

Technical Assistance for Brownfields EPA Region 1

TAB Procurement Assistance

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Consider TAB as Part of a Team

Others Who
Can Help With
Your
Procurement



Your in-house Procurement
Specialist, Contracting Officer,
etc.

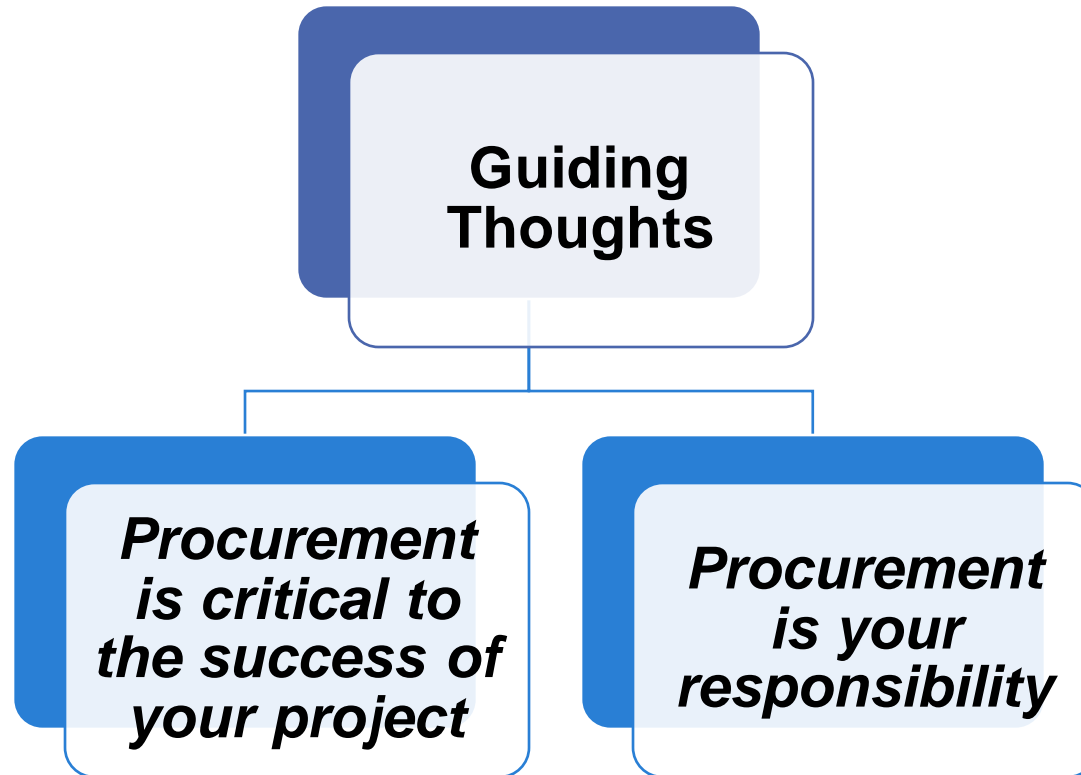
Your EPA Project Officer

State Environmental Agency
Staff

Regional leaders in
brownfields

Others?

TAB Procurement Assistance



TAB Procurement Assistance Today's Webinar Outline

1. Overview of Procurement Objectives
2. What UConn TAB **can** do to help you with procurement
3. What UConn TAB **cannot** do to help
4. Directions to resources that provide training and help achieve your objectives
5. General Advice / Suggested Dos and Don'ts of Procurement to make the process of using TAB services more effective and efficient



Procurement Objectives

- Comply with all Grant Requirements
- Attract proposals from *Good QEPs*
- Hire the Right QEP for your Project
- Avoid Misunderstandings/Potential Conflicts regarding the Scope of Work
- Avoid Misunderstandings/Potential Conflicts regarding Costs & Fees



TAB Procurement Assistance

For Each Major
Procurement Task:

- *What TAB Can Do to Help*
- *What TAB Cannot Do, and*
- *Other Resources*



Task: Preparing the RFP (or RFP/RFQ)

TAB Cannot:

Write your RFP

TAB Can:

- Meet with you early to discuss project objectives and the process of procurement – *Highly Recommended!*
- Provide RFP templates and examples - these are works-in-progress
- Help you to refine a scope of work for the RFP
- Review drafts of the RFP



Task: Understanding Technical Aspects of Your Project

TAB Cannot:

- Be the only technical experts on your project

TAB Can:

- Direct you to sources of information to help you understand technical aspects of brownfield site assessment and cleanup
- Review your ABCA and help you evaluate the pros and cons of various methods of investigation or remediation
- Review your Scope of Work and RFP attachments and offer suggestions of information to include



Task: Understanding Technical Aspects of Your Project

Other Resources:

- State Environmental Agencies (DEP, DEEP, DEM, DES, DEC)
- EPA's Targeted Brownfield Assessment (TBA) Program
- Regional Planning Agencies
- Previous Consultants – (Be Careful Not to Violate the Fair and Open Competition Requirement!)
- Independent Consultant



Task: Identifying Prospective QEPs

TAB Cannot:

- Provide you with lists of potential QEPs
- Recommend QEP consultants
- Offer opinions regarding the qualifications of any QEP

TAB Can:

- Help identify skills your QEP must have to make your project a success
- Help identify necessary QEP credentials
- Suggest RFP language that will make it easier to evaluate QEP proposals
- Suggest questions to ask of a consultant's references.

Task: Selecting Your QEP

TAB Cannot:

- Attend Pre-Bid Meetings
- Serve on your selection committee
- Interview QEP Candidates
- Review proposals
- Participate in the selection process in any other way

TAB Can:

- Suggest QEP scoring criteria
- Suggest how to organize and structure your selection process



Task: Contracting With Your QEP

TAB Cannot:

- Write Contracts
- Provide legal advice
- Replace your in-house contracting experts
- Manage Contracts

TAB Can:

- Suggest contracting approaches to improve project success
- Help identify required contract elements that may be missing from the Draft RFP



Additional Resources to Help With Procurement ...



Additional Resources to Help With Procurement

Webinars

- Proactive Procurement: How to Ask for & Get What You Need (Parts 1 and 2): Presented by Joelle Greenland: WVU TAB Webinar

<https://www.youtube.com/watch?v=veiZ-Ln-JYc>

<https://www.youtube.com/watch?v=CbWMZA9Md0A>



Additional Resources to Help With Procurement

Guides, Rules, and Regulations

- EPA's Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements (Revised Nov 2022)

<https://www.epa.gov/grants/best-practice-guide-procuring-services-supplies-and-equipment-under-epa-assistance>

- EPA's "Community Grants: Guidance on Competitively Procuring a Contractor"

<https://www.epa.gov/system/files/documents/2023-07/CG-Reminders-for-Preparing-Solicitation-Docs.pdf>

- The Uniform Grant Guidance 2 CFR Part 200

<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200?toc=1>

- EPA's DBE participation requirements of 40 CFR Part 33 are here: -

http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40cfr33_main_02.tpl.



Additional Resources

Procurement should be a team effort. Some other resources that may help:

- Many State agencies have their own written procurement guidance
- Your organization's procurement and contracting officers
- Your organization's attorney
- Your state partners
- Your regional planning agencies/regional economic development agencies with brownfield grant experience



General Advice for Preparing an RFP

Some advice on RFPs that should make using TAB's and EPA's services more effective and efficient...



General Advice for Preparing an RFP

Contact TAB Early!

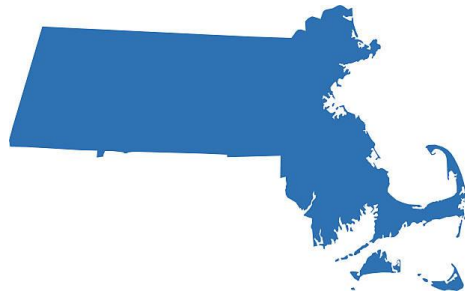


General Advice for Preparing an RFP

DON'T begin your RFP by borrowing language from someone else's RFP, because it:

- May have scopes, budgets, and objectives that will not match your project
- May reference rules, regulations, regulatory agencies, and other information that will NOT APPLY to your project
- May simply be awful 😊

Examples can be helpful - but use them only AFTER you've drafted a complete RFP outline, and then, use them with caution!



General Advice for Preparing an RFP

DO Start the RFP Process by Referring to your EPA Grant Application and your EPA Cooperative Agreement. These documents:

- Describe what your grant is to be used for – and what it cannot be used for
- Describe your project tasks and outputs
- Identify who is responsible for completing each task (e.g., grant recipient, QEP, other?)
- Define the expected project schedule
- Define the project budget by task

This information will define your QEP's Scope of Work and should form a large part of your RFP Outline



General Advice for Preparing an RFP

DO Use your in-house procurement officers or other available experts.

- You may have in-house experts who know the applicable local and state procurement requirements
- Use staff from your regional planning agency, council of governments, economic development commissions or others who have expertise in procurement



General Advice for Preparing an RFP

DON'T seek or accept the assistance of any potential QEP

- Don't ask consultants for help, guidance, or advice in preparing the RFP
- Don't ask consultants for sample RFPs or even to refer you to examples from another community

Any such assistance is improper, will violate the fair and open competition in federal law (2 CFR 200.319) and will make that firm ineligible to bid on the project



General Advice for Preparing an RFP

Don't include everything... But don't try to be too brief

- Succinct is good – but don't leave out important things
- Leaving things out will make consultants wary and they may not respond to your RFP,

or...

- Proposers will inundate you with questions and requests for clarification
- If you must leave a task open-ended – assure consultants they will not be disadvantaged because of differences in assumptions.





Questions?



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Contacts

