

November 20, 2023

INVITATION TO BID

**Request for Proposal
For**

Barnyard Improvement Best Management Practices Projects

I. Background and General Instructions:

Conservation organizations such as Alliance for the Chesapeake Bay, (insert others), and Lancaster Farmland Trust, hereafter, “Buyers”, are partner conservation organizations in the Lancaster Clean Water Partners (Partners) dedicated to the betterment of the central PA watershed region, and Lancaster County in particular. The Partners’ vision is clean and clear water by 2040 for Lancaster and works to achieve that vision by expanding and accelerating the capacity of partner organizations working to restore and sustain healthy waterways in Lancaster

Through the efforts of the Partners, state and federal agencies have collectively committed significantly increased funding or BMP implementation in 2024. The funders have expressed that future funding will be heavily influenced by the degree of success achieved in using the current funding. In order to best use the funding now available, this RFP has been created to identify, as well as possible, the size and scope of work needed in 2024 and obtain commitments from pre-qualified organizations willing to do the work (Bidders).

The RFP is focused on Barnyard Improvements. It is anticipated that a total of XX more or less similar barnyard improvement projects will be implemented in 2024 by the Buyers. This RFP has a focused perspective for the Buyers in 2024 and does not anticipate or represent all the projects for which Bidders might have opportunity to work on, whether with the Buyers or other organizations operating in Lancaster County.

The Partners, on behalf of the Buyers, will facilitate this RFP for that collaborative partnering to occur. The Bidders and Buyers will thereafter work together on a project by project basis to execute the agreements and/or contracts necessary for the implementation of BMPs at each farm. A separate but related RFP will also be issued for Agricultural Engineering services.

We are excited to work with you to collaboratively scope and execute projects with this increased funding as efficiently and effectively as possible.

More information about individual partners (Buyers) can be found here:

Partner websites

<https://lancastercleanwaterpartners.com>

<https://lancasterfarmlandtrust.org>

<https://www.allianceforthebay.org>

II. Bid Participation

The following Request for Proposal (RFP) outlines the requirements and desired BMPs on behalf of the Buyers. Proposals should include a.) a summary of total projects desired for 2024, with minimum and maximum projects if applicable, b) capacity for 2024 that is above and beyond work done in the past, c.) bids for projects listed “ready to go”, and d.) a separate bid and proposal for the anticipated projects not yet read to go.

Interested parties should notify the Partners of interest in order to be invited and included in early informational sessions for potential Bidders.

Initial notification of interest, due within 10 days of this RFP publication, and eventual Bid Proposals, due by December 22, 2023, may each be submitted electronically to John Cox, Senior Advisor, Lancaster Clean Water Partners @ john@lancastercleanwaterpartners.com or by mail @ 1383 Arcadia Rd., Lancaster, PA. 17601. Questions about the RFP should be submitted at that time and will either be handled via a webinar or one on one with interested parties.

Proposals should include a summary of professional qualifications, as well as, a.) total projects desired for 2024, with minimum and maximum projects if applicable, b) capacity for 2024 that is above and beyond work done in Lancaster County in 2023, and c.) a bid and proposal for the anticipated projects.

While the Partners intent is to secure services at the lowest total cost for the Buyers, individual projects will be awarded based on price and non-price factors that provide the best overall value to the Buyers. Non-price factors include contractor availability/timing, ability to comply with and complete required regulatory documentation, and our partner farmers preferences.

Final acceptance of any offer submitted in response to this “Request for Proposal” (RFP) is expressly contingent upon:

1. Vendors must have a valid W-9 form.
2. Vendor must be licensed contractor with the state of Pennsylvania
3. Vendor must be willing to meet prevailing wage requirements when applicable
4. Vendor must carry liability general liability insure of \$1,000,000
5. Vendor bonding as required by project.

W-9, contractor licensing, and proof of insurance **MUST** be submitted along with final pricing. The Partners and/or Buyers have resources available to help prospective Bidders’ complete regulatory documentation. **Partners will not accept any proposals for services hereunder unless they are submitted as prescribed above.**

This is an indicative bid. Bidders should submit their best price for each of the ready to go projects (as a project) and for the listed BMPs that will meet the scope of work for projects that will emerge. It is understood that the scope of some projects, the on site circumstances, and other factors actual project costs may vary in some significant way from what is included in proposals; the parties will cooperate in good faith to determine the fair value of the deviation and adjust final project pricing from that quoted on the RFP response.

It is the intention of the Partners and Buyers to select multiple responsive Bidders for award. Successful Bidders will be prioritized for right of first refusal as projects arise based on several factors in their proposals. The Buyers will favor lower priced bids but projects will be awarded based on price and non-price terms and factors:

1. A significant non-price factor is lead time from project availability to successful to commencement of construction. The goal of this RFP is to have a lead time of 90 days or less for the projects from when all permits, approvals and contracts are in place.
2. The more additional projects that a proposal is anticipated to be able to fulfill than the previous year, and the ability to do more than one project concurrently,
3. The ability to provide reports and documentation in accordance with funding requirements. Prior familiarity and experience with meeting grant reporting requirements is not required for proposals, but having such experience should be identified in proposals.
4. Start-up entrepreneurial entrants into the work who may need help to establish capacity.
5. The opportunity to assist with the Diversity, Equity and Inclusion objectives of the Partners and funders.

III. Description of Desired Services (Scope of Work) and Non-Price Terms

The following describes many, but not necessarily all, of the services, contract terms and specifications you must include in the written response to this RFP and corresponding agreement between the parties.

Bidders are not required to bid all services. Buyers typically will look to one source for project implementation. Partners and Buyers reserve the right to allocate the award across several Bidders based on factors such as contractor availability, local or regulatory requirements, and vendors ability to perform specifically requested jobs. Preference will be given to Sellers who can provide timely responses throughout the year, meet obligations to agencies and funders, and run the project as general contractor or in a lead role cooperatively with other contractors.

A. Scope of Work for BMP's and estimated number of projects to be completed in calendar 2024:

The Buyers anticipate installation of barnyard BMP improvements on potentially 30 -35 farms, some of which are identified currently on the attached Exhibit A, and some of which are yet to be fully identified in 2024. Projects will become available for acceptance by successful bidders when funding is secured for the project, and design, engineering and permitting are complete. The work will be unique to each farm but is likely to most often include:

Excavation - Seeding and Mulching, E&S Control, Cattle Walkway and Access Road, Concrete Heavy Use Area at Barn, Manure Storage (Rectangular or Round), Heifer Roofed Heavy Use Area, Underground Piping

Concrete - Heavy Use Area at Barn, Manure Storage (Rectangular or Round), Heifer Roofed Heavy Use Area, Roof Water Controls, Fencing

It is expected that work will commence when conditions permit in the spring and continue through the fall until conditions are not conducive; a period of about 6 - 8 months beginning March - May and continuing through October to December. Buyers will generally be able to provide directional guidance on timing as funding, design and engineering work progresses.

More details regarding each BMP and unit pricing expectations are included in **Exhibit B** and on the suggested Bid Proposal Sheet. For reference, a full list of the NRCS conservation practice standards can be found at:

<https://www.nrcs.usda.gov/resources/guides-and-instructions/conservation-practice-standards>

For reference, examples of specific practices often found in barnyard work:

<https://www.nrcs.usda.gov/resources/guides-and-instructions/heavy-use-area-protection-sq-ft-561-conservation-practice>

<https://www.nrcs.usda.gov/resources/guides-and-instructions/short-term-storage-of-animal-waste-and-byproducts-cubic-yards-318>

<https://www.nrcs.usda.gov/resources/guides-and-instructions/stormwater-runoff-control-ac-570-conservation-practice-standard>

<https://www.nrcs.usda.gov/resources/guides-and-instructions/stream-crossing-no-578-conservation-practice-standard>

<https://www.nrcs.usda.gov/resources/guides-and-instructions/waste-storage-facility-no-313-conservation-practice-standard>

B. Billing/Payment

1. When submitting projects for acceptance as they are ready for implementation, each Buyer will provide Bidders the specific billing information and terms set by funders for each project.
2. Projects will be paid per the terms of the Buyer. Typically, costs are paid on a reimbursement basis, made on a monthly or quarterly basis, or in one full payment following project completion. A percentage of total payment is generally held until the work has been inspected and deemed satisfactory by the Buyer. Detailed terms are set on a project by project basis.
3. Disadvantaged Business Enterprises (WBO, MBO, etc)/Small Business Owners. The Partners is committed to taking all necessary affirmative steps to assure that minority business, women's business enterprises and labor surplus area firms ("MWSB Vendors") are used whenever possible.
4. Using services and assistance, as appropriate, of such organizations as Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
5. Requiring the prime contractor, if subcontracts used, to take affirmative steps to do the same
6. Bidders must comply with all regional, federal, and local laws and regulations.
7. Vendors will provide signed Non-Collusion agreement and a copy of the companies Safety program
8. Due to funding coming in full or in part for these projects coming from federal and state agencies, the Bidders acknowledge that they can comply with and complete required documents.

Any variations from these specifications must be made in writing.

IV. Pricing and other terms

1. All bids must be submitted in writing or on-line by 12/22/2023
2. Last, best and final prices expected.

3. Bidders should indicate the capacity for constructing the projects included in this RFP in calendar year 2024; this should include a minimum and maximum number of projects and the ability to handle more than one project concurrently.
4. All bids must include the lead time necessary for construction to begin once a Buyer offers a fully engineered project for implementation.
5. Supplier's pricing must remain consistent with that submitted on this RFP.
6. While suppliers pricing must remain consistent with that submitted on this bid, bidders are not required to take all of the listed projects. The Partners will approach the lowest bidders first to discuss deliverables and Bidder's may pass on projects that they can't complete for in-time, in-full, or for some other reason.
7. Partners' and Buyers reserve the right to award all BMP volume to one supplier, or to multiple suppliers based on non-price factors such as contractor availability, lead time, and farmers preferences.
8. Bidders must provide a qualification statement of similar projects/work experience

V. Bid submission

- This is a public request for proposal and bid. Bidders will be assigned a bidder code. Your identity and those of your competitors will not be revealed, nor will the final bid prices. Only you will know your bid code and rank relative to the other bidders.
- All prices should be submitted in US dollars and be valid for 12 months (March 1, 2024 - February 28, 2025).

VI. RFP COMMUNICATIONS

Direct all scope of business questions regarding this RFP to John Cox @ john@lancastercleanwaterpartners.com by 11/28/2023. Questions submitted in this manner will be answered via an online webinar as soon as practical November 30 or after and will be visible to all participants, as deemed appropriate.

Proposals may be submitted electronically to

john@lancastercleanwaterpartners.com

or mailed:

Lancaster Clean Water Partners
1383 Arcadia Rd
Lancaster, PA. 17601

Attn: John Cox re RFP

Exhibit A

Likely Known Barnyard Projects

[Here](#) is a folder that contains information on four farms that are ready for bid. Interested parties will need to request permission to access the folder.

All four projects are Alliance for the Chesapeake Bay. Bids will be submitted with responses to the RFP as outlined in the RFP. When projects are awarded, successful Bidders will work out specific contractual arrangements with ACB.

Questions of a general nature can be addressed at the webinar in early December. Bidders are specifically requested not to contact the design and engineering third party service providers directly. Thereafter, questions will be directed to Mauricio Rosales: mrosales@allianceforthebay.org

**Forward Buy RFP - EXHIBIT B -
Barnyard BMP**

Lead Time: 1.) notification to project specific budget,2.) approval to commencement of construction		1	
ITEM (CONTRACTOR RESPONSIBLE FOR VERIFYING QUANTITIES PER PROJECT)	UNIT	UNIT COST (\$) w/o Prevailing Wage	
EXCAVATION			
SEEDING AND MULCHING	each		
E&S CONTROL	Each		
Stone Base Material (#4s)	tons		
Stone Topper (2A)	tons		
Geotextile	sq.yd		
Slatted Crossing	sq. ft.		
Remove Existing Concrete HUA	sq.ft		
Compacted Fill, Concrete HUA	cu.yds		

**Forward Buy RFP - EXHIBIT B -
Barnyard BMP**

Existing Storage, Solids Removal	each		
Cut - Common Excavation	cu.yds		
#57 Stone Under Concrete Floor	tons		
Compacted Backfill	cu.yds		
Final Grading and Spread Excess Fill On Site	cu.yds		
6" Perf Pipe AND #57 Stone, Rect. Tank Perimeter Drain	ft		
6" SDR 35 Rect. Tank Perimeter Drain Outlet	ft		
4" Perf Pipe, Round Tank Perimeter Drain	ft		
4" SDR 35, Round Tank Perimeter Drain Outlet	ft		
Observation Well with Valves	each		
6" PVC SDR 35, Roof Water Drains	ft		
Infiltration Trench, Roof Water	CF		
6" SDR 35 PVC MH Waste Transfer Pipe	ft		
Animal Guard	each		

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**Forward Buy RFP - EXHIBIT B -
Barnyard BMP**

CONCRETE			
Concrete Testing	each		
Concrete - Flatwork, HUA Lot	cu.yds		
Confinement Fence	ft		
HUA Steel Tube Gates	ft		
Concrete Flatwork and Footers, Reinforced Floor	cu.yds		
Concrete - 8' Walls	cu.yds		
Concrete - Precast Top	cu.yds		
Concrete Flatwork and Footers.- manure storage w/o reinforced floors	cu.yds		
8' High Walls	cu.yds		
Chain Link Fence and Warning Signs	ft		
Concrete Unloading Pad	cu.yds		
Interior Concrete - Flatwork, HUA Lot	cu.yds		
12" Curbs - formed	cu.yds		

6" Curbs - formed	cu.yds		
Confinement Fence	ft		
Roof Structure,' with 2' Overhangs	sq.ft		
Pushoff	sq. ft.		
Tractor Guard	each		
Existing Building - 6" Gutters with Fascia, 3" x 4" Downspouts	ft		