



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF NATURAL AND ENVIRONMENTAL RESOURCES

***REQUEST FOR PROPOSALS FOR CONDUCT A MARINE BEACH ANNUAL SANITARY SURVEY IN
SELECTED BEACHES THAT ARE PART OF THE BEACH MONITORING AND PUBLIC NOTIFICATION
PROGRAM***

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I. GENERAL INFORMATION

A. Introduction

The Department of Natural and Environmental Resources (DNER), is empowered under the Law on Environmental Public Policy Act, No. 416 of September 22, 2004, 12 L.P.R.A. § 8001 *et seq.*, as amended; and of the “Reorganization Plan of the Department of Natural and Environmental Resources of 2018”, Act No. 171-2018, as amended, to promulgate and enforce the environmental regulations approved and amended under them. Also, under Section 8 (A)(17) of Act No. 416-2004, as amended, is empowered to enter into agreements and contracts with any political subdivision, department, agency, authority, public corporation, educational institution or instrumentality of the Government of the Commonwealth of Puerto Rico or the United States of America or any private corporation or entity, with the purpose of obtaining or providing professional or any other services and of obtaining or providing facilities to accomplish the purposes of the Act.

The DNER has the responsibility to implement public policy concerning the protection and conservation of the environment, using the resources necessary to prevent and eliminate damage that might affect it, wise and judiciously.

As result of the amendments to the Clean Water Act (CWA) of 2000, known as the Beaches Environmental Assessment and Coastal Health Act (BEACH Act), the DNER receive federal funds from the Environmental Protection Agency (EPA) to develop and implement the beach monitoring and assessment program. This program is known as the Beach Monitoring and Public Notification Program (BMPNP), and is implemented at frequently used beaches on the main island of Puerto Rico, to

reduce the risk of exposure of recreational beach users to pathogen-caused diseases.

The BEACH Act program focuses on the following three goals:

1. Support the use of sound, up-to-date science in the beach monitoring programs through greater use of beach sanitary surveys, predictive modeling, and rapid methods.
2. Improve communication of public health messages by providing more timely beach water quality information and advisory notifications to the public and other agencies.
3. Support beach programs by facilitating the sharing and transfer of information among beach stakeholders.

To support the first goal of the program, EPA developed the *Marine Beach Annual Sanitary Survey*. A beach sanitary survey is a step toward solving pollution problems through identifying unknown sources of beach contamination. By investigating the beach area and contributing watershed areas, potential pollution impacting a beach can be identified and documented for decision making performed by beach managers and federal and states regulatory agencies.

The DNER is interested in conducting the annual marine beach sanitary surveys following the most recent version of EPA guidance included in the *Marine Beach Sanitary Survey User Manual*, (see Attachment 5) at five selected beaches of the BMPNP.

For this purpose, the DNER requests professional services proposals for conducting the annual sanitary surveys following the EPA guidance included in the *Marine Beach Sanitary Survey User Manual*, at five selected beaches of the BMPNP.

This project will be finance with the funds allocated through the Beach Monitoring and Public Notification Program Grant awarded by EPA.

B. Scope

Conduct annual marine beach sanitary surveys following EPA guidance included in the *Marine Beach Sanitary Survey User Manual*, at six (6) beaches. These six (6) beaches are part of the 35 beaches included in the BMPNP implemented by the DNER. The Table 1 identify the beaches, selected.

Table 1: List of beaches to conduct the Annual Marine Beach Sanitary Survey

Beach Name	Location	Monitoring Station ID	Latitude	Longitude
Tropical Beach	Naguabo	RW-31	18.1869278	-65.7259667
Playa Guayanés	Yabucoa	RW-30	18.0626944	-65.8191944
Playa Muelle de Arecibo	Arecibo	RW-38	18.4792583	-66.7004667
Balneario Manuel Nolo Morales or Sardinera	Dorado	RW-18	18.4746944	-66.2808917
Balneario Crash Boat	Aguadilla	RW-16	18.4576667	-67.163778
Playa Mojacasabe	Cabo Rojo	RW-14A	17.9858100	-67.2145900

C. Eligibility

Academic, public and private organizations, as well as nonprofit organizations may submit proposals. It is required to meet the eligibility requirements of the

Government of Puerto Rico for professional service contracts including but not limited to the requirements included in Section D.

D. General Requirements

As a requirement to be considered and to be able to compete for a professional service contract, proponents must comply with the requirements and conditions indicated below:

1. **Demonstrate economic solvency** - Interested proponents must demonstrate economic solvency to carry out the tasks required to achieve the purposes of the project, since the payment for the services provided will be disbursed after each activity or stage of completion has been satisfactorily completed.
2. **Certification of Conflict of Interest** - Each proponent must submit a written notification of the absence of a conflict of interest between the latter and the DNER. This notification must be completed using the Conflict of Interest Certification form (**Attachment 1: Certification of Conflict of Interest**). As established in Title 40, Part 35.6550 of the Code of Federal Regulations, hereinafter CFR, the proponent must notify to the DNER, in writing, of any actual, apparent, or potential conflict of interest regarding any individual working on a contract assignment or having access to information regarding the contract. This notification shall include both organizational conflict of interest and personal conflict of interest. If a personal conflict of interest exists, the individual who is affected shall be disqualified from taking part in any way in the

performance of the assigned work that created the conflict of interest situation. Any omission or lack of information that is discovered after the contract is awarded will void it and the proponent will be obliged to return any amount of money that has been paid for the services related to the contract. Similarly, under the aforementioned section of the CFR, the proponent, shall not provide data generated or otherwise obtained in the performance of the proponent responsibilities under the contract to any party other than the DNER, the EPA or its authorized agents for the life of the contract, and for a period of five years after completion of the contract.

3. **System for Award Management (SAM)** – The proponent will have to submit evidence of registration and status in SAM.

Before formalizing any agreement and/or contract with the DNER, the proponent will have to submit all the supporting documents and certifications detailed in **Attachment 2: Supporting Documents and Certifications**.

E. Incurred Expenses

Proponents will be responsible for all expenses incurred during the preparation of their proposals. Proposals received in response to this Request for Proposal (RFP) become property of the DNER and will not be returned once submitted for consideration.

F. Contract Period

After the period established in this RFP to submit the proposals, they will be evaluated to determine that they meet **all** the requirements set forth herein. For all proposals that meet these requirements a score will be awarded based on their qualifications, previous experience in similar projects, cost and any other points that the DNER deems relevant during the evaluation (refers to Section III (B)).

The term of the contract will begin from the date on which the contract between the proponent selected and the DNER is signed (formalized) and up to September 30, 2022.

G. Questions and Answers

Any doubt or question related to the RFP must be submitted in writing to the following email: monitoriadeplayas@jca.pr.gov.

Answers to questions will be provided via email and shared with all participants for general benefit, to avoid repetition, and ensure consistency in the response to common questions. The answer issued by the DNER at no time should disclose confidential information of the proponent who asks the question, for that reason it is the responsibility of the proponent to ensure that such information is not included in the text of the question sent to the DNER.

The deadline to submit questions to the DNER via email will be **fifteen (15) business days** prior to the deadline for submitting proposals. The questions received will be answered by email up to **ten (10) business days** prior to the

deadline for submitting proposals. **No questions will be answered personally or by phone.**

H. Proposal Delivery

The proponent who decides to participate must submit one (1) printed original and one (1) compact disc (CD) with a copy of the proposal (PDF or Microsoft Word) to Eng. Ángel Meléndez Aguilar, Manager of the Water Quality Area of the DNER.

The delivery of the proposal will be personally to the following physical address:

Cruz A. Matos Environmental Agencies Building
State Road. 8838 km 6.3, El Cinco Sector.
San Juan, PR 00936

Proposals must be submitted within **forty-five (45) calendar days after** the publication of the RFP environmental notice in one (1) newspaper of general circulation in Puerto Rico, and **no later than 3:00 pm of the aforementioned deadline**. It is recommended to those proponents interested in submitting their proposals to not wait until the last day to submit it. **Proposals will not be accepted via facsimile or via email.**

I. Changes, Amendments or Withdrawal of Proposals

Any change, amendment or withdrawal of the proposal must be submitted in writing, signed by the proponent or its authorized representative and received in our office before the end of the established deadline (**45 calendar days after the**

RFP public notice is published). All changes or amendments to any proposal must comply with the previously established requirements. Once the proposal has been withdrawn, it will not be considered later.

J. Activities Schedule

The table below details the activities and dates that must be met; however, the DNER reserves the right to change them and notify the affected parties, if necessary.

Table 2: Activities schedule

ACTIVITY	DEADLINE
RFP - Public Notice	To be determined
Deadline to submit questions to the DNER via email	Fifteen (15) business days <u>before</u> the deadline to submit the proposal.
Deadline to submit proposals	Forty-five (45) calendar days <u>after</u> the public notice was published.
Deadline to evaluate proposals internally	Forty-five (45) days <u>after</u> the deadline to receive proposals.
Proposal selection	Ten (10) business days <u>after</u> the deadline to evaluate proposals internally.
Notification (via email) of proposal selection	Five (5) business days <u>after</u> selecting the proposal.
Signing of the contract	By agreement with the Office of Legal Affairs of the DNER.

II. INSTRUCTIONS FOR THE PREPARATION OF THE PROPOSAL

A. Content of the Proposal

The proposals to be submitted to the DNER must provide a direct, clear and concise description of the ability of the proponent to meet all the requirements

set forth in this RFP. Also, the proposal must contain in detail the cost per each one of the beaches included in Table 1.

For general benefit, the following section (Section II (B)) includes the scope of the tasks that the proponent interested could perform as part of this RFP.

B. Tasks and Products

1. Prepare work plan and time schedule

a. Establish a detailed work plan and time schedule to carry out the following phases of the project:

i. Planning – gather, review, and evaluate pertinent information required to complete the annual marine beach sanitary survey.

ii. Implementation – complete the annual marine beach sanitary survey following the *Marine Beach Sanitary Survey EPA Manual* (EPA-820-B-13-001), and complete the form EPA 820-F-13-007 - Marine Beach Annual Sanitary Survey (or latest version) for each one of the beaches identified in Section (I)(B).

iii. Monthly Progress Reports

iv. Final Reports - considered up to one month for submit final report and deliverable.

2. Carry out the annual sanitary survey and complete the latest version of the form EPA 820-F-13-007 for each one of the beaches identified in Section (I)(B).
 - a. Procedures and methods to meet the objectives
 - i. The procedures and methods must meet the requirements included in the EPA Marine Beach Sanitary Survey User Manual.
 - ii. Latest version of form EPA 820-F-13-007 Marine Beach Annual Sanitary Survey.
3. Prepare Monthly Progress Reports, Final Report, and Deliverables
 - a. Monthly Progress Reports
 - i. Monthly progress reports must be submitted electronically (PDF format) including:
 - A detail description of the activities performed during the time period reported. Include visual documentation such as: photograph or videos taken in order to document the activities performed or information used to complete the annual marine sanitary survey for each one of the beaches included as part of this project.

- This report must include but not limited to the following information:
 - ✓ Comprehensive datasets - e.g. these should include water quality data, watershed information, weather conditions and physical characteristics as well as any other information of desired parameters and associated metadata (Excel Spreadsheets) used for complete the annual marine beach sanitary survey for each one of the beaches included as part of this RFP.
- A detailed of the cost per beach incurred during the time period reported.

b. Final Report

- i. The Final Report must be submitted within 30 days of completion of all the activities performed in order to complete the annual marine beach sanitary survey at each beach identified in Section (I)(B).
 - This report must include but not limited to the following information:
 - ✓ Comprehensive datasets - e.g. these should include water quality data, watershed information, weather conditions and physical characteristics as well as any other information of desired parameters and associated metadata (Excel

Spreadsheets) used for complete the annual marine beach sanitary survey for each one of the beaches included as part of this RFP.

c. Deliverables

- i. Maps in GIS Shapefile format and KML format including but not limited to: water quality monitoring stations, meteorological stations, possible pollution sources, including the metadata.
- ii. Include visual documentation such as: photograph or videos taken in order to document the activities performed or information used to complete the annual marine beach sanitary survey for each one of the beaches included as part of this RFP.
- iii. The contractor will submit monthly invoices for the activities performed during the period of time included. All invoices must include a progress report for the corresponding period of time claimed. The DNER will process the invoices once they have been received and verified by DNER technical personnel. The proponent will only have the right to claim for those activities completed at the time of billing. Invoices and receipts submitted must be original and detailed.

C. Elements of the Proposal

Any proposal submitted to the DNER must include the elements described in this section in the order indicated here. **Any incomplete proposal will be disqualified by the DNER.** The proposal must address the following points in a concise but complete manner and offer all the necessary information for its evaluation:

1. Presentation Page

Each proposal must contain the cover page included in **Attachment 3: Presentation Page**. Any proposal that is not signed will not be accepted.

2. Table of Contents

Each proposal must include a Table of Content to facilitate the localization of the information included in the proposal.

3. Project Scope

Provide a comprehensive, precise and detailed description of the service to be provided and the work that will be performed in order to meet the goals of the project. This description must include the following sections.

a. Experience, Personnel Qualification and Certifications

This section should describe the experience of key personnel working on the project. Include the resume of the key personnel such as: Project Leader, Principal Investigator and other collaborators. The resume must

include the education, licenses, registrations, relevant experience, contact information and certifications that qualify them for the tasks to be performed.

b. Functions and responsibilities

Define the roles and responsibilities of all project participants.

c. Methodology

Narrative account of the proposed details, methods, and strategy, to be used to address each of the elements of the proposed scope of services clauses included in Section II (B) Tasks and Products.

d. Project Schedule

Include a detailed timetable, with milestones, products, reporting and/or specific projects activities.

e. Subcontractors

For the DNER, the main contractor will be responsible for carrying out the activities established under the contract. In the event that the contractor subcontracts people and/or companies, the DNER will not establish in any way obligations or requirements to the subcontractor. All responsibility falls directly with the contractor and will be with whom the DNER maintains communication and corresponding actions.

The proponent must identify in this section all the tasks or works that will be subcontracted. In addition, the subcontractors to be used must be identified.

f. Proposed Budget

Each proponent must submit a proposed budget using the structure provided in **Attachment 4: Proposed Budget**. For this project the contractor must submitted the detail budget for each one of the beaches included in Table 1. No other format will be accepted. For each budget category that do not involve charges, the number “0” must be entered. If the proponent identifies any cost category not included in the attachment, it must be included at the end of the table under “Others Category”. In addition, a justification for each category of the proposed budget must be included.

The proponent will submit at least quarterly invoices for the activities performed during the period of time included. All invoices must include a progress report. The DNER will process the invoices once they have been received and verified by DNER technical personnel. The proponent will only have the right to claim for those activities completed at the time of billing. Invoices and receipts submitted must be original and detailed.

4. General Documentation

Submit the evidence of the documents referred to in Section I (D), which are: the proof of economic solvency, the conflict of interest certification, and System for Award Management (SAM) status.

D. Proposal Format

Proposals submitted for consideration must follow the format and order of presentation provided in Section II (C). The presentation page (**Attachment 3**) must be signed. The proposal must be printed on a computer using Time New Roman or Calibri font size 12, 1½ spaced, and in letter size (8½ x 11 inches) paper. It should be bound in three (3) rings. The pages of the proposal must be numbered consecutively, and each section must have a page divider. Promotional materials should not be included.

E. Use and Disclosure of Confidential Information

All information received, obtained by, or to be submitted to the DNER, will be available to the public for inspection and copying, except when it has been marked or identified as confidential and the DNER has determined that the information is in fact confidential. The DNER will consider confidential only the information that adversely affects the competitiveness of the proponent providing the information.

Any proponent submitting information to the DNER may claim confidentiality for all or part of the information submitted by means of a written statement that sets forth all the specific reasons that justify that determination. If, when the information is submitted to the DNER, it is not accompanied by a confidentiality claim, the information will be considered public and may be subject to public review without prior notification to the proponent submitting the information. If it is requested by EPA, all the proposal submitted may be subject to their review,

including the confidential information submitted by the proponent as part of the proposal.

III. SELECTION AND EVALUATION OF THE PROPOSAL

A. Evaluation Process

The purpose of establishing an evaluation process is to ensure that the selection of the proposal is free from prejudice and conflict of interest and that each proposal is evaluated impartially and on its merits. Therefore, an Evaluation Committee, designated by the Secretary of the DNER, as established in the applicable DNER's Administrative Order, will evaluate and score the proposals according to the criteria established in Section III (B) (Evaluation Criteria). All proposals will be evaluated in the order in which they are received. Each member of the Committee will independently evaluate all the proposals and complete an evaluation sheet in which they will award a score according to the established evaluation criteria. The Committee will then meet and discuss the scores awarded to each proposal. Proposals that reach the first three highest scores will be compared to determine the one that best meets the established needs and requirements. Proposals will be evaluated based on the information provided therein and not based on inferences. During the evaluation process, references may be requested regarding the satisfaction of the work performed by the proponent under evaluation.

B. Evaluation Criteria

Proposals that meet all requirements of this application will be evaluated by the DNER's Evaluation Committee. The criteria that will be used to evaluate proposals are the following:

- 10% Format (including the General Requirements required in Section I (D))
- 25% Methodology
- 15% Project Schedule
- 25% Proposed Budget
- 25% Experience, Personnel Qualification and Certifications

C. Doubt Clarification

The DNER may require proponents to clarify any element included in the proposal.

D. Selection Notification

All proponents will be notified via email, of the selected proposal.

E. Other Special Conditions

DNER, in its sole discretion, reserves the right to cancel this RFP for any reason. If the DNER cancel the RFP, all potential contractors will be notified in writing.