

**NEW YORK STATE
DEPARTMENT OF AGRICULTURE AND MARKETS**

Ecosystem Based Management

**New York Great Lakes Road Stream Crossing Assessment
Project**

REQUEST FOR PROPOSALS (RFP)

**Funds to assess the potential of road stream crossings for flooding and fish passage in the
New York Great Lakes Basin.**

TABLE OF CONTENTS

Boundaries for Eligible Projects Map	3
Proposal Submission Requirements	4
Questions and Answers	4
General Program Information	4
Eligibility	5
Project Costs	6
Proposal Format	6
Project Evaluation and Scoring	7
Awards	7
Agreements	7
Payment	8
Reporting Requirements	8
Liability	9
Freedom of Information	9
Other Considerations	9
NYS Office of Parks, Recreation and Historic Preservation Requirements	9
NYS Environmental Quality Review Act Requirements	9
Debriefing	9
Workers' Compensation and Disability Requirements	10
Registration Requirements for Applicants	10
Application	12
Ecosystem-Based Management Principles	17
Appendix (Proposal Evaluation Score Sheet)	18

TIMELINE

Release RFP	February 3, 2017
Deadline for Questions	March 17, 2017
Final Questions and Answers Posted	March 24, 2017
Deadline for Proposals	March 31, 2017
Announce and Award Grants	June 2017

PROPOSAL SUBMISSION REQUIREMENTS

Proposals for funding under the Ecosystem Based Management New York Great Lakes Road Stream Crossings Assessment Project Grants **must be submitted through the NYS SWCC SharePoint by 4:30 p.m. local time on March 31, 2017** to be considered for funding.

Applicants, and not computers or servers, are responsible for the timely submission of proposals. *Proposals received after the scheduled date and time will not be accepted.* Faxed, mailed or e-mailed proposals will not be accepted.

QUESTIONS AND ANSWERS

Prospective applicants with questions concerning this RFP should present those questions to:

Lauren Prezorski
New York State Department of Agriculture and Markets
10 B Airline Drive
Albany, NY 12235
(518) 457-3738 (phone)
Lauren.prezorski@agriculture.ny.gov

Applicants should note that all clarifications are to be resolved prior to the submission of a proposal. A list of questions about the RFP, answers to those questions as well as any addenda to the RFP, will be added to the Frequently Asked Questions Documented posted on Sharepoint along with the electronic version of this RFP and other program attachments. Questions and responses will be posted starting no February 24, 2017 through March 24, 2017. All questions and answers shall be incorporated into the RFP as a formal addendum.

1. GENERAL PROGRAM INFORMATION

1.1 Introduction

This Request for Proposals (RFP) applies to proposals submitted for funding consideration from the Environmental Protection Fund (EPF) Ocean and Great Lakes Initiative (Ecosystem Based Management).

The New York State Department of Agriculture and Markets (Department) and the New York State Soil and Water Conservation Committee (State Committee) invites Soil and Water Conservation Districts to submit proposals for funding under the Ecosystem Based Management (EBM) Program. Funds are available for completing road stream crossing assessments following the North Atlantic Connectivity Collaborative (NAACC) Assessment protocol within high priority sub-watersheds of the New York portion of the Great Lakes Watershed.

1.2 Background Information

Throughout New York, undersized and poorly placed road stream crossings serve as barriers for fish passage and other aquatic organisms. These barriers are also hazards during storm and flood events, and require more maintenance. Improperly sized and placed culverts

can cause flooding, damaging or limiting access to private lands and potentially causing losses of crop land and other public and private infrastructure, while also reducing biodiversity and water quality. It is well recognized at the State-level that Soil and Water Conservation Districts have a history of working closely with communities, landowners, and local transportation departments, and have the technical expertise to assess and address land management issues.

The NAACC, a partnership of federal, state and not-for-profit stakeholders, developed standardized protocols for assessing road stream crossings for aquatic connectivity, including fish and wildlife passage, vulnerability, and condition, and compiled a database where road stream crossing assessment data can be entered to compile needed information that can be made available to stakeholders to inform where investments are needed to identify high priority bridges and culverts for upgrade and replacement. With these data, assessed sites are ranked and given an aquatic organism passability score, and flow capacity modeling is conducted that identifies the risk of flooding at sites. Populating the database of road stream crossing assessments for New York's Great Lakes Basin will ensure that enhancement projects will achieve the greatest benefit for multiple goals.

To address these concerns, the Department of Agriculture and Markets seeks to fund projects within New York's Great Lakes Basin. Funding is available on a competitive basis for assessing road stream crossings using the [NAACC protocol](#) within selected high priority watersheds for up to \$10,000.

1.3 Information for Applicants

The New York State Department of Agriculture and Markets and the New York State Soil and Water Conservation Committee, in partnership with New York State Department of Environmental Conservation, are pleased to announce the availability of funds to support road stream crossing assessments in the Great Lakes Basin. This funding comes from the Environmental Protection Fund (EPF), as part of the Ocean and Great Lakes Initiative. Assessing road stream crossings within the Great Lakes Watershed will assist in reducing future flooding and property damage, while offering improvements to aquatic organisms and habitat. For this reason, \$190,000 has been allocated to support efforts to identify and prioritize culverts and other barriers in need of improvement.

1.4 Available grant funding

Funding of \$190,000 is available for completing NAACC road stream crossing assessments within the Great Lakes Watershed. County Soil and Water Conservation Districts within the eligible area may submit one application. The maximum award level will be \$10,000 per County and per United States Geological Survey 12-digit Hydrologic Unit Code (HUC12) Watershed. The Department reserves the right to award a portion of a grant request.

1.5 Match requirements

Although funding requests do not require matching funds, they are encouraged. Eligible forms of match include other grants from non-state funding sources, SWCD personnel salaries devoted to the project, if not funded with other State grant sources, overhead expenses, supplies, materials, volunteer services, etc. The cash value of services must be reasonable, and

is subject to adjustment by the Department. The State funded portion of the project cannot be increased as a result of budget changes or variations.

2. ELIGIBILITY

2.1 Applicant eligibility

Eligible applicants are County Soil and Water Conservation Districts within the eligible geographic boundaries identified in this RFP. These include: Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Clinton, Cortland, Erie, Essex, Franklin, Genesee, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, St. Lawrence, Schuyler, Seneca, Steuben, Tompkins, Wyoming, Yates, and Wayne.

2.2 Project Location

Eligible projects must be located within the geographic boundaries of the New York portion of the Great Lakes Watershed as identified on page 3 of this RFP.

2.3 Project Eligibility

Proposed projects must meet the following project eligibility criteria in order to be fully evaluated and scored:

- All projects must follow the NAACC assessment protocol, including entering information into the NAACC database.
- Assessments must be completed by a NAACC trained lead observer.
- Assessment areas must include all accessible road stream crossings within a HUC 12 watershed.

2.4 Project Completion Terms

It is anticipated that the Department will announce grant awards by June 2017. A proposed project must be capable of being completed no later than two years after signing a Letter of Agreement with the Department. If you receive a grant award, letters of commitment from employers of all partners and entities providing monetary or technical assistance (either State funded or match) will be required.

3. PROJECT COSTS

3.1 Eligible expenses include:

- Personal services to conduct assessments and enter into database.
- Travel expenses to assessment sites.
- Necessary supplies for assessments: measuring tapes, waders, range finder, laser level, field data collection equipment, and other equipment directly related to the project.
- Other direct expenses related to assessments

State assistance payments may not be used to cover the lease or purchase of general office equipment or NAACC training. It is advisable for applicants to request clarification on the eligibility of specific expenses during the open questions and answers period and all determinations will be added to a Frequently Asked Questions Document.

3.2 Ineligible Expenses

Ineligible expenses include costs paid from other State resources and costs incurred prior to agreement approval from the Department. These expenses will not be reimbursed by the State.

4. PROPOSAL FORMAT

4.1 Application Form Instructions

Proposals must follow the questions on page 11 of this RFP. Applicants must attach a map showing the location of the proposed HUC12 watershed within HUC8 watershed boundaries and a certification of a District Board Resolution authorizing funding and the submittal of the proposal. Photographs documenting watershed needs are optional. It is the responsibility of the applicant to describe current conditions, project need and environmental benefits to be achieved. Lack of information provided may result in lower scores by reviewers.

5. PROJECT EVALUATION AND SCORING

Applications that meet all the eligibility criteria will be further evaluated and scored by at least three (3) evaluators. Evaluators will record proposal scores based on the criteria in section 5.1 of this RFP. The scores of the evaluators will be aggregated to make up the proposals total score. All proposals will then be ranked by their grand total score from highest to lowest to make up the final ranked list for awards. Proposals that receive a score of less than 50% of the maximum available aggregate score will not be considered for funding. Proposals will be funded in the order of rank until eligible funding is exhausted or no eligible applications remain.

5.1 Consideration will be given to the following factors in rating proposals:

1. Project provides clear and convincing documentation on how and why the proposed project location was selected. (Maximum score 30 points)
2. Scope of Work and Time Frame (Maximum score of 10 points)
3. Cost Effectiveness (Maximum score of 10 points)

Applications that demonstrate the following will receive higher scores:

- Conclusive documentation that the HUC12 watershed is a high priority within a larger watershed plan.
- Documentation that road stream crossing concerns have potential impacts to flooding and/or fish and wildlife passage within the watershed.
- Evidence that project will be complete within two years or less.

- Leverages federal or local resources.

5.2 Tie Breaker

If there is a numerical tie after the application has been scored, the application that assesses the greatest number of road stream crossings will rank higher. If both applications propose the same number of assessments, the application that is nearer to the coastal area of Lake Ontario or Lake Erie will determine placement on the ranking list. In the event that two projects are still equal, the final determination will be made by a coin flip.

6. AWARDS

Sponsors whose proposals are selected for funding will be notified as soon as possible. Selected proposals must comply with all applicable federal, State and local laws and rules and regulations for funding to be awarded. Evidence of such compliance may be required.

7. AGREEMENTS

Once an application has been selected for funding, the Department will notify the sponsor of the need to provide information necessary to initiate a "Letter of Agreement" with the Department. Work may begin once the signed Letter of Agreement is received. Funded projects may receive an advance payment of 50% of the project cost. The remaining project costs will only be made once the project is completed and documentation is submitted.

If the Department is unsuccessful in negotiating an agreement which will achieve the deliverables in a manner consistent with the proposal as approved and any applicable laws or regulations, the Department reserves the right to rescind its approval of the proposal for funding and instead award the funding to other eligible unfunded project proposals.

The standard term for all projects will be two years plus two months for project administration and completion of the final report. The project start date will be the date of issue on the Letter of Agreement. Funding of proposals that extend over more than one State fiscal year will be subject to the reappropriation of funds.

Amendments to project scope or location will not be approved. If an awardee is unable to complete the approved project as described in the approved location, termination of the Agreement will result.

8. PAYMENT

Payment for invoices submitted by the Contractor shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The Contractor shall comply with the Comptroller of the State of New York's procedures to authorize electronic payments. Contractor acknowledges that it will not receive payment on any invoices submitted under this Agreement if it does not comply with the Comptroller of the State of New

York's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

9. REPORTING REQUIREMENTS

Department staff will monitor the progress of each funded project.

The Department reserves the right to modify the reporting requirements during the course of the project. At a minimum, progress reports will be required two (2) times per year as specified by Department. In addition, an original and one copy of a comprehensive final report will be required within sixty (60) days following completion of the project. For all projects, the final report shall include a written narrative of the project, a final budget report detailing expenditures and expenditure documentation; a NAACC Database Report of all approved records of road stream crossings assessed, problems encountered, if any, and lessons learned, as well as, such other information as the Department may deem necessary. In addition, the Department reserves the right to visit any or all of the projects during or after project completion.

- The Department reserves the right to make all final reports available to the NYS Ocean and Great Lakes Ecosystem Conservation Council and the general public.
- The Department and Comptroller's Office reserves the right to audit the Project Sponsor's books and records relating to the performance of the project during and up to six (6) years after the completion of the project.

10. LIABILITY

The State will not be held liable for any costs incurred by any District for work performed in the preparation of and production of a proposal, or for any work performed prior to the formal execution of an agreement.

11. FREEDOM OF INFORMATION

All proposals submitted and all related contracts and reports may be subject to disclosure under the Freedom of Information Law.

12. OTHER CONSIDERATIONS

The Department reserves the right to:

- reject any or all proposals received with respect to this RFP;
- waive or modify minor irregularities in proposals received after prior notification and concurrence of the applicant;
- request from an applicant additional information as deemed necessary to more fully evaluate its proposal;

- amend the program’s specifications after their release, with appropriate written notice to all potential applicants;
- select only certain portions of proposals for State funding;
- negotiate the terms of any agreement proposed by the applicant; and
- make all final decisions with respect to the amount of State funding and the timing of payments to be provided to an applicant.

All eligible proposals submitted in response to this RFP will become the property of the New York State Department of Agriculture and Markets.

13. NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION REQUIREMENTS

Projects which include ground disturbing activities, construction of new buildings, or modification of buildings over 50 years old will be subject to further review by the NYS Office of Parks, Recreation and Historic Preservation (OPRHP). The Department reserves the right to request such additional information as is necessary to allow OPRHP to make a determination regarding the potential impacts of the project on historical sites or artifacts and possible alternatives which avoid or mitigate adverse impacts.

14. NYS ENVIRONMENTAL QUALITY REVIEW ACT REQUIREMENTS

Some projects may be subject to review under the New York State Environmental Quality Review Act (SEQRA). The Department reserves the right to request additional information as needed to comply with SEQRA requirements.

15. DEBRIEFING

Pursuant to section 163(9)(c) of the State Finance Law, an unsuccessful bidder has the right to a debriefing regarding the reasons its application was not selected for award. Upon request, the Department will provide a debriefing to any unsuccessful applicant as to the reasons that the proposal submitted was not selected for an award. To request a review of an unsuccessful application contact Ms. Judy Giovannetti, Division of Fiscal Management, by phone at: (518) 457-6172 or via e-mail at judy.giovannetti@agriculture.ny.gov. A review should be requested by an unsuccessful applicant within thirty (30) days of the date of the notice that its proposal was not selected for an award.

16. WORKERS’ COMPENSATION AND DISABILITY INSURANCE REQUIREMENTS

New York State Workers’ Compensation Law sections 57 and 220 require that the Department not enter into a contract unless proof of Workers’ Compensation and Disability Insurance in a form satisfactory to the New York State Workers’ Compensation Board has been secured.

Recipients of grants under this RFP will be required to produce proof of Workers’ Compensation and Disability Insurance in a form satisfactory to the New York State Workers’ Compensation Board prior to the execution of the contract.

Please refer to the Workers' Compensation and Disability Insurance Requirements posted on the Department's website, www.agriculture.ny.gov under the heading of this RFP or visit the New York State Workers' Compensation Board website, www.wcb.ny.gov for more information. You may contact the Board's Bureau of Compliance with any questions related to workers' compensation or disability insurance at (866) 298-7830.

Grant Application Form
New York Great Lakes Road Stream Crossings Assessment Project

Please Answer ALL Questions

Part 1: Applicant Information

1. Applicant Soil and Water Conservation District: [Click here to enter text.](#)
2. Contact Person: [Click here to enter text.](#)
3. Mailing Address: [Click here to enter text.](#)
4. Phone: [Click here to enter text.](#)
5. Email Contact: [Click here to enter text.](#)

Part 2: General Project Information:

1. Watershed Name: [Click here to enter text.](#)
2. HUC12 #:
3. Size of watershed in acres:
Is this watershed entirely within the County? Yes No
If no, what portion of the watershed will be included in this project: [Click here to enter text.](#)
4. Estimated number of road stream crossings in the watershed: [Click here to enter text.](#)
5. Number of road stream crossings to be assessed: [Click here to enter text.](#)
6. Name of trained Lead Observer that will perform assessments: [Click here to enter text.](#)

Part 3: Project Timing and Costs:

1. Proposed start date: [Click here to enter a date.](#)
2. Expected completion date: [Click here to enter a date.](#)
3. Have you applied/received any additional funding for NAACC Assessments within the proposed watershed: Yes No
4. If yes:
Source(s): [Click here to enter text.](#)
Amount(s): [Click here to enter text.](#)

Part 4: Project Narrative

1. Short Project Description (up to 250 characters): [Click here to enter text.](#)
2. Describe the project, including: how the watershed was selected, how it fits in with local, regional and/or basin-wide watershed plans and any known road stream crossing concerns that exist within the selected watershed: [Click here to enter text.](#)
3. Described who will do the project, their affiliation, role and qualifications: [Click here to enter text.](#)
4. Describe the watershed benefits to be achieved: [Click here to enter text.](#)
5. Please provide a timeline description for how the project will be completed in two years or less: [Click here to enter text.](#)

Part 5: Budget

1. Please provide a project budget and narrative using the following categories for both State requested funds and matching funds:

Budget Category	State Requested	Match	Total Cost	Narrative (State requested and match expenses; for match, include source)
Personal Services				
Supplies and				
Contractual Services				
Equipment				
Other				
Administration				
Total				

SWCD Resolution and Certification

Please attach a resolution or this certification that a resolution exists authoring the submission of this proposal.

A resolution authorizing the project proposal identified below has been approved and is on record with the County Soil and Water Conservation District.

Project Proposal Name: [Click here to enter text.](#)

I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

(Title) _____ of (entity)

(date) _____ (signature) _____ (print name)

NOTE: If the project application may include participating landowner(s) that are either SWCD Board Members or Employees, please attach a copy of the official Board Meeting minutes that reflect the process for the selection of the farm(s), disclosure of interests, and necessary recusals from the authorizing resolution.

New York Great Lakes Road Stream Crossing Assessment Project

The following rates were acquired from SWCDs as a result of our inquiry as part of the 2015 annual reports submitted.

The hourly rates which can be used by SWCDs, in lieu of providing justification for calculating their actual salary, benefit and overhead, to calculate total personnel services costs are as follows:

	<u>Hourly Rate</u>	<u>Overhead</u>	<u>Total</u>
Managerial	\$52	\$5	\$57
Technical	\$35	\$5	\$40
Secretarial	\$37	\$5	\$42

Districts may use their actual salary, benefit and overhead figures in lieu of the above set rates. In those cases, full documentation must be provided to obtain payment. In cases where interns, seasonal or part-time employees are used, actual hourly rates will have to be used and justified.

These rates, including overhead expenses, can also be used for local agency personnel (NRCS, CCE) as well as private sector consultants. These individuals will also have the option to use and fully justify their own actual rates. Overhead expenses cannot be used for actual rates.

New York State Department of Agriculture and Markets

2017 Ecosystem Based Management New York Great Lakes Road Stream Crossings Assessment Project

EVALUATION SCORE SHEET

Instructions: Evaluate each component of the proposal, per criteria described in the left hand column.
Provide comments at the bottom.

SCORING KEY

Total Points Available	Exceeds All or Most Requirements	Exceeds Some Requirements	Meets Requirements	Meets Some But Not All Requirements	Does Not Meet Most Requirements	Meets No Requirements
30	25-30	19-24	13-18	7-12	1-6	0
10	9-10	7-8	5-6	3-4	1-2	0

Review Criteria	Max Points	Score
<p>Project provides clear and convincing documentation on how and why the proposed project location was selected. -- <i>How well does the applicant address the following:</i></p> <ul style="list-style-type: none"> • The project addresses an identified need as defined by a local stakeholders group. • The project supports the goals of a local or regional watershed plan. • The project will assess a minimum of 150 road stream crossings. 	30	
<p><i>Adequate Scope of work and Time Frame</i> -- <i>How well does the applicant address the following:</i></p> <ul style="list-style-type: none"> • The feasibility of the project is clearly demonstrated. • There is demonstrated training, experience and ability of the sponsor and project staff to undertake the proposed activity. • Project deliverables are clearly defined and consistent with RFP objectives. • Project timeframe is reasonable for the number of road stream crossing assessments proposed. 	10	
<p><i>Project is cost effective</i> -- <i>How well does the applicant address the following:</i></p> <ul style="list-style-type: none"> • Cost of the project is reasonable for the size of the watershed and number of road stream crossing to be assessed. 	10	
TOTAL Points	50	

Reviewer's Comments:

Name: _____

Signature: _____

Date: _____