

*REQUEST FOR QUALIFICATIONS*

*To Perform Environmental Assessments, Prepare Cleanup Plans, and other Services under  
EPA Award BF-01F95601-0*



**Project Title: Brownfield Environmental Services: FY 2021 - 2024**

*RFQ Number: 211201*

*Firm Name: \_\_\_\_\_*

*Proposal Receipt Date: \_\_\_\_\_*

*Proposal Receipt Time: \_\_\_\_\_*

*Jefferson Parish Economic Development Commission  
700 Churchill Parkway  
Avondale, LA 70094*

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ATTACHMENTS (can be downloaded at <http://www.jedco.org/public-notifications/>)

Attachment A: JEDCO Brownfield RFQ Response Form

Attachment B: JEDCO Brownfield RFQ Response Fee Estimates

Attachment C: Required Affidavits

**Jefferson Parish Economic Development Commission (JEDCO)  
Brownfield Redevelopment  
Request for Qualifications (RFQ)**

**Project Title: Brownfield Environmental Services: FY 2021 - 2024  
JEDCO RFQ Number: 211201**

**Site Location:** Sites to be determined; sites may be located anywhere within Jefferson Parish, but will be primarily focused in unincorporated Jefferson Parish (Avondale, Bridge City, and Marrero) and parts of incorporated City of Westwego.

**RFQ Submission Deadline:**

Qualification statements are to be identified by JEDCO Project Title and Project Number and arrive no later than **4:00 PM Central Time on Monday, January 10, 2022**, by hand or by mail only, and addressed as follows:

Jefferson Parish Economic Development Commission  
ATTN: Annalisa Kelly  
700 Churchill Pkwy  
Avondale, LA 70094  
Email: [brownfields@jedco.org](mailto:brownfields@jedco.org)

Additional information on the submission package is included in Section 5.0 below. Responses that do not include all the requested information will be automatically withdrawn from consideration. It is the responsibility of the responder to confirm that the completed submission packet was received by JEDCO before the RFQ response deadline.

**1.0 Introduction**

A Brownfield is a property that the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Through its commitment to economic development and revitalization, through a grant from the US Environmental Protection Agency's (EPA's) Brownfield and Land Revitalization Program, the Jefferson Parish Economic Development Commission (JEDCO) will facilitate the redevelopment of Brownfield sites in Jefferson Parish by providing environmental assessments, cleanup plans and technical assistance. To accomplish this mission, JEDCO is soliciting qualification statements from experienced, qualified environmental firms to perform environmental assessments, prepare cleanup plans, and other environmental services that assist in the successful redevelopment of Brownfield properties in the targeted area of this EPA award. Under this RFQ, JEDCO seeks to establish a "continuing contract" with as many as three (3) qualified environmental firms to conduct environmental activities at Brownfield sites under JEDCO's FY2021-2024 Brownfield Assessment Coalition Grant.

Brownfield sites are enrolled into JEDCO's Brownfield Redevelopment Program by a Site Applicant, which can be the site owner, a person or organization interested in redeveloping the site, or a municipality interested in preparing the site for redevelopment. References in the RFQ to the Site Applicant reflect this person/entity.

The successful firm(s) will be responsible for completing the work described in Section 10. JEDCO is soliciting qualifications from firms with experience in:

- Conducting Phase I environmental site assessments (ESAs) in Louisiana according to EPA’s All Appropriate Inquiry (AAI) standard and ASTM E1527-13;
- Conducting Phase II ESAs according to the most current version of ASTM E1903 that also meet the requirements of Louisiana Department of Environmental Quality’s (LDEQ’s) Risk Evaluation/ Corrective Action Program (RECAP) and Voluntary Remediation Program (VRP);
- Preparing EPA-compliant Quality Assurance Project Plans (QAPPs) as required for projects funded by EPA that involve data collection; and
- Developing cleanup plans and EPA-related documents for Brownfield sites with LDEQ oversight under both LDEQ RECAP and VRP.

The total number of assessments/ cleanup plans will depend on:

- The total number and size of sites enrolled in JEDCO’s Brownfield Redevelopment Program under JEDCO’s FY2021-2024 Brownfield Assessment Coalition Grant;
- The level of assessment those sites require; and
- The total funding available as the grant progresses.

Up to three (3) firms will be selected under this RFQ. JEDCO will issue work orders for specific sites/ activities to selected firms based on current workload and experience applicable to the work scope and/ or site. The selected firm(s) will be required to review official documents of the JEDCO Brownfield Redevelopment Program, including JEDCO’s applicable Brownfield Cooperative Agreement with EPA including the terms and conditions and approved Quality Management Plan, to ensure work performed meets EPA requirements.

A Notice to Proceed (NTP) will be issued for each assessment/cleanup plan under the contracts awarded from this RFQ with the specific site location, site contact, and a copy of the site access agreement. A separate NTP may be issued for general consulting services related to reviewing site conditions and information and for attending project meetings for potential Brownfield sites not yet enrolled in JEDCO’s Brownfield Program.

No minimum or maximum amount of work is guaranteed under any contract resulting from this solicitation. JEDCO reserves the right to decide which of the selected firm(s) will be chosen to provide any tasks ordered under the continuing contract.

## 2.0 Schedule of Events

Item	Anticipated Schedule
RFQ released/publicized	December 1, 2021
Deadline to receive written inquiries	December 22, 2021
Deadline for JEDCO to respond to written inquiries	December 30, 2021
<b>RFQ Response Deadline</b>	<b>4:00 PM CT January 10, 2022</b>
Notification of selected firm(s)	By January 21, 2022
JEDCO Board approval of selection committee recommendation and contract(s)	February 17, 2022
Jefferson Parish Council approval of selection committee recommendation and contract(s)	March 23, 2022
Contract(s) Executed	By March 31, 2022

*Note: All times are Central Time. JEDCO reserves the right to deviate from these dates. Any deviation in the RFQ response deadline will be issued in an addendum.*

### **3.0 Contract Time Frame**

The contract project period is expected to commence by March 31, 2022, following JEDCO Board and Jefferson Parish Council authorization of contract execution. Work will commence as sites are enrolled in JEDCO's Brownfield Redevelopment Program. The contract will expire with the closeout of JEDCO's 2021-2024 Brownfield Assessment Coalition Award (EPA BF-01F95601-0; expected to be Sept. 30, 2024) or when the contractual budget for the grant is expended, whichever is sooner. Notices to Proceed will be issued during the contract period as eligible projects are enrolled in JEDCO's Brownfield Program and approved by EPA for Brownfield funding.

### **4.0 Budget**

The total contract amount will be negotiated per assessment based on the type of assessment, the investigation work plan, and the successful Firms' negotiated fee schedule. The total amount awarded to all firms selected under this funding will not exceed \$345,400.

Work orders will be issued during the contract period as eligible projects are enrolled in JEDCO's Brownfield Program and approved by EPA for Brownfield funding. Services will commence with the issuance of a work order/notice to proceed by JEDCO, authorizing the Firm to incur charges and naming the Project Coordinator. Prior to JEDCO issuing a notice to proceed for each project, the selected Firm will furnish a cost estimate for the proposed scope of work. Phase I environmental site assessments will be billed on a lump sum basis. Phase II ESAs and Cleanup Plans will be billed on a time and materials basis.

### **5.0 Qualification Statements / RFQ Response Requirements**

#### **5.1 What to Submit**

Firms interested in being considered for the contract described in this RFQ shall submit their qualifications on the forms provided by JEDCO in the following formats (all are required):

- **Electronic Copy** to be provided on a thumb drive:
  - 1) A **single** PDF file with the completed JEDCO Brownfield RFQ Response Form (Attachment A) which includes staff résumés, and relevant project experience;
  - 2) The JEDCO Brownfield Fee Estimate Excel Workbook (Attachment B) **with all four (4) tabs completed**:
    - A – Labor Categories
    - B – Analytical
    - C – Coring and Monitoring Wells
    - D – Equipment
  - 3) A scanned copy of the signed, notarized affidavits (Attachment C) as detailed in section 17.0 of this RFQ;
  - 4) A PDF file of a recent Phase I ESA report compiled by personnel who would work on projects under this RFQ as specified in the resume section of the RFQ response for a site located in Louisiana (reports that include appropriate PDF bookmarks as specified in this RFQ are preferred); **AND**

- 5) A PDF file of a Quality Assurance Project Plan (QAPP) in accordance with EPA's QAPP Guidance compiled by personnel that would work on projects under this RFQ as specified in the resume section of the RFQ response.

**AND**

- **Hard Copy:**
  - **One original signed and notarized hard (paper) copy and 7 photocopies** of the completed RFQ submittal package which includes:
    - JEDCO Brownfield RFQ Response Form (Attachment A) which includes staff résumés, and relevant project experience;
    - The JEDCO Brownfield Fee Estimate Excel Workbook (Attachment B) **with all four (4) tabs completed:**
      - A – Labor Categories
      - B – Analytical
      - C – Coring and Monitoring Wells
      - D – Equipment
    - Signed, notarized affidavits (Attachment C) as detailed in section 17.0 of this RFQ;
  - **One** hard (paper) copy of the sample Phase I ESA as specified above (does not need to include copies of LDEQ's Electronic Data Management System (EDMS) records or the full environmental database report (e.g. EDR report or equivalent)).
  - **One** hard (paper) copy of the sample QAPP as specified above.

*Please note JEDCO's purpose in requesting an example Phase I ESA is to review the readability of the document and its conformance with EPA's All Appropriate Inquiry and ASTM E1527-13. Submitting a Phase I assessment that is within the target areas is of no importance to the review.*

Forms for the above are posted on JEDCO's website <http://www.jedco.org/public-notifications/> or available by contacting JEDCO at: [brownfields@jedco.org](mailto:brownfields@jedco.org).

Submittals that do not meet the above criteria will be withdrawn from consideration. **JEDCO is not responsible for blank/unreadable thumb drives.** Firms are encouraged to submit early and confirm that JEDCO received the response and is able to open the documents with sufficient time to resubmit by the submittal deadline if necessary.

## **5.2 When and Where to Submit**

Qualification statements are to arrive no later than **4:00 PM Central Time on Monday, January 10<sup>th</sup>, 2022**, by hand or by mail addressed as follows:

Jefferson Parish Economic Development Commission  
ATTN: Annalisa Kelly  
700 Churchill Parkway  
Avondale, LA 70094  
Telephone: (504) 875-3908

All submittals are final as of the deadline for this RFQ; no submittal changes will be allowed after the RFQ deadline.

### 5.3 Verification of Submittal

JEDCO does not automatically provide verification of the date and time submittals are received. If firms desire such verification, they are instructed to email JEDCO at [brownfields@jedco.org](mailto:brownfields@jedco.org) prior to the deadline to verify the packet was received (if mailed or sent by 3rd party carrier) or bring a copy of the cover letter or other form when the packet is hand delivered for signature at the front desk. It is the firm's responsibility to confirm receipt with sufficient time to resubmit if necessary. JEDCO will only confirm that the packet has been received, not that it was completed correctly or completely. All submissions are due by the deadline noted in this RFQ.

### 5.4 Legibility/Clarity

Responses to this RFQ should include responses to all questions in as much detail as practical. The Submitter's response is to demonstrate an understanding of the requirements and that they have sufficient personnel with relevant experience. Responses should be prepared simply and economically, providing a straightforward, concise description of the Submitter's ability to meet the requirements of the RFQ. Each Submitter is solely responsible for the accuracy and completeness of its RFQ response.

### 5.5 Submission Requirements

**Submissions that do not include all of the following will be considered a non-response and will be automatically withdrawn from consideration:**

- JEDCO Brownfield Program RFQ Response Form fully completed which includes:
  - The name of the firm's **Environmental Professional** with documentation that verifies they meet EPA's AAI definition of an Environmental Professional; indicate their name under the Staffing Plan (Box 10) and Minimum Personnel Requirements (Box 11) with their experience that verifies they meet the AAI definition of an Environmental Professional in the resume section (Box 12).
  - The name of the designated **Quality Assurance Officer** who is separate from the personnel executing the project/ collecting data; indicate their name under the Staffing Plan (Box 10) and Minimum Personnel Requirements (Box 11) with their experience in developing EPA QAPPs in the resume section (Box 12). Documentation of attendance at an EPA Quality Assurance training preferred.
  - Minimum Personnel Requirements as specified in Section 5.6 of the RFQ.
  - Documentation of LELAP Certification for the laboratory who would conduct analysis of samples collected as described in this RFQ.
- Fee Estimate per the Excel file provided by JEDCO and described in Section 5.1 of this RFQ.

### 5.6 Minimum Personnel Requirements

The Minimum Personnel Requirements shall be addressed in Box 11 of the RFQ Response Form and include:

- Project Manager with relevant environmental assessment work experience (stated in their resume in Box 12), especially related to Brownfield projects and LDEQ RECAP and VRP projects.
- Environmental Professional that meets the definition per EPA's AAI with relevant degree(s)/ work experience stated in their resume in Box 12, (may be the same as the Project Manager but if so, this should be indicated in Box 11)
- Quality Assurance Project Officer familiar with EPA's Quality Assurance requirements. **Failure to include a Quality Assurance Project Officer will result in automatic disqualification and your RFQ response will not be considered.** Per EPA's requirements, the Quality Assurance Officer cannot be the same person as the Project Manager and must be separated from the personnel



collecting data as part of the project. Responses that do not indicate a QA Officer who is separate from the data collecting unit will be withdrawn from consideration. Responses that include a QA Project Officer who has attended EPA's QA training and includes the applicable certificates and/or demonstrate thorough knowledge of EPA's QA requirements in their sample QAPP will be scored more favorably. The resume of the Quality Assurance Officer should indicate experience with **EPA's Quality Assurance Program**.

- As some of the projects may include lead and/or asbestos surveys and/or UST removal, note LDEQ-certified lead inspector(s), LDEQ-Certified asbestos inspector(s) and UST worker(s) with certification numbers in Box 11 (either in-house or sub-consultants) and related work experience (Box 12). If using a subconsultant, it is adequate to include the firm's name and experience and include a resume for the FIRM along with the name of at least one of their personnel that has the applicable certification and their certification number. It is not necessary to attach copies of applicable certificates as long as the certification number is provided. JEDCO reserves the right to check LDEQ's certification database to ensure compliance.
- LELAP-accredited Laboratory: State the name of the Laboratory and include a copy of their LELAP accreditation certificate. No resume is required in Box 12 for the laboratory.
- Driller Company: State the name of the drilling company and applicable certification numbers in Box 11.

Please note that these are the minimum requirements to be included in order to be considered for this contract. In addition to the resumes of those listed under the Minimum Personnel Requirements, Respondents are to include all staff who would work on projects under this contract in Box 12 of the RFQ Response Form.

## 5.7 Resumes

Resume information provided in Box 12 of the RFQ Response Form shall be **concise** and **relate directly** to the scope of work. Please note that this scope of work is for environmental assessments and cleanup planning under JEDCO's Brownfield Program. Experience and qualifications relevant to the proposed project should note applicable dates and the role of the person in the project. A list of projects that do not note the person's specific role and responsibilities in executing the project will not be scored favorably. The resumes should include information on the person's involvement in each project that demonstrates clear familiarity with the scope of work listed in this RFQ is preferred.

For LDEQ-certified lead/ asbestos inspectors and/or UST workers: include the applicable information in Box 12 of the RFQ Response Form including their applicable certification numbers in 12e. If using a subconsultant, it is adequate to include the firm's name and experience with the resume of at least of their personnel that meets the applicable requirement.

Include resumes for Drillers by FIRM as follows:

- a. Name of Prime Contact, Title
- b. Name of firm by which employed full time and office location
- c. Years of experience - Indicate the years the firm has been in business under "With this Firm"
- d. Education: Degree(s) / Years / Specialization – Indicate the applicable specializations of the firm
- e. Active Registration/ License – Indicate any applicable firm registrations/ licenses (e.g. Contractor license, Asbestos, etc.) in the applicable areas
- f. Project Roles/Responsibilities (Brief Description) – Describe the role of drillers and what aspects of the work they will be performing (e.g. if they are only drillers or if they also have the appropriate personnel to collect samples)

- g. Experience and qualifications relevant to the proposed project – Include the firm’s relevant experience, with experience with Brownfield or EPA-funded projects preferred.

Resumes for laboratories are not required. Instead, attach verification of their LELAP certification to the response.

### **5.8 Database Compilation Companies**

For purposes of the RFQ response, database reporting/compilation companies (e.g. EDR) do not constitute subconsultants. It is not necessary to include information on such a company under the staffing plan or include a resume from said company in the RFQ response.

### **5.9 Additional Information**

Only information provided in the required forms will be considered during the RFQ submission review process. Additional information provided in ancillary documents (e.g. a cover letter) will not be included in the review and scoring process. JEDCO may contact Owners/Agencies listed in Box 13 of the response form to solicit information on the firm’s performance.

### **5.10 Withdrawal of RFQ Response**

A responder may withdraw their response to this RFQ. To accomplish this, a written request signed by the authorized representative of the responding entity must be submitted in writing to Annalisa Kelly either via email with read receipt to [brownfields@jedco.org](mailto:brownfields@jedco.org) or via mail: Jefferson Parish Economic Development Commission, Attn: Annalisa Kelly, 700 Churchill Parkway, Avondale, LA 70094. The request must be received prior to **4:00 PM Central Time on January 10, 2022**.

### **5.11 Cost of Preparation**

JEDCO is not liable for any costs incurred by prospective Firms prior to issuance of or entering into a Contract. Costs associated with developing the RFQ response and any other expenses incurred by the prospective Firm in responding to this RFQ are entirely the responsibility of the prospective Firm and shall not be reimbursed in any manner by JEDCO.

## **6.0 RFQ Clarifications Prior to Submittal**

Requests for clarification of this RFQ shall be directed in writing to:

- Annalisa Kelly, Director of Strategic Initiatives & Policy: [brownfields@jedco.org](mailto:brownfields@jedco.org)

Only **written** requests for clarification received via email by the question deadline as specified in Section 2 of this RFQ will receive a response. Any requests for clarification received via phone, in person or by any other means other than specified above will not receive a response.

Requests for clarification and the related responses as well as any updates to the RFQ will be posted on JEDCO’s website at <http://www.jedco.org/public-notifications/>. JEDCO is not obligated to issue a notice when requests for clarification and the related responses are posted; it is the responsibility of the potential respondents to check for this information.

## **7.0 Amendments to the RFQ**

If necessary, JEDCO reserves the right to amend this RFQ during the response time. If a substantial amendment is made within 5 days of the submission deadline, JEDCO may extend the deadline to allow for a minimum of 5 days from when the amendment is posted to the submission deadline. RFQ amendments will be posted on JEDCO's website: <http://www.jedco.org/public-notifications/>. JEDCO will also send out a notification via email to those who have asked to be included on JEDCO's contact notification list. To receive an email when RFQ amendments are posted, send your company's contact information to [brownfields@jedco.org](mailto:brownfields@jedco.org) and indicate that you would like to be placed on the Brownfield RFQ notification list.

## **8.0 Selection Process**

JEDCO reviews each RFQ response for completeness and adherence to the required submission information. Any submissions that do not meet all the criteria required for review as specified in this RFQ are withdrawn from further consideration. The selection committee, comprised of representatives from JEDCO, Jefferson Parish, City of Westwego, Regional Planning Commission, and the Louisiana Department of Environmental Quality, then reviews the RFQ submittals and scores them in accordance with JEDCO's scoring criteria (see attached). The winning firm(s) will be notified by Jan. 21, 2022, and contract(s) will then be brought to both the JEDCO Board of Commissioners or its Executive Committee and the Jefferson Parish Council for authorization prior to execution.

In accordance with JEDCO's Brownfield RFQ criteria ranking (see attached), the significant evaluation factors used in selecting a firm include:

- Experience, both firm and individual *(24 points)*
  - Firm's demonstrated experience in performing like or comparable work *(12 points)*.
  - Demonstrated experience of key staff in performing like or comparable work *(12 points)*.
- Past Performance *(20 points)*
  - Proven ability to perform quality work as a contractor on time and on budget on previous comparable projects. JEDCO may contact former clients to discuss performance.
- Current Work Load *(12 points)*
  - Assessment of the ability of firm to undertake and successfully complete the work required in a timely and professional manner in addition to the other work in process of the firm.
- Firm Size Relative to Magnitude of Work *(12 points)*
  - Assessment of the firm's capability to successfully complete, in a timely and professional manner, all work required in view of the level of staffing and assets of the firm relative to the level of staffing and assets required to do all work required.
- Responsiveness to Scope of Work *(32 points)*
  - Assessment of the consultant's proposal to complete the tasks described in the work scope, demonstrating an ability to achieve the objectives of the scope within a realistic work schedule.
- Appropriateness of Proposed Budget *(10 points)*
  - Reasonableness of the proposed budget and determination as to whether the proposed budget is realistic given the proposed scope of work.
- Other *(2 points)*

- One point if women-owned business. One point if a minority-owned business.
- Total Possible Points: 112

Costs submitted with the RFQ response on the Fee Estimate Spreadsheets will be reviewed to ensure they are reasonable for the work being performed within the State of Louisiana. While the majority of points will be awarded based on qualifications, Fee Estimates that vary significantly from reasonable costs for similar environmental services in Louisiana will receive lower scores under the Experience criteria.

RFQ responses shall be evaluated based solely on the information provided in the response except for the prior work conducted for JEDCO and/or similar work performed. JEDCO reserves the right to contact any of the contacts listed in the RFQ response related to past performance of similar work for feedback related to the ranking criteria. JEDCO will contact the Owners/ Project Managers listed in the RFQ response in the “Firm’s most relevant project experience” section (Box 13 of the RFQ Response Form) for their input and recommendation. This information will then be factored into the score for “Past Performance.” Please note that due to the additional requirements of projects funded through EPA, environmental assessments conducted using EPA Brownfield funding are preferred and will be scored more favorably.

Failure to submit all of the information required on the JEDCO Brownfield RFQ Response Form for the prime and each subconsultant will constitute a non-response and the response will be withdrawn. Failure to submit the information in both hard copy and in electronic form as specified in Section 5 of this RFQ will constitute a non-response and the RFQ response will be withdrawn.

## **9.0 Contract Negotiations**

If for any reason a Firm selected by the JEDCO Board in response to this RFQ does not agree to a contract, does not meet JEDCO’s Firm requirements, or is otherwise unable to perform the services described in this RFQ, that RFQ response shall be rejected, and JEDCO may negotiate with the next most responsive Firm. Negotiation may include revision of non-mandatory terms, conditions, and requirements. Negotiation shall also allow price reductions. The final contract form shall be reviewed and executed by both JEDCO and the selected Firm prior to issuance of a notice to proceed.

## **10.0 Work Description**

The selected Firm(s) shall provide the methods and resources (including, but not limited to, personnel, supervision, materials, supplies, computers, equipment, transportation, meals, lodging, the resources of an LDEQ-accredited laboratory, and subcontractors) necessary to perform the tasks described in the Statement of Work including environmental assessment and cleanup planning for sites enrolled in JEDCO’s Brownfield Redevelopment Program.

### **10.1 Target Area**

The target area for the grant funding is Census Tracts 282 & 269, which include both unincorporated Jefferson Parish (portions of Avondale, Bridge City, Marrero) and a portion of incorporated Westwego. With prior approval by the EPA, the work may also be performed in other areas of Jefferson Parish outside this targeted area.

### **10.2 Most Current Standards**

All work will be performed to meet the most current applicable EPA requirements and ASTM standards at the time the work is conducted.

### 10.3 Commencement Conference

A Commencement Meeting shall be held between the selected Firms' key personnel and JEDCO's Project Officer to discuss the services to be performed and answer any questions regarding the contract. In addition, a Project Commencement Meeting may be held for each project with the selected Firm, JEDCO's Project Officer and the appropriate project contacts. The meetings shall be held at JEDCO's Offices, a location near or at the site, or via remote conference.

### 10.4 Scope of Work to be Performed

The Scope of Work to be performed by the selected Firm may include any of the activities described below and will be determined by the specific notices to proceed issued under the contract awarded as a result of this RFQ. The information below is provided as a general overview of services. The exact scope will be determined on a site-by-site basis and included in each notice to proceed.

#### 10.4.1 Phase I Environmental Site Assessments/ All Appropriate Inquiries

The selected Firm shall conduct Phase I ESAs which comply with EPA's **All Appropriate Inquiries (AAI) Final Rule** identified in 40 CFR Part 312, November 1, 2005, and ASTM Standard E1527-13 (or the most recent version at the time of execution), *Standard Practice for Environmental Site Assessments, Phase I Environmental Site Assessment Process*. Each Phase I ESA must be a stand-alone document that meets all the requirements for an Innocent Landowner and/or Bona Fide Prospective Purchaser liability defense (as applicable to the project and Site Applicant) under EPA's AAI standards.

The reason for the performance of the Phase I Environmental Site Assessment (refer to Section 6.7 of the ASTM Standard and 40 CFR§312.1 of AAI) is:

- a. To facilitate the acquisition of the subject property by an innocent landowner, contiguous property owner, or bona-fide prospective purchaser, as defined by Public Law (PL) 107-118;
- b. To serve as AAI as defined by PL 107-118;
- c. To define potential sources or the potential presence of any hazardous substance, pollutant, or contaminant that may complicate the expansion, redevelopment, or reuse of the subject site; and
- d. To define any continuing or threatened future releases of hazardous substances at the subject site.

Phase I ESAs shall include, but are not limited to, the following, to the extent necessary to achieve the objectives and performance factors:

- Interviews with past and present owners, operators, and occupants as well as, in the case of abandoned properties, occupants or owners or neighboring or nearby properties from which it appears possible to have observed uses of or releases at such abandoned properties;
- Interviews with Report "Users" (per ASTM 1527-13) including both JEDCO and the Site Applicant (potential funders may also be included);
- Reviews of historical sources of information;
- Searches for recorded environmental liens;
- Review of Federal, State, Tribal and local government records. In addition to the minimum requirements of ASTM E1527-13 and AAI, the Government Records Review shall include a review of LDEQ's Electronic Data Management System (EDMS) to attempt to identify if an Agency Interest (AI) identification number (or numbers) has been assigned to any part of the subject property. The use of wild card searches in the AI Lookup module is strongly encouraged; the methods performed and the results of the research (screen shots) shall be discussed and included in the

final report. If an AI number(s) exists, the records shall be briefly reviewed as part of the Government Records Review and findings discussed in the final report;

- Visual inspections of the facility and adjoining properties;
- The relationship of the purchase price to the value of the property, if the property were not contaminated;
- An evaluation of vapor migrations per ASTM E2600-15;
- Commonly known or reasonably ascertainable information about the property;
- The degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation;
- If recognized environmental concerns are identified, specific recommendations for additional assessment activities and a cost estimate for those activities, including location and number of borings, monitoring wells, and other samples to be collected with proposed analytical methods. This may be provided as an appendix to the report that includes, at a minimum, an annotated map with a table that provides the proposed analytical methods for each sample location and the justification/basis for the location and method;
- Comment on the necessity of further research into any of the listed Non-Scope Considerations to adequately assess the business risks associated with acquisition and development of the subject property. The discussion of business risks shall include a comment, as appropriate, on the measures that may be required by a future owner to prevent or limit human, environmental, or natural resource exposure to known or suspected substances, pollutants, or contaminants;
- In addition to the scope of work outline in ASTM 1527-13, Phase I shall consider lead and asbestos contamination based on the history of the site and a visual survey during the site inspection;
- Review of the Louisiana Department of Transportation and Development (LaDOTD) registered water well database within a one-mile radius of the subject site. A discussion of the findings should include any discrepancies in the accuracy of state records (regulatory data review) of sites with environmental investigations as identified by registered monitoring or recovery wells and a discussion of the use of groundwater in the area of the site, as evidenced by the registered wells and their designated use;
- In addition to the minimum requirements of ASTM E1527-13 and AAI, the final report must include a review and general discussion of the general hydrology, specifically as it may relate to on-site and off-site migration of suspected impacts.

The selected Firm shall provide an EDR<sup>®</sup> report (or approved equivalent). Aerial photographs and Sanborn maps will be provided in a format as to allow JEDCO to zoom in on the site and the surrounding parcels to ascertain relevant information (e.g. high resolutions electronic copies of the documents).

The selected Firm will also be responsible for the items listed as “User’s Responsibilities” in the ASTM E1527-13 standard, specifically:

- Title and Judicial Records for Environmental Liens and Activity and Use Limitations (AULs); and
- Commonly Known or Reasonably Ascertainable Information (beyond what is provided by the Site Applicant).

The Site Applicant requesting the Phase I ESA will be responsible for providing:

- Specialized Knowledge;
- Reason for Significantly Lower Purchase Price;
- Commonly Known or Reasonably Ascertainable Information;
- Owner, Property Manager, and Occupant Information; and
- Reason for Performing Phase I ESA.

The minimum search distances defined in ASTM E1527-13 and AAI must consider the size of the subject property and ensure that the distances searched are measured from the limits of the subject property.

The requirements for supporting documentation (ASTM E1527-13, Section 8.1.9) should be interpreted as to include copies of all relevant information sources as Attachments or Appendices to the final report, e.g. regulatory records documentation; environmental database report; site map/plan; vicinity maps; site photographs; historical source documentation (building department records, local street records, chain of title documents, property tax records, zoning/land use records, aerial photos, fire insurance maps, USGS topographical maps); and interview documentation. Geospatial records (i.e. maps or aerial photographs) shall include an annotation, hand drawn is acceptable, to identify the approximate boundaries and location of the site on each map or aerial photograph which will be evident in both the electronic and printed format.

The reliance upon third party information (ASTM E1527-13 Section 7.5.2.1) should be interpreted as requiring the Environmental Professional to verify (to the extent reasonably ascertainable) the actual locations of sites identified during the regulatory records review (ASTM E1527-13 Sections 8.2.1 & 8.2.2). Supporting regulatory data should be corrected on the regulatory database reports (i.e. radius maps) to show accurate locations of adjacent plotted sites.

Per EPA requirements for Phase I ESA performed using funding from EPA's Brownfield and Land Revitalization Program, the Phase I ESA Report will include (see [EPA All Appropriate Inquiries: Reporting Requirements – Checklist for Assessment Grant Recipients](#) for more information):

- An **opinion** as to whether inquiry has identified conditions indicative of releases or threatened releases of hazardous substances, and as applicable, pollutants and contaminants, petroleum or petroleum products, or controlled substances, on, at, in or to the subject property.
- An **identification of "significant" data gaps** (as defined in Section 312.10 of AAI Final Rule and Section 12.7 of ASTM E1527-13), if any, in the information collected for the inquiry, as well as comments regarding the significance of these data gaps. Significant data gaps including missing and unattainable information that affects the ability of the Environmental Professional to identify conditions indicative of releases or threatened releases of hazardous substances, and as applicable, pollutants and contaminants, petroleum or petroleum products, or controlled substances, on, at, in or to the subject property.
- **Qualifications and signature** of the Environmental Professional(s) per AAI.
- An opinion regarding **additional appropriate investigation**, if warranted based on the results of the Phase I ESA.

Upon receipt and review of all relevant information (as determined by the Environmental Professional) and prior to the submission of the draft report, the Environmental Professional shall verbally discuss the findings in person or via teleconference with JEDCO.

The selected Firm shall submit a Draft Phase I ESA Report to JEDCO's Brownfield Program for review and comment. The selected Firm shall finalize the Phase I ESA Report in accordance with comments received and ASTM E1527-13. The report will be signed by an Environmental Professional that meets EPA's definition per AAI. A minimum of one (1) hard copy and one electronic copy (one PDF of the entire report from cover to cover **with appropriate PDF bookmarks for text sections and each appendix**) of the Phase I ESA Report will be submitted to JEDCO (actual number will be indicated in writing by JEDCO when the report is finalized).

**Time Frame for Phase I ESAs:** Submit draft report within 4 weeks of initial notice to proceed. Respond to JEDCO comments within 10 working days.

**Deliverables:** Hard and electronic copies of the Phase I ESA Report and site photographs as separate files in JPG or equivalent format

*This task is complete when JEDCO approves the Phase I ESA report and JEDCO receives the deliverables as stated above.*

#### 10.4.2 Phase II ESAs

Phase II ESAs will meet the requirements for an LDEQ RECAP investigation and generally follow ASTM Standard E1903-11: *Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process*. In addition, at the discretion of JEDCO and the Site Applicant, some sites may be entered into LDEQ's VRP. Firms submitting qualification statements should be familiar and demonstrate experience with both processes. For each Phase II ESA the selected Firm will perform the following tasks:

##### Task 1: Investigation Work Plan Preparation

- Review and interpret relevant and existing data/reports, including any Phase I environmental site assessments for the property.
- Perform site reconnaissance by inspecting the site, preparing sketches, maps and photographs, verifying potential sampling locations and conducting interviews.
- Upon completion of the review of existing reports and site reconnaissance, if not already prepared, submit a proposed sampling strategy including, at a minimum, the proposed location and number of borings, monitoring wells, and other samples to be collected with proposed analytical methods. This should be provided formally in excel (at a minimum) and GIS format (if available) and should include X, Y coordinates, and include, an annotated map showing sampling locations on a site map with a table that provides the proposed analytical methods for each sample location and the justification/basis for the location and method.
- Meet with JEDCO, the site contact and Site Applicant to review site boundaries and the goals of the project. At this meeting, the selected Firm will present a draft proposed sampling plan for the Phase II environmental site assessment for both a traditional RECAP investigation and a VRP investigation. At this meeting or shortly thereafter, JEDCO and the Site Applicant will determine if the site will be a traditional RECAP investigation or a VRP investigation.
- Based on the initial meeting, prepare an investigation work plan which details soil and groundwater samples to be collected to determine if contamination is present at the site and if so, the nature and extent of contamination. **This will include collecting sufficient data to classify the groundwater and determine groundwater flow direction, and placing the wells below first encountered groundwater to ensure adequate recovery.** If the site is entered into LDEQ's VRP, this task will also include preparation of the VRP investigation application and Cost Waiver form (if applicable) for Site Applicant's signature. The selected Firm will be responsible for addressing all JEDCO and LDEQ comments. The work plan will clearly state:
  - Site history
  - Detailed Sampling Plan including:
    - Proposed field activities and sampling rationale;
    - Sample locations, including depth of borings, sampling intervals and selection process for samples to be analyzed by the laboratory;
    - Sampling procedures;



- Parameters to be analyzed; and
- Disposal of investigation derived wastes (IDW).
- Anticipated schedule for executing the Phase II ESA
- Prepare detailed cost estimate to execute the Phase II investigation as outlined in the work plan. The cost estimate will include estimates for comparing the data to LDEQ Limiting Screening Standards as well as evaluating the data under LDEQ Management Option (MO)-1 and MO-2.

**Timeframe:** Review materials and perform site reconnaissance within 3 weeks of receiving the notice to proceed; Meet with JEDCO and site contacts within 4 weeks of receiving notice to proceed; submit draft work plan to JEDCO within 2 weeks of meeting; respond to JEDCO comments within 2 weeks. *This task may be incorporated with the preparation of the Quality Assurance Project Plan.*

**Deliverables:** Work Plan and cost estimate for implementation

*This task is complete when JEDCO approves the non-VRP work plan or LDEQ approves the VRP investigation work plan; and JEDCO approves the cost estimate.*

**Task 2: Quality Assurance Project Plan and Site-Specific Health and Safety Plan**

- Prepare an EPA-approved Quality Assurance Project Plan (QAPP) and complete EPA’s QAPP Guidance checklist for **all data collection activities** to be conducted as part of the investigation. The selected Firm must sign the QAPP as the Project Manager **and** as the Quality Assurance Officer. The selected Firm will prepare a standalone QAPP that follows, in order, EPA’s QAPP Guidance checklist along with a completed QAPP checklist, or for VRP sites, opt to complete the QAPP checklist noting where each line item can be found in the VRP investigation work plan. The selected Firm will be responsible for addressing all JEDCO and EPA comments. **NO PHASE II ACTIVITIES INVOLVING DATA COLLECTION SHALL COMMENCE PRIOR TO EPA’S APPROVAL OF THE QAPP.**
- Prepare a site-specific Health and Safety Plan (HASP).

**Timeframe:** Submit draft QAPP to JEDCO within 2 weeks of work plan approval; respond to JEDCO/EPA comments within 2 weeks. QAPP preparation may be incorporated with the preparation of the Work Plan. Submit HASP to JEDCO within 4 weeks of work plan approval.

**Deliverables:** QAPP and HASP

*This task is complete when EPA approves the QAPP and JEDCO receives the final HASP.*

**Task 3: Investigation Implementation & Report Preparation**

- Implement the investigation work plan for the site. The selected Firm shall conduct field sampling activities and/or drilling/coring activities necessary to collect, preserve, label, package and deliver samples to be analyzed by an LDEQ-accredited laboratory (this may include site preparation as necessary); and prepare all documents relevant to sample submission. The selected Firm shall provide all sample containers, supplies, chemical preservatives and all supplies and equipment necessary to conduct soil, groundwater, and air sampling as required. The selected Firm will be required to obtain all necessary permits and take the appropriate steps to identify any underground utilities at the site prior to starting drilling activities.
- Locate utilities.
- Notify JEDCO, the Site Applicant, the site owner and, if applicable, LDEQ, at least seven (7) days prior to the initiation of field work.

- Provide all equipment necessary to perform assessment activities as applicable to the investigation.
- When sampling activities are completed, remove the equipment and plug and abandon any and all borehole(s) in accordance with the LaDOTD/LDEQ Handbook (see Section 14.0).
- Decontaminate equipment following the decontamination procedures listed in the approved work plan and EPA standards.
- If the equipment used to install the sampling point generates IDW, properly containerize the IDW and handle it according to the Work Plan section on IDW. The selected Firm shall dispose of all IDW at an approved, permitted facility and will furnish all manifest forms or bills of lading necessary for the disposal of waste materials to JEDCO's Project Officer. The selected Firm shall drum all decontamination and purge water. The selected Firm may be authorized by JEDCO to sign manifests, if determined necessary. The selected Firm will be responsible for characterizing and profiling all wastes. The disposal facility must be approved by JEDCO's Project Officer during initial or supplemental work order negotiations.
- Analyze the samples collected during the investigation. Samples shall be analyzed by a Louisiana Environmental Laboratory Accreditation Program (LELAP)-certified laboratory capable of providing the required analyses and methods, including geotechnical analyses. The selected Firm shall promptly notify JEDCO if laboratory-related problems cause a schedule delay. Additionally, they will notify JEDCO's Project Officer in writing to take corrective action as necessary. JEDCO will not pay for costs associated with laboratory or firm errors. All laboratory analyses required for this contract will be performed by an LDEQ-Accredited Laboratory (LAC 33:I. 4501 through 5701). Other certification [e.g. American Association of State Highway and Transportation (AASHTO) certification and US Army Corps of Engineers (USACE)] **cannot** be substituted for LELAP certification; however labs with other accreditations can apply to LDEQ to be accredited under LELAP. Information regarding the LELAP can be found at: <https://deq.louisiana.gov/page/la-lab-accreditation>.
- Prepare a RECAP investigation report/VRP report as applicable and submit it to JEDCO for review and comment. RECAP Assessment reports shall be prepared in accordance with LDEQ's RECAP Document, specifically Appendix B. VRP reports will comply with LDEQ's VRP regulations. The report will summarize what sampling was conducted, how it was conducted and the results of the investigation including an analysis of the laboratory data. It will also include at a minimum signed boring logs for all sampling locations, a map **to scale** of sampling locations with north arrow noted, photos of the investigation with descriptions, analytical laboratory reports and summary tables. If the site is enrolled in the VRP, the selected Firm will submit the complete VRP package to JEDCO for submittal to LDEQ or submit it to LDEQ directly if directed by JEDCO **in writing**.

The Firm's Environmental Professional shall be on-site during all field work. The Environmental Professional will conduct any necessary sampling and coordinate any necessary disposal of generated fluids, drill cuttings, etc. Field documentation will include Chain of Custody documentation, Sampling Collections Logs, Daily Field Logs, and photographic documentation.

For soil sampling, unless otherwise directed by JEDCO, the selected Firm shall (as described in the work plan and QAPP):

- [1] Measure and record the location of each boring to plus or minus ( $\pm$ ) 0.1 foot;
- [2] Prepare boring logs identifying soil types, lithology, organic vapor measurement data, secondary soil features and visual and olfactory observations;
- [3] Record logs using the Unified Soil Classification System (ASTM D2487);
- [4] Collect soil cores using a direct push soil sampling device with a new clean liner;
- [5] Measure and record the depth at which groundwater is first encountered;
- [6] Develop temporary wells;

- [7] Gauge the temporary well for final water level measurement;
- [8] Collect soil and/or groundwater samples per the sampling work plan; and
- [9] Plug all borings with bentonite/cement grout.

For monitoring well installation, unless otherwise directed by JEDCO, the selected Firm shall (per the work plan and QAPP):

- [1] Measure and record the location of each boring location to plus or minus ( $\pm$ ) 0.1 foot;
- [2] Measure and record the surface elevation of the monitoring well to plus or minus ( $\pm$ ) 0.1 foot according to the North American Vertical Datum (NAVD);
- [3] Prepare boring logs identifying soil types, lithology, secondary soil features and the presence of contamination;
- [4] Record logs using the Unified Soil Classification System (ASTM D2487);
- [5] Collect soil cores using a split spoon sampler or Shelby tube;
- [6] Measure and record the depth at which groundwater is first encountered;
- [7] Install surface completion (standard or flush mount);
- [8] Develop the well;
- [9] Gauge the well for final water level measurement;
- [10] Collect soil and/or groundwater samples per the sampling work plan;
- [11] Register each well per State regulations; and
- [12] Plug and abandon all wells at the conclusion of the investigation unless otherwise directed by LDEQ or JEDCO.

In addition to soil and groundwater sampling, Phase II investigations may include:

- Removal of Underground Storage Tanks in accordance with LDEQ regulations
- Sampling for lead-based paint
- Sampling for asbestos-containing materials
- Mold survey or inspections
- Other environmental activities to help facilitate the reuse of the site
- A Meeting with LDEQ to go over any questions or comments

Upon receipt and review of all relevant information (as determined by the Firm's Environmental Professional) and prior to the submission of the draft report, the Environmental Professional shall verbally discuss the findings in person or via teleconference with JEDCO, including but not limited to, if additional analysis of the data under one of LDEQ's management options is advised.

It is expected that the Firm's Environmental Professional will, with reasonable assumptions, be able to adequately document in the final report at the completion of the work that either:

- a. Sufficient environmental investigations have been conducted to determine that there is no further suspicion of an environmental condition requiring remediation or other further action; or
- b. The environmental investigations have found concentrations that exceed RECAP Screening Standards, and the Environmental Professional will provide detailed recommendations as to what additional investigations or analysis would be required to better understand and delineate any environmental risks to proposed development of the subject property or propose cleanup options to mitigate the risks involved with the elevated concentrations.

**Time Frame for Phase II ESAs:** Meet with JEDCO, LDEQ and Site Applicant within 2 weeks of notice to proceed. Implement work plan in a timely manner. Submit report to JEDCO within 20 working days of receiving laboratory analysis results. Respond to JEDCO comments within 10 working days.

**Deliverables:** Hard and electronic copies of the Phase II ESA report and photographs documenting the investigation in JPG or equivalent format

*This task is complete when JEDCO and EPA approve the non-VRP report or LDEQ and EPA approve the VRP investigation report and all deliverables including investigation photos are received.*

#### 10.4.3 Remedial Action Plan/Cleanup Plans

- Prepare a summary of remediation options and meet with LDEQ, JEDCO and the Site Applicant to discuss remediation alternatives. The Site Applicant and Site Owner will have the final say as to which appropriate remediation alternative(s) are chosen. The selected Firm will be encouraged to include green remediation options in their recommendations. RFQ submittals that show experience with green remediation options are preferred.
- Prepare a Remedial Action Plan (RAP) and a cost estimate for the remediation. If the site is enrolled in the VRP, prepare the VRP application, including developing the list of adjacent landowners, and LDEQ cost waiver form if applicable. The RAP will include scaled diagrams designating the areas to be treated, the locations and types of treatment equipment to be used and an estimate of cleanup cost options based on future uses and redevelopment plans.
- If Brownfield or other EPA funding is paying for the cleanup (in whole or in part), prepare a remediation QAPP for any data collection related to the remediation/mitigation and an Analysis of Brownfield Cleanup Alternatives (ABCA). The ABCA must meet EPA's requirements and include:
  - i. Information about the site and contamination issues (e.g., exposure pathways, identification of contaminant sources, etc.), cleanup standards, applicable laws, alternatives considered, and the proposed cleanup.
  - ii. An analysis of the effectiveness, implementability, reasonableness and the cost of each proposed cleanup alternative (including no action) as well as the resilience of each alternative to address potential adverse impacts caused by extreme weather events.
  - iii. A recommended option and rationale based on the analysis.
- Submit documents to JEDCO for review and comment. If the site is enrolled in the VRP, submit the completed VRP package to JEDCO for review and approval prior to submittal to LDEQ. JEDCO will submit the remediation QAPP and ABCA to EPA for review.
- Prepare and distribute public notice for the RAP per the applicable guidelines (e.g., VRP or EPA). If the site is entered into LDEQ's VRP, LDEQ requires a 30-day comment period as part of the RAP approval process with appropriate public notice for the preliminarily approved RAP. If applicable, as part of obtaining LDEQ approval of the RAP, the selected Firm will prepare the LDEQ-required public notice for posting in the newspaper as well as the informational flyer to be distributed to surrounding landowners. JEDCO will post the notice in at least one major periodical in accordance with LDEQ VRP guidelines. The selected Firm will be responsible for all costs associated with distributing the notice to adjacent landowners (e.g. staff time to hand deliver or cost of sending with certified return receipt). These costs are reimbursable with proper documentation.
- Prepare a detailed cost estimate to implement the cleanup alternative(s) selected by the Site Applicant. This may involve preparing separate cost estimates for portions of the site and/or to address different contaminants at different times to assist with the timing of implementing the cleanup and/or applying for cleanup funding.

**Timeframe for Cleanup Planning Services:** Meet with JEDCO, LDEQ and Site Applicant within 2 weeks of notice to proceed. Submit draft cleanup plan and related documents to JEDCO within 4 weeks of initial meeting with JEDCO, LDEQ and site contact. Respond to JEDCO comments within 2 weeks. Implement

public notice within 2 weeks of receiving approval of the Cleanup Plan. Prepare cost estimate within 2 weeks of finalizing the Cleanup Plan.

**Deliverables:** Hard and electronic copies of the Cleanup Plan, Public Notice, other Cleanup-Planning documents as listed in the Notice to Proceed; Cost Estimate

*This task is complete when JEDCO and EPA approve the non-VRP RAP or LDEQ and EPA approves the VRP RAP; EPA approves the remediation QAPP and ABCA; and JEDCO approves the cost estimate.*

#### 10.4.4 General Environmental Consulting Services

The selected Firm may be asked to perform general tasks to assist others in the assessment and/or redevelopment of a Brownfield site within JEDCO's Brownfield Program's region such as:

- Prepare presentations and/or participate in meetings with stakeholders.
- Perform windshield surveys and/or desktop evaluations of specific properties or defined areas of multiple properties.
- Review existing environmental documents and prepare summaries and recommendations.

#### 10.4.5 Attending Public Meetings

The selected Firm shall attend public meetings as directed by JEDCO to answer questions from the community and local officials regarding assessments and cleanup planning activities performed under the contract awarded from this RFQ. Payment will be made under the applicable Notice to Proceed on an hourly basis in accordance with Fee Schedule negotiated between JEDCO and the selected Firm in the contract.

### 10.5 JEDCO Review of Documents

All documents will be submitted to JEDCO for review and approval prior to submittal to LDEQ, to EPA, or to any outside party. JEDCO will review draft reports and forward any comments to the selected Firm. The selected Firm shall address all comments and submit a final document for acceptance. JEDCO maintains the right to send additional comments until all JEDCO concerns are addressed. JEDCO will notify the selected Contractor **in writing** when documents are ready to be finalized and submitted to an agency or party outside of JEDCO.

### 10.6 General Report/ Deliverable Requirements:

Deliverables are as described above. At a minimum, the selected Firm shall provide two (2) hard copies and one (1) electronic copy of each final deliverable. The electronic copy shall be in PDF format (one PDF of each complete document) and include appropriate bookmarks for the following:

- Cover Page
- Table of Contents
- Each major section in the text
- The Tables section
- The Map section
- Each Appendix

Each cover page shall include:

- Report title
- JEDCO, Jefferson Parish, and Westwego logos
- Prepared for: Jefferson Parish Economic Development Commission and **[Name of Site Applicant]**

- Prepared by: Name of performing organization(s) and logo(s) if applicable.
- Status or type of report (Final Report, Draft Final, Draft % Complete, Executive Summary, Technical Memo)
- Federal, state and JEDCO Contract/Grant/Task or Fund Codes – to be provided by JEDCO Project Manager
- Month and Year (exact date for Phase I ESAs)
- Relevant artwork, maps, imagery and pictures

All reports shall include the following statement in the inside cover or on the Table of Contents page:

“The [Phase I Environmental Site Assessment (ESA); Phase II Environmental Site Assessment (ESA); etc.] reported herein was funded wholly or in part through a cooperative agreement between the Environmental Protection Agency’s (EPA’s) Brownfield and Land Revitalization Program and the Jefferson Parish Economic Development Commission’s (JEDCO’s) Brownfield Redevelopment Program (EPA Cooperative Agreement No. BF-01F95601-0]. The contents of this document do not necessarily reflect the views and policies of the EPA or JEDCO, nor does the EPA or JEDCO endorse trade names or recommend the use of commercial products mentioned in this document.”

In accordance with JEDCO’s grant agreement with EPA, hard copy reports shall be double-sided and printed on recycled paper. All final reports shall be bound with a label along the binding (spine) which includes the Report title, status, month and year, and grant or contract number. Tabs shall be inserted for easy reference to tables, site photographs, maps, and appendices.

Since all work described in this RFQ will be paid for using public funding, all deliverables shall become public documents and available for public review upon request.

## **11.0 Personnel**

### **11.1 Employees.**

The selected firm(s) shall employ, train and supervise personnel with appropriate qualifications and experience and in sufficient numbers to provide all services required under this Agreement. All persons engaged by the selected firm(s) shall be the sole and exclusive employees of the selected firm(s) and shall be paid by the firm(s). The selected firm(s) shall pay all applicable social security, unemployment, workers’ compensation and other employment taxes.

### **11.2 Appropriate Personnel.**

The selected firm(s) shall provide only trained personnel and their employees shall conduct themselves at all times in a proper and respectful manner in accordance with JEDCO’s employee policy. If JEDCO determines that any employee of the selected firm(s) is unsatisfactory in any material respect, JEDCO shall request the firm to exclude the employee or employees from work under the contract, and the firm shall so comply with such request.

### **11.3 Non-Discrimination.**

The selected firm(s) shall not discriminate against any employee or applicant for employment because of age, race, creed, sex, color national origin, or disability.

**11.4 Substitution of Personnel.**

The selected firm(s) acknowledges that the contract is contingent upon the personnel defined in their response to this RFQ, and that if during the term of the contract the firm is unable to provide those defined personnel, the firm shall substitute personnel which shall meet or exceed the requirements stated herein. A detailed resume of qualifications and justifications shall be submitted to JEDCO for approval prior to each personnel substitution request, said approval not to be unreasonably withheld conditioned or delayed.

**11.5 Minimum Qualifications and Responsibilities of the Selected Firm’s Personnel.**

The selected Firm shall provide qualified personnel to accomplish the required tasks. Personnel shall have relevant experience in planning and performing site assessments and the development of remediation action plans. Education and experience requirements shall include, but are not limited to:

- The Project Manager should have a bachelor’s degree in an applicable field and a minimum of five years of professional experience in environmental site assessments.
- Scientists should have a bachelor’s degree in the field of their expertise and a minimum of three years’ experience which includes work related to site assessments, sampling procedures, analytical methodologies, and/or remediation options.

**11.6 Labor Category Responsibilities**

Labor Category Title	Responsibilities
Project Director/ Contract Manager	Oversee implementation of the project, ensure that all JEDCO and EPA requirements are met, manage contract-related documents, prepare cost estimates for notices to proceed.
Project Manager	Manage projects, prepare cost estimates for notices to proceed, administer the contract, prepare and review reports, field work as approved, and other tasks as assigned. May be the same as the Project Director/ Contract Manager.
Quality Assurance Project Officer	Prepare QAPPs and QA reports. Responsible independent review of all project activities and deliverables and supporting the resolution of any identified QA issues. Has authority to suspend project activities if quality requirements are not being met.
Scientist (Chemist, Biologist, Geologist, Engineer etc.)	Conduct and oversee field work, identify and evaluate analytical data, prepare reports, review and evaluate QA documents and processes.
Technician	Review project data, prepare reports under supervision, provide technical consultation and support including CADD, surveying, asbestos and lead-based paint inspections, and field work. Technician activities may be performed by a subcontractor approved by JEDCO, in accordance with the rate provided in the contract.
AutoCAD Designer/ Drafter/ Graphics Designer	Prepare CADD drawings, site maps, plans, and other project related graphics.

Labor Category Title	Responsibilities
Administrative/Clerical Support	Prepare invoices, assist with procurement, prepare reports under supervision, support the Project Manager, and other paraprofessional and general office duties.

**11.7 Disadvantaged Business Enterprises (DBEs), Woman Business Enterprises (WBEs) and Minority Business Enterprises (MBEs)**

JEDCO strongly encourages the participation of Disadvantaged Business Enterprises (DBEs) including Woman Business Enterprises (WBEs) and Minority Business Enterprises (MBEs). Prospective firms are strongly encouraged to make positive efforts to utilize DBE, WBE and MBE subcontractors for a portion of this project. At a minimum, in Section 15 of the RFQ Response Form, respondents to this RFQ must provide a discussion of the efforts undertaken by their firm to solicit such participation of DBE, WBE and MBE subcontractors in accordance with EPA’s Good Faith Efforts (see Section 11.7.1 below).

In Boxes 7 and 9 on the RFQ Response Form, note if the firm (Box 7) or any subconsultants (Box 9; including laboratories and/or drilling companies) are certified DBEs, WBEs or MBEs and/or if the prime intends on utilizing EPA Environmental Workforce Development and Job Training students or recent graduates. To qualify as a DBE under this RFQ, DBEs including WBEs and MBEs need to be certified through the Louisiana Unified Certification Program (<http://www8.dotd.la.gov/UCP/UCPSearch.aspx>) or U.S. Small Business Administration. If planning on utilizing EPA Environmental Workforce Development and Job Training students or recent graduates, include a letter documenting the agreement from the training program or a signed agreement between the Prime and the training program. *Please note that it often takes significant time to procure a signed agreement; responses that included a signed agreement/ contract are preferred to demonstrate that the workforce program would be available to work on projects as soon as the contract between the Prime and JEDCO is executed.*

DBE participation or EPA Environmental Workforce Development and Job Training is not a requirement **but is strongly encouraged by JEDCO** and is considered during the scoring process. The option to use EPA Environmental Workforce Development and Job Training students or recent graduates would provide equal weight as WBE/MBE involvement for scoring purposes.

**11.7.1 EPA Good Faith Efforts**

EPA Good Faith Efforts are activities by prime firms to increase WBE/MBE awareness of procurement opportunities. EPA offers the following examples to assist prime firms in carrying out good faith efforts to engage more DBEs:

- (1) Ensure WBE/MBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities.
  - (a) Maintain and update a listing of qualified WBE/MBEs that can be solicited for construction, equipment, services and/or supplies.
  - (b) Provide listings to all interested parties who request copies of bidding or proposing documents.
  - (c) Contact appropriate sources within your geographic area and state to identify qualified WBEs/MBEs for placement on your WBE/MBE business listings.
  - (d) Utilize other WBE/MBE listings such as those of the state’s minority business office, the Small Business Administration (SBA), Minority Business Development Agency (MBDA) of the Department of Commerce, EPA Office of Small and Disadvantaged Business Utilization (OSDBU), the Department of Transportation (DOT), and local municipal agencies (e.g. City of New Orleans Office of Supplier



Diversity). DBEs certified through Louisiana Unified Certification Program can be found at: [www8.dotd.louisiana.gov/UCP/Home.aspx](http://www8.dotd.louisiana.gov/UCP/Home.aspx).

(e) Have state environment agency personnel review solicitation lists.

(2) Make information of forthcoming opportunities available to DBEs and arrange time for contracts and establish delivery schedules, where requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.

(a) Develop realistic delivery schedules which may provide for greater WBE/MBE participation.

(b) Advertise broadly in order to facilitate WBE/MBE utilization. Such advertisements may include, but are not limited to, contracting and subcontracting opportunities, hiring and employment, or any other matter related to the project.

(c) Advertise in general circulation publications, trade publications, state agency publications and women- and minority-business focused media concerning contracting opportunities on your projects. Maintain a list of women- and/or minority-business focused publications that may be utilized to solicit WBE/MBEs.

(3) Consider in the contracting process whether firms competing for large contracts could subcontract with WBE/MBEs.

(a) Perform an analysis to identify portions of work that can be divided and performed by qualified WBE/MBEs.

(b) Scrutinize the elements of the total project to develop economical units of work that are within the bonding range of WBE/MBEs.

(c) Conduct meetings, conferences, and follow-ups with WBE/MBE associations and minority media to inform these groups of opportunities to provide construction, equipment, services, and supplies.

(4) Encourage contracting with a consortium of WBE/MBEs when a contract is too large for one of these firms to handle individually.

(a) Notify WBE/MBEs of future procurement opportunities so they may establish bidding solicitations and procurement plans.

(b) Provide WBE/MBE trade organizations with succinct summaries of solicitations.

(c) Provide interested WBE/MBEs with adequate information about plans, specifications, timing and other requirements of the proposed projects.

(5) Use the services and assistance of the SBA and the MBDA.

(a) Use the services of outreach programs sponsored by the MBDA and/or the SBA to recruit bona fide firms for placement on DBE bidders list to assist these firms in the development of bid packages.

(b) Seek out Minority Business Development Centers (MBDCs) to assist in identifying WBE/MBEs for potential work opportunities on projects.

## **12.0 Project Management**

The selected Firm shall provide efficient management throughout the term of the contract to ensure the successful completion of assigned projects. The duties and responsibilities of project management shall continue throughout the term of the contract. The resources and methodology for project management activities shall be the responsibility of the selected Firm.

Project management shall include, but not be limited to, the following activities:

- Supervision of the selected Firm’s personnel;
- Communications, including reporting problems encountered in performing this work and notifying JEDCO of schedule delay, additional costs, and/or corrective actions;
- Contract administration;
- Invoice and monitoring report preparation;
- Compliance by the selected Firm with all contract clauses and conditions;
- Scheduling meetings;
- Participating in meetings at JEDCO’s office or project-appropriate location and/or participating in interim conference calls as necessary;
- Record-keeping;
- Preparation and submission of submittals and deliverables as specified in this RFQ;
- Ensuring compliance with the most recent versions of applicable Guidance Documents including but not limited to:
  - EPA’s Quality Assurance Guidance for Conducting Brownfields Site Assessments;
  - EPA Guidance for Quality Assurance Project Plans;
  - ASTM Standard E1527, Standard Practice for Environmental Site Assessments, Phase I Environmental Site Assessment Process;
  - EPA’s Standard and Practices for All Appropriate Inquiries, Final Rule (40 CFR Part 312) November 1, 2005;
  - ASTM Guidance Standard E1903, Standard Guide for Environmental Site Assessments, Phase II Environmental Site Assessment Process;
  - LDEQ’s Risk Assessment/Corrective Action Program; and
  - LDEQ’s Voluntary Remediation Program.

The selected Firm shall assign a Project Director as listed in the selected Firm’s RFQ response to represent the selected Firm’s organization and manage projects. The selected Firm’s Project Director shall be responsible for project monitoring and compliance, and for keeping JEDCO informed of the project status through regular monitoring reports and informal communication.

### **13.0 Health and Safety**

The selected Firm is responsible for the health and safety of its employees and subcontractors during the performance of all activities required by this contract. The selected Firm shall maintain and comply with a Health and Safety Plan (HASP) consistent with Section 104(f) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended, EPA Order 1440.3 and all Occupational Safety and Health Administration requirements, all applicable federal, state and local laws regulations, ordinances, and codes used in planning and implementing site health and safety. In the event of conflict between any of these requirements, the more stringent requirement shall be followed. The HASP shall be made available for JEDCO review upon request.

### **14.0 Project Specific Laws and Regulations**

The selected Firm(s) shall possess and maintain throughout the contract term a Louisiana State Contractors License (prime) and a Louisiana Water Well Driller’s License (prime or sub). The following Contractors License classification or sub-classifications are acceptable:

- Hazardous Materials,
- Hazardous Materials Cleanup and Removal,
- Hazardous Materials Site Remediation, or

- Hazardous Waste Treatment or Removal

The selected Firm(s) and/or subcontractor performing boring and monitoring well related activities shall follow the most recent guidance and regulations set forth by the State of Louisiana Department of Natural Resources (DNR) governing water well drillers and contractors, available at:

<http://www.dnr.louisiana.gov/index.cfm?md=pagebuilder&tmp=home&pid=1217>

At the time of the release of this RFQ, the current guidance can be found in the "[Handbook for Construction of Geotechnical Boreholes and Groundwater Monitoring Systems](#)," prepared by the Louisiana Department of Transportation & Development (LaDOTD) and Louisiana Department of environmental Quality (LDEQ), December, 2000, referred to in this document as the "LaDOTD/LDEQ Handbook." The handbook can be found here:

<https://www.deq.louisiana.gov/assets/docs/Land/Remediation/DOTDDEQWellBoringHandbook.pdf>

The selected Firm(s) and/or subcontractor assigned to perform tasks related to monitoring wells shall perform all work in accordance with the "[Handbook for Construction of Geotechnical Boreholes and Groundwater Monitoring Systems](#)," prepared by the Louisiana Department of Transportation & Development (LaDOTD) and Louisiana Department of environmental Quality (LDEQ), December, 2000, referred to in this document as the "LaDOTD/LDEQ Handbook." The handbook can be found here:

<https://www.deq.louisiana.gov/assets/docs/Land/Remediation/DOTDDEQWellBoringHandbook.pdf>

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<http://www.dnr.louisiana.gov/index.cfm?md=pagebuilder&tmp=home&pid=1217>

## **15.0 Invoicing**

Invoices shall be submitted on a monthly basis when work is being performed on open Notices to Proceed.

### For Phase I ESAs:

Phase I ESAs shall be invoiced on a lump sum basis. Progress billing of Phase I ESAs require documentation of work performed to date such as (but not limited to) draft reports and copies of photographs taken at the site visit. Final payment for a Phase I ESA requires JEDCO approval of the Phase I ESA report, electronic copies of photographs related to the investigation, and the final report in both hard copy and electronic format.

### For Phase II ESAs and Cleanup Plans:

Phase II ESAs and Cleanup Plans shall be billed on a time and materials basis and require backup documentation including but not limited to:

- Timesheets showing the person who worked on the project, their title, the day the work was performed, the number of hours and a brief description of the work conducted.
- Invoices from subcontractors including drillers and laboratories detailing out their expenses (e.g. for drillers: number of feet drilled and cost per foot, mobilization/demobilization costs, field supplies, etc.; for laboratories: number and type of tests performed with unit costs and totals). Payment for laboratory analysis shall be on a per sample basis based on a standard turn-around-time for results (unless otherwise specified by JEDCO ) and summary data packages.
- List and number of field supplies consumed with unit prices and totals.

- Documentation of other costs as applicable.

## **16.0 Contractor Registration**

**Only Firms registered on the Federal government’s System for Award Management website ([www.SAM.gov](http://www.SAM.gov); formerly the Central Contractor Registry) and are not suspended or debarred from receiving Federal funding will be considered.** This includes prime consultants and subcontractors, including drillers and laboratories. Please note: there is **no fee** to register on [www.SAM.gov](http://www.SAM.gov).

By signing and submitting a response to this RFQ, the Respondent certifies its firm, any subcontractors, and principals are not suspended or debarred by the General Services Administration (GSA) in accordance with the requirements in OMB Circular A-133. A list of parties who have been suspended or debarred can be viewed via the internet at [www.SAM.gov](http://www.SAM.gov). If a response is submitted and the company, their subconsultants, or their principals are found to be suspended or debarred per [www.SAM.gov](http://www.SAM.gov), or not registered on [www.SAM.gov](http://www.SAM.gov), that RFQ response will automatically be withdrawn from consideration. This provision does not obligate JEDCO to check [www.SAM.gov](http://www.SAM.gov) or alleviate the RFQ Respondent from their obligation to certify their qualifications as stated in this section. JEDCO reserves the right to send an inquiry for clarification to any firm, subcontractor or principal found to be suspended or disbarred by the GSA per [www.SAM.gov](http://www.SAM.gov).

Respondents are encouraged to check [www.SAM.gov](http://www.SAM.gov) through a public search (as opposed to being logged in) to ensure their information is viewable by the general public (which includes JEDCO). Registration on [www.SAM.gov](http://www.SAM.gov) can take some time and involves multiple steps; respondents are encouraged to make sure they and all subcontractors are registered on the site as soon as possible to allow time for the registration process if necessary.

## **17.0 Required Affidavits**

All persons or firms who are under contract that was awarded on a non-bid basis with JEDCO or with any of its agencies, divisions or special districts, or who submit responses to any request for submittals to contract on a non-bid basis with JEDCO or with any of its agencies, divisions or special districts, must identify all subcontractors and persons, excluding full-time employees of the firm, who would assist in providing services or materials under the contract or who would share in any fees, commissions or other remuneration under the contract. Each such subcontractor or person shall submit all documents and information required by this section. Substitutions or subsequent addition of subcontractors or other persons to the contract must be approved in writing by JEDCO. The person or firm under contract shall provide to JEDCO detailed justification of the need for any such additional subcontractor or person. With each invoice submitted, the person or firm holding said non-bid contract shall acknowledge that no subcontractors or other persons have been added to the contract without prior written approval by JEDCO. Failure to comply with this section shall result in termination of the contract between JEDCO and the firm.

In addition, the firm contracting or proposing to contract with JEDCO or with any of its agencies, divisions or special districts on a non-bid basis must submit prior to the ratification by the Board of Commissioners or its Executive Committee of the contract or contract amendment:

1. An affidavit attesting:
  - a. That the affiant has not and will not employ any person either directly or indirectly to secure the public contract under which he is to receive payment, other than persons regularly employed by the affiant whose service in connection with the provision or procuring of

- insurance under the contract or in securing the public contract are in the regular course of their duties for the affiant; and
- b. That no part of the contract price was paid or will be paid to any person for soliciting the contract other than the payment of normal compensation to persons regularly employed by the affiant whose services with the project are in the regular course of their duties for the affiant; and
2. An affidavit attesting to:
- a. Any and all campaign contributions that the affiant has made to elected officials of Jefferson Parish during the current term; and
  - b. Any and all debts owed by the affiant to any elected or appointed official of Jefferson Parish, and any and all debts owed by any elected or appointed official of Jefferson Parish to the affiant; and attesting:
  - c. That the affiant has not made any contribution to or in support of elected officials of the parish through or in the name of another person or firm directly or indirectly.

These affidavits can be found on <http://www.jedco.org/public-notifications/> as Attachment C.

## **18.0 Records, Accounts and Reports.**

### **18.1 Books and Records.**

The selected firm(s) shall maintain adequate books of account with respect to its services, in accordance with generally accepted accounting principles (GAAP) in a form and method acceptable to JEDCO, within Jefferson Parish for a period not to exceed three (3) years after termination of the contract. The selected firm(s) shall permit JEDCO and JEDCO's agents from time-to-time within forty-eight (48) hours written notice, to inspect, copy and audit during the firm(s)'s normal business office hours the books and records pertaining to the services provided under this Agreement. JEDCO's right to audit, inspect, and make copies of the firm(s)'s records shall be at the sole expense of JEDCO.

### **18.2 Periodic and/or Annual Reports.**

At any time, JEDCO may request that the selected firm(s), with the minimum of ten (10) days written notice, prepare and/or produce a report of the results of operations, as it pertains to this Agreement, in the previous fiscal year prepared in accordance with generally accepted accounting principles (GAAP). The report must be prepared and certified by an independent certified public accounting firm. (For purposes of this Agreement, each "fiscal year" begins on January 1 and ends on December 31 of the same year.)

## **19.0 Independent Contractor.**

While in the performance of services or carrying out the obligations under this contract, the selected firm shall be acting in the capacity of independent contractor and not as employee of JEDCO. JEDCO shall not be obliged to any person, firm or corporation for any obligations of the selected firm arising from the performance of their services under this contract.

JEDCO shall not:

- a. withhold federal or state income taxes;
- b. withhold federal social security tax (FICA);
- c. pay federal or state unemployment taxes for the account of the selected firm(s); or
- d. pay workers' compensation insurance premiums for coverage for the selected firm(s).

The selected firm(s) agrees to be responsible for and to pay all applicable federal income taxes, federal social security tax (or self-employment tax in lieu thereof) and any other applicable federal or state unemployment taxes.

The selected firm(s) agrees to indemnify and hold JEDCO harmless from any and all federal and/or state income tax liability, including taxes, interest and penalties, resulting from JEDCO's treatment of the selected firm as an independent contractor. The selected firm(s) further agrees to reimburse JEDCO for any and all costs it incurs, including, but not limited to, accounting fees and legal fees, in defending itself against any such liability.

## **20.0 Insurance.**

The selected firm(s) shall secure and maintain at its expense such insurance that will protect it, and JEDCO, from claims under the Workers' Compensation Acts and from claims for bodily injury, death or property damage which may arise from the performance of services under this Agreement. All certificates of insurance shall be furnished to JEDCO and shall provide that insurance shall not be canceled without notice of cancellation given to JEDCO, in writing, on all of the required coverage provided to JEDCO. JEDCO may examine the policies at any time and without notice.

**20.1** All policies and certificates of insurance of the selected firm(s) shall contain the following clauses:

- a. The firm(s)'s insurers will have no right of recovery or subrogation against JEDCO, it being the intention of the parties that the insurance policy so affected shall protect both parties and be the primary coverage for any and all losses covered by the below described insurance.
- b. JEDCO shall be named as additional insured as regards to general liability and automobile liability with respect to negligence by the selected firm(s).
- c. The insurance company(ies) issuing the policy or policies shall have no recourse against JEDCO for payment of any premiums or for assessments under any form of policy.
- d. Any and all deductibles in the below described insurance policies shall be assumed by and be at the sole risk of the selected firm(s).

**20.2** Prior to the execution of a contract, the selected firm shall provide at its own expense proof of the following insurance coverage required by the contract to JEDCO by insurance companies authorized to do business in the State of Louisiana. Insurance is to be placed with insurers with an A.M. Best Rating of no less than A:VI.

- a. Workers' Compensation Insurance: In the event the selected firm hires workers within the State of Louisiana it shall obtain Workers' Compensation Insurance. As required by Louisiana State Statute exception, employer's liability shall be at least \$1,000,000.00 per occurrence when work is to be over water and involves maritime exposures; otherwise this limit shall be no less than \$500,000.00 per occurrence.
- b. Commercial General Liability Insurance with a Combined Single Limit of at least \$1,000,000.00 per occurrence for bodily injury and property damage.
- c. Business Automobile Liability Insurance with a Combined Single Limit of \$1,000,000.00 per occurrence for bodily injury and property damage, unless otherwise indicated. This insurance shall include coverage for bodily injury and property damage.
- d. Professional Liability Insurance in the sum of at least One Million Dollars (\$1,000,000.00)
- e. Umbrella Liability Insurance: An umbrella policy or excess may be used to meet minimum

requirements.

All policies of insurance shall meet the requirements of JEDCO prior to the commencing of any work. JEDCO has the right but not the duty to approve all insurance policies prior to commencing of any work. If at any time any of the said policies shall be or becomes unsatisfactory to JEDCO as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to JEDCO, the selected firm shall promptly obtain a new policy, submit the same to JEDCO for approval and submit a certificate thereof as provided above. Upon failure of the selected firm to furnish, to deliver and maintain such insurance as above provided, the contract, at the election of JEDCO, may be forthwith declared suspended, discontinued or terminated. Failure of the selected firm(s) to take out and/or to maintain insurance shall not relieve the firm(s) from any liability under the contract, nor shall the insurance requirements be construed to conflict with the obligation of the selected firm(s) concerning indemnification.

### **21.0 Indemnification.**

The selected firm(s) shall indemnify and hold harmless JEDCO against any and all claims, demands, suits, costs, liabilities or judgments for sums of money, and fines or penalties asserted by any person, firm or organization for loss of life or injury or damages to person or property in connection with the services required to be performed by the selected firm(s). Further, the selected firm(s) hereby agrees to indemnify JEDCO for all reasonable expenses and attorney's fees incurred by or imposed upon JEDCO in connection therewith for any loss, damage, injury or other casualty pursuant to this section. The selected firm(s) further agrees to pay all reasonable expenses and attorney's fees incurred by JEDCO in establishing the right to indemnity pursuant to the provisions of this Section.

### **22.0 Covenant against Contingent Fees.**

The selected firm shall warrant that it has not employed or retained any company or person, other than a bona-fide employee working solely for the firm, to solicit or secure this contract, and that it has not paid or agreed to pay any company or person, other than bona-fide employees working solely for the firm, any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingent upon or resulting from the award or making of the contract. For breach or violation of this warranty, JEDCO shall have the right to annul the contract with the selected firm without liability.

### **23.0 Governing Law and Jurisdiction.**

All activities associated with this RFQ process shall be interpreted under Louisiana Law. All proposals and contracts submitted are subject to provisions of the laws of the State of Louisiana and Jefferson Parish Code of Ordinances; purchasing rules and regulations; standard terms and conditions, including specifications listed in this RFQ. The selected firm(s) does, by signing a contract pursuant to this RFQ with JEDCO, agree that the contract is made under the laws of the State of Louisiana, and for all purposes shall be interpreted in its entirety in accordance with the laws of said State. The selected firm(s) hereby agrees and consents to the jurisdiction of the courts of the State of Louisiana over its person. The parties hereto agree that the sole and exclusive venue for any suit or proceeding brought pursuant to this contract shall be the 24<sup>th</sup> Judicial District Court for the Parish of Jefferson, State of Louisiana.

### **24.0 Inspector General.**

It shall be the duty of every parish officer, employee, department, agency, special district, board, and commission, and the duty of every contractor, subcontractor, and licensee of the parish, and the duty of every applicant for certification of eligibility for a parish contract or program, to cooperate with the

inspector general in any investigation, audit, inspection, performance review, or hearing pursuant to JPCO 2-155.10(19). Every corporation, partnership, or person contracting with JEDCO, whether by cooperative endeavor, intergovernmental agreement, bid, proposal, application or solicitation for a parish contract, and every application for certification of eligibility for a parish contract or program, attests that it understands and will abide by all provisions of JPCO 2-155.10.