

2014/2015 REQUEST FOR QUALIFICATIONS
15-NRD-001

Restoration Engineering and Related Services

State of Montana
Natural Resource Damage Program
1301 E. Lockey
P.O. Box 201425
Helena, MT 59601-1425

SCHEDULE

RFQ Released	November 18, 2014
Deadline for Receipt of Offeror Questions.....	December 11, 2014
Deadline for Posting of NRDP Response to Offeror Questions	December 18, 2014
Deadline for Receipt of Responses to RFQ – 3:00 p.m. Mountain Standard Time	January 16, 2015

NOTICE

This Request for Qualifications (RFQ) is intended to pre-qualify contractors to provide professional environmental engineering and other technical services for addressing the investigation, cleanup and restoration of sites in Montana. From the date this RFQ is issued until contractor pre-qualification is completed and announced by the Natural Resource Damage Program (NRDP), submitting firms (hereinafter referred to as “Offerors”) may not communicate with any state staff or official regarding this solicitation except at the direction of the Procurement Officer.

The Procurement Officer for this RFQ, and their contact information, is:

Kathy Coleman
Natural Resource Damage Program
1301 E. Lockey
P.O. Box 201425
Helena, MT 59620-1425

Telephone: 406-444-0205
Fax: 406-444-0236
Email address: kcoleman@mt.gov

NRDP’s preference is that all communication be in writing.

SECTION I. GENERAL INFORMATION

Pursuant to § 18-8-204, MCA, the Montana Natural Resource Damage Program (NRDP) is seeking qualified firms interested in supplying professional environmental engineering services for contaminated sites.

NRDP invites Offerors to submit a Statement of Qualifications (SOQ) to provide any or all of the following service categories and any other professional or technical services. NRDP will be evaluating Offerors based on categories and is asking Offerors to provide their qualifications by the categories noted below. NRDP does not expect that every person or firm will be able to provide all the services listed under these categories. Offerors will be asked to provide general information related to their firm followed by the required information for each service category for which they wish to be considered. Should Offeror's qualifications apply to more than one service category, please identify all service categories for which the applicable qualifications apply. NRDP will apply the criteria noted on the Evaluation/Scoring Form to evaluate Offeror's expertise and ability to provide the required services.

Please note that there have been major changes to the RFQ procedure and all associated documents. Please review all materials carefully.

CATEGORY LISTING:

1. Investigation and Assessment

Perform or analyze: site investigations to identify the source(s) and delineate the nature, magnitude and extent of contamination, identify potential ecological receptors, and characterize geologic and hydrologic / hydrogeologic conditions. These activities require the knowledge and ability to perform or analyze: restoration/remediation/reclamation investigations; hydrologic/hydrogeologic investigations; sampling of waste materials and contaminated media; modeling (e.g., groundwater plume, fate and transport); drafting and/or reviewing reports for all aspects of the potential scope of work; providing technical support for negotiations with potentially responsible parties or other parties; and providing technical support and presentations at meetings with local governments, other regulatory agencies and at public meetings. Possess engineering knowledge and skill necessary to perform or analyze evaluation and comparison of restoration or remediation options, and develop recommendations.

2. Injury / Risk Assessment

Provide expertise to conduct or analyze appropriate activities for completion of ecological injury assessments or risk assessments. This may include modeling efforts.

3. Environmental Sampling and Monitoring and Data Validation

Collect, preserve, transport and document samples from all environmental media and prepare a sampling and analysis plan and a quality assurance plan in accordance with relevant guidance. This may include, but is not limited to, use of field screening equipment, such as PID, XRF, interface probe/water level indicator, as well as groundwater sampling/monitoring equipment (e.g., flow through cells) and surface water sampling equipment. This may include analysis of draft and final sampling and analysis plans and a quality assurance plans.

Validate data in general accordance with validation criteria set forth in the United States Environmental Protection Agency (EPA) Contract Laboratory Program (CLP) National Functional Guidelines for Superfund Organic Methods Data Review, document number USEPA-540-R-08-01, June 2008; the EPA CLP National Functional Guidelines for Organic Data Review, document number EPA 540/R-99-008, October 1999; the EPA CLP National Functional Guidelines for Inorganic Superfund Data Review, document number EPA 540R-10-011, January 2010; and the EPA CLP National Functional Guidelines for Chlorinated Dioxin/Furan Data Review, document number EPA 540-R-11-016, September 2011, or any applicable updates. This may also include site-specific data validation requirements.

4. Construction Support Services

Perform construction management, oversight, and quality assurance testing; collection of detailed field notes; draft reports for all aspects of the potential scope of work; provide technical support for negotiations with potentially responsible parties or other parties; provide technical expert witness testimony in support of litigation; provide technical support and presentations at meetings with local governments, other regulatory agencies and at public meetings.

5. Environmental / Civil Engineering

Design, evaluate, restoration actions (e.g., but not limited to: stream channel and streambank bank restoration, waste removal, waste cap improvement, site grading, road construction, road relocation, stormwater control measures/BMPs, waterline and water treatment systems, permitting, floodplain mapping, fish passage, fish screens, irrigation system improvement, geotechnical analyses, groundwater treatment systems, soil treatment systems, revegetation design); provide oversight of investigation and construction of restoration activities; compare restoration options and develop recommendations ; draft and/or review reports for all aspects of the potential scope of work; provide technical support for negotiations with potentially responsible parties or other parties; provide technical support and presentations at meetings with local governments, other regulatory agencies, and at public meetings.

6. Restoration Support Services

Evaluate and compare remediation/reclamation/restoration options and develop recommendations. This requires engineering knowledge and skills necessary for completion of assessment and restoration planning, engineering evaluation/cost analyses, feasibility studies, corrective action, remediation system design and construction, remedial design/remedial actions, and design for reclamation activities; draft and/or review reports for all aspects of the potential scope of work; providing technical support for negotiations with potentially responsible parties or other parties; providing technical support and presentations at meetings with local governments, other regulatory agencies, and at public meetings.

7. Land Surveying

Perform land surveying services. The activities may include the identification of site boundaries, ownership, marking areas of the work, surveying quantities/areas of work performed and providing other surveying in support of restoration activities performed by NRDP.

Under this RFQ NRDP will not evaluate any SOQ submitted where contractors have teamed, partnered, or subcontracted with another entity to meet the qualifications of any given category.

Field Services do not include actual earth moving, revegetation, or similar services. These services are viewed as site-specific construction services, which NRDP typically procures through the competitive bid process as necessary. These services are considered outside the scope of this RFQ.

Questions. Offerors having questions or requiring clarification or interpretation of any section of this RFQ must address these issues via e-mail or in writing to the Procurement Officer listed above on or before **5:00 p.m. Mountain Standard Time, December 11, 2014**. Questions received after the deadline may not be considered.

The State will provide a written response by **December 18, 2014**, to all questions received by the deadline. The State's response will be by written addendum and will be posted on the State's website with the RFQ at <https://dojmt.gov/lands/invitations-for-bids/> by 5:00 p.m. local time on the date listed. Any other form of interpretation, correction, or change to this RFQ will not be binding upon the State. **Offerors must sign and return with their RFQ response and Acknowledgment of Addendum for any addendum issued.**

SOQ Deadline. It will be the Offeror's sole risk to assure delivery of its SOQ to the designated office on **January 16, 2015 by 3:00 p.m. Mountain Standard Time. NRDP will not evaluate any SOQ received after the deadline specified in this RFQ.**

Each Statement of Qualifications must be delivered to NRDP's Procurement Officer by mail or in person as noted below:

Delivery by Mail

Natural Resource Damage Program
Attention: Kathy Coleman
P.O. Box 201425
1301 E. Lockety
Helena, Montana 59620-1425

Hand Delivery

Natural Resource Damage Program
Attention: Kathy Coleman
1301 E. Lockety
Helena, Montana 59601

Offerors failing to comply with instructions will be subject to point deductions, or their SOQ may be determined nonresponsive, in which case it will be disqualified from further consideration. An SOQ will be determined to be nonresponsive if necessary personnel fail to meet the requirements of § 18-8-202 (2) & (3), MCA, if Offeror is not a current registered business entity with the Montana Secretary of State, or if the SOQ does not follow the response format, is difficult to read or understand, contains significant inaccuracies, is determined to "Fail" any pass/fail scoring category or is missing requested information. **Any SOQ that fails to achieve 525 out of the available 750 points for Section II (A)(2)(3) and (4) will be eliminated from further consideration.** A "fail" for any other evaluation criteria may result in proposal disqualification at the discretion of the procurement officer.

The SOQs should be prepared simply and economically, providing a straightforward, concise description of the Offerors' qualifications. SOQ narratives must not exceed four standard-sized (8 ½" x 11") pages in length. General qualifications of the vendor must not exceed one standard-sized page in length. Qualifications by category must not exceed four standard-sized pages in length per category. Should Offeror list qualifications for more than one category, Offeror may expand its page length to no more than six standard pages. Resumes of qualified staff must be included as an appendix to the SOQ and will not be included in the page count. Cover letters/pages will not be evaluated as part of the RFQ. Each printed side of the page (front, back, etc.) will count as one (1) page; printing on both sides is encouraged. Please use Arial 11-point font with single line spacing. Information contained on any pages submitted beyond these page limits will not be evaluated.

Offerors will be evaluated using the attached evaluation criteria, responses of the contacted references, institutional knowledge of Offerors' abilities, and other items outlined in this RFQ.

NRDP will determine which of the SOQs best meet the evaluation criteria under each category and based on the needs of NRDP, and will select one or more of the top ranked firms for each category to participate further in the selection process. These qualified Offerors will be invited to negotiate a contract to provide the required services for NRDP. Offerors that qualify under more than one service category will enter into only one contract covering all service categories. The Standard Consulting Contract (Agreement) with NRDP will be in substantially the same form and contain substantially the same terms as the draft Agreement attached to this RFQ, except that Section I Services will be amended to include only the services that Offeror has been selected by NRDP to provide.

When contract negotiations commence, selected Offerors will be required to supply NRDP with information as described and required in the draft Agreement, including without limitation: 1) company Overhead Rates and supporting documentation; 2) current Personnel Categories and Hourly rates for each of Contractor's employees who work directly on or for the benefit of this Contract; and, 3) a

Conflict of Interest Disclosure of information sufficient to comply with Section XV of the Agreement, including, without limitation, a disclosure of its current and past business relationships, and the current and past business relationships of Contractor's parent companies, subsidiaries, affiliates, subcontractors or current clients, with all PLPs (potentially liable persons) or PRPs (potentially responsible parties), or any parent or subsidiary of a PLP or PRP, for all sites within Montana.

A. Terms of Contract

NRDP intends to execute contracts with an unspecified number of selected Offerors in the form of the Agreement set forth in Appendix A. The contract would be comprised of the Request For Qualifications, the Offeror's response, an executed Agreement, and subsequent Task Orders.

Offerors must notify NRDP no later than the deadline for submission of the SOQ of any proposed changes the Offeror is seeking to make to any of the terms and conditions of the Agreement. Suggested alternative language must also be provided. **NRDP will not negotiate any contract terms or provisions if proposed changes are not pre-identified by Offeror in its Statement of Qualifications.**

The initial contract(s) term is for a period of two (2) years from the Effective Date, which will be the latter of the two dates of signature by NRDP and the Contractor. Renewals of the contract, following review of contract performance, may be made at one or two year intervals, or other intervals advantageous to the state, not to exceed seven years or the applicable statutory limit. Offerors that enter into a contract with NRDP will be required to submit updated qualifications on an annual basis, or at the request of NRDP. Updated qualifications must include any additions of personnel or changes within the company that change or have an effect on the category of services being provided. The general practice of approving new staff to perform work under the contract will not be considered by NRDP as a means of adjusting contractor's scope of services.

These contracts are considered by NRDP as master contracts under which NRDP may issue Task Orders authorizing its Contractor(s) in writing to perform the work described therein. Task Orders will include budgets, timeframes and deliverables for the specific work described.

NRDP does not guarantee any specific amount of work if an Offeror is selected and signs a contract.

B. Closing date

Please submit one original and one electronic copy of the SOQs no later than 3:00 p.m. January 16, 2014. Submissions by fax, email, or other form of electronic communication will not be accepted. Submittals must be marked "NRDP Engineering – Consultant RFQ," and must identify the RFQ Number and be mailed or hand-delivered to the addresses identified above.

C. Offeror's Warranties

By submitting an SOQ, the Offeror is warranting that it is registered with the Montana Secretary of State to conduct business in Montana. The Offeror further warrants that it has an office in Montana or will establish an office in Montana prior to entering into any contract with NRDP.

By identifying the qualifications of personnel, the Offeror is warranting to NRDP that these persons (aka key personnel) will be available to work on any contract entered into with NRDP and that personnel meet the requirements of § 18-8-202 (2) & (3), MCA as applicable. If key personnel change during the course of this solicitation, or during the term of any contract entered into with NRDP, the Offeror must notify NRDP and submit the qualifications of any replacement personnel. NRDP requires that any replacement personnel be equally or more qualified than the person they replace. Categories and

hourly rates for new hires following the effective date of this contract must be approved in writing by NRDP before these replacements can perform services under a Task Order with NRDP.

D. Reserved Rights

Upon a determination that such actions would be in the best interests of the State of Montana, NRDP in its sole discretion reserves the right to reject and refuse to consider any or all of the submitted SOQs received in response to this RFQ and to select (or not select) any one or more of the Offerors to participate in negotiations for a contract for services with NRDP.

SECTION II. REQUIREMENTS AND SCORING CRITERIA

Offerors will be ranked on the basis of the information described below. Please see the RFQ 413015 Evaluation Forms, which identify the relative weight assigned to each of these criteria.

A. Requirements for Statement of Qualifications

1. **Basic Requirements.** Offerors must provide the following basic information:

- a. Offeror’s company name, business form (i.e., corporation, limited liability company, partnership, sole proprietorship, etc.), name of registered agent and contact information, and tax identification number.
- b. Name, address, e-mail address, telephone number, fax number and title of Offeror’s contact person for purposes of this RFQ.
- c. Service category or categories for which Offeror is submitting qualifications under this RFQ.

Category Listing		
1	<u>Investigation and Assessment</u>	
2	Injury / Risk Assessment	
3	Environmental Sampling and Monitoring and Data Validation	
4	Construction Support Services	
5	Environmental / Civil Engineering	
6	Restoration Support Services	
7	Land Surveying	

2. **General Evaluation Criteria /Narrative.** The following criteria will be used to evaluate the SOQ in general and the basic ability of the Offeror to provide the services required under this RFQ:

- a. Package submitted by the deadline (Pass/Fail);
- b. Package is complete and includes all information required under this Section of the RFQ (Pass/Fail);
- c. Overall Quality of the SOQ (must achieve a minimum score of 35 points out of 50 to be eligible for continued consideration; and
- d. The narrative must:
 - i. Describe Offeror’s ability to meet project deadlines and budget requirements;

- ii. Describe why the State should hire Offeror to provide the services required;
 - iii. Provide the type(s) and number of current projects for which the Offeror is the prime contractor, including recent and current work for NRDP, DEQ, and other State entities;
 - iv. Evaluate Offeror's current workload and capability to provide services to NRDP based on projected workloads; and
 - v. Provide geographic location(s) of Offeror's personnel, equipment and related services as they relate to deployment to all parts of Montana.
3. **Individual Service Categories.** The following criteria will be used to evaluate the specific service category for which Offeror is submitting qualifications. The attached Evaluation Forms provide the guidelines that will be used to score Offeror SOQs in relations to the category or categories of service. For each category please provide the following information:
- a. Key Personnel by Category
 - i. Average years of experience for key personnel proposed specifically relating to service category.
 - ii. Names and resumes of professional personnel (key personnel) and staff that will be assigned full-time to work under any contract entered into with NRDP. For each person, please identify home office location and their current hourly rates. Please identify the person or persons who would serve as project manager(s).
 - iii. A table listing staff names, degree(s), primary area of expertise, and home office location.
 - b. Project Experience by Category
 - i. A table or matrix listing Offeror's project experience for each of the categories for which Offeror wants to be considered
 - ii. A brief summary of three (3) projects for each category for which Offeror wants to be considered demonstrating Offeror's qualifications/expertise. List no more than three projects per category that have been completed during the last eight years. Please include the name and telephone number of the client who is familiar with the work performed for each example project. Projects may qualify in more than one category
4. **References.** Offeror must provide NRDP with the names and contact information of at least five references for whom the Offeror has conducted work and that are available and willing to respond to NRDP's questions about Offeror's company and work. NRDP will score a total of three references. NRDP would prefer the references be associated with the projects listed by the Offeror showing their qualifications/experience. It is the Offeror's responsibility to insure the availability of their designated references. Each reference contacted will be asked the same questions and scored in accordance with the attached Reference Evaluation Sheet. Only one person from the committee will call and score the responses of each Offeror's references. References will be contacted in the order provided by Offeror. If a reference is unavailable NRDP will leave a message if possible to do so, and then call the next contact on the list. NRDP will not make more than three attempts to contact each reference over the course of two consecutive working days during the state's hours of business, after the expiration of which time the scores will be totaled.

NRDP will not attempt to identify additional references should NRDP be unable to make contact with those provided. When completed, or upon the expiration of allotted time, these Reference Evaluation forms will be turned in to the head of the committee. NRDP will calculate Offeror's Reference Check score by taking the aggregate total of the three individual scores and dividing it by three (the number of references). Each missing reference less than the required three will be assigned a zero score and will cause an overall score reduction.

B. Scoring Criteria.

NRDP will evaluate and score Offeror's Statements of Qualification and the responses in accordance with the attached Evaluation/Scoring Guidelines, Evaluation Sheet, and Reference Evaluation Sheet. NRDP reserves the right to consider institutional knowledge based on Offeror's past performance on NRDP contracts and may make such investigations deemed necessary to verify the accuracy of all information provided by the Offeror.

A subset of the evaluation committee consisting of at least three individuals will each separately review and score each SOQ or individual Category Listing in accordance with the attached Evaluation Sheet. Individual score sheets will be provided to the head of the committee, who will determine the average total score by category for each Offeror by taking the aggregate total of each Offeror's evaluation scores and dividing it by the number of evaluation committee members doing the scoring (total Evaluation Score). In determining ranking within a specific category, NRDP will use the scores each SOQ is given for the overall quality of the SOQ and Offeror's overall ability to provide the services, ranking from highest to lowest.

NRDP will notify the firm or firms best qualified to provide the environmental engineering and other technical services required of its intent to negotiate a contract with them.