



REQUESTION FOR QUALIFICATIONS

WATER QUALITY IMPROVEMENT PROJECT SUBCONTRACTOR SERVICES

Responses due 5 p.m. EST, January 17, 2024

Introduction

The Chittenden County Regional Planning Commission (CCRPC), in its role as the Clean Water Service Provider (CWSP) for the Northern Lake Champlain Direct Drainages Basin (aka Basin 5), herein referred to as the “Basin 5 CWSP”, is issuing this Request for Qualifications (RFQ) for CWSP-related services as described below. For more information about the CCRPC in its role as the Basin 5 CWSP, see: <https://www.ccrpcvt.org/northern-lake-champlain-cwsp/>. and <https://dec.vermont.gov/water-investment/watershed-planning/tactical-basin-planning/basin5>

Topic Area, Project Phases and Project Types

The CCRPC seeks to prequalify and contract with additional Subcontractors to provide services to the CCRPC and its CWSP Subgrantee Project Implementors/Managers for an initial three-year period from February 1, 2024, through January 31, 2027. [A previous RFQ in spring 2022 pre-qualified eight firms.]. The topic area of this RFQ is water quality improvement for non-regulatory projects in Basin 5 in the State of Vermont as envisioned by Act 76, the Clean Water Service Delivery Act. See information at: <https://dec.vermont.gov/water-investment/statutes-rules-policies/act-76>.

Projects will be mostly applicable to the stream and forest sectors within the Basin, however projects within the developed land sector and agricultural sector will also be supported if not required by a permit. The primary purpose of these projects shall be phosphorus reduction. The CCRPC as the Basin 5 CWSP and in consultation with the Basin 5 Water Quality Council will seek to advance projects with favorable phosphorus-reduction performance metrics and that, to the extent feasible, advance important co-benefits which also provide benefits to local governments and the public provided by or associated with a clean water project, including but not limited to flood resilience, hazard mitigation, education, ecosystem improvement, and local pollution prevention.

The CCRPC will be prequalifying contractors to aid the CCRPC and/or its subgrantees in carrying out the project phases and project types listed below so that the CCRPC as the CWSP shall meet non-regulatory phosphorus reduction targets established by the Vermont Department of Environmental Conservation (DEC) for Basin 5. Individual contractors may propose for qualification in one, or more than one, project phase.

The CCRPC as the CWSP will utilize funding to support the completion of five different Project Phases of various types of non-regulatory water quality improvement projects as follows:

- a) identification & development,
- b) design,
- c) construction/implementation,
- d) operation & maintenance, and
- e) inspection, reporting & verification

Anticipated most common Project Types include:

- easements (river corridor, wetland buffer, etc.)
- floodplain & stream restoration/reconnection,
- wetlands restoration,
- forestland and forest road best management practices (BMPs),
- riparian buffer restoration,
- habitat restoration,
- tree buffer plantings, and
- natural lakeshore stabilization/restoration projects.
- Additionally, traditional stormwater treatment and road project BMPs may also be applicable if treating runoff not required by a permit.
- Lastly, natural resource restoration projects on farm properties may be supported if not required by a permit.

Qualification

The CCRPC will select prime contractors only and is not looking for contractor teams through this RFQ. However, once contractors are deemed qualified for inclusion on the CCRPC list for CWSP-related services, they may assemble project-specific teams in response to a Request for Proposals or Quote. Approval of sub-contractors by the CCRPC is required unless they are already on the CCRPC contractor list for CWSP-related services.

After a firm is deemed qualified through this RFQ, the firm will be eligible for either receipt of a task order or subcontract for services either directly from the CCRPC or from a CCRPC Subgrantee project manager/implementor (e.g. watershed group, land conservation organization, natural resource conservation group, municipality, civic group etc.) designated by the CCRPC as CWSP, in consultation with the Basin 5 Water Quality Council, for overall responsibility for completion of one or more phases of a water quality project.

Note that whether it is the CCRPC or designated project manager/implementor that is subcontracting for services from the CCRPC list, such pre-qualified subcontractors may be solicited via competitive proposal at the inception of a project. At the start of a CWSP clean water project, the CCRPC or its Subgrantee Project Implementors/Managers must seek proposals from at least three potential contractors (from either CCRPC-pre-qualified CWSP contractors or other contractors from the larger business community). A contractor may continue to work for a subgrantee acting as a project manager/implementor or for the CCRPC as the CWSP on future phases of a project (e.g., through Final Design, Construction/Implementation, etc. of a clean water project) but only under a strict set of circumstances. The circumstances are if the initial solicitation for contractor services mentions the need for both:

- a. a cost quote and a detailed Scope of Work on the 'current' solicited phase, and
- b. a cost range estimate (staff, equipment, etc.) and a general description of potential/anticipated work tasks on future phases, and

Thus, unless a subgrantee or the CCRPC as CWSP can show that a solicitation was sought from three or more firms for all, applicable proposed current and future phases of a project (e.g., Preliminary Design, Final Design, Construction Oversight, Operations/Management and/or Inspection/Verification), a subgrantee or the CCRPC as CWSP would need to repeat the procurement process at each step.

The CCRPC or its Subgrantee Project Implementor/Managers may extend or renew Master Agreements as allowed by Environmental Protection Rule Chapter 39 (Clean Water Service Provider Rule) and CWSP / Act 76 Guidance as promulgated by the State of Vermont. Agreement extensions will be based on performance for the prior contract period and availability of funds. Services may commence upon engagement as a pre-qualified CWSP Subcontractor and may extend through at least June 30, 2026. Work will be funded using state funds primarily. All requirements associated with those funds and any others used must be followed.

Project Phases

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

A. Project Identification & Development

Project Identification includes Initial Development and Project Screening.

Initial development may consist of:

- Discussions in person, via phone, via email and via video with water quality project implementors / project managers such as watershed groups, natural resource conservation districts, municipalities and similar entities
- Discussions in person, via phone, via email and via video with landowners of location of water quality projects.

- Describing the restoration or water quality improvement needs and objectives a project could address;
- Identifying site design considerations;
- Identifying natural resources constraints and anticipated permits;
- Identify potential roadblocks or impediments for the project, if applicable;
- Proposing next steps for the project, e.g., design/implementation steps (if applicable); providing rough cost estimate of project phases; identifying potential funding sources.

Project screening may include determining where projects:

- Meet eligible project types and standards, as established by the CWSP and DEC;
- Include only eligible expenses, as established by the CWSP and DEC;
- Are on land eligible to receive/benefit from CWSP funded projects, as determined by the CWSP and DEC;
- Do not adversely impact natural resources, or where projects will adversely impact natural resources, impacts are allowable, as determined by DEC.

B. Project Design

Project design activities vary by project type but typically include:

- Working under the direction of the CCRPC or the project implementor who sponsors/manages a given water quality project
- Completion of 30% Preliminary Design and 100% Final Designs consistent with the Vermont DEC Clean Water Initiative Program (CWIP)
- Completion of draft applications for any required permits (e.g, wetlands, municipal zoning permit, etc.) for use by the CCRPC or project implementors
- Completion of cost estimates and draft bid documents for use by the CCRPC or project implementors
- Completion of draft operations & maintenance plan and agreement(s) for use by the CCRPC or project implementors
- Procurement and Oversight of subcontractors needed to complete design work such as wetland specialists, geoengineering, archeological, land surveyors, etc.
- Identification and preparation of deliverables, including plans and permits; and
- Documentation such as photos, plans, electronic files, etc.

Project design activities must be completed in accordance with the Department of Environmental Conservation's (DEC) CWIP funding policy and include all applicable milestones and deliverables.

C. Project Construction/Implementation

Project completion/implementation activities vary by project type but typically include:

- Working under the direction of the CCRPC or the project implementor who sponsors/manages a given water quality project

- Assist the CCRPC or designated project implementor with the review of bids for construction/implementation
- Regular oversight of firms such as construction firms, organizations or individuals physically engaged in the construction/implementation of a water quality improvement project
- Preparation and/or review of as-built plans
- Documentation such as photos, plans, electronic files, etc.
- Sign-off (punch list review) of work completed by subcontracted construction firms

Project development and implementation activities must be completed in accordance with the DEC CWIP funding policy and include all applicable milestones and deliverables. Completed project also must have an operation and maintenance plan and agreement in place, signed by responsible party(ies). The operation and maintenance plan and agreement must allow for ongoing independent verification in addition to monitoring, maintenance, and repairs.

D. BMP Operation and Maintenance

Befitting the term, BMP Operation and Maintenance activities include ongoing operation and routine maintenance of a broad range of Best Management Practices used to improve water quality. Operation and Maintenance activities will be performed consistent with standards contained in DEC's *Operation & Maintenance Manual for Clean Water Projects in Vermont*; hereafter referred to as "*The Manual*." Operation and Maintenance activities will be performed by individuals who meet any O&M training requirements established by DEC.

E. O&M Inspection, Reporting and Verification

O&M Inspection and Reporting activities consist of the independent inspection and documentation of BMPs and their condition. BMP documentation will include using DEC's Survey 1-2-3 smartphone application. Inspection and Reporting activities will be performed consistent with standards contained in *The Manual*. Inspection and reporting activities will be performed by individuals who meet any Inspection and Reporting training requirements established by DEC. In the case of inspections of specialized BMPs, individuals will also meet DEC's credential requirements, if any.

DEC's guidance on Operations and Maintenance recognizes the importance of BMP Operation, Maintenance, Inspection, and Reporting verification. Verification tasks will vary depending upon BMP type, as set forth in *The Manual*. Verification activities will be performed by individuals who meet any verification training requirements established by DEC. In the case of verifications of O&M activities associated with specialized BMPs, individuals will also meet DEC's credential requirements, if any.

Work carried out by Subcontractors will contribute to and advance CWSP efforts to achieve DEC-identified Phosphorus reduction targets for the applicable basin(s).

Format

All Respondents are required to provide their Qualification Materials (QMs) using the RFQ Response Format referenced below. The QMs shall not exceed 30 pages and shall be submitted as a single PDF. To minimize file size and receipt of dense submission, respondents are encouraged to use hot web links in the PDF to showcase applicable examples of Project Phases and Project Types carried out by the firm.

To be considered responsive to this RFQ, each submission must provide all information detailed in the QM Requirements to dalbrecht@ccrpcvt.org by the deadline of 5 p.m. EDT, January 17, 2024.

A confirmation email will be sent upon receipt of the QMs. QMs received after the deadline will not be accepted. Questions regarding this RFQ should be directed to dalbrecht@ccrpcvt.org. Please use "CWSP Subcontractor RFQ question" in the subject line. NO PHONE CALLS PLEASE. CCRPC will maintain a list of questions and answers at the CWSP website <https://www.ccrpcvt.org/northern-lake-champlain-cwsp/>. Questions will be accepted until 4:00 p.m. January 5, 2024, to ensure all parties have adequate time to review the answers.

Qualification Material Requirements

The QM should clearly indicate the project phase(s) the contractor is proposing for and, for each of these phases proposed, demonstrate that the contractor understands the types of projects that will be undertaken, the character of the deliverables, the services required for their delivery, and the specific tasks that must be performed.

Additionally, CCRPC is committed to furthering our understanding of the significant historical role land use policies and public investments have had in systemic racism and inequity and making sure that future public policy and capital investments encourage equity and provide increased opportunities and improved conditions for Black, Indigenous, people of color (BIPOC), and low-income residents. Successful contractors must be committed to working effectively with diverse community populations and expected to strengthen such capacity if selected.

RFQ RESPONSE FORMAT

The Qualification Materials submitted require the following categories of information to be submitted in the following order in one single PDF. Please number items 2 thru 14 accordingly

1. Brief cover Letter, with brief introduction to the firm along with an overview of the contractor's understanding of the nature of the work and general approach to be taken.
2. Firm name and business address, including telephone number and email contact.
3. Year established; former firm names and year established, if applicable; state in which the firm was organized or incorporated.
4. Type of ownership, and name and location of parent company and subsidiaries, if any.

5. Indication of whether the contractor is licensed to do business in the State of Vermont. Contractors are not required to be licensed to respond to this RFQ, but they will be required to obtain the license prior to being awarded this contract.
6. Number of full-time employees of the firm to be involved in the proposed CCRPC CWSP program. Part-time employees routinely engaged by the respondent may be included if clearly identified as such.
7. Identification of which specific project phase(s) of the five listed the respondent is seeking to be qualified in.
 - a) identification & development,
 - b) design,
 - c) construction/implementation,
 - d) operation & maintenance, and
 - e) inspection, reporting & verification
8. Identification of basin(s) of interest. Please type in: Northern Lake Champlain Direct Drainages Basin (Basin 5)

FOR QUESTIONS 9, 10 AND 11 the respondent should detail their qualifications and experience with water quality improvement phosphorus reduction projects specifically.

9. Qualifications and Experience for Specific Project Phase(s).
10. Qualifications and Experience for Specific Project Type(s)
11. Qualifications of and Experience of Key Staff for Specific Project Types(s)

For each key staff member (up to five), contractors shall identify the person's name, email address, tenure, and role. Resumes of the key staff shall be provided. Resumes should emphasize Key Staff's previous experience with similar projects. Please limit resumes to one page per staff member.

12. Financial and Accounting information proposed for work performed under this contract
 - An hourly rate (hourly wage or salary) schedule for all potential employees billed to this contract during calendar year 2024.
 - Any proposed Overhead rates (e.g. Fringe benefits) per employee for 2024.
 - An hourly rate schedule for any equipment for 2024.
 - Any mileage rate for any vehicles for 2024
 - Any proposed markup rate applied to bills sent to firm from subcontractors, vendors, suppliers for 2024
 - Any proposed Profit Rate for 2024 and details on what expenses that rate is applied to
 - Type of accounting system.
 - Most recent balance and income statement
 - Most recent audit and findings, if available. Not required.
 - Policies to track and verify staff time and expenses.
13. Disadvantaged Business Enterprise (DBE) and Diversity, Equity & Inclusion (DEI)

Is the respondent firm, a DBE defined as follows:

Disadvantaged business enterprise or *DBE* means a for-profit [small business concern](#) -

(1) That is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and

(2) Whose management and daily business operations are controlled by one or more of the [socially and economically disadvantaged individuals](#) who own it.

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

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

14. References

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

Clarifications on Attachments and Page Limits

In past CCRPC RFQs, consultants have submitted the cost and financials package (balance sheet, income statement, etc) as a separate PDF document that does not count toward the qualifications package page limit. Please confirm this is the case with this RFQ.

YES, cost and financial package of info (aka, the information asked for in item #12) does not count towards the 30-page limit and can be submitted as a separate PDF.

May we use the CCRPC Contractor Financial Background Questionnaire to summarize most of the requested items under RFQ #12 on page 7?

YES, download Questionnaire [at this link](#) but please be sure that all the questions in the bullet points in #12 are answered. This questionnaire and the answers to the items in #12 will not count towards the 30-page limit nor will the CCRPC Contractor Financial Background Questionnaire.

Do we need to fill out the CCRPC Contractor Financial Background Questionnaire?

ANSWER: No, but be sure you answer all the bullet points in #12.

Non-Discrimination and Title VI

The consultant shall affirmatively state that they will comply with the provisions of the Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and subsequent related acts, and all other federal statutory laws which provide in whole or in part that no person or entity on the grounds of race, color, national origin, sex, physical disability, or veteran status

be excluded from participation in, be denied the benefits of, or be otherwise discriminated under the State, federal and USDOT assisted contracts, programs and activities.

Confidentiality

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

Contractor Selection Procedure

Review of Written Qualifications and Fee Schedules

Qualifications for each topic area will be evaluated separately considering the criteria listed below by a selection committee consisting of members of CCRPC staff. A list of qualified contractors under each Project Phase will be developed based on the following criteria:

- › Responsiveness to providing the Categories of Required Information (10 Points)
- › Demonstration of overall understanding of the work required by CWSPs under Act 76 and the Clean Water Service Provider Rule (10 points)
- › Academic and professional qualifications of the firm's assigned personnel for specific Project Phases and Type(s) (20 Points)
- › Proven record of successfully completing similar Project Phase(s) for the specific Project Type(s) (50) Points)
- › Being a disadvantaged business enterprise (DBE), demonstrated partnerships with DBEs, or experience/commitment to addressing Diversity, Equity and Inclusion principles (10 points)

Once the QMs are discussed and ranked, Fee schedules will be reviewed. The CCRPC reserves the right to seek clarification of any proposal submitted and to select contractors that best promote the public interest. The selection committee will score each timely received Qualification Materials submitted by a firm and will endeavor to announce final selections by ~~July 8, 2022~~ January 31, 2024, based upon achievement of a minimum score according to the criteria above. CCRPC anticipates qualifying several firms under the terms of this RFQ to provide services to CCRPC or its CWSP Subgrantees for one or more project phases.

All proposals become the property of the CCRPC upon submission. The cost of preparing, submitting and presenting a proposal is the sole expense of the contractor.

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

CCRPC and/or Subgrantee Project Implementors/Managers will engage Subcontractors via an initial Master Agreement. Issuance of a Master Agreement in no way guarantees that a firm will be hired for services by CCRPC or its subgrantees. That Agreement will require Subcontractors to complete work pursuant to Task orders competitively procured by CCRPC or its CWSP Subgrantee Project Implementors/Managers. Qualification Materials submitted by a firm that is later prequalified will be used by CCRPC or its Subgrantee Project Implementors/Managers to aid them in determining which firms would be appropriate to contact to solicit proposals and quotes for Subcontractor Services for potential Task Orders to carry out the various project phases and project types noted above.