

New Castle County
Purchasing Division
New Castle County Government Center
87 Read's Way
New Castle, DE 19720
(302) 395-5250

**PROFESSIONAL ENGINEERING SERVICES FOR THE COMMERCIAL FOOD
ESTABLISHMENT (CFE) INSPECTIONS**

Bid #10P-001

New Castle County is seeking unpriced proposals for professional engineering services to support the County's Commercial Food Establishment (CFE) inspection program. The Fats, Oils, and Grease (FOG) program consists of three parts; a public education program, a CFE inspection program, and a grease abatement program. CFEs have the potential to introduce large amounts of FOG into the system, and FOG related backups and SSOs are disproportionately higher downstream of these facilities. The County currently maintains an inventory of over 1,200 CFEs and these facilities are inspected on a frequency based upon their facility type. The County is interested in obtaining proposals from professional engineering firms to provide CFE inspections, and engineering and support services for CFE inspections.

Interested parties are asked to submit an unpriced proposal, in writing, with one (1) original and three (3) copies, to New Castle County Purchasing Division, 87 Read's Way, New Castle, DE 19720, by **2:00 p.m. Wednesday, November 25, 2009** so stating their interests and qualifications.

NOTE: Bidders are responsible for obtaining the bid specifications and all addendums from the New Castle County Purchasing website at www2.nccde.org/purchasing.

Questions about the project should be directed in writing to Andria Smith, Purchasing, by e-mail at asmith@nccde.org.

PRE-PROPOSAL MEETING

A pre-proposal meeting will be held at the Department of Special Services General Meeting Room located in the Conner Building, 187A Old Churchman's Road, New Castle, DE 19720 **at 9:30 a.m. on Tuesday, November 10, 2009**. County staff will be available to answer questions at that time.

INSTRUCTIONS FOR PROPOSAL

Sealed proposal envelopes shall carry a clear notation in the lower left quadrant, "**PROFESSIONAL ENGINEERING SERVICES FOR THE COMMERCIAL FOOD ESTABLISHMENT (CFE) INSPECTIONS – BID #10P-001**".

FAX proposals **cannot** be accepted.



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Awards, if any, will be made in conjunction with the Delaware Code, Subchapter 2, Chapter 69, Title 29 and the County Ordinance No. 83-172.

Minority and Woman-Owned Business Enterprises (WBE) will be afforded full opportunity to submit proposals, and will not be subject to discrimination on the basis of race, color, nation origin, or sex in the consideration of this award.

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BACKGROUND

The County recognizes Fats, Oils, and Grease (FOG) as a contributor to sewer system blockages and sanitary sewer overflows ("SSOs"). The FOG program consists of three parts; a public education program, a CFE inspection program, and a grease abatement program. CFEs have the potential to introduce large amounts of FOG into the system, and FOG related backups, and SSOs are disproportionately higher downstream of these facilities. The County currently maintains an inventory of over 1,200 CFEs and these facilities are inspected on a frequency based upon their facility type. The County is interested in obtaining proposals from professional engineering firms to provide CFE inspections, and engineering and support services for CFE inspections.

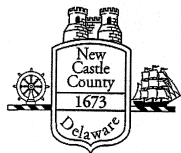
CFEs are categorized into ten different groups: cafeteria, bakery, banquet hall, church, grocery, fast food, takeout, mini mart/gas, restaurant, or convenience store. CFEs that are in a high FOG area or that belong to a high FOG category (e.g., fast food, etc.) are inspected more frequently than others. All CFEs that discharge into the County owned sewer system is required to have a grease trap or interceptor unless they receive an exemption from the Department of Special Services ("Department"). Since not all 1,000 gallon interceptors have proven effective or durable in actual field use, the Department has designed a standard detail for interceptor construction that can be obtained from the Department. In situations where the installation of a 1,000 gallon interceptor is not practical, exemptions are granted if an approved and appropriate sized interior trap is installed. Discharges from these traps must meet the County's discharge limitation of 100 mg/l oil and grease, and testing results must be forwarded to the Department to insure that this standard is met.

SCOPE OF SERVICES

Specific services desired include, but are not limited to, the following:

Task 1 – CFE Inspections

Inspections involve meeting the business owner or other responsible person at the site of the CFE and reviewing the County's FOG program, conducting a walk-through and noting specific FOG concerns/violations and areas that need improvement in order to come into compliance. Such inspections shall include, but not be limited to, inspecting the grease retention devices for size, function, grease/sediment depths, examining the cleaning/maintenance logs for the grease retention devices, obtaining effluent samples from the grease retention devices using approved techniques,



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and following appropriate chain of custody procedures, taking specific photos relevant to the inspection, completing the CFE inspection report or a similar document in electronic and/or hard copy format, and providing the County with electronic and/or hard copy reports.

Task 2 – Engineering and Technical Support

Assist the County with overall implementation of the FOG program and related initiatives. This task includes providing input and recommendations for the County's overall Capacity Management Operations and Maintenance (CMOM) initiatives.

ORGANIZATION OF PROPOSAL

Note: The RFP shall be no more than 16 pages in length.

Proposals shall be concise and focused. The introduction information should be included in the transmittal letter. The proposal must indicate specifically which Project team member is responsible for the work proposed and the office in which that person is located. To aid in the comparative evaluation of proposals, please include the following:

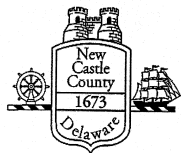
1. Introduction (to be provided in transmittal letter)
 - a. Name, address, phone, and fax number of firm
 - b. Brief background history of the firm
 - c. Principals of firm, number of staff
 - d. Services offered by firm

Article 1 shall be one page and will not be counted as part of the 16 pages.

2. Experience and reputation of the firm as it relates to this RFP.

Article 2 shall be a maximum of three pages in length.

3. Engineering expertise and educational credentials of the project team as they relate to this RFP with particular emphasis on experience with FOG inspections of CFEs in the New Castle County, Delaware:
 - a. Describe the organization and management team for this Project.
 - b. Identify each key team member and his or her function for this Project, and identify the person who will be the daily point of contact for communications. Please indicate which project team member is responsible for each aspect of the job and the location of their office. New Castle County requires that Project team members not be replaced without prior



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consent of the County. If outside associates or consultants are to be utilized, provide the name of the firm with which they are associated.

- c. Describe the experience and technical expertise of the key team members as it relates to their function for the project and to consultant services for a FOG inspection program.
- d. Provide a brief resume for all key team members.
- e. Identify other project personnel, if any, including engineers and other specialty members employed or contracted by the firm who will contribute to the project. Proposals must include qualifications and work experience of all key staff assigned to the project.

Article 3 shall be a maximum of five pages in length.

- 4. Capacity to perform the services and to meet requirements of the project, i.e., projected workload, availability of personnel, financial responsibility, and creditworthiness.

Article 4 shall be a maximum of one page.

- 5. Location of the lead office that will provide project engineering services. If multiple offices are proposed to be involved in the project, indicate which office is the lead office, as well as the type of work each office will do and the percentage of work each office will perform.

Article 5 shall be a maximum of one page.

- 6. Distribution of work among firms. List any current work or work you have performed for New Castle County within the past five years.

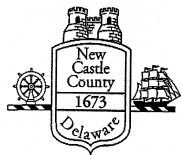
Article 6 shall be a maximum of one page.

- 7. Familiarity with government contracts and public work, its requirements, systems, and problems, especially in New Castle County and the State of Delaware.

Article 7 shall be a maximum of one page.

- 8. Technical expertise and familiarity of the Project Team with:
 - a. CFE Inspections for FOG program compliance.
 - b. Engineering and Technical Support needed for the County's FOG program and related initiatives, to include expertise with Capacity Management, Operations and Maintenance (CMOM) initiatives.

Article 8 shall be a maximum of five pages in length.



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GENERAL CONTRACT AND PROPOSAL INFORMATION

1. Acceptance of Proposal Content – The contents of the proposal of the successful firm will become a part of any contract awarded as a result of these specifications.
2. Firm's Responsibilities – The selected firm will be required to assume sole responsibility for the complete effort as required by the RFP. The County will consider the selected firm to be the sole point of contact with regard to contractual matters.
3. Rejection of Proposals – The County reserves the right to reject any and all proposals or to award in whole or in part if deemed to be in the best interests of the County to do so. The County reserves the right to extend this contract to include other County locations. The County shall have authority to award orders or contracts to firm's best meeting specifications and conditions.
4. Ownership of Material – Ownership of all data, material, and documentation originated and prepared for the County pursuant to this contract shall be transferred to the County upon completion of the contract.
5. No firm may use the name of the County in any advertisement without the written consent of the General Manager of Special Services.
6. Licensing – The successful firm must comply with appropriate Delaware law to conduct business in this State. Copies of all required licenses and certifications must be supplied prior to the award of any contract resulting from this RFP.
7. Non-collusion – No firm shall directly or indirectly enter into any agreement, participate in any collusion, or otherwise take any action in restraint of free competition for this contract.
8. The firm shall not directly submit any land development proposals to New Castle County or indirectly participate in the design or ownership of any land development proposals that include the design of pump stations and/or force main during the period of the contract.
9. Confidentiality – All work performed under this contract shall be considered confidential in nature.



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PROPOSAL CONFIDENTIALITY

The proposer may designate those portions of the proposal which contain trade secrets or other proprietary data, which must remain confidential. If a proposer includes data which is not to be disclosed to the public, or which is to be used only for evaluation purposes, the proposer shall:

- a) Mark the title page with the legend.

“This response includes data that shall not be disclosed outside the County and shall not be duplicated nor used, in whole or in part, for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this Proposer as a result of, or in connection with, the submission of this data, the County shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the County’s right to use information contained in this data, if it is contained in another source without restriction. The data subject to this restriction are contained in pages (insert numbers or other identification)”.

- b) Mark each page of data the Proposer intends to restrict with the following legend:

“Use or disclosure of data contained on this page is restricted”.

INDEMNITY

Vendor shall indemnify, defend, and hold harmless New Castle County from and against any and all claims, demands, suits, judgments, costs, and expenses asserted by a person or persons, including agents, employees, or volunteers of vendor, by reason of death or injury to persons, or loss or damage to property, resulting from operations hereunder, or sustained in or upon the premises of the County.

FUNDING OUT

The continuation of this contract is contingent upon funding appropriated by County Council.



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INSURANCE REQUIREMENTS

Awarded vendor(s) shall be required to provide proof of insurance as indicated below:

Employer's Liability Insurance - \$1,000,000

Professional Liability Insurance – Limits: \$3,000,000 annual aggregate; \$1,000,000 per occurrence.

Worker's Compensation – Statutory limits for all of the vendor's employees.

General Liability – Coverage for the following liability "hazards" as defined in the policy forms or endorsement thereto: (A) premises and operations; (B) products and completed operations; (C) personal and advertising injury; (D) contingent liability for the operations of subcontractors involved in the performance of work; and (E) contractual liability. Limits of coverage shall be at least \$1,000,000 per occurrence and \$2,000,000 annual aggregate.

Automobile – Limits: \$2,000,000 annual aggregate; \$1,000,000 Combined single limit.

Policy shall specifically name New Castle County as an additional insured.

Each policy shall provide sixty (60) days' advance written notice of the insurer's intention to: cancel, refuse to renew, or otherwise terminate the policy; suspend, or terminate any coverage under the policy; or reduce any policy limits, increase any policy deductibles, or otherwise alter any terms or conditions of the policy or a renewal issued by the same insurer.

EVALUATION COMMITTEE

Based on the criteria established pursuant to the *New Castle County Code*, an evaluation committee will be selected to read, screen, and rank all proposals. The New Castle County Chief of Administrative Services may request a presentation from the highest ranked interested parties. Presentations may result in a change of rank. Award will be made to the overall highest ranked firm. If a satisfactory contract cannot be negotiated with the selected respondent, negotiations will be formally terminated. Negotiations may then be undertaken with the remaining firms by order of ranking.

The Chief of Administrative Services may require the firm receiving the award to provide a truth-in negotiation certificate stating that the wage rates and other factual unit costs supporting the compensation are accurate, complete, and current at the time of contracting.



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EVALUATION CRITERIA

Submitted proposals will be evaluated on the following criteria. A weighted average formula will be utilized.

1. Experience and reputation of the firm as it relates to this RFP (*Article 2/3*) (0-25)
2. Capacity to perform the services and meet the requirements of the Project, i.e., adequacy of personnel, financial responsibility, and creditworthiness (*Article 4*) (0-20)
3. Location of the office that will manage the Project (*Article 5*) (0-10)
4. Distribution of work among firms (*Article 6*) (0-05)
5. Familiarity with government contracts and public work, its requirements and procedures, especially in New Castle County and the State of Delaware (*Article 7*) (0-10)
6. Record of performance and demonstrated ability to handle similar projects, to include technical Expertise and familiarity with (*Article 2/8*) (0-30)
 - a. CFE Inspections for FOG program compliance.
 - b. Engineering and Technical Support needed for the County's FOG program and related initiatives, to include expertise with Capacity Management, Operations and Maintenance (CMOM) initiatives.



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SIGNATURE PAGE

Name of Company

Address

Telephone No.

Fax No.

Signature

Federal Tax I.D. No.

Printed Name

Email (REQUIRED)

Date



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**NEW CASTLE COUNTY, DELAWARE
PROCUREMENT AFFIDAVIT**

AUTHORIZED REPRESENTATIVE

I HEREBY AFFIRM THAT:

I am the (title) _____, and I am duly authorized to represent and bind (business) _____ (the "Business"), and that I possess the legal authority to make this Affidavit on behalf of myself and the Business for which I am acting.

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the Business, nor any of its officers, directors, partners, members, affiliates, or any of its employees directly involved in obtaining or performing contracts with public bodies has been excluded from receiving Federal contracts, certain subcontracts, and certain Federal financial and non-financial assistance and benefits, pursuant to the provisions of 31 U.S.C. 6101, note, E.O. 12549, E.O. 12689, 48 CFR 9.404, and each agency's codification of the Common Rule for non-procurement suspension and debarment.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, AFTER DILIGENT INQUIRY.

Date: _____ By: _____

Name:

Title:

(Authorized Representative and Affiant)