



Robert R. Scott, Commissioner

RFP Questions and Answers
Cyanobacteria Monitoring and Sampling of Public Water System Surface Sources
NHDES RFP 2023-12

Virtual Meeting – 02/08/2023

Q1.1 For the monitoring, that's expected to be done for this field season. Do you anticipate that a QAPP or SSPP document would need to be written just for the field work that would be done this summer? That would be separate from the long-term monitoring part?

A1.1 Well, it would depend, I suppose upon what your proposals looked like you can cite an existing quality assurance plan, whether it's one we've said we've mentioned, or EPA created. EPA has an inventory of quality assurance plans. That some of which I'm sure touch on cyanobacteria. The bottom line is we are required to have a quality assurance plan because the funding comes from EPA, it's federal and they require QAPPs. To the extent that your proposal aligns with the technical specifications, methods and processes outlined in an existing QAPP, you can cite that QAPP. If there are any differences between the QAPP and your proposal, we would look at that and basically determine if you would need to do an SSPP of some sort where you would outline the nature of the differences.

Q1.2 About partnering with utilities I wanted to know if the utilities are aware of the RFP, if the ones listed are all sort of willing to participate, wanting to participate if we were to reach out to them? How much context it would have for this already?

A1.2 I think almost all of them would be receptive to the assistance. It would depend upon the degree to which you'd be asking things of them. You probably would find varying degrees of how much they would be able to help. We expect they would need to require access to around the intake if there was sampling to be done at the intake. They would have to provide you access to a treatment building if you were going take a grab sample off a raw water tap sample or a finished water tap sample so they would need to be involved in providing access. I'm guessing that it would not be a significant barrier for them to do that. Most of the people have staff. Most of the systems have staff that are there on a regular basis or there all the time. You know, to the degree you might be asking them to take those samples, perhaps that would also be something some of them would probably entertain. If it was simple, you're going to provide them a bottle ,they need to do XY and Z by taking a sample in the in the treatment pre or post treatment. I'm sure they would consider that. This came up in the initial discussion when we put this RFP out earlier this year, was that it could take some time to set up those arrangements. I would be surprised if you were getting a lot of, we can't do anything or we won't, we're not open to this assistance. I think almost all the folks we know and there's not that many, we're really only talking about 10 water systems would be open to coordinating and collaborating and doing what they could within the resources that they have to help you with this effort.

Q1.3 So is there a long-term vision for Cyanotoxins, you may want to be having considered for this project?

A1.3 Well beyond what we know are the current toxins that are showing up in I would look to the contaminant list that EPA publishes, the CL5, and look to those. I would say we would be looking at the toxins that EPA is listing as potential toxins for water systems. First under the Safe Drinking Water Act because clearly, we want to know. They would want to know that. They are toxins they are going to have to treat for and I don't know a

lot about the timeline and requirements of EPA, where EPA is and the approval of specific toxins as an MCL nationally. Those things take a very long time. But aligning the monitoring now to include those later, those would seem to make sense to me.

Q1.4 Is there something you are interested in in terms of working with remote sensing platforms?

A1.4 Do you mean including drones or satellites or both?

Q1.5 Satellites.

A1.5 If that is a tool that would be used to refine where to be sampling or where to be concerned. I guess that's useful to the extent it actually helps them respond. If you could make the case that type of remote sensing is going to be a part of the plan and a feasible option for them to be looking at to meet the objectives, the monitoring objectives, I think that's fair to consider. So basically, if it's serving the objectives then sure, why not. I mean, I know it's somewhat of a research issue.

Q1.6 I'm curious that historical data that was attached to the RFP, were those samples collected by the utilities or DES or other contractors?

A1.6 Those samples were collected by NHDES when there were reports of blooms in those water bodies.

Q1.7 Can you speak at all to how utilities maybe were involved with that or not?

A1.7 I wasn't here for a lot of that. They probably really weren't involved much at all.

Q1.8 I'm just curious if you can give us any insight into why this RFP is being issued again?

A1.8 Well, there were two comments that came back that were, I think, substantive that we felt we could adjust the RFP to make it easier for folks to consider doing this. One was we were asking for two water systems to be involved, two sources for two different water systems, and that was primarily to push this initiative forward more quickly. We have four or five years of funding ahead of us and we can continue to do this if this turns out to be a successful initiative this year. The idea was to try to get more done than less. That presents some logistics and capacity issues that we received comments back. The RFP has been modified to basically just say you could work with 1 water system at one source and provide a proposal for that. The other issue was the capacity of the time involved to coordinate, which was brought up earlier. The issues of water systems being amenable to doing this as well as of the time in to talk to them about what you would do and what they might do, is an upfront cost you would have to absorb going into this. There's nothing we can really do about that. We know that the folks we deal with relatively are receptive to our assistance. I don't know why they would not be receptive to your assistance through us. That's why it was extended so we hope that that there are responses because we're hoping to do this over a period of years.

Q1.9 Do you have a budget maximum or range or a ballpark that you're thinking for this initial effort? It would just really help to decide sort of what level of scope we're looking at and whether we could go after one or two.

A1.9 I believe, and I'll have to check our IP. I believe the budgeted amount for planned development of monitoring was \$200,000 for this year.

Q1.10 So the project QAPP. Would that have to be submitted and approved prior to sample collection?

A1.10 Yes.

Q1.11 So that has to go through the approval process by the beginning of May?

A1.11 Well. Yes. There is no easy way for me to give you a better option. I think we have to have that in play. I have dealt with EPA; we have dealt with EPA on quality assurance plan reviews, and we can ask them to expedite. I've had responses back within a week to two weeks from them and through our internal QA folks, they also can be prompted to move quickly to review. If you're citing an existing QAPP, that makes it easier and simpler. The SSPP documents I've reviewed, not for this, not for cyanobacteria are 10 pages long, maybe 15 at the outside. You know all the detail you need that goes into a technical document like a QAPP but would be longer. You'd have more work there. There are inventories that are available from EPA. I guess I could find at least a contact at EPA if you are looking for someone who might be able to help you find them that they may have on record. I don't honestly know how they keep inventories of quality assurance plans. Just think about what's going on in Midwest and whether EPA has funded that, because if they have, then they've got to have a QAPP. There may be others and we didn't pre identify them, but we could reach out to EPA and see if there's a quick way for them to find QAPP documents that might be helpful for this RFP. I have no idea whether that would be fruitful or not, but I know I can ask the question. I probably know a couple people I can, but at least Liz and I could reach out to ask that question. Perhaps by early next week have some kind of response back that might be helpful to direct you to quality assurance plans that might be helpful to use as a citation and then build off of with an SSPP. There are templates that EPA publishes that you can download that basically outline and that's another way to go at this. I think that's about as much as I can tell you. You can cite the region 1 QAPP and use that to some extent and talk to Hillary Snook.

Q1.12 So you are referring to the CMC QAPP in particular?

A1.12 That's the only QAPP I'm familiar with. Maybe he has other QAPPs. But like I said, there's Ohio and other EPA regions that have done a lot of work on cyanobacteria. So it isn't out of the question that a call over to the EPA office would likely yield at least something to use as a starting point. I think the approvals for the use of an existing QAPP need to be done in coordination with the owner of that QAPP. So, if you're citing someone's someone else's, some agencies or some other work that whoever owns that quality assurance plan and that could be EPA needs to sign. Needs to agree that this is appropriate for use in your project along with us here at DES.

Q1.13 Is the vision to have this QAPP that you're developing something that you're going to want to use for the next four or five years, since they're valid for that period of time, is that the thinking as well? That this becomes a long-term clap for you guys for your program?

A1.13 Yeah, I think. That's a bit beyond my thought process for what our program may or may not use the QAPP for. I don't know. I do know that for us to secure and distribute funds from EPA that involve this type of data collection analysis, we have to have a guiding quality assurance plan for this work. And certainly, it may be useful over time for others to use and point to. I've been told and I'm not the person to confirm we are doing this 100 percent the next four or five years. But that was the plan that we had discussed. This is funded from EPA and every year DES submits a plan and intended use plan and so that intended use plan was submitted and approved by EPA for this year. But my intent and my understanding was we would continue to do this over time. But you know, all things being equal, no one can really know the future for absolutely sure. But I think that's our plan. There's actually really a visioning going on with the Limnology program and watershed right now under House Bill 1066. The legislature has tasked DES with coming up with a plan to address cyanobacteria and in the states surface water. There's a longer-term effort, which drinking water will be certainly rolled into

that. And I think that sort of policy and vision is going to drive the agency, including DES to work on both what we're doing with this RFP and then the mitigation piece of how we limit the cyanobacteria from being a problem for recreation, wildlife and for drinking water.

Q1.14 I just have a quick clarification question on the expected deliverable for the monitoring plan and the QAPP. I was wondering how you envision that. Maybe a twostep process or if you really wanted two separate final deliverables of monitoring plan and a QAPP? Or if you were seeing the monitoring plan being just the draft, sort of sketching the outline scope and then the QAPP is really the final deliverable where that's folded in and then expanded on for meeting all the QA objectives?

A1.14 There are two parts to this proposal. One is to do a year of sampling and then and develop the monitoring plan. The QAPP is obviously tied to the plan. Whatever monitoring you're going to do is the plan and would be cross walked to the QAPP. How you design and how you come up with sort of the way to go forward is part of what I would think would be established in your proposal. If you think that the year or season of monitoring that you can do, along with any background data would be the first step to coming up with the plan so you have data that's telling you certain things and that's going to guide you. That's one way to approach this project. But to answer your question, I view it as, I guess three different deliverables the QAPP, the monitoring plan whether or not you produce a draft or sort of initial monitoring plan, which may be one way to put it. You go through the initial monitoring and then as the project proceeds modify the plan to the extent you can. That that might be one way to approach this problem. You're going through the monitoring and you're seeing what you're seeing, your plan may change and that kind of gets this question of initial versus final and that could go over from the spring to the fall. Relating to the QAPP, I hadn't really thought of this, but I guess certainly it could require modifications to the QAPP as well. If you decide we need to do something different than we didn't anticipate, that would be a revision. The QAPP I believe is a living document, so if you would need to just come back and say, well, we're going to do this and modify the QAPP based upon those changes that may not have been captured in the initial approved QAPP.

Q1.15 A point of clarification on that, you may have answered it, but related to the timing of the deliverables, just to be clear it sounds like the monitoring plan can be drafted and then be final after the sampling, or that can come in at every point perhaps, but the other two deliverables that are listed in the deliverable list the risk of evaluation and recommendations for monitoring. Do those necessarily come before sampling?

A1.15 Not entirely sure they have to. If you're doing a risk evaluation, you may need to do that monitoring rather than just coming up with some advanced risk desktop determination like these are the risks. I guess when we wrote this up as deliverables, we were probably thinking in that way. But Liz, did you have any dinner additional thoughts on this?

A1.15a We know what needs to happen is there has to be an initial monitoring plan. How you plan you are going to initiate the monitoring at the beginning of the season. Then it can be modified as you go on because you may encounter parameters you didn't expect. So, the QAPP and cyanobacteria monitoring plan that's listed in number 3, would come at the end of the season when you're done monitoring and have a more solid foundation of how you would recommend a monitoring plan for that particular source.

A1.15b This is our view. We're seeking your expertise and how to come up with the best way to approach this. We've put in three pieces that we think are important in terms of gauging the risk as a basis for monitoring and risk of exposure to toxins would be an important thing to know. And my guess is there's some guidance already

out there and experiences out in the Midwest that really could speak to how risk is determined by evaluating the data and the water system, the water body, key variables that you would look at. I don't think we're asking you to consider the treatments involved per se, so we're not asking necessarily that you tell us that this system has an oxidizer. The system has an oxidizer, that they need to turn off when there's a bloom. I don't think we're asking you to get into that, really, asking about the risk of toxins to come in through the intake and make its way into the plant. I Don't think we're asking you to then evaluate the plant. Just to be clear if that wasn't clear.

Q1.16 Do you have an ultimate project end date target in mind and if so, would that also include that final QAPP approval process? So, we might need to back it up a little bit?

A1.16 Yes. I think as stated earlier, the date would be determined once we were able to get contracts through to the governor and council. Assuming we are able to do that in May or June, these projects well, I should say typically a project is a year. So, I guess June of 2024. When the proposals come back, we could have a conversation about the timeline. For the seasonality, we would amend, we would set the date based upon that, but typically I guess we were thinking about a year so.

Q1.17 You're saying that might not happen until May and June? Does that mean that the final contract is our green light to start working wouldn't occur until May or June? So, when we're trying to think about monitoring for this summer knowing that we will need a little bit of startup time with either getting the citation for an existing QAPP in line or SSPP developed sounds like July might be the earliest or, maybe June at the very, very earliest we could actually get out to start sampling. Does that seem like a reasonable time frame?

A1.17 Yes, June is reasonable. I think it would be. We're here in February and G and C are probably about 6 to 8 weeks from start to finish. Just getting the contracts done, getting everything signed, getting on their calendar, they meet only once or twice a month. We'd be looking at probably May at the earliest meeting and probably June. So yes. We could create timeline where we could go a year. There's nothing that limits us from extending by three months, six months, the contract date. If you needed more time to wrap up work. That happens in a lot of projects, right? You do the work and then you have a period where you need to submit the work and then have it sent the reviewed. I believe our contracts allow for a 90-day window for things like that. Once the contract date ends, there's a period of time where we want the work done, but things like invoicing and responding to our comments, if there's comments or questions that aren't resolved by the end date, there's an ability to continue to finalize the work. I didn't mean to go into this rabbit hole, but you have to have the work done by the contract end date. There's sort of a period where you can still respond to comments and make minor modifications. Post contract date, really, we don't need to worry about that. Yes. So, to answer your question, if I were a betting person, it would be June.

Q1.18 I was wondering if you had a preferred labs to do some of the toxin analysis that you've worked with, for example, in the historical data and just confirming that analytical costs are within the budget?

A1.18. Yes. Budget for equipment and labs.

Q1.19 Do you have a preferred lab that you work with?

A1.19 We published a list of, I think 3 or 4 labs. We don't have a preference. We published a list that we know meets EPA method standards. So, we listed those. Your call. But I would say that obviously we see your

proposal and it's to a lab we don't know if they are certified or accredited to do the testing that we think is either in your QAPP and in your proposal, we would be flagging that.

Q1.20 Since we don't really have a certification process in place for the toxins, you're just looking for a lab that follows an existing EPA method?

A1.20 Right.

Q1.21 Is it possible to make substitutions to any of that?

A.1.21 Like what? What would be the type of substitution?

Q1.22 That there is one EPA method that specifying something that's very expensive versus another method that's less expensive but widely accepted within the literature and the industry, is that acceptable considering there might not be a certification process for some of these? It can range for example plankton identification and enumeration from \$100 to \$800.00. It's not really a certified procedure following EPA Protocol. Those things aren't certified under this umbrella of being an EPA certified or state certified lab.

A1.22 I guess I would start with those things that you know are related to the toxins and the methods that EPA publishes, I would say we would want to see labs that are that are accredited to perform the standards methods in analysis. For other types of analytics that don't necessarily have a published method but are accepted practices and follow EPA guidance or some standard guidance for collection and analysis, we would certainly not object as long as there was a clear link to that technical document that outlined that practice and that procedure that lab was doing. We would accept that because there wouldn't really be an alternative to that.

Q1.23 You'd want their lab SOP or something like that, right? Is that what you're saying?

A1.23 Yes

Q1.24 I think we had talked about this before, but you're just you're really looking for the risk of exposure to toxins. You're also talking about the risk of bloom forming conditions. I think we talked at the last one about the definition of a bloom. Is that open for discussion as excessive bacterial biomass; is that an acceptable definition?

A1.24 Yes, you're right. We didn't define bloom. Yes, we would be open to that.

Q1.25 I have a quick question about the proposal the contents and the requirements. I'm looking at Section 5 in the RFP and I see the firm background contact information, personnel, qualifications, cost and time and previous work. But I don't see a place at least in that list where you're asking us to outline our approach. Yet I do see that in project understanding, design approach, and methodology are in the evaluation criteria. So, I just wanted to hear from you if you want us to outline an approach, I assume yes, I know the details will be worked out in a QAPP of course. But where within those specific contents or requirements that you've listed in Section 5 would that fall, and do you have any guidance on page limits for that? Just so we could give you something as easy to review as possible.

A1.25 The easy question to answer is we don't have any guidance on the page or page limits. I guess we were leaving that open-ended in order to let you design what you think is the best way to approach this process. I'm just going to the section now, Section 5.

Q1.26 It's mostly just in the list of requirements in Section 5. I'm not seeing an approach there.

A1.26 Right. The approach, I think probably because each water body, each water system, and each condition that we know of in each of these water bodies is somewhat specific. I don't think we wanted to give a universal approach to for you to take.

Q1.27 Oh, sorry right, I'm probably not speaking clearly. I'm just wondering in the list of requirements also that you're looking for us to put into our proposal, our proposed approach for implementing this project and I might be getting too hung up on the topics that are listed there and numbers one through 6, but I don't see it there as a requirement.

A1.27 No, that's a good point. Liz, do you have comments on this? I'm just looking closely at how we frame this. I'll just say in the deliverables in number 2 it says evaluate. This is for recommendations for monitoring. It's an evaluation of the types of monitoring commonly used for early detection and the response to cyanobacteria blooms and recommendations for the water body. The evaluation shall consider methods and approaches in national and state guidance documents, the physical and chemical characteristics of the water body and the nature of the water supply.

A1.27a I think what our thought process was now that I'm looking at this for the deliverables. Number 2 under deliverables that Pierce just read, in our mind, we were thinking, when you do your proposal, you're going to give us your recommendations on how you're going to proceed to monitor a specific water body. I think we didn't reiterate that down in Section 5 like you had just mentioned. So, to answer your question, yes, we would like in your proposal an approach on how you're going to proceed to do a monitoring program for this season. And I do apologize if was not clear. I think in our mind we thought we covered that under deliverables in number 2, but just didn't put it in again in number 5.

Q1.28 Can I just confirm that an electronic version of the proposal is acceptable, that you don't need a paper copy?

A1.28 Correct.

02/09/2023 - Via Email

Q1.29 Can a PWS partner with more than one contractor for the proposal?

A1.29 There is nothing that would restrict us from reviewing a proposal where one PWS was relying on the services of two contractors to do, I assume, different parts of the proposal.

02/15/2023 – Via Email

Q1.30 What type of contract will be issued (Firm Fixed Price, Time & Materials, Cost Reimbursement)? Might this contract be issued to multiple vendors?

A1.30 We expect proposals that DES accepts would then involve the proposer entering into a standard state contract, with a defined scope of work to be completed at a firm fixed price.

I am reading the second question to mean, would DES contract for services involving “multiple vendors” to complete separate proposals involving different sources? This would depend upon the ranking of the proposal(s) and the amount of funding requested to complete multiple proposals that involve different PWS

sources. If two proposers were proposing to monitor/develop a monitoring plan for the same public water system source, we would select the one that ranked more highly.