each of the functional elements of the Town's storm water management program. Annual budget estimates for all these services, and recommended improvements to services shall be developed for the utility implementation plan. The plan shall include estimates of expenditures for five (5) years (2023 – 2028, which is the Town's next permit term). These estimates shall be a lump sum allocation to the capital budget or debt service for our five (5) year budget.
- The Consultant shall develop:
  - A detailed outline for a storm water management plan, including a schedule and cost to develop the plan.
  - A detailed outline for a storm water system improvement plan, which will identify improvements and costs necessary to repair or enhance the storm water system,

including a schedule and cost to develop the plan. The improvement plan will be developed from water quality requirements from the Town's NPDES permit. The Town currently has a restoration work plan, which concludes with the current permit term of October 30, 2023.

- The consultant will be required to prepare criteria for evaluating competing storm water improvement projects. Criteria shall include evaluation of projects related to flooding, erosion, & water quality. The criteria shall include evaluations between different topics such as water quality and flood control.

## **2. Public Information / Education / Deliverables:**

- The consultant shall identify activities to be used to support and promote storm water program development, policies, and financial plan. This may include brochures, pamphlets, social media and/or public presentations for community meetings and workshops. The consultant shall, at the Town's option, participate in up to ten (10) presentations to Town staff, elected officials, and/or general public interest groups.

## **3. Organization and Staffing:**

- The consultant shall assess the impacts of the storm water utility on the Town's current organization, management, and staffing. Organization and staffing needs shall be identified based on both this assessment and the storm water utility program and funding strategy that is recommended for implementation.

## **4. Rate Structure:**

- The consultant, with the cooperation of the Town, will identify and summarize a rate structure for consideration by the Mayor and Board of Commissioners. The goal is to develop a fair and equitable equation to allocate storm water management costs that is legally defensible. A statistically valid study and measurement of impervious surface area of single-family residential properties will be completed by the consultant. The consultant will also measure smaller samples of various other types of properties. This information will be provided by the consultant for use in determining proposed rate structures, equivalent residential unit (ERU) calculations, and a total revenue base. This study will also include an analysis of projected revenues against the estimated costs developed in the storm water management plan.
- It is anticipated that a multi-tiered residential rate may be used. The consultant shall provide a recommendation for the definition of single-family residential unit as used for storm water billing purposes. It is also anticipated that an ERU or charge per square foot of impervious surface area will be developed for use with multi-family residential and non-residential properties. The consultant will be required to measure the amount of impervious surface on all non-residential properties. The consultant shall provide recommendations for the ongoing update on impervious surface data, including policies and procedures.

## 5. Credit Policy Options:

- Evaluate the impact of a credit system on the projected revenue potential of the storm water utility. Develop policies and criteria for granting credits that will be legally defensible. At a minimum, the policies shall include criteria for review if a credit should be granted to a private property owner who provides an existing storm water management facility that benefits the service area in ways similar, in whole or in part, to the Town's storm water programs and activities. Review shall consider the length of time that a credit is granted, and the frequency that the credit should be evaluated and conditions that should be attached to the credited facilities (e.g. maintenance, inspection reports, etc.).
- The Town requires a specific policy with defined criteria to manage a credit policy effectively with minimum administrative effort and modifications to the Town's billing system. This task shall conclude with a mechanism for deciding which of the credit policy options is most desirable before proceeding with the remaining tasks.

## 6. Implementation Policy and Procedure:

- The consultant will develop a program implementation plan that outlines the steps needed to implement the recommended financial plan and **estimate the start-up costs**. The consultant shall provide recommended policies, procedures, and draft ordinances for the administration of the storm water financing system and capital recovery fee programs. The consultant will make every effort to evaluate the most appropriate accepted procedures to identify revenues and charges related to storm water management. Develop policies and evaluate impacts on how delinquent payments will be managed and enforced.

## 7. Appeals Procedure:

- The consultant shall provide options for an appeals procedure that is legally defensible. The appeals procedure from at least five (5) existing storm water utilities shall be provided to Town staff for review. After discussions with and direction from Town staff, the consultant shall provide a draft appeals procedure and provide up to two (2) sets of revisions based on Town staff comment.

## 8. Storm Water Ordinance:

- The consultant shall provide a draft of the ordinance(s) that addresses the creation and implementation of a storm water utility. The draft ordinance(s) shall be developed with close coordination of the Town's legal staff. The consultant shall revise the ordinance a maximum of three (3) times due to Town staff comments.

## 9. Schedule:

- The consultant will develop a draft schedule with milestones for project completion that includes the Town's process for public hearings and ordinance adoption. The consultant will be responsible for maintaining that schedule. **It is the Town's desire to have final products delivered by February 1, 2022.**

## 10. Reports:

- Prior to submission to Mayor and Board of Commissioners for approval, the consultant shall submit twenty-five (25) full color copies of a report that includes all work items and one electronic pdf. copy. The consultant will provide an executive summary of the storm water utility evaluation, separate from the overall project report. Fifty (50) full color copies and electronic pdf. of the executive summary shall be supplied by the consultant for distribution by the Town. Costs for this deliverable shall be included in the proposal.

### ***RFP REQUIREMENTS***

The successful consultant(s) shall be capable of rendering the services described above and shall respond to the RFP to provide the services identified herein with the information requested below. This information shall be provided in the order shown in this request. Information can be provided in multiple sections but must appear in the requested section. Each tab must contain a narrative on the requested subject and examples of direct experience when requested. Examples are limited by number and length as indicated under each tab.

The Town will not be responsible for considering information provided under the wrong tab. The proposing Consultant is solely responsible for its interpretation of this RFP. Failure to respond in the requested format may result in the firm being disqualified from consideration. All submitted materials become the property of the Town.

RFP's shall include:

- Tab 1. Completed Storm Water Management Questionnaire.** The questionnaire is included with the RFP
- Tab 2. General Background of Firm.** This section shall include the general background of the firm. Information on the complete services of the firm should be provided but should be kept in a concise format.
- Tab 3. Storm Water Management Background of Firm.** This section should include the firm's experience on watershed planning, storm water infrastructure, floodplain mapping, water quality and storm water regulation. Each firm should provide no more than two (2) examples and each example should be 2 pages or less.
- Tab 4. Public Education and Outreach Experience of the Firm.** This section should provide information on the firm's experience with public education and outreach. Experience with gaining acceptance of storm water management services is preferred. The firm shall provide no more than five (5) examples with each example being limited to two (2) pages or less.
- Tab 5. Storm Water Utility Experience of Firm.** In this section the firm shall provide background information on assisting other government entities to form Water Utilities. Examples should include the scope of services provided and the result of the implementation.

- Tab 6. Experience of Project Manager.** Each firm shall designate a project manager and provide detailed information on that individual’s experience in Watershed Management, Public Education and Outreach, Storm Water Utilities, and Financial Management. This section is limited to five (5) examples of no more than five (5) pages each. In the case of firms of more than two individuals, only the information on the lead project manager should be submitted under this section.
- Tab 7. Main Project Team.** This section should include the resumes of “key” project team members. As the experience of individuals vary, it is up to the proposing firm to determine who would be “key” to the successful implementation of this project. Only the resumes of actual team members should be included. There is no limit to the number of resumes provided. After award of this contract, substitution of “key” personnel will only be allowed by written permission of the Town.
- Tab 8. Organization.** Provide an organizational chart of the proposed project team. Each team member’s name shall be contained in a text box that includes the proposed area of responsibility. “Key” personnel shall be highlighted. It should also include any joint or sub-consultants.
- Tab 9. Project Approach.** Describe your firm’s approach for the Storm Water Utility Feasibility Study. A schedule must be provided indicating project tasks proposed and their duration and relationship to each other and the completion of the feasibility study.

### ***METHOD OF EVALUATION***

Each RFP shall be reviewed by our evaluation team and shall be scored on the basis of the following criteria and point system:

	General Compliance with Requirements of RFP	5
Tab 1.	Completed Storm Water Management Questionnaire	5
Tab 2.	General Background of Firm	Pass / Fail
Tab 3.	Storm Water Management Background of Firm	Pass / Fail
Tab 4.	Public Education and Outreach Experience of Firm	20
Tab 5.	Storm Water Management Utility Experience of Firm	70
Tab 6.	Experience of Project Manager	35
Tab 7.	Main Project Team	20
Tab 8.	Organization	5
Tab 9.	Project Approach	40
	<b>TOTAL</b>	<b>200</b>



***SUBMISSION REQUIREMENTS AND DEADLINES***

Three (3) copies of the sealed proposals are due by 10:00 AM on Monday, August 2, 2021. Due to the COVID-19 pandemic and limited Town office staffing, **proposals shall be submitted by mail only**. Proposals will not be accepted via email. Please boldly note on sealed bids “**ATTN: ZACH GULDEN, STORM WATER UTILITY FEASIBILITY STUDY BID, DO NOT OPEN.**” RFP’s shall be mailed to:

Town of Emmitsburg  
Attn: Zach Gulden, MPA  
300A South Seton Avenue  
Emmitsburg, MD 21727

RFP’s shall include all items as requested in the “RFP REQUIREMENTS” section of this document in the order and format specified.

Questions regarding this RFP are due no later than 3:00 PM on July 14, 2021. Submit questions to Mr. Zach Gulden, MPA, Town Planner for the Town. Mr. Gulden may be contacted via email at [zgulden@emmitsburgmd.gov](mailto:zgulden@emmitsburgmd.gov) or phone at 301-600-6309. Requests received after July 14, 2021 may not be considered.

**Interested bidders are strongly encouraged to attend the pre-bid meeting to be held on July 14, 2021 at 10:00 AM via the Zoom meeting platform.** Zoom meeting login instructions are as follows:

Join Zoom Meeting  
<https://us02web.zoom.us/j/81534177978>

Meeting ID: 815 3417 7978 One tap mobile  
+13017158592,,81534177978# US (Washington DC)  
+13126266799,,81534177978# US (Chicago)  
Meeting ID: 815 3417 7978  
Find your local number: <https://us02web.zoom.us/u/kbZKESXOOL>

***SELECTION PROCESS***

The Town will select a respondent on the basis of responsiveness of the proposal to the RFP requirements and willingness to execute an acceptable written contract. The Town reserves the right to request written clarification of proposals and supporting materials. Interviews may be conducted with one or more responsible entities that have submitted proposals in order to clarify certain elements. The selection shall be made by a respondent review team and will be recommended to the Mayor and Board of Commissioners for final approval. The individual and/or consulting team to be recommended to the Mayor and Board of Commissioners will be one whose proposal is determined to be the most advantageous to the Town. At the conclusion of the selection process, staff will negotiate the terms and conditions of the contract with the recommended consultant(s).

**The Town expects to award the contract in September 2021.**

### **Storm Water Management Questionnaire**

In cases of partnerships, the questions should be answered as the combined team.

1. How many storm water utilities has the firm assisted in developing?
  
2. How many storm water utilities has the project manager assisted in developing?
  
3. How many utility fee calculation studies has your firm completed?
  
4. How many utility fee calculation studies has your project manager completed?
  
5. Does your firm have in-house GIS capabilities? \_\_\_\_\_ Yes \_\_\_\_\_ No If "Yes", which format(s)?
  
6. Does your firm have more than one office that has experience in storm water utilities? \_\_\_\_\_ Yes \_\_\_\_\_ No If "Yes", where are they located?
  
7. Does your firm have in-house public relations staff? \_\_\_\_\_ Yes \_\_\_\_\_ No If "Yes", how many?
  
8. How many storm water management ordinances has your firm developed?
  
9. How many storm water management ordinances has your project manager developed?

*The Town of Emmitsburg reserves the right to accept or reject any and/or all bids and to waive any informalities or irregularities in the bidding process.*

*The RFP creates no obligation on the part of the Town to award a contract or to compensate the proposer for any costs incurred during the proposal presentation, response, submission, presentation, or oral interviews (if requested/held). The Town reserves the right to award a contract based upon proposals received without further discussion or negotiation. Proposers should not rely upon the opportunity to alter their qualifications during discussions.*

*The Town further reserves the right to make investigations as it deems necessary to determine the ability of proposers to furnish the required services, and proposers shall furnish all such information for this proposal as the Town may request.*

*Proposers must specifically identify any portion of their submittals deemed to contain confidential or proprietary information.*

*The Town of Emmitsburg does not discriminate based on race, color, national origin, sex, sexual orientation, religion, age or disability in employment or the provision of services.*