

# City of Auburn, Maine | Request for Proposals



Evaluation of Ordinances Applicable to the  
Protection of the Lake Auburn Watershed  
**BID #2021-015**



City of Auburn, Maine

Financial Services | Jill Eastman, Director  
[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601  
60 Court Street, Auburn, Maine 04210

November 13, 2020

Dear Bidder;

The City of Auburn is accepting written proposals for the **Evaluation of Ordinances Applicable to the Protection of the Lake Auburn Watershed**. The City reserves the right to accept or reject any or all proposals in whole or in part and to waive any informality the City may determine necessary. The City also reserves to itself the exclusive right to accept any proposals when it is deemed by the City to be in its best interest. The City of Auburn is governed by Title 1 M.R.S.A. § 401-410, otherwise known as the Freedom of Information Act, which considers bid specifications as public documents. In awarding any proposal, the City may consider, but not be limited to, any of the following factors: Bidder qualifications, price, experience, financial standing with the City, warranties, references, bonding, delivery date, and service of Bidder. Vendors/Contractors shall be current on all amounts due to the City of Auburn prior to the City entering into any contract agreement. All proposals must include FOB to Auburn, Maine unless otherwise specified.

Proposals will not receive consideration unless submitted in accordance with the following instructions bidders.

Please mark sealed envelopes plainly: **"2021-015 Evaluation of Ordinances Applicable to the Protection of the Lake Auburn Watershed"**.

Questions regarding this Request for Proposals should be submitted in writing to Derek Boulanger, Facilities Manager/Purchasing Agent at [dboulanger@auburnmaine.gov](mailto:dboulanger@auburnmaine.gov) by 4:30PM, Tuesday, December 1, 2020. All questions and answers will be posted to the City website <https://www.auburnmaine.gov/Pages/Government/Bid-Notices> by 4:30PM December 4, 2020.

Please submit your proposal to the City of Auburn by 2:00 p.m. on **Thursday, December 17, 2020**. Proposals will be opened at 2:00 p.m. Proposals must be delivered to **Derek Boulanger, Facilities Manager/Purchasing Agent, 60 Court Street, Auburn, Maine 04210** on or before the date and time appointed. No proposals will be accepted after the time/date listed above.

Sincerely,

Derek Boulanger  
Facilities Manager/Purchasing Agent

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## 1. Summary

The purpose and intent of this project is to evaluate existing ordinances related to water quality protection at Lake Auburn in the City of Auburn, Maine. The analysis shall identify watershed protection ordinance deficiencies, develop options for improvements and updates to modernize the ordinances to include current best management practices. The analysis must consider the overall effect on density of development within the watershed, associated runoff, wastewater disposal and water quality implications of alternatives. The outcomes of the evaluation will be used to help the Planning Board and City Council adopt ordinance amendments that meet the needs of the City of Auburn.

## 2. Existing Water Quality Related Ordinances

The following existing ordinances will be reviewed as part of this evaluation:

- Chapter 60, Article XII, Division 4, Lake Auburn Watershed Overlay District  
The Lake Auburn Watershed District is intended to maintain safe and healthful environmental conditions; prevent and control water pollution; protect spawning ground for fish, aquatic life, bird and other wildlife habitats; control building sites; provide visual and physical points of access to waters and natural beauty; and protect and maintain the present quality and volume of potable water supplied from the Lake Auburn Watershed to the population of the Auburn-Lewiston area.
- Chapter 60, Article XIII, Division 2, Phosphorus Control  
The purpose of this division is to provide protection against additional phosphorus export to Taylor Pond and Lake Auburn from new land uses and changes in existing land uses by ensuring that development within the watersheds does not generate more phosphorus than the water bodies can handle and by eliminating or reducing existing sources of phosphorus. Phosphorus, a nutrient, stimulates algal growth, the main cause of water quality decline. The primary source of new and increasing phosphorus loading in the state lakes is land development: residential, commercial, and industrial.
- Chapter 60, Article XII, Division 5, Shoreland Zoning Overlay District and Shoreland zoning map related to Lake Auburn and Tributaries.  
The purposes of this Shoreland Overlay District (SLO) are to further the maintenance of safe and healthful conditions; to prevent and control water pollution; to protect fish spawning grounds, aquatic life, bird and other wildlife habitat; to protect buildings and lands from flooding and accelerated erosion; to protect archaeological and historic resources; to protect freshwater wetlands; to control building sites, placement of structures and land uses; to conserve shore cover, and visual as well as actual points of access to inland waters; to conserve natural beauty and open space; and to anticipate and respond to the impacts of development in shoreland areas.

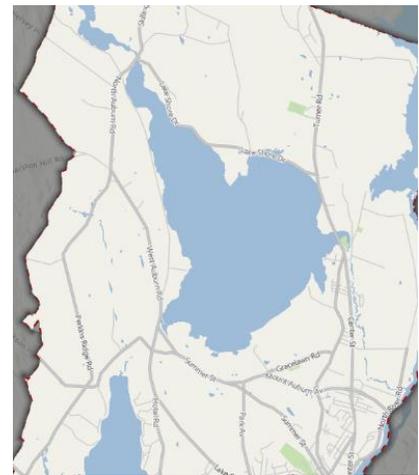
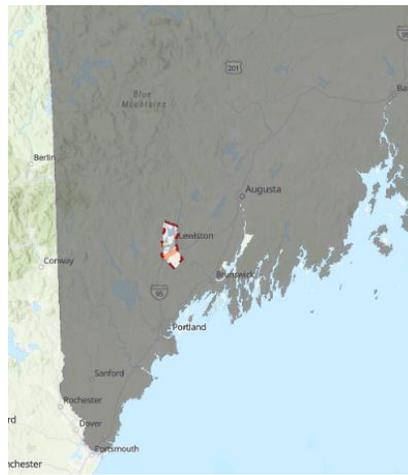
## 3. Municipal Profile



### A. Community

Situated along the banks of the Androscoggin River in central Maine, the City of Auburn, with a population of approximately 23,000, is the fourth largest in the State of Maine. According to the United States Census Bureau, it has a total land area of 65.8 square miles (sq. mi.), of which 59.8 sq. mi. are land and 6.0 sq. mi. are water. Auburn has two large bodies of water, Lake Auburn and Taylor Pond, which account for roughly

one-tenth (1/10th) of the City's total area. Lake Auburn is the water supply for the Cities of Auburn, Lewiston, and part of the Town of Poland.



Auburn is the seat of Androscoggin County, and is located approximately 31 miles north of the City of Portland, the State’s largest, and 40 miles southwest of Augusta, the State capital. Auburn also directly borders Lewiston, the State’s second largest city, and as such is strategically located between both major population and government centers in the State of Maine. The City also occupies a position of regional significance, lying a mere two- and one-half-hour car ride (136 miles) northeast of Boston, Massachusetts—the northern terminus of a 50 million person “megapolitan” region known as the Bos-Wash corridor.

Together, Auburn and Lewiston are colloquially known as the “Twin Cities,” and comprise an important node of the Combined Portland-Lewiston-South Portland-Biddeford Metropolitan Statistical Areas, with a total population of more than half a million. Auburn and Lewiston alone are home to nearly 60,000 people and together represent central Maine’s primary commercial center and residential base.

As a key municipality and major population and service center within an otherwise largely rural state, Auburn is at the heart of a constantly changing economic and residential base. With a strong and storied past in shoe manufacturing, and a bright and diverse economic future, Auburn is a growing and ever-changing city. It is also one that, while growing, seeks to maintain a balance between urban and rural ideals, growth, and quality of life. In sum, Auburn seeks to ensure that its neighborhoods are safe and well connected, people take pride in their community, open space is preserved and protected, and adequate economic, recreation, and housing opportunities exist to meet the needs of all residents. Evidencing Auburn’s commitment to these ideals is the City’s long history of comprehensive planning. In 1919, Auburn adopted its first long range plan. Due to the City’s large land size, more than fifty years ago it realized a need to protect sensitive and largely undeveloped areas from disjointed, leapfrogging land development and urban sprawl; to that end, Auburn adopted the Agricultural and Resource Protection (AG) zoning district in 1961. The AG zone restricts the use of land situated in it to agricultural uses and prohibits residential encroachment.

The City has thirteen zoning districts (one for industrial uses, five for varying commercial purposes, six for residential use, and one for agricultural purposes). Approximately forty percent (40%) of Auburn’s land mass is located within the AG zone, and as a result the City has a strong track record of preventing sprawl in targeted areas, thereby protecting natural resources and directing growth to only those areas where municipal services can be efficiently extended.

The City of Auburn, in its pioneering commitment to preservation through land use regulation, has established what amounts and is referred to in other areas of the country as an Urban Growth Boundary (UGB). Both Auburn’s strategic location and its commitment to planning are reflected in its transportation network.



### B. Water Supply

Auburn and Lewiston’s municipal water is drawn from Lake Auburn. The lake is located entirely within Auburn city limits, there is no swimming allowed in the lake and access to portions of the lake is restricted. The Auburn Water District and Lake Auburn Watershed Protection Commission have pursued aggressive policies of watershed protection and land conservation within the watershed.

In 1993, the Environmental Protection Agency (EPA) determined water from Lake Auburn met all the requirements of the Safe Drinking Water Act, Surface Water Treatment Rule. This allowed the Auburn Water District and Lewiston Water Division to be exempted from the rule’s filtration requirements. This was due to the exceptional water quality of Lake Auburn and the efforts to protect it.

### C. Industry & Employers

In terms of industry, healthcare is the largest in Auburn-Lewiston. Other key industries are high-precision manufacturing, financial services, distribution & logistics, retail/services, and telemarketing. Adequate and high-quality water supply at an affordable cost gives Auburn an edge in attracting businesses that require large volumes of water for processing or cooling.

The Cities of Auburn and Lewiston are home to some of the state’s most successful companies, including Tambrands (a Procter & Gamble company), L.L. Bean’s Telemarketing Center, Futureguard, Formed Fiber Technologies, TD Bank Operations Center, VIP Parts, Tires, & Service, Geiger, and a major Wal-Mart Food Distribution Center. As an example of recent development, Auburn is home to Procter and Gamble – Tambrands North American manufacturing which continues to grow and is representative of sustained private sector interest in the City. Moreover, two industrial and business parks have been subdivided with partial site layout complete near the aforementioned intermodal facility, and a riverside recreational walking path now abuts the Androscoggin River in the City’s Downtown core, enhancing the quality of life for area residents and, as a result, the City’s attractiveness to outside investors.

## **4. City of Auburn Comprehensive Plan**

The City of Auburn adopted its current Comprehensive Plan on April 19, 2011 after a lengthy public process. The Natural Resource Goals, specifically Goal A.1, is included (right) to highlight the Community recognition of Lake Auburn’s importance in that process. The Comprehensive Plan identifies the need for or benefits of watershed

Natural Resource Goals:
Goal A.1: Maintain the exceptional water quality of <u>Lake Auburn</u> and existing waiver from filtration to avoid or delay the need for costly treatment.
Goal A.2: Protect the water quality in <u>Taylor Pond</u> to maintain the environmental and economic value of the pond.
Goal A.3: Protect the water quality and shoreline of <u>Auburn’s rivers</u> to preserve the environmental and economic value of these resources.
Goal A.4: Protect significant <u>streams and brooks</u> in Auburn to preserve water quality in the watersheds.
Goal A.5: Protect <u>floodplains</u> in Auburn to limit the potential for flood damage.
Goal A.6: Improve the quality and manage the quantity of <u>stormwater</u> discharged to surface waters.
Goal A.7: Protect the quality of <u>groundwater</u> in aquifers as part of efforts to preserve the overall health of watersheds.
Goal A.8: Protect the function and value of <u>wetlands</u> .
Goal A.9: Protect significant <u>wildlife habitats</u> and provide wildlife corridors to link habitat blocks.

protection in nearly every policy section including Natural Resources, Water and Sewer, Public Facilities, Recreation, Community Development, Economic Development, Future Land Use, Regional Coordination, and other land use policies.

Bidders are encouraged to review the City's strategic planning hub site, which features our "Comp Plan Progress Report," with detailed staff updates on the status of various Comprehensive Plan goals and initiatives. It can be found at: <https://strategicplanning-auburnme.opendata.arcgis.com/>. Special attention should be paid to the "Natural Resources" tab within the "Comp Plan Report."

## **5. Lake Auburn Natural Profile**

Lake Auburn, formerly known as Wilson Pond, is a 2,290 acre glacially carved lake located entirely within the city limits of Auburn. The Lake Auburn watershed encompasses 9,800 acres of land stretching primarily northwest of the lake. The watershed extends into the towns of Minot, Turner, Buckfield, and Hebron and consequently all these towns play a role, along with the City of Auburn, in protecting the quality of water in the lake. Lake Auburn is fed by The Basin, a small lake formed when the North Auburn Dam was built at the inlet to Lake Auburn, by Little Wilson Pond and Mud Pond in Turner and by Townsend Brook which flows into the lake from North Auburn. Lake Auburn's outlet flows through a culvert on the eastern shoreline and over a dam into Bobbin Mill Brook that runs to the Androscoggin River. Lake Auburn completely flushes its water about every four years

## **6. Watershed Protection History**

Since 1875, Lake Auburn has been the public water supply for the City of Auburn. The City of Lewiston was authorized to take water from Lake Auburn in 1899. The first measure taken to protect the quality of the water in the lake came just a few years later. The State Legislature imposed a "No Bathing" regulation for the Lake under the Private and Special Laws of 1880, Chapter 218 and the City of Auburn subsequently adopted this guideline as city ordinance. The reason for the prohibition was a concern for waterborne infectious diseases such as cholera and yellow fever, which could be spread to the drinking water supply by human contact with the water.

In 1923 the State Department of Health mandated the first measure of water treatment for the lake; evidence of bacterial pollution in the drinking water required a chlorinator to be installed at the pumping stations. The next year, to help insure the quality of the water for future citizens, the trustees of the newly formed Auburn Water District adopted the policy "to purchase land bordering on Lake Auburn as such land comes on the market." This marks the beginning of the effort to prevent development around the lake that can be a major source of pollution. The next year the Water District began a reforestation program on a ten-acre parcel in North Auburn. The District has henceforth promoted the forestry management policy of gradually replacing hardwood deciduous trees with softwood pine trees that promote a healthier lake substrate.

With these two new policies, the practice of purchasing and managing land on the shoreline and in the watershed was set into motion. By 1927, with the purchase of the land and water rights of the Union Water Power Company, the Auburn Water District owned and managed one third of the Lake Auburn shoreline. By 1941, records show that nearly 200 cottages had been removed from the shore of Lake

Auburn and that less than 40 remained. Today the Watershed Protection Commission owns and manages approximately 80% of the shoreline.

During the 1920s, the City of Auburn and the Water District began the practice of full-time patrols around the lake and, after an outboard motor equipped rowboat was purchased in 1926, in the Lake itself. Population growth began to raise concerns about the total withdrawal possible of water from the Lake and thus, in 1927, the Auburn Water District adopted a policy of keeping the lake level as high as possible. According to current projections, the lake can sustain a withdrawal rate of sixteen million gallons per day and still fill each year. The current usage rate is approximately eight million gallons per day for the cities of Auburn and Lewiston.

The 1930s saw the use of federal programs to help protect the ecosystem of the lake. The practice of thinning the forests where needed began on a forty-acre lot in 1933. This provided not only a healthier ecosystem but also a moderate source of income for the Auburn Water District. Although checks for the pine weevil and bluster rust were started in the late 1920s, the Civilian Conservation Corps removed the white pine weevil from all lands surrounding the lake in 1934. In 1935 the District cleared its land of brush and most hardwood trees and for two years relief workers from the Works Progress Administration were used to clear brush, dead wood, and stumps and to plant trees on District land. In 1941, then Assistant Superintendent of the Auburn Water District and graduate forester, Lynn Parker developed a more comprehensive plan for thinning and planting the trees on District land in an attempt to beautify and protect the Lake and its watershed. In 1958, the District began a program of extensive thinning, removing every sixth row of adult trees. Ten years later the District began to work in conjunction with the State Forest Department to help manage and improve its land.

The first measures to directly protect the water around the intake site came in 1939. The Androscoggin Fish and Game Association convinced the Legislature to prohibit fishing in a two hundred-acre area of Lake Auburn around the intakes. This represented a closing of approximately one-tenth of the Lake. Today, after the adoption of the By-Laws for the Protection of Lake Auburn, approximately one third of the Lake is closed to fishing and all other activity.

In 1973, at the request of the Auburn Water District, the Auburn City Council adopted the Lake Auburn Watershed Overlay Districts. The Watershed Overlay Districts is a comprehensive plan to define land usage and control measures to help protect the Lake Auburn Watershed. The Overlay Districts define the Lake Auburn Watershed itself and give guidelines for agricultural use, waste disposal, erosion control, and construction within the watershed. These guidelines reflected growing concerns that non-point pollution and phosphorous levels were increasing in the Lake, and that these forms of pollution were just as great a threat to water quality as bacterial contamination. The source of this pollution was and still is primarily private residences and thus it is important to control development and waste disposal within the watershed. This ordinance gave the Auburn Water District the right to inspect any septic systems within the watershed to ensure that all plumbing and waste disposal units have as minimal an impact as possible. From 1988 to 1995 the District conducted annual sanitary surveys of watershed waste disposal systems. These surveys are being continued today.

Recently the Water District has had to shift its focus to more preventative measures. In 1975, the District adopted a "no trespassing from sunset to sunrise" rule for land owned by the District in the watershed. This regulation discouraged unwanted camping on the land that could pose a threat to water quality. In 1986 there was an initiative to rezone a portion of the watershed to allow for more dense residential development. The District was able to thwart this plan by giving the City a projection of the phosphorous and turbidity impacts that such development would have on the Lake and consequently on water quality. In 1988 again the Auburn Water District managed to block the creation of a gravel pit in the watershed by showing the potential impact it could have on Townsend Brook and consequently on the Lake itself.

In 1987, the Auburn Water District and the Lewiston Water Division jointly conducted the Lake Auburn Watershed Study to analyze the effects which withdrawing water from the Lake could have on the health of the Lake itself. It also analyzed the best course of action for the protection of the overall quality of Lake water. The study revealed that the Lake's inflow relies 34% on surface rain, 31% on springs and groundwater inflow, and 35% on surface flow from the Basin and Townsend Brook as well as other smaller streams. As for the outflow of the Lake, 18% flows over the dam into Bobbin Mill Brook, 24% evaporates into the atmosphere, and 58% is used for the water supply. The Watershed Study estimated the Safe Yield of the Lake to be around 16 million gallons per day, whereas its current withdrawals are approximately 8 million gallons for the two cities.

Over the past couple decades, the gravity of the effort to protect the watershed has greatly increased. The quality of Lake Auburn water is rather unique and must be safeguarded for future generations and to prevent the necessity of a costly filtration plant.

To help clarify the "No Bathing" regulation, now over a century old, the City of Auburn amended the Lake Auburn Ordinance to clarify that "no bathing" meant "no swimming or body contact" with the water. In 1991, the Auburn Water District adopted the By-Laws for the Protection of Lake Auburn (see Addendum II) and the Phosphorous Control Ordinance (see Addendum III). These measures were intended to help clarify the laws and guidelines about activity on the Lake and within the watershed. The Phosphorous Control Ordinance restricted most development within the watershed. The By-Laws outlined what is permitted in the different protection levels on the Lake and in the watershed also urged the creation of an organization to oversee watershed protection.

The following year, the Auburn Water District took several preventative measures because of concerns of overuse of the Lake and of extensive erosion increasing phosphorous contamination. In the spring of 1992, the Icehouse Boat Launch, in the more restricted section of the Lake was closed. In the summer of that same year nearly two miles of Spring Road, which runs almost congruently with the westerly shore of the Lake, were closed to motor vehicle traffic and the paved road was replaced with a dirt pathway open to jogging, walking, and biking.

Finally, in 1993, the Lake Auburn Watershed Protection Commission was formed. The principal purposes of the Lake Auburn Watershed Protection Commission were to maintain safe and healthful environmental conditions within the Lake Auburn Watershed, to prevent and control water pollution and to protect and maintain the present quality and volume of potable water supplied from the Lake

Auburn Watershed. In order to accomplish these goals the LAWPC was given title to all District land owned at that time in the Watershed and the LAWPC was given the authority to continue to acquire land within the Watershed for the purpose of protection. The Commission must act on behalf of the interests of the Auburn Water District and the Lewiston Water Division when implementing ordinances, regulations, and policies in the Watershed. The LAWPC also was given authority to take legal action to enforce laws and ordinances relative to the watershed and to drinking water pollution. The LAWPC consists of a nine member board composed of three members appointed by the Auburn Water District, three appointed by the City of Lewiston, one appointed by the Town of Turner, one appointed by the Androscoggin Valley Council of Governments, and one member representing collectively the interests of the towns of Buckfield, Minot, and Hebron. At the time of its creation, the LAWPC owned and managed approximately 720 acres of land within the watershed. Due to an aggressive program of land acquisition over the past ten years, the creation of Conservation Easements, and the generosity of some land owners to give control of their land to the Commission in the form of Life Estates, the Commission has dramatically increased the amount of land it controls in the Watershed. To date the Commission controls nearly 1,800 acres, or nearly 20%, of the entire Watershed, an increase of over one thousand acres since its creation. The Commission has also placed an emphasis on acquiring land boarding on the Lake itself, and as a result nearly 80% of the shoreline along Lake Auburn is Commission controlled.

The LAWPC does more than merely acquire property along the Lake. It enforces the laws and regulations regarding watershed protection by frequent in lake and shoreline patrols, cooperation with the City of Auburn and through an extensive program of posting the land and the shoreline with informative placards. The Commission also manages the land that it owns.

In the most recent years, the Commission has been engaged in a new battle against invasive aquatic plants. Variable-leaf milfoil was identified in the Lake right by the inlet at the North Auburn Store and in the Basin. This plant completely takes over the areas it invades, killing other native plant life and choking the Lake, not only diminishing the beauty and recreational possibilities of the Lake, but harming water quality itself. Milfoil can easily be spread from one lake to another or from one area of Lake Auburn to another on the backs of motorboats or trailers. Fortunately, to this date milfoil has not been detected in any other area of the Lake. Nonetheless, the LAWPC has been working on the local and state levels to educate the public about this potential threat. Signage has been posted at all boat launches and heavy fines are imposed for transporting any aquatic plants.

By working to help educate the public about the importance of water quality and watershed protection, the Commission hopes to continue to ensure the water quality of Lake Auburn for generations of citizens to come.

## **7. Previous and Current Lake Auburn Watershed Studies**

### **Title**

Lake Auburn Watershed Study  
Protecting "The Landscape's Eye:" Preserving Lake Auburn...  
Application for Exception to the SDWA Filtration Requirement  
Turbidity & Bacteria Study

### **Completed**

December 1987  
July 1990  
August 1991  
June 1993

A Report of the Severity of Bluff Erosion - Lake Auburn	May 1994
Phosphorus Levels & Sediment Core - Lake Auburn Watershed	May 1994
Studying the Bathymetry of Lake Auburn	May 1994
Acoustic Sub-bottom Profiling - Lake Auburn	May 1994
Water Profile Studies of Lake Auburn	May 1994
Water Profile of Lake Auburn	June 1995
Water Chemistry of the Lake Auburn Watershed	June 1995
Sedimentation Study of Lakes - Lake Auburn	June 1995
Boundary & Budget Analysis for Townsend Brook Watershed	May 1996
Inspection of East and North Auburn Dams	November 1996
The Lake Auburn Watershed - Land Use Planning	May 1998
GIS Mapping for the Lake Auburn Watershed	August 1999
Engineering Services for Repairs to the East Auburn Dam	April 2002
Forest Management Plan for the Lake Auburn Watershed	June 2002
Development of Emergency Response Plan for the East Auburn Dam	September 2002
Development of Emergency Response Plan for the North Auburn Dam	September 2002
Source Water Assessment Plan - Lake Auburn Watershed (SWAP)	April 2003
Timber Harvesting Plan for the Lake Auburn Watershed Commission	November 2003
Water Budget for Lake Auburn, Maine	January 2004
Lake Auburn Watershed Sanitary Survey for Wilson Pond Area	June 2005
Lake Auburn Watershed Sanitary Survey for Townsend Brook Area	August 2005
Safe Drinking Water Act Compliance Study	December 2005
Lake Auburn Bacteria Study Update	February 2006
Lake Auburn Bike and Pedestrian Master Plan - Southern Link	September 2007
DRAFT - Lake Auburn Watershed Management Plan	February 2010
FINAL - Lake Auburn Watershed Management Plan	April 2010
Lake Auburn Watershed Diagnostic Study	March 2013
Timber Cruise Report and Forest Management Plan	2013

## 8. Scope of Work and Deliverables

### A. Analysis of Regulatory Impacts

Determine impact of regulations in and around Lake Auburn.

- 1) Review existing ordinances and bylaws for the protection of Lake Auburn and identify strengths, weaknesses, obsolescence and concerns with existing ordinances and bylaws
- 2) Review existing studies and reports regarding consideration of the filtering drinking water and identify options for updates or improvements
- 3) Determine if the current "multi barrier approach" to water quality, and its impact to stakeholders, compare with best practices of other protected water sources

Questions based upon the data acquired:

- a) *What conclusions and recommendations can be drawn from this analysis?*
- b) *Can building restrictions/regulations within the watershed be eased if a filtration plant is built?*
- c) *What is working and what is not working?*

## B. Analysis of Environmental Impacts

Determine short- and long-term environmental impacts as it pertains to past and future watershed and in-lake strategies and make recommendations that will ensure long-term viability of Lake Auburn as a public drinking water supply, future development, and possible recreational activities.

All objectives should consider impervious surface, human waste that may result in the transfer of pathogens, loss of filtration waiver, taste or odor, cyanotoxins, spread of invasive organisms, amounts of phosphorus (P), nitrogen (N), and sediment.

- 1) Investigate the magnitude of changes in water quality in Lake Auburn that could result from changes in development standards or enhanced recreational activities.
- 2) Review existing resources and practices as it pertains to land conservation, erosion control, and forest management.
- 3) Review Lake Auburn Watershed Protection Commission land purchase strategy and history of purchases.

Questions based upon the data acquired:

- a) *What conclusions and recommendations can be drawn from this analysis?*
- b) *Is the current amount of protected land too much, too little, or sufficient to meet water quality goals for an unfiltered public water supply?*
- c) *Do additional recreational opportunities exist that will not impact the overall environmental health of Lake Auburn?*
- d) *Can changes occur to development standards in the Lake Auburn watershed area?*

## C. Analysis of Economic Impacts

Determine the financial impacts to the City of Auburn, past and future, to provide a public drinking water supply for the customers of the Auburn Water District. All objectives should consider lost tax revenues, unrealized economic activity which includes development and recreational, and rate payer impacts (past, present, and future).

- 1) Quantify the full picture of the economic cost of the added protection through ordinances and regulations for Lake Auburn protection.
- 2) Quantify the costs of various drinking water treatment scenarios including modern filtration and other technologies to ensure both quality drinking water and long-term lake health - taking into account all costs required to construct & maintain (including the potential for supplementary or alternate drinking water sources).
- 3) Pinpoint Lake Auburn's standing compared to other filtered drinking water sources to demonstrate where Auburn currently is, and where Auburn could be by using a matrix to compare Lake Auburn to other filtered lakes and drinking water sources around the US, including consideration for variables such as lake size and depth, permissible types of development and recreation, cost to construct and maintain, and other factors that will show the range of paths taken by other water districts to demonstrate where Auburn currently is, and real world comparable that show where Auburn could be.

#### D. Final Report Outcomes

It is envisioned that the Consultant shall, at a minimum, meet the following goals and objectives as it pertains to the final report.

- 1) Compare identified options in all three categories and make holistic recommendations to the City Council on bundled Improvements
- 2) Present options to Planning Board
  - a. Accept and consider public input
  - b. Draft Ordinance Revisions for Adoption by Council
- 3) Present options and Planning Board recommendations to City Council
  - a. Workshop with Council
  - b. Present for public input and amend as directed by Council
  - c. Finalize revisions for adoption by Council

#### **9. Proposal Elements**

Specific proposals should include an explanation of how the consultant will complete the following and identify the key deliverables included in the proposal:

1. Project Initiation
2. Public Input and Stakeholder Outreach
3. Identified Ordinance Review and Analysis
4. Identify Options for Revisions
5. General Land Use Analysis Relating to Proposed Ordinance Revisions & Anticipated Impacts on Water quality.
6. Analysis and Preparation of draft/final Reports to Planning Board and City Council
7. Drafting of Planning Board Recommended Ordinance Amendments

#### **10. Staff Participation**

The City of Auburn will provide project oversight, participate in meetings and the final review and approval of all deliverables related to the evaluation. It is envisioned that the selected consultant/firm will be responsible for most of the tasks during the process; however, the City of Auburn is expected to perform or to assume lead responsibility for the following tasks:

- A. Provides access to all ordinances and any relevant studies at the request of the consultant.
- B. Review all draft reports and recommendations prior to their reproduction and distribution
- C. Assist with media outreach and distribution of media advisories
- D. Schedule required public meetings with the Consultant, Planning Board and City Council and provide meeting space
- E. Provide updates via the City Website and make relevant document deliverables available to the public upon request
- F. Provide existing GIS Data and information

## **11. Project Timeline**

Staff expects to select the team in December 2020 and return to City Council in January to request authorization to award the contract to the best qualified team. The City expects this process to be completed within four months of selection, including submission of the completed ordinance amendments for consideration at the Planning Board and City Council meetings.

## **12. Selection Criteria**

Proposals will be evaluated by a committee. The evaluation committee will be contacting references and/or conducting all required inquiries the City deems necessary to assist in the evaluation of all proposals. Proposals will be qualifications-based. Committee evaluations will be measured and tallied across the following dimensions:

- A. Statement of Qualifications and Experience: 30 points, summary of the proposer's qualifications and recent experience in providing services for similar Projects. Experience referenced shall be of similar or greater scope, size, and complexity (proposer shall furnish information of similar work performed within the past ten years, including current contact information for each project).
- B. Project Approach and Understanding of Objectives: 20 points, describe your firm's approach and team organization to perform services. Include a brief description on the collaborative process/methods to be used by key personnel, stakeholder outreach, as well as a summary of your Firm's understanding of project, broad technical requirements, constraints affecting implementation.
- C. References and Completeness: 20 points, summary of references as outlined in Exhibit G and overall quality/completeness of proposal package.
- D. Cost: 20 points, price to include all labor, equipment, etc. for consultant services as outlined in Exhibit H and shall be delivered in a separate sealed envelope.
- E. Work Schedule and Timeline: 10 points, summary of durations for submittal of deliverables and milestone dates/events. The City acknowledges and understands that completion schedule will be dependent on timely City responses, seasonal data gathering and analyses, and the full scope of deliverables will be dependent on processing information from stakeholder outreach and discussions.

## **13. Proposal Format**

Submit one (1) original proposal with five (5) copies and required forms, along with a USB in Microsoft Word or PDF format which shall include, but is not limited to the following:

- A. Letter of Transmittal (not to exceed one page)
- B. Table of Contents (not to exceed one page)
- C. Proposer's Business Information (not to exceed one page per firm/sub-consultant – see Exhibit C)
- D. Statement of Qualifications & Experience (not to exceed ten pages)

Proposals must contain a statement as to qualifications of the proposer and any sub-consultants; identify the project manager, additional staff and/or sub-consultant staff having assignments under the contract. Resumes of all staff shall fully describe qualifications, experiences, and projects for which they had progressive responsibility, along with the duration of time with the proposer's firm. The project manager will be expected to be fully involved and conversant in the schedule and deliverables, as well as coordinate with the technical experts contributing to specific subject areas.

Proposals shall describe the organizational structure of staff members and sub-contractors and provide a summary of the business' general experience in providing the Scope of Work listed in Section 8. This section shall also include a description of three recent projects of similar scope and magnitude.

E. Approach & Methodology (not to exceed five pages)

Proposals must address the minimum tasks outlined in Section 8. The City requests that any additional list of tasks which the proposer expects City staff to perform (i.e. any not contained in this RFP) be included in their proposal.

F. Work Schedule and Timeline (not to exceed two pages)

Proposals must contain an outline of a proposed work schedule and timeline that includes all tasks and deliverables for completion. The work schedule shall explain what respective roles and tasks that City staff would be expected to complete the Scope of Work.

G. Exceptions to Scope of Work

Any deviation from Specifications and Scope of Work must be identified on Exhibit D (Additions, Deletions and/or Exceptions). Failure to note said exceptions will be interpreted to convey that the proposer proposes to perform in the manner described and/or specified in this solicitation. If exception(s) are taken or alternatives offered, complete descriptions must be shown separately

H. Project Cost (not to exceed two pages)

Not-to-Exceed project cost for the performance of all services described in the scope of work, must be identified in the format outlined in Exhibit B, which shall be delivered in a separate sealed envelope.

I. Billing schedule (not to exceed two pages)

A payment schedule shall accompany the project cost sheets which shall be delivered in a separate sealed envelope. The billing schedule shall clearly identify:

- 1) Proposed rates and method of payment for all services to be performed by the Proposer including hourly rates, description of any reimbursable charges, and rental or purchase of equipment and/or instrumentation.
- 2) An estimated cost breakdown for each major component of the scope of work, with a cross-reference to each component identified in Section 8.

J. References and completeness (not to exceed one page)

Provide a minimum of three (3) references from recent projects of similar or greater size and scope on Exhibit A, preferably those from other Maine agencies.

**Exhibits**

Exhibit A: References

<b>REFERENCES</b> Please provide three (3) customer references from recent projects, within last ten (10) years. Local and similar size contract references are preferred.	
<b>REFERENCE #1</b>	
NAME OF FIRM	
ADDRESS	
CITY, STATE, ZIP CODE	
TELEPHONE #	
CONTACT	
PROJECT NAME/COMPLETION DATE	
APPROX. COST	
<b>REFERENCE #2</b>	
NAME OF FIRM	
ADDRESS	
CITY, STATE, ZIP CODE	
TELEPHONE #	
CONTACT	
PROJECT NAME/COMPLETION DATE	
APPROX. COST	
<b>REFERENCE #3</b>	
NAME OF FIRM	
ADDRESS	
CITY, STATE, ZIP CODE	
TELEPHONE #	
CONTACT	
PROJECT NAME/COMPLETION DATE	
APPROX. COST	

Exhibit B: Cost Proposal

The undersigned, as proposer, certifies that this submittal is made without collusion with any other person, firm, or corporation; and in submitting a response to this request; has examined instructions, specifications, and all terms and conditions of the solicitation. Proposer proposes and agrees to execute and fully perform in accordance with the instructions, specifications, terms and conditions of this request and any resulting agreement.

Not to Exceed Price for the Scope of Work contained herein (fixed price including all reimbursable):

\$ \_\_\_\_\_

Not to Exceed Price (in words): \_\_\_\_\_

Name of Firm \_\_\_\_\_ Date \_\_\_\_\_

Authorized Signature \_\_\_\_\_

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

\_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

Email Address \_\_\_\_\_

Attach an itemization of costs that follows the format listed on the following pages. If necessary, recreate the table to add subcomponents or additional line items to further clarify costs for the City. If a specific item(s) does not apply, then state not applicable with clarifying rationale.

Exhibit B shall be submitted in a separate sealed envelope labeled, "RFP FOR #2021-015 – DO NOT OPEN UNTIL EVALUATIONS ARE COMPLETE," the contents of which shall include the following:

1. Total cost by task (see table below and reference Section 8 above)
2. A separate spreadsheet outlining a detailed breakdown of estimated labor hours, proposed rate, and method of payment for all services, hourly rates, description of any reimbursable charges, equipment or instrument rentals or purchases, et al.
3. Not-to-exceed price for all work included herein.

TASK #	ITEM	COST
1	Analysis of Regulatory Impacts	
2	Analysis of Environmental Impacts	
3	Analysis of Economic Impacts	
4	Final Report	
	Mark-up on direct costs	
	Overhead rate as a percentage of direct labor ( %)	
	<b>TOTAL:</b>	

Exhibit C: Business Information

Complete one form for the **primary firm** included in the proposal.

1. Length of time your firm has been in business: \_\_\_\_\_
2. Length of time at current location: \_\_\_\_\_
3. List types and business license number(s): \_\_\_\_\_  
\_\_\_\_\_
4. Names and titles of all officers of the firm: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Is your firm a sole proprietorship doing business under a different name?  Yes  No
6. If yes, please indicate sole proprietorship name/name under which you are doing business: \_\_\_\_\_
7. Please indicate your Federal Tax ID Number: \_\_\_\_\_
8. Is your firm incorporated?  Yes  No
9. Primary business address: \_\_\_\_\_

Complete one form for each **sub-consultant** included in the proposal.

1. Length of time your firm has been in business: \_\_\_\_\_

2. Length of time at current location: \_\_\_\_\_

3. Total number of employees: \_\_\_\_\_

4. List types and business license number(s):

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5. Names and titles of all officers of the firm:

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6. List the names of similar projects you have worked on within the last ten years.

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7. List the number of past projects partnering with Primary Consultant.

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Exhibit E: Scope of Work and Schedule of Performance

Exhibit F: Compensation Rates and Charges

Exhibit G: Certificate of Consultant

I HEREBY CERTIFY that I am the \_\_\_\_\_, and a duly authorized representative of the firm of \_\_\_\_\_, whose address is \_\_\_\_\_, and that neither I nor the above firm I here represent has:

- a. Employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above consultant) to solicit to secure this Agreement
- b. Agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the Agreement; or
- c. Paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above consultant) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the Agreement;

Except as here expressly stated (if any):

I acknowledge that this certificate is subject to applicable State and Federal laws, both criminal and civil.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Exhibit H: Consultant Evaluation Form

The City is interested in maximizing the value of outsourcing consultant services. Prospective firms should propose the most cost-effective methodology and technology to meet the requirements of this RFP. Completed copies of evaluation forms will not be made available to proposers. However, upon completion of the evaluation and selection process, proposers will be advised of the top-ranked firms. The selected firm will be invited to negotiate the terms of an agreement for services with the City. If an agreement is not reached within a reasonable period, negotiations will be opened with the next ranked choice of the selection committee.

<b>CONSULTANT EVALUATION FORM</b>				
	<b>Criteria</b>	<b>Maximum Score</b>	<b>Score</b>	<b>Comments</b>
<b>1</b>	Statement of qualifications and experience: summary of the proposer’s qualifications and recent experience in providing services related to the topics requested in this proposal (including a list of subconsultants and their qualifications and experience).	30		
<b>2</b>	Approach and methodology: summary of proposer’s approach and team organization which shall include a summary of the firm’s understanding of issues, approach to gathering information, potential challenges, and proposed solutions, etc. as outlined in Section 8.	20		
<b>3</b>	References and completeness: summary of references as provided in Exhibit A and overall quality and completeness of proposal package.	20		
<b>4</b>	Cost: price to include all labor, equipment, etc. for consultant services as outlined in Section III and shall be delivered in a separate sealed envelope.	20		
<b>5</b>	Work schedule and timeline of assigned timelines to each task and/or subtask.	10		
	(MAXIMUM SCORE: 100)	<b>TOTAL SCORE:</b>		

## Exhibit I: Conditions and Instructions to Bidders

1. Bidders shall use the enclosed bid form for quotations. Whenever, in bid forms, an article is defined by using a trade name or catalog number, the term "or approved equal", if not inserted, shall be implied.
2. Submit a separate unit price for each item unless otherwise specified in the bid request. Award will be made on a basis of each item, or as a group, whichever is in the best interest of the City. Prices stated are to be "delivered to destination".
3. Bid proposals must be completed in full, in ink and must be signed by firm official. Bids may be withdrawn prior to the time set for the official opening.
4. Bids will be opened publicly. Bidders or representatives may be present at bid opening.
5. Awards will be made to the lowest responsible bidder, considering the quality of the materials, date of delivery, cost which meets specification and is in the best interest to the City of Auburn.
6. All travel and transportation charges, including expense for freight, mail, etc. shall be prepaid and be at the expense of the vendor unless otherwise specified in the bid.
7. The terms and cash discounts shall be specified. Time, in connection with discount offered, will be computed from date of delivery at destination after final inspection and acceptance or from date of correct invoice, whichever is later.
8. The City is exempt from payment of Federal Excise Taxes on the articles not for resale, Federal Transportation Tax on all shipments and Maine Sales Tax and Use Taxes. Please quote less these taxes. Upon application, exemption certificate will be furnished with the Purchase Order when required.
9. Time of delivery shall be stated. If time is of the essence, the earliest date may be a factor in the bid award.
10. No contract may be assigned without the written consent of the Finance Director or her designee. The contract shall not be considered valid until a purchase order has been issued to the successful bidder.
11. Please state "**2021-015 Evaluation of Ordinances Applicable to the Protection of the Lake Auburn Watershed**". on submitted, sealed envelope.
12. The City of Auburn reserves the right to waive any formality and technicality in bids whichever is deemed best for the interest of the City of Auburn.
13. Bidder will clearly outline all options that are included in the bid price.
14. Word and PDF versions of all project documents submitted shall be considered property of the City of Auburn.

## Exhibit J: General Conditions

### 1. Equal Employment Opportunity

The City of Auburn is an Equal Opportunity Employer and shall not discriminate against an applicant for employment, and employee or a citizen because of race, color, sex, marital status, physical and/or mental handicap, religion, age, ancestry or natural origin, unless based upon a bona-fide occupation qualification. Vendors and contractor or their agents doing business with the City shall not violate the above clause or the Civil Rights Acts of 1964. Violations by vendors shall be reviewed on a case-by-case basis and may mean an automatic breach of contract or service to the City of Auburn.

### 2. Save Harmless

The Bidder agrees to protect and save harmless the owner from all costs, expenses or damages that may arise out of alleged infringement of patents of materials used.

### 3. Subcontracting

The Bidder shall not subcontract any part of the work or materials or assign any monies due it without first obtaining the written consent of the municipality. Neither party shall assign or transfer its interest in the contract without the written consent of the other party.

### 4. Warranty

The Bidder warrants that all work will be of good quality and free from faults and defects, and in conformance with the specifications. All work not so conforming to these standards may be considered defective. The Bidder agrees to be responsible for the acts and omissions of all of its employees and all subcontractors, their agents and employees, and all other persons performing any of the work under a contract with the Bidder.