

THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF FISH AND GAME

DIVISION OF ECOLOGICAL RESTORATION

100 CAMBRIDGE ST, 6TH FLOOR, BOSTON, MA 02114



Request for Response (RFR)

Dam Removal Preliminary Design Services

COMMBUYS Bid#: BD-25-1046-DER-FWE01-109372

Agency Document Number: DER RFR 2025-DAMS

November 4, 2024

Please Note: This is a single document associated with a complete Bid (also referred to as Solicitation) that may be found on [COMMBUYS](http://COMMBUYS.com) (www.commbuys.com). Bidders are responsible for reviewing and adhering to all information, forms, and requirements for the entire Bid, which are incorporated into the Bid. Bidders also may contact the OSD Help Desk at OSDHelpDesk@mass.gov or by phone at 1-888-MA-STATE (627-8283). The OSD Help Desk is staffed from 8:00 p.m. to 5:00 p.m. Monday through Friday, Eastern Time, except during federal, state, and Suffolk county holidays.

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1.1 Opportunity Summary

1.2 Procurement Scope and Description Proposals Sought

The Commonwealth of Massachusetts Division of Ecological Restoration (DER) is seeking applications from Massachusetts municipalities for dam removal preliminary design studies. These studies, contracted and managed by DER, provide the agency with critical information for future ecological restoration planning and climate adaptation. Likewise, the studies help landowners and partners assess opportunities and constraints during early planning phases of potential aquatic habitat restoration projects. DER is interested in dam removal projects that are at an early stage of development and/or decision-making. Selected projects will be eligible to receive technical assistance from DER staff and DER-led contracted technical services from qualified vendors. Status designation awards for selected dam sites will commence in state Fiscal Year 2025.

1.3 Goals and Objectives

The overall goal of preliminary design studies is to gather and synthesize information on a future potential dam removal project. Specific objectives to be accomplished include:

- Determine the overall breadth of the dam removal project;
- Determine likely project opportunities, challenges, and identify areas for future investigation to promote restoration; and to
- Position the dam owner to move into project planning and design phases by providing a solid design basis.

1.4 Applicable Procurement Law

This Bid is issued under the following law(s):

- 815 CMR 2.00, 2 CFR Part 200, and 31 CFR Part 19

1.5 Funding Availability

DER anticipates spending up to \$350,000 on preliminary design studies for seven (7) high priority dam removals under this RFR. DER reserves the right to designate additional dam sites for preliminary studies from among the applicants to this RFR, if additional funding becomes available. Acceptance to this opportunity does not guarantee receipt of technical services or technical assistance. DER is not offering further services beyond the scope of this RFR to selected municipalities at this time. However, DER reserves the right to amend a contract scope and budget to add services and funds at DER's discretion, and if funds become available. There is no guarantee of future assistance from DER, but selected municipalities may be eligible to apply for DER assistance under future RFRs.

1.6 Number of awards

Multiple status designation awards may result from this Request for Response (RFR).

1.7 Eligible Applicants

Eligible applicants include Massachusetts municipalities, i.e. towns, cities, districts and commissions. A municipality may apply for a dam that it owns or is owned by another entity on its behalf. Dams owned by others must be either located within the boundaries of the applying municipality or if removed, would provide direct benefits to the applying municipality.

In order to be considered eligible, the dam site proposed must be located within the boundaries of the Commonwealth. The landowner may be a municipality, or another entity on whose behalf the municipality applies. If a municipality is applying on a dam owner's behalf, the dam must be either located within the boundaries of the applying municipality or, if removed, would provide direct benefits to the applying municipality. In either case, the landowner(s) must provide a signed access agreement with the municipality's application (see Section 6: Attachments).

Municipalities may apply for more than one dam site but must submit an individual application for each. However, if a single dam site contains multiple associated structures, they can be submitted as a single project application.

The following practices are **not** eligible under this RFR:

- Repair of a dam.
- Removal of beaver dams or other natural barriers (i.e., debris jams) within streams.
- Creation or repair of technical fishways.
- Dam management plans.
- Standalone bank repair or stabilization; or
- Pond dredging.
- River and wetland mitigation projects.

1.8 Contract Duration

Status designation is intended for the Commonwealth of Massachusetts Fiscal Year 2025 (July 1, 2024 – June 30, 2025). A one year renewal option may be awarded in the following fiscal year.

2 ESTIMATED PROCUREMENT CALENDAR

EVENT	DATE
Notice of Funding Opportunity	07/26/2024
Bid Release Date	11/04/2024
Deadline for Submission of Questions through “Q&A” Period	11/13/2024 at 4:00PM
Official Answers for Bid Q&A published (Estimated)	11/18/2024
Deadline for Quotes/Bid Responses (“Bid Opening Date/Time” in COMMBUYS)	11/22/2024 at 4:00PM

Upcoming Dates to be aware of

- *11/11/24 Veterans Day
- *11/18/24-11/20/24 Chris in a training
- *11/28/24 Thanksgiving
- *12/25/24 Christmas
- *1/1/25 New Years Day

Applications received after the deadline will not be accepted but may be eligible to apply under a subsequent RFR. DER reserves the right to reject any and all proposals or request additional information and documentation if needed.

Times are Eastern Standard/Daylight Savings (US), as displayed on the COMMBUYS system clock displayed to Applicants after logging in. If there is a conflict between the dates in this Procurement Calendar and dates in the Bid’s Header, the dates in the Bid’s Header on COMMBUYS shall prevail. Applicants are responsible for checking the Bid record, including Bid Q&A, on COMMBUYS for Procurement Calendar updates.

Award status under this procurement expires June 30, 2025, with the possibility of (1) one-year renewal at DER’s discretion.

Applications received after the deadline will not be accepted but may be eligible to apply under a subsequent RFR. DER reserves the right to reject any proposals or request additional information and documentation if needed.

By submitting a proposal, the applicant acknowledges the terms and specifications contained within the RFR.

2.1 Written Questions and Answers Period

All questions related to the bid must be submitted in writing via the [DER website](#). DER responses to questions will be posted on the DER website and COMMBUYS. Applicants are responsible for entering content suitable for public viewing since all questions are accessible to the public. Applicants must not include information that could be considered personal, security sensitive, inflammatory, incorrect, collusory, or otherwise objectionable, including information about the Applicant's company or other companies. DER reserves the right to edit or delete submitted questions that raise any of these issues.

All answers are final when posted. Any subsequent revisions to previously provided answers will be dated.

3 SPECIFICATIONS

3.1 Scope of Work (SOW) Requirements

A typical scope of work includes a site visit by the qualified contractor, topographic and bathymetric survey, sediment quality testing, hydrologic and hydraulic modeling, preliminary design development, and a technical report summarizing the results of the study including an estimate of cost. DER reserves the right to adjust the scope of work based on the contractor's recommendation and with approval from the dam owner or dam owner's authorized representative.

3.2 Requirements at Contract or Engagement Termination

Please note that DER does not guarantee that any contracts or technical assistance may result from this RFR.

Copies of all final deliverables produced as part of the site reconnaissance study will be provided to the successful applicant, upon conclusion of the study. Draft materials may be provided to the applicant for review and comment, if desired.

There is no obligation for a municipality to move forward with a selected dam removal project after the preliminary design work is complete. Nor is there any guarantee of further assistance from DER after this effort concludes.

3.3 Use of This Procurement

This RFR is a single department procurement. All contracts awarded under this RFR will be utilized solely by the issuing entity.

3.4 Request for Single or Multiple Contractors

This Request for Response (RFR) may result in one or more preliminary design awards.

3.5 RFR Distribution Method

In order to conduct a fair and open procurement, DER is issuing this request for interested parties through COMMBUYS and DER's [Website](#). This RFR has been distributed electronically using this system. It is the responsibility of every Applicant to check for any addenda or modifications to an RFR to which they intend to respond. DER, alongside the Commonwealth, accepts no responsibility and will not provide accommodation to Applicants who submit an

application based on an out-of-date RFR or on information received from a source other than COMMBUYS.

3.6 Attachments

- Application Form
- Access Agreement Form

4 AUDIT

During the term of this Agreement and for a period of six years thereafter, DER, its auditors, the Operational Services Division, the Office of the Inspector General, or other authorized representatives shall be afforded access at reasonable times to Contractor's accounting records, including sales information on any system, reports or files, to audit all records relating to goods sold or services performed pursuant to this Agreement. If such an audit indicates that Contractor has materially overcharged DER, then the Contractor shall remit the overcharged amount and be responsible for payment of any costs associated with the audit.

5 EVALUATION

5.1 Application Evaluation and Selection

DER will assess each application using a combination of resources, including available GIS data from MassGIS and other sources that inform the existing and potential ecological and community values of the project area. As part of the review of proposals, DER may contact applicants for clarification or to request additional information. If DER staff are not already sufficiently familiar with the project site, then a site visit with the applicant and communication with other experts may also be used to inform review. In these cases, DER will contact the applicant and landowner to obtain permission to perform a site visit before scheduling. Each application will be scored and ranked using standard criteria described below. DER reserves the right to reject any or all proposals and to only accept proposals that are aligned with DER's mission.

5.2 Evaluation Criteria (100 Points Total)

DER will assess each application using a combination of resources, including but not limited to available GIS data from MassGIS and other information sources to understand the existing and potential Ecological Value, Community Benefit, and Environmental Justice benefits of the proposed project. As part of the review of proposals, DER may contact Applicants for clarification or to request additional information and/or conduct field inspection. All Applications will be evaluated based on criteria and associated point values described below.

For this Request for Response (RFR), DER is particularly interested in dams that are:

- 1) subject to Massachusetts Office of Dam Safety jurisdiction
- 2) that are either municipally owned, or of interest to a municipality from a restoration or resiliency perspective.

- Ecological Value (40%): *To what extent would restoration at this site benefit the environment?* The proposed site's potential benefit to the environment will be evaluated based on existing site condition and context, proximity to important habitat, available ecological data, and any additional information provided by the applicant on the application form.
- Community Benefits (40%): *Will the proposed project have a positive impact on the local community?* Potential benefits will be evaluated based on available information about the dam, nearby infrastructure, and information provided by the applicant on the application form. Priority consideration will be given to high and significant hazard dams.
- Environmental Justice. Disadvantaged Community or vulnerably population (20%): *Will the proposed project provide meaningful benefits to for an Environmental Justice, Disadvantaged Community or vulnerable population?* DER will use information from the Executive Office of Energy and Environmental Affairs' "Environmental Justice Map Viewer", the Department of Environmental Protection's "Disadvantaged Community Designation" and any additional information provided by the applicant on the application form to make this determination.

6 HOW TO SUBMIT AN APPLICATION

6.1 Application Submission Method

Applications must be submitted through DER's [Website](#) . No paper applications will be accepted. ***Applications received after the deadline will not be accepted.*** Applicants for preliminary design studies must meet the eligibility requirements described above in Section 1. Applicants must submit a separate application package *for each dam applied for*.

Applicants must fill out the application submission form provided on the DER [Website](#). A completed Application Form and Signed Access Agreement must be attached to the application submission form.

Submissions should include the following:

- **Completed Application Form** (*Required*)
- **Signed Access Agreement** (*Required*) A signed access agreement must be signed by the landowner and submitted with the application.
- **Signed Commonwealth W-9 Tax Form** (*Required*)

If you have trouble with your online submission, please contact Anthony Lucivero, Anthony.Lucivero@mass.gov

By submitting a proposal, the applicant acknowledges the terms and specifications contained within the RFR.

6.2 Electronic Signatures

Quotes submitted via COMMBUYS must be signed electronically by the Applicant or the Applicant's Agent by accepting the terms and conditions of the bid on the "Terms & Conditions" tab of the Bid in COMMBUYS. By selecting "Save & Continue" on the "Terms and Conditions" tab after accepting the terms and conditions of the bid, the submitter attests that she/he/they is an agent of the Applicant with authority to sign on the Applicant's behalf, and that she/he/they has read and assented to each document's terms.

6.2.1 Acceptable Forms of Signature

Effective June 15, 2021, for all 1) CTR forms, including the Standard Contract Form, W-9s, Electronic Funds Transfer (EFT) forms, ISAs, and other CTR-issued documents and forms, or 2) documents related to state finance and within the statutory area of authority or control of CTR (i.e. contracts, payrolls, and related supporting documentation), CTR will accept signatures executed by an authorized signatory in any of the following ways: 1. Traditional "wet signature" (ink on paper); 2. Electronic signature that is either: a. Hand drawn using a mouse or finger if working from a touch screen device; or Page 2 b. An uploaded picture of the signatory's hand

drawn signature 3. Electronic signatures affixed using a digital tool such as Adobe Sign or DocuSign. If using an electronic signature, the signature must be visible, include the signatory's name and title, and must be accompanied by a signature date. Please be advised that typed text of a name not generated by a digital tool such as Adobe Sign or DocuSign, even in computer-generated cursive script, or an electronic symbol, are not acceptable forms of electronic signature.

7 ADDITIONAL CONTRACTUAL DOCUMENTATION

If an application is awarded funding, the recipient will be required to submit the following forms during contract scoping to complete a contract. Applicants are encouraged to review these forms prior to submission of a Response.

- Commonwealth Standard Contract Form, filled out and signed by the Applicant
- Completed Contractor Authorized Signature Verification Form

Forms can be downloaded from: <https://www.macomptroller.org/forms/#section->