

AGENDA

Monday

September 21, 2015

**TOWN OF EASTHAM
AGENDA
BOARD OF SELECTMEN
Monday, September 21, 2015
5:00 p.m.**

Location: Earle Mountain Room

I. PUBLIC/SELECTMEN INFORMATION

II. PUBLIC HEARING

5:00 p.m. G.L. c130, s52 & 54 Amendment of Town of Eastham Shellfish Regulations,
Section 1.0 & Section 5.4 to change regulations relative to the harvest of Razor Clams

III. APPOINTMENTS

5:15 p.m. Municipal Water Update – Ryan Trahan, Environmental Partners

(Note: Other than public hearings, all times are approximate and items may be taken out of order.)

IV. ADMINISTRATIVE MATTERS

A. Action/Discussion

1. Owners Project Manager for Municipal Water RFQ/RFP Review
2. Transient Vendor License Confirmations
3. Transfer funds from Conservation Wetlands Fund to Conservation Special Revenue Account
4. Outer Cape Affordable Housing Group Selectman Representative
5. Proposed Tri Town Joint Meeting Dates

V. TOWN ADMINISTRATOR'S REPORT

Upcoming Meetings

<i>Wednesday, September 23, 2015</i>	<i>3:00 p.m.</i>	<i>Work Session</i>
<i>Monday October 5, 2015</i>	<i>5:00 p.m.</i>	<i>Regular Session</i>
<i>Wednesday, October 7, 2015</i>	<i>3:00 p.m.</i>	<i>Work Session</i>
<i>Monday October 19, 2015</i>	<i>5:00 p.m.</i>	<i>Regular Session</i>
<i>Wednesday, October 21, 2015</i>	<i>3:00 p.m.</i>	<i>Work Session</i>

The listing of matters includes those reasonable anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

If you are deaf or hard of hearing or are a person with a disability who requires an accommodation, contact Laurie Gillespie-Lee, 508-240-5900 x207

This meeting will be video recorded and broadcast over Local Access Channel 18 and through the Town website at www.eastham-ma.gov.

II
5 PM

**LEGAL NOTICE
TOWN OF EASTHAM
PUBLIC HEARING**

The Board of Selectmen will hold a public hearing on Monday, September 21, 2015, at 5:00PM, in Earle Mountain Room, pursuant to Massachusetts General Law, Chapter. 130, Section 52 and Section 54 and Town of Eastham Shellfish Regulations Section 1.0 and Section 5.4 for the review and potential regulation of or restriction on the commercial harvest of razor clams (*Ensis directus*) in Cape Cod Bay (CCB9.0) or any other action relative thereto.

Published in Sunday, September 21, 2015 Cape Cod Times

Posted: Natural Resources Office, Town Clerk, Town Hall Lobby, Town Hall outside board

Eastham Natural Resources

555 Old Orchard Road
Eastham, MA 02642



508-240-5972
Fax 508-240-6687

Memo

TO: Sheila Vanderhoef, Town Administrator

FROM: Shana Brogan, Conservation Agent &
Michael O'Connor, Shellfish Constable

DATE: September 17, 2015

RE: Commercial Harvest of Razor Clams

Eastham Commercial Shellfishing and Permit Data

There are approximately eleven commercial permit holders that have been primarily observed by Natural Resources Officers harvesting razor clams in Eastham. Of these eleven, three are Eastham residents. Eastham has reciprocity to allow Orleans residents to also obtain commercial shellfish permits. Of the eleven observed six have had a commercial shellfish permit for two years or less.

Natural Resources Observations

Razor clams are presently being harvested from tidal areas off Cape Cod Bay. On one occasion a Natural Resource Officer (NRO) observed and recorded a harvest of three bushels. On average, NROs observed harvests of one bushel.

Razor Clam Biology and Data.

Studies indicate that the razor clam takes two to five years to reach reproductive size of between 4 and 5 inches, other studies have indicated it can take longer. The average razor clam lives for seven to eight years.

Aquaculture centers are experimenting with propagation of the razor clams, however given their site-specific habitat requirements – various methods are still being attempted with mixed results.

Razor clams are susceptible to high mortality due to extreme hot and cold temperatures. Data that the Town does not possess is the present razor clam population in Eastham, and how much has already been harvested.

The average price per pound for razor clams has doubled in the past three years to around four dollars. Over the past three years, the state-wide reported average harvest was 540,087 pounds. Three years prior to that, the average harvest was 170,558 pounds.

Salting as a Method of Harvest.

A study conducted on the effects of salting razor clams in Orleans indicates that some samples of salted razor clams obtained from shellfishermen did not survive and this was likely due to a high concentration of salt. The study also mentioned the effects of lack of razor clams on the ecosystem and their predators such as the horseshoe crab.

Current Harvest Restrictions.

There are presently no restrictions on the commercial harvest of razor clams for both the catch amount size limit in Eastham. Wellfleet, Orleans and Brewster have been contacted and they have not observed commercial harvesting of razor clams. Some towns have implemented size and catch limits.

In Conclusion

Given the high demand and increased pricing for razor clams, the commercial harvest across the commonwealth has increased. Data and observation indicates that the intertidal and sub tidal areas of Cape Cod Bay in Eastham are a preferred habitat for razor clams where in other towns few may be found. Also given that the razor clam is not easily propagated, the fishery should be regulated so it is sustained in the future.

Presently, the Natural Resources Department recommends the following additions to the regulations be adopted by the Board of Selectmen:

- A maximum daily limit of two bushels per day per permit holder;
- A 5" minimum size;
- A condition that any undersized clams that are exposed by the method of salting be immediately buried by hand.

These limits will allow more seasons of reproduction and will reduce the effects of salting on undersized razor clams, and protect them from predators.


Sources

The Effects of Salting on Razor Clams, by Peter Krzyzewski and Joel Chery, Worcester Polytechnic Institute, 2005.

Biology of the Atlantic Jackknife (razor) Clam, by Dale F. Leavitt, Roger Williams University.

Northeast Regional Aquaculture Center, Razor Clam Production Workshop Minutes, May 2, 2012, Walpole, ME.

MGL C 130, S 52



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TITLE XIX	AGRICULTURE AND CONSERVATION	PREV NEXT
CHAPTER 130	MARINE FISH AND FISHERIES	PREV NEXT
Section 52	Taking of eels, shellfish and sea worms; areas in which commercial taking prohibited	PREV NEXT

Section 52. The selectmen of a town bordering upon coastal waters, if so authorized by their town, and the board of aldermen or the city council of any city so situated may control, regulate or prohibit the taking of eels and any or all kinds of shellfish and sea worms within such cities and towns and may, from time to time, without other or special authority therefor, make any regulations not contrary to law in regard to said fisheries as they deem expedient, including the times, places, methods, purposes, uses, sizes, quantities and any other particulars of such taking, and may grant permits, and establish the fees therefor, subject to any such regulation, then or thereafter in force. Any such authorizations to said selectmen hereunder shall continue in force until subsequent action of such town shall repeal the same. Any regulations made under authority of this section shall continue in force until the board of aldermen, city council, or selectmen, as the case may be, shall alter, amend, rescind or repeal the same, or the authority of the selectmen to make and enforce such regulations shall be repealed. No city or town shall require a person to be licensed to take shellfish who is accompanying or operating a boat for a person so licensed and who is not otherwise actively engaged in or assisting in such fishing.

Any regulations made hereunder shall take effect as therein stated, shall be published by posting a copy of the same in the office of the aldermen, city council or selectmen making the same, and in the office of the city or town clerk, and in three or more public places in said city or town, or by publishing the same once in a newspaper, if any, published in said city or town, and by sending a certified copy thereof to the director, twenty-four hours at least before the time set for the same to take effect; provided that the director may, if he deems it necessary for the protection of shellfish in emergency, authorize the making of such regulations effective immediately, in which case publication shall be made within forty-eight hours after the same shall take effect. The records of the aldermen, city council or selectmen, as to the contents of the regulations, and the method and time of publication thereof, or a copy thereof attested by their secretary, shall be prima facie evidence of such facts therein stated. The records of the town as to the instructions to the selectmen, or a copy thereof attested by the town clerk, shall be prima facie evidence of such instructions.

If any city or town bordering on the coastal waters neglects or refuses to take the control of the shellfish, sea worms or eels within its boundaries as provided in this section, such control shall be temporarily exercised by the director for the benefit of such city or town and such authority shall continue until such time as the aldermen or city council of such city or the selectmen under authority of a vote of such town shall take over such control. Nothing in this

paragraph shall be construed as authorizing the director to take control of or exercise the authority provided in this section over the taking of clams from any areas leased from the commonwealth by cities or towns in Essex county as provided in chapter seven hundred and ten of the acts of nineteen hundred and twelve and amendments thereto nor shall such authority extend to the issuance of private shellfish grants as provided in section fifty-seven.

Every city or town which exercises the authority over such coastal fisheries as provided in this section shall set aside an area or areas not then in private control or under municipal cultivation in which the commercial taking of shellfish shall be prohibited and from which shellfish may be taken, for his own family use, by any inhabitant of the commonwealth holding a permit therefor from such city or town. In any city or town issuing such permits to take shellfish for family use, any inhabitant of the commonwealth shall be issued such a permit upon payment of the fee, if any, established therefor. Such permits shall be uniform, and the regulations established in connection therewith shall make no distinction among different classes of permit holders except with respect to the amount of the fee therefor. Such permit shall not allow the taking of shellfish of a size at a season prohibited by law and the amount therefor taken for any family shall not exceed in any one week, one bushel of any or all kinds of shellfish, but the councilmen or selectmen, as the case may be, may, with the approval of the director, reduce the maximum amount of any or all of such shellfish taken for such purpose.

Nothing in this section shall be construed to authorize the aldermen, city council or selectmen to exercise any authority hereunder in areas declared under section seventy-four or under corresponding provisions of earlier laws to be contaminated unless such action is in accordance with a management plan developed by cities and towns with the assistance and approval of the director.


For purposes of this section and of section fifty-four, the term shellfish shall not include the commercial harvest of those species of shellfish known as sea clams (*spilosa solidissima*) and ocean quahogs (*artica islandica*); provided, however, that the director may authorize the commercial management of sea clams and ocean quahogs by regional management of cities and towns, if in his opinion regional management will be in the best interests of the commonwealth. Regional management shall be based upon a regional plan developed by the cities and towns concerned and approved by the director. The director is authorized to promulgate rules and regulations for the development, approval and implementation of all regional plans.

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MGL C 130, S 54



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CHAPTER 130	MARINE FISH AND FISHERIES	PREV	NEXT
Section 54	Cultivation, propagation and protection of shellfish; appropriations by cities and towns; <u>close seasons</u>	PREV	NEXT

Section 54. Cities by a vote of the board of aldermen, or city council, and towns by a vote at a town meeting, may appropriate money for the cultivation, propagation and protection of shellfish. The board of aldermen, or city council, or selectmen when so authorized by their town may from time to time declare a close season for any or all kinds of shellfish for not more than three years in such waters, flats or creeks, not then the subject of a private grant, within the limits of their respective cities and towns, as they deem proper, and may plant, grow and protect shellfish in such waters, flats or creeks; provided, that no private rights are impaired; and provided, further, that when any close season, declared as aforesaid, shall have ended, such flats, waters or creeks shall not within two years thereafter be licensed for the private cultivation of shellfish.

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CHAPTER 130	MARINE FISH AND FISHERIES	PREV	NEXT
Section 98	Shellfish constables; appointment; powers and duties; notice of appointment	PREV	NEXT

Section 98. In each city and town bordering on coastal waters the mayor or the selectmen, as the case may be, shall appoint a person or persons, qualified by training and experience in the field of shellfishery management, as shellfish constables or deputy shellfish constables. A person having successfully completed the shellfish wardens training course at the Massachusetts Maritime Academy as certified by said academy, shall be considered qualified by training and experience in the field of shellfishery management and shall be eligible for appointment as a shellfish constable or deputy shellfish constable. Such shellfish constables and deputy shellfish constables shall be appointed for terms of three years, and may be reappointed. They shall, subject to the appointing authority, initiate, promote and manage shellfisheries in such city or town and shall make or cause to be made such studies as may be necessary to enhance the value of such shellfisheries. They shall enforce all statutes, ordinances, by-laws, rules and regulations relative to shellfish in such city or town. They shall, for the enforcement of sections thirty-one, thirty-seven, forty-one, forty-three and forty-four, have the authority granted to natural resource officers, subject to written rules and regulations of the commissioner. In the performance of his duties, a shellfish constable or deputy shellfish constable may request any person who he has cause to believe is engaged in unlawful shellfishing, is in unlawful possession of shellfish, or is in possession of shellfish unlawfully taken, to display forthwith for inspection all shellfish in his possession, and he may arrest without a warrant any person refusing or failing to comply with such request.

Upon the appointment of a shellfish constable or deputy shellfish constable under this section, the appointing authority shall forthwith notify the director of the division of marine fisheries and the director of the division of law enforcement.

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III 5:15 PM

Eastham Water System

Board of Selectmen Meeting

September 21, 2015

Environmental  Partners

GROUP

A partnership for engineering solutions.

www.envpartners.com

Agenda of Items

- Construction Activities
 - Storage Tank (Contract 1)
 - Well Fields (Contract 2)
 - Landfill Area Distribution System (Contracts 3 & 4)
 - Route 6 (Contracts 5 & 6)
- BOS Policy Issues



Construction Coordination

- Progress Meetings Held Every Monday
 - Discuss work performed to date and upcoming construction schedule
- Police detail coordination
 - Meet every Thursday to plan details and traffic impacts
- Public notifications and feedback



Water Storage Tank

- Soils prepped
- Foundation formed and poured
- Site work – water main, electrical conduit, drain for tank overflow installed
- Derrick arrived and setup this week
- Rebar preparation, formwork
- Tank is on schedule



Water Storage Tank

















Landfill Area Water Mains

- Contract 3 – Areas Completed
 - School House Road, Meetinghouse Road
 - Old Orchard, north of Brackett
 - Nauset Road (Old Orchard south to Acorn)
- Contract 4 – Areas Completed
 - Alston Avenue, Moll's Pond Road, Bayview Avenue, Chatham, Dexter, Spinnaker
 - Glacier Hills Road Neighborhood
 - Chester Avenue (ongoing)



Contract 3 Statistics

- Water Mains
 - 17,500 feet installed
 - 21,200 feet remaining
- Hydrants: 15
- Pavement: 1,200 Tons
- Contract 3 approximately 25% complete



Contract 4 Statistics

- Water Mains
 - 8,300 feet installed
 - 39,200 feet remaining
- Hydrants: 25
- Pavement: 375 Tons
- Contract 4 approximately 7% complete



Landfill Area Water Mains

- Third Construction Crew Added Sept. 14
- Contract 3 - Upcoming
 - Nauset Road (Acorn to Visitor's Center)
 - Old Orchard (Meetinghouse to Brackett)
 - Brackett Road
- Contract 4 - Upcoming
 - Forest Avenue
 - Selah Circle
 - Duck Marsh Lane
 - Candlewood Drive Area



Water Main Installation







09 09 2015



09 09 2015



ering solutions.







Construction Experience So Far

- Smooth and rapid pace of installation
- Currently, 3 construction crews mobilized
- Averaging approx. 400 feet/day per crew
- Public outreach is working
- Advance notifications (flyers) very effective
- Police details and coordination working well



Public Outreach & Information

- Eastham web page

<http://easthamwaterproject.weebly.com>

- Eastham Water Projects Email Address:

easthamwater@envpartners.com

- Eastham Water Project Phone Number

617-657-0279



Construction Challenges

- Unmarked utilities
 - Gas, Electric, Telephone, Cable
 - Close coordination with National Grid and Eversource
- Management of Traffic Patterns
- Minimizing disruption to residents
- Pavement on Private Roads
 - Depth of existing pavement & in poor condition



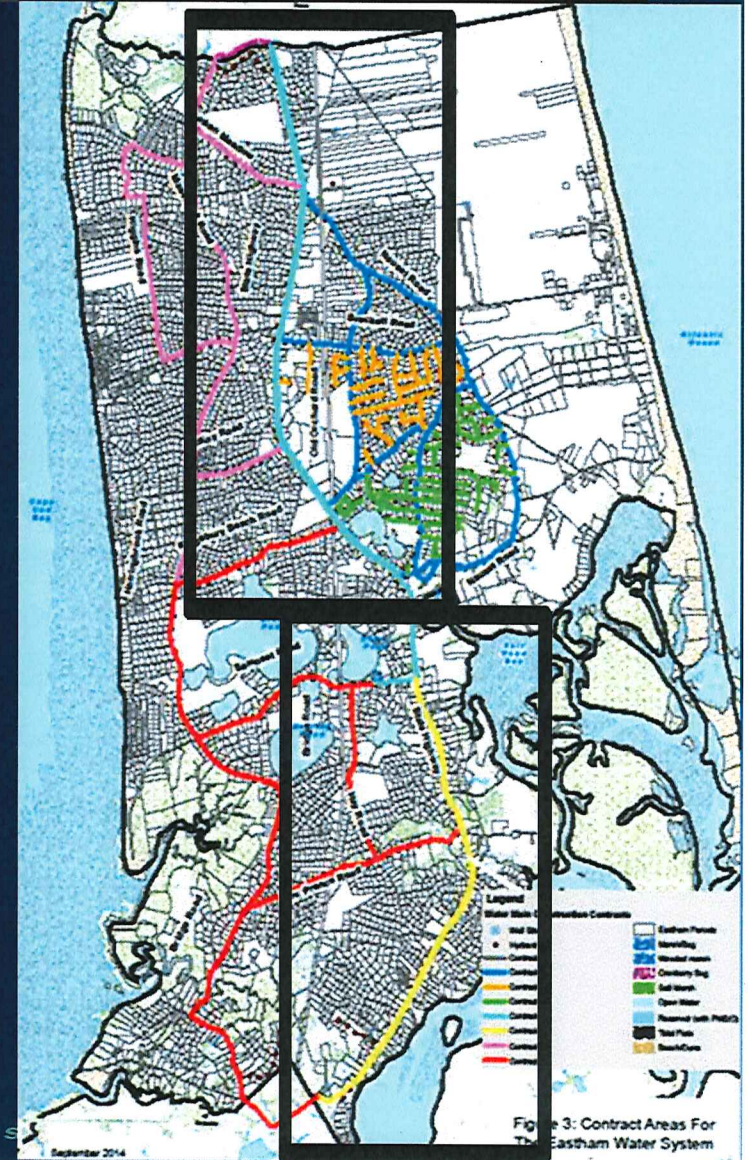
Well Fields (Contract 2)

- Bids received
 - Robert B. Our, lowest bid \$2.6 Million
- Pending Issues
 - DCR easement
 - Eversource (NSTAR) Private property easement
- Working to Obtain DEP Authorization to Award



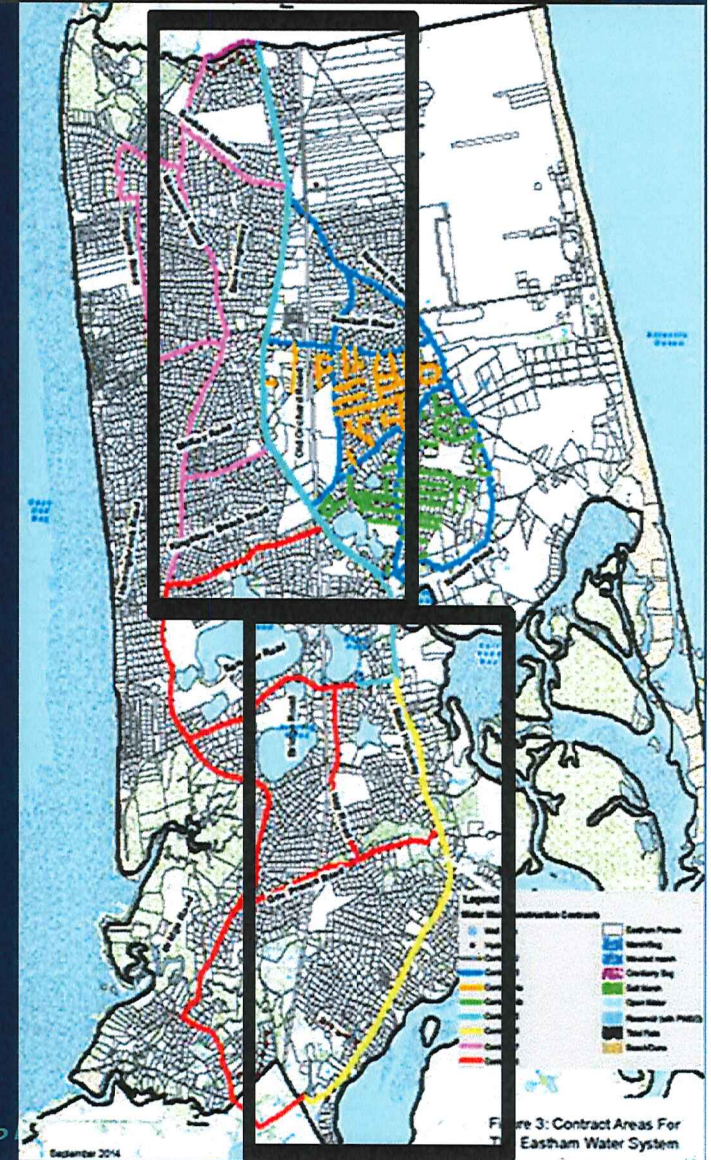
Contracts 5 & 6: Route 6

- Contract 5 – Robert B. Our Low Bidder
 - Bid Price: \$4.8M vs. \$6M Estimated
- Contract 6 – RJV Construction Low Bidder
 - Bid Price: \$4.8M vs. \$6M Estimated
- MassDOT Preconstruction Meeting
- Contract 5 Mobilization Sept. 22
 - Construction Begins September 28



Contracts 5 & 6: Route 6

- Contract 6 Mobilization October 5
 - Construction Begins October 19
- Traffic Patterns – Work Zones
 - Monday-Friday Construction
 - Saturday Work – Work Zone Movement
- Easements
 - Discussions with property owners are ongoing



Contracts 7 & 8: West of Route 6

■ Design

Contract 7 95% complete

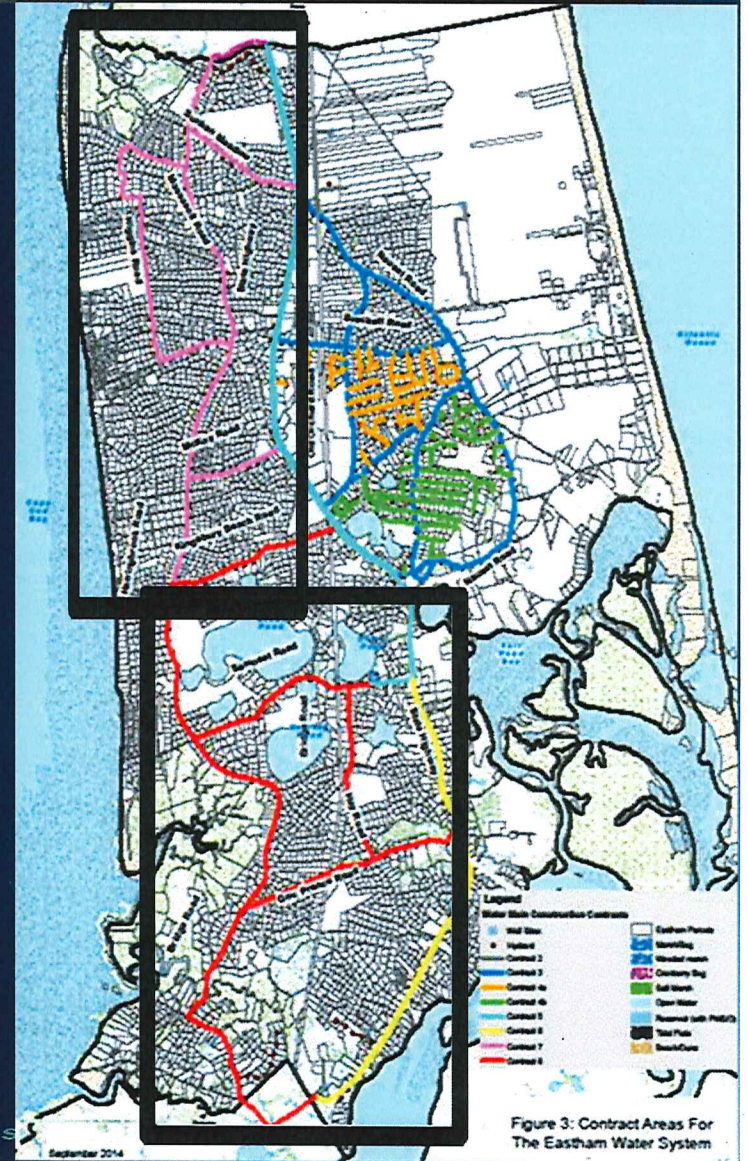
Contract 8 85% complete

- Key issue: Bridge crossing

Bidding

Advertise Jan 2016

Receive bids Feb 2016



BOS Policy Issues

Water System Rules & Regulations

- Draft prepared & reviewed at Sept. 9 work session
- Items Discussed:
 - Connection Policies
 - Water Service Hook-up Procedures
 - Use of Private Irrigation Wells
 - Schedule of Rates and Fees
 - Metering



Water System Rules & Regulations

- BOS Work Sessions

 - Sept. 9th – review of draft

 - October – discussion/decision making

- Target finalizing in October – November

- Meter Procurement in November



Meter Procurement

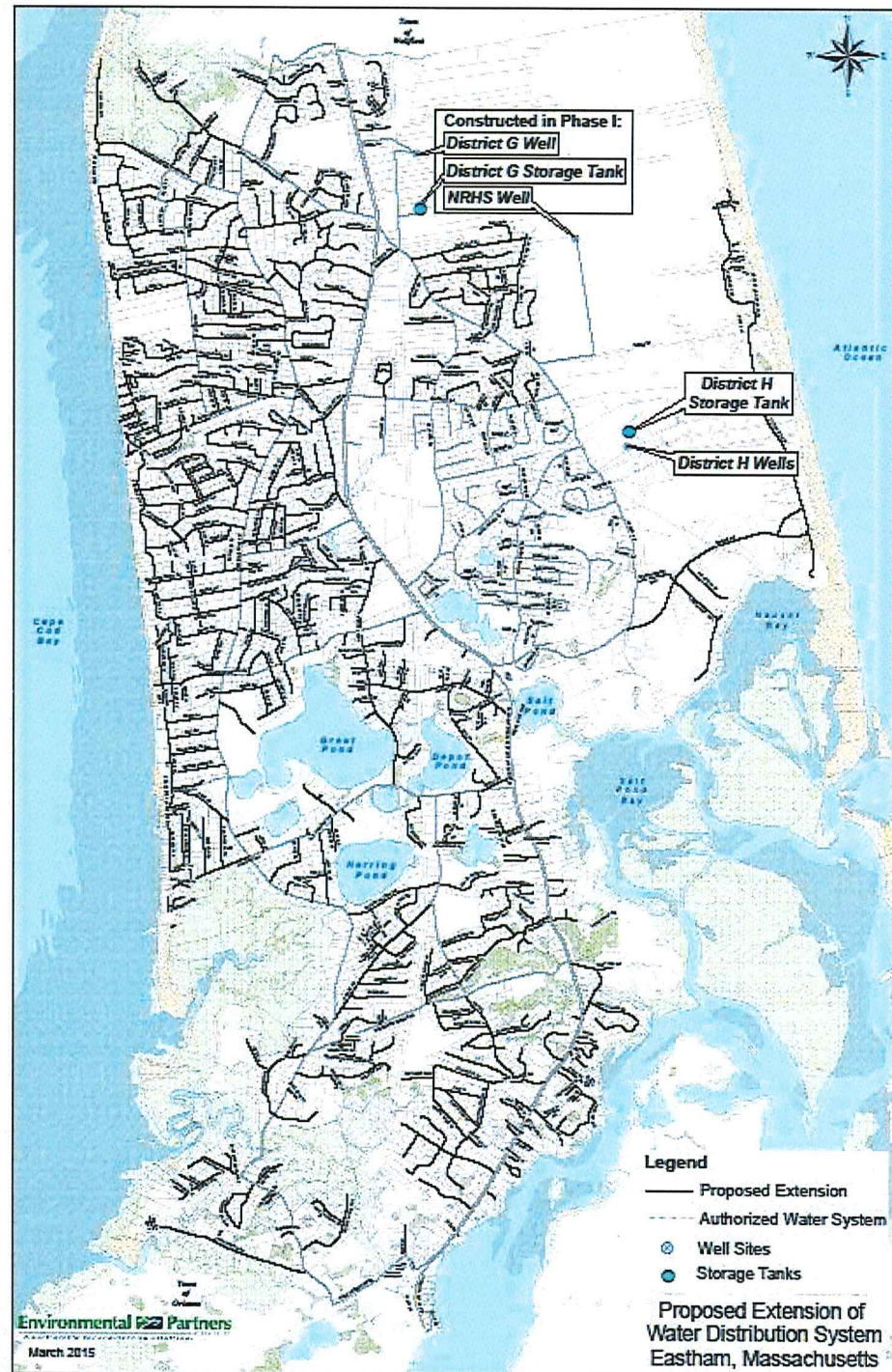
- Selection of meters and reading system
- Develop RFQ documents – September
- Review with BOS – mid-October
- Bidding – November to December
(one month period)
- Interviews & Selection – December
- Award - January



Phase 2

- SRF Funding Request submitted
- Regulatory Work Session – early Sept.
DEP
MEPA
Cape Cod Comm.

A partnership



Phase 2

- BOS Planning Session - October
- Focus:

Criteria for prioritizing service areas
Identify phases



DISCUSSION

A partnership for engineering solutions.





TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642 - 2544

All departments 508 240-5900 Fax 508 240-1291

www.eastham-ma.gov

IV A. 1.

September 21, 2015

To: Board of Selectmen

From: Sheila Vanderhoef, Town Administrator

RE: OPM Services

Attached please find a DRAFT of an RFP that can be sent out to solicit responses. This is a draft for discussion and will not be let until we finalize the funding source, timing, and budget.

We currently have a contract with Wesson and Sampson for many of these services on Phase 1 so the focus may be on Phase 2. In addition, you need to consider full time or part time. The committee discussed that option and felt to start part time may be sufficient.

TOWN OF EASTHAM
REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES/ OWNERS PROJECT
REPRESENTATIVE MUNICIPAL WATER DESIGN AND INSTALLATION PROJECT

The Town of Eastham is seeking the services of a qualified individual or firm to serve as the Owners Project Representative in respect to the continuation of a town wide municipal water system project. This a horizontal construction project to provide municipal water to approximately 4000 residential and commercial properties in the Town of Eastham. The Town has begun to install the so-called Phase 1 of this project that will service approximately 2200 residential and commercial properties. The construction for Phase 1 of this project began in March 2015. The first Phase includes the construction of a water tower and two municipal wells to serve the system. The work program for this entire project includes the development of construction plans and management of all elements of necessary to fulfill permitting needs including, a Water Management Act Permit, Cape Cod Commission Development of Regional Impact (DRI) Permit, MEPA and several DEP permits and approvals. The engineering firm selected to design and manage the permit and oversee construction process, is Environmental Partners of Quincy/Hyannis/Worcester, principals Mark White and Paul Gabriel. The anticipated role of an Owners Project Manager will be similar to the role on vertical construction projects as defined in state statute.

The successful individual or firm will have experience in value engineering, water, or waste water system design and construction management. It is desirable that the successful individual or firms have experience in water or waste water system operation and the ability to participate in and assist in the development and evaluation of long-term operational costs and needs. All interested individuals and firms interested in replying to this RFP, are directed to the town website www.eastham-ma.gov for full submission requirements.

All responses shall be received in writing on or before _____ at 2:00 p.m. in a sealed envelope addressed to:

Town of Eastham
Attn: Sheila Vanderhoef,
Chief Procurement Officer
2500 State Highway
Eastham, MA 02642

Late responses will not be considered and will be returned unopened.

TOWN OF EASTHAM
REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES
(OWNERS PROJECT REPRESENTATIVE)
MUNICIPAL WATER DESIGN AND INSTALLATION PROJECT

1.0 Request for Proposal

The Town of Eastham is seeking the services of a qualified firm or individual to serve as the Owners Project Representative in respect to a two phase project, (Phase 1 \$45.8m and an \$85m extension) horizontal construction project to provide municipal water to all residential and commercial properties in the Town of Eastham. .

Specifically, the town is seeking the services of a qualified individual with a degree in or background work history as an engineer or a firm engaged in engineering practice. The role in general is to provide to the owner, general project oversight and direct reporting and protection of the owner's interest in the budget, schedule, implementation. The OPM will work with the current engineers to support schedules and budget and monitor compliance with same. The OPM shall also review and comment concerning the performance of the engineers, contractors, and subcontractors., and adherence to the approved schedule.

2.0 General Requirements

Applicants should submit proposals in two sealed envelopes as follows: (1) an original non-price proposal with three (3) copies and (2) an original price proposal with two (2) copies, on or before
_____ *at 2:00 p.m.*

**Chief Procurement Officer
Eastham Town Hall
2500 State Highway
Eastham, MA 02642**

At which time and place the RFP will be opened and recorded.

Proposals should be submitted in two separate envelopes and marked as follows:

NON-PRICE PROPOSAL

“MUNICIPAL WATER DESIGN AND INSTALLATION PROJECT OWNERS PROJECT REPRESENTATIVE”

PRICE PROPOSAL

“MUNICIPAL WATER DESIGN AND INSTALLATION PROJECT OWNERS PROJECT REPRESENTATIVE”

Proposals received after this time will be deemed non-responsive and will not be accepted. Faxed or e-mailed proposals will be deemed non-responsive and will be rejected. Responses to

this Request for Proposals must include all required documents, completed and signed per the instructions and any attached forms included in this RFP packet.

Applicants are cautioned to allow sufficient time for their proposals to be hand-delivered or received by mail. The Town of Eastham reserves the right to reject all proposals or proposals that are incomplete or deemed non-responsive or that are not in the best interest of the Town.

The Town of Eastham has determined that while engineering project are not strictly regulated by 30B, this Request for Proposals is issued consistent with the Uniform Procurement Act, M.G.L. c30B. Therefore, the provisions of M.G.L. c30B are incorporated herein by reference.

All submissions shall include a statement of interest outlining the individual or firms approach, experience of the Firm/Individual and project manager, and experience of any other staff to be utilized. A resume for each team member shall be attached to each response.

Each Firm/Individual responding shall also complete the Non Collusion and Tax Compliance Statements attached here.

Selected individuals or firms will be interviewed by person or persons selected by the Town for this purpose, and it is expected that the full project team as well as the project manager will attend.

3.0 Project Description

The Town of Eastham is a municipality located on Cape Cod, Massachusetts, with a year-round population of 5,200, with approximately 6,350 parcels, and less than 200 vacant buildable lots. The Town has contracted with an engineering firm Environmental Partners Group, for the past seven years to develop a town wide water system to be installed in phases, as approved by Town Meeting. Recently, Town Meeting (May 2014) approved Phase 1 of the system which included service to 2200 parcels. Phase 1 also included the construction of two drinking water wells and well housing. One of the wells is located on land owned by the Nauset Regional School District. The other site is on land owned by the Town.

The Phase 1 program is divided into eight separate construction contracts to meet stringent timelines, set by the town. It is anticipated that Phase 2 will be similarly structured.

The engineer is working with state and regional agencies on all aspects of the necessary permitting and simultaneously moving forward on design. A significant portion of the Phase 1 construction will occur on the state highway, Route 6, which runs the full length of the town. The engineering firm has completed the necessary permitting activities with Mass DOT. moreover, construction is set to start late September 2015. Construction of the first water tower is underway.

The Town Meeting also approved and funded Phase 2, which consists largely of a distribution system to provide service opportunities to the remainder of the parcels in town not covered by Phase 1.

4.0 Tasks

The successful proposal will identify staff capable of carrying out all the duties related to this work, including but not limited to:

- 1) Peer review of the design and construction plans at agreed upon milestones;
- 2) Value engineering services including cost estimation of alternate design and construction approaches;
- 3) Conducting constructability reviews of all design components;
- 4) Coordination meetings and liaison with staff as may be identified but particularly, the Health Agent, DPW Superintendent, and Town Administrator;
- 5) Attendance at Board of Selectmen meetings, no less than monthly;
- 6) Prepare and deliver written activity reports to the Town Administrator that will be distributed to the Board of Selectmen with the meeting agendas. These reports will be done weekly unless otherwise directed;
- 7) The selected firm or individual may also be required to attend other staff and committee meetings, specifically the Capital Projects Committee, and Finance Committee or as so directed by the Chief Procurement Officer, or his/her designee.
- 8) The selected firm or individual will review all pay requisitions and change orders when initiated with the project engineers and provide information to the Board of Selectmen in the weekly reports on the necessity and to what extent any change order may impact the schedule or the budget.

5.0 Evaluation Criteria

All proposals will be evaluated and ranked in accordance with stated criteria as:

- | | |
|---------------------------|---|
| <i>Highly Responsive:</i> | Meeting and exceeding the requirements or criteria. |
| <i>Responsive:</i> | Meeting the requirements or criteria. |
| <i>Unresponsive:</i> | Does not meet the requirements or criteria. |

Further, all respondents shall be available for an interview with all primary team members present (if applicable) to discuss the details of their approach, experience, tasks and background.

Specifically, the criteria for evaluating proposals will include the following:

- 5.1 Applicant response conforms to all submission requirements, and is complete;
- 5.2 Each member of Individual/Firm development team has experience in similar work in a specific aspect of the RFP tasks;

5.3 Individual/Firm demonstrates and presents evidence of successful project peer review experience showing capability to communicate and support the owner's best interest while working collaboratively with the projects engineering team;

5.4 Individual/Firm has successful experience securing federal, state, and/or local grants for projects and thereby understands the design and contracting rigors imposed by such regulations;

5.5 Individual/Firm has similar experience in operation of or in developing specifications for, the operation of water systems, within the last ten years;

5.6 Individual/Firm has similar project management, peer evaluation or engineering design experience in municipal water system initiation or expansion within the last ten years in Massachusetts;

5.7 Individual/Firm has similar project management, peer evaluation or engineering design experience in municipal water system initiation or expansion within the last ten years on Cape Cod;

5.8 Individual/Firm has successfully applied for water system related permits such as Water Management Act Permits, MEPA permits for water or other engineering work, or Cape Cod Commission (DRI) based permits;

5.9 Individual/Firm has successfully applied for State Revolving Loan Funds, USDA Funds or other state and federal grants for specific infrastructure projects.

5.10 Individual/Firm is familiar with the personnel at DEP in Solid Waste and Drinking Water Supply at the Southeast Region and/or Boston offices.

Project proposals meeting at least five (5) of the above criteria will be ranked responsive, and reviewed further. Preference will be given to respondents who have knowledge of Cape Cod municipalities specifically Eastham, and the water systems of Orleans and Wellfleet.

6.0 Submission Requirements

All submissions for consideration shall be received at the time and place specified below:

_____ at 2:00 P.M.
Eastham Town Hall
2500 State Highway,
Eastham MA 02642
Attn: Sheila Vanderhoef, Chief Procurement Officer

With a price and non-price proposal in separate envelopes and labeled as shown, and with the name of the respondent prominently shown on the envelope.

NON-PRICE PROPOSAL

“MUNICIPAL WATER DESIGN AND INSTALLATION PROJECT OWNERS
PROJECT REPRESENTATIVE”

PRICE PROPOSAL

“MUNICIPAL WATER DESIGN AND INSTALLATION PROJECT OWNERS
PROJECT REPRESENTATIVE”

Additionally, all proposals shall include:

- Letter of interest signed by firm principals
- Resume of all proposed project team members
- Narrative description of approach
- Signed and Completed Certificate of Non-Collusion and Statement of
Tax Compliance (**Attachment 4**)

7.0 Questions

All questions shall be in writing (**email preferred**) and addressed to:

Town of Eastham
Sheila Vanderhoef, Chief Procurement Officer
2500 State Highway,
Eastham, MA 02642
Or (www.admin2@eastham-ma.gov)

All written question shall be received no later than _____, and will be answered in by
email writing by _____. Responses will be distributed to all firms that have
registered on the Town website under this RFP.

ATTACHMENT 1
TOWN OF EASTHAM

CERTIFICATE OF NON-COLLUSION

EXHIBIT B

The undersigned certifies under penalties of perjury that this RFP or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity or group of individuals.

(Signature of individual signing RFP or proposal)

(Name of business)

STATEMENT OF TAX COMPLIANCE

Pursuant to M.G.L. Chapter 62C, Section 49A, I certify under penalties of perjury that I, to my best knowledge and belief, have complied with all laws of the Commonwealth of Massachusetts relating to taxes.

Social Security or Federal
Identification Number

Signature of Individual signing proposal

IV A. 2.

September 21, 2015

To: Board of Selectmen

From: Sheila Vanderhoef, Town Administrator

Re: Transient Vendor Permits

School House Museum – May 23-September 13

Windmill Weekend- September 12 &13, 2015

Please find below the Transient Vendor applicants for approval by the Board of Selectmen.
In each case, the \$20.00 fee has been received.

The following permits are valid as stated below.

Joel R. Watkins *Approved by Sheila 90 Brian Drive Brocton, MA 02301 Valid: September 9, 2015- September 9, 2016	Carlah Kramer *Approved by Sheila 41 Pond Circle Mashpee, MA 02649 Valid: September 9, 2015- September 9, 2016
Martin R. Levine *Approved by Sheila 27 Four Seasons Drive South Yarmouth, MA 02664 Valid: September 9, 2015- September 9, 2016	Gina Grenier 10 Quaker Meetinghouse Road Forestdale, MA 02644 Valid: September 11, 2015- September 11, 2016

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF EASTHAM

Permit #15-236

Fee: \$20.00

This is to Certify that: Joel R. Watkins is hereby granted a license

For

TRANSIENT VENDOR

This license is issued in conformity with Massachusetts General Law Chapter 101, Section 5, and expires on September 9, 2016 unless sooner suspended or revoked for violation of the laws of the Commonwealth relating thereto or the conditions under which license is granted.

Sheila Vanderhoef

*Sheila Vanderhoef, Town Administrator
For The Eastham Board of Selectmen*

Date: September 9, 2015

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF EASTHAM

Permit: #15-237


Fee: \$20.00

*This is to Certify that: **Carlah Kramer** is hereby granted a license*

For

TRANSIENT VENDOR

This license is issued in conformity with Massachusetts General Law Chapter 101, Section 5, and expires on September 9, 2016 unless sooner suspended or revoked for violation of the laws of the Commonwealth relating thereto or the conditions under which license is granted.



Sheila Vanderhoef, Town Administrator
For The Eastham Board of Selectmen

Date: September 9, 2015

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF EASTHAM


Permit #15-238
Fee: \$20.00

This is to Certify that: Martin R. Levine is hereby granted a license

For

TRANSIENT VENDOR

This license is issued in conformity with Massachusetts General Law Chapter 101, Section 5, and expires on September 9, 2016 unless sooner suspended or revoked for violation of the laws of the Commonwealth relating thereto or the conditions under which license is granted.



Sheila Vanderhoef, Town Administrator
For The Eastham Board of Selectmen

Date: September 9, 2015

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF EASTHAM

Permit: #15-239


Fee: \$20.00

This is to Certify that: **Gina Grenier** *is hereby granted a license*

For

TRANSIENT VENDOR

This license is issued in conformity with Massachusetts General Law Chapter 101, Section 5, and expires on September 11, 2016 unless sooner suspended or revoked for violation of the laws of the Commonwealth relating thereto or the conditions under which license is granted.



Sheila Vanderhoef, Town Administrator
For The Eastham Board of Selectmen

Date: September 11, 2015



TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642
All Departments 508-240-5900
www.eastham-ma.gov

IV A 3

Date: September 21, 2015

Memo To: Eastham Board of Selectmen

Memo From: Sheila Vanderhoef, Town Administrator

Re: Request Transfer of Funds from Conservation Wetlands Fund to Conservation Special Revenue Account

The statute requires the setting aside of a portion of application fees to support related activities. The current balance in the Conservation Special Revenue Account is \$10.57.

The balance in the Conservation Wetlands Fund is \$50,207.28. The last transfer made from this Fund was in 2012 for \$35,000.00 for a special project. As needed, we have requested transfers to support the departments as allowed.

Please transfer \$10,000 from Conservation Wetlands Fund to the Conservation Special Revenue Account. These funds will be used in conservation matters of Conservation Commission Meeting and Open Space overtime.

Thank you for the consideration of this matter.

SV/lg

IV A.4

From: Paul Lagg <plagg@eastham-ma.gov>

Date: September 16, 2015 at 11:08:36 AM EDT

To: Sheila Vanderhoef <svanderhoef@eastham-ma.gov>

Subject: Info for BOS Packet: Outer Cape Affordable Housing Initiative

Outer Cape Affordable Housing Initiative

Eastham, Provincetown, Truro and Wellfleet will work with the Cape Cod Commission to identify regional approaches to creating a more varied and affordable mix of housing opportunities on the outer Cape. Commission staff will assist with inter-municipal coordination of the various staff and Board/Committee members of the towns and independent agencies promoting the expansion of housing opportunities. This project will also reach out to regional (i.e. CDP) and state (i.e. MHP) housing advocacy groups to encourage full integration and efficiencies.

- This project will result in recommendations for ways to streamline and share services to meet mutual housing goals and may result in one or more model bylaws or regulations.
- Commission staff will support 4 to 5 multi-party meetings including pre-meeting coordination and post-meeting documentation.
- Project will take place between Late September and December 2015.
- Project is funded through a county DLTA grant.

PAUL LAGG | Town Planner | Town of Eastham
2500 State Highway | Eastham, MA 02642
508-240-5900 X228 | plagg@eastham-ma.gov

IV A 5

From: John Kelly <jkelly@town.orleans.ma.us>

Date: September 16, 2015 at 12:41:05 PM EDT

To: Charles Sumner <CSUMNER@town.brewster.ma.us>, Sheila Vanderhoef <svanderhoef@eastham-ma.gov>

Cc: Martin McDonald <mmcd33@comcast.net>, "Tri-Town " <tritownplant@verizon.net>, Marge Astles <mastles@town.orleans.ma.us>

Subject: Scheduling District BOS Meeting

Charlie and Sheila,

The attached information was reviewed with my BOS last week. We would like to schedule a joint meeting of the 3 Boards of Selectmen during the last week in October to discuss the timeline and decisions that need to be made collectively regarding the future of the district. Please canvass your respective Board members and let me know if they are available to meet on Tuesday, Oct. 27, Wednesday, Oct. 28, or Thursday, Oct. 29 at 6:30 pm in the Orleans Town Hall.

Thanks.

John

John F. Kelly
Town Administrator

19 School Road
Orleans, MA 02653
508-240-3700 x 415
jkelly@town.orleans.ma.us

TRI-TOWN DECISION TREE/SCHEDULE

If IMA Expires on December 31, 2016

- Funding for demolition design and employee related decommissioning costs – May 2016
 - Demolition permitting, design & bidding (8 months) – \$90,000 (1/3 ea.)
 - Facility decommissioning to commence – Jan. 2017 (3 months) – cost TBD (1/3 ea.)
- Funding for demolition construction – May 2017
 - Demolition construction & site restoration (5 months) – \$1,800,000 (1/3 ea.)

If IMA and MassDEP (GDP) are Extended 5-Years to Dec 31, 2021

- Votes needed in all 3 towns – May 2016
 - Extension of the IMA
 - Funding for capital repairs – \$1,200,000 (1/3 ea.) as a condition of MassDEP (GDP) Permit extension

Revised: September 4, 2015

TRITOWN 2020 Equipment and Needs

The following is a list of equipment and repairs to extend the TriTown facilities closing date to 2020 or beyond. Prepared by Jay Burgess TriTown's Chief Operator.

Receiving Area Upgrades	250,000
Filter Press and pump upgrades	200,000
RBC Replacements	200,000
Odor Control	100,000
Water line replacement	25,000
Receiving tank mixer	30,000
Receiving tank clean and overhaul	30,000
Primary clarifier rebuild (1)	100,000
Decommission lamella clarifier	20,000
Replace Primary sludge pumps	30,000
Roofing repairs	20,000
Metal work stair replacement	30,000
Trim and gutter replacement	20,000
Engineering	225,000
Contingency	200,000
Total	1,480,000

References; 2005 facilities evaluation Wright Pierce, 2014 Equipment evaluation Stantec, DEP facilities inspection, and historical observations.

Note: all of the professionals whose counsel I've sought over the years have advised me that the contingency is to low.



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

July 7, 2015

James Burgess
Orleans Brewster Eastham Groundwater
Protection District
29 Overland Way, P.O. Box 2773
Orleans, Massachusetts 02653

RE: ORLEANS – Tri-Town Septage
Treatment Facility
Permit No. 187 - 1

Dear Mr. Burgess:

MassDEP had an engineer from this office conduct an inspection of the wastewater treatment facility ("WWTF") for the above referenced location on September 29, 2014.

Enclosed please find a copy the inspection report. Please note that the Department has identified several significant issues that must be addressed. The Department will schedule a meeting with the District to discuss appropriate measures to maintain the facility.

If you have any questions, please contact Christos Dimisioris at (508)946-2736 or me at (508) 946-2814.

Very truly yours,

Brian A. Dudley
Bureau of Water Resources

D/CD/
Enclosure

P:\Inspections\2014\187 - Inspection - 09-29-2014 Cover letter.docx

DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHEAST REGIONAL OFFICE

FACILITY				OPERATOR(S)	
Tri-Town Septage Orleans				James Burgess	
DEP INSPECTOR(S)				OTHER PERSONS PRESENT	
Christos Dimisioris					
Date: 9/29/2014				Permit:	187
INSPECTION					
Unit	Operational Yes / No		Problems Yes / Action Required		Additional Information
Septage Receiving	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Scales do not work. They charge based on the size of the truck
Bar Screen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Degrit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Excessive rust
Belt thickeners x2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Only one in use
Solids presses x2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Excessive rust
Primary Clarifiers x2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	One on line. One in the process of rebuilding it <i>part off</i>
Aerobic RBC x4	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	One off line
Secondary Clarifiers x2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	One off line
UV	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sand filters x8	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Two off line
Odor control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Backup Power	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exercised every Tuesday
Blowers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lime	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Polymer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cationic Zeta Lyte
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Effluent Appearance: Clear			Housekeeping: Fair		
Notes: Some spare parts on hand. No spare parts for the plant water pumps. Drinking water line needs to be replaced. The WWTF building is in need of maintenance. No odors were detected outside of the facility. Daily logs: OK.					

Tri-Town District - Employee Related Decommissioning Costs
February 3, 2014

Employee Buyouts

<u>Item</u>	<u>Description</u>	<u>Amount</u>	<u>Notes</u>
1	Vacation Buyback	\$26,511	(as of 10/31 - all emp.)
2	Sick Leave Buyback	\$17,350	(as of 10/31 - all emp.)
3	Personal Leave	\$2,711	(2 days - all emp.)
4	Longevity	<u>\$9,937</u>	(pay 12/1 - all emp.)
5	Total	\$56,509	(one-time)

Post Closure Costs

<u>Item</u>	<u>Description</u>	<u>Amount</u>	<u>Notes</u>
1	Unemployment	\$46,800	(max @ \$300 x 6 x 26 weeks)
2	Health Ins. District Share	\$39,529	(50% split w/all retirees)
3	Retirement Assessment	?	(w/all retirees)

Current Annual Costs

<u>Item</u>	<u>Description</u>	<u>Amount</u>	<u>Notes</u>
1	Base Payroll	\$386,073	
2	Health Ins. District Share	\$59,294	(75% split w/employees)
3	Barnstable County Retire. Assess.	\$70,000	(only active employees)

Personnel Bylaw Provisions

<u>Item</u>	<u>Description</u>	<u>Notes</u>
1	Vacation Leave	25 days per year after 15 years, unused is payable in full upon separation
2	Sick Leave	1 day per month up to 180 days, payable at 10% of 150 days upon retire
3	Personal Leave	2 days per year, paid if not used upon separation
4	Health Insurance	District pays 75% of employee health insurance, retirees would pay 50%