

Confederated Salish & Kootenai Tribes
Tribal Response Program
Community Wide Assessment
Project



Confederated Salish & Kootenai Tribes Tribal Response Program Brownfield Community-Wide Assessment Project

Request for Proposal for Qualified Environmental Professional

1.0 Introduction

The Confederated Salish & Kootenai Tribes (CSKT) Natural Resource Department (NRD) Solid/Hazardous Waste/Tribal Response Program (SHW/TRP) is soliciting responses for conducting several Environmental Site Assessments within the exterior boundaries of the Flathead Indian Reservation. Overall, the proposed work shall be performed utilizing two individual established accounts made available by EPA grant funding sources with each EPA project funding supporting the same project goals that include: to inventory, characterize, assess, and conduct cleanup planning and community involvement related activities for Brownfields sites on the reservation. The assessments will be conducted within the exterior boundaries of the Flathead Indian Reservation, including Lake County, Sanders County, and Missoula County. This Request for Proposal (RFP) provides the specifications and requirements for prospective applicants to complete a proposal with cost estimates for services. The deadline for submittal in response to this solicitation is **April 13, 2017**.

The United States Environmental Protection Agency (EPA) has selected CSKT NRD Brownfields Tribal Response Program as an EPA Brownfields hazardous substance and petroleum assessment cooperative agreement recipient. Proposed work should meet federal requirements for work funded by an EPA Brownfields Grant. This project is subject to 40 CFR Part 31 and 31.36. Proposed work is scheduled to be completed by September 30, 2019. The solicited environmental contractor could have potential for additional work in the future should there be additional funding and/or additional work.

2.0 Background/Site Description

The CSKT Reservation covers three counties in Montana: Lake, Sanders, and Missoula, Counties. The Flathead Reservation is an area of 1,317,399 acres of forested mountains and sheltered valleys just west of the Continental Divide in Montana. The Reservation is approximately 40 miles east-to-west and 80 miles north-to-south.

Sites receiving assessments have been determined and will focus on selecting future sites as well. Site selection will depend on several factors but primarily on the potential for reuse and/or redevelopment of the site either as residential, commercial, or green space.

3.0 Project Objectives/Scope

The overall goal for brownfields effort is to ensure that there is no potential for contamination, Pollution, and does not threaten public health and the environment during and after redevelopment of the site. The objective of this project is to identify the contaminants that may exist at the selected sites, develop cleanup options, and identify cleanup funding.

Site selection for assessments, there are past sites that are on the agenda for the beginning of the project and future sites will be categorized for assessments as soon as the selected contractor is contracted with CSKT TRP works on the current Environmental Site Assessments at selected EPA Approved Sites. These sites will then be ranked using specific criteria, including landowner participation and ease of access, potential for

reuse or redevelopment, the likelihood of EPA eligibility, fulfillment of planning goals and objectives, proximity to infrastructure, severity of contamination, potential for open space creation, community need, and community acceptance.

Our goal is to complete up to 8 or more Phase I and Phase II assessments, and/or submental Phase II Environmental Site Assessments/ DATA GAPE ASSESSMENT, and/or Cleanup Planning, although we intend to complete as many assessments as we can afford.

The work efforts for this project will fall into 7 main tasks as follows:

Task 1.0: Conduct Community Outreach/Environmental Education
Deliverable: Updated Community Outreach Plan; Public meetings and/or one-on-one meetings and a site-specific fact sheet for Phase II environmental site assessment

Task 2.0: Submit EPA Region 8 Brownfields Program Site-Eligibility Determination Outline Form for each potential Brownfield site.
Deliverable: EPA approved site

Task 3.0: Perform Phase I Environmental Site Assessments

- Conduct planning meeting with consultant to discuss approved sites
- Consultant obtains access agreement and performs Phase I investigation
- Consultant submits draft Phase I report to project team members
- Team reviews/comments on draft Phase I
- Preparation of Phase I AAI Checklist for EPA
- Consultant submits final Phase I report to project team members

Deliverable: Phase I investigations: Draft and Final Report for each site assessment

Task 4.0: Develop Phase II Sampling Analysis Plans (SAP) including Health and Safety Plan

- Consultant submits site-specific sampling and analysis plan (SAP) for EPA approval prior to any sampling

Deliverable: Phase II preparation:

Draft and Final SAP for each site assessed

Task 5.0: Conduct Phase II Site Investigation

- Consultant submits or updates existing programmatic QAPP to project team for review and comments and EPA approval
 - Documentation of annual review and update of QAPP
- Obtain EPA approval to proceed with Phase II ESA
- Meet with CSKT SHW/TRP project manager to Plan Phase II ESA

Deliverable: Draft and Final Phase II Environmental Assessment Report for each site assessed

Task 6.0: Develop Site Cleanup Plans

Deliverable: Draft and Final Plan for each environmental site assessment

Task 7.0: Review of the CSKT SHW/TRP QAPP.

Deliverable: Completed Annual Review of CSKT QAPP

See Section 10.0 for a complete list of deliverables under this RFP.

4.0 Methodology for Environmental Assessment

CSKT SHW/TRP manager will review all environmental assessment proposals and subsequent work plans to determine if activities will meet the objectives of the Brownfields project before the start of assessment activities. The final scope of services will be negotiated and modified as site conditions warrant.

The Phase I assessment will document previous as well as contemporary uses of the site and the potential for contamination due to site uses and/or migration from surrounding properties. Findings from a Phase I assessment typically include observations made on the property, interviews with people familiar with the property, and a review of public documents relevant to the property. Soil, air, or water sampling are not performed in a Phase I assessment.

The Phase I assessment will be conducted in accordance with the ASTM Standards on Environmental Site Assessments for Commercial Real Estate (ASTM Designation E1527-05), as well as applicable requirements of the City and State. All ASTM standards must comply with the EPA All Appropriate Inquiries (AAI) Final Rule (40 CFR 312).

Draft and Final SAP for each site assessed

Phase II assessments evaluate potential concerns identified in the Phase I assessment. Phase II assessments are tailored to meet site-specific needs based on current or future use of the property. At a minimum, this may involve limited sampling and analysis to confirm or rule out potential environmental concerns. The Phase II sampling will follow guidelines, regulations and requirements of the designated lead regulatory agency. Phase II will also adhere to ASTM Standards for Phase II Assessments (ASTM Designation E1903-97 or E1903-97 (2002)), when applicable. If the Phase II work indicates the need for cleanup, the property owner will be responsible for required competitive cleanup match to assist with cleanup. Sampling activities must be adequate to determine the presence or absence, magnitude, extent, and clean up options for contaminants that may pose a threat to redevelopment and future land use. Phase II work will also adhere to applicable Federal and State

regulatory requirements and should include identifying likely exposure pathways and characterizing risks to establish cleanup goals and to evaluate cleanup options and Develop Site Cleanup Plans

The EPA requires that all federally funded environmental monitoring, sampling and measurement efforts participate in a centrally managed quality assurance program. Anyone generating data under this quality assurance program has the responsibility to implement procedures to ensure that the precision, accuracy, and completeness of its data are known and documented. The contract recipient will be expected to work under CSKT TRP existing Quality Assurance Project Plan (QAPP).

Analysis of cleanup options will be based on cleanup goals, methods, and costs considered acceptable by CSKT SHW/TRP, the community, and/or State/Federal regulators. The contractor will provide evaluation criteria and several options based on feedback from CSKT SHW/TRP and the community. Specific evaluation criteria that contractors will initially consider include the following: risk to public health, safety, and the environment (during and after redevelopment); implement ability; effectiveness; applicability with Federal, State, CSKT and local laws/regulations; degree of permanency; time; and cost.

5.0 Quality Assurance

The proposal should describe the measures that will be used to ensure that defensible and quality data are collected and reported for this project. Proposals must describe and provide a rationale for selecting locations, types, quantities, and analyses for proposed samples. Proposals should also include general equipment and methods for proposed sampling and analyses with references to specific Federal, State, and professional practice guidelines. Proposed analysis and measurement methods must be capable of reliably detecting concentrations equal to or below applicable cleanup standards for future land use.

6.0 Health and Safety Requirements

The project manager or technical lead for the project must have advanced health and safety training as specified in OSHA, 29 CFR 1910.120. The proposed individual must be present on-site during any on-site work and sampling activities. All individuals working at the site must have appropriate health and safety training, including 40-hour Hazardous Waste Site Operations and 8-Hour Refresher courses. A site-specific health and safety plan must be prepared by a certified safety professional or certified industrial hygienist, and submitted prior to performing on-site work. The proposal should provide an example outline or describe the type of information that will be in the health and safety plan. Such a plan must be submitted as part of the work plan for the final negotiated scope of services and revised, as necessary, for subsequent work plans.

7.0 Tribal Employment Rights Ordinance (TERO)

The Contractor is responsible for understanding and complying with any applicable TERO Regulations when performing assessments on the Flathead Indian Reservation.

8.0 MBE/WBE Utilization Requirements

In accordance with EPA's Program for utilization of Small (SBE), Minority (MBE), and Women's Business Enterprises (WBE), the contractor must ensure that the six affirmative steps are followed in extending subcontracting opportunities to qualified MBEIWBE firms (see 40 CFR 35.6580(a)). The following goals for MBEIWBE participation have been established for this project. To the fullest extent possible, at least the following percentages will be met:

	MBE	WBE
Personal Services	2.0%	3.0%
Equipment	2.0%	3.0%
Supplies:	2.0%	3.0%
Construction	2.0%	3.0%

EPA requires that bidders/proposers under federally funded contracts or subcontracts for supplies, construction, equipment and/or services include solicitation efforts to organizations owned or controlled by socially and economically disadvantaged individuals and women. To evaluate compliance with the Fair Share policy, the bidder needs to demonstrate compliance with the six affirmative steps:

- 1) Include qualified SBEs, MBEs, and WBEs on solicitation lists
- 2) Assure the SBEs, MBEs, and WBEs are solicited whenever they are potential sources
- 3) Divide total requirements, when economically feasible, into small tasks or quantities to permit maximum participation of SBEs, MBEs, and WBEs
- 4) Where requirements of the work allow, establish delivery schedules that will encourage participation by SBEs, MBEs, and WBEs
- 5) Use the services and assistance of the Small Business Administration and the Minority Business Development Agency, U.S. Department of Commerce, as appropriate
- 6) If work is awarded from the prime contractor to a subcontractor, the subcontractor is required to take the affirmative steps outlined above

9.0 Community Outreach/Environmental Education Plan

CSKT SHW/TRP plans to solicit community participation in the assessment, cleanup and redevelopment activities. The **proposal** should include a Community Outreach/Environmental Education Plan that describes the outreach approach and schedule, and examples of educational material that will be used to communicate technical aspects of the environmental activities to the community (the environmental contractor will be responsible for all community outreach and develop an environmental education plan).

The plan should detail the actions that will be taken to involve stakeholders in site assessments, cleanup decisions, or reuse planning. On-site community meetings should be included. Information presented to the community must be in layman's terms and will include summaries of cleanup standards, assessments', assessment sampling plans and results, proposed cleanup options and recommendations as related to project objectives and decisions. The plan should also define outreach outcomes and outputs for public outreach.

10.0 Deliverables

All deliverables should be submitted to CSKT SHW/TRP Program Manager in both electronic and hard copies. The proposal should provide a description or outline of the work plan and reports that are part of the deliverables for the project. At a minimum, the following project deliverables are expected:

- Draft and Final Work Plan for Sampling, Analysis and other Assessments. Consist of proposal documents (potential revised), as negotiated with the CSKT SHW/TRP Program Manager. It will contain plans for identifying contamination and selection of appropriate actions/methods used for a Phase II ESA; necessary Phase II assessment activities, data quality screening objectives, screening levels, Sampling & Analysis Plan, and Health & Safety Plan.
- Draft and Final Phase I Environmental Assessment Reports. Submit a written summary of potential environmental concerns, with illustrations, for incorporation into the final EA report. These materials should document a level of effort consistent with the ASTM Standard E 1527. Please include satellite imagery maps.
- Progress Reports/Invoice Submittals. Should occur on at least a monthly basis and contain short summaries of progress for all phases of work, data, and findings. Also, information that relates to decisions for subsequent assessment work and redevelopment will be reported in a timely manner, including:
 - Recognition of new, potential environmental concerns (immediately)
 - Detection of contaminant concentrations or other features that exceed or may exceed levels requiring cleanup for intended land use (immediately)
 - Preliminary estimates of magnitude, extent, and regulatory implications (or risks, if necessary) of contaminants, in context of redevelopment and intended land use.
- The contractor will provide levels of confidence for estimated risks (monthly or when appropriate).
- The contractor will provide invoices in a timely manner; there will be no late invoices past 30 days. Any invoices that are 15 days late will be questioned. Deviations from the course of work/tasks in regards to payment with explanations (immediately).
- The contractor will provide SHW/TRP Program Manager with written explanations to any changes that need to be made right away in a timely manner; there will be no actions/work done until the Program Manager gives her input and/or go-a-head. Any and all Deviations from the course of work/tasks with explanations (immediately).
- Quality Assurance/Quality Control shortcomings and corrective actions (Immediately).
- Deviations from the QAPP/SAP with explanations (immediately)
- Health/Safety incidents (immediately).
- Work Plans for additional investigations (if needed) – applicable only if negotiated with CSKT SHW/TRP Program Manager.
- Draft and Final Phase II Environmental Assessment Report. The report should provide a summary of procedures and results of the Phase I and Phase II assessments, including a definition of the lateral and vertical extent of contamination (and associated exposure pathways and risks, if necessary), which poses a threat to

planned reuse. This would include action levels and those samples that exceeded the action levels. The report should also include recommendations for cleanup or other appropriate actions, with cost estimates. Risk and cost figures will be reported within acceptable (negotiated) levels of confidence.

- The report will also contain a brief summary of Quality Assurance/Quality Control performance. Appendices will include boring logs, raw field and laboratory analytical data, sample chain-of-custody records, photograph logs, documentation of proper management of investigation-derived wastes, and abandonment records for boring and monitoring wells.
- Cleanup options with preliminary cost estimates and levels of confidence (as appropriate) Compares the site data with cleanup standards. The report will identify cleanup options and costs as well as redevelopment options based on site data and community input.
- Community Outreach/Environmental Education Report-Summarizes the information presented and feedback received relevant to redevelopment objectives and scope of the assessment work. This will include key interactions and feedback from Federal, State, and local agencies. (See Section 9.0 for more information on activities related to this report).
- Site-Specific Fact Sheets -Summarizes the information collected from the Phase I report, the data and results from the Phase II report, and cleanup options with preliminary cost estimates for each site. This will include recommendations for next steps with regard to redevelopment options on the site.
- Property Profile Forms completed by contractor and reviewed by TRP Program Manager for thoroughness & submittal.

All deliverables shall be submitted to the Tribal Brownfield Response Manager Marlene McDanal, in both electronic and hard copy formats. The consultant shall provide Final Reports in 10 hard color copies for each deliverable listed below. The hard copies shall be three hole punched and placed in white three ring binders. All deliverables shall also include 10 electronic copies on CD ROM in Microsoft Word and Adobe Acrobat (PDF.) formats. All draft and final documents and data are the property of the CSKT and will be delivered to the Tribal Response Program Manager with the final report. All copies of records, maps, property information, or copies of any other records obtained or made during the Phase I and II environmental assessment are the property of the CSKT and will be delivered to the Tribal Brownfield Response Program Manager with the final report.

11.0 Qualifications

The proposal will include descriptions of roles for key personnel expected to work on this project, and their resumes, which indicate work location, education/qualifications, and experience in the following areas:

- Managing and performing Phase I and II Environmental Assessments.
- Familiarity with Brownfields or equivalent processes should be described, giving examples of recent projects.
- Performing site remediation and closure feasibility assessments (to include estimating associated risks and costs).
- Working with federal, tribal and state regulatory agencies.
- Providing community outreach and environmental education.
- Experience on the uses of alternative or innovative technologies.
- Familiarity with working with Tribes giving examples of recent projects.

In addition, the proposal will describe institutional qualifications (including certifications or licenses) for:

- Boring and monitoring well installations (attach typical log diagram) and abandonment.
- Analytical laboratories, including results of participation in performance evaluation programs use of alternative/innovative technologies/equipment (as applicable).

12.0 Schedule and Costs

The proposal should include anticipated schedule and time/material cost estimates for the activities listed below. Time should be allowed in the schedule to review and revise draft deliverables and for preparation of final documents. Unit rates on which costs are based should be included with the proposal and also a time line and project milestones.

Submit cost estimates and unit rates for the following:

- Final negotiated work plan preparation
- Development + f Phase I Environmental Assessment Reports
- Preparation of Sampling and Analysis Plans (SAP)
- Phase II -Surveys, field sampling, and analytical testing (If innovative techniques are proposed, submit a cost comparison to conventional methods.)
- Development of Phase II Environmental Assessment Reports
- Preparation of cleanup options with preliminary cost estimates and levels of confidence
- Assistance in the revision of a Community Outreach/Environmental Education Plan
- Participation in public education activities (includes facilitation of meetings)
- Creation of site-specific fact sheets
- Project management activities

13.0 Indian Preference

1. This is an Indian Preference Bid.
2. It is the sole responsibility of the bidder to obtain and provide proof of Indian Preference certification from the Indian Preference Office. Contact Margaret Sheridan, Indian Preference Coordinator at 406-675-2700, extension 1045 for more information on Indian Preference.
3. The selection of the successful contractor and award of this project will be per the provisions of the Confederated Salish and Kootenai Tribes Indian Preference Ordinance 101A.
4. All subcontracting shall be “Indian Preference” bid as well.

13.01 Project Contacts

**Waste/Tribal Response Program
Manager
Attn: Marlene McDanal
301 Main Street
Polson, MT 59860**

The contract recipient must supply a statement that the consulting firm presently has no interest and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of the services contemplated by the agreement with the project. No person having such interest shall be employed by or associated with consultant during the term of this agreement.

The recipient must also state whether they are on the list of contractors that have been debarred from receiving Federal funding.

14.0 Selection Process

An evaluation committee comprised of CSKT NRD staff and potentially others will review each proposal. CSKT Tribal Response Program Manager reserves the right to reject all proposals. The cost of preparing responses to this RFP shall be borne by the respondents and shall not be reimbursed by CSKT TRP. Criteria for rating firms will include the following:

- 15% The firm's reputation for personal and professional integrity and competence; ability to work with and comply with federal, state, tribal, and local government agencies and persons in official oversight/compliance capacities; and familiarity and experience with the type of project/process and site
- 25% Professional and educational experience of key personnel to be assigned to the project and the firm's experience with the type of the project/process as well as the project site. Firms that have developed approved Health & Safety Plans will receive a minimum of 10 percentage points.
- 25% Ability of the firm to provide required services and to perform the required work within the project period
- 25% Costs associated with the scope of work. Final costs will be negotiated with the selected firm upon submittal of a detailed work plan.
- 10% Convincing scientific and logical strategies and innovative approaches

In addition, each proposal must demonstrate its compliance with the MBEIWBE program requirements.

15. Submittal Procedures

Written response proposals to this RFP must be received by 5:00 P.M. on **April 13, 2017**. Proposals received after this time/date will not be considered. Please deliver **3** copies of this proposal to:

Marlene McDanal
Solid/Hazardous Waste Specialist II/Tribal Response Program Manager
301 Main Street
Polson, MT 59860
(406)253-6517
mmcdanal@cskt.org