Brownfields Assessment Program

Request for Proposals (RFP) for Qualified Environmental Professional (QEP)

October 1, 2019

1.0 Introduction

In 2019, the City of South Portland applied for U.S. Environmental Protection Agency (EPA) Brownfields Assessment Grant funding to facilitate environmental assessments throughout the City, particularly at former manufacturing and marine industrial sites along the waterfront. The City recently received notification that it has been awarded a $300,000 EPA Brownfields Assessment grant, which includes $100,000 for Petroleum and $200,000 for Hazardous Substances assessments. These funds will support a full range of public outreach, site inventory and selection, assessment activities, and reuse planning. The City hopes this program will be a catalyst for redevelopment of these sites.

The City is seeking a firm to serve as our Qualified Environmental Professional (QEP) for the City’s Brownfields Assessment Program. The QEP will serve as the overall Project Manager for implementation of this grant program, working in partnership with City staff, to ensure that all grant funding requirements and deliverables are met, and the site assessments and required reporting are conducted in accordance with EPA and Maine Department of Environmental Protection (Maine DEP) regulations.

2.0 Submission

Respondents must submit three (3) hard copies, and one (1) electronic copy in pdf format on a thumb drive, and all shall be placed in a sealed envelope clearly marked “South Portland Brownfields RFP” and mailed or hand delivered to the address below by 4:30 PM on Thursday, October 31, 2019. Responses by fax or e-mail will not be accepted.

    ATTN: Colleen Selberg, Purchasing Agent
    City of South Portland
    25 Cottage Road, PO Box 9422
    South Portland, ME 04116

3.0 Timeline

The following timeline is approximate and subject to revision:

    RFP released:          October 1, 2019
    Questions to City:     October 9, 2019
    City Response to Questions: October 15, 2019
    RFP Submissions Due:   October 31, 2019
    Interviews with finalists: November 12-15, 2019
    Selection:             November 26, 2019
4.0 Fair Share Goals
Consideration of all bidders, which includes equal opportunity for Minority Business Enterprises (MBE) and Women Business Enterprises (WBE), will be made in the RFP selection process. The City of South Portland will exercise appropriate measures to ensure good faith efforts are made during QEP selection. Fair share goals, as established by the USEPA for Region 1, may be found at the following link: https://www.epa.gov/sites/production/files/documents/r1_fair_share_goals_0.pdf. These goals have been developed in an effort to ensure that MBEs and WBEs receive a "fair share" of contracts, subcontracts, and or any other procurement opportunities funded by EPA.

5.0 Scope of Work for Qualified Environmental Professional (QEP)
The selected firm will act as the general Project Manager on behalf of the City, and perform the following tasks, in consultation with City Staff, to ensure all applicable terms, conditions, and requirements of the EPA Brownfields Assessment Grant and related Cooperative Agreement between EPA and City of South Portland are met.

Public Outreach
1. QEP will advise and assist City staff with developing marketing materials, including a brochure and FAQ fact sheet,
2. QEP will participate in at least three Brownfields workshops organized by City staff, to include a kick-off meeting (educate the public, share work plan, etc.), a project update with City Council when appropriate (share Phase I and/or II results and potential cleanup plans), and a final community meeting prior to grant closeout (review accomplishments and next steps, cleanup plans, etc.),
3. QEP will deliver up to three presentations on the Brownfields program to local organizations, which may include the Chamber of Commerce, South Portland Land Trust, and South Portland Housing Authority,
4. QEP will attend quarterly meetings of the City’s Brownfields Advisory Committee and provide a monthly written summary of progress and next steps,
5. QEP will be available to meet one-on-one with property owners, developers, neighborhood groups, and municipal officials to discuss the benefits and risks of the program, conduct site walks, etc., and
6. QEP will assist with other federal requirements related to community engagement as needed.

Assessment Activities
7. Site Prioritization and Eligibility: QEP will perform the following tasks:
   • Assist City staff and Advisory Committee with establishing criteria and prioritizing sites,
   • Create an inventory of potential brownfields sites and a City map with those sites,
   • Conduct planning meetings for each site selected for assessment,
   • Provide site eligibility information to EPA (or Maine DEP) for each site selected, and
   • Obtain EPA (or Maine DEP) approval to conduct Phase I assessments.
8. Phase I: For each Phase I, pending Maine DEP and EPA approval, QEP will secure a site access agreement and conduct an All Appropriate Inquiry (AAI) compliant Phase I environmental assessment in accordance with ASTM International standard E1527-13. The City’s goal is to complete approximately eight Phase I assessments. Draft reports will be reviewed for comment by the City, EPA, Maine DEP, and the property owner before the Consultant prepares a final submission with copies for each party.
9. Phase II: The City’s goal is to complete approximately seven Phase II assessments. To implement Phase II, QEP will perform the following tasks for each Phase II:
   • Obtain EPA approval to proceed with Phase II,
   • If applicable, maintain EPA approved generic Quality Assurance Project Plan (QAPP) with updated organization chart,
• Prepare Scope of Work with cost estimate for City review and approval,
• Prepare a Site Specific Quality Assurance Project Plan (SSQAPP) to include proposed sampling and
analysis strategy for review and approval by City Staff and Advisory Committee, Maine DEP, and
EPA,
• Obtain required permits for work at the site,
• Fulfill Section 106 NHPA review (if necessary),
• Obtain Dig Safe Clearance,
• Obtain services of necessary subcontractors,
• Conduct necessary environmental assessment and sampling procedures appropriate for a site in
accordance with ASTM guidance,
• Monitor site work and relay any concerns to EPA/Maine DEP,
• Track Green and Sustainable Remediation (GSR) efforts used during Phase II investigations,
• Submit draft reports for review and comment by City, EPA, Maine DEP, and the property owner,
• Evaluate Phase II findings and implement additional investigations as appropriate to delineate extent
of contamination, and
• Prepare final reports with copies for City, EPA, Maine DEP, and the property owner.

Planning for Remediation & Reuse

10. Reuse Planning:
• QEP will facilitate a reuse planning process for each site to include engagement with the
community, real estate/development professionals, as well as design and engineering services, and
• QEP will develop approximately seven draft cleanup alternatives and remediation plans for the site.

11. Remediation Planning:
• QEP will develop approximately seven plans for remediation consistent with an Analysis of
Brownfields Cleanup Alternatives (ABCA) and/or the Voluntary Response Action Program (VRAP)
and assist the City with the VRAP application process, and
• QEP will incorporate GSR principles/techniques into Analysis of Brownfields Cleanup Alternatives
(ABCA).

Reporting & Record Keeping

12. Prepare Minority Business Enterprise (MBE)/Women’s Business Enterprise (WBE) form semi-annually in
   collaboration with City staff,
13. Prepare Federal Financial Report (FFR) form at end of reporting period in collaboration with City staff,
14. Enter site data in Assessment, Cleanup and Redevelopment Exchange System (ACRES),
15. Prepare Quarterly Reports via ACRES,
16. Prepare final report and grant closeout material in collaboration with City staff, and
17. Maintain accurate and complete project files for each site.

6.0 Deliverables
Depending on the program, QEP will deliver the following reports to the City of South Portland in both digital and
hard copy format, as applicable:
• Site Eligibility Determination Forms associated with Phase I and Phase II sites,
• Approximately 8 Phase I Environmental Assessment Reports,
• Site Specific Quality Assurance Project Plans,
• Approximately 7 Phase II Environmental Assessment Report,
• Laboratory data associated with Phase II’s in Electronic Data Deliverable (EDD) format to the Maine DEP,
• Spatial data to be recorded in CAD or ArcGIS and provided to the City and Maine DEP,
• Summary of environmental risks for underwriting package presented to the City’s Advisory Committee,
• PowerPoint presentations associated with public meetings,
• Approximately 7 remediation/reuse plans, sketches and cost estimates,
• ACRES profile for each Brownfields site assigned to QEP, and
• A summary report once each assessment is complete.

7.0 Scope of Work for City of South Portland
The City of South Portland will administer and oversee the Brownfields Assessment Program, including the following tasks:
   a) Assisting QEP with developing and maintaining an inventory of potential redevelopment sites in the City,
   b) Coordinating and advertising public outreach for the program,
   c) Organizing initial meetings and site walks for potential Brownfields sites,
   d) Establishing a Brownfields Advisory Committee that will help select the Brownfields assessment sites,
   e) Financial management, underwriting, and closing of grant program, and
   f) Collaborating with QEP to ensure EPA quarterly reporting and semi-annual MBE/WBE reporting.

8.0 QEP Selection
The City of South Portland will select a QEP based on the following criteria:

• Responsiveness to this RFP,
• Experience and qualifications
  o Ability to perform all services outlined in Tasks 1-17 (or as outlined above), either in-house or through use of a subcontractor,
  o Experience with environmental assessments and cleanup activities,
  o Experience with the EPA Brownfields Grant program, associated regulations, and reporting requirements, etc.,
  o General knowledge of the City of South Portland and the history of its industrial waterfront,
• Communication, collaboration, and references
  o Ability to effectively communicate the program and findings to the public,
  o Ability to work effectively and coordinate activities with the City, property owners, real estate professionals, and other stakeholders,
  o Solid working relationships with State and Federal partners,
  o Review of references, and
• Cost competitiveness.

The evaluation of qualifications shall be made without regard to race, color, sex, age, religion, national origin, or political affiliation. The City of South Portland is an Equal Opportunity Employer and encourages proposals from qualified minority or women-owned businesses.

9.0 Responses
Reponses to this RFP should contain the following elements:
Qualifications

- Summary Statement of the firm’s qualifications and capabilities, including type, size, locations, and areas of expertise,
- A description of the technical approach to Brownfields assessment and cleanup projects,
- Three sample work products, such as: a Phase II Report, ABCA, or reuse plan.
- A list of the principal staff members who will be committed to this project and their professional qualifications, including those staff who will directly oversee the assessments and potential follow-on cleanup at Brownfields sites.
- Relevant experience of key staff members who will be assigned to this project, including prior work in the greater South Portland area and/or prior work under an EPA Brownfields grant. Please identify three current or past project examples and relevant references.
- Proposed communication and public engagement plan
- Identification of how the firm will help the City of South Portland meet WBE/MBE goals.
- Proof of Insurance.

Costs and Fees

The cost proposal must be submitted in a separate envelope labeled “Cost Proposal” and clearly contain the following elements:

- Names and hourly rates for key staff members expected to work on the contract,
- Overhead rate and fee,
- Rate sheet for subcontractor(s), if any, along with markup,
- Breakout of estimated costs for Public Outreach, Assessment Activities (on a per project basis), and Reporting and Record Keeping, as outlined in Section 5.0, and
- Sample Contract for Services.

10.0 Terms and Conditions

Preparation of a response to this RFP is at the sole expense of the bidder. The City of South Portland reserves the right to reject any and all responses. Upon selection, the City will execute a contract with the selected QEP, subject to, but not limited to, the following terms and conditions.

Payment: Payment for services will be made on a reimbursement basis subject to the following limits:

- Public Outreach: Tasks 1-6 will be paid on an hourly basis, for a total not to exceed $2,500,
- Assessment Activities: Tasks 7-9 will be paid on a per project basis, subject to negotiation,
- Planning for Remediation & Reuse: Tasks 10 and 11 will be paid on a per project basis, to be determined based on the needs of each site,
- Reporting & Recordkeeping: Tasks 12-17 will be paid on an hourly basis, for a total not to exceed $2,500.

Insurance: QEP must maintain adequate insurance coverage, including general liability, professional liability, and workers compensation, in an amount not less than $1,000,000.

Ownership of Work: All rights, titles to and ownership of the data, material, and documentation resulting from the contract will remain with the City of South Portland and/or EPA.

Conflict of Interest: QEP must disclose potential conflicts of interest associated with sites in the City of South Portland that might be assigned to them as part of this Brownfields program. In no instance may the QEP represent both the property owner/developer and the City of South Portland on the same project at the same
time. In addition, QEPs may not serve as the consultant for the owner/developer on any project subject to a subsequent EPA cleanup award for which the QEP also served as the assessment consultant.

State and Federal Laws: QEP and its subcontractor(s) must comply with any and all applicable laws, statutes, ordinances, rules, regulations, and/or requirements of federal, state, and local governments and agencies thereof, which relate to or in any manner affect the performance of this agreement.

Terms and Conditions: QEP will adhere to the terms and conditions in EPA’s Cooperative Agreement with the City of South Portland.

11.0 Questions
All questions regarding this RFP should be submitted in writing to Joshua Reny by Wednesday, October 9, 2019. Responses will be posted on the City’s website by 4:30 p.m. on Tuesday, October 15, 2019.

To: Joshua Reny, Assistant City Manager
    City of South Portland, Maine
    25 Cottage Road, PO Box 9422
    South Portland, ME 04116
    Email: jreny@southportland.org
    Tel: (207) 767-7606

cc: Colleen Selberg, Purchasing Agent
    Email: cselberg@southportland.org
    William Mann, Economic Development Director
    Email: wmann@southportland.org