

ATTACHMENT A

SOLICITATION NO. 0900000551

This Solicitation is a Contract Document and is a request for proposal in connection with the Contract awarded by the Office of Management and Enterprise Services as more particularly described below. Any defined term used herein but not defined herein shall have the meaning ascribed in the General Terms or other Contract Document.

PURPOSE

The Contract is awarded as a statewide contract for SW0139 Phase I, II, and III Environmental Site Assessments at any potential hydrocarbon impact properties in the state of Oklahoma. These Assessments will consist of records searches, interviews, site walkthroughs, and non-invasive site surveys such as GPR, EM-31, and EM-38 (Phase I); hollow-stem auger borings and building materials sampling (Phase II); and removal of underground storage tanks (Phase II and Phase III). All projects including a Phase II or Phase III will also require Davis Bacon Wage Act Reporting and Quality Assurance Project Plans to be reviewed and approved by the USEPA. The Environmental Site Assessments will take place at qualified properties incrementally over time as sites are enrolled in the Brownfield Program ('BFP') of the Oklahoma Corporation Commission ("OCC") and deemed ready for Assessment by OCC BFP staff.

This will be a pre-qualification contract where Suppliers who employ one or more PSTD Licensed Environmental Consultants and/or Certified Environmental Professionals (according to EPA AAI rule) who are qualified to manage and oversee the outlined specifications in Exhibit 1 will have the opportunity to be put on the qualified suppliers list.

1. Contract Term and Renewal Options

The initial Contract term, which begins on the effective date of the Contract, is one year and there are five (5) one-year options to renew the Contract.

2. Scope of work

2.1. Certain Contract requirements are attached hereto

2.1.1. Exhibit 1: Specifications,

2.1.2. Exhibit 2: Price sheet,

2.1.3. Exhibit 3: Bidder questionnaire,

2.1.4. Exhibit 4: Amended Examples of Reasonable and Customary Unit Cost Rates,

2.1.5. Exhibit 5: Usage Report,

2.1.6. Exhibit 6: Example of Davis-Bacon Terms and Conditions (from June 2020).

Exhibit 1
Scope of Work

C. Definitions & Specifications

C.1. Definitions

- C.1.1. OMES, CP – Office of Management and Enterprise Services, Central Purchasing
- C.1.2. PSTD – Petroleum Storage Tank Division
- C.1.3. OCC – Oklahoma Corporation Commission
- C.1.4. TOU – Temporarily Out of Use
- C.1.5. POU – Permanently Out of Use
- C.1.6. UST – Underground Storage Tank
- C.1.7. BFP – Brownfield Program
- C.1.8. USEPA – United States Environmental Protection Agency
- C.1.9. QAPP – Quality Assurance Project Plan
- C.1.10. GPR – Ground-Penetrating Radar
- C.1.11. EM – Electromagnetic
- C.1.12. AAI – All Appropriate Inquiries
- C.1.13. ASTM – American Society of Testing and Materials
- C.1.14. IDW – Investigation Derived Waste
- C.1.15. CoC – Contaminants of Concern

C.2. Mandatory Requirements: Qualified Suppliers List of Specifications.

- C.2.1. Once a final list of all qualified, interested Suppliers is compiled, the BFP will use a predetermined, randomized order to offer the first supplier on the list the opportunity to conduct all required site assessments at a single enrolled site that is deemed ready for Assessment. Once a second enrolled site is deemed ready for Assessment, the next supplier on the list will be offered the opportunity to conduct the site assessments, and so forth.
 - C.2.1.1. Note that should the site awarded to a supplier need additional Assessment not included in the original Scope of Work, the supplier who conducted the previous Assessments will be given the first right of refusal of additional

Assessments on that site. Should that supplier refuse this offer, the Assessment shall be offered to the next supplier on the list.

- C.2.2. Should a supplier decline an offer for an enrolled site, then that offer will be made to the next qualified supplier on the list. The supplier that declined the offer will be placed at the bottom of the list. This process will continue until a supplier accepts the offer.
- C.2.3. Once a supplier is selected from the pool of candidates, the BFP will calculate the overall cost to complete all the work associated with the assessment(s) for the site. The costs will be based on the BFP's "Reasonable and Customary Unit Cost Rates" for such work. These costs, which will include a line-item cost breakdown for all sub-scopes of work, along with a site map of proposed work area (proposed boring location and depth, trenching location and depth, possible or confirmed locations of UST components, etc.), will then be presented to the supplier for the opportunity to accept this offer. The supplier will have five (5) working days from the date of receipt of the offer to either accept or refuse the offer in writing by emailing the BFP Manager. If a supplier accepts the offer, the BFP will issue an award letter outlining the work to be completed, the associated cost, and the time frame for completing the work and submitting the site assessment report(s). Once the site assessment reports are submitted, the BFP will review the report, and remit payment upon approval of the report(s). Any adjustment in scope of work, especially if it will be accompanied by an adjustment of cost, must be approved in writing by the BFP Manager before the adjusted work is carried out. If an adjustment in cost is approved, then the BFP will issue an amended award letter outlining the final scope of work completed and final associated costs.
- C.2.4. Any qualifying supplier that participates in this state-wide contract understands, agrees, and accepts that the costs established by the BFP using their "Reasonable and Customary Unit Cost Rates" will be full and final and no additional reimbursement will be considered after any approved adjustments are made for final quantities. Invoices for satisfying any given site assessment must be submitted after the site assessment report has been approved by the BFP. The deadline for submitting the invoice for any given site assessment will be noted in the BFP site assessment approval letter.
- C.2.5. The OCC BFP will secure access to each site prior to initiation of the site assessments as part of the BFP Enrollment process. All participating suppliers must secure any subcontractors and provide all equipment and materials needed to complete the site assessments. To the extent possible, a BFP staff member will be present at each site the day of scheduled site work to aid in any impromptu decision-making.
 - C.2.5.1. Note for UST facility sites: Should the site assessment for any given facility result in the activation of a PSTD release case, the landowner may

retain any PSTD licensed environmental consultant of their choice to manage that case. The proper designation of any release case is solely the responsibility of the PSTD Indemnity Fund Administrator. Any site that receives financial assistance through the Brownfield Program cannot also become a LUST Trust Fund case, as both are EPA-funded.

- C.2.6. Should a selected supplier violate any of the performance terms of this solicitation, including, but not necessarily limited to, incomplete field work, field work that does not meet minimum standards or not meeting outlined deadlines for submitting reports and claims, then that supplier will be excluded from consideration for any future OCC BFP site assessment solicitations and will not receive payment.

C.3. Site Assessment Specifications

- C.3.1. A Phase I Site Assessment at a Facility shall consist of the following:

C.3.1.1. An investigation and subsequent report conducted in compliance with the AAI Final Rule at 40 CFR Part 312. Although the AAI Final Rule provides that ASTM International Standard E1527-13 (“Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process”) and E2247-16 (“Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property”) are consistent with the requirements of the final rule and can be used to satisfy the statutory requirements for conducting AAI, suppliers are encouraged to adhere to ASTM E1527-21, as it is the most current standard.

C.3.1.2. A Phase I Site Assessment at a Facility may also consist of the following non-invasive survey procedures including but not limited to GPR, EM-31, EM-38, and magnetometry, to determine the likely presence of underground storage tanks, product lines, and/or oil and gas exploration and production-related materials.

- C.3.2. A Phase II Environmental Site Assessment at a site shall consist of the completion and approval (by OCC BFP and EPA) of a Quality Assurance Project Plan, as well as the following:**

C.3.2.1. Soil Samples

C.3.2.1.1. Installation of a series of hollow-stem auger soil borings to a depth of 20 feet in areas most likely to be impacted. The number, approximate locations, and respective depths of each boring will be identified on individual site maps that will be provided to the supplier for a given site(s) once it/they are identified. The diameter of the borings should be as small as possible to minimize generation of residual waste soils but should not exceed 8.25 inches in diameter.

- C.3.2.1.2. Screening of each split-spoon soil core for volatile organic vapors in 1-foot intervals using a photoionization detector (“PID”). Standard Soil Vapor Surveying protocol as described in the PSTD Field Guidelines document must be adhered to.
- C.3.2.1.3. Collection of two (2) soil samples per each 20-foot boring for laboratory analyses of designated Chemicals of Concern (CoC) usually BTEX, TPH, and RCRA 8 Metals. Standard soil sampling protocols as described in the EPA Technical Enforcement Guidance Manual are to be used. Note that all soil samples collected for analyses of gasoline constituents must be preserved in methanol.

C.3.2.2. Water Samples

- C.3.2.2.1. Collection of a grab water sample (where present) from each 20-foot open boring for laboratory analyses of designated CoC.

C.3.2.3. Proper Handling of IDW

- C.3.2.3.1. Placement of all residual soils from drilling into 55-gallon drums and transportation of all drummed residual waste soils generated from each site to an Oklahoma Department of Environmental Quality (“ODEQ”) permitted landfill for proper disposal pending the soil laboratory analytical results for each site. Each drum shall be clearly and properly labeled as to the contents of the drum, date(s) of generation, and the site where it was generated. Where laboratory analytical results for all soil samples collected and analyzed during drilling for a given site are below laboratory detection limits for all CoC, contents of the drums may be spread on site. Where laboratory analytical results of any single soil sample collected and analyzed during drilling for a given site are above laboratory detection limits for any CoC, contents of all soil drums for that site must be properly disposed of at a permitted landfill.

C.3.3. A Phase II Environmental Site Assessment at a site may also consist of the following:

- C.3.3.1. Removal of underground storage tanks in accordance with PSTD rules 165:25-2-131 regarding tank removal and closure.
- C.3.3.2. Exploratory trenching to locate underground storage tanks or oilfield

equipment

C.3.3.3. Building materials testing for asbestos and lead-based paint

C.3.4. A Phase III Environmental Site Assessment at a site shall consist of the completion and approval (by OCC BFP and EPA) of a Quality Assurance Project Plan, as well as the following:

C.3.4.1. Additional soil and groundwater borings as described in C.5.2.

C.3.4.2. Removal of underground storage tanks in accordance with PSTD rules 165:25-2-131 regarding tank removal and closure (at sites where exploratory trenching was conducted to locate underground storage tanks).

C.4. Reporting

C.4.1. Upon completion of the site assessments, reports shall be submitted to the OCC BFP summarizing the results, which includes the following:

C.4.1.1. Phase I Assessments: Phase I Report and all attachments, as well as maps and raw data obtained by non-invasive site survey methods.

C.4.2.2. Phase II and Phase III Assessments: Phase II or III Report that includes:

C.4.2.2.1. Soil boring logs for each boring installed.

C.4.2.2.2. Oklahoma Water Resources Board (“OWRB”) Multi-Purpose Completion Reports for each boring installed.

C.4.2.2.3. Summary table and map of all laboratories analytical results.

C.4.2.2.4. All laboratory analytical data sheets, including chain of custody documentation and QA/QC information.

C.4.2.2.5. Site map showing the final location of each soil boring, trenching (if applicable), and tanks and lines removed (if applicable).

C.4.2.2.6. Disposal manifests for any soil drums disposed of at a permitted landfill.

C.4.2.2.7. Field notes.

C.4.2.2.8. Tank removal documentation, such as PSTD scheduling form, removal checklist, and disposal certificate.