

August 21, 2018

Request for Qualifications (RFQ)

Brownfield Assessment Grant Implementation Services

US EPA Brownfield Grant

Bay Lake Regional Planning Commission (Bay-Lake RPC) has been awarded a United States Environmental Protection Agency (US EPA) Community-Wide Assessment Brownfield Program for Hazardous and Petroleum Substances grant as part of the US EPA Brownfields Grant Competition for Fiscal Year 2018 (FY 2018). As a result, Bay-Lake RPC is seeking for Requests for Qualification (RFQs) from consulting firms to provide environmental assessment implementation assistance in conjunction with this award.

The successful consultant will work with Bay Lake RPC to further inventory sites, characterize and assess sites (Phase I and II site assessments), suggest examples of planning activities related to initiating assessments with property owners, and provide technical advice related to proceeding with site redevelopment.

Bay-Lake RPC is issuing an RFQ in compliance with federal procurement procedures of 40 CFR 200.317-326 seeking qualified firms to assist with the implementation of its brownfield assessment grant award. The successful consultant will bring experience and insight to a partnership with Bay-Lake RPC.

General RFQ Information

1. Quality and service are all critical factors that Bay-Lake RPC considers when conducting business and in working with a firm. Dissatisfaction due to firm's performance may result in Bay-Lake RPC discontinuing service with a firm.
2. The Bay-Lake RPC is a tax-exempt organization working in eight (8) counties in northeast Wisconsin.
3. The successful firm shall provide a valid and current certificate of insurance upon award. Proof of Insurance is required when award is made. (See Exhibit A).
4. All proposals shall be binding for ninety (90) calendar days following the proposal opening date unless the firm(s), upon the request of Bay-Lake RPC, agrees to an extension.
5. Payment for services will be made to the successful firm contingent upon Bay-Lake RPC's acceptance and approval of all work done, products provided and services rendered subject to the EPA payment procedures when applicable. Mileage, fuel surcharges, or surcharges of any kind will not be allowed.

6. Firms may withdraw their proposal at any time by written request to the Bay-Lake RPC Executive Director. Emailed proposals will be rejected. Late proposals will not be accepted and will remain unopened.
7. Standard Terms and Conditions are included with this request and are hereby made a part of it.
8. No reimbursement will be made by Bay-Lake RPC for any cost incurred in preparing responses to this solicitation, or for cost incurred before a formal notice to proceed is issued if a contract is awarded.
9. Bay-Lake RPC shall be the owners of any reports, plans, specifications, and documents resulting from this RFQ. Awarded firm shall also waive any rights to copyright protection so Bay-Lake RPC may reproduce, distribute, and use all reports, plans, specifications, and documents as needed.
10. Any proposal/response submitted in conjunction with this request will become a public record.
11. Respondents are to list any consultants or subcontractors that may be used to help complete this project.
12. Firms responding to this request are to provide a proposed contract covering all the terms, conditions, and specifications for the performance of all work related to assessment grant implementation.

All questions related to this RFQ shall be directed to the Elizabeth Runge, Economic Development Planner, at the address listed above or via email at erunge@baylakerpc.org

Questions and responses posed regarding the RFQ can be found on the Bay-Lake RPC website at: <https://baylakerpc.org/services/economic-development/brownfields/rfq-brownfields-assessment-grant-implementation-services> . It is the firm's responsibility to check the website for addenda prior to submitting your proposal.

13. Bay-Lake RPC reserves the right to reject any or all proposals, to waive any technicality in any proposal and accept any proposal deemed to be the most advantageous to Bay-Lake RPC.
14. Firms are responsible for familiarizing themselves with the technical requirements and US EPA Community-wide Assessment grants for Hazardous Substance Brownfields and Petroleum Brownfields grant implementation requirements as well as requirements specified in 40 CFR 200.317 before submitting a proposal for this RFQ.
15. Non-Collusion Statement: By signing this document, vendor/contractor certifies that their response to this request has been made without connection with any other vendor/contractor and is in all respects fair and without collusion or fraud, and is made with the understanding that no elected official or any employee of Bay-Lake RPC is interested therein, directly or indirectly unless otherwise stated.

RFQ Schedule and Submission Process

1. Schedule

- RFQ available August 21, 2018
- **Proposal Deadline:** September 20, 2018 by 4:00 PM (CT) must be received in the Bay-Lake RPC office.
- Award decision to be made following the completion of proposal evaluations.

2. Project kick-off meeting with Bay-Lake RPC following award.

3. Submit two (2) complete hard copies to the following address:

**Bay-Lake Regional Planning Commission
RE: Brownfield Assessment Grant Implementation RFQ
425 S Adams St, Suite 201
Green Bay, WI 54301**

The evaluation of proposals will be a qualifications-based selection process. Once a firm is selected, Bay-Lake RPC will negotiate the completion of the grant implementation scope of services with the top qualified firm.

If Bay-Lake RPC, for any reason, is unable to reach a final agreement with this finalist; Bay-Lake RPC reserves the right to reject such finalist and negotiate a final agreement with the next finalist who has the second most viable proposal and so on until an agreement can be reached.

Type of Contract and Contract Term

Bay-Lake RPC intends to award a contract to one full-service firm to serve as a partner in implementing a successful US EPA brownfield program. The implementation contract will be consistent with the terms and conditions of the Work Plan provided by the US EPA grant award. The contract period will generally coincide with the grant implementation period.

The intent of the Bay-Lake RPC is to take the grant award monies as far as they will go minus a portion of the grant to be awarded to Bay-Lake RPC for grant administration, site inventories, planning activities, and development of a comprehensive community outreach program and public participation program. Bay-Lake RPC will negotiate, with approval by the EPA, the final budget with the successful consultant following US EPA grant award and when the Cooperative Agreement(s) and Work Plan(s) are completed.

For implementation of any successful grants it is assumed that the work will be specified and completed in accordance within the budget developed as part of the grant and subsequent work plan as approved by the Bay-Lake RPC and the US EPA. It is assumed that since the assessment grants are 100% funded, the Bay-Lake RPC would not incur any out of pocket expenses other than administrative staff time.

Proposal Requirements

General Expectations

Consultants are asked to submit a concise RFQ describing their capacity to manage projects and their experience with similar projects. The proposals should include a clear outline of how the firm would help the Bay-Lake RPC in managing a successful brownfield program and meet the requirements of implementing the site assessments and cleanup elements a US EPA Brownfields Communitywide Assessment Grant(s).

Samples of brownfield site inventories, Phase I and Phase II environmental site assessments, remedial action plans, and reports are expected as part of your proposal.

Proposals

Proposals should be prepared on standard size paper and limited to fifteen (15) pages, exclusive of resumes and sample reports. Standard advertising brochures should not be included in the proposal. The proposal shall include the following information in the order presented below:

Business Organization - This section shall include the firm's name, areas of expertise, a brief history of the firm, size, office locations, and business addresses. The name, address, and telephone number of a contact person regarding the proposal shall be included. If subcontractors are being utilized, similar information should be included for all subcontracted firms and show their relationship to the project team in an organizational chart. Identify your firm's access to necessary equipment and facilities relative to this project.

Management Outline - A description of the project and how the consultant will manage and implement the US EPA Brownfields Assessment grant(s) and related activities shall be provided. This section shall include the applicant's approach and methodology to planning, organization, and management.

Project Methodology - Provide methodologies for brownfield assessment services with grant implementation services as follows:

Brownfield Assessment Grant Implementation Services (for the site assessments and cleanup planning elements):

Project Methodology - Provide the following information for grant implementation services:

- i. Provide your understanding of this project and requirements as depicted in this document and identify key issues from the consultant's perspective.
- ii. Provide a description of how your firm will manage and implement the site assessments and cleanup planning elements of a U.S. EPA Brownfield Assessment grant including the firms approach and methodology to planning, organization, and management. Include how this approach is expected to achieve good results for this project.

- iii. Address all scope of work issues and indicate how consulting firm will go about assisting and coordinating the project with the Bay-Lake RPC.
- iv. Identify staff included throughout the project as well.

Experience and Capabilities - The relevant management and technical experience of the consulting firm shall be defined with respect to the following activities:

A. Professional/Project Experience:

- i. Provide information on your firm's specific abilities and qualifications to provide professional services for EPA Brownfield Assessment Grant Implementation.
- ii. Provide examples of your firm's specific knowledge and expertise related to US EPA Brownfield Assessment Grant implementation, and reporting. Include three (3) recent examples within the past five years of similar successful grant implementation work your firm has completed. Also, provide contact information as a reference. Additionally, include the following:
 - Conducting brownfields inventories, Phase I and Phase II Environmental Site Assessments, petroleum assessments, and subsurface site investigations under a US EPA Brownfields Assessment grant, other governmental reimbursement and/or equivalent grant funded programs.
 - Redevelopment planning and market research activities related to brownfields properties and site reuse.
 - Other areas of relevant expertise or unique experience related to US EPA grant implementation.
 - Public outreach and involvement.
 - Development and review of quality assurance and quality control procedures (QA/QC) as well as OSHA-compliant Health and Safety Plans.
 - Environmental/engineering/consulting experience with petroleum and hazardous contaminant brownfields remediation.
 - Designing and managing brownfields remediation strategies.
 - Other information and material that show a clear understanding of the project goals and tasks, and the ability to cooperatively and conclusively work with Bay-Lake RPC.

B. Regulatory and Scientific/Technical Knowledge

Each proposer shall provide a list of proposed key personnel and their current office location. Provide resumes of key individuals that would be assigned to the project identifying project experience and regulatory and scientific knowledge as outlined below.

Regulatory Knowledge and Compliance With:

- Knowledge and expertise pertaining to Federal environmental statutes and associated regulations.
- Knowledge and expertise pertaining to Wisconsin environmental statutes and other related state laws and regulations.
- Knowledge and expertise pertaining to OSHA and other health and safety rules or requirements related to brownfields assessments.
- Knowledge and expertise pertaining to site redevelopment services (planning, surveying and engineering).
- Individual staff knowledge and technical experience relative to ESA's, brownfield projects and contaminated site remediation.

Scientific/Technical Knowledge:

- Physical/chemical/biological sciences: geology/hydrology, soil chemistry/soil mechanics, geophysical/geotechnical methods, chemistry, biology, toxicology, air quality, and epidemiology.
- Risk Analysis: Risk assessment, toxicology; epidemiology, chemistry, air quality, EPA guidance, risk modeling, and biology.
- Engineering: Chemical, surveying and mapping, cost estimating, preparation of plans and specifications, methods of resource recovery and alternative hazardous substance treatment, and construction management (including storage, treatment and disposal facilities).
- Environmental Oversight: Monitoring techniques; design of monitoring programs; installation and operation of monitoring equipment; drilling and installation of groundwater monitoring wells, sampling, and analytical procedures for surface and groundwater, air, soil/sediment, and hazardous substances; biological sampling; personnel and equipment decontamination procedures; and use of the EPA's laboratory methods and chain-of-custody procedures.
- All project staff performing field work on brownfield sites will be required to have current OSHA HAZWOPER training. In addition, the selected firm should have a Certified Industrial Hygienist (CIH) on staff to oversee the health and safety program.
- Internal staff assigned to the project should include at a minimum, a state licensed Professional Geologist (PG) or Professional Engineer (PE) as project manager with at

least 10 years of experience effectively managing large and challenging brownfield projects, and another staff person with equivalent experience as their replacement, should it be needed during the term of the agreement and other support and field staff typically used on site assessment projects.

All representative project descriptions provided shall include the month and year the project was completed, the location of the project, and the name and phone number of a knowledgeable contact person. Bay-Lake RPC may contact these people to check past performance records.

Scope of Services

The successful consultant is expected to perform many tasks including, but not limited to the following:

Grant Implementation of Site Assessments and Cleanup Elements:

- Implement and coordinate necessary activities as required in the Scope of Service of this RFQ and the US EPA Work Plan with the Bay-Lake RPC and US EPA Region 5 staff.
- Prepare and maintain detailed schedules and budgets for assessment activities.
- Conduct and oversee all brownfield site assessment activities and studies.
- Prepare all appropriate technical reports and progress reports related to the site assessments and redevelopment planning elements as required by the US EPA in the and the Wisconsin Department of Natural Resources (WDNR) in print and electronic format.
- Evaluation of cleanup options and risk assessment analysis and costs.
- Preparation of a written Quality Assurance Project Plan (QAPP) in compliance with US EPA regulations.
- Assist Bay-Lake RPC, as needed, with conducting a community-wide brownfield inventory including a petroleum contamination assessment and prioritizing sites.
- Attend meetings of Bay-Lake RPC providing professional expertise related to site prioritization, final site selection and updates on grant implementation progress.
- Conduct Phase I and Phase II Environmental Site Assessments (ESA).
- Deliver to the Bay-Lake RPC, completed Phase I and Phase II Environmental Site Assessment (ESA) reports, site investigation reports, remedial action options reports, remedial action plans and other environmental reports or plans required under the current EPA and WDNR programs governing site investigations and remediation, in print and electronic format.

- Conduct field investigations including sample collection and lab analysis.
- Project management, implementation, and/or technical oversight with regard to the site assessments.
- Professional advice regarding environmental issues associated with land reuse/redevelopment and related matters.
- Provide regulatory and financial information as needed.
- Prepare information about individual project site progress, as requested.
- Develop preliminary budget, financing options, and an implementation plan for remediation assessments and cleanup/reuse.
- Complete contaminant characterization and risk assessments, as determined necessary, following Phase II activities (as funds allow).

Deliverables

The successful consultant will provide all appropriate technical reports as required by the US EPA in the Work Plan and/or required by the WDNR and US EPA.

Project Meetings

Bay-Lake RPC expects there will be meetings and phone calls during the implementation of the brownfield project. In addition to these meetings, the consultant will need to plan for onsite visits/meetings, as appropriate, to perform the work of the study, conduct interviews, and anything else the consultant feels is appropriate to complete the work in the US EPA Work Plan to the Bay-Lake RPC's satisfaction. Consultant will also need to plan for area visits to conduct any testing and follow up work that may also be required.

Project Management (Environmental Assessments)

The selected consultant will be required to assume full responsibility for all environmental assessment services including any services provided by subcontractors. Further, Bay-Lake RPC will consider the consultant to be the sole point of contact with regard to environmental assessment contractual matters, including payment of any and all charges from the subcontractors resulting from the contract. The consultant is responsible for adherence by any environmental assessment subcontractors to all provisions of the contract. If the consultant is using subcontractors, previous projects on which the two firms had worked together should be noted.

Project Communication

All communications shall be made through Elizabeth Runge, Economic Development Planner, at Bay-Lake RPC. Her contact information is below:

Address: Elizabeth Runge
Bay-Lake Regional Planning Commission
425 S Adams St, Suite 201
Green Bay, WI 54301

Phone: (920) 448-2820

Email: erunge@baylakerpc.org

Other Requirements

Contracting With Disadvantaged Business Enterprises

It is EPA policy to award a fair share of contracts to disadvantaged business firms (such as Small and Minority Firms, Women's Business Enterprise, and Labor Surplus Area Firms). Accordingly, affirmative steps must be taken to ensure that disadvantaged businesses are utilized when possible as sources of supplies, equipment, and services. Bay-Lake RPC will ensure, to the fullest extent possible, that at least the EPA "fair share" objectives for prime contracts and subcontracts are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women, and historically black colleges and universities. The consultant shall agree to support the EPA's disadvantaged business enterprise contract procurement program ensuring those businesses' participation in subcontracts.

Affirmative steps include the following as a minimum:

1. Including qualified disadvantaged businesses on solicitation lists;
2. Ensuring that disadvantaged firms are solicited whenever they are potential sources;
3. When economically feasible, dividing total requirements into smaller tasks or quantities so as to permit disadvantaged business participation;
4. Where the requirement permits, establishing delivery schedules that will encourage participation by disadvantaged businesses;
5. Using the services and assistance of the Small Business Administration, the Office of Minority Business Enterprise of the Department of Commerce, and the Community Services Administration as required;
6. Consultants are encouraged to procure goods and services from disadvantaged businesses.

Equal Employment Opportunity

The proposer agrees to comply with all federal, state, and local laws, resolutions, ordinances, rules, regulations, and executive orders pertaining to unlawful discrimination on account of race, color, creed, religion, national origin, gender, marital status, status with regard to public assistance, sexual orientation, gender identity, disability, or age. When required by law or requested by Bay-Lake RPC, the proposer shall furnish a written affirmative action plan.

Protest Process: Bay-Lake RPC is committed to full, fair, and impartial review and selection of successful bids and contractors for procurements. An unsuccessful bidder/proposer who feels that Bay-Lake RPC has not given its bid/proposal full, fair, and impartial consideration should indicate so in writing to Elizabeth Runge within forty-eight (48) hours of the written announcement of the intent to award the procurement. For the protest to be valid, the protester shall have complied with all requirements of the bid/proposal solicitation; including, but not limited to, timeliness of submission, compliance with all technical requirements, and submission of all required certifications and any bonding requirements, if applicable. Upon such valid notification, the Bay-Lake RPC may place the award on hold until such time as the protest is resolved.

Statement of Qualifications/Technical Proposal - US EPA Brownfield Grant Implementation RFQ.

- Submit two (2) complete proposal copies.
- Include a proposed contract that covers all the terms, conditions, and specifications for the work related to the grant writing services of this request.
- Acknowledge firm's ability to obtain insurance, as required. (Reference Exhibit A).
- Firms responding to this request are to provide their qualifications in the format described in this RFQ. (Reference Exhibit B).

Fees for Services: US EPA Brownfield Grant Implementation RFQ

A contract will be negotiated with the selected firm to implement the US EPA Cooperative Agreement(s) and Work Plan(s), under the direction of the Bay-Lake RPC. The implementation contract will be consistent with the terms and conditions of the Work Plan provided by the US EPA. The contract period will generally coincide with the grant implementation period.

Evaluations of Firms

Firms will be evaluated based on the criteria listed on the Evaluation Criteria Form below.

Request for Qualifications (RFQ)

Brownfield Assessment Implementation Services

US EPA Brownfield Grant Implementation

Bay-Lake RPC

Evaluation Criteria Form

(This form will be used to rate proposals)

| Evaluation Criteria | Maximum Points | Points |
|---|-----------------------|---------------|
| 1. Completeness of Proposal: Extent to which completed proposal elements are submitted. | 10 | |
| 2. Professional Experience: The extent to which the firm has demonstrated knowledge of project area and competence in implementation, and reporting for US EPA Brownfield Assessment Grants and the extent of former client satisfaction. | 30 | |
| 3. Capacity: The extent to which the firm has the appropriate personnel, project experience, regulatory and scientific knowledge, equipment, and facilities to perform the scope of services to implement a brownfield assessment grant. | 30 | |
| 4. Project Methodology: The extent to which the firm has demonstrated their approach to manage and perform grant implementation, reporting, and related activities. | 30 | |
| TOTAL | 100 | |

Standard Terms & Conditions for Request for Proposal

Negotiations

This is a negotiated procurement. Negotiation is a procedure that includes the receipt of proposal from offers, permits bargaining, and usually affords an opportunity to revise offers before award of a contract. Discussions may occur regarding assumptions about price, schedule, technical requirements, type of contract or other terms of a proposed contract.

Binding Contract

A proposal received in response to a request for qualifications (RFQ) is an offer that can be accepted by Bay-Lake RPC to create a binding contract.

Award

Award shall be made to the most qualified responsive, responsible firm whose proposal overall is the most advantageous to Bay-Lake RPC.

Rejection of Proposals

Bay-Lake RPC reserves the right to reject all proposals or parts thereof which are determined not to be in the best interest for Bay-Lake RPC.

Funding

If funds are not appropriated for payment of this contract, Bay-Lake RPC may terminate the contract with the awarded firm without any early termination penalties, charges, fees or cost of any kind to Bay-Lake RPC.

Delivery Terms

Proposals shall include delivery costs to the specified delivery point, all transportation charges prepaid and borne by the contractor.

Delays in Delivery

Delays in delivery caused by bona fide strikes, government priority or requisition, riots, fires, sabotage, acts of God, or any other delay deemed by Bay-Lake RPC to be clearly and unequivocally beyond the contractor's control, shall be recognized by Bay-Lake RPC. The vendor may be relieved of meeting delivery time specified, if vendor files with Bay-Lake RPC a request for extension of time, signed by a responsible official, giving in detail the essential circumstances which, upon verification by Bay-Lake RPC's authorized representative, justifies such extension.

EXHIBIT A

BAY-LAKE RPC INSURANCE REQUIREMENTS

INSURANCE REQUIREMENTS FOR ARCHITECT, CONSULTING ENGINEER & CONSTRUCTION MANAGER

1. Minimum Scope and Limits

- A. Architects and Engineers Errors & Omissions (Professional Liability) coverage, with a minimum limit of \$1,000,000 per claim, \$2,000,000 annual aggregate. This insurance is to be maintained for at least two years after completion of the project. If the firm changes insurance carriers and this policy is provided on a "claims made" basis, the firm will secure the appropriate coverage extension to provide coverage to the project for a period of at least two years following the completion of the project.
- B. Commercial General Liability coverage with limits of no less than the following:
 - i. General aggregate limit per project \$2,000,000
(Other than Products-Completed Operations)
 - ii. Products-Completed Operations Aggregate per project \$2,000,000
 - iii. Personal and Advertising Injury Limit \$1,000,000
 - iv. Each Occurrence Limit \$1,000,000
 - v. Fire Damage limit - anyone Fire \$50,000
 - vi. Medical Expense limit - anyone Person \$50,000
- C. Automobile Liability coverage with minimum limits of \$1,000,000 combined single limit per accident for bodily injury and property damage, provided on a Symbol I-Any Auto basis.
- D. Workers' Compensation, as required by the State of Wisconsin and Employers Liability Insurance, with sufficient limits to meet underlying Umbrella Liability insurance requirements.
- E. Umbrella Liability providing coverage at least as broad as the underlying General Liability, Automobile Liability and Employers Liability coverages, with a minimum limit of \$2,000,000 each occurrence and \$2,000,000 annual aggregate, and a maximum self-retention of \$10,000.

Exhibit A - Insurance Requirements (continued)

2. Other Requirements

- A. Acceptability of Insurers. Insurance is to be placed with insurers who have a *Best's Insurance Reports* rating of no less than A and a Financial Size Category of no less than Class VI, and who are authorized as an admitted insurance company in the State of Wisconsin.
- B. Bay-Lake RPC employees and Commissioners shall be named as additional insureds on all liability policies for liability arising out of project work. Please provide a copy of this endorsement with your certificate of insurance.
- C. Certificates of Insurance acceptable to Bay-Lake RPC shall be submitted prior to commencement of the work. These certificates shall contain a provision that coverage afforded under the policies will not be cancelled until at least 30 days' prior written notice has been given to Bay-Lake RPC.

EXHIBIT B

Request for Qualifications (RFQ) Brownfield Assessment Grant Implementation Services US EPA Brownfield Grant Application Bay-Lake Regional Planning Commission

RFQ Statement

Complete this page and include it with your sealed response to this request. Please insert it as the first part of the Qualifications/Technical Proposal.

I have read this Request for Qualifications (RFQ), all the attachments, addenda (if any) and exhibits issued for this project and understand their contents and requirements.

Binding Signatures:

The undersigned firm, submitting their proposal, hereby declares and agrees to be bound, and to perform the work in accordance with all the terms, conditions, and requirements of this Request for Qualifications, the within and foregoing proposal, the contract, the applicable specifications and special provisions, and the schedule of prices as hereby submitted and made part of their proposal submission.

Company: _____

Address: _____

Signature (Manual Signature): _____

Name (Print or Type): _____

Title: _____

Date: _____

Phone number: _____

Email: _____