

# REQUEST FOR PROPOSAL

## Technical Assistance Related to EPA Cleanup Activities at the Captain Jack Superfund Site



### LEFT HAND watershed center

**DATE:**

07/20/2020

**ISSUED BY:**

Left Hand Watershed Center

[www.watershed.center](http://www.watershed.center)

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**PROPOSAL DUE DATE:**

08/03/2020 by 5:00 PM MST

## 1. Introduction

Left Hand Watershed Center (Watershed Center) is soliciting proposals for one or two technical advisor(s) to help our community understand, respond to, and explain information from the U.S. Environmental Protection Agency (EPA) and Colorado Department of Public Health and Environment (CDPHE) related to the Captain Jack Superfund site. **NOTE:** This contract will be subject to the grant requirements of federal regulations, including 40 CFR Part 30 and 40 CFR Part 35 Subpart M, and of the Watershed Center's EPA Technical Assistance Grant agreement. Proposal documents are available on Rocky Mountain E-bids or on our website.

All questions and inquiries relating to this proposal should be addressed to Yana Sorokin at [ysorokin@watershed.center](mailto:ysorokin@watershed.center) with the subject line titled: INQUIRY – TA Captain Jack. Inquiries will be accepted until 5:00 PM MST on 07/27/2020. No phone calls please. All questions and responses will be documented and posted on Rocky Mountain E-Bids by 5:00 PM MST on 07/29/2020.

Qualified firms or individuals are encouraged to respond to this solicitation. Disadvantaged businesses, including small, minority, or woman owned businesses are encouraged to submit proposals.

**RESTRICTIONS:** Persons or organizations doing work for the federal or state government at the Captain Jack Superfund site are ineligible for award. Also, anyone listed on the List of Parties Excluded from Federal Procurement or Non-Procurement Programs (see [www.epls.gov](http://www.epls.gov)) are also ineligible.

## 2. Background

For the past six years, the EPA has been working on subsurface mine drainage treatment at the Captain Jack Superfund site, a mine located in the upper reaches of Left Hand Creek near the town of Ward. The objective of this design was to passively treat mine water discharge inside the Big Five Tunnel. Treatments included addition of crushed limestone and minimizing contact of water with oxygen to inhibit production of sulfuric acid, promote reduction of sulfate to sulfide, promote complexing of metals and precipitation of metal sulfides, and thereby inhibit acid mine drainage.

In May 2018, the bulkhead within the mine was closed and water began to build up in the mineshaft in preparation for passive treatment. Water build-up was greater than anticipated. On September 6, 2018, the bulk head valve was re-opened to release excess water that unexpectedly was highly acidic and laden with metals. By October 22, 2018, residents reported fish kills.

In the upper reaches of the creek, water quality monitoring showed low pH and concentrations of dissolved metals, including copper and zinc, which are hazardous to fish. The EPA's emergency response included addition of a sodium hydroxide drip and additional crushed limestone to the mine portal and upper holding pond to reduce acidity. In addition, a temporary active treatment system was installed to use throughout the winter and spring to control pH and precipitate metals.

From October 2018 through December 2019, CDPHE and the EPA installed a temporary water treatment system at the bulkhead to lower the mineshaft surface water elevation and reduce negative impacts to the creek. The system worked well to remove most toxic metals from the treated tunnel effluent, such that metals concentrations in Left Hand Creek downstream from the tunnel effluent discharge are closer to or below aquatic life standards. Watershed Center staff also found that aquatic invertebrate communities were improving during

this time. However, CDPHE and the EPA aimed to return to the original passive, in-tunnel treatment system. In December 2020, the active treatment system was shut down, and CDPHE/EPA initiated weekly monitoring of ambient conditions for three months at the mine and in the creek, up to six miles downstream. The Watershed Center also took supplementary samples at mine and downstream locations.

During these three months, monitoring results showed that pH of treated effluent at the mine was maintaining at 5. In stretches of creek less than four miles downstream there were aquatic life exceedances for Copper and Zinc, but concentrations were magnitudes lower than they were during the release and there were no reported fish kills. At locations greater than four miles downstream, aquatic life standards were met for all metals. The four miles downstream mark is where CDPHE and EPA expect significant dilution of mine drainage impacts.

More recently (from May-June), monitoring results from CDPHE and the EPA showed a drop in pH at the mine effluent, and metals concentrations at locations greater than four miles downstream were exceeding aquatic life standards. In response, the Watershed Center staff has initiated more frequent pH and metals sampling and the CDPHE/EPA continues to monitor on a monthly basis. Currently, the Watershed Center is concerned that low flow conditions will exacerbate these poor water quality conditions and could result in another fish kill at locations where we would expect dilution. We are working with CDPHE and EPA to address these current concerns while also planning for the future.

### **3. Statement of Work**

#### **Purpose**

Through this contract, the Watershed Center will procure the services of one or two technical advisors to help our community understand, analyze, interpret, communicate, and respond to information in EPA and CDPHE technical documents, site reports, and general updates pertaining to activities at the in the Captain Jack Superfund site. Technical advisor(s) will be contracted to address specific issues related to mine water geochemistry, treatment, effect on aquatic life, and others as necessary. The technical advisor(s) will provide technical support to allow our community to participate more meaningfully in the decision-making process at the Captain Jack Superfund site and ensure that the cleanup/remediation actions and approaches are aligned with community health goals and needs.

#### **Tasks**

The technical advisor(s) will be expected to perform the following tasks, as required and appropriate, given the dynamic nature of activities and needs at the Captain Jack Superfund site described above. The Technical Advisor(s) shall:

- a. Review relevant technical documents, data results, and assessments, and help explain all aspects to Watershed Center staff, Watershed Center Board of Directors, and community members. These include, but are not limited to:
  - i. Remedial action plans and other relevant technical documents, both in original form and as modified in response to new events.
  - ii. Ongoing, recent, and historical water quality monitoring results from EPA, CDPHE, other interested parties, and the Watershed Center, to assist all parties in tracking and analyzing status and trends in water quality in Left Hand Creek downstream from the site.
  - iii. Habitat assessments and surveys of benthic and fish communities to assist all parties in tracking status and trends in aquatic habitats and populations in the affected reaches.

- b. Make presentations to Watershed Center staff, Watershed Center Board of Directors, and community members as needed, including at public gatherings.
- c. Provide assistance with relevant technical comments and questions in correspondence between the Watershed Center and contacts at CDPHE and/or EPA.
- d. Provide review of additional documents requested by CDPHE and EPA.
- e. Participate in technical and other meetings with CDPHE, EPA, Watershed Center Staff, Board of Directors, and/or the community.
- f. Prepare memos and reports, at minimum monthly, to convey updates and results of his/her reviews and analyses and activities.
- g. Be flexible and adaptable in your ability to respond to dynamic activities and needs, as well as unexpected events, at the Captain Jack Superfund site over time.

#### 4. Technical Advisor Qualifications

The technical advisor must have verifiable credentials and must provide the Watershed Center with a list of at least three references. The successful candidate will have:

- a. Demonstrated knowledge of hazardous or toxic waste issues, relocation issues, redevelopment issues or public health issues as those issues relate to hazardous substance/toxic waste issues at the Captain Jack Superfund site;
- b. Ability to interpret and explain water quality data in terms of threats to our river and community;
- c. Academic training in a relevant discipline (for example, biochemistry, toxicology, public health, environmental sciences, engineering, environmental law and planning);
- d. Knowledge of water treatment technologies used to clean up contaminants at the Captain Jack Superfund site and ability to assess various types of new water treatment technologies;
- e. Familiarity with the Superfund program and preferably, familiarity with the Captain Jack Superfund site;
- f. Experience working on hazardous or toxic waste problems and communicating those problems and issues to clients who do not possess extensive technical backgrounds;
- g. Excellent written and oral communication skills;
- h. Demonstrated ability to generate and present material geared toward a non-technical audience;
- i. Adequate financial resources and accounting procedures in place to manage the tasks required and account for expenditures (detailed records of activities that must be broken down to reflect work progress, work products and reports, hours and expenditures, and how each of these items is related to tasks specified in the contract);
- j. Ability to provide detailed monthly billing documents including accurate invoices and progress reports.

In addition, successful candidates must comply with the following related to grant requirements and federal regulations, including 40 CFR Part 30 and 40 CFR Part 35 Subpart M, and of the Watershed Center's EPA Technical Assistance Grant agreement. The successful candidate will have:

- k. No debarment or suspension as a federal contractor. The Watershed Center will not award a contract to any bidder who is on the U.S. General Service Administration's Excluded Parties List System, which identifies parties debarred, suspended, or otherwise excluded from receiving federal contracts or certain subcontracts and from certain types of federal financial and nonfinancial assistance and benefits.
  - o **Note:** All businesses must have a Dun & Bradstreet (DUNS) number and be registered and active on SAM.gov prior to contracting. This is a lengthy process that we suggest is initiated as soon as

possible before the proposal is submitted so that we can contract immediately after award. However, if the applicant is a professor affiliated with a university/college then that person will not need to have their own DUNS number or be register on SAM.gov.

- I. A demonstrated compliance or willingness to comply with civil rights and equal opportunity laws, and other related statutory requirements outlined in the Code of Federal Regulations, 40 CFR part 30, which contains EPA's general grant regulations for nonprofit organizations, and 40 CFR Part 33.301, et seq., which includes making good faith efforts to procure goods and services from disadvantaged business enterprises.

Any proposed subcontractors must have the expertise to perform the tasks assigned and meet condition described in items g (no debarment or suspension as a federal contractor) and h (demonstrated compliance or willingness to comply with civil rights and equal opportunity laws, and other statutory requirements) above.

## **5. Schedule and Cost**

A total of approximately 350 hours of work is estimated for the technical advisor during the project; the distribution of these hours over the contract period is dependent upon the pace at which activities proceed.

Proposers should provide an itemized cost estimate for labor and travel to complete the scope of work. Proposers should use a table format that coincides with the "Scope of Work" above and proposers' approach to the project. Proposers should provide a table of billing labor rates for all labor categories anticipated to be used on this project, including any proposed subcontractor categories. Proposed travel for mileage to and from the site using a privately owned vehicle will be reimbursed at the government rate and should also be included in the cost estimate.

## **6. Contract Information**

### **Time and Materials Contract**

The Watershed Center will use a phased approach in contracting for this work due to the federal grant disbursement timeline. The initial contract will be for one year with the expectation of an extension for a second year. The contract will also include options for continuing work, specified in the "Tasks" section of this solicitation, in future funding periods, if needed. Contract renewal will be based on satisfaction with the technical advisor's previous performance and availability of funds.

The Watershed Center will use a "Time and Materials" contract for this work due to the dynamic nature of activities and needs at the Captain Jack Superfund site over time. This type of contract will allow the Watershed Center and the technical advisor(s) flexibility to respond changing circumstances at the Superfund site that we may be unable to predict ahead of time. For example, unexpected additional contamination, new data, or additional community meetings may affect the project schedule for the site. With this type of contract, the Watershed Center will pay the technical advisor(s) for providing supplies or services based on: direct labor hours at specified, fixed hourly rates that include salary, overhead, general and administrative expenses; and travel at the federal government mileage rate.

### **Award**

A time-and-materials contract will be awarded to the most responsive and responsible applicant(s). The Watershed Center reserves the right to reject any and all proposals, in part or in whole, and to award the proposal(s) to the most responsive and responsible applicant(s) as deemed in the best interest of the Watershed

Center; further, the right is reserved to waive any formalities or informalities contained in said proposal(s). All applicants(s) will be informed of the Watershed Center's decision to reject or accept a proposal.

The Watershed Center also reserves the right to negotiate the award for the services with any applicant(s) submitting the proposal in lieu of accepting the proposal as is, if the proposal is deemed to be the most responsive and responsible proposal.

## **Renewal Options**

The Watershed Center has the option to renew the contract for additional periods, if needed, for activities included in this solicitation as long as cumulative costs do not move the contract into a different competition requirement level (see 40 CFR § 35.4210). Contract renewal will be based on satisfaction with the technical advisor's previous performance and availability of funds.

## **7. Conflict of Interest Documentation**

The Watershed Center must prevent organizational conflicts of interest, or the appearance of such conflicts, in this procurement. As a result, all those submitting a proposal must include:

- Information on proposer's financial and business relationship with all Potentially Responsible parties (PRPs) at the Captain Jack Superfund site, with PRP parent companies, subsidiaries, affiliates, subcontractors, contractors, and current clients or attorneys and agents. This disclosure requirement includes past and anticipated financial and business relationships, and services provided to or on behalf of such parties in connection with any proposed or pending litigation;
- Certification that, to the best of the proposer's knowledge and belief, they have disclosed such information or no such information exists;
- A statement that the proposer will immediately disclose to the Watershed Center any such information discovered after submission of its bid or after award; and
- A statement that the proposer, or the company, does not work for the federal or state government or any other entity involved at the Captain Jack Superfund site.

## **8. Proposal Format**

The response to this RFP should include the following items compiled into **a single PDF document**:

1. General description of the applicants approach for doing the work. While there is no specific page limit, please keep this to 1-2 pages or less.
2. Detailed resume/CV demonstrating (1) relevant work experience on related projects and (2) relevant qualifications and expertise.
3. Cost proposal.
4. Three professional references for similar previous projects. Please include name, relevant project, e-mail, and phone number for each reference.
5. Required information related to Conflict of Interest disclosure, including certification and statements described below.
6. Required information related to DUNS number and status on SAM.gov as applicable.

**NOTE:** All costs incurred in the preparation and presentation of the proposal will be entirely borne by the prospective consultant and any sub consultants, and will not be reimbursable by the Watershed Center.

## 9. Evaluation Criteria and Scoring System

The proposals will be evaluated by a selection committee for qualifications and cost using the following criteria with a maximum of 100 points available. Each of the listed evaluation criteria will be scored and weighted as follows:

Evaluation Category	Score Range	Weighted Score Multiplier	Total Score Range
Approach	0-5	3	0-15
Relevant experience and expertise, both academic and demonstrated	0-5	6	0-30
Ability to provide written and oral translations of technical documents and data in terms understandable to lay persons	0-5	5	0-25
Cost	0-5	4	0-20
Knowledge of EPA procedures and reporting requirements	0-5	2	0-10

## 10. Submission

The deadline for submitting proposals to the coalition is 5:00 PM MST, August 03, 2020. Proposals may be submitted before this date/time, but any proposals received after this date and time may not be considered for award. Sole responsibility rests with the proposing team to see that their proposal is received on time.

All submissions should be sent electronically in a single PDF document to:

Yana Sorokin, Program Manager  
Left Hand Watershed Center  
[ysorokin@watershed.center](mailto:ysorokin@watershed.center)