



Herkimer County Department of Budget and Purchasing
Sheri Ferdula, Budget Officer/Purchasing Agent
Philomena Lumia, Deputy Purchasing Agent
109 Mary Street, Suite 1302
Herkimer, NY 13350
Phone: 315-867-1118 Fax: 315-867-1109

BID NOTICE

REQUEST FOR QUALIFICATIONS: Preliminary Engineering Report and Environmental Review for the Herkimer County Sewer District Wastewater Treatment Plant. The Herkimer County Sewer District (HCSD) is currently undertaking Wastewater Treatment Plant (WWTP) Updates and seeks professional guidance in developing a long-range plan for the WWTP. The HCSD is hereby requesting Licensed Professional Engineers to submit proposals to prepare a Preliminary Engineering Report and an Environmental Review for Herkimer County Sewer District Wastewater Treatment Plant of suitable detail and completeness to approach regulating and funding agencies.

Proposals Due: March 14, 2025 at 4pm to:

Sheri Ferdula
Purchasing Agent
109 Mary Street, Suite 1303
Herkimer NY 13350

Issuing Agency: Herkimer County Sewer District, 106 W. Main St., Mohawk NY
13407

Contact Person: Alvin Montana II, Chief Operator



**REQUEST FOR PROPOSALS (RFP)
HERKIMER NEW YORK**

**Licensed Professional Engineering services for the Herkimer
County Sewer District**

**Herkimer County Department of Budget & Purchasing
Sheri Ferdula, Budget Officer/Purchasing Agent
Philomena Lumia, Deputy Purchasing Agent
109 Mary Street, Suite 1303
Herkimer, NY 13350**

HERKIMER COUNTY

GENERAL INSTRUCTIONS TO PROPOSERS

SECTION 1: Proposal Description

The County of Herkimer is seeking proposals for Licensed Professional Engineers to submit proposals to prepare a Preliminary Engineering Report and an Environmental Review for Herkimer County Sewer District Wastewater Treatment Plant of suitable detail and completeness to approach regulating and funding agencies.

Minority and Women Owned Businesses are encouraged to apply.

SECTION 2: Proposal Submission

Proposals and all required documentation must be submitted no later than 4pm on Friday March 14, 2025:

to:

Sheri Ferdula
Purchasing Agent
109 Mary Street, Suite 1303
Herkimer NY 13350.

All proposals received after the time stated above, may not be considered.

By submitting a proposal, contractor agrees to accept all of the terms and conditions of the Instructions to Proposers. Contractor agrees to complete all work as specified or indicated in the documents for the price listed within the time line.

Herkimer County reserves the right to reject any and all proposals in whole or in part and to disregard all non-conforming, non-responsive or conditional responses.

SECTION 3: *Disqualification*

The County reserves the right to refuse to issue proposal documents or accept packets from contractors who have previously failed to complete contracts within the time frame required, or have previously performed similar work in an unsatisfactory manner. A proposal may be rejected if the contractor cannot show that it has the necessary ability, plant or equipment to commence the work at the time prescribed and thereafter to perform and complete the work at the rate or within the time specified. A proposal may be rejected if the contractor is already obligated for the performance of other work which would delay the commencement, performance or completion of the work.

Herkimer County reserves the right to reject any proposal if the information submitted by, or investigation of, such proposer fails to satisfy the County that such proposer is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein.

SECTION 4: *Documents*

Complete sets of Documents must be used when submitting proposals. The County does not assume any responsibility for errors or misinterpretations resulting from the use of incomplete sets of documents.

All offers received shall be net cost to the County of Herkimer. The County shall not be responsible for any additional cost; including, but not limited to, overtime required by the vendor to meet the appropriate deadlines.

SECTION 5: *Evaluation*

Each proposal submitted will be reviewed and evaluated. Award will be based on software functions, cost, level of service, references and scope of work. Other considerations will include completeness of proposal and firms demonstrated capabilities and professional qualifications as determined by Herkimer County. Herkimer County reserves the right to negotiate for additional services with the successful contractor and/or to delete components when business operations change.

SECTION 6: *Award of Contract*

An award will be made as determined to be in the best interests of Herkimer County, with approval of the Herkimer County Legislature.

No successful contractor to whom a contract or purchase order is let, granted or awarded, shall assign, transfer, convey, sublet or otherwise dispose of same, or of its right, title and interest herein, including the performance of the contract or purchase order or the right to receive monies due or to become due, or of its power to execute the contract or purchase order without the prior written consent of the Herkimer County Purchasing Agent. In the event the contractor shall without prior written consent assign, transfer, convey, sublet or otherwise dispose of the contract or purchase order or of its right, title and interest therein, including the performance of this contract or purchase order, or the right to receive monies due or to become due, or its power to execute such contract or purchase order to any other person or corporations, or upon receipt by Herkimer County of an attachment against the Successful Bidder, the County of Herkimer shall be relieved and discharged from any and all liability and obligation growing out of such contract or purchase order to such contractor, and the person or corporation to which such contract or purchase order shall have been assigned, its assignees, transferees or sub lessees shall forfeit and lose all monies theretofore assigned under the contract or purchase order, except so much as may be required to pay its employees.

The successful proposer will be required to procure and maintain at their own expense insurance coverages as outlined in the "Herkimer County Insurance Requirements" attached. Herkimer County shall be named as an additional insured.

It is the intent of this proposal that the final contract awarded be make available to all political subdivisions and authorized districts located in the State of New York.

SECTION 7: *Indemnification*

The successful proposer shall defend, indemnify and save harmless the County, its employees and agents, from and against all claims, damages, losses and expenses (including, without limitation, reasonable attorneys' fees) arising out of, or in consequence of, any negligent or intentional act or omission of the successful proposer, its employees or agents, to the extent of its or their responsibility for such claims, damages, losses and expenses.

SECTION 8: *Remedy for Breach*

In the event of a breach by CONTRACTOR, CONTRACTOR shall pay to the County all direct and consequential damages caused by such breach, including, but not limited to, all sums expended by the County to procure a substitute contractor to satisfactorily complete the contract work, together with the County's own costs incurred in procuring a substitute contractor.

REQUEST FOR PROPOSALS

Seeking Licensed Professional Engineers to submit proposals to prepare a Preliminary Engineering Report and an Environmental Review for Herkimer County Sewer District Wastewater Treatment Plant of suitable detail and completeness to approach regulating and funding agencies.

**Prepared for:
Herkimer County Sewer District**

**By: Becky Sims, MPA
NY State Manager
RCAP Solutions**

January 24, 2025

LEGAL NOTICE

REQUEST FOR QUALIFICATIONS: Preliminary Engineering Report and Environmental Review for the Herkimer County Sewer District Wastewater Treatment Plant. The Herkimer County Sewer District (HCSD) is currently undertaking Wastewater Treatment Plant (WWTP) Updates and seeks professional guidance in developing a long-range plan for the WWTP. The HCSD is hereby requesting Licensed Professional Engineers to submit proposals to prepare a Preliminary Engineering Report and an Environmental Review for Herkimer County Sewer District Wastewater Treatment Plant of suitable detail and completeness to approach regulating and funding agencies.

Proposals Due: March 14, 2025 at 4pm to:

Sheri Ferdula
Purchasing Agent
109 Mary Street, Suite 1303
Herkimer NY 13350

Issuing Agency: Herkimer County Sewer District, 106 W. Main St., Mohawk NY 13407

Contact Person: Alvin Montana II, Chief Operator

REQUEST FOR QUALIFICATIONS

Preliminary Engineering Study *Herkimer County Wastewater Treatment Plant* *Herkimer County Sewer District*

Issuing Agency: Herkimer County for the Herkimer County Sewer District

Municipal Official: Sheri Ferdula, Purchasing Agent

Issuing Date: January 24, 2025

Informational Meeting: Call to schedule in-person meeting

Proposals Due: March 14, 2025, 4pm

Mailing Address: 109 Mary Street, Suite 1303 Herkimer NY 13350

PART I

I-1. PREFACE

The Herkimer County Sewer District (HCSD) is seeking proposals from qualified engineering firms to determine and evaluate alternatives and costs associated with updating the Herkimer County Wastewater Treatment Plant. Deliverables include:

1. Preliminary Engineering Report (PER) that describes alternatives, recommends a strategy, and estimates costs to construct, operate, and maintain the recommended strategy; and
2. An Environmental Report (ER) of the selected alternative in accordance with NEPA and SEQR

The HCSD is hereby requesting Licensed Professional Engineers to submit proposals to prepare a Preliminary Engineering Report and Environmental Review for the wastewater treatment plant project of suitable detail and completeness to approach regulating and funding agencies.

I-2. DESCRIPTION OF THE SEWER DISTRICT AND THE PROBLEM

Sewer District Description - The Herkimer County Sewer District Wastewater Treatment Plant is located in the Village of Mohawk, NY, and treats wastewater from the Villages of Frankfort, Ilion, and Mohawk, as well as portions of the Towns of German Flatts and the Town of Frankfort. Approximately 5,000 customers, including 16,000 people are served by the Sewer District. Parts of the Villages of Mohawk and Ilion are identified as Potential Environmental Justice Areas (PEJA) according to NYSDEC. MHI for each community, or for service area? Might need a map if so.

Wastewater Treatment Plant Description –

The HCSD owns and operates a 6.1 MGD Activated Sludge wastewater treatment plant, originally constructed in 1982. The plant has a design capacity of 20 MGD but typically treats about 6.1 MGD. The plant consists of a pump station with a bar screen and grit removal, two primary settling tanks, two aeration tanks, two final settling tanks, and final disinfection with chlorine. Sludge is collected and thickened before dewatering with a belt filter press.

Problem – The HSCD seeks to identify a long-term plan for sustainable operation of the wastewater treatment plant. Most of the major equipment in the existing plant is at or past its expected useful life. Regular maintenance and repairs have sustained many critical components. However, the cost of repair, efficiency of aging equipment, and supply chain challenges for parts have highlighted the need for significant plant improvements.

I-3. GENERAL DESCRIPTION OF PROFESSIONAL SERVICES

- (A) Prepare a Preliminary Engineering Report (PER) in accordance with NYS EFC’s Engineering Report Outline for New York State Wastewater Infrastructure Projects. The PER will:
1. Reflect a thorough understanding of the wastewater treatment plant and collection system needs and priorities of the HCSD.
 2. Evaluate alternatives for meeting those needs that provide operational flexibility, are cost effective, and, to the extent possible, minimize energy use and cost.
 3. Estimate and itemize both capital and O&M costs for the top three alternatives.
 4. Recommend a best alternative and provide a conceptual design scheme.
 5. Describe the capacity of the recommended alternative to meet existing and future needs.
 6. Identify relevant regulatory requirements and potential implications.
 7. Evaluate potential funding sources and possible funding scenarios.
 8. Present a project schedule in accordance with funding cycles.
- (B) Complete an Environmental Report (ER) in accordance with NYS and federal requirements:
1. Upon selection of the preferred alternative by the Village, conduct the environmental review in compliance with the Bipartisan Infrastructure Law (BIL) of 2021, the National Environmental Policy Act review process (NEPA), and New York State’s Environmental Quality Review Act (SEQRA).
- (C) Ensure the PER and ER conform with the requirements of the NYS EFC Engineering Report Outline for New York State Wastewater Infrastructure Projects including evaluation of a “No action” alternative, Smart Growth assessment form, and green infrastructure alternatives assessment.
- (D) Respond satisfactorily to regulatory agency review comments on the PER and ER.

I-4 APPROACH

It is critical that the proposed improvements be both technically feasible and affordable. To accomplish this, the Herkimer County Sewer District expects to work closely with the engineer and wishes to explore all practical methods to reduce project costs. The selected engineering firm must be able to coordinate effectively with HCSD officials and employees, primacy agencies, project funders, and others designated by the HCSD to participate in this project. The HCSD expects to work closely with the engineer and wishes to explore all practical methods to reduce both construction and ongoing operation and maintenance costs.

The HCSD expects the selected firm to:

- Review all relevant information from previously completed studies/reports.
- Determine the condition of the existing wastewater treatment plant, probable useful life of major components, and replacement costs.
- Evaluate alternatives to existing components that may better meet the needs of the HCSD over the long term.
- Take an innovative and open-minded approach to potential changes in permit conditions due to a pending TMDL for the Mohawk River, and other future challenges.
- Assess the condition of pump stations, probable useful life, and replacement cost.

I-5. FUNDING STRATEGIES BEING EXPLORED

The successful firm must demonstrate familiarity with, and the ability to comply with, all applicable funder requirements for the PER and ER. Project cost estimates will assume compliance with federal and state procurement standards. Potential funding applications include but are not limited to: the NYS Clean Water State Revolving Loan Fund (CWSRF), the NYS Water Infrastructure Improvement Act (WIIA), the Water Quality Improvement Program (WQIP), the Community Development Block Grant program (CDBG), the Northern Borders Regional Commission (NRBC) and the Bipartisan Infrastructure Law (BIL) of 2021.

I-6. CONTRACT COMPENSATION

This Request for Qualifications is for preliminary engineering services. A fixed lump-sum fee method of compensation is requested. Should HCSD elect to proceed with a project based on the preliminary engineering work, the award of a contract pursuant to this RFQ does not represent any guarantee or commitment that the selected firm will also be engaged to provide final design or construction services.

I-7. ENGINEER'S INSURANCE

The agreement between HCSD and an Engineer, which may result from this procurement process, will require the Engineer to obtain and maintain insurance to protect the Engineer and the HCSD from claims under the Worker's Compensation Act and such Comprehensive General Liability Insurance as will protect HCSD and the Engineer from all claims for bodily injury, death, or property damage which may arise from the performance by the Engineer or by the Engineer's employees for Engineer's functions and services required under the agreement.

I-8. REJECTION OF PROPOSALS

The HSCD reserves the right to: amend, modify or withdraw this RFQ; require supplemental statements or information from proposers; extend the deadline for responses to this RFQ; reject any or all proposals received pursuant to this RFQ; waive or correct any irregularities in proposals received after prior notice to the proposer; negotiate separately with competing proposers; and award a contract to as many or as few proposers as it may select.

I-9. INCURRING COSTS

This RFQ does not commit the HCSD to award a contract, pay the costs incurred in preparing any response to this RFQ, or procure the services described herein. All proposals are submitted at the sole cost and expense of the proposer including the costs of duplicating background reference materials if requested. The HCSD shall incur no liability or obligation to any proposer except pursuant to a written contract for services, duly executed by the proposer, and an authorized signatory for the HCSD.

I-10. PRE-PROPOSAL INFORMATION MEETING; AVAILABLE MATERIALS

The HCSD encourages interested engineering firms to review available background information and tour the treatment plant facilities, by appointment.

Background reference materials and resources consisting of previous engineering reports, studies, maps, and surveys, will be available for review at the HCSD offices during business hours. Regular business hours are Monday-Friday 7 AM – 3 PM. Please contact Chief Operator Alvin Montana II at amontanaii@herkimercountyny.gov to schedule an appointment.

I-11. RECEIPT OF PROPOSALS

To be considered, five (5) copies of the proposal must be received at the office of Sheri Ferdula, Herkimer County Purchasing Agent , 109 Mary Street, Suite 1303 Herkimer New York on March 14, 2025 by 4pm.

In addition, one (1) copy of the fee proposal in a separate sealed envelope must be included.

I-12. PROPOSAL FORMAT

To be considered, proposers must submit a complete response to this RFQ, using the format provided in Part II. An official authorized to bind the proposer to its provisions must sign proposals. For this RFQ, the proposal must remain valid for at least ninety (90) days. The contents of the proposal of the successful firm will become the basis for the contractual obligations if a contract for preliminary engineering is concluded.

I-13. DISCLOSURE OF PROPOSAL CONTENTS

Information provided in a proposal will, to the extent allowed by law, be held in confidence and will not be revealed or discussed with competitors. If a proposal contains any information that the proposer does not want disclosed to the public or used by the HCSD for any purpose other than evaluation of the offer, each sheet of such information must be so marked.

I-14. SELECTION PROCESS

The Herkimer County Sewer District Board will select the engineering firm. The Board or its designees may form a selection committee to review proposals. Final selection will be based on the firm's professional qualifications and ethical reputation, demonstrated experience in performing similar work, ability to meet the project schedule, and understanding of the scope and requirements of the projects, and the qualifications and experience of key personnel assigned. Fee envelopes will be opened for consideration following the scoring and evaluation of firm qualifications.

Firms will be notified within 15 business days of proposal deadline if an interview is desired. Notification of final selection of consultant will be made not more than 8 weeks after the deadline for receipt of proposals. The HCSD reserves the right to make multiple awards with regard to this RFQ if it is determined to be in the best interests of the HCSD. The award of a contract is contingent upon the successful negotiation of a formal contract agreement with the top-ranking firm.

I-15. EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

All qualified engineers will receive consideration without regard to race, color, religion, creed, sex, age, or national origin.

PART II
INFORMATION REQUIRED FROM CONSULTANTS / ENGINEERS

Engineering Proposals will be accepted no later than March 14, 2025 at 4pm at 109 Mary Street, Suite 1303 Herkimer New York. . Ten (10) copies of the Engineering Proposal together with one (1) copy of the fee proposal in a separate sealed envelope is required. The format of all proposals must be as outlined below:

1. EXECUTIVE SUMMARY

State in succinct terms your understanding of the project based on your review of pertinent background information and site visits. This narrative should also address any concerns, issues or technical requirements that the Herkimer County Sewer District should consider.

2. PROJECT APPROACH AND TIME SCHEDULE

Describe in narrative form the project approach and proposed time schedule for providing the services identified in Section I-3 of this RFQ. Modifications to the task descriptions are permitted; however, reasons for changes should be fully explained. Give an indication of the firm's ability to undertake the project in a timely manner, complete the required tasks at an accelerated pace, submit required project information and applications to funding agencies.

3. PAST EXPERIENCE AND REFERENCES

Provide a narrative description of projects currently under contract or recently completed by your firm that are similar to the project being considered by Herkimer County Sewer District. Include specific experience detailing your firm's work with funding agencies on these projects and the resulting funding breakdown for each project. Experience should also detail work on projects in small communities where cost-saving measures using local resources have been employed. Include the name and telephone number of a responsible official we may contact as a reference on each project. Experience shown should be that of the Project Engineer who would be assigned to the Herkimer County Sewer District project.

4. PROJECT TEAM

Identify the management and professional personnel who will be directly employed in the completion of this project. Indicate where they will be physically located during the time they are engaged in the proposed work. Include education, professional licenses, and past experience in the design and construction of similar projects. Details of the project team's past experience with funding and regulating agencies are also requested.

5. FEE PROPOSAL

Provide a fixed lump-sum fee to complete the work described in Section I-3 and specifically detailed in the Project Approach section of your proposal. This fee must be placed in a sealed envelope, separate from the remainder of the proposal.

NON COLLUSIVE BIDDING CERTIFICATION

SECTION 103-D

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- 1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
- 2) Unless otherwise required by law, the process which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- 3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

DATED: _____

Name of Corporation

BY: _____

CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 the Office of General Services must develop a list of persons who are engaged in certain investment activities in Iran. Contracts cannot be awarded to persons or entities on that list, with some exceptions. All bidders are required to execute the following statement:

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to Paragraph (b) of Subdivision 3 of Section 165a of the State Finance Law.

Corporate or Company Name

BY: _____
Signature

Title

Sworn to before me this ____ day
of _____, _____

Notary Public
Comm Exp _____

NOTE: If the bidder cannot make the above certification, it shall so state and furnish with the bid a signed statement which sets forth in detail the reasons for that.

HERKIMER COUNTY INSURANCE REQUIREMENTS - ARCHITECTS & ENGINEERS

1. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the consultant hereby agrees to effectuate the naming of Herkimer County as an additional insured on the architect/engineer's insurance policies, with the exception of workers' compensation, NY State Disability and professional liability insurance. If the policy is written on a claims-made basis, the retroactive date must precede the date of the contract.
2. The policy naming Herkimer County as an additional insured shall:
 - a. Be purchased from an A.M. Best rated "Secure" New York State licensed insurer. A New York State licensed insurer is preferred. The decision to accept an endorsement rests solely with the County. A completed copy of the endorsements must be attached to the certificate of insurance.
 - b. State that the architect/engineer's coverage shall be primary and non-contributory coverage for the County, its Board, employees and volunteers.
 - c. Additional insured status shall be provided by standard or other endorsements that extend coverage to the County for both on-going and completed operations. The decision to accept an endorsement rests solely with the County. A completed copy of the endorsements must be attached to the certificate of insurance.
 - d. The architect/engineer agrees to indemnify the County for any applicable deductibles and self-insured retentions.
 - e. At the County's request, the architect/engineer shall provide a copy of the declaration page of the liability and umbrella policies with a list of endorsements and forms. If so requested, the architect/engineer will provide a copy of the policy endorsements and forms.
3. Required Insurance:
 - a. **Commercial General Liability Insurance:**
 - i. \$1,000,000 per occurrence/\$2,000,000 aggregate.
 - b. **Automobile Liability:**
 - i. \$1,000,000 combined single limit for owned, hired and borrowed and non-owned motor vehicles.
 - c. **Workers' Compensation and NYS Disability:**
 - i. Statutory Workers' Compensation, Employers' Liability and NYS Disability Benefits Insurance for all employees. Proof of coverage must be on the approved specific form, as required by the New York State Workers' Compensation Board. ACORD certificates are not acceptable.
 - d. **Architects & Engineers' professional Errors and Omissions Insurance:**
 - i. \$2,000,000 per occurrence/\$2,000,000 aggregate for the professional acts of the architect/engineer performed under the contract for the Municipality. If written on a "claims-made" basis, the retroactive date must pre-date the inception of the contract or agreement. Coverage shall remain in effect for two years following the completion of work. If the architect or engineer is providing or managing environmental services, the errors & omissions policy must contain an endorsement to include coverage for these services.
 - e. **Excess Insurance:**
 - i. \$2,000,000 each Occurrence and Aggregate. Excess coverage shall be on a follow-form basis.
4. Architect/engineer acknowledges that failure to obtain such insurance on behalf of the County constitutes a material breach of contract. The architect/engineer is to provide the County with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities. The failure of the County to object to the contents of the certificate or the absence of same shall not be deemed a waiver of any and all rights held by the County.
5. Herkimer County is a member/owner of the NY Municipal Insurance Reciprocal (NYMIR). The architect/engineer further acknowledges that the procurement of such insurance as required herein is intended to benefit not only the County but also NYMIR, as the County's insurer.