

Town of Lincoln

Request for Proposals

**Qualified Environmental Professional Consultant Services for
Asbestos Consolidation Area Construction and Operation Oversight
Funded by the Maine Department of Community & Economic Development and
Maine Department of Environmental Protection Brownfields
Revolving Loan Fund**

Responses Due by:

January 31, 2025 by 5:00 p.m. Eastern Time

Responses to be sent by email to:

Ruth Birtz
Economic Development Administrator
Town of Lincoln
29 Main Street, Lincoln, Maine 04457
ruth.birtz@lincolnmaine.org

INTRODUCTION

The Maine Department of Economic and Community Development (DECD) and Maine Department of Environmental Protection (MEDEP) have awarded the Town of Lincoln (“Town”) a Brownfields Revolving Loan Fund (BRLF) award in the sum of \$1,000,000 to support construction and operation of an asbestos consolidation area on the former Lincoln Pulp & Tissue Mill (LP&T Mill) in Lincoln, Maine.

The Town is requesting proposals from qualified environmental professionals (QEP) to assist with construction and operation of the asbestos consolidation area. The Town reserves the right to waive any information or minor defects in the RFP or the RFP responses / procedure, or reject any and all responses, or accept any submittal that is most responsive and responsible as exclusively determined by the Town. Any response may be withdrawn by the respondent prior to the scheduled time for the opening of the response or authorized postponement thereof. No respondent may withdraw a submittal within 60 days after the actual date of opening thereof. Should there be reasons why the contract cannot be awarded within the specified period, the time may be extended by mutual agreement between the Town and the respondent.

Proof of acceptable insurance in accordance with the requirements outlined in this RFP shall accompany the response. No bid bond, payment bond or performance bond is required for this contract. Submission of a signed submittal by the respondent constitutes acknowledgement of and acceptance of all documents and terms and conditions of this RFP and/or the EPA Cooperative Agreement. It should be noted that the Town has submitted FY2025 cleanup grant applications direct to U.S. EPA and may seek other RLF funding sources to complete this and other cleanup projects at the former LP&T Mill site. If the Town is successful with additional grant/loan awards, we may rely on this procurement process to retain our QEP to maintain consistency in the management of the projects.

On September 12, 2024, MEDEP Solid Waste Division’s granted one-time limited term licenses to the Town for establishing, operating and closure of the asbestos consolidation area under MEDEP’s Waste Management Rules Chapter 400.B.4(a). Commencement of this project is anticipated to begin with QEP engineering and contractor bidding phase services in February 2025 in order for construction of the consolidation area to begin in spring 2025. QEP operational services are contingent upon the timing of other cleanup activities at the LP&T Mill. However, this schedule must adhere to the stipulations provided in MEDEP’s licenses for the project. Electronic copies of the licenses are available to interested parties. Requests shall be emailed to: Ruth Birtz at ruth.birtz@lincolnmaine.org.

Project Overview

The Town has been awarded \$1,000,000 in Brownfields cleanup grant/loan funding from the Maine DECD / DEP Brownfields Revolving Loan Fund for the construction and operation of the asbestos consolidation area at the former LP&T Mill in Lincoln, Maine. Budgeted funds allocated as “contractual” will be the responsibility of the selected respondent. The BRLF award is one of several anticipated funding sources to complete the project. The Town will use BRLF funds to complete the following tasks:

DECD / DEP BRLF Award (\$1,000,000)

- **Task 1:** Cooperative Agreement Oversight

The selected QEP shall follow all Brownfields processes and procedures, including the acknowledgement of the partnership among EPA Region I, MEDEP and the Town, and shall therefore keep all parties informed and provide adequate time for review and technical feedback. The selected QEP will also assist the Town in preparing reports, keeping records and requests for reimbursement required by Maine DECD, U.S. EPA, and MEDEP.

- **Task 2:** Community Engagement & Outreach

The selected QEP will assist the Town in developing and implementing an outreach strategy for targeted areas to improve local understanding of the project scope. Additionally, the QEP will be responsible for establishing an information repository and holding two public meetings.

- **Task 3A:** Bid Document Preparation and Bid Review – ACM Consolidation Area Construction

Prepare final contractor bidding documents (drawings, specifications, contract documents, etc.) for review and approval by the Town; conduct a pre-bid site visit with contractors; review contractor bids; and work with the Town to select contractor to construct the consolidation area. This work will also include consideration of Resilient and Greener Cleanup strategies, factoring in Climate Change resiliency.

- **Task 3B:** Bid Document Preparation and Bid Review – ACM Consolidation Area Operations

Prepare final contractor bidding documents (drawings, specifications, contract documents, etc.) for review and approval by the Town; conduct a pre-bid site visit with contractors; review contractor bids; and work with the Town to select contractor to manage and operate the consolidation area. This work will also include consideration of Resilient and Greener Cleanup strategies, factoring in Climate Change resiliency.

- **Task 4A:** Oversee Construction of the Asbestos Consolidation Area

Perform monitoring and construction quality assurance of asbestos consolidation area construction; project reporting to ensure compliance with plans, specifications, and requirements for regulatory compliance (including compliance with Davis-Bacon wages and EPA BABA requirements); review and approve requisitions and documents.

- **Task 4B:** Monitor Operation of the Asbestos Consolidation Area

Perform part-time monitoring and construction quality assurance of asbestos consolidation area operations, project reporting to ensure compliance with approved plans, specifications, and requirements for regulatory compliance (including compliance with Davis-Bacon wages); review and approve requisitions and documents.

This project must adhere to MEDEP Solid Waste Division's one-time limited term licenses, which were issued to the Town on September 12, 2024; for establishing, operating and closure of the asbestos consolidation area under MEDEP's Waste Management Rules Chapter 400.B.4(a). The licenses will also conform to applicable sections of MEDEP Chapter 401 Rules for Landfill Siting Design, and Operation (Chapter 401), Design; MEDEP Chapter 425 Rules for Asbestos Management (Chapter 425), and applicable Title 40 Code of Federal Regulations Chapter 1, Subchapter C, Part 61, subpart M National Emissions Standard for Asbestos (40 CFR 61).

SUBMISSION REQUIREMENTS

- Qualifying firms that have experience in Brownfields will be given preference.
- "Maine DECD / DEP BRLF QEP- ASBESTOS CONSOLIDATION AREA" Proposals are limited to 10 pages in length [with a maximum two-page cover letter, attached four resumes and proof(s) of insurance not counting toward the ten-page limit].
- PDF files should be labeled "FIRM NAME: LINCOLN 2024 Maine DECD / Maine DEP BRLF QEP" Proposals shall be emailed to: Ruth Birtz at ruth.birtz@lincolmaine.org

Proposals are due at the above email on or before January 31, 2025, at 5:00 p.m. Eastern time. Late responses to this RFP will not be accepted.

Notes:

- The Town will not be held responsible for mishandled, late, or lost qualifications packages.
- Questions related to this RFP should be directed to Ruth Birtz at ruth.birtz@lincolmaine.org. All questions by consultants will be compiled and responses will be sent back to all parties that have posed questions. Questions must be submitted on or before January 20, 2025. Questions received after this date will not be answered. Those that have not posed questions but wish to receive the question-and answer information should contact Ruth Birtz via email.
- Respondent shall certify that to the best of its knowledge, all information provided in their response to this RFP is accurate and complete. Any misrepresentation by a respondent may result in disqualification.

SUBMISSION CONTENT

Please submit the following information with your proposal package:

1. Firm name, address and phone number and a brief description of the firm.
2. Name, job title, email and phone number of primary contact person.

3. Description of the proposed project including a Scope of Work and description of how the allotted grant funds will be fully utilized.
4. Experience and demonstrated success working to obtain external funding sources for Brownfields remediation such as EPA grants. If no experience, please indicate experience and demonstrated success assisting Maine communities and/or nonprofits.
5. Experience and demonstrated success in working on long-term Brownfields redevelopment including planning, investigations, and remediation. If no experience, please indicate experience with Maine communities and/or nonprofits.
6. Proposed staff for the work, including designation of Project Manager. Attach resumes of key staff. Limit to no more than four (4) staff.
7. The names and contact information of at least three Maine local governmental units, businesses or nonprofit organizations as references for whom your firm has provided similar services within the past three years.
8. Current fee schedule for your firm. Specify key personnel for fee schedule unit rates.
9. Experience with designing and providing construction oversight for solid waste landfills in the State of Maine over the past 3 years.
10. Proof of current insurance meeting the requirements outlined below.

EVALUATION CRITERIA

The Town will award a contract to the respondent who demonstrates the ability to provide the highest quality service at the most reasonable cost. To accomplish this goal, the Town's weighted criteria for selection will include:

1. Clarity of the proposal, understanding of the project objectives, and responsiveness to the work program (10%)
2. The respondent's experience and qualifications to perform the requested service (25%)
3. Ability to communicate findings to the general public (15%)
4. The degree to which the respondent demonstrates an ability to work effectively and coordinate activities with the Town, U.S. EPA, and MEDEP (15%)
5. Reasonableness of the proposed costs based on a comparison of prices among competing offers and other available information on market rates for consulting services (if applicable) (25%)
6. References (10%)

The Town will negotiate compensation terms with the QEP selected based on the above criteria.

INSURANCE REQUIREMENTS

Contractor shall maintain and provide current proof of the following insurance:

- A. Worker's Compensation and Disability: Statutory requirements
- B. Employer's Liability - \$500,000 each accident
- C. Commercial General Liability – General Aggregate - \$1,000,000
- D. Comprehensive Automobile - \$1,000,000
- E. Excess/Umbrella Liability - \$1,000,000
- F. Errors and Omissions Professional Liability - \$1,000,000
- G. Contractor's Pollution Liability insurance - \$1,000,000

TERMS AND CONDITIONS

1. The Town shall not discriminate with respect to the hire, tenure, terms, conditions or privileges of employment or any other matter directly or indirectly related to employment, because of race, color, religion, sex, sexual orientation, disability, national origin or ancestry.
2. Interviews with some consultants may be scheduled. The Town reserves the right to select or not select, in its sole discretion, based on its assessment of each firm's strengths and qualifications and the objective of best meeting the needs of the EPA Grant project and the Town's redevelopment goals.
3. By submitting a response to the RFP, each Respondent waives all rights to protest, or seek remedies whatsoever regarding any aspect of this RFP, the selection of a Respondent or Respondents with whom to negotiate, the rejection of any or all offers to negotiate, or a decision to terminate negotiations.
4. The Respondent shall keep the Town free and harmless from the payment of any and all damages, costs, expenses, royalties, patent fees, attorney's fees, or any sum of money whatsoever, by reason of any actions, claims, demands or proceedings, arising out of any infringement or alleged infringement, or use of any patented device, article, system or arrangement that may be used by the Contractor in the execution of his work. The Respondent will be required to indemnify and save harmless the Town from all claims or actions of any kind or description brought against the Town for or on account of any injuries or damages received or sustained by any persons or any neglect in guarding the same or in any improper materials used, or by or on account of any act of commission or omission of the Contractor or his agents or employees.
5. The Town will not assume any responsibility or liability for any expenses incurred by a Respondent, or prospective Respondent, in connection with the preparation or delivery of a response, requested interview, or any action related to the process of completing and submitting a response to this RFP.