

REQUEST FOR QUALIFICATIONS (“RFQ”)

CITY OF MANITOWOC, WI PROCUREMENT AND IMPLEMENTATION OF BROWNFIELDS GRANTS AND INITIATIVES

***RFQ Release Date: December 12, 2022
Statement of Qualifications Due Date: January 20, 2023***

1. GENERAL INFORMATION

1.1 Purpose of this Request for Qualifications

The City of Manitowoc (City) THROUGH THIS Request for Qualifications (RFQ) is seeking a qualified environmental consulting (QEC) firm to provide services for: i) pursuing, writing, submitting and implementing grants to support investigation and cleanup activities on brownfield sites contaminated with hazardous substances and/or petroleum; ii) fulfilling administrative requirements related to awarded grants including, but not limited to, community outreach and report writing; iii) environmental and planning services required by secured funding including, but not limited to, environmental assessment and remedial planning; vi) project management services including, but not limited to, oversight of cleanup activities as well as monitoring and enforcement of institutional controls.

This solicitation is not specific to any site, property or environmental task. The City’s intent for the QEC is to seek out and apply for grant opportunities for eligible sites city-wide that are owned by the City, privately owned properties (for which a legal right of entry has been granted to the City), or properties that may be considered for acquisition. The work may be funded through grants obtained by federal, state or local funds, or any combination thereof. The QEC selected from this RFQ will be required to perform all types of work related to the grants regardless of the funding source and will be responsible for observing all grant agency requirements. Moreover, the successful QEC will prepare all grant applications at a cost to be determined through individual task orders on a case-by-case basis with the City of Manitowoc. In general, the successful QEC will bring experience and insight to a partnership with the City to explore, obtain and implement grants and other brownfield initiatives as they become available.

It is recognized that the consultant may utilize subconsultants and/or approach the project as a team with other firms; however, the City wishes to contract with one (1) firm that will act as the project lead to fulfill grant application and implementation obligations pursuant to any grants awarded under this contract. For each grant awarded to the City, a separate task order will be executed with the same QEC awarded this contract to implement the resulting grants consistently with the terms and conditions of the grant award.

The City's Department of Community Development is requesting qualifications from professional environmental consultants. The purpose of this RFQ is: (i) to set forth the requirements and procedures for the submission of qualifications from qualified consultants interested in performing the desired work; and (ii) to perform the various environmental services and associated functions detailed herein, and related to these grants within the City. This RFQ includes pertinent introductory information, describes the work desired, sets forth the submittal requirements, and describes the consultant selection procedures to be followed. This RFQ is intended to comply with the federal procurement requirements listed in 40 CFR 31.36 "Procurement", and 40 CFR Part 35, Subpart O, "Cooperative Agreements and Superfund State Contracts for Superfund Response Actions", "Procurement Requirements Under a Cooperative Agreement" (35.6550).

1.2 Background Information

Manitowoc's recent population estimate is 34,626 and has an area of 4.57 square miles and serves as the county seat of Manitowoc County.

Over the past decade the City has pursued developing an aggressive brownfields program and as a result has received a number of grants totaling nearly \$3 million with an additional \$1 million in revolving loan funds. This funding has been critical to both the investigation and remediation of multiple sites within the City including the former Mirro Plant 9 site and portions of the former CN Peninsula (current River Point District) among others. The city intends to continue to aggressively pursue funding to address the eleven open sites remaining, per The Wisconsin DNR BRRTS database.

1.3 Type of Contract and Contract Term

The City shall award a five-year contract to one, full-service firm to serve as the lead in achieving the goal of preparing successful grant applications related to supporting investigation and cleanup activities on brownfield sites contaminated with hazardous substances and/or petroleum. The contract period will extend from February 2023 through February 2028 and may be extended at the option of the City.

For any grants awarded to the city under this contract, a separate task order will be executed with same firm to implement the resulting grant(s) under the direction of the City. The implementation contract will be consistent with the terms and conditions of the grant award and will generally coincide with the grant implementation period.

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. It is assumed that unless a grant is not 100% funded, the City would not incur any out-of-pocket expenses other than City administrative staff time.

1.4 Addenda, Rejection, Cancellation, Preparation Cost

The City reserves the right to revise any part of this RFQ by issuing an addendum at any time prior to the submittal deadline. The City reserves the right to accept or reject, in whole or part,

all Statements of Qualifications (SOQ) submitted and/or to cancel this announcement if any such action is determined to be in the City's best interest. All materials submitted in response to this RFQ become the property of the City. The City will not be responsible for costs associated with preparing SOQs. By submitting a SOQ, each Consultant agrees to be bound in this respect and waives all claims regarding such costs and fees.

2. PROJECT CONTACTS

Adam Tegen, Director of Community Development
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3. TECHNICAL SPECIFICATIONS

3.1 Objective and Scope

The overall goal of this work will be to clear the way for redevelopment of brownfield properties, and to ensure public health and environmental protection. Therefore, the City is seeking firms with demonstrated professional and technical experience related to brownfield grants. The QEC is expected to provide guidance and assistance to the city for a wide range of services including, but not limited to;

- Preparing and submitting complete final grant applications following administering agency requirements and regulations.
- Conducting, overseeing and completing Phase I and Phase II Environmental Site Assessments (“ESA’s”);
- Asbestos and lead-based paint surveys, sampling and analyses;
- Prepare and maintain schedules and budgets for assessment or cleanup activities.
- Prepare technical reports requested by federal, state and local entities that have awarded grants;
- Field investigations including sample collection and lab analysis;
- Evaluation of cleanup options and risk assessment analysis and costs;
- Planning, market feasibility research, and post-remediation development and redevelopment experience related to selected sites;
- Project management, implementation, and/or technical oversight;
- GIS and digital mapping services;
- Attend meetings of the city and advisory committees as requested;
- Prepare presentations to provide information about the Grants or specific project progress as requested;
- Facilitate community outreach activities with local municipalities, and involve public and private opportunities for citizen participation throughout all phases of the project;

- Implement site specific cleanup or remediation;
- Coordinate project activities with applicable agencies including, but limited to, the U.S. EPA, USDA and Wisconsin Department of Natural Resources;
- Preparation and completion of quarterly, annual financial and progress reports as they may be required for each grant;
- Identification and quantification of building materials and equipment that might require special handling and disposal;
- Hydro-geologic investigation;
- Groundwater fate and transport analysis and modeling;
- Remedial action design;
- Plans for corrective action sampling and closure;

3.2 Project Budget

The budget for any grant funding awarded under this contract will developed as part of a separate task order and negotiated with the consultant if and when such funding becomes available.

4. STATEMENT OF QUALIFICATIONS REQUIREMENTS

4.1 General Expectations

Consultants are asked to submit concise SOQs describing their capacity to manage projects and their experience with similar projects. The SOQs should include a clear outline of how the firm would help the City in preparing and submitting successful grant applications as well as implementing grants should any be awarded to the City.

Samples of brownfield site inventories, Phase I and Phase II environmental site assessments, remedial action plans and reports are expected as part of your SOQs. Consideration should be given to the tasks, budget details, community outreach, and participation.

4.2 Review Criteria

The City will review the SOQs with the following criteria in mind, as weighted below: expertise (in particular, expertise in successfully securing funding), brownfields experience, project approach, familiarity with community, ability to facilitate public outreach activities, costs, and the ability to provide comprehensive environmental services. The City reserves the right to accept or reject SOQs on any basis it deems appropriate. The SOQ shall include the following information in the order presented below:

- **Business Organization (10pts).** 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 and/or prospective project manager regarding the SOQ shall be included. If subcontractors/sub consultants are being utilized, similar information should be included for all subcontracted firms.
- **Management Outline and Project Approach (30pts).** A description of the project

and how the consulting firm will first prepare successful applications on behalf of the City, and then manage and implement resulting grants and any related activities shall be provided. This section shall include the applicant's approach to community outreach activities, planning, organization, and management. Based on past experience, an estimate as to the number of Phase I, Phase II and response action plans that would be completed within the contract time period of five years, assuming the City is successful in obtaining grants, should be included. Each consulting firm shall provide a list of proposed key personnel.

- **Experience and Capabilities (40pts).** The relevant management and technical experience and capabilities of the consulting firm shall be defined with respect to the following activities:

A. Project Experience of Key Personnel:

- Provide information on your firm's specific abilities and qualifications to provide professional services for brownfield grant writing and grant implementation.
- Number of brownfield grant applications (federal, state and local) written and success rate.
- Conducting brownfields inventories, Phase I and Phase II ESAs.
- Conducting environmental investigations and cleanups.
- Brownfield grant project experience.
- Redevelopment planning and community involvement activities related to brownfields properties.
- Designing and managing brownfields remediation strategies.
- Other areas of expertise relevant or unique experience related to brownfield grant implementation (optional).

B. Regulatory and Scientific/Technical Knowledge:

- Knowledge and expertise pertaining to brownfield grant writing and implementation of successful grants.
- Knowledge and expertise pertaining to federal and state environmental statutes and/or associated regulations.
- Knowledge and expertise pertaining to federal and state environmental, laws, and regulations.
- Knowledge and expertise pertaining to OSHA and other health and safety rules or requirements related to Brownfields Assessments.
- Individual staff knowledge and technical experience relative to ESAs, brownfield projects and contaminated site remediation.

- Knowledge and expertise with Davis-Bacon reporting and requirements, federal procurement, and MRE/SBE/WBE compliance
- **Cost (20pts).** The SOQ should address the capacity of the consultant to provide the work with a schedule and amount to be determined at a later date. It is expected that the consultant shall be capable of supporting two (2) or more qualified investigative teams at the same time. A current fee schedule shall be provided, as well as a listing of typical project expense rates including vehicle mileage, equipment fees, and other resource charges commonly applied to the scope of work noted in the RFQ. Specify the mark-up rates/fees for laboratory or other sub-consulted services. SOQ prices shall be maintained through the evaluation/selection period as well as the term of the Grants.

All representative project descriptions provided shall include the location of the project, the name and phone number of a knowledgeable contact person, and other pertinent information. The City may contact said persons to check on past performance records.

The selected consultant will be required to assume responsibility for all services offered in the SOQ, including any services provided by subcontractors. Further, the City will consider the consultant to be the sole point of contact with regard to contractual matters, including payment of any and all charges 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 have worked together should be noted.

4.3 Terms and Conditions

The process of selecting organizations to provide consultation services for the City's benefit requires comprehensive and accurate information to ensure that a knowledgeable, objective decision can be made.

The City reserves the right to accept or reject any or all SOQs of portions thereof without stated cause. The City reserves the right to re-issue any RFQ, and whether or not to utilize the contract for this grant for future projects funded by U.S. EPA or other brownfields grants.

Upon selection of a finalist, the City by its proper officials shall attempt to negotiate and reach a final agreement with the finalist. If the City, for any reason, is unable to reach a final agreement with this finalist the City then reserves the right to reject such finalist and negotiate a final agreement with another finalist who has the next most viable SOQ. The City may also elect to reject all SOQs and re-issue a new RFQ.

Clarification of qualifications: The City reserves the right to obtain clarification of any stated Consultant's qualification or obtain additional information. Any request for clarification or other correspondence related to the RFQ shall be in writing or email, and a response shall be provided within 2 business days.

The City is not bound to accept the SOQ with the lowest cost, but may accept the SOQ that demonstrates the best ability to meet the needs of the City. The City reserves the right to waive any formalities, defects, or irregularities, in any SOQ, response, and/or submittal where the acceptance, rejection, or waiving of such is in the best interest of the City. The City reserves the right to disqualify any SOQ, before or after opening, upon evidence of collusion, intent to defraud, or any other illegal practice on the part of the Consultant.

4.4 Rules Governing Competitive Evaluation

1. Examination of Request for SOQs

Applicants should carefully examine the entire RFQ, any addenda, and all related materials and data referenced in the RFQ. Applicants should become fully aware of the nature of the work and the conditions while performing the work.

2. SOQ Acceptance Period

The selection of a consultant with which to begin contract negotiation is expected to occur following the submittal deadline. Consultant interviews may be deemed necessary by the City.

3. Contract Negotiations

The highest-ranked applicant will enter into negotiations with the City. If an agreement cannot be met, the City will notify the applicant and stop negotiations. Then the second highest applicant will enter into negotiations. This process may continue until a successful negotiation(s) occurs. The City reserves the right to cease any negotiations with any applicant should it be in the City's best interest.

4. Personnel Changes

Prior to the execution of any contract for the requested services, the Consultant shall notify the City, in writing, of changes in key staff. The City shall have the right to terminate or renegotiate the contract if these changes will affect any work product or agreed upon timetables.

5. Compensation

Compensation will be determined by the grant award and will be detailed within the budget developed as part of any awarded grant. It is assumed that unless a grant is not 100% funded, the City would not incur any out-of-pocket expenses other than City administrative staff time.

6. Contract Time

The Consultant shall proceed with the services specified after the execution of the contract and upon written notice from the City. The estimated contract duration for the requested services will be five years, beginning February 2023 and terminating February 2028. The QEC will also be expected to stay on for the actual duration of the

implementation period of any grant which will be determined under separate task orders for each grant secured during the contact period. The actual duration will be specified in the contract along with options for renewal and extension.

7. Insurance Requirements

The successful Consultant will be required to provide proof of required insurance coverage, naming the City as an additional insured, to the City Attorney prior to the start of work. The minimum requirements include at least \$2,000,000 general liability on an occurrence basis, evidence of automobile liability, and statutory workers compensation.

4.5 RFQ Time Schedule

Tentative timeline for completion of this request for qualifications is outlined below.

1. December 12, 2022: Formal release date for RFQ
2. January 20, 2023 by 4:00 p.m (CST): Deadline for submittal of SOQs
3. February 3, 2023: Notification of award
4. February 24, 2023: Contract Start Date

SOQs are to be emailed to the recipient listed below and labeled as: **2023-2028
PROCUREMENT AND IMPLEMENTATION OF BROWNFIELD GRANTS**

4.6 Number of SOQs to Submit; Deadline, Email Addresses

One (1) copy of the SOQ must be digitally submitted by 4:00 p.m. CST on January 20, 2023 to the following email address:

Email: ategen@manitowoc.org

Phone: (920) 686-6930

5. Vendor Requirements

5.1 Equal Employment Opportunity

The Consultant 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 the City, the Consultant shall furnish a written affirmative action plan.

5.2 Health and Safety Requirements

All individuals that will be conducting on-site activities at properties with known or potential contamination must have appropriate health and safety training, to include 40-hour hazardous waste site operations and 8-hour refresher courses. A site-specific HSP must be prepared by a certified safety professional or certified industrial hygienist, and submitted prior to conducting on-site work. The SOQ should provide an example outline, or a description of the type of information that will be included in the HSP.

5.3 MBE/WBE Utilization Requirements

The proposal shall address the approach the consultant will use to meet U.S. EPA's "fair share" objectives with respect to Small ("SBE"), Minority ("MBE"), and Women's Business Enterprises ("WBE"). The description will detail how local, state and federal requirements will be achieved and provide evidence of current performance. U.S. EPA's "fair share objectives" are detailed in 40 CFR, Part 33, Subpart D (33.401), and will be specified as part of the CA. The consultant will also need to comply with U.S. EPA's six "good faith efforts" as detailed in 40 CFR, Part 33, Subpart C (33.301).