

**CITY OF BAYONNE  
REQUEST FOR QUALIFICATIONS**

**CONSULTANT FOR COMBINED SEWER SYSTEM REGULATORY COMPLIANCE & LONG TERM  
CONTROL PLAN IMPLEMENTATION**

**NOTICE POSTED: NOVEMBER 21, 2024**

**DUE DATE: DECEMBER 10, 2024 @ 10:00 a.m. prevailing time**

**PUBLIC READING: All proposals/responses will be opened at the City Law Department, Room 15, on DECEMBER 10, 2024 @ 11:30 a.m.**

**TAKE NOTICE:** The City of Bayonne, 630 Avenue C, Rm. 15, Bayonne, NJ 07002 (hereinafter referred to in this notice and the various submission documents as the “Client/Owner,” “City of Bayonne” and/or “City”) is seeking Qualifications for Professional Services Providers (hereinafter referred to in this notice and the various submission documents as the “respondent,” “provider,” “contractor,” “submitting party,” “applicant,” “vendor,” “service provider,” and/or “professional service provider”) for the following professional services in accordance with a “fair and open” contracting process as defined in the New Jersey Local Unit Pay to Play Law (N.J.S.A. 19:44-20.4 et seq.):

**PROFESSIONAL SERVICE/TITLE SOUGHT:**

**CONSULTANT FOR COMBINED SEWER SYSTEM REGULATORY COMPLIANCE &  
LONG TERM CONTROL PLAN IMPLEMENTATION**

**BACKGROUND**

The City of Bayonne owns the sewer utilities that serve the City’s population and industrial users, and is subject to a USEPA Consent Order to reduce combined sewer outfall (CSO) discharges. The purpose of this solicitation is to retain one consultant to provide Long Term Control Plan (LTCP) regulatory compliance and implementation services. The City’s combined sewer systems is permitted under NJPDES Permit No. NJ0109240.

The sewer system is maintained and operated by Veolia Water Contract Operations, USA, Inc. (“Veolia”) pursuant to a 40-year agreement established in December 2012 with Bayonne Joint Water Venture, LLC (“BWJV”). Veolia and BWJV (also referred to herein as (the “Operator”) are agents of the City for the operation and maintenance of the Water and Sewer systems and compliance with regulations and are to be consulted and informed with respect to the work specified hereunder and included in any indemnity and insurance required.

The City’s combined sanitary sewer system consists of 94.4 miles of various sizes of gravity sanitary sewer mains ranging from two (2”) inch to eighty-two (82”) inch diameter (although the great majority of sewers are from six (6”) inch to twelve (12”) inch diameter). There is also eleven and two-tenths (11.2) miles of pressurized sewer force main, twelve (12) pump stations including Oak Street Pumping Station, eighteen (18) regulator chambers, twenty-eight (28) CSO outfall netting structures and other related facilities.

The City does not own or operate any treatment facilities. The City's former treatment plant at Oak Street was decommissioned in the 1990's in favor of transporting flows to the primary treatment at the Passaic Valley Sewer Commission's (PVSC's) wastewater treatment facility in Newark. Currently, wastewater flows are collected on the west side of the City through the West Side Interceptor Sewer and pumped via the 22<sup>nd</sup> Street Pumping Station to an East Side Interceptor Sewer. This interceptor collects all flows from the City of Bayonne and conveys all wastewater to the Oak Street Pumping Station. The Oak Street Pumping Station then conveys the wastewater via a five and two-tenths (5.2) mile-long force main, another force main (owned by others) which then transports the flow to PVSC's treatment plant.

While all dry weather flows are conveyed to PVSC, local and regional hydraulic constraints limit the amount of combined sanitary and storm flow that can be transported for treatment to 17.6 MGD. The Oak Street wastewater pumps have the capacity to pump up to approximately 40MGD during wet weather events, thus the excess combined wastewater discharges into the Kill Van Kull by means of the old effluent channel and outfall pipe from the former Sewage Treatment Plant. The excess combined flows during storms are also discharged into the receiving waters surrounding the Bayonne peninsula via the twenty-eight (28) CSO control facilities netting chambers.

Through its CSO permit under the New Jersey Department of Environmental Protection (NJDEP), the City was required to cooperatively develop a CSO Long Term Control Plan (LTCP) with PVSC and its hydraulically connected CSO permittees. Each permittee was required to develop all necessary information for the portion of the hydraulically connected system they own.

The primary goal of the LTCP is to capture eighty-five (85%) percent of the combined sewage overflow during storm events to prevent pollutant discharge. The City previously submitted a Development and Evaluation of CSO Control Alternatives Report (DEAR) as part of the Section D.3.b.v of the NJPDES permit requirements. The report included evaluation of a wide range of CSO control measures and their effectiveness and costs for performance analyzed within the guidelines of the EPA CSO Control Policy. Pursuant to Section D.3.b.vi of the NJPDES permit requirements, the City submitted an approvable "Selection and Implementation of Alternatives Report." This report summarizes the CSO control analysis performed and presents the rationale for the selected alternative. This report also presents the recommended LTCP for the City of Bayonne.

### **SCOPE OF SERVICES**

The City seeks the services of a firm (or firms) with meaningful experience in achieving regulatory compliance with combined sewer systems, including designing and evaluating measures to achieve such compliance, developing funding strategies, managing NJ and Federal funding applications and reporting requirements, and developing and preparing bid documents.

The following is a general description of the tasks required. This is not intended to be all-inclusive, nor is it guaranteed that all of the below tasks will be utilized. A qualified respondent will be assigned by the City to specific tasks and projects related to the scope described herein on an as-needed basis. Examples of these tasks include, but are not limited to:

- Re-evaluation of the City's Long Term Control Plan to provide a peer review and suggested modifications.

- Assisting the City of Bayonne in identifying cost effectiveness and feasibility of Long Term Control Plan (LTCP) capital projects considered by the City, including, where requested, recommending and/or performing preliminary and alternative designs and associated cost estimates as requested by the City.
- Design, permitting, procurement and construction administration services of an undetermined number of individual combined sanitary sewer projects located throughout the City of Bayonne service area. All plans that are to be permitted will be signed and sealed by a professional engineer licensed to perform work within the State of New Jersey.
- Assisting the City, as requested, with concept and design work, permitting and regulatory compliance with respect to its Combined Sewer and Stormwater system, including NJPDES permit renewal.
- Prepare preliminary designs and cost estimates for capital projects when requested.
- Coordinate with Veolia, acting as the City's technical expert, in matters requiring technical review and coordination.
- Review and evaluate existing hydraulic models of the City System.
- Preparation of a CSO compliance funding strategy.
- Assistance with designs and estimates required for NJ State and Federal grant and loan applications.

#### **CONTRACT TERM**

The contract time period will be for a period not to exceed one (1) year commencing from the contract date.

#### **GENERAL REQUIREMENTS**

AT A MINIMUM, THE RESPONDING FIRM OR ENTITY:

1. Must be certified to provide engineering services in the State of New Jersey.
2. Must maintain a staff of New Jersey licensed or certified professionals sufficient to service the CITY OF BAYONNE.
3. Must maintain an office location in the State of New Jersey, preferably near The CITY OF BAYONNE.
4. Must have at least five (5) years' experience providing engineering services to localities with combined sewer systems.
5. Must have demonstrated experience and capability with the scope of services set out herein.
6. Must provide a "Statement of Qualifications" with content as compliant as possible to that expressed below. Non-compliant content may not be considered.

#### **STATEMENT OF QUALIFICATIONS (SOQ)**

##### **Format**

Respondents shall include a Statement of Qualifications on 8.5" x 11" paper with type size no smaller than 11 points for narrative sections (but may be reduced for captions, footnotes, etc., as required while still maintaining legibility). Responses should not include hyperlinks, QR codes, or

similar, that link to websites or additional online resources in their SOQ. All content submitted for consideration must be printed in the SOQ and adhere to the page limits provided above.

## **Contents of Statement of Qualifications**

### A. Cover Letter

Cover letter should be signed by a person empowered to commit the company to a contractual arrangement with the City of Bayonne. Cover letter should include a succinct understanding of the scope of this RFQ, in bold.

### B. Experience and Approach

Provide at least five (5) but no more than ten (10) project examples completed within the past five (5) years by your firm that were similar in scope to those possible under this RFQ. Extra weight will be given to CSO design, compliance and regulatory experience with the New Jersey DEP. For each project, provide a brief project summary, the date services were performed, dollar value of the project, identify the owner, and include the name and phone number of the owner's representative. In addition, indicate which member(s) of your proposed project team had key roles in the projects, and what those roles were. Describe the general tasks required to fulfill project requirements and your firm's approach to completing those tasks.

### C. Organization/Staffing Plan

1. Provide an organizational chart of the proposed staff, their roles and reporting relationships, including staff of any subconsultants and/or subcontractors.
2. For proposed subconsultants (if any), please provide the name of each company, the office location, contact name and telephone number, and the services to be provided.
3. Indicate if any member of your team has been certified as a Minority or Woman-Owned Business Enterprise (MWBE) by the State of New Jersey.

### D. Key Personnel

Provide resumes for key team members and their roles in the projects identified above.

### E. Cost

Provide the hourly rates for personnel and other charges including reimbursable costs that would apply to the scope of services detailed herein.

## **INSURANCE AND INDEMNIFICATION:**

The contractor shall be required to have the following insurance coverage. Said coverage or certification of ability to obtain said coverage immediately upon contract award, shall be applicable to this proposal and be made a part of the proposal documents:

### **Insurance Requirements:**

#### Worker's Compensation Insurance

Worker's Compensation Insurance shall be maintained in full force during the life of the contract, covering all employees engaged in performance of the contract pursuant to N.J.S.A. 34:15-12(a) and N.J.A.C. 12:235-1.6.

#### General Liability Insurance

The contractor shall furnish evidence to the City prior to commencement of the work that he/she or any of his/her subcontractors perform and will provide Standard Liability for any operations to be performed by contractor or subcontractors as follows: General liability insurance shall be provided with limits of not less than \$2,000,000 per occurrence / \$5,000,000 aggregate to be amended based upon the specific work and values involved.

#### Automotive Liability Insurance

Automotive liability insurance covering the contractor for claims arising from owned, hired and non-owned vehicles with limits of not less than \$1,000,000 for any one occurrence and \$2,000,000 aggregate for bodily injury and property damage. Coverage shall be maintained in full force during the life of the contract.

#### Professional Liability Insurance

Professional liability insurance covering contractor for claims arising from its representation of the municipality with limits of not less than \$1,000,000 for any one occurrence, which shall be claim based, and coverage shall be maintained in full force and effect during the life of the contract.

#### Certificates of the Required Insurance

Certificates of Insurance for those policies required shall be with an insurance company authorized to do business in the State of New Jersey and shall name the City as an additional insured.

### **Indemnification**

The contractor shall indemnify, defend, and save harmless the City, at the contractor's own cost and expense, from and against all losses and all claims, demands, payments, suits, actions, recoveries and judgments of every nature and description brought or recovered against him/her, by reason of any act or omission of the said contractor, his agents or employees, in the delivery of goods or services, execution of the work, or in the guarding of it.

## **WORK PRODUCT/DELIVERABLES**

All documents and writings necessary to render advice to the City and to represent the CITY OF BAYONNE in connection with engineering matters. All such work product shall be the property of the City of Bayonne.

## **OPRA COMPLIANCE**

Records received, retained, retrieved, or transmitted under the terms of this contract and as a result of the “work” performed by contractor for or on behalf of the City may constitute public records as defined in N.J.S.A. 47.3-16, and are legal property of the City. The contractor(s) named in this contract must agree to administer and dispose of such records in compliance with the State’s public record laws and associated administrative rules. In the event a claim is filed against the City with the Government Records Counsel or, in the Superior Court of New Jersey, or otherwise arising out of documents that Common were requested of the City or its contractor(s) under the Open Public Records Act or Law and the contractor(s) failed to provide the documents, the contractor(s) shall be responsible to defend, indemnify and hold the City harmless with respect to any such claims, fines or penalties imposed.

## **BASIS OF AWARD EVALUATION CRITERIA**

An evaluation team will review all responses. The team will determine if the responses satisfy the Requirements, determine if a response should be rejected and then evaluate the responses based upon the Evaluation Criteria. The highest-ranking respondent will then be recommended to the governing body for award of contract, based on price and other factors.

Listed below are the criteria that the **CITY OF BAYONNE** will consider in the evaluation of each response. The arrangement of the criteria does not imply order of importance in the selection process. All criteria will be used to select the successful respondent.

1. Requirements  
Possess the general requirements stated herein.
2. Understanding of the Requested Work  
The responses will be evaluated for general compliance with instructions and requests issued in the request for qualifications (RFQ). Non-compliance with significant instructions shall be grounds for disqualification of responses.
3. Knowledge and Technical Competence  
This includes the ability of the respondent to perform all of the tasks and fulfill adequately the stated requirements.
4. Management, Experience and Personnel Qualifications  
Expertise of the respondent shall be demonstrated by past contract successes providing government agencies with similar services. The respondent will be evaluated on knowledge, experience, prior collaboration and successful completion of projects/services similar to those requested in this RFQ. In addition to relevant experience, respondents shall provide personnel qualifications in the Response/Proposal.
5. Cost  
Price shall be based on rates set forth in the RFQ, as submitted in the cost proposal. Prices are firm for twelve (12) months. Any services not included as part of any resulting contract

scope of services or cost proposal must be approved and authorized by the CITY OF BAYONNE before such work is initiated. The CITY OF BAYONNE shall pay for such approved services, at the rate or cost agreed upon between the CITY OF BAYONNE and contractor.

**BE ADVISED THAT** absent an express written notice to the contrary in the detailed requirements, all responses are:

1. To be submitted on “The Standardized Professional Service RFQ SUBMISSION FORMS,” which can be accessed on the City of Bayonne website (<https://www.bayonnenj.org/Content/pdf/submission-forms.pdf>).
2. Are Subject to the Standardized “General Instructions, Submission and Selection Criteria for Professional Service Contracts”. The above-mentioned standardized documents are available on the City of Bayonne Website (<http://www.BayonneNJ.org>) under the heading “RFQ – RFP’s” by clicking on the link "Requirements for Submission,” “Click here to view Requirements.” and clicking on the links under Paragraphs No. 1 and No. 2. Should you be unable to obtain these from the website, copies of the solicitation package are also available at the office of the City Law Department, 630 Avenue C, 1st Floor, Rm. 15, Bayonne, NJ 07002. The Law Department is open during regular business hours, 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

**SEALED RESPONSES SHALL INCLUDE:**

1. The City’s Standardized Professional Service RFQ SUBMISSION FORMS which include:
  - a. The “Proposal, Qualifications and Costs Submission Form” signed and dated by the provider and clearly referencing any additional sheets or attachments (such as a submission letter, provider service or experience description, and/or fee schedule).
  - b. A signed and notarized “Non-Collusion Affidavit.”
  - c. A signed Disclosure of Ownership form.
2. A copy of the vendor's current "NJ Business Registration Certificate." Information on this certificate can be obtained on the web at "<http://www.state.nj.us/treasury/revenue/busregcert.htm>".
3. A copy of State of NJ, Department of the Treasury, Division of Revenue and Enterprise Services, Certificate of Good Standing. Information on this Certificate can be obtained on the web at <https://www.njportal.com/dor/businessrecords/>.
4. Disclosure of Investment Activities in Iran, available here: [DisclosureofInvestmentActivitiesinIran.pdf \(nj.gov\)](#)
5. Certification of non-involvement in prohibited activities in Russia or Belarus. Respondents must complete the certification, available here:
6. [DisclosureofProhibitedActivitesinRussiaBelarus.pdf \(nj.gov\)](#)
7. Such other documents and materials as required herein or may be appropriate to show the qualifications and experience of the provider or to meet the requirements of this RFQ.

**SUBMISSION DEADLINE AND PUBLIC READING:**

One (1) original and three (3) copies of sealed responses must be received in the Sealed proposals/responses must be received in the City Law Division, 630 Avenue C, 1st Floor, Room 15,

Bayonne, New Jersey 07002 on or before the date and time (“due date” set forth in this notice (also referred to as the “submission deadline”). The City’s Law Director and/or his designated representative will receive submissions up to the submission deadline.

The City reserves the right to extend the submission deadline at any time prior to opening of the sealed submissions, to reject all submissions without the need for cause or prior notice, to reject particular submissions due to defects in mandatory items, to waive non-mandatory items and to accept any submissions that in its judgment is in the best interest of the City.

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