



# Request for Proposals

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Engineering and Survey Services

For

Cattaraugus Water System Improvements Project

## **Seneca Nation**

Proposals Due: November 14, 2022

Issue Date: October 14, 2022

Request for Proposals (RFP)

**Cattaraugus Water System Improvements**

**On the Cattaraugus Territory of the Seneca Nation**

The Seneca Nation (SN) is requesting proposals for professional engineering services, including professional survey services, for a multi-phase water system improvements project and related work located on the Cattaraugus Territory of the Seneca Nation. Proposals shall include all necessary survey, engineering design, plans and specifications for the bidding and contracting of the Cattaraugus Water System Project.

Questions should be sent to:

Joel Merrill, P.E.

Civil Engineer

987 RC Hoag Drive

Salamanca, NY 14779

[joel.merrill@senecahealth.org](mailto:joel.merrill@senecahealth.org)

(716) 945-5894 x5277

Proposals will be accepted until 2:00 PM local time on November 14, 2022. Proposals can be mailed or emailed to Joel Merrill, PE at the contact information above.

Proposals are also available at: <https://www.senecahealth.org/environmental-health>

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**Clarification and Addendums:**

All questions regarding this RFP shall be directed to Joel Merrill no later than 2:00 PM local time, November 7, 2022. All corrections and changes will be made as official addendum through the Seneca Nation and emailed to all bidders. It shall be the respondent's responsibility to ensure they receive all addendums before submitting their proposal.

**RFP Deadlines may be adjusted by SN to ensure quality responses.**

The SN reserves the right to reject any and all responses, to waive any information, or irregularities therein, and to make an award in whole, or in part as deemed in the best interest of the Seneca Nation.

**Project Description:**

The Cattaraugus water system, supplied by the Erie County Water Authority and SN-owned public drinking water wells provides potable water service to the Cattaraugus Territory of the Seneca Nation in accordance with US Environmental Protection Agency (US EPA) drinking water standards.

Recent studies indicate a need to replace and expand the majority of the water mains due to significant leakage, deterioration and growth within the service area. Also, two new water main loops are planned to provide redundancy and improve quality.

The Seneca Nation applied for and was awarded a grant from Indian Health Service (IHS) to design and construct the necessary improvements. Basically, the project includes approximately 11 miles of 10" watermain and 13 miles of 8" watermain and related work.

The SN plans to retain the services of a professional engineering firm to assemble a comprehensive project for public bidding. Professional surveying services are also included in the project. Surveying services may be part of the engineering firm or a subcontractor.

The attached Project Summary provides a detailed explanation of the project.

**Guidelines:**

- The project site is located entirely within the Seneca Nation’s Cattaraugus Territory. The Seneca Nation is a sovereign Nation and is therefore not subject to New York State laws, regulations, and/or ordinances. The Consultant should fully understand the Seneca Nation’s laws, ordinances, and standards outlined in the Seneca Nation’s Standard Contract.
- TERO labor requirements and fee will apply for construction operations.
- The consultant (and sub consultants) must furnish insurance documents and SNI business license as required. Insurance requirements are listed in Appendix 4.
- Consultants are not to include in their proposal sales and compensating use taxes of the State of New York and of counties or cities on materials, equipment, and supplies to be incorporated into the project. SN can provide tax exempt documentation as needed.

**Professional Land Surveying Services:****Scope of Work:**

Consultants are to include in their proposal professional land surveying services. All surveying work required to design the project should be included in the consultants proposal as specified.

1. The Seneca Nation Maps and Boundaries Department will assist with surveying work as available. Up to 5 surveying assistants and 2 licensed professional land surveyors (PLS) are available to assist with the surveying. However, consultant bears all responsibility for performing land surveying services.
2. Complete a topographical survey of the complete project including the following features:
  - a. The surveyor will be required to provide a topographic and right of way (ROW)

or easement survey with stationing.

- b. The survey shall be prepared by a New York State Licensed Land Surveyor and shall be provided in the manner defined under section “Deliverables”. Prevailing wage rates for NYS as established by NYS Dept. of Labor are applicable. Davis – Bacon wages rates also apply. Consultant to pay higher of Prevailing wage rates or Davis Bacon wage rates. Contractor must supply certified payroll for verification.
- c. The surveyor will be required to coordinate directly with the appropriate utility companies to have the existing utilities marked out. The survey shall include but not be limited to the following requirements:
  1. Locate all property lines (R.O.W.), easements and boundaries within survey limits.
  2. Contours at one-foot intervals.
  3. Scale at 1” = 20’ - 0”.
  4. Drainage pipes, drains, invert elevations, manholes, drop inlets, pipe outlets, and drainage channels.
  5. Locate all buildings and structures and identify materials, use, and number of stories.
  6. Spot elevations at:
    - a. Corners and entrances to buildings
    - b. All site features
    - c. Top and bottom of walls and steps (every 25’)
    - d. Top & bottom of curb (every 25’)
    - e. Road centerline and edge (with station points every 50 feet)
    - f. Trees over 6” in caliper (indicated by type and caliper)
    - g. Pedestrian/vehicular drop curbs
  7. Utilities (i.e. gas, water, sewer) including all pipe sizes, material, inverts, rim elevations and valve boxes, including overhead utility wires.

8. Locate and label all waterways within the project limits
9. Rock outcrops and stone walls
10. All guiderails, bollards, fences, gates, signs and inground site furniture.
11. Wooded areas
12. Maps to be done in digital form
13. Control points used to establish the survey must be included in the digital form of the drawing.
14. Stationing shall start at the centerline point of Warburton Avenue and Main Street.

#### **Deliverables**

1. Maps showing Right of Way line, structures, topographic data, and all of the above, plotted on 24" x 36" paper copies including, north arrow, legend, and scale (both written and graphic) on a Title Block and Border. Hard copy to be stamped by licensed Land Surveyor.
2. Digital copy of survey in AutoCAD 2018 or higher shall be provided via e-mail, CD or flash drive with the survey at 1:1 in model space. Original spot shots including point, description, and elevation information shall be included.

#### **Additional requirements are as follows:**

The Consultant's survey crew should be experienced, at a minimum, with the tasks listed above. The Consultant's survey party should consist of two or three persons per crew.

Ideally, at least one survey party member shall be licensed in the State of New York as a Land Surveyor.

Surveying parties shall be accompanied by at least one SN representative at all times.

All supplies, such as, but not limited to, stakes, flagging, nails, spikes, ties, paint, etc.

shall be included in the proposal for surveying services

The survey crew shall be able to provide proper traffic control in accordance with NYSDOT ordinances.

Survey crew must wear proper personal protective equipment at all times on the project, in accordance with OSHA guidelines, especially important when working within the ROWs.

All survey work shall be performed and delivered in U.S. Survey Feet

All plans, specifications, plats, and reports prepared by the surveyor or by a full time or part time subordinate under the surveyors' supervision shall be stamped with such seal and shall also be signed on the original with the personal signature of the surveyor when filed with public officials pursuant to NYS Education Law Section 7209.

### **Proposal Requirements**

Land Surveying proposals must include clear descriptions of the firm's capabilities to perform the requirements of the RFP, including the following:

a) Transmittal Letter - This letter should outline the firm's ability to provide the experience and scope of services requested. Please describe the company's size, management and ownership, including:

- i. Name
- ii. Primary Address
- iii. Primary Telephone Number
- iv. Primary Fax Number
- v. Primary Email

vi. Name & Title of Primary Contact Individual

vii. Number of Employees

viii. Number of Years in Business

ix. Company's Legal Status

x. Tax ID Number (W-9)

This letter must be signed by an officer who is authorized to bind the Consultant and state that the proposal is binding for 60 days from the submission deadline for proposals.

b) Staff Experience - Include a brief description of each key staff that may be assigned to the project. Identify all relevant certifications and licenses the staff may possess. Identify any sub-consultants proposed to serve on the project as well.

c) Project Approach - Describe how the Consultant's approach will meet the particular needs of professional land surveying services. Describe the equipment inventory of the firm, including hardware and software that will be used, and discuss methods used in the performance of land surveying tasks, including the firm's philosophy on error and precision.

e.) Schedule - Consultant will submit a preliminary project schedule, divided by project phase. Describe any factors that may impact the project survey schedule

d) Quality Assurance/Quality Control - Describe how quality assurance and quality control will be provided for the project. Identify the individuals that will be involved in QA/QC services and at what milestones they will be provided. If your firm has a structured Quality Assurance/Quality Control Program, describe it briefly and show how it will be applied to the project

e) Fee Schedule - Submit a detailed breakdown of your cost proposal including lump sum fees divided by project phase. Monthly invoices will be based on percentage completed of the relevant phase. In addition, hourly rates for all relevant staff to be used as a basis for quoting and invoicing additional tasks.

## **Professional Engineering Services:**

### **Scope of Work:**

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.

1. All 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 which shall be paid by the Engineer as a component of their project proposal. Survey work required for easements/rights-of-way is not a part of this proposal. It is anticipated that the permits required will be those needed to cross railway, NYS Thruway, and various gas line and electric Right-of-ways or easements. The SN will assist with permit acquisition.
2. Federal Environmental Reviews (NEPA), Tribal Historic Preservation Office (THPO) Review, and Archaeological Reviews are not a part of this proposal.
3. Assistance from the Engineer is necessary for SN to fully understand the project, and therefore, meeting attendance is of high importance. Accordingly, this proposal shall include monthly design phase meetings (held at the SN Utility offices), as well as preconstruction meetings (as noted below), 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 SN and IHS and shall include the following: -
  - a. Monthly Design phase meetings

- b. Preconstruction meeting(s) – (Engineer will coordinate and prepare meeting agenda w/ minutes.)
- c. Pre-bid meeting
- d. Bid Opening (Engineer will prepare bid tabulation form)
- e. Award – (Engineer will make formal recommendation to award)
- f. SN may request, and the Engineer may suggest, additional meetings. Accordingly, proposers should indicate their intention to do so in the narrative of their proposal. Any cost associated with additional meetings shall be included in the Engineers fee
- g. A project design schedule must be included as part of this proposal indicating key milestones and dates of completion. All final plans and specifications must be submitted for approval by SN and IHS. In addition, the Engineer must provide a list of sub consultants, if applicable, for approval by SN/IHS. It is the intention of the SN to adhere to the schedule on page 7 of the Project Summary as close as possible. It is understood that changes in the project scope or nature may affect this schedule.
- h. Upon completion of the preliminary design, and again when requesting approval of the final design, the Engineer shall prepare and provide to the SN/IHS 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.
- i. The SN will provide to the consultant any existing drawings/specifications and reports relating to the project. Original as-builts exist for the water system (circa 1990s). Most are in paper format.
- j. All final designs must be approved and stamped by a professional engineer licensed in the state of New York.
- k. All design work must be in accordance with standards referenced in project summary
- l. It is anticipated that the project will be divided into 4 phases:

- i. Gordon Garrow Loop phase
- ii. Brant Reservation Loop Phase (concurrent with i)
- iii. Irving phase
- iv. Newtown phase
- v. Indian Hill phase

#### 4. PREPARATION OF DOCUMENTS AND COORDINATION OF BIDDING

- i. 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 ten (10) 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 SN. In addition, the Engineer will assist the SN throughout the project including, but not limited to, the preparation of documents involving engineering matters and preparation of contract documents for the SN's opinion, a review of the bid documents, conformity with the specifications, and requirements, as well as a formal recommendation of bid award.

#### 5. ENGINEERING SERVICES DURING CONSTRUCTION

- a. The Engineer is expected to furnish customary engineering advice and assistance necessary during construction of the project. The Engineer 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 SN/IHS informed of progress, to guard against defects and deficiencies, and to disapprove work not in conformance with contract

documents. The SN will supply full time construction inspection services and be the representative at the project site. Engineer will issue all instructions to the contractors and prepare any change orders. The Engineer will check and approve daily inspector reports, submittals, 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 and. The Engineer will communicate as needed with construction inspector and/or Owner. 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 one set of full size "As Built" prints and one electronic copy to the SN. These services, to be provided by the Engineer, do not infer resident inspection services. The Engineer is expected to visit the project site during construction, not less than weekly and conduct a final inspection at project completion. 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.

## **Proposal Requirements**

1. Proposals must include clear descriptions of the engineering firm's capabilities to perform the requirements of the RFP, including the following:
2. a) Transmittal Letter - This letter should outline the firm's ability to provide the experience and scope of services requested. Please describe the company's size, management and ownership, including:
  - i. Name
  - ii. Primary Address
  - iii. Primary Telephone Number
  - iv. Primary Fax Number
  - v. Primary Email
  - vi. Name & Title of Primary Contact Individual
  - vii. Number of Employees
  - viii. Number of Years in Business
  - ix. Company's Legal Status
  - x. Tax ID Number (W-9)
3. This letter must be signed by an officer who is authorized to bind the Consultant and state that the proposal is binding for 60 days from the submission deadline for proposals.
4. Staff Experience - Include a brief description of each key staff assigned to a typical project, including all relevant licenses and certifications. Identify any sub-consultants proposed to serve on the project as well.
5. Project Approach - Describe how the Consultant's approach will meet the particular needs of professional engineering services.
6. Quality Assurance/Quality Control - Describe how quality assurance and quality control will be provided for the project. Identify the individuals that will be involved in QA/QC services and at what milestones they will be provided. If your firm has a structured Quality Assurance/Quality Control Program, describe it briefly and show

how it will be applied to the project

7. Fee Schedule - Submit a detailed breakdown of your cost proposal including lump sum fees divided by project phase and milestones. Monthly invoices will be based on percentage completed of the relevant phase. In addition, hourly rates for all relevant staff to be used as a basis for quoting and invoicing additional tasks.

**AWARD CRITERIA**

The award of a contract for the described services will be made by the SN and IHS. Firms may be asked to meet with the Evaluation Committee. Proposals will be evaluated and scored on the basis of the following criteria (Evaluation criteria is an aggregate of surveying and engineering proposals, split 20% surveying, 80% engineering):

<b>Evaluation Criteria</b>	<b>Maximum Points</b>
<p><b>EXPERIENCE AND QUALIFICATIONS OF THE RESPONDENTS</b></p> <ul style="list-style-type: none"> <li>• Consideration will be given to respondents demonstrating strong capabilities, experience and reputation in undertakings similar to those described in this RFP</li> </ul>	50
<p><b>QUALITY OF PROPOSAL/INTERVIEW AND PROPOSAL COMPLETION</b></p> <ul style="list-style-type: none"> <li>• Proposal responses will be evaluated on completeness, clarity/accuracy of the information requested, and proposal presentation. The ability of the Consultant to clearly articulate the need of the SN and the capacity of the Consultant to address that need will also be a factor in the selection process</li> </ul>	30
<p><b>FINANCIAL TERMS</b></p> <ul style="list-style-type: none"> <li>• Consideration will be given to proposals that present the most cost efficient terms to the SN over the term of the contract as detailed in your Fee Schedule</li> </ul>	15
<p><b>INDIAN PREFERENCE</b></p> <ul style="list-style-type: none"> <li>• Points will be given to firms 51% or more Indian owned</li> </ul>	5
	100

The SN reserves the right to waive any minor deviation in proposal responses received when

such waiver is in the best interests of the SN, and reserves the right to modify any requirements, terms or conditions as outlined in this request for proposal (RFP) when such modification(s) is in the best interests of the SN. Proposals will only be accepted from thoroughly competent and experienced individuals or entities as determined solely by the SN and IHS. Respondents are responsible for submission of accurate, adequate and clear descriptions of the information requested. Omissions, vagueness or inaccurate descriptions or responses shall not be interpreted in favor of the bidder and shall be grounds for bid rejection. This document is not an offer to contract but is an RFP as defined herein, to satisfy specific user requirements of the SN and IHS. Neither the issuance of the RFP, preparation and submission of a response, nor the subsequent receipt and evaluation of any response by the SN, will commit the SN to award a contract to any vendor even if all the user requirements in the RFP are met. Only the execution of a written contract will obligate the SN in accordance with the terms and conditions contained in such contract.

**Disclosure:**

If you or any director, officer, employee, or owner of your company has business or personal relationship with a director, officer or employee of the Seneca Nation (or its affiliates) that may create a conflict of interest, or appearance of impropriety, for or relating to such director, officer or employee in connection with the entry into, or ongoing performance of, the transaction(s) or service(s) contemplated under this RFP, you are under an obligation to disclose such conflict to the Nation, to the extent that you have knowledge thereof. All work completed must be done so in accordance with Seneca Nation laws and regulations as well as being in accordance with any and all funding source requirements.

**Appendices:**

1. SN Insurance Requirements
2. CCWS 438 Water Main Project Summary
3. CCWS Brant Reservation Rd Water Main Project Summary
4. Sample Consultant Contract

## SN INSURANCE REQUIREMENTS

- 1) All Insurance Carriers must have a financial strength rating of A (Excellent) or higher by A.M. Best.
- 2) All Certificates submitted must name the Seneca Nation of Indians as an additional insured on a primary and non-contributory basis.
- 3) All Certificates must include: the Seneca Nation of Indians and their respective subsidiaries, directors, officers, agents, representatives and employees are named as additional insured(s) on the General Liability and Auto policies. A Waiver of Subrogation applies in favor of the Seneca Nation of Indians for General Liability, Auto Liability and Workers' Compensation.
- 4) Each bidder shall provide and maintain insurance and require all its Subcontractors of all tiers to provide and maintain insurance of the type and in limits set forth in the Contractor agreement.
- 5) Upon award, the Contractor & all of the Sub-Contractors shall submit an updated Certificate of Insurance with Endorsements to the Seneca Nation of Indians for review.
- 6) All policies shall not be cancelled or reduced in coverage unless Seneca Nation of Indians has been given thirty (30) days prior written notice by registered mail.
- 7) All Certificates shall list the Seneca Nation of Indians as the Certificate Holder:
  - Seneca Nation of Indians
  - Attn: Cheryl Watts, Comptroller
  - 90 Ohi:yo' Way
  - Salamanca, NY 14779
- 8) Commercial General Liability minimum requirements.
  - a) \$1,000,000 Per Occurrence
  - b) \$2,000,000 General Aggregate
    - i) General Aggregate coverage applies per project
- 9) Automobile Liability minimum requirements.
  - a) \$1,000,000 Combined Single Limit
    - i) Coverage applies per accident
    - ii) Coverage applies to any and all automobiles
- 10) Workers Compensation and Employers' Liability minimum requirements.
  - a) Statutory Limits for Workers Compensation
  - b) \$1,000,000 Employers' Liability
    - i) Each Accident
    - ii) Disease – Each Employee
    - iii) Disease – Policy Limit
- 11) Professional Liability Insurance
  - a) Minimum of \$10,000,000 of coverage (Engineering Firm only)