

**Sisseton Wahpeton Oyate Sioux Tribe
Office of Environmental Protection
Brownfields Program**

**REQUEST FOR PROPOSAL
Environmental Consulting Services
For**

**Environmental Remediation
Cleanup, Demolition, Transport, Recycle,
and Disposal of Carnegie Library Building
July 1, 2024**

1.0 Introduction

The Sisseton Wahpeton Oyate Sioux Tribe (the Tribe), Office of Environmental Program, (OEP) Brownfields Program, is soliciting responses for conducting the removal, recycle, transport and proper disposal of hazardous contaminants and construction debris in a building located in Sisseton, SD. The funding source is from an Environmental Protection Agency (EPA) **BILS Act**. EPA has approved this site as an eligible Brownfields site.

2.0 Submittal Procedures and Project Contact

Proposals must be **received by July 22, 2024 by 5:00 pm Central Standard Time**. Work may begin, weather permitting, as soon as contract is awarded. The total project is expected to be completed between August 2024- December 2024. Submit proposal by mail, email or hand deliver to the following individual. (Faxes will not be accepted.)

**Vern Vallie
Procurement/Contracting Officer
Sisseton-Wahpeton Oyate
12554 BIA Hwy 711
Agency Village, SD 57262
605-698-8408
vvallic@swo-nsn.gov**

Proposals will be opened and evaluated on 23, July 2024, 10:00am in the office of the Chairman by the Procurement Officer, Program Director, Chairman's Representative - Bidders are welcome to attend.

Project Contact: For additional information, schedule a site visit or to receive a copy of the Phase II Environmental Site Assessment, contact the following individual: Questions about the project and requests for copies of maps and relevant documents should be directed to the Project Contact:

Charlene LaFontaine

Brownfields TRP Coordinator, SWO-OEP

45697 Veterans Memorial Drive

Agency Village, SD 57262

605-698-6575

Charlenel@swo-nsn.gov

3.0 Location/Site Description

Location:

The Carnegie Library is located at 215 Oak Street located in Sisseton, Roberts County, South Dakota (SD). The building is on Tribal **Fee** Land.

Site Description:

The Carnegie Library is located at 215 Oak Street in Sisseton, South Dakota (Figure 2) and was built in 1916. It was purchased by the SWO Tribe in 2004. The building is vacant and is considered a Historical Marker and is on the federal registry. **It** is to be demolished.

Phase II ESA fieldwork was conducted on November 14, 2017. Results of the Phase II ESA have confirmed the presence of contaminants of concern (COCs) at the Site. The following is a summary

In November 2017, the United States Environmental Protection Agency (EPA) tasked the Weston Solutions, Inc. (WESTON) Superfund Technical Assessment and Response Team (START) to conduct a Phase II Environmental Site Assessment (ESA) and cleanup alternatives evaluation at the Carnegie Library Building. The ESA was conducted in accordance with ASTM International - Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process E1903-11. This Phase II ESA has confirmed the presence of COCs (contaminant of concern) at the Site (a copy of the Assessment Report is available upon request). The following is a summary of the conclusions regarding COCS and associated media identified by START at the Site (see Phase II EA for more details):

- 1) Asbestos-Containing Material (ACM)
- 2) Lead-Based Paint (LBP)
- 3) Polychlorinated biphenyls (PCBs), Mercury, and Mold

Since 2027, the building has further deteriorated and has been noted to now contain potential biological wastes, and perhaps more asbestos and lead that were not initially identified by the Phase II EA.

Based on the assessment performed and the future redevelopment use of the Site, the project includes the following:

- Conduct ACM abatement and remediation at the Site;

Remove all fluorescent light fixtures;

Conduct additional assessment of fluorescent light ballasts for PCBs prior to disposal and dispose of any PCB ballasts in conformance with state and federal laws and regulations; and

- Removal and disposal of all hazardous materials and construction debris prior to demolition, and

- Conduct safe demolition and disposal of the building at an approved landfill ; landscape the site.

- The Tribe is considering saving a wall painting inside the building, and would request a proposal for the removal of the painting. Limitations and costs would be negotiated **with** the Tribe. Efforts would have to be coordinated with all environmental activities for health and safety considerations.

5.0 Project Tasks

The overall goal of the Sisseton Wahpeton Sioux Tribe, Office of Environmental Protection, Brownfields Program is to ensure that the site does not pose a threat to public health and safety and the environment during and after mitigation and reuse of the site. The objective of this project is to remediate and dispose of the contaminants that may exist at the site, and then demolish the building. The work efforts for this project will fall into the discrete tasks listed below. All deliverables should be submitted to the SWO-OEP Brownfields Program in both electronic and hard copy formats.

Task 1.0: Develop Remediation Cleanup Plan/Scope of Work

Develop a draft and final Cleanup Plan/Scope-of-Work in coordination with the Sisseton Wahpeton Sioux Tribe - Office of Environmental Protection - Brownfields Program; that includes estimated costs for the removal, recycle, demolish, transport and proper disposal of any contamination and construction debris. The Cleanup Plan will also include a Site Security Plan (SSP) and Health and Safety Plan (HSP).

Deliverable: Draft and Final Remediation Cleanup, Site Security, and Health Safety Plan.

Task 2.0: Conduct Site Remediation/Cleanup prior to Demolition

Remediate the contamination, properly transport and dispose of contamination and debris co- mingled with contamination into a permitted landfill. Conduct additional assessment of hazardous, biological wastes, and fluorescent light ballasts for PCBs prior to disposal. All contamination will be removed and the site will be ready for demolition, with subsequent redevelopment by the Tribe with no restrictions

due to residue contamination.

All health, safety and environmental hazards will be removed.

Deliverable: Documentation on remediation, transport and disposal costs.

Task 3.0: Conduct Site Demolition

Conduct safe demolition (lead, dust, and biological control included) in compliance with Tribal, State and local rules and regulations. All required permits will be obtained by the contractors.

The Tribe is considering saving a wall painting inside the building, and would request a separate proposal for the removal of the painting. Limitations and costs would be negotiated with the Tribe. Efforts would have to be coordinated with all environmental activities

Deliverable: Demolition and Disposal Manifests

Task 4.0: Develop a Confirmation Sampling QAPP

Review the existing Phase II Environmental Assessments. Develop a Quality Assurance Project Plan (QAPP)/Sampling Analysis Plan (SAP) for Confirmation Sampling. That will be required after the remediation is finished to verify that the remediation is complete and protective of human health and the environment. EPA will approve the QAPP prior to conducting confirmation sampling activities. Confirmation sampling results will be documented in the Final Report.

Deliverable: Draft and Final Confirmation Sampling QAPP

Task 5.0: Participate in Community Outreach/Environmental Education activities. Provide technical information for the Community Involvement Plan and be available for up to two outreach meeting to explain the remediation/cleanup procedures and results.

Deliverable: Provide technical information and availability two outreach meetings.

Task 6.0: Progress Reports/Invoice Submittals.

Progress Reports/Invoice Submittals. Should occur on at least on a monthly basis (as negotiated in contract) and contain short summaries of progress for all phases of work, data, costs and findings. Also, information that relates to decisions for subsequent assessment or remediation/cleanup work will be reported in a timely manner, including:

- Recognition of new, potential environmental concerns (verbally/immediately)
- Detection of contaminant concentrations or other features that exceed or may exceed levels requiring remediation/cleanup for intended land use (verbally/immediately)
- Preliminary estimates of magnitude, extent, and regulatory implications (or risks, if necessary) of contaminants, in context of reuse and intended land use. The contractor will provide levels of

confidence for estimated risks (monthly or as appropriate)

- Quality Assurance/Quality Control shortcomings and corrective actions (verbally/immediately)
- Deviations from the QAPP/SAP with explanations Health/Safety incidents (immediately)
- Health/Safety incidents (immediately)

Deliverable: Progress Reports/Invoice submittals

Task 7.0: Draft and Final Remediation Cleanup Report Submit a Draft and Final Cleanup Report that documents all activities and costs. The report should include a description of remediation conducted, any problems encountered, final disposal conducted and documentation, and verification, via sampling and observations, that the remediation has met the goals and remediation/cleanup levels. Based upon results of the confirmation sampling, the contractor will provide a signed document for the final report stating that the remediation is complete and is protective of human health and the environment

Deliverable: Draft and Final Remediation Cleanup Report

6.1 Qualifications

The proposal will include descriptions of roles for key personnel expected to work on this project and their resumes, which includes work location, education/certificates, and experience in the following areas:

- Qualifications as an "Environmental Professional" pursuant to ASTM standards for managing and performing Phase I and II Assessments.
- Certified trainings such as OSHA, Lead, Asbestos, etc.
- Familiarity with Brownfields or equivalent processes, giving examples of recent projects
- Performing site remediation work
- Working with Tribal and Federal agencies

7.1 Methodology

The Sisseton Wahpeton Sioux Tribe, Office of Environmental Protection, Brownfields Program, in coordination with the U.S. EPA Region 8, will review all environmental remediation/cleanup proposals, QAPPS, and subsequent work plans, to determine if activities will meet the objectives of the Joe Robbie Building/ Brownfields project. The final scope of services will be negotiated and modified as site conditions warrant.

The contractor will prepare a Quality Assurance Project Plan (QAPP) for Confirmation Sampling containing required information for approval by the U.S. EPA Region VIII, per document EPA 540-R-98-038, *Quality Assurance Guidance for Conducting Brownfields Site Assessments*, September 1998. QAPPs must address five general areas:

- Data Quality Objectives
- Project management Measurement/data acquisition
- Assessment/oversight
- Data validation and usability

8.0 Health and Safety Requirements

The project manager or technical lead for the project must have advanced health and safety training as specified in OSHA, 29 CFR 1910.120. The project manager or technical lead will determine the training/experience required for any other site workers and hold daily safety meetings to address and issues and/ or changes to the scope of work. Federal standards for mitigating Asbestos will be followed according to NESHAP and EPA. A Health and Safety Plan (HSP) and site Security Plan (SSP) will be included as part of the Remediation Cleanup Plan.

9.1

Tribal Employment Rights Office (TERO) Preference

The following TERO preferences will apply towards this project:

- Indian Preference
- Tribal Business License
- Compliance Plan Approval

The Contractor will comply with any TERO regulations including obtaining a business license. The contractor will include a 4% TERO cost for this project in the bid. The contractor will pay the 4% cost to TERO and the details of the payment will be negotiated in the contract. Contact the TERO Program for TERO wages approved by Davis-Bacon.

10.0 DBE Utilization Requirements

In accordance with EPA's Disadvantaged Business Enterprises (DBE), [formerly Programs for Utilization of Minority Business Enterprises (MBE) and Women's Business Enterprises (WBE)], the consultant/contractor must ensure that the six affirmative steps are followed (see 40 CFR Parts 30, 31, 33, 35, and 40).

11.0 Other Requirements

The Consultant and its subcontractors shall obey all laws, ordinances, regulations, resolutions and rules of the Federal, Tribal, State, County and Municipal jurisdictions that may be applicable to its operations. Said laws include, but are not limited to, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 104(k); the Uniform Relocation Act; National Historic Preservation Act; Endangered Species Act; and Permits required by Section 404 of the Clean Water

Act; Executive Order 11246, Equal Employment Opportunity; Fair Labor Standards Act; Davis-Bacon requirements; Americans with Disabilities Act (ADA); statutory requirements under 40 CFR Part 31; implementing regulations at 41 CFR 60-4; Contract Work Hours and Safety Standards Act, as amended (40 USC 327-333); the Anti- Kickback Act (40 USC 276c) and Section 504 of the Rehabilitation Act of 1973 as implemented by Executive Orders 11914 and 11250; and Occupational Safety and Health Administration (OSHA).

12.0 Submission Procedures

Submit proposals to the contact listed **in** Section 2.0. Proposals should include details on requirements and costs listed in the above Sections.

The laws, policies and courts of the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation shall govern proposal, contracts and work.

The Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, is a sovereign and federally recognized Indian Tribe. All proposals must include recognition that subsequent agreements shall be governed by and construed in accordance with the laws of the Sisseton-Wahpeton Oyate. Irrespective of any language to the contrary in the Agreement or elsewhere, no right to arbitration of any controversy or claim arising out of or related to the Agreement. Additionally, the consultant/contractor must 1) supply a statement that the consulting/contracting 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 project. (Also, no person having such interest shall be employed by or associated with consultant during the term of this agreement.), and 2) the consultant/contractor must also state whether they are on the list of contractors that have been debarred from receiving Federal funding.

Potential exists to amend the Agreement with the hired consultant/contractor to include additional Brownfields assessments and/or cleanup work on this site or similar sites.

13.0 Selection Process

The Procurement/Contracting Officer will review each proposal and may seek consultation with the Tribal Administration and representatives from U.S. EPA and other federal agencies such as Indian Health Service (IHS) and the Bureau of Indian Affairs (BIA). Criteria for rating firms will include the following:

- 20% Professional and educational qualifications of key personnel to be assigned to the project.
- 20% Experience and reputation of the firm in working on Brownfields projects and with Tribes.
- 10% Ability to perform the required work within the project period.

- 30% Costs associated with the scope of work. Final costs will be negotiated with the selected firm upon submittal of a detailed cleanup plan.
- 20% Tribal preference and any consideration that would be in the best interest of the Tribe.

This RFP does not commit the Sisseton Wahpeton Sioux Tribe to award a contract nor pay any cost incurred in the preparation of the proposals. The Sisseton Wahpeton Sioux 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.