



Department of
Environmental
Conservation

Hudson River
Estuary Program



NEIW PCC

&

NYS DEC Hudson River Estuary Program

REQUEST FOR PROPOSALS

Restoration of Watershed Connectivity and Improved Road Infrastructure

June 2021

NEIW PCC, in cooperation with the New York State Department of Environmental Conservation's (NYS DEC) Hudson River Estuary Program (Estuary Program), is inviting proposals for projects that will help prepare communities to restore aquatic habitat connectivity for herring and eel, reduce localized flood risks, and improve conditions on Hudson River estuary tributaries. Specifically, this RFP is for proposals to create and secure adoption of municipal management plans that:

- a. document barriers to fish movement such as dams and culverts. Culverts will have been identified following the protocol of the North Atlantic Aquatic Connectivity Collaborative (NAACC). Dams may have been identified by the NYS Inventory of dams or by the applicant for unregulated dams.
- b. document constrictions that cause flooding at culverts and bridges,
- c. prioritize sites for mitigation of these environmental impacts, and
- d. add priority sites into municipal hazard mitigation plans, highway department capital plans, and/or comprehensive plans, where feasible. These plans should refer to the Climate Smart Communities Program, as municipalities may be able to claim points through the Culvert and Dam action.

A successful project will engage at least two municipalities. The project will also develop at least three conceptual (30%) construction designs for priority sites for each municipality. The designs must focus on priority sites for flood mitigation and/or habitat. At least two must be focused on high quality stream habitat for fish passage, per municipality. Ultimately, NEIW PCC anticipates these projects will lead to on-the-ground infrastructure projects that replace culverts and bridges with better structures that accomplish aquatic passage and reduced flood risk goals.

Using existing assessments conducted under the NAACC protocol, the funding will help municipalities develop management plans and designs to correct inadequate road-stream crossings and improve community resilience and road infrastructure. The funding may also help municipalities assess road-stream crossings using the NAACC protocol if such assessments have not been done for the entire municipality, provided that a management plan is also developed, and designs are produced to correct inadequate road-stream crossings. If inventory documents have been completed for a municipality but

a full plan has not been developed, applicants may apply to complete the plan and produce engineering designs, however it would be expected that more municipalities would be engaged.

We encourage neighboring municipalities to work together to plan on a watershed scale, especially if they share a tributary to the Hudson in common. Although municipal collaboration is not required, extra points will be awarded in the scoring. The municipal plans and the sites proposed for design will be evaluated to the degree which they offer the potential for both ecological and flood resiliency benefits. Applicants are strongly encouraged to read scoring criteria below before developing a proposal, as site selection and volume of work will greatly influence the scoring. Municipalities, non-profits, tribal governments, and private consultants are eligible to apply.

There is a total of \$100,000 available through this RFP. We anticipate supporting one project to develop plans for two or more municipalities, which include three or more conceptual designs for each municipality (at least six conceptual designs total). Cost effectiveness of the scope and scale of the project is a major factor in the scoring criteria. We encourage applicants to strongly consider the volume of work proposed to the cost, with higher output per cost being rewarded. High quality proposals that go beyond the minimum requirements will receive much higher scores for cost effectiveness.

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I. Overview

NEIWPCC

NEIWPCC is a regional commission that helps the states of the Northeast preserve and advance water quality. We engage and convene water quality professionals and other interested parties from New England and New York to collaborate on water, wastewater, and environmental science challenges across shared regions, ecosystems, and areas of expertise.

Hudson River Estuary Program

The Hudson River Estuary Program helps people enjoy, protect and revitalize the Hudson River estuary. Created in 1987 through the Hudson River Estuary Management Act (ECL 11-0306), the program focuses on the tidal Hudson and its surrounding watershed from the federal dam at Troy to the Verrazano Narrows in New York City. The mission of the Estuary Program is built around key benefits people receive from the results of our work:

A Vital River Ecosystem:

- Sustainable Estuarine Fisheries
- Robust River Habitats
- Clean Hudson River Water

A Thriving Watershed:

- Healthy & Resilient Tributaries
- Resilient Waterfront Communities
- Conserved Natural Areas for Wildlife, Source Water, Climate Resilience, and Scenery

People Living Well with Nature: Recreation, Education and Inspiration:

- An Informed and Engaged Public
- An Accessible Hudson River for People of All Ages and Abilities

The Estuary Program collaborates with many partners: nonprofit organizations, businesses, local governments, state and federal agencies, and interested citizens to deliver these benefits. It develops knowledgeable and effective stewards of the estuary, using an understanding of ecology as a foundation for all its work. The program is guided by New York State's *Hudson River Estuary Action Agenda*—a forward-looking plan developed through significant community participation up and down the river. The Hudson River Estuary Program coordinates with state and federal agencies to achieve real progress by providing technical assistance, grants, contracts, and scientific research to empower citizens and communities to make informed choices.

In recent years, the Estuary Program has put increasing staff effort and program resources into helping communities adapt to climate change while also improving the long-term resiliency of the ecosystem. The project to be implemented through this RFP addresses the tributary conservation goals of the *Hudson River Estuary Action Agenda*, which can be found at: <http://www.dec.ny.gov/lands/5104.html>.

Tributary Conservation

Clean water is vital to all aspects of life in the Hudson Valley, including drinking water for communities, infrastructure for economic growth, clean headwater streams, and estuary waters supporting robust fisheries and recreation. A healthy estuary requires a healthy watershed containing intact riparian corridors, floodplains, wetland complexes, and forests. The Hudson's tributaries contribute essential freshwater and nutrients to the estuary. However, many stressors still affect watersheds and tributaries

-- impervious surfaces, loss of vegetative cover, farm and lawn runoff, failing wastewater systems, barriers to fish movement, water withdrawals, pollutant discharges, and air pollution. Climate change, with more intense rainfall and drought, will impact stream health, aquifer recharge, the availability of water supplies, flooding, and stormwater discharges.

The Estuary Program has provided essential support for watershed planning to address these issues. We have assessed more than half of the stream road crossings, revegetated over 24 miles of tributary stream buffers, supported stream barrier removals, and funded flooding assessments. With our support, watershed groups and other partners have been identifying key stressors, developing plans, and supporting implementation projects in the tributaries. Supporting good watershed protection and restoration principles sustains the tributaries and the estuary, and protects wildlife habitat, human health, and the well-being of people who live here.

This RFP invites applicants to engage with municipalities within the Hudson River estuary watershed and contribute to the restoration of priority stream habitat for flood resilience and fish passage. Although municipalities are the primary target audience, a successful applicant will also involve watershed groups, land trusts, and other nonprofits as partners in deliverables.

Diversity Equity, Inclusion and Justice (DEIJ)

NEIWPC and the Estuary Program recognize the importance and necessity of Diversity Equity, Inclusion and Justice (DEIJ) in the field of environmental conservation. Historically, Black, Indigenous and People of Color (BIPOC) have been under-represented in watershed conservation, protection and restoration efforts, and individuals with disabilities have been underserved by outdoor recreation opportunities. Low-income communities, both urban and rural, have also been historically left out of the environmental decision-making process. Communities with linguistic isolation such as refugee communities are also vulnerable to being left out of environmental conversations. A successful applicant will demonstrate how DEIJ will be addressed in their proposal.

Applicants should refer to NYSDEC's websites and definitions of diversity, equity, inclusion and environmental justice at:

- [Diversity and Inclusion](#)
- [Office of Environmental Justice](#)
- [Diversity Resources in the Outdoors, Science, & Environmental Justice](#)

[NEIWPC's Diversity, Equity, and Inclusion Commitment Statement](#) is available for reference as well.

Project Background: Road-Stream Crossings and Dams

Streams and rivers are long, linear habitats that are vulnerable to degradation and fragmentation. Human infrastructure such as road-stream crossings (bridges and culverts) and dams can serve as barriers to the movement of aquatic and riparian organisms. Migratory fish such as river herring and American eel are especially sensitive to these disconnections as they require access to both aquatic and marine water bodies to successfully reproduce.

In addition to fragmenting aquatic habitat, undersized culverts and bridges may contribute to localized flooding and road washout due to stream flow constriction, which in turn contributes to reduced stream integrity. As described below, dams are also significant barriers to fish and wildlife, as well as financial liabilities and flooding hazards. The Hudson River Estuary Program recommends that assessment of dams be included in the planning process. Flooding from failing dams or from undersized culverts may also affect disadvantaged communities.

To restore aquatic passage and reduce flooding hazards for communities, the Hudson River Estuary Program Culvert Prioritization Project has outlined the following four-step process:

1. Assess artificial aquatic barriers and flood factors at road-stream crossings following the protocol of the North Atlantic Aquatic Connectivity Collaborative (NAACC), add in available information on dams, then create an inventory of assessed sites which ranks them for fish passage and flood resilience.
2. Prioritize sites from the inventory into a municipal management plan.
3. Design replacement structures (or removal) for prioritized crossings.
4. Mitigate priority crossings through construction of fully passable, flood resilient structures.

This RFP addresses step 2 and 3 of this process, for watersheds that have already been inventoried, though additional inventories and assessments may be included in the proposal if a municipality is mostly but not fully inventoried.

The Hudson River Estuary Program has been conducting field assessments of road-stream crossings following the [North Atlantic Aquatic Connectivity Collaborative](#) protocols to support the development of a comprehensive database and has also been cataloguing the presence of dams on tributaries. Approximately 59.7% of the estuary watershed has been assessed as of 2020. A map of the NAACC assessed area is available at the [New York State Water Resources Institute](#) website, which also includes available information on dams. While there is still a need to continue assessment efforts, the greatest current need is for existing assessments to be advanced to management decisions that lead to useful and practical project implementation.

Complete road-stream inventories exist for many watersheds and municipalities and are available through NAACC. The crossings within these inventories are ranked per their passability score or coarse scale aquatic organism passage (AOP) score. Hydrologists at the New York State Water Resources Institute at Cornell University also model these crossings for their ability to successfully pass flood events. Many crossings that are barriers to organisms are also corresponding flooding hazards to communities, and mitigation at these sites is an opportunity for both stream restoration and flood resiliency. Priority mitigation locations and those eligible for design support include crossings that are undersized for flooding and also receive a NAACC evaluation of “Severe” or “Significant”, or an AOP score of “No AOP”.

For municipalities that have already been assessed and inventoried, the next step is to prioritize road-stream crossings and dams into a municipal management plan addressing for fish passage improvement, flood mitigation and other community needs and concerns such as mitigating road damage risks. The result should be a municipal management plan that includes:

- An inventory of all the municipality’s road-stream crossing infrastructure and dams, including information pertinent to mitigating aquatic barriers and flooding hazards.
- A ranking of the highest priority locations,
- Mitigation designs at the conceptual level (30%) for priority sites, and
- An outline of ways the municipality could secure funding for construction.

Designs should support fully passable, flood resilient structures. Guidelines and Best Management Practices on crossings are available on the NYS DEC [website](#), the [New York State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act](#) (page 39), and the [New York State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act Estimating Guideline Elevations](#) (pages 3 &7). The plan should be adaptable and updatable, with a municipality able to refer to it to apply for different funding sources.

Addressing dams:

Because dams are also significant barriers to fish and wildlife, as well as financial liabilities and flooding hazards, the Hudson River Estuary Program recommends that dam assessments be included in municipal management plans, as outlined above.

Although some dams provide a necessary and beneficial use, many dams are obsolete structures that have outlived their design life and are insufficiently maintained. The plan should document municipally-owned dams and note their condition, as well as any documented information related to their maintenance and structural integrity (date of last inspection, inspection findings, hazard class, cost of maintenance, etc.), ecological impact (presence of migratory fish, waterbody classification of the stream), use of the dam (recreational, water supply, utility), and impact to surrounding community (risk of failure downstream, upstream flooding impacts, public/recreational safety hazards). Pictures and maps of these dams are also relevant. Applicants are encouraged to assess private dams as part of this assessment, in addition to the municipally-owned structures.

Key sources of information:

- A kmz file of the New York State Inventory of Dams may be found at the following link: <http://www.dec.ny.gov/maps/nysdams.kmz>.
- More information and guidance for dam owners and the NYS Dam Safety Unit may be found at: <https://www.dec.ny.gov/lands/4991.html>.
A map of currently assessed barriers can be found at: <http://wri.cals.cornell.edu/udson-river-estuary/watershed-management/aquatic-connectivity-and-barrier-removal-culvert-dams>.
The most up to date data for culverts may be downloaded from the NAACC Data Center: https://naacc.org/naacc_data_center_home.cfm.

Other considerations:

Funding for mitigation of aquatic barriers and infrastructure that contributes to flooding can come from a variety of sources. The plan should reference the municipality's current Hazard Mitigation, Capital Plan, Climate Smart Communities Pledge, or Comprehensive Plan, as these may improve the scoring of a project in funding applications for capital projects. The municipal plan may also address other community priorities, such as the age of the infrastructure or importance of the road. The plan can be a stand-alone document or be included in an existing town plan or Natural Resource Inventory that is being updated.

Please note that the scoring system for evaluating proposals favors those locations closer to the Hudson, because these are more likely to have more biologically important barriers for migratory fish such as herring and eel.

One award is expected to be made for up to \$100,000 with a timeline of September 2021- December 2022. Proposed projects must take place within the boundary of the Hudson River Estuary Program. Please visit the Hudson River Estuary Program webpage for a map of eligible project locations.

II. Project Goal

The overall goal of this project is to restore tributaries to free-flowing conditions. This project seeks to improve habitat conditions for aquatic organisms, restore stream ecology function, and reduce flooding hazards to communities. To accomplish this goal, we are soliciting proposals that take a regional approach to restoring aquatic connectivity and reducing flood hazards in multiple municipalities. In addition, NYS DEC and NEIWPCC are committed to the principles of Diversity, Equity, Inclusion, and Justice (DEIJ) and seeks applications which apply these principles.

III. Scope of Work

The project will complete the following, at a minimum, for two or more municipalities. Specifically, projects should include all the necessary items identified below and deliver municipally-focused management plans as the final product. A successful applicant will also outline how the principles of Diversity, Equity, Inclusion, and Justice (DEIJ) will be addressed. Required elements:

- Document barriers to fish movement such as culverts and dams, following the protocol of the North Atlantic Aquatic Connectivity Collaborative (NAACC).
- Document undersized culverts and bridges that cause upstream flooding.
- Identify municipally-owned dams that no longer serve a public purpose - where the dam condition may cause future flooding and/or where removal would significantly benefit aquatic species.
- Prioritize sites for mitigation of these environmental impacts. Priority should be given to mitigation of sites that will benefit migratory fish (herring and/or eel) as well as other aquatic [Species of Greatest Conservation Need](#) that may be present, such as brook trout, and also those that will reduce local flooding hazards for “win-win” multi-benefit solutions.
- Add priority sites into one or more municipally-focused management plans including, municipal hazard mitigation plans, capital plans, and/or comprehensive plans, where feasible. Applicants should refer to the [Climate Smart Communities](#) Program and ensure that plans comply with the recommendations of [Pledge Element 7: Culverts and Dams](#).
- The project will also develop at least three conceptual barrier mitigation construction designs for priority sites per municipality. At least two of the conceptual designs for each community must focus on a high-quality site for fish passage, as defined in the scoring criteria.
- 4 meetings with each municipality and key stakeholders, including a kick-off meeting and a final presentation of findings of the project.
- Completion of quarterly and final project status reports, which require approval by NEIWPC and NYSDEC oversight staff.

Project Tasks

- A. Develop a Quality Assurance Project Plan (QAPP). This project will involve environmental data operations and therefore the contractor is responsible for developing the project QAPP and submitting it to NEIWPC staff for review (see Quality Assurance & Quality Control Requirements on page 11).
- B. Engage stakeholders and community throughout the project duration, including hosting a kick-off meeting describing project goals, involving NYSDEC Hudson River Estuary Program. The kick-off meeting should educate stakeholders on the importance of well-designed road-stream crossings for aquatic connectivity and ecology, water quality, and flood resiliency. A minimum of three additional stakeholder meetings should be scheduled after the kick-off meeting, including a wrap up meeting to present the findings and report to the municipalities. The wrap up meeting must outline possible next steps that applicant and partner municipalities will take to address aquatic barriers in the future. Applicants are also highly encouraged to indicate and suggest a continued follow-up strategy, beyond the limits of the contract, to engage and assist the municipalities with a culvert replacement recommendation. Periodic check-ins with the municipality to continue to implement recommendations, whether by the applicant or partners, will help ensure the overall goals of mitigating aquatic barriers is met.
- C. Rank and prioritize existing road-stream crossings for mitigation by their habitat reconnection potential, NAACC (North Atlantic Aquatic Connectivity Collaborative) barrier ranking, flooding concerns and other community needs. The priorities must refer to the NAACC database inventory of crossings and should note the opportunity to mitigate flooding at those locations. If

necessary, conduct field assessments of all locations where a public road crosses a stream (culverts and bridges). An inventory document should be prepared for use of the highway supervisor and municipal staff. Preliminary results of the prioritization should be shared with NEIWPC and the Hudson River Estuary Program. Prior to the development of any designs, site visits to top locations and an agreement on priority sites must be reached. NAACC protocols will be followed in terms of data collection and quality control. Training can be provided by the NYSDEC Hudson River Estuary Program for applicants who are not trained in the use of this protocol.

- D. Develop conceptual designs and cost estimates for the three or four highest priority road-stream crossings to be mitigated per municipality. Conceptual designs must only focus on “Severe,” “Significant,” and “No aquatic organism passage (AOP)” NAACC scores. The designs (.pdf and paper) should include delineation of the watershed upstream of the barrier, land use characteristics, cost estimates, permitting and a stream restoration plan. More information on fully passable structures can be found here: <http://www.dec.ny.gov/permits/49060.html>. Aquatic passage and ability to convey the 100-year flood (1% annual exceedance probability) must be supported. At least two of the conceptual designs, per municipality, must focus on a high-quality site for fish passage, as defined in the scoring criteria. The other(s) may focus on flooding, fish passage, or both. Applicants must include a consultation with the Estuary Program to review project designs as a task in the timeline/schedule.
- E. Catalog all dams owned by the municipality including: the dam’s hazard class, most recent structural condition rating and maintenance record, and other relevant pertinent information such as impact to localized flooding and stream ecology. Field visits to collect pictures of the dam, upstream and downstream conditions as well as any documented uses are encouraged. Communicate the benefits of dam removal to the municipality and include data in the management plan.
- F. Incorporate all these tasks into a municipally-focused management plan that is provided (digital and paper copies) to the individual municipalities (town boards and highway departments), the Hudson River Estuary Program, NEIWPC, and other relevant stakeholders (e.g., watershed groups). The management plan will prioritize road-stream crossings to benefit migratory fish (herring and eel), identify opportunities for reducing local flooding hazards, and include the designs, and any supporting information and project findings. Additional information may include an inventory of NAACC assessments if created, a map of the study area, data in the form of an ArcGIS geodatabase and Microsoft Excel workbook, and information about the benefits to target species and municipalities. Where feasible, the findings of the study should be incorporated into municipal hazard mitigation plans, capital plans, and/or comprehensive plans to maximize opportunities for securing implementation funds. Municipal management plans will need to be reviewed and approved by NEIWPC and NYSDEC oversight staff before finalization.
- G. Adoption of the management plan by the municipality and incorporation of the plan into existing Hazard Mitigation, Climate Smart Community Pledge, or Comprehensive Plan (if relevant and feasible).
- H. Advance DEIJ in the field of conservation and stewardship by building relationships with traditionally underrepresented groups and individuals or disadvantaged communities, where applicable, or through other measures. While this will remain as a separate task for reporting metrics and adding additional emphasis to the issue, applicants should demonstrate how DEIJ will be addressed. Options might include **but are not limited to**:
 1. Demonstrating inclusion practices which are designed to build trust and involve underrepresented and underserved groups in environmental conservation and stewardship projects such as this one.
 2. Addressing indigenous people and their relationship to the tributaries of the Hudson

3. Demonstrating an institutional commitment to DEI, such as adopting a DEI roadmap, participating diversity celebration months (e.g., Native American Heritage Month, Hispanic Heritage Month, Asian Pacific Heritage Month, Pride Month, Caribbean American Heritage Month, and Black History Month) or other proactive company policy.
 4. Demonstrating how the voices and experiences of unrepresented, underserved or disadvantaged groups or communities will be centered in any outreach or newsletter for the project.
 5. Carrying out other methods which advance DEI goals, such as prioritizing actions which address flooding vulnerabilities affecting disadvantaged communities, where applicable.
 6. Identify how improving and replacing certain road-stream crossing structures will benefit underserved or vulnerable communities, localized neighborhoods conditions, or build resiliency into infrastructure and access during extreme events.
- I. Completion of quarterly and final project status reports. These reports will be required to be provided to NEIWPC and NYSDEC oversight staff for review. Delivery of reports on time and approval by NEIWPC and NYSDEC oversight will be a condition of payment to the selected applicant.

Desired Outcome

The desired outcomes of the project will be, per municipality, a road-stream crossing management plan, at least three conceptual level designs for the priority sites, and the adoption of the management plan by the municipality.

IV. General Guidelines for Applicants

Eligibility

Applicants who are eligible to submit proposals in response to this RFP include: federal (non-EPA), state, local, or tribal government agencies; interstate agencies; private non-profit organizations and institutions; for-profit organizations; and academic or educational institutions. Partnerships are allowed.

Schedule

The project should take no more than 14 months, with all final reports and paperwork received by December 31, 2022. However, it is desirable for projects to be completed earlier.

The schedule* for this RFP is as follows:

Informational Virtual Meeting for Applicants	June 30, 2021 11:00 AM
Proposals Due to NEIWPC	July 30, 2021 12:00 PM (noon)
Applicants Notified of Funding Decisions (subject to change)	August 13, 2021
Detailed Project Work Plans Due	August 27, 2021
Anticipated Project Start Date (subject to change)	September 17, 2021
Quality Assurance Project Plan (QAPP)	To be completed prior to data collection activities
Quarterly Reports	10 th of the month following each quarter's close
Final Report and Deliverables Due to NEIWPC	December 31, 2022

*Schedule is subject to change.

Funding

There is \$100,000 available for this project and it is anticipated that one successful project will be chosen. Proposals with budgets that exceed the identified funding cannot be considered. Awarded funds may be used for expenses specifically related to the proposed project, including wages and consultant fees. Expendable and non-expendable equipment directly related to the proposed project may qualify for funding but requires pre-approval (prior to proposal submission) by NEIWPCC and must be justified in the proposal.

Indirect Cost Policy

NEIWPCC recognizes that in some instances, applicants may have costs that are not directly attributable to projects or activities being funded but that the recovery of those indirect costs is necessary in order to effectively implement the respective projects or activities. In those situations, the following indirect cost policy applies:

- Applicants that do not have a Negotiated Indirect Cost Rate Agreement may charge a maximum indirect rate of 10 percent of direct costs (de minimus rate).
- Applicants (including academic institutions) with a valid Negotiated Indirect Cost Rate Agreement (NICRA) with their cognizant federal agency can charge indirect costs to projects based on their negotiated indirect cost rate, but not to exceed 25% of the direct project cost, whichever is less.
 - A valid NICRA is one in which the effective period has not expired. Applicants must provide a copy of their valid NICRA with their application in order for indirect costs reimbursement to be considered. If the effective period of the NICRA has expired but the grantee has documented evidence (via an indirect cost rate proposal) that they have reapplied for a new rate, the expired rate may be accepted.
 - Where an applicant has a NICRA higher than 25%, the difference may be applied to match if allowable under NEIWPCC's prime agreement with the funding entity.

Match

Although cost share or match is not required, projects providing non-federal cost share or match will receive favorable consideration over projects without cost share or match.

Cost share or match can be satisfied with cash or in-kind services, or a combination of both. Cash contributions are those funds used to purchase goods or services associated with the project. In-kind contributions represent the value of non-cash contributions provided by the applicant. Any contributions must be clearly explained in the proposal and must be documented.

Deliverables

The primary deliverables for this project will be the following:

1. **Quarterly reports** delivered to the NEIWPCC project manager no later than the 10th day of January, April, July, and October during the duration of the project.
2. Approved Quality Assurance Project Plan. See below for additional information about this deliverable.
3. 3-4 conceptual design products, including at least two focused on fish passage (Task D) These deliverables are per municipality (at least six total conceptual designs).
4. A catalog of all municipally owned dams (Task E).
5. Road-Stream Crossing Municipal Management Inventories and Plans (Tasks C and F).
6. **Final Progress Report** to be submitted for review by the project manager (See Contact Information in Section IX) as draft in Microsoft word before being delivered in Adobe .pdf

format as final. The final report must be accompanied by all GIS data (geodatabase or shapefile), and relevant field work related data. Other deliverables such as the designs, dam catalogs, inventory documents, and plans should be submitted and approved prior to the final report. Applicants should be prepared to provide digital and paper copies to the Estuary Program and local partners.

7. **Data** - If data are collected under this grant, the data are expected to be entered into federal, state, or partner publicly accessible data systems. Specifically, the successful applicant must ensure all culvert assessment data developed using NAACC protocols is uploaded to the [NAACC Data Center](#). All data generated should be done so in accordance with a NEIWPC-approv ed Quality Assurance Project Plan.

All deliverables are to be submitted in draft form in Microsoft Word format for review by project partners and approval by the project manager (See Contact Information in Section IX). All final designs, management plans, and reports are to be delivered in Adobe .pdf format upon approval by the project manager.

Quality Assurance & Quality Control Requirements

The NEIWPC- Quality Management Plan requires that Quality Assurance Project Plans (QAPPs) are developed and approved for all projects involving environmental data operations (i.e., collection, analysis, and/or manipulation of environmental data). For projects that involve environmental data operations, the contractor will be responsible for developing the project QAPP and submitting it to NEIWPC- staff for review after the start of the contract period. NEIWPC- will provide guidelines for QAPP development. The QAPP must be approved by the NEIWPC- Project Manager, and the NEIWPC- Quality Assurance Program Manager or his designee prior to any data collection or analysis. If your proposed project will include environmental data operations, development of the QAPP can be completed as a task under this project and should be included in the proposal narrative, timeline, and budget. While preparing your proposal, please account for the additional time and resources necessary for QAPP development. Allow a minimum of 30 days for the development of your QAPP and 60 days for the review and approval of your QAPP by NEIWPC-. It is appropriate for an applicant to utilize or build upon an existing, relevant, approved QAPP if one exists.

For more information about QAPPs, see <http://neiwpc.org/our-programs/assessment-and-research/quality-management/> and <http://www.epa.gov/quality/qapps.html>.

Questions regarding the QAPP process or the necessity of a QAPP for a proposed project should be directed to the NEIWPC- Project Manager (see contact information in Section IX) by June 23, 2021.

Deliverables, Ownership, and Credit Due

All materials, software, maps, studies, reports, and other products or data, regardless of physical form or characteristics, produced as a result of this solicitation and funded, in whole or in part, under an agreement with NEIWPC- shall be made available to NEIWPC- and the Hudson River Estuary Program in the formats in which it is stored or maintained. NEIWPC- and the Hudson River Estuary Program shall have an unrestricted right to use any materials, software, maps, studies, reports, and other products or data generated using assistance funds or specified to be delivered. The contractor shall not obtain, attempt to obtain, or file for a patent, copyright, trademark or any other interest in any such materials, software, maps, reports, and other products or data without the express, written consent of NEIWPC- and subject to any other approvals required by state or federal law. Reports and other deliverables will credit NEIWPC- and the Hudson River Estuary Program for any work completed under the grant award.

Geographic Information System (GIS) Data Requirements

GIS data produced under this project must adhere to the requirements of EPA's National Geospatial Data Policy (see <https://www.epa.gov/geospatial/epa-national-geospatial-data-policy>). Specifically, the selected contractor must provide documentation for all produced data, including source information for each digital data layer (i.e., scale and accuracy, map projection, coordinate system, etc.), and specific information about the data layer itself (i.e., method used, geographic extent of data layer, file format, date of creation, staff contact, description and definition of data fields and their contents, related files, if any, and description of data quality and quality assurance methods used). The EPA Metadata Editor (EME) was developed to simplify and standardize metadata development and is a recommended tool for streamlining production of required metadata. The EME and related training materials can be downloaded from <https://edg.epa.gov/EME/>. Specific technical guidance on geospatial deliverables and acceptable formats can be found at <https://www.epa.gov/geospatial/epa-region-2-gis-deliverables-guidance>. GIS data produced under this project will be submitted to NEIWPC as a deliverable.

Insurance Requirements

NEIWPC requires its contractors (including sole proprietors) to maintain workers compensation and liability insurance. More details will be provided to applicants selected for funding. If you cannot provide proof of insurance, please do not apply for this funding opportunity.

Compliance Reporting Requirements

In addition to the quarterly reporting described above, the successful applicant must submit NYS DEC's "MBE Workforce Employment Utilization Report (Form EO162)" on a quarterly basis. The MBE Workforce Employment Utilization Report shall be submitted by the 6th day after the end of each calendar quarter. NEIWPC will provide copies of forms and instructions with the fully executed contract.

Vendor Responsibility Questionnaire

If at any time during project performance the total compensation to the successful applicant (or its subcontractor) exceeds or is expected to exceed \$100,000, or as otherwise requested by NYS DEC, the successful applicant shall be required to certify and submit a Vendor Responsibility Questionnaire.

Ethics Requirements

The successful applicant and its subcontractors (if any) shall not engage any person who is, or has been at any time, in the employ of the State of New York to perform services in violation of the provisions of the New York Public Officers Law, other laws applicable to the service of State employees, and the rules, regulations, opinions, guidelines or policies promulgated or issued by the New York State Joint Commission on Public Ethics, or its predecessors (collectively, the "Ethics Requirements.") The successful applicant will make sure that its employees and its subcontractors' employees who are former employees of the State of New York comply with all applicable laws and prohibitions.

The State of New York may request that the successful applicant provide it with whatever information the State deems appropriate about each such person's engagement, work cooperatively with the State to solicit advice from the New York State Joint Commission on Public Ethics, and, if deemed appropriate by the State, instruct any such person to seek the opinion of the New York State Joint Commission on Public Ethics. The State shall have the right to withdraw or withhold approval of any subcontractor if utilizing such subcontractor for any work performed as part of the project would be in conflict with any of the Ethics Requirements. The State shall have the right to terminate any agreement resulting from this process at any time if any work performed hereunder is in conflict with any of the Ethics Requirements.

V. Proposal Requirements

Proposals must include a (1) cover letter, (2) title page with abstract, (3) narrative with citations, (4) timeline, (5) budgets (both overall and task-based budget formats), (6) budget justification, (7) description of qualifications, and (8) letters of commitment or support. Page limits for each of these components are provided in the individual descriptions below. Proposals that do not contain all of the information requested and/or do not meet the format requirements may be eliminated from consideration. Pages that exceed the maximum number specified for each section may not be reviewed.

Cover Letter

Please include a one-page cover letter, printed on official letterhead and signed by an authorized representative of the lead agency, firm, or institution, with each proposal. The cover letter must state that:

- You are applying for funds under this program.
- You acknowledge that funding is provided on a reimbursement basis.

Title Page

For your convenience, an electronic version of the title page is available as a Microsoft Word document at <http://neiwpc.org/about-us/working-with-neiwpc/>. The title page must adhere to the format provided in Appendix A and include all of the following information, using a maximum of one single-spaced, one-sided, typed 8.5" x 11" page with 11-point font and 1-inch margins:

- Project Name: Use the exact project name as it appears throughout the proposal.
- Primary Investigator Name and Contact Information: Provide the name, title, and affiliation of the primary investigator, as well as mailing address, phone number, and email address.
- Financial Contact Name and Contact Information (if applicable): Provide the name, title, and affiliation of the individual responsible for financial/contractual negotiations (if different from primary investigator), as well as mailing address, phone number, and email address.
- Project Partners (if any): Provide the names, titles, affiliations, for each of the additional investigators or support staff who will significantly contribute to the project (if any).
- Funds Requested: Provide the amount of money you are requesting from NEIWPC for the project.
- Matching Funds: Provide the amount of matching funds you and/or your partners will be contributing to the project (if any).
- Federal Tax Identification Number (FID)
- DUNS Number¹: A DUNS number is a unique, non-indicative 9-digit identifier that verifies the existence of a business entity globally. Contractors must provide NEIWPC with a DUNS number to comply with an administrative condition of NEIWPC's EPA grant (individuals are exempt).
- Certified Disadvantaged Business Enterprise (DBE): Indicate if your organization is a DBE.
- Project Location Description (City, State): Provide the state and city where of the primary location where work will be completed.

¹ Obtaining a DUNS number is free for all entities doing business with the Federal government. Under normal circumstances the DUNS number is issued within 1-2 business days when using the web form process (<http://fedgov.dnb.com/webform>).

- Project Location Coordinates (Latitude, Longitude): Provide the latitude and longitude coordinates for the primary location where work will be completed.
- Abstract: The abstract must accurately describe the project being proposed and include: (1) the objectives of the project, (2) the methodology to be used, and (3) the expected outputs and outcomes of the project and how it addresses this RFP, including environmental benefits to the Hudson River estuary watershed. **The abstract must fit within the title page.**

Proposal Narrative

The proposal narrative must not exceed 10 consecutively numbered, single-spaced, typed 8.5" x 11" pages with 11-point font and 1-inch margins. The 10-page narrative must include all of the following information:

- **Problem Description:** Briefly describe the project and its relevance to barrier removal and stream restoration efforts in the Hudson River estuary, and the Healthy Tributaries Benefit from the Hudson River Estuary Action Agenda. This section can also include brief background or introductory information.
- **Objectives:** Outline how the project will achieve the goal of this RFP.
- **Methodology:** Outline the project's design and describe the methods and techniques that will be used to meet the project's goal and tasks.
- **Expected outputs and outcomes:** Describe the project's expected outputs and outcomes, and list and describe each of the specific deliverables and end-products.
- Briefly discuss the process to be used to evaluate the effectiveness and success of the project.
- **Roles and Responsibilities:** Define the roles and responsibilities of all project participants.
- **Citations:** Include references as appropriate within the proposal narrative.

Timeline

Provide a detailed timeline for meeting identified tasks and completing deliverables, with a completion date no later than December 31, 2022. **All timelines should be stated in terms of Month #1, #2, #4, etc. rather than specific dates, e.g., "March 5, 2022."** Although the project start date is anticipated to be on or about September 17, 2021, this date may change based on the time the actual agreement is established. The timeline must be no more than one 8.5" x 11" page with 1" margins and 11-point font.

Budget

The project budget must be provided in two formats:

First, provide a complete, detailed budget using the format provided in Appendix B. For your convenience, an electronic version of the budget form is available at <http://neiwpc.org/about-us/working-with-neiwpc/>. The budget must be no more than one 8.5" x 11" page with 1" margins and 11-point font. Along with this budget, provide a brief justification (one page maximum) for the proposed costs in terms of meeting project objectives. Include an explanation of how indirect costs are calculated. Justify subcontracts, if any. Identify and describe current and pending financial resources (including the source) for non-federal cost share or matching funds that are intended to support the project. Entities intending to use a Negotiated Indirect Cost Rate must provide documentation of their rate. This documentation does not count toward the page limit.

Second, prepare a budget that is broken down by project tasks. For your convenience, an electronic version of the budget form is available at <http://neiwpc.org/about-us/working-with-neiwpc/>. **As you develop this budget, keep in mind that contractual payments will be made based on this budget.**

This budget must be no more than two 8.5" x 11" pages with 1" margins and 11-point font. Matching funds should not be included in the task-based budget.

Qualifications

All applicants must designate a team leader and submit, as part of their team qualifications, a resume for the team leader and up to two additional technical support staff showing level of experience and educational background. In addition to the resumes, a short narrative addressing the items listed below should also be included. Any members of the applicant's team that are former employees of New York State need to be listed as such in this section.

The applicant chosen for this project should possess the academic and/or professional expertise and certifications in relevant subject areas and have a strong track record in delivering projects of this nature and facilitating successful working relationships with communities, and municipal and state government.

Applications must include identification of a New York State Licensed Engineer or landscape architect as part of project team. Applicants must be able to demonstrate extensive experience conducting flood mitigation studies, watershed hydrology/hydraulic surveys, review and interpretation of FEMA data and models including HEC-RAS, and knowledge of natural systems as potential flood mitigation features. Applicants should have experience and capacity to conduct and manage effective public meetings. Attention to detail in documenting qualifications that meet the scoring requirements is strongly advised. The qualifications section, including resumes, CVs, descriptions of past projects, etc. must not exceed 3 pages.

Letters of Support

Letters of support addressed to NYS DEC Hudson River Estuary Program to document organizational, state legislative, and/or community support for the project may also be attached. If your project includes matching funds and the match is to be provided by partners, letters of commitment for the match from those partners must be included.

There is no page limit for letters of support.

VI. Submission Process

Proposals must be submitted by no later than **12:00 PM EST (noon) on July 30, 2021**. No late submissions will be considered. Applicants **must submit their proposals electronically** through the NEIWPC website. Unless prior approval is given, proposals received through e-mail, postal delivery, or any other delivery method will not be accepted.

To submit your proposal, go to <http://neiwpc.org/about-us/working-with-neiwpc/contractor-proposal-submissions/> and follow the instructions provided for uploading your file(s). It is highly preferred that the proposal and all supporting information are submitted as a single PDF document. This requires Adobe Acrobat or similar Adobe product (the free Adobe Reader does not allow the conversion of documents into PDF format), or a scanner. If multiple files are to be submitted, you will need to create an archive file (.zip, or .rar) containing all of the files you wish to submit. The file name should be in the following format: "Restoration of Watershed Connectivity NAME OF YOUR ORGANIZATION." Once you have clicked the "submit" button, please allow adequate time for your submission to process and do not hit the back button or close your browser window. The process is not considered complete until you have reached the confirmation page. If submitted successfully, you will receive an email from NEIWPC (mail@neiwpc.org) with the subject line "RFP Submission Confirmation" confirming your submission.

For questions regarding submission of proposals, contact Peter Zaykoski, NEIWPC, pzaykoski@neiwpc.org (978)-349-2522.

Pre-Application Virtual Meeting

A virtual meeting will be held on **Wednesday, June 30, 2021 at 11:00 AM EST** to answer clarifying questions submitted by potential applicants. If you want to participate in the meeting, please send a request to participate to Megan Lung, megan.lung@dec.ny.gov by **12:00 PM on June 23, 2021**. Your request should include: your name, affiliation, email, and phone number, and any questions you would like answered. Only questions submitted by email prior to the meeting will be answered and no additional questions will be answered after the meeting. It is not necessary to submit a question to participate in the meeting. All interested applicants will be contacted by email with details for joining the meeting.

VII. Proposal Evaluation Process

NEIWPC will screen all proposals to ensure that they meet all requirements of this RFP. If a proposal is found to be incomplete, the proposal may be eliminated from the competition and NEIWPC will notify the applicant. To be considered complete, proposals must include all of components described in Section V. Proposal Requirements. Pages in excess of the limits specified for each component may not be reviewed. Complete and eligible proposals will be reviewed by a panel composed of NEIWPC, Hudson River Estuary Program, and DEC staff. Proposals may also be submitted for external peer reviews.

There are 190 total points available. The review team will evaluate the proposals based upon the following criteria:

Technical and review (35 points available)

Applicant should describe in detail the approach that will be used to implement each of the tasks (B-H) identified in this Request for Proposals. Proposals will be evaluated based on the appropriateness and feasibility of the approach and methods for each task. Each of the seven tasks will be worth a maximum of five (5) points.

Points for each task will be assigned as follows:

- Adequate = 1 points: Applicant provides barely enough detail to assess the approach that will be used for the project and/or the appropriateness and feasibility of the approach and methods for each task meet minimum standards.
- Average = 3 points: Applicant provides enough detail to assess the approach that will be used for the project and/or the appropriateness and feasibility of the approach and methods for each task meet industry standards.
- Exceptional = 5 points: Applicant provides enough detail to assess the approach that will be used for the project and/or the appropriateness and feasibility of the approach and methods for each task meet industry standards. In addition, the applicant identifies factors and approaches that indicate a high likelihood of successful implementation and municipal follow-through on completion of the project.
- Inadequate = 0 points: Applicant does not provide enough detail to assess the approach that will be used for the project and/or the appropriateness and feasibility of the approach and methods for each task does not meet minimum standards.

Experience and qualifications (20 points available)

Team experience will be evaluated to ensure that the team 1) meets the minimum criteria listed in the mandatory requirements above and 2) will receive a score based on the following criteria for staff assigned to key functions:

- Experience and success of the team leader conducting the type of work described in the tasks. (5 points)
- Knowledge of assigned stream restoration staff in the principles and importance of aquatic passage as it relates to municipal infrastructure. (5 points)
- Experience and success of the assigned staff in restoration of Aquatic Organism Passage. (5 points)
- Experience and success of the assigned staff in organizing stakeholders and successfully gathering local input. (5 points)

Points will be assigned as follows for each of the above four criteria:

- Adequate = 1 point: The person/people carrying out the assigned function has 1-2 years of experience with that type of task,
- Average = 3 points: The person/people carrying out the assigned function has 3-4 years of experience with that type of task;
- Exceptional = 5 points: The person/people carrying out the assigned function has 5 or more years of experience with the assigned type of task and a track record of successful implementation,
- Inadequate = 0 points: The people carrying out key tasks have less than one year of experience with that type of task.

Watershed Characteristics and Biological Relevance to Hudson Estuary (50 points available)

Characteristics of the watershed being addressed will be evaluated for relevance to the goals of this RFP. The applicant is encouraged to provide supporting information and data in the proposal to be awarded the points. Scoring will be assigned according to the following four criteria:

Selection of municipalities for the development of plans (10 points available):

Points will be awarded based on the degree to which the selection of municipalities will benefit watershed protection:

- The municipalities selected neighbor each other, share a common tributary to the Hudson, and have high quality stream habitats which can be benefited (10 points) **OR**
- The municipalities selected neighbor each other and share a common tributary to the Hudson, but the habitats in the selected municipalities are not of the highest quality (5 points) **OR**
- The municipalities selected neighbor each other but do not share a common tributary to the Hudson (3 points) **OR**
- The municipalities selected do not neighbor each other but do share a common tributary to the Hudson (3 points) **OR**
- The selected municipalities do not neighbor each other and do not share a common tributary to the Hudson (1 point)

Migratory species habitat-Importance of location (15 points available)

Proposals will receive only one score for statements one through five. Proposals will receive the highest relevant score. Municipal dams and road-stream crossings are artificial barriers affecting the movement of migratory fish such as river herring and American eel. American eel are known

to be able to pass barriers such as waterfalls and dams, but each successive artificial barrier reduces their success rate. Therefore, removal of successive barriers is prioritized. River herring are unable to pass artificial barriers and waterfalls. For them, removal of the first artificial barrier is key, and is awarded top points in our priority system

- The project impacts or addresses the first artificial barrier upstream on a Hudson River tributary and removes a barrier to the movement of herring. (15 points) **OR**
- The project impacts or address the first or second artificial barrier upstream on a Hudson River tributary but does not improve habitat for herring. (10 points) **OR**
- The project impacts or address the third artificial barrier on a Hudson River tributary. (5 points) **OR**
- The project impacts or address artificial barriers beyond the third barrier upstream on a Hudson River tributary. (3 points) **OR**
- The project does not address artificial barriers on a Hudson River tributary. (0 points)

Biological Justification-stream quality (10 points available)

Streams providing high quality habitat for other species are also prioritized, such as those supporting species of greatest conservation need and or streams with robust riparian vegetation.

- Stream provides habitat for species of greatest conservation need other than herring and eel and presence is documented with citations from literature or fieldwork studies (10 points) **OR**
- Stream provides habitat for species of greatest conservation need other than herring and eel and presence suggested, but without citations from literature or studies for either American eel or river herring. (5 points) **OR**
- No Presence species of greatest conservation need other than herring and eel (0 points)

Sites selected for conceptual design for flood risk reduction potential (15 points available)

Points will be awarded on a sliding scale based on the degree to which the applicant will commit to likely reduce documented local flood risk in proposed municipalities:

- Proposal provides robust evidence (e.g., documentation, references) to support claims of flood risk reduction potential at sites with critical infrastructure and/or repetitive flooding damage. For example, the proposal might include the results of a hydraulic analysis demonstrating reductions in flood elevations and/or increases in flow conveyance capacity – as well as document that it addresses a FEMA Repetitive Loss Property (https://www.fema.gov/txt/rebuild/repetitive_loss_faqs.txt). (15 points) **OR**
- Proposal provides documentation of flood risk reduction potential but does not mitigate flooding of critical infrastructure or address repetitive flooding issues. (10 points) **OR**
- Proposal suggests mitigating flooding of critical infrastructure or addresses repetitive flooding issues but does not provide adequate documentation. (5 points) **OR**
- No documentation of flood risk reduction is provided, nor does the project mitigate flooding of critical infrastructure or address repetitive flooding issues. (0 points)

Advance DEIJ in the field of conservation (20 points available)

Points will be awarded on a sliding scale based on the degree to which the applicant incorporates DEIJ into proposal, especially with municipal and community outreach.

- The applicant proposes clear, actionable path to address DEIJ specifically for this project (10-20 points) **OR**

- The applicant demonstrates a proactive institutional commitment to DEIJ, but proposes no specifics related to this project (5-10 points)
- The applicant commits to address DEIJ but does not provide clear details for how this will be attained. (0-5 points) **OR**
- The applicant does not address DEIJ (0 points)

Proposal clarity and readability (10 points available)

Overall proposal clarity (sliding scale up to 10 points)

- Is the overall proposal and scope of work clear? (up to 5 points)
- Are clear deliverables described? (up to 5 points)

Local support from stakeholders (15 points available)

Letter(s) of support from all municipalities in the study are required. In addition, points will be awarded for projects which demonstrate strong local support for implementation.

- Letters of support are provided by other stakeholders, such as watershed groups, county agencies, etc. (up to 5 points)
- Commitment to implement any resulting products of the project through a letter of support from the highway supervisor indicating the intent to implement. (up to 5 points)
- Commitment to implement any resulting products of the project through a letter of support from town board indicating the intent to implement. (up to 5 points)

Climate Smart Community (10 points available)

- Municipality has taken the [Climate Smart Community](#) pledge and demonstrates commitment in the proposal to adding the road-stream crossing municipal management plan as an [action](#) in the CSC certification program. (10 points) **OR**
- Municipality has not taken the Climate Smart Community pledge but demonstrates commitment in the proposal to taking the CSC pledge by the end of the grant contract and becoming a CSC certified community and adding the road-stream crossing municipal management plan as a completed CSC action. (5 points) **OR**
- Municipality has not taken the Climate Smart Community pledge but demonstrates commitment in the proposal to taking the pledge by the end of the grant contract. (3 points) **OR**
- Municipality has not taken the Climate Smart Community pledge and does not demonstrate commitment in the proposal to adopting the CSC pledge or becoming a certified CSC community. (0 points)

Cost Effectiveness (30 points available)

The financial evaluation will be based on a sliding scale considering cost effectiveness from the standpoint of cost, balance, value, and justification.

- The project budget is exceptionally cost-effective for the ecological and flood management value provided, is well-balanced and does not contain extraneous expenses. The volume, and/or complexity of work proposed (municipal plans, conceptual designs, watershed size, NAACC assessments, etc.) significantly exceeds that of other proposals and is of a high quality. Funding is accurately justified and described: (16-30 points) **OR**
- The project budget is of average cost-effectiveness, and is appropriate for the complexity and size of the project: (1-15 points) **OR**
- The project budget is not cost-effective, is confusing, is extraneous or excessive, or is not aligned with the project purpose: (0 points-disqualified)

VIII. Notification of Awards

Award notification to applicants is expected by August 13, 2021. Award recipients may be asked to submit a revised work plan, timeline, and budget at this time. Projects cannot start until the contract is signed by both parties. If your project includes environmental data operations, this work may not begin until the QAPP is approved. **Note: NEIWPCC will not pay for expenses incurred prior to the contract start date.** Payment for costs incurred will be on a reimbursement basis per the contract payment schedule and contingent upon completion of quarterly progress reports and project deliverables.

IX. Contacts

NEIWPCC and the Hudson River Estuary Program will accept questions about this RFP by email prior to the WebEx call on June 30, 2021 (questions due to the NEIWPCC Project Manager by June 23, 2021).

For information regarding the application process, contact **Peter Zaykoski**, the NEIWPCC Oversight Officer:

Peter Zaykoski
NEIWPCC
650 Suffolk Street, Suite 410
Lowell, MA 01854
978-349-2522
pzaykoski@neiwpc.org

For information regarding the RFP topic, contact the NEIWPCC Project Manager, **Megan Lung** (**megan.lung@dec.ny.gov**).