REQUEST FOR QUALIFICATIONS

Issued by the Town of Sutton

for

Watershed-based Plan Development for a Healthy Kezar Lake

October 1, 2024

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1. Introduction

The Town of Sutton, in cooperation with the Kezar Lake Protective Association (KLPA), is requesting Statements of Qualifications from interested Civil Engineers and/or Environmental Consultants to develop a Watershed-based Management Plan (WBP) for Kezar Lake that meets the United States Environmental Protection Agency (USEPA) requirements for nine-element (a-i) watershed management plan.

1.1. Project Context

The Watershed-based Plan for a Healthy Kezar Lake project builds on efforts by the Kezar Lake Protective Association (KLPA) to improve and protect the water resources within the lake's watershed and develop a comprehensive lake-wide management plan for Kezar Lake. In June 2023, the KLPA submitted a State Revolving Loan Fund (SRF Loan) pre-application for a WBP and was approved to submit a full application in 2024. In March 2024, residents of the Town of Sutton voted to accept the loan to develop a WBP, and a full application was submitted in June 2024.

This request for qualifications (RFQ) is the next step in developing a WBP for a healthy Kezar Lake. The intent of the WBP is to improve water quality and preserve the Lake's value as a natural resource for the region amidst increasing pressure from nonpoint source pollution exacerbated by the effects of climate change and a growing population. As a major economic asset and natural resource for local communities, as well as the State of New Hampshire, it is important that the lake's health be protected.

Development of an EPA nine key element ('a-i') WBP for the Kezar Lake watershed will assess the health of the waters in Kezar Lake, identify sources of pollutants, and provide a roadmap for future mitigation and protection efforts.

A Steering Committee made up of representatives from the Town of Sutton, Town of New London, KLPA, Messer Pond Protective Association (MPPA) and New Hampshire Department of Environmental Services (NHDES) will work with the consultant to develop an action plan of strategies that aim to restore and protect the value, uses, and health of the lake for generations.

1.2. Project Location and Watershed Characteristics

Kezar Lake is situated in the village of North Sutton, within the lakes region of NH. From the Abenaki Native Americans and early New England settlers, to the historic inns, dance halls and boys' and girls' camps of the 19th and 20th centuries, many have enjoyed the calm waters and mountain views of this peaceful 182-acre lake. Today, recreational opportunities at Kezar Lake include Wadleigh State Park, one of only 22 beachfront state recreational facilities in New Hampshire, as well as Horse Beach, which allows no-fee public access for swimmers and boaters. Penacook Road and Keyser Street together encircle Kezar in a 3-mile loop, enhancing

access to the lake, which is publicly visible from over 70% of the roadway. The road's layout, however, also presents ecological challenges, as it bisects much of the NH state-designated Protected Shoreland, incorporating significant amounts of impermeable surface within the 50-foot waterfront buffer. This further subjects Kezar Lake to de-icing practices, increased stormwater surface flow from more intense climate change-driven storms, and limits the vegetative buffer that might otherwise mitigate nonpoint source pollution into the lake. These, along with outdated septic systems and cesspools within the watershed present some of the current challenges to water quality.

Yet the lake is no stranger to restoration and water quality efforts. From the 1930s-1980's the town of New London routinely expelled nutrients from its wastewater treatment plant into Lyon Brook, the main tributary into Kezar. The resulting phosphorus overloading caused significant algae blooms, reducing dissolved oxygen rates and harming plants and wildlife, as well as adjacent businesses and property values. The KLPA was formed in 1971 to address these concerns. After working with state agencies and multiple court battles, New London decommissioned its wastewater treatment plant in 1981. Lake quality eventually improved through various cutting-edge treatment strategies, including treatment with aluminum salts, undertaken in collaboration between the community and the NHDES. The KLPA continues its mission to improve water quality and protect this natural resource for future generations. By broadening its view to address water quality at the watershed scale, KLPA hopes to increase public awareness of watershed functioning within New London and Sutton and spur the community to identify and address potential contamination. This endeavor has far-reaching impacts, ultimately benefiting the larger Contoocook and Merrimack River Watersheds, which Kezar contributes to. In the same way that Kezar Lake is valued by local communities, we hope that the waters that leave our local watershed benefit the larger region and its inhabitants

1.3. Water Quality & Current Trends

While many of the problems that rose to acute levels in the 1960's and 70's are now since mitigated, recent analysis of data collected through yearly Volunteer Lake Assessment Program (VLAP) water sampling and the Colby Sawyer Community Based Project (CBP) conducted on Kezar in 2021/2022 indicate some worsening trends:

- Recent water quality data and observations at Kezar Lake have confirmed the presence of cyanobacteria during the summer months.
- Average annual phosphorus levels have been increasing in Kezar Lake, reaching High and Excessive levels at three of the four monitoring sites in the past 5 years.
- The 2023 VLAP Individual Lake Report noted that the average epilimnetic phosphorus level increased from 2022 and was greater than the state median and the threshold for mesotrophic lakes.
- Hypolymnetic water quality results suggest an internal load of nutrients may be released from bottom sediments in anoxic conditions.

As part of the CBP effort in 2021-22, Colby Sawyer College collected sediment core samples to analyze the potential for internal phosphorus loading in the Lake and effectiveness of the alum treatment that was applied in the 1980's. Analysis of the sediment core samples is still pending, but water quality trends identified through annual VLAP sampling and the CBP (high phosphorus levels, increasing conductivity, and low dissolved oxygen saturation) indicate that developing a WBP at this time is crucial to prevent further degradation of water quality and maintain designated uses at this unique lake, which has several 'marginal' and 'poor' designations in the 2020/2022 305(b)/303(d) Watershed Report Card.

For additional information on Water Quality, see the following appendix items:

A. Community Watershed Analysis Final Report, 2021 - 2022: Kezar Lake by Colby-Sawyer College, Community-Based Project Class of 2021-2022
B. 2023 Volunteer Lake Assessment Program Individual Lake Reports: Kezar Lake, North Sutton
C. 2020/2022 305(b)/303(d) Watershed Report Card for Kezar Lake

2. Project Scope

The tasks outlined below will allow the KLPA to spearhead the implementation of recommendations included within the WBP to improve and maintain a healthy lake, meeting the needs of the lake and surrounding community.

Task 1: Project Management, Meetings & Administration

The consultant will provide project management services to ensure the project schedule, scope and budget are maintained. Monthly meetings will be organized by the consultant to ensure project progress, including a kick-off and wrap-up meeting in collaboration with the Steering Committee. *Anticipated Deliverables: Project Work Plan (including schedule, scope, and budget to be updated as-needed as project progresses); meeting agendas and minutes.*

Task 2: Preparation of Site-Specific Project Plan (SSPP)

The consultant will prepare a draft SSPP for all the data analysis, modeling, and assessment aspects of the project. The Town of Sutton and KLPA will provide the Draft SSPP to NHDES for review and comment. The consultant, Town of Sutton, and KLPA will address draft SSPP comments and submit Final SSPP to NHDES for review and approval. *Anticipated Deliverables: Draft & Final SSPP*

Task 3: Review Existing Data, Water Quality Monitoring, and Assimilative Capacity for Total Phosphorus (TP) and Chloride

The consultant will review existing applicable data, reports, and historical information to gain a full understanding of current lake conditions and needs to protect watershed health, with a focus on TP, chloride, and conductivity. At a minimum, reference the documents included in this RFQ

as attachments. Additionally, supplement existing data by developing evaluation criteria and conducting monitoring, as needed. This task will culminate with a public presentation of findings and Technical Memorandum, which will eventually be incorporated into the WBP. *Anticipated Deliverables: Draft & Final Water Quality Technical Memo; Summary Water Quality Presentation.*

Task 4: Establish Water Quality Goal for TP and Chloride

The consultant will assist in the development and documentation of the water quality goal for total phosphorus and chloride, including participation in a facilitated meeting with the Steering Committee and NHDES to agree on the water quality goal. *Anticipated Deliverables: Draft & Final Water Quality Goal Technical Memorandum, facilitated meeting agenda and minutes*

Task 5: Pollutant Load Modeling Scenarios

The consultant will determine annual pollution source loads for catchments in the Kezar Lake watershed using an NHDES-approved method and submit estimates to the Steering Committee and NHDES for review. Using in-lake response models, such as the Lake Loading Response Model, in combination with empirical data, the consultant will estimate in-lake TP concentration and chloride concentration and submit to the Steering Committee for review. The consultant will also run additional modeling scenarios including natural background and build-out under current zoning; additional scenarios may be run for near term, planned future development, or others to meet the water quality targets. A stakeholder meeting with the Steering Committee will be held to communicate and review the results of Task 5. *Anticipated Deliverables: Draft and Final Pollutant Loading Technical Memo; Steering Committee Pollutant Loading Presentation*

Task 6: Determine Best Management Practices (BMPs) to Meet Water Quality Goals and Future Watershed Conditions

The consultant will: Determine TP and chloride reductions needed to achieve the in-lake water quality goals for current and future watershed conditions; Conduct desktop GIS analysis to identify potential structural and non-structural BMP opportunities on public property, with estimated pollutant load reductions; Coordinate with the Steering Committee members on a community-led process to conduct watershed assessments to determine sites requiring mitigation (i.e. infiltration sites, culvert upgrades, road surface erosion, septic systems, streambank erosion sites). Following the field work, the consultant will provide a list of identified mitigation sites that will document GPS location, issues observed, recommended BMPs, estimated load reductions, estimated costs, technical assistance required, maintenance needs, and photo documentation. These findings may be displayed in an interactive online map and summarized in the BMP Technical Memo.

The consultant will conduct a shoreline survey of Kezar Lake, utilizing community volunteers to the greatest extent practicable. In coordination with the Steering Committee, the consultant will document the condition of the shoreline using a scoring system that evaluates the presence/absence of a vegetated buffer, bare soil, extent of shoreline erosion, distance of

structures to the lake, and slope. The consultant will generate an overall shoreline disturbance score for each parcel, with high scores indicating poor shoreline conditions, and develop a memorandum that describes the methods, results, and estimated pollutant load reductions for the Shoreline Survey. Photo documentation of each parcel will be cataloged by tax map-lot number. All information will be summarized in the BMP Technical Memo and displayed in the interactive online map.

A review of current land use regulations and ordinances in place within the Towns of Sutton and New London will take place to identify other potential non-structural BMPs needed in the watershed. Review a list of the proposed structural and non-structural BMPs with Steering Committee members in order to identify, prioritize, and develop a feasible schedule for the implementation of each BMP (element 'f').

The consultant will: Conduct a public meeting to present GIS and field assessment results to garner feedback to determine priority sites and priority of non-structural BMPs; Finalize prioritization of BMPs with the Steering Committee through a series of meetings and document review; Provide summary of identified structural sites, non-structural strategies and prioritization documentation to NHDES (element 'd'); Ask the Steering Committee to provide input and approval on prioritization of structural BMP sites. *Anticipated Deliverables: Draft & FInal Pollutant Load Reduction Technical Memo; Interactive Public Presentation for Watershed Assessment and Shoreline Survey; Community-led Watershed Assessments and Shoreline Survey; Excel List and interactive online map of Potential BMP Sites and Strategies; Public Presentation and Prioritization Workshop for Potential BMP Sites and Strategies; Steering Committee Prioritization Meetings (up to two); BMP Prioritization Technical Memo*

Task 7: WBP Action Plan

The consultant will develop a WBP Action Plan that outlines responsible parties, potential funding sources, approximate costs, and an implementation schedule for each action aimed at improving water quality and the means to make the water quality goals a reality. The BMP Action Plan will estimate the amounts of technical and financial assistance needed, associated costs, and the resources and authorities that will be relied upon to implement the BMPs identified in Task 6.

Then, measurable milestones for determining whether the nonpoint source management measures or other control actions that are included in the watershed plan are being implemented as expected (element 'g') will be developed. The consultant will coordinate with the Steering Committee to assess the existing VLAP monitoring program, and propose changes as needed, so that successful implementation of the plan can be evaluated as compared to the criteria developed in Task 3 (element i).

The consultant will: Compile information about the identified structural and non-structural practices needed to achieve water quality goals, and then prepare the Draft WBP Action Plan; Prepare maps or other means of identifying locations of BMPs; Develop a set of criteria, tracking tool or statistical analysis that can be used to determine whether the desired pollutant loading is

being achieved over time and if substantial progress is being made towards attaining water quality standards, and, if not, the adaptive management plan for determining whether this WBP needs to be revised including a monitoring component (element 'h' and 'i'). *Anticipated Deliverables: Non-structural BMP review meetings with Steering Committee; Draft and Final WBP Action Plan, including Adaptive Management Plan*

Task 8: Finalize an a-i WBP for Kezar Lake

The consultant will: Compile components of the WBP from Tasks 1-7 for initial review and comment by NHDES and Steering Committee; Provide a Draft WBP to Sutton and New London to be published on the town websites and provide summary public presentation (all materials used to support the WBP through the website and the content on the website will be provided to NHDES for review and comment); Compile, review and integrate comments into the draft WBP, and prepare the final version of the WBP, which must be ADA compliant; Publicize and hold a public meeting to communicate results of the plan. *Anticipated Deliverables: Draft & Final WBP, Draft & Final WBP public presentations, Final ArcGIS StoryMap detailing potential BMPs, Town Website Content*

Task 9: BMP Preliminary Design

Develop site assessment documentation and conceptual designs for three BMPs identified through the WBP development process to support future grant applications. Include pertinent information for NHDES 319 Grant funding such as cost, pollutant reductions, etc. *Anticipated Deliverables: Preliminary Site Assessment Reports and Conceptual Design Drawings for at least three BMP sites*

Task 10: Community Education & Outreach

In addition to the public presentations referenced in Task 3, 6, and 8 the consultant will provide educational materials, such as brochures, pamphlets, website content, etc. as determined by the Steering Committee. *Anticipated Deliverables: Educational materials such as brochures, pamphlets, website content, etc.*

3. RFQ Requirements

Each consultant will submit a qualifications package to the The Town of Sutton that will include the following components:

1) Cover letter, including a primary contact for proposal and that person's title, address, phone number and email address.
2) Project Understanding: Provide your general understanding of the project, and describe any potential challenges or special concerns that may be encountered. Describe in narrative form the consultant's approach (i.e. "philosophy") to watershed planning, skills and specialties for which the respondent is qualified, and a summary of directly relevant work experience of the respondent.

3) Project Plan: Please also provide a technical plan for accomplishing the work listed herein, listing any analytical methods and/or tools it anticipates utilizing. The consultant is encouraged to elaborate and improve on the tasks listed in the RFQ. However, the consultant shall not delete any requested scope tasks, unless explicitly noted.
4) Project Schedule: The respondents will provide a schedule to conduct and complete the project. The schedule will include project tasks, as identified in the Project Scope section and/or by the consultant. Project tasks will be laid out in a flow chart identifying the anticipated dates to complete each task and the interrelationship of conducting and completing these tasks. It is desired that this project will be completed by December 31, 2026, although an alternative expected completion date will be considered
5) References (minimum 3), including names, titles, and contact information. References are preferably to be clients for whom similar work has been performed within the past five (5) years.
6) Firm Description, detailing the firm size and area of specialization, location, as well as general management structure.
7) Project Team Experience, describing project team organization, team member qualifications and the anticipated level of involvement of key team members in each phase of the project, as described in the Project Approach. Additionally, describe the skills and specialties for which the respondent is qualified, and a summary of directly relevant work experience of the respondent.

4. Desired Qualifications

Preference shall be given to those firms with experience in the following areas:

(a) overall experience directly related to the successful implementation of similar projects that include planning, data analysis, watershed and in-lake modeling, engineering, outreach, and working with diverse stakeholders to achieve project goals;

(b) direct experience incorporating the EPA nine key elements (a-i) to develop watershed management and/or restoration plans;

(c) demonstrated ability to work with municipal government (town boards, public works officials, etc.), state government (NHDES, etc.), local residents, nonprofit groups, universities, and other stakeholders in New England;

(d) experience and willingness to work with existing data, such as from municipal GIS layers, LIDAR, Colby Sawyer College, Plymouth State University, and the NHDES Environmental Monitoring Database, etc.;

(e) demonstrated ability to complete the work within the required schedule;

(f) demonstrated ability to effectively solicit, assess, and use comments and suggestions from stakeholders during project development;

(g) demonstrated success in developing and implementing innovative approaches to facilitating public and project team meetings across in-person, virtual, and hybrid settings;

(h) experience in lake quality, limnology, and environmental monitoring, modeling and data interpretation;

(i) demonstrated ability to conduct watershed and lake modeling to achieve project goals (including build-out analyses and water quality goal setting);

(j) experience interpreting and applying New Hampshire water quality standards;

(k) demonstrated ability to identify structural and non-structural Best Management Practices (BMPs) and generate pollutant load and cost/benefit analyses for BMPs;

(l) proven ability to evaluate and propose solutions to address pollution from septic systems;

(m) demonstrated ability to conduct effective public outreach and generate measurable results.

5. Selection Criteria

The Town of Sutton and the Kezar Lake Protective Association will jointly form a committee to review the Statements of Qualifications submitted and rank the qualified firms. The following criteria will be used in screening, ranking, and selecting the successful firm:

1. Qualifications of the firm (30 points): Preference shall be given to those firms with experience in design of stormwater BMPs related to the scope of services and demonstrated experience working with municipalities in NH and the NH Department of Environmental Services on watershed-based planning projects.
2. Qualifications of the Project Team (Key Staff) (40 points): Preference shall be given to those with experience in items listed in the above scope of services. Particular attention will be given to the experience and demonstrated ability of the project manager to proactively complete all project tasks on time and within budget.
3. Project Understanding and Project Plan (30 points): Preference shall be given to those firms which have a comprehensive understanding of the project requirements and environment.

6. Submission Procedure

Questions regarding this RFQ can be submitted to Lynn Wittman, President of the KLPA, at kezarlakepanh@gmail.com by October 23, 2024. Statements of Qualifications must be submitted to the Office of the Town Administrator at Sutton Town Hall, 93 Main St, Sutton, NH 03221, **no later than 2pm on October 7, 2024**.

Representatives from the Towns of Sutton, the KLPA, and the NHDES will review qualification packages. After the qualifications-based ranking is complete, the top two to three ranked

consultants may be invited for an interview if desired by the review committee. After the interview process, the top ranked consultant will be asked to provide a cost proposal, and the KLPA and Town of Sutton will proceed with contract negotiations with that consultant. If these negotiations are not successful, the Town of Sutton and KLPA will negotiate with the second-ranked, qualified consultant, etc. until a contract has been successfully negotiated. The contract will be between the Town of Sutton and the consultant.

Statement of Qualifications are required to be submitted electronically and in hard copy no later than **October 7, 2024 at 2pm:**

- Electronic copies of your Statement of Qualification should be emailed in PDF format with “Kezar Lake RFQ” in the subject line to the following:

Name	Role	Email
Julia Jones	Sutton Town Administrator	townadmin@sutton-nh.org
Glenn Pogust	Sutton Selectboard Member	gpogust@outlook.com
Lynn Wittman	KLPA President	kezarlakepanh@gmail.com

- Please also submit three (3) hardcopies to the Office of the Town Administrator at Sutton Town Hall, 93 Main St, Sutton, NH 03221. Include “Attention: Glenn Pogust” and “Kezar Lake Watershed RFQ” on the outside of the package/ envelope.

7. RFQ Timeline

1. October 9, 2024: RFQ is published
2. October 23, 2024: Questions are due to Lynn Wittman, KLPA President
3. October 30, 2024: Responses are posted to the KLPA website, https://www.kezarlakenh.org/
4. Nov 12, 2024: Qualifications Statements due
5. December 9th, 2024: Consultant interviews (as needed)
6. December 16th, 2024: Consultant selection announced

8. Insurance And Bond Requirements

A certificate of insurance must be on file and approved by the Town before this project can begin. All companies are required to include a Certificate of Insurance with the bid submittal. The Consultant, at its own expense, shall procure and maintain during the entire term of this agreement and any extensions thereof, the following insurance to cover all risks which shall arise directly or indirectly from Consultant obligations and activities.

Workers Compensation and Employers Liability Insurance meeting the requirements of the New Hampshire Workers Compensation Law covering all the Contractors employees carrying out the work involved in this contract.

General Liability Insurance with limits of at least $1,000,000 per occurrence for Bodily Injury and Property Damage. As a minimum, coverage for Premises, Operations, Products and Completed Operations shall be included. This coverage shall protect the public or any person from injury or property damage sustained by reason of the Contractor or its employees carrying out the work involved in this contract.

Subcontractors: In the case of any work sublet, the Consultant shall require subcontractors and independent contractors working under the direction of either the Consultant or a subcontractor to carry and maintain the same workers compensation and liability insurance required of the Consultant. All subcontractors must be approved by the Town in advance.

Qualifying Insurance: Policies shall be issued by insurers authorized to do business in the State of New Hampshire.

If Professional Liability coverage is written on a claims made policy form, the certificate of insurance must clearly state coverage is claims made and coverage must remain in effect for at least two years after final payment with the contractor continuing to furnish the Town certificates of insurance. The Contractor shall be responsible for deductibles and self-insured retentions in the Contractor insurance policies.

At the time of the execution of the consulting contract, the selected consultant shall furnish the Town with a performance bond in the amount of $100,000, which is 100% of the maximum contract price, guaranteeing the completion of the work as specified in the contract. Such bond shall be maintained for the entire length of the project, with originals submitted to the Town Administrator.

9. Disclaimer

This Request for Qualifications does not commit the Town of Sutton to award a contract or pay any costs incurred during the preparation of the qualifications package. The Town of Sutton and the KLPA reserve the right to reject any or all the proposals for completing this work for any reason allowable by law. The Town of Sutton and the KLPA also reserve the right to eliminate the need for the selected firm to complete one or more tasks, pending the outcome of preceding related tasks or issues. To participate in the project and receive payment, the selected firm will be required to enter into a contract which stipulates that the contractor is eligible to receive federal funding and certifies compliance with State and Federal rules related to grant funded projects.

10. Appendix