

City of The Dalles
REQUEST FOR PROPOSALS
U.S. EPA Brownfield Assessment Consulting Services
Project No. 2024-011

- Issue Date:** December 25, 2024
- Proposals Due:** February 4, 2025 (2:00 p.m. PPT)
- RFP Review:** This RFP may be reviewed at the Office of the City Clerk, The Dalles City Hall, 313 Court Street, The Dalles, Oregon, and on the City's website at www.thedalles.org/bids.
- Bid Opening:** Proposals will be opened at 2:00 p.m. PPT on Tuesday, February 4, 2025, when the email account designated for Proposal receipt will be accessed. Proposals will be opened then and there via Zoom Meeting. (**Meeting ID:** 858 0212 1281; **Passcode:** 068006).
- Send Proposals to:** thedallesbids@ci.the-dalles.or.us with the subject line **Brownfield RFP Response** and directed to City Clerk Amie Ell, City of The Dalles, 313 Court Street, The Dalles, OR 97058
- Send Questions to:** dspatz@ci.the-dalles.or.us with the subject line **Brownfield RFP Question** and directed to Dan Spatz, Economic Development Officer, by January 24, 2025

I. INTRODUCTION

City of The Dalles (**City**) has been awarded a FY2024 Brownfields Assessment Grant by the U.S. Environmental Protection Agency and is seeking professional services from a qualified and experienced Environmental Consulting firm (**Firm**) to support Project implementation for Project No. 2024-011. The City is an Oregon municipality and the grant will assess public and private properties within the city limits and selected sites elsewhere in Wasco County, as specified in the City's EPA work plan.

This Project includes environmental assessment, remediation planning, community outreach, and other environmental/planning components. This Project will use and build upon the results of a Business Oregon Integrated Planning Grant focused on The Dalles, an EPA-funded coalition assessment grant that concluded in 2024, a buildable lands inventory, and housing production strategy recently conducted by the City. The Firm will assist the City in management and execution of the Project work plan.

This solicitation is issued in compliance with federal procurement standards outlined in CFR §200.318 - CFR §200.327 as applicable to hiring consulting Firms to assist communities with grants awarded. The City encourages Minority-Owned and Women-Owned Businesses to apply.

Specifically, the City is seeking a Firm or team with documented experience providing:

- Phase I & II Environmental Site Assessments (ESAs)
- Remediation planning and other environmental or planning components
- Grant administration assistance

- Community outreach and engagement

The City and the successful Firm will develop a Project scope of services to fulfill Project requirements of the brownfield grant funds. The resulting contract will be for a fixed price and the term will through September 30, 2028. Any contracts stemming from this solicitation will include federal contract provisions as outlined in Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards (<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/appendix-Appendix%20II%20to%20Part%20200>).

The City may amend or extend this contract beyond the initial term to accommodate the terms and conditions of the FY2024 Brownfields Assessment Grant or future EPA grants awarded to the City within that period provided a market survey conducted by or on behalf of the City indicates that the prices the contractor proposes are reasonable.

II. SCOPE OF WORK

All anticipated and future work performed by the selected Firm will comply with EPA grant terms and conditions. The selected Firm will assist the City in executing the existing brownfield assessment cooperative agreement work plan. The Firm will be expected to support the City with grant administration requirements (i.e., quarterly and annual EPA reporting), Project management, and regulatory support as required and as described in Table 1 (below).

Table 1:

<p><u>Task 1 – CA Oversight and Reporting</u></p> <ul style="list-style-type: none"> • Quarterly reports with budget status tables (16) • Annual DBE reports (4) • Annual FFR report (4) • Final Project closeout report (1) • ACRES updates (18) 	<p><u>Task 3 – Phase I and II ESAs</u></p> <ul style="list-style-type: none"> • Eligibility forms and access agreements (18) • Phase I ESA reports (12) • EPA-approved QAPP (1) • NHPA and endangered species screens (12) • Site-specific health and safety plans (12) • Phase II ESA/RBM Survey reports (12)
<p><u>Task 2 – Community Engagement</u></p> <ul style="list-style-type: none"> • Public Involvement Plan (1) • Public, BAC and prop. owner meetings (~8) • Project webpage: Assist city with updates (~4) • Press releases, fact sheets educational materials 	<p><u>Task 4 – Cleanup, Reuse and AWP Planning</u></p> <ul style="list-style-type: none"> • Remedial action plans (e.g. Analysis of Brownfield Cleanup Alternatives) (3) • Site-specific reuse plans (3) • Area-wide plan (1)

1. Community Engagement Assistance: The Firm will support the City in drafting and implementing a public involvement plan that outlines public involvement and community outreach activities to ensure that the community concerns are considered and addressed during the life of the Project. The following activities may be included:

- a. Conduct public meetings to solicit community interest and provide educational information.

- b. Support a Brownfield working group (Brownfield Core Team) that will be tasked with reviewing and recommending sites to be assessed.
- c. Develop and implement effective methods of communicating information about the Project to the public (website, information sheets, social media, etc.).

2. Site Inventory and Eligibility Determination: The City has identified approximately 105 brownfields in the City, categorized in the work plan according to locations on the east and west sides of I-84 as well as downtown. Approximately 85 sites have environmental database listings. A total of 10 high priority sites are identified in the eastern and western target areas (5 west and 5 east of I-84) and six in the historic downtown target areas.

The Firm will work with City staff and the City's Brownfield Core Team to review initial site identification and prioritization. Collectively, the team will make decisions about site approval based on the criteria outlined in the prioritization approach. The following activities may be included:

- a. Provide tools and support in creating a Brownfields property inventory including prioritization of properties.
- b. Consult with prospective private landowners and developers to encourage participation in the program.
- c. Prepare and submit eligibility determinations to EPA for review and approval.

3. Site Characterization and Assessments: As part of the work, the Firm will be asked to conduct Phase I Environmental Site Assessments (ESAs) and Phase II ESAs. The following activities may be included:

- a. Prepare and maintain schedules and budgets for assessment activities.
- b. Complete approximately 12 Phase I ESAs during the Project. Assessments will be performed in accordance with the All Appropriate Inquiries (AAI) Final Rule and the ASTM standard. The Project will prepare AAI final reports that comply with 40 CFR Part 312 and include the "Reporting Requirements Checklist" found at https://19january2021snapshot.epa.gov/sites/static/files/2017-07/documents/aai_factsheet_reporting_requirements_checklist_epa_560_f_17_194_508.pdf. The Firm will also be responsible for finalizing site access agreements.
- c. Complete approximately 12 Phase II ESAs and regulated building material (RBM) surveys. Phase II ESAs will be completed in accordance with ASTM standard. Included in this task is development of the following documents prior to conducting assessments. All documents will conform to EPA and Oregon Department of Environmental Quality (DEQ) requirements.
 - i. Generic Quality Assurance Project Plan (QAPP) (1)
 - ii. Site specific Sampling and Analysis Plans (SS-SAPs) (12)
 - iii. Health and Safety Plan (HASP) (12)
 - iv. Site investigation reports (12)

Also prior to conducting any Phase II ESAs, the Firm will assist in collecting information required by the Endangered Species Act and National Historic Preservation Act.

4. Reuse Planning: The Firm will complete site-specific cleanup and redevelopment planning documents, including one (1) Area-Wide Plan (AWP) to address areas where there are significant redevelopment impediments and approximately three (3) Analysis of Brownfield Cleanup Alternatives (ABCA) documents. ABCAs will include the cleanup standards to be achieved and any institutional, land use or engineering controls that will be required as part of the cleanup. Prior to beginning cleanup (not funded by this EPA Assessment Grant), any ABCA prepared for a site will be reviewed and approved by DEQ, and undergo public comment. After the ABCA Public Notice and comment period, the coalition will work with DEQ in documenting any comments received and how they are being responded to (such as incorporating changes in the plans). In addition, the Firm may be asked to conduct a variety of marketing and community outreach activities to solicit input and generate redevelopment options regarding the redevelopment of specific properties. The Firm may also assist in the negotiation of Brownfield agreements with state and federal regulatory agencies.

III. PROPOSAL SUBMISSION REQUIREMENTS

The Proposal must address the Firm's ability to support the tasks in the Scope of Work and be organized as outlined in the Response Format section below. Proposals must be signed and dated by someone with signing authority to submit proposals on behalf of the company (i.e., president, executive director, principal, partner, owner, etc.). Proposals will be reviewed and evaluated by a committee based upon the evaluation criteria set forth below. The evaluation committee will make a recommendation for award of the proposal to the City Manager. The City will not be liable for any costs incurred by the applicant associated with the preparation of a proposal submitted in response to this RFP. All submissions shall become the sole and exclusive property of the City of The Dalles. Proposers shall not copyright, or cause to be copyrighted, any portion of their submission. Within the bounds of the Oregon public records law, the City will maintain the confidentiality of submissions at least until preliminary selection of a consultant. Any proprietary financial information or other information which Proposers submit will be maintained as confidential as allowed by Oregon public records law. Submissions or information the Proposer would like to remain confidential must be marked confidential. Proposers must be appropriately registered and/or licensed to perform the work outlined in Oregon. The selected Proposer will be required to comply with all applicable state and federal laws, regulations, policies, guidelines and requirements with respect to funding sources.

IV. RESPONSE FORMAT

The submission narrative shall include the information outlined below:

1. Experience and Capacity: The response shall include a summary of the following (any sample Projects should be from the last five (5) years):

- a. History of the Firm's experience in addressing contaminated properties (e.g., Brownfield sites).
- b. Grant administration experience/capacity to support Projects that address contaminated properties.

- c. Description of the Firm's organizational structure and the names and experience of key individuals who will be involved in the successful execution of the grant-funded Project.
- d. Documented experience working with federal and state regulatory agencies.
- e. Disclosure of any potential conflicts of interest.
- f. Documentation of insurance.
- g. Documentation of the proposer's or sub-contractor(s)'s certification by the State of Oregon to perform asbestos abatement under ORS 468A.720.
- h. Certification of Nondiscrimination: Proposals must include certification of nondiscrimination in obtaining subcontractors by completing the form included with this solicitation.

2. **References:** The proposal shall include at least five (5) references for Projects in which your Firm provided similar services, from within the past five (5) years.

3. **Proposed Methodology:** A description of the Firm's approach to implementing the scope of work described herein, including a description of the relevant services to be provided by the Firm.

4. **Project Budget:** The Firm should include a copy of its current rate structures and show a budget breakdown (estimated hours, personnel costs, travel, miscellaneous costs such as permits, lab testing, etc.) with these budget justification categories:

- a. Project Management and Reporting (required reporting, travel, overall management)
- b. Community Engagement (public involvement plan, outreach, meeting planning, attendance, input evaluation, and outreach material preparation)
- c. Site Inventory and Characterization (site prioritization, Phase I ESAs, including eligibility form and access agreements, Phase II ESAs, RBM surveys, document preparation as described in the scope of work)
- d. Planning (AWPs, ABCAs) The total budget for the EPA Brownfield assessment grant is \$500,000, covering the entire performance period. The budget for any future related grants executed under this contract will be negotiated with the consultant, if and when, such funding becomes available.

V. EVALUATION CRITERIA

A team of two to three (2-3) will individually evaluate and score the Proposal based on the following weighted criteria:

Cost	10 points
Reasonableness in pricing of service (e.g., rates)	10 points
Experience and ability to complete the work	20 points
Demonstrated experience in supporting entities in grant administration along with a demonstrated ability to work with federal and state agencies	15 points
Approach and understanding of the scope of work	20 points

Proven track record of community engagement	15 points
References	10 points
Total	100 points

Following individual evaluation, the review team will compare and compile rankings. A list of Proposers will be developed from the highest (most points) to lowest rankings. The committee will select the most responsible and responsive proposer and forward its recommendation to the City Manager. The City expects to award the contract in or around March 2025.

V. GENERAL REQUIREMENTS/INFORMATION

1. **Certification of Compliance:** By submitting a Proposal, proposers certify compliance with Oregon tax laws in accordance with ORS 305.385.
2. **Proposal rejection, acceptance and waiver:** The City reserves the right, in its sole discretion, to reject any or all Proposals for any reason. The City shall not be required to award or accept any Proposal and may, in its sole discretion, and at any time, choose to cancel the Request for Proposals. The City is not liable to any proposer for any loss or expense caused by or resulting from the cancellation or rejection of a solicitation, proposal or award. The City reserves the right to waive any issues of non-compliance that it deems, in its sole discretion, to be non-material. The City may accept the Proposal as submitted or may negotiate modifications one or more Proposers before making a final selection. The City has the right, in its sole discretion, to accept the proposal it considers most favorable to The City's interest and the right to waive minor irregularities in procedure. The City also reserves the right to waive any informality in connection with said proposal or postpone or cancel the award of contract. The City encourages small, minority, and/or women-owned businesses to submit qualifications.
3. **Pre-offer conference:** The City will not hold a pre-offer conference in connection with this solicitation.
4. **Pre-qualification:** Pre-qualification applications are not invited in connection with this solicitation.

VI. NON-PERFORMANCE

As required by ORS 279B.060(2)(h), any contract awarded under this solicitation may be terminated for non-performance of its terms and conditions, including failure to perform the scope of work or failure to meet performance standards established in the contract. The consequences resulting from non-performance may include, but are not limited to:

1. The City's reduction or withholding payment under the resulting contract;
2. The City's right to require the awarded contractor to perform, at the awarded contractor's expense, any additional work necessary to perform the scope of work or to meet the performance standards established by the resulting contract; and
3. The City's rights, which the City may assert individually or in combination, to declare a default of the resulting contract, to terminate the resulting contract, and to seek damages and other relief available under the resulting contract or applicable law.

VII. ADDENDA

1. Proposer questions

Questions in response to this solicitation are due by January 24, 2025, and will be accepted via email only. Answers to questions the City receives and that the City, in its sole discretion, determines are substantive, will be issued as official Addenda to this RFP. When appropriate as determined by the City in its sole discretion, revisions, substitutions, or clarifications of the RFP or attached terms and conditions will be issued as official Addenda to this RFP. Changes or modifications to this RFP shall be binding on the City only if in the form of written Addenda issued by the City. In the event the City determines to send out an addendum to the RFP, it will be posted on the City's website at www.thedalles.org/bids. It is the responsibility of the Proposer to consistently check said website for updated addendums.

2. City Questions

The City may require clarification on a Proposal. Any necessary clarifications or modifications which are in the best interest of the City may be made before the City determines which Proposer has submitted the most responsive and responsible proposal, and some or all of the clarifications or modifications may become part of a final contract.

3. Protests

Proposers may submit a written protest of anything contained in the RFP and may request a change to any provision, specification or term contained in the RFP. Potential Proposers may submit questions, protests concerning the RFP and requests for change to any particular provisions, specifications, or Contract terms contained in the RFP, to the RFP contact by email only and no later than seven (7) calendar days prior to the Proposal submission deadline. The City will not consider any protest to the RFP or request for change submitted after this deadline. Each protest and request for change must include the reasons for the protest or request, and any proposed changes to the RFP provisions, specifications or terms. The City will resolve all timely submitted protests in accordance with the City's policies. The City will address all timely submitted requests for change within a reasonable time following the City's receipt of the request, and once addressed will promptly issue a written decision on the request to the Proposer who submitted the request. Every Proposer who submits a Proposal shall be notified of its selection status. Any Proposer who claims to have been adversely affected or aggrieved by the selection of (the highest ranked/the higher ranked) Proposer(s) must submit a written protest of the selection and the reason for the protest, per ORS 279B.410 to the RFP contact within seven (7) calendar days after the date of the selection notice. The City will not consider any protest submitted after this submission deadline. The City will consider and respond in writing to a protest in a timely manner. All costs of a protest shall be the responsibility of the protestor and undertaken at the protestor's expense. The City shall not be liable for the Proposer's damages or costs for filing the protest, on any basis, express or implied.

4. Public records

This RFP and one copy of every Proposal received in response to it, together with copies of all documents pertaining to the award of the Contract(s), shall be kept by the City and made a part of the City's records. Proposals shall be opened to public inspection in accordance with ORS 279B.060(6). If a Proposal contains any information that may be considered exempt from disclosure under the various grounds specified in Oregon Public Records Law, ORS 192.311 *et seq.*, the Proposer must clearly designate the portions of its Proposal the Proposer claims are exempt from disclosure, along with a justification and citation to the authority relied upon. The City Attorney's application of the Oregon Public Records Law shall determine whether any information is actually exempt from disclosure. Identifying the Proposal in whole as exempt from disclosure is not acceptable. If proposer fails to identify the portions of the Proposal the Proposer claims are exempt from disclosure and the authority used to substantiate that claim, Proposer is deemed to waive any future claim for disclosure of that information.

VIII. DELIVERY METHOD

Signed proposals must be delivered by February 4, 2025, at 2:00 p.m. PPT. Late submissions will not be considered or accepted after the deadline. Submissions must be emailed, only, to thedallesbids@ci.the-dalles.or.us as described on the first page of this RFP.

IX. ANTICIPATED SCHEDULE:

The City anticipates the following solicitation award schedule:

- December 25, 2024: Issuance of RFP
- January 24, 2025: Questions due
- February 4, 2025: Proposals due and opening
- Mid-February, 2025: Published notice of selection
- Late February, 2025: Contract negotiations
- Early March, 2025: Tentative contract award