

**Request for Proposal
RFP #297
White Pond Watershed Management Plan
Due: 2:00pm on May 30, 2013**

1.0 INTRODUCTION

The Town of Concord, through its Division of Natural Resources (DNR) is seeking to engage the services of a qualified firm or individual (hereinafter known as the Consultant) to prepare a comprehensive watershed management plan for White Pond in Concord, a great pond in the Commonwealth of Massachusetts (MGL c. 131 §1). The selected Consultant will work under the direction of the DNR and with the White Pond Advisory Committee (WPAC), a volunteer committee reporting to the Concord Board of Selectmen, to document White Pond as a community resource, evaluate existing conditions, and provide short and long term recommendations for improved recreational use of and ecological restoration to the Pond.

It is the intent of the Town to contract with one firm. If subcontractors or subconsultants are used, they and their responsibilities must clearly be identified in the Consultant's proposal. The performance of any subconsultant shall be the sole responsibility of the Consultant. The Consultant shall coordinate all activities of the subconsultant.

2.0 INSTRUCTIONS

Sealed proposals will be received and registered at the Town of Concord, Finance Director's Office, 22 Monument Square, Concord MA 01742 until 2:00 p.m. on **May 30, 2013**.

For information regarding this process, please contact Delia Kaye, Concord Natural Resources Director, at 978-318-3285 or dkaye@concordma.gov.

The proposer shall submit two separately sealed envelopes: (1) price proposal containing just the price proposal sheet and (2) the non-price (or technical) proposal containing 6 copies of all other relevant information.

The price proposal sheet, which is attached, shall be completely filled out, signed, and placed in a sealed envelope with the title "Price Proposal". A cost analysis must be provided for each task in the project scope with a timeline and personnel for each task to be accomplished. Personnel performing each task shall be provided with their associated hourly rate.

The non-price proposal shall contain all relevant information other than the price proposal sheet. At the very least, it must address and comply with all minimum requirements set forth in this Request for Proposals in order to be considered responsive. The non-price proposal information shall be placed in a sealed envelope with the title "Non-Price Proposal".

The non-price proposal envelope should include the following information:

- A) A description of all principal personnel and their experience, and a statement of who will perform each task.
- B) A statement affirming the number of years that the proposer has been developing watershed management plans.
- C) A response to each item of the Comparative Criteria section (Section 6).
- D) A Signed Statement of Tax Compliance form and a signed Certificate of Non-collusion form.

Both the envelopes must be marked with the contractor's name and title of the project ("White Pond Watershed Management Plan"), and either the words: "PRICE PROPOSAL" or "NON-PRICE PROPOSAL".

A proposer may correct, modify or withdraw a proposal by sealed written notice clearly marked as a correction, modification or withdrawal and received at the Finance Director's Office prior to the time and date set forth for proposal submission.

3.0 BACKGROUND

White Pond is a glacial kettle pond, described by Henry David Thoreau in *Walden* as Walden Pond's twin and "perhaps the most attractive, if not the most beautiful, of all our lakes". The pond's surface area is approximately 43 acres and its watershed is estimated to be approximately 350 acres. The pond contains approximately 1.12 miles of shoreline, of which 0.78 miles is privately owned and 0.34 miles is owned by the Town. The shoreline is moderately developed with former camps and cottages that have been converted to year-round use, particularly along the northern and southeastern shores. The future Bruce Freeman Rail Trail, along the former Old Colony Railroad bed, passes by the western pond boundary.

The White Pond watershed encompasses approximately 150 homes, many of which date back to the original construction in the 1920s and 1930s. Development around White Pond began in earnest with the 1931 "Pine Knoll Shores" subdivision, in which very small lots were created as summer camp sites. Since the 1960s and 1970s, parcels were combined to create somewhat larger building lots and summer camps were converted to year-round homes with on-site septic systems (there is no town sewer service in the area). The original lot sizes ranged from 1,300 square feet to 3,600 square feet, with many of the lots combined to form larger parcels. Developed parcels abutting the pond range from as small as 1,685 sq. ft. to 3.2 acres, with the majority of house lots ranging in size between 5,000 and 10,000 sq. ft. There are approximately 50 shoreline lots (31 of which have been developed with houses). Town water is provided to most of the homes via the Town's White Pond well.

Over the years, the pond appeared to be in good health; however, the appearance of some algae blooms in the 1980s spurred water quality testing including water clarity and phosphorus testing. Concerns raised in the 1990s were focused on permanently protecting many of the small lots around the pond to control the extent of development and building activity around the pond in order to protect groundwater resources that contribute to White Pond and the White Pond well; and to stabilize and improve water quality in the Pond. Development was of concern because the number of residents/bedrooms meant an increase in the amount of nitrogen added to the environment; increased impervious surfaces (from roofs and pavement) often meant an increase in phosphorous levels and faster rates of stormwater run-off. Both nitrogen and phosphorous can contribute to the eutrophication of the Pond because they are nutrients that promote growth in pond plants. Nitrogen specifically is an acute public health risk in drinking water supply and is of concern to the Town's CPW Water & Sewer Division.

There are thirteen small parcels in the White Pond area that are owned by the Town. They range in size from 2,500 sq. ft. to 10,000 sq. ft. and total almost 70,000 sq. ft. Some of these parcels were acquired as tax takings (failure to pay taxes or owner unknown), some of these parcels were specifically given to the Town to prevent further development around White Pond, and others may have a different history – research will need to be done for each parcel. There are three large parcels owned by the Town, ranging in size from 10 to 40 acres (totaling 59 acres).

The pond and its environs provide a variety of recreational opportunities throughout the year including non-motored boating, kayaking, fishing, swimming, skating, hiking, and wildlife viewing. Public access for car top boats and canoes is provided on the pond's northeastern tip via a paved ramp. Some households in the White Pond Watershed are afforded swimming rights, and the White Pond Associates owns and operates a private beach with between 500 and 1,000 annual beach card holders. Unauthorized swimming also occurs, with swimmers primarily accessing the pond from Town land. The Bruce Freeman Rail Trail (BFRT) is a 25-mile shared-use path between Lowell and Framingham along the former right-of-way of the Old Colony Rail Road, 3.5 miles of which is in Concord. The shared-use path is in various stages of development along the project corridor, with sections completed in Lowell, Westford, and Chelmsford.

4.0 PROJECT SCOPE

In order to maintain and enhance White Pond's ecological health and recreational opportunities, it is necessary to understand the issues facing the pond on a watershed scale. The goal of this project is to document existing conditions, identify and prioritize problems, and develop recommendations to mitigate identified issues and benefit the long-term ecological health and recreational opportunities of the pond and watershed. Specific goals of the plan are to:

- Document White Pond as a community resource and as a great pond in the Commonwealth
- Inventory and assess the current uses of the pond, including swimming, fishing, hiking, boating, parking, and access
- Compare White Pond's usage to that of Walden Pond to assess the feasibility of a small beach on Town land
- Establish a baseline condition for water quality
- Project water quality trends
- Identify sources of sediment, nutrient, and other pollutant loading
- Describe potential impacts of the Bruce Freeman Rail Trail (BFRT) and suggest possible mitigation measures
- Develop short and long term recommendations for enhanced recreational use and ecological health, managing abutting development, and maintaining the long term health of the pond and local watershed.

It is intended that completion of the following tasks will result in a full understanding of the existing conditions to develop informed short and long term recommendations as part of a comprehensive Watershed Management Plan ("the Plan"). To expedite review, it is expected that the deliverables for the following section shall be submitted upon completion to the Town. For each of the following tasks, where applicable, proposers should describe how data will be collected, analyzed, and presented.

Task 1: Develop a Quality Assurance Project Plan

The selected Consultant shall develop a DEP and EPA approved Quality Assurance Project Plan (QAPP) which will govern protocols for water quality, sediment, and aquatic vegetation sampling. This plan will outline the components of the monitoring program, including the steps taken to assure the quality of the data generated.

Deliverable: The selected Consultant shall provide a draft QAPP to the Town for review, incorporate relevant comments and clarifications where appropriate, submit the QAPP to the DEP and EPA, and provide the final approved copy in electronic form to the Town.

Task 2: Meetings

The selected Consultant shall attend one initial meeting with DNR staff and the WPAC to discuss the objectives of the watershed management plan, review existing information, and develop a strategy to accomplish these goals. The selected Consultant shall also attend one public meeting at the end of the project to present the results to the Board of Selectmen, solicit feedback, and incorporate feedback as appropriate into the Plan. Up to three additional meetings may be required during the course of the project, to be coordinated by the Division of Natural Resources.

Task 3: Existing Data Review

A great deal of information that can inform the Watershed Management Plan has been collected by the WPAC and the Town. The selected Consultant shall review existing materials which will be made available by the Town, to incorporate into the Plan. The selected Consultant should plan time to review relevant files at the Division of Natural Resources.

Task 4: Document the Current Condition of White Pond and its Watershed

Document the current condition of White Pond and its watershed with respect to the following six parameters. It is expected that the selected Consultant will submit sections for review as soon as they are completed, to facilitate timely review of the document.

Task 4A - Geologic and Recent History of the Pond and its Watershed: The selected Consultant shall provide a narrative of the geologic and recent history of the pond and its immediate environs. This narrative shall include documentation of land acquisition history and ownership of the Town parcels in the watershed.

Deliverable: The selected Consultant shall provide draft text in electronic form to the Town for review, incorporate relevant comments and clarifications where appropriate, and incorporate text into the Watershed Management Plan.

Task 4B – Watershed Delineation and Land Use: The selected Consultant shall provide a watershed delineation of the White Pond watershed, and identify current land uses in the watershed. Land uses may be estimated using MassGIS and ground truthed for accuracy. All information shall be provided in a GIS format approved by the Town of Concord. The selected Consultant shall also depict the potential build-out condition as allowed under current zoning and State Sanitary code, in which all land is developed and compare this to existing conditions.

Deliverable: The selected Consultant shall provide draft text and maps in electronic form to the Town for review, incorporate relevant comments and clarifications where appropriate, and incorporate text and maps into the Watershed Management Plan.

Task 4C – Recreational Use: The selected Consultant shall evaluate the historic and current recreational uses, including swimming at the White Pond Associates beach, resident swimming, and unauthorized swimming; fishing; boating; parking; and projected future recreational use with the completion of the Bruce Freeman Rail Trail. Areas of authorized and unauthorized access to the pond shall be identified and mapped, with a brief report on any issues with each point of access. Potential impacts of the Bruce Freeman Rail Trail on water quality and shoreline erosion shall be evaluated. The selected Consultant shall evaluate acceptable levels of swimming in the pond, considering impacts to water quality and shoreline erosion. The selected Consultant shall use the draft Walden Pond Resource Management Plan and other relevant materials to compare recreational uses of White Pond to Walden Pond.

Deliverable: The selected Consultant shall provide draft text and maps in electronic form to the Town for review, incorporate relevant comments and clarifications where appropriate, and incorporate text and maps into the Watershed Management Plan.

Task 4D - Sediment Load Evaluation: Evaluate immediately adjacent lands, including tributary roads and drainage structures in the watershed, for signs of erosion and related sediment threats to White Pond. Investigate street and drainage structure maintenance practices through field observation and review of Concord Public Works records. Estimate the contribution of each to sediment loading at the Pond. Identify existing point source discharges. Identify other areas of erosion around the Pond through field observation. The selected Consultant shall identify areas of erosion on a GIS layer, and provide a narrative on sediment loading issues and concerns from all sources identified above.

Deliverable: The selected Consultant shall provide draft text and maps in electronic form to the Town for review, incorporate relevant comments and clarifications where appropriate, and incorporate text and maps into the Watershed Management Plan.

Task 4E – Pollutant Loading Evaluation: Evaluate land use practices in the watershed for nutrient and other pollutant (oil, gas, or hazardous material) inputs to the Pond. Investigate lawn fertilization and yard waste disposal practices, wastewater disposal, pet waste, street maintenance, and drainage structure maintenance practices through observation, survey, interviews with property owners and other suitable methodologies as may be proposed. Estimate the contribution of each to nutrient loading at the Pond. The selected Consultant shall also identify these on a GIS layer, and provide a narrative on nutrient loading issues and concerns.

Deliverable: The selected Consultant shall provide draft text and maps in electronic form to the Town for review, incorporate relevant comments and clarifications where appropriate, and incorporate text and maps into the Watershed Management Plan.

Task 4F - Assess Biological Resources: The selected Consultant shall prepare a Biological Resources Report, identifying and documenting wildlife and fish habitats, and vegetation communities, present in White Pond and its watershed. The report will include identification of any invasive species in the Pond, along with measurements of the extent to which invasive species have become established in the Pond and watershed.

Deliverable: The selected Consultant shall provide draft text and maps in electronic form to the Town for review, incorporate relevant comments and clarifications where appropriate, and incorporate text and maps into the Watershed Management Plan.

Task 5: Recommendations: The selected Consultant shall develop short and long term recommendations to address the six aspects of Pond Management as outlined below. For each of the recommendations, the selected Consultant shall provide an estimate of probable cost associated with each activity. The costs shall be combined with a recommended schedule for implementation, showing which elements would be completed in which year(s) and assigning costs on an annual basis over the life of the project. It is expected that the selected Consultant will submit sections for review as soon as they are completed, to facilitate timely review of the document.

Task 5A – Water Quality: The selected Consultant shall develop recommendations to maintain and improve water quality, including explanations of relevant parameters and metrics. This will include solutions to minimize and eliminate nutrient and sediment loading sources, with specific attention to each identified nutrient and sediment loading sources. The selected Consultant shall provide guidelines for shoreline abutter responsibilities with the intention of protecting and enhancing White Pond water quality.

Deliverable: The selected Consultant shall provide draft text in electronic form to the Town for review, incorporate relevant comments and clarifications where appropriate, and incorporate text into the Watershed Management Plan.

Task 5B - Improved Recreational Use and Access: The selected Consultant shall identify potential areas that can be used for improved recreation, including the potential for a public swimming beach and additional parking. This task shall also include recommendations to minimize potential impacts from the Bruce Freeman Rail Trail on White Pond and its watershed.

Deliverable: The selected Consultant shall provide draft text and maps in electronic form to the Town for review, incorporate relevant comments and clarifications where appropriate, and incorporate text and maps into the Watershed Management Plan.

Task 5C – Evaluate Town Lands in the Watershed: Investigate town-owned lands throughout the watershed, including size, ownership history, and any restrictions under which the parcels were conveyed to the Town. Evaluate each parcel's use for potential stormwater and other pollutant management, connectivity to other town lands, wastewater treatment, and conservation. The selected Consultant shall identify parcels on a GIS layer with recommendations on the potential of each parcel for the above uses.

Deliverable: The selected Consultant shall provide draft text and maps in electronic form to the Town for review, incorporate relevant comments and clarifications where appropriate, and incorporate text and maps into the Watershed Management Plan.

Task 5D – Invasive Species: The selected Consultant shall recommend best practices for removing and/or managing existing and potential invasive species in the Pond and in the

surrounding watershed. The selected Consultant shall develop an educational brochure of the invasive species identified at the Pond and include methods to eliminate and control species.

Deliverable: The selected Consultant shall provide draft text and maps in electronic form to the Town for review, and incorporate relevant comments and clarifications where appropriate. The selected Consultant shall submit the brochure in an electronic format to the Town.

Task 5E – Abutter Responsibilities: The selected Consultant shall provide recommendations for abutters to maintain and improve the ecological health of the Pond. The selected Consultant shall develop an educational brochure of actions that homeowners, the Town, White Pond Associates, and owners of lands with Conservation Restrictions can undertake to improve the ecological health of the Pond.

Deliverable: The selected Consultant shall provide draft text and maps in electronic form to the Town for review, incorporate relevant comments and clarifications where appropriate, and incorporate text and maps into the Watershed Management Plan.

Task 6: Watershed Management Plan

A comprehensive management plan shall be submitted including all of the parameters listed above. The selected Consultant shall provide an initial draft to the Town for review and shall incorporate changes as requested.

Deliverable: A minimum of three hard copies of the final watershed management plan shall be submitted. The final plan shall also be furnished in electronic format (both in Word format and pdf on CD). This report shall be provided within one year of the contract award.

5.0 MINIMUM CRITERIA

Proposers should provide the following information:

- A) A description of all principal personnel, their experience, and their resumes. Principal personnel should include a surveyor, limnologist, fisheries and/or wildlife biologist, GIS analyst, engineer and wetland ecologist. Include a statement as to the level of involvement the principal(s) will have in the day-to-day execution of the project.
- B) Reference information pertaining to **all** watershed management plans of similar scope and size from the last five (5) years. Reference information must include the following: project name, project date, project location, contact person, contact person title, and contact person telephone number. The Town will check references. If it is found that references are not favorable, the proposer may be eliminated from consideration, at the Town's discretion. If the proposer has completed projects of a similar scope and size prior to the last five (5) years, this reference information may also be submitted.
- C) Proposers should meet all of the following requirements:
 - a. They shall not have defaulted on any contract within three years prior to the proposal date.
 - b. They shall maintain a permanent place of business of over 2 years.

- c. They shall have adequate personnel and equipment to perform the work expeditiously.
- d. They shall be registered with the Secretary of State to do business in Massachusetts.

6.0 COMPARATIVE CRITERIA

If the minimum criteria have been met, proposals will be compared and evaluated in terms of the comparative criteria by a review panel. Based upon this evaluation, the review panel will make recommendations to the Town Manager who shall determine the award selection.

The proposals will be judged on the following criteria:

1. Favorability of response to Project Scope as outlined in Section 4 (Please describe in detail how the proposer intends to satisfy the Project Scope) (20%):

Highly advantageous – The quality of the project scope is very comprehensive and clearly responds to all project tasks.

Advantageous – The quality of the project scope is comprehensive and responds to all project tasks.

Not advantageous - The quality of the project scope is somewhat comprehensive and/or responds to most project tasks.

Unacceptable – The quality of the project scope is not comprehensive and/or doesn't respond to any project tasks.

2. Favorability of recommendations (Please list the name, address, and contact person, and phone number of all references whose project has a similar scope of work as this project from the past 5 years) (20%):

Highly advantageous - High quality recommendations

Advantageous – Better than average recommendations

Not advantageous – Average recommendations

Unacceptable – Below average recommendations

3. Favorability of project member(s) qualifications, including, but not limited to demonstrated experience in GIS mapping, wildlife/fisheries biology, geology, limnology, survey and engineering, and watershed management plan preparation and implementation (20%).

Highly advantageous – Project team provides substantial experience in all identified areas

Advantageous - Project team provides experience in all identified areas

Not advantageous - Project team provides experience in some identified areas

Unacceptable - Project team provides no experience in identified areas

4. Favorability of past experience with similar projects and watersheds within Massachusetts (20%).

Highly advantageous – Similar projects are high quality plans

Advantageous - Similar projects are quality plans

Not advantageous - Similar projects are low quality plans

Unacceptable – No similar projects

5. Favorability of the proposer’s presentation in front of a review panel, if requested to do so. The proposal will be evaluated based on the proposer’s ability to meet the project’s stated objectives (20%).

Highly advantageous – The quality of the presentation clearly responds to the project tasks

Advantageous - The quality of the presentation responds to the project tasks

Not advantageous - The quality of the presentation responds to some of the project tasks

Unacceptable - The quality of the presentation doesn’t respond to any of the project tasks

7.0 RULE OF AWARD

The Town of Concord will determine the most advantageous proposal from the responsible and responsive proposers by taking into consideration price and all of the evaluation criteria set forth in this RFP.

The most advantageous price is the lowest proposal price.

The evaluation process will take place in two steps. First, those proposals meeting the minimum criteria will be ranked in terms of their responses to the evaluation criteria. Then, the price proposal envelopes will be opened and the proposals will be judged by taking into consideration price and response to the evaluation criteria.

The Town reserves the right to reject any or all proposals if it is in the Town’s interest to do so.

The Town may consider informal any proposal not prepared and submitted in accordance with the provisions hereof and may waive any informality or reject any and all proposals, should the Town deem it to be in the Town’s interest.

The Town reserves the right to amend this proposal at any time prior to the deadline for submission of proposals.

The Town may make such investigations as the Town deems necessary and the proposer shall furnish to the Town all such information and data for this purpose as the Town may request.

The proposer may be asked to present the proposal in an interview with the evaluation committee.

The Town may also reject proposals which in its sole judgment are incomplete, conditional, obscure, or not responsive or which contain additions not called for, erasures not properly initialed, alterations or similar irregularities, or the Town may waive such omissions, conditions or irregularities, if considered minor.

The Contract will be awarded within forty-five (45) days after the proposal due date unless the time for the award is extended by mutual consent of the parties. During this time, the price proposal shall not change. The Town of Concord anticipates that the contract will be awarded in July 2013.

Those who enter into contractual obligations with the Town of Concord must not discriminate against qualified handicapped individuals in their employment decisions.

In these matters, the judgment of the Town will be binding, conclusive, and final.

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STATEMENT OF TAX COMPLIANCE

Pursuant to M.G.L. c.62C, S.49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all the laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

NAME OF PROPOSER(S): _____

SIGNATURE(S): _____

PRINTED NAME(S): _____

NAME OF BUSINESS: _____

ADDRESS: _____

SOCIAL SECURITY NUMBER(S) OR FEDERAL ID NUMBER: _____

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CERTIFICATE OF NON-COLLUSION

The undersigned certifies under the penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, club, or other organization, entity, or group of individuals.

(Signature of individual submitting bid or proposal)

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PRICE PROPOSAL

This form will be used by the Contractor as their Price Proposal, for the purposes of compliance with Chapter 30B of the Massachusetts General Laws. Contractors must fill out this form for each year of the contract in its entirety and submit it in a separate envelope as their Price Proposal.

Proposal Price for Entire Project (in numbers): \$ _____

Proposal Price for Entire Project (in words):

Acknowledgement of Addenda (please list the addendum number(s) received)

The undersigned agrees to provide the Town of Concord with the entire services as detailed in the above defined Request for Proposals at the price stated above:

Company:

Authorized Signature:

Name and Title:

Date: _____

Phone Number: _____

Email: _____

Company Address:
