

Alabama Department of Conservation and Natural Resources

REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL SERVICES

for

DEEPWATER HORIZON OIL SPILL GULF RESTORATION PROGRAM MANAGEMENT SERVICES

Released: October 11, 2024

**RFQ Response Deadline: Electronic responses must be received by e-mail no later than
November 5, 2024 by 12:00 p.m. (NOON) to**

Dr. Rita Peachey at rita.peachey@dcnr.alabama.gov

Subject line to read: "RFQ for DWH Program Management"

A. INTRODUCTION

Pursuant to §41-4-133 of the Code of Alabama, 1975, as amended, the ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES (ADCNR) requests submissions of qualifications from professional services firms to provide program management services related to ADCNR's efforts to continue the restoration of Alabama's Gulf Coast through implementation of projects and programs, to be funded in whole or part by Deepwater Horizon oil spill (DWH) funding sources. The estimated budget to implement this project is \$3,000,000, contingent upon availability of funding.

Program Management Services solicited include, but are not limited to, monitoring, engineering, planning, environmental compliance, procurement, management, and related technical services to assist ADCNR with ongoing coastal restoration efforts on an as-needed basis. In no event shall the selected Applicant(s) provide construction services for work under this RFQ.

Funding sources utilized by ADCNR for DWH restoration projects and programs include, but are not limited to, the *Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012* (RESTORE Act), the *Deepwater Horizon Natural Resources Damage Assessment* (NRDA), and the National Fish and Wildlife Foundation's *Gulf Environmental Benefit Fund* (GEBF).

B. PROPOSED SCOPE OF WORK

The Scope of Work is anticipated to include, but not be limited to, the following tasks:

1. Successfully implement and manage a large portfolio of restoration projects and programs while maintaining compliance with all project-specific programmatic and funding requirements.
2. Assist ADCNR in the management and oversight of all aspects of the restoration projects and programs by reviewing in detail design plans and specifications, geotechnical data, engineering documents,

restoration planning, budgeting, contracting, procurement, reporting, project management, land acquisition, environmental permitting, construction management, accounting, record retention, data management, and government auditing services consistent with all aspects of compliance (including sub-recipient compliance) under RESTORE Act regulations, NRDA related Standard Operating Procedures (SOPs), GEBF requirements, DWH related consent decrees and/or court orders, and all applicable federal and state requirements including, but not limited to, requirements related to federal grant compliance (e.g., 2 CFR Part 200) and state procurement procedures.

3. Perform engineering and design services, directly or through contractors approved by ADCNR, pursuant to project and program funding sources and/or as otherwise identified by ADCNR. In no event shall the selected Offeror(s) provide construction services for work under this RFQ.
4. Monitor all phases of restoration and construction. Schedule and attend regular construction progress meetings. Conduct project-level monitoring to: 1) determine if project performance is meeting project objectives and milestones, 2) issue recommendations on Change Orders, and 3) provide certifications of completion in accordance with project plans and exact specifications.
5. Provide overall programmatic and project-specific financial management and compliance, including but not limited to, master budget and master schedule (to include financial and cash flow management), risk assessments, invoicing review/processing, and audit compliance to include preparation of and defense of audits as directed by ADCNR.
6. Provide technical expertise, administrative expertise and any other required expertise or associated support services to assist ADCNR with implementation of restoration activities.
7. Develop and implement procedures associated with the Scope of Work as directed by the ADCNR including, but not be limited to, those necessary to ensure appropriate procurement, contracting, compliance, reporting, recordkeeping, auditing, and sub-award compliance, while also guarding against conflicts of interest or potential fraud.
8. Assist ADCNR's programmatic coordination with other Gulf States, federal agencies, project partners, sub-recipients, contractors, and external entities associated with DWH funding opportunities and, where appropriate, identify, pursue, and manage funding leveraging opportunities. Such coordination also to include efforts, as necessary, to reduce potential for duplication and/or adverse impacts of projects.
9. Assist ADCNR in coordinating communications regarding program activities, as deemed appropriate and as directed by ADCNR, with stakeholders, respective organizations, and government agencies associated with compliance, permitting, grant development, grant submission, project implementation, monitoring, and adaptive management.
10. Assist ADCNR with the development, coordination, and implementation of meaningful and broad-based public engagement and information efforts to include, but not be limited to, development and maintenance of website material and providing logistical support for public meetings and webinars.
11. Prepare and review project development information such as feasibility, sustainability, best available science, budget detail, environmental permitting, compliance measures, monitoring plans, performance standards, and likelihood of success, and thereafter, prepare plan documents and grant submissions necessary to secure funding.

12. Oversee project implementation to ensure effective and efficient support for all aspects of compliance, appropriate adaptive management, and success as to completion of project deliverables within budget.
13. Coordinate, as directed by ADCNR, with other consultants retained by ADCNR to ensure compliance with the National Environmental Policy Act (NEPA) or the Oil Pollution Act (OPA) for certain special DWH restoration projects.
14. Coordinate and provide, as deemed appropriate and as directed by ADCNR, environmental compliance with respect to all state and federal laws, rules, policies and funding guidelines, and coordinate and assist in the management of activities including, but not limited to, procurement, contracting, contract management, strategic planning, and crisis communications management.
15. Assist with land acquisition(s) through the purchasing or leasing of the parcel's notable for conservation value. Coordinate with lawyers, local governments, permitting specialists, engineers, and scientists to determine whether parcels are suitable for acquisition for environmental conservation and lead planning for environmental management to ensure restoration and future security of the parcels and the habitats under protection.
16. Perform other tasks as required pursuant to project and program funding sources and/or as otherwise identified by the ADCNR.

C. PROPOSAL TERMS AND CONDITIONS

1. Qualifications:

The Applicant must provide all requisite information under this RFQ and clearly and specifically respond and provide information related to all items set forth in the Selection Criteria of this RFQ. We discourage the use of unnecessarily elaborate brochures or other presentation materials beyond that deemed sufficient to present a complete, concise, and effective proposal. The Applicant and any consultants shall hold current professional licenses as applicable and be registered in the State of Alabama.

2. Submission Requirements:

- i. If more than one entity is responding to this RFQ under a single submission pursuant to the Scope of Work: 1) identify the entity to serve as the lead entity coordinating project management services and contracting with ADCNR, 2) list each entity and clearly define the responsibilities and the respective areas of expertise (administrative, technical, or other project-specific qualifications, and 3) include the Unique Entity Identifier (UEI) from www.sam.gov for each.
- ii. An electronic version of the proposal, in PDF format, must be submitted via e-mail to:

Dr. Rita Peachey at rita.peachey@dcnr.alabama.gov
Subject line to read: "RFQ for DWH Program Management"
- iii. The submission must be signed by an authorized representative of the proposer. All submissions become property of the ADCNR and will not be returned.

- iv. The Proposal should be limited to no more than a total of 30 pages including cover letter, table of contents, divider pages, and supporting appendices. A two-sided page, front and back, shall be counted as two pages. Paper size shall be 8½” x 11”. Text shall not be smaller than a font size of 12.
- v. The proposal should explain your interest in providing program management services, team members’ qualifications and expertise in relation to proposed services, and a comprehensive description of your approach to providing services specific to this RFQ. In addition, the proposal should provide examples of similar work performed by team members. For each project, provide performance history as to such factors as quality of work and ability to meet budgets, schedules, deadlines, and performance measures.
- vi. ADCNR reserves the right, in its sole discretion, to waive minor defects or variations of a proposal from the exact requirements set forth herein that do not give one submitter an advantage or benefit not enjoyed by other submitters.

D. SUPPORTING DOCUMENTATION

1. Alabama Vendor Disclosure Statement (§41-16-82): [AL_Vendor_Disclosure_Statement.pdf \(SECURED\)](#)
2. Immigration Status Form (§31-13-1, et seq): [IMMIGRATION_STATUS_form.pdf \(state.al.us\)](#)
3. Certificate of Compliance: [Certificate_of_Compliance.pdf \(state.al.us\)](#)
4. W-9
5. Evidence that Proposer is registered with the Alabama Secretary of State
6. E-Verify Memorandum

E. TERMS AND CONDITIONS FOR RESTORE ACT:

Funding for this project is derived in whole or in part from funds received by ADCNR under the RESTORE ACT. Responders acknowledge and agree that, if selected, all work performed under the contract shall comply with and be bound by the following terms and conditions, which are expressly incorporated into the RFQ and any ensuing contract(s):

1. All provisions and requirements of the RESTORE Council Financial Assistance Standard Terms and Conditions, which can be found here (or more current version): [RESTORE Council STCs Final 8-18-2015.pdf \(restorethegulf.gov\)](#),
2. Applicable federal laws and regulations under the RESTORE act, including:
 - i. The RESTORE Act, 33 U.S.C. Section 1321(t);
 - ii. Applicable terms and conditions contained in 2 C.F.R. Part 200 of the OMB;
 - iii. Applicable OMB Circulars, Executive Orders, and other federal laws or regulations.

F. CONTACT INFORMATION AND TIMELINES

1. **Electronic submissions must be received no later than November 5, 2024 by 12:00 p.m. (NOON) CST.** It shall be the sole responsibility of the proposer to ensure actual electronic delivery of the Proposal prior to the deadline. Facsimile, printed, or hand-delivered submittals will not be accepted.

Proposal Submissions shall be e-mailed to the following e-mail address:

Dr. Rita Peachey at rita.peachey@dcnr.alabama.gov
Subject line to read: "RFQ for DWH Program Management"

2. **Proposed Timeline (Subject to Change):**

Solicitation Issuance/Advertising Date:	October 11, 2024
Questions Related to RFQ Due:	October 28, 2024 at 12:00pm NOON CENTRAL
Deadline for Receipt of Qualifications:	November 5, 2024 at 12:00pm NOON CENTRAL

NOTE: It is the Offeror's responsibility to check the website on a regular basis for updated information and written responses to all questions submitted prior to the deadline.

G. WITHDRAWALS AND MODIFICATIONS OF SUBMISSIONS:

Qualifications may be modified or withdrawn in writing prior to the deadline specified herein. Qualifications may not be modified or withdrawn after the deadline and will not be returned. If a proposer no longer wishes to have its proposal considered subsequent to the proposal deadline specified herein, a notice to that effect must be submitted in writing.

H. SELECTION CRITERIA

Quality, thoroughness, and clarity of proposal as pertinent to the Scope of Work is paramount for success. The basis for the selection from qualifying proposals of a Program Management firm(s) will include, but not be limited to, successful demonstration of the following:

1. Specialized expertise, capabilities, and technical competence, as demonstrated by the proposed approach and methodology to meet project requirements, i.e., to manage a large coastal restoration portfolio consistent with all applicable state, federal, and DWH funding compliance requirements. Clarity regarding technical training, education, and experience of the individual(s) who would be assigned to coordinate and/or perform the services must be supported by the proposal. The proposal should reflect consultant's ability and proven history in handling a large number of restoration project contracts.
2. Professional Services entity must have the capacity and availability to provide qualified human resources as well as any other resources needed by entity's personnel to deliver the required services efficiently and effectively. Other resources may include, but are not limited to, financial support, means of travel, communications and other administrative or scientific equipment, supplies, and adequate administrative or scientific facilities.

3. Record of past performance, quality of work, ability to meet schedules, cost control, and successful contract administration in the context of restoration of coastal/marine environments.
4. Availability to and familiarity with the project locale.
5. Proposed project management techniques as outlined in a thorough and clear proposal submission. Responses to requests for information and/or interviews may be required prior to a selection of a professional services firm(s), if any is made. Any interviews are expected to be conducted in person at Five Rivers in Spanish Fort, Alabama, and/or remotely at ADCNR's discretion, at a time agreed upon by the parties.

I. CONTRACT AND NO COMMITMENT OF FUNDS

Any contract(s) related to this proposed project is subject to the availability of funds and the needs of ADCNR. The anticipated term of the agreement will be for two (2) years with options to renew for additional years at ADCNR's discretion and as allowed by law. Services under this Agreement will be provided as needed and requested by the Owner. Accordingly, ADCNR, at its discretion, may or may not issue a final contract as a result of this RFQ. Furthermore, even in the event an initial selection is made by ADCNR, no selection is final until full execution of a written negotiated agreement detailing final terms and an agreed upon scope of work. If ADCNR deems, at its sole discretion, that a satisfactory agreement cannot be reached in accordance with an initial selection, ADCNR reserves the right to proceed with efforts to make another selection based upon proposals submitted pursuant to this RFQ, issue another RFQ, or terminate efforts to obtain assistance as to some or all services described herein.

If selected, the successful offeror(s) will be required to procure and maintain, for the entire duration of the contract, sufficient insurance coverage. ADCNR, the State of Alabama, its officers, employees, agents, representatives, and Board members shall be named as additional insureds on such policies.

By submitting a response, the offeror certifies and affirms that it is not currently debarred from submitting documents to solicitations such as this RFQ. The offeror shall include the Unique Entity Identifier (UEI) in the cover letter. The UEI can be obtained for free at www.sam.gov.

J. NON-DISCRIMINATION

ADCNR does not discriminate on the basis of race, color, religion, age, sex, pregnancy, national origin, genetic information, veteran status, or disability in its hiring or employment practices nor in admission to, access to, or operations of its programs, services, or activities.

K. FURTHER INFORMATION

Any questions must be submitted in writing and should be emailed to the following (no phone calls, please):

Dr. Rita Peachey, rita.peachey@dcnr.alabama.gov

Subject line to read: "QUESTION – RFQ for DWH Program Management"

Written questions must be submitted no later than October 28, 2024 AT 12:00PM (NOON) CENTRAL. Responses to written questions (and the associated written questions) will be posted at www.alabamacoastalrestoration.org to the extent practicable and as time permits.

L. SUBMITTALS PUBLIC RECORD

All proposals submitted to ADCNR in accordance with the deadline set forth in this RFQ (unless updated and publicized on ADCNR website) will be retained and may be subject to the Alabama Open Records Act.

M. MINIMUM CODE OF ALBAMA REQUIREMENTS

Current Code of Alabama available at:

<http://alisondb.legislature.state.al.us/alison/codeofalabama/1975/coatoc.htm>):

§41-16-82 of the Code of Alabama requires a disclosure statement to be completed and filed with all qualifications, proposals, bids, contracts, or grant proposals submitted to the State of Alabama in excess of \$5,000.00.

§31-13-1, et seq. of the Code of Alabama (Alabama Immigration Law) imposes conditions on the award of state contracts. Firms must agree to fully comply with the Immigration Reform and Control Act of 1986, as amended by the Immigration Act of 1990, and the Beason-Hammon Alabama Taxpayer and Citizen Protection Act. Architects and engineers should review and adhere to these guidelines as appropriate to their project type.

§41-16-5 of the Code of Alabama imposes conditions on the award of state contracts. The firm must certify that it is not currently engaged in, and will not engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which this state can enjoy open trade. In compliance with Ala. Act No. 2023-409, by signing this Agreement, the COMMISSION provides written verification that the COMMISSION, without violating controlling law or regulation, does not and will not, during the term of the contract engage in economic boycotts as the term “economic boycott” is defined in Section 1 of the Act.

NOTE: ANY ENTITY OR ENTITIES SELECTED PURSUANT TO THIS RFQ MAY BE DISQUALIFIED FROM CONSIDERATION AS TO ANY FUTURE SOLICITATIONS ASSOCIATED WITH PERFORMANCE OF DWH FUNDED PROJECT-SPECIFIC WORK.

This Request for Qualifications is not an offer to contract but seeks the submission of qualifications from qualified, professional respondents that may form the basis for the negotiation of an agreement. ADCNR as the Awarding Authority/Owner reserves the right to reject any or all qualifications and to solicit additional qualifications, through the RFQ process, if that is determined to be in the best interests of the State of Alabama.