

# TOWN OF WAREHAM

MASSACHUSETTS



REQUEST FOR PROPOSALS

PROPOSALS SHALL BE SUBMITTED  
PRIOR TO 4:30 P.M. ON DECEMBER 2, 2011

FOR

Consulting Engineer Peer Review Services

October 2011

## GENERAL INFORMATION

As authorized by Article 14, §70 “Project Review Fees”, Article 15, §65.1 “Use of Outside Consultants” and Article 15, §66.1 “Fee Structure” of the Town of Wareham Zoning By-Laws, the Appendix to the Subdivision Rules and Regulations and M.G.L. Chapter 44, §53G, the Town is seeking a qualified consultant or firm, referenced in this RFP as “the consultant”, to provide professional engineering and other consultant services for peer review of applications and plans for new development, and for inspection of new development for conformance to the approved plans. The procurement falls within the scope of exemption for services under the Uniform Procurement Act and is therefore not subject to the provisions of M.G.L. Chapter 30B. The Town of Wareham (“the Town”) shall award the contract to the most advantageous proposer, taking into account both price and non-price proposals. The Town of Wareham is an EOE/AA Employer/Contracting Entity.

The number of hours of consulting service time depends on requests by various municipal boards and/or departments that are affected by many factors, including real estate market conditions. In recent years, engineering consulting services have been utilized by the Town to conduct reviews of application submittals, on-site inspections during construction and review of as-built plans to determine compliance with conditions of approval. Some inspections have also been performed by The Town of Wareham’s Municipal Maintenance Department. Lastly, for some projects, additional specialized peer review services have been retained beyond those of the town’s consulting engineering firm.

The selected consultant shall be expected to work exclusively for the Town and will not represent private clients engaged in permitting activities before the town’s boards and agencies.

### Required Services:

The consultant shall provide the following professional services to assist in the review of plans for new development with respect to the following areas:

1. **Stormwater Management Systems** - Review adequacy of stormwater management systems shown on subdivision, special permit and site plans as determined by conformance to Town of Wareham Subdivision Rules and Regulations. This shall include review of drainage calculations, mapped watershed areas, soil evaluation results, Operation and Maintenance Plans and all other items pertaining to stormwater management, as required in the Subdivision Rules and Regulations. In addition, some review of site plans for conformance to the Town of Wareham Stormwater Rules and Regulations and DEP Stormwater Management Policies and Guidance may be required. In either case, written reports of findings shall be provided in the form of a letter to the appropriate Town board. At the discretion of the board, a review of applicant’s estimates of maintenance costs for stormwater management systems may be required as part of the report. These reviews shall be supervised by and the report shall be stamped by a Registered Professional Engineer.
2. **Roads and Sidewalks** - Review plans for proposed roads and sidewalks for conformance to Town of Wareham Subdivision Rules and Regulations. A report of the findings shall be included in the letter referenced above or separately if no stormwater management system is required. This review shall be supervised by, and the report shall be stamped by, a Registered Professional Engineer.
3. **Use of Municipal Infrastructure** - Review proposed tie-in to municipal road, drainage, water and sewer systems for impacts to those systems, including the need to expand, modify or replace any components of those systems. A report of the findings shall be included in the letter(s) referenced above, or separately if these letter(s) are not required. This review shall be conducted by and signed by a qualified professional.

4. **Inspectional Services** - Provide inspections to ensure construction of roads, stormwater management systems and other infrastructure conforms to plans. All inspections shall be supervised by a Registered Professional Engineer and shall be signed by a qualified professional. A report of the findings shall be provided to the appropriate board and the Department of Municipal Maintenance.
5. **Surety** - Review amount of surety to be held by Town based on projected construction costs and review construction and cost to complete remaining work. Any estimates should include the addition of a contingency cost that represents a percentage of the overall estimate to cover the cost of potential increases in labor and/or materials over time.
6. **As-Built Plans** - Review As-Built plans for conformance to Subdivision Rules and Regulations and to identify where construction shows significant discrepancies from plans (required.) A report of the findings shall be provided to the Planning Board, Building Department and the Department of Municipal Maintenance. This work shall be supervised by and stamped by a Registered Professional Engineer.

Please see the Town of Wareham Subdivision Rules and Regulations and the Zoning By-Laws for more specific information on specific standards of review. The following links leads to the Town of Wareham Subdivision Rules and Regulations and the Zoning By-Laws and can be pasted into your browser:

[http://www.wareham.ma.us/Public\\_Documents/WarehamMA\\_Planning/Subdivision%20Rules%20&%20Regulations.pdf](http://www.wareham.ma.us/Public_Documents/WarehamMA_Planning/Subdivision%20Rules%20&%20Regulations.pdf)

[http://www.wareham.ma.us/Public\\_Documents/WarehamMA\\_Bylaws/ZONING\\_BYLAWS\\_2008\\_w\\_Ma\\_p.pdf](http://www.wareham.ma.us/Public_Documents/WarehamMA_Bylaws/ZONING_BYLAWS_2008_w_Ma_p.pdf)

#### **Method of Providing Required Services:**

- As the first step in review of plans, the Planning Board office shall forward the application, plans and other supporting materials to the consultant. The consultant shall promptly provide an estimate and scope of work for approval by the appropriate board. This estimate shall be considered to constitute a “not to exceed” amount without an amendment to the contract.
- When funds are received to cover the cost of the initial work, the Planning Board office shall notify the consultant promptly.
- The consultant shall normally conduct a site visit and prepare a report as referenced above. The report shall be submitted one (1) week in advance of the board meeting or public hearing on the proposal. The consultant shall notify the Planning Department prior to conducting a site visit. No site visit shall/inspection shall be conducted without the approval of the Planning Department.
- The consultant’s report shall contain relevant observations and list any items needing correction or revision and note the relevant sections of the Subdivision Rules and Regulations, Zoning By-Laws, or other pertinent professional standards. The report shall be submitted to the Planning Board in hard copy and .pdf format, with a copy to the applicant and the Planning Department.
- All invoices submitted for payment must include an itemized list of tasks performed to justify the amount of the invoice.

- The consultant shall attend the first public hearing or board meeting and to provide a brief summary of any issues concerning the proposal. The consultant should be prepared to answer questions from board members, the applicant and the public at this hearing/meeting.
- After approval of plans, the consultant shall normally attend any pre-construction conference; inspect or oversee inspections required by the Town of Wareham Subdivision Rules and Regulations; review estimated construction costs to set or reduce surety and conduct related inspections; review As-Built Plans; and certify completion of all required improvements. The consultant may be required to perform inspections or to be on-site during other critical times of construction in addition to those listed in the Subdivision Rules and Regulations.

Prior to the pre-construction conference, the consultant shall provide the Town with an estimate for the cost of inspections and review of As-Built Plans. The Town shall provide this to the applicant at or before the pre-construction conference. This estimate by the consultant shall be considered to constitute a “not to exceed” amount without amendment of the contract.

- All consultant services will be paid through an account established under M.G.L. Chapter 44, §53G. A minimum of a one (1) year contract between the Town and the consultant will be required, with an extension or longer contract period up to three (3) years at the option of the Town. One (1) or more consultants may be selected, with one serving as primary consultant and up to two (2) others as back-up.

Services shall be initiated as follows:

- The Town initiates a request for professional peer review services for purposes described on Page 1. The Town Planner will normally be the point of contact for the Town.
- The consultant promptly prepares a Scope of Services and estimate for the professional review requested by the Town.
- The Town reviews and approves the Scope of Services and estimate. The Town obtains after reviewing it and after receiving payment from the applicant, prior to the start of work by the consultant. No review work shall be conducted without prior authorization from the Town.
- No inspections shall be conducted without prior authorization from the Town. The Town shall be notified three days in advance of all proposed inspections. All inspections shall be supervised by a Registered Professional Engineer.

## **PROPOSAL SUBMISSION REQUIREMENTS**

### **General**

To be considered the proposal must be received before **4:30 p.m. on Friday, November 11, 2011** by the Planning Department. Late proposals will be returned unopened. Responses shall be submitted in two (2) parts as follows:

1. A Technical Proposal
2. A Fee Proposal
3. Completed Non-Collusion Certification (See Exhibit A)
4. Completed Tax Compliance Certification (See Exhibit B)
5. Completed Certificate of Authority (Corporate Applicants) (See Exhibit C)

Proposals should be clearly marked on the outside envelope as “RFP: Consulting Engineer Services – Technical Proposal” and “RFP: Consulting Engineer Services – Fee Proposal” and delivered to:

**John Charbonneau, Town Planner**  
**54 Marion Road**  
**Wareham, MA 02571**

Address all questions regarding this RFP to **John Charbonneau** at [jcharbonneau@wareham.ma.us](mailto:jcharbonneau@wareham.ma.us). Eleven (11) copies of each technical proposal and four (4) copies of each fee proposal shall be required.

### **Technical Proposal Requirements**

The consultant should present its qualifications for providing peer review services, as follows.

#### **1. Experience of Key Personnel in Desired Areas**

(Maximum of three (3) pages, excluding resumes)

The experience of the individual(s) reviewing stormwater management systems and the overall professional approach of the consultant will be particularly critical. The consultant must identify the Principal or Project Manager, list the specific personnel with responsibility for the work to be performed, including sub-contractors (and their roles), if any, and describe their experience relevant to the following items:

- Application of standards for road construction, water distribution systems, and other infrastructure such as those found in the Town of Wareham Subdivision Rules and Regulations.
- Application of standards for stormwater management, including technical knowledge of basic principles of engineering design, experience with the review and analysis of drainage calculations and watershed maps, and application of LID techniques. Personnel reviewing stormwater management systems shall be Registered Professional Engineers or supervised by the same.
- General knowledge of municipal infrastructure systems and common issues encountered.
- Familiarity with traffic engineering standards and their application, including development of sidewalks and pedestrian connections.
- Familiarity with the concepts, principles and general practices of sustainable development and smart growth and their application.
- Experience with review of construction relative to conformance with approved plans.
- Minimum Qualifications: M.G.L. Chapter 44, §53G requires the applicant to have a degree or three (3) years of practical experience in the field at issue.

#### **2. Other Factors Important to Achieving Desired Results**

(Maximum of two (2) pages)

The consultant should describe his/her experience, and that of other key personnel performing similar work in a municipal setting in Massachusetts. This should include their approach to achieving positive results from applicants in a reasonable time frame and on budget during plan review and construction. This includes working with contractors to achieve desired results. Information should be provided concerning the following items:

- The reasons for any changes needed and direction revisions are readily apparent.

- Complex material is clearly presented in the public forum. Points raised by board members, attorneys, engineers and property abutters are constructively addressed.
- Deadlines are met with information consistently provided to boards and other officials on time.
- The consultant has ongoing, well-tested relationships with all personnel who will perform the required work and can readily coordinate work performed by different professionals on his/her team.
- The consultant has demonstrated an ability to successfully work with developers, private engineers and contractors to achieve desired results.

**3. References**

(Maximum of one (1) page)

Up to four (4) references from municipalities in Massachusetts where the consultant provided peer review services within the last five (5) years should be provided in table format such as that included on the last page of this RFP.

### **Fee Proposal Requirements**

The Fee Proposal shall be enclosed in a separate sealed envelope marked “RFP: Peer Review Services – FEE PROPOSAL” to be opened by the Town Administrator following the review and evaluation of qualifications/technical proposals.

All individuals who will perform work in connection with the services sought under this RFP, including types of review, or perform different services for the same type of review, their names, name of their firm if different from that of the primary consultant, personnel/labor category, billable hourly rates and general responsibilities in connection with the services sought by this RFP shall be presented in a table format. This shall include all subcontractors. All billable rates should be fully loaded including salary, benefits, travel and meals; if expected, and all other recurring bills.

The Town of Wareham reserves the right to reject any proposal; in whole or in part, in the best interest of the Town.

## **SELECTION METHODOLOGY**

### **Introduction**

The Town will review and rank the submitted Proposals using the following evaluation criteria. The Town reserves the right to award the contract to the consultant with the most advantageous proposal, taking into consideration both technical and fee aspects of the proposals submitted and shall not be required to award to the consultant submitting the lowest fee proposal. The Town reserves the right to conduct interviews, contact references, or seek any information that may assist in evaluation of proposals.

### **Evaluation Criteria**

#### **1. Experience of Key Personnel:**

- Firm includes personnel directly supervised or under subcontract who have relevant degrees and five (5) or more years of practice in the above areas. – **Highly Advantageous**
- Firm includes personnel directly supervised or under subcontract who have relevant degrees and three (3) or more years of practice – **Advantageous**
- Firm includes personnel directly supervised or under subcontract who have relevant degrees or three (3) years of practice – **Responsive**
- Firm includes personnel directly supervised or under subcontract who lack relevant degrees and have less than three (3) years of practice – **Non-Responsive**

#### **2. Factors Important to Achieving Desired Results:**

- Reports are exceptionally clear with complex concepts easily understandable and a constructive tone maintained. Reports consistently refer to relevant sections of the Subdivision Rules and Regulations. Direction for the applicant is readily apparent. All personnel have previously worked together and a very high degree of coordination can be expected. The consultant actively contributes to maintaining excellent communication with local engineers, town staff, board members and the public. Deadlines are unfailingly met. – **Highly Advantageous**
- Reports are clear with complex concepts made understandable. Reports consistently refer to relevant sections of the Subdivision Rules and Regulations. Formal relationships between all personnel are clear and a high degree of coordination can be expected. Very good communication with local

engineers, town staff, board members and the public is maintained. Deadlines are almost always met. – **Advantageous**

- Reports consistently refer to relevant sections of the Subdivision Rules and Regulations but complex concepts are not explained and/or lack clarity. Formal relationships between all personnel are clear. Good communication with local engineers, town staff, board members and the public is maintained. Deadlines are generally met. – **Responsive**
- Reports are not clear. Reports consistently refer to relevant sections of the Subdivision Rules and Regulations. Formal relationships between all personnel are not clear and it is unclear whether their efforts will be effectively coordinated. Communication between local engineers, town staff, board members and the public is poor. Deadlines are frequently not met. – **Non-Responsive**

**REFERENCES**

Please provide the following information for up to four (4) municipalities where the consultant has performed peer review work in the last five (5) years.

**Name/Phone No. of Reference**                      **Name of Municipality**                      **Dates of Work**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

**EXHIBIT A**

**CERTIFICATE OF NON-COLLUSION**

Date:

Town of Wareham  
c/o Planning Department  
Memorial Town Hall  
54 Marion Rd.  
Wareham, MA 02571

Pursuant to Massachusetts General Laws, Chapter 30, §39M:

The undersigned certifies under penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this paragraph, the word "person" shall mean any natural person, joint venture, partnership, corporation, or other business or legal entity.

\_\_\_\_\_

\_\_\_\_\_

Name of Person Signing Bid

\_\_\_\_\_

Company

**EXHIBIT B**  
**CERTIFICATION OF TAX COMPLIANCE**

Date:

Town of Wareham  
c/o Planning Department  
Memorial Town Hall  
54 Marion Rd.  
Wareham, MA 02571

To Whom It May Concern:

Pursuant to Massachusetts General Laws, Chapter 62C, §49A, each bidder must certify under penalties of perjury that they have, to the best of their knowledge, filed all state returns and paid all state taxes as required under the law. I so certify.

\_\_\_\_\_  
Social Security or  
Federal ID Number

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Company

**EXHIBIT C**  
**CERTIFICATE OF CORPORATE AUTHORITY**

At a duly authorized meeting of the Board of Directors of \_\_\_\_\_  
(Name of Corporation)

Held on \_\_\_\_\_ it was VOTED that:  
(Date)

\_\_\_\_\_  
(Name) (Title)

of this corporation, be and he/she hereby is authorized to submit bids and proposals, execute contracts, deeds and bonds in the name and on behalf of said corporation and affix its corporate seal thereto; and such execution of any contract, deed or obligation in this corporation's name on its behalf by such \_\_\_\_\_ under seal of the company, shall be valid and binding upon this corporation.

A True Copy,

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

PLACE OF BUSINESS: \_\_\_\_\_  
\_\_\_\_\_

DATE OF THIS CERTIFICATE: \_\_\_\_\_

I hereby certify that I am the clerk of the \_\_\_\_\_  
(Corporation)

That \_\_\_\_\_ is the duly elected \_\_\_\_\_ of  
(Name) (Title)

Said corporation, and that the above vote has not been amended or rescinded and remains in full force and effect as of the date of this Certification.

\_\_\_\_\_  
(Clerk)