

# ASSOCIATION OF BAY AREA GOVERNMENTS

Representing City and County Governments of the San Francisco Bay Area



Date: October 5, 2018

To: ABAG Administrative Committee

From: Steve Heminger, Executive Director

Subject: **Approval of Contract with Ninyo & Moore for Environmental Engineering Services under US EPA Brownfields Community Wide Coalition Assessment from October 2018 to September 2020 in the amount of \$442,600**

## Executive Summary

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or the Superfund law) was amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law) to include section 104(k), which provides federal financial assistance for brownfields revitalization, including grants for assessment, cleanup, and revolving loan funds.

In June 2017, the US EPA awarded ABAG a \$600,000 Brownfields Community Wide Coalition Assessment grant as the lead coalition member of the East Bay Brownfields Assessment Coalition, a sub-group of the East Bay Corridor Initiative.

The purpose of the grant is to conduct Phase I and Phase II environmental assessments of high impact priority sites within the City of Richmond, City of El Cerrito, and unincorporated Contra Costa County to confirm the presence or absence of contamination, advancing the reuse of and infill development on these sites. ABAG, as the lead coalition member, will be responsible to EPA for management of the cooperative agreement and compliance with the statutes, regulations, and terms and conditions of the award, and ensuring that all members of the coalition are in compliance with the terms and conditions.

The period of performance is October 1, 2017 through September 30, 2020. There are no required matching funds.

## Request for Qualifications: Environmental Engineering Services

On June 1, 2018, a Request for Qualifications (RFQ) was issued inviting firms to submit Statement of Qualifications to provide environmental engineering services related to the 2017 US EPA Community Wide Brownfields Assessment Grant. The RFQ stated the proposer must meet minimum qualifications (successful completion of EPA Brownfields Assessments and qualified environmental professional pursuant to 40 CFR 312.10) and that additional qualifications (experience conducting All Appropriate Inquiries, Quality Assurance Project Plan, Phase I and Phase II assessments, and Analyses of Brownfields Cleanup Alternatives) would be evaluated by a panel of the coalition members. The coalition members include representatives from the City of Richmond, City of El Cerrito, Contra Costa County and BART.

## US EPA Brownfields Community Wide Coalition Assessment

October 1, 2018

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A total of five proposals were received by the closing date of June 29, 2018 for this competitive process. While all the proposals met the minimum qualifications, one firm received the highest score in all but one category. The panel reviewers' scores as shown below were in favor of Ninyo & Moore who received a total score of 92.75 out of 100.

### 19397 - Brownfields Assessment Environmental Engineering Services

#### Scoring Summary

	Total	Experience and Qualifications	Resources	Written and Oral Communication
Supplier	/ 100 pts	/ 50 pts	/ 35 pts	/ 15 pts
Ninyo & Moore	92.75 pts	46.5 pts	33.25 pts	13 pts
TechLaw, Inc.	88.5 pts	45.5 pts	29 pts	14 pts
Stantec	84.88 pts	44.75 pts	27.38 pts	12.75 pts
Fugro	82.13 pts	41.5 pts	29 pts	11.63 pts
Geocon Consultants, Inc.	81.87 pts	40.75 pts	29.25 pts	11.88 pts

In addition to receiving the highest ranking score, Ninyo & Moore is a minority-owned business (MBE) and coalition members have had successful past experiences with the firm.

Ninyo & Moore is neither a certified Small Business Enterprise (SBE) nor a Disadvantaged Business Enterprise (DBE) within the State of California and currently has one subconsultant, CKG Environmental, Inc. which is a certified DBE (Cert #39338).

#### Recommended Action

The ABAG Administrative Committee is requested to authorize the Executive Director of the Metropolitan Transportation Commission, or his designee, to approve a contract with Ninyo & Moore for Phase I and Phase II Environmental Engineering Services under the US EPA Brownfields Community Wide Coalition Assessment Grant from October 2018 to September 2020 in the amount of \$442,600, on behalf of the Association of Bay Area Governments.

  
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Steve Heminger

#### Attachment

Summary Approval

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## SUMMARY OF ABAG ADMINISTRATIVE COMMITTEE APPROVAL

<b>Work Item No.:</b>	1615
<b>Consultant:</b>	Ninyo & Moore
<b>Work Project Title:</b>	FY17 US EPA Brownfields Assessment Program Grant
<b>Purpose of Project:</b>	Advance implementation of East Bay Corridor Initiative
<b>Brief Scope of Work:</b>	Conduct Phase I and Phase II assessments in the City of Richmond and El Cerrito and Contra Costa County
<b>Project Cost Not to Exceed:</b>	\$442,600
<b>Funding Source:</b>	1342 – FY17 US EPA Brownfields Assessment Program grant
<b>Fiscal Impact:</b>	
<b>Motion by Committee:</b>	The ABAG Administrative Committee is requested to authorize the Executive Director of the Metropolitan Transportation Commission, or his designee, to approve a contract with Ninyo & Moore for Phase I and Phase II Environmental Engineering Services under the US EPA Brownfields Community Wide Coalition Assessment Grant from October 2018 to September 2020 in the amount of \$442,600, on behalf of the Association of Bay Area Governments.
<b>ABAG Administrative Committee Approval:</b>	David Rabbitt, Chair
<b>Approval Date:</b>	