

**Addendum Number 4 to
Request for Proposals for the Design, Construction
and Operation of the Monmouth County Reclamation Center**

Leachate Pretreatment Facility

Issued January 9, 2012 by Monmouth County, New Jersey

RFP #REC-2012-1

**Addendum Number 4 Issued
April 17, 2012**

Proposal Due Date: May 8, 2012

Monmouth County, New Jersey
RFP #REC-2012-1
Addendum Number 4

NOTE: Each Proposer is required to acknowledge receipt of all addenda at the time of submission of the Proposals by completing Business Proposal Form 3 (Acknowledgement of Addendum) for each Addendum issued by the County, including previously issued Addendum Nos. 1, 2, 3, this Addendum No. 4 and all subsequent Addenda. All responses to the RFP shall be prepared with full consideration of the Addenda issued prior to the Proposal Date.

Section 1. The County has received additional written questions. Appendix 1 to this Addendum No. 4 attached hereto contains the County's responses to such questions.

APPENDIX 1

QUESTIONS AND RESPONSES

Prospective Proposer Questions and Responses

RFP# REC-2012-1

1. The new discharge location for the treated leachate and sanitary sewage is at a Borough of Tinton Falls manhole. As there is an increase in flow from 100,000 gpd to 165,000 gpd – Tinton Falls may charge a “Connection Fee” for the discharge. Please advise if this potential “connection fee” will be paid by the County or if the “Company” is to include this cost in the Bid.

Connection fees imposed by the Borough of Tinton Falls will be paid for by the County and the Company should not include this cost in the Proposal.

2. Although the “Company” will be responsible to obtain SIU and TWA permits for the treatment system and off-site FM extension – approvals of these permits will require that the proposed discharge is included within the wastewater management plan for TNSA. Please advise if the County has already made an arrangement with TNSA or will it be the responsibility of the “Company” to prepare a WMP amendment for approval by TNSA, Monmouth County and NJDEP.

The Monmouth County Reclamation Center site in Tinton Falls is shown as being retained in the Township of Neptune Sewerage Service Area as reflected on the Draft Wastewater Management Plan Map for Monmouth County dated February 12, 2012. On March 8, 2012, the Board of Chosen Freeholders passed a resolution consenting to the Proposed Monmouth County Wastewater Quality Management Plan Amendment entitled the Wastewater Plan for Monmouth County. The plan has been forwarded to the NJDEP for their approval. The Company should not include this cost for WMP plan amendments in the Proposal.

3. General Air Permits will be required for a Boiler and for a Stand-By Generator. Will the County modify the Title V permit to include these new air permits or will it be the responsibility of the “Company” to modify the County’s Title V Permit?

The County will prepare the NJDEP application to modify the existing Title V permit. The Company will be required to provide the required information necessary to prepare the application.

4. If a Joint Venture entity, made up of two or more Participating Firms for the sole purpose of entering into and providing services pursuant to the Service Contract with the County, is to be proposed in the response to the RFP, must it be established and organized under state law as of the date of the submittal of the Proposal?

The County would like to clarify that a joint venture entity, made up of two or more Participating Firms for the sole purpose of entering into and providing services pursuant to the Service Contract with the County, which is proposed in the response to the RFP but not yet established and organized under state law as of the date of the submittal of the Proposal, may be proposed as the Company which will execute the Service Contract.

However, in the event such a joint venture Company is proposed, each Participating Firm member of the proposed joint venture Company shall sign all of the Price Proposal Forms, and shall also sign and submit separately, on its own behalf, the following Business Proposal Forms:

- (a) Business Proposal Form 1: Transmittal Letter
- (b) Business Proposal Form 3: Acknowledgement of Addendum
- (c) Business Proposal Form 4: Business Registration Certificate
- (d) Business Proposal Form 10: Statement of Ownership
- (e) Business Proposal Form 11: Non-Collusion Affidavit
- (f) Business Proposal Form 12: Disclaimer Statement
- (g) Business Proposal Form 15: Financial Capacity Data Form

The Proposal must also contain the required Business Proposal Forms that are not identified above, but such forms may be provided by, or on behalf of, as applicable, any Participating Firm member of the proposed joint venture Company.

In addition, each Participating member of the proposed joint venture Company shall provide all of the financial information requested in subsection 7.13.7 and 7.13.7.2 of the

RFP and the Proposal shall clearly identify how the Proposer intends to meet the Minimum Financial Qualifications as required by subsection 7.13.7.1 of the RFP.

Notwithstanding any of the foregoing, Proposers are advised that prior to authorization of the execution of any Service Contract resulting from this procurement by the Board of Chosen Freeholders, the proposed joint venture Company must be established and organized under state law, and such Company must also sign and submit, on its own behalf, the following Business Proposal Forms:

- (a) Business Proposal Form 4: N.J. Business Registration Certificate
 - (b) Business Proposal Form 10: Statement of Ownership
 - (c) Business Proposal Form 11: Non-Collusion Affidavit
 - (d) Business Proposal Form 12: Disclaimer Statement
5. Addendum No. 3 indicates that the east boundary of "Site A" borders the 300-foot buffer of Category One (C1) waters, In accordance with NJAC 7:85.5(h), special water resource protection areas shall be established along all waters designated Category One at NJAC 7:913 and perennial or intermittent streams that drain into or are upstream of the Category One waters as *shown* on the USGS Quadrangle Maps or in the County Soil Surveys, within the associated HOC 14 drainage. The Reeve Branch is classified as a FW2- NT(C1) watercourse at NJAC 7:9B, and therefore, the Reeve Branch, which borders "Site A" to the east, would have a 300 foot special water resource protection area (SWRPA). The Soil Survey of Monmouth County also depicts a tributary within the same RUC 14 of Reeve Branch to the south of "Site A". NJDEP iMap further depicts this same Category 1 watercourse within the wooded area located south of "Site A". Does the County anticipate a SWRPA constraint within "Site A" based on the mapped tributary upstream of Reeve Branch specifically as shown on the Monmouth County Soil Survey? In accordance with NJAC 7:8 Stormwater Management, the NJDEP does not allow disturbance or improvements within the inner 150 foot of the SWRPA. Therefore, does the County anticipate a portion of "Site A" and the land to the south of "Site A" adjacent to the existing drainage ditch/swale as potentially undevelopable?

In the Exhibits showing "Site A", north is at the top of the sheet and south is at the bottom of the sheet. That being said, the **EAST** boundary or the short leg of "Site A" box borders the 300-foot buffer for C1 waters. The above question cites NJAC 7:8-5.5.(h) - Special Water Resource Protection Areas. Some area east of "Site A" to the treeline has already been disturbed, cleared, and used for storage by the County and is potentially developable as permitted by NJAC 7:8-5.5(h)1.ii. The existing drainage ditch/swale immediately adjacent to the Existing Access Driveway and remaining forested area are potentially undevelopable. The Company shall make its own determination concerning compliance with state and federal regulations and obtain all required approvals. NJDEP iMap and the Monmouth County Soil Survey both show another tributary of the Reeve Branch south of "Site A" and also the loop road located such that the 300-foot buffer for C1 waters is approximately 500 feet away.

6. Addendum No. 3 indicates that the NJDEP issued a "Letter of Concurrence with Wetland Delineation" on April 24,1992 (NJDEP File No. 1336-90- 0025.2). Was a resource classification assigned to the wetlands with a specific transition area width? If a transition area was assigned to the wetlands, what was the distance of the transition area from the approved wetlands line?

The 1992 Letter of Concurrence indicates that the Wetlands Delineation associated with the drainage swale immediately adjacent to the Existing Access Driveway are of ordinary resource value and do not have a transition area or buffer associated with them. (Drainage swale adjacent to existing the 6" gas main along the south/west side of the access road.) The balance are of intermediate resource value and the standard transition area or buffer required was 50 feet. The delineation was valid for 5 years and has long expired.