

REQUEST FOR PROPOSALS
FOR
PROFESSIONAL ENGINEERING SERVICES
FOR

FREEBURG MUNICIPAL AUTHORITY
WATER IMPROVEMENTS

Proposals Solicited by:

Freeburg Municipal Authority
P.O. Box 308
Freeburg, PA 17827

Legal Advertisement

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Contact: Glenda Ruch, SEDA-COG, (570) 524-4491

REQUEST FOR PROPOSALS

The Freeburg Municipal Authority is currently soliciting proposals for professional services to undertake a phased approach encompassing the completion of a feasibility study, survey/mapping, design services, construction management, and resident inspection services for the upgrade of the Authority's existing water distribution system and appurtenances.

Complete proposal details, including the required proposal format, may be obtained by contacting Denise Clark or Glenda Ruch at SEDA-Council of Governments, 201 Furnace Road, Lewisburg, PA 17837, (570) 524-4491, Monday through Friday, 8:30 a.m. – 3:30 p.m.

Proposal details are also available at www.seda-cog.org – News, Notices, Publications.

Proposals will be accepted until Thursday, April 28, 2011, 2:00 p.m., prevailing time, at which time they will be publicly opened at SEDA-COG, 201 Furnace Road, Lewisburg, PA 17837. Proposals shall be on the forms required, sealed and clearly marked on the outside, "Professional Services Proposal," and submitted to Glenda Ruch, Senior Program Analyst, Community Development Program, SEDA-COG, 201 Furnace Road, Lewisburg, PA 17837.

Proposals that are faxed or e-mailed to SEDA-COG cannot be accepted.

REQUEST FOR PROPOSALS
FREEBURG MUNICIPAL AUTHORITY
WATER IMPROVEMENTS

The Freeburg Municipal Authority proposes to use a recently approved Community Development Block Competitive Grant to conduct a feasibility study of its water distribution system, and replace the cement asbestos water distribution lines (more commonly known as transite pipe) installed in 1946. The water system upgrade also includes all appurtenances, such as fire hydrants and shut-off valves.

The following outlines the major responsibilities of the proposers. These responsibilities are for the entire project and include a feasibility study; survey and map of the Authority's existing water distribution system; design and specifications preparation, bidding; construction management; and resident inspection services. It should be recognized by all bidders that the Scope of Services included herewith might exclude some minor, incidental engineering responsibilities not currently identifiable.

Proposals shall include the attached "Standard Engineering Estimate" and be submitted to: Glenda Ruch, Senior Program Analyst, Community Development Program, SEDA-COG, 201 Furnace Road, Lewisburg, PA 17837. All proposals shall be sealed and clearly marked on the outside, "Professional Services Proposal," and must be received by 2:00 p.m., prevailing time, Thursday, April 28, 2011, at which time the proposals will be publicly opened at SEDA-COG, 201 Furnace Road, Lewisburg, PA 17837.

Questions regarding this proposal should be directed to Glenda Ruch, Senior Program Analyst, SEDA-Council of Governments, 201 Furnace Road, Lewisburg, PA 17837, Phone (570) 524-4491.

PROJECT DESCRIPTION

The Freeburg Municipal Authority is proposing the replacement of transite water main in order to eliminate a critical leak problem and asbestos hazard. In the last 24 months, the Authority's water distribution system has suffered four major failures resulting in nearly a half a million gallons of finished water loss.

The main distribution system, installed in 1946, is cement asbestos pipe. Known as transite pipe, it is famous for its "breaks" and near catastrophic failures. Unlike other types of water lines which crack and leak slowly before they fail, transite lines fail by suddenly rupturing due to their brittle cement/asbestos construction, rarely providing any warning.

The water distribution system's capacity currently encompasses 4" pipe from Willow Street to the east end of town on Front Street, 8" pipe from the pump house down Willow Street to Front Street west to South Street to the reservoir, and 6" pipe for the balance of the water distribution system. There may be some areas within the system where the water and sewer lines share the same trench. There are approximately 4.8 miles of sewer lines and 6 miles of water lines within the Authority's system.

The proposal is to be addressed in a phased approach with the required components delineated below:

- I. Feasibility Study – The professional service provider will undertake a feasibility study of the Authority's entire water distribution system.
- II. Survey/Mapping – A survey and map may be requested of the Authority water distribution system.
- III. Design/Specifications – The professional service provider will develop design and specifications for an upgrade of the most critical areas within the Authority's existing water system with a budget not to exceed \$460,000 (includes professional services and construction). The design and specifications will be prepared for competitive bidding and contracting.
- IV. Construction Management – Construction management to be provided by the professional service provider throughout the duration of the project through to completion. Services requested may include resident inspection.
- V. Resident Inspection Services

It is the intent of the Authority to bid the project in the fall of 2011.

FEASIBILITY STUDY

The Engineer shall conduct a feasibility of the Freeburg Municipal Authority's entire water distribution system. The Authority shall make any and all documents available to the Engineer that may be beneficial with the development of the Feasibility Study. The Engineer shall investigate any existing systems affected by the proposed project, identifying options, and advising the Authority in the most appropriate method of modifying the systems as part of the design of this project. The Feasibility Study shall

rank areas of the water distribution system in need of repair based on severity, as well as include alternatives for consideration by the Authority, such as horizontal versus vertical separations, address applicable appurtenances, such as fire hydrants and shut-off valves, and recommend areas within the existing system for an increase in capacity. The Authority will require a draft of the Feasibility Study to be provided for review and approval prior to finalization. The proposer is to plan for the possibility of revisions at the draft phase of the Feasibility Study before the final version is approved by the Freeburg Municipal Authority.

The proposal must include a schedule identifying key milestones, including, but not limited to, the number of meetings to be held throughout the Feasibility Study phase, and the anticipated date of completion of the draft.

SURVEY/MAPPING

At the sole discretion of the Freeburg Municipal Authority, professional services may include conducting a survey and generating a map of the existing water distribution system. The Authority shall make any and all documents available to the Engineer to facilitate with this phase of the proposal, if applicable.

The proposal must include a timetable for commencing and completing both the survey and mapping elements.

PROJECT DESIGN

The Engineer shall prepare all necessary design plans, drawings and specifications to be used for the construction of the improvements, and should, therefore, be complete in detail and contain all necessary information. Drawings shall conform with standard professional practice and consist of all architectural and engineering drawings, including profiles and sections, plot and site plans, and all else necessary to illustrate the interest and scope of the work. Working drawings shall be prepared for structural, hydraulic, mechanical, electrical, and all other branches of the construction work.

Plans and specifications shall be developed in such a manner to delete and add segments should the project costs be over or under budget.

All permits, plans, or surveys which may be necessary to define the scope of the work or for the performance of the project shall be the responsibility of the Engineer. The proposal shall include a list of those permits currently anticipated as necessary, identifying actual permit fees that shall be reimbursable by the Authority. If necessary for construction, a per easement cost is to be included in the proposal. Federal Environmental Reviews, State Historic Preservation Office Review, and Archaeological Reviews are not a part of this proposal.

Assistance from the Engineer is necessary for SEDA-COG and the Freeburg Municipal Authority to fully understand the project, and, therefore, meeting attendance is of high importance. Accordingly, this proposal shall include two (2) design phase meetings at which the Engineer is expected to be in attendance. These meetings shall be conducted during the design and construction specifications phase at the convenience of the Authority and shall include the following:

- A meeting to present preliminary design.
- A meeting to present the final design and receive approval to bid.

The Authority may require additional meetings at their discretion. The Engineer should indicate any cost associated with additional meetings on a per meeting basis.

A project design schedule must be included as part of this proposal indicating key milestones and dates of completion. It is understood that changes in the project scope or nature may affect this schedule. All final plans and specifications must be submitted for approval by the Freeburg Municipal Authority. It is the intention of the Authority to advertise for construction bids during the fall of 2011.

Upon completion of the preliminary design, and again when requesting approval of the final design, the Engineer shall prepare and provide to the Authority an opinion of probable construction costs, either as a lump sum or utilizing the itemized bid schedule if a line item construction bid is proposed.

PREPARATION OF DOCUMENTS AND COORDINATION OF BIDDING

The Engineer shall prepare all construction contract documents, including, but not limited to, bid schedule, bond forms (bid, performance, payment), construction specifications and agreements, compliance forms, etc. The Engineer shall be responsible for coordinating the bidding process, including printing and distributing up to 15 sets of bid documents, publishing the required advertisements, and management of any required deposits or payments. Costs for this portion of the work shall be borne by the Engineer, except that the actual costs for legal advertisements will be reimbursed by the Authority. Insofar as federal CDBG monies are being used in the project, forms and procedures meeting the requirements of the PA Department of Community and Economic Development shall be used in the contracting documents.

In addition, the Engineer will assist the solicitor throughout the project, including, but not limited to, the preparation of documents involving engineering matters and preparation of contract documents for the solicitor's opinion, a review of the bid documents, conformity with the specifications and requirements, as well as a formal recommendation of bid award. The Engineer is also responsible to manage the construction contract award process, including issuance of the Notice of Intent to Award, Pre-Construction meeting, execution of the agreements, Notice of Start of Construction, Substantial Completion, and Completion.

CONSTRUCTION SUPERVISION

The Engineer is expected to furnish customary engineering advice and assistance necessary to enable the Freeburg Municipal Authority to readily understand the project. The Engineer, in addition to the on-site Resident Inspector, shall visit the construction site to observe progress and quality of work, to determine if work is proceeding in accordance with contract documents, to keep the Authority informed of progress, to guard against defects and deficiencies, and to disapprove work not in conformance with contract documents. The Engineer, in conjunction with the Resident Inspector, shall serve as the Authority's representative at the project site, issuing all instructions to the contractors and preparing any change orders.

The Engineer will check and approve samples, schedules, shop drawings, catalogue data, laboratory, shop and mill tests of materials and equipment, and other data which contractors are required to submit to ensure conformity with project design, concept, and requirements. The Engineer, in accordance with accepted professional standards

and practice, shall review contractors' payment requests and approve, in writing, payment to the contractors in such amounts. The Engineer will also conduct, in the company of the owner and the contractor, a final inspection of the project for conformity with design, concept, and contract documents. When the project is complete, the Engineer will correct all drawings to show construction and installation as actually accomplished, and will furnish two sets of "As Built" prints (one hardcopy and one disc) to the Freeburg Municipal Authority.

Resident inspection services are to be provided by the Engineer throughout the duration of the construction phase of the project. The Resident Inspector will ensure the job is constructed according to design specifications and in compliance with the federal regulations. As an extension of the Freeburg Municipal Authority's staff, the Resident Inspector shall observe daily the work of the contractors/subcontractors. The Resident Inspector will have the ability to make changes in the field, with authorization of the proposed change being provided by the project engineer/manager and Freeburg Municipal Authority, as necessary, which may allow the Authority to take advantage of timesaving methods.

In addition to the Resident Inspector, the Engineer is expected to visit the project site during construction, not less than once every two weeks. Comprehensive design, inspection of work and compliance with specifications is of utmost importance to a successful and timely project completion. Accordingly, the Engineer shall indicate with what frequency field visits will be provided. As a part of this proposal, it is the Engineer's responsibility to estimate the project duration in order to calculate the number of construction supervision site visits. Should the project take less or more time than anticipated, no adjustment to the costs for project supervision will be considered.

ADDITIONAL SERVICES OF ENGINEER

Where participating state and/or federal agencies require reports relating to construction, the Engineer shall prepare and submit such reports and shall assist in any negotiations with these or other agencies as is necessary for final approval.

TERMS OF PAYMENT

The Engineer will be required to enter into a written Professional Services Agreement with the Freeburg Municipal Authority, which will incorporate the information contained in this Request for Proposals. It is the desire of the Authority to retain professional services under a phased approach as is detailed on the Standard Engineering Estimate. The Freeburg Municipal Authority reserves the right to assess the services provided by the Engineer at the conclusion of each phase and, at its sole discretion, may enter into a written Professional Services Agreement as it deems appropriate for each phase as identified in this Request for Proposals. The Engineer will agree to a lump sum fee for Phase I – Feasibility Study; Phase II – Survey/Map; Phase III – Project Design, Specification, Bidding, Contracting, and other Engineering Services; Phase IV – Project Construction Supervision (may be combined with Phase III); and Phase V – Resident Inspection. The lump sums shall include all costs associated with the services outlined herein. **Costs sometimes separately billed as reimbursable costs shall be declared and included in the lump sum amounts of this proposal.** Payment shall be made to the Engineer on a monthly basis.

Invoices shall be provided setting forth the percentage of work completed to date, establishing the amount due based on the percentage completed, less any previous amounts. Payment shall be expressly contingent upon receipt of funds from the Department of Community and Economic Development.

PROPOSAL SUBMISSION AND EVALUATION

Four (4) copies of the proposal must be submitted to:

Glenda Ruch, Senior Program Analyst
Community Development Program
SEDA-Council of Governments
201 Furnace Road
Lewisburg, PA 17837

Proposals must be received no later than April 28, 2011, 2:00 p.m. **Proposals that are faxed or e-mailed to SEDA-COG cannot be accepted.**

Proposals will be reviewed and evaluated by the Freeburg Municipal Authority. The evaluation will include the following areas in order of relative importance:

- Adequacy of proposal in the terms of addressing the needs that are set forth in the Request for Proposals.
- Relevant experience and past performance.
- Quality of previous work.
- Adequacy of resources/record of completing projects on time.
- Price.
- Equal Employment Opportunity, Minority-Owned Business/Woman-Owned Business, Section 3.

It is the public policy of Snyder County, the grantee of the federal Community Development Block Grant competitive funds, to promote the opportunity for full participation by minority and women's business enterprises ("MBEs" and "WBEs") in all projects receiving federal funds from the United States Department of Housing and Urban Development which are administered by the Commonwealth of Pennsylvania by the Pennsylvania Department of Community and Economic Development.

Minority Business Enterprise (MBE) - A for-profit business concern that is one of the following:

1. A sole proprietorship, owned and controlled by a minority; or
2. A partnership or joint venture controlled by minorities in which 51% of the beneficial ownership interest is held by minorities; or
3. A corporation or other business enterprise controlled by minorities in which at least 51% of the voting interest and 51% of the beneficial ownership interest are held by minorities.

Minority Person - Persons who are citizens of the United States and who are African Americans, Hispanic Americans, Native Americans, or Asian-Pacific Americans.

1. African Americans - Persons having origins from any of the Black groups of Africa. The term includes persons having origins in any of the original peoples of the Cape Verde Islands.

2. Hispanic Americans - Persons having their origins from one or more of the Spanish speaking peoples of Mexico, Puerto Rico, Cuba, Central or South America or the Caribbean Islands.
3. Native Americans - Persons having origins from one or more of the original peoples of North America and who are recognized as an Indian by a tribe or tribal organization.
4. Asian-Pacific Americans - Persons having origins from one or more of the original peoples of the Far East, Southeast Asia or the Pacific Islands, including China, Japan, Korea, Samoa, and the Philippine Islands.

The MBE/WBE threshold approved by Snyder County in its MBE/WBE Action Plan is 5% MBE and 3% WBE. The Action Plan and MBE/WBE thresholds shall apply anytime a contract for professional services totals \$25,000 or greater through the Community Development Block Grant, Emergency Shelter Grant, and/or HOME Investment Partnership Grant programs received from the United States Department of Housing and Urban Development through the Pennsylvania Department of Community and Economic Development.

The purpose of Section 3 of the Housing and Urban Development (HUD) Act is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing federal, state, and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide employment opportunities to low- and very low-income persons.

Section 3 Business Concern - means a business concern:

1. That is 51 percent or more owned by Section 3 residents; or
2. Whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents, or within three years of the date of first employment were Section 3 residents; or
3. That provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set forth in (1) or (2) above.

Section 3 Resident - means:

1. A public housing resident; or
2. An individual who resides in the metropolitan area or non-metropolitan county in which the Section 3 covered assistance is expended, and who is:
 - a) A low-income person, as this term is defined in Section 3(b)(2) of the 1937 Act [42 U.S.C. 1437a(b)(2)]. Section 3 (b)(2) of the 1937 Act defines this term to mean families (including single persons) whose incomes do not exceed 80 per centum of the median income for the area.

A good faith effort shall be made to meet the numerical goal of contracting with a Section 3 business concern which is at least three percent (3%) of the total dollar amount of the contract.

SECTION 3 CLAUSE

The language contained in the Section 3 clause is federal language that is mandatory for inclusion in all professional services and construction contracts for eligible activities receiving HUD assistance.

The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3 shall, to the greatest extent feasible, be directed to low and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implements Section 3. As evidenced by their execution of this contract, the parties to this proposal certify that they are under no contractual or other impediment that would prevent them from complying with the 24 CFR part 135 regulations.

The contractor agrees to send to each labor organization or representative or workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.

The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.

Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

REQUIRED INFORMATION

Each proposer shall provide all information herein requested. Further, no proposal will be considered unless the attached Standard Form is completed in its entirety.

Each proposer shall provide a minimum of two references where similar engineering services have been performed during the past three years. These projects should be similar in design and scope. Proposers may be requested to sit for interviews and/or negotiation of contract terms and fees prior to contract award.

The Freeburg Municipal Authority reserves the right to accept or reject any and all proposals or to waive any irregularities.

Professional Liability Insurance is required for this project. A Certificate of Insurance is to be provided.

STANDARD ENGINEERING ESTIMATE

FIRM NAME: _____

ADDRESS: _____

TELEPHONE: _____

REPRESENTATIVE: _____

I. Feasibility Study/Survey/Map
(LUMP SUM) _____

II. Survey/Map (LUMP SUM) _____

III. Project design, specification, bidding,
Contracting, and other engineering services
(LUMP SUM) _____

IV. Project construction supervision
Indicate project duration and
frequency of visits below. (LUMP SUM) _____

V. Resident Inspection Hourly Rate _____
 Estimated Total Hours _____

Additional Meetings:

Lump sum cost for
Additional meetings, as requested
by the Freeburg Municipal Authority. _____

I, _____, a licensed professional Engineer
in the Commonwealth of Pennsylvania and an authorized representative of the above-
indicated firm, have reviewed and understand the Freeburg Municipal Authority's
Request for Proposals, and I/we am/are prepared to provide the required services for
the above costs.

Name Date

(SEAL)

ATTACH A MINIMUM OF TWO PROJECT REFERENCES, SIMILAR IN DESIGN AND
SCOPE.

ATTACH LIMITS OF COVERAGE FOR PROFESSIONAL LIABILITY INSURANCE,
INCLUDING CERTIFICATE OF INSURANCE.