“Environmental Assessments on Petroleum Brownfield Sites”

Request For Qualifications

PROGRAM GUIDE & APPLICATION INSTRUCTIONS

Administered by the
West Virginia Brownfields Assistance Center at Marshall University

A program of
Marshall University’s Center for Environmental, Geotechnical and
Applied Sciences (CEGAS)

Under direction of the
West Virginia Department of Environmental Protection

Division of Land Restoration

Funded by the
Environmental Protection Agency

Brownfields and Land Revitalization Program

(May 4, 2015)
Environmental Assessments on Petroleum Brownfield Sites

General Instructions

- Please read application materials prior to completing the application.

- Applications are due on or before June 1, 2015. Late or incomplete applications will not be considered. Completed applications may be sent through U.S. Postal Service, commercial delivery service, or electronically.

HARD COPY SUBMISSIONS

- Proposals sent through the U.S. Postal Service or commercial delivery service must be postmarked by June 1, 2015. Mail one (1) complete proposal to:

  Marshall University-CEGAS
  Center for Environmental, Geotechnical and Applied Sciences
  1 John Marshall Drive
  Huntington, WV  25755-2585
  RE:  Request for Qualifications
  Environmental Assessments on Petroleum Brownfield Sites
  Attn: Teresa Buckland, Manager Development & Operations

ELECTRONIC SUBMISSIONS

Qualification packages submitted via email must be submitted to buckland@marshall.edu no later than 5:00 p.m. Eastern Time on June 1, 2015. In the subject line, please include the following:

  Request for Qualifications – Environmental Assessments on Petroleum Brownfield Sites

Note: The applicant accepts all risks associated with email submissions, including server delays and transmission interruptions and related difficulties.

- For RFQ application questions, please contact:

  Teresa Buckland
  Marshall University
  Center for Environmental, Geotechnical and Applied Sciences (CEGAS)
  304-696-3568
  buckland@marshall.edu

- For TECHNICAL questions, please contact:

  George Carico
  Environmental Manager
  Marshall University Center for Environmental, Geotechnical and Applied Sciences (CEGAS)
  West Virginia Brownfields Assistance Center at Marshall University
  304-696-5456
  carico@marshall.edu
**Background**

The West Virginia Department of Environmental Protection (WVDEP), Division of Land Restoration (DLR) was successful in securing an Environmental Protection Agency (EPA) Brownfield Petroleum Assessment grant in the spring of 2014. The DLR entered into a cooperative agreement with the EPA for performance of this project, and more recently completed partnering arrangements with the West Virginia Brownfield Assistance Center (BAC) at Marshall University, through its Center for Environmental, Geotechnical and Applied Sciences (CEGAS), for project administration and related activities.

**Project Description, Project Funding Summary and RFQ Purpose**

The community-wide petroleum assessment grant awarded to DLR is structured toward performance of environmental assessments on sites with significant redevelopment potential. While grant funding can be used on properties across the State of West Virginia, a major focus of this grant is for sites along and in close proximity to the Route 19 Mountaineer Expressway Corridor and associated regions in Raleigh, Fayette and Nicholas Counties. A major objective of this project is to determine if potential sites of interest have past and/or current petroleum issues that may hinder future redevelopment plans. Former gas stations, bulk petroleum facilities and former business locations are potential types of sites to be investigated.

The grant performance completion date is currently set for September, 2017. A total of $200,000 has been made available to DLR. Approximately $147,500 of this amount is anticipated to be used for conducting Phase I and Phase II environmental assessments. Remaining funds will be used for outreach and involvement of communities along the Mountaineer Expressway Corridor, initial site evaluation and priority ranking, site reuse and remedial planning evaluation, and program oversight. CEGAS, through its designated contracting agent (Marshall University Research Corporation) will act as the agent for subcontracting environmental assessment activities.

The purpose of this Request for Qualifications (RFQ) is to select an experienced, professional environmental consulting firm (referred to herein as “the respondent”) that will provide the highest quality service at a competitive fee. Accordingly, technical qualifications and experience will be weighed heavily in this selection process and objectively scored by an independent selection committee of faculty and staff from within Marshall University.

Once all Statements of Qualifications (SOQs) have been evaluated and scored, the Respondent receiving the highest overall score will be invited to present their qualifications and experience to the selection committee. Respondent personnel who would be assigned to the project must participate in the presentation. If the Respondent is considered appropriately qualified for the project, a final proposal will be requested that will include fee schedules and related costs of subject services. If the fees and/or
terms of the final proposal are deemed unacceptable by the selection committee and a mutually beneficial agreement is unable to be negotiated between the parties, then the next highest scoring Respondent will be invited to present their qualifications and experience to the selection committee and, if deemed qualified, invited to submit a final proposal for potential negotiation. This process will continue until a final Agreement is negotiated.

CEGAS reserves the right to reject all SOQ packages and make no subsequent award in the event no agreement is successfully negotiated with any of the three most highly scored Respondents.

**Program Schedule**

- May 4, 2015 Announcement for RFQ Package
- June 1, 2015 Last Date to Submit RFQ Packages

All Statement of Qualification (SOQ) packages will be evaluated and scored within 14 days of submittal and the three highest scoring Respondents will be notified of their position. It is currently anticipated that the top scoring Respondent will be invited to make a presentation to the selection committee during the week of June 15, 2015, or the following week of June 22, 2015. Project activities are anticipated to begin immediately upon execution of a resulting sub-contractual agreement.

**Scope of Work**

The Respondent selected will be expected to complete the following tasks:

- Complete Phase I environmental site assessments compliant with the “All Appropriate Inquiry” standard as specified by the EPA on selected petroleum brownfield sites identified. It is anticipated that up to 8 Phase I site assessments may be conducted as part of this project, following All Appropriate Inquiry guidelines as established by EPA.
- Phase I results will be used to develop a scope of work for targeted Phase II environmental site assessments at selected sites. It is anticipated that up to 5 Phase II site assessments following ASTM 1903-02 “Standard Guide for Environmental Site Assessments: Phase II Environmental Site Assessment Process” will be conducted as part of this project, dependent upon available funding. The Phase II environmental site assessments will include the sampling of potentially impacted media (e.g. soil, groundwater, surface materials and/or surface water, building materials). Where appropriate, cost-saving techniques (e.g., field screen technologies) should be used to maximize the use of grant monies and reduce the overall costs of the investigation.
A quality assurance project plan (QAPP) will be submitted to EPA for the overall project by DLR. The environmental Respondent will be required to assist in development of this plan. The environmental Respondent will be responsible for completing a sampling and analysis plan, and a site-specific health and safety plan, for each Phase II investigation. Specific sites may also be evaluated with respect to eligibility for future cleanup and revitalization funding and assistance, including possible applications to the West Virginia Voluntary Remediation Program, if applicable.

Assist in coordination among applicable regulatory agencies to ensure all site assessment requirements, including EPA health and safety plans and EPA quality assurance/quality control requirements, are met.

Assist in development of site remediation plans that may potentially include:

- Review of all applicable federal, state and local regulations and guidelines;
- Identification of necessary remediation activities, as required by federal, state and local regulation;
- Identification of various applicable and potential innovative and/or cost reductive remediation technologies to complete required cleanup;
- Creation of a draft timeline for site remediation, based on obtained results;
- Generation of remediation costs estimates, based on Phase II investigations.

Enter all sites approved for use of EPA grant funds into the EPA’s Assessment, Cleanup and Redevelopment Exchange System (ACRES) database. All sites approved for use of EPA grant funds will be entered into the EPA’s Assessment, Cleanup and Redevelopment Exchange System (ACRES) database by the environmental consulting firm. Updates to ACRES will be performed as necessary throughout the agreement timeframe.

Provide assistance to the BAC and DLR, if needed, with community outreach, such as public meetings, neighborhood planning meetings, and town meetings to discuss the project and related activities. This may involve attending and participating in up to three public, neighborhood and/or town meetings during the project performance period.

**RFQ Package Format**

Respondents to the Request for Qualifications should submit one copy of their proposal to the location shown on the “General Instructions” section of this document (page 2). Proposals should be submitted on 8.5 x 11 inch paper, single-sided, with type font of no less than 12-point and must be bound by staple, three-ring, or spiral binder. Proposals
must be no longer than 15 pages, including attachments, and the pages of the proposal must be numbered.

The respondent’s RFQ package is required to conform to the following order and divisional sectioning, separated by tabs for easy reference:

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cover Page</td>
<td>On Company letterhead, and must include name of the firm; mailing address; telephone and fax numbers, and email address of primary contact person. The primary contact person must sign the cover page.</td>
</tr>
<tr>
<td>Section 1</td>
<td><strong>Understanding of General Project.</strong> At a minimum, all contractors must show their capability to perform the required duties as outlined in this RFQ. In preparing a response to this RFQ, consultants should demonstrate their familiarity with EPA Brownfield community-wide assessment projects, and especially petroleum-based assessments. In addition, their understanding of the role they will play in the project, and how they plan to interact with other parties involved, mainly the BAC and DLR. This response should include a description of the methodology(ies) generally used by the consulting firm in the planning, designing and completing of Phase I and Phase II petroleum-based environmental assessments. This response should include general projected time frames required for completing assessments of this type (e.g. – Phase I assessment is completed within 14 days of notice to proceed). Responses should also detail how the consultant plans to conduct the required work within the $147,500 allotted budget, and steps the consultant believes should be taken to maximize allotted funds for Phase I and Phase II activities. The response must include a statement verifying the consultant has completely reviewed this RFQ and accepts all of its terms. Any exceptions to any of the terms of the RFQ must be noted in this section. The response must also verify that the respondent is not currently, and has never been, debarred or suspended by the EPA.</td>
</tr>
</tbody>
</table>
Section 2  

Relevant Experience. The respondent should demonstrate its level of experience in completing environmental site assessments at brownfield sites, with emphasis on petroleum-contaminated sites. Previous project experience should be detailed. Respondents should provide each of the following for at least two different petroleum-based projects:

- Information about the location and nature of the redevelopment project.
- Contact information for the client on the project. The BAC reserves the right to contact this person as a reference.
- Information on the role that was played by the respondent;
- Illustrate how the respondent worked in coordination with regulatory agencies;
- Discuss how the project was ultimately completed;
- Discuss whether the project was completed within the planned timeframe and budget;
- Show how the respondent used any creative or innovative ideas or techniques to complete the project more effectively, efficiently, or expediently.

Respondents should also include any project experience on petroleum-based projects directly involving the EPA and/or West Virginia Department of Environmental Protection.

Section 3  

Project Team Description. The responding firm must formally identify itself and its business affiliates by providing legal name, address, telephone number, contact persons, and contact person’s telephone and fax numbers, and email address. If the consultant is responding to this RFQ as part of a joint venture or in association with any other firms, the response must note this and provide the contractual relationship between the respondent and its associate(s).

The response must provide a narrative description of the proposed project team, as well as a chart or table describing each team member and their relationship to the other team members. The response must detail each organization and individuals involved and the relationships between them. Key personnel shall be noted by name and title and information regarding the expertise and responsibility of these key personnel must be provided. This section must specifically denote a proposed project manager who will be the CEGAS’s main point of contact for the project.
The response shall include the following information for each key team member:

- Academic degrees earned;
- Professional licenses held (including verifying documentation);
- Specialized skills or supplementary training;
- Professional experience relevant to the work required by this project;
- How their skills and previous experience relates to the technical requirements of the position they will hold on the project team.

Any proposed project team member who is not an employee of the responding firm or one of its associates must be identified. If such exists, the response must indicate why that person is included on the proposed team. As part of the requirements for conducting this project, all laboratory analysis (i.e. soil, groundwater, surface water, etc) must be performed by a West Virginia Certified Laboratory.

Section 4  
**Quality Assurance / Quality Control Project Plan.** Fully describe the quality assurance (QA) and quality control (QC) plans, requirements, measures and/or procedures to be enacted by the consultant for successfully conducting the work.

Section 5  
**Insurance.** Provide a certificate of insurance to verify the insurance program in place is adequate to guarantee successful completion of the project.

**Evaluation Criteria**

The criteria that will be used in the evaluation of each proposal will be as follows:

(1) **Understanding of General Project** (25 points possible): Quality and succinct completeness of the proposal in demonstrating the consultant understands the scope of work and required duties to be performed, the methodology(ies) proposed to complete tasks, performance objectives, cost saving measures identified, time frame requirements for completion of specific assessment activities, role in the project and relationship to other agencies and partnering entities, and has met stated verification requirements.
• **Relevant Experience** (25 points possible): Relevant EPA brownfield assessment project experience; relevant DLR agency experience, and most importantly, relevant petroleum-based environmental assessment experience.

• **Project Team Description** (25 points possible): Quality and succinct completeness of the proposal in demonstrating that the consultant has personnel experienced in brownfield redevelopment projects in West Virginia and, in particular, with petroleum contaminated sites; qualifications of key personnel assigned to the project.

• **QA/QC Project Plan** (20 points possible): The QA and QC plans, requirements, measures and/or procedures to be enacted for conducting the work.

• **Insurance** (5 points possible): The consultant’s insurance program is adequate to guarantee successful completion of the project.

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**Miscellaneous Provisions for Successful Respondent**

1. The selected Qualified Environmental Professional Respondent agrees to comply with all Federal, State, and City laws and policies.

2. In its performance of work, Respondent shall be an independent entity and shall not be considered in any way an employee or agent of Marshall University Research Corporation/Marshall University/CEGAS/BAC or DLR.

3. Each party to a subsequent Agreement agrees that it will be responsible for its own acts and omissions and the results thereof; and, shall not be responsible for the acts and omissions of the other party and the results thereof. Each party agrees that it will assume all risk and liability to itself, its agents, or its employees for any injury to persons or property resulting in any manner from conduct of its own operations and the operations of its agents or employees under the Agreement. NEITHER PARTY SHALL BE LIABLE FOR ANY INDIRECT, CONSEQUENTIAL, OR OTHER DAMAGES SUFFERED BY THE OTHER PARTY, ANY AFFILIATE, LICENSEE, OR ANY THIRD PARTY RESULTING FROM THE OTHER PARTY’S, ANY AFFILIATE’S, LICENSEE’S OR ANY THIRD PARTY’S USE OF THE STUDY DATA OR ANY INTELLECTUAL PROPERTY, WHETHER TANGIBLE, CONCEIVED, DISCOVERED OR DEVELOPED UNDER THE AGREEMENT.

4. The Subcontractor acknowledges that pursuant to 37 CFR 401 the federal government has certain rights under this Agreement, including a royalty-free, non-exclusive, non-transferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the United States throughout the world.

“Project Intellectual Property” means the legal rights relating to inventions, patent applications, patents, copyrights, trademarks, mask works, trade secrets, and any other legally protectable information, including computer software, date and documents, first made or generated during the performance of this Agreement. Unless otherwise agreed in writing, Project Intellectual Property shall be owned by the party whose employees make or generate Project Intellectual Property. Jointly made or generated Project Intellectual Property shall be jointly owned by the Parties unless otherwise agreed in writing.
(5) Except in reports and communications to MURC pursuant to this Agreement, neither party will use the name of the other in any advertising or other form of publicity without the written permission of the other party.

(6) The provisions of the research agreement between the WVDEP/USEPA and MURC shall apply to the Subcontractor.

(7) Ownership of Data: All information and data collected or derived from any resulting Agreement will remain the property of USEPA. The Subcontractor cannot use this information or data for any other purpose without the written permission of the project officers.

(8) The selected Respondent will agree to provide sufficient labor and materials, within the awarded amount, to complete all work in a safe, satisfactory and timely manner.

(9) As a subawardee, selected respondent will be subject to the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS)