

**TOWN OF HARDWICK
BOARD OF SELECTMEN
HARDWICK POND WEED MANAGEMENT
2018 REQUEST FOR PROPOSAL (RFP)**

The Town of Hardwick (hereafter known as “Town”) through its Board of Selectmen is seeking services from qualified individuals or consultant firms (hereafter known as “Contractor”) for the implementation of a weed management program in Hardwick Pond. The contract period will commence on the date this contract is awarded and end on December 31, 2020. Qualified Contractors are requested to submit six copies of their proposal to Hardwick Board of Selectmen no later than 6:30 PM January 22, 2018 at which time all proposals will be publicly opened in the Selectmen’s Room and a Register of Proposals prepared. Proposals will be time-stamped by the Board of Selectmen’s Office as they are received. The time stamp shall be controlling, final, and conclusive as to the timeliness of the receipt of a proposal.

The Town will award one contract for the management program referenced above. The Town reserves the right to reject any or all proposals or to cancel this RFP if it is in the Town’s best interest to do so. The contract will be awarded within thirty (30) days from January 22, 2018.

The Town has determined that this contract is subject to the Uniform Procurement Act, G.L. c. 30B. Therefore, the provisions of G.L. c. 30B are hereby incorporated by reference in this RFP.

Hardwick Pond is approximately ~70-acres in surface area and has an average and maximum depth of 8.8 feet and 21 feet, respectively. The major inflows to the pond are Muddy Brook (80%) and Newton Brook (20%), which drain a total watershed area of about 10,463 acres. The outflow of the pond continues to the south as Muddy Brook and empties into the Ware River. From recent inspection in 2015, and also confirmed by information in a 1993 BSC Diagnostic/ Feasibility Study, the pond exhibits dense growth of non-native, invasive plants around nearly the entire perimeter out to a depth of ~10-feet. The invasive growth is dominated by fanwort (*Cabomba caroliniana*), although another invasive species, variable watermilfoil (*Myriophyllum heterophyllum*), was also confirmed present at much lower density and occurrence. Invasive plant growth is impeding recreational use of Hardwick Pond and is also negatively affecting the pond by reducing the beneficial growth of native plants, decreasing open water habitat and impairing water quality. The dam controlling water levels is not currently capable of allowing drawdown management. A management program has been recommended to control invasive growth of fanwort and variable milfoil, utilizing US Environmental Protection Agency (EPA) / Massachusetts registered aquatic herbicides.

Multiple applications of herbicide are expected to be necessary, including an initial treatment and up to two follow-up “booster” treatments, to be conducted by licensed applicators using appropriate boating equipment with calibrated spreader and pumping systems. Follow-up management may be required in subsequent years, including spot-treatment of re-growth using aquatic herbicides as necessary.

In addition to obtaining a License to Apply Chemicals from the Massachusetts Department of Environmental Protection (DEP), a permit will be required from the Hardwick Conservation Commission. The cost of filing a Notice of Intent with the Conservation Commission is typically in the range of \$2,000-\$3,000 however the minimum duration of that permit (an Order of Conditions) is typically 3-years. The contractor will be expected to handle the Conservation Commission permitting with some assistance from the Hardwick Pond Preservation Association (HPPA). The HPPA, on behalf of the Town, will be involved in any additional future surveys conducted to evaluate weed control results.

The information provided in this RFP is for convenience only and must be independently investigated, analyzed and verified by the respondent. The Town makes no representations or warranties of any kind whatsoever as to the accuracy and/or completeness of the information provided in this RFP, which disclaimer shall be deemed to include, without limitation, any and all appendices, exhibits, attachments and/or supplements of any nature or in any form, (e.g. hard copy, facsimile or electronic).

The Town reserves the right to amend, suspend or withdraw this RFP at any time for any reason, without notice, in the Town's sole discretion that it is in the best interest of the Town to do so. The Town reserves the right to seek clarification of information supplied, to request additional information, to negotiate with any and all Contractors, to request best and final offers from all Contractors, to cease negotiations at any time, to waive portions of the RFP, to waive any informalities in proposals, to reject any and all proposals or portions thereof, to select another proposal(s), to discontinue its selection process, or to issue a new RFP, all in the Town's sole discretion.

The preparation and submission of a proposal is at the sole cost and expense of the Contractor. This RFP or notice thereof advising where the complete RFP may be secured will be posted in the Town of Hardwick Municipal Office Building, in the Worcester Telegram & Gazette Newspaper, on the Towns' Official Website www.townofhardwick.com, and on the COMMBUYS System administered by the Commonwealths Operational Services Division (OSD).

Any RFP amendments, clarifications, changes or updates and any Town response to Contractor's questions will be in writing and faxed or e-mailed to Contractors on record as having received the RFP. All questions during the proposal period must be submitted in writing or sent by e-mail before 12 noon at least seven (7) days prior to January 22, 2018. Questions should be directed to:

Theresa A. Cofske, Town Administrator
Hardwick Board of Selectmen
Municipal Office Building
PO Box 575
Gilbertville, MA 01031
PH: 413 477-6197, x101
E-Mail: admin@townofhardwick.com

Only the Contact Person specified above in this section of this RFP is authorized to respond to any question or inquiry in connection with this RFP although the Contact Person may seek assistance from members of the HPPA in preparing responses to questions. The Town will endeavor to answer questions which it, in its sole discretion, determines appropriate, in writing sent via e-mail or to fax its answers for the benefit of all Contractors. If there is an irreconcilable conflict between this RFP and any interpretation, clarification or other response given to prospective or actual Contractors, the terms of this RFP shall control.

I. Purchase Description

A. Lake Weed Management Program

The application of an EPA-approved chemical agent should be disbursed in spray or pellet form from a suitable boat to kill and inhibit further growth of various excessive aquatic vegetation species in Hardwick Pond. It is imperative that the chemical(s) as applied have no significant adverse impact on non-vegetative wildlife such as fish, aquatic insects, turtles and waterfowl.

The proposed treatment should consist of one initial application and possible follow-up treatments, as needed, in the time frame referenced below. A biological survey shall be performed as needed after the chemical application to determine the effectiveness of the chemical treatment. Provision should be made for subsequent treatments of chemicals consistent with fulfillment of a warranty period.

The Town also requests that the Contractor apply treatment early in the week in order to minimize the impact on recreational activities for the following weekend.

II. Proposal Submission Requirements

Proposals must be sealed and clearly marked and delivered prior to twelve noon on Friday, January 22, 2018 and addressed to:

**“Hardwick Pond Weed Control Management”,
Hardwick Board of Selectmen
Municipal Office Building
PO Box 575
Gilbertville, MA 01031**

Contractor is to submit proposal based on the following Submission Requirements.

(1) Price Proposal

A complete price proposal for the scope of services as follows:

- A. Weed management program
 - 1. Permitting, initial weed survey, mapping, & meetings
 - 2. Initial treatment
 - 3. Follow-up treatment
 - 4. Post treatment, survey, mapping & year-end reporting
- B. Optional treatment tasks (Please identify)

(2) Non-Price Proposal

- A. Outline of the Contractor’s project scope to kill and control invasive non-native weeds in Hardwick Pond including:
 - 1. Identification of current weed population.
 - 2. Identification of and expected quantities of EPA approved chemicals that will be used to control specific weeds.
 - 3. Timing of application of EPA approved chemicals.
- B. Written statement of guarantee for project success.
- C. Written recommendation for a periodic weed control maintenance program and a non-binding cost estimate of such a program.

III. Most Advantageous Proposal

Following the separate evaluation of the Price and Non-Price proposals, the Town Board of Selectmen will then award the contract accordingly. The Board of Selectmen may seek the assistance of the HPPA in reviewing the proposals and awarding the contract.

- (A) All responsive proposals that satisfy the minimum proposal submission requirements will be evaluated by the Town and will be ranked on each comparative evaluation criteria, as follows:

	Years Experience
1. Highly Advantageous	10 plus
2. Advantageous	5-10
3. Not Advantageous	1-5
4. Unacceptable	0-1

(B) Contractor Evaluation Criteria

- 1. Experience with herbicides that will control various weeds in the lake.
- 2. Experience of Contractor’s key personnel.
- 3. Success/experience executing projects sanctioned by the Massachusetts Department of Environmental Management (DEM).

4. Technical approach/timeline for the project.
5. Knowledge of Hardwick Pond and its watershed area.
6. Written statement of guarantee for project success.

IV. Additional Submission Requirements

- (A) Contractor submitting proposal is required by G.L. c.30B, ~10 to submit the following non-collusion certification at the time the proposal is submitted. This certification should take the following form:

The undersigned certifies under the pains and penalties of perjury that this 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, committee, club or other organization, entity, or group of individuals.

- (B) Under the provisions of G.L. c.62C, ~49A, all persons or companies submitting proposals are required to certify their compliance with the tax laws of the Commonwealth of Massachusetts. Therefore, Contractor must include the following statement in its proposal:

I certify under the pains and penalties of perjury that (Name of Contractor) has complied with all the Laws of the Commonwealth of Massachusetts relating to taxes.

- (C) The Contractor shall be licensed by the Commonwealth to undertake lake and pond management. The Contractor shall have a minimum of five years experience in managing lakes and ponds.
- (D) Name, address, and telephone number of the Contractor and the principal contact person.
- (E) Name, address, telephone number, and qualifications of all of the Contractor's staff to be associated with this project, if applicable.
- (F) Type of organization (i.e., individual, corporation, partnership, joint venture, etc.). Include a list of the principals.
- (G) List all of the public projects undertaken in Massachusetts in the past five- (5) years. Please include the following information:
1. Location
 2. Scope of involvement
 3. References
- (H) List of all current projects.
1. Location
 2. Scope of involvement
 3. References
- (I) Certification that all of the staff to be associated with this project are properly licensed to undertake and successfully complete their tasks. Please include a copy of individual licenses current for the dates of treatment.
- (J) Insurance certificates showing insurance coverage as outlined below. It is the Contractor's responsibility to purchase and maintain adequate insurance to protect the Contractor and the Town from all claims. The Town shall be named as an additional insured and no insurance shall be subject to cancellation without at least thirty (30) days prior written notice forwarded by registered or certified mail to the Town. All parties shall also be

notified of the attachment of any restrictive endorsements to the policies. The following minimum insurance coverages are required:

1. General Liability-Occurrence	Each Occurrence	\$1,000,000
	Personal &ADV Injury	1,000,000
	General aggregate	3,000,000
	Products-COMP/OP AGG	3,000,000
2. Automobile Liability Scheduled, Hired & Non-Owned Autos	Combined Single Limit (Ea Accident)	\$1,000,000
	Bodily Injury (Ea Accident)	1,000,000
	Property Damage (Ea Accident)	1,000,000
3. Excess Liability-Occurrence	Each Occurrence	\$5,000,000
	Aggregate	5,000,000
4. Workers' Compensation and Employers' Liability	E.L. Each Accident	\$1,000,000
	E.L. Disease	1,000,000
	E.L. Disease Policy Limit	1,000,000
5. Contractor's Pollution Liability	Each Occurrence	\$5,000,000
	Aggregate	\$5,000,000

- (K) A current performance surety bond effective through the treatment dates in the amount of the contract shall be delivered to the Board of Selectmen when the Contractor's proposal is accepted.
- (L) Contractor shall comply with Massachusetts law Chapter 149 Section 27, prevailing wage laws.