

REQUEST FOR PROPOSAL

To Serve as Environmental Services Contractor for the

**STATE ENVIRONMENTAL IMPROVEMENT AND
ENERGY RESOURCES AUTHORITY (EIERA)**

Jan. 4, 2017

IMPORTANT DATES

Due Date for Questions/Clarifications: Jan. 11, 2017

Due Date for Proposals: Feb. 2, 2017

Tentative Selection Date: March 2017



INTRODUCTION

The Environmental Improvement and Energy Resources Authority (EIERA) is soliciting proposals from qualified contractors interested in performing environmental services to support the EIERA. Programs administered by the EIERA include the Missouri Brownfields Revolving Loan Fund (MRBLF), the Natural Resource Damage Assessment and Restoration Program (NRDAR) and other programs or needs as required:

- The MBRLF is federally funded and provides loans and sub-grants to support cleanup activities for sites contaminated with petroleum, hazardous and controlled substances, as well as mine-scarred lands. EIERA administers this program.
- The NRDAR compensates the public, through environmental restoration, for losses of natural resources that have been injured by releases of hazardous substances into the environment. Natural resource funds received must be used to restore, rehabilitate, replace and/or acquire the equivalent of the injured natural resources. EIERA provides limited services for the Missouri Department of Natural Resources, the State Trustee for NRDAR in Missouri.
- Other general environmental service support required by the Authority as needed.

Certain requirements for the use of MBRLF and NRDAR funds and for serving as a contractor for the EIERA must be met. These federal and state requirements include but are not limited to the following:

- The selected contractor shall not discriminate against employees or applicants for employment or providers of goods and services on the basis of race, color, sex, religion, marital status, handicap, age or national origin. Bidders on this work will be required to comply with the President's Executive Order Number 11246.
- The contractor shall carry out applicable requirements of 40 CFR part 33 in the award and administration of contracts awarded under EPA financial assistance agreements.
- The contractor shall comply with the Contract Work House and Safety Standards Act, as amended (40 USC 327-333) and with the Anti-Kickback Acts, as amended (40 USC 2769(c); 18 USC 874) and any rules and regulations issued thereunder.
- The contractor shall comply with E-Verify and must provide proof of this participation.

OBJECTIVE

The selected contractor will be responsible for all or some of the work associated with the preparation of Analysis of Brownfields Cleanup Alternatives (ABCA) documents, Remedial Action Plans (RAP), and Cleanup Procurement Documents for participants in the MBRLF. The selected contractor will also be responsible for all or some of the work

associated with the preparation of Phase I and Phase II Environmental Site Assessments, as needed, for NRDAR. The selected contractor may also be asked to provide other environmental consulting services to the EIERA for work associated with the MBRLF, the NRDAR and other general environmental work as needed.

SCOPE OF SERVICES

Projects will vary in size or complexity and may be at any location in the State of Missouri. All work will be assigned to the selected contractor by the EIERA and the amount of work for each participant may vary at the discretion of the EIERA. Assigned work may include any or all of the following:

MISSOURI BROWNFIELDS REVOLVING LOAN FUND (MBRLF)

1) The selected contractor will prepare an Analysis of Brownfields Cleanup Alternatives (ABCA) document for selected MBRLF participants. Participants in the MBRLF must solicit community participation in each redevelopment project and, as part of the Community Involvement Plans for each project, the ABCA will be made available for public review and comment over a thirty-day period prior to the start of on-site cleanup activities. The ABCA is an analysis of various alternative environmental cleanups for the site that meet the targeted cleanup levels. Its purpose is to ensure and document the appropriate type of cleanup is selected to address the site.

Each ABCA must include the following:

- Information about the site and contamination issues (i.e. exposure pathways, identification of contaminant sources, etc.); cleanup standards for the desired use; applicable laws; alternatives considered and the proposed cleanup.
- For petroleum sites, cleanup alternatives may be limited to no action and a single proven cleanup method that meets state and federal requirements.
- Effectiveness, implement ability and the cost of each alternative including the preferred or proposed cleanup alternative. As part of the evaluation of effectiveness, discuss whether/how each alternative would achieve cleanup standards and applicable laws.
- A comparative analysis of the alternatives considered.

The contractor can use information supplied by the MBRLF participant (Phase I/II Environmental Assessments) to start the ABCA. Additionally, the contractor must consider current land-use restrictions and potential future land-use needs in conducting this analysis because the chosen environmental cleanup can have an impact on the future uses of the site. The ABCA must assess whether additional land-use controls will be necessary after the environmental cleanup is complete. Such institutional controls include actions necessary to ensure the effectiveness and integrity of the environmental cleanup after its completion.

It is expected that an ABCA for each assigned project will be completed within two weeks of assignment.

The contractor will be expected to attend a minimum of one public meeting within the general area of the project for each ABCA prepared to answer community questions

regarding the cleanup and assist participants in preparing a response to comments received.

2) All project sites for which an ABCA is prepared are to be enrolled in the Missouri Department of Natural Resources' (MDNR) Brownfields Voluntary Cleanup Program (BVCP). The contractor selected may be responsible for preparing a Remedial Action Plan (RAP) for review and approval by the BVCP and providing all necessary documentation, reports, analysis and other items required to obtain RAP approval as well as following all BVCP requirements.

More information regarding the BVCP and its requirements may be found at <http://www.dnr.mo.gov/env/hwp/bvcp/hwpvcp.htm> or by calling 1-800-361-4827.

It is expected that a Remedial Action Plan for each assigned project will be completed within two weeks of assignment.

3) The contractor may be asked to work with individual MBRLF participants to develop a complete bid package that meets all state and federal requirements for the procurement of a cleanup contractor.

It is expected that a bid package for each assigned project will be completed within two weeks of assignment.

4) The contractor may be asked to provide other environmental consulting services to the EIERA for work associated with the MBRLF.

The estimated number of MBRLF participants is three per year, and this estimate may increase if additional funds are awarded to the program.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION PROGRAM (NRDAR)

1) The selected contractor will be responsible for all or some of the work associated with the preparation of Phase I and Phase II Environmental Site Assessments, as needed, for NRDAR. Phase I Environmental Site Assessments must be conducted in accordance with the *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*, American Society for Testing and Materials designation E 1527-13, and otherwise in compliance with EPA's "All Appropriate Inquiries" Rule ("AAI Rule") (40 *Code of Federal Regulations* Part 312).

It is expected that a Phase I and/or Phase II, as needed, for each assigned project will be completed within four weeks of assignment.

2) The contractor may be asked to provide other environmental consulting services to the EIERA for work associated with the NRDAR.

In 2016, seven Phase I Environmental Site Assessments were completed for NRDAR projects. The number of Phase I Environmental Site Assessments required during the contract period is unknown but is likely to decrease from 2016.

GENERAL ENVIRONMENTAL SERVICES AS NEEDED

The selected contractor may be asked to provide environmental consulting services to the EI ERA for other projects as needed outside of the MBRLF or NRDAR programs.

Timeframe for these projects will be negotiated at the time of assignment.

The estimated number of general projects at this time is unknown.

PROPOSALS

Qualifying proposals will include a description of the business organization, including the name and address of the firm, year established, number of employees and descriptive breakdown of staff and types of services provided. Note whether the prime and/or subcontractors are minority or women owned enterprises. Key personnel assigned to this project should be identified with location and resumes provided. A description of the management structure and project staffing should be provided.

Qualifying proposals will also describe the qualifications of the firm to perform work described in the Scope of Services, including experience in the following:

- Preparing ABCA documents and Remedial Action Plans approved by the Missouri Department of Natural Resources Brownfield Voluntary Cleanup Program for Brownfields properties.
- Preparing bid packages for the procurement of cleanup services utilizing federal programs.
- Preparing Phase I and Phase II Environmental Site Assessments.
- Habitat or ecosystem restoration. Please note, there are currently no projects of this nature under way, and we are unsure if these projects will materialize. We are asking this at this time for informational purposes. As such, proposals are not being evaluated or scored on experience in the specific areas of habitat or ecosystem restoration.

The proposal should also provide a description of the approach to accomplish assignments; a discussion of anticipated issues or problems; an estimate of time to complete each task in the Scope of Services with a discussion of factors that might impact completion time; and a description of your firm's commitment to minority and female employment opportunities and the success of those efforts.

The qualifying proposal will also include not less than three (3) names, addresses, telephone numbers and email addresses of persons or agencies that the EI ERA can contact regarding the firm's past performance on similar projects.

FEES

The proposal should detail time and material costs estimates per hour. The proposal should also provide a schedule of the fees on an hourly basis for each of the key personnel and subcontractors as well as a schedule of other basic costs, should additional services be necessary.

AGREEMENT

The selected contractor will be expected to enter into a contract containing terms and conditions for provision of services, including standard insurance and indemnification language. It should be noted that the contractor who prepares the ABCA for a site participating in the MRBLF will be ineligible to perform cleanup work on that site.

The period of work is estimated to begin in May 2017 and will cover a two-year period. The agreement may be extended mutually by the EIERA and the contractor for an additional period.

The EIERA may terminate this agreement with cause at any time and without cause with thirty (30) days notice.

SUBMITTAL REQUIREMENTS

Neither the contractor nor its principals shall be debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal or state department or agency. A signed and dated statement to this effect shall be included in the submitted proposal package.

Firms responding to this RFP should email their bid proposal and accompanying transmittal letter signed by an individual authorized to legally bind the firm to eiera@eiera.mo.gov.

Proposals must be an emailed Adobe PDF formatted attachment, using 8.5" x 11" paper size. A confirming email will be sent to the Proposer acknowledging receipt. If you do not receive a confirmation of receipt by noon of the business day following your submittal, contact us at 573-751-4919.

Proposals must be submitted prior to noon Central Time on Thursday, Feb. 2, 2017. Any proposals received after this deadline will be rejected.

If you have any questions regarding this solicitation, please e-mail them to eiera@eiera.mo.gov. All questions must be submitted by noon Central Time on Jan. 11, 2017. Written responses to questions will be available for viewing as soon as practical, but no later than noon Central Time on Jan. 13, 2017, via a link on the Authority's website at www.eiera.mo.gov. Questions submitted after the deadline will not be answered.

If, based upon the questions submitted, the need arises to revise the RFP, it will be posted at www.eiera.mo.gov no later than noon Central Time on Jan. 13, 2017.

It is the responsibility of each potential proposer to check the Authority website for responses to questions and RFP revisions. We will not be sending questions and responses or RFP revisions to individual firms.

The proposals will remain confidential until the EIERA has selected the environmental services contractor. All proposals become the property of the EIERA and shall not be returned to the firm unless all proposals are rejected or the RFP is cancelled. Otherwise

the contents of all proposals will be in the public domain and be open to inspection by interested parties subject to exceptions provided in Missouri law. The EIARA may treat all information submitted by a firm as public information following the conclusion of the selection process unless the firm properly requests that information be treated as confidential at the time of submitting the proposal. Any request for confidential treatment of information must be included in the transmittal letter with the firm's proposal. In addition, the firm must enumerate the specific legal grounds for such request. If the firm designates any information in its proposal as confidential the firm must also submit by email a copy of the proposal from which confidential information has been excised. The confidential material must be excised in such a way as to allow the public to determine the general nature of the material removed and to retain as much of the proposal as possible.

ACCEPTANCE OR REJECTION OF PROPOSALS

The EIARA reserves the right to cancel this solicitation, accept, reject or request changes in any or all proposals or to make inquiries of responding firms and their references and clients regarding qualifications or information submitted as part of this solicitation.

SELECTION CRITERIA

Proposals from responding firms will be evaluated by the following criteria:

- Clarity of the proposal and understanding of project objectives.
- The firm's reputation of personal and professional integrity and competence and its ability to work and comply with federal, state and local government agencies and people in official oversight/compliance capacities.
- Demonstrated knowledge of regulations, standards and techniques for brownfields remediation in the State of Missouri.
- Demonstrated familiarity with and experience in performing the requested services.
- Professional and educational experience of key personnel to be assigned to the project.
- Approach to accomplish required services, ability of the firm to perform the required work within a reasonable project period.
- Cost of services provided. While important, proposed cost will not be the sole factor in proposal evaluation.
- Commitment to minority and female employment opportunities and the success of those efforts.
- Missouri Preference. Chapter 34.073 RSMo. provides that, "in letting contracts for the performance of any job or service, all agencies, departments, institutions, and other entities of this state and of each political subdivision of this state shall give preference to all firms, corporations, or individuals doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business, when the quality of performance promised is equal or better and the price quoted is the same or less."