

**INC. VILLAGE OF MALVERNE
99 Church Street
MALVERNE, NEW YORK 11565**

Request for Proposals

Repair of House Sewer Lines

Request for Proposal Issue Date: February 20, 2025
Proposal Due Date: March 14, 2025, 12:00PM

Contact Information:
Jill Valli Village Clerk
Email: info@malvernevillage.org

Incorporated Village of Malverne
County of Nassau, New York

REQUEST FOR PROPOSALS FOR:

Repair of House Sewer Lines

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**Incorporated Village of Malverne
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REQUEST FOR PROPOSALS FOR:

Repair of House Sewer Lines

LEGAL NOTICE

NOTICE IS HEREBY GIVEN, that sealed proposals for **Repair of House Sewer Lines** will be received by the Incorporated Village of Malverne no later than March 14, 2025 at 12:00PM prevailing time at Malverne Village Hall, 99 Church Street, Malverne, New York 11565. The purpose of the Request for Proposal is the solicitation of competitive proposals from qualified entities to offer a private sewer lateral protection program to private property owners of The Village, to address the problems of infiltration, intrusion, and exfiltration to assist residential private property owners in obtaining reasonably priced, affordable, and state-of-the-art repairs. Specifications and bidder instructions may be obtained on or after February 20, 2025 in the office of the Village Clerk or at www.malvernevillage.org/request-for-proposals-qualification. For additional information email info@malvernevillage.org. No bid will be considered valid if exceptions are noted upon view of the submitted document. The Board of Trustees reserves the right to reject any and all bids, to waive any non-conformity there in, and to accept the bid which in their opinion is in the best interest of the Village.

BY ORDER OF THE BOARD OF TRUSTEES
Inc. Village of Malverne
Jill Valli, Village Clerk
Dated February 20, 2025

**Incorporated Village of Malverne
County of Nassau, New York**

REQUEST FOR PROPOSALS FOR:

Repair of House Sewer Lines

INSTRUCTIONS TO BIDDERS

I. Introduction and Overview

The Incorporated Village of Malverne is considering commencing a program to assist homeowners with the cost of repairs of house sewer lines, from the point of homeowner responsibility.

The the responsibility for maintaining the portion of the private property sewer lateral in the street is now the responsibility of Liberty Water. Each property owner in the Village of Malverne is responsible for maintaining his/her private property sewer lateral from the house connection to the connection to the portion under the responsibility of Liberty Water.

There are poorly maintained, damaged sewer laterals on private property past their useful life. These laterals contribute to the infiltration, inflow, and exfiltration of contaminants into the sanitary sewer system, groundwater and damaging the Magothy Aquifer, Long Island's sole source for drinking water. In addition, the possible discharge of sewage overflow into residential basements and surrounding waters negatively impact the environment and public health.

The Village of Malverne is proposing the RFP (Request for Proposals) contained herein to address the problems of infiltration, intrusion, and exfiltration to assist residential private property owners in obtaining reasonably priced, affordable, and state-of-the-art repairs.

The purpose of the RFP (Request for Proposals) is the solicitation of competitive proposals from qualified entities to offer a private sewer lateral protection program to private property owners of the Village. The contract that results from the RFP will be awarded to the entity offering the best combinations of service, experience, merit and price, as determined by The Village of Malverne.

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Sealed Proposals will be received by the Village Clerk of the Inc. Village of Malverne, 99 Church Street, Malverne, until 12:00 pm on March 14, 2025. It is the sole responsibility of the Bidder to see that his Proposal is received in the proper time. Any Proposal received after the scheduled closing time for receipt of Proposals shall be returned to the Bidder unopened.

No oral requests for information, clarification or interpretation will be honored. All such requests should be submitted to the Village Clerk by email to info@malvernevillage.org according to **SCHEDULE A - DEADLINE SCHEDULE**. All replies to such requests will be made in the form of an Addendum and will be posted at www.malvernevillage.org/request-for-proposals-qualification.

Should additional work be required other than the items specified in the Bid Documents and for which no unit price has been bid, same shall be executed at the price agreed upon in writing and approved by the Village.

The original proposal and two copies shall be submitted in a Sealed Envelope bearing the Title of the Work and the Name of the Bidder. The Proposal shall include a sum to cover the cost of all items included in the Bid Documents and shall be identified by the Name of the Person, Firm or Corporation, with the authorized signature thereto.

The Village reserves the right to reject any and all proposals received, waive informalities and also reserves the right to increase, decrease or omit any portions of the specifications upon notice posted at www.malvernevillage.org/request-for-proposals-qualification .

The successful proposer shall be subject to a credit check by a recognized organization competent in this field, prior to award. The successful proposer shall be required to furnish appropriate financial statements, bank references, experience in the performance of the work of the type in the RFP. A proven ability to begin promptly, and to complete the same expeditiously and efficaciously within the time limits of the contract.

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No plea of ignorance or misunderstanding of conditions that exist or that may hereafter exist, or of conditions or difficulties that may be encountered in the execution of the work under this Request for Proposal as a result of failure to make the necessary examinations and investigations as may be expected of a responsible Bidder, will be accepted as an excuse for any failure or omission on the part of a Bidder to fulfill in every detail all of the requirements of the Bid Documents, or will be accepted as a basis for any claims whatsoever for extra compensation, or an extension of time.

The Bidder must be capable of performing all of the work required under this Request for Proposals with his own resources.

The Bidder, whose Proposal has been accepted, will be required to appear at the Office of the Village Clerk and execute the Contract within thirty (30) days from the date of service of the Notification of Award, delivered to him in person or mailed to the address given in the Proposal, stating that the Contract has been awarded to him.

The successful Bidder, prior to the execution of the Contract, will be required to furnish Workers Compensation, Commercial General Liability, Automobile Insurance, Umbrella Liability and Indemnification/Hold Harmless Agreement as outlined in the following document titled Insurance Requirements for Independent Contractors/Sub-Contractors, INSURANCE REQUIREMENTS, SCHEDULE B.

In case of failure to execute the Contract (including the required Insurance, Indemnification/Hold Harmless Agreement and Contractors Qualification Statement along with the Certificate of Contractor's Qualification Statement) within the time frame stated, the Bidder shall be deemed to have abandoned the Contract.

The Village reserves the right to award a Contract resulting from this solicitation based on the evaluation criteria set forth in the Request for Proposal and to reject any and all bids and to award the Contract to the Bidder who best serves the interest of the Inc. Village of Malverne.

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II. Project Description

There are poorly maintained, damaged sewer laterals on private property past their useful life. These laterals contribute to the infiltration, inflow, and exfiltration of contaminants into the sanitary sewer system, groundwater and damaging the Magothy Aquifer, Long Island's sole source for drinking water. In addition, the possible discharge of sewage overflow into residential basements and surrounding waters negatively impact the environment and public health. The Village of Malverne is proposing the RFP (Request for Proposals) contained herein to address the problems of infiltration, intrusion, and exfiltration to assist residential private property owners in obtaining reasonably priced, affordable, and state-of-the-art repairs.

III. Deadlines and Completion Date

The Contractors Qualification Statement along with the Cost Proposal must be delivered to the Inc. Village of Malverne in accordance with **SCHEDULE A, DEADLINE SCHEDULE**. Proposals are due March 14, 2025 at 12:00 p.m. Any questions relative to the RFP must be received electronically by the Inc. Village of Malverne at info@malvernevillage.org no later than March 7, 2025 at 4:00 p.m. The Inc. Village of Malverne will then compile the questions into a single document for the responses and post by March 11, 2025 at www.malvernevillage.org/request-for-proposals-qualification

IV. Scope of Services

The Village of Malverne seeks to procure the services of and a publicity and educational plan with marketing materials designed, developed, and provided to The Village and residents at the expense of the proposer;

Staffing and Maintenance of A 24-Hour toll-free call center to accept calls and provide for the immediate repair of a broken private sewer lateral and communication with property owners;

Timely response to private sewer lateral leak and breaks/fractures to determine the extent of the required repair;

High quality repairs in adherence with the most current Village codes, rules and regulations, including specifications for materials and construction for sewer laterals, to include the least intrusive repair method possible under the circumstances.

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INSTRUCTIONS TO BIDDERS

Rights and Prerogatives:

The Village reserves the right to exercise the following prerogatives:

- a. To accept or reject any or all proposals.
- b. To correct any mathematical errors in the proposals.
- c. To adopt as the Village property, all submitted proposals and to use any portions thereafter unless specifically noted as proprietary by the submitting firms
- d. To change proposal due dates.
- e. To accept or reject any of the Auditor's employees assigned to this relationship and to require their replacement at any time.
- f. To modify the Request for Proposal (RFP) at any time before the award is made, if such action is in the best interest of the Village.
- g. This contract is not assignable, and the use of a subcontractor is prohibited without the written approval of the Village.

The Village reserves the right to meet with selected proposers prior to the designation of a best qualified proposer, to accept or reject any proposal, to enter into negotiations with any of the proposers designated best qualified in order to determine satisfactory terms and conditions of a final contract, and to end such negotiations, at its discretion, and to designate and commence negotiations with an alternative best qualified proposer.

V. Submittal Content

The Technical Proposal is a clear, concise, complete description of how the proposer intends to provide the services set forth in the scope of services. This description should include exactly what services will be covered under the proposal, such as sewer lateral blockage repairs, analysis, examination of the conditions of the lateral and the method of repair. The technical proposal should outline how the proposer plans to address each key issue noted herein, from the development of marketing materials, to the handling of customer calls, to the method of repair, to the follow-up and review of finished work and technical methods of diagnosis and repair.

The Technical Proposal should clearly define staffing, including a statement that the proposer has a master plumber on staff for sewer lateral repair work and monitoring work performed without the need to sub-contract work, including NASSCO PACP certified technicians to evaluate the condition of sewer laterals. The Village encourages the proposer to utilize Minority and Women Owned Businesses if possible. The technical proposal should also address the expertise of the proposer's key professional staff who will work on this engagement. It should include how the core staff will be organized to work together and work or partner with The Village and property owners in education efforts, information sharing, Clean Water Act compliance, and reporting requirements.

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Additionally, the technical proposal must address the minimum and maximum response times for sewer lateral repairs and completion of all related work. The technical proposal shall also describe any distinctive technologies the proposer will utilize for repairs and future monitoring and how such technologies will provide value to the services to be rendered. The proposal must include the proposer's use of trenchless/non-intrusive no-dig technology as The Village is concerned with the impact of repairs on private property. The technical proposal shall also discuss the equipment presently owned and utilized by the proposer for the repairs.

Successful Proposer Will Be Responsible For:

- Public education and outreach including brochures, meetings, and informational packages to apprise The Village residents/property owners of The Clean Water Act issues pertaining to sewer overflows, infiltration, exfiltration, and all other aspects of leaking and broken private sewer laterals, including public health hazards, contamination, and sewage back-ups
- Staffing and Maintenance of a 24-Hour toll-free call center to accept calls and provide for the immediate repair of leaking, broken and defective sewer laterals and communication with property owners;
- The use of trenchless and no-dig repairs, including epoxy-based polyurethane-coated linings, Higg-powered root cutters with herbicidal treatment and chemical grouting to prevent, if possible, damage to resident's yards, plantings, sidewalks and driveways.
- Periodic and scheduled updates to The Village relative to the Clean Water Act amendments, legislation, and other impacts to The Village and its residents.
- Regular communication with The Village regarding repairs, statistics, reporting, and other Clean Water Act requirements
- A fair and reasonable cost for the program to be all-inclusive
- A licensed and bonded master plumber on-staff to supervise, make, and certify the repair NASSCO Certified and Trained for assessing pipe conditions pursuant to the N Pipeline Assessment Certification Program (PACP) Standards
- Be ASTM Compliant for Lateral Rehabilitation Work
- The ability to refund The Village for the cost of Village personnel and other items, in order to implement and monitor the program, to include billing the customers, the administration of the program and the related accounting and computer entries.

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- Assist The Village in identification of funds, capital and operating, grants, and aid from federal and state agencies for repairs and upgrades to private and public sewer unfractured needs
- The Company Will Be Required to Comply with All Provisions of The Labor Laws of The State Of New York. New York State Prevailing Wages Is a Requirement.
- There are primary objectives of offering private sewer lateral protection to Village property owners are to:
- Provide owners of private properties affordable protection against the significant costs of repairing or replacing broken/fractured sewer laterals
- Ensure that timely, high-quality repair services under applicable village codes are provided to participating property owners, including trenchless and no-dig technology, to avoid unnecessary damage to property when possible
- Educate property owners regarding private sewer laterals, the manner in which it functions, their responsibility regarding sewer lateral maintenance, contamination, pollution, and damage issues that relate to those laterals
- Minimize damage to surrounding streets and infrastructure, and reduce costs to the property owners and The Village by ensuring that repairs are made in a timely manner
- Minimize the impacts to property owners, neighbors, and the public sewer collection system from improper function of private sewer laterals
- Protecting The Village from Environmental Protection Agency and Department of Environmental Conservation Clean Water Act enforcement and consent decrees related to maintenance, condition assessment and operations of sewer laterals

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Statement Of Qualifications:

Qualifications and Experience of The Proposer's Organization;
At Minimum the Proposal Should Include;

- A description of the proposers understanding of the leaking of sewer lateral lines on water bodies, groundwater, navigable waters, the aging of sewer lines and the technologies involved in diagnosis and repair.
- The core staff for this engagement, including specific professionals experienced in the repairs and use of current technologies for the repairs and specific experts for the public education program including biologists and forensic experts as well as the preparation of public materials.
- The proposer shall identify the requirements, if any, of the current Village staff required to implement the program
- A detailed description of the proposer's call center arrangements;
- A list of the proposer's experience in repairing laterals using trenchless and no-dig technologies, including a list of previous contracts with government entities
- The proposer must be aware of the requirements of The Clean Water Act pertaining to reporting, compliance, and non-point source liabilities;
- The proposer must have experience in the field of two sewer lateral repair, including trenchless and no-dig technology, CCTV inspection and repair technologies

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SCHEDULE A

DEADLINE SCHEDULE

A.	Date for Publication of Notice	February 20, 2025
B.	Date RFP Package Available	February 20, 2025
C.	Date for Questions from Respondents	March 7, 2025 at 4:00pm
D.	Date for Response to Respondents' Questions	March 11, 2025
E.	Date for Submission of Proposals	March 14, 2025 at 12:00pm

The Inc. Village of Malverne reserves the right to modify the Deadline Schedule as necessary.

Changes to the Deadline Schedule will be published at :
www.malvernevillage.org/request-for-proposals-qualification

Respondent is responsible for meeting all deadlines.

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SCHEDULE B

**Incorporated Village of Malverne
Insurance and Indemnification Requirements for Independent Contractors/Sub-Contractors
Page One of Four**

Contractor agrees to procure and maintain the following minimum insurance coverages naming the Village as a primary and non-contributory additional insured on all policies other than Workers Compensation and NYS Disability.

The insurance coverage limits set forth in Schedule below are minimum coverage requirements, not limitations of liability. The Contractor is to give evidence of insurance coverage to **Village on the form of Certificates of Insurance, copy of the Additional Insured Endorsements, Acord Form 855 – New York Construction Certificate of Liability Insurance Addendum, C105.1 form or State Insurance Fund Certificate for Workers Compensation and DB120.1 Certificate for NYS Disability and provide 30 days’ notice of cancellation, non-renewal or material change.** New York State licensed admitted carrier is preferred; any non-licensed/non-admitted carriers will be accepted at the City’s discretion. The insurance carrier must have an A.M. Best Rating of at least A- IX.

All policies shall maintain in full force and effect and uninterrupted during the term of this Agreement and for three (3) years from completion of the project under this agreement. With respect to any “claims made” policies, any retroactive date must be earlier or the commencement date of the work under this agreement. Any failure to procure and/or maintain the types and level of insurance required of this agreement constitutes a material breach of this agreement and subjects

All subcontractors must adhere to Worker's Compensation, Commercial General Liability, Umbrella Liability and Auto Liability as specified below.

Certificate Holder for all policies: **Incorporated Village of Malverne**
99 Church Street
Malverne, NY 11565

Description Box to read:
Incorporated Village of Malverne, all elected and appointed officials, employees and volunteers are included as primary and non-contributory additional insureds including products and completed operations for General Liability including Contractual Liability, Automobile Liability and Excess Liability. Waiver of Subrogation is included on the Workers Compensation and General Liability in favor of the Additional Insureds.

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SCHEDULE B

Incorporated Village of Malverne
Insurance and Indemnification Requirements for Independent Contractors/Sub-Contractors
Page Two of Four

F. WORKER'S COMPENSATION

Coverage	Statutory
Extensions	Voluntary Compensation; Employers Liability – Unlimited in New York State Waiver of Subrogation in favor of the Incorporated Village of Malverne

II. NYS DISABILITY AND PAID FAMILY LEAVE

Coverage	Statutory New York State Benefits
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III. COMMERCIAL GENERAL LIABILITY

Coverage	Occurrence - ISO CG0001 10-01 or equivalent	
Limits Per Project	General Aggregate	\$2,000,000
	Products-Comp/Ops Aggregate	\$2,000,000
	Personal & Advertising Injury.	\$1,000,000
	Each Occurrence	\$1,000,000
	Damage to Premises rented to you	\$ 100,000
	Medical Expense (Any one Person)	\$ 5,000

Additional Insured	Incorporated Village of Malverne, and all appointed and elected officials, employees, volunteers using ISO forms (or equivalent forms) CG2026 (Ongoing Operations) and CG 20 37 (Completed Operations) on a primary and non-contributory basis.
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Mandatory

* Aggregate limits to apply per project

Contractual Liability extending to Hold Harmless.

Contractual Liability Insurance is afforded per the definition of “insured contract” as defined in Form CG0001 with no endorsements that amend or restrict the definition of “insured contract”.

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SCHEDULE B

**Incorporated Village of Malverne
Insurance and Indemnification Requirements for Independent Contractors/Sub-Contractors
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Mandatory

- Waiver of Subrogation is the favor of all additional insureds.
- Primary and non-contributory Additional Insured
- General Liability is to be primary and non-contributory to any insurance carried by any additional insured.
- The general liability must not include any exclusion, limitation or restriction pertaining to interior or exterior work height; “action over” type claims; or “injury to employee or subcontractor” exclusions, nor any exclusions for Claims that fall within the Purview of New York Labor Law Sections 200, 240 & 241.

Pollution Liability

- If contract involves environmentally regulated substances or hazardous material exposure(s) and/or the disposal of waste or other hazardous substance from the worksite, the contractor shall maintain Contractor’s Pollution Liability including Pollution Legal Liability insurance in the amount of at least \$5,000,000. per occurrence for 3rd party liability and clean-up. This coverage is to remain in effect for a minimum of (5) five years following the completion of work. If written on a claim made basis, the retroactive date must pre-date the inception of the contract or agreement.

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**Incorporated Village of Malverne
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IV. AUTOMOBILE INSURANCE

Coverage	Standard New York policy insuring all owned and non-owned vehicles Automobile Liability is to be primary and non-contributory to any insurance carried by any additional insured
Limits	Minimum Limit - \$1,000,000 CSL
Additional Insured	Incorporated Village of Malverne and all appointed and elected officials, employees, volunteers on a primary and non-contributory basis.

V. UMBRELLA LIABILITY

Coverage	Umbrella or Excess Form providing excess of General Liability, and Automobile Liability
Minimum Limit	\$5,000,000 each occurrence/\$5,000,000 aggregate
Additional Insured	Incorporated Village of Malverne and all appointed and elected officials, employees, Volunteers on a primary and non-contributory basis.

VI. BONDS

Bid Bond	Minimum of 10% of contract bid.
Bond Form	AIA Document A310 Current Edition.
Final Bonds	1. Performance and Payment bonds (labor & materials) Minimum Limit 100% of Contract Price 2. Maintenance Bond Minimum Limit 100 % of Performance and Payment Bond Term - 2 Year from Acceptance of Job
Bond Form	AIA Document A311 current edition.

NOTE: Surety Company must be NYS licensed and on current list of "Surety Companies Acceptable on Federal Bonds" as published in Federal Register by the Audit Staff Bureau of Accounts, US Treasury Department.

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HOLD HARMLESS:

To the fullest extent permitted by law, _____ (Contractor) shall indemnify, hold harmless and defend the Incorporated Village of Malverne, and all respective elected and appointed officials, employees, volunteers, and/or agents from any and all liability, damage, loss, claims, demands and actions of any nature whatsoever, for any reason whatsoever, foreseeable or unforeseeable, which arises out of or is connected with, or is claimed to arise out of to be connected with, any undertaking, product, goods, merchandise, products, services sold and/or work supplied, furnished or performed by the Contractor or its subcontractors and/or agents, on account of personal injury, death or property loss to the Incorporated Village of Malverne, its officers, employees, agents or to any other persons, third parties, or property, but shall not include claims resulting from the gross negligence or willful misconduct of the Incorporated Village of Malverne. This indemnity and hold harmless is intended to be as broad as is permitted by law and to include claims of every kind and nature – for tort, under contract, for strict liability or other liability without fault, under statute, rule, regulation or order, and otherwise.

In any and all claims against Incorporated Village of Malverne, all elected and appointed officials, employees and volunteers or any of its agents or employees by any employee of the contractor or subcontractor, anyone directly or indirectly employed by any of them or anyone whose acts any of them may be liable, the indemnification obligation under the above paragraph shall not be limited in any way by any limitation on the amount of type of damages, compensation or benefits payable by or for the contractor or their sub-contractor under Workers Compensation acts, disability acts, or other employee benefit acts.

The indemnification provided by this Agreement shall be a continuing right to indemnification and shall survive the expiration or termination of this Agreement.

IN WITNESS WHEREOF, the undersigned has duly executed this Agreement the ___ day of _____, 20__.

Witness

Contractor

Name

Signature – name and title

Signature – name and title

(Please Print Name and Title)

**Incorporated Village of Malverne
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SCHEDULE C

COST PROPOSAL

Page 1 of 2

Bidder: _____

Date: _____

The undersigned, as bidder, hereby declares that the only person or persons interested in this proposal as principal or principals is or are named herein and that no other person than herein mentioned has any interest in this proposal or in the contract to be entered into; that this proposal is made without connection with any other person, company or parties making a bid or proposal; and that it is in all respects fair and in good faith without collusion or fraud. The bidder further declares that he has examined the site of the work and the contract documents relative thereto and has read all special provisions furnished prior to the opening of bids; that he has satisfied himself relative to the work to be performed.

The Bidder proposes and agrees if this proposal is accepted to contract with the Incorporated Village of Malverne in the form of contract specified below, to furnish all necessary materials, equipment, means of transportation and labor necessary to provide Professional Services in the Repair of House Sewer Lines in full and complete accordance with the RFP and contract documents, to the full and entire satisfaction of the Incorporated Village of Malverne.

Base Bid:

_____ Dollars (\$)

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SCHEDULE C

COST PROPOSAL

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Cost Proposal Signature Page

The undersigned further agrees that in the case of failure on his part to execute the said contract within thirty (30) consecutive calendar days after being given written Notice of the Award of Contract, the bidder shall be deemed to have abandoned the Contract.

Respectfully submitted this day by: _____ Date: _____

(Name of firm or corporation making bid)

WITNESS:

By: _____
Signature

Name: _____

(Proprietorship or Partnership)

Print or type

Title _____

(Owner/Partner/Pres./V.Pres)

Address _____

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ATTEST:

By: _____ License No.

Title: _____ Federal I.D. No. _____

(Corp. Sec. or Asst. Sec. only)

Email Address: _____

(CORPORATE SEAL)