SCOPE OF WORK

(c) (1) A detailed scope of work, no more than 10 pages in length, describing how the deliverables will be met. The plan shall include at a minimum:
A proposal for how the entity will implement the items listed in the Scope of Work section, above, including how the applicant will oversee identification, prioritization, development, construction, verification, inspection, operation, and maintenance of clean water projects.

The CCRPC is seeking to serve as the Clean Water Service Provider (CWSP) for the Northern Lake Champlain Direct Drainages Basin (herein after “Basin 5”). The Chittenden County Regional Planning Commission (CCRPC) will comply with the forthcoming final rules and guidance, as a condition of grants issued under Act 76.

Our Vision:

Our Vision is to couple CCRPC’s well-honed skills in group facilitation, grant administration, and program management to support the on-the-ground expertise of partner organizations and municipalities in developing and implementing non-regulatory water pollution control projects. We will be assisted by the Northwest Regional Planning Commission (NRPC) with establishing relationships outside our RPC region. In coordination with the Vermont Department of Environmental Conservation (DEC), the Northern Lake Champlain Direct Drainages Basin Water Quality Council and assisted by numerous partner organizations and municipalities, the CCRPC will implement a systematic and open process to bring cost-effective projects from concept through development to installation to annual ongoing operation and maintenance.

Project Identification and Prioritization:

Start-up activities:

Upon designation by the State of Vermont and issuance of a contract or grant agreement, the CCRPC will first set up a dedicated webpage at www.ccrpcvt.org to host all relevant content related to acting as the Clean Water Service Provider for Basin 5. Secondly, the CCRPC, with the assistance of NRPC, will organize three separate informational meetings, one each in Chittenden, Franklin and Grand Isle counties so that the CCRPC, can meet with water quality partners and the public so that everyone is brought up to speed about the anticipated and planned
operations of the CCRPC as the CWSP for Basin 5. Finally, the CCRPC will formally begin tracking CWSP-related expenses and activities so as to be able to meet any financial or programmatic requirements established by the DEC.

Formation of Basin Water Quality Council:

Upon designation as a CWSP, our first step will be to form the Basin Water Quality Council (BWQC) for Basin 5. This BWQC will be made up of nine members and formed in accordance with applicable statute, rules and guidance. The CCRPC, with the assistance of NRPC, will invite three different groups to select their Council member consistent with Act 76, as follows:

- to select two (2) persons representing NRCDs from the following: Franklin County, Grand Isle County and Winooski Natural Resource Conservation Districts (NRCDs) and Vermont Association of Conservation Districts;
- to select two (2) persons representing RPCs from the following: Addison County, Chittenden County and Northwest Regional Planning Commissions (RPC); and
- to select two (2) persons representing local watershed protection organizations from the following Addison County River Watch Collaborative, Friends of Northern Lake Champlain, Lake Champlain Committee, Lake Champlain International, Lake Iroquois Association, Lewis Creek Association, St. Albans Area Watershed Association, Watersheds United Vermont (WUV), and any other similar organizations that may self-identify or be identified by Watersheds United Vermont.

The CCRPC, with the assistance of NRPC, will also make a request to two other groups to make a recommendation to CCRPC as to whom their Council member should be, as follows:

- to recommend to CCRPC one (1) representative from the local and state land conservation organizations such as: Charlotte Land Trust, Hinesburg Land Trust, Richmond Land Trust, South Burlington Land Trust and; statewide land conservation organizations such as Lake Champlain Land Trust, New England Forestry Foundation, Northeast Wilderness Trust, The Nature Conservancy of Vermont, Trust for Public Lands, Vermont Housing & Conservation Board, Vermont Land Trust and the Vermont River Conservancy and any other similar organizations that may be identified.
- to recommend to CCRPC two (2) municipal representatives from the municipalities in Basin 5. We propose that CCRPC and NRPC use their existing clean water advisory committees to each select their municipal representative. There may be one of these representing MS-4 communities and one representing the other municipalities as to be determined by the municipalities.

The CCRPC will provide staff support to the BWQC and help them in establishing Council Rules of Procedure such as member terms and their responsibilities including, but not limited to, project identification and prioritization. These rules, including conflict of interest provisions, will be consistent with the rules and guidance now under development. We hope that the DEC will provide adequate funding to support robust Council member participation either through the basin planning grants or as part of this formula grant. Based upon conversations with our partners, we expect that the level of participation may be about 20 to 40 hours per year.
Inventory of possible projects and project tracking:

In order to be able to assist the BWQC with project identification and project prioritization, upon commencement of an agreement with the Vermont DEC, the CCRPC, with the assistance of NRPC, will first meet with the Vermont DEC Watershed Planner for Basin 5, Karen Bates, to collect information on previously identified non-regulatory projects in the Basin. The primary source for these projects will be the DEC Watershed Projects Database, https://anrweb.vt.gov/DEC/cleanWaterDashboard/WPDSearch.aspx.

We will then review the initial list of projects with BWQC members and all other partners in the basin to identify additional projects that are not yet in the database or that will need project identification/development funding to be further scoped for consideration. These project ideas might include, for example, stream reaches that may never have been formally assessed for fluvial erosion hazards or for floodplain restoration opportunities. Often project ideas are received organically through phone calls, emails, field work, stakeholder outreach and these projects at any given point in time may not be in the state database. It will also be important to solicit the input of municipal conservation commissions. The CCRPC will make sure to add these “new” projects during the identification phase and on an ongoing basis.

We will likely separate the potential project list into two broad categories, consistent with the rules and guidance to be issued by DEC: first, problems/projects that need further Identification & Development and second, those projects ready for Final Design & Implementation. We anticipate asking the BWQC to allocate a sufficient percentage of available project funding towards the Identification & Development phase.

One option which offers good potential for displaying the project priorities will be the utilization of an ArcGIS Dashboard if it is not possible to use the DEC database for this purpose. CCRPC already uses this option to assist its municipalities with identification and tracking of each town’s progress in meeting the requirements of the Municipal Roads General Permit, see: http://map.ccrpcvt.org/reidashboard. The CCRPC and NRPC therefore will work together to develop a single online Basin 5 Non-Regulatory Project Dashboard to easily identify eligible projects and share with the BWQC and partners for prioritization. Data on projects will be imported into this dashboard from the watershed project database and/or Clean Water Project Explorer as well as entered into the dashboard directly by CCRPC, NRPC and partners. This ArcGIS online dashboard will be used to display information on project status, eligibility determinations, projected phosphorus reduction, cost (both project and Operations and Maintenance), and feasibility factors (landowner willingness, etc.). Additionally, any projects that are currently in the watershed database that are deemed “ineligible” by the DEC will be recorded as such and an explanation included in order to track that information. Through regular communication with DEC, we will work to ensure that our Basin 5 Non-Regulatory Project Dashboard and the DEC Watershed Projects Database are mutually updated on an ongoing basis. Finally, it is our intent that the database be fully accessible to Council members and partners/subgrantees recruited as described below.

The CCRPC will ensure that applicable data from the ArcGIS Dashboard will be easily extracted and translated to any DEC-developed IT solution for tracking and reporting. The Dashboard as
proposed is not intended to be duplicative of the WPD or the Clean Water Project Explorer; this tool would provide similar transparency in conveying information and tracking indicators on eligible non-regulatory projects for the purposes of project identification, prioritization and progress reporting.

Prioritization of Projects:

As prescribed in Act 76, the responsibility for prioritization of projects rests with the BWQC. After the BWQC is formally convened, the CCRPC will act in an administrative and technical support capacity to assist the BWQC with developing the best mechanisms to present and analyze the potential projects to make for the most efficient process for the BWQC to prioritize investments in Basin 5 to meet the assigned phosphorus reduction target.

This prioritization process will also be informed by and consistent with the 2020 update to the Basin 5 Tactical Basin Plan which should be completed this summer. The BWQC and CCRPC will also use DEC’s Clean Water Project Explorer [https://anrweb.vt.gov/DEC/cleanWaterDashboard/ProjectExplorer.aspx](https://anrweb.vt.gov/DEC/cleanWaterDashboard/ProjectExplorer.aspx) as well as DEC’s Clean Water Roadmap: [https://anrweb.vt.gov/DEC/CWR/CWR-tool](https://anrweb.vt.gov/DEC/CWR/CWR-tool) to inform this process.

We expect that, consistent with draft guidance under development by DEC, potential projects for Implementation will first receive a technical score established by DEC to evaluate pollution reduction and related water quality benefits vs. costs (e.g. $ per lbs. phosphorus reduced). Secondly, the project will then receive a co-benefit score established by the Council. CCRPC will develop a first draft of this co-benefit scoring methodology with the other CWSPs which will identify potential co-benefits (e.g., readiness, matching funds, hazard mitigation, habitat, socio-economic, educational benefit, etc.) and their proposed weighting. The BWQC will then determine the final version of the co-benefit scoring process.

Given the importance of this step, we intend to invite all partners in the basin to participate in this discussion and provide input to the BWQC as they make decisions first about the final co-benefits methodology and secondly as they “score” individual projects on an ongoing basis.

It is expected that the investment of CWSP funds for Identification & Development of projects will go through a similar process but that it will be based more on prioritizing the problems as identified in the Tactical Basin Plan rather than a discrete project solution at this stage. It may be that investments in partner organizations & municipalities for Identification & Development work are made in more of a funding program style rather than per project. For an example, a subgrant to investigate floodplain restoration project opportunities in a given sub-watershed.

Subgrantee Selection and Payment: Development of formal partnerships with water quality partners:

We anticipate that the vast majority of funding flowing through the CCRPC would be invested in partners to identify, develop, design, build, operate, and maintain the prioritized projects. Therefore, CCRPC proposes to, and needs to, enlist many partners in the basin to help us carry out these tasks. Consistent with rules and guidance developed by DEC, and in consultation with
the BWQC, we anticipate the use of a request for qualifications (RFQ) process to solicit, identify and develop formal relationships (aka master agreements) with needed sub-grantees such as watershed associations, watershed groups, natural resource conservation districts, land trusts, land managers, municipalities and conservation organizations along with needed professionals and businesses. We have already identified many of those (see list of BWQC invitees above) but we also need to find out if there are emergent groups or individuals that might be able to assist as well. We will also use the RFQ process to identify and develop agreements with entities with technical and scientific expertise in water quality project design, operations and maintenance as well as entities with experience in construction of water quality projects to assist project partners.

The CCRPC already has several RFQ templates in place which it uses every few years to select firms for, for example, in the fields of Transportation Planning, Public Participation, Water Quality Project Design & Construction Management, Land Use Planning, and Brownfields Site Assessment. Note that the intent of this RFQ process is not to select just a few partners. Rather, the purpose is to be inclusive and welcoming and to find out the different capabilities of organizations, municipalities and businesses in each of the various key tasks required of the CWSP. Respondents to the RFQ shall be asked to provide information on the following criteria: personnel, relevant experience, billing rates, etc. Establishing a pre-qualified list will allow for rapid deployment of funds to bring pollution control projects from concept to completion and facilitate efficient payment to project partners. A comprehensive master agreement would be made between the CCRPC and each selected partner organization, municipality or business after which simple short task orders would then be issued as projects are given authorization The CCRPC will ensure that DEC contracting requirements are passed through to all sub-grantees and sub-contractors.

The RFQ will solicit organizations, municipalities, firms and individuals with expertise in one or more of the following:
- Project Identification and Development
- Project Design & Permitting
- Implementation:
- Verification and Inspection
- Operations & Maintenance

CCRPC anticipates that the BWQC will both authorize a package of projects for construction for each construction season and authorize projects on an ongoing basis for development and/or design. Once projects have been determined to be ready for either final development, design work, permitting, construction; inspection & verification or operations & maintenance, task orders would then be issued by CCRPC to the partners that originally proposed the project. All necessary funds would be awarded to the same partner to manage the development, design or construction project and oversee and pay any needed subcontractors such as engineers and construction firms as well as cover the costs of any administrative tasks such as accounting, financial reporting, progress reporting, documentation, etc. A process (including criteria) will be developed with, and approved by, the BWQC so that minor changes in scope or cost of these task orders may be handled administratively by the CCRPC. In general, CCRPC will provide direct oversight of the task orders it issues for work throughout the Basin. However, should the
workload prove too great or it makes for a smoother relationship, the CCRPC may subgrant funds to NRPC to oversee a project with a partner on a case-by-case basis.

**Identification & Development:** Partners will be sought to help identify projects that are not yet known, or not yet ready to move forward. This developmental/scoping work will include work with landowners, development of project alternatives, identification of possible constraints and permitting issues, and development of conceptual solutions. The criteria for reviewing these projects include problem identification, expected pollution reduction, and other criteria that may be developed by the BWQC and/or DEC.

**Design & Permitting:** Respondents will have direct experience with development of conceptual or final designs, final cost estimate and bid documents, completion of applications for required permits and/or easements, access agreements. It is anticipated that the BWQC would review and select professionals for this work based upon qualifications no more than once per year and maybe for two- or three-year terms. Entities selected for this work could either: 1) be under subcontract with a partner organization or municipality who would oversee their work and also be responsible for overall management of a project or 2) be under contract with the CCRPC and be available to provide ad hoc consulting assistance to partners for smaller projects.

**Implementation:** Respondents will have direct experience with actual physical implementation of projects or with the management of construction firms performing same. Respondents will have experience with the completion of progress and financial reporting and maintaining adequate records of same. Each project funded by the CCRPC as CWSP would be managed by a partner organization or municipality who is responsible for overall successful implementation of the project. If cash flow requirements and challenges make this desirable, the construction firms assisting a project partner/implementor could be paid directly by the CWSP. Before any project will be approved for construction, the CCRPC will ensure that the project implementer has secured any required permits.

**Verification and Inspection:** As the CWSP, CCRPC will either develop the expertise in-house or hire firms, individuals, municipalities or organizations with experience in inspection of water quality projects to verify that they constructed in accordance with the Final Design and Project Specifications, and any DEC, federal or municipal rules and/or permits. Dan Albrecht has received certificates from the American Stormwater Center as both a Certified Stormwater Inspector and as a MS4 Low-Impact Development / Green Stormwater Infrastructure Inspector and could handle inspections/verifications not requiring an engineer’s certification but consistent with DEC requirements. The proposed RFQ process will likely garner both engineering firms as well as other qualified individuals and organizations who can assist the CCRPC in these efforts. Each selected entity would have an agreement with the CCRPC, and work would be assigned via task orders. The CWSP/BWQC will establish performance criteria for inspection and verification consistent with DEC requirements. It is anticipated that this task will be completed using the mobile application, “Survey 123,” currently used by the DEC Stormwater Program. This will ensure that verification, inspection, and recommendations for maintenance is conducted in a consistent manner across projects in the region.

**Operations and Maintenance:** Entities selected for this task will be expected to have experience
in operations and maintenance of non-regulatory water pollution control projects as well as experience with record-keeping and reporting on same. As the CWSP, CCRPC expects to work with the BWQC on how to best invest in partners to operate and maintain installed projects and practices. The amounts of these investments are not known at this time, but we expect them to be some percentage of the cost of implementation or a flat annual fee, depending on the type of project. The party responsible for Operations & Maintenance determined by the project sponsor earlier in the process and any necessary easements and/or agreements will be secured prior to implementation and consistent with DEC rules and guidance. The first and preferred option would be for the partner to enter into a contract with the CWSP to provide these services for the design life of the implemented practice. If that is not desired by the partner or by the landowner, the CWSP in consultation with the BWQC would contract with a third party to perform these annual services. The responsibility and liability would reside with the entity paid to provide this service through the funding agreement consistent with DEC rules and guidance.

In summary, the CCRPC will be responsible for ensuring projects meet set standards as they progress from design to construction with the assigned project implementer. Design projects will need to demonstrate that they have been screened for natural resource constraints and determined necessary permits. Implementation projects will need to obtain necessary permits and agreements for operations and maintenance of the practice prior to construction.

(c) (2) A description of support systems – systems currently in use or proposed by the applicant to support their IT and financial systems, and, and a statement committing to use DEC-developed IT solutions for project tracking and reporting.

CCRPC has well-developed IT and financial systems. Our IT system consists of a file server, 20+ laptops, 3 printers, a Network Attached Storage back-up system as well as an off-site back-up system. The back-up system runs hourly onsite and at the off-site location. Pam Brangan, CCRPC GIS Data & IT Manager helps troubleshoot minor IT issues as needed. CCRPC is also assisted by The Tech Group, an on-call tech support consulting firm based in South Burlington. The firm monitors the computer system (server and user laptops) 24x7 in an effort to minimize issues. Lastly, our email system is routed through a 3rd party SPAM/virus software to reduce the chances of virus or phishing programs infiltrating our system.

CCRPC has well established and proven accounting systems that meet all federal and state standards for managing federal and state awards. CCRPC currently manages around $5 to $6 million dollars a year in federal, state, local and non-profit grants. CCRPC uses QuickBooks accounting software, which is backed up on the file server and can be accessed in the office or remotely. Financial systems and procedures have been developed and updated periodically in CCRPC’s Administrative and Operating Policies and Procedures (see attachment X) as approved by the CCRPC Executive Committee and are available upon request. CCRPC is audited each fiscal year by an independent Certified Public Accounting firm and has been free of any significant findings for at least the last ten years. CCRPC expends more than the current threshold, $750,000 in a fiscal year, of federal funds and therefore undergoes a Federal Single Audit each year. CCRPC’s financial systems have consistently demonstrated the ability to manage state and federal funds and is considered a low risk auditee.
The CCRPC commits to using DEC-developed IT solutions for project tracking and reporting and the proposed dashboard described above would be consistent with and not supplant the DEC-developed solution. The CCRPC will submit interim reports and an annual report to the BWQC and DEC that will show progress made towards project identification, implementation, inspection, maintenance, and meeting phosphorus reduction targets. CCRPC routinely invoices programs and contracts quarterly and would also provide regular reporting on the disbursement of funds. CCRPC will regularly communicate with partners assigned tasks and request reporting on the status of tasks to align with defined reporting timelines of the BWQC and DEC.

(c) (3) A description of current and proposed staffing and partnerships to meet CWSP obligations

Dan Albrecht, CCRPC Senior Planner will be the overall CWSP Program Manager and have oversight of individual projects in Chittenden County. Dan has been with the CCRPC since 2003 and has managed several relevant projects. Dan holds an M.S. in Natural Resources Planning from the University of Vermont and an M.A in Anthropology from McGill University. Through a subgrant to the Northwest Regional Planning Commission, Amanda Holland, NRPC Regional Planner, will assist the CCRPC as the primary liaison with NRPC region partners. At this time, neither CCRPC nor NRPC plans to hire new staff as part of this administrative and managerial effort. However, should the workload grow, consideration may be given to hiring persons with the needed expertise.

CCRPC, assisted by NRPC staff as needed, will also meet regularly with the DEC and the Basin 5 Water Quality Council to continually update the list of potential projects for identification and prioritization as well track ongoing projects as they move from development to prioritization to construction to operation.

Other CCRPC staff will assist Mr. Albrecht on an ad hoc basis. GIS staff (Pam Brangan, Melanie Needle and Chris Dubin) will assist in maintenance of a project tracking database and an accompanying GIS dashboard. Forest Cohen CCRPC’s Senior Business Manager will have responsibility for overall financial reporting and compliance. Charlie Baker and Regina Mahony, CCRPC Executive Director and Planning Program Manager will exercise overall program and staff oversight to assure compliance with state rules and guidance.

As described above, the CCRPC will subgrant with existing and new water quality partners to be the primary entities to carry out project development, construction, inspection, verification, operations and maintenance of water quality projects.

(c) (4) A description of current or proposed operating policies, including internal controls, personnel, procurement, accounts payable, accounts receivable, fixed assets, reconciliation, governing board oversight (for corporate/corporate non-profit entities), records, implementation of Vermont Open Meetings laws, and payroll. Documented policies may replace descriptions as appropriate.
CCRPC has a formal “Administrative and Operating Policies and Procedures” manual (see Attachment X) which has been updated on a regular basis including most recently on April 1, 2020. The document addresses in detail the required elements noted in the RFP as follows.


**Part 2 – Procurement Policy**, pages 71–79. To achieve transparent and competitive sub-granting and procurement, these policies and procedures have been developed in accordance with 2 Code of Federal Regulations (CFR) § 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and Vermont Agency of Administration Bulletin 3.5 – Procurement and Contracting Procedures, and Vermont Agency of Administration Bulletin 5 – Policy for Grant Issuance and Monitoring. CCRPC staff and all selected contractors will observe and comply with all relevant federal, state, and municipal laws, bylaws, ordinances, and regulations.

**Part 3 – Accounting & Internal Controls Policies & Procedures.** The CCRPC takes a zero-tolerance approach to fraud or any financial maleficence at any level of the organization. The CCRPC develops, implements, monitors, and enforces policies that prevent fraud and abuse and uphold the standards of the organization. Internal controls are interwoven into all financial operations of the CCRPC. Segregation of duties, multi-step approval processes, layers of oversight, and other proven controls are built into CCRPC daily operations. CCRPC develops, implements, and practices accounting and internal controls and procedures according to 2 Code of Federal Regulations (CFR) § 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and Vermont Agency of Administration Bulletin 5 – Policy for Grant Issuance and Monitoring. CCRPC undergoes a Federal Single Audit each fiscal year by a Certified Public Accounting Firm to assure practices and policies are in compliance with Generally Accepted Accounting Procedures. More detail can be found as listed below referencing pages in our Administrative and Operating Policies and Procedures.

- Internal Controls, page 83.
- Fraud Prevention Policy, page 92.
- Record Retention Policy, pages 96-98.
- Appendix C – Financials Procedures, pages 99-115, covering:
  - Accounts Payable
  - Accounts Receivable
  - Fixed Assets
  - Reconciliation
  - Payroll
  - Federal Awards Management

The CCRPC is governed by the CCRPC Board and CCRPC Executive Committee with the guidance of the Executive Director. The CCRPC Board has general authority over all planning documents, external policy positions, and the annual budget and work program. The Executive Committee oversees the Administrative and Operating Policies and Procedures and supervision of the Executive Director. The Executive Director has the responsibility of ensuring compliance with all relevant federal and state laws, supervision of staff and budget oversight. (See attached CCRPC Bylaws for more detail.)
CCRPC will examine the risks involved in serving as a CWSP and determine what kinds of additional insurance and liability protection will be needed.

As a subdivision of the State, CCRPC has always been required to follow the Vermont Open Meetings Law. The CCRPC has established a dedicated webpage for its Commission and its numerous committees and posts agenda packets and minutes in compliance with the Open Meetings Law. We also have conducted numerous public engagement efforts around draft planning documents. We expect that we will use our experience in this area to post draft policies or priorities of the BWQC for review and comment by the public. We will compile comments and propose suggestion to address the comments to the BWQC as applicable.

(c) (5) Identify staff and organization experience with facilitation, consensus building, water quality projects, and project management.

With regards to facilitation and consensus building and bringing diverse stakeholders to agreement, the CCRPC is well-suited to this role as it continually engages in this type of work on an ongoing basis across the 19 communities of Chittenden County to develop and reach consensus on a variety of regional plans and topic-based plans. Most notably are the 2018 ECOS Plan (Ecology, Community, Opportunity, Sustainability) which includes the Regional Plan, the Metropolitan Transportation Plan and the Comprehensive Economic Development Strategy for the County and the Annual Unified Planning Work Program outlining CCRPC’s planned projects totaling over $5 Million. Mr. Baker and Ms. Mahony are heavily involved in both of these efforts. They work not only with representatives of the county’s 19 municipalities but also with 20+ partner organizations in health, human services, energy, transportation, natural resources and academia.

Other major plans which we update every few years include the Chittenden County Multi-Jurisdictional All-Hazards Mitigation Plan, the CCRC Public Participation Plan, the Active Transportation Plan, and the County Energy Plan. In addition to monthly Commission meetings, CCRPC staff also facilitate and organize regular meetings of its Brownfields, Clean Water, MS4, Planning, and Transportation Advisory Committees. With their expertise in facilitating high-level multi-partner planning processes, Mr. Baker and Ms. Mahony will assist the BWQC in their work to prioritize CWSP-administered funds for water quality projects.

Throughout his 27-years in natural resources public policy, first in Alaska and second, here in Vermont (see attached résumé), Dan Albrecht has primarily functioned as a project/program manager. In recent years, he has managed or is managing the following broad-based programs for CCRPC including several related to water quality such as seven Clean Water Block Grants and two Design Implementation Block Grants, four ERP-funded Stormwater Master Plans, five DEC-funded Tactical Basin Planning outreach grants and fifteen years of stormwater outreach on behalf of the County’s twelve MS4 permittees (see details in Attachments section).