Hawai'i State Department of Health | Clean Water Branch

Polluted Runoff Control Program

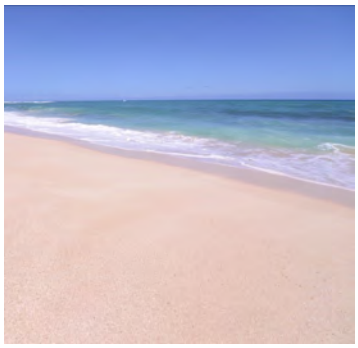
hawaii.gov/doh/pollutedrunoffcontrol

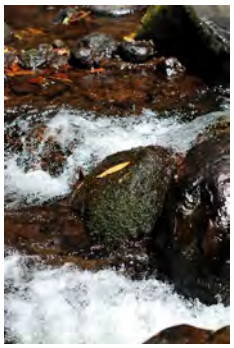
2014 Request for Proposals for Watershed Implementation Projects

Addendum #1

Solicitation No. CWB-PRC 14-01 | December 12, 2014

Proposals Due on or Before February 6, 2015





Department of Health Clean Water Branch | 919 Ala Moana Boulevard Room 301 | Honolulu, Hawaii 96814-4920

Addendum #1:

The original RFP incorrectly stated that there are forty-one (41) priority cesspools identified in the Hanalei Bay Watersheds WBP. Per the plan, there are forty-five (45) priority cesspool locations.

All forty-five (45) priority cesspools identified in the Hanalei Bay Watersheds WBP are investment properties. The State has a strong public interest to not provide taxpayer funds to investment property owners for cesspool swaps, but recognizes that a positive impact on water quality can be achieved by replacing certain vacation rental cesspools. As such, the State will not change the RFP's condition that a minimum of eighty percent (80%) of a proposal's total swapped cesspools shall be owner-occupant properties and a maximum of twenty percent (20%) of investment properties with cesspools shall be eligible for funding. Applicants interested in submitting a proposal for cesspool swaps shall include a component to identify and secure owner-occupant commitments upon award. All other requirements, including property location, reimbursement rates, etc. shall remain the same.

RELEVANT DATES AND DEADLINES

Solicitation Date	**December 15, 2014**
Registration & Inquiry Deadline	**February 4, 2015**
Proposal Submittal Deadline	**February 6, 2015** **3:00 p.m., HST** 919 Ala Moana Blvd., Room 301 Honolulu, Hawaii 96814-4920
Best and Final Offer Discussions (If applicable)	**February 24-25, 2015**
Best and Final Offer Submittal Deadline (If applicable)	**March 13, 2015** **3:00 p.m., HST** 919 Ala Moana Blvd., Room 301 Honolulu, Hawaii 96814-4920
Award Notification	**March 27, 2015**
Contract Commencement Date	**Specified on the State's Notice to Proceed**

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SECTION 1: OVERVIEW AND PURPOSE

1.1 Background and Overview

The State of Hawaii (State), Department of Health (DOH), Clean Water Branch (CWB) Polluted Runoff Control (PRC) Program's mission is to protect and improve the quality of water resources for the enjoyment and use by the people of the State through the prevention and reduction of nonpoint source pollution while balancing health, environmental, economic, and social concerns. To achieve this goal, the PRC funds implementation projects that control or reduce the impact of polluted runoff on water quality.

This Request for Proposals (RFP) shall fund implementation projects described in existing, approved Watershed Based Plans (WBPs) that are located in the Hanalei Bay Watersheds and/or the Nawiliwili Bay Watersheds on the **island of Kaua'i** (see Appendix 1). Proposals from other locations arising out of effective WBPs, Total Maximum Daily Load (TMDL) Implementation Plans, or approved Management Plans will be considered, but there is a preference for implementation projects located in the watersheds mentioned above. Please see Table 1, below, for a list of other eligible watersheds. Please visit the PRC's website at hawaii.gov/doh/pollutedrunoffcontrol to download any eligible plans referred in this RFP.

1.2 Source of Funding

Funding is provided through the U.S. Environmental Protection Agency's (EPA) Clean Water Act (CWA) Section 319(h) Nonpoint Source grants. **This is a reimbursement contract**, in which the awarded Contractor will be reimbursed by the State for eligible costs expended on the project on a quarterly basis.

1.3 Purpose of this RFP

The purpose of this funding is to reduce or eliminate nonpoint source pollution by supporting projects that achieve **water quality improvements** (see Appendix 2) in State watersheds. This RFP shall focus on implementation projects on the island of Kaua'i outlined in these approved WBPs:

- Hanalei Bay Watersheds WBP; and/or
- Nawiliwili Bay Watersheds WBP.

The DOH will fund proposals that **measurably improve water quality**. The following projects are cited in the Hanalei Bay and Nawiliwili Bay WBPs and will receive additional consideration during proposal evaluations.

Hanalei Bay Watersheds WBP

Proposed projects located in the Hanalei Bay Watersheds shall address the following nonpoint source pollutants: Enterococci, Total Phosphorous, and/or Turbidity, as identified in the WBP. Specific projects that the DOH favors are:

- Cesspool Replacement

  This project shall focus on reducing Enterococci, Total Nitrogen, Nitrate + Nitrite, and Total Phosphorous. The awarded contractor shall target a minimum of fifteen (15) cesspools, including some of the forty-five (45) priority investment property cesspool locations listed in the Hanalei Bay Watersheds WBP for cesspool replacement with ATUs, septic tanks, or other valid treatment technology installed in accordance with Hawaii Administrative Rules Chapter 11-62 (HAR 11-62) and the specific conditions listed herein. Rationale for the selected treatment

technology shall be submitted to the PRC prior to every installation and demonstrate an appropriate balance of cost, site location, and expected water quality treatment.

Selected properties shall be located a **maximum** of seven-hundred fifty (750) feet from the nearest waterbody and clustered to provide the greatest positive impact on water quality. A minimum of three (3) feet of separation is required between the bottom of the installed ATU or septic tank and the groundwater table. Percolation rates of the surrounding soil can be no less than two (2) inches per minute. Any ATU installed shall use ultraviolet (UV) disinfection; the use of chlorine as a disinfectant will not be approved.

The State shall contribute fifteen thousand dollars ($15,000) or fifty percent (50%) of the cost to replace each individual owner-occupant's cesspool with an ATU, whichever is **less**. The State shall contribute ten thousand dollars ($10,000) or fifty percent (50%) of the cost to replace each individual owner-occupant's cesspool with a septic tank, whichever is **less**. Cost share for other valid treatment technologies will be evaluated on a case-by-case basis and be dependent on the expected level of wastewater treatment and water quality improvements.

A minimum of eighty percent (80%) of a proposal's total swapped cesspools shall be owner-occupant properties and up to twenty percent (20%) of vacation rentals and other investment properties with cesspools (i.e., any property not designated as owner-occupied) may be eligible for funding. Cesspool replacement proposals shall include a detailed description of how the awarded contractor will identify and verify owner-occupied properties prior to installation.

Properties that are not owner-occupied shall be eligible for a maximum State contribution of seven thousand, five hundred dollars ($7,500) or twenty-five percent (25%) of the cost to replace a cesspool with an ATU, whichever is **less**. Similarly, properties not owner-occupied shall be eligible for a maximum State contribution of five thousand dollars ($5,000) or twenty-five percent (25%) of the cost to replace a cesspool with a septic tank, whichever is **less**. Cost share for other valid treatment technologies will be evaluated on a case-by-case basis and be dependent on the expected level of wastewater treatment and water quality improvements.

All property owners receiving a cesspool replacement shall contribute the remaining amount as match, in cash, to maximize the number of cesspool replacement projects in the watersheds.

Please note that grant funds are not available for Large-Capacity Cesspool (LCC) replacement projects and proposals that include LCC replacement will not qualify for an award. The Contractor shall be required to submit documentation from the US EPA certifying that the proposed cesspool to be replaced is not an LCC prior to beginning construction.

- <u>Feral Ungulate Removal and Ungulate-Proof Fencing Installation</u>
  This project shall focus on reducing Enterococci, Total Phosphorous, and/or Turbidity. The awarded contractor shall install a minimum of two-thousand (2,000) feet of ungulate-proof fencing to prevent direct contact of fecal matter with waterways, and restore stream bank vegetation to reduce additional bacteria and nitrogen loadings and sediment input into the waterways. The proposal may also include an ungulate removal program via hunting practices on allowed lands.

- <u>Constructed Wetlands</u>
  This project shall focus on reducing Enterococci, Total Phosphorous, and/or Turbidity. The awarded contractor shall construct a minimum of five (5) of fifteen (15) wetlands within the

Hanalei and/or Waioli Watersheds at priority locations identified in the Hanalei Bay Watersheds WBP. Constructed wetlands planted with a high density of native sedges will treat and improve used lo‘i water by settling sediments and other solids and bioremediating nutrients via sedges and soil microbes. The constructed wetlands shall be installed near the outlet of lo‘i ditches and allow water to flow through the wetland before it discharges into the receiving waters.

- Livestock Fencing Installation

  This project shall focus on reducing Enterococci, Total Phosphorous, and/or Turbidity. The awarded contractor shall install a minimum of ten-thousand (10,000) linear feet of livestock fencing to control livestock movement and restrict animals from entering riparian zones in the Hanalei Bay Watersheds. Property owners receiving livestock fencing shall contribute a minimum of fifty percent (50%) of the total cost of their fencing installation as match.

Nawiliwili Bay Watersheds WBP

Proposed projects located in the Nawiliwili Bay Watersheds shall address the following nonpoint source pollutants: Enterococci, Total Nitrogen, Nitrate + Nitrite, and/or Turbidity, as identified in the WBP. Specific projects that the DOH favors are:

- Cesspool Replacement

  This project shall focus on reducing Enterococci, Total Nitrogen, and Nitrate + Nitrite. The awarded contractor shall replace a minimum of twenty (20) cesspools with ATUs, septic tanks, or other valid treatment technology in the Nawiliwili Bay Watersheds and installed in accordance with Hawaii Administrative Rules Chapter 11-62 (HAR 11-62) and the specific conditions listed herein. Rationale for the selected treatment technology shall be included with every installation and demonstrate an appropriate balance of cost, site location, and expected water quality treatment.

  Selected properties shall be located a **maximum** of seven-hundred fifty (750) feet from the nearest waterbody and clustered to provide the greatest positive impact on water quality. A minimum of three (3) feet of separation is required between the bottom of the installed ATU or septic tank and the groundwater table. Percolation rates of the surrounding soil can be no less than two (2) inches per minute. Any ATU installed shall use ultraviolet (UV) disinfection; the use of chlorine as a disinfectant will not be approved.

  The State shall contribute fifteen thousand dollars ($15,000) or fifty percent (50%) of the cost to replace each individual owner-occupant’s cesspool with an ATU, whichever is **less**. The State shall contribute ten thousand dollars ($10,000) or fifty percent (50%) of the cost to replace each individual owner-occupant’s cesspool with a septic tank, whichever is **less**. Cost share for other valid treatment technologies will be evaluated on a case-by-case basis and be dependent on the expected level of wastewater treatment and water quality improvements.

  A minimum of eighty percent (80%) of a proposal’s total swapped cesspools shall be owner-occupant properties and up to twenty percent (20%) of vacation rentals and other investment properties with cesspools (i.e., any property not designated as owner-occupied) may be eligible for funding. Cesspool replacement proposals shall include a detailed description of how the awarded contractor will verify owner-occupancy prior to installation.

  Properties that are not owner-occupied shall be eligible for a maximum State contribution of seven thousand, five hundred dollars ($7,500) or twenty-five percent (25%) of the cost to replace a cesspool with an ATU, whichever is **less**. Similarly, properties not owner-occupied shall

be eligible for a maximum State contribution of five thousand dollars ($5,000) or twenty-five percent (25%) of the cost to replace a cesspool with a septic tank, whichever is **less**. Cost share for other valid treatment technologies will be evaluated on a case-by-case basis and be dependent on the expected level of wastewater treatment and water quality improvements.

All property owners receiving a cesspool replacement shall contribute the remaining amount as match, in cash, to maximize the number of cesspool replacement projects in the watersheds.

Please note that grant funds are not available for Large-Capacity Cesspool (LCC) replacement projects and proposals that include LCC replacement will not qualify for an award. The Contractor shall be required to submit documentation from the US EPA certifying that the proposed cesspool to be replaced is not an LCC prior to beginning construction.

- Bank Stabilization and Riparian Restoration
  This project shall focus on reducing Total Nitrogen, Nitrate + Nitrite, and/or Turbidity. The awarded contractor shall stabilize and restore a minimum of three-thousand (3,000) linear feet at the Southern-Mauka fork of the Puali Stream in the Puali Watershed.

- Stormwater Runoff Retrofit for the Puali Watershed
  This project shall focus on reducing Total Nitrogen, Nitrate + Nitrite, and/or Turbidity. The awarded contractor shall install curb cuts, vegetated swales, retention cells, pervious pavement, green roofs, raingardens and/or other stormwater capturing practices on impervious areas of the Kukui Grove Shopping Center and/or the Kaua‘i Community College.

- Agriculture Outreach and Conservation Plan Implementation
  The project shall focus on reducing Total Nitrogen, Nitrate + Nitrite, and/or Turbidity. The awarded contractor shall assist farmers located adjacent to the Papakolea and Hule‘ia Streams in the Hule‘ia Watershed. Agriculture properties located in other Nawiliwili Bay Watersheds and adjacent to waterways are also eligible for assistance. The contractor shall develop conservation plans for agriculture cooperators that emphasize water quality improvements, while maintaining eligibility for any US Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) loan opportunities. The awarded contractor shall also assist the farmers with implementing Best Management Practices (BMPs) and Conservation Practices arising from the conservation plans that specifically address polluted runoff through a cost-share program. Please note that conservation plans developed under this RFP shall be made available to the PRC upon request and reporting the specific site locations of installed BMPs will be required.

1.4 Other Eligible Watersheds

This RFP is emphasizing the implementation of activities in the Hanalei Bay and/or Nawiliwili Bay Watersheds; however proposals to implement projects located in other State watersheds documented in **effective and approved WBPs or TMDL Implementation Plans** will be evaluated (See Table 1, below). The evaluation will take into account the proposed location. Some examples of projects that may receive funding include, but are not limited to, the following:

- Implementation of management measures or best management practices that minimize excessive nutrients and sediment delivered to surface and/or coastal waters;
- Restoration of native vegetation in critical watershed areas such as stream banks and/or riparian corridors, provided that there is a demonstrated improvement in water quality;
- Ungulate control, where ungulates can be directly linked to polluted runoff issues;

- Invasive species removal, where invasive species can be directly linked to water quality issues;
- Expanding the size and scope of an existing 319(h)-funded implementation project, if the existing project measurably demonstrates an improvement in water quality, and the expansion will significantly increase water quality improvements;
- A watershed coordinator to manage a watershed's restoration projects, update existing watershed plans, and coordinate with other watershed groups and/or volunteers to address nonpoint source pollution issues.

Table 1 **RFP CWB 14-01 ELIGIBLE WATERSHEDS***

Kaua'i
- *Nawiliwili Bay Watersheds. Includes: Puali, Hule'ia, and Nawiliwili Stream watersheds*
- *Hanalei Bay Watersheds. Includes: Hanalei, Waikoko, Waipa, and Waioli watersheds*

O'ahu
- *Ala Wai Watersheds. Includes: Manoa-Palolo, Makiki, and Ala Wai watersheds*
- *Ko'olaupoko Watersheds. Includes: Windward O'ahu watersheds from Kualoa to Makapu'u*
- *Kapakahi Stream Watershed*
- *Honouliuli Watershed*
- *Wailupe Watershed*

Maui
- *West Maui Watersheds. Includes: Honokowai and Wahikuli watersheds*

Kaho'olawe
- *Hakioawa Watershed*
- *Kaulana Watershed*

Big Island
- *Waikoloa/Wai'ula'ula Watershed*
- *Pelekane Bay Watershed*

Proposals may include the entire watershed or focus on particular subwatersheds within these areas.
The above-listed WBPs can be found at: www.hawaii.gov/doh/pollutedrunoffcontrol

***Proposals for projects in watersheds not on this list shall not be considered.**

1.5 Eligibility and Award Limitations

All proposals **meeting this RFP's requirements and submission guidelines, and are properly received on or before the deadline**, shall be considered.

Organizations including counties, colleges and universities, State agencies, non-profit entities, watershed groups, for-profit organizations, and environmental groups may submit proposals. Federal agencies can participate in the project, but may not apply for grant funds. Other federal funding or in-kind services from federally funded sources shall not be used for the purposes of matching the grant award, but can be used as evidence of federal support of the project.

There is no minimum dollar amount of funds that can be requested. The maximum requested for any one project shall not exceed $700,000. The amount requested in any proposal budget shall reflect the level of effort, clearly demonstrate anticipated water quality benefits, not exceed 36 months, and shall include mandatory, non-federal matching funds and/or in-kind funds. All projects funded by the 319(h) grant program require a cost-sharing component. For this RFP, the required contribution shall be **1:0.25 (i.e., 25%)**. For example, a request for $400,000 in grant funding requires a minimum of $100,000 of non-federal match.

The Contract term for any project should be targeted for completion by a maximum of thirty-six (36) months (date on the State's Notice to Proceed (NTP) to submittal date of a Final Report). The project schedule shall include two (2) months at the end of the project period for drafting, reviewing and finalizing a Final Report. The Contract's term will commence on the date specified on the State's NTP by the State to the Contractor. Please note that the contracting process requires a significant approval route and can take up to eight (8) months from award to NTP. Requests for extensions from the original Contract termination date may be approved at the sole discretion of the State.

Projects that shall NOT be considered for award include:

- Studies, research, education, and data collection projects that are not part of an implementation project;
- Activities undertaken pursuant to any regulatory requirement, including those associated with National Pollutant Discharge Elimination System (NPDES) permits; and
- Projects located in a watershed that is not listed in Table 1.

SECTION 2: PROPOSAL

The primary purpose of any proposal shall be to reduce nonpoint source pollutants. Proposals shall clearly show that implementation will result in measurable water quality improvements, and clearly link the proposed project with an existing WBP.

2.1 Proposal Format

Proposals must be typed (not handwritten) using 11-point font, 1-inch margins, and be single-spaced. The proposal shall not be longer than thirty-five pages, including attachments (an attached WBP or conservation plan, if applicable as a supporting document, shall not count against the page limit). The proposal shall be written with the intention of providing the State with a clear understanding of the project's purpose, activities, and anticipated outcomes. **Evaluation criteria may be found in Section 3. and Appendix 4**.

2.2 Proposal Submission Requirements

One hard copy marked "Original," stapled and printed one-sided, four additional hard copies, stapled and printed double-sided, and one digital copy of the proposal on compact disc (CD) or digital versatile disc (DVD) shall be submitted in a sealed envelope that is prominently marked "**Proposal Submitted in Response to RFP No. CWB-PRC 14-01 (*Name of Applicant*)**." The digital copy shall be merged into a single electronic document (Microsoft Word file or Adobe .PDF), as opposed to a collection of separate digital documents. Any materials the applicant deems confidential shall be marked "Confidential" and submitted separately, in the quantities and formats listed above. See Section 4.7, below, for more information on Confidential Information.

To facilitate review, documents and attachments should be organized in the following order (applies to both hard copies and digital copy):

- Transmittal Letter with original signature (Attachment 1);
- Cover Sheet (Attachment 2);
- Proposal (formatted per Section 2.1) and meeting all of the requested elements described in Section 2.3 (including "Project Budget," Attachment 3, and "Project Timeline," Attachment 4); and
- Additional relevant attachments, including Certification Forms with original signatures (Attachments 5 through 8), and resumes, letters of support from landowners, project partners, community groups, etc. as applicable.

Soft copies of all Attachments shall be provided to registered applicants upon registration.

2.3 Proposal Elements

1. Overview:
   Provide a concise description of the proposed project and how it will address nonpoint source water pollution and achieve water quality improvements.

2. Project Site Description:
   Briefly describe the project site location. This should include a description of the watershed, the size of the project area, a list of major land owners, existing land cover and usage, physical features of the project area, and any other information to explain the watershed and location of the proposed project.

Explain why the location(s) for the installed project(s) was chosen, and how installation at those specific location(s) aligns with the purpose of the WBP or TMDL Implementation Plan.

A clear map of the project area shall also be included.

3. WBP or TMDL Implementation Plan Context:
Identify a project listed in Section 1.3 above, or propose a project that is included in an accepted WBP or TMDL Implementation Plan listed in Table 1. **Applicants shall provide a specific citation from an accepted WBP or TMDL Implementation Plan that describes the recommended project or activity, and shows that the proposed project is a priority per the respective WBP or TMDL Implementation Plan**. All proposals shall include a water quality rationale for the selected technology or BMP, using the accepted WBP or TMDL Implementation Plan as the basis for the rationale and expected water quality improvements.

4. Scope of Services:
Provide a detailed Scope of Services that identifies and outlines the proposed project activities. Describe in detail all tasks that are necessary to complete the project, and clearly link the tasks or activities to the overall project purpose. Describe in detail how these tasks or activities will be planned, managed, monitored, and completed. Identify appropriate project deliverables. Applicants shall also ascertain any permitting requirements, property access permissions, and other potential bottlenecks. Provide a reasonable estimate of the length of the project.

If the proposed project is a continuation of an existing project (i.e., Phase II, etc.), the applicant shall include evidence that the previously-funded project was a success, show how funding the proposed follow-up project will build upon the prior project's successes, clearly demonstrate a link between the two projects, and provide evidence that there is a need for the project's continuation.

5. Anticipated Outcomes:
Identify which pollutant(s) will be addressed, and clearly explain how the proposed project will reduce these pollutant(s) and improve water quality. **Applicants shall provide estimates of current pollutant loads, and anticipated load reductions arising as a result of the proposed project installation. Describe how pollutant load reduction estimates were calculated (i.e., formula, model, etc.)** (see Appendix 2). Provide a detailed description of how the anticipated outcomes meet restoration and water quality improvement goals in the watershed, as outlined in the respective WBP or TMDL Implementation Plan.

6. Project Monitoring:
Monitoring and evaluation are key components used to demonstrate a project's effectiveness and proposals will be evaluated for effective monitoring activities. Describe the approach for monitoring (or modeling) pre- and post-project installation conditions. This approach should include monitoring targeted pollutants and parameters at the installation's location, and include timing and frequency per a Monitoring Plan, if applicable, and utilizing a Quality Assurance Project Plan (QAPP) or Sampling Analysis Plan (SAP). Inquiries regarding monitoring plans should be made to the PRC Environmental Health Specialist (greg.takeshima@doh.hawaii.gov). The Scope of Services shall include the development of a Monitoring Plan (See Appendix 3) if none is available, and requisite QAPP or SAP. The applicant should be able to clearly show how they intend to demonstrate that the installed project is having a positive impact on water quality and is reducing targeted pollutant loads.

7. Education and Outreach:

Public outreach and education components are required to introduce the public to the issues of nonpoint source pollution and promote the specific project at hand. Outreach and education should also help develop a long-term community investment in the project in order to continue project maintenance beyond the contract term. An effective public outreach campaign can also induce behavior changes to create long-term water quality improvements. More information on public outreach can be found in Appendix 3. Briefly describe the strategy and activities planned to educate and involve the public. Strategies and activities shall address the overall goal of reducing polluted runoff in the affected watershed, as well as promote the specific project at hand. Some examples include: community outreach, workshops, and/or press releases.

8. Personnel and Partners:

Identify the project manager and contact person for this proposal. Include information concerning their educational background, relevant work history, and experience with similar projects to facilitate the completion of the proposed project. Identify partners, including local and State agencies, who will assist in the successful completion of activities proposed. Include a brief statement of the role or contribution the partner will provide and appropriate contact information. A letter of support from each of these partners should be submitted with the project proposal. Letters should confirm any matching funds or services being provided by the partner(s).

9. Budget:

Clearly outline the costs to be met by the grant and matching funds. Budget information should include either a narrative or bullet-points that explain costs, cost categories, and appropriate justifications, as well as tables consistent with information found in the budget (Attachment 3, "Project Budget"). **Provide justification that the cost of implementing the project is reasonable for the benefits anticipated towards improving water quality**. (Please note: Grant funds may not be used to pay for out-of-state travel or for food and/or refreshments, in addition to those specified in EPA 40 CFR Ch.1 (7-1-06 Edition), Part 31.22: Allowable Costs.). Inter-island travel funds shall be calculated using the State's travel rates ($20/day per diem for a single day or $40/day per diem plus lodging when staying overnight). Registered applicants shall receive an electronic copy of a blank Project Budget to facilitate their proposal submission. State General Excise Tax (GET) is reimbursable, as are insurance premiums necessary for the applicant to meet minimum State insurance requirements (see Section 4.9). For FY14, the State's Indirect Rate is 11.7% and the State's Fringe Rate is 41.99%. Applicants do not need to adhere to the State's percentages, but any rate in excess of the State's shall be accompanied by an explanation justifying the overage. Also outline matching funds, and identify the sources of matching funds. **Do not round your budget numbers**.

10. Schedule of Activities:

Using Attachment 4, "Project Timeline," sufficiently outline all tasks and deliverables described in the Scope of Services. Registered applicants shall receive an electronic copy of a blank Project Timeline to facilitate their proposal submission.

SECTION 3: RFP ADMINISTRATIVE OVERVIEW & FORMAT

3.1 Overview and Authority

This RFP is issued under the provisions of Chapter 103D, Hawaii Revised Statutes (HRS). All applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a validly executed proposal by any applicant shall constitute admission of such knowledge on the part of such applicant.

Any contract arising out of this offer is subject to the approval of the Department of the Attorney General as to form, and to all further approvals including the approval of the Governor, required by statute, regulation, rule, order, or other directive.

3.2 Significant RFP Dates

The RFP schedule outlined herein represents the State's best estimate of the schedule that will be followed. If a component of this schedule, such as the Deadline for Submittal of Proposal's date is delayed, the rest of the schedule may be shifted as deemed necessary by the CWB. Should a change in the schedule be made, the list of applicants who have registered with the Procurement Officer shall be notified and an Addendum shall be posted on the PRC website (http://hawaii.gov/doh/pollutedrunoffcontrol). The approximate schedule is as follows:

RFP Solicitation Date	**December 15, 2014**
RFP Registration & Inquiry Deadline	**February 4, 2015**
Deadline for Submittal of Proposals	**February 6, 2015** **3:00 p.m., HST** 919 Ala Moana Blvd., Room 301 Honolulu, Hawaii 96814-4920
BAFO Discussions and Presentations (If applicable)	**February 24-25, 2015**
Deadline for Submittal of BAFOs (If applicable)	**March 13, 2015** **3:00 p.m., HST** 919 Ala Moana Blvd., Room 301 Honolulu, Hawaii 96814-4920
Award Notification	**March 27, 2015**
Contract Commencement Date	**Specified on the State's NTP**

Provided that all required documents have been submitted, the DOH anticipates issuing an NTP by August 2015.

3.3 Procurement Officer and Contact Information

The Procurement Officer, who also serves as the Contract Administrator, is responsible for overseeing the contracts from this RFP release date to project completion. The Procurement Officer is also responsible for monitoring and assessing Contractor performance. The State's CWB Procurement Officer is:

Mr. Alec Y. Wong, P.E., Chief
Department of Health Clean Water Branch
919 Ala Moana Boulevard, Room 301
Honolulu, Hawaii 96814-4920

Phone: (808) 586-4309
Fax: (808) 586-4352
Email: CleanWaterBranch@doh.hawaii.gov

All communication and mail shall be addressed to the Procurement Officer, except in the specific instances noted in this RFP.

3.4 RFP Registration and Inquiries

Applicants intending to respond to this RFP are required to register with Michael Burke, the PRC Grants Management Specialist (michael.burke@doh.hawaii.gov) via email, specifying the contact person's name and include a valid email address. Registration does not commit the applicant to submit a proposal, but will be used as a notification tool while the RFP is open. The deadline to register is **3:00 p.m., HST, February 4, 2015**.

Inquiries regarding this RFP shall be made by **email** to the PRC Grants Management Specialist (michael.burke@doh.hawaii.gov) by **3:00 p.m., HST, February 4, 2015** (no telephone calls will be allowed). In order to facilitate a meaningful response, questions should reference the page and section number to which the questions relate. Should inquiries or responses to inquiries serve to clarify the RFP in a way that would benefit all applicants, the inquiries and responses shall be distributed to all registered parties via blind carbon-copy email, to ensure anonymity but also assist the RFP process for all applicants. Inquiries received after the stated date and time will not be reviewed. The DOH will not be responsible for delays or non-receipt of responses.

3.5 Notification of RFP Amendments or Cancellation

The State reserves the right to amend this RFP at any time prior to the closing date. Furthermore, the State reserves the right to cancel this RFP and to reject any and all proposals in whole or in part, when it is in the best interests of the State. The State shall not be liable for any expenses, loss of profits or damages incurred by an applicant in the event this RFP is cancelled or a proposal is rejected. Amendments or cancellation will be communicated through an Addendum to the RFP, distributed to registered applicants via email, and uploaded to the PRC website.

3.6 Submission of Proposals

Proposals must be **received AND time stamped** by the CWB (whether mailed or hand delivered) no later than **3:00 p.m., HST, February 6, 2015** (see Section 4.3 for contact and mailing information). Any proposals received after the deadline shall be rejected. **Faxed or e-mailed proposals shall not be accepted or considered**.

The outside cover of the sealed envelope containing the proposal shall be clearly marked**:** "**Proposal**

Submitted in Response to RFP No. CWB-PRC 14-01 (*Name of Applicant*)." Failure to properly mark the envelope in this manner may lead to the unintended opening of the proposal before the deadline, and will invalidate the submission. Proposals will not be opened publicly, but shall be opened in the presence of two or more State officials. Proposals may be publicly inspected after award.

Proposals submitted in response to this RFP shall be valid for a minimum of twelve months from the proposal deadline and may not be withdrawn without the written consent of the Procurement Officer.

3.7 Confidential Information

All information, data, or other material provided by the applicant or the Contractor to the State shall be subject to the Uniform Information Practices Act, Chapter 92F, HRS (UIPA). The applicant shall designate in writing to the Procurement Officer the portions of its proposal or any subsequent submittals that are trade secrets or other proprietary data that the applicant desires to keep confidential, subject to Chapter 3-122-58, HAR. The applicant shall state in its communication to the Procurement Officer, the reason(s) for designating the material as confidential. The applicant shall submit the material designated as confidential in such manner that the material is readily separable from the proposal in order to facilitate inspection of the non-confidential portion of the submission.

Pursuant to Chapter 3-122-30, HAR, the head of the purchasing agency or designee shall consult with the State's Attorney General and make a written determination in accordance with UIPA. If the request for confidentiality is denied, such information shall be disclosed as public information, unless the applicant appeals the denial to the Office of Information Practices in accordance with Section 92F-15.5, HRS.

Unless identified as confidential, the information submitted under the RFP may be used by the State for informational purposes and will also be open for public inspection once the RFP process is concluded.

3.8 Disqualification of Proposals

The CWB reserves the right to reject any proposal, in whole or in part, when that proposal is not in the best interests of the State. Any proposal not meeting the guidelines and requirements outlined, or offering terms and conditions contrary to those included in the RFP, may be rejected without further consideration. Additional grounds for disqualification include:

- The applicant's being in arrears on existing contracts with the State or having defaulted on previous contracts;
- Delivery of the proposal after the deadline (**3:00 p.m., HST February 6, 2015**);
- The proposal does not comply with applicable laws, or contains provisions contrary to applicable laws;
- The proposal is conditional or incomplete;
- The applicant's lack of responsibility and cooperation as shown by past work;
- The proposal has provisions reserving the right to accept or reject award, or to enter into a contract pursuant to an award, or provisions contrary to those required in the RFP.

3.9 Award Notification, Required Award Documents, and Compliance

Award(s) shall be made to the responsive, responsible applicant(s) with a proposal determined by the Evaluation Committee (EC) to be the most advantageous to the State based on the evaluation criteria (Section 3, above and Appendix 4, below). The successful applicant, and all unsuccessful applicants, shall receive written notification of the evaluation outcome. **Unsuccessful applicants are encouraged to meet with a representative of the EC to review their application and discuss its defects after award**

notification(s).

The written notification of award does not serve as the State's NTP, which will be issued separately once all award documents and contract approvals have been made. Should the applicant commence work prior to being issued a NTP by the State, the State shall not be held liable for any work, costs, expenses, loss of profits, or any damages incurred by the awarded applicant. **Please note that due to a shortage in staffing, contract execution and an issuance of a NTP can take up to eight months after award**.

Prior to **award**, the applicant shall be registered with the Hawaii Compliance Express (HCE) website and possess a valid Certificate of Vendor Compliance (CVC). The HCE website is: http://vendors.ehawaii.gov/hce/splash/welcome.html. Noncompliance with the CVC requirement may disqualify an award.

It is the responsibility of the awarded applicant to meet all State and local rules and regulatory requirements for their proposal. This includes obtaining appropriate construction permits and environmental assessments related to proposed activities, and access and permission to conduct on-the-ground activities. In addition, the applicant shall meet State insurance requirements for general liability insurance limits (no less than $1,000,000 per occurrence; $2,000,000 in the aggregate), as well as automobile insurance (no less than $1,000,000 per accident). Please note that automobile insurance is mandatory, irrespective of whether the applicant or organization owns an automobile. The applicant shall also meet all EPA requirements, including Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion, Certification Regarding Drug-Free Workplace Requirements, Certification Regarding Lobbying, and Certification Regarding Environmental Tobacco Smoke (Attachments 5 through 7). Registered applicants shall be provided electronic copies of these attachments.

Awarded vendors shall submit to the CWB a signed U.S. Internal Revenue Service (IRS) Form W-9.

3.10 Information Use and Deliverables

Information submitted to the State may be used for other purposes (i.e., reports to the EPA and/or the State legislature, the CWB, PRC, and EPA websites, etc.). Confidential information included in proposals or reports shall be marked "Confidential" to prevent disclosure and shall not be disclosed. Additionally, all photos submitted shall become the property of the State. Work product funded by this award (i.e., water quality monitoring data, GIS information collected, outreach materials produced, educational workshops developed, new technology tools or methods created, etc.) shall be available for use by the CWB, should the agency request such product.

SECTION 4: EVALUATION

4.1 Evaluation Process

The review of proposals received in response to this RFP shall be conducted comprehensively, fairly, and impartially. Quantitative scoring techniques shall be utilized to maximize the objectivity of the evaluation. An EC appointed by the Procurement Officer will review and evaluate all sealed proposals submitted by the February 6, 2015 deadline. The EC will be comprised of individuals with experience and knowledge of the contemplated proposals.

Upon initial eligibility review by the Procurement Officer to insure that all attachments and elements of the proposal have been submitted properly, the eligible proposals will next be evaluated by the EC based on the evaluation criteria indicated in Appendix 4. The State reserves the right to accept or reject any or all proposals, and to waive any defect in any proposal when in the opinion of the State such rejection or waiver will be in the best interest of the State. Once all proposals have been reviewed, the EC will then draft a list of Priority-Listed Offerors (PLOs).

The EC reserves the right to award a contract to a PLO in this phase without further discussions. However, if the EC wishes to engage in discussions with a PLO to clarify their proposals, such discussions shall take place after the list is generated. A date and time shall be set for PLOs to meet with the EC and to submit a Best and Final Offer (BAFO), if required. PLOs shall be permitted to submit an amended proposal and budget as a BAFO based on discussions with the EC. If no BAFO is submitted, the original submitted proposal will be construed by the EC as the final offer.

BAFOs shall be submitted by an identified date and time, and date stamped following the same procedures as outlined in Section 3.6 for the original proposal submission. The sealed envelope shall be marked "**BAFO for RFP No. CWB-PRC 14-01 (*Name of Applicant*)**." BAFOs shall also be formatted per Section 2.1, and submitted per Section 2.2. Submitting page-by-page revisions to the proposal is not acceptable; however, duplicative Certification Forms, Resumes, Letters of Support (if applicable), etc. are not required unless requested by the DOH.

The EC shall reevaluate the BAFOs under the same criteria used to judge the initial proposals. The evaluation process will then be concluded with final award recommendations determined based on the evaluation criteria scoring.

The State reserves the right to accept or reject any or all BAFOs, and to waive any defect in any BAFO when in the opinion of the State such rejection or waiver will be in the best interests of the State. The actual number of awards will depend on the availability of funds through the Clean Water Act, Section 319(h) program grant from the EPA and as further determined solely by the CWB.

4.2 Evaluation Categories and Thresholds

The evaluation process is designed to award a contract to the applicant with the best combination of attributes based upon the evaluation criteria and as outlined in this RFP. The EC will prepare a final ranking and will make the final recommendations for award.

Attachment 1

Transmittal Letter
RFP No. CWB-PRC 14-01

State of Hawaii
Department of Health
Clean Water Branch
919 Ala Moana Boulevard, Room 301
Honolulu, Hawaii 96814

Dear Mr. Wong:

The undersigned has carefully read and understands the terms and conditions specified in this Request for Proposals No. CWB-PRC 14-01 and in the General Conditions (Form AG-008 103D General Conditions), included by reference and made a part hereof and available upon request, and hereby submits the following offer to perform the work specified herein, all in accordance with the true intent and meaning thereof.

It is understood and agreed that the State of Hawaii (State) reserves the right to accept or reject any or all proposals, and to waive any defect in any proposal when in the opinion of the State such rejection or waiver will be in the best interest of the State.

By submitting this proposal, the applicant understands and agrees that:

1. The applicant shall be responsible for meeting and complying with the terms and conditions in the RFP;
2. The applicant is submitting the RFP in good faith for the completion of the work for which the award may be made;
3. The applicant certifies that the application is true and correct to the best of their knowledge; and
4. Should a Best and Final Offer (BAFO) be necessary, this transmittal letter shall also apply to the BAFO proposal submitted.

Sincerely,

_____
Applicant Signature and Date

_____
Print Name and Title

_____
Name of Organization, Agency, or Entity

_____
Contact information (Including Phone, Fax, Email, and Mailing Address)

_____
Contact information (Cont.)

Attachment 2

Cover Sheet

Project Title: _____

Watershed: _____

Targeted Pollutants: _____

_____

_____

Name of Organization: _____

Contact Person & Title: _____

Email Address: _____

Mailing Address: _____

_____

_____

Legal Status of the Applicant
(i.e., For-profit Corporation, Non-profit
Organization, Limited Partnership, etc.): _____

Federal Tax Identification Number: _____

State Tax Identification Number: _____

Total Grant Funds Requested: $ _____

Total Matching Funds Contributed: $ _____

Total Project Cost: $ _____

Project Duration (months): _____

Attachment 3

Project Budget

<Name of Applicant>

<Project Title>

No.	Cost Category	Total Units	Hourly Rate/ Unit Cost	Grant Funds	Match Funds	Total
A.	Personnel Services					
	Project Manager	_____	$ _____/hr	$ _____	$ _____	$ _____
	Project Assistant	_____	$ _____/hr	$ _____	$ _____	$ _____
	Part-Time Workers	_____	$ _____/hr	$ _____	$ _____	$ _____
	Fringe Benefits	_____	$ _____/hr	$ _____	$ _____	$ _____
	Volunteers	_____	$ _____/hr	$ _____	$ _____	$ _____
B.	Travel					
	Airfare (Inter-island)	_____	$ _____/rt	$ _____	$ _____	$ _____
	Car Mileage	_____	$ _____/mi	$ _____	$ _____	$ _____
	Car Rental	_____	$ _____/ea	$ _____	$ _____	$ _____
	Per Diem	_____	$ _____/day	$ _____	$ _____	$ _____
C.	Operating Expenses					
	Office Supplies	_____	$ _____/mo	$ _____	$ _____	$ _____
	Postage	_____	$ _____/mo	$ _____	$ _____	$ _____
	Printing	_____	$ _____/mo	$ _____	$ _____	$ _____
	Utilities	_____	$ _____/mo	$ _____	$ _____	$ _____
		_____	$ _____/mo	$ _____	$ _____	$ _____
		_____	$ _____/mo	$ _____	$ _____	$ _____
D.	Equipment					
		_____	$ _____/ea	$ _____	$ _____	$ _____
		_____	$ _____/ea	$ _____	$ _____	$ _____
		_____	$ _____/hr	$ _____	$ _____	$ _____
		_____	$ _____/hr	$ _____	$ _____	$ _____
E.	Professional Services					
		_____	$ _____/hr	$ _____	$ _____	$ _____
		_____	$ _____/hr	$ _____	$ _____	$ _____
		_____	$ _____/hr	$ _____	$ _____	$ _____
		_____	$ _____/ea	$ _____	$ _____	$ _____
		_____	$ _____/ea	$ _____	$ _____	$ _____
F.	Construction Materials & Supplies					
		_____	$ _____/ft	$ _____	$ _____	$ _____
		_____	$ _____/ft	$ _____	$ _____	$ _____
		_____	$ _____/ea	$ _____	$ _____	$ _____
		_____	$ _____/ea	$ _____	$ _____	$ _____
		_____	$ _____/ea	$ _____	$ _____	$ _____
G.	Other Miscellaneous Expenses					
	Insurance	_____	$ _____/yr	$ _____	$ _____	$ _____
	GET	_____	$ _____/yr	$ _____	$ _____	$ _____
TOTAL				**$** _____	**$** _____	**$** _____

Attachment 4

Project Timeline

The CONTRACTOR shall accomplish the following activities within the timeline indicated from the date on the State's NTP.

Timeline:	Activity:
NTP + __ month	Submit or Conduct
NTP + __ months	Submit or Conduct
NTP + __ months	Submit or Conduct
NTP + __ months	Submit or Conduct
NTP + __ months	Submit or Conduct
NTP + __ months	Submit or Conduct
NTP + __ months	Submit or Conduct
NTP + __ months	Submit or Conduct
NTP + __ months	Submit Draft Final Report
NTP + __ months	Submit Final Report

Attachment 5

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion B Lower Tier Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment Suspension, 7 CFR Part 3017, Section 3017.510: Participant's Responsibilities. The regulations were published as Part IV of the January 30, 1989, Federal Register (Pages 4722-4733).

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

_____	_____
Organization Name	Name and Title of Authorized Representative
_____	_____
Signature	Date

Instruction for Certification

1. By signing and submitting this form, the prospective lower tier participant is providing the certification set out on the reverse side in accordance with these instructions.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this form that should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this form that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion B Lower Tier covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Attachment 6

Certification Regarding Drug-Free Workplace Requirements

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below. This certification is required by regulations implementing the Drug-Free Workplace Act of 1988, 45 CFR Part 76, Subpart F, published in the May 25, 1990 Federal Register, that require grantees to certify in maintaining a drug-free workplace.

2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violated the requirements of the Drug-Free Workplace Act, the agency in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. For grantees other than individuals, Alternate I applies.

4. For grantees who are individuals, Alternate II applies.

5. Workplace under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantees' drug-free workplace requirements.

6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or state highway department while in operation, state employees in each Local unemployment office, performers in concert halls or radio studios).

7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see Paragraph 5).

8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

   Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. S12) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

   Conviction means a finding of guilt (including a plea of note contenders) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

   Criminal drug statute means a Federal or Non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (a) All direct charge employees; (b) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (c) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantees' payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantees' payroll; or employees of subrecipients or subcontractors in covered workplaces).

Alternate I (Grantees Other Than Individuals)

1. The grantee certifies that it will or will continue to provide a drug-free workplace by:

   a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantees' workplace and specifying the actions that will be taken against employees for violation of such prohibition;

   b. Establishing an ongoing drug-free awareness program to inform employees about:

      i. The dangers of drug abuse in the workplace;

      ii. The grantees policy of maintaining a drug-free workplace;

      iii. Any available drug counseling, rehabilitation, and employee assistance programs; and

      iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

   c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by Paragraph a.;

   d. Notifying the employee in the statement required by Paragraph a. that, as a condition of employment under the grant, the employee will:

      i. Abide by the terms of the statement; and

      ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

   e. Notifying the agency in writing, within ten calendar days after receiving notice under Paragraph d.ii. from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

   f. Taking one of the following actions, within 30 calendar days of receiving notice under Paragraph d.ii., with respect to any employee who is so convicted:

i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

iii. Making a good faith effort to continue to maintain a drug-free workplace through implementation of Paragraphs a, b, c, d, e, and f.

2. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, country, state, zip code)

_____

_____

Check [ ] if there are workplaces on file that are not identified here.

Alternate II (Grantees Who Are Individuals)

1. The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

2. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

_____	_____
Organization Name	Name and Title of Authorized Representative
_____	_____
Signature	Date

Attachment 7

Certification Regarding Lobbying
Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

> No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress. In connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
>
> If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form -LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
>
> The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tier (including subcontractors, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form -LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

_____	_____
Organization Name	Name and Title of Authorized Representative
_____	_____
Signature	Date

Attachment 8

Certification Regarding Environmental Tobacco Smoke

Public Law 103-227, Part C – Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to $1,000 per day and/or the imposition of an administrative compliance order on the responsible entity.

By signing and submitting this document the applicant/grantee certifies that it will comply with the requirements of the Act. The applicant/grantee further agrees that is will require the language of this certification be included in any subawards which subgrantees shall certify accordingly.

_____	_____
Organization Name	Name and Title of Authorized Representative
_____	_____
Signature	Date

Appendix 1

WATERSHEDS with APPROVED WATERSHED-BASED PLANS on the ISLAND of KAUAʻI

The Hanalei Bay Watershed consists of four watersheds: Hanalei, Waioli, Waipa, and Waikoko. The Nawiliwili Bay Watershed consists of three watersheds: Nawilili, Puali, and Huleʻia. These seven watersheds have approved watershed-based plans.

Appendix 2

ANTICIPATED OUTCOMES

In order to be awarded a contract, the applicant must demonstrate how the installation of the proposed project will achieve water quality improvements. There should be sufficient detail included in the proposal to show that an improvement in water quality can be accomplished. Anticipated outcomes shall be used to determine and guide the proposed project's efforts and provide a means for measuring success.

Proposals shall include sufficient detail to determine if these outcomes can be achieved, through the use of a monitoring plan, actual water quality or management measure monitoring tasks, and/or educational efforts coupled with an evaluation component. Appropriate milestones shall be outlined to document short-, intermediate-, and long-term progress in reducing nonpoint source pollutants.

The following list of anticipated outcomes should be considered and included in the proposal to evaluate and determine project effectiveness:

- Water quality improvements (quantified with monitoring information);
- Pollutant load reductions anticipated as a result of full project implementation;
- Habitat improvements (enhancement or restoration); and/or
- Behavior changes or actions taken (produced as a part of educational and/or training efforts).

Water quality improvements:

- Water quality standards for a specific pollutant or all pollutants are being met or progress towards meeting standards are documented based on monitoring trends;
- Reduction in the number of beach postings due to elevated bacteria counts;
- Improvement in water clarity (turbidity and/or total suspended solids (TSS) measurements);
- Improvement in the event mean concentration of pollutants associated with stormflow water quality sampling; and/or
- Pollutant reductions (determined using pre- and post-project monitoring, modeling, and/or other evaluation methods).

Pollutant load reductions:

- Reduction in concentration or total loadings of priority pollutants (i.e., nitrogen, phosphorus, sediment/TSS, etc.), measured in their respective units (nitrogen & phosphorous at pounds/year, sediment at tons/year, and bacteria in colony-forming units), as a result of implementing plan recommendations.

Habitat Improvements:

- Area of habitat restored and/or enhanced (linear feet of stream or riparian corridor restored and replanted; acres of invasive plant species removed and natives planted; acres of wetlands restored and enhanced, etc.); and/or
- Habitat quality (as defined by the NRCS), Hawaii Visual Stream Assessment, wetland habitat assessment, and species counts).

Behavior changes:

- The targeted audience's behavior changed in a way that is expected to improve or maintain water quality (i.e., the number or percentage of people implementing appropriate practices in a targeted priority area);

Appendix 2 (Continued)

- The project established provisions to maintain behavior changes beyond the project's timeframe (i.e., funding secured to support efforts beyond project timeframe, availability of continued support from "implementation" stakeholders, monitoring continued after project completed, ordinances in place, decrease in amount of trash collected over time (i.e., less discarded) from community/beach clean ups); and/or
- The behavior change maintained beyond an initial project (i.e., installed structural and/or nonstructural practices maintained and continued; watershed plan updated through adaptive management; additional BMPs installed based on watershed-based plan).

Appendix 3

GENERAL GUIDELINES ASSOCIATED WITH COMMON TASKS & ACTIVITIES

To help prepare proposals, we have provided some general guidelines for common project tasks or activities. This list of potential tasks or activities is not intended to be complete and an appropriate scope of work may require efforts beyond those outlined here.

Best Management Practices (BMPs):

A BMP is a practice, or combination of practices, that are effective and practicable for controlling nonpoint source pollutants at levels compatible with environmental goals. See http://www.epa.gov/owow/nps/MMGI/ or the NRCS electronic Field Office Technical Guide at http://efotg.nrcs.usda.gov/efotg_locator.aspx?map=HI). **For this RFP, appropriate BMPs have been identified in the applicable WBP for the respective watershed, or listed in Section 1.3, above**.

Within the Scope of Work, include a description of the BMPs to be installed, a description of the type and extent of nonpoint source pollution reduction anticipated from the installation of the BMPs, a timeframe for BMP planning, design and installation, how BMP effectiveness will be monitored, and the life expectancy of the BMPs. The general location of BMP installation should be included in the proposal's scope of work and the specific coordinates (latitude and longitude) will be required upon actual BMP installation. **It is critical that appropriate access or permits for BMP installation be considered and addressed prior to submission of the proposal. The DOH will not provide guidance, nor be held accountable for, this responsibility of the Contractor.** Any permit requirements or appropriate partners should also be considered in development of the timeframe mentioned above.

If installing BMPs, the Contractor shall work with appropriate entities to insure that appropriate BMPs are selected and installed correctly. The United States Department of Agriculture (USDA), the NRCS, the local Soil and Water Conservation District(s), the University of Hawaii's Cooperative Extension Service, and/or other agencies and organizations should be consulted, as appropriate, for technical assistance with BMP planning and design. The Contractor shall submit to the DOH, two (2) months prior to the start of any construction activities, construction plans, job sheets, construction schedules, and operation and maintenance (O&M) plans. The DOH shall have one (1) month to comment on the information submitted. The DOH's comments shall be incorporated into the final documents prior to the work commencing.

A copy of the as-built drawings (drawings that show the actual locations and construction details of BMPs installed), if applicable, shall be included in the Final Report. Photo documentation of BMP installation, etc. should be included with the applicable Quarterly Status Report (QSR) as they are being taken, and submitted in total with the Final Report. Upon completion of BMP installation, the Contractor shall notify the DOH and a joint site visit may be scheduled. The Contractor shall document the load reductions, habitat and/or water quality improvements achieved as a result of BMP installation.

Operation and Maintenance (O&M) Plans:

An O&M Plan is important to ensure that the installed BMPs will function as intended for their expected lifetime and potentially extend the functional life of the measure installed. The O&M Plan shall include both short- and long-term information on the operation and maintenance of each BMP installed. Operational information shall include the administration, management, and performance of non-maintenance actions needed to keep the completed installation safe and functioning as planned. For physical measures, the life expectancy shall be a minimum of ten (10) years unless a lesser period of time is determined to be appropriate for the type and purpose of the measure installed using the NRCS or other appropriate Federal, State, or local standards.

A draft O&M Plan shall be submitted to the DOH one (1) month prior to the installation of any physical measures covered by the Plan. The DOH shall have one (1) month to comment on the information submitted. Where possible, the DOH's comments shall be incorporated into the Final O&M Plan. Final O&M Plans shall be submitted with construction plan submittals and with the Final Report.

Project Monitoring:

The DOH seeks to fund projects that can document positive environmental and behavioral results, and improvements in water quality. The DOH requires that all projects include comprehensive monitoring activities sufficient for obtaining baseline data and for evaluating the project's environmental impacts, behavioral changes, and overall effectiveness.

Within the Project Monitoring section, provide a description of monitoring activities to be performed and the quantifiable environmental result(s) to be obtained for each activity. The Monitoring Plan could consist of both traditional water quality monitoring as well as evaluation of information and educational efforts. If a Monitoring Plan is not already available, one should be developed to detail the activities required to document load reductions and habitat and/or water quality improvements achieved during the course of the project. This should include appropriate data quality objectives, sampling rationale, field sampling and procedures, sample documentation, and quality control information (see http://www.epa.gov/owow/monitoring/volunteer/qapp/vol_qapp.pdf for additional information). Viable project monitoring may also include the use of erosion pins, photo-points, vegetative monitoring, etc. to demonstrate the effectiveness of the installed BMPs. Evaluation of information and education project components may include several efforts, such as an increase in nonpoint source pollution awareness or other quantifiable behavior change related to water quality improvement.

The specific Monitoring Plan requirements and format will be determined and provided by the DOH and be dependent upon each respective project. The Monitoring Plan should be submitted during the first quarter of the project period. The DOH shall have one (1) month from receipt of the draft Monitoring Plan to review and provide comments to the Contractor. The DOH's comments shall be incorporated into the Final Monitoring Plan and shall be resubmitted to the DOH within one (1) month from receipt of the DOH's comments. **No monitoring, sampling, or implementation activities are to be started without prior approval of the Monitoring Plan by the DOH**.

Assessment Protocols:

The DOH recommends that projects involving stream assessments, stream water quality monitoring, stream restoration, and/or the installation of stream BMPs include the use of the NRCS Hawaii Stream Visual Assessment Protocol (http://www.hi.nrcs.usda.gov/technical/water_quality.html). The Protocol can, at a minimum, assist in obtaining baseline conditions for the stream or streams impacted by the project. Additional monitoring elements (i.e., water quality monitoring) should also be included, as appropriate.

Public Outreach, Education and Participation Activities:

All projects should require a level of public information, education, technical information transfer, and/or participation activities.

At a minimum, Contractors shall be required to draft and submit two press releases to the local newspaper(s), one at the project's beginning and one at completion.

Appendix 3 (Continued)

Examples of public information, education, and participation activities may include, but are not limited to: public meetings, public outreach participation, displays, field demonstration days, written brochures, project sponsored clean-ups or restorations, handouts, providing instructional resource materials to schools, oral presentations, newspaper articles and/or press releases, videos, websites, and volunteer citizen participation, etc.

For each public information, education, and participation activity, a description of the activity should be included, its purpose, who will be invited to attend, advertising, location, publications or public information materials to be distributed, target audience, timing, desired outcome, what deliverables will be submitted to the DOH preceding and/or following each activity, and how each activity will be monitored and/or assessed. All projects shall include the acknowledgment that the EPA and the DOH funded the project.

Appendix 4

RFP NO. CWB-PRC 14-01 EVALUATION CRITERIA WORKSHEET

Applicant: _____

Project Title: _____

Grant Funds Requested: $0.00

Match Funds Provided: $0.00

Total Project Cost: $0.00

Reviewed By: _____

125 Total Points

Each of the categories will be scored based upon how the proposal addresses priority implementation projects, the clarity and quality of the information provided, and how that information correlates with the water quality goals of the grant and the CWB's mission.

No.	Category	Points
1.	**Overview:**	
	• Briefly describe the activities to be funded	____ of 1
	• Show how the proposed project will address nonpoint source pollution	____ of 2
	• Briefly explain how the proposed project will achieve water quality improvements	____ of 2
	Overview Subtotal:	**0 of 5**
	Comments:	
2.	**Project Site Description:**	
	• Include a description of the project area, land owners, land cover, physical features and other information	____ of 1
	• Adequately explain why the location for the project was chosen	____ of 3
	• Include a clear and legible map of the project area	____ of 1
	Project Site Description Subtotal:	**0 of 5**
	Comments:	
3.	**WBP or TMDL Implementation Plan Context:**	
	• Identify the project listed in Section 1.3 or in an effective WBP on the island of Kauai	____ of 10
	<OR> Identify a specific proposed implementation project from a Table 1 WBP or TMDL Implementation Plan	____ of 1
	• Adequately show that the proposed project is a priority per the respective WBP or TMDL Implementation Plan	____ of 5
	WBP or TMDL Implementation Plan Context Subtotal:	**0 of 15**
	Comments:	
4.	**Scope of Services:**	
	• Provide a detailed scope of services that adequately identifies and outlines the proposed activities	____ of 5
	• Adequately describe in detail all tasks that are necessary to complete the project	____ of 3
	• Clearly link the proposed tasks or activities to the overall project purpose	____ of 8
	• Adequately describe how the tasks will be planned, managed, monitored, and completed	____ of 4
	• Identify appropriate project deliverables	____ of 2
	• Address any permitting requirements, property access permissions, and other applicable bottlenecks	____ of 2
	• If a continuation of an existing project, show past successes and link to the proposed follow-up project	____ of 1
	Scope of Services Subtotal:	**0 of 25**
	Comments:	
5.	**Anticipated Outcomes:**	
	• Identify which pollutant(s) will be addressed	____ of 3
	• Clearly explain how the proposed project will reduce the identified pollutants and improve water quality	____ of 9

5.	**Anticipated Outcomes (Continued):** • Provide estimates of current loads and anticipated reductions as a result of project installation • Explain how load reduction estimates were calculated • Provide a detailed description of how the anticipated outcomes meet water quality goals per the respective WBP	of 5 of 5 of 3
Anticipated Outcomes Subtotal:		**0** **of 25**
Comments:		
6.	**Project Monitoring:** • Adequately describe the approach for monitoring pre- and post-project installation conditions	of 5
Effectiveness Monitoring Subtotal:		**0** **of 5**
Comments:		
7.	**Education and Outreach:** • Briefly describe the strategy and activities planned to educate and involve the public • Are the strategies and activities listed adequate for successful public outreach?	of 5 of 5
Education and Outreach Subtotal:		**0** **of 10**
Comments:		
8.	**Personnel and Partners:** • Are the project manager and contact person identified and include relevant background information? • Identify key partners who will adequately assist in the successful completion of the activities proposed • Include contact information, as well as a brief statement, of the role or contribution of all partners • Include appropriate letters of support from partner organizations	of 2 of 3 of 3 of 2
Personnel and Partners Subtotal:		**0** **of 10**
Comments:		
9.	**Budget:** • Clearly delineate costs to be met by the grant and matching funds • Include clear descriptions of cost categories and provide sufficient justification for costs	of 10 of 10
Budget Subtotal:		**0** **of 20**
Comments:		
10.	**Schedule of Activities:** • Include a schedule of activities that adequately outlines all deliverables described in the Scope of Services	of 5
Schedule of Activities Subtotal:		**0** **of 5**
Comments:		
TOTAL SCORE:		**0** **of 125**

Actual points awarded will follow these general ranges:

- Fully Addressed Criteria: 22-25 points for 25 point criteria; 18-20 points for 20; 9-10 points for 10; 9 points for 9; 5 points for 5
- Partially Addressed Criteria: 8-21 points for 25 point criteria; 6-17 points for 20; 3-8 points for 10; 3-8 points for 9; 2-4 points for 5
- Criteria Not Addressed: 0-7 points for 25 point criteria; 0-5 points for 20; 0-2 points for 10; 0-2 points for 9; 0-1 point for 5