



**CITY OF DULUTH**

**REQUEST FOR QUALIFICATIONS FOR**

**BROWNFIELD ASSESSMENT AND CLEANUP**

**RFP NUMBER 19-28AA**

**ISSUED December 20, 2019**

**PROPOSALS DUE WEDNESDAY, JANUARY 15, 2020**

**SUBMIT TO**

**CITY OF DULUTH  
ATTN: PURCHASING DIVISION  
CITY HALL, ROOM 120  
411 WEST 1ST STREET  
DULUTH, MN 55802**

**PART I - GENERAL INFORMATION**

**I-1. Project Overview.** The City of Duluth (the City) requests qualifications and fee schedules from environmental consulting firms for the assessment and cleanup of brownfield sites. The City has a strong track record in the successful assessment, remediation, and redevelopment of contaminated brownfield sites as defined by the Environmental Protection Agency (EPA) as “real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.” To accomplish this, the City has become adept at securing EPA and Minnesota Department of Employment and Economic Development (DEED) funding for the assessment and cleanup of sites with suspected or known contamination. Based off of the recent Comprehensive Plan, “Imagine Duluth 2035: Forward Together,” the focus is to revitalize various neighborhoods including downtown Duluth, Lincoln Park, Irving/Fairmount, and the Western St. Louis River Corridor Neighborhoods.

Environmental assessment and cleanup is generally completed in the context of a larger redevelopment project that requires a broad range of skills and experience. Firms responding to this RFQ should be able to provide a broad range of services either independently or in partnership with other firms, a practice that the City strongly encourages. Individual firms or partnerships will be expected to demonstrate the ability to conduct ASTM Phase I and Phase II Environmental Site Assessments (ESA), historical and site investigation services, soil and groundwater sampling, laboratory services, preparation of quality assurance project plans (QAPPs), remedial and corrective action planning and design services, preparation of bid specifications, site cleanup and remediation monitoring/oversight, and aid in meeting grant reporting requirements. The City will use the RFQ process to select three to six firms for interviews. Subsequent interviews will be used for a final selection of two to four firms that will carry out the work contained in the RFQ.

Additional detail is provided in **Part IV** of this RFP.

**I-2. Calendar of Events.** The City will make every effort to adhere to the following schedule:

Activity	Date
Deadline to submit Questions via email to purchasing@duluthmn.gov	1/3/20
Answers to questions will be posted to the City website no later than this date.	1//8/20
Proposals must be received in the Purchasing Office by 4:30 PM on this date.	1/15/20
Selected firms interviewed	Week of 1/20/20

**I-3. Rejection of Proposals.** The City reserves the right, in its sole and complete discretion, to reject any and all proposals or cancel the request for proposals, at any time prior to the time a contract is fully executed, when it is in its best interests. The City is not liable for any costs the Bidder incurs in preparation and submission of its proposal, in participating in the RFP process or in anticipation of award of the contract.

**I-4. Questions & Answers.** Any questions regarding this RFP must be submitted by e-mail to the Purchasing Office at [purchasing@duluthmn.gov](mailto:purchasing@duluthmn.gov) **no later than** the date indicated on the Calendar of Events. Answers to the questions will be posted as an Addendum to the RFP.

**I-5. Addenda to the RFP.** If the City deems it necessary to revise any part of this RFP before the proposal response date, the City will post an addendum to its website <http://www.duluthmn.gov/purchasing/bids-request-for-proposals/> . Although an e-mail notification will be sent, it is the Bidder's responsibility to periodically check the website for any new information

**I-6. Proposals.** To be considered, hard copies of proposals must arrive at the City on or before the time and date specified in the RFP Calendar of Events. The City will not accept proposals via email or facsimile transmission. The City reserves the right to reject or to deduct evaluation points for late proposals.

Proposals must be signed by an authorized official. If the official signs the Proposal Cover Sheet attached as Appendix A, this requirement will be met. Proposals must remain valid for 60 days or until a contract is fully executed.

Please submit one (1) paper copy of the submittal package and one copy on a flash drive in Microsoft Office-compatible or pdf format.

All materials submitted in response to this RFP will become property of the City and will become public record after the evaluation process is completed and an award decision made.

**I-7. Minority & Women-Owned Business Information.** In order to ensure that Minority Business Enterprises (MBEs) and Woman's Business Enterprises (WBEs) have opportunities for securing EPA funded contracts, the EPA has established "fair share goals" for FY 2017 – 2020 of 2% MBE and 2% WBE. (EPA's Fair Share goals: [https://www.epa.gov/sites/production/files/documents/r5\\_fair\\_share\\_goals.pdf](https://www.epa.gov/sites/production/files/documents/r5_fair_share_goals.pdf) ).

The City seeks to not only meet, but to surpass these goals, and competitive applicants will be expected to include negotiated fair share goals and percentages in their bid documents. To meet these goals, firms responding to this RFQ are encouraged to partner with MBEs and WBEs, and preference will be given to those firms that successfully accomplish this objective.

A list of certified Disadvantaged Business Enterprises is maintained by the Minnesota Unified Certification Program at <http://mnuccp.metc.state.mn.us/> .

**I-8. Term of Contract.** It is anticipated that the selected firms will each be awarded a three (3) year contract. A copy of the City standard professional services agreement is attached. The selected Bidder shall not start the performance of any work nor shall the City be liable to pay the selected Bidder for any service or work performed or expenses incurred before the contract is executed.

**I-9. Mandatory Disclosures.** By submitting a proposal, each Bidder understands, represents, and acknowledges that:

- A. Their proposal has been developed by the Bidder independently and has been submitted without collusion with and without agreement, understanding, or planned

common course of action with any other vendor or suppliers of materials, supplies, equipment, or services described in the Request for Proposals, designed to limit independent bidding or competition, and that the contents of the proposal have not been communicated by the Bidder or its employees or agents to any person not an employee or agent of the Bidder.

- B. There is no conflict of interest. A conflict of interest exists if a Bidder has any interest that would actually conflict, or has the appearance of conflicting, in any manner or degree with the performance of work on the project. If there are potential conflicts, identify the municipalities, developers, and other public or private entities with whom your company is currently, or have been, employed and which may be affected.
- C. It is not currently under suspension or debarment by the State of Minnesota, any other state or the federal government.
- D. The company is either organized under Minnesota law or has a Certificate of Authority from the Minnesota Secretary of State to do business in Minnesota, in accordance with the requirements in M.S. 303.03.

**I-10. Notification of Selection.** Following the interviews, the evaluation committee will make a recommendation to the City of Duluth for final selection of two to four environmental consulting firms (with teamed partners); applicants will be notified of the selection decisions no later than January 31, 2020.

## **PART II - PROPOSAL REQUIREMENTS**

Consulting firms must submit a complete package in order to be considered. The ideal submission package includes each of the sections below, in the following order:

1. Cover letter - A letter of up to two pages highlighting the proposed project team. The letter should indicate a single point of contact/overall project manager. The cover letter should also include: the firm's name, e-mail address, business address, telephone and fax number, federal I.D. number, and Minnesota tax I.D. number (if applicable). The cover letter must state that the firm (with teamed partners identified) has personnel with the qualifications necessary to complete work in the contract program. The letter should also explain the benefits of using your company's/team's services. The cover letter will be limited to two pages.
2. Relevant projects - Include a maximum of six projects that highlight the team and/or team members' experience with Brownfield assessment and cleanup in a redevelopment/reuse context. The strongest package will demonstrate direct experience with the skill areas listed above. There is no prescribed format for this section; however it will be limited to six pages in length.
3. Resumes - Please submit a one-page resume for each proposed team member, highlighting his or her experience in each of the above-listed skill areas. Resumes will be limited to a 10 page maximum total.
4. Personnel and materials Fee Schedule.

### **PART III - CRITERIA FOR SELECTION**

The proposals will be reviewed by an evaluation committee composed of City Staff. The intent of the selection process is to review proposals and make award(s) based upon qualifications as described therein.

1. Demonstrated direct relevant experience and expertise in the skill areas listed above.
2. Knowledge of and experience with the relevant regulatory programs (Minnesota Pollution Control Agency Voluntary Investigation and Cleanup Program and Petroleum Brownfield Program).
3. Demonstrated familiarity with EPA Brownfields Program and grant requirements.
4. Demonstrated familiarity with DEED Contamination Cleanup and Investigation Grant Program requirements.
5. Demonstrated experience and ability to interact with developers and contractors relative to redevelopment planning.
6. Demonstrated ability to interact with the public to communicate environmental, technical and public health issues.
7. Reasonable fee schedule (the City of Duluth is NOT selecting consultants based upon lowest fee schedule or bid).

The top rated three to six firms (with teamed partners) will be invited to be interviewed by the evaluation committee during the week of January 20, 2020.

### **PART IV – PROJECT DETAIL**

The Small Business Liability Relief and Brownfields Revitalization Act (SBLRBRA) was signed into law on January 11, 2002. The Act amends the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, by adding Section 104(k). Section 104(k) authorizes the U.S. Environmental Protection Agency (EPA) to provide funding to eligible entities to inventory, characterize, assess, conduct cleanup and reuse planning, remediate, or capitalize revolving loan funds to remediate, eligible Brownfields sites. Entities are selected from proposals prepared in accordance with the "Proposal Guidelines for Brownfield Assessment, Revolving Loan Fund, and Cleanup Grants," and submitted in a national competition. The City of Duluth, Minnesota, a general purpose unit of local government, was awarded Assessment funding in the FY 2019 competition. This grant consists of \$150,000 for the assessment of properties contaminated or potentially contaminated by hazardous substances, and \$150,000 for the assessment of properties contaminated or potentially contaminated with petroleum substances.

The City will use this grant to implement its newly updated Comprehensive Plan. "Imagine Duluth 2035: Forward Together" was a two-year community engagement process resulting in an updated land use plan adopted by the City Council on June 25, 2018. Driven by 14 Governing Principles such as: "Reuse previously developed lands"; "Promote reinvestment in neighborhoods"; and "Take actions that enhance the environment, economic and social well-being of the community", it focused upon five issue areas: Economic Development, Energy & Conservation, Housing, Open Space and Transportation. The process also identified nine "Transformational Opportunities", three of which are directly linked to our brownfields redevelopment strategy: "Identify and invest in 12 Core Investment Areas (CIAs) "; "Carry out previously identified Downtown plans and investments" and "Preserve and expand opportunities

within Duluth's industrial waterfront". The following is a closer review of the city's land use and revitalization plans and their intersection with brownfield redevelopment: within Duluth's industrial waterfront".

The City has also been awarded several DEED contamination assessment and cleanup grants as well as an EPA Brownfield Revolving Loan Fund grant for the investigation and remediation of specific sites with suspected or existing contamination. While the EPA requires that the city undertake a formal procurement process when using their funds, this RFQ will also cover assessment and cleanup work funded through these other programs as well. For example, any EPA funded project, whether it is owned by the City of Duluth, Duluth Economic Development Authority (DEDA), or a private entity must use the firms identified through this procurement process. Additionally, the City and DEDA will use the selected firms for work undertaken with DEED funds, however private entities using DEED cleanup or redevelopment funds on privately owned property may select their own firm for assessment and cleanup work. While this RFQ will be used to secure the services of firms for work funded by recently awarded and future grants, the City reserves the right to retain contractors working on existing projects until those projects are deemed complete.

### **General Project Area**

This RFQ will cover projects throughout the City of Duluth, with a specialized focus on downtown Duluth, Lincoln Park, Irving/Fairmount, and the Western St. Louis River Corridor Neighborhoods. This will be an expansion of the areas previously focused on. The inclusion of downtown Duluth is a key addition given the growth that this area is experiencing and the potential for large amounts of redevelopment. The City has made considerable progress in previous assessment grants and will continue to assess and clean-up the St. Louis River Corridor.

### **Skill Requirements**

The City of Duluth is interested in contracting two to four environmental consulting firms (and/or teamed partners) for future work on contamination assessment and cleanup projects. The City broadly expects the chosen firms to follow through on all commitments, while understanding the needs of and acting as an advocate for the City. Additionally, the City will focus on the quality of the assembled project team with special emphasis placed on the team's ability to communicate effectively. Finally, successful teams will have demonstrated experience and expertise with the following:

- A) Phase I Environmental Site Assessments performed in accordance with the ASTM E-1527-05 standard, All Appropriate Inquiry standard, and Minnesota Pollution Control (MPCA) guidelines.
- B) Preparation and successful approval of Quality Assurance Project Plans (QAPP) for EPA funded Brownfield related assessment and cleanup work, or state or federal Superfund work, and evaluation of data quality based on the QAPP.
- C) Preparation and implementation, either as an individual firm, or in partnership with other firms, of plans for subsurface investigations, remedial investigations, and Phase II investigations to determine the magnitude and extent of soil and ground water contamination on Brownfield properties. This may include the performance of soil vapor risk assessments, ground water receptor surveys, and evaluation of natural attenuation. Experience should demonstrate familiarity with MPCA guidelines for conducting a Phase II Environmental Site Assessment.
- D) Performance of hazardous materials building surveys sufficient to plan for future building demolition or renovation work.
- E) Development and implementation of remedial/corrective/response actions for soil and groundwater cleanup in accordance with MPCA guidelines. Experience should demonstrate coordination of

cleanup with redevelopment concerns and efficient and cost effective approaches to planning and conducting cleanup. Firms should have demonstrated success gaining MPCA approval for such work.

- F) Preparation of bidding specifications, including provision of necessary design information such as engineering evaluations, computations, specifications and cost estimates necessary for the preparation of biddable construction contract.
- G) Site Cleanup and Remedial/Response Action Monitoring/Oversight including contractor oversight, intensive MPCA interaction and cooperation with the Voluntary Investigation and Cleanup Program, documentation, confirmation sample and analysis, and report preparation.
- H) Integrating National Historic Preservation Act Section 106 requirements, as applicable, into Brownfield Assessment and Cleanup activity and a demonstrated track record of successfully working with the State Historic Preservation Society.
- I) Successful track record of preparing of grant applications and grant management and reporting, including the preparation of Eligible Brownfield Site Determinations for EPA grants.

**APPENDIX A - PROPOSAL COVER SHEET  
CITY OF DULUTH  
RFP# 19-28AA**

<b>Bidder Information:</b>	
Bidder Name	
Mailing Address	
Contact Person	
Contact Person's Phone Number	
Contact Person's E-Mail Address	
Federal ID Number	
Authorized Signature	
Title	