

Androscoggin Valley Council of Governments  
125 Manley Rd  
Auburn, ME 04210

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**REQUEST FOR QUALIFICATIONS**  
**Androscoggin Valley Council of Governments Brownfield Revolving Loan Fund**

**Contact:** Amy M. Landry, Executive Director  
Androscoggin Valley Council of Governments  
125 Manley Rd, Auburn, ME 04210  
[alandry@avcog.org](mailto:alandry@avcog.org)

**Date of Issue:** August 27, 2018

**Deadline:** September 19, 2018 by 4:00pm

**Date of Selection:** September 28, 2018

## **1.0 Background**

The Androscoggin Valley Council of Governments (AVCOG) region is composed of the towns located in Androscoggin, Franklin and Oxford Counties. Androscoggin Valley Council of Governments works with member towns in the areas of land use planning, economic and community development, and transportation planning.

AVCOG has been working with member towns, development corporations and environmental consulting firms to inventory, categorize, prioritize, and complete environmental assessments on several of the region's brownfield sites. AVCOG recently received a Brownfields Cleanup Revolving Loan Fund Grant from the Environmental Protection Agency (EPA) to set up a Brownfields Revolving Loan Fund (BRLF). This grant will allow AVCOG to give out low-interest loans for environmental cleanup to owners of brownfield properties. Subgrants will also be available to municipal and nonprofit owners of brownfield sites.

Under this contract, AVCOG is seeking a Consultant to serve as Environmental Professional on brownfield properties for which a loan or grant has been obtained through the BRLF. The Environmental Professional will review work plans and ensure that cleanup projects are being conducted in accordance with state and federal requirements. *NOTE: The consultant who is hired to be Environmental Professional for the BRLF may not be in charge of cleanup on any of the sites for which property owners are seeking grants or loans.*

## **2.0 General Terms and Conditions**

The prospective QEP replying to the RFQ will be or represent a firm, company or corporation possessing experience and expertise in environmental risk assessment and management plans, quality assurance project plans, groundwater and soil sampling, remediation strategies and clean-up programs,

and the professional standards thereof, to undertake and successfully complete the Scope of Work outlined in Attachment A.

2.1 Proposal Preparation

The prospective QEP is to follow the instructions contained in Section 5.0 of this document in preparing and submitting a response to the RFQ.

2.2 Economy of Preparation

Proposals should be prepared simply, providing a straightforward description of the prospective QEP's ability to satisfy the requirements of the RFQ. Emphasis should be on completeness and clarity of contents. Proposals with excessive information and exhibits beyond those outlined in the RFQ may be viewed unfavorably.

2.3 Cost Liability

AVCOG assumes no responsibility and no liability for costs incurred relevant to the preparation and submission of the RFQ by prospective QEPs, or any other costs prior to issuance of a contract.

2.4 Revisions to the Request for Proposal

In the event it becomes necessary to revise any part of this RFQ, revisions will be provided to all who received the RFQ and submitted contact information and an email address to AVCOG. AVCOG shall bear no responsibility or liability due to copies of revisions lost in mailing or not delivered to a prospective QEP due to unforeseen circumstances.

2.5 Selection of Proposals

The contractor(s) selected for the Brownfields Program will be determined through a review of the submitted RFQ materials. If an interview process is needed the companies with the highest proposal scores will be interviewed by a three (3)-person panel and evaluated based on their knowledge of the brownfields process, their understanding of conducting site assessments, knowledge of the Brownfields Revolving Loan Fund Program and cleanup requirements and their ability to communicate effectively.

2.6 Successful QEP Responsibilities

The successful QEP will be required to assume sole responsibility for the complete project as required by this RFQ. The AVCOG will consider the successful QEP to be the sole point of contact with regard to contractual matters, whether or not subcontractors are used by the successful QEP for one or more parts of this project.

2.7 Subcontracting

Subcontracting will be allowed for tasks required by this RFQ but is not recommended. Any intent to subcontract on the part of the prospective QEP must be specifically described in the proposal. AVCOG reserves the right to approve the use of all subcontractors. If subcontracting is planned, the QEP will be asked to submit the firm(s) name(s), location(s), contact person(s), phone number(s), names of responsible operating officers, and evidence of any required insurance, permits, and licensing/authorization of proposal documents.

2.8 Assignment

The successful QEP is prohibited from assigning, transferring, conveying, subletting, or otherwise disposing of the contract or its rights, title, or interest therein or its power to execute such contract to any other person, company, or corporation without prior written consent and approval by AVCOG.

## 2.9 Ownership of Material

All rights, titles to and ownership of the data, material, and documentation resulting from this project and/or prepared for the pursuant to this contract shall remain exclusively with the AVCOG and/or its member towns. The prospective QEP shall be paid for all service as will be specified in the contract.

## 2.10 Access to Records

In addition to terms stated elsewhere in the RFQ, AVCOG or any of its member towns shall have access, upon demand, to any books, documents, papers, and records of the successful QEP which are directly pertinent to this contract, for the purposes of making audit examinations, excerpts, and transcriptions. The successful QEP shall insert identical rights of access for these parties into any subcontractor agreement the successful QEP enters into under this contract. This right shall be reserved by AVCOG for the term of the contract and for five (5) years from the date of final payment.

## 2.11 Project Coordination

The Executive Director or its designee will serve as Project Coordinator and shall act as liaison between the successful QEP, Loan and/or Finance Committee and prospective borrowers or sub grantees. After award of contract, all inquiries and correspondence shall be directed to the Project Coordinator.

## 2.12 Compliance with Federal, State and Local Laws

A contract between the AVCOG and the QEP will be subject to and be in accordance with all Federal, State, and local laws as may be applicable. Funding for this contract is provided through a U.S. Environmental Protection Agency Brownfields Cleanup Revolving Loan Fund Grant. The QEP, in designing the work plan, must take into account compliance with all applicable regulations in Code 40 of Federal Regulations Part 31. Prospective QEPs are advised to review all federal regulations before submitting a proposal.

## 2.13 Small Business in Rural Areas

The EPA encourages the participation of Small Businesses in Rural Areas (SBRAs).

## **3.0 Time of Performance**

Funding to complete the scope of work is available through September 30, 2023. AVCOG staff will review the work of the QEP and consider renewal of the contract on an annual basis, based on performance. It is estimated that as few as two or as many as ten sites will be selected for grants and/or loans under the BRLF program.

The QEP selected will enter into a not-to-exceed contract with the AVCOG for the completion of the work outlined in Attachment A. The EPA Brownfields Grant is a reimbursement program. QEPs will submit invoices on a periodic basis (usually monthly) for costs incurred on this project.

## **4.0 Questions and Additional Information**

Proposers may email Amy Landry at (alandry@avcog.org) with the subject “2018 Brownfields RFP Questions” any time before **4:00 pm on Wednesday, September 5, 2018** to ask questions about the RFQ. To ensure fair and equitable dissemination of information, all questions must be submitted via email and will be answered via e-mail. All questions and answers will be e-mailed to all prospective bidders that provide their email address. Questions and answers will be distributed by **Monday**,

**September 10, 2018 at 4:00 p.m. Questions received after September 5<sup>th</sup> will not be considered.**

## **5.0 Proposal Submission Requirements**

The AVCOG requires that each prospective QEP follow the guidelines for proposal format and content so that the proposal evaluation and selection process can occur in an orderly, timely, and equitable manner.

### **5.1 Content**

The proposal must contain a detailed description of how the proposer would carry out the requirements set forth in the attached Scope of Work. The information submitted must include:

#### **Qualifications and Experience:**

### **Section 1. Company Description and Experience**

#### **A. Company Description**

The contractor must submit a written narrative describing their company. This section should include: a history of the company and description of specialty areas.

#### **B. Brownfields Experience**

Provide a description of your company's experience related to Brownfields.

#### **C. Site Assessment Experience**

Provide a description of your company's experience related to site assessments.

#### **D. Brownfields Revolving Loan Fund Experience and References**

Provide a description of your company's experience related to Brownfields revolving loan funds. Provide a description of services and references for up to three RLF programs in Maine where the firm has served as QEP. The references should include Contact name, Company/Organization, Address and Phone Number and email address.

#### **E. Remedial Experience**

Provide a description of your company's experience related to remediation of petroleum and hazardous substances.

#### **F. MEDEP VRAP Experience**

Provide a description of your company's experience with the MEDEP's Voluntary Response Action Program.

#### **G. Other EPA and MEDEP Experience**

Provide a description of your company's experience with other EPA and MEDEP programs.

#### **H. Other Services**

Provide a brief description of services other than site assessment and remediation that your company can provide. Examples: asbestos and lead based paint surveys, risk assessment, marketing.

#### **OSHA Statement**

Provide a statement signed by a legally authorized company official indicating that the company is

aware of and understands the OSHA Hazardous Waste Operations and Emergency Response Standards; 29 CFR 1910.120 and will adhere to them.

## **Section 2. Project Team and Personnel Resources**

### **1. Project Team**

- a. Flow Chart: Provide a company organizational chart, showing the project team that will be working on the tasks associated with this RFQ.
- b. Narrative Description: Provide a narrative description of the project team describing:
  - i. Who they are (list titles as reflected on the rate sheet).
  - ii. What their role is on the team and how their education and experience qualifies them for this role.
  - iii. Describe how the team will work together and with AVCOG
  - iv. Provide the name of one project that best represents how the project team fulfilled their identified roles and worked together with EPA and MEDEP staff to complete a project. Provide the name of the EPA and MEDEP project manager.
- c. Resumes: Provide resumes for the key team members.

### **2. Other Personnel Resources:**

Provide a description of other personnel resources that are available at your company.

#### **5.12 Certificate of Non-Collusion and Certification of Tax Compliance**

Respondents to the Request for Proposals must submit a Certificate of Non-Collusion and a Certification of Tax Compliance (see Attachments B and C).

#### **5.2 Response Date**

In order to be considered for selection, signed proposals shall arrive at AVCOG's office on or before **Wednesday, September 19, 2018 at 4:00 p.m.** Prospective QEPs who are mailing proposals should allow for normal mail delivery time to ensure timely receipt of their proposals.

The AVCOG shall bear no responsibility for any proposals that arrive, by any means, beyond the Response Date and Time indicated in this RFQ.

#### **5.4 Distribution of Proposals**

In order to be considered for selection, prospective QEPs shall submit a complete response to the RFQ. **ONE ORIGINAL AND THREE (3) COPIES** of each proposal and one compact disk or USB flash drive. Copies should be double-sided. Please do not use binders.

Proposals should be addressed as follows:

#### **Brownfields RLF RFQ**

**Attn: Amy M. Landry, Executive Director  
Androscoggin Valley Council of Governments  
125 Manley Rd**

## **6.0 Selection Criteria**

The contractor(s) selected for the Brownfields RLF Program will be determined through a review of the submitted RFQ materials. Interviews may or may not be requested. If an interview process is needed the companies with the highest proposal scores will be interviewed by a three (3)-person panel and evaluated based on their knowledge of the brownfields process, their understanding of conducting site assessments, knowledge of the Brownfields Revolving Loan Fund Program and cleanup requirements and their ability to communicate effectively.

AVCOG will negotiate terms for a contract to complete the tasks with the top ranked proposal or proposals. If a satisfactory agreement cannot be reached, negotiations with that firm will be suspended and negotiations opened with that firm next in line. The process continues until an agreement is reached and contract is executed.

The following criteria will be used to rank proposals:

### **Company Description and Experience (50%)**

- Experience with the creation and operation of a Brownfields Revolving Loan Fund.
- Quality of performance on previous contracts.
- Experience with State of Maine and Federal environmental regulations.
- Experience performing environmental site assessments and remediation experience.

### **Project Team and Personnel Resources (40%)**

- Qualifications of assigned personnel to the project.
- Accessibility of Project Manager to AVCOG

### **Proposal Responses and References (10%)**

- Completeness and accuracy of the submission.
- References

**AVCOG reserves the right to reject any and all proposals.**

## ATTACHMENT A

### SCOPE OF WORK

Services needed related to this program may include, but are not limited to:

#### Task I: Review of Analysis of Brownfield Clean-up Alternatives (ABCA), Remediation Plans, Quality Assurance Project Plans, Health & Safety Plans, Community Relations Plans, and Davis Bacon Wage Documentation

- Review and comment on the Analysis of Brownfield Cleanup Alternatives Documents (ABCAs) prepared by Loan/Subgrant recipients and provide written comments identifying any concerns or deficiencies or confirming that the ABCAs are satisfactory according to federal requirements.
- Review and comment on the Remediation Plans prepared by Loan/Subgrant recipients or their contractors and provide written comments identifying any concerns or deficiencies or confirming that the Remediation Plans meet all state and federal requirements. This activity may include: review of State-required remedial and engineering documents and provision of written comments per the ME VRAP Program; input on strategies for remediation and redevelopment; and conducting periodic site visits during implementation of clean-up projects to verify compliance with approved work plan.
- Review and comment on the Quality Assurance Project Plans prepared by Loan/Subgrant recipients or their contractors and provide written comments identifying any concerns or deficiencies or confirming that the Quality Assurance Project Plans meet all state and federal requirements.
- Review and comment on the Health and Safety Plans prepared by Loan/Subgrant recipients or their contractors and provide written comments identifying any concerns or deficiencies or confirming that the Quality Assurance Project Plans meet all state and federal requirements.
- Review and comment on the Community Relations Plans prepared by Loan/Subgrant recipients or their contractors and provide written comments identifying any concerns or deficiencies or confirming that the Community Relations Plans meet all federal requirements.
- Review of documentation provided by Loan/Subgrant recipients or their contractors confirming compliance with the Davis Bacon Act.

#### Task II. Review Progress Reports and Requests for Loan Drawdowns Submitted by Applicant

- The consultant selected will review and sign off on requests by Loan/Subgrant recipients for loan or subgrant drawdowns with accompanying documentation of what activities have been completed. The purpose of this task is to confirm completion of approved clean-up activities on-site for which funding is being requested. It is anticipated that drawdown requests to the EPA will be made only to reimburse costs already incurred for approved activities.

#### Task III. Review the Clean-up Completion Report and Submit Required Report to EPA

- At the completion of clean-up, the consultant selected will review and comment on any Clean-up Completion Report and documentation prepared by Loan/Subgrant recipients and provide written comments identifying any concerns or deficiencies or confirming that the Clean-up Completion Report is satisfactory according to federal and state requirements.
- Submit copy of closeout documentation and state approval letter to EPA.

#### Task IV. Other RLF Tasks

- Assist with site eligibility reviews per EPA and MEDEP requirements.
- Provide advice about compliance with All Appropriate Inquiry Rules.
- Provide input on any special conditions that may be advisable in subgrant and loan agreements, and key milestones in remediation that may form a basis for release of subgrant/loan payments.
- Assist AVCOG in ACRES reporting.
- Provide general technical assistance to AVCOG in implementing the RLF Program.
- Attend AVCOG Brownfields, Finance or Loan Committee meetings, if requested.
- Other tasks as may be assigned in support of the AVCOG Brownfields RLF Program.

**ATTACHMENT B**

**CERTIFICATE OF NON-COLLUSION**

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word “person” shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

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(Name of person signing proposal)

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(Name of business)

**ATTACHMENT C**

**CERTIFICATION OF TAX COMPLIANCE**

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all tax returns and paid all state taxes required under law.

\_\_\_\_\_

\*Signature of Individual or  
Corporate Name (Mandatory)

By:\_\_\_\_\_

Corporate Officer

\_\_\_\_\_

Federal ID #

\*Approval of a contract or other agreement will not be granted unless this certification clause is signed by the applicant.