

# **REQUEST FOR QUALIFICATIONS (RFQ)**

## **ISSUED BY:**



## **ENVIRONMENTAL CONSULTING SERVICES -** **BROWNFIELDS COMMUNITY-WIDE ASSESSMENT**

DATE ISSUED:	June 27, 2022
DEADLINE TO REQUEST PRE-PROPOSAL MEETING & SUBMIT PRE-PROPOSAL QUESTIONS:	July 11, 2022 – by 4:00 PM (ET)
PRE-PROPOSAL MEETING WILL BE HELD:	July 14, 2022 at 1:00 PM (ET) Virtually on Zoom.  <i>Link:</i> <i><a href="https://us02web.zoom.us/j/89846146014">https://us02web.zoom.us/j/89846146014</a></i> <i>Meeting ID: 898 4614 6014</i> <i>Call-In: 1-312-626-6799</i>
SUBMISSION DEADLINE AND TIME:	July 29, 2022 - by 4:00 PM (ET)
Notification of Finalists:	August 12, 2022
Finalist Interviews:	August 24, 2022 - 11 AM – 2 PM (ET)
CONTACT INFORMATION:	Michiana Area Council of Governments 227 W. Jefferson Blvd. 1120 County-City Building South Bend, Indiana 46601 <a href="mailto:macogdir@macog.com">macogdir@macog.com</a>

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# **1.0 INTRODUCTION**

## **1.1 BACKGROUND**

The Michiana Area Council of Governments (MACOG) is a regional, metropolitan and rural planning organization established to foster cooperative, coordinated, and comprehensive planning activities, located in South Bend, Indiana. The MACOG region represents four counties (Elkhart, Kosciusko, Marshall and St. Joseph) and seven cities (Elkhart, Goshen, Mishawaka, Nappanee, Plymouth, South Bend, and Warsaw) plus twenty-eight towns in Indiana. MACOG coordinates planning efforts to maximize benefits to the respective communities and provides regional planning services for both rural and urban communities within its jurisdiction.

This is a Request for Qualifications (RFQ) issued by MACOG. The intent of this RFQ is to request technical qualifications from environmental consulting firms (Respondents) interested in providing environmental assessment services to MACOG with the needs outlined in the RFQ. MACOG plans to qualify a single Respondent that meets the threshold and selection criteria outlined in this RFQ as the Qualified Environmental Provider (QEP) to implement the EPA-approved Work Plan for the MACOG Regional Brownfields Coalition funded by an EPA Community-Wide Assessment Grant.

The RFQ is open to all parties capable and qualified to meet the objectives and requirements described in this document. Qualified MBE/WBE organizations are encouraged to respond. If a collaborative arrangement is proposed, one firm or individual shall be identified as the lead agent. It will be the responsibility of the primary QEP to manage or enforce compliance and ensure scheduled deliverables of any partners or sub-contractors selected by the QEP Respondent. All products developed will become the property of MACOG.

## **1.2 PROJECT OVERVIEW**

In May 2022, the United States Environmental Protection Agency (EPA) awarded a Brownfields Community-Wide Assessment Grant to MACOG to continue regional brownfields efforts through the assessment of sites affected by petroleum and/or hazardous materials. Target areas have been identified in the City of Elkhart and City of South Bend. MACOG will implement this project collaboratively with the input of members of the Regional Brownfields Working Group (referred to as the working group), which include representatives from all four MACOG counties as well as the communities therein. This project will build on the work conducted during previous brownfields assessment grants. Since 2010, assessment grants have been awarded to MACOG, Elkhart County, City of Goshen, City of Plymouth, and City of South Bend:

- 2019 EPA Brownfields Assessment Coalition grant awarded to MACOG. A Regional Brownfields Coalition portal is available at [www.macog.com/brownfields.html](http://www.macog.com/brownfields.html)
- 2014 EPA Brownfields Assessment Coalition grant completed by the City of Plymouth with coalition members Marshall County and the Town of Bourbon. MACOG has site photos and digital files of all Phase I and II ESAs.
- 2013 EPA Brownfield Assessment Coalition grant was completed by the City of South Bend with coalition members City of Mishawaka and St. Joseph County. South Bend Brownfield Coalition developed an online data portal available at [www.brownfieldcoalition.org](http://www.brownfieldcoalition.org).
- 2011 EPA Brownfields Assessment grant completed by Elkhart County.
- In 2010 and 2011, the City of Goshen was awarded and successfully completed multiple brownfields grants, including an assessment, cleanup, area-wide planning and revolving loan fund grant.

Details on the current scope of work can be found in Section 2.0 Scope of Services. The scope of work includes reuse planning. Information on eligible planning activities under this Assessment grant is available at: [www.epa.gov/brownfields/information-eligible-planning-activities](http://www.epa.gov/brownfields/information-eligible-planning-activities).

Upon receipt, all Statement of Qualification (SOQ) submissions will be reviewed for completeness in accordance with the threshold and evaluation criteria contained in Section 4.0 of this RFQ. Once the evaluation committee has reviewed all Respondent SOQs up to three to five Respondents may be selected for in-person interviews. The proposed contract time is for three (3) years with an option to extend the contract for up to twelve (12) additional months. For the utilization of minority and women's business enterprises, MACOG anticipates accepting the applicable MBE/WBE rates IDEM negotiates with the EPA, which will be finalized in the Cooperative Agreement. For reference, previous rates for MACOG's FY2019 Cooperative Agreement were as follows: MBE: 5%, WBE: 7%.

## **2.0 SCOPE OF SERVICES**

### **2.1 PRELIMINARY WORK PLAN**

MACOG is seeking a Qualified Environmental Provider (QEP) possessing strong knowledge, capability and experience with all aspects of sustainable brownfields redevelopment and revitalization. The selected QEP will demonstrate in their response to this RFQ a working understanding of the various political, regulatory, technical, financial, environmental, risk management, and socioeconomic issues associated with brownfields revitalization. This includes providing information that describes the Respondent's experience in managing and completing projects where environmental protection, economic redevelopment practices and community revitalization needs have been addressed in a way that promotes the sustainable reuse of brownfields sites.

The QEP will have the prerequisite capability, experience and working familiarity with EPA's brownfields grant requirements, EPA Assessment, Cleanup and Redevelopment Exchange System (ACRES), the Indiana Brownfields Program, and the Indiana Department of Environmental Management.

An excerpt of the Work Plan is included in Attachment A. The proposed Scope of Work and Deliverables under this RFQ are listed below:

#### **Task 1. Project Management:**

- Participation in a Pre-Quality Assurance Project Plan (QAPP) meeting with the EPA Project Manager.
- Preparing a QAPP.
- Contributing to a project webpage developed by MACOG.
- Adhering to the technical, administrative, accounting, and reporting requirements for EPA assessment grants.
- Assisting in updating the US EPA ACRES inventory, including Property Profile Forms.
- Assisting in the preparation and review of quarterly reports, annual, and final reports as required by the EPA, MBE/WBE Utilization reports as requested, etc.
- Efficiently managing any subcontractors for technical, budget and schedule performance for environmental consulting services or deliverables not performed by QEP staff in-house.
- Regular project team meetings with the QEP and MACOG.

- Attending Regional Brownfields Coalition working group meetings.

**DELIVERABLES:**

- Approved QAPP
- Project webpage
- Meeting minutes from project team meetings
- Project invoices
- In-person project team meetings, at least one per year.
- Project team conference calls, at least monthly for the first 12 months
- Final in-person project team meeting after final ESA and planning deliverables completed
- At least one presentation to the MACOG Policy Board on grant outcomes
- Complete MBE/WBE Utilization Reports
- Fulfill applicable MBE/WBE Goals

**Task 2. Community Outreach and Inventory Management and Prioritization**

- Participating in at least eight (8) public meetings and a minimum of 10 one-on-one meetings with municipalities, counties, community organizations, and other stakeholders.
- Developing support and outreach materials to be distributed at public meetings and other locations/events as needed to communicate and request input on the results of deliverables such as the inventory, ESAs, cleanup plans, and reuse plans.
- Coordinating with MACOG and the Regional Brownfields Coalition working group to prioritize and finalize the list of sites for assessments, cleanup planning, or reuse planning.

**DELIVERABLES:**

- Meeting minutes from public and stakeholder meetings
- Meeting materials (handouts, agenda, maps, etc.)
- At least 10 photos from each public meeting

**Task 3. Phase I & II Environmental Site Assessments**

- Obtaining Letters of Eligibility for specific sites by requesting eligibility determinations from the EPA for sites with hazardous contamination and IDEM for petroleum sites.
- Conducting Phase I Environmental Site Assessments (ESAs), performed using the ASTM E1527-13 standard in order to comply with the U.S. EPA All Appropriate Inquiries (AAI) rule. All ESA shall be performed by a qualified environmental professional as defined in ASTM E1527-13.
- Coordinating all ESA activity with MACOG, municipalities, EPA, and IDEM as needed. Note that Coalition members will secure site access, with the assistance of MACOG and the QEP.
- Preparing Sampling and Analysis Plans (SAPs) and Health and Safety Plans (HASPs).
- Conducting Phase II ESAs, including Initial Site Characterizations (ISC)/Further Site Investigations (FSI) that are compliant with the Indiana Department of Environmental Management (IDEM) Remediation Closure Guide (RCG) or other IDEM guidelines as applicable.
- Conducting asbestos-containing material, lead-based paint surveys, and geophysical surveys, as applicable.
- Delineating the scope and extent of any contamination in a thorough but cost-effective manner on a site-specific basis.
- Incorporating green remediation strategies where feasible for the disposal of investigation derived wastes (see Attachment B).

- Coordinating all ESA activity with MACOG, municipalities, EPA, and IDEM as needed.

**DELIVERABLES:**

- 18 Phase I ESAs
- Letters of Eligibility
- At least five (5) photos per site
- 13 Phase II ESAs/FSIs
- Two (2) Lead-based paint inspections and/or Asbestos Surveys
- Letters of Eligibility, if not obtained previously for a Phase I or other grant activities.
- At least five (5) photos per site

**Task 4. Cleanup and Reuse Planning:**

- Conducting cost-effective and efficient cleanup and remediation planning activities, as necessary, for priority sites.
- Incorporating green remediation strategies into cleanup planning where feasible.
- Collaborating with the MACOG Regional Brownfields Coalition and other appropriate partners to develop an approach to reuse planning activities.
- Developing Cleanup and Reuse planning documents as per applicable IDEM guidelines, which may include Remedial Action Plans (RAPs), Analysis of Brownfield Cleanup Alternatives (ABCAs), obtaining Site Status Letters and/or Comfort letters, No Further Action letters, Environmental Restrictive Covenants, etc. Reuse plans may be requested by the working group and may be site-specific plans or area-wide plans as appropriate. Reuse planning activities to initiate brownfields revitalization may include the following: Site Reuse Assessment, Land Use Assessment, Market Study, Infrastructure Evaluation, Site Disposition Strategy. Planning activities to prepare brownfields sites for redevelopment may include: Site Reuse Vision, Revitalization Plan, Resource Roadmap, or Evaluation of Market Viability.
- Conducting insurance archeology to identify the presence of liability insurance coverage for priority sites.

**DELIVERABLES:**

- Four (4) Cleanup planning and four (4) Reuse planning documents, two (2) Soil Management Plans, and four (4) Comfort Letters.
- Documentation of proposed approach for each anticipated Reuse plan prior to implementation.
- Charts, maps, schematics, tables, or other visuals that might be beneficial to implementing and communicating to the public Cleanup and Reuse plans.

MACOG will be the primary point of contact for this project and will monitor and assess progress towards the work plan. All work products generated as a result of this contract will be made available to both the EPA and IDEM.

Below is a summary of the anticipated breakdown for each Task described above.

- **Task 1. Project Management: 6%**
- **Task 2. Community Outreach & Inventory Management and Prioritization: 7%.**
  - *Note that the majority of the budget for this task is anticipated to be utilized for public meetings and community outreach. The development of an online brownfields map is not included.*

- **Task 3. Phase I & II Environmental Site Assessments:** 72%
- **Task 4. Cleanup and Reuse Planning:** 15%

## 2.2 TENTATIVE SCHEDULE

The schedule below is proposed by MACOG. Respondents may propose an alternate schedule for consideration. Alternate schedules must be provided in Appendix C and include the reasons for any differences in the proposed schedule, such as other commitments or anticipated EPA approval.

	Oct 2022	Nov – Dec 2022	Jan – Feb 2022	March - April 2022	May 2022 – July 2025	Aug – Sept 2025
QEP Selection	X					
Execute Memorandum of Agreement	X					
Solicit additional sites of interest*	X	Activity continues throughout grant period.				
Prioritize Sites		X	Activity continues throughout grant period.			
Secure Site Access*		X	Activity continues as needed for additional sites.			
QAPP Approval		Submitted by Dec 1				
Document Site Eligibility*			X	Activity continues as needed for additional sites.		
Site-Specific Public Meetings*			X	X	X	X
Phase I ESAs*			X	X	X	X
Phase II ESAs, FSI*				X	X	X
Cleanup Planning, Reuse Planning*		X	X	X	X	X
Complete all ESAs, Final Invoices Received, Final Report Submitted						X

\* Activities will be on-going throughout the remainder of the project period; indicated time frames are a high priority for the majority of work to be completed. Some sites are ready for cleanup and reuse planning immediately. Community engagement is anticipated to be on-going. However, public meetings will be conducted more frequently during site prioritization and during cleanup and reuse planning activities after ESAs are conducted.



## **3.0 RFQ TERMS AND CONDITIONS**

### **3.1 RFQ DEADLINE**

The deadline for responding to this RFQ is Friday July 29, 2022 at 4:00pm (ET). Without exception, proposals received after the submission deadline will not be evaluated.

### **3.2 REQUIREMENTS AND FORMS**

Each Respondent must submit four (4) copies, printed double-sided, and one electronic copy (i.e. flash drive, CD) of its SOQs in accordance to section *4.0 Instructions for Complete SOQs*. Section 4.0 describes a complete SOQ package and all necessary documents to be considered. Failure to submit a complete SOQ or changing any of the attachments provided will result in disqualification of the SOQ. All attachments must be completed and signed to be considered for an award.

### **3.3 CONFIDENTIAL INFORMATION**

Respondents are advised that materials contained in proposals are subject to the Indiana Public Records Act, IC 5-14-3 et. seq. and may be viewed and/or copied by any member of the public, including news agencies and competitors. Respondent claiming a statutory exception to the foregoing must place all confidential documents (including the requisite number of copies) in a sealed envelope clearly marked "Confidential" and must indicate in the transmittal letter and on the outside of that envelope that confidential materials are included. The Respondent must also specify which statutory exception applies. MACOG reserves the right to make determinations of confidentiality. If MACOG does not agree that the information designated is confidential under one of the disclosure exceptions to the Indiana Public Records Act, it may either reject the qualification or discuss its interpretation of the allowable exceptions with the Respondent. If agreement can be reached, the proposals will be considered. If agreement cannot be reached, MACOG will remove the proposals from consideration for award and return the proposals to the Respondent.

### **3.4 QUESTIONS AND PRE-PROPOSAL MEETING REQUEST**

Respondents may submit questions by e-mail to [macogdir@macog.com](mailto:macogdir@macog.com). Attention: Brownfields RFQ through 4:00 pm (ET), Monday July 11, 2022. Based on the quantity and complexity of questions received, a pre-proposal meeting for the purpose of clarifying and answering questions on the RFQ may be offered on Thursday July 14, 2022, at 1:00 pm ET on Zoom and open for all Respondents to attend virtually. In addition, any Respondent may request a pre-proposal meeting be held. To request a pre-proposal meeting, Respondents must formally submit a letter or email no later than Monday July 11, 2022. If MACOG does not receive any request for a pre-proposal meeting by the deadline, then no pre-proposal meeting will be held. If a pre-proposal meeting is scheduled, a notification will be posted to the MACOG website and emailed to Respondents for which a question or meeting request was received and those who previously expressed interest in the solicitation by the deadlines noted above on the meeting location and time.

Responses to all written questions received by MACOG and/or verbal discussions at a pre-proposal meeting will be provided to Respondents no later than Friday July 15, 2022, via e-mail. In the case of any discrepancy between verbal answers given at the pre-proposal meeting and that confirmed in writing, the written answer by way of an additional notification shall prevail.

Non-attendance at the pre-proposal meeting or a decision not to raise any questions in relation to this RFQ will not be a cause for disqualification of a Respondent and/or individual. Respondents

shall not rely on oral statements. Oral statements will not be binding. Please do not call the MACOG office to request information. Only questions sent to [macogdir@macog.com](mailto:macogdir@macog.com) will receive a response.

Any Respondent believing that there is any ambiguity, inconsistency, or error in this RFQ shall promptly notify MACOG at the email address for questions. Failure to so notify MACOG by the deadline for asking questions shall constitute a waiver of any and all claims of ambiguity, inconsistency or error.

### **3.5 ADDENDA TO SOLICITATION / POSTPONEMENT OF SUBMISSION DEADLINE**

MACOG reserves the right to revise or amend the RFQ up to the date and time set for the submission of responses. Such revisions and amendments, if any, shall be announced by written addenda to the RFQ. If an addendum significantly changes the RFQ, the date set for the submission may be postponed by such number of days as in the opinion of MACOG shall enable potential Respondents to revise their proposals. The addendum shall include an announcement of the new date, if applicable, for the submission of proposals.

Upon issuance, addenda will be considered part of the RFQ and will prevail over inconsistent or conflicting provisions contained in the original RFQ. Copies of all addenda will be made available on the MACOG web site at: [http://www.macog.com/procurement\\_opportunities.html](http://www.macog.com/procurement_opportunities.html). Respondents are solely responsible to ensure that they have received all addenda issued by MACOG and should routinely monitor this website.

### **3.6 SOQ DELIVERY PROCEDURES**

Sealed SOQs shall be delivered, to the address below, no later than 4:00 pm ET on July 29, 2022, to the MACOG office.

Michiana Area Council of Governments  
Attention: MACOG Brownfields RFQ  
227 W. Jefferson Blvd  
1120 County-City Building  
South Bend, Indiana 46601

Sealed envelopes shall be clearly labeled "MACOG Brownfields RFQ" with the following information: Respondent's name and address. Once a SOQ is received by MACOG it will be time and date stamped. SOQs received after the specified deadline and time or submitted via fax, email, or verbally will not be considered.

### **3.7 WITHDRAWAL OF SOQ**

A written request to withdrawal a submitted SOQ may be granted if the request is received by MACOG prior to the specified time of award.

### **3.8 MODIFICATION OF PROPOSALS**

No proposal may be modified after the deadline for proposal submission.

### **3.9 SOQ OPENING PROCEDURES**

The opening of all SOQs shall commence immediately after the stated delivery date and time at the MACOG office. The SOQs shall be taken under review at that time.

### **3.10 EVALUATION FORM AND RANKING**

An evaluation committee will review and rank the SOQs based on the criteria outlined in the Evaluation Sheet, provide as Attachment C. The evaluation committee will consist of three or more persons from the Regional Brownfields Working Group who will perform an independent review and ranking of each SOQ received. The rankings will then be combined into a final score. If necessary, MACOG reserves the right to conduct interviews with some or all Respondents with the highest ranking scores. If selected for an interview, Respondents may be notified on September 8, 2022. Following the evaluation, ranking, and interviews (if necessary), the evaluation committee will make a recommendation for award to the MACOG Executive Director. The Executive Director will make a final recommendation to MACOG's General Counsel for review. All firms will be notified regarding the award. All Respondents who submitted an SOQ will be notified by mail regarding the award.

### **3.11 RESERVED RIGHTS**

MACOG reserves the right, at any time and for any reason, to cancel this RFQ, to reject any or all SOQs, and to waive any minor informality or irregularity in the responses received. MACOG reserves the right to develop criteria for each proposal package. MACOG reserves the right to waive any immaterial defect in any SOQ. MACOG may seek clarification from a Respondent at any time and failure to respond within a specified timeframe is cause for rejection. Any award is contingent on the full execution of the EPA Cooperative Agreement and award by September 30, 2022. No contract will be executed and no funds will be obligated before the EPA project period start date of October 1, 2022. All SOQs are subject to the laws of the State of Indiana.

MACOG may change the scope or work or selection process at its discretion at any time, following the process established in Section 3.5. Addenda to Solicitation/Postponement of Submission Deadline. MACOG is not responsible for any costs incurred by Respondents in the preparation, submission, or subsequent discussion of an SOQ. Materials, documents and information submitted with an SOQ shall become the property of MACOG and shall not be returned to the Respondent unless this RFQ specifically provides otherwise.

This RFQ should not be construed as an agreement to procure goods or services by MACOG. MACOG is not bound to enter into a Contract with the Respondent who submits the lowest priced response or with any Respondent. SOQs will be assessed in light of the evaluation criteria. MACOG will be under no obligation to receive further information, whether written or oral, from any Respondent.

### **3.12 PERSONNEL**

The firm represents that they will secure at their own expense, all personnel required in providing the services under the contract. Such personnel shall not be employees of or have any contractual relationship with MACOG. All the services required hereunder will be performed by the firm or under its supervision, and all personnel engaged in the work shall be fully qualified and shall be trained, authorized and/or licensed, if applicable, under state and local law to perform such services. None of the work or services covered by the contract shall be sub-contracted without prior written approval by MACOG.

### **3.13 KNOWLEDGE OF CONDITIONS**

Respondent shall thoroughly examine and be familiar with the contract documents, scope of work and all conditions and requirements that may in any manner affect the work to be performed under the contract. The submission of a proposal shall constitute an acknowledgement that the Respondent has thoroughly examined and is familiar with the contract documents, scope of

services, conditions and requirements in every detail. MACOG will not adjust the contract value on the basis of Respondent's lack of knowledge of conditions.

### **3.14 NO GEOGRAPHIC PREFERENCE**

This procurement will be conducted in a manner that prohibits the use of statutorily or administratively imposed in-State or local geographic preferences in evaluation of proposals or award of contracts, except where Federal statutes expressly mandate or encourage geographic preference. This does not preempt State licensing laws.

### **3.15 CONFLICTS OF INTEREST**

MACOG employees engaged in the award and administration of contracts, or any person acting on their behalf, are prohibited from accepting, directly or indirectly, any gifts whatsoever, from any person with whom the employee interacts on official MACOG business. Therefore, any Respondent may not make gifts or favors to any MACOG employee.

### **3.16 CONTRACTUAL RELATIONSHIPS**

MACOG intends to execute a Professional Services Contract for the provision of the required services with the selected firm. The firm's contractual responsibility must solely rest with one firm or legal entity, which shall not be a subsidiary or affiliate with limited resources.

MACOG will not be a party to agreements between the firm and/or any sub-contractors it may choose to employ during fulfillment of the contract; however, the Firm shall execute fair and reasonable agreements with its sub-contractors (if any) and shall provide MACOG with copies of said agreements not later than ten (10) business days prior to their execution.

### **3.17 RESPONSIBILITY FOR COMPLIANCE WITH LEGAL REQUIREMENTS**

Respondent's services shall be in full compliance with any and all applicable federal, state, and local laws, regulations, ordinances, and standards regardless of whether or not they are referred to in this RFQ.

### **3.18 MATERIALS AND EQUIPMENT**

The selected firm shall at its own expense furnish all labor, supplies, and materials necessary to provide the services required by the contract, unless otherwise indicated in the Scope of Work.

### **3.19 PROTESTS PROCEDURES**

MACOG has developed procurement protest procedures to handle and resolve any disputes relating to the procurement process. Protests must be in written form. MACOG will provide a copy of the MACOG protest procedures and a protest form, via e-mail or by fax, by request. No verbal protest complaints will be addressed.

### **3.20 CONTRACT SUBJECT TO FEDERAL FINANCIAL ASSISTANCE**

This project will be funded by a Cooperative Agreement from the United States Environmental Protection Agency (EPA), pending final award. The award of a contract may be subject to the requirements of financial assistance contracts between MACOG and the EPA requiring compliance with purchasing procedures and standards as set forth in various federal statutes and regulations including OMB Circular A-102, 49 CFR Part 18, and EPA Terms and Conditions. Your firm may be required to comply with all terms and conditions prescribed for third-party contracts by the EPA.

The following clauses will be incorporated by reference in any contract resulting from this RFQ issued by MACOG:

A. No member of, or delegate to, the Congress of the United States shall be admitted to any share or part of this contract or to any benefit arising therefrom (41 U.S.C. § 22).

B. No member, officer, or employee of MACOG or local public official during his tenure or one year thereafter shall have any interest, direct or indirect, in this contract or the proceeds thereof.

C. Respondent shall not offer or provide gifts or any other gratuities of monetary value to any official, employee, or agent of MACOG during the period of this contract.

D. The Respondent guarantees that the proposal submitted is not a product of collusion with any other Respondent and that it has not been communicated by the Respondent to anyone not an employee or agent or surety of the Respondent. Respondents are required to furnish a Federal Non-collusion Affidavit. Failure to submit the signed affidavit at the time of proposal opening shall be grounds for disqualification of the Respondent's proposal.

E. The Respondent certifies that it is not included in the U.S. Comptroller General's List of Ineligible Contractors Debarred for Violations of Labor Standards Provisions. Respondents are required to furnish a signed Ineligible Contractors Certificate. Failure to submit the certificate at the time of proposal opening shall be grounds for the disqualification of the Respondent's proposal.

**F. The following requirements are applicable to any contract or subcontract in excess of \$100,000:**

i. Title 49 CFR Part 29 and Executive Order 12549 establish regulations pertaining to DOT and other federal contractors at any tier, and procedures applicable to their debarment, suspension, ineligibility or exclusion from participation in any DOT or other federal contracts.

ii. Respondents are required to review the above regulations and to complete and submit a Certification Regarding Debarment, Suspension, Other Ineligibility and Voluntary Exclusion, or furnish an explanation as to why the Certification cannot be provided.

iii. The Respondent agrees by submitting this response that, should the proposed covered transaction be entered into, it shall not knowingly enter into any upper-tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized in writing by MACOG.

iv. The Respondent agrees by submitting this response that it will include the clause entitled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion – Upper Tier Covered Transaction," provided by MACOG and included in these specifications, without modification, in all upper-tier covered transactions over \$100,000 and in all solicitations for upper-tier contracts.

**G. The following requirements are applicable to any contract or subcontract in excess of \$100,000:**

i. Section 1352 of Title 31, United States Code, provides in part that no appropriated funds may be expended by the recipient of a federal contract, grant, loan, or cooperative agreement to pay any person by influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement.

ii. Each Respondent is required to review the above referenced Regulations. Pursuant to federal regulations, the Respondent is required to have all subcontractors (at any tier) providing more than \$100,000 toward the contract also complete this Certification, to be included with the Respondent's proposal.

### **3.21 MANDATORY CONTRACT TERMS**

The mandatory contract terms are as follows:

A. **Employment Opportunity.** The Consultant shall not discriminate against any employee or applicant for employment because of race, religion, color, sex or national origin. The Consultant shall take affirmative action to insure that applicants are employed, and that employees are treated during their employment, without regard for their race, religion, color, sex, or national origin or any other protected class. Such actions shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff, or termination; rates of pay, or other forms of compensation; and selection for training including apprenticeship.

B. Title VI, Civil Rights Act of 1964, St. Joseph County Human Rights Ordinance, and Americans with Disabilities Act Compliance. During the performance of this contract, the Consultant, for itself, its assignees and successors in interest agrees as follows:

i. **Compliance with Regulations:** The Consultant shall comply with the regulations relative to non-discrimination in federal and state programs along with St. Joseph County's Human Rights Ordinance which are incorporated by reference and made a part of this Contract.

ii. **Non-Discrimination.** The Consultant, with regard to work performed by it during the Contract, shall not discriminate on the grounds of race, color, sex, disability, national origin, or any other protected class in the selection and retention of subcontractors, including procurement of materials and leases or equipment. The Consultant shall not participate either directly or indirectly in the discrimination prohibited by any Federal, State or Local law.

iii. **Solicitations for Subcontracts, Including Procurement of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the Consultant for the work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Consultant of the Consultant's obligations under this Contract and the Regulations relative to non-discrimination on the grounds of race, color, sex, disability, national origin or any other protected class.

iv. **Information and Reports.** The Consultant shall provide all information and reports required by any Federal, State or local directives issued pursuant thereto, and shall permit access to its books, records, accounts and other sources of information and its facilities as may be determined by MACOG to be pertinent to ascertain compliance with any Federal, State or Local law.

v. **Sanctions for Non-Compliance.** In the event of the Consultant's non-compliance with the non-discrimination provisions of this Contract, MACOG shall impose appropriate sanctions, including, but not limited to:

(a) Withholding of payments to the Consultant under the Contract until the Consultant complies, and/or

(b) Cancellation, termination, or suspension of the Contract, in whole or in part, at the sole discretion of MACOG.

C. **E-Verify Certification.** The Consultant, and all subcontractors acting on behalf of the Consultant, shall submit E-verify Certifications to MACOG as part of any Contract.

D. **Compliance with Laws/Permits and Licenses.** Consultant will give all notices and comply with all federal, State, County, and local laws, ordinances, rules, regulations, standards, and order of any public authority bearing on the performance of the Contract, or concerning the production of goods hereunder, including, but not limited to, the St. Joseph County Human Rights Ordinance, and the laws referred to in these provisions of the Contract and the other Contract documents. If the Contract documents are at variance therewith in any respect, any necessary changes shall be adjusted by appropriate modification. Omission of any applicable laws, ordinances, rules, regulations, standards, or orders by MACOG in the Contract documents shall be construed as an oversight and shall not relieve the Consultant from their obligations to meet such fully and completely. Upon request, the Consultant shall furnish to MACOG certificates of compliance with all

such laws, orders and regulations. The Consultant shall be responsible for obtaining all necessary permits and licenses required for performance under the Contract.

E. Disadvantaged Business Enterprise, 49 CFR Part 26. The following provisions of MACOG's financial assistance contract with the U.S. EPA apply:

i. Policy – It is the policy of the U.S. EPA that minority business enterprises, as defined in 49 CFR Part 26, shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with federal funds under this agreement. Consequently, the MBE requirements of 49 CFR Part 26 apply to this Contract.

ii. MBE Obligation – The recipient and its contractors agree to ensure that minority business enterprises as defined in 49 CFR Part 26 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with federal funds provided under this agreement. In this regard all recipients and contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 to ensure that Minority Business Enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors shall not discriminate on the basis of race, color, national origin or sex in the award and performance of contracts assisted by the U.S. EPA.

iii. The recipient shall advise each sub-recipient, contractor, and subcontractor that failure to carry out the requirements set forth in 49 CFR § 26(2) shall constitute a breach of contract and, after the notification of the U.S. EPA, may result in termination of the agreement or contract by the recipient or such remedy as it deems appropriate.

## **4.0 INSTRUCTIONS FOR COMPLETE SOQS**

### **4.1 GENERAL**

Each Respondent must submit four (4) hard copies and one electronic copy (i.e. CD or flash drive) of its SOQs to the MACOG address identified in Section 3.5 *SOQ Delivery Procedures* by July 29, 2022, at 4:00 pm Eastern. Failure to submit a complete SOQ or changing any of the provided attachments may result in disqualification of the SOQ. All portions of the SOQ must be signed by a person authorized to sign on behalf of Respondent and to bind the Respondent to statements made in response to this RFQ. The content and sequence to be considered a complete SOQ shall be as follows:

### **4.2 LETTER OF TRANSMITTAL**

Include Respondent's basic understanding of the work to be performed. In addition, clearly articulate why your firm believes it to be the best qualified to perform the services requested. Transmittal letters shall not exceed two (2) pages. Transmittal letters must include a statement that the Respondent has fully reviewed and understands and agrees to be bound by the terms and requirements of this RFQ.

### **4.3 TABLE OF CONTENTS**

Include a clear identification of the material by section and by page number.

### **4.4 EXECUTIVE SUMMARY OF THE SCOPE OF WORK**

Respondents must provide an overview of the major features of the RFQ submission. Include any suggestions, conclusions, recommendations or assumptions the Respondent believes are significant to the understanding of the RFQ. Respondent may also take this opportunity to comment on the sequencing and description of the tasks and/or the timeframe for completion of the tasks.

#### **4.5 PERSONNEL RESUMES**

Include resumes of all key personnel the Respondent would be assigning to this project. Please make sure to indicate the primary point of contact for MACOG.

#### **4.6 SOQ FORM**

Attachment D is the SOQ Form and is required. All pages of the SOQ Form must be completed. Please make sure to sign Attachment D. Please feel free to include any additional attachments to support information documented in Attachment D.

#### **4.7 SOQ SCHEDULE**

Attachment E is the Schedule SOQ Form Template. Respondents may utilize Attachment E to outline the proposed schedule of the SOQ or may attach necessary information to support the information requested in Attachment E. Assume a start date of October 3, 2022 when preparing the schedule unless an alternate schedule is being proposed per Section 2.2 of this RFQ. The project should be completed no later than September 30, 2025.

#### **4.8 COST PROPOSAL**

Attachment F is the Cost Proposal SOQ Form Template. Respondents may utilize Attachment F to outline the cost of the proposal or may attach necessary information to support the information requested in Attachment F.

#### **4.9 ADDITIONAL SUPPORTING MATERIALS**

Additional supporting materials may be included as an Appendix. SOQs must include all supporting data/materials that describe or display other qualifications or unique skills a Respondent may possess that are relevant to this project. Supporting materials shall be submitted with four (4) copies.

#### **4.10 ATTACHMENT G & H CERTIFICATIONS**

Attachments G and H are certifications in regards to debarment, suspension, and other responsibility matters as well as a certification regarding lobbying. These Attachments must be signed.

#### **4.11 SAMPLE CONTRACT**

A sample contract that you propose to enter into with MACOG. This contract must include the mandatory clauses listed in this RFQ above which are non-negotiable.



## **ATTACHMENT A – EPA-APPROVED WORK PLAN EXCERPT**

MACOG Regional Brownfields Project  
USEPA Brownfields Community-Wide Assessment Grant  
October 2022 – September 2025

Cooperative Agreement Work Plan  
June 13, 2022  
Version 1

This project supports EPA Strategic Plan Goal 1 – Core Mission, Objective 3 – Revitalize Land and Prevent Contamination. Specifically, the recipient will inventory, characterize, assess, plan reuse of brownfields properties and conduct planning and community involvement activities to encourage revitalization and reuse of brownfields sites. Project Period is 3 years.

Revision History:  
None.

Introduction

The Michiana Area Council of Governments Regional Brownfields project is a regional effort comprised of MACOG, Elkhart County, Kosciusko County, Marshall County, and St. Joseph County in northern Indiana formed in 2018. MACOG submitted a regional proposal and was selected for an Environmental Protection Agency (EPA) Community-Wide Assessment Grant (the Grant). The region (population 606,294) covers these 4 counties and 35 cities and towns in Indiana 60 miles east of Chicago near the Michigan border. The regional economy has relied heavily on manufacturing, including factories that produced musical instruments, recreational vehicles, metals, chemicals, and more, connected by a dense rail network and rivers. Since the 1960s, many manufacturing companies such as Studebaker closed as foreign competition led industries to cheaper locations overseas, leaving acres of brownfields behind. These include shuttered old factories, rail yards, gas stations, and vacant commercial sites with a suspected mix of environmental hazards that pose an immediate threat to the region's sensitive populations: minorities, the impoverished, the elderly, and children.

Downtown cores and rural communities in the region have been the slowest to recover in the current economic upturn. The MACOG RBC identified two target focus areas in the cities of Elkhart and South Bend where EPA Brownfield Assessment Grant funding will have the greatest impact: 1) The City of South Bend (pop. 103,453, St. Joseph County) target area is Census Tract 21 (pop. 1,256) which straddles the first two neighborhoods west of downtown, Near West Side and Kennedy Park. 2) The City of Elkhart (pop. 53,538, Elkhart County) target area is the Downtown Tax Increment Financing (TIF) district and a 1.5 mile radius from downtown (7 sq. mi.), with a priority site in Census Tract 26 (pop. 5,022) in the Tolson Center neighborhood.

MACOG will implement the regional Comprehensive Economic Development Strategy (CEDS) and smart growth principles through brownfields revitalization to enhance quality of place, attract talent, increase density, walkability, and alternative transportation, and create affordable, safe housing. Plans are in place in each of the cities and target areas to guide revitalization. The City of South Bend is finalizing a year-long public engagement and planning process to create new neighborhood plans for the two surrounding neighborhoods to the priority site Oil Express, and this grant funding will catalyze the implementation of those plans. In Elkhart, plans include the

Comprehensive Plan, Downtown TIF Plan, Elkhart 2040 Plan, and Elkhart Housing Strategy. Mixed-income housing for the target area is a core part of the Elkhart 2040 Implementation Plan. Quality of life and housing supply and affordability are integral to Elkhart's economic development strategy. The MACOG Regional Active Transportation Plan will guide redevelopment planning to improve connections to multi-use pathways and bicycle and pedestrian infrastructure in each of the target areas where possible.

MACOG's deep level of involvement with communities in the region and partnerships with local economic development organizations will enable MACOG to leverage funding and collaborate effectively to move redevelopment forward in alignment with local plans. Outside of the target areas, MACOG will prioritize available funding to continue supporting brownfields redevelopment at sites under the previous Cooperative agreement and make funding available to new sites as prioritized by the working group, led by MACOG, for viable revitalization projects in small communities (<10,000) or areas with no recent EPA grant (5 years). Sites from the previous grant where work is anticipated to continue include 511 Division, 1701 Sterling, 1101 E Beardsley, and the Roundhouse in Elkhart as well as the Arnolt site in Warsaw if needed.

The grant will have the following outputs: an updated Brownfield Inventory, a publicly accessible brownfield map, 8 public meetings focused on the purpose and progress of this Grant, 18 Phase I ESAs, completion of 13 Phase II ESAs or Further Site Investigations (FSIs), completion of cleanup-planning tasking including 4 Remedial Work Plans and 4 site-specific reuse plans. When possible and appropriate, a plan will be developed to fund any additional investigation and/or remediation work needed to return assessed properties to active reuse.

Further, the grant will have the following outcomes: reduction of health risks (# sites remediated), creation of trails/greenspace (# miles/acres), increase in employment (# quality jobs created), leveraged funding (\$), increase in commercial development (# businesses opened), and expand quality housing (# units, # low-moderate units). These and other output and outcome statistics will be included in quarterly reporting and ACRES submittals as data becomes available through the duration of the grant period, which will allow the EPA to better evaluate and highlight the success of the Grant program. At the close of the project, the MACOG RBC will provide a final report to the EPA and the community summarizing project outputs and outcomes.

Benefits of the regional Community-Wide Assessment Grant will include: the reduction and elimination of at least 10 sites with known health hazards, reduced strain on emergency responders who respond to fires and drug labs at brownfields in the region, and reduced risk of environmental contamination of lakes and other water bodies, aquifers and wells adjacent to brownfields. Through the revitalization of brownfields the region will gain improved availability of workforce housing, access to greenspace, improvements in the quality of life in distressed neighborhoods, increased tax base and job creation, and reduction in negative impact on nearby home values.

#### Management and Coordination:

The Michiana Area Council of Governments, as the recipient of this grant and the coordinator of the Regional Brownfields Working Group, will oversee all aspects of the grant project. Leah Thill, Senior Environmental Planner, will serve as the Project Manager. She will manage the day-to-day grant administration tasks, will serve as the direct contact for the EPA and the selected QEP, and will be responsible for the technical and reporting requirements of the grant. Deborah Gardner will be

responsible for financial reporting, drawdowns, and financial management of the grant and contractor payments. The MACOG RBC will retain a qualified environmental professional to assist in managing and performing the activities funded by the grant. James Turnwald, MACOG Executive Director, is responsible for operational functions and personnel.

#### Task and Schedule:

The schedule presented below assumes that the CA with the U.S. EPA will be completed and approved by October 1, 2022.

- Task 1 – Program Management
- Task 2 – Community Outreach; Inventory Management and Prioritization
- Task 3 – Phase I & II ESAs/FSIs
- Task 4 – Site-Specific Cleanup and Reuse Planning

#### **Task 1: Program Management**

Task 1 activities will be completed throughout the cooperative agreement cycle. MACOG will update the Memorandum of Agreement with a representative of each of the 4 counties. MACOG will convene a selection committee from the regional brownfields working group to procure a Qualified Environmental Professional (QEP) through a competitive and public Request for Qualifications to complete contractual obligations to the tasks outline herein. MACOG will be responsible for day-to-day grant operations, reviewing the KSU Brownfield Inventory Tool (BIT), distributing information to communities, quarterly reports, annual financial reporting, managing project team activities, and cooperative agreement and field oversight. MACOG will assess progress by comparing outputs and funds expended against work plan benchmarks. Once funds are available, MACOG will utilize the federal ASAP system. The QEP will assist with reviewing reports. The project team (MACOG, QEP, working group) will conduct virtual project team meetings at least monthly. MACOG will send one MACOG staff person and up to 2 people from the regional brownfields working group (local government staff) to attend the National Brownfields Conference in 2024. MACOG staff and up to 2 representatives of the working group will attend a state brownfields workshop, or alternative virtual education opportunities offered. MACOG will track progress over 3 years in monthly reports including completion of tasks, challenges, financial expenditures, preliminary data, staff changes, and upcoming activities. MACOG will cover additional staff time with federal, local, or other sources. Municipalities will provide staff time and meeting space in-kind and clearance of debris.

<b><i>Task 1 Activities</i></b>	<b><i>Deliverables</i></b>	<b><i>Completion Date</i></b>
Select Environmental Provider	Contract for Services	October 1, 2022
Prepare and submit quarterly reports, annual reports and MBE/WBE Utilization reports, etc.	Quarterly reports, annual reports and MBE/WBE Utilization reports, etc.	First quarterly report submitted by January 31, 2023 and ongoing
Enter site data into ACRES	Accurate and timely ACRES information	Sites entered into ACRES and updated as reports are completed
Build brownfields technical knowledge of the regional brownfields working group.	Attend the national conference and report back to regional brownfield working group, share presentation slides from relevant sessions, etc.	Estimated 2024

## **Task 2: Community Outreach; Inventory Management and Prioritization**

Involvement of key stakeholders and the general public is integral for a successful brownfield redevelopment program. MACOG and local government staff will host both virtual and in-person community meetings as appropriate due to the on-going and dynamic COVID-19 pandemic. MACOG will instead host a regional open house in October 2022 to update the public on the outcomes of the previous grant, provide an update on the new grant, solicit sites, and share ways to stay involved. - Site-specific and target area-specific virtual and in-person events will be planned in partnership with local governments and potential developers. MACOG will also invest in alternative ways to inclusively reach those who do not have access to internet or devices to participate in virtual events or online surveys. MACOG will proactively engage target areas through both online and off-line methods, including neighborhood list serves, print newsletters, print flyers, and mailed postcards. MACOG will provide options to provide input by phone, mail print surveys, and offer translated materials for limited English proficiency residents (i.e. Spanish language). The QEP will support the MACOG RBC by contributing to presentations, providing expertise in informing the public of the funding and investigation process, and in developing outreach materials.

The funds allocated to this task will also be used to update the regional brownfields portal and the project webpage which includes the Sites of Interest form, public meeting notices, meeting recordings and slides, an interactive map, target area information, etc. MACOG and the working group will update selection criteria, rank sites, and review community input to approve sites for funding.

<b><i>Task 2 Activities</i></b>	<b><i>Deliverables</i></b>	<b><i>Completion Date</i></b>
Hold at least 8 public meetings, including virtual events	Meeting minutes, notes, sign-in sheets, and agendas as applicable.	Initial public meeting by October 31, 2022, then, ongoing throughout the CA period.
Update project webpage to communicate with the public	Project webpage updated with new grant information	October 1, 2022. Maintain thereafter.
Update regional brownfields map	Add public brownfields deliverables	Highlight at open house, October 31, 2022. Maintain thereafter.
Update support and outreach materials to be distributed at public meetings and other locations/events	Updated outreach materials such as the Brownfields Basics fact sheet, support materials, PowerPoint presentations	October 31, 2022. Updates and additional material may be developed on an ongoing basis.

## **Task 3: Phase I & II ESAs/FSIs**

Eligibility determinations will be prepared with support from the QEP and submitted by the grantee to the EPA (hazardous substance sites). IDEM (petroleum sites) will be provided with sufficient information for the State Agency to generate a petroleum-determination letter, prior to the performance of Phase I ESAs. State petroleum-determination letters will be provided to U.S. EPA, as generated. Phase I Environmental Site Assessments will be performed on key sites throughout the MACOG region. Municipalities will confirm site access to initiate eligibility determinations so that Phase I ESAs can proceed on areas of focus which will include those sites already identified in the inventory as high priority sites. The Phase I Assessments will be compliant with All Appropriate Inquiry (AAI) and ASTM E-1527-13. Outside the target areas, viable

revitalization projects in small communities (population <10,000) and municipalities that have not received EPA funds will receive priority.

Prior to the development of the Quality Assurance Project Plan (QAPP), a conference call will be scheduled and conducted with participation by the QEP and EPA. It is anticipated that the draft QAPP will be submitted within 90 days of the CA. MACOG understands that costs related to sampling, analysis, and data collection cannot be incurred until the QAPP is approved by EPA.

Phase II ESAs will be completed to assess recognized environmental conditions identified in the Phase I Assessments. All sampling activities and fieldwork performed during the Phase II Assessments will be performed in accordance with Indiana Department of Environmental Management (IDEM) guidelines, site-specific Sampling and Analysis Plans (SAPs), and Health and Safety Plans (HSPs), the latter two of which will be submitted for approval by grantee to the EPA Project Manager prior to the performance of Phase II Assessment activities.

<b><i>Task 3 Activities</i></b>	<b><i>Deliverables</i></b>	<b><i>Completion Date</i></b>
Refine existing inventory, review and adjust prioritization of inventory.	List of sites for assessment/investigation consideration	Jan 1, 2023. Inventory will continue to be revised throughout the CA period.
Document site eligibility	Letter of Eligibility	First eligibility determination estimated to be requested by Feb 15, 2023. Ongoing thereafter.
Conduct Phase I ESAs	Phase I Reports	Ongoing throughout the CA period.
Pre-QAPP conference call and QAPP preparation	Draft QAPP/Final QAPP	Draft QAPP submitted to the EPA by January 1, 2023
Prepare Sampling and Analysis Plan(s)	SAPs	1st SAP anticipated 2/1/2023 and continuing on a site-specific basis throughout the grant cycle
Prepare Health and Safety Plan(s) (HASPs)	HASPs	1st HASP anticipated 2/1/2023 & continuing on a site-specific basis throughout the grant cycle
Complete Phase II reports	Phase II Report	On a site-specific basis throughout the grant cycle

Additional Deliverables: As deliverables are completed, electronic copies of all Phase I and II ESAs completed during the quarter will be forwarded to EPA Project Officer. All material will also be forwarded to the Indiana Department of Environmental Management (IDEM), and the Indiana Finance Authority (IFA) using the email address [brownfields@ifa.IN.gov](mailto:brownfields@ifa.IN.gov).

#### **Task 4: Cleanup and Reuse Planning**

The QEP will conduct cleanup planning, prepare Remedial Action Plans (RAP), complete Analysis of Brownfield Cleanup Alternatives (ABCAs), secure comfort letters and Environmental Restrictive Covenants, and prepare site-specific reuse plans, and an area-wide reuse plan for the clustered sites in Plymouth, and/or other actions associated with sites assessed and ready for remediation. MACOG will assure deliverables align with community plans.

The QEP will review known contamination (sources and extents) based on Phase II ESA data and evaluate potential exposure pathways based on the potential future use(s) of the site. This information will be used to establish the cleanup goals and remedial alternatives for the proposed remediation. RAPs will include a feasibility analysis that evaluates alternatives designed to meet the project objectives. Each alternative will be evaluated for effectiveness, feasibility to implement, and cost. The cleanup method selected will be based on this analysis. Cleanup planning will include an analysis of potential remedial techniques, determination of appropriate cleanup goals, identification of probable costs, and planning and application for additional funding. Additionally, funds from this task will be used to obtain Site Status Letters and Comfort Letters from the Indiana Brownfield Program to provide site closure and comfort to prospective brownfield property purchasers.

Task 4 funds will also be used to develop funding sources necessary to remediate contaminated brownfields and return them to productive reuse. These sources include state and federal funding programs as well as private funding sources, such as liability insurance policies identified through insurance archeology.

<b><i>Task 4 Activities</i></b>	<b><i>Deliverables</i></b>	<b><i>Completion Date</i></b>
Prepare Remedial Action Plans	Draft RAP(s) Final RAP(s)	First RAP anticipated as early as 2/1/2023, then ongoing throughout the CA period
Prepare Analysis of Brownfield Cleanup Alternatives	Draft ABCA(s) Final ABCA(s)	First ABCA anticipated as early as 2/1/2023, then ongoing throughout the CA period
Prepare Reuse Plans	Draft and Final Reuse Plans	First RAP anticipated as early as 2/1/2023, then ongoing throughout the CA period
Indiana Brownfield Program Site Status Letter and/or Comfort Letter	SSL/CL	First SSL/CL anticipated as early as 2/1/2023, then ongoing throughout the CA period
Conduct Insurance Archeology	Identify the presence liability insurance coverage on a site	On a site-specific basis throughout the grant cycle



Budget: MACOG will draw down 35% of grant funds within 18 months.

Project Tasks (\$) [Programmatic Costs Only, No Indirect Costs]						
Budget Categories		1. Program Management	2. Community Engagement, Inventory	3. Phase I & II ESAs	4. Cleanup, Reuse Planning	Total
Direct Costs	Personnel	\$4,669	\$6,693			\$11,362
	Fringe	\$3,251	\$4,660			\$7,911
	Travel	\$5,899	\$560			\$6,459
	Equipment					
	Supplies		\$4,268			\$4,268
	Contractual	\$15,000	\$20,000	\$360,000	\$75,000	\$470,000
<b>Total Budget</b>		<b>\$28,819</b>	<b>\$36,181</b>	<b>\$360,000</b>	<b>\$75,000</b>	<b>\$500,000</b>

Measures of Success:

A site-specific “property profile” will be completed in the ACRES database for each parcel that benefits from the use of EPA funds and a quarterly progress report summarizing project activities will be submitted to the U.S. EPA Region 5 project manager within 30 days of the previous reporting period.

The MACOG RBC will ensure that the following measures of success are tracked and documented in quarterly reports and/or ACRES submittals.

- Properties with brownfields assessments started;
- Properties with brownfields assessments completed with funding;
- Properties with brownfields redevelopment activities underway;
- Cleanup & redevelopment dollars leveraged;
- Jobs leveraged;
- Properties with brownfields cleanup activities started;
- Properties with brownfields cleanup activities completed.
- Properties with no cleanup needed

Additionally, the quarterly progress reports will include:

- Modifications to the Work Plan
- Project activities relative to the U.S. EPA grant.
- Task Progress/Schedule
- Site identification and targeted sites
- Cleanup redevelopment activity
- Summary of expenses by category
- Leveraging other financial assistance



## **ATTACHMENT B – GREEN REMEDIATION STRATEGIES**

*This background information is provided for reference only.*

MACOG seeks to improve the decision-making process for assessment and future remediation activities in a way that ensures protection of human health and the environment as recommended by the U.S. EPA. The firm selected as a result of this RFQ will be expected to implement green remediation strategies and applications in the performance of the activities outlined in this RFQ in order to maximize sustainability, reduce energy and water usage, promote carbon neutrality, promote industrial materials reuse and recycling, and protect and preserve land resources. Examples include disposing of waste at a landfill less than 30 miles from the Site, reducing unnecessary idling of vehicles, using local contractors/subcontractors, and recycling of Site waste when feasible.

When responding to this RFQ, Respondent's SOQ should include information on green remediation strategies.

Information from the U.S. EPA regarding the ASTM E2893-13 *Standard Guide for Greener Cleanups*, methods, and best management practices can be found on the following websites:

<http://www.epa.gov/greenercleanups>

<https://clu-in.org/greenremediation/>

### Additional References:

- *Green Remediation Best Management Practices: An Overview* (EPA 542-F-16-001)
- *Green Remediation: Incorporating Sustainable Environmental Practices into Remediation of Contaminated Sites* (EPA 542-R-08-002)
- *Methodology for Understanding and Reducing a Project's Environmental Footprint* (EPA 542-R-12-002)

### Best Management Practices

- *Green Remediation: Best Management Practices for Excavation and Surface Restoration* (EPA 542-F-08-012)
- *Green Remediation Best Management Practices: Materials and Waste Management* (EPA 542-F-13-003)
- *Green Remediation Best Management Practices: Sites with Leaking Underground Storage Tank Systems* (EPA 542-F-11-008)

# **ATTACHMENT C – EVALUATION SHEET**

***FOR INTERNAL USE - COMPANIES DO NOT COMPLETE***

COMPANY NAME: \_\_\_\_\_

GUIDELINES FOR COMPANY SELECTION

**YES / NO**      **Are all items requested in the SOQ package provided? If not, do not complete the rest of this form.**

**0-25 Pts**      **Technical Expertise** – Qualifications and experience of key team members assigned to the project.

**0-20 Pts**      **Capacity** – Evaluation of the Respondent’s personnel and equipment to perform the project on time.

**0-20 Pts**      **Project Understanding and Approach** – A demonstrated understanding of the project scope, approach and methodology.

**0-10 Pts**      **Time Frame** – starting availability, completion within tentative schedule, provides a detailed timeline of project tasks

**0-10 Pts**      **References** – Examples of previous work that references provide satisfaction in services they received. Three satisfactory references is worth 10 points, two references 5 points, one reference 2 points, and no satisfactory references is worth 0 points.

**0-10 Pts**      **Past Performance** – Previous work on Phase I, II, EPA Assessment grants, etc.

**0-5 Pts**      **Specialized Work Experience** – Specialized experience in the type of work to be performed, specifically including previous work with regional entities and Coalitions to implement Brownfields Coalition Assessment grants.

\_\_\_\_\_ **Total Points** – 100 possible points

COMMENTS: \_\_\_\_\_

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Date: \_\_\_\_\_ Signature: \_\_\_\_\_

*Note: No bias or special consideration is given to vendors based on geographic locality during this procurement.*

# **ATTACHMENT D – SOQ FORM**

***PLEASE NOTE: ALL PAGES OF ATTACHMENT D ARE REQUIRED***

## **1. Company Details**

Company Name: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Company Address: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Company website: \_\_\_\_\_  
State of Organization: \_\_\_\_\_ Number of Employees: \_\_\_\_\_  
Ownership of Company: \_\_\_\_\_

Is the provision of environmental consulting services the Respondent's primary service? If no, please explain.

YES \_\_\_\_\_ NO \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

## **2. Please provide three (3) customer references.**

Each reference must have used your company for an EPA Assessment Grant in the past three years. References that have no knowledge of your company's expertise with brownfields, references that refuse to answer questions or provide information, or references that cannot be reached after three attempts, will not be considered as having met the satisfactory reference requirement.

Company Name: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Dates of Project: \_\_\_\_\_  
Describe Service: \_\_\_\_\_  
\_\_\_\_\_

Company Name: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Dates of Project: \_\_\_\_\_  
Describe Service: \_\_\_\_\_  
\_\_\_\_\_

Company Name: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Dates of Project: \_\_\_\_\_  
Describe Service: \_\_\_\_\_  
\_\_\_\_\_

## **3. Provide a brief summary of your firm's history and organizational structure.**

\_\_\_\_\_  
\_\_\_\_\_

- 
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4. Describe specific plans for how you will manage, control and supervise the project in order to ensure satisfactory provision of services.

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5. Provide a detailed description of the technical and operational approaches for performing Phase I and Phase II ESAs.

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6. Please provide additional information regarding your experience with cleanup planning and your approach.

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- 
7. Please provide additional information regarding your experience with reuse planning and your approach. Eligible planning activities are described at <https://www.epa.gov/brownfields/information-eligible-planning-activities>

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8. Please provide additional information regarding community engagement strategies and materials you would recommend utilizing to incorporate community input into both cleanup and reuse plans.

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9. Please provide an overview of the green practices, objectives, and goals for this project and provide specifics about how green practices will be implemented throughout the assessment process and cleanup planning process. Provide an acknowledgement that green remediation strategies will be incorporated into all work scopes, remediation work plans, and final report(s) required for this project.

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10. Please provide additional information regarding your experience developing online data portals, inventories, or interactive maps to make brownfields data and documents accessible to the public.

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11. Describe which aspects of the project would involve subcontractors, if any, and include the name, role, and resumes of key subcontractor staff who will be assigned to this project.

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12. How many EPA Brownfields Assessment Grants have you implemented in the past 5 years:

- a. Total Assessment grants implemented:\_\_\_\_\_
- b. In urban areas (Metropolitan Statistical Areas):\_\_\_\_\_
- c. In rural areas with communities of 10,000 population or less:\_\_\_\_\_
- d. **Coalition** Assessment grants:\_\_\_\_\_
- e. **Community-Wide** Assessment grants:\_\_\_\_\_

13. Please provide information regarding the Respondent's experience with regional entities or large Coalitions, if any.

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**14. Please describe the strategies that will be used to ensure that MBE/WBE goals are met or exceeded. Describe past performance on MBE/WBE goals and list qualifying subcontractors or suppliers, if any, that will be used.**

**CERTIFICATION**

I certify that this proposal is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a proposal for the same services, materials, supplies or equipment, and is in all respects fair and without collusion or fraud. I understand collusive bidding is a violation of State and Federal law and can result in fines, prison sentences, and civil damage awards.

I hereby certify that the responses to the above representations, certifications, and other statements are accurate and complete. I agree to abide by all conditions of the Request for Proposals and certify that I am authorized to sign for the Respondent.

**Authorized Representative's Signature:**

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Date: 

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## **ATTACHMENT E – PROJECT SCHEDULE TEMPLATE**

*Please Note: The following template is a guideline for the proposed Project Schedule section of the submitted SOQ. Tasks and sub-tasks should match the groupings on the cost SOQ form. Assume a start date of October 3, 2022, when preparing the schedule. The final schedule will be developed in consultation with the brownfields working group based on site-specific considerations, such as site access.*

### **Tasks for the MACOG Regional Brownfields Coalition Project**

#### ***Task 1 – Program Management***

	Date	Notes
Develop project webpage		
Submit QAPP for Approval		
QAPP Approval		
Submit final invoice		
Submit final report		
Finish transmitting all site photos and documentation		

#### ***Task 2 – Community Outreach and Inventory Management and Prioritization***

	Date	Notes
Conduct first Public Meeting		
Submit first request for Eligibility Determination		
Launch GIS map		

#### ***Task 3 – Phase I ESAs & Phase II ESAs***

	Date	Notes
Conduct first Phase I ESA		
Submit first SAP		
Conduct first Phase II ESA/FSI		

#### ***Task 4– Cleanup and Reuse Planning***

	Date	Notes
Finalize first Remedial Action Plan (RAP)		
Finalize first Analysis of Brownfield Cleanup Alternatives (ABCA)		
Finalize first Reuse Plan		

## **ATTACHMENT F – COST SOQ FORM TEMPLATE**

Please provide estimated project cost either on the supplied Cost of Proposal Form Template, found below, or in your own similar format.

### **Tasks for the MACOG Regional Brownfields Coalition Project**

#### ***Task 1 – Program Management***

	Total Hours	Fees
Prepare and submit QAPP		
Other program management (i.e. ACRES reporting, Project team meetings, etc.)		

#### ***Task 2 – Community Outreach and Inventory Management and Prioritization***

	Total Hours	Fees
8 Public Meetings and Community Outreach		

#### ***Task 3 – Phase I ESAs & Phase II ESAs***

	Total Hours	Fees
Site Eligibility Determinations		
Phase I ESAs		
SAPs/HASPs		
Phase II ESA/FSI		

#### ***Task 4 – Cleanup and Reuse Planning***

	Total Hours	Fees
Cleanup Planning		
Reuse Planning		

	Total Hours	Fees
<b>Total</b>		

Attach a detailed breakdown of your proposed labor hours and labor mix. Attach an hourly billing rate sheet, which includes all personnel anticipated to work on the projects, as well as per diem rates should an overnight stay be required. Include a detailed estimate of all subcontractor costs and other direct costs, such as laboratory fees, travel, etc. Mark-up for subcontractor services shall be identified.



# **ATTACHMENT G – DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS**

## **Primary Covered Transactions**

As required by U.S. DOT regulations on government wide Debarment and Suspension at 49 CFR 29.510:

1. The Company certifies to its best knowledge and belief, that it and its principals:
  1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal debarment or agency;
  2. Have not within a three-year period preceding this proposal been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state or local) transaction or contract under a public transaction; violation of Federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, state, or local) with commission of any of the offenses listed in paragraph (b) of this certification; and
  4. Have not within a three-year period preceding this certification had one or more public transactions (Federal, state, or local) terminated for cause or default.
- (2) The Company also certifies that if, later it becomes aware of any information contradicting the statements of paragraphs (a) through (d) above, it will promptly provide this information to the U.S. EPA.
- (3) If the Company is unable to certify to the statements within paragraphs (1) and (2) above, it shall indicate so on its Signature Page and provide a written explanation to U.S. EPA.

**Authorized Representative's Signature:**

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Printed Name and Title

## **ATTACHMENT H - CERTIFICATION REGARDING LOBBYING**

The undersigned, \_\_\_\_\_ certifies, to the best of its knowledge and belief, that

(1.) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2.) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form--LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96)]. Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, *et seq.*)

(3.) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

[Note: Pursuant to 31 U.S.C. § 1352(c)(1)(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure or failure.]

\_\_\_\_\_ certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Company understands and agrees that the provisions of 31 U.S.C. A 3801, *et seq.*, apply to this certification and disclosure, if any.

**Authorized Representative's Signature:**

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Printed Name and Title

## **MACOG Brownfields Community-Wide Assessment**

### **Request for Qualifications Addendum**

Pre-Proposal Conference Meeting, July 14<sup>th</sup>, 2022 1:00 PM (ET)

*Final Addendum will be posted on MACOG's website on July 15 by 4:00 pm Eastern.*

The following responses to questions received from interested parties at the pre-proposal meeting will serve as an addendum to the RFQ and shall prevail over inconsistent provisions of earlier issued documentation. No questions were submitted in advance of the meeting.

1. Several questions were asked regarding the availability of the work plan and/or grant application.

**The EPA-approved Work Plan is available as Attachment A in the RFQ. All grant applications submitted, both selected and not selected by the EPA for funding, are published on the EPA website at <https://www.epa.gov/brownfields/fy-2022-brownfields-assessment-rlf-and-cleanup-grant-applications>. The direct link to MACOG's application is <https://www.epa.gov/system/files/documents/2022-05/R05-22-A-027.pdf>.**

2. Are there limitations on the proposals' page limit or attachments, for example can marketing materials be included?

**There is no specific page, line, or word count limit on the responses. Additionally, Respondents may use more than the number of lines provided in Attachment D SOC Form template. Respondents are encouraged to use their best judgement on how to clearly indicate where responses are located and on the amount of supporting material to include. Please note that a committee will be reading and scoring all materials submitted. Respondents should clearly indicate in their response the section or page number that addresses each question. As indicated in Section 4.9 "Additional Supporting Materials" on page 15 of the RFQ, Respondents are welcome to include supporting materials in an appendix but must provide 4 hard copies.**

3. Are there any projects that will be rolling over from the current grant to continue to be funded under the new grant? Or will the new grant fund only new sites that have not been funded under the current grant?

**The new FY 2022 grant, pending final award, will continue to fund work on some sites where activities were funded under the current grant which ends September 30, 2022. Attachment A Work Plan Except specifically lists several sites in the City of Elkhart including 511 Division Street, 1701 Sterling Ave, and 1101 E Beardsley Ave. Sampling has been conducted on all three sites under the current grant and additional sampling and other support may be needed on all three. As sites move from assessment through redevelopment, a Phase I may be needed to transfer the sites to another party and additional cleanup planning or eligible reuse planning activities may be needed. Both the priority sites in South Bend and Elkhart listed in the grant application have received an eligibility determination. MACOG has not appropriated the full \$500,000 FY 2022 award and new sites are being actively solicited from the community. The Sites of Interest Form can be found at <http://www.macog.com/brownfields.html>.**

4. Elkhart and South Bend are listed as target communities with priority sites, will sites in other communities be considered?

**MACOG will continue the Regional Brownfields Coalition approach through the EPA Brownfields Community-Wide Assessment Grant pending final award. The grant will continue to cover our entire region which includes all incorporated and unincorporated areas in the four MACOG counties Elkhart, Kosciusko, Marshall, and St. Joseph. For reference, the cities in our region include Elkhart, Goshen, Mishawaka, Nappanee, Plymouth, South Bend, and Warsaw. MACOG will make funding available to sites beyond the priority areas as prioritized by the brownfields working group which consists of local government staff, and specifically for viable revitalization projects in small communities (<10,000) or areas with no recent EPA grant (longer than 5 years). The prioritization scoring rubric under the current grant also includes points for: High Reuse & Redevelopment Potential including open space and the potential to benefit disadvantaged communities, Re-use of Existing Structures & Infrastructure, and Environmental Risk.**

5. What is required in the Sample Contract?  
**Respondents should include with their proposal the standard contract that the firm would propose to enter into with MACOG, and includes the Mandatory Contract Terms from Section 3.21 on page 13 in the RFQ.**
6. Will a single firm be selected or will multiple firms be selected to implement this project?  
**MACOG intends to select a single Respondent and enter into a contract with that firm or individual to implement this project. However, Respondents may coordinate to form a team to implement different aspects of the project. Please note that if a collaborative arrangement is proposed, only one firm or individual shall be identified as the lead. It will be the responsibility of that prime contractor to manage or enforce compliance and ensure scheduled deliverables of any partners or sub-contractors selected by the lead.**