



**REQUEST FOR PROPOSALS
NPDES Permit Renewal Assistance
Lowcountry Regional Water System
Hampton, SC
Issued: July 22, 2020**

HAMPTON, SOUTH CAROLINA

NPDES Permit Renewal Assistance

RFP DUE DATE/TIME: August 20, 2020 at 2:00 pm EST

RFP NUMBER: 2020-06

POINT OF RECEIPT: Attn: Kari H. Foy, P.E.
Engineer
Lowcountry Regional Water System
513 Elm St West
Hampton, SC 29924

The Lowcountry Regional Water System is requesting proposals from a qualified consultant to provide NPDES Permit Renewal Assistance for its existing wastewater discharge permit for the Yemassee WWTP, NPDES Permit SC0025950. It shall be all inclusive of labor and materials to fulfill the services as identified in the proposal documents.

In order to submit a proposal, please read and comply with the requirements listed in the General Information and Instructions section of the proposal documents.

Inquiries - All inquiries concerning this Request for Proposal (RFP) shall be addressed to the Engineer. **Contact with other departments or representatives without permission of the Engineer may render your proposal void.**

An original of your proposal shall be submitted by the due date above. Outside of package must be clearly marked with RFP number and project description above.

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SECTION 1: GENERAL INFORMATION AND INSTRUCTIONS

Sealed proposals shall be enclosed and secured in an envelope/package and properly marked and displayed on outside of envelope/package bearing the name and address of the qualified firm or licensed contractor, proposal number, and project identification. Lowcountry Regional Water System shall not be responsible for unidentified proposals. Proposals shall be addressed to

**Kari Foy, Engineer
Lowcountry Regional Water System
513 Elm St West
Hampton, SC 29924**

Hand delivered proposals should be delivered to the same above referenced address.

Proposals shall be submitted to the Lowcountry Regional Water System Engineer no later than **Thursday, August 20, 2020 at 2:00 PM EST** at which time all proposals will be opened and read aloud. Proposals received later than the deadline will be returned unopened. Proposer's mailing their proposal must allow a sufficient mail delivery period to insure timely receipt of their proposal. Lowcountry Regional Water System is not responsible for proposals delayed by mail and/or delivery services of any nature.

Prior to submitting a proposal, each proposer shall carefully examine the RFP document, study and thoroughly familiarize himself/herself with the specifications/requirements thereof and notify Lowcountry Regional Water System of any conflicts, errors, or discrepancies.

All proposals shall remain firm for at least sixty (60) calendar days from the date of receipt.

By submission of a proposal, the proposer guarantees that all goods and services meet the requirements of the solicitation during the contract period.

Failure to submit all required information may be determined as a non-responsive proposal.

Questions – All questions concerning this solicitation must be submitted in writing and directed to the Engineer by fax, 803-943-1014, Attn: Kari Foy or by e-mail, kari.foy@lowcountrywater.com. Proper reference to this Request for Proposals is required.

The deadline for submitting questions is Friday, August 14, 2020 at 4:00 pm EST, five (5) calendar days prior to the affixed date for receipt of proposals. Verbal information obtained otherwise will not be considered in the awarding of the proposal.

Addendum to Proposal – If it becomes necessary to revise any part of this RFP, an Addendum will be issued in writing to all prospective proposer's on file whom have received this solicitation as well as listing it on the Lowcountry Regional Water System website under Current Bid Opportunities <https://www.lowcountrywater.com/current-bid-opportunities>. All addenda issued by Lowcountry Regional Water System must be acknowledged in writing by the proposer on the appropriate form, and a copy returned with their response.

Deviations – Any deviations from the Scope of Work indicated herein must be submitted in writing and clearly noted and explained in detail on a separate form and attached to the submitted proposal; otherwise, it will be considered that items/services offered are in strict compliance with this solicitation and the successful proposer shall be held accordingly responsible.

Any deviations within a submitted proposal between prices quoted and restated in the summation sheet shall be resolved by the General Manager as being the lower price, unless the proposer requests in writing, a correction or withdrawal of proposal prior to the date and time set for receipt of proposals.

Certificate of Familiarity – The attached Certificate of Familiarity and Non-Collusion must be completed and returned with proposal. Failure to include this form may be cause for rejection of a proposal.

Signature – A proposal shall be made in the official name of the proposer or firm under which business is conducted (showing the official business address) and must be signed in ink by a person duly authorized to legally bind the person, partnership, company, or corporation submitting the proposal.

Additional Information – Proposer's are to include all applicable requested information and may include any additional information they wish to be considered pertinent to this solicitation. Additional information shall be a separate section of the proposal, and shall be clearly identified as such.

Amendments, Withdrawals, and Mistakes – Offers, amendments or withdrawal requests must be received by the time advertised for RFP closing. Proposals may be withdrawn by the proposer prior to, but not after, the time set for RFP closing. Mistakes may be crossed-out and corrections inserted adjacent thereto, and shall be initialed, in ink, by the person signing the proposal.

Confidential Information – Proposer's must clearly mark as "Confidential" each part of their offer, which they consider proprietary information that could be exempt from disclosure under Subarticle 7 Public Access to Procurement Information, Section 11-35-410, Code of Laws of South Carolina, 1976 as amended. If any part is designated as "confidential", there must be attached to that part an explanation of how this information fits within one or more categories listed in Section 11-35-410. Lowcountry Regional Water System reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against Lowcountry Regional Water System or its agents for its determination in this regard.

Award of Contract – If awarded, this contract will be awarded to the proposer whose proposal is within the competitive range and determined to be in the best interest of Lowcountry Regional Water System. The Lowcountry Regional Water System will be the sole judge as to whether a proposal has or has not satisfactorily met the requirements of this RFP.

The document that will form the contract shall include this entire solicitation, all applicable amendments, and the successful proposer's proposal.

This solicitation does not commit Lowcountry Regional Water System to award a contract, to pay any cost incurred in the preparation of a proposal or to procure a contract for this solicitation. Lowcountry Regional Water System reserves the right to accept or reject any or all proposals

received as a result of this solicitation, to negotiate with all qualified proposer's, or to cancel in part or in its entirety this solicitation, if it is in the best interest of the Lowcountry Regional Water System to do so. Lowcountry Regional Water System reserves the right to interview any, all, or none of the respondents.

Assignment of Contract – Once a contract has been put into place; the proposer shall not assign, sublet, or transfer the contract without the written consent of the General Manager.

Post Award Changes – After contract award, all changes to the Scope of Work or to the specifications must have prior written approval from the General Manager.

Notice of Award – The Notice of Award will be posted at the main office of the Lowcountry Regional Water System located at 513 Elm St West, Hampton, SC 29924.

Prohibition of Gratuities – The following applies to all procurements issued by Lowcountry Regional Water System: Amended section 8-13-700 and 705 of the 1976 Code of Laws of South Carolina states: “Whoever gives or offers to any public official or public employee any compensation including a promise of future employment to influence his action, vote, opinion or judgment as a public official or public employee or such public official solicits or accepts such compensation to influence his action, vote, opinion or judgment shall be subject to the punishment as provided by Section 16-9-210 and Section 16-9-220.”

Protest Procedure – Any prospective bidder, offeror, or proposer, who is aggrieved in connection with the solicitation document shall protest in writing to the General Manager within ten (10) calendar days of the date of issuance of the Request for Proposal or other solicitation document, whichever is applicable, or any amendment thereto, if the amendment is at issue. Any actual bidder, offeror, or proposer, who is aggrieved in connection with the award of a contract, shall protest in writing to the General Manager within five (5) calendar days of the posting of the Statement of Award. A protest shall be in writing, submitted to the General Manager, and shall set forth the specific grounds of the protest with enough particularity to give notice of the issues to be decided.

Contract Administration – Questions or problems arising after award of this contract shall be directed to the General Manager by calling 803-943-1006. Copies of all correspondence concerning this contract shall be sent to the General Manager, 513 Elm St West, Hampton, SC 29924. All change orders must be authorized in writing by the General Manager. Lowcountry Regional Water System shall not be bound to any change in the original purchase order or contract without prior written approval of the General Manager.

Force Majeure – The person, firm or corporation “Awardee” awarded the contract shall not be liable for any excess costs if the failure to perform the Contract arises out of causes beyond the control and without fault or negligence of the Awardee. Such causes may include, but are not restricted to acts of God or of the public enemy, acts of the Government in its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather; but in every case the failure to perform must be beyond the control and without the fault or negligence of the auditor. If the failure to perform is caused by the default of a subcontractor, and if such default arises out of causes beyond the control of both the Awardee and subcontractor, and without the fault or negligence of either of them, the Awardee shall not be liable for any excess costs for failure to perform, unless the supplies or

services to be furnished by the subcontractor were obtainable from other sources in sufficient time to permit the Awardee to meet the required delivery schedule.

Publicity Releases – The Awardee agrees not to refer to award of this contract in commercial advertising in such a manner as to state or imply that the products or services provided are endorsed or preferred by the Lowcountry Regional Water System. With regard to news releases, only the name of the Lowcountry Regional Water System, type and duration of contract may be used and then only with prior approval of the Lowcountry Regional Water System. The Awardee also agrees not to publish, or cite in any form, any comments or quotes from the Lowcountry Regional Water System Staff, unless it is a direct quote from the General Manager.

South Carolina Law Clause – Upon award of a contract under this proposal, the person, partnership, association or corporation to whom the award is made must comply with the laws of South Carolina, which require such person or entity to be authorized and/or licensed to do business within the State. Notwithstanding the fact that applicable statutes may exempt or exclude the proposer from requirements that it be authorized and/or licensed to do business in this State, by submission of this signed bid, the proposer agrees to subject himself to the jurisdiction and process of the courts of the State of South Carolina as to all matters and disputes arising or to arise under the contract and the performance thereof, including any questions as to the liability for taxes, licenses, or fees levied by the State or its political subdivisions.

Affirmative Action – The successful bidder will take affirmative action in complying with all Federal and State requirements concerning fair employment and treatment of all employees, without regard or discrimination by reason of race, color, religion, sex, national origin, or physical handicap.

Illegal Immigration Reform Act – Title 8, Chapter 14, Act 280: By submittal of this bid, you are certifying that you are in compliance with Title 8, Chapter 14, or that this law is inapplicable to you and your subcontractors.

SECTION 2: SCOPE OF SERVICES

The Lowcountry Regional Water System is soliciting the services of a qualified firm to provide NPDES Permit Renewal Assistance for its existing wastewater discharge permit for the Yemassee WWTP. The existing permit, SC0025950, expires on March 31, 2021. Therefore, LRWS must reapply for a new permit to SCDHEC via ePermitting by October 2, 2020.

A copy of the existing permit is included as Attachment A.

The proposal for NPDES Permit Renewal Assistance shall include all material, labor, and equipment to provide services as may be required and provided for in this request for proposal as described in the following scope of work.

Task 1: Data Review

The Awardee shall be responsible for scheduling a project kick off meeting or conference to coordinate project goals, activities and schedule.

LRWS shall make available to the consultant all DMR for the past 5 years. The Awardee shall notify LRWS of any additional historical data, records, or correspondence that may be required for project initiation.

Task 2: Sampling and Analysis

The Awardee shall be responsible for coordinating all sampling and analysis for completion of the required NPDES permit renewal application.

The Awardee shall provide a proposed sampling schedule for review and approval by LRWS at least 5 business days prior to proposed start of sampling.

The Awardee shall arrange for sample collection containers, sampling instructions and shipping for all samples that are to be collected by LRWS staff.

All samples shall be analyzed by a SCDHEC Certified Laboratory according to the EPA required analytical methods.

Analytical results shall be provided to LRWS in electronic (PDF) format.

Task 3: Preparation of Permit Renewal Application

The Awardee shall be responsible for preparing the required NPDES Permit Renewal Application Forms. The Awardee shall compile historical data, sampling results, maps, schematics and other exhibits needed to complete the forms.

The Awardee shall provide LRWS with a completed application package for review at least 10 business days prior to the submittal deadline.

Upon review and approval by LRWS, the Awardee shall be responsible for submitting the permit application via ePermitting.

Awardee shall be responsible for responding to questions and other inquiries from SCDHEC following submittal of the application, as needed, prior to issuance of a draft permit.

Task 4: Draft Permit Review

Upon receipt of a draft permit from SCDHEC, the Awardee shall assist LRWS by reviewing the permit for errors and proposed modifications to effluent limitations and other permit requirements.

Within 14 days of receipt of the draft permit, the consultant shall prepare a summary memo outlining all proposed permit modifications.

Additional responsibilities may include consultation with LRWS regarding potential permit negotiations and preparation of regulatory correspondence, as needed.

The Awardee shall complete the entire work to the satisfaction of the Lowcountry Regional Water System and in accordance with the specifications herein mentioned, at the price herein agreed upon. Additional work not provided for in this proposal after award shall be negotiated between the Lowcountry Regional Water System and the Awardee.

All the work, labor, supplies and equipment to be performed and furnished under this contract, shall be performed and finished strictly pursuant to, and in conformity with the specifications described herein and any directions of the Lowcountry Regional Water System representatives as given from time to time during the progress of the work, under the terms of this contract.

The Lowcountry Regional Water System or vendor, contractor or supplier may terminate this contract at any given time with a 30 day written notice.

2.1 SUBCONTRACTING

Firms or contractors anticipating subcontracting any portion of this engagement shall so state in their proposal and identify their proposed subcontractor(s). Following the award of the contract, no additional subcontracting will be allowed without express prior written consent of the Lowcountry Regional Water System.

2.2 TIME REQUIREMENTS

The existing permit, SC0025950, expires on March 31, 2021. Therefore, LRWS must reapply for a new permit to SCDHEC via ePermitting by October 2, 2020.

The Awardee shall provide LRWS with a completed application package for review at least 10 business days prior to the submittal deadline.

The Awardee shall be responsible for scheduling sampling activities as needed to meet the submittal deadline. The Awardee shall provide a proposed sampling schedule for review and approval by LRWS at least 5 business days prior to proposed start of sampling

The Lowcountry Regional Water System will have 30 days to make payment on any and all invoices submitted.

SECTION 3: ASSISTANCE TO BE PROVIDED

During the delivery of services, the Awardee may need direction, guidance or approval for specific items or other related issues that may present itself. The Awardee shall contact the Engineer or her designee for assistance, guidance and approval for any issue or problem that may arise.

SECTION 4: PROPOSAL REQUIREMENTS

Interested firms shall submit a proposal package to include project understanding, relevant experience, project team qualifications, projected schedule, and cost proposal. **Provide a concise summary of the following items in letter format.**

1. Project Understanding: Describe your firm's understanding of the project requirements and your approach to successfully completing the project.
2. Relevant Experience: List work completed in the last 5 years that demonstrate relevant experience of your firm, including contact information for references.
3. Project Team: List key personnel for the project, their proposed role on the project team, and their relevant qualifications & experience. **Full resumes of each team member are not required.**
4. Schedule: Provide a schedule for completing Tasks 1 through 3 in the Scope of Work.
5. Cost Proposal: Provide a not-to-exceed lump sum cost for each of Tasks 1 through 3. For Task 4 and other items provided on an as needed basis, provide your firm's current Hourly Rate Schedule.

Include in your proposal package additional attachments as required by this RFP.

Method of Award:

LRWS will select the highest qualified firm and begin negotiations with that firm regarding scope, schedule, and cost of services. If negotiations with the top ranked firm are unsuccessful, LRWS will discontinue the negotiations and begin negotiations with the second highest ranked firm.

4.1 CONTRACT

If your company requires a contract or Statement of Work in addition to the Lowcountry Water System's purchase order, you must provide a sample contract with your proposal.

4.2 INSURANCE

Include a statement that your firm will comply with all the insurance requirements stated in Section 6.

SECTION 5: SELECTION PROCESS AND CRITERIA

The Lowcountry Regional Water System will select the firm or contractor who provides the lowest responsible and qualified proposal. The Lowcountry Regional Water System reserves the right to accept or refuse any and all proposals that may be in the best interest of the Lowcountry Regional Water System.

SECTION 6: INSURANCE

The successful qualified firm or contractor shall procure, maintain, and provide proof of insurance coverage for injuries to persons and/or property damage as may arise from, or in conjunction with, the work performed on behalf of the Lowcountry Regional Water System by the qualified firm or contractor, his agents, representatives, employees or subcontractors. Proof

of coverage as contained herein shall be submitted fifteen (15) days prior to the commencement of work and such coverage shall be maintained by the qualified firm or contractor for the duration of the contract period, for occurrence policies. **Include a statement in your proposal that your firm will comply with these insurance requirements.**

1. Workers' Compensation

Limits as required by the Workers' Compensation Act of SC, to include State's endorsement for businesses outside of SC. Employer's Liability, \$1,000,000.

2. Professional Liability

Minimum limits are \$1,000,000 per occurrence.

Coverage Provisions

1. All deductibles or self-insured retention shall appear on the certificate(s).

2. Lowcountry Regional Water System, its' officers/ officials, employees, agents and volunteers shall be added as "additional insured" as their interests may appear. This provision does not apply to Professional Liability or Workers' Compensation/Employers' Liability.

3. The consultant's insurance shall be primary over any applicable insurance or self-insurance maintained by the Lowcountry Regional Water System.

4. Shall provide 30 days written notice to the Lowcountry Regional Water system before any cancellation, suspension, or void of coverage in whole or part, where such provision is reasonable.

5. All coverage for subcontractors of the consultant shall be subject to all of the requirements stated herein.

6. All deductibles or self-insured retention shall appear on the certificate(s) and shall be subject to approval by the Lowcountry Regional Water System. At the option of the Lowcountry Regional Water System, either; the insurer shall reduce or eliminate such deductible or self-insured retention; or the consultant shall be required to procure a bond guaranteeing payment of losses and related claims expenses.

7. Failure to comply with any reporting provisions of the policy(s) shall not affect coverage provided the Lowcountry Regional Water System, its officers/officials, agents, employees, and volunteers.

8. The insurer shall agree to waive all rights of subrogation against the Lowcountry Regional Water System, its' officers/officials, agents, employees, or volunteers for any act, omission, or condition of premises, which the parties may be held liable due to negligence.

9. The consultant shall furnish the Lowcountry Regional Water System certificates of insurance including endorsements affecting coverage. The certificates are to be signed by a person authorized by the insurance company(s) to bind coverage on its behalf, if executed by a broker, notarized copy of authorization to bind, or certify coverage must be attached.

10. All insurance shall be placed with insurers who are lawfully authorized to do business in the State of SC, and who maintain an A.M. Best rating of no less than an A: VII. If A.M. Best rating is less than A: VII, approval must be received from the Lowcountry Regional Water System.

SECTION 7: OTHER

All inquiries concerning this proposal shall be addressed to:

Kari H. Foy, P.E.
Lowcountry Regional Water System
513 Elm St West
Hampton, South Carolina 29924
Telephone: (803) 943-1006
Fax: (803) 943-1014
E-mail: kari.foy@lowcountrywater.com

Contact with other departments or Lowcountry Regional Water System representatives without permission of the General Manager may render your proposal void.

1350



STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE

**NONRESIDENT TAXPAYER REGISTRATION
AFFIDAVIT INCOME TAX WITHHOLDING**

I-312
(Rev. 4/29/19)
3323

dor.sc.gov

Mail to: The company or individual you are contracting with.

The undersigned nonresident taxpayer hereby certifies as follows:

1. Legal Business Name: _____
2. Trade Name, if applicable (doing business as): _____
3. Mailing Address: _____
4. Federal Employer Identification Number (FEIN): _____
5. Hiring or Contracting with:
Name: _____
Address: _____
- Receiving Rentals or Royalties From:
Name: _____
Address: _____
6. I hereby certify that the above named nonresident taxpayer is currently registered with (check the appropriate box):
 The South Carolina Secretary of State or
 The South Carolina Department of Revenue (SCDOR):

Date of Registration: _____

7. I understand that by this registration, the above named nonresident taxpayer has agreed to be subject to the jurisdiction of the SCDOR and the courts of South Carolina to determine its South Carolina tax liability, including estimated taxes, together with any related interest and penalties.
8. I understand the SCDOR may revoke the withholding exemption granted under Code Section 12-8-550 (temporarily doing business or professional services in South Carolina) or Code Section 12-8-540 (rentals) at any time it determines that the above named nonresident taxpayer is not cooperating with the SCDOR in the determination of its correct South Carolina tax liability.

I hereby certify that I have examined this affidavit and to the best of my knowledge and belief, it is true, correct, and complete. I understand that under SC Code Section 12-54-44 (B)(6)(a), I can be fined and/or imprisoned for furnishing a false statement.

Signature of Nonresident Taxpayer (Owner, Partner or Corporate Officer, when relevant)

Date

If Corporate officer, state title: _____

Print Name

33231028

**INFORMATION
NONRESIDENT TAXPAYER REGISTRATION AFFIDAVIT**

Submit this form to the company or individual you are contracting with.

Do not submit this form to South Carolina Department of Revenue (SCDOR).

PURPOSE OF AFFIDAVIT

A person is not required to withhold taxes for a nonresident taxpayer who submits an affidavit certifying that they are registered with either the South Carolina Secretary of State or the SCDOR.

REQUIREMENTS TO MAKE WITHHOLDING PAYMENTS

Code Section 12-8-550 requires persons hiring or contracting with a nonresident taxpayer to withhold 2% of each payment made to the nonresident where the payments under the contract exceed \$10,000. However, this section does not apply to payments on purchase orders for tangible personal property when those payments are not accompanied by services to be performed in this state.

Code Section 12-8-540 requires persons making payment to a nonresident taxpayer of rentals or royalties at a rate of \$1,200 or more a year for the use of or for the privilege of using property in South Carolina to withhold 7% of the total of each payment made to a nonresident taxpayer who is not a corporation and 5% if the payment is made to a corporation.

33232026

CERTIFICATE OF FAMILIARITY

The undersigned, having fully familiarized himself/herself with the information contained within this entire solicitation and applicable amendments, submits the attached proposal and other applicable information to the Lowcountry Regional Water System, which I verify to be true and correct to the best of my knowledge. I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm or person submitting a bid for the same materials, supplies or equipment, and is in all respects, fair and without collusion or fraud. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid. I further certify that this bid is good for a period of sixty (60) days, unless otherwise stated.

Company Name as registered

Authorized Signature with the IRS

Correspondence Address

Printed Name

City, State, Zip

Title

Date

Telephone Number Fax Number

CONTRACTOR'S LICENSE # _____
(If Applicable)

Remittance Address

E-mail Address (PLEASE PRINT)

City, State, Zip

Telephone Number

Toll-Free Number if available

Federal Tax ID Number

SC Sales and Use Tax Number

ATTACHMENT “A”

NPDES Permit SC0025950
Yemassee WWTP

Issued: March 7, 2016
Effective: April 1, 2016
Modified: November 27, 2018
Corrected: January 14, 2019
Expires: March 31, 2021