



State of New Jersey

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Request for Proposals (RFP) to Develop Watershed Restoration and Protection Plans within the New Jersey Highlands Region

RFP Issued: January 25, 2023

Question & Answer Cut-off Date **(Revised): March 3, 2023** at 4:00 p.m.

Submittal Deadline **(Revised): April 17, 2023** at 4:00 p.m.

I. Request to Submit Proposals

The New Jersey Highlands Water Protection and Planning Council (Highlands Council) is soliciting proposals consisting of a Statement of Qualifications, Technical Proposal, and Rate Schedule & Budget from a multi-disciplinary team (Team) with varied expertise in all facets of watershed restoration and protection. This project is to develop or update Watershed Restoration and Protection Plans for one or more subwatershed(s) within the Highlands Region to improve water quality in the associated watershed(s). It is recommended that any respondent review the Highlands Council's [Regional Master Plan \(RMP\)](#) and examples of completed Watershed-Based Plans on the Highlands Council website ([New Jersey Highlands Council | Resource Management Plans and Programs \(nj.gov\)](#)), see "Watershed Implementation Plans" at the bottom of the page for Greenwood Lake and the Upper Musconetcong plans. An example of a municipal watershed-based plan can also be found ([Ringwood Borough Plan](#)).

II. Background

The Highlands Region is a physiographic area of northern New Jersey, comprised of 88 municipalities within parts of 7 counties. The Highlands is a diverse landscape with both rural and densely developed areas. The geographic boundaries of the Region are established in the Highlands Water Protection and Planning Act, see N.J.S.A. 13:20-1 et seq. (Highlands Act), which also created the Highlands Council. There are a number of goals in the Highlands Act that the Highlands Council is responsible for achieving. The overarching goal is protection of the Region's natural resources with an emphasis on restoration/protection of water resources. To help meet this goal, the Highlands Council seeks to develop or update additional Watershed Restoration and Protection Plans within the Region.

These Watershed Restoration and Protection Plans can be used to apply for funding from the New Jersey Department of Environmental Protection (NJDEP) for Water Quality Restoration Grants under the federal 319(h) pass-through grants of the Federal Clean Water Act (CWA). Other funding sources may also be available to implement the plans.

The Environmental Protection Agency (EPA) has identified nine key elements that are critical for achieving improvements in water quality. EPA requires these nine elements be addressed in all

Watershed Restoration and Protection Plans funded with CWA section 319 funds. This format provides a clear, concise, and implementable plan.

III. Scope of Services

The ultimate objective of this project is to develop or update Watershed Restoration and Protection Plans for one or more subwatersheds in the Highlands Region. The Highlands Council focus is on protecting high quality subwatersheds as well as improving subwatersheds that are impaired due to any number of factors that may include but are not limited to:

- Point & non-point source pollution issues
- Harmful Algal Blooms (HABs)
- Contamination for which Total Maximum Daily Loads (TMDLs) have been developed or are in need of development
- Contaminated sites
- Stormwater impacts
- Septic system failures
- Animal waste
- Agricultural practices
- Climate change
- Dams

The project will ultimately identify methods for improving the watershed(s), including load reduction methods, septic system maintenance recommendations (if needed), green stormwater infrastructure implementation, stormwater facilities retrofit/rehabilitation projects, dam removal projects (if applicable), and best management practices within the identified subwatershed(s). Additional management measures may also apply. Respondents may propose evaluation and analysis of multiple watersheds or sub-watersheds.

The selected Team will develop a Watershed Restoration and Protection Plan that, at a minimum, includes the following nine elements:

A. Project Summary, Historical Data Review, Identification of Causes and Sources of Pollution

The Team must include a brief abstract of the project that includes a summary of the major elements of the project, the objectives to be achieved, and the spatial extent of the work. In this task, the Team will describe why the project is needed, the scope of the problem, and/or current condition of the targeted water body(s). The stressors or sources that cause or contribute to the problem (physical, chemical, and/or biological) must be identified along with the desired result from the Watershed Restoration and Protection Plan. At a minimum, the goals will be to meet water quality standards.

The Historical Data Review will identify any existing Total Maximum Daily Loads (TMDLs); stormwater management measures; septic system management; or other Watershed Based Plan(s) from the area. This task will also account for all point and non-point sources in addition to the background levels that make up the pollutant loads causing the problem(s).

B. Estimate Load Reductions Expected from Management Measures

The Team will estimate the load reductions needed to meet water quality standards as well as the load reductions expected from each management measure to be implemented. Load reductions can be determined using the USEPA Pollutant Load Estimation Tool (PLET) ([Pollutant Load Estimation Tool \(PLET\) | US EPA](#)), or other tools as deemed appropriate.

C. Description of Management Measures and Description of the Critical Areas in which those Measures will be Implemented

The Team will describe the management measures that need to be implemented to achieve water quality standards. The recommended management measures will have a description of their intended function and estimates of load reduction and other quantifiable benefits. The Watershed Restoration and Protection Plan will describe the critical areas where those management measures will be implemented. The Team should include pictures from the field and GIS spatial data of the critical areas, as needed.

D. Estimate amount of Technical and Financial Assistance, Associated Costs, and/or the Sources and Authorities that will be Relied upon to Implement the Plan

The Team shall estimate the technical and financial assistance needed to implement the entire Watershed Restoration and Protection Plan from the installation of management measures to the maintenance, monitoring and evaluation of those measures.

Potential funding sources need to be identified through local watershed groups, non-profits and NGOs, commissions, NJDEP, and federal agencies. While some management measures can be implemented without any capital expenditure, effective management can be costly and securing a funding source is crucial to the success of achieving improved watersheds and meeting water quality standards.

E. Information and Education Component to Enhance Public Understanding of the Project and Encourage Participation

Involving the public early in the selection, designing, and implementation of the identified management measures leads to the greatest success. For this task, the Team will discuss the development of outreach and educational programs to ensure effective engagement with affected communities, enhance stakeholders' understanding of the project and encourage participation. "Effective engagement" must incorporate appropriate methodologies to address environmental justice by, for example, identifying low-income and/or non-English speaking stakeholders and ensuring realistic opportunities for their participation. This aspect is particularly important with respect to communities identified by the NJDEP as "Overburdened Communities."

F. Schedule for Implementation of Management Measures

The Team must include a schedule for implementing the management measures identified in task C above. Short-, medium-, and long-term schedules can be utilized by objective and task.

G. Description of Interim Measurable Milestones for Determining whether Management Measures are being Implemented

To measure progress, measurable milestones need to be developed to track project implementation and to ensure the management measures are being implemented and are on schedule.

H. Evaluation Criteria of the Management Measures

The Team will develop a set of criteria to measure the effectiveness of the management measures such as improvements in water quality from direct measurements (i.e., fecal coliform) or indirect indicators (i.e., beach closures). If targets are not met, the Team will need a means to revise the management measures to reach the water quality targets.

I. Monitoring Component

A monitoring component must be included to determine that water quality criteria and load reductions are improving over time or at a minimum being maintained. This task will evaluate the effectiveness of the management measures over time, measured against the criteria established in task *H* above.

Final Project Deliverables

1. A final Watershed Restoration and Protection Plan that includes the nine elements (A-I) described above will be provided to Highlands Council staff, who will then review and provide edits/comments.
2. Appropriate maps clearly identifying the targeted subwatershed(s) and associated lakes and/ or waterbodies in both an ESRI compatible geodatabase and static documents.
3. Water quality data/tables (historical as well as any additional data proposed to be collected as part of this project).
4. Schedule and funding sources for implementing the final Watershed Restoration and Protection Plan.

Timeframe

The Council anticipates that the timeframe to complete this project will be twelve (12) to eighteen (18) months. The Project Team shall prepare regular progress reports for Highlands Council review (a progress report form shall be supplied).

The Project Team's ability to devote sufficient resources to these tasks in the expected timeframe should be reflected in its detailed schedule (see Section IV, B.2), although Teams may propose alternative timeframes that achieve a reasonable completion of the Scope of Services in an expedited manner. The Highlands Council will consider the Team's proposed timeframe in awarding the proposal.

IV. RFP Submittal Requirements

A. Proposals must include the following items:

1. Contact Information: Provide the name and address of each of the Team members, telephone number, facsimile number and electronic mail address of the individual(s) responsible for preparation of the proposal who may be contacted in the event of questions or notification, and the location of the office, if other than that shown above at which the services to be provided hereunder will be performed.
2. Understanding of the Scope of Services: A statement of the Team's understanding of the project described in the Scope of Services and the Highlands Council's needs and

commitment that the Team is able to perform the Scope of Services within the required timeframe.

3. **Technical Approach and Proposed Work Plan:** A detailed description of the Team's approach for satisfactorily completing the Scope of Services set forth in Section III above including any alternate suggestions for implementation. Include a detailed schedule that includes a description of all tasks and activities, significant milestones and anticipated deliverables.
4. **Statement of Qualifications:** Provide the following:
 - a. Type of business (e.g. corporation, limited liability company, 501(c)(3));
 - b. Number of years in business and number of years providing relevant services;
 - c. Type of services provided;
 - d. Description of your Team's past experience that is most relevant to this project;
 - e. Detailed organizational chart; and
 - f. Explanation of the experience of each member of the Team assigned to perform the Scope of Services, including experience on similar projects, key personnel qualifications and relevant experience. Resumes of all qualified professionals who will be responsible for assisting with or completing assigned tasks shall be provided.
5. **Work Examples:** Provide at least three (3) examples of previous projects, work product, publications and reports, demonstrating direct experience with the type of work outlined in the Scope of Services in Section III above. For each of these examples, provide the following information:
 - a. Name and address of client;
 - b. Year(s) during which work was performed;
 - c. Contract amount; and
 - d. Details of work performed.
6. **Staffing Plan:** Provide an organizational structure (flow chart), showing all personnel who will work on executing the Scope of Services, including the identity of any alternate personnel, sub-consultants or sub-contractors the Team intends to utilize to perform the Scope of Services.
7. **Staffing Matrix:** Provide a staffing matrix that graphically depicts the key personnel identified in Paragraph IV.A.6 above, who worked on the example projects listed in Paragraph IV.A.5 above, and what his/her role was with respect to each example project. Also list the roles and responsibilities each of those personnel will have with respect to the proposed project outlined in the Scope of Services in Section III above.

Personnel	Role	Example Project	Example Project	Example Project
Jane A. Smith	Chief Economist	X		X
Joe A. Smith	Market Analyst		X	X
Jane A. Doe	Planner		X	

8. Sub-contractors: If applicable, submit a statement of the Team's intent to sub-contract. If sub-contractors, sub-consultants or any alternate personnel are to be utilized in the performance of the Scope of Services, list each sub-contractor and identify responsibilities, tasks, schedule, and costs and provide resumes of key personnel. All sub-contractors must be approved by the Highlands Council prior to utilization of the sub-contractor. The Team is fully responsible for any sub-contractor.
9. Statement of Availability: Provide an affirmative statement detailing the Team's availability over the eighteen (18) months and its ability during that time to work interactively with Highlands Council staff remotely or at our offices in Chester, NJ.
10. Litigation/Disciplinary Action: If any member of the Team, or any principal therein (in his or her official capacity with the Team), has been engaged in any litigation as a defendant involving a sum of \$100,000 or more and/or subject to any professional disciplinary action over the last three years, provide a description of the litigation and/or disciplinary action.
11. Concurrent Project(s) of a Substantially Similar Nature: The State is restricted from paying for duplicative concurrent work. Accordingly, if the Team is currently engaged or will be engaged in the near future in any contracts with a substantially similar scope of work to this RFP, the Team shall provide a detailed description of that project and scope.
12. References: Provide no less than three (3) references, including at least two (2) clients for whom services have been provided within the past three years regarding efforts similar to those outlined in the Scope of Services in Section III above. Provide the contact names, positions and phone numbers for representatives of each entity listed as a reference. The Highlands Council reserves the right to contact references for information that may be used in the evaluation process.
13. N.J. Business Registration Certificate. Pursuant to N.J.S.A. 52:32-44, the Team must provide proof of valid business registration with the Division of Revenue in the Department of Treasury.
14. Acceptance of Contract Terms. A statement certifying that the Team has no existing or foreseen conflicts to perform the services requested by the Highlands Council as envisioned under the above Scope of Services and accepts the Council's Contract Standard Terms and Conditions attached as Appendix D.
15. Certifications/Disclosures. The Team must provide certification and disclosure documents in compliance with Public Law 2005, Chapter 51; Public Law 2005, Chapter

271; and Executive Order 129 (codified as P.L. 2005, c. 92). Certification forms relating to these provisions are attached hereto as Appendices A, B, and C respectively.

- B. Technical Proposals must include the following items:
1. A detailed approach for achieving satisfactory results regarding the Scope of Services of Section III above; and
 2. A detailed schedule and flow chart of tasks for completion of the Scope of Services.
- C. Cost Proposal, Rate Schedule & Budget: The Proposal must include in a separate document that includes (please mark as confidential):
1. A rate schedule that details fully loaded project hourly rates, which includes all overhead and profit that may be incurred in performing the project;
 2. An overall project budget and detailed fixed fee proposal broken out by task based on the Scope of Services;
 3. Note: All direct expenses shall be billed at cost.
- D. Submittal Requirements: A PDF of the complete Proposal, including Statement of Qualifications, Technical Proposal, and a separate PDF including the confidential Rate Schedule & Budget and all certifications must be received **no later than 4:00 p.m. EST on April 17, 2023**. The complete Proposal shall be provided electronically via e-mail to Chief Counsel Gabrielle Gallagher, Esq. (gabrielle.gallagher@highlands.nj.gov). Late Proposals will not be considered.

V. Restrictions on Communications with Highlands Council Staff

Any questions regarding this RFP must be submitted via email to: gabrielle.gallagher@highlands.nj.gov. **Note that all questions regarding this RFP must be submitted by email no later than 4:00 p.m. March 3, 2023.** Respondents to this RFP are instructed not to communicate in any other manner than as set forth immediately above with any other representatives of the Highlands Council during the submission process, and not to communicate with any representatives of the Highlands Council during the selection process for this contract, unless such communication was initiated by a representative of the Highlands Council in connection with any request for clarification to a response. In the event that any Addenda or clarifying communication arises out of a question submitted by a respondent or Team, the said clarification and response or Addendum shall be issued to all respondents. Only the interpretations and/or corrections issued as a written Addendum to the RFP by a representative of the Highlands Council shall be binding. No other source is authorized to give information regarding any explanation or interpretation of the RFP.

General Requirements and Information

- A. If submitted by a corporation (joint venture, associated teams, etc.), the Proposal shall be signed by a corporate officer authorized to do so. If submitted by an individual, that individual shall sign the Proposal. If the Team is a general partnership, one or more of the partners shall sign. If a limited partnership, the managing partner(s) or general partner(s) shall sign.
- B. The Highlands Council reserves the right to require the submission of additional information regarding experience and qualifications as it may deem necessary and may consider any available evidence on the financial, technical, or other qualifications and abilities of the Team.

- C. This RFP does not commit the Highlands Council to award a contract to any respondent or Team or to pay any costs incurred in the preparation or mailing of the Proposal.
- D. The Highlands Council reserves the right to reject all Proposals, or abandon all or part of this Project, prior to award of any contracts, pursuant to N.J.S.A. 13:20-1 et seq. Proposals may be rejected for any or all of the following reasons:
- Not responsive to this RFP;
 - Team is not authorized to do business in the State of New Jersey;
 - Failure to include any required information with the submittal; and/or,
 - Failure to disclose any existing or potential conflict of interest.
- E. The Highlands Council reserves the right to waive any and all irregularities and informalities in the Proposals and to request clarification of qualifications prior to qualifying a Team.
- F. The selected Team must provide certification and disclosure documents in compliance with Public Law 2005, Chapter 51; Public Law 2005, Chapter 271, and Executive Order 129 (codified as P.L. 2005, c. 92) prior to the award of any contract. Certification forms relating to these provisions are attached hereto as Appendices A, B, and C respectively.
- G. Pursuant to N.J.S.A. 52:32-44, the selected Team must provide proof of valid business registration with the Division of Revenue in the Department of Treasury prior to the award of any contract.
- H. If awarded the contract, the selected Team shall be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27-1.1 et seq. regarding affirmative action.
- I. After the receipt of proposals, the Highlands Council reserves the right to negotiate with any number of Teams it chooses in its discretion prior to awarding a contract.
- J. Documents/information submitted in response to this RFP generally shall be available to the public except as permitted by the common law, and State law, including the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

VI. Team Selection Process

- A. Based upon the Proposals, taking into consideration staff's recommendation, and its own determination as to which proposal is most advantageous to the needs of the Highlands Council, the Council may issue contract awards. In selecting the most qualified Team(s) for the services of this RFP, the Highlands Council will consider the following:
1. The background, qualifications, skills, and experience of the Team and its staff;
 2. The Team's degree of expertise concerning the area at issue;
 3. The Team's proposed technical approach to the issues raised in the project description or specifications;
 4. The Team's capacity to meet the requirements of the project at issue within the timeframe established by the Highlands Council;
 5. The rate or price to be charged by the Team;
 6. The Highlands Council's prior experiences with the Team;

7. The Team's familiarity with the work, requirements, and systems of the Highlands Council;
 8. The Team's references;
 9. Interviews with prospective Teams;
 10. Geographical location of the Team's offices; and
 11. Familiarity with all applicable State and federal laws and regulations.
- B. Upon selection of the qualified Team, the Highlands Council and the Team will execute a professional services contract, on a time and materials basis on a "total costs not to exceed" basis. The professional services contract will include the Highlands Council's Professional Services Contract Standard Terms and Conditions, which are attached hereto as Appendix D.

VII. Term and Termination

- A. The initial term of the professional services contract shall be for a period of eighteen (18) months from when it is formally entered into by the parties and may be extended upon agreement by both parties that the detailed Scope of Work requires additional time for effective completion.
- B. The Highlands Council may, at any time, terminate the professional services contract in whole or in part for the Highlands Council's convenience and without cause when the Highlands Council determines in its sole discretion that termination is in the public interest. Upon receipt of an order of termination for convenience, the Team shall not proceed with any item of work, unless specifically authorized to do so in writing. In such a case, unless mutually agreed to by the parties, the Team will not be entitled to payment for any services provided after the effective date of such termination.

If there are any questions regarding this Request for Proposals, please contact Ms. Gallagher by e-mail at gabrielle.gallagher@highlands.nj.gov.

New Jersey Highlands Council

Benjamin L. Spinelli, Esq
Executive Director
January 25, 2023