

**REQUEST FOR PROPOSAL (RFP)**  
**2017 CITY-WIDE HOME REPAIR PROGRAM**  
**ENVIRONMENTAL SITE ASSESSMENT**

**WEST SIDE NEIGHBORHOOD HOUSING SERVICES, INC.**  
**359 CONNECTICUT STREET**  
**BUFFALO, NY 14213**

**OCTOBER 2, 2017**

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## **1. SUMMARY AND BACKGROUND**

WEST SIDE NEIGHBORHOOD HOUSING SERVICES, INC. (“WSNHS”) is a private, not-for-profit full-cycle lending agency dedicated to preserving and revitalizing Buffalo's neighborhoods by providing safe, affordable and sustainable housing opportunities for all. Our programs and services include financial capability and homebuyer education, closing cost assistance, post-purchase education, home improvement loans and foreclosure prevention counseling.

WSNHS is currently accepting proposals for Environmental Site Assessment (ESA) services from Qualified Environmental Professionals (QEP), as part of its 2016 New York State Homes and Community Renewal home improvement grant funding award.

The purpose of this Request for Proposal (RFP) is to solicit proposals from qualified service providers, conduct a fair and extensive evaluation based on criteria listed herein, and select the candidate who best represents the direction WSNHS wishes to go.

## **2. PROPOSAL GUIDELINES**

This Request for Proposal represents the requirements for an open and competitive process. Proposals will be accepted until 5pm EST October 20, 2017. Any proposals received after this date and time will be returned to the sender. All proposals must be signed by an official agent or representative of the company submitting the proposal.

If the organization submitting a proposal must outsource or contract any work to meet the requirements contained herein, this must be clearly stated in the proposal. Additionally, all costs included in proposals must be all-inclusive to include any outsourced or contracted work. Any proposals which call for outsourcing or contracting work must include a name and description of the organizations being contracted.

All costs must be itemized to include an explanation of all fees and costs.

Contract terms and conditions will be negotiated upon selection of the winning bidder for this RFP. All contractual terms and conditions will be subject to review by WSNHS legal department and will include scope, budget, schedule, and other necessary items pertaining to the project.

## **3. PROJECT PURPOSE AND DESCRIPTION**

**The purpose of this project is as follows:**

WSNHS was awarded by NYS Homes & Community Renewal (HCR) a NYS HOME Program Local Program Administrators (LPA) grant in the amount of \$450,000 to assist with the repair of a minimum of fifteen (15) owner-occupied one- and two-family dwellings in low- to moderate-income neighborhoods within the corporate limits of the city of Buffalo. The NYS HOME funds will be utilized to perform NYS and local Building and Property

Maintenance Code violation repairs, as well as other improvements to remedy health & safety issues. Further, any known site contamination and environmental hazards identified through an *Environmental Site Assessment* must also be addressed to create a safe environment for not only the current owner household, but also future occupants.

Assumed by NYS HCR, HUD policy, as described in 24 CFR Part 50.3(i) and 24 CFR 58.5(i)(2), states that:

1. All property proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gasses, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.
2. Environmental review of multifamily and non-residential properties shall include evaluation of previous uses of the site and other evidence of contamination on or near the site, to assure that occupants of proposed sites are not adversely affected by the hazards. (*\*this does not apply as no multifamily (5+ unit structures) or non-residential properties will be assisted*)
3. Particular attention should be given to any proposed site on or in the general proximity of such areas as dumps, landfills, industrial sites, or other locations that contain, or may have contained, hazardous wastes.
4. The responsible entity shall use current techniques by qualified professionals to undertake investigations determined necessary

### **Project Description:**

For each owner-occupied repair project, completion and submission of a Tier 2 Site Specific Statutory Checklist, Attachment to Tier 1 Programmatic Environmental Review Record (ERR), is required. A sample Checklist is attached. WSNHS staff will complete and submit the Tier 1 checklist; however, for the completion of the *Contamination and Toxic Substances* section of the Checklist, *per 24 CFR Part 50.3(i) & 58.5(i)(2)*, an Environmental Site Assessment/Inspection must be performed by a Qualified Environmental Professional (QEP) to identify any visible hazardous materials or contamination.

Sites known or suspected to be contaminated by toxic chemicals or radioactive materials include but are not limited to sites: (i) listed on an EPA Superfund National Priorities or CERCLA List, or equivalent State list; (ii) located within 3,000 feet of a toxic or solid waste landfill site; or (iii) with an underground storage tank. For any of these conditions, the grantee must provide an ASTM Phase I report.

Non-FHA projects should identify the potential for hazardous substances or materials that may affect the health and safety of the users of the property as follows:

- Review databases maintained by U.S. EPA and state, local, and tribal environmental quality departments or agencies to screen for potential *on-site* and *off-site* facilities that could pose health and safety problems and toxic clean-up sites that are presently under analysis or remediation.

- Investigate previous uses of the site. Site inspections and building and use permit records as well as Sanborn Co. maps show previous land uses which could have left toxic residues. Other methods of evaluation include performing a site walk, interviewing property owners or managers and local officials, and analyzing local land use records, permits, and violations.
- When site conditions indicate that the subject property is contaminated or likely contaminated by toxic substances, hazardous materials or petroleum products, one shall provide an ASTM certified Phase I ESA report, or other studies where applicable. Any hazards that are identified should be evaluated for the potential to affect the health and safety of the occupants and end-users. Contact your local HUD field environmental officer for further technical assistance in this regard.

#### **4. PROJECT SCOPE**

The scope of this project includes the performance of a preliminary *Environmental Site Assessment* for a minimum of fifteen (15) one- and two-family dwellings, Of the fifteen (15) assisted units, the number of one- and two-family dwellings may vary, as will physical location of each unit. Eligible projects will be located within the city of Buffalo corporate boundaries.

For each inspected site, a subsequent one-page report of preliminary findings, or in the event that the project site was clear of visible or known contamination, a statement that the project site was “*determined to be free from any hazardous materials or contamination,*” is required. Also, completion of the Contamination and Toxic Substances Worksheet requires completion. Further, while unlikely, the scope may potentially involve an ASTM Phase I investigation and report for each project site. *NOTE: A full, Phase I will not be required unless an unmitigated toxic hazard and/or visible contamination has been identified, or the project meets other demand for a Phase I as per HUD guidelines in Section 3 above. Upon receipt of the preliminary Environmental Site Assessment report, WSNHS will determine the overall feasibility of the project and request an ASTM Phase I.*

It must be noted that, based on performance, NYS HCR may amend the grant awarded to WSNHS and provide funding to complete additional projects. In this instance, the same will be disclosed to the selected QEP and the terms of this agreement can be extended accordingly.

The selected QEP will be responsible for direct scheduling with the homeowners for each Environmental Site Assessment.

#### **5. REQUEST FOR PROPOSAL AND PROJECT TIMELINE**

##### **Request for Proposal Timeline:**

All proposals in response to this RFP are due no later than 5pm EST October 20, 2017.

Evaluation of proposals will be conducted from October 23, 2017 until October 27, 2017. If additional information or discussions are needed with any bidders during this period of time, the bidder(s) will be notified.

The selection decision for the winning bidder will be made no later than November 3, 2017.

Upon notification, the contract negotiation with the winning bidder will begin immediately. Contract negotiations will be completed by November 10, 2017.

Notifications to bidders who were not selected will be completed by November 10, 2017.

**Project Timeline:**

It is projected that the first of fifteen (15) *Request for Environmental Site Assessment* will be issued to the selected firm on or after December 1, 2017, with the final *Request* to be issued not later than March 1, 2019.

Again, please note, based on performance, NYS HCR may amend the grant awarded to WSNHS and provide funding to complete additional projects. In this instance, the same will be disclosed to the selected QEP and the term of this agreement can be extended accordingly.

**6. BUDGET**

All proposals must include proposed costs to complete the tasks described in the project scope. Costs should be stated as a one-time, non-recurring costs (NRC), and should be listed for each of the following items in accordance with the format below:

Environmental Site Assessment and report – Single- or Two-Family Dwelling	\$NRC
*ASTM Phase I investigation and report – Single- or Two-Family Dwelling	\$NRC
Other related costs	\$NRC

NOTE: All costs and fees must be clearly described in each proposal.

*\*It is anticipated that there will be ZERO Phase I reviews performed through this grant program*

**7. BIDDER QUALIFICATIONS**

Bidders should provide the following items as part of their proposal for consideration:

**1. General Firm Information**

- a. Provide a brief description of your firm, including but not limited to the following:
  - i. Name of the principal(s) of the firm.

- ii. Name, telephone number and email address of a representative of the firm authorized to discuss your proposal.
- iii. Address of all offices of the firm.
- iv. Number of employees of the firm.
- v. Names of any sub-contractors that you will use in preparing environmental assessment reports for WSNHS.

## **2. Experience and Resources**

- a. Identify the principal, partners, associates and contracted inspectors of the firm that would be involved in providing services to WSNHS. Provide appropriate background information and identify responsibilities of each person in providing services to WSNHS. For each name submitted, provide documented evidence of the requisite licenses and insurance, certification or other validation required by municipal or state agencies or FHA.
  - b. Describe your firm and its capabilities. In particular, support your capacity to perform the Project Scope.
  - c. Include a current client roster, including a lead contact name and telephone number for organizations for which you provide similar services.
  - d. Indicate for 2015, 2016 and 2017 the geographic distribution of your environmental assessment and review work.
  - e. Submit at least one (1) HUD-approved sample Phase I environmental assessment reports for a single-family (1-4 unit) residential property.
  - f. Submit, if available, one (1) HUD-approved sample condensed environmental site inspection report containing the verbiage noted in Section 4, Project Scope.
  - g. Provide three (3) client references for which you have provided HUD approved environmental assessment services. Include name, agency and contact information for these references.
  - h. Identify any material litigation, administrative proceedings or investigations in which your firm is currently involved. Identify any material litigation, administrative proceedings or investigations, to which your firm or any of its principals, partners, associates, subcontractors or support staff was a party, that has been settled within the past two (2) years.
3. Anticipated individual inspection timeline, from receipt of *Request for Environmental Site Assessment* to delivery of Environmental Assessment Report to WSNHS staff
4. Anticipated individual timeline, from subsequent Receipt of *Request for Phase I Environmental Site Assessment* to delivery of Phase I Report to WSNHS staff.

## **8. PROPOSAL EVALUATION CRITERIA**

WSNHS will evaluate all proposals based on the following criteria. To ensure consideration for this Request for Proposal, your proposal should be complete and include all of the following criteria:

- Overall proposal suitability: proposed solution(s) must meet the scope and needs included herein and be presented in a clear and organized manner
- Organizational Experience: Bidders will be evaluated on their experience as it pertains to the scope of this project
- Previous work: Bidders will be evaluated on examples of their work pertaining to environmental site assessment and evaluation, as well as client testimonials and references, if provided.
- Value and cost: Bidders will be evaluated on the cost of their solution(s) based on the work to be performed in accordance with the scope of this project
- Technical expertise and experience: Bidders must provide descriptions and documentation of staff technical expertise and experience

**Each bidder must submit one original and 2 copies of their proposal to the address below by October 13, 2017 at 5pm EST:**

**West Side Neighborhood Housing Services, Inc.  
ATTN: HOME Program ESA  
359 Connecticut Street  
Buffalo, New York 14213**

## Contamination and Toxic Substances (Single Family Properties) – PARTNER

This Worksheet was designed to be used by those “Partners” (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)
<b>Reference</b>		
<a href="https://www.hudexchange.info/programs/environmental-review/site-contamination">https://www.hudexchange.info/programs/environmental-review/site-contamination</a>		

- 1. Evaluate the site for contamination. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property?**

Provide a map or other documentation of absence or presence of contamination<sup>1</sup> and explain evaluation of site contamination in the Worksheet below.

No

**Explain:**

Click here to enter text.

→ *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Yes

→ *Describe the findings, including any recognized environmental conditions (RECs), in Worksheet Summary below. Continue to Question 2.*

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<sup>1</sup> Utilize EPA’s Enviromapper and state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

Check here if an ASTM Phase I Environmental Site Assessment (ESA) report was utilized. [Note: HUD regulations does not require an ASTM Phase I ESA report for single family homes]

## 2. Mitigation

Work with the RE/HUD to identify the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental mitigation cannot be mitigated, then HUD assistance may not be used for the project at this site.

### Can adverse environmental impacts be mitigated?

Adverse environmental impacts cannot feasibly be mitigated

→ Project cannot proceed at this location.

Yes, adverse environmental impacts can be eliminated through mitigation.

→ *Provide all mitigation requirements<sup>2</sup> and documents. Continue to Question 3.*

## 3. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls<sup>3</sup>, or use of institutional controls<sup>4</sup>.

[Click here to enter text.](#)

### If a remediation plan or clean-up program was necessary, which standard does it follow?

Complete removal

Risk-based corrective action (RBCA)

Other

→ *Continue to the Worksheet Summary.*

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<sup>2</sup> Mitigation requirements include all clean-up actions required by applicable federal, state, tribal, or local law. Additionally, provide, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

<sup>3</sup> Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, without limitation, caps, covers, dikes, trenches, leachate collection systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, without limitation, slurry walls and ground water pumping systems.

<sup>4</sup> Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

## **Worksheet Summary**

### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

[Click here to enter text.](#)

**Are formal compliance steps or mitigation required?**

Yes

No