



Request for Qualifications

Water Quality Improvement Project Subcontractors

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 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 prequalify and contract with Subcontractors to provide services to VHCB and its CWSP Subgrantee Project Managers for an initial three (3) year period from September 15, 2023, through June 30, 2026. Please note that VHCB has released a separate RFQ to prequalify project managers, which is targeted to watershed groups, land conservation organizations, natural resources conservation districts and municipalities available online. If you have questions about which RFQ to respond to, please reach out to VHCB staff at karen.freeman@vhcb.org.

Topic Area, 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 Basin Water Quality Council will seek to advance projects with favorable phosphorus-reduction performance metrics and that, to the extent feasible, advance important co-benefits such as hazard mitigation, infrastructure improvement, socio-economic benefits, education, and additional ecological benefits.

VHCB will be prequalifying contractors to aid VHCB and/or its subgrantees 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 contractors may propose for qualification in one, or more than one, project phase.

When VHCB or CWSP Project Managers are subcontracting with entities for services from the prequalified Master Contractor List, such prequalified subcontractors will be solicited a competitive process at the inception of the project. VHCB and CWSP Project Managers will be able to use materials from the contractor's Qualifying Materials (QMs) to aid in the solicitation of at least three prequalified contractors, though other potential contractors may also be solicited. After selection, that contractor may continue to work for VHCB or CWSP Project Manager on further phases through construction/implementation of that clean water project, provided that their costs are consistent with the standard cost as identified by the Secretary of the Agency of Natural Resources as noted in Act 76 and as long as VHCB and the CWSP Project Manager involved are satisfied with their work.

VHCB as the CWSP will utilize funding received (primarily Water Quality Formula Restoration Grants provided by the State of Vermont) 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

If a subcontractor is determined to meet the Qualifications detailed in this RFQ, they then become designated as a Memphremagog Basin CWSP Subcontractor on VHCB's Master Prequalified List. VHCB will send each CWSP Subcontractor a Letter of Prequalification. This does not guarantee work, contract, or any other agreement.

VHCB 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 VHCB list for CWSP-related work, are selected for, and tasked with, the performance of multi-disciplinary projects, they may assemble project-specific teams. If project teams are formed for a specific project, then the prime contractor will submit a list and an overview of qualifications for the proposed sub-contractors together with their scope of work and cost proposal. Approval of sub-contractors by VHCB is required unless they are already on the VHCB Master Prequalified Subcontractor 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 VHCB or from a CWSP Subgrantee Project Manager (e.g. watershed group, land conservation organization, natural resource conservation group, municipality, civic group etc.) designated by VHCB for overall responsibility for completion of one or more phases of a water quality project. As a reminder, whether it is VHCB or designated CWSP Project Manager that is subcontracting for services from the VHCB list, such prequalified subcontractors will be solicited via competitive proposal at the inception of a project. The qualifying materials submitted by each firm will be

made available to CWSP Project Managers to aid in the solicitation process. VHCB or CWSP Subgrantee Project Managers may extend or renew contracts 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. Contract extensions will be based on performance for the prior contract period and availability of funds. Services will 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 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 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 VHCB or the project manager 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 VHCB or project managers
- Completion of cost estimates and draft bid documents for use by the VHCB or project managers
- Completion of draft operations & maintenance plan and agreement(s) for use by the VHCB or project managers
- Procurement and Oversight of subcontractors needed to complete design work such as wetland specialists, geoen지니어ing, 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 VHCB or the project manager who sponsors/manages a given water quality project

- Assist the VHCB or designated project manager 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 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.

Please submit your application electronically to 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.

Questions regarding this RFQ should be directed to karen.freeman@vhcb.org please use “CWSP Subcontractor RFQ question” in the subject line.

Qualification Material Requirements

The QM should clearly indicate the project phase(s) the contractor is proposing for and, for each of these phases, 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, 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 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

1. 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, 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 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 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
- Any proposed overhead rates (e.g. Fringe benefits) per employee
- An hourly rate schedule for any equipment
- Any proposed markup rate applied to bills sent to firm from subcontractors, vendors, suppliers
- Any proposed Profit Rate 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 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.

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 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 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 VHCB 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 Types (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)

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.