



## **REQUEST FOR QUALIFICATIONS**

### **Kennebec Valley Council of Governments Brownfields Program**

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**Issue Date:** August 12, 2024

**Deadline:** September 5, 2024, by 4:00pm

#### **1. Introduction**

The Kennebec Valley Council of Governments (KVCOG) is a non-profit, quasi-government agency serving its municipal members in Kennebec, Somerset and Western Waldo Counties, and is seeking qualifications from interested Qualified Environmental Professionals (QEP) to provide environmental professional services to its Brownfields Program, which currently includes an FY24 Assessment Grant (\$500,000), an FY22 Revolving Loan Fund (RLF) grant (\$1,000,000), and an FY11 RLF grant (\$1,260,000). The QEP services requested may include assistance with community outreach, performance of site assessments (Phase I and Phase II Environmental Site Assessments [ESAs]) throughout the region, development of site-specific Quality Assurance Project Plans (QAPPs), site-specific Health and Safety Plans (HASPs), remedial oversight, cleanup planning, and assistance with KVCOG's Brownfields RLF.

#### **2. Questions and Additional Information**

Proposing firms may email Jessie Cyr at [jcyr@kvcog.org](mailto:jcyr@kvcog.org) with the subject "Brownfields RFQ Questions" any time before **4:00 pm on Friday, August 23, 2024** to ask questions about the RFQ. To ensure fair and equitable dissemination of information, all questions must be submitted via email and will be answered via e-mail. All questions and answers will be e-mailed to all prospective bidders that provide their email address. Questions and answers will be distributed by **4:00 PM on Tuesday, August 27th. Questions received after August 23rd will not be considered. Proposals are due by September 5, 2024 by 4:00pm**

### 3. Conditions

Replying prospective QEPs will be (or represent) a firm, company, or corporation which demonstrate experience and expertise in environmental risk assessment and management plans, QAPPs, groundwater and soil sampling, remediation strategies, and clean-up programs, and the professional standards thereof, and whom shall undertake and successfully complete the Scope of Work outlined in Attachment A.

#### A. Proposal Preparation

Section 5 contains instructions for preparation and submittal of a response to this RFQ.

#### B. Completeness and Clarity

Proposals should be simple, straightforward, and describe the prospective QEP's ability to satisfy the requirements of the RFQ in a clear and complete manner. Proposals with excessive information and exhibits beyond those outlined in the RFQ may be viewed unfavorably.

#### C. Cost Liability

KVCOG assumes no responsibility and no liability for costs incurred relevant to the preparation and submission of the RFQ by prospective QEPs, or any other costs prior to issuance of a contract.

#### D. Amendments or Revisions to the RFQ

Should it become necessary to revise any part of this RFQ, an amended version will be provided publicly and to all who had reached out to KVCOG and provided contact information and an email address. KVCOG shall bear no responsibility or liability due to copies of revisions not delivered to a prospective QEP due to unforeseen circumstances.

#### E. QEP Selection

Refer to Section 6, below.

#### F. Successful QEP Responsibilities

The successful QEP will be required to assume sole responsibility for the complete project as required by this RFQ. KVCOG will consider the successful QEP to be the sole point of contact regarding contractual matters, whether or not subcontractors are used by the successful QEP for one or more parts of this project.

#### G. Subcontracting

KVCOG does not recommend subcontracting tasks required by this RFQ, but does allow it if necessary and if first specifically described in the proposal. KVCOG reserves the right to approve the use of all subcontractors. If subcontracting is planned, the QEP will be asked to submit the firm(s) name(s), location(s), contact person(s), phone number(s), names of responsible operating officers, and evidence of any required insurance, permits, and licensing/authorization of proposal documents.

#### H. Assignment

The successful QEP is prohibited from assigning, transferring, conveying, subletting, or otherwise disposing of the contract or its rights, title, or interest therein or its power to execute such contract to any other person, company, or corporation without prior written consent and approval by KVCOG.

I. Ownership of Material

All rights, titles to and ownership of the data, material, and documentation resulting from this project and/or prepared for the pursuant to this contract shall remain exclusively with KVCOG and/or its member towns. The prospective QEP shall be paid for all services, as will be specified in the contract.

J. Access to Records

In addition to terms stated elsewhere in the RFQ, KVCOG or any of its member towns shall have access, upon demand, to any books, documents, papers, and records of the successful QEP which are directly pertinent to this contract, for the purposes of making audit examinations, excerpts, and transcriptions. The successful QEP shall insert identical rights of access for these parties into any subcontractor agreement the successful QEP enters into under this contract. This right shall be reserved by KVCOG for the term of the contract and for five (5) years from the date of final payment.

K. Coordination

The QEP shall report to KVCOG's Executive Director of KVCOG (Joel Greenwood) and/or his/her Project Coordinator (Jessie Cyr). KVCOG's ED and PC shall act as liaison between the successful QEP, KVCOG's accounting staff, loan and/or finance subcontractors, Brownfields Advisory Committee, and prospective borrowers or sub-grantees. After award of contract, all inquiries and correspondence shall be first directed to the Project Coordinator.

L. Compliance with Federal, State, and Local Laws

A contract between KVCOG and the QEP will be subject to and be in accordance with all Federal, State, and local laws, as may be applicable. The QEP must take into account compliance with all applicable regulations in Code 40 of Federal Regulations Part 31. Prospective QEPs are advised to review all federal regulations before submitting a proposal.

**4. Contract Period of Performance**

This will be a five (5) year contract with funding to complete the scope of work through September 30, 2029. KVCOG staff will review the work of the QEP and can renew the contract on an annual basis, based on performance. The QEP selected will enter into a not-to-exceed contract with KVCOG for the completion of the Scope of Work outlined in Attachment A. QEPs will submit invoices on a periodic basis (monthly or quarterly) for costs incurred on this project on a reimbursement basis.

**5. Proposal Submission Requirements**

KVCOG requires that each prospective QEP follow the guidelines below for proposal format and content so that the proposal evaluation and selection process can occur in an orderly, timely, and equitable manner. Recommended page limits are provided for each section. The information submitted must include:

**Section 1- Cover Letter (up to 2 pages)**

To include the key personnel names, address, telephone numbers, email addresses, and any other contact information for the firm submitting the proposal. This cover letter is to be signed by an officer or other appropriate signatory of the firm, binding the firm to all of the commitments made in this qualification.

## **Section 2- Company Overview, Experience, and Qualifications (up to 10 pages)**

- A. QEP Company Overview- The contractor must submit a written narrative describing their company. This section should include: a history of the company and description of specialty areas.
- B. Experience (the following subsections may be combined for conciseness):
  - 1. General Brownfields Experience- Provide a brief description of your company's overall experience related to Brownfields.
  - 2. Assessment Grant Experience:
    - a. Site Assessment Experience- Provide a detailed description of your company's experience related to site assessments.
    - b. Remedial Experience- Provide a detailed description of your company's experience related to remediation of petroleum and hazardous substances.
  - 3. Revolving Loan Fund Experience- Provide a detailed description of your company's experience related to Brownfields Revolving Loan Funds.
  - 4. State Voluntary Program Experience- Provide a description of your company's experience with the Maine Department of Environmental Protection's (MEDEP's) Voluntary Response Action Program (VRAP).
  - 5. Other EPA and MEDEP Experience- Provide a brief description of your company's experience with other Environmental Protection Agency (EPA) and MEDEP programs.
- C. Other Services- Provide a brief description of other services that your company can provide, beyond typical ESA activities and/or loan/subgrant support. (e.g., hazardous building materials [asbestos and lead] surveys, abatement, risk assessment, marketing, educational outreach, etc.).
- D. References- Provide a description of services and three brief (3) references for Assessment and/or RLF programs in Maine where your firm has served as QEP (at least one for each program). The references should include contact name, company/organization, address, phone number, and email address of appropriate contact.

## **Section 3- Project Team and Personnel Resources (up to 5 pages)**

- A. Organization Chart- Provide a company organizational chart, showing the project team that will be working on the tasks associated with this RFQ.
- B. Narrative Description: Provide a brief narrative description of the project team which includes:
  - 1. Name and title (as reflected on the rate sheet).
  - 2. Role/education/experience.
  - 3. Description of how the team will work together and with KVCOG.
  - 4. Provide the name of one project that best represents how the project team fulfilled their identified roles and worked together with EPA and MEDEP staff to complete a project. Provide the name of the EPA and MEDEP project officers.
- C. Resumes: Resumes are not required for the proposal but may be requested prior to selection.

## **Section 4- Cost of Services (up to 2 pages)**

Provide hourly billing rates for each staff member involved and markups to be associated with the performance of the work.

## **6. QEP Selection**

The firm selected to support KVCOG's the Brownfields Program will be chosen following a thorough review of the submitted RFQ materials. Should an interview be necessary to further distinguish prospective QEPs, those companies with the highest proposal scores will be asked to interview with KVCOG.

KVCOG reserves the right to:

- A. Seek clarification on any statement submitted and to select the firm(s) that are best able to address the project purpose and best promote the public interest;
- B. Reject any proposal for any reason that KVCOG deems in the public interest or if the application review process does not indicate the applicant is qualified to perform the specified tasks;
- C. Withdraw this request for any reason, and/or to advertise for new proposals, if it is in the best interest of KVCOG to do so; and
- D. Not to award the contract to the lowest bidder if it is deemed to be in the best interest of KVCOG.

KVCOG will negotiate terms for a contract to complete the tasks with the top ranked proposal or proposals. If a satisfactory agreement cannot be reached, negotiations with that firm will be suspended and negotiations opened with that firm next in line. The process continues until an agreement is reached and contract is executed. The following criteria will be used to rank proposals:

### **Criteria & Scoring:**

#### **A. Cost of Services (20%)**

To determine and ensure rates fall reasonably within current industry standards.

#### **B. Company Description and Experience (30%)**

1. Experience with the Brownfields Assessment Grant activities.
2. Experience with the management, support, and operation of a Brownfields Revolving Loan Fund.
3. Quality of performance on previous contracts.
4. Experience with State of Maine and Federal environmental regulations.
5. Experience performing environmental site assessments and remediation experience.

#### **C. Project Team and Personnel Resources (30%)**

1. Qualifications of assigned personnel to the project.
2. Accessibility of Project Manager to KVCOG.

#### **D. Proposal Responses and References (20%)**

1. Completeness and accuracy of the submission.
2. References.

### **KVCOG is an Equal Opportunity Employer**

The evaluation of qualifications shall be made without regard to race, color, sex, age, religion, national origin, or political affiliation.

# ATTACHMENT A

## SCOPE OF WORK

### **ASSESSMENT SCOPE OF WORK:**

#### ***Phase I and Phase II Assessments:***

The QEP will conduct Phase I ESAs in accordance with current ASTM E1527-21 standards and procedures. Draft Phase I ESA reports (digital copies) will be submitted for review to KVCOG, the site owner, MEDEP, and EPA for a particular site before final reports are prepared. Final reports (digital copies, and hard copies, if needed) must be sent to the parties noted above.

Proposals should identify the QEP's Phase I ESA process, including landowner contact and property access agreements, the types and sources of information to be collected, and staff expected to be involved in the work. The proposal should also note how Phase I ESA information will be presented to KVCOG and site owners.

The QEP will conduct Phase II ESAs and associated sampling work. KVCOG understands that Phase II ESA work is contingent upon Phase I ESA findings, projected costs, and KVCOG approval. Phase II ESAs will further investigate and determine areas of environmental concern. Phase II ESAs will establish whether continued investigation and remediation is necessary. If cleanup is necessary, Phase II ESA work will include development of clean-up alternatives and remedial actions plans and estimates of clean-up costs. QEPs should describe their approach in addressing Phase II ESA components of the Work Plan.

#### ***Cleanup and Site Reuse/Redevelopment Planning Activities:***

The Phase II ESA data and the proposed site reuse plans will be reviewed by KVCOG and its QEP and the results will be used to by the QEP to develop an Analysis of Brownfields Cleanup Alternatives (ABCA) and Remedial Action Plan (RAP) for each of the identified sites, along with any other RLF programmatic document and/or meeting requirements. The ABCA/RAP will include remedial actions for each identified contaminant that exceeds applicable Maine risk-based cleanup standards. Remedial alternatives will be evaluated in part based on cost, feasibility, and effectiveness in protecting human health and the environment. Based on this analysis, a proposed remediation plan will be developed, considering the specific or potential reuse scenario(s) for the site. KVCOG and its QEP anticipate submitting each site to the MEDEP's Voluntary Response Action Program (VRAP).

## **BROWNFIELDS REVOLVING LOAN FUND (RLF) SCOPE OF WORK**

- Assist with initial screening of applications to determine whether a proposed site and cleanup activities are eligible per EPA requirements. If evaluation of application materials are insufficient, conduct a site evaluation and assess current site conditions.
- Review loan and grant requirements to ensure that they meet all environmental response requirements, and that KVCOG Brownfields RLF funds are used only for authorized activities.
- Attend KVCOG-BRLF Advisory meetings (as needed) to provide eligibility support and advice.
- Comply with all applicable federal regulations regarding the KVCOG-BRLF program, as identified in EPA RLF Grant Cooperative Agreement with the KVCOG (available to consultant upon award of this contract).
- Provide input on any special conditions that may be advisable in subgrant and loan agreements, and key milestones in remediation that may form a basis for release of subgrant/loan payments.
- Review, advise, and prepare comments on site eligibility review per EPA requirements.
- Review, advise, and prepare comments on site documents for compliance with All Appropriate Inquiry (AAI).
- Assist in evaluating contractor bids and review of contractor selection by sub-grantees.
- Review and prepare comments on site remediation work plans to MEDEP and EPA.
- Provide all required documentation to MEDEP and EPA regarding projects funded through the RLF program and final reporting at project closeout.
- Provide remediation project management and limited field oversight of projects on behalf of KVCOG for state and federal compliance. Field oversight may include up to two site visits per project. The actual field oversight activities will be evaluated on a site-by-site basis.
- Maintain all cleanup related documentation on projects funded through the Brownfield RLF program with documentation available to KVCOG and/or EPA as requested by KVCOG.
- Assist KVCOG in preparing Brownfield RLF marketing information and public outreach programs, including brochures and handouts and attend Brownfield RLF meetings with prospective loan and/or grant applications, if requested.
- Prepare and complete all EPA quarterly reports and other reporting obligations within ACRES.
- Maintain and update ACRES for sites within the KVCOG Brownfield RLF area.