



Request for Qualifications Water Quality Project Managers

Introduction

Vermont Housing and Conservation Board (VHCB), a Clean Water Service Provider (CWSP) for the Memphremagog Basin (Basin 17), is issuing this Request for Qualifications (RFQ) for CWSP-related services as described below. This RFQ is related to water quality improvement for non-regulatory projects in the Memphremagog Basin 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/statuses-rules-policies/act-76>. For more information about the VHCB in its role as the Memphremagog CWSP, see: <https://vhcb.org/our-programs/conservation/memphremagog-basin-clean-water-service-provider>.

The CWSP seeks to identify (prequalify) organizations and municipalities as CWSP Project Managers, as well as project implementers, for an initial three-year period from August 1, 2023, through July 31, 2026. CWSP Project Managers will receive funding from the VHCB to sponsor, manage, and implement non-regulatory water quality projects within the Memphremagog Basin. Qualified Municipalities and Organizations will enter into a Master Agreement with VHCB for a three-year period that will establish the general terms regarding the potential receipt of a subgrant or subcontract for a discrete Scope of Work from the VHCB, in its capacity as the Basin 17 CWSP. The Basin 17 CWSP will issue multiple project solicitation rounds during this period to identify and prioritize projects for funding.

Note to municipalities: *VHCB is not requiring that municipalities seek prequalification to be a project manager and complete work on their own municipal land. A municipality may wish to become prequalified to streamline the project proposal process, especially if the municipality anticipates applying for multiple projects. If a municipality is not prequalified, VHCB reserves the right to require additional information be submitted with any project proposal.*

Proposed CWSP Project Managers can be any organization or municipality that demonstrates the qualifications described in this RFQ. Please note that CWSP Project Managers who are prequalified from this RFQ will automatically be prequalified as Subcontractors as well.

Project Phases and Project Types

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 will be phosphorus reduction. VHCB as the Memphremagog CWSP and in consultation with the Memphremagog Water Quality Council will seek to advance projects with favorable phosphorus-reduction performance metrics. These projects will be stood up, brought forward and sponsored by CWSP Project Managers established by this RFQ. To the extent feasible, such projects will also advance important co-benefits which additionally benefit local governments and the public including, flood resilience, hazard mitigation, education, ecosystem improvement, and local pollution prevention.

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

VHCB as the CWSP will utilize funding received (primarily Water Quality Formula Restoration Grants provided by the State of Vermont) to provide Subgrants to CWSP Project Managers to support the completion of five different Project Phases of various types of non-regulatory water quality improvement Projects.

These five Project Phases are:

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

Please note that under each project phase, CWSP Project Managers may detail their experience overseeing or managing, as well as direct execution of those project phases in their Qualification Materials (QM).

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.

Recognizing the experience of watershed groups, community organizations and municipalities in sponsoring and managing the completion of water quality projects in the non-regulatory sector, it is the intent of VHCB that most all of the CWSP-related funds it receives will be passed through to CWSP Project Managers. For the record, however, in some cases, VHCB as the CWSP for the Memphremagog Basin, may manage some project phases on its own (particularly inspection, reporting and verification) where that makes sense and if approved by the Basin Water Quality Council.

Qualification

If an organization or individual is determined to meet the Qualifications detailed in this RFQ, they then become designated as a Memphremagog Basin CWSP Project Manager on VHCB's Master Prequalified List. VHCB will send each CWSP Project Manager a Letter of Prequalification.

VHCB may extend or renew this Master Prequalified List 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. Extensions will be based on performance for the prior period. All requirements associated with those funds and any others used must be followed.

Project development and implementation activities must be completed in accordance with the Department of Environmental Conservation's (DEC) CWIP funding policy and include all applicable milestones and deliverables. Operation and Maintenance activities must be conducted in accordance with DEC guidance on Operations and Maintenances. Projects advanced by CWSP Project Managers 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 be submitted as PDFs. 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 organization/municipality.

Please submit your application electronically to Karen Freeman at Karen.freeman@vhcb.org or contact us if you require a different method of submission. To be considered responsive to this RFQ, each submission must provide all information detailed in the Qualification Material Requirements. A confirmation email will be sent of receipt of the QMs.

Qualification Material Requirements

The QM should clearly indicate the project phase(s) the organization/individual is proposing for and, for each of these phases, demonstrate that they understand 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, VHCB 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 CWSP Project Managers 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

1. Cover Letter, with brief introduction along with an overview of the organization/municipality understanding of the nature of the work and general approach to be taken.
2. Organization/municipality name and business address, including telephone number and email contact.
3. Year established; attach bylaws; former organization/municipality names and year established, if applicable; state in which the firm was organized or incorporated.
4. Legal structure of organization/municipality and name and location of parent organization and subsidiaries, if any. Non-profits should attach IRS designation letter.
5. Indication of whether the organization/municipality is licensed to do business in the State of Vermont. Organizations/municipalities are not required to be licensed to respond to this RFQ, but they will be required to obtain the license prior to being designed as a CWSP Project Manager.

6. Number of full-time employees of the organization/municipality to be involved in the proposed VHCB CWSP program. Part-time employees routinely engaged by the respondent may be included if clearly identified as such.
7. Identification of which specific project phases (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: Memphremagog Basin (Basin 17)

FOR QUESTIONS 9, 10 AND 11 the organization/municipality 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), please 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
- Any proposed benefit rates (e.g. Fringe benefits) per employee
- Any proposed Indirect Rate/overhead rate including an explanation and calculation of expenses included and rate determination
- Any proposed markup rate and justification for rate to be applied to bills sent to municipality/organization from subcontractors, vendors, suppliers
- Policies to track and verify staff time and expenses
- All applicants please fill out Attachment A: Organization Risk Assessment questionnaire included at the end of this document.

13. Disadvantaged Business Enterprise (DBE) and Diversity, Equity & Inclusion (DEI)

Is the respondent organization or municipality, 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 organization's/municipality's

commitment to, and experience with addressing diversity, equity and inclusion principles and how your organization/municipality 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 organization's/municipality's ability, experience, and reliability in the performance and management of projects of a similar nature.

15. Attachment A: Risk Assessment

CWSP Project Manager 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 VHCB staff. A list of qualified CWSP Project Manager 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 assigned personnel for specific Project Phases and Types (s) (10 Points)
- › Proven record of successfully completing similar Project Phase(s) for the specific Project Type(s) (60) Points)
- › Being a disadvantaged business enterprise (DBE), demonstrated partnerships with DBEs, or experience/commitment to addressing Diversity, Equity and Inclusion principles (10 points)
- › Strong organizational management will be assessed through items provided in the QM such as proof of governance structures, internal controls, and financial management documents.

VHCB reserves the right to seek clarification of any proposal submitted and to select organizations/municipalities that best promote the public interest. All proposals become the property of VHCB upon submission. The cost of preparing, submitting and presenting a proposal is the sole expense of the organization/municipality. VHCB reserves the right to reject any and all proposals received as a result of this solicitation, to negotiate with any qualified source, to request additional information as necessary, 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 VHCB. This solicitation of proposals in no way obligates VHCB to award prequalification status or to award any subcontract or subgrant. VHCB will engage with selected prequalified CWSP Project Managers through a Prequalification Letter.

Attachment A: Risk Assessment

	Yes	No	Response/Comment/ N/A
Governance			
If governed by a board, how often does the full Board meet?			
Does the full Board approve the annual budget of the organization?			
Does the organization have a Conflict of Interest Policy covering Board and Staff? If so, please attach.			
Internal Systems and Oversight			
Does the accounting system provide for program/grant accounting?			
Are balance sheets produced regularly and are accounts (including cash and investments accounts) always reconciled to source documents?			
Are revenue and expense reports compared to budget regularly and reviewed by management and the board?			
Does the organization have internal control systems that provide segregation of duties over cash management?			
Do you track staff time by projects/grants?			
Do you have an annual financial audit? If so, please attached the most recent audit, as well as auditor's management letter.			
If the organization does not have an annual audit, please provide the most recent independent review, compilation, and/or federal 990 tax return.			
Fiscal Health			
Please provide current year-to-date internal financial statements including balance sheet and income statement.			
Are internal financials cash basis or accrual?			
Does the organization have a positive unrestricted fund balance?	Yes	No	Response/Comment/ N/A
Have you had cash flow issues at any time in the last year?			
Do you have a line of credit? If so, how often do you use it? Is it regularly paid down?			

Non-Discrimination and Title VI

The municipality/organization 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 Prequalified Entity 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 organization/municipality marks portions of the proposal confidential, the organization/municipality shall provide a redacted version of the proposal for release to the public.

Appendix: Details on Project Phases included in this request for qualifications are as follows: (All formula grant funded activities must be completed in accordance with the Department of Environmental Conservation's (DEC) CWIP funding policy and include all applicable permit reviews, milestones, and deliverables).

A. Assessments and Project Identification Sector-specific and multi-sector assessments follow established protocols to identify areas with the highest contributions of pollutants and recommend potential clean water projects/best management practices (BMPs). Work includes landscape level assessments and field work, project identification, and project prioritization through stakeholder engagement to target cost effective actions. Established assessment methodologies require the use of tools and protocols developed and provided by the DEC. It is expected that assessment work will lead to a prioritized list of potential clean water projects to pursue.

B. 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 implementers / 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 or overseeing Subcontractor(s) in performance of same;

- Identifying natural resources constraints and anticipated permits or overseeing Subcontractor(s) in performance of same;
- Identify potential roadblocks or impediments for the project, if applicable; or overseeing Subcontractor(s) in performance of same, and
- 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.

C. Project Design

Project design activities vary by project type but typically include:

- Completion of 30% Preliminary Design and 100% Final Designs consistent with the Vermont DEC Clean Water Initiative Program (CWIP) or overseeing Subcontractor(s) in performance of same
- Completion of draft applications for any required permits (e.g, wetlands, municipal zoning permit, etc.) for use by the VHCB or project implementers or overseeing Subcontractor(s) in performance of same
- Completion of cost estimates and draft bid documents for use by the VHCB or project implementers or overseeing Subcontractor(s) in performance of same
- Completion of draft operations & maintenance plan and agreement(s) for use by the VHCB or project implementers or overseeing Subcontractor(s) in performance of same
- Procurement and Oversight of subcontractors needed to complete design work such as wetland specialists, geoengineering, archeological, land surveyors, etc. or overseeing Subcontractor(s) in performance of same
- Identification and preparation of deliverables, including plans and permits or overseeing Subcontractor(s) in performance of same; and
- Documentation such as photos, plans, electronic files, etc. or overseeing Subcontractor(s) in performance of same

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.

D. Project Construction/Implementation

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

- Review of bids for construction/implementation or overseeing Subcontractor(s) in performance of same
- Regular oversight of firms such as construction firms, organizations or individuals physically engaged in the construction/implementation of a water quality improvement project or overseeing Subcontractor(s) in performance of same
- Preparation and/or review of as-built plans or overseeing Subcontractor(s) in performance of same
- Documentation such as photos, plans, electronic files, etc. or overseeing Subcontractor(s) in performance of same

- Sign-off (punch list review) of work completed by subcontracted construction firms or overseeing Subcontractor(s) in performance of same

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.

E. 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.

F. 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.