

Request for Qualifications
Qualified Environmental Professional
Services
Brownfields Assessment Program
Town of Sanford, Maine



September
2012

Overview

The Town of Sanford, Maine has been awarded a \$400,000 Brownfields Communitywide Assessment Grant (\$200,000 for hazardous and \$200,000 for petroleum) by the U.S. Environmental Protection Agency (EPA). This grant is a continuation of Sanford's Brownfields Assessment program whose goal is to conduct brownfield assessments for sites potentially contaminated with petroleum products and hazardous substances, with a particular focus on the Sanford Millyard area. The Town of Sanford's Brownfields Program will identify and review candidate sites located within the Town of Sanford and Springvale for potential assessment; select sites for Phase I environmental site assessments (ESAs), Phase II ESAs, and make recommendations for remediation and re-use of the assessed properties. The Town of Sanford is seeking a Qualified Environmental Professional (QEP) to carry out necessary tasks within the Brownfields Assessment program.

The Town of Sanford is soliciting proposals from qualified environmental professional (QEPs) to assist The Town in the following areas: environmental site assessment, environmental risk assessment, quality assurance project plans, groundwater and soil sampling, other medium sampling as appropriate (e.g. soil vapor/air, building materials, etc.) remediation strategies, clean-up and reuse planning, cost estimates, community outreach, and public presentations.

The Brownfields grant awarded to the Town contains all financial resources to be used for this project. Approximately \$200,000 (approximately \$100,000 for petroleum and \$100,000 for hazardous substances) will be available for the QEP's work at this time, additional funding may be available as the program progresses. The QEP's activities are being conducted as part of Town of Sanford's grant program, which will remain in effect through August 2015. The QEP will work under the direction of James Q. Gulnac, AICP, Town of Sanford Planning Director and will work in collaboration with other Town representatives, the Town of Sanford's Brownfields Steering Committee, the Maine Department of Environmental Protection (MEDEP) and property owners and developers. The EPA and MEDEP will be reviewing and receiving reports on program activity throughout the lifetime of the grant.

The Town of Sanford is an equal opportunity provider and employer.

Sealed Proposals

One (1) original hardcopy, five (5) copies, and one electronic (pdf) of the qualifications submittal shall be placed in an envelope marked "Proposal for Brownfields Assessment Services" in the lower left corner, sealed, and mailed, or hand delivered to: Town of Sanford, attention: James Q. Gulnac, AICP, Planning Director, 919 Main Street, Suite 300, Sanford, Maine 04073. **Proposals will be accepted until Friday, October 26, 2012 at 4:00 p.m.**

Please direct questions regarding this RFQ to: James Q. Gulnac, AICP, Planning Director (207) 324-9166, or e-mail jqgulnac@sanfordmaine.org. All questions will be summarized and responses and provided to RFP respondents. Questions are due by October 10, 2012 and responses will be provided by October 17, 2012.

The Town of Sanford reserves the right to accept or reject any/or all proposals in total or in part and to waive any informalities.

I. SUBMITTAL

Purpose

The intent of Sanford's Brownfields program is to support community efforts to generate and implement creative strategies in redeveloping brownfield sites. Sanford will continue to focus on creating a prioritized list of brownfield sites within the Town with a primary focus on the Millyard area (other key areas include the Downtown, and along the Gateway entrances to the Town) which will then be marketed to developers for redevelopment projects. Through this assessment program, the extent of contamination can be determined at these sites, as well as the cost of the remediation work necessary to make these sites more attractive to potential developers.

The Town of Sanford is interested in retaining a QEP to assist Town of Sanford staff in the implementation of our Brownfield's Assessment Program.

QEP assistance is needed in the following areas:

1. Aid Town staff to inform community groups, the Brownfields Advisory Committee, residents, and other stakeholders of brownfields, and the benefits that redevelopment and reuse of these sites may offer communities economically and socially;
2. Assist the Brownfields Advisory Committee to identify known and potential brownfield sites;
3. Assist with securing access agreements with property owners;
4. Recommend sites for assessment using pre-determined selection criteria;
5. Conduct, where necessary, Phase I Environmental Site Assessments (ESAs);
6. Conduct, where necessary, Phase II ESAs. An EPA approved site-specific QAPP is required prior to commencing Phase II field work;
- Conduct cleanup planning at sites, including Analysis of Brownfields Cleanup Alternatives (ABCA) and/or Remedial Action Plan (RAP) suitable for submission to the Maine DEP VRAP program.. Each ABCA shall include an evaluation of at least three cleanup alternatives based on effectiveness, implementability, and cost and shall include analysis of how the selected cleanup alternative may meet the goals of the EPA Region 1 Green Remediation Policy (attached);
7. Conduct cleanup planning at sites, including Analysis of Brownfields Cleanup Alternatives (ABCA) and/or Remedial Action Plan (RAP) suitable for submission to the Maine DEP VRAP program.. Each ABCA shall include an evaluation of at least three cleanup alternatives based on effectiveness, implementability, and cost and shall include analysis of how the selected cleanup alternative may meet the goals of the EPA Region 1 Green Remediation Policy (attached);
8. Provide general technical assistance to support these tasks;
9. Report activities and accomplishments in the Assessment, Cleanup and Redevelopment Exchange System (ACRES); and
10. Submit final reports.

The QEP will conduct Phase I and Phase II ESAs. The QEP will be required to complete property Eligibility Forms for each site for EPA approval before initiating assessment activities. The Consultant will be required to submit all reports in draft for review by Town, MEDEP, and EPA. . All Consultant work will be supervised and managed by the Town of Sanford Planning Director, James

Q. Gulnac, AICP. A Phase I ESAs must be completed in accordance with the All Appropriate Inquiries Final Rule (40CFR Part 312) and the American Society for Testing and Materials (ASTM) guidelines for Phase I ESAs (#1527-05).

Project Schedule

The Town may interview selected candidates who submit on this RFQ. Interviews, if conducted, will be conducted in early November. All field work and reporting activities must be completed by August 2015 under the provisions of Town of Sanford's grant agreement with EPA.

Record Keeping

The QEP will be required to complete and submit record keeping forms as required by EPA and as required within the grant guidelines.

II. TERMS

- A. The Town reserves the right to reject any and/or all submittals received as a result of the Request for Qualifications (RFQ) and to waive any conditions, if needed. If a proposal is selected, it will be the most advantageous regarding price, quality of service, the QEP qualifications and capabilities to provide the specified service and other factors that the Town of Sanford may consider. The Town of Sanford reserves the right to consider proposals for modification at any time before a contract would be awarded, and negotiations would be undertaken with the QEP whose proposal is deemed to best meet the Town of Sanford's needs.
- B. Proposals must be signed by an official authorized to bind the QEP to its provisions for at least 90 days. Failure of the successful bidder to accept the obligation of the contract may result in the cancelation of this award.
- C. In the event that it becomes necessary to revise any part of the RFQ, an addendum will be provided. Deadlines for submissions may be adjusted to allow for revisions. The entire qualifications document with any amendments should be returned. To be considered, an original proposal, four (4) copies and a .pdf copy must be submitted to the Town of Sanford on or before the date and time specified.
- D. Proposals should be prepared simply and economically providing a straightforward, concise description of the consultant's ability to meet the requirements of the RFQ.
- E. The proposal must be submitted in one sealed envelope with '**BROWNFIELDS ASSESSMENT SERVICES PROPOSAL**' in the lower left corner. Two parts of the response should be included in the submittal: a technical proposal and a cost proposal as detailed in Attachment 1 and 2 of this RFP. Both cost and technical should be labeled as such.
- F. All documents submitted to the Town of Sanford should be printed on recycled paper.
- G. Consultants' proposal must not be marked as confidential or proprietary to the QEP. The Town of Sanford may refuse to consider a proposal so marked. All proposals will become the property of the Town of Sanford. Information in the proposal will become public property and subject to disclosure laws and Town of Sanford policies and procedures after bid award.
- H. Consultants must prepare proposal in the format described in Attachments 1 and 2 of this RFQ. The format will allow the selection committee to fairly review, compare, and evaluate proposals. Failure to follow the format used in this RFQ may result in the proposal being disqualified from consideration.
- I. The Town of Sanford will not be liable for any costs associated with the preparation, transmittal, or presentation of any material submitted in response to this RFQ.
- J. The Selected firm shall abide by the conditions set forth in '*U.S. EPA Brownfields Assessment Grant Programmatic Conditions*' (See Appendix A).

III. SPECIFICATIONS

The qualifications document shall include all of the following information. Failure to include all information could result in disqualification.

- A. The QEP's qualifications, years in business, profiles for staff assigned to this project, and experience to provide the services required by Town of Sanford.
- B. References: List three (3) references from current customers receiving the same or similar service(s) (e.g. Brownfields Assessments, Hazardous Waste/Petroleum Related Services, etc.). Include name, contact information, and phone number.
- C. Subcontractor's: List all subcontractors to be used with respect to the service provided under this contract.
- D. Describe any additional tools or resources your company can provide to the Town of Sanford to help improve its Brownfield assessment outreach activities.
- E. Clearly present qualifications, experience and knowledge regarding all aspects of Brownfields assessment, remediation, re-use planning, and re-development, including but not limited to relevant Federal and Maine law, policies and guidelines; Risk Assessment services; CERCLA, and U.S. EPA standards and practices, including All Appropriate Inquiry, Quality Assurance Project Plan (QAPP) requirements, and Green and Sustainable Remediation Guidance.
- F. Specifically indicate, and provide professional qualifications for, those members of the firm and any subcontractors who will be working directly on the Town's Brownfields Assessment grant project including identification of the Maine Certified Geologist(s) on the proposed project team.
- G. Specifically indicate, and provide the professional qualifications of the human health and ecological risk assessor (s) to be utilized on the project team.

The Consultant shall make available upon request the following:

- Health and Safety Plan for the Workers.
- Accident Record from the last five years, including the detail of the QEP's response actions and outcomes.

IV. EVALUATION CRITERIA

QEP selection criteria will include demonstrable experience/capabilities with Brownfields projects, preparing QAPPs, ability to clearly report and communicate findings to a wide and diverse audience, expertise in site assessment procedures, expertise in risk assessments and characterizations, and ability to coordinate effectively with all interested parties and property owners. The Consultant's activities associated with each work task needs to follow the proposed costs, and indicated level of effort.

The criteria used in evaluation of the proposals will include:

- Clarity of the submittal, understanding of the project objectives, and responsiveness to the work program.
- The QEP's experience and qualifications to perform the requested services.
- The QEP's experience with performing human health risk assessments.
- Ability to communicate findings to the general public and community residents.
- The degree to which the respondent demonstrates an ability to work effectively and coordinate all brownfields related activities with Town.
- References.

A. Firm's Qualifications – 20 points

Qualifications of the firm or firms assigned, including appropriate areas of expertise, relevant experience, technical capabilities and quality references that suggest they are qualified to undertake the project, work experience with the MEDEP, and the U.S. Environmental Protection Agency.

B. Overall Quality of Submittal – 30 points

The technical quality, completeness, conciseness, and clarity of the submittal.

C. Personnel Qualifications – 30 points

Qualifications of the professionals (including but not limited to the Project Manager, the Maine Certified Geologists and risk assessor) assigned to this project including technical attributes and relevant staff experience that make them uniquely qualified to undertake this project.

D. Cost Proposal – 20 points

To properly evaluate proposals, The Town of Sanford may schedule interviews with up to three (3) candidates. However, in the essence of time, the Town may hire up to 2 QEPs based on the RFQ submittal. If interviews are conducted, no more than 3 people from your firm shall attend the interview, including the Project Manager and the Maine Certified Geologist. The QEP's original proposal cannot be changed during the interview process.

If an interview is conducted all interviewees selected will be afforded a 15-minute presentation period followed by a series of questions from the evaluation committee.

V. STANDARD PROVISIONS FOR CONTRACTS

If a contract is awarded, the selected QEP will be required to adhere to a set of general contract provisions which will become part of any formal agreement. The provisions are general principles which apply to all contracts of service to The Town of Sanford such as the following:

Reporting of QEP

1. The QEP is to report to the Planning Director and will cooperate and confer with him/her as necessary to ensure satisfactory work progress.
2. All reports, estimates, memoranda, and documents submitted by the QEP must be dated and bear the QEP's name.
3. All reports made in connection with these services are subject to review and final approval by the Planning Director.
4. The Town of Sanford may review and inspect the QEP's activities during the term of the contract.
5. The QEP shall submit a final, written report to the Sanford Planning Director.
6. After reasonable notice to the QEP, the Town of Sanford may review any of the QEP's internal records, reports, or insurance policies.

Personnel

The parties agree that the QEP is neither an employee nor an agent of the Town of Sanford for any purpose.

Indemnification Agreement

The QEP will protect, defend, and indemnify The Town of Sanford, its officers, agents, servants, volunteers, and employees from any and all liabilities, claims, liens, fines, demands and costs, including legal fees, or whatsoever kind and nature which may result in injury or death to any persons, including the QEP's own employees, and for loss or damage to any property, including property owned or in the care, custody or control of the Town of Sanford in connection with or in any way incident to or arising out of the occupancy, use, service, operations, performance or non-performance of work in connection with this contract resulting in whole or in part from negligent acts or omissions of the QEP, any subcontractor, or any employee, agent or representative of the contactor or any sub-contractor.

Insurance Requirements

The QEP shall maintain at its own expense, during the term of the contract, the following insurance:

- a. Workers' Compensation Insurance with Maine statutory Limits and Employers Liability Insurance for any employee.
- b. Comprehensive/Commercial General Liability Insurance \$1,000,000.

- c. Automobile Liability Insurance covering all owned, hired, and non-owned vehicles with Personal Protection Insurance and Property Protection Insurance to comply with the provisions of the Maine Insurance Laws.
- d. Professional Liability Insurance \$1,000,000.
- e. Pollution Contactor Liability Insurance.

QEP shall furnish the Town of Sanford with satisfactory certificates of insurance or a certified copy of the policy.

Compliance with Laws and Regulations

The QEP shall comply with all federal, state, and local regulations, including but not limited to all applicable Occupational Safety and Health Administration/Maine Department of Labor (OSHA/MDOL) requirements and the Americans with Disabilities Act.

Interest of QEP and the Town of Sanford

The QEP promises that there is no interest which would conflict with the performance of services required by this contract. The QEP also promises that, in the performance of the contract no officer, or the agent, employees of the Town of Sanford, or members of its governing bodies, may participate in any decision relating to the contract which affects his/her personal interest or the interest of any corporation, partnership or association in which he/she is directly or indirectly interested or has any personal or pecuniary interest.

Contingent Fees

The QEP promises that he/she has not employed or retained any company or person, other than bona fide employees working solely for the QEP, to solicit or secure this contract, and has not paid or agreed to pay any company or person, other than bona fide employees working solely for the QEP, any fee, commission, percentage, brokerage fees, gifts, or any other consideration contingent upon or resulting from the award or making of the contract. For breach of the promises, the Town of Sanford may cancel the contract without liability or, at its discretion, deduct the full amount of the fee, commission, percentage, brokerage fees, gift, or contingent fee from the compensation due to the QEP.

Equal Employment Opportunity

The QEP will not discriminate against any employee or applicant for employment because of race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion, and political belief (except as it relates to a bona fide occupational qualification reasonably necessary to the normal operation of the business).

The QEP will take affirmative action to eliminate discrimination based on sex, race, and handicap in the hiring of applicants and the treatment of employees. Affirmative action will include, but not be limited to: Employment upgrading, demotion or transfer; recruitment advertisement; layoff to termination; rate of

pay or other forms of compensation; selection for training including apprenticeship.

Fair Share Goals

Consideration of all subcontractors, which includes equal opportunity for minority business enterprises (MBE) and women business enterprises (WBE), will be made in the QEP selection process. The Town of Sanford, as a Cooperative Agreement Recipient through the US EPA will exercise appropriate measures to ensure good faith efforts are made during QEP selection. Fair share goals are to attract and utilize WBE/MBE contracts, subcontracts, and procurement.

Ownership of Documents and Publications

All documents developed as a result of the contract will be freely available to the public. None may be copyrighted by the QEP. During the performance of the services, the QEP will be responsible for any loss of or damage to the documents while they are in its possession and must restore the loss or damage at its expense. Any use of information and results of this contract by the QEP must reference the sponsorship by the Town of Sanford. Any publication of the information or results must be co-authored by the Town of Sanford.

Termination of Contract

Either party may terminate the contract by giving thirty (30) day written notice to the other party.

Change in Scope or Schedule of Services

Changes mutually agreed upon by the Town of Sanford and the QEP will be incorporated into the contract by written amendments signed by both parties.

SIGNATURE PAGE

Signature

Company Name

Print Name

Company Address

Title

City, State, and Zip

Telephone #

Fax #

Federal Tax ID #

E-Mail Address

Website Address

The above individual is authorized to sign on behalf of the company submitting this proposal.

Proposal must be signed by an authorized individual to bind the provider to its provisions for at least a period of 90 days from date of bid acceptance.

ATTACHMENT 1

Format of Qualifications Submittals

Qualifications submittal content and completeness are most important. Clarity and concise presentation are essential, and will be considered in assessing the QEP's capabilities.

The qualifications submittals must be on recycled paper, double sided, 8.5 x 11 inches, and in size 12 font and shall not exceed 30 pages in length. In order to simplify the review process and obtain the maximum degree of comparability, all submittals shall be organized in the following manner:

1. *Signature Page* - The signature page shall be signed by an official authorized to bind the QEP firm. It should have the title, name of the QEP firm, local address, telephone and fax numbers, name of contact person, email, and website.
2. *Table of Contents* - A clear identification of the material by section and page number.
3. *Overview and Summary* - This section should clearly convey that the QEP understands the nature of the work and the general approach to be taken.
4. *Scope of Work* - A full description of the steps to be followed in carrying out the work, including the identification of the methodologies to be used, key issues and challenges, and proposed solutions. The work description should be presented in sufficient detail to demonstrate a clear understating of the work tasks and technical approach. Assigned staff should also be listed.
5. *Deliverable Products* - A description of the format, content, and level of detail that can be expected for the final reports, plans and other products, including the number of copies to be provided.
6. *Schedule* - A time schedule showing the expected sequence of tasks, sub-tasks, technical and public meetings, and other critical dates should accompany the work description.
7. *Project Management and Staffing* - This section should describe the QEP's approach to management of work. The project manager and staffing plans should identify each team member and subcontractor and provide a brief statement of relevant previous experience and qualifications. Verify that the firm and all personnel working directly with the Town of are licensed to provide engineering services in the State of Maine and proven engineering and geological capabilities to perform all activities relevant to Brownfields assessment and remediumtion. Resumes of key team members should be provided and limited to not more than 2 pages per staff member assigned. The staffing plans should also identify the role and responsibility of each team member and specify the number of estimated person hours per task. Staffing requirements should be specific enough to demonstrate an understanding of the skills required and commitment of proper resources.

