

**REQUEST FOR QUALIFICATIONS AND REQUEST FOR PROPOSAL FOR
PROFESSIONAL/TECHNICAL SERVICES – INDUSTRIAL WASTEWATER
PRETREATMENT PROGRAM MONITORING, REPORTING AND
CONSULTING SERVICES**

1.0 INTRODUCTION

The Binghamton-Johnson City Joint Sewage Board (the “Board”) is requesting qualifications and proposals from qualified professional and technical services vendors (“Proposers”) to provide monitoring, reporting, consulting, and related services for its *Industrial Wastewater Pretreatment Program* (“IWPP”) conforming to the requirements of 40 CFR Part 403 and related regulations. The Binghamton-Johnson City Sewage Treatment Plant (“Plant”) is located at 4480 Vestal Road, Vestal, New York, and services can be expected to be rendered throughout the entire service area of the Plant (*see*, Service Area Map attached).

The scope of the required professional and technical services, service period, proposal requirements, and proposal evaluation criteria are detailed within the subsequent sections of this Request for Qualifications and Request for Proposal (“RFQ/RFP”). The selected Proposer will be expected to perform all services required and necessary as outlined in this RFQ/RFP and its attachments.

To be considered for selection in response to this RFQ/RFP, (1) one paper copy of the proposal in a sealed envelope, (10) ten paper copies, and (1) one digital/electronic copy of Proposer’s qualifications shall be submitted to the Board, in care of Billie J. Goodson, Business Manager, Binghamton-Johnson City Joint Sewage Treatment Plant, 4480 Vestal Road, Vestal, New York 13850, no later than 2:00 p.m. on Thursday, March 14, 2024. The digital/electronic copy of Proposer’s qualifications may be submitted on a flash drive delivered simultaneously with the paper copies, or by email addressed to bgoodson@bjcwwtp.onmicrosoft.com prior to such date/time. Any questions or requests for information regarding this RFQ should be directed to Billie J. Goodson, Business Manager, via 607-729-2975 (or by FAX to 607-729-3041 or e-mail to bgoodson@bjcwwtp.onmicrosoft.com).

The RFQ/RFP, requirements and specifications may be reviewed at the Plant or on the Plant website <http://bjcwwtp.org/bidrfp> and copies may be requested from Billie J. Goodson, (607) 729-2975 or e-mail: bgoodson@bjcwwtp.onmicrosoft.com with any questions regarding this RFQ/RFP solicitation.

All information, materials and proposals submitted in response to this request and all negotiations will become the property of the Board. Except as specifically requested, Proposers should not submit proprietary or confidential business information or, if it is believed such information is critical to their presentations, such information should be clearly identified as such and submitted on pages separate from the other submittals and in a separate electronic document.

2.0 DESCRIPTION OF IWPP

The pretreatment program follows General Pretreatment Regulations of the United States Environmental Protection Agency (40 CFR Part 403) and the requirements set forth in SPDES Permit NY 0024414. It is anticipated that, as of April 1, 2024, there will be 23 industrial dischargers with permits in force or subject to issuance/renewal. (For further information, see January 2024 IWPP Program Status Report attached). Based on a 2022 study, there are approximately 26,899 sewer connections within the service area tributary to the Plant.

3.0 PROFESSIONAL/TECHNICAL SERVICES FOR WHICH PROPOSAL IS REQUESTED

PART I – *Basic Services Routinely Required*

Eight categories of industrial wastewater pretreatment program services will be provided to the Binghamton-Johnson City Joint Sewage Board (“BJCJSB”) in relation to the Binghamton-Johnson City Joint Sewage Treatment Plant and Facilities (“BJCJSTP”) and the service area tributary thereto.

SERVICE PERFORMER shall provide Industrial Wastewater Pretreatment Program Services as outlined below.

1. **General Administrative Assistance.** The following administrative services will be provided for the pretreatment program.
 - a. **Registration of New Industries.** (Up to two new discharge permits per annual service period to be prepared and issued by SERVICE PERFORMER at no additional cost)
 - Receive, evaluate, and provide preliminary response/answers to all new industries asking to discharge to the BJCJSTP.
 - Send applications to all new industries asking to discharge to the BJCJSTP.
 - Review applications and background information that relates to the processes and discharges of that industry.
 - Schedule site visits to evaluate processes and sources of wastewater with an industrial site visit team would that will include a representative of SERVICE PERFORMER and BJCJSB.
 - Determine if the industry is considered a Significant Industrial User (SIU).
 - Develop a draft discharge permit for each SIU and submit to BJCJSTP, BJCJSB (including designated counsel), and the SIU for review.

- Finalize discharge permits based on input from the BJCJSTP and designated BJCJSB counsel.

b. Process Changes and New Discharges from Industries.

- Request details and drawings, including flow and waste characteristics for industries that are planning a process change or adding a new discharge from their facility. Information from industry should indicate changes to their current piping or location of discharge.
- Conduct a site visit, if necessary, to obtain a better understanding of the proposed change.
- Recommend approval or adjustment to proposed industry change.
- After approving changes in industrial discharge, a letter of acceptance will be drafted stating that the BJCJSB and BJCJSTP have accepted the changes.

c. Industrial Wastewater Discharge Permit Renewals.

- Review sampling records to determine if industries consistently met discharge limits and identify any problems.
- Request information from industries relating to any specific changes in operations that would affect previous discharge permit.
- If any problems are identified, permit limits will be reviewed and evaluated for potential modification.
- If necessary, develop a compliance schedule for the industry as a condition of permit.
- Prepare correspondence regarding permit status with all industries.

d. Spill Investigations.

- Investigate reported spills at each industry and collect information on spill material, volume, and area affected.
- Evaluate reports provided by industries to determine why the spill occurred and discuss with responsible parties.
- Request and evaluate a plan from the industry that details how the industry will prevent similar-type spills in the future.

e. Waste Hauler Discharges Are Not Permitted under the SPDES Permit.

SPDES Permit Compliance.

- Review and evaluate weekly and monthly plant monitoring and testing results in order to advise operations staff regarding potential re-sampling requirements needed before the end of the month, as well as possible compliance issues.
- Conduct an investigation if there is a SPDES Permit compliance issue at the BJCJSTP that relates to industrial wastewater pretreatment or operations at the Plant.
- If the issue relates to pretreatment, develop an investigation plan that would target potential responsible parties based on the type of non-compliance issue reported at Plant.

f. Correspondence With Contributing Municipalities.

- Provide written correspondence to municipalities utilizing the BJCJSTP regarding industries within their district that may undergo changes that affect the BJCJSTP's operations or maybe in non-compliance with their pretreatment permit.
- Records will be available for the industrial wastewater pretreatment program for potential NYSDEC and USEPA audits.

g. Coordination of Sampling and Analysis.

- Develop a site specific sampling plan(s) for each industry to investigate changed discharges from an industry, potential impacts on the treatment process and the treatment Plant, or discharges from new industries.
- Develop a sampling summary table indicating the specific analysis, locations, sampling protocol used, for each industry identified.
- Coordinate and review the sampling plan(s) with BJCJSTP prior to implementation.
- Utilize laboratory under contract with BJCJSB to analyze the samples.
- Coordinate with the laboratory regarding the number of samples, types of analyses and schedule.
- Evaluate the analytical results and prepare a letter report which summarizes data and conclusions.

- Provide distribution of the letter report to interested parties and regulatory agencies.
2. **Treatment Plant Monitoring.** Coordination of the annual treatment Plant monitoring will include the following tasks.
 - a. Develop a sampling plan with operations staff for the Plant that includes sampling locations, type and frequency of samples, laboratory analyses required and other pertinent information.
 - b. Coordinate with the laboratory regarding the number of samples, types of analyses and schedule.
 - c. Evaluate the analytical results and prepare a letter report which summarizes data and conclusions.
 - d. Distribute the letter report to interested parties and regulatory agencies.
 3. **Industrial Compliance Inspections and Periodic Compliance Report Review.** Industries regulated by the pretreatment program shall be inspected annually, and information provided by industries should be reviewed to provide a better understanding of the industry's operation, and to allow for verification of process or discharge changes. SERVICE PERFORMER shall provide industrial compliance inspections and periodic compliance review. A list of tasks is as follows:
 - a. Review compliance reports and raw data.
 - b. Review compliance reports for overall compliance with the industry's discharge permit.
 - c. Document site visits, including company name, and observations.
 - d. Following review of compliance reports, a letter report will be generated to describe either the compliance or non-compliance of the industry, with program requirements.
 - e. When required, recommendations for enforcement actions appropriate for the degree of non-compliance will be offered.
 4. **Annual Pretreatment Audit.** SERVICE PERFORMER shall provide assistance during annual pretreatment audits conducted by the NYSDEC or USEPA, including the services listed below.
 - a. Attend meetings with regulators and the BJCJSTP staff regarding audits.
 - b. Prepare and present documentation needed or requested by regulatory agencies.

- c. Following the audit, a letter will be prepared responding to comments or questions raised by the regulatory agencies.
5. **Annual and Other Reports.** SERVICE PERFORMER shall provide assistance with the preparation of the following reports.
 - a. Annual pretreatment report.
 - b. Part 503 report to the USEPA.
 - c. SPDES reporting requirements.

These reports will summarize information and significant occurrences related to the industrial pretreatment program during the preceding year. SERVICE PERFORMER's assistance with the completion of these reports will be planned and coordinated so the reports will be submitted by the required deadlines.

6. **Quality Assurance/Quality Control.** SERVICE PERFORMER shall provide internal review of correspondence, sampling data, enforcement actions, and reports prior to BJCJSB's review.
7. **Process Consulting.** SERVICE PERFORMER shall provide consultation for **miscellaneous** questions regarding Plant operations or process.
8. **Project Management.** SERVICE PERFORMER personnel providing professional services under this Scope of Services shall attend an initial organizational "charter meeting" with the BJCJSTP Superintendent and Operations Committee of the BJCJSB (and/or other Board Members) at inception of the contract and, thereafter, provide monthly progress reports and invoicing for industrial wastewater pretreatment program services.

PART II – Services Required in Certain Years and/or Upon Request

Two categories of industrial wastewater pretreatment program services will be provided to the Binghamton-Johnson City Joint Sewage Board (BJCJSB) in relation to the Binghamton-Johnson City Joint Sewage Treatment Plant and Facilities (BJCJSTP) and the service area tributary thereto either (a) in the year[s] indicated and/or (b) upon request of the BJCJSB. ***Separate pricing proposals as to each numbered paragraph of such services are required, and such separate pricing proposals are not to be included within Service Provider's pricing proposals for the Part I Basic Services Routinely Required.***

SERVICE PERFORMER shall, in addition, be able to provide Industrial Wastewater Pretreatment Program Services as outlined below.

1. **Full Industrial Survey.** During the service period between April 1, 2024 – March 31, 2025 a “pent-annual update year” under the SPDES Permit for the BJCJSTP) and in such other years as may be requested by the BJCJSB, conduct a full Industrial Survey to verify and/or update the inventory of industrial dischargers to the BJCJSTP not later than December 31st of the survey year, so as to identify, locate, and list all industrial or other users who might be subject to the industrial wastewater pretreatment program from the pretreatment program submissions as well as any other necessary, appropriate, and available sources. As part of this update, the SERVICE PERFORMER shall, on behalf of the BJCJSB, collect a current and complete New York State Industrial Chemical Survey form (or equivalent) from each SIU prior to December 31st of the survey year.

2. **Development and Updating of Local Discharge Limits.** When requested by the BJCJSB:
 - a. Develop as new or modify existing local limits that may be required based on proposed or actual introduction of new industries, development of a problem in meeting the treatment Plant’s SPDES Permit, or development of new regulations by the United States Environmental Protection Agency (USEPA) or the New York State Department of Environmental Conservation (NYSDEC).

 - b. As necessary, perform a headworks analysis at the BJCJSTP. A headworks analysis would recommend adjustments to local limits based on compliance with SPDES Permit discharge requirements, the prevention of inhibition in the biological treatment processes of the BJCJSTP, and/or BJCJSTP requirements for sludge disposal.

SERVICE PROVIDER must take into account that the approved Industrial Wastewater Pretreatment Program of the BJCSJTP requires consideration of Combined Sewer Overflows (CSOs) in the calculation of local limits for indirect discharges. Discharge of persistent toxics upstream of CSO structures must be in accordance with guidance under *NYSDEC Division of Water Technical and Operational Guidance Series (TOGS) 13.8 “New Discharges to POTWs”*. For industrial operations characterized by use of batch discharge, consideration shall be given to the feasibility of a schedule of discharge during conditions of no CSO. For industrial discharges characterized by continuous discharge, consideration must be given to the collection system capacity to maximize delivery of waste/wastewater to the BJCJSTP. Non-contact cooling water should be excluded from the combined system to the maximum extent practicable. Direct dischargers of cooling water must apply for a SPDES permit. To the maximum extent practicable, consideration shall be given to maximize the capture of industrial waste containing toxic pollutants and this wastewater should be given priority over residential/commercial service areas for capture and treatment by the BJCJSTP. For new industry, these factors shall be considered in siting with preference to service by areas not tributary to CSO structures or having sufficient capacity to deliver all industrial wastewater during all conditions to the BJCJSTP. (The Best Management Practices [BMPs] for CSO are designed to implement operation and maintenance procedures, utilize the existing treatment facility and collection system to the maximum extent practicable, and implement sewer design, replacement and drainage planning, to maximize pollutant capture and minimize water

quality impacts from combined sewer overflows. The BMPs are equivalent to the "Nine Minimum Control [NMC] Measures" required under the USEPA *National CSO Policy*. The NMCs are technology based CSO control. The NYSDEC understands that the BJCJSB is not responsible for the collection system, therefore, only five of the 15 BMPs are included in the SPDES Permit for the BJCJSTP. The non-applicable BMPs are to be placed in the permits of the Owner municipalities and operators of the CSO satellite communities and carried-out by them. Therefore, the BJCJSB and the BJCJSTP's Owners must work cooperatively to implement all applicable BMPs in order to comply with the *National CSO Policy* and the federal *Clean Water Act*. Further, the BJCJSB must work cooperatively with the CSO satellite communities to ensure maximum delivery of "first flush" flows to the BJCJSTP.)

4.0 OTHER PROJECT REQUIREMENTS

- 4.1 Contract: The contract between the Board and a selected Proposer shall be in the form of the Form Agreement For Professional Services, attached hereto. Refer to the Form Agreement for details.
- 4.2 Schedule: The services contemplated by this RFQ/RFP shall be completed within the time set forth in the Form Agreement For Professional Services attached hereto.
- 4.3 Retainage: None

5.0 SERVICE PERIOD

April 1, 2024 through March 31, 2025.

In addition to the service period stated above, if mutually agreed , the Board will have the option to renew for four (4) additional one (1) year increments with no change in the terms or conditions of the contract.

6.0 SUBMITTALS

- 6.1 **Qualifications.** The Proposer must timely submit, in the form and quantities specified in 1.0, above, the following for itself and for each subcontractor:
 - 6.1.1 A completed Vendor/Consultant/Contractor/Subcontractor Questionnaire. See attached.
 - 6.1.2 A statement of the Proposer's professional, engineering and/or technical qualifications to perform the services identified, including all other similar or comparable services and projects performed within the past three full calendar years (2021-2023) and current year-to-date that would indicate relevant experience by the Proposer and other personnel to be assigned.

With respect to such similar or comparable services and projects, as well as references provided in response to 6.1.4, below, complete a Supplemental Questionnaire regarding Pretreatment Experience/References (either separately, or in tabular format). See attached.

- 6.1.3 A list of the personnel proposed to be assigned to the project, together with a statement of the qualifications of each, and a statement of the experience of each on similar or comparable projects within the past three calendar years (2021-2023) and current year-to-date. The individual(s) to be assigned primary responsibility as project manager(s) must be specified. Indicate any proposed work to be assigned to staff having worked for the Proposer less than one year or part-time. Indicate the anticipated level of employment/participation by residents of Broome County, New York. Indicate any proposed level of DBE participation (including WBE/MBE).
- 6.1.4 A list of references with respect to other similar work or comparable projects completed within the past three full calendar years (2021-2023) and current year-to-date. This list is to include name of the individual, company name, address, phone number, and a description of the work or comparable project.

6.2 **Proposal.** The Proposer must timely submit, in the form and quantities specified in 1.0, above, the following:

- 6.2.1 Transmittal Letter: This transmittal letter is to serve only as the document covering transmittal of the Proposer's proposal. This letter should provide the name, title, address and telephone number of the official contact and alternate, if applicable, and a statement of the Proposer's interest in performing the work. The individuals named should have the authority to bind the Proposer and shall be available to be contacted by telephone and attend any interviews to be scheduled as deemed necessary.
- 6.2.2 Management Plan: The Proposer shall provide a Management Plan indicating the Proposer's approach to the services, including an organizational chart indicating the duties of key personnel. The individual(s) to be assigned primary responsibility as project manager(s) must be included.
- 6.2.3 Action Plan: The Proposer shall provide a detailed description/action plan for the services to be provided, including:
 - i) a description of any proposed differences from the Scope of Services described in this RFQ/RFP;

ii) a statement of all of the Proposer's concerns with the Scope of Services, or with any other requirements of this RFQ/RFP; and

iii) an itemized schedule for completing the work.

6.2.4 Subcontractors: The Proposer shall identify all subcontractors, and describe all services to be provided by each subcontractor.

6.2.5 Proposed Fees and Other Charges: The Proposer shall provide a detailed description of all fees and other charges which it proposes for completion of the work, including:

i) A "not to exceed" amount for all services, goods, and reimbursable expenses which Proposer expects to be provided pursuant to this RFQ/RFP;

ii) A schedule of hourly rates for personnel of the Proposer and of subcontractors, if any (including, if applicable to Proposer's proposal, proposed hourly rates effective in extension years, if different);

iii) A schedule of items and cost of proposed "Reimbursable Expenses";

iv) A proposed "not to exceed unit cost" amount "per occurrence" for providing each of the Part II ("*Services Required in Certain Years and/or Upon Request*") professional and technical services sought by this RFQ/RFP as listed in the Required Scope of Services document (including, if applicable to Proposer's proposal, proposed "not to exceed unit cost[s]" effective in extension years, if different); and

v) A proposed "not to exceed unit cost" amount for "extra work" beyond that set forth in the Required Scope of Services document pertaining to:

[a] registration of each New Industry, permit issuance and remainder of initial permit year services for one additional new industrial user in excess of the two included in Part I(1)(a) of the Required Scope of Services document (including, if applicable to Proposer's proposal, a proposed unit cost effective in extension years, if different) and

[b] permit oversight and Industrial Compliance Inspection and Periodic Compliance Report Review services in years subsequent to initial permit issuance per additional industrial user beyond number of permitted industrial users in existence at the Commencement Date (including, if applicable to Proposer's proposal, a proposed unit cost effective in extension years, if different).

7.0 REVIEW AND SELECTION

The Board may select and negotiate with the Proposer deemed the most qualified and available to timely perform the work based on evaluation of the statements of qualifications and proposals timely received or, alternatively, may interview – or have a selection committee interview – as many as three of the Proposers deemed the most qualified and available to perform the work based on evaluation of proposals and statements of qualifications received. Evaluation criteria include the following listed factors to be considered by the Board or selection committee.

- Qualifications of the Proposer, proposed staff, and subcontractors;
- Relevant experience of the Proposer, proposed staff, and subcontractors;
- Organization, capability and availability of the Proposer to undertake the work and perform the required tasks in a timely manner; and
- Proposer’s overall understanding of the Board’s goals and Proposer’s approach to the work of the proposed engagement.

The rating and evaluation will be performed by the Board or a committee designated by it. The Board or selection committee will also review and consider Proposer’s proposed fees and other charges as submitted under 6.2.5, above, in relation to budgetary constraints. Although not included as an evaluation factor, the percentage of local and/or DBE participation may be considered in ranking Proposers where two or more Proposers are closely ranked.

If pre-election interviews are pursued, the Board anticipates that the same may be conducted during or in connection with a special or regular meeting of the Board. The Board will endeavor to give Proposers as much advance notice of any scheduled interview as is practicable under the Circumstances, but the Board does not commit to ensuring any minimum amount of advance notice.

In due course, Proposers so requesting will be notified of the results of this RFQ/RFP and proposal evaluation performed as to their submittals. Generally, however, such results will not be disclosed prior to completion of contract execution.

8.0 LIMITATIONS

- 8.1 All information, materials and proposals submitted in response to this RFQ/RFP, and all negotiations will become the property of the Board. Proposers should not submit proprietary or confidential business information unless it is believed such information is critical to their presentation. Such information should be clearly identified as such and submitted on pages separate from the other submittals and in a separate electronic document contained the word “CONFIDENTIAL” in the

filename. The Board will endeavor to protect such proprietary or confidential information to the extent that the law allows.

- 8.2 Proposals as submitted are irrevocable and cannot be withdrawn for 45 days after the submission deadline stated in Section 1.0 of this RFQ/RFP.
- 8.3 The Board reserves the right to ask for clarifications or additional information and to consult references as may be necessary to judge the proposal and/or the qualifications of the Proposer.
- 8.4 The Board reserves the right to make modifications and issue addenda to the terms and conditions of this RFQ/RFP at any time, including after conducting interviews.
- 8.5 The Board will require the Proposer selected to negotiate concerning the fee, expenses, other costs, and/or the nature and extent of professional and technical services to be provided. The results of such negotiation shall be incorporated into the contract between the Board and the selected Proposer.
- 8.6 This RFQ/RFP does not commit the Board to award a contract or contracts or to pay any cost incurred in the preparation of a submittal, interview, or presentation in response to this RFQ/RFP.
- 8.7 The Board reserves the right for any reason at its sole discretion to accept or reject any or all proposals received as a result of this RFQ/RFP, to negotiate with qualified Proposers, to cancel in part or in its entirety this RFQ/RFP and/or discontinue discussions with a particular Proposer.
- 8.8 This RFQ/RFP and/or the selection of any Proposer does not create any contractual rights or obligations whatsoever with the Board, whether by this RFQ/RFP or pursuant to any other understanding, written or oral.

END RFQ/RFP

ATTACHMENTS TO RFQ/RFP

1. Service Area Map
2. January 2024 IWPP Program Status Report
3. SPDES Permit Requirements as to IWPP
4. Form Agreement for Professional Services
5. Supplemental Questionnaire regarding Pretreatment Experience/References
6. Vendor/Consultant/Contractor/Subcontractor Questionnaire