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January 10, 2018

Mr. Bernard Greene – sent by email
Massachusetts Clean Water Trust
3 Center Plaza, Suite 430
Boston, MA 02108

Re: RFR for Prequalification for Consulting Engineering Services for Water
Infrastructure Asset Management Planning Grants

Dear Mr. Greene:

Thank you for this opportunity to comment on the referenced Request for Responses (RFR). The American Council of Engineering Companies of Massachusetts (ACEC/MA) appreciates the hard work and dedication of MADEP's Pat Rogers and the Clean Water Trust's Nate Keenan as well as others in these agencies for embarking on an important initiative toward providing asset management planning grants for the critical issue of water-related infrastructure.

ACEC/MA has compiled questions and comments on the subject RFR by polling ACEC/MA member firms, many of whom already work with the Clean Water Trust (CWT) and MADEP on State Revolving Fund loans for various Water Infrastructure Projects. In addition, some of our member firms have worked with MADEP on their current Asset Management Planning (AMP) Grants for Massachusetts Communities. While that may be the case, many of our member firms have not completed AMPs for Massachusetts communities. This is not because they lack the capabilities and expertise to perform the work, but may be because of the limited funding available through that grant program, both for individual community grants and on an annual basis. As such, certain Massachusetts communities have not submitted grant applications for AMP work, or have had the applications passed over for other, higher priority projects.

The main point that we would like to emphasize is that the requirements for pre-qualification should be less exclusionary, and should allow firms that routinely work for certain municipalities on their water infrastructure systems and projects to be pre-qualified to conduct grant-funded AMPs.

We would hope that firms who routinely work for and with numerous Massachusetts municipalities on drinking water, wastewater and stormwater projects who have performed limited or no work funded under the current DEP-funded program could and would be prequalified to conduct AMPs under the envisioned CWT Grant funding program. The knowledge base and experience that those firms have in their client communities would serve to save considerable state (and local) monies in completing AMPs, regardless of whether or not they conducted AMPs under the current DEP AMP grant program.

While some of the comments and requests for clarification that we are providing refer to the RFR, we have also taken the opportunity to ask how applicants will apply for and receive future grant funds.

RFR document questions and comments:

1. Will prior work on, or experience with, Asset Management Plans previously funded by MADEP be a pre-requisite for firm pre-qualification?
2. Has the Trust established a minimum (or maximum) number of firms that you intend to prequalify?
3. What specific criteria will be used to prequalify (or not qualify) a firm to conduct AMPs? Certain of the Items in Section 13, “Trust’s Evaluation of Responses,” are subjective, while others seem to be overly restrictive.
4. What is to prevent a firm from not submitting a pre-qualification response at this time and submitting a response when one or more of their client communities applies for an AMP grant? Would the Trust expedite the review of a response submittal to then qualify a firm if that approach is taken?
5. If the response to Question 4 is “yes”, can a municipality apply for a grant while proposing to work with a firm that has not already been prequalified?
6. The state AMP grant funding program has been limited to \$400,000 in total funding per year with a maximum of a \$40,000 grant to a community. It would be good to know what annual amounts and individual maximum grants are anticipated under this program, for firms to decide whether or not so submit a response.
7. Can non-prequalified firms work as a subconsultant for firms that have been prequalified? This may be appropriate in communities where different consultants routinely work on respective water infrastructure facilities.
8. Under what terms or circumstances would the Trust exclude or remove a firm from the prequalified list?
9. Please clarify the scope of services section with regard to “Stormwater AMPs” on pages 3 and 4 of the RFR? Are the 10 minimum items that should be included apply only to Stormwater AMPs or all AMPs? Why are charges for Stormwater System Utility Plans identified specifically in Item 7?
10. In Section 12, “Response Questions”, what is the purpose of only asking for a list of similar studies or related asset management planning work since January 1, 2014? Should that time frame be extended to the past five years or more?
11. In Section 8, “Scope of Services”, it is clearly stated and emphasized that the AMP **will not** include Capital Improvement Projects for non-existing infrastructure. Please clarify what would be considered as “non-existing infrastructure”? For example, would relief lines or facility expansions to address inadequate capacity issues or upgrades to address technology or operational improvements be included?
12. Will facility condition assessments be considered eligible for AMP grant funding?
13. In section 12G, please be specific with regard to software purchase (proprietary vs non-proprietary) that would be eligible for purchase and use under an AMP grant? It would help if you could provide examples of software or software adaptations /versions that would or would not be grant eligible. Could a community choose to use software other than CUPSS, if it was provided at no cost, and if so, would other costs for the AMP be deemed ineligible for grant funding? Does the prohibition apply to commercial “off the shelf” software, such as computerized maintenance management packages? There seems

to be a clear emphasis on the use of CUPSS software as part of an AMP. Is use of this software intended to be a requirement for AMP grant funding?

14. If a firm has all of the experience and capabilities to complete an AMP, but cannot provide an example of a “fully executed AMP with clearly defined milestones for the process” as described in Section 13 (2) on page 7 of the RFR, will that prevent a firm from being prequalified? This requirement could serve to significantly limit the number of eminently qualified firms from being prequalified. If the intent of this process is to pre-qualify a large number of firms, it is suggested that the Trust review all of the “Trust’s Evaluation of Responses” in Section 13, to determine just how restrictive the RFR is.
15. Item 12F of the RFR asks for information related to the cost associated with generating an Asset Management Plan for communities of various sizes throughout the Commonwealth. With so many variables, including the number, extent, and type of assets, availability of existing information on existing facilities, etc., a wide range of costs would result. As such, how and for what purpose will this information be used? If the intent is to develop standard or typical costs for AMP development, such wide ranges of work scopes, levels of effort, and costs may not be helpful.

Questions and Comments on the actual grant program and how communities will apply for and receive priority (or not) over other competing grant applications:

1. In many communities, responsibility for specific water infrastructure (i.e. drinking water, wastewater, and stormwater) can fall under two or more municipal departments, agencies, districts, and/or private companies.
 - a. In the case of varied municipal departments (i.e. drinking water, sewer and highway) with their own budgets and revenue streams, could a grant be segmented/allocated to each involved department?
 - b. How would potential grant recipients that are allocated to various departments address the need for in-kind services or the cash match requirements?
 - c. Could a community apply for a grant for multiple water infrastructure entities and be allowed to allocate the grant monies; and the cash or in-kind services matches internally?
2. If it is determined that certain software would not be eligible for AMP grant funding, could a municipality purchase desired/preferred software as part of a community match (assuming a community match will be required.)
3. Can equipment needed to conduct condition assessments or to maintain the infrastructure systems be funded through a grant from the trust? Would data collection hardware be considered grant eligible?
4. How much of the prior state funded grant program requirements for Asset Management Planning will remain in place for this program, including:
 - a. The Community Match?
 - b. The Maximum Grant?
 - c. Limited time schedules for completion and reimbursements?
 - d. Scope inclusion/exclusion and eligibility?
5. It is understood that such Asset Management Plans could and would suffice as Financial Sustainability Plans required for Clean Water Project Funding under WRRDA? Does that mean that Clean Water Projects will now receive preferential treatment for AMP grant funding?

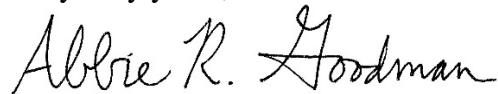
6. Will communities that apply for grant funding be allowed to request multi-year grant funding based on local match limitations for various town departments?
7. Will communities that only apply for a grant to complete an AMP only for drinking water or wastewater, or stormwater facilities be given less priority for grant funding?

ACEC/MA greatly appreciates the opportunity to ask these questions on behalf of many engineering firms that have already done AMPs for communities and many firms that are hoping to provide this service in the future.

We look forward to receiving responses to the above-described concerns and questions regarding both the RFR process and response submittals, and the grant funding program as it is developed and evolves.

Thank you again for this opportunity to submit our comments on the Request for Responses. I can be reached at 617-305-4112 or agoodman@engineers.org

Very truly yours,

A handwritten signature in black ink that reads "Abbie R. Goodman". The signature is written in a cursive, flowing style.

Abbie R. Goodman
ACEC/MA Executive Director