

CITY OF NEWPORT, OREGON

REQUEST FOR PROPOSALS

OCEAN BIOACCUMULATION SURVEY



SUBMIT PROPOSAL TO:
**Peggy Hawker, City Recorder/
Special Projects Director
City of Newport
169 SW Coast Highway
Newport, Oregon 97365**

Due Date: March 2, 2012

CITY OF NEWPORT, OREGON

Request for Proposal Ocean Bioaccumulation Survey

BACKGROUND

ADMINISTRATIVE ENTITY

Pursuant to City Public Contracting Rule 70.015.A, regarding formal selection procedures for personal service contracts, the City of Newport is seeking a well-qualified individual/organization to submit a proposal to provide an ocean bioaccumulation survey for the City.

OVERVIEW

On March 15, 2010, the Newport City Council adopted Resolution No. 3502 which directed that the fees paid by Georgia-Pacific (G-P) under the G-P agreement for the years 2008, 2009, and 2010, totaling approximately \$170,000 be used for the testing of ocean waters, habitat, beaches, and animals near the G-P ocean outfall. The City Council also directed that a Technical Advisory Task Force be established for the purpose of soliciting grant proposals for the testing of ocean waters, habitat, beaches, and animals near the G-P outfall. This Resolution further directed that the award of grants be recommended by the Technical Advisory Task Force and approved by the City Council. A seven member Task Force was appointed, and this RFP is a result of the work of this Task Force.

The City of Newport, Oregon initiated a study of the effects of the coastal submarine discharge of non-chlorinated effluent from the Georgia-Pacific Pulp and Paper Recycling Mill, Toledo, Oregon. Georgia-Pacific Toledo LLC operates an unbleached Kraft, semi-chemical and secondary fiber pulp and paper mill in Toledo. The facility discharges treated wastewater through an ocean outfall (Outfall 001) approximately 4,000 feet offshore of Nye Beach in Newport. Outfall 001 is authorized by National Pollutant Discharge Elimination System (NPDES) Permit No. 101409, issued by the Oregon Department of Environmental Quality (DEQ). The NPDES permit defined the zone of initial dilution (ZID) and Regulatory Mixing Zone (RMZ) for Outfall 001. The ZID and the RMZ boundaries are the distances from the diffuser where the discharge must meet acute and chronic water quality criteria for the protection of aquatic organisms. Outfall 001 terminates with a Y-shaped multiport diffuser at a depth of 32 feet below mean lower low water in a sandy region surrounded on the south, west, and north by shallow siltstone and mudstone reefs. Newport City wastewater outfall is located in the near-shore area off Nye Beach and inshore of Outfall 001.

The effluent concentrations for samples collected at the Georgia-Pacific Toledo Mill, prior to discharge through the marine outfall diffuser indicated that effluent total recoverable metals and cyanide concentrations were all below the acute and chronic water quality criteria for the protection of aquatic life with the exceptions of copper

(above acute and chronic criteria) and lead (only above chronic criteria). Effluent ammonia concentrations were also greater than acute and chronic criteria. The minimum dilution factors for the marine outfall diffuser are defined in the Georgia-Pacific NPDES Permit for Outfall 001 as 52 at the ZID and 175 at the MZ boundary. After the Outfall 001 effluent is mixed with the seawater (i.e. after application of these dilution factors), then ammonia, copper, and lead are reduced to concentrations that are much less than the acute and chronic criteria for the protection of aquatic organisms.

Georgia-Pacific's NPDES permit specified that a comprehensive survey of the aquatic community in the area around the mill's outfall diffuser and MZ be conducted after study plan review and approval by DEQ. The Aquatic Survey was designed to characterize the physical, chemical, and biological characteristics of the area near Outfall 001 (within the defined mixing zone and surrounding areas to the north and south), and at three reference areas with similar physical sediment characteristics, but distant from the effluent discharge of Outfall 001. The Aquatic Surveys were conducted during May and September 2010. The project study area consists of the nearshore region of the Pacific Ocean along the Oregon coast from 2 miles north of Yaquina Head to approximately 3 miles south of the Yaquina Bay entrance jetties (Attachment 1). Attachment 1 shows the overall project study area and identifies the Nye Beach Offshore Area (which includes the MZ Region, South Mixing Zone [SMZ] Region, North Mixing Zone [NMZ] Region), South Beach Reference [SBR] Region, South Yaquina Reference [SYR] Region, and North Yaquina Reference [NYR] Region. The coastal ocean conditions at the Outfall 001 diffuser are dominated by tidally driven currents and wave-induced mixing. Coastal winds are also a major input to the ambient conditions. During summer, strong and persistent northwesterly winds generate large-scale coastal water transport to the south and west that cause upwelling of deep waters into the near shore coastal region. The study collected field data representative of the benthic community and physical and chemical conditions in the Outfall 001 mixing zone (MZ), immediately outside the MZ, and at several reference sites during the oceanographic seasons of spring and fall. The spring Aquatic Survey data defined the seabed bathymetry and general marine habitat conditions (using multibeam sonar) within the Outfall 001 MZ, from areas immediately outside the MZ, and from reference sites to compare study sites and to summarize the physical habitat similarities and differences. Data representative of seasonal benthic infaunal communities from within the Outfall 001 MZ, from areas immediately outside the MZ, and from reference areas indicated that the communities were statistically similar.

Benthic infauna sampling was conducted concurrently with sediment chemistry sampling, but from separate grab samples. A total of 5,206 organisms were collected and 58 taxonomic classifications (primarily species) were identified from the 90 benthic infauna samples. A total of 790 individual organisms were identified within the MZ sites, 641 in the NMZ Region, and 675 in the SMZ Region. There were 922 individual organisms identified within the SYR Region; 1,027 within the SBR Region; and 1,151 within the NYR Region. A total of 28 taxonomic classifications were identified within the MZ, 34 in the NMZ, and 27 in the SMZ. At the reference sites, there were 35, 28, and 36 taxonomic classifications within the samples collected in the SYR, SBR, and NYR Regions, respectively. Although there was some variation, the results showed that the

benthic infaunal community within the Outfall 001 MZ did not differ statistically from the communities outside the MZ or at the reference sites. However, no tissue samples were analyzed chemically nor were bioaccumulation studies performed.

RFP SPECIFICATIONS

A. STUDY GOALS

The previous study included effects on benthic community structure and sediment contamination, but did not include bioaccumulation of possible effluent constituents by resident coastal marine organisms. The proposed study will address bioaccumulation.

Bioaccumulation is defined as the accumulation of chemicals in the tissue of organisms through any route, including respiration, ingestion, or direct contact with contaminated water, sediment, and pore water in the sediment (U.S. Environmental Protection Agency, 2000)

The goal of this study is to determine if there is bioaccumulation of effluent-borne pollutants such as phenolic compounds, PCBs or metals in animals collected from the mixing zone relative to those from reference areas and adjacent beaches.

1. If bioaccumulation is observed, provide a plan for assessing the risk to the ecosystem and public health.
2. Provide data for the City of Newport.

B. SCOPE OF SERVICES

The successful proposer shall perform the following services:

1. Quantitative assessment of bioaccumulation in the area of the outfall and designated reference areas shown in Attachment 1.
 - a. Resident indicator animals such as flat fish, crabs, clams or mussels, and benthic infauna shall be analyzed for bioaccumulation.
 - b. The animals used may be obtained by any permitted collection method or from “caged” experiments to determine the extent of bioaccumulation.
 - c. Proposals shall take into consideration that these locations are in highly energetic soft sand environments with difficult access.
2. Analytical methods for bioaccumulation of priority pollutants: Proposals shall detail field and laboratory methods that will be used, including procedures for quality assurance and control for sample collection, handling and chemical analysis.

Required analyses are:

- a. A complete ICP-MS scan for metals up to 35 elements.
 - b. A GC-MS scan for trace organic compounds including phenolics and PCB congeners.
3. Study Site. The study site is illustrated in Attachment 1. Details of the physical characteristics of the sites are presented in “Comprehensive Survey of the Aquatic Community in the Area of Georgia-Pacific Outfall 001”(2110), available by request. This phase of the study shall consider three areas and adjacent beaches:
- a. G-P Outfall Primary Survey Area (City of Newport coast);
 - b. Reference Survey Area North (north of Yaquina Head);
 - c. Reference Survey Area South (south of Yaquina Bay jetties).
4. Permits. The successful proposer shall obtain the necessary scientific sampling permits.
5. Target Animals. Samples of at least three types of animals, such as a mollusk, a crustacean, and a flat fish, that live in the mixing zone and may bioaccumulate contaminants shall be studied. Examples include razor clams (*Siliqua patula*), mussels (*Mytilus* spp), dungeness crab (*Cancer magister*), and flat fish.
6. Sampling Methodology and Specifications. To obtain as representative a sample as possible, specimen compositing shall be conducted. Each composite sample shall consist of at least ten specimens of a given organism. Morphometrics should be performed on each organism. An effort shall be made to obtain a similar distribution of sizes of organisms within each composite sample.

Proposers should detail sampling and handling procedures within the proposal.

7. The whole specimen shall be included in the sample with the exception of mollusk shells. The tissue shall be well mixed and sub-sampled as appropriate.

For each of the three target species, composite sampling, utilizing appropriate methodology, shall consist of tissue from at least ten specimens with the exception of flat fish, obtained from each of the three Survey Areas. A total number of tissue composites shall be obtained for chemical analysis to best obtain a representative coverage of sample data.

8. Sampling Schedule. The three sampling areas shall be sampled during late summer or early fall.
9. Deliverables. The Contractor shall, within eight months of the initiation of sampling, deliver to the City of Newport a draft report. A final report shall be delivered to the City of Newport within two months after the draft report is reviewed by the City and

returned to the proposers. The report shall contain an executive summary, a description of the sampling and testing methods, a complete accounting of test results, and a recommended plan for risk assessment if bioaccumulation is observed.

C. ELIGIBLE PROPOSERS

Proposals will be accepted only from organizations (profit or non-profit), or other collaborative arrangements that:

1. Possess, or obtain, a City of Newport business license.
2. Corporations or limited liability companies must be in good standing with the Secretary of State.

D. CONTRACT TERM

The term of the contract is negotiable, subject to an eight-month limitation on sampling, analysis and production of a draft report, and a two-month limitation on production of the final report, following City review and comment on the draft.

E. SCHEDULE

Event	Date
Release of Request for Proposals	December 6, 2011
Pre-Proposal Conference	January 13, 2012
Proposals Due	March 2, 2012
Evaluations Completed By	March 21, 2012
Proposal Award Date	April 16, 2012
Study Shall Commence	Summer of 2012

(This schedule is subject to change.)

Amendments to the schedule will be posted on the City's website at www.newportoregon.gov.

F. DEADLINE FOR SUBMISSION OF PROPOSALS

The original proposal, together with ten complete copies must be **received** by 5:00 P.M., on Friday, March 2, 2012. Proposals must be sent or delivered to:

Peggy Hawker, City Recorder/Special Projects Director
City of Newport
169 SW Coast Highway
Newport, Oregon 97365

Timely submission of proposals is the sole responsibility of the proposer. The City reserves the right to determine the timeliness of all submissions. Late proposals will not be accepted. All proposals received after the deadline will be returned unopened.

G. PROPOSAL REQUIREMENTS

The following outlines the proposal requirements. Submission of a proposal pursuant to this RFP shall constitute acknowledgement and acceptance of the terms and conditions set forth within this RFP, and proposer's intent to be bound to the terms of the attached contract. This RFP and awardee's proposal will be part of the contract, if this project is awarded, although the City reserves the exclusive right to change or negotiate any term, prior to execution. Failure of the successful proposer to accept these obligations can result in cancellation of the award. All proposals submitted in response to the RFP are the property of the City and will be a public record once the selection process is completed. Each proposal must contain the following:

1. Cover Letter for the Proposal. A cover letter must be submitted with the proposal. The cover letter should be limited to one page and must include the company name, company address, and the name, telephone number, fax number, and e-mail address of the person(s) authorized to represent the firm on all matters relating to the RFP and any contract awarded pursuant to this RFP. A person authorized to bind the proposer to all commitments made in the proposal must sign the letter.
2. Providing Services to Meet Goals & Objectives. Each proposer shall furnish a narrative of how the organization will provide services to meet the City's scope of services.
3. Statement of Qualifications. A Proposer shall submit a Statement of Qualifications and Credentials for the Prime Contractor, and for each Sub-Contractor, included in the Proposal. A budget also shall be submitted, itemizing costs of:
 - a. Sampling
 - b. Sample and Composite preparation
 - c. Analytical chemistry
 - d. Data analysis and evaluation of results
 - e. Report preparation

Proposals shall demonstrate knowledge of the literature and refer to known methods for measuring bioaccumulation and discuss the interpretation of the results. Proposals shall address timing of the samples (i.e, the possible effects of season) and other environmental factors that might affect results.

4. Proposer Experience. Each proposer shall furnish a narrative supported by relevant data regarding past experience with similar projects, and for the individuals who will be assigned to work on this project.

Each proposer shall also furnish a list of references including names, addresses, phone numbers, and principal contacts in which the proposer has provided similar services.

5. Projected Costs and Proposed Services. Proposals should include proposer’s service rates and a total cost estimate. Itemize the annual projected costs of each component in the “Scope of Services” described above.

H. PROPOSAL EVALUATION AND SELECTION PROCESS

The City will conduct a preliminary evaluation of all proposals to determine compliance with proposal requirements and mandatory document submissions. The City reserves the right to request additional information to clarify the content of a proposal.

All proposals shall be reviewed to determine that the minimum eligibility requirements have been met. Ineligible proposers will be informed in writing.

Proposals shall be evaluated on the following categories, scored, and ranked, and may include consideration of any or all of the listed factors at the City’s discretion.

Proposer qualifications, experience, and demonstrated ability	30 points
Quality and responsiveness of proposal to the Scope of Service detailed in this RFP	40 points
Cost reasonableness, appropriateness, and necessity as compared to all other proposals to provide the services proposed within the City’s annual budget and other leveraged monies	20 points
Location of business for availability	10 points

I. CONTRACT AWARD PROCESS

The City’s Local Contract Review Board may accept or reject the recommendation of the staff.

The proposer selected to perform the services outlined in this RFP will enter into the attached agreement directly with the City of Newport. Any negotiated or modified terms must be approved by the City attorney prior to execution.

The City reserves the right to verify the information received in the proposal. If the proposer knowingly and willfully submits false information or data, the City reserves the right to reject that proposal. If it is determined that an agreement was awarded because of false statements, or other data submitted in response to this RFP, the City reserves the right to terminate the agreement.

GENERAL RFP AND CITY CONTRACT INFORMATION

The following terms and conditions will apply to the agreement entered into between the successful proposer and the City of Newport:

A. TERM

The term of this contract is negotiable, subject to an eight-month limitation on sampling, analysis and production of a draft report, and a two-month limitation on production of the final report, following City review and comment on the draft. Any contract awarded pursuant to this RFP may be terminated by the City, with or without cause upon thirty days written notification to the successful proposer.

B. BUDGET

Total expenditures are not to exceed \$170,000. Proposals with lower estimated total costs will be favorably weighted per the evaluation criteria, above. Future year expenditures are subject to Council appropriation during the budget process. No guarantee can be given that funding will be available beyond the current fiscal year.

C. LAWS AND POLICIES

In the performance of the agreement, the selected proposer must abide by and conform to all applicable laws of the United States, State of Oregon, and the City of Newport.

D. COSTS INCURRED BY PROPOSERS

All costs of proposal preparation shall be the responsibility of the proposer. The City shall not, in any event, be liable for any pre-contractual expenses incurred by proposers in the preparation and/or submission of the proposals. Proposals shall not include any such expenses as part of the proposed budget.

E. GENERAL CITY RESERVATIONS

The City reserves the right to extend the submission deadline should this be in the best interest of the City, as determined in City's sole discretion. Proposers shall have the right to amend timelines set within proposals, by addendum, in the event that the City extends its deadline.

The City reserves the right to withdraw this RFP at any time without prior notice. The City makes no representation that any contract will be awarded to any proposer responding to the RFP. The City reserves the right, subject to the City's public contracting rules, to reject any and all proposals and the right to waive any informality when to do so would be advantageous to the City.

If an inadequate number of proposals are received or the proposals received are deemed non-responsive, not qualified, or not cost effective, the City may, at its sole discretion, reissue the RFP.

F. TERMINATION

Any contract awarded pursuant to this RFP may be terminated by the City, with or without cause, upon 30 days prior written notification by the City to the successful proposer.

G. PROPOSER'S CONTACT FOR INFORMATION

Proposers may contact Peggy Hawker, City Recorder/Special Projects Director, with any questions regarding the scope of work of this RFP at:

**Peggy Hawker, City Recorder/Special Projects Director
City of Newport
169 SW Coast Highway
Newport, Oregon 97365
541.574.0613**

p.hawker@newportoregon.gov

H. CONTRACT FORM