



Henderson County Government
Request for Proposals Streamflow Rehabilitation of
Assistance Program (StRAP)

Date of Issue: March 15, 2024

Proposal Due Date: March 28, 2024, at 3:00PM EST

Direct all inquiries concerning this RFP to:

Betsy Gerwig

Conservation Engineer

Phone: 828-697-4949

Email: betsy.gerwig@usda.gov

BID PROPOSAL FORM

GENERAL

Proposals, subject to the conditions and specifications herein, are invited for furnishing the following services. Bids may be submitted via email to hcpurchasing@hendersoncountync.gov or via mail to the Henderson County Finance Department, at 113 North Main St., Hendersonville, NC 28792. Bids will be due on March 28, 2024, at 3:00PM EST.

PRICING

The bidder has carefully examined the annexed form of specifications and instructions to bidders and hereby declares that they will furnish the streamflow rehabilitation services called for in the manner prescribed in the specifications and instructions to bidders for the following price:

Base Bid

The base bid price indicated above shall be inclusive of all applicable fees, permits, and taxes as applicable.

OFFER AND ACCEPTANCE

Henderson County seeks offers for the services described in this solicitation. The County's acceptance of any offer must be demonstrated by execution of the acceptance found below. Acceptance shall create a contract having an order of precedence as follows: In cases of conflict between documents comprising the contract, the order of precedence shall be (1) special terms and conditions specific to this RFP/RFQ, (2) specifications and requirements under the Instruction to Bidders, (3) Henderson County Terms and Conditions of this RFP/RFQ, and (5) the agreed portions of the awarded Vendor's offer. **No contract shall be binding on the County until an encumbrance of funds and preaudit has been made for payment of the sums due under the contract.**

EXECUTION

In compliance with this Request for Proposals / Request for Quote, and subject to all the conditions herein, the undersigned offers and agrees to furnish any or all services or goods upon which prices are offered, at the price(s) offered herein, within the time specified herein. By executing this offer, I certify that this offer is submitted competitively and without collusion.

Failure to execute/sign offer prior to submittal shall render offer invalid. Late offers are not acceptable.

OFFEROR:		
STREET ADDRESS:	P.O. BOX:	ZIP:
CITY, STATE & ZIP:	TELEPHONE NUMBER:	TOLL FREE TEL. NO
PRINT NAME & TITLE OF PERSON SIGNING:	FAX NUMBER:	

AUTHORIZED SIGNATURE:	DATE:	E-MAIL:
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Offer valid for ninety (90), days from date of offer opening unless otherwise stated here: _____ days.

ACCEPTANCE OF OFFER

If any or all parts of this RFP/RFQ are accepted, an authorized representative of Henderson County shall affix their signature hereto. A copy of this acceptance will be forwarded to the successful vendor(s).

FOR COUNTY USE ONLY

Offer accepted and contract awarded pursuant to Purchase or Contract Order number _____ this _____ day of _____, 20____, as indicated on attached certification,

by _____ (Authorized representative of Henderson County).

This instrument has been preaudited in the manner required by the Local Government Budget & Fiscal Control Act. N.C.G.S. 159-28(a).

Henderson County Finance Director

Bidders Checklist

- ☐ Be aware of the bid opening date and time as indicated on the first page of this proposal.
- ☐ All signatures must be by a company officer or agent who is authorized to enter into, and sign bid documents.
- ☐ Have you read and understood the “Terms and Conditions” and the “Instructions to Bidders” for submitting a bid?
- ☐ Have you read and do you completely understand all the specifications of this bid proposal?
- ☐ Have you submitted the requested number of copies of your proposal and included all the requested literature and specifications?
- ☐ If an addendum to the specifications was issued, has it been signed and returned with this bid proposal?
- ☐ Have you included a Certificate of Insurance with minimum limits provided herein naming Henderson County as additionally insured?
- ☐ Have you enclosed statements explaining any exceptions made to the specifications?
- ☐ Have you included executed copies of the attachments?

Section 1: Purpose

Henderson County Soil and Water is soliciting services of highly qualified companies to provide stream debris removal services from streams in designated areas of Henderson County.

Section 2: General Information

2.1 Notice to Bidders

It shall be the bidder's responsibility to read the Instructions, Henderson County's terms and conditions, all relevant exhibits and attachments, and any other components made a part of this RFP and comply with all requirements and specifications herein. Bidders are also responsible for obtaining and complying with all addenda and other changes that may be issued in connection with this RFP.

If Bidders have questions, issues, or exceptions regarding any term, condition, or other component within this RFP, those must be submitted as questions in accordance with the instructions in Section 2.3 Bidder Questions. If Henderson County determines that any changes will be made as a result of the questions asked, then such decisions will be communicated in the form of an addendum.

2.2 RFP Schedule & Mandatory Pre-Bid

Listed below are the dates and times by which stated actions must be taken or completed. The County may determine, in its sole discretion, that it is necessary to change any of these dates and times. Should changes be required, proper notice will be provided to potential bidders. All listed times are Eastern standard times.

Action	Time	Date
Bid issued	5:00 PM	March 15, 2024
Mandatory Pre-Bid	4:00 PM	March 21, 2024
Deadline for Questions	5:00 PM	March 22, 2024
County Responses	5:00 PM	March 25, 2024
Bid Due	3:00 PM	March 28, 2024

A **MANDATORY PRE-BID MEETING** will be held at the FernLeaf Charter School- Creek Campus, at 58 Howard Gap Rd, Fletcher NC on Monday, March 21, 2024, beginning at 4:00 PM EST. Meet in the gravel parking lot on left at main entrance. If your company does not attend the pre-bid meeting or is not present for the duration of the meeting your bid will not be considered as responsive.

2.3 Bidder Questions

The County is not liable for interpretations/misinterpretations or other errors, or omissions made by the Bidder in responding to this bid. The Bidder shall examine this bid to determine if the County's requirements and terms and conditions are clearly stated. If, after examination of the various requirements and terms and conditions of this bid, the Bidder believes there are any requirements or terms and conditions which remain unclear or which restrict competition, the Bidder may request, in writing, that the County clarify the requirement(s) and terms(s) and condition(s) specified by the Bidder. The Bidder must provide the Section(s), Subsection(s), Paragraph(s), and page number(s) that identify the requirements or conditions questioned by the Bidder.

Requests for clarification, technical questions, and approval of alternate products to this bid must be received by the County no later than the date shown above in Section 2.2, entitled "RFP Schedule & Mandatory Pre-Bid", under Deadline for Questions. The Bidders' failure to request clarification and

submit questions by the date in the bid schedule above shall be considered to constitute the Bidders' acceptance of all County requirements and terms and conditions. The County shall issue addenda reflecting questions and answers to this bid, if any, and shall be posted to the County's website at <https://www.hendersoncountync.gov/rfps>.

2.4 Objections to the Specifications

It is not the intent of the bid specifications to exclude or limit competition or favor any supplier. If there is an objection to any of the specifications or requirements listed herein, the bidder must notify Betsy Gerwig, Conservation Engineer, in writing, stating and listing the specifications and objections, no later than the date shown above in Section 2.2, entitled "RFP Schedule & Mandatory Pre-Bid", under Deadline for Questions. If a pre-bid meeting has been scheduled, any objections must be presented in writing at that time. The objections stated must pertain both to form and substance of the bid document. Failure to object in accordance with the above procedure shall constitute a waiver on the part of the bidder to protest the solicitation. All concerns, questions, clarifications, or other correspondence must be directed only to the Conservation Engineer. Information obtained from other sources will not be considered in the evaluation and award of this bid.

2.5 How to Submit Bid Proposals

2.5.1. SUBMIT BIDS ON THE BID PROPOSAL FORM PROVIDED HEREIN

2.5.3 Bids may be mailed or emailed as follows in enough time to ensure receipt by the Conservation Engineer for this purpose on or before the time and date specified on the Bid Proposal Form. Bids not received by the time and date specified on the Bid Proposal Form will not be opened or considered. Bidder's whose submissions are received after the deadline will be allowed to pick-up or can arrange for return of their submission. Henderson County will bear no responsibility or expense associated with the return of materials.

Mailing & Delivery Address:

ATTN: Henderson County: RFP for StRAP-Cane Creek
Henderson County Finance Department
113 N Main St
Hendersonville, NC 28792

Email Address

hcpurchasing@hendersoncountync.gov

2.5.4 Any costs associated with the preparation and delivery of a submission related to this proposal will be borne solely by the vendor.

2.5.5 Submittals are neither a contractual offer nor a commitment to purchase services. The County assumes no contractual obligation because of the issuance of this RFP.

2.6 Bid Proposal Requirements

Bidders shall populate all attachments of this RFP that require the Bidder to provide information and include an authorized signature where requested. RFP responses shall include the following items and those attachments should be arranged in the following order:

2.6.1 Cover Letter (Identify Project Manager)

2.6.2 Bidder Experience & Capability

Bidder shall provide information on its experience and qualifications, which enable it to provide the services as described herein, including, but not limited to the following:

- Brief history of the company
- Timeline of incorporation, ownership, parent company, partners and suppliers
- Experience performing the services requested in this RFP
- Financial viability of vendor
- Any other information regarding the vendor's experience, which will assist Soil and Water in evaluating the proposal and making an ultimate decision.

2.6.3 References

Bidders must document and provide references for successful completion of at least two (2) debris removal type projects. Experience specific to in-stream debris removal is preferred but not required.

Please provide:

- Entity name.
- Contact name(s).
- Email address.
- Telephone number.
- Brief description of the work performed, including products provided and date of installation.

The County may or may not contact the references provided. To determine the vendor's past performance, the County may ask any questions it deems are in its best interests.

2.6.4 Project Timeline

Bidder shall provide a timeline of the project to completion. The project shall be completed by June 1, 2024. Should the project completion date be delayed by weather events an extension may be provided only by the Conservation

Engineer.

- 2.6.5 PROPOSAL FORM: Submit all prices and offers on the BID PROPOSAL FORM(s) provided herein. All bid proposals must be submitted and signed by an authorized representative with all erasures or corrections initialed and dated.
- 2.6.6 Addendum(s): If applicable, bidders shall include signed addendum(s) with their bid submittal acknowledging the modifications made to the bid document.
- 2.6.7 Executed Attachments
- 2.6.8 Proposed contract inclusive of all Grant and County Terms and Conditions

Section 3: Method of Award and Proposal Evaluation Process

3.1 Method of Award

The method of award will be based on the most advantageous proposal as defined by the County considering price, technical merit, and past performance as defined by Section 3.4: Selection Criteria.

The County reserves the right to reject any or all proposals, waive technicalities and to be the sole judge of suitability of the services for its intended use as allowed by law and further specifically reserves the right to make the award in the best interest of the County.

3.3 Proposal Evaluation Process

Henderson County shall review all Bidder responses to this RFP to confirm that they meet the specifications and requirements of the RFP.

Proposals submitted by the deadline will be evaluated and ranked by a selection committee comprised of representatives of Henderson County at which time an award will be made that is determined to be the most advantageous to the County.

3.4 Evaluation Criteria

Proposals shall be evaluated based upon the matrix below:

Criteria	(a) Weight	(b) Score (1-5)	(a) X (b) Weighted Score
Bidder Experience and Capability	25		
References	10		
Project Timeline	5		
Cost	60		
Final Score			

Proposals will be evaluated using a standardized scoring system. Each criteria component will be assigned points ranging from 1 - 5 according to the extent to which the proposed system meets the stated requirements. The points will be assigned as follows:

- 5 points: Fully meets

- 4 points: Meets with minor gaps (no compromise required)
- 3 points: Meets with moderate gaps (some compromise required)
- 2 points: Partially meets with significant gaps (compromise required)
- 1 point: Does not meet

Cost will be calculated with a formula using a ratio method, in which the lowest cost receives the maximum points allowed and other proposals receive a percentage of the points available based on their cost relationship to the lowest. This is determined by applying the following formula:

$$\frac{\text{Lowest Cost}}{\text{Cost being evaluated}} \times \text{Maximum Points Available} = \text{Score}$$

The points for each criteria component will be multiplied by the percentage weight listed above and totaled.

Section 4: Scope of Services

4.1 Scope of Services

4.1.1 Purpose: The goal of this project is to remove vegetative debris from within the stream channel and any vegetation with potential to block the channel.

The following stream sections will be addressed:

Stream	Stream/Drainage Ditch Section	Linear Feet of Stream/Ditch
Cane Creek	FernLeaf Charter School – Creek Campus, ~1,200 linear ft, Between Howard Gap Rd and Railroad bridge.	1,200

Please see Attachment I for the map of the locations described above.

4.1.2 Removal of Trees: No rooted trees, whether alive or dead, should be cut unless one of the following criteria are met:

4.1.2.1 They are leaning over channel and:

1. Are at an angle greater than 30 deg of vertical and they are dead or severely undercut, or
2. Have a damaged root system that is relying upon adjacent vegetation for support and it appears that they will fall into channel within 1 year and create blockage flows;

4.1.2.2 Their removal from the floodplain is required to secure access for equipment to a point where a significant blockage has been selected for removal.

4.1.2.3 Tree removal shall be coordinated with the Conservation Engineer.

4.1.3 Other Vegetation and Blockages:

4.1.3.1 Any beaver dams shall be removed.

4.1.3.2 All excavated or removed vegetation must be removed from the floodplain.

4.1.4 Disposal: Vegetation shall be disposed of at the local landfill or mulched and left on-site for school use. Mulch pile location will be identified by park staff at time of mulching. Burning is allowed if applicable permits are acquired by the contractor.

4.1.5 Reseeding: All disturbed areas should be seeded with rye grass and straw.

Section 5: Minority and Disadvantaged Business

Pursuant to General Statutes of North Carolina Sections 143-128 and 143-131 as well as 2 CFR 200.321 of the Uniform Administrative Requirements, the County encourages and provides equal opportunity for Certified Minority and Women- Owned Business Enterprise (MWBE) businesses to participate in all aspects of the County's contracting and procurement programs.

For Disadvantaged Business Enterprise requirements, see Minority Business Participation Guidelines posted under Doing Business with Henderson County at

https://www.hendersoncountync.gov/sites/default/files/fileattachments/henderson_county/page/42611/00092588.pdf

Section 6: County Terms and Conditions

Any proposal submitted to Henderson County shall be deemed to include all the Terms and Conditions shown in the document found online at

https://www.hendersoncountync.gov/sites/default/files/fileattachments/henderson_county/page/42611/terms_conditions.15.23_0.pdf

These Terms and Conditions, which refer to a "purchase order", shall be deemed to be included in any agreement entered as a result of this RFQ.

Any attempt by a proposed contracting party under the RFP to exclude any of these Terms and Conditions shall cause any Proposal made in response to this RFP to be deemed to be non-responsive (unless Henderson County has notified the firm that the funding source for the goods or work sought under this RFP is not federal funds, in which case those provisions under number 15 of the Terms and Conditions (and all subparts thereunder) may be excluded from a Proposal.

Section 7: Grant Terms & Conditions

Any proposal submitted to Henderson County shall be deemed to include all the Special Terms and Conditions as follows:

- I. **Compliance with Laws:** The bidder shall comply with all laws, ordinances, codes, rules, regulations, and licensing requirements that are applicable to the conduct of its business, including those of federal, State, and local agencies having jurisdiction and/or authority.
- II. **Equal Employment Opportunity:** The bidder shall take affirmative action in complying with all federal and State statutes and all applicable requirements concerning fair employment of people with disabilities, and concerning the treatment of all employees without regard to discrimination by reason of race, color, religion, sex, national origin or disability. For additional information see Title VI of the Civil Rights Act of 1964 (42 U.S.C., 2000d, 2000e- 16), Title XI of the Education amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), and section 504 of the Rehabilitation Act of 1973 as amended (29 U.S.C. 794).
- III. **Executive Order 24:** In accordance with Executive Order 24, issued by Governor Perdue, and N.C.G.S. § 133-32, a vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offerer, seller, subcontractor, supplier, vendor, or grantee), is prohibited from making gifts or giving favors to any employee of the Agency of Agriculture and Consumer Services. This prohibition covers those vendors, contractors, and/or grantees who:
 - (a) have a Contract with a governmental Agency; or
 - (b) have performed under such a Contract within the past year; or
 - (c) anticipate bidding on such a Contract in the future.

For additional information regarding the specific requirements and exemptions, vendors, contractors, and/or grantees are encouraged to review Executive Order 24 and N.C.G.S. § 133-32.
- IV. **Access to Persons and Records:** The State Auditor and the using agency's internal auditors shall have access to persons and records as a result of all Contracts or grants entered into by State agencies or political subdivisions in accordance with General Statute 147-64.7 and Session Law 2010-194, Section 21 (i.e., the State Auditors and internal auditors may audit the records of the contractor during the term of the Contract to verify accounts and data affecting fees or performance).
- V. **Amendment:** This Contract may not be amended orally or by performance. Any amendment must be made in written form and executed by duly authorized representatives of the Agency and the Grantee.
- VI. **Advertising:** The bidder shall not use the award of this Contract as a part of any news release or commercial advertising.

Section 8: Insurance Requirements

Bidder shall provide an Insurance Certificate naming Henderson County as **additionally insured** per the attached certificate of insurance. Should different insurance limits be established between the vendor and the County, the Certificate of Insurance with Henderson County named as additional insured shall be contained herein.

Required Coverage	Minimum Insurance Limits
Workers' Compensation	Statutory/Employers Liability: \$500,000/\$500,000/\$500,000
General Liability	\$1M per occurrence/\$2M aggregate
Automobile	\$1M per occurrence/Combined Single Limit
Additional Insured Status	Required

Section 9: Funding Source

This RFP is funded with **State Funds** via the North Carolina Department of Agriculture and Consumer Services Division of Soil & Water Conservation. 2 CFR Part 200 Federal Uniform Administrative Requirements, Cost Principles, and Audit are not applicable.

Section 10: Attachments

Attachment I: Map

Attachment II: Vendor Information Form

FernLeaf-Cane Creek Restoration

Area Map



FernLeaf
Creek Campus

Parking Area

Debris
Removal Area

Cane Creek

Attachment II: Vendor Information Form			
Company/Firm Name			
Mailing Address			
Contact Name		Contact Title	
Phone Number	Fax	Email	Website
Federal Tax ID Number		Unique Entity Identification Number (SAM.gov)	
Required Documentation		Internal Routing	
Completed IRS W-9 form dated within calendar year and signed by authorized personnel.		W9 Received	<input type="checkbox"/> YES
Minority and Women Owned Business (MWBE) certification, if applicable.		MWBE Certification Received	<input type="checkbox"/> YES <input type="checkbox"/> N/A
		Unique Entity Identification Number confirmed in SAM.gov	<input type="checkbox"/> YES