



**TOWN OF LUNENBURG
RFP #TOL2021020**

**REQUEST FOR PROPOSALS
Water Withdrawal Permit Renewal Application Preparation**

Proposals will be received no later than:
2:00 p.m. LOCAL TIME
September 9, 2021

Addressed to:
Katie MacMillan, BBA
Business Coordinator
Town of Lunenburg
119 Cumberland Street
Lunenburg, NS B0J 2C0

**REQUEST FOR PROPOSALS
WATER WITHDRAWAL PERMIT RENEWAL APPLICATION PREPARATION**

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1.0 GENERAL TERMS AND CONDITIONS

Section 1 of this proposal document sets out a summary of requirements and outlines the general terms and conditions. The Town of Lunenburg shall be referred to as the “Town” throughout this document.

PLEASE TAKE NOTICE that CBCL Engineering Limited (“CBCL”) has participated in the preparation of this RFP and all associated documents. CBCL will NOT be involved in any way with the evaluation of Proposals submitted in response to this RFP. HOWEVER, CBCL will be allowed to submit its own proposal in response to this RFP if it chooses to do so.

1.1 Purpose

The Town is seeking proposals with regard to the completion of the application form and preparing the supporting documentation for the application requirements for the Town’s Water Withdrawal Permit renewal.

This RFP sets out the instructions for submitting proposals and procedures and criteria by which the successful Proponent may be evaluated, subject to the Town’s overriding discretion to determine what is in its best overall interests.

1.2 Proposal Submissions

Any change notices, appendices and addenda issued for this RFP shall be considered part of this proposal document. The proposal is to be submitted, clearly marked with “**Water Withdrawal Permit RFP**” and proposal document number **TOL2021020**, to Katie MacMillan, Business Coordinator at 119 Cumberland Street, Lunenburg, NS, B0J 2C0 before the closing time on the closing date (Closing Time). Proponents must submit two (2) hard copies and/or one (1) PDF copy of their proposal via email to kmacmillan@explorelunenburg.ca or on a USB drive. Erasure, overwriting or strike-outs must be initialed by the person signing on behalf of the Proponent. Proposals will not be accepted after the Closing Time. The Town shall have the right in its absolute and unfettered discretion to determine whether a proposal has been received prior to the Closing Time. Proposal prices must remain open and available for acceptance by the Town for 90 days after the Closing Time. All proposals shall become the property of the Town of Lunenburg. It is the responsibility of each Proponent to submit all required documents as outlined in this RFP. Failure to quote on all options set out may disqualify your proposal.

1.3 Irrevocable Offer

The Proponent hereby acknowledges that offers contained within your response to this RFP shall remain open for acceptance by the Town of Lunenburg for a period of not less than ninety (90) days from the Closing Time specified in Section 1.6. Proponents may not make modifications to their Proposals after the Closing Time.

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1.4 Proposal Costs

The Proponent shall be solely and fully responsible for all costs associated with the development, preparation, transmittal, submission of proposal, and any work performed prior to official appointment by the Town of Lunenburg.

1.5 Municipal Contact for RFP

It shall be the Proponent's responsibility to clarify any points in question with the Town of Lunenburg prior to submitting the proposal. Deadline for all inquiries is September 2, 2021. Inquiries regarding the specifications of the RFP and the RFP process should be directed to:

Name: Katie MacMillan
Title: Business Coordinator
Email Address: kmacmillan@explorelunenburg.ca

If a Proponent discovers any inconsistency, discrepancy, ambiguity, error, or omission in this Request for Proposal, they must notify the Town of Lunenburg immediately in writing.

Any revision to this Request for Proposal will be issued as an addendum to all known potential Proponents.

Please check the Town website www.explorelunenburg.ca/purchasing.html to determine if any addendums have been issued prior to the submission deadline.

1.6 Opening

Proposals will only be received by:

Name: Katie MacMillan
Title: Business Coordinator
Email Address: kmacmillan@explorelunenburg.ca

Two (2) physical hard copies and/or one (1) PDF copy of your proposal must be received by email prior to **2:00 p.m.** local time, **September 9, 2021**. Proposals will be signed by an official authorized to bind the Proponents will provide the name(s), title(s), address, and telephone number of the individual(s) to be contacted during the evaluation process. Proposals received later than the specified Closing Time may be returned unopened to the Proponent.

There will not be a public opening for this RFP. As this is a proposal document for which a number of criteria will be evaluated, only the names of the Proponents who have submitted a proposal will be identified after the opening, upon request.

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1.7 Selection Process

Selection – Subject to Section 1.9 of this RFP, the Town will not necessarily accept the lowest price or any proposal. Any implication that the lowest price or any proposal will be accepted is hereby expressly negated. The successful Proponent(s) will be selected based upon evaluation criteria developed by the Town which in its sole discretion will determine the manner in which each response to this RFP meets the evaluation criteria. The proposal may be awarded to one Proponent only or more as the Town determines.

Evaluation Criteria – Subject to Section 1.9 of this RFP, each response to this RFP will be evaluated by the Town to determine the degree to which it responds to the requirements as set out herein. Because this is an RFP other factors in addition to price will be considered when submissions are evaluated.

Please indicate any requirements not met in your proposal with a brief description and reasons therefor.

The proposal will be evaluated by Town of Lunenburg staff as follows:

The proposal will be checked for compliance with the mandatory requirements outlined in the Request for Proposals. Proposals meeting the mandatory requirements will be evaluated by the Town.

The proposals will be evaluated according to the following criteria:

Criteria	Weight
Technical	
Understanding of project and details of project plan	30%
Project team experience and corporate experience	30%
Project management and client communication plan	10%
Financial	30%
Total	100%

The Financial score will be calculated using the following formula:

$$\text{Proponent Financial Score} = 10\% * \frac{\text{Lowest Proponent Cost}}{\text{Proponent Cost}}$$

1.8 Modification and Withdrawal of Proposals

Proposal prices must remain open and available for acceptance by the Town for 90 days after the Closing Time. Proponents may not make modifications to their proposals after this. Proponents will not have the right to change conditions, terms or prices of the proposal once the proposal has been submitted in writing to the Town. All proposals shall

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become the Town's property. It is the responsibility of each Proponent to submit all required documents as outlined in this RFP.

1.9 Acceptance and/or Rejection of Proposals and Reservation of Rights

The Town is not under any obligation to award a contract, and reserves the right to terminate this RFP at any time for any reason, and to withdraw from discussions with all or any of the Proponents who have responded. The receipt and opening of a proposal does not constitute acceptance of any proposal.

The Town reserves the right to reject all or any proposals, and to not necessarily accept the lowest proposal. The Town may accept any proposal that may be considered in the best interests of the Town in its sole and absolute discretion. The Town also reserves the right in its sole and absolute discretion to waive any formality, informality, or technicality in any proposal. This includes the right to accept a proposal that is not strictly compliant with the instructions in the RFP document.

The Town reserves the right to negotiate, after the RFP Closing Time, with any Proponent to finalize service arrangements in the best interests of the Town.

The Town shall not be bound by trade or custom in dealing with and/or evaluating the responses to the RFP. The Town reserves the right to interpret any and all aspects of this RFP as may be most favorable to the Town.

Proponents will be deemed to have familiarized themselves with existing conditions and any other conditions which may affect performance of the contract. No plea of ignorance of such conditions as a result of failure to make all necessary examinations will be accepted as a basis for any claims for extra compensation.

Proponents waive any claim against the Town for compensation of any kind whatsoever as a result of its participation in or providing a response to this RFP process, including without limitation any claim for costs of proposal preparation or participation in negotiations, or for loss of anticipated profits, whether based in contract including fundamental breach, tort, equity, breach of any duty, including, but not limited to breach of the duty of fairness, breach of any obligation not to accept non-compliant proposals or any other cause of action whatsoever.

In submitting a proposal, the Proponent has accepted the reservation of rights as set out herein and agrees to be bound by same.

1.10 Governing Law and Jurisdiction

Any contract resulting from this RFP shall be governed by and interpreted in accordance with the laws of the Province of Nova Scotia. Any disputes shall be determined in the courts of Nova Scotia.

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1.11 Proposal Form

The attached Proposal Form (3.0) must be completed and submitted with all proposals for consideration. Failure to complete and submit the proposal form could lead to the rejection of the proposal.

1.12 Freedom of Information and Protection of Privacy Act

The Town of Lunenburg is subject to the Municipal Government Act provisions relating to the freedom of information and protection of privacy provisions Freedom of Information and Protection of Privacy Act (FOIPOP) and associated Provincial legislation. Any proposal submitted to the Town may be required to be disclosed publicly if any request is to be made under FOIPOP. All proposals received in response to this RFP will be considered public.

1.13 Insurance Requirements

The successful Proponent shall at its own expense obtain and maintain until the completion of the contract and provide the Town with a Certificate of Insurance providing proof of:

- a. Professional Liability insurance covering the work and services described in this Agreement for an amount not less than \$2.0 Million per occurrence;
- b. Comprehensive General Liability insurance for an amount not less than \$2.0 Million per occurrence;
- c. Automobile Liability insurance for an amount not less than \$2.0 Million covering all vehicles used in any manner in connection with the performance of the work described in this RFP.

1.14 Conflict of Interest

The Proponent warrants that no conflict of interest exists with any Town staff, Council or Committee member regarding their RFP submission or with the Town's evaluation process. Should a conflict of interest exist or arise, the Town at its sole discretion may disqualify the proposal submission and/or contract as applicable.

1.15 Nova Scotia Worker's Compensation

The successful Proponent must be registered and remain in good standing with NS WCB throughout the term of a contract issued pursuant to this RFP.

1.16 Consulting Services Agreement

The successful Proponent will be required to enter into a contract for services with the Town in a Consulting Services Agreement based on the information contained in the RFP and the successful Proponent's proposal and any modifications thereto.

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1.17 Human Rights Act

The successful Proponent shall ensure full observance of the NS Human Rights Act in all dealings related to this project.

1.18 Ownership of Data and Information

All data, other information and all resulting reports and materials prepared by the successful Proponent shall be the exclusive property of the Town who reserves ownership rights to all ideas, plans, concepts, etc.

2.0 SPECIFICATIONS AND REQUIREMENTS

2.1 Background and Overview

Dares Lake is the main water source for the Town of Lunenburg, NS (the Town) and the Nova Scotia Environment (NSE) Approval to Withdraw Water (Approval #2011-079411) from this source expires on May 30, 2022. The Town is seeking professional services to prepare a renewal application for submission to NSE following Nova Scotia's Guide to Surface Water Withdrawal Approvals (the Guide, <https://novascotia.ca/nse/water/docs/guideToSurfaceWaterWithdrawalApprovals.pdf> or most current version).

This renewal application likely to be considered a Category 2 as defined in the guideline. However, the Town plans to complete an upgrade to the existing spillway at Dares Lake by Fall of 2021 and during a pre-design consultation, the Department of Fisheries and Ocean (DFO) indicated that a minimum ecological maintenance flow (EMF) may still be required for the water withdrawal renewal application. Therefore, the scope of work described in this RFP includes the calculation of EMF as defined in the Guide. The Town will provide the successful proponent with the relevant background documentation including design and/or as built drawings of the upgraded spillway.

Given that the application will require an increase in water withdrawal rate, a water balance calculation as described in the Guide has been also included in the scope of work.

2.2 Objective

The objective of this project is to provide the Town with the following submission requirements for a water withdrawal renewal application under Category 2 (as defined in the Guide):

- Site Plan
- Description of operation
- Intended water use
- Description of existing withdrawal approval
- Delineation of drainage area

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- Storage of water
- Hydrological assessment, including Ecological Maintenance Flow calculations
- Wetlands
- Monitoring Plan
- DFO requirements

2.3 Scope of Work

The scope of work consists of completing the application form and preparing the supporting documentation for the application requirements (Application Package) indicated as follows, based on the instructions outlined in the Guide. The scope also includes liaison with NSE and DFO representatives.

2.3.1 Confirmation of Application Category

Review water withdrawal and site information and liaise with NSE officer to confirm that the renewal will fall under a Category 2 application.

2.3.2 Site Plan

The respondent shall prepare a site drawing or map showing the following for the Application package:

- Withdrawal point;
- Location of Dares Lake;
- Intake and spillway; and
- Land boundaries and identification of adjacent property boundaries and owners.

2.3.3 Description of Operation, Intended Water Use, Description of Existing or Previous Water Withdrawal Approvals

For the purpose of the Application Package, the respondent shall describe the operation of the withdrawal, the intended water use and the existing water withdrawal permits as specified in the Guidelines based on information provided by the Town.

2.3.4 Delineation of Drainage Area

The Application Package shall delineate the watershed draining to the withdrawal point as specified in the Guide based on the latest Lidar information available.

2.3.5 Storage of Water

The application package shall describe Dare's Lake storage characteristics including the following information:

- Dimension of the pond, lake and spillway structure
- Volume of water in the lake
- Summary of the inflow into the lake

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Given that no bathymetric data of the Lake is available, the scope of work includes conducting a bathymetric survey of Dares Lake including a minimum of 5000 soundings as evenly distributed as possible throughout the Lake. Use of gas powered motorboats are prohibited on Dares Lake, alternative methods must be used (e.g. electric-powered boat). Unless site conditions prevent access or navigation, provide measurements to a minimum depth of 0.7 m. Data deliverables include a contour line map and a XYZ file with elevations relative to the CGDV28 and CGDV13 datums, using horizontal coordinates in UTM Zone 20.

2.3.6 Hydrological Assessment Report

Prepare a hydrological and hydraulic assessment of Dares Lake, for the Application package, based on the following methodology:

- Development of a hydrological computer model of surface and groundwater flows draining into the lake;
- Development of a hydraulic model of water levels at the reservoir and flows over the spillway;
- Evaluation of the potential impact of groundwater flow on the water levels of the lake;
- Calibration of the model using Dares Lake 2021 water level records from the water treatment plant's SCADA system;
- Modelling of flows rates using historical precipitation over the last 20 to 30 years;
- Water balance as described in the guide and estimation of the Town's water demand and the withdrawal rate required to service the Town within the next 10 years; and
- Calculation of the safe-yield capacity of the lake.

Using the results of the hydrological assessment, confirm that the water withdrawal will fall under a Category 2 submission.

The Town's long term population growth strategy, as per the Comprehensive Community Plan (CCP), aims to have a 50% population increase in the next 40 years. Estimates of population growth for the next 10 years, to be included in the withdrawal rate calculation and the yield assessment, will be provided to the successful proponent. Subject to post award confirmation from the Town, the starting estimate will be for a 12.5% population increase within the next 10 years.

2.3.7 Wetlands

Evaluate the potential effects of the proposed withdrawal rates over the wetlands located at the edge of the lake, as mapped in the Nova Scotia wetland databases.

2.3.8 Fisheries and Oceans Canada Requirements

Review engineering drawings of the intake and confirm that fish screens will meet the requirements of DFO to prevent entrainment or impingement of relevant local fish species.

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2.3.9 Monitoring Plan

In communication with the Town, describe the existing monitoring plan for withdrawal rates and provide recommendations for improvements. Recommend a monitoring plan for instream flow rates (at, or downstream of the spillway) for the purpose of monitoring compliance with ecological maintenance flow.

2.4 Deliverables

The respondent will prepare an Application Package for submission to NSE including the following information:

- NSE Application for Approval – Water Withdrawal including the following supporting documents as outlined in this RFP:
 - Site Plan
 - Description of Operation
 - Intended Water Use
 - Description of Existing or Previous Water Withdrawal Approvals
 - Drainage Area Delineation
 - Storage of Water
 - Hydrological Assessment
 - Wetlands
 - Intake screening information
 - Monitoring Plan

2.5 Information Provided by the Town

The Municipality will provide the following to the successful respondent

- Current withdrawal approval
- Supporting documentation for the 2011 withdrawal approval
- Spillway assessment report
- Design and as-built drawings of the upgraded spillway
- Letter from DFO indicating potential requirement of EMF
- Population growth estimates
- Water level records in Dares Lake for the year 2021
- Metered water consumption where available. There is not metering available at the residential level
- Water conservation plan

2.6 Meetings

Proponent shall include the following meetings with the Town:

- a kick-off meeting;
- a meeting to discuss the results of the yield assessment and recommended water withdrawal rate; and
- a meeting to discuss comments on the draft application submission.

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2.7 Schedule

The work is required to be completed by February 28, 2022 to conform to the application deadlines. The following milestones shall be adhered to:

Project Start	September 13, 2021
Interim Discussion of Yield and Withdrawal Rate Calculations (model calibrated with water levels up to October 2021)	November 30, 2021
Draft Deliverable Submission (model calibrated with water levels up to December 2021)	January 31, 2022
Final Deliverable Submission	February 28, 2022

2.8 Proposal Requirements

The Consultant shall submit a written proposal containing the following items. This shall be submitted in a document of no more than 15 pages, using font size 11 or 12, excluding time-task matrix and Curricula Vitae.

2.8.1 Understanding of the Project

Provide an explanation of the consultant's understanding of the work done to date and the objectives of the project.

2.8.2 Approach, Methodology, and Project Plan

Provide the approach and methodology to various project components, including, but not limited to description of the system, hydrologic and hydraulic modelling, field work, communication with representatives of NSE and DFO, quality assurance, quality control, adherence to schedule and cost control. This section of the proposal shall outline the project plan for each milestone, identifying the tasks to be done and the chronological order in which they will be done. Provide a time-task matrix to identify the time spent on each task by each key team member (no financial information is to be included on this time task matrix).

2.8.3 Relevant Experience / References

Provide a minimum of five projects similar in scope in the last 5 years, with at least 2 developed under the current NSE Guide to Surface Water Withdrawal Approval. Proponents must provide contact information for each reference, including name, title, organization, address, phone number, and email.

2.8.4 Proponent's Team

Provide a project organizational chart and assignment of key personnel. Provide CVs, maximum of 2 pages per person, for all key personnel, including their education, experience, and involvement in past projects of similar scope. The relevant experience of

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key team members must be stated and relevant experience of members or firms with the project team should be highlighted. Indicate the use of any sub-consultants, if any.

2.8.5 Cost

Under separate cover, provide a total estimated cost including fees, expenses and disbursements. Provide a schedule of fees for professional services, plus disbursements, including an estimate of the amount of time each member will devote to a particular task, and an estimated cost of each budget item.

2.9 Existing Site Conditions

Drawings and previous reports on Dares Lake are limited. The Town of Lunenburg will transfer all available drawings and reports to the successful consultant after the contract has been awarded.

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3.0 PROPOSAL FORM

NAME OF PROPONENT: _____

Do not include HST in the Amount of Proposal. All of the below pricing is to be in Canadian Dollars.

Amount of Proposal..... \$ _____

HST..... \$ _____

Total..... \$ _____

Mailing Address _____

Phone Number _____

Email Address _____

Signature _____

Print Name & Title _____

Date _____

Witness _____

Print Name _____

Date _____

Details of Proposal – please attach your submission details as required in this RFP.