



REQUEST FOR QUALIFICATIONS #03-23-30018

Port Orchard Soil Remediation –EPA Multipurpose Workplan QEP

Qualifications Due November 29, 2023 at 3:00 PM

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I. NOTICE
PORT OF BREMERTON
REQUEST FOR QUALIFICATIONS #03-23-30018
Port Orchard Soil Remediation –EPA Multipurpose Workplan QEP

NOTICE IS HEREBY GIVEN that the Port of Bremerton is seeking statements of qualifications for Consultants or Engineering professional services for soil remediation activities for properties located in the City of Port Orchard.

BACKGROUND: The Port of Bremerton (Port) is a junior taxing district in the state of Washington, organized in 1913 under provisions of the laws of the State, codified at RCW 53.04.010 et seq. It is governed by a three-person elected Board of Commissioners. The Board of Commissioners appoints the Chief Executive Officer who is responsible for the Port’s day-to-day operations.

The Port owns two marina waterfront properties with existing commercial structures, located at 521 and 525 Bay Street, Port Orchard, Washington. The Port is interested in receiving proposals for conducting hazardous substance and/or petroleum mitigation and soils remediation at these two properties.

REQUEST FOR QUALIFICATIONS (RFQ): A Request for Qualifications is the method of procurement used when elements such as experience, past performance, resources, method of approach, and other criteria are considered in addition to cost. The Port will review submitted proposals in accordance with the evaluation criteria set forth herein. After receiving proposals but prior to award of contract, the Port may engage in discussions with responsible submitters and allow or negotiate proposal revisions. Contents of proposals are not publicly disclosed until after contract award.

The Port hereby solicits interest from firms with expertise in consulting as a Qualified Environmental Professional (QEP) for an EPA Multipurpose workplan related to hazardous substance and/or petroleum mitigation and remediation consulting. Qualified Environmental Professional services shall include, but not limited to: Washington State Department of Ecology Voluntary Cleanup Program remediations and clean-ups management and consultation pursuant to the Model Toxics Control Act (MTCA) guidelines and US EPA multipurpose grant regulations and requirements. The Port reserves the right to amend terms of this Request for Qualifications (RFQ) to circulate various addenda, or to withdraw the RFQ at any time, regardless of how much time and effort consultants have spent on their responses. Services are to be consistent with EPA Multipurpose Grant award requirements and regulations.

RFQ REQUIREMENTS: Submittal information to include:

1. Statement of Interest- limited to one page
2. Organization chart and resumes for each team member outlined within the chart and their area of responsibility
3. Subconsultants organization chart and resumes for each subconsultant project team member and their area of responsibility
4. Team experience working with other public agencies performing soils remediation.
5. Team experience working on soils remediation projects with Washington State Department of Ecology, State of Washington Ecology Voluntary Cleanup Program remediations and clean-ups pursuant to the Model Toxics Control Act (MTCA) experience on similar scaled projects.
6. Specific experience of individuals relative to the proposed project

7. Specific experience related to US EPA Multipurpose Workplans.
8. A minimum of two references with specific interest in public and private referrals

SCHEDULE

Legal Ad Published	November 15 th , 2023
Deadline for Questions	November 20, 2023 at 4:30 PM
Answers to Questions Published	November 22, 2023 at 4:30 PM
Qualifications Due	November 29, 2023, at 3:00 PM
Commission Selection	December 12, 2023

Questions received after the question deadline may not be answered. If warranted, the Port will publish responses to questions online <https://www.portofbremerton.org/bids-contracts> no later than the deadline stated above. It is the proposer’s responsibility to check the online webpage for any addenda.

RFQ SUBMISSION REQUIREMENTS: Submit qualifications via email to the Port’s Contract Administrator, Ellen Ataie at ellena@portofbremerton.org. Place in the subject “Port of Bremerton- Port Orchard Soil Remediation-EPA MP Grant”. Paper submittals may be delivered to: Port of Bremerton, Attn: Ellen Ataie, 8850 SW State Hwy 3, Bremerton, WA 98312. The Port is not responsible for courier delay. Proposals are due by 3:00 PM, Wednesday, November 29, 2023.

<p>Port point of contact for the RFQ project is:</p> <p>James Weaver Director of Marine Facilities, jweaver@portofbremerton.org (primary) or 360-813-0829 (secondary).</p>	<p>Port point of contact for this RFQ submission is:</p> <p>Ellen Ataie Contract Administrator, ellena@portofbremerton.org (primary) or 360-813-0816 (secondary).</p>
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CONTRACT ISSUES: The successful contractor will be required to execute an A&E Professional Services contract agreement with the Port (Exhibit B). Among other requirements, professional services contracts are subject to the following:

1. Errors and Omissions Indemnification
2. Negotiation lump sum fixed price.
3. Specific timetable leading to project completion.
4. Equal Employment Opportunity compliance
5. Non-Discrimination and Civil Rights Act compliance

Any contracts awarded under this request for qualifications are expected to be funded in part by United States Federal and Washington State agency or department funds. The proposed contract will be under and subject to Executive Order 11246 of 24 September 1965, as amended (Affirmative Action to Ensure Equal Opportunity). Qualifications received from a proposer who debarred from doing business with Washington State or the Federal government will be deemed non-responsive. Federal provisions are included in the appendix. In the event of conflicting requirements between the Port, State, and Federal agencies, the more restrictive requirement, or higher prevailing wage rate will prevail, where applicable.

This RFQ is subject to 2 CFR 200 for Federal Awards and Part 1500, Chapter XV, Subtitle B of Title 2-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

SELECTION PROCESS AND TIMELINE: Professional services will be procured using the Qualifications-Based-Selection (QBS) process as outlined in RCW 39.80. QBS is a competitive procurement process in which consulting firms submit qualifications and/or a non-cost proposal to the Port based on the criteria listed. Price is not used in the selection criteria. Qualifications submitted which contain price offer will be disqualified. The Port assesses the expertise of competing firms and selects the most highly qualified firm to negotiate the project scope and associated fee.

Following this RFQ process, the Port will select the two or three most highly qualified candidates for an interview. The Port will select the most highly qualified firm based on selection criteria and interviews. Once selected, a Professional Services contract scope and fair and reasonable fee will be negotiated. If the Port is unable to negotiate a satisfactory contract with the selected firm within thirty days, negotiations with that firm may terminate at the Port's discretion and the Port may select another firm.

SELECTION CRITERIA: Proposals will be evaluated by a Port evaluation committee, which shall have sole power and discretion to determine the qualifications, responsibility, and capabilities of the submitters in relation to the project. The Port will award a contract to the most highly qualified consultant using the following criteria:

- The qualifications, ability, capacity, and expertise of the proposer or team and project manager to perform the contract and/or provide the service required.
- The character, integrity, reputation, judgment, experience, and efficiency of the proposer.
- References to the quality of performance of previous contracts performing similar development and design services.
- Past Performance/References The previous and existing experience as it relates to this project.
- Familiarity with Agency (DOE, WDFW, USACE, NMF, USCG, Tribal and City) Requirements
- Ability to meet proposed schedule.
- The convenience and availability of service.
- Personal interviews and/or telephone interviews may be held at the discretion of the Port of Bremerton.

The evaluations will be scored at a possible 85 points, with the top three firms being selected for an interview. Following the interview, the final 15 points of those firms will be calculated for the interviewed firms. The scores will be calculated as follows:

Criteria	Possible Points
Qualifications of the proposed team and project manager.	20
Firm's experience with projects of a similar scope.	25
Availability and ability to meet the schedule	15
Firm's experience with Federally grant-funded projects and 3 rd party agency requirements.	15
Interview (if selected)	15
Total possible points	100

TERMS AND CONDITIONS:

1. The Port reserves the right to reject any and all RFQ's and choose not to award, and to waive minor irregularities in any RFQ.
2. The Port reserves the right to request clarification of information submitted, and to request additional information from any team.
3. The Port reserves the right to award any contract to the next most qualified team if the originally awarded team and the Port do not reach an agreement within thirty days.
4. The contract resulting from acceptance of an RFQ by the Port shall be in a form supplied or approved by the Port and shall reflect the specifications in this Request. The Port reserves the right to reject any proposed agreement or contract that does not conform to the specifications contained in this Request and which is not approved by the Port's attorney.
5. The Port shall not be responsible for any costs incurred by the firm in preparing, submitting or presenting its response to the Request.
6. This RFQ represents the current status of the project; details may change as the conceptual planning continues; updates can be found on the Port's website at www.portofbremerton.org.

PUBLIC RECORDS ACT: Under Washington State Law (reference RCW Chapter 42.56, the "Public Records Act") all materials received or created by the Port of Bremerton are considered public records. These records include but are not limited to the proposal submittals, agreement documents, contract work product, or other proposal materials.

Under the Public Records Act, the Port is required to promptly make public records available upon request. However, under Washington State Law some records or portions of records are considered legally exempt from disclosure. A list and description of records identified as exempt by the Public Records Act can be found in RCW 42.56 and RCW 19.108.

If the proposer believes any of the records being submitted to the Port as part of the proposal are exempt from disclosure, the proposer may request that the Port notify the proposer before releasing the records. To do so, in the proposal submittal, proposers must very clearly and specifically identify each record for which a proposer claims exemption and the exemption(s) that may apply.

If the Port receives a public disclosure request for any records the proposer has properly and specifically identified, the Port will notify the proposer in writing of the request and will postpone disclosure for a period of time to allow the proposer to respond.

While it is not a legal obligation, the Port, as a courtesy, will allow proposers up to ten business days to file a court injunction to prevent the Port from releasing the records (reference RCW 42.56.540). If the proposer fails to obtain a Court order within ten days, the Port may release the documents. The Port will NOT assert an exemption on the proposer's behalf.

Please note the Port cannot accept generic marking of materials such as marking everything with a document header or footer, page stamp, or a generic statement that a document is non-disclosable, exempt, confidential, proprietary, or protected. Proposers may not exempt an entire page unless each sentence is entitled to an exemption; instead, identify paragraphs or sentences that meet the RCW exemption criteria the proposer is relying upon.

The Port will try to redact anything that seems obvious in the Port's opinion for redaction as exempt. For example, the Port will black out (redact) Social Security numbers, federal tax identifiers, and financial account numbers before records are made viewable by the public. However, this does not replace the proposer's obligation to identify any materials the proposer wishes to have redacted or protected and that the proposer thinks are protected under the Public Records Act.

FAIR SHARE OBJECTIVES, 40 CFR, Part 33, Subpart D

The Fair Share Objectives or goals for the utilization of disadvantaged businesses negotiated with EPA by the WA Office of Minority Women Business are stated below.

Construction	10% MBE	6% WBE
Supplies	8% MBE	4% WBE
Equipment	8% MBE	4% WBE
Purchased Services	10% MBE	4% WBE

II. SCOPE

For the purposes of this RFQ the Scope of Work includes, but is not limited to:

A. Basic Requirements

1. Personnel must have satisfactorily completed 40-hour HAZWOPER safety training and maintain a current OSHA field certification for working on hazardous substance and petroleum remediation sites. Documentation of such will need to be submitted within your RFP submittal. Project-specific requirements will be specified in mini-bids.
2. Level of Experience – The Project Manager shall have demonstrated experience with similar type of remediation cleanup projects. The consultant shall use professional judgment to ensure the proposed remediation action plan will be prepared based on the consultant's experience with regulatory agencies on similar projects.
3. The Consultant must be able to demonstrate direct experience conducting hazardous substance and/or petroleum mitigation and remediation including, but not limited to:
 - a. Washington State Department of Ecology Voluntary Cleanup Program remediations and clean-ups pursuant to the Model Toxics Control Act (MTCA) guidelines.
 - b. RCRA Corrective Action
 - c. Other hydrogeology and remediation planning and implementation.

The projects must include experience following the Washington State Department of Ecology's policies, procedures and guidelines including, but not limited to:

- a. Guidance for Remediation of Petroleum Contaminated Sites in Washington State
- b. Guidelines for Property Cleanups under the Voluntary Cleanup Program
- c. Submit data through the DOE Environmental Information Management (EIM) system.

Together the 5 projects must demonstrate the Consultant's capacity to cost-effectively:

- a. Determine the fate and transport of hazardous substances and oil in various media.
 - b. Determine the risk those contaminants pose to public health and the environment.
 - c. Develop remedial alternatives.
 - d. Implement selected remedies.
 - e. Effectively communicate orally and in writing the Consultant's finds, conclusions, and actions, to a wide variety of audiences; and
 - f. Use appropriate methods and tools to undertake the work.
4. Familiarity with the Environmental Protection Agency Multipurpose Grant process, documentation, regulations, and requirements.
 5. Secure all necessary permits with local, State, and Federal agencies.

B. Tasks

Services and Deliverables. Work tasks as the Qualified Environmental Professional resulting from this RFP include, but are not limited to the following:

1. Implementation of Remedial Solutions

Serve as the Qualified Environmental Professional in the implementation of Port-approved remedial activities. The Consultant is responsible for ensuring that the activities are completed as described in the work plan. The Port must approve any significant variation from the work plan. A written summary of remedial activities will be presented to the Port at the conclusion of the project.

- a. Construction Oversight and Material Testing - Provide inspections and oversight, and quality assurance/ quality control of work performed:
- b. Provide on-site monitoring/sampling services during hazardous materials work as required by the regulatory agency. This activity may also include taking any necessary post-abatement samples for work clearance, close-out, and providing the Port with appropriate records; and
- c. Provide risk assessments, best management practices and other environmental-related services as requested by the regulatory agency.
- d. Other Environmental Services - Provide other environmental services related to the remediation clean-up and that may be required.
- e. If the Consultant is relying on subcontractors to perform any of the services included in the Consultant's proposal, the Consultant must submit a listing of those subcontractors and a description of the services that the subcontractor will be providing.

2. Project Management

Oversee all environmental/remediation clean-up site responsibilities as well as Project Coordination and Management for hazardous waste site remediation. The Qualified Environmental Professional consultant will coordinate and manage activities with the contractor, City, State, and regulatory agencies regulating the environmental cleanup. This includes coordination preparation and submittal of any permits required, project management activities, preparation of technical specifications for remediation clean-up, and managing contractor's procurement and clean-up process.

- a. Coordinate, manage, and oversee compliance of all regulatory agencies requirements including preparation of written comments and revising the Remediation Action Plan (RAP), or similar document, to the satisfaction of any

- relevant regulatory agency and post-remediation requirements and receiving approvals/certifications of the cleanup.
- b. Oversee and manage clean-up work done by an approved and licensed contractor.
 - c. Coordinate and conduct periodic site inspections.
 - d. Coordinate bi-monthly progress meetings with the Port of Bremerton and/or others involved with the project.
 - e. Oversee investigation and remediation of the sites.
 - f. Review technical documents, as needed.
 - g. Advise and update Port personnel on investigation and cleanup activities.
 - h. Review environmental site assessment reports.
 - i. Assist preparation of Port of Bremerton Commission staff reports and conduct presentations, as needed.
 - j. Advise the Port of all risks, liability and future costs associated with cleanup sites.
 - k. Manage necessary permits with City of Port Orchard, State of Washington, and if needed any Federal agencies for implementation and ensure remedial solution activities meet permit conditions for approval.
 - l. Preparation of reports as requested; and
 - m. Secure necessary inspections with local, State, and any necessary federal agencies.
 - n. Project coordination and administration.

3 Operation and Maintenance of Remediation Systems

The selected Qualified Environmental Professional consultant may be asked to oversee the operation and maintenance of ongoing remediation systems. This will include routine monitoring, maintenance, and reporting as necessary, to ensure the continued effectiveness of the system.

- a. Geotechnical Investigation/Testing - Conduct a Geotechnical Investigation and/or Testing, as required by the regulatory agency, if necessary.
- b. Remedial Action Completion Report (RACR) - Prepare a Remedial Action Completion Report (RACR) to the satisfaction of the regulatory agency, as necessary.

C. Additional Responsibilities

The selected Qualified Environmental Professional consultant may also be responsible for the following, as necessary:

- a. Secure site access.
- b. Make all notifications to appropriate agencies and entities before, during and after initiating site work (City, State and Federal Agencies, etc.).
- c. Obtain all required licenses, permits and permissions requisite for remedial actions and disposal of hazardous and non-hazardous wastes.
- d. Ensure that site workers are trained and qualified to work at hazardous substance sites in accordance with OSHA standards (i.e., 29 CFR 1910.120, 29 CFR 1910.146, etc.).
- e. Oversee hired sub-contractors and ensure that site work is conducted in accordance with applicable State and Federal laws and regulations.
- f. Follow Best Management Practices for controlling soil and erosion.
- g. Conduct surveying
- h. Assist the Department in public presentation of investigation findings and remediation plans.
- i. Attend and assist Department staff at meetings with the public, responsible parties, government officials and other interested parties.

D. Program Specific Requirements

Consultants submitting proposals may be willing to comply with program requirements. Some examples of program specific requirements are:

Environmental Protection Agency Multipurpose Grant

The Port of Bremerton has been awarded a multipurpose clean up grant from the Environmental Protection Agency. The Qualified Environmental Professional consultant must be familiar with the EPA Multipurpose grant requirements, regulations, documentation, and reporting. The work must be completed in accordance with the USEPA Analysis of Brownfields Cleanup Alternatives (ABCA). The selected Consultant may also be asked to complete reporting requirements for USEPA (MBE/WBE, ACRES, etc.).