SOUTHERN UTE INDIAN TRIBE

REQUEST FOR PROPOSALS (RFP)

FOR

ENVIRONMENTAL CONSULTING SERVICES

FOR

Asbestos Remediation of the Old Cafeteria Building

Date of RFP Release – March 21, 2012

- April 25, 2012 - Proposals are due not later than 4:00 pm Mountain Time on this date.

Tour and background information of the site: A pre-submittal meeting is scheduled for Wednesday, April 11th at 10:00 am in the upstairs Annex conference room, 116 Mouache Dr., Ignacio, CO 81137. Proposals are due not later than 4:00 pm Wednesday April 25th

- To obtain an email packet on the site containing background information, results from the Phase II Environmental Assessment and site photos, also please contact Bob Kilian.

Mail or Email Proposals To: Hand Deliver Proposals To:
Southern Ute Indian Tribe Southern Ute Indian Tribe
Environmental Programs Division Environmental Programs Division
Attn: Bob Kilian Attn: Bob Kilian
P.O. Box 737 116 Mouache Drive
Ignacio, CO 81137 Ignacio, CO 81137
bkilian@southern-ute.nsn.us
(970) 563-0135 x2248

1.0 Introduction
The Southern Ute Indian Tribe is soliciting responses for conducting an asbestos abatement for the Old Cafeteria building. This will include abatement of asbestos containing materials, plus transport and proper disposal.

The U.S. EPA has accepted this site as a Brownfields 128(a) Tribal Response Program Grant Project. Brownfields are defined under the January 11, 2002 Small Business Liability Relief and Brownfields Revitalization Act as “…real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.” Proposed work must meet federal requirements for work funded by a U.S. EPA Brownfields Grant.
2.0 **Background/Site Description**

The Old Cafeteria building was constructed in the 1930s and was once a part of the BIA School Government compound. The building was originally used as a cafeteria, then for food distribution, student recreation area and a library. Later it was used as office space for Tribal Planning and Community Health Representatives and eventually turned over to the Tribe by the BIA. The building has been abandoned for approximately 5 years.

The SUIT’s Old Cafeteria property is located 1.25 miles north of the city of Ignacio in La Plata County, Colorado on the Southern Ute Indian Reservation. The address is 322 Ouray Drive, Ignacio, Colorado, 81137, and is located on the northeast corner of the intersection of Ouray Drive and Mouache Drive. The Old Cafeteria property covers approximately 1 acre and consists of only one structure.

3.0 **Project Objectives/Scope of Work/Deliverables**

The overall goal of the Tribal Brownfield effort is to ensure that contamination does not threaten public health and the environment during and after cleanup and redevelopment of the site. The objective of this project is to cleanup the contamination that exists at the site.

Potential options exist for amending the Agreement that will be signed with a contractor/consultant who will conduct the tasks listed below to include additional site assessments, remediation/cleanup activities, and related tasks.

**Scope-of- Work**

Separate costs need to be estimated for the Tasks and Sub Tasks as well as a for all work items in this RFP. Estimated average unit rates on which costs are based should be included with the proposal. Deliverables should be submitted in both electronic and hard copy forms. The work efforts for this project will fall into the following tasks:

**Task 1.0:** Develop a Remediation/Cleanup Plan that includes Sub Tasks (below) with cost estimates and a timeline. Separate costs need to be estimated for each Sub Tasks. It is expected that field work can start in the spring.

- **Sub Task A:** Abate asbestos containing materials.
- **Sub Task B:** Transport and proper disposal of asbestos containing materials.

**Note:** The building contains culturally historic murals and care must be taken not to damage the murals. The State Historic Preservation Office (SHPO) and the EPA Region 8 Project Manager have consulted on the 106 Review Process in regards to the structure and are in concurrence that federal funds may be used for the asbestos abatement.

**Note:** Contractor/consultant must comply with the required 10-working day friable asbestos notification period before commencing the abatement.

**Deliverable:** Draft and Final Remediation/Cleanup Plan with costs estimates and timeline.
Task 2.0: Develop a Confirmation Sampling Plan (limited QAPP/SAP that may include air sampling for asbestos) to verify that asbestos containing materials were removed during the abatement process. Also include a limited Health and Safety Plan and limited Site Security Plan.

Task 3.0: Conduct site cleanup including abatement of asbestos containing materials; conduct transport and proper disposal; conduct confirmation sampling and/or air sampling; and prepare final Cleanup Report.

4.0 Quality Assurance
When environmental samples are to be collected as part of the Brownfields cleanup (e.g., post-cleanup confirmation sampling or air sampling during the asbestos abatement) or if additional sampling becomes necessary, the consultant/contractor shall comply with 40 CFR Part 31.45 requirements to develop and implement quality assurance practices sufficient to produce data adequate to meet project objectives and to minimize data loss.

6.0 Health and Safety Requirements
The project manager or technical lead for the project must have advanced health and safety training as specified in OSHA Worker Health & Safety Standard, 29 CFR 1910.120. and required Asbestos certification for the asbestos workers. The proposed individual or his qualified, designated representative must be present on site during the cleanup activities. All individuals working at the site must have appropriate health and safety training, as determined by the project manager or technical lead. A site-specific health and safety plan and site security plan must be prepared by a site manager and submitted prior to performing on-site work. The contractor/consultant must have appropriate environmental training and provide notification requirements with the tribe, state or U.S. EPA before conducting the activities, when needed.

7.0 Southern Ute Indian Tribe TERO (Tribal Employment Rights Office), Native American Preference and Crossing Permits
(a) The Southern Ute Indian Tribe has adopted a Tribal Employment Rights Ordinance (TERO) Code, which is to be observed by all businesses operating on the Southern Ute Indian Reservation.
(b) This RFP is an unrestricted solicitation, with Indian preference given to qualified Indian Owned economic enterprises and Indian Organizations. Firms desiring Native American preference for selection must be certified through the Southern Ute Indian Tribe’s TERO Office as an Indian-Owned Business. For those firms seeking Native American preference, this is a mandatory requirement, regardless of any other registration or certification that may exist with other tribal TERO offices, agencies, or affiliations.
(c) The TERO policy must be applied to your selection of consultants and/or subcontractors when putting together your bid proposal.
(d) The firm awarded the contract will be responsible for paying a 2% TERO fee at the end of the project which will amount to 2% of the final contract amount. This should be included in your Fee proposal.
(e) The firm awarded the contract and all subcontractors will be responsible for obtaining and paying for crossing permits for the duration of the project. This should be included in your Fee proposal. For more information about crossing permits please contact the Southern Ute Lands Division at (970) 563-0126.

For more information on TERO, contact Mark Torres at:

Southern Ute Indian Tribe TERO Office
P.O. Box 737
Ignacio, CO 81137
(970) 563-0117

8.0 Disadvantaged Business Enterprises (DBE) - EPA's Program for Utilization of Small, Minority and Women's Business Enterprises

Consultant must attempt to comply with the requirements of EPA's Program for Utilization of Small, Minority and Women's Business Enterprises in procurement under assistance agreements, contained in 40 CFR, Part 33.

Pursuant to 40 CFR, Section 33.301, the recipient agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, and to ensure that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained.

(a) Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
(b) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
(c) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
(d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
(e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.
(f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

9.0 Qualifications
(a) Include descriptions of roles for key personnel/subcontractors expected to work on this project, their work experience and certifications.
(b) Provide recent examples of conducting Brownfields asbestos abatement cleanups.
(c) Give examples of working with tribal, federal, state and local regulatory agencies.

10.0 Claims History and Professional Integrity
(a) Provide an accurate summary of any claims initiated against your firm in the past five (5) years and any currently pending claims.
(b) Provide a certified statement that the firm is not debarred, suspended or otherwise prohibited from professional practice by any federal or state agency.
(c) The proposing entity must supply a statement that they and their firm presently has no interest and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of the services contemplated by the agreement with the Southern Ute Indian Tribe. No person having such interest shall be employed by or associated with consultant during the term of this agreement.

11.0 Submittal Procedures
The proposal should include anticipated schedule and time/material cost estimates for the activities listed below to be completed as soon as possible or at a date to be later determined by the Southern Ute Indian Tribe. Time should be allowed in the schedule for the Tribe to review and revise draft deliverables and for preparation of final documents. Unit rates on which costs are based should be included with the proposal and also a timeline. Questions and arrangements for tours should be directed to the contact listed at the beginning of this RFP.

- **April 25, 2012** - Proposals are due not later than 4:00 pm Mountain Time to the contact listed at the beginning of this RFP. Submit 1) an electronic copy, or 2) two hard copies by mail, or 3) hand deliver two hard copies.
- **Tour and background information of the site** – Tours can be scheduled upon by contacting Bob Kilian (contact information below). To obtain an email packet on the site containing background information, results from the Phase II Environmental Assessment and site photos, also please contact Bob Kilian.
- Submit the following information in response to this RFP:
  - Separate estimated costs for the Tasks and Sub Tasks as well as a total cost for all work items in this RFP. Estimated average unit rates on which costs are based should be included with the proposal.
  - Include a Timeline. (It is expected that field work can start in the spring.)
  - Include descriptions of roles for key personnel/subcontractors expected to work on this project, their work experience and certifications.
  - Provide recent examples of conducting Brownfields asbestos abatement cleanups.
  - Give examples of working with tribal, federal, state and local regulatory agencies.
✓ Provide an accurate summary of any claims initiated against your firm in the past five (5) years and any currently pending claims.
✓ Provide a certified statement that the firm is not debarred, suspended or otherwise prohibited from professional practice by any federal or state agency.
✓ The proposing entity must supply a statement that they and their firm presently has no interest and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of the services contemplated by the agreement with the Southern Ute Indian Tribe. No person having such interest shall be employed by or associated with consultant during the term of this agreement.
✓ Include a Tribal Employment Rights Fee of 2% of the total contract dollar amount that will be paid to TERO.

11.0 Selection Process
An Evaluation Committee comprised of Environmental Programs Division staff and a technical assistance provider will review each proposal. The SUIT reserves the right to ask questions of clarification of any or all firms as part of its evaluation. Criteria for rating firms will include the following:

15% The firm’s reputation for personal and professional integrity and competence; ability to work with and comply with other agencies and persons in official oversight/compliance capacities;

25% Professional and educational experience of key personnel to be assigned to the project and the firm’s experience with the type of project/process as well as the project site;

25% Ability of the firm to provide required services and to perform the required work within the project period;

25% Costs associated with the scope of work. Final costs will be negotiated with the selected firm upon submittal of a detailed work plan; and

10% Any consideration that would be in the best interest of the Southern Ute Indian Tribe.

This RFP does not commit the Southern Ute Indian Tribe to award a contract nor pay any cost incurred in the preparation of the proposals. The Southern Ute Indian Tribe also reserves the right to reject any and all proposals because of non-conformance and to waive any irregularities and informalities and to re-advertise when it is in the best interest of the Tribe.

12.0 Notice of Award
After the Evaluation Committee has reviewed and scored the submitted proposals, an announcement shall be issued to all parties that submitted proposals. The estimated date of selecting a contractor/consultant is May 2, 2012.