

**REQUEST FOR PROPOSAL
INDEPENDENT CONSULTANT EXPERT
OYSTER CREEK SAFETY ADVISORY PANEL**

GENERAL STATEMENT

The New Jersey Department of Environmental Protection (hereafter “Department” or “DEP”) is soliciting Requests for Proposals (RFPs) from qualified consultants to perform the following work related to the participation as an independent consultant expert to the Oyster Creek Safety Advisory Panel.

1.0 BACKGROUND

The Oyster Creek Nuclear Generating Station (Oyster Creek) began operations in 1969, making it the nation’s oldest nuclear reactor. On December 9, 2010, New Jersey negotiated an agreement with Exelon Corp. to shut down the reactor, which diverts large volumes of cooling water from the Bay, rather than build a closed-cycle cooling system to reduce impacts to aquatic life. The deadline for shutdown is December 31, 2019, ten years ahead of Oyster Creek’s Nuclear Regulatory Commission (NRC) license expiration.

On May 6, 2011, DEP issued Administrative Order No. 2011-06 creating the Oyster Creek Safety Advisory Panel to assist the DEP with the evaluation of the continued safe operation, decommissioning planning, and cessation of operations at Oyster Creek. The Advisory Panel consists of the following three members:

- a. The Commissioner of the DEP or his or her designee who shall serve as Chair;
- b. The Director of the Office of Homeland Security and Preparedness or his or her designee; and
- c. An independent consultant expert in nuclear safety appointed by the Commissioner of DEP.

Among its duties, the Panel will:

- (a) Review facility safety operations, decommissioning planning and compliance with the December 9, 2010 Administrative Consent Order, and make recommendations for improvements or further evaluation;
- (b) Issue reports on review findings, at a minimum, annually;
- (c) Seek public input and communicate findings and concerns;
- (d) Hold annual public hearings to disseminate and discuss the annual report; and

(e) Meet as required to fulfill the requirements of Administrative Order No. 2011-06.

2.0 PURPOSE AND INTENT

The Intent of this RFP is to award a one year contract to a qualified consultant to serve as an independent consultant expert in nuclear safety to the Oyster Creek Safety Advisory Panel (Advisory Panel).

Continuation of work in subsequent years will be at the discretion of the Department and will be subject to appropriation.

3.0 SCOPE OF WORK

The Department has identified four (4) main tasks associated with the performance of this contract. They are identified and described in the following sections.

3.1 The consultant shall be an agent of the DEP, subject to all DEP confidentiality restrictions and those which are contained in the DEP's agreement with the Nuclear Regulatory Commission (NRC) regarding state participation in the NRC inspection process. Subject to a confidentiality agreement, the consultant may engage in dialogue with various interest groups to learn of their concerns and to share information.

3.1.1 ATTEND KICKOFF MEETING

The Independent Expert will:

Prior to the meeting, review the following documents:

(1) December 9, 2010 Administrative Consent Order entered into between DEP and Exelon Generation Company at the following web address:

http://www.state.nj.us/dep/barnegatbay/docs/aco_oyster.creek.pdf

(2) May 6, 2011 DEP Administrative Order No. 2011-06 at the following web address:

<http://www.nj.gov/dep/docs/ao201106.pdf>

Attend the initial meeting of the Oyster Creek Safety Advisory Panel. The purpose of the meeting will be to establish goals and objectives for the first year of the project.

Provide input to the other panel members regarding the goals, objectives and tasks that need to be accomplished during the first year to meet the intent of the December 9, 2010 Administrative Consent Order between DEP and Exelon Generation Company.

As a member of the Panel the consultant will:

Assist in the identification of all reports and documents that will require review for the first year.

Assist in the development of a project timeline for the year that will include the development of interim reports.

Discuss and develop a mechanism for public input to the advisory panel. Assist in the development of tasks and assignments related to the solicitation of public input.

3.1.2 REVIEW OF DOCUMENTS AND REPORTS

The Independent Expert will:

Review all documents and reports identified by the Advisory Panel.

Provide an assessment of the documents and reports to the panel. The assessment should include a detailed description of any concerns related to the continued safe operation, decommissioning planning and closure of the Oyster Creek Generating Station.

Participate in drafting of the narrative summary of reviews and findings for the annual panel report as outlined in the duties of the panel and required under the consent agreement.

Provide input to the advisory panel reports as required.

3.1.3 PARTICIPATE IN ANNUAL PUBLIC MEETING

The Independent Expert will:

Participate as a panel member in the annual public meeting. The format for the public forum will be developed at the kickoff meeting of the advisory panel as described in Section 3.1.1 above.

Evaluate, assess and review public comments. Provide advisory panel with suggestions and recommendations for investigation or action based on review of public input.

3.1.4 OTHER TASKS

Identify specific concerns for the Department's Bureau of Nuclear Engineering staff to follow up on during NRC inspections.

If necessary, schedule quarterly conference calls to track progress of projects.

Participate in the collection of public comments as outlined during the kickoff meeting as described in Section 3.1.1 above

4.0 QUALIFICATIONS AND EXPERIENCE

Minimum education requirements are graduation from an accredited college with a Bachelor's Degree in Nuclear, Mechanical, or Chemical Engineering, Physical, Environmental or Radiation Science. In addition, a minimum of ten years of experience in nuclear reactor operations, design, licensing or other reactor related safety programs is required.

5.0 CONFLICT OF INTEREST

Bidder must outline, in detail, any and all possible conflicts of interest. This may include conflicts of interest with or against Exelon Nuclear (owner/operator Oyster Creek Nuclear Generating Station) and/or Oyster Creek and their predecessor AmerGen, LLC. Any work performed for or with the NRC would not be considered a conflict of interest unless specifically related to Oyster Creek. Any other potential conflicts of interest should also be detailed.

The detailed conflicts of interest must include any and all disclosures of outside affiliations which may bias the independent status of the consultant's participation on the panel. This disclosure must be an appendix to the consultant's RFP response.

6.0 PRICING/CONTRACT AWARD

Contract award shall be based on the lowest most responsive bid submitted to the Department. Bidders must provide a description of the work that will be performed under each Task, the number of estimated hours to complete each Task and their costs associated with each Task. The Department estimates a maximum work effort of 25 hours per quarter and 20 hours annually for meetings (including travel time) is necessary to satisfy the requirements of this contract. The price schedule is attached to this RFP as Attachment I. The bid total shall represent a fixed price lump sum proposal.

Failure to submit all requested pricing information may result in the bidder's proposal being considered materially non-responsive. Each bidder must hold its price firm through the issuance of the contract to permit the completion of the evaluation of bid proposals received and the contract award process. If awarded a contract, prices on the price schedule become the contract price. The contractor shall perform all work for the duration of the contract at the contract prices.

Bidder must provide, as part of their proposal, background on their qualifications, experience and any potential conflicts of interest. This information must be included as a separate appendix to the consultant's RFP response.

Bidder must include information relating to its organization, personnel, and experience, including, but not limited to, references, together with contact names and telephone numbers, evidencing the bidder's qualifications, and capabilities to perform the services required by this RFP. This information must be included as a separate appendix to the consultant's RFP Response.

FORMS REQUIRED

Bidder must agree to the State of New Jersey's Terms and Conditions included as Attachment II and must be submitted as part of the response to this RFP. (Note form requires signature and date and must accompany bid submission). **Any bids submitted without this form will be considered invalid.**

Successful Bidder agrees to complete and submit a DEP Confidentiality Agreement (Attachments III and IV) and the following required Treasury procurement forms prior to the contract award.

- 1.) Ownership Disclosure Form
- 2.) Affirmative Action
- 3.) MacBride Principles Certification
- 4.) Pay to Play Disclosure Certification (Chapter 51/EO-117)
- 5.) Source Disclosure Certification (EO 129)
- 6.) New Jersey Business Registration

Note the required forms and instructions for completing them, are available on the Purchase Bureau website at: <http://www.state.nj.us/treasury/purchase/forms.shtml>

NJ Business Registration and instructions can be found at: <http://www.state.nj.us/treasury/revenue/busregcert.htm>

7.0 CONTRACT PAYMENTS

Reimbursements for consultant's expenses will be made on a quarterly basis representing one quarter of the fixed price lump sum contract. The contractor will provide a summary of work completed during the respective quarter for which reimbursement is requested. Payments will only be made against properly executed and submitted State Payment Vouchers.