

**Flint Hills Regional Council (FHRC), Kansas**

**Request for Proposals (RFP)**

**Brownfield Assessment Grant Writing & Implementation Services**

**US EPA Brownfield Grant Application**



The Flint Hills Regional Council is a voluntary service association of local Kansas governments from Chase, Clay, Dickenson, Geary, Lyon, Morris, Riley, Pottawatomie, and Wabaunsee counties and/or their respective municipalities and unincorporated areas. These local Flint Hills governments have formed the Flint Hills Regional Council to provide services of mutual benefit to the region that are best gained from cooperation and partnership.

Sealed proposals are invited from qualified environmental consulting firms to provide grant application assistance, project management, environmental inventory and assessment implementation related to the United States Environmental Protection Agency (US EPA) brownfield grants, including but not limited to applications for the US EPA Community-wide Assessment grants for Hazardous Substances Brownfields and Petroleum Brownfields as part of the US EPA Brownfields Grant Competition for Fiscal Year 2017 (FY 2017).

The intent of this RFP is to comply with FHRC and US EPA federal qualifications based procurement requirements specified in 40 CFR 200.317-326. FHRC is seeking qualified firms to assist with securing and subsequent implementation of brownfield assessment grants. The successful consultant will bring experience and insight to a partnership with FHRC to refine and implement these grants.

FHRC reserves the right to waive any informalities or technicalities and to reject any and all proposals or parts thereof deemed to be unsatisfactory or not in FHRC's best interest. Furthermore, FHRC reserves the right to cancel any order or contract for failure of the successful firm to comply with the terms, conditions and specifications of this request and/or contract.

## General RFP Information

1. FHRC requires a high level of service from any firm who is looking to do business with FHRC. Quality and service are all critical factors that FHRC considers when doing business and in continuing business with a firm. This is especially important when it comes to the requirements of this request. Dissatisfaction due to firm's performance may result in FHRC discontinuing service with a firm.
2. FHRC is a duly organized 501(c)3 non-profit corporation whose members are all municipalities in the Flint Hills Region (see map of Region and location of member communities in Exhibit B).
3. Successful firm shall provide a certificate of insurance upon award as per the requirements of Exhibit "A" attached. Proof of Insurance is required when award is made.
4. All proposals shall be binding for ninety (90) calendar days following the proposal opening date unless the firm(s), upon the request of FHRC, agrees to an extension.
5. Payment for services will be made to successful firm contingent upon owners' acceptance and approval of all work done and/or products provided or services rendered and subject to the EPA payment procedures if applicable. Acceptance as herein means acceptance by FHRC of all work performed or products provided and services rendered, after FHRC has found it to be in compliance with the specification requirement. Mileage, fuel surcharges or surcharges of any kind will not be allowed.
6. Proposals shall be submitted online at [EnvironmentalRFP@flinthillsregion.org](mailto:EnvironmentalRFP@flinthillsregion.org) by 5:00 p.m. CST on October 5, 2017. Late submissions will not be considered.
7. No reimbursement will be made by FHRC 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.
8. FHRC shall be the owners of any and all of the reports, plans, specifications and documents resulting from this RFP and firm shall provide both digital and hard copies of all reports, plans and documents as indicated in this RFP to owner in a format usable to FHRC. Awarded firm shall also waive any rights to copyright protection so Owner may reproduce, distribute and use all reports, plans, specifications and documents as it so chooses.
9. Any proposal/response submitted in conjunction with this request will become a public record, subject to public inspection.
10. Respondents are to list any consultants or subcontractors that may be used to help complete this project.
11. Firms responding to this request are to provide with their proposal, a proposed contract covering all the terms, conditions and specifications for the performance of all work related to grant writing services in this request. If FHRC is awarded an assessment grant by the EPA, at

that time the successful firm will provide FHRC with a separate proposed contract covering all the terms, conditions and specifications for the performance of all work related to assessment grant implementation.

12. All questions resulting in further clarification or modification to this (RFP) document shall be submitted electronically through the strategic sourcing portal. Only formal amendments issued prior to the closing time shall be binding.

13. FHRC 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 FHRC.

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 applications and implementation requirements as well as requirements specified in 40 CFR 200.317 before submitting a proposal for this request.

## **RFP Schedule and Proposal Submission**

### 1. Tentative Schedule

- Proposals in response to this RFP must be submitted to [EnvironmentalRFP@flintheillsregion.org](mailto:EnvironmentalRFP@flintheillsregion.org) by 5:00 p.m. CST on October 5, 2017
- Tentative award decision to be made following the completion of proposal evaluations.
- Project Kick-Off meeting with FHRC following award.
- Grant application shall be completed and submitted to FHRC for review at least seven (7) calendar days prior to FY 2018 US EPA Community-wide Assessment grant deadline and submittal to US EPA.
- Grant implementation subject to the grant application approval by the US EPA.
- If FHRC is awarded an assessment grant, a second Kick-Off meeting with FHRC for grant implementation will take place.

Proposals will be reviewed following a qualifications based selection process with firm's proposals being evaluated from a qualifications standpoint. FHRC will then negotiate the services of completing the grant application and scope of services for implementation if the grant is awarded with the top qualified firm following the evaluation process.

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

## **Project Information and Background**

The FHRC, through this RFP is seeking a qualified environmental consulting firm to provide grant application assistance, project management, environmental inventory and assessment implementation related to the United States Environmental Protection Agency (US EPA) brownfield grants, including but not limited to applications for the US EPA Community-wide Assessment grants for Hazardous Substance Brownfields and Petroleum Brownfields as part of the US EPA Brownfields Grant Competition for Fiscal Year 2017 (FY 2017).

The FHRC will oversee the development of the grant applications and identify numerous brownfield sites to be the focus of the grant application. The successful consultant, under the direction of FHRC will prepare a grant application for US EPA Brownfield Community-wide Assessment grants for hazardous substances and petroleum sites (up to \$600,000).

## **Project Goal**

The intent of this RFP is to comply with FHRC and US EPA federal qualifications based procurement requirements specified in 40 CFR 200.317. The FHRC is seeking qualified firms to assist with securing and, if successful, subsequent implementation of these brownfield grants.

## **Type of Contract and Contract Term**

The FHRC intends to award a contract to one full-service firm to serve as a partner in achieving the goals of preparing successful US EPA grant applications. The contract period will begin immediately following the award of this request. **The successful consultant will prepare the grant applications(s) at its own risk and at no cost to the FHRC.** The contract period will coincide with the grant application period.

If the FHRC is awarded a grant, a second contract will be awarded to the same firm to implement the resulting US EPA Cooperative Agreement(s) (CA) and Work Plan(s), under the direction of the FHRC. The implementation contract will be consistent with the terms and conditions of the Work Plan provided by the US EPA after grant award. The contract period will generally coincide with the grant implementation period.

The intent of the FHRC is to take the grant award monies as far as they will go minus a portion of the grant that may be awarded to the FHRC for community outreach and public participation program as well as allowable administrative costs. The FHRC 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) (CA) 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 FHRC and the US EPA. It is assumed that since the assessment grants are 100% funded, the FHRC would not incur any out of pocket expenses.

## **Scope of Services**

This RFP is to solicit for a qualified consultant who is expected to provide a wide range of services to FHRC for the application and implementation of the US EPA Brownfield Assessment Grant. The successful consultant is expected to perform many tasks including, but not limited to the following:

### **Grant Application – Scope of Services**

1. Complete all necessary research and analysis required to submit a completed grant application(s).
2. Assist FHRC in forming a coalition of governments in the Flint Hills Region by acting as an expert resource and providing information to FHRC about brownfield assessment and remediation.
3. Assist FHRC in compiling any associated demographic data to bolster the grant application.
4. Assist FHRC as needed with the solicitation of letters of support from the State of Kansas, community based organizations, and other regional area stakeholders within the Flint Hills Region.
5. Work with FHRC to facilitate community outreach activities as needed to enhance the grant application.
6. Assist FHRC in prioritizing and selecting the appropriate sites to include in the grant application consistent with the objective of the EPA Brownfield Assessment Grant program.
7. Attend meetings of FHRC and providing professional expertise in discussions regarding preliminary selection of focus sites and updates on grant application progress.

The Brownfield Assessment Grant applications will be developed in partnership with FHRC. FHRC is responsible for the solicitation of letters of support from the State of Kansas and other regional stakeholders within FHRC.

FHRC will review existing comprehensive plans as they relate to redevelopment within FHRC the region and specific site re-use.

## **Grant Implementation – Scope of Services**

1. Implement and coordinate necessary activities as required in the Scope of Service of this RFP and the US EPA Work Plan with FHRC, Kansas Department of Health and Environment (KDHE) , and US EPA Regional staff.
2. Prepare and maintain detailed schedules and budgets for assessment activities.
3. Conduct and oversee all brownfield site assessment activities and studies.
4. Prepare all appropriate technical reports and progress reports as required by the US EPA in the Work Plan and/or required by KDHE in print and electronic format.
5. Evaluation of cleanup options and risk assessment analysis and costs.
6. Preparation of a written Quality Assurance Project Plan (QAPP) in compliance with US EPA regulations.
7. Conduct region-wide brownfield inventory including a petroleum contamination assessment and prioritize sites.
8. Attend meetings of FHRC providing professional expertise in discussions regarding prioritization and final selection of sites and updates on grant implementation progress.
9. Conduct Phase I and Phase II Environmental Site Assessments (ESA) as determined by the FHRC.
10. Delivery to FHRC 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 KDHE programs governing site investigations and remediation in print and electronic format.
11. Conduct field investigations including sample collection and lab analysis.
12. Project management, implementation, and/or technical oversight.
13. Professional advice regarding environmental issues associated with land reuse/redevelopment and related matters.
14. Provide regulatory and financial information as needed.
15. Prepare presentations to provide information about the grant and/or individual project progress as requested.
16. Develop preliminary budget, financing options and implementation plan for remediation assessments and cleanup/reuse.
17. 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 KDHE in print and electronic format that is acceptable to FHRC.

## **Proposal Requirements**

### **General Expectations**

Consultants are asked to submit concise proposals 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 FHRC in preparing a successful grant application and meet the requirements of implementing the US EPA Brownfields Communitywide Assessment Grant should FHRC be awarded. 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 shall be submitted electronically through the City's Strategic Sourcing Portal. Proposals shall be in MSWORD or .pdf format, limited to twenty (20) pages, exclusive of resumes. Charts and spreadsheets may be larger. 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. Also 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 two separate methodologies for both brownfield assessment grant writing services and brownfield assessment grant implementation services as follows:

**Brownfield Assessment Grant Writing Services:**

**Project Methodology** – Provide the following information for grant writing 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 complete and meet all requirements of the U.S. EPA Brownfields Assessment grant application including the firm's approach and methodology to planning, organization and managing this process and how this approach is expected to achieve positive results.
- iii) Address all scope of work issues and indicate how consulting firm will go about accomplishing all the tasks and coordinate the project with FHRC.
- iv) Indicate who you would include or involve in the process throughout the project as well.

## Brownfield Assessment Grant Implementation Services:

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 U.S. EPA Brownfields Assessment grant including the firm's 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 accomplishing all the tasks and coordinate the project with FHRC.
- iv) Indicate who you would include or involve in the process throughout the project as well.

**Experience and Capabilities** – The relevant management experience and the technical experience and capabilities 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 writing and grant implementation.
- ii) Provide examples of your firm's specific knowledge and expertise related to US EPA Brownfield Assessment Grant writing, grant implementation and reporting. Include examples of numerous (3-4) recent (5 years) past, similar successful grant applications and implementations your firm has completed with contact information included so that FHRC may contact the owners as a reference. Include all pertinent contact information (company name, contact person, phone number etc) and describe the project and your firm's involvement with it.
- iii) Also include information on the following:
  - US EPA Grant application preparation experience and success in EPA Region 7.
  - 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 expertise relevant 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 which show a clear understanding of the project goals and tasks, and the ability to cooperatively and conclusively work with FHRC.

## **B. Regulatory and Scientific/Technical Knowledge**

Each proposer shall provide a list of proposed key personnel and their current office location. Provide resume'(s) 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 Illinois 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; epidemiology.
- Risk Analysis: Risk assessment; toxicology; epidemiology; chemistry; air quality; EPA guidance; risk modeling; biology.

- Engineering: Chemical; surveying and mapping; cost estimating; preparation of plans and specifications; methods of resource recovery and alternative hazardous substance treatment; 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; 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 if 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. FHRC may contact these people to check past performance records.

### **Project Meetings**

FHRC expects there could be at least 1 site visit/coordination meeting and several shorter phone check-in meetings with the City's project committee prior to the grant application submission with FHRC. If FHRC is awarded a grant, the consultant will need to plan for periodic meetings with FHRC. An estimated number of meetings during grant implementation will be determined prior to grant application submission.

In addition to the meetings identified above, the consultant will also 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 of this request and the US EPA Work Plan to FHRC's satisfaction. Consultant will also need to plan for area visits to conduct any testing and follow up work that may be required as well.

### **Project Management**

The selected consultant will be required to assume responsibility for all services offered in the proposal, including any services provided by subcontractors. Further, FHRC will consider the consultant to be the sole point of contact with regard to contractual matters, including payment of any and all charges to the subcontractors resulting from the contract. The consultant is responsible for adherence by the 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.

## **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. FHRC 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 which 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, sex, marital status, status with regard to public assistance, sexual preference, disability, or age. When required by law or requested by FHRC, the Proposer shall furnish a written affirmative action plan.

**Fees for Services Provided – Grant Writing Services - US EPA Brownfield Grant Application -**

The successful consultant will prepare the grant applications(s) at its own risk and at no cost to FHRC. The contract period will coincide with the grant application period.

If FHRC is awarded a grant, a second contract will be awarded to the same firm to implement the resulting US EPA Cooperative Agreement(s) (CA) and Work Plan(s), under the direction of FHRC. The implementation contract will be consistent with the terms and conditions of the Work Plan provided by the US EPA after grant award. 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.

Evaluation Criteria Form  
(This form will be used to rate firms Proposals)

<u>Evaluation Criteria</u>	<u>Maximum Pts.</u>	<u>Points</u>
1. <b>Completeness of Proposal:</b> Extent to which completed proposal elements are submitted.	10	_____
2. <b>Professional Experience:</b> The extent to which the firm has demonstrated competence in grant writing, implementation and reporting for US EPA Brownfield Assessment Grants and the extent of former client satisfaction.	30	_____
3. <b>Capacity:</b> 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 write and implement a brownfields assessment grant.	30	_____
4. <b>Project Methodology:</b> The extent to which the firm has demonstrated their approach to manage and implement the grant writing, implementation, reporting and related activities.	30	_____
	TOTAL	100

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**EXHIBIT A**  
**FHRC INSURANCE REQUIREMENTS**  
**INSURANCE REQUIREMENTS FOR ARCHITECT, CONSULTING ENGINEER &**  
**CONSTRUCTION MANAGER**

**I. 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.

Commercial General Liability coverage (the FHRC shall be named as an additional insured)

1. General aggregate limit (Other than Products-Completed Operations)	per project	\$2,000,000
2. Products-Completed Operations Aggregate	per project	\$1,000,000
3. Personal and Advertising Injury Limit		\$1,000,000
4. Each Occurrence Limit		\$1,000,000
5. Fire Damage limit – any one Fire		\$ 50,000
6. Medical Expense limit – any one Person		\$ 5,000

B. Automobile Liability coverage with minimum limits of \$1,000,000 combined single limit per accident for bodily injury and property damage.

C. Workers’ Compensation as required by the State of Kansas. Minimum coverage shall be statutory limits.

Exhibit B. The Flint Hills Region – Seven Counties and the Municipalities that Are Members of FHRC.

