REQUEST FOR QUALIFICATIONS (RFQ)

WATER QUALITY IMPROVEMENT PROJECT SUBCONTRACTOR SERVICES

Responses due April 14, 2023

Submit to: South Lake CWSP via
Barbara Noyes Pulling, Rutland Regional Planning Commission, Barbara@rutlandrpc.org

PART 1: Background and Introduction

The Rutland Regional Planning Commission (RRPC) and Poultney Mettowee Natural Resources Conservation District (PMNRCD), in their role as the Clean Water Service Provider (CWSP) for the Southern Lake Champlain Basin (Basin 2/4), are issuing this Request for Qualifications (RFQ) for CWSP-related services.

For more information about the Basin 2/4 CWSP, see: https://www.rutlandrpc.org/pages/south-lake-champlain-clean-water-service-provider/32/ or https://www.pmnrcd.org/south-lake-cwsp/

The CWSP seeks to prequalify Subcontractors (as outlined in guidance and permitted through the CWIP Funding and other relevant Policies) to provide project advancement services including any/all of the following: project identification, project development, project design, project implementation, project verification, and project maintenance services within Basin 2/4 for an initial five-year period from March 1, 2023, through June 30, 2028. *Organizations that qualify as potential subcontractors include for profit environmental consultants, contractors offering services relevant to water quality projects, groups interested in water quality projects who do not meet the subgrantee definition or qualifications.*

This RFQ is related to water quality improvement for non-regulatory projects in Basin 2/4 in the State of Vermont as envisioned by Act 76, the Clean Water Service Delivery Act. See information at: https://dec.vermont.gov/water-investment/statues-rules-policies/act-76.

Project Sectors

Projects in the forest, developed land, agricultural, and stream sectors within the Basin are all applicable. The primary purpose of these projects shall be phosphorus reduction. The CWSP, in consultation with its Basin Water Quality Council (BWQC), will seek to advance projects with favorable phosphorus-reduction performance and cost metrics. These projects may also advance important ecological or social co-benefits, which provide services to local governments and the public, including but not limited to flood resilience, hazard mitigation, environmental education, ecosystem improvement, and local pollution prevention.

The CWSP will prequalify subcontractors to assist with completion of the eligible project phases and project types listed below, to help meet the non-regulatory phosphorus reduction targets established by the Vermont Department of Environmental Conversation (DEC) for Basin 2/4. Groups may propose for qualification in one or more project phase(s).

Subcontractors will work directly for subgrantees who hold grants with the CWSP, such as watershed organizations, towns, or conservation districts, or in some cases may contract directly with the CWSP to support completion of six different project phases:

a) assessments and project identification,
b) project development,
c) project design (30% or final design),
d) implementation/construction,
e) project verification, and
f) ongoing project operation & maintenance,

in the following sectors, which are integral to the formula grant:

Agricultural land use (might include)

Natural resources projects on farms that are sub-jurisdictional for VAAFM (smaller than four horses or five cows, less than four acres) or that are on jurisdictional farms with VAAFM approval.

Forestlands (might include)

Steam gully stabilization, forest road drainage or stream crossing improvements, or riparian corridor plantings.

Stormwater projects (might include)

Green stormwater projects, such as rain gardens, bio-infiltration areas, gravel wetlands, and other practices that sink and spread stormwater flow before it reaches surface waters.

Stream equilibrium projects (might include)

Easements (river corridor, wetland buffer, etc.), floodplain & stream restoration/reconnection, wetlands restoration, stream/gully stabilization, forested riparian buffer plantings.

Other potential projects that may be considered (might include)

Natural lakeshore stabilization/restoration projects, traditional stormwater treatment, and road project BMPs if treating runoff not required by a permit

Qualification Overview

As long as nothing substantial changes, the groups who have approved qualification materials may participate in the South Lake CWSP/BWQC simplified bid process without also submitting qualification materials at the time of the bid request or price quote request. The purpose of a prequalification process is to streamline later bid rounds, potentially reducing them to a 'request for cost quotes' instead of a full bid process for formula grant funds.

The South Lake CWSP will provide pre-qualified applicants with a notice or letter stating that their documents have been received, reviewed, and approved. The issuance of such notice in no way guarantees that a group will be chosen by the BWQC during a subsequent bid rounds. In addition, groups that miss the prequalification period may submit prequalification materials at any time to the CWSP, including in accompaniment with a bid or price quote for a project.

Prequalification will commence upon the date of the approval letter or notice from the CWSP and will extend for the next five years. A quick check in will be required annually to notify the CWSP of any changes at the organization that might affect the prequalification status. Work will be funded using state funds and all requirements associated with state funding policies must be followed.

Project Phases Overview

Project Phases included in this request for qualifications are as follows:

(All formula grant funded activities must be completed in accordance with the Department of Environmental Conservation's (DEC) CWIP funding policy and include all applicable permit reviews, milestones, and deliverables). The following project phase language can be found on page 55 and 56 of the 2023 CWIP Funding Policy.

A. Assessments and Project Identification

Sector-specific and multi-sector assessments follow established protocols to identify areas with the highest contributions of pollutants and recommend potential clean water projects/best management practices (BMPs). Work includes landscape level assessments and field work, project identification, and project prioritization through stakeholder engagement to target cost effective

actions. Established assessment methodologies require the use of tools and protocols developed and provided by the DEC. It is expected that assessment work will lead to a prioritized list of potential clean water projects to pursue.

B. Development

CWIP provides funds for project development activities recognizing that well-planned projects save both time and money. Project development is defined as the scoping work on any identified project to determine feasibility, constraints, and overall suitability for implementing the project. This typically includes reviewing site assessments or other project identification tools and prioritized plans, conducting site visits, refining project scope and phasing, developing conceptual maps and drawings, estimating pollutant reduction benefits, confirming landowner/municipal interest, identification of and possible engagement with other stakeholders, partners, and likely concerned parties (e.g., neighbors, funders, regulators), identifying the prospective responsible operations and maintenance party, consulting with DEC staff, and determining project budget and permit needs (local, state and federal), natural and cultural resource constraints, co-benefits, and other project considerations, site constraints, and feasibility factors (e.g., rights-of-way, infrastructure, invasive species presence, hazardous materials concerns) in advance of design or between design phases.

Outcomes from a project development phase should include a clear plan for advancing any projects deemed feasible with a clear articulation of the water quality improvement objectives and goals and how proposed projects will meet these goals. Project development sometimes also includes articulation of a funding strategy and list of potential funding sources. The project feasibility factors identified during this project development phase provide the progress anchors for future design stages. They are a benchmark to touch base on as the project progresses to confirm roadblocks are addressed and no new feasibility concerns have arisen.

C. Design

Project design is a general term that captures all the work needed to ready a scoped/developed project for implementation. For simpler projects like a lakeshore buffer planting, this may just involve drafting and finalizing a planting plan and concept design and executing an operations and maintenance landowner agreement. For more complex projects, like an underground stormwater infiltration basin, this may involve finalizing complete engineering and landscape designs stamped by a P.E., securing a range of local, state, and federal permits, and completing other assessments or plans as required to meet these permit requirements (for example, a historical and archaeological resources assessment and historical resources mitigation plan). For most project types, the CWIP distinguishes between a preliminary (30%) design phase and a final (100%) design phase, with the assumption that more complex projects will require at least both phases, and that simpler projects may only require 100% design or no design at all. In most cases “design” is an iterative process involving one or more rounds of review and stakeholder engagement to ensure feasibility concerns initially identified during the development phase are adequately addressed and no new feasibility concerns have arisen. See “Design Guidance” section below for more details.

D. Implementation/construction

Implementation/construction describes the mobilization of effort to install the clean water project. It includes steps like putting the work out to bid for contractors, securing all remaining permits, sourcing materials like tree stock, and installing the project in alignment with designs, permits, and other programmatic guidance.

E. O&M Inspection and Verification

O&M Inspection and Verification activities consist of the inspection and documentation of BMPs and their condition. BMP documentation will include using DEC's ESRI Survey 1-2-3 smartphone application. Inspection and reporting activities will be consistent with standards contained in DEC's *Operation & Maintenance Manual for Clean Water Projects in Vermont,"* herein referred to as *the O&M Manual.*

Inspection and reporting activities will be performed by individuals who meet any Inspection and Reporting training requirements established by DEC. In the case of inspections of specialized BMPs, individuals will also meet DEC's credential requirements, if any.

Verification tasks will vary depending upon BMP type, as set forth in *The O&M Manual.* Verification activities will be performed by individuals who meet any verification training requirements established by DEC.

F. BMP Ongoing Operation and Maintenance

Ongoing BMP Operation and Maintenance activities include episodic and annual maintenance appropriate for the project types being maintained. Operation and Maintenance activities will be consistent with standards contained in DEC's *O&M Manual."* Operation and Maintenance activities will be performed by individuals who meet any O&M training requirements established by DEC.

PART 2: Qualification Material Requirements

All Respondents are required to provide their qualification materials using the RFQ Response Format referenced below. The materials shall be submitted as a single PDF. Barbara Noyes-Pulling (barbara@rutlandrpc.org) and Hilary Solomon (hilary@pmnrcd.org) are available to answer questions as you complete and submit your RFQ response.

The qualification materials should clearly indicate the project phase(s) of interest and, for each of the phases proposed, demonstrate understanding of the types of projects that will be undertaken, the character of the deliverables, the services required for their delivery, and examples of specific tasks that might be performed.

RFQ Response Format

The Qualification Materials submitted require the following categories of information to be submitted in the following order in one single PDF.

1. Brief cover letter, with an introduction along with an overview of the applicant's understanding of the nature of the work and the general approach to be taken.
2. Applicant/organization name and business address, including telephone number and email contact.
3. Year established and applicable identifying information (EIN, UEI, etc)..
4. Type of organization (environmental consultant/engineer/excavation company, etc).
5. Names and professional background of employees who may be involved in proposed formula grant projects. A brief description of relevant work of each employee or a resume is acceptable.
6. Identification of which specific project phase(s) AND project sectors that the applicant is interested in pursuing. Please provide specific examples of your experience in each phase AND sector of project work (see #8-10 below).
7. Identification of basin(s) of interest. Please type in: Southern Lake Champlain Direct Basin (Basin 2/4) and others as applicable.
8. Qualifications and Experience for Specific Project Sector(s)
9. Qualifications and Experience for Specific Project Phase(s)
10. Qualifications of and Experience of Key Staff for Specific Project Types(s)
    For each key staff member (up to five), partners shall identify the person's name, email address, tenure, and role. Resumes of the key staff shall be provided. Resumes should emphasize Key Staff's previous experience with similar projects.
11. Financial and Accounting information related to work performed under this contract
    - The direct rate schedule of all employees utilized for this work with an explanation of the benefits included.
    - Any proposed overhead rates per employee
    - An hourly rate schedule for any equipment
    - Any mileage rate for any vehicles
    - Any proposed markup rate applied to bills sent the CWSP from subcontractors, vendors, suppliers
    - Any proposed profit rate and details on what expenses that rate is applied to
    - Type of accounting system.
    - Most recent balance sheet and income/loss statement (e.g. prior fiscal year)
    - Most recent audit and findings, if available.
    - Description of policies and timesheet used to track and verify staff time and expenses.
12. Disadvantaged Business Enterprise (DBE) and Diversity, Equity & Inclusion (DEI)

Is the respondent defined as follows:
Disadvantaged business enterprise or *DBE* means a for-profit small business concern -
(1) That is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and
(2) Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

If not, please note, if applicable, any partnerships or regular subcontracting or vendor relationships with any DBE firms.

Also please describe your firm's commitment to, and experience with addressing diversity, equity, and inclusion principles and how your firm would suggest incorporating these principles in the proposed work.

13. References

The respondent shall submit names, addresses, and phone numbers of at least three references familiar with the contractor's ability, experience, and reliability in the performance and management of projects of a similar nature.

Non-Discrimination and Title VI

The subcontractor shall affirmatively state that they will comply with the provisions of the Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and subsequent related acts, and all other federal statutory laws which provide in whole or in part that no person or entity on the grounds of race, color, national origin, sex, physical disability, or veteran status be excluded from participation in, be denied the benefits of, or be otherwise discriminated under the State, federal and USDOT assisted contracts, programs and activities.

Confidentiality

The successful response/proposal will fall under the CWSP's records retention policy and will become a matter of public record, as will all other responses received. In case a proposer includes any material that is considered to be proprietary and/or confidential under 1 VSA, Chapter 5, the proposer shall clearly designate the material as such, explaining why such material should be considered confidential. Under no circumstances can the entire response or cost proposal be marked confidential. If the applicant marks portions of the proposal confidential, the applicant shall provide a redacted version of the proposal for release to the public.

Subcontractor Qualification Procedure

Review of Written Qualifications and Fee Schedules

Qualifications will be evaluated by a selection committee and will consider the criteria listed below. A list of qualified subcontractors in a variety of applications (project development, design, engineering, various aspects of project implementation, and project maintenance) will be developed based on the following criteria:

- ☐ Information provided supports the applicant's claim that they are technically qualified to oversee work in the areas they propose.
- ☐ Demonstration of overall understanding of the work required by CWSPs under Act 76 and the Clean Water Service Provider Rule
- ☐ Academic and professional qualifications of the firm's assigned personnel for specific project phases and type(s) sufficiently demonstrate appropriate knowledge and background
- ☐ Proven record of successfully completing similar project phase(s) within the specific project sector(s)
- ☐ Demonstration of appropriate bookkeeping and reasonable pay rate scales
- ☐ Being a disadvantaged business enterprise (DBE), demonstrated partnerships with DBEs, or experience/commitment to addressing Diversity, Equity, and Inclusion principles is also encouraged.

The CWSP reserves the right to seek clarification of any proposal submitted and to select pre-qualified project managers that best promote the public interest. All proposals become the property of the CWSP upon submission. The cost of preparing, submitting, and presenting a proposal is the sole expense of the applicant.

The CWSP reserves the right to reject any and all proposals received as a result of this solicitation, to negotiate with any qualified source, to waive any formality and any technicalities, or to cancel the RFQ in part or in its entirety, if it is in the best interest of the CWSP. This solicitation of proposals in no way obligates CWSP to award a grant or contract.

Thank you for participating in our prequalification process!