

REQUEST FOR PROPOSAL
EH2014-105

TITLE: NOISE STUDY AT THE EAST HAMPTON AIRPORT

REQUEST FOR PROPOSAL DEFINITION:

An RFP defines the situation or object for which the goods and or services are required, how they are expected to be used, and/or problems that they are expected to address. Bidders are invited to propose solutions that will result in the satisfaction of the Town's objectives in a manner most advantageous to the Town. The proposed solutions are evaluated against a predetermined set of criteria for which price may not be the primary consideration.

RFP DISTRIBUTION-Important Notice-The Town of East Hampton distributes Request for Proposal documents from the East Hampton Town Purchasing Department. Copies of documents obtained from any other source are not considered official copies. Only those proposers who obtain documents from the Purchasing Department office are guaranteed to receive addendum information, if such information is issued.

****Interested parties are advised to fax the enclosed Receipt Confirmation Form (Appendix A) immediately upon receipt of this RFP to ensure that they receive further information with regard to this RFP.**

Information offered from sources other than the Office of Purchasing is not official and may be inaccurate. Do not contact any other Departments or Agencies involved in the RFP.

Closing date for this Request for Proposal is 3:00 p.m., prevailing time, on Thursday May 15, 2014.

Send MARKED ORIGINALS AND 10 COPIES of each proposal.
Please use the RFP number on all correspondence.

For further information contact:
Jeanne Carroza, CPPB
Purchasing Agent
Town of East Hampton
631-324-4183

PART A-ADMINISTRATIVE SECTION

INTRODUCTION

TOWN OF EAST HAMPTON GOVERNMENT OVERVIEW

The Town of East Hampton is a municipality located in the easternmost part of Suffolk County on Long Island. The Town is comprised of six hamlets East Hampton, Amagansett, Montauk, Springs, Wainscott and Sag Harbor.

The Town has a five member Board with one elected Supervisor and four elected Councilpersons.

RFP TERMINOLOGY

Generally, throughout this RFP the following terminology is used:

- “Mandatory”- a requirement that must be met in a substantially unaltered form. The terms “shall”, “must”, “required”, and “will” are also used to indicate mandatory requirements.
- “Desirable”- a requirement has a high degree of importance to the objectives of this RFP. The term “should” also indicates a desirable requirement.
- “Optional”- a requirement that is not considered essential, but for which evaluation credit is given. The terms “may” and “can” also indicate option requirements.

RECEIPT CONFIRMATION FORM

Upon receipt, fill out the attached Receipt Confirmation Form (Appendix A) and fax or e-mail it to the Town Purchasing Department. All subsequent information regarding this RFP will be directed only to those who return the form with an indication that they intend to submit a proposal.

CLOSING DATE

Complete copies of each proposal must be received at the Purchasing Department Office located East Hampton Town Hall 159 Pantigo Road East Hampton, New York 11937 by 3:00 pm, prevailing time on Thursday May 15, 2014.

PROPOSALS MUST BE CLEARLY MARKED WITH THE NAME AND ADDRESS OF THE PROPOSER AND THE RFP NUMBER AND NAME ON THE SEALED ENVELOPE AND/OR BOX.

TERMS AND CONDITIONS

INQUIRIES

All inquiries related to this Request for Proposal shall be in writing to the Town utilizing Appendix B - Question Form. Information obtained from any other source is not official and may be inaccurate. Do not contact any other person(s) involved. Inquiries and responses will be recorded and may be distributed to all proposers at the Town's option.

NOTIFICATION OF CHANGES

All recipients of this Request for Proposal who have returned the Receipt Confirmation Form will be notified regarding any changes made to this document.

CHANGES TO PROPOSAL WORDING

No changes to wording of the proposal will be accepted after submission unless requested by the Town.

OWNERSHIP OF PROPOSALS

All responses to the RFP become the property of the Town of East Hampton.

PROPOSERS EXPENSES

Prospective proposers are solely responsible for their own expenses in preparing a proposal and subsequent negotiations with the Town, if any.

ACCEPTANCE OF PROPOSALS

This RFP should not be construed as a commitment by the Town to proceed with the proposed leases. The Town is not bound to accept the highest lease price or any proposal of those submitted.

LIABILITY OF ERRORS

While the Town has used considerable efforts to ensure an accurate representation of information in this RFP, all prospective proposers are urged to conduct their own investigations into the material facts and the Town shall not be held liable or accountable for any error or omission in any part of this RFP.

ACCEPTANCE OF TERMS

All the terms and conditions of this RFP are deemed to be acceptable by the proposers and incorporated in its proposal except those conditions and provisions that are expressly excluded by the proposal.

QUOTES FROM THE MARKETPLACE

The Town of East Hampton reserves the right to consider quotes from the marketplace by suppliers other than those invited to respond to this solicitation.

FINANCIAL STABILITY

The successful firm must demonstrate financial stability and the Town reserves the right to conduct independent background checks to determine the financial strength of any and all organizations or individuals submitting proposals.

NEGOTIATION DELAY

If any contract cannot be negotiated within thirty (30) days of notification to the designated proposer, the Town may terminate negotiations with that proposer, and negotiate a lease agreement with another proposer of its choice.

DEFINITION OF CONTRACT

The Town may at its option notify a proposer in writing that its proposal has been accepted and such acceptance shall at the Town's option constitute the making of a formal contract for the services set out in the RFP. Alternatively, the subsequent full execution of a written agreement shall constitute the making of a lease, and no proposer shall acquire any legal or equitable rights or privileges whatever relative to the proposal until the Town has delivered either a signed notice in writing to the proposer or a fully executed written agreement to the proposer.

COMPLIANCE WITH LAWS

The contractor shall give all notices and obtain all the licenses and permits required to perform the work. The contractor shall comply with all the laws applicable to the work or the performance of the contract.

The successful Contractor shall not discriminate against any individual in accordance with applicable federal, state, or local laws. It will be the responsibility of the Contractor to ensure the appropriate DBE goals are satisfied on projects

GOVERNING LAW

This RFP and any contract entered into between the proposer and the Town shall be governed by and in accordance with the laws of the County of Suffolk, the State of New York, and the United States of America.

CONFIDENTIALITY

This document, or any portion thereof, may not be used for any purpose other than the submission of proposals.

Contractors should be aware that pertinent facts relating to their proposals, excluding trade secrets or proprietary information, could potentially be released as soon as sixty (60) days after the selection of the successful firm.

The Town of East Hampton is subject to New York State's Freedom of Information Law (FOIL). Should your submission to this RFP contain "**trade secrets**", or other information that the disclosure of which could **reasonably be expected to be harmful to business interests**, you must insure that such information is clearly identified and marked as such. Identification must be specific by item or paragraph.

Marked information will be treated as Confidential Third Party Information. Should marked information be the subject of a request under FOIL, you may be requested either to consent to the request, or make representation explaining why the information should not be disclosed.

Unpublished information pertaining to the Town or its customers obtained by the proposer as a result of participation in this project is confidential and must not be disclosed without written authorization from the Town.

GENERAL

Subsequent to the submission of proposals, interviews and negotiations may be conducted with some of the proposers, but there shall be no obligation to receive further information, from any proposer.

Any or all proposals shall not necessarily be accepted. The Town shall not be obligated in any manner to any proposer whatsoever until a written agreement has been duly executed relating to an approved proposal. The Town reserves the right to modify the terms of the RFP at any time in its sole discretion.

Neither acceptance of a proposal nor execution of an agreement shall constitute approval of any activity or development contemplated in any proposal that requires any approval, permit or license pursuant to any federal or municipal statute, regulation or by-law.

PRICING

FIRM PRICING

Prices quoted in the proposals shall be firm for a period of at least forty five (45) days after the submission deadline.

CURRENCY AND TAXES

Prices are to be in U.S. dollars. The Town is exempt from all sales and use taxes.

PART B – REQUIREMENTS SECTION

Statement of Purpose and Scope

The Town of East Hampton is seeking proposals for a preliminary, “screening” study of aviation noise and noise reduction measures related to the operation of the East Hampton Airport.

After December 31, 2014, the Town will no longer be subject to certain FAA Grant Assurances (imposed pursuant to 49 U.S.C. 47107) and will no longer be restricted by the Airport Noise and Capacity Act of 1990 (“ANCA”) or to the FAA regulations that implement that statute, 14 C.F.R. Part 161, unless it should decide again to seek FAA funding. At that time, the Town, in its capacity as airport proprietor, will have increased opportunity and responsibility to protect East Hampton citizens from aviation noise impacts. East Hampton is therefore seeking experts in aviation noise and its effects to assess how best to fulfill its responsibility as airport proprietor.

East Hampton is a quiet community, a summer resort destination sought for its physical beauty and as a refuge from urban stresses, including noise. This is specially the case in the period May through September, referred to as “the season,” during which the resident population can increase by two to four times. From prior study, it is known that application of the FAA’s 65 DNL noise standard to East Hampton Airport results in the conclusion that there is no significant noise outside of the airport itself. Yet, intrusive and objectionable airport noise exists in fact and has been a subject of communal strife and controversy for more than 30 years. It is clear, therefore, that, in a location such as East Hampton, application of the 65 DNL standard is meaningless.

In weighing whether to adopt measures that would significantly reduce airport-related noise, East Hampton seeks to: 1) quantify the current noise in a meaningful and useful way that effectively captures the adverse effects experienced by residents and 2) quantify the reductions in noise that could plausibly be achieved by various measures, including, but not limited to: A) airport access restrictions based on any or all of, a) time of day, b) day of the week, c) season, d) numbers of airport operations, e) types of operations, f) classes and types of aircraft, g) noise budgets, and h) single-even noise limitations, B) route and altitude controls, and C) physical changes at the airport and/or alternative facilities.

As the study will be used as a basis for preliminary judgment about the relative utility of measures that can or cannot practicably be applied while subject to FAA Grant Assurances and ANCA, noise control and mitigation measures should be screened solely for their noise reduction efficacy. This analysis is intended to be a purely objective measure of physical possibilities given the technical aviation and noise characteristics of existing air traffic. Accordingly, the set of measures evaluated should not be limited by regulatory or legal considerations, cost/benefit, or other policy considerations. Those matters will be addressed after a preliminary determination, on this basis of this study, of the measures that East Hampton would like further to evaluate and pursue.

East Hampton has an existing noise ordinance, found at: <http://ecode360.com/9230783>. The noise ordinance, adopted in 1985, contains in Sec. 185-3(A) and (B) objective DBA standards for what the community does and does not consider excessively intrusive noise; it determines what is and is not deemed a noise nuisance in East Hampton. The study should evaluate airport-related noise by application of the community standard found in the extant noise ordinance. Additionally, each

scenario examined should be evaluated by application of the standard FAA DNL metric at the 65, 55, and 45 DNL levels.

The study will not include fieldwork, but should be based on available data concerning the levels and types of operations at East Hampton Airport. In previous noise studies, the Town has identified the types of data that would be essential to identify and understand specific characteristics of helicopter and other aircraft noise issues related the airport, including flight-related data and noise complaints using the AirScene, Vector Airport Solutions, and PlaneNoise software platforms. The town also has data regarding flights and noise complaints occurring both before and after a seasonal air traffic control tower began operation, and data collected from seasons during which various voluntary flight tracks were adopted for use by helicopter operators. The town has INM modeling for the year 2009. *The results of these earlier efforts will be made available to the successful proposer and the town will endeavor to respond positively to requests for data for the purpose of crafting a proposal.*

Elements of the study will include:

1. Determination of flight tracks, helicopter routes, usage rates, and operations for the years 2012 and 2013;
2. Determination of fleet mix of aircraft and helicopters;
3. Creation of a protocol and metric for tally of events, by household affected, that exceed the Lmax standards set by the Town noise ordinance;
4. Evaluation of the operations data set, including Lmax-event noise impacts exceeding the standard set by the Town noise ordinance and population count of Lmax impacts within contours having regard to daily, diurnal, seasonal, and peak variations;
5. For each scenario examined, determination of the corresponding 65, 55, and 45 DNL contours in accordance with FAA practice;
6. Determination of noise reduction benefits of alternative noise control measures and routes based on the tally of excess noise events, as described above, and for each such noise control measure, the reduction in noise within the 65, 55, and 45 DNL contours;
7. Summary of findings, presenting any recommendations, including recommendations for further study, and identification of unaddressed or unresolved issues.

It is expected that there will be not more than two meetings with town officials and interested community members for the purpose of scoping the set of measures to be evaluated in the study.

Term of Contract

The agreement will be for a period not to exceed three months.

Proposal Deadline

All responses to this Request for Proposal must be received by 3:00 p.m., prevailing time, on **May 15, 2014**.

Qualifications and Requirements

All prospective proposers shall have sufficient qualified personnel, sub-consultants, and resources to accomplish all the services described herein within the prescribed time. A three-month time frame is estimated for completion of the studies. The proposer shall be capable of furnishing all necessary professional, technical, and expert services as required to complete all the elements of the noise study as described in the scope of work below.

The Town is seeking one or more professionals for this study who have extensive knowledge and experience in two areas:

1. Noise and its effects, including aviation noise effects;
2. Noise modeling, including aviation noise modeling.

In addition, the proposer must have technical, professional, and project management knowledge and expertise to prepare the noise study that addresses all of the required elements in the scope of work as outlined below. Specifically, proposer must:

- Demonstrate knowledge of the research and literature concerning noise effects, including aviation noise effects;
- Demonstrate proficiency with noise modeling software such as INM, CADNA-A, and/or Soundplan;
- Demonstrate written communication skills and the ability to make complex information understandable to the public.

Contents of Proposal

The contents of the proposal shall be complete but concise. The proposal shall be in the format of a written submission on 8½" x 11" sheets and made available both in hard copy and in electronic PDF format. Once submitted, the proposal, including the composition of the consulting team, cannot be altered without prior written consent of the Town. The proposal should, at a minimum, include the following sections:

- a) Transmittal Letter and Title Page: Include a transmittal letter containing a brief statement of the proposer's understanding of the work to be done and an indication of positive interest in performing this work for the Town. The letter and/or a title page should contain the name of the respondent's firm, a street address for correspondence, and a primary contact for this proposal.
- b) Services and Work Plan: The proposal should include a work plan describing the services, approach and methodology proposed for accomplishing the scope of work. The proposed phasing of the studies should be discussed (especially if different from the scope of work, described below). The proposal should be sufficient in detail to allow an objective analysis of the firm's capabilities and envisioned work plan in comparison with competing firms.

- c) Qualifications and Experience: The proposal must supply information concerning the qualifications and experience of the proposing firm and the proposed project team for this study.
- d) Budget: All proposals must include proposed costs to complete the tasks described.

THE TOWN RESERVES THE RIGHT TO REJECT ANY AND ALL WRITTEN PROPOSALS, WITH OR WITHOUT CAUSE, AND TO WAIVE ANY IRREGULARITIES OR INFORMALITIES IN THE PROPOSALS. THE TOWN FURTHER RESERVES THE RIGHT TO MAKE SUCH INVESTIGATIONS AS IT DEEMS NECESSARY AS TO THE QUALIFICATIONS OF ANY AND ALL CONSULTANTS SUBMITTING PROPOSALS. IN THE EVENT THAT ALL PROPOSALS ARE REJECTED, THE TOWN RESERVES THE RIGHT TO RE-SOLICIT PROPOSALS.

SUBMISSION OF PROPOSAL:

Proposals shall be submitted in a sealed envelope or box addressed to Town of East Hampton Purchasing Department with the front of the envelope plainly marked with the name and address of the individual or firm submitting the proposal, together with “Noise Study at the East Hampton Airport” or similar words plainly marked on the front of the envelope.

LATE PROPOSALS SHALL NOT BE ACCEPTED. PROPOSERS SHALL BE SOLELY RESPONSIBLE FOR THE TIMELY DELIVERY OF THEIR PROPOSALS.

ADDITIONAL INFORMATION/QUESTIONS

Any requests for additional information desired by the applicant regarding the furnishing of said qualifications and proposals shall be requested in writing from the Purchasing Department, East Hampton Town Hall, 159 Pantigo Road, East Hampton, New York 11937. All requests for information must be received no later than **Wednesday May 7, 2014**. Any requests received after this date will not be considered. Any questions must be submitted in writing to the Purchasing Department @ jcarroza@ehamptonny.gov or fax # 631-324-7895 on the form herein provided (Appendix B).

EVALUATION OF THE PROPOSALS

The Town will review all proposals and choose the professional whom the Town deems to be most capable of providing the services sought herein. The Town may consider other factors in addition to the costs for such services, including, but not limited to, the professional’s credentials, experience within the Town of East Hampton, and the Town Board’s assessment of the professional’s ability based upon the submissions made with the response to this proposal, previous submissions to the various town boards or subsequent inquiries or interviews.

The Town reserves the right to reject any and all Proposals if deemed in the best interests of the Town.

PROPOSAL DEADLINE

Closing date for this Request for Proposal is 3:00 p.m., prevailing time, on Thursday May 15, 2014. Proposers assume the risk of the method of dispatch chosen. The Town assumes no responsibility for delays caused by any delivery service. Postmarking by the due date shall not substitute for actual proposal receipt by the Town. Late proposals shall not be accepted nor shall additional time be granted to any potential Vendor. Proposals may not be delivered orally, by facsimile transmission, or by other telecommunication or electronic means.

APPENDIX A
RECEIPT CONFIRMATION FORM

Failure to return this form may result in no further communication regarding this RFP.

Please complete and return this confirmation form within 5 working days to:

Jeanne Carroza, CPPB
Purchasing Agent
Town of East Hampton
159 Pantigo Road
East Hampton, New York 11937
Tel 631-324-4183
Fax 631-324-7895

Company Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Contact Person: _____

Phone Number: _____ **Fax Number:** _____

I have received a copy of the above noted RFP.

_____ We will be submitting a proposal.

_____ We will not be submitting a proposal.

I authorize the Town of East Hampton to send further correspondence that the Town deems to be of an urgent nature by the following method:

Courier Collect: _____ Mail: _____

Signature: _____

Title: _____

APPENDIX D

POLICY & PROCEDURES FOR OUTSIDE PROFESSIONALS/SUBCONTRACTORS

Procurement

1. All outside professional and subcontractors must be authorized by Town Board Resolution that includes:
 - a. Project scope of work – length of project
 - b. Rates of pay for all authorized staff
 - c. Maximum amount (“amount not to exceed”)
 - d. Reimbursable expenses (compliance with travel policy and procurement)
 - e. Budget line item to be charged

2. Upon adoption, the Town Attorney will process vendor contract with information included in the adopted resolution.
 - a. Standard/Boilerplate Contract will be provided by Town Attorney
 - b. Town Attorney approval required for all contracts

3. An on-going contract with a vendor for consulting services may be approved and executed on an annual basis with hourly billing rates.
 - a. Each project with maximum amount to be authorized by resolution

4. Upon contract execution – Purchasing will process a Purchase Order consistent with terms of TBR and contract.

NO work is to be performed prior to completion of steps 1-4
Any changes in the contract terms or maximum amounts must be
authorized by Town Board Resolution

Procedures for Outside Professional/ Subcontractors

Payment Processing

1. All invoices must include:

- a.** Department Head approval
- b.** Description of work performed - listing date, staff member, number of hours and authorized rate of pay
- c.** Copies of all receipts for reimbursable expenses submitted
- d.** Detailed copies of all travel expenses requested
- e.** Detailed copies of all meal reimbursement (itemized restaurant receipt), names of attendees and business purpose of meal

2. All claims for these expenditures are subject to pre-audit by the Division of Internal Audit before being scheduled on the Warrant.

- a.** **Be sure to allow additional time for this important step before Warrant deadlines**

Procedures for Outside Professional/ Subcontractors

Disallowed Expenses

1. During the pre-audit, in accordance with the terms of the authorizing resolution and contract, Internal Audit will deduct any unauthorized or undocumented items from the Claim Voucher before processing

2. Internal Audit will contact the department head to notify of missing information using the **VOUCHER REJECTION FORM**
 - a. **It is the Department's responsible to contact the vendor and obtain all missing documentation.**

3. A copy of the **VOUCHER REJECTION FORM** should accompany the missing documentation when re-submitted for payment.

Travel and Reimbursement Policy for Vendors

Expenses will be reimbursed only in those instances where authorized by resolution of the Town Board, and included in the contract for services.

Expenses for Federal and State Funded Programs will be reimbursed according to the rates set forth in the program guidelines.

MEALS

No reimbursements will be made without proper documentation. Meal receipts must be itemized (credit card receipts are not sufficient), and include a summary of the business purpose of the meal to be reimbursed and the names of individuals in attendance.

Maximum meal allowances shall be as follows:

Breakfast - \$10.00

Lunch - \$18.00

Dinner - \$30.00

Reimbursement shall not be made for alcoholic beverages.

Reimbursement shall not be made for snacks.

LODGING

Hotel bills must show room rates (i.e. single, double, all-inclusive); receipts must be originals. No receipts should be altered, highlighted, or blacked out. Maximum Room Rate allowance per room shall be as follows:

Oct 15 – May 15 - \$150 per night

May 15 - June 30 and Sept 1 – Oct 14 - \$200 per night

July and August - \$250 per night

July and August (Hamptons) - \$350 per night

AIRFARE/TRAIN TRAVEL

Airfare or Travel by Rail will be reimbursed at the Coach or Lowest available rate, with proper documentation

Airport shuttles to hotels will be allowed with proper documentation. Limousine service will not be reimbursed. No valet parking charges will be accepted.

OTHER TRAVEL

Rental cars will be reimbursed for the lowest available economy rental rate.

Auto travel will be reimbursed at the current IRS Standard Mileage Rate.

Tolls and parking will be reimbursed with submitted receipts.

OTHER EXPENSES

Expenses for supplies, printing, postage or any other out-of pocket expenses provided in the contract will be reimbursed with proper documentation.