

**HANOVER TOWNSHIP
NEWPORT TOWNSHIP
CITY OF NANTICOKE**

ACT 537 OFFICIAL PLAN UPDATES

**Request for Qualifications (RFQ)
for Professional Engineering Planning Services**

Deadline: Wednesday, September 6, 2023, 10:00 A.M.

Opening: Wednesday, September 6, 2023, 10:15 A.M.

Contract Start Date (Estimated): October 1, 2023

**HANOVER TOWNSHIP, NEWPORT TOWNSHIP, AND THE CITY OF NANTICOKE,
LUZERNE COUNTY, PA REQUEST FOR QUALIFICATIONS (RFQ)
FOR PROFESSIONAL ENGINEERING PLANNING SERVICES
FOR ACT 537 OFFICIAL PLAN UPDATES**

Proposals will be received via a sealed envelope to the Hanover Township Office, 1267 Sans Souci Parkway, Hanover Township, PA 18706 until 10:00 A.M. on Wednesday, September 6, 2023 and will be opened and read aloud at 10:15 A.M. on the same day for the following:

**Professional Engineering Planning Services for Hanover Township, Newport Township,
and the City of Nanticoke, Luzerne County, PA Act 537 Official Plan Updates**

All proposal documents, specifications and details are available at www.lowersouthvalleycog.com.

Work to be performed under this Contract shall include all professional engineering planning services, analyses, plans, documents, meetings, and reports as required to update three (3) municipal Act 537 Official Plans, including Hanover Township, Newport Township, and the City of Nanticoke ("municipalities"). The Act 537 Official Plan Updates shall be based on the most current version of the Pennsylvania Department of Environmental Protection *Act 537 Plan Content and Environmental Assessment Checklist*. The Official Plan Updates are to fulfill all PA DEP requirements of Chapter 71 of the Pennsylvania Sewage Facilities Act. Additionally, the planning process must comply with PA DEP Publication 362-0300-003 (January, 2003), *A Guide for Preparing Act 537 Plan Update Revisions*, and follow the *PA DEP Act 537 Sewage Disposal Needs Identification* guidance to identify and document sewage needs within Hanover Township, Newport Township, and the City of Nanticoke. The project must be completed in its entirety no later than **June 30, 2024**.

This project is funded by the American Rescue Plan Act.

The three (3) municipalities are working together on this project through an intergovernmental cooperation agreement. The Contract will be with the Lower South Valley Council of Governments (LSV COG). The LSV COG reserves the right to reject any or all proposals, to waive any irregularities, to negotiate contract amounts, to accept or reject any proposal which, in its judgment, is in the best interest of the municipalities and to delete any items, alternates, or portions of items, if necessary.

Samuel T. Guesto
Chair, LSV COG

1. General

Proposals will be received via a sealed envelope to the Hanover Township Office, 1267 Sans Souci Parkway, Hanover Township, PA 18706 until 10:00 A.M. on Wednesday, September 6, 2023 and will be opened and read aloud at 10:15 A.M. on the same day, for **Professional Engineering Planning Services for Hanover Township, Newport Township, and the City of Nanticoke, Luzerne County, PA Act 537 Official Plan Updates**. Work to be performed under this Contract shall include all professional engineering planning services, analyses, plans, documents, meetings, and reports as required to update the Hanover Township, Newport Township, and City of Nanticoke Act 537 Official Plans. The Act 537 Official Plan Updates shall be based on the most current version of the Pennsylvania Department of Environmental Protection (PA DEP) *Act 537 Plan Content and Environmental Assessment Checklist*. The Official Plan Update is to fulfill all PA DEP requirements of Chapter 71 (Administration of Sewage Facilities Program) of the Pennsylvania Sewage Facilities Act. Additionally, the planning process must comply with PA DEP Publication 362-0300-003 (January, 2003), *A Guide for Preparing Act 537 Plan Update Revisions*, and follow the *PA DEP Act 537 Sewage Disposal Needs Identification* guidance to identify and document sewage needs within Hanover Township, Newport Township, and the City of Nanticoke.

The LSV COG encourages minority owned firms, women’s business enterprises, and labor surplus area firms to submit proposals. The LSV COG does not discriminate based on race, color, national origin, sex, religion, age, family, or handicap status in employment or the provision of services. The municipalities adhere to the Pennsylvania Human Relations Act (PHRA) and all applicable federal and state laws.

LATE PROPOSALS WILL NOT BE ACCEPTED OR CONSIDERED

2. Proposal Submission/Delivery Requirements

Each Proposal shall be submitted via a sealed envelope to the Hanover Township Office, 1267 Sans Souci Parkway, Hanover Township, PA 18706

Proposals are to be accompanied by a signed and notarized Affidavit of Non-Collusion in the form attached hereto as APPENDIX A.

Proposer warrants that prices, rates, terms, and conditions quoted herewith shall remain in effect until the LSV COG awards the Contract and throughout the duration of the Contract.

Proposer must submit all required information, as outlined in paragraph 3 (Proposal Content) below. Failure to do so will result in the Proposer’s Proposal to be deemed defective.

3. Proposal Content

To be deemed administratively and technically complete, all proposals shall include the following information:

- A. Proposing firm name, address, phone number, and email address. Identify the project manager and all team members including subcontractors proposed to be working on the project and indicate the estimated total hours each will spend on the project.

- B. Describe your understanding and technical approach to the project, specifically addressing each of the tasks identified in the Scope of Engineering Planning Services as set forth in paragraph 7 below. Indicate hours to be spent on each task with a supporting brief explanation. Include a brief explanation of how your team will be organized.
 - C. Describe the relevant background and experience of the firm, including years in business. Describe the relevant experience of the team members and/or subcontractors who will be doing the majority of the work. Discuss your team's specific capabilities in the areas of sewage facilities planning, engineering planning professional services, and Act 537 Official Plan updates. List three (3) examples of work, or summaries, for representative projects indicating applicable experience for the Scope of Engineering Planning Services. Please note that if selected, the LSV COG must approve any change to the proposed project team.
 - D. Provide at least three (3) relevant references for your firm and for your project manager and any subcontractor who will be spending more than forty (40) hours on this project.
 - E. Provide a proposed schedule that is consistent with estimated hours for each task identified in the Scope of Engineering Planning Services as set forth in paragraph 7 below.
 - F. **DO NOT SUBMIT THE COST PROPOSAL AT THIS TIME.** See paragraph 6 for more details on the cost proposal.
4. Proposals will be opened and read aloud on Wednesday, September 6, 2023 at 10:15 A.M. at the Hanover Township Office, 1267 Sans Souci Parkway, Hanover Township, PA 18706
 5. Questions
All questions concerning this Request for Qualifications (RFQ) shall be submitted to Samuel T. Guesto, Jr., LSV COG Chair, via email to SGuesto@hanovertownship.org.
 6. Contract
The LSV COG shall negotiate a contract with the highest qualified firm, subject to the evaluation of information received from all interested firms. After each firm has been evaluated and ranked, they will be contacted to submit their cost proposal to negotiate a lump sum contract. Should the LSV COG be unable to negotiate a satisfactory contract with the firm considered to be the most qualified, the LSV COG shall then undertake negotiations with the second most qualified firm.

It is understood that a firm unwilling to negotiate for services as established above will disqualify the firm's response to the RFQ from further consideration.

The estimated effective date of the Contract will be October 1, 2023 and the Contract shall run through June 30, 2024, which shall be the termination date of the Contract. All project deliverables relative to the completion of the Hanover Township, Newport Township, and City of Nanticoke Act 537 Official Plan Updates (including PA DEP acceptance and approval of the Act 537 Official Plan Updates) are due no later than **June 30, 2024**. The project must be

completed in its entirety no later than **June 30, 2024**.

7. Scope of Engineering Planning Services

The following narrative outlines the major responsibilities of the Proposers. It should be recognized by all Proposers that the Scope of Engineering Planning Services included herein may exclude some minor, incidental Engineering Planning Services not currently identifiable. This request does not include any final engineering design services for construction related activities.

Scope of Engineering Planning Services

- A. Work to be performed under this Contract shall include all professional engineering planning services, analyses, plans, documents, meetings, and reports as required to update the Hanover Township, Newport Township, and City of Nanticoke Act 537 Official Plans. The Act 537 Official Plan Updates shall be based on the most current version of the Pennsylvania Department of Environmental Protection (PA DEP) *Act 537 Plan Content and Environmental Assessment Checklist*. The Official Plan Update is to fulfill all PA DEP requirements of Chapter 71 (Administration of Sewage Facilities Program) of the Pennsylvania Sewage Facilities Act. Additionally, the planning process must comply with PA DEP Publication 362-0300-003 (January, 2003), *A Guide for Preparing Act 537 Plan Update Revisions*, and follow the *PA DEP Act 537 Sewage Disposal Needs Identification* guidance to identify and document sewage needs within Hanover Township, Newport Township, and the City of Nanticoke.
- B. The professional engineering planning services and deliverables shall include all necessary drawings, maps, and Geographic Information System (GIS) files to be used for the updating of Hanover Township, Newport Township, and the City of Nanticoke's Act 537 Official Plans. Drawings and maps shall conform to standard professional practice and consist of all necessary documentation to adequately complete the Act 537 Official Plan Updates. GIS files shall be provided in a format that allows Hanover Township, Newport Township, and the City of Nanticoke to download, view, and implement the files on the respective municipalities' ArcGIS local systems.
- C. Upon completion of the Act 537 Official Plan update for each municipality, the Plans must meet all requirements set forth by PA DEP (as identified in paragraph 7 (a) above) and ultimately receive the approval of PA DEP. The selected successful Proposer/Contractor shall ensure that Hanover Township, Newport Township, and the City of Nanticoke meet all public notice and public comment requirements.
- D. Assistance from the successful Proposer/Contractor is necessary for Hanover Township, Newport Township, and City of Nanticoke officials and residents to fully understand and vet the project; therefore, meeting attendance is of high importance. Accordingly, all Proposals shall include the costs of at least twelve (12) public meetings at which the successful Proposer/Contractor is expected to be in attendance. These meetings shall be conducted during the Act 537 Official Plan Update process at the convenience of Hanover Township, Newport Township, and City of Nanticoke officials.

E. All necessary steps to complete Act 537 Official Plan Updates (i.e., adopting necessary ordinances, creating an implementation schedule, and ultimately, adoption of the Act 537 Official Plan Updates by Hanover Township, Newport Township, and the City of Nanticoke and approved by PA DEP), must be facilitated by the successful Proposed/Contractor.

8. Proposal Evaluation

The LSV COG will implement competitive proposal procedures in evaluating engineering planning services that have been submitted for evaluation. The evaluation will include the following areas in order of relative importance:

- A. Adequacy of Proposal in terms of addressing the needs that are set forth in the Request for Qualifications.
- B. Relevant experience (especially local experience) and past performance.
- C. Quality of previous relevant work.
- D. Adequacy of resources/record of completing projects on time.
- E. Equal Employment Opportunity/Minority-Owned/Women-Owned/Small and Diverse Business. (See APPENDIX B for the Evaluation Sheet.)

The most qualified Proposal will be selected in the sole discretion of the LSV COG, subject to negotiation of fair and reasonable compensation. Once the most-qualified firm is identified, only that firm is asked for a price proposal that is subject to negotiation of a fair and reasonable price. If negotiations with the selected firm are unsuccessful, this process is repeated with the next highest-ranked firm, until a fair and reasonably priced contract can be awarded.

9. Prior to the execution of the Contract, the selected firm must provide certificate(s) of insurance for General Liability, Professional Liability (limits of not less than \$1,000,000) and Workers Compensation to protect all parties from all claims which may arise as a result of performance under this contract.

10. Right to Accept or Reject Proposals

The LSV COG reserves the right to reject any or all proposals, to waive any irregularities, to negotiate contract amounts, to accept or reject any proposal which, in its judgment, is in the best interest of the municipalities and to delete any items, alternates, or portions of items, if necessary. The LSV COG is not necessarily constrained to accept the lowest proposal, but that which is the best value/quality combination for services as a whole.

11. Terms of Payment

The successful Proposer/Contractor shall be required to enter into a written Professional Services Agreement with the LSV COG, which shall be in a form that is acceptable to the LSV COG Solicitor and shall incorporate the information contained in this RFQ as though more

fully set forth at length. The successful Proposer/Contractor will agree to a lump sum fee, which shall include all costs associated with Scope of Services outlined herein. Costs sometimes separately billed as reimbursable costs shall be identified and included in the lump sum amount of the Proposal as itemized line items. Payments shall be made to the successful Proposer/Contractor not more frequently than monthly.

Invoices shall be provided by the successful Proposer/Contractor setting forth the percentage of work completed for each municipality to date and establishing the amount due based on the percentage completed, less any amount(s) billed in previous months, as applicable.

12. Assignment of Contract

The successful Proposer shall not assign the Contract or any part of thereof during the entire term of the Contract.

13. Non-Collusion Affidavit

Completion of the Affidavit of Non-Collusion is required with the submission of a Proposal. (See APPENDIX A)

14. Right-to-Know Law

In accordance with the Commonwealth of Pennsylvania Right-to-Know Law (Act 3 of 2008; 65 PS 67.101 et seq), the LSV COG may make available for viewing or provide copies of all received and all associated Contract documents following awarding of the same.

15. Authorized Signatory

A Proposal submitted on behalf of an individual, partnership, or corporation shall bear the signature(s) of the person(s) authorized to bind the individual, partnership, or corporation to the terms of the Proposal.

16. Withdrawal of Proposals

Proposals may be withdrawn at any time prior to the designated time of the opening of the Proposals. All Proposals must be firm for forty-five (45) days following the Opening of Proposals; and, no Proposals will be permitted to be withdrawn during such period. Proposals will be awarded or rejected within forty-five (45) days from opening.

17. The submission of a Proposal shall constitute and establish the intent of the Proposer to enter into a binding Contract with the LSV COG for the materials and services solicited. The Contract "as defined" shall mean all Proposal Documents, which includes these "Proposal Forms/Specifications," once the Proposal is accepted by and executed by the LSV COG.

APPENDIX A
Affidavit of Non-Collusion

NON-COLLUSION AFFIDAVIT

The undersigned bidder or agent, being duly sworn on oath, says that he/she has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to include anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He/She further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee gift, commission or thing of value on account of such sale.

OATH AND AFFIRMATION

I HEREBY AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FACTS AND INFORMATION CONTAINED IN THE FOREGOING BID FOR PUBLIC WORKS ARE TRUE AND CORRECT.

Dated this ___ day of _____, _____

(Name of Organization)

(Title of Person Signing)

(Signature)

ACKNOWLEDGEMENT

STATE OF _____)
) ss
COUNTY OF _____)

Before me, a Notary Public, personally appeared the above named and swore that the statements contained in the foregoing document are true and correct.

Subscribed and sworn to me this _____ day of _____, _____.

Notary Public Signature

My Commission Expires: _____

APPENDIX B
Evaluation Sheet

Company Name: _____

Reviewer Name: _____

Evaluation Criteria	Score (1-10)	Notes
Adequacy of Proposal in terms of addressing the needs that are set for in the Request for Qualifications.		
Relevant experience (especially local experience) and past performance.		
Quality of previous relevant work.		
Adequacy of resources/record of completing projects on time.		
Equal Employment Opportunity/Minority-Owned/Women-Owned/Small and Diverse Business.		
TOTAL		