

**REQUEST FOR PROPOSAL FOR  
REMEDIAL CONSTRUCTION OWNER'S REPRESENTATIVE  
SERVICES**

**Gowanus Canal Superfund Site  
Brooklyn, New York**

**National Grid on behalf of Gowanus Environmental Trust  
287 Maspeth Avenue  
Brooklyn, NY 11211**

**June 2020**

## 1. INTRODUCTION

The Gowanus Canal Environmental Remediation Trust (Trust) is seeking an Owner's Representative to provide management services for remediation of Remediation Target Area (RTA) 1 at the Gowanus Canal Superfund Site (Site), in New York. The Site consists of three RTAs. RTA1, the subject of this Request for Proposal (RFP), is the uppermost reach of the Canal. RTA2 is the middle reach, and RTA3 is the lowermost reach. The Trust is a group of Potentially Responsible Parties (PRPs) who have received Unilateral Administration Orders (UAOs) for Remedial Design (UAO 1) and Construction (UAOs 2 and 3), under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) from the United States Environmental Protection Agency (USEPA).

To date, the PRPs have engaged a design engineer and other entities (collectively, the Remedial Design Team) as well as a Construction Manager/General Contractor (CM/GC). Draft 100% design packages for RTA1 Remedial Design, Bridge Support Construction, and Bulkhead Support Construction have been submitted to USEPA and are included with this RFP as Attachments A-1 and A-2.

The Remedial Design for RTA1 addresses the following key construction elements:

- Bulkhead and Bridge Support - Various bulkhead support and/or replacement structures will be installed along RTA1 properties identified within the work area to facilitate the dredging, ISS, and capping components of the remedial construction. Additionally, a separation wall will be established between the RTA1 in-water work area and the former 1st Street Turning Basin (TB1) work area. The TB1 separation wall is included in this work scope and design drawings are included in Attachment A-1;
- Turning Basin 1 Excavation and Restoration – A separation wall will be established between the RTA1 in-water work and the former 1<sup>st</sup> Street Turning Basin (TB1) work area. The TB1 separation wall is included in this work scope and design drawings are included in Attachment A-1. A design package was prepared for the excavation and restoration of approximately 475 feet of the filled-in former turning basin. This package is included in Attachment A-3.
- Dredging - Sediment and debris removal will occur with the use of barge-mounted cranes and/or excavators using various types of attachments, including environmental buckets, mechanical buckets, grapples, clam shells, and/or rakes. Sediment will be loaded into a barge, and transported to a designated offloading facility for dewatering, processing, and disposal.
- Debris Management - Large debris will be separated during dredging, loaded into a barge, and transported to a designated offloading facility for washing, staged for archeological review, and either stored or disposed. Sediment will be screened, and debris retained on the screen will be washed, staged for archeological review, and either stored or disposed.
- Decant Water Treatment - Dredge decant water will be captured, treated and compliance tested prior to discharge back into the Canal.

- Dredge Material Treatment and Disposal - Dredged sediment will be solidified/stabilized (S/S) at an offsite processing facility. Dredged material from select areas will be subsequently subject to thermal treatment. The solidified/stabilized sediment, whether thermally treated or not, will be disposed of through beneficial use applications.
- In Situ Stabilization/Solidification (ISS) – Subaqueous ISS will be performed in targeted areas of native sediment following initial dredging and prior to capping.
- Capping - A multilayer cap will be constructed following dredging and ISS.

In December 2018, the Trust completed a Pilot Study at the 4<sup>th</sup> Street Turning Basin (TB-4). The objectives of that study were to evaluate certain debris removal and handling, bulkhead support, dredging, capping, material handling, and water treatment methodologies. A “Lessons Learned” summary for the various components of TB-4 Pilot Study is available for review in Attachment B of this RFP.

RTA1 remedial construction activities are anticipated to begin in September 2020. Construction will occur within the upper reach of the Canal (i.e., RTA1), which extends from the north end of the Canal to the 3<sup>rd</sup> Street Bridge. A Staging Site is located at 459 Smith Street (Block 471, Lot 200), Brooklyn, New York 11231. The locations of RTA1 and the Staging Site are shown on the Construction Drawings (A-1). Note that alternate staging site(s) may be necessary and effort to identify potential sites may be necessary as a part of this role.

### **1.1 Components of this RFP**

The following documents are provided to assist in the development of a response to this request:

- Draft 100% RTA1 Construction Drawings – inclusive of Remediation (Dredging, Capping and ISS), Bulkhead and Bridge Support, and TB1 Separation Wall Construction Design packages (**Attachment A-1**)
- Draft 100% RTA1 Technical Specifications – inclusive of Remedial (Dredging, Capping and ISS), Bulkhead and Bridge Support, and TB1 Separation Wall Construction Design packages (**Attachment A-2**)
- EPA Approved TB1 Design Report – Fully Compiled (**Attachment A-3**)
- TB4 Lessons Learned (**Attachment B**)
- Project Team Communication Plan (**Attachment C**)
- Construction Implementation Plan (**Attachment D**)
- Sample Proposal and Change Notice Format/Change Notice Form - Schedule E and Schedule F (**Attachment E**)
- CM/GC Construction Scope of Work (**Attachment F**)
- Bid Form (**Attachment G**)

- List of Pre-Mobilization CM/GC Submittals (**Attachment H**)
- General Terms and Conditions for Remediation Contractor (**Attachment I**)
- Template Professional Services Agreement (**Attachment J**)
- Health & Safety Plan (**Attachment K**)
- Contractor Safety Requirements (**Attachment L**)
- Process Safety PHA Guidelines (**Attachment M**)
- Management of Change Procedure (**Attachment N**)

## 2. ROLE OF OWNER'S REPRESENTATIVE

Owner's Representative - The Owner's Representative will play a critical role in managing and coordinating RTA1 remedial construction on behalf of the Trust. The Owner's Representative will serve as the gate keeper on the project and is responsible for interfacing between the CM/GC and other project entities (e.g., Project Administrator, Engineer-of Record, etc.). Field variances, change requests, schedule and cost updates will be communicated directly to the Owner's Representative by the CM/GC. The Owner's Representative will be responsible for processing this information and coordinating with the respective parties (Project Administrator, Engineer-of Record, and Trust). Additionally, the owner's representative will be responsible for ensuring all components of RTA1 construction are being conducted in accordance with respective contract documents, including: Noise and Vibration, Air Monitoring, Water Quality Monitoring, and Process Safety.

The selected Owner's Representative will join the project team during the pre-construction phase of the project to perform document and submittal review and attend project meetings. The owner's representative will help to establish project management objectives for the Trust which will include a framework for managing cost and schedule. The Owner's Representative will provide construction oversight throughout the RTA1 remedial construction period. Additional details on the scope of work and list of responsibilities are provided in Section 4 of this RFP.

A communication plan is provided with this RFP as Attachment C to show the lines of communication between the parties responsible for implementing the project scope.

The selected Owner's Representative will join the project team inclusive of the following entities. A brief description of project team members is summarized below:

Project Coordinator - B&B Engineers & Geologists of New York, P.C. (B&B), an affiliate of Geosyntec Consultants (B&B), serves as the Project Coordinator. As indicated in UAOs 2 and 3, the Project Coordinator shall be responsible for oversight of the implementation of the Work to be carried out under the applicable Orders. The Project Coordinator acts as the liaison between the project team and EPA.

Project Administrator (PA) - *de maximis*, inc. (*de maximis*) serves as Project Administrator for the administration of contracts on behalf of the Trust (i.e., Owner), and is the Contract

Administrator for the RTA1 Remedial Design (RD). Contract administration services include project performance monitoring; procurement of project resources; administering contractor arrangements; ensuring compliance with contract requirements; reviewing Change Order proposals; and approving costs.

Engineer of Record (EoR)/Construction Quality Assurance (CQA) Consultant - B&B has been retained as the Trust's design engineer for the design elements of dredging, dredge material management, dredge water treatment, ISS, capping, and staging site. Greenman Pederson, Inc. (GPI) has been retained as the Trust's design engineer for bridge support at the Union St. Bridge and Carroll St. Bridge. APTIM Co. has been retained by the Trust, through Cashman Dredging & Marine Contracting Co. LLC, as the design engineers for bulkhead supports at properties assigned by EPA to the Trust. The respective EoRs for the various design elements will also provide Construction Quality Assurance (CQA) services. For the TB1 Separation Wall, which was designed by other parties, it is expected that the design engineers for that design will serve in a CQA role.

The EoR Consultant is responsible for reviewing submittals critical to the performance of the remedy and documenting design changes that arise during construction. The CQA Consultant is independent of the Contractor and monitors the Work to document that the Work is being constructed according to design specifications. CQA activities will be conducted by the CQA Consultant in accordance with the CQA Plan. A surveyor will be contracted under the CQA Consultant to perform independent quality assurance hydrographic surveys to calculate dredge volume for final payment and approve dredge clearance. The independent surveyor will be retained throughout capping activities to verify quality control survey performance as warranted by the CQA Consultant and to approve final cap placement. These surveys are in addition to those performed by the Contractor as required by the Technical Specifications.

Construction Manager/General Contractor (CM/GC) - Cashman Dredging & Marine Contracting Co. LLC (Cashman) will serve as the Construction Manager and the Contractor. The Construction Manager is responsible for the successful management and completion of the in-field construction project, facilitating communication among other project team members, and coordinating and managing all field activities including the scope, schedule, and budget of all construction activities. The Contractor is responsible for provision of all labor, supervision, materials, and equipment, including subcontractors, necessary to construct the RTA1 Remedial Design. The Contractor is responsible for maintaining documents produced during the Work, including field notes, daily reports, calibration logs, photo logs, and all other forms that will be used to perform and document the Work. All work is performed in accordance with the requirements outlined in the Technical Specifications and Construction Drawings.

Additionally, the Contractor is responsible for selection of a Construction Quality Control (CQC) Representative or team to implement and oversee all CQC activities throughout construction. The scope of the CM/GC is governed by the scope of work document included for reference as Attachment F, as well as contractual agreements between the Trust and CM/GC.

Process Safety Manager (PSM) - Emilcott Associates (Emilcott) will provide safety compliance oversight of construction field operations during all phases of the Work. The Process Safety Manager will review Contractor safety documentation including safety plans, Process Hazard Analyses and Activity Hazard Analyses generated for work tasks. The Process Safety Manager also performs field audits.

Community Air Monitoring Program (CAMP) - The Air Quality Monitoring subcontractor (not yet selected) is responsible for providing the equipment, materials, and labor to collect and manage air quality and odor data. Exceedances of threshold criteria are communicated to the Owner's Representative. The Air Quality Monitoring subcontractor provides all materials necessary to monitor air quality and odors in accordance with the CAMP. In the event of an exceedance, the Owner's Representative and Contractor are notified immediately, and the Contractor will provide equipment, materials, and labor necessary to implement appropriate operational or air quality control measures to address the exceedance in accordance with the Contract Documents.

Water Quality Monitoring - Water quality in the Canal will be performed by B&B in accordance with the Water Quality Monitoring Plan for In-Waterway Construction Activities. Water quality monitoring is conducted during in-water construction operations. Monitoring results are communicated on a weekly basis to the Owner's Representative unless an exceedance of the threshold criteria is detected. In the event of an exceedance, the Owner's Representative and Contractor are notified immediately, and the Contractor will provide equipment, materials, and labor necessary to implement appropriate operational or water quality control measures to address the exceedance in accordance with the Contract Documents.

Archeology/Cultural Resources - Archaeology & Historic Resource Services (AHRS) will provide cultural resource management guidance and consulting services to the project team, including oversight and training for Contractor personnel. Cultural resources will be managed in accordance with the most recent Cultural Resources Monitoring Plan prepared by AHRS.

### **3. INSTRUCTIONS**

#### **3.1 Proposal Submission Date and Submission Instructions**

**Proposals must be submitted by 5:00 PM EDT, Friday, July 2, 2020.** Submissions made after this date and time will not be accepted.

Questions are to be submitted via the online form as described below. Questions will be accepted until **5:00 PM EDT, Friday, June 19, 2020.**

Proposals are to be submitted electronically in Adobe PDF format by uploading to the dedicated online submission form described below. Proposals will include two items - a full response to the RFP uploaded as a .pdf and the first spreadsheet of the Bid Form in electronic format (Microsoft Excel).

The second spreadsheet of the Bid Form, Unit Rates, (Attachment G) must be submitted in Microsoft Excel format separately via email to Andrew Prophete ([Andrew.Prophete@nationalgrid.com](mailto:Andrew.Prophete@nationalgrid.com)) only following completion.

Each bidder will fill out the online form with the necessary information. To access the online forms:

1. To Upload questions go to: <https://gei.wufoo.com/forms/owners-representative-questions-submission/>
  - a. Enter Company Name;
  - b. Email;
  - c. Upload the document containing questions.
2. To Upload the proposal go to: <https://gei.wufoo.com/forms/owners-representative-proposal-submission/>
  - a. Enter Company Name;
  - b. Account Manager Name;
  - c. Email;
  - d. Upload the proposal in the “Proposal Upload” field.

Following the submission of each of the above forms, you will receive a confirmation email with a copy of your submittal for your records.

In the event any problems are encountered contact Amber Ahles of GEI at [aahles@geiconsultants.com](mailto:aahles@geiconsultants.com).

The bidder is responsible for ensuring delivery of their proposal. The bidder’s contact information should be provided with the proposal to address questions as needed.

### **3.2 Acknowledgement of Receipt, and Notice of Intent to Bid**

The Bidder shall acknowledge receipt of a complete RFP and respond via email as to its Notice of Intent to bid no later than **5:00 PM EDT, Thursday, June 11, 2020**. Please provide the response to Amber Ahles at [aahles@geiconsultants.com](mailto:aahles@geiconsultants.com). If Bidder declines to submit a bid, all bidding documents shall be destroyed or deleted, whatever the case may be, not later than June 12, 2020. All bidding documents are, and will remain, the property of the Trust.

### **3.3 Site Visit**

No site visit is scheduled. Bidders may visit the site on their own, utilizing publicly accessible areas (i.e. bridges, TB1). We will not be providing access. National Grid expects that all contractors will follow State and City guidelines and their individual company’s COVID-19 protocols. National Grid requests electronic notice if bidders are planning a site visit. Please provide this notice at least 48 hours ahead of your visit to Amber Ahles at [aahles@geiconsultants.com](mailto:aahles@geiconsultants.com).

Although representatives from each participating company would have met face-to-face at the pre-bid site walk as originally planned, National Grid will be providing a virtual bid walk via Microsoft Teams that allows parties to participate via computer or phone. Bidders will be notified via email of this meeting. The virtual bid walk will take place **Friday, June 12, 2020**.

### **3.4 Interviews**

Virtual interviews will be conducted following the submittal of the RFP. Each interview is intended to take one hour and interviewees will be asked the same questions. Please include the

Owner's Representative and others that will provide key support to the owner's representative as part of your interview team. Bidders will be notified via email of this meeting. The interviews will take place during the week of *July 6, 2020*.

### **3.5 Content**

All proposals must conform to the Sample Proposal and Change Notice Format/Change Notice Form provided as Attachment E, and shall include:

1. Owner's Representative contact information.
2. Project Staffing Plan, including the composition of the remedial construction oversight team (field and office staff), experience requirements for staffing of the field oversight team positions and a brief description of the role of each primary team member. Include resumes for a minimum of the following key staff:
  - a. Project Manager
  - b. Construction Oversight Representative (if different)
  - c. Key project staff members supporting major elements of the owner's representative scope of services
3. Narrative presenting your firm's approach to owner's representation, including:
  - a. Goals, objectives, and strategic approach towards Owner's Representative role on the Gowanus Canal project.
  - b. Experience providing this service for large construction projects, including specific examples.
  - c. Description of services to be provided by task.
  - d. Description of assumptions used to develop the scope of work.
4. Summary of corporate safety record, including EMR and discussion of any significant incidents in the past 3 years, safety training of key on-site staff, and general approach to safety at large construction projects.
5. Completed Project Bid Form (Attachment G), including:
  - a. Estimated labor hours by job category for each task. Include the hourly billing rates and identify project team members to be assigned to each task.
  - b. Estimated expenses and other direct costs by task.
  - c. The total estimated cost.
  - d. The total estimated cost spreadsheet will be submitted with the response to the proposal. The unit rate spreadsheet will be submitted to Andrew Prophete at National Grid only.

### **3.6 Review Criteria**

Proposals will be evaluated based on experience of firm and proposed staff, approach to Owner's Representative role, safety record, and cost.



### **3.7 Proposed Schedule**

RTA1 and TB1 remedial construction activities are anticipated to begin in August 2020 and be completed in February 2024 but is subject to change. The Owner's Representative is anticipated to be retained prior to construction mobilization to support pre-construction activities.

## **4. SCOPE OF WORK**

The Owner's Representative proposal and pricing should address all the items discussed in Tasks 1 through 3 described below and should consider all relevant information presented in the documents provided.

### **Task 1 – Pre-Construction Services**

The Owner's Representative will be responsible for the following pre-mobilization activities:

1. Review of key pre-construction submittals including:
  - The CM/GC Quality Management Program/Plan (QMP)
  - CM/GC Construction Schedule
  - Updated 100% Construction Cost Estimate/Bid Form and associated Measure and Payment descriptions
  - The Project Risk Register
  - CM/GC Pre-Mobilization Submittals (a comprehensive list of pre-mobilization submittals is provided in Attachment H).
2. Communicate to the Trust whether the submittals are in accordance with applicable codes, standards and contract documents.
3. Provide a written work plan to establish project management objectives for the Trust which will include a framework for:
  - Reviewing and tracking project controls, cost and schedule submittals, from the CM/GC as outlined in the CM/GC contract;
  - Communicating with the project team;
  - Review of submittals; and
  - Overseeing construction work.
4. Attend weekly pre-mobilization meetings and safety review meeting.
  - The duration of each of the pre-mobilization and safety review meetings is assumed to be up to 2 hours.
  - Assume up to 6 pre-construction meetings.
  - Pre-mobilization meetings are assumed to occur weekly for four weeks prior to mobilization.
  - One safety review meeting will be conducted during the pre-mobilization phase
  - Attendance to these meetings will be remote.

### Deliverables:

- Memoranda to document comment/review of pre-construction submittals (see Attachment H; Task 1.3 in Attachment G).
- Work plan to detail project management objectives and project controls review framework (Task 1.4 in Attachment G).

### **Task 2 – Remedial Construction Oversight**

The Owner's Representative will be responsible for the following activities throughout RTA1 Construction. **Note – the Engineer of Record (EoR) is responsible for quality assurance monitoring and the construction completion report.**

- Participate in weekly progress meeting with Trust, Project Coordinator, RD EoR, CM/GC, and Emilcott, led by CM/GC. Participate in additional weekly status meeting with Trust, Project Coordinator, RD EoR, and Project Administrator, led by Trust/Project Coordinator. Review of CM/GC progress reports and construction submittals (including risk register) to ensure compliance with project management objectives, applicable codes and contract documents.
  - The duration of each weekly meeting is assumed to be 1 hour.
  - Progress and status meetings are assumed to occur weekly for the duration of RTA1 construction (175 weeks).
- On a full-time basis, provide field oversight during remedial construction, prepare documentation of site activities, and attend site meetings.
  - The Owner's Representative is expected to maintain at least one full time equivalent onsite throughout the construction schedule inclusive of mobilization and demobilization activities.
  - Construction services will be proceeding 5-days per week (Monday – Friday), starting at 7AM and concluding at 5PM.
  - Costs provided should be inclusive of any and all travel related expenses.
- Review project schedule and project control updates submitted by the CM/GC and provide recommendations to the Project Administrator on the need for the CM/GC to prepare a recovery plan as needed to mitigate delays.
- Issue determination as to whether Contractor's delay in a particular activity is critical or non-critical and estimate the potential impact of the delay on overall schedule and cost.
- Manage the review of any proposed field design changes and coordinate with CM/GC, EoR, Project Safety Manager, and the Gowanus Trust representative.
- Track construction activities with respect to potential out-of-scope items, and coordinate with the Project Administrator to resolve potential discrepancies with CM/GC.

- Review the weekly submittal of the Earned Value Management System maintained by the CM/GC on behalf of the Trust, work and attend periodic meetings with the Project Administrator, RD EoR, and Trust to review the project spend.
- Assist the Project Administrator in evaluating Contractor claims for an increase in contract price or time. Confer with the EoR, then provide written recommendation to the Gowanus Trust as to the merit of any claim.
- Coordinate the process of request for information (RFI) submittals from the Contractor, and engineering directives (ED) from the EoR.
- Coordinate field schedule of subcontractors to the Trust, including Emilcott, Community Air Monitoring, and Archaeology and Cultural Resources.
- Review of progress reports for submittal by the Remedial Design Team to the applicable regulatory agencies.
- Review Force Majeure events in accordance with the contract, and applicable regulatory provisions.
- Ensure that Contractor's environmental controls are in place and functional. Review documentation that Contractor follows the provisions of the Contract, and applicable regulations.
- Review executive summaries of the overall project status, including cost, schedule, and other information.
- Review periodic detailed budget tracking reports, including projections for the remainder of the project.

For reference, the requested scope of work for the CM/GC during RTA1 construction activities is provided in Attachment F and provides further details on the construction sequencing and scope of work for each construction task.

*Deliverables:*

- Memoranda to communicate issues/deficiencies and solutions to National Grid (at least monthly). Verbal communication is expected to be happening during weekly construction meetings (Task 2.6 in Attachment G).
- Construction Oversight Progress Reports (monthly; Task 2.6 in Attachment G).
- Reviews and recommendations for submittals (see Attachment H; Task 2.5 in Attachment G).
- Management of Change Form (when applicable [Attachment N]; Task 2.6 in Attachment G).
- Change Notice Request Form (when applicable [Attachment E]; Task 2.6 in Attachment G).

Proposals should provide labor costs and expenses assuming remedial construction activities from August 2020 through February 2024.

### **Task 3 – Turning Basin 1 Excavation and Restoration Oversight**

A 100% Remedial Design for TB1 cleanup and restoration was approved by EPA on June 12, 2019 (Attachment A-3). However, the Trust is currently re-evaluating the design and the final scope for construction is not finalized. The durations assumed in the below scope of work are for bidding purposes only and are subject to change.

The Owner's Representative will be responsible for the following TB1 Excavation and Restoration Oversight activities.

- Review any revisions made to the TB1 100% Remedial Design package.
- Review of key pre-construction submittals specific to TB1 including:
  - Construction Schedule
  - Cost Estimate/Bid Form and associated Measure and Payment descriptions
  - Risk Register
  - Pre-Mobilization Submittals
- On a full-time basis, provide field oversight during TB1 construction, prepare documentation of site activities, and attend site meetings.
  - The Owner's Representative is expected to maintain at least one full time equivalent onsite throughout the construction schedule inclusive of mobilization and demobilization activities.
  - Construction services will be proceeding 5-days per week (Monday – Friday), starting at 7AM and concluding at 5PM.
  - TB1 construction activities will be completed over 821 working days.
  - Costs provided should be inclusive of any and all travel related expenses.

#### Deliverables:

- Construction Oversight Progress Reports (monthly; Task 3.4 in Attachment G).
- Memoranda to communicate issues/deficiencies and solutions to National Grid (at least monthly). Verbal communication is expected to be happening during weekly construction meetings (Task 3.3 in Attachment G).
- Reviews and recommendations for submittals (Task 3.2 in Attachment G).
- Review revisions made to the TB1 100% Remedial Design package (Task 3.1 in Attachment G).

- Management of Change Form (when applicable [Attachment N]; Task 3.4 in Attachment G).
- Change Notice Request Form (when applicable [Attachment E]; Task 3.4 in Attachment G).

-End of Document-