



REQUEST FOR PROPOSAL

U.S. EPA Brownfield Multi-Purpose and Assessment Grant Writing and Implementation Services

RFP Release Date: August 20, 2020

RFP Response Due Date: September 18, 2020

1. General Information

1.1 Purpose of this Request for Proposal

The Confederated Tribes of Grand Ronde Community of Oregon (Tribe), through this Request for Proposal (RFP), are seeking a qualified environmental consulting firm to provide grant application assistance to obtain federal funding to further the Tribe's brownfield redevelopment project in Oregon City, Oregon.

We are requesting two approaches in response to this RFP from qualified environmental consulting firms:

1. A qualified consultant will provide grant application assistance for the United States Environmental Protection Agency (US EPA) multi-purpose and assessment grants as part of the US EPA Brownfields Grant Competition for Fiscal Year 2021.
2. A qualified consultant will provide grant application assistance and environmental inventory enhancements, community involvement; and grant implementation related to the US EPA multi-purpose and assessment grants, as part of the US EPA Brownfields Grant Competition for Fiscal Year 2021.

The intent of this RFP is to comply with US EPA federal qualifications based procurement requirements specified in 40 CFR 200.317-326. The Tribe is seeking qualified firms to assist with securing and if awarded, potentially implementing brownfield multi-purpose and assessment grants. The successful consulting firm will bring experience, comprehensive technical skills, a collaborative style and, insight to a partnership with the Tribe and potential coalition members to refine and potentially implement these grants and explore other grants and brownfield initiatives as competitive processes for funding are announced.

The Tribe reserves the right to waive any informalities or technicalities and to reject any and all proposals or parts thereof deemed to be unsatisfactory or not in the Tribe's best interests. Furthermore, the Tribe reserves the right to cancel any order or contract for failure of the successful firm to comply with the terms, conditions and specifications of this request and/or contract.

1.2 Background Information

The geographic target area is located in the Willamette Falls Downtown District of Oregon City, Oregon. Since time immemorial, the area of Willamette Falls has been an extremely important place for cultural,

economic, and trade activity. This large waterfall on the Willamette River, second only to Niagara Falls in terms of water volume in the U.S., creates a naturally advantageous location for salmon fishing, harvesting Pacific lamprey, and gathering plants for food and fiber. The immediate vicinity of Willamette Falls is the ancestral homeland of the Clowwewalla people, who historically controlled the abundant fishing and trade at the Falls.

The arrival of Euro-American fur trappers in the 1820s expanded the already-flourishing trade and further established Oregon City as a hub for economic activity in the Pacific Northwest. The locale soon attracted large numbers of Euro-American settlers and became known as the “End of the Oregon Trail”. In 1855, the U.S. entered into a treaty with several confederated tribes of the Willamette Valley region including the Clowwewalla. The ratified treaty provided for the cession of Tribal homelands to the U.S. in exchange for certain rights and benefits. The following year, the U.S. Army began forcibly removing the Clowwewalla, the neighboring Clackamas, and other tribes from their Willamette Valley homelands onto the Grand Ronde Indian Reservation approximately 55 miles away. The Clowwewalla, Clackamas, and their descendants became members of the Confederated Tribes of Grand Ronde.

In 2019, the Tribe purchased the abandoned Blue Heron Paper Mill site at Willamette Falls (vacant for over seven years), committing to work in partnership with the State of Oregon, Clackamas County, the City of Oregon City, and Metro on the planning and design of the Willamette Falls Riverwalk Project. As part of the purchase, the Tribe entered into a Prospective Purchaser Agreement (PPA) with the Oregon Department of Environmental Quality which directs and guides the property’s remediation. The Tribe plans, among other uses, to resume and continue place-specific cultural practices on the property that are thousands of years old.

Immediately following the purchase, the Tribe submitted assessment and clean-up grant applications for FY2020 in that were not successful.

The initial steps of the grant application process will be to collaborate with project staff to identify potential brownfield sites in priority redevelopment areas, and write and submit EPA Brownfield Multi-purpose and Assessment grant application(s).

The Tribe’s desired outcomes are to successfully identify and assess brownfields sites, develop an ongoing and sustainable mitigation plan, acquire federal and state funding, prepare sites for successful redevelopment, and bring economic vitality to the region.

1.3 Type of Contract and Contract Term

The Tribe intends to award a contract to one full-service consulting firm to serve as a partner in successfully obtaining U.S. EPA Brownfield Grant funding and if a grant is awarded then implementing and achieving the goals as defined within the subsequent U.S. EPA Cooperative Agreement (CA) and Work Plan(s). The contract period will begin after contract approval and continue through the subsequent implementation period for any successful grants. The contract period may be extended at the option of the Tribe if additional grant funds are obtained. The requested services under this RFP will be funded through Tribal funds for grant application and EPA Grant funds for grant implementation. The contract maximum, for approach #1 will be the amount proposed by the consultant. If approach #2 is selected, the contract amount will be set after determination of the scope of work based primarily on the EPA approved workplan(s) and budget. The contract maximum is the cap for contractual services including both professional fees and expenses.

The Tribe shall not, in any event, be liable for any pre-contractual expenses incurred by the Proposers in the preparation of their proposals. Proposers shall not include any such expenses as part of their proposals. Pre-contractual expenses are defined as expenses incurred by the Proposer in: 1) preparing its proposal in response to this RFP; 2) submitting that proposal to the Tribe; 3) negotiating with the Tribe on any matter related to this RFP; or 4) any other expenses incurred by the Proposer prior to the date of execution of the proposed agreement.

1.4 Payment Procedures

Payments will be made no more than monthly, for work specified and completed and in accordance with the budget developed.

2. TECHNICAL SPECIFICATIONS

2.1 Activities Funded Under this Request for Proposals

This RFP is to solicit a consulting firm who will be expected to provide a wide range of services to the Tribe for the application and potential implementation of the US EPA Brownfield Multi-Purpose and/ or Assessment Grant(s). The successful consulting firm is expected to perform many tasks including, but not limited to, the following:

Grant Application:

- Complete all necessary research and analysis required to submit a completed grant application(s).
- Assist the Tribe by acting as an expert resource and providing information about brownfield assessment and remediation.
- Assist the Tribe in compiling any associated demographic data to bolster the grant application.
- Assist the Tribe as needed with the solicitation of letters of support from the State of Oregon, community based organizations, and other area stakeholders.
- Work with the Tribe to facilitate community outreach activities as needed to enhance the grant application.
- Assist the Tribe in prioritizing and selecting the appropriate sites to include in the grant application consistent with the objective of the EPA Brownfield Multi-purpose and Assessment Grant program(s).
- Attend meetings and provide professional expertise in discussions regarding preliminary selection of focus sites and updates on grant application progress. The project work will be completed exclusively and collaboratively with the project team.
- Provide assistance with revision and resubmittal of application(s) as part of grant competition, if the initial applications are unsuccessful.

Grant Implementation, if awarded and if this work is contracted to consultant:

- Provide assistance with the development of U.S. EPA required project work plan(s) for a cooperative agreement for applications that are successful.
- Conduct project work in accordance with EPA and Tribe approved work plans.
- Prepare and maintain schedules and budgets for all assigned grant activities.

- Conduct and oversee site assessments and prepare appropriate technical reports (printed and electronic formats) required by the U.S. EPA, Oregon Department of Environmental Quality (DEQ) and additional agencies as deemed necessary.
- Conduct and oversee comprehensive site investigations including sample collection and laboratory analysis.
- Provide work updates and information to all stakeholders as requested by the Project Manager. The project work will be completed exclusively and collaboratively with the Tribe and EPA Project Managers.
- Evaluate cleanup options and conduct risk assessment analysis and provide cost estimates on selected sites.
- Prepare a written Quality Assurance Project Plan (QAPP) in compliance with U.S. EPA regulations.
- Deliver to the Project Manager completed Phase I and Phase II ESA reports, site investigation reports, response action plans and other environmental reports or plans required under the applicable Oregon environmental regulations.
- Provide project management, implementation, and technical oversight in compliance with State rules, regulations and guidelines.
- Offer professional advice regarding environmental issues associated with land reuse and/or redevelopment.
- Provide regulatory and financial information as needed.
- Attend meetings as requested.
- Prepare presentations to provide information about the project's progress as requested.
- Assist with community-wide inventory of potential hazardous substance and petroleum brownfields sites, including working with Tribal Staff to update Tribal GIS data.
- Develop preliminary budget, financing options and implementation plan for cleanup and reuse.
- Complete contaminant characterization and risk assessments as determined necessary following Phase II activities (as funds allow).
- Develop comprehensive community outreach and public involvement program(s).
- Provide public and private opportunities for stakeholder participation throughout all phases of projects.

The Brownfield Multi-purpose and / or Assessment Grant application(s) will be developed in partnership with the Tribe and stakeholders as deemed necessary.

2.2 Project Budget

As part of the response to the RFP, please prepare two budget costs – (approach 1) one for grant application assistance and coalition formation, and (approach 2) one for grant application assistance and coalition formation; and environmental inventory enhancements, community involvement, and grant implementation should a grant be awarded. Total budget for the grant implementation should be relative to the amount requested in the grant application process. The Tribe and the successful consulting firm will develop budgets for assessment activities at individual sites as the project progresses and prospective sites are identified, if the second approach of hiring same consultant to write grant and implement grant is selected.

2.3 Project Management

The successful consulting firm, under the direction from the Project Manager, will:

1. Work with the Tribe in writing the text for the grant application.

2. Compile any associated demographic data to bolster the grant application.
3. Assist the Tribe with solicitation of letters of support from stakeholders and/or coalition members.
4. Evaluate potential redevelopment sites on the Blue Heron property based upon priority areas previously identified or that may be identified.
5. Facilitate community outreach activities as needed to enhance the grant application and fulfill grant activities.
6. Define work plan tasks in conjunction with the Tribe.
7. Coordinate grant related project activities with the Tribe, County, City, State and U.S. EPA Regional staff for U.S. EPA grants as necessary.

2.4 Preparation of Work Plans

Consultant's work will be supervised and approved by the Project Manager. If grants are awarded and the second approach to hire same consultant to implement grant is selected, the work plans should include:

1. Scope of work organized by logical work tasks,
2. Subcontractors used by the consultant and identification of their project roles,
3. Detailed project budget for each major task and subtask, and
4. Time-phased project schedule listing major tasks, target dates, and delivery of work products.

2.5 Reporting Requirements

The following reports shall be prepared by the consultant and submitted to the Project Manager for approval, if grants are awarded and the second approach to hire same consultant to write and implement grant is selected:

1. Quarterly and annual financial and progress reports required by the U.S. EPA.
2. Submission or updating of information in the U.S. EPA ACRES reporting system for assessed sites.
3. Draft and final work plans for specific sites as deemed necessary.
4. Technical memoranda, as requested by the Tribe.
5. Other grant related reports required by the U.S. EPA, other federal and/or State of Oregon agencies, the County, and the Tribe.

3. Proposal Requirements

3.1 General Expectations

Consultants are asked to submit concise qualifications describing their capacity to write successful grant applications, successfully implement EPA grants, ability to manage projects, and their experience with similar projects. All requested information is required, even if a consultant is only interested in assisting with approach #1, grant application activities. These proposals should include a clear outline of how the firm would help the Tribe complete a successful grant application(s), meet the requirements of the U.S. EPA brownfields multi-purpose and assessment grants (if awarded) and provide detailed responses to the following items:

1. What would you recommend as a Community Involvement plan?

2. Grants. What would be your proposed strategy to sustain our brownfield work with outside funding beyond the present grant? What grants are available that would be relevant? What kind of timeline should the Tribe follow for applying for them?
3. GIS and Web-based Information Ability
Full implementation of web-based, geo-coded, environmental information may not be part of this contract, but how would you recommend the Tribe prepare its information for such a future use.
4. Please define any and all perceived conflicts of interest and how those would be handled.
5. Availability of Key Staff and Tentative Schedule for Grant Submittal.
5. Please provide a detailed timeline and/or schedule to prepare grant application(s) to meet the expected EPA submittal timeframe. Please note that the FY21 US EPA Multi-purpose and Assessment grants guidelines have not yet been released as of the date of this RFP.

3.2 Proposals

Proposals should be submitted in electronic form and written form (two copies). Written proposals should be prepared on standard size paper, printed on both sides using recycled or post-consumer paper and limited to ten (10) pages, exclusive of a maximum of five (5) resumes, limited to two (2) pages each. Standard advertising brochures should not be included in the proposal. Please index and sequentially number all pages throughout or by section. The type and necessity of binders and covers will be at the Consultant's discretion. The submittal should be clear and understandable when reproduced in black and white.

The selected consultant will assume responsibility for all services offered in the proposal, including any services provided by subcontractors. Further, the Tribe will consider the consultant to be the sole point of contact with regard to contractual matters, including payment of any and all charges resulting from the contract. The consultant is responsible for adherence by the subcontractors to all provisions of the contract.

3.3 General Process

The Tribe's project team will review the consulting firm's proposals with the following criteria in mind:

- Successful track record in obtaining grant funding
- Expertise related to relevant project components
- Firm and staff experience related to Brownfields Assessment
- Cleanup and redevelopment planning
- Project Approach
- Ability to facilitate public outreach activities
- Demonstrated ability to provide comprehensive and innovative environmental services

3.4 Evaluation Weighting and Scoring

The following weighting and points will be assigned to the Proposal for evaluation purposes:

Technical Proposal – 35% Project Approach/Methodology Quality of Work Plan Project Schedule Project Deliverables	15 Points (Maximum) 35 Points (Maximum) 10 Points (Maximum) 10 Points (Maximum)	70 points
Management Proposal - 30% Project Team Structure/Internal Controls Staff Qualifications/Experience Experience of the Firm	15 Points (Maximum) 15 Points (Maximum) 30 Points (Maximum)	60 points
Cost Proposal – 35%	70 Points (Maximum)	70 points
GRAND TOTAL FOR WRITTEN PROPOSAL		200 POINTS

The Tribe reserves the right to accept or reject proposals on any basis it deems appropriate.

3.5 Terms and Conditions

By submitting a proposal, the Proposer represents that he/she has thoroughly examined and become familiar with the work required under this RFP and that he/she is capable of performing quality work to achieve the objectives of the Tribe. Selecting a company to provide consultation services for the Tribe requires comprehensive and accurate information from respondents to ensure that a knowledgeable, objective decision can be made.

3.6 Compliance with Laws and Standard of Care

Consultant represents and warrants that it has reviewed and is familiar with all laws applicable to its performance of the Services and shall comply with all such laws.

Consultant warrants that the Services shall satisfy the standards of care, skill and diligence ordinarily exercised by members of the same profession performing similar services in Oregon.

3.7 Work Product and Confidentiality

Any documents, materials, information and reports collected or generated in connection with the Services (collectively, the “Work Product”), are confidential and privileged, and Consultant agrees to maintain and protect the confidentiality of the Work Product, without restriction as to time. Unless already part of the public domain or otherwise required by law, Consultant shall not disclose the Work Product to parties other than the Tribe and its agents and employees, except as authorized by the Tribe in writing. Consultant shall provide reasonable notice to the Tribe of any disclosure required by law prior to making such disclosure and shall take no action to prevent or interfere, and shall cooperate, with efforts that might be taken by the Tribe to intervene in any related proceedings, or to otherwise prevent such disclosure. Consultant shall disclose the Work Product to its own employees only to the extent necessary to perform the Services and shall require its employees to maintain the confidentiality of the Work Product.

3.8 Ownership of Documents

Consultant understands that the Tribe has exclusive ownership of all materials created under this Agreement. To the extent that Consultant is found to have any rights in materials created under this

Agreement, Consultant hereby irrevocably assigns to the Tribe all right, title and interest worldwide, including without limitation all ownership and proprietary rights, including any copyrights. Consultant agrees not to challenge the validity of the Tribe's ownership of such materials. At the Tribe's request, Consultant shall take such steps as are reasonably necessary to enable the Tribe to record, maintain or enforce this assignment, at the Tribe's expense.

3.9 Time Schedule

The timeline for completion of this Request for Proposals is outlined below.

August 20, 2020	Formal Announcement Date for RFP
September 18, 2020	Deadline for Submission
September 21, 2020	Proposal Evaluation (anticipated)
September 22 – 23, 2020	Interviews by Invitation (anticipated)
September 24, 2020	Contract Awarded (anticipated)

4.0 Notification of Award

The Tribe anticipates selecting a consultant by September 25, 2020. Should either party fail to execute a contract within 30 days of notification of award, the Tribe reserves the right to rescind the award and select services from another interested firm.

4.1 Number of Submittals, Deadline, Mail, and Hand Delivery Addresses

Two (2) original paper format and one (1) electronic format must be submitted by 4:00 p.m. PST on September 18, 2020. Submit all questions relating to the RFP in writing via email to Stacia Hernandez (stacia.martin@grandronde.org) and Kim Rogers (kim.rogers@grandronde.org). All questions and clarifications submitted to the Tribe regarding the RFP will be answered promptly and replied to all consulting firms that have acknowledged receiving this RFP. Any changes to this RFP will be made by the Tribe through a written addendum. No verbal modification will be binding.

The mailing and hand delivery address is:

Attn: Stacia Hernandez
Tribal Governance Center
9615 Grand Ronde Road
Grand Ronde, OR 97347

Electronic communications should be delivered to:

stacia.martin@grandronde.org
kim.rogers@grandronde.org

4.2 Late Submittals

Submittals received after the deadline will not be considered.

4.3 VENDOR REQUIREMENTS

4.4 Contracting With Disadvantaged Business Enterprises

It is U.S. EPA policy to award a fair share of contracts to disadvantaged business firms. Accordingly, affirmative steps must be taken to ensure that disadvantaged businesses are utilized when possible as

sources of supplies, equipment, and services. The Tribe will ensure, to the fullest extent possible, that at least the U.S. EPA “fair share” objectives for prime contracts and subcontracts are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women, and minorities. The consultant shall agree to support the U.S. EPA’s disadvantaged business enterprise contract procurement program ensuring those businesses’ participation in subcontracts.

Affirmative steps include the following as a minimum:

1. Including qualified disadvantaged businesses on solicitation lists;
2. Ensuring that disadvantaged businesses are solicited whenever they are potential sources;
3. When economically feasible, dividing total requirements into smaller tasks or quantities so as to permit disadvantaged business participation;
4. Where the requirement permits, establishing delivery schedules which will encourage participation by disadvantaged businesses;
5. Using the services and assistance of the Small Business Administration, the Office of Minority Business Enterprise of the Department of Commerce, and the Community Services Administration as required;
6. Consultants are encouraged to procure goods and services from disadvantaged businesses.

Unless prohibited by federal law, preference will be afforded to qualified Indian Owned Business who submit responsive bids within five percent of the low bid.

4.5 Equal Employment Opportunity

The Consultant agrees to comply with all federal, state, and local laws, resolutions, ordinances, rules, regulations, and executive orders pertaining to unlawful discrimination on account of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, sexual preference, disability, or age. When required by law or requested by the Tribe, the Consultant shall furnish a written affirmative action plan.