

# **REQUEST FOR QUALIFICATIONS ("RFQ")**

**RFQ Number: RFX3140003892 MDEQ-RFQ10072024**

**To Provide: Professional Engineering Services to Support  
MDEQ Permitting per Regular Session 2024, SB 2649.**

**Issue Date: Monday, October 7, 2024**

## **CLOSING LOCATION**

**Mississippi Department of Environmental Quality**

**515 East Amite Street**

**Jackson, MS 39201**

## **MDEQ RFQ COORDINATOR**

**Ms. Aveleka Moore, Contracts Division Director**

**E-mail: [amoore@mdeq.ms.gov](mailto:amoore@mdeq.ms.gov)**

## **CLOSING DATE AND TIME**

**SOQ must be received by 3:30 p.m., Tuesday, November 19, 2024**

## SECTION 1

### 1.1 Qualifications Acceptance Period

Offerors should submit one (1) signed original Statement of Qualifications (“SOQ”), along with one (1) digital copy in Portable Document Format (“PDF”) on a Universal Serial Bus (“USB”) flash drive with all of the attachments. The signed original SOQ and USB flash drive should be submitted in a sealed envelope or package as stated below no later than the time and date specified in Section 1.1.1 for submission deadline of the SOQ package. The electronic files shall not be password protected and shall be capable of being copied to other media including readable in Microsoft Word and/or Microsoft Excel. Timely submission of the SOQ is the responsibility of the Offeror. Any SOQ received after the specified time shall be rejected and maintained in the procurement file. The envelope or package shall be labeled with the RFx Number: RFx3140003892 MDEQ-RFQ10072024. The time and date of receipt shall be indicated on the envelope or package by the Mississippi Department of Environmental Quality (“MDEQ”). The SOQ and all attachments shall be identified with the name of the Offeror where applicable. Modifications or additions to any portion of the procurement document may be cause for rejection of the SOQ. MDEQ reserves the right to decide, on a case-by-case basis, whether to reject a SOQ with modifications or additions as non-responsive. As a precondition to SOQ acceptance, MDEQ may request the Offeror to withdraw or modify those portions of the SOQ deemed nonresponsive that do not affect quality, quantity, price, or delivery of the service.

Submissions must be clearly labeled as follows on the **exterior** of the package:

**Mississippi Department of Environmental Quality**  
**SEALED QUALIFICATION – DO NOT OPEN**  
**RFx3140003892 MDEQ-RFQ10072024**  
**Attention: Ms. Aveleka Moore**  
**515 East Amite Street**  
**Jackson, MS 39201**

The Mississippi Department of Environmental Quality (“MDEQ”) will receive SOQ from Offerors having specific experience and qualifications in the area(s) identified in this solicitation. For consideration, the SOQ for the project must contain evidence of the Offeror’s experience and abilities in the specified area(s) and other disciplines directly related to the proposed service. Other information required by MDEQ is included herein. Unless otherwise stated, all Offerors shall provide profiles and resumes of the primary staff to be assigned to the project, references, illustrative examples of similar work performed, and any other information that clearly demonstrates the Offeror’s expertise in the area(s) of this solicitation.

The SOQ shall be specific and sufficiently detailed to satisfy the requirements set forth in this solicitation. MDEQ will make awards to the Offerors whose SOQ, in the opinion of MDEQ, best conforms to this solicitation and is most advantageous to the State of Mississippi and MDEQ.

A Mandatory RFQ Pre-Submission meeting will be held at MDEQ. Because MDEQ considers the meeting to be crucial to understanding the procurement requirements, attendance is mandatory in order to qualify as an Offeror. Please see Section 1.10 for additional information.

### 1.1.1. Timeline

- **Request for Qualifications (RFQ) Issue Date: Monday, October 07, 2024**
- **Mandatory RFQ Pre-Submission meeting at MDEQ: Monday, October 21, 2024, at 2:00 p.m.**
- **Written Questions/Clarification Requests to MDEQ Deadline: Tuesday, October 23, 2024, at 8:30 a.m.**
- **Anticipated Posting of Responses to Questions/Clarification Requests: Tuesday, November 5, 2024**
- **SOQ Submission Deadline: Tuesday, November 19, 2024, at 3:30 p.m.**
- **SOQ Package Opening: Wednesday, November 20, 2024**
- **Anticipated Notice of Intent to Award: Monday, December 16, 2024**
- **Anticipated Post-Award Debriefing Request Date: Thursday, December 19, 2024, at 8:30 a.m.**
- **Post-Award Debriefing Held by Date: Tuesday, December 24, 2024**
- **Protest Deadline Date: Monday, December 23, 2024, at 8:30 a.m.**

All times and deadlines provided in this RFQ are in Central Standard Time (“CST”).

### 1.1.2. Late Submissions

All SOQ must be received by MDEQ no later than the time and date specified in Section 1.1.1 for the SOQ Package submission deadline. A SOQ received at the place designated in the solicitation for receipt after the exact time specified for receipt will not be considered unless it is the only SOQ received. SOQ submitted via facsimile (fax) machine **will not** be accepted. It is suggested that if a SOQ is mailed to MDEQ, it should be posted in certified mail with a return receipt requested. MDEQ will not be responsible for mail delays or lost mail. All risk of late arrival due to unanticipated delay – whether delivered by hand, U.S. Postal Service, courier or other delivery service or method – is entirely on the Offeror. All Offerors are urged to take the possibility of delay into account when submitting a SOQ.

Timely submission of the SOQ package is the responsibility of the Offeror. A SOQ received after the specified time will be rejected and maintained unopened in the procurement file. A SOQ received at the place designated in the solicitation for receipt of the SOQ after the exact time specified for receipt will not be considered unless it has been determined by MDEQ that the late receipt was due solely to mishandling by MDEQ after receipt at the specified address.

The time and date of receipt will be indicated on the sealed SOQ envelope or package by MDEQ staff. The only acceptable evidence to establish the time of receipt at MDEQ identified for SOQ opening is the time and date stamp of MDEQ on the SOQ wrapper or other documentary evidence of receipt used by MDEQ.

## 1.2 Expenses Incurred in Preparing SOQ

MDEQ accepts no responsibility for any expense incurred by the Offeror in the preparation and presentation of a SOQ. Such expenses shall be borne exclusively by the Offeror.

## 1.3 Propriety Information

The Offeror should mark any and all pages of the SOQ considered to be proprietary information which may remain confidential in accordance with Mississippi Code Annotated §§ 25-61-9 and 79-23-1 (1972, as amended). Any pages not marked accordingly will be subject to review by the general public after award of the contract. Requests to review the proprietary information will be handled in accordance with applicable legal procedures.

#### **1.4 Registration with Mississippi Secretary of State**

By submitting a SOQ, the Offeror certifies that it is registered to do business in the State of Mississippi as prescribed by the Mississippi Secretary of State. Sole proprietors are not required to register with the Mississippi Secretary of State.

#### **1.5 Registration with the System for Award Management**

By submitting a SOQ, the Offeror certifies that it is registered with the System for Award Management at [www.SAM.gov](http://www.SAM.gov) and has an active Unique Entity Id (“UEI”).

#### **1.6 Debarment**

By submitting a SOQ, the Offeror certifies that it is not currently debarred from submitting SOQ for contracts issued by any political subdivision or agency of the State of Mississippi or Federal government and that it is not an agent of a person or entity that is currently debarred from submitting SOQ for contracts issued by any political subdivision or agency of the State of Mississippi.

#### **1.7 Competitive Qualifications**

Discussions may be conducted with Offerors who submit SOQ determined to be reasonably susceptible of being selected for award. Likewise, MDEQ also reserves the right to accept any SOQ as submitted for contract award, without substantive negotiation of proposed terms, services, or prices. For these reasons, all parties are advised to propose their most favorable terms initially.

#### **1.8 Contact and Questions/Requests for Clarification**

Offerors must carefully review this solicitation and all attachments for defects, questionable, or objectionable material. Following review, Offerors may have questions to clarify or interpret the RFQ in order to submit the best SOQ possible. To accommodate the questions and requests for clarifications, Offerors shall submit any such question(s) via email by the deadline specified in Section 1.1.1. At no time shall any Offeror or its personnel contact, or attempt to contact, any MDEQ staff regarding this RFQ except the RFQ Coordinator.

All Offeror communication, questions, and requests for clarification regarding this RFQ must be submitted in writing to MDEQ’s RFQ Coordinator, Ms. Aveleka Moore at [amoore@mdeq.ms.gov](mailto:amoore@mdeq.ms.gov) by the deadline specified in Section 1.1.1. Unauthorized contact regarding the RFQ with other employees of MDEQ may result in the Offeror being disqualified, and the Offeror may also be suspended or disbarred from the State. No negotiations, decisions, or actions shall be initiated by any Offeror as a result of any verbal discussion with any State or MDEQ representative.

MDEQ will not be bound by any verbal or written information that is not contained within this RFQ unless formally noticed and issued by the RFQ Coordinator as an RFQ amendment. Offerors are cautioned that any statements made by contact persons that cause a material change to any portion of the RFQ document shall not be relied upon unless subsequently ratified by a formal written amendment to the RFQ document.

All questions and requests for clarification must be submitted by the deadline specified in Section 1.1.1 and made in writing. Questions and requests for clarification submitted after this date will not be considered. Official responses will be provided only for questions submitted and only to clarify information already included in the RFQ. Offerors shall provide an email address for MDEQ to direct the consolidated “question and answer” document, which will be issued as an Amendment. The identity of the organization submitting the question(s) or request(s) for clarification will not be revealed.

Should MDEQ issue any amendments, they will be provided in writing and transmitted via email to all prospective Offerors who are known to have requested a copy of the RFQ package and will also be published on MDEQ’s website and on the Mississippi Contract/Procurement Opportunity Search portal website. Only amendments transmitted in this manner will be considered official and valid by MDEQ.

### **1.9 Acknowledgement of Amendments**

Offerors shall acknowledge receipt of any amendment issued to the RFQ by signing and returning the amendment with the SOQ package. The acknowledgement must be received by MDEQ by the deadline specified in Section 1.1.1 for receipt of SOQ. It is the Offeror’s sole responsibility to monitor the websites for any updates or amendments to the RFQ.

### **1.10 Mandatory RFQ Pre-Submission Meeting at MDEQ**

A Mandatory RFQ Pre-Submission meeting, will be held at 2:00 p.m. on Monday October 21, 2024 at:

Mississippi Department of Environmental Quality  
515 East Amite Street  
Jackson, MS 39201

You may join the meeting from your computer, tablet or smartphone via Microsoft Teams, which will be recorded.

<https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>

Meeting ID: 294 718 308 849

Password: 66XLEP

A representative of the Offeror(s) must attend the Mandatory RFQ Pre-Submission Meeting held at MDEQ in person (preferred) or participate virtually (Name and Company name must be displayed). The purpose of this Mandatory Pre-Submission Meeting is to allow potential Offerors an opportunity to present questions to staff and obtain clarification on the requirements of the procurement document. Because MDEQ considers the meeting to be crucial to understanding the procurement requirements, attendance is mandatory in order to qualify as an Offeror.

### **1.11 Type of Contract**

Compensation for services will be in the form of an Indefinite Quantity Contract.

### **1.12 Written Statement of Qualifications**

All Statements of Qualifications shall be in writing.

## SECTION 2

### 2.1 Compensation for Services

The compensation for services requested under this RFQ will be negotiated collectively with the selected Offeror(s) on hourly rates. Selected Offeror(s) shall provide to MDEQ the services in this RFQ set out in one or more Work Orders to be issued by MDEQ and accepted by the Contractor (each, a "Work Order"). Each Work Order shall provide a scope of work, specifications, deliverables, schedule, and budget. Work Orders shall be deemed issued and accepted only if signed by an authorized representative of Contractor and the Executive Director of MDEQ, or his designee. There is no guaranteed amount of work under this RFQ and any resulting contract. **A rate sheet should not be submitted as part of the SOQ.**

### 2.2 Purpose

The Mississippi Department of Environmental Quality ("MDEQ") hereby solicits written Statements of Qualifications, subject to the conditions stated herein and attached hereto, from qualified organizations, companies or individuals licensed in the State of Mississippi ("Offeror") to provide professional engineering services to support permitting activities as authorized by Regular Session 2024, Senate Bill 2649, Section 1(1) ("SB 2649").

MDEQ is seeking one or more contractors to perform the respective Task Areas listed in this Section 2 of the RFQ. Any Offeror(s) who meets the requirements of the selection process of this Request for Qualifications for the corresponding respective Task Areas described in Section 2.3.2, will be selected as a qualified contractor to perform professional engineering services to support MDEQ. Being selected as a qualified contractor in no way guarantees that such Offeror(s) will be selected to perform a specified amount of work under this RFQ and any resulting contract.

### 2.3 Scope of Services

#### 2.3.1 Background

MDEQ is seeking engineering services from qualified organizations to assist MDEQ in tasks identified in Section 2.3.2 below, which assist MDEQ in performance of its statutory duties of conserving, managing, developing, and protecting the natural resources (water, air, and land resources) of the State of Mississippi.

MDEQ performs this responsibility by managing and overseeing programs regulating the protection of the state's water, air, and land resources. MDEQ administers such programs through various Offices of the agency, which includes the Office of Geology, the Office of Land and Water Resources and the Office of Pollution Control. The Mississippi Department of Environmental Quality Regulations may be found in Title 11 of the State of Mississippi Administrative Code.

## 2.3.2 Task Areas

The purpose of any resulting contract(s) under this RFQ is to provide professional engineering and technical support services in the following Task Areas in order to assist MDEQ in performing its permitting and certification activities as authorized by SB 2649. The Offeror shall indicate which Task Area(s) and corresponding sub-category(s) their SOQ addresses, and for which the Offeror wishes to be considered for award, by completing the Offeror Information Sheet, attached hereto as Attachment A. The Offeror shall provide a "Task Area Qualifications of Offeror" Section in their SOQ for **each individual Task Area** they are proposing to perform in accordance with Section 4.2 of this RFQ. This is in addition to providing a "Qualifications of the Offeror" Section that is further described in Section 4.2 of this RFQ. **The Offeror is not required to address all Task Areas in their SOQ.** SOQs will be evaluated in accordance with Section 4.6, Evaluation Procedure and Factors to be Considered in the Evaluation Process.

### 1. Environmental Water Permitting

MDEQ implements and oversees the wastewater environmental permitting for the State of Mississippi in accordance with Title 11 of the Mississippi Administrative Code Part 6: Wastewater Pollution Control Regulations. MDEQ receives and reviews National Pollutant Discharge Elimination System ("NPDES"), Stormwater, Pretreatment, and State Operating applications for permitted activities. In order to protect water quality and promote wise economic development, MDEQ's Environmental Permit Division ("EPD") corresponds with Applicants, evaluates water quality impacts, assesses technical merits, develops permits conditions/limits, engages stakeholders in public participation, and permits activities in accordance with state and federal law. Additionally, EPD reviews plans and specifications for treatment and abatement technologies. EPD provides support to the public, permittees, and internal stakeholders before, during, and after the permitting process.

Permits associated with this task include to the following:

- NPDES
- State Operating
- Pretreatment

#### General Permits

- Hot Mix Asphalt (Air/Water)
- Ready Mix Concrete (Air/Water)
- Wet Deck Log Spray (Water)
- Small Municipal Separate Storm Sewer System (Water)
- Industrial Stormwater (Water)
- Large Construction Stormwater (Water)
- Dry Litter Poultry Animal Feeding Operation (Water)

- Concentrated Animal Feeding Operation (Air/Water)
- Hydrostatic (Water)
- Underground Storage Tank Remediation (Water)
- Mining (Water)

Activities the Offeror may perform under this Task include, but are not limited to the following:

- Provide thorough review of applications submitted for wastewater control permits;
- Advise the Applicants in writing of deficiencies in submitted applications;
- Provide defensible evaluations on projects based on applications, reports, or other submittals;
- Develop wastewater pollution control permits, certificates, or other approvals and supporting documents in accordance with wastewater pollution control regulations based on applications and information submitted to MDEQ;
- Update applicable MDEQ data management systems (i.e. “enSite”);
- Participate in project meetings, stakeholder engagement, community outreach, public hearings and presentations before the Mississippi Environmental Quality Permit Board;
- Perform other related permitting tasks as directed by MDEQ.

This Task Area requires the Offeror to be knowledgeable of state wastewater permitting regulations, federal permitting regulations, engineering principles related to wastewater treatment, and MDEQ permitting processes. Knowledge of MDEQ’s data management systems including enSite, is also preferred, though not required. Additionally, the Offeror must have adequate staff including a licensed Professional Engineer registered in Mississippi.

## 2. Environmental Air Permitting

MDEQ implements and oversees the air quality environmental permitting for the State of Mississippi in accordance with Title 11 of the Mississippi Administrative Code Part 2: Air Regulations. MDEQ receives and reviews applications for the following types of permits pertaining to the construction and/or operation of air emissions equipment: permits to construct Moderate Stationary Sources and Moderate Modifications, permits to construct Minor New Source Review (“NSR”) Sources, permits to construct Major Prevention of Significant Deterioration (“PSD”) Sources and Major Modifications, State Operating Permits (including Synthetic Minor Operating Permits), and Title V Operating Permits. In order to protect air quality and promote wise economic development, EPD corresponds with Applicants regarding the administrative and technical completeness of applications, evaluates the applicability of State and Federal air regulations to processes and equipment at the



facility, ensures adequate and thorough evaluation of potential air emissions from the facility, develops permits with required limits and conditions necessary to enforce such limits, engages stakeholders in public participation, and permits activities in accordance with State and Federal law.

Permits associated with this task include to the following:

- Prevention of Significant Deterioration Construction
- Title V Operating
- Synthetic Minor Operating
- Air Construction
- Hot Mix Asphalt (Air/Water)
- Ready Mix Concrete (Air/Water)
- Concentrated Animal Feeding Operation (Air/Water)
- Oil Production (Air)

Activities the Offeror may perform under this Task include, but are not limited to the following:

- Provide thorough review of applications submitted for air permits;
- Advise Applicants in writing of deficiencies in submitted applications;
- Provide defensible evaluations on projects based on applications, reports, or other submittals;
- Develop and draft air Title V permits and supporting documents in accordance with Air Regulations based on applications and information submitted to MDEQ;
- Develop and draft non-Title V permits and supporting documents in accordance with Air Regulations including Prevention of Significant Deterioration (“PSD”) preconstruction permits and State permits to construct and operate, based on applications and information submitted to MDEQ;
- Update MDEQ data management systems (i.e. “enSite”);
- Participate in project meetings, stakeholder engagement, community outreach, public hearings and presentations before the Mississippi Environmental Quality Permit Board
- Perform other related tasks as directed by MDEQ.

This Task Area requires the Offeror to be knowledgeable of State air permitting regulations, Federal air regulations (including relevant guidance), engineering principles related to air pollution emissions and controls, and MDEQ’s air permitting processes. Knowledge of MDEQ’s data management systems, including enSite, is also preferred, though not required. Additionally, the Offeror must have adequate staff including a licensed Professional Engineer registered in Mississippi.

### 3. Water Quality Certifications and Assessment

MDEQ implements and oversees the Section 401 Water Quality Certification (“WQC”) Activities as detailed in Title 11 of the Mississippi Code, Part 6, Chapter 1. MDEQ receives water quality certification requests for projects receiving a federal permit or license that may impact water quality. Contractors will provide detailed evaluations of permit application documents that ensure proposed projects provide protection for aquatic resources including wetlands and streams, and that applicable compensatory mitigation is provided for all impacts to aquatic function.

Activities Offeror may perform under this Task include, but are not limited to the following:

- Provide thorough review of water quality requests or proposals submitted for approval;
- Provide defensible evaluations on environmental assessments, applications, reports, or other submittals;
- Develop certifications and supporting documents in accordance with WQC regulations;
- Update MDEQ data management systems (i.e. “enSite”);
- Participate in project meetings, stakeholder engagement, community outreach and public hearings and presentations before the Mississippi Environmental Quality Permit Board;
- Perform other permitting related tasks as directed by MDEQ.

This support area Task requires the Offeror to be knowledgeable of water quality standards, water quality sampling techniques, field assessment techniques, state regulations (concerning the 401 program, Waters of the State, and Waters of the US), wastewater/stormwater permitting, wetland delineation and mitigation processes, and engineering practices concerning these areas. Knowledge of MDEQ’s data management systems, including enSite, is also preferred, though not required. Additionally, the Offeror must have adequate staff including a licensed Professional Engineer registered in Mississippi.

### 4. Solid Sanitary Sewer Expert Review

MDEQ implements and oversees the wastewater environmental permitting for the State of Mississippi in accordance with Title 11 of the Mississippi Administrative Code Part 6: Wastewater Pollution Control Regulations. MDEQ receives, reviews, and approves sanitary sewer plans and specifications. MDEQ reviews the submittals to ensure that the sewer design meets applicable standards and will not cause a human health or water quality issue. Initially, proposed plans and specifications are reviewed prior to construction of the sewer system. After sanitary sewer systems have been constructed, MDEQ conducts a second review of the finalized (“as-built”) plans. For

these activities, MDEQ utilizes a data management system to track the status of sanitary sewer projects. Information and work for MDEQ is expected to be held confidential.

Activities the Offeror may perform under this Task include, but are not limited to the following:

- Provide thorough review of sanitary sewer plans and specifications or wastewater treatment plans and specifications in accordance with engineering standards and state specific requirements;
- Provide defensible evaluations on technical documents based on engineering and technical experience;
- Develop comments and approvals for MDEQ review;
- Update MDEQ data management systems (i.e. “enSite”);
- Perform other related sewer design and review tasks as directed by MDEQ.

This support Task requires the Offeror to be knowledgeable of Mississippi wastewater permitting regulations and procedures, engineering standards for the design of sanitary sewer and alternative sanitary sewer systems, details of sewer construction process, engineering standards for the design of domestic wastewater treatment facility, Microsoft Office, and other software used in the evaluation of plans and specifications. Knowledge of MDEQ’s data management systems, including enSite, is also preferred, though not required. Additionally, the Offeror must have adequate staff including a licensed Professional Engineer registered in Mississippi and some work may require Professional Engineer certification.

##### 5. Solid Waste Permitting and Other Authorizations

MDEQ implements and oversees the solid waste planning and permitting/authorization programs for the State of Mississippi in accordance with Title 11 of the Mississippi Administrative Code Part 4: Mississippi Nonhazardous Waste Regulations. MDEQ receives and reviews local government solid waste plans, municipal and industrial solid waste landfill permit applications, rubbish disposal applications, and various additional solid waste and waste tire storage, transfer, disposal, processing, and transportation applications, requests for beneficial use determinations and requests for exemptions for certain types of disposal activities. MDEQ corresponds with local governments submitting long range solid waste plans, assesses the compliance for the plans with State law and the Commission’s evaluation criteria and grants approval or conditional approval as the conditions dictate. MDEQ corresponds with permit applicants, evaluates applicable permitting criteria, assesses the technical merits, develops permit conditions and limits, engages stakeholders in public participation, and permits activities in accordance with state and federal law. MDEQ also corresponds with persons requesting exemptions from regulation for beneficial use of solid wastes and for certain limited disposal actions where

regulations allow. In order to protect human health and the environment and promote wise economic development, MDEQ provides support to the local governments, the public, permit applicants, and internal stakeholders before, during, and after the permitting process.

Permits associated with this task include to the following:

- Municipal Solid Waste (MSW) Landfill
- Non-MSW or Industrial Waste Landfill
- Class I Rubbish Site
- Class II Rubbish Site
- Transfer Station
- Processing Facility
- Composting Facility
- Land Application Site
- Waste Tire Processing Facility
- Waste Tire Collection Site (Authorization)
- Solid Waste Planning - Comprehensive Update
- Solid Waste Planning - Amendments
- Beneficial Use Determination

Activities the Offeror may perform under this Task include, but are not limited to the following:

- Provide thorough review of applications or select portions of applications submitted for solid waste permits or for renewal of existing solid waste permits;
- Provide defensible evaluations on projects based on applications, other requests, reports, technical assessments, monitoring and waste analytical information, technical design documents and drawings, or other related submittals;
- Conduct site visits and area review as needed to determine compliance of a proposed facility with applicable solid waste siting criteria to facilitate the permit application review;
- Develop and draft letters of deficiencies; solid waste planning documents; solid waste permits; letters of review; letters of authorization; responses to requests for exemptions; and other supporting documents in accordance with solid waste regulations based on plans, applications, requests, and information submitted to MDEQ;
- Update MDEQ data management systems (i.e. “enSite”) for assigned projects or as otherwise assigned by MDEQ work order;

- Conduct and/or participate in project meetings, stakeholder engagement, community outreach, and presentations before the Mississippi Environmental Quality Permit Board as required by State law and regulations;
- Perform other permitting related tasks as directed by MDEQ.

This Task requires the Offeror to be knowledgeable of state and federal solid waste management and planning laws, regulations, procedures, permit applications, guidance, and the MDEQ permitting process. Knowledge of MDEQ's data management system, enSite, is also preferred, though not required. Additionally, the Offeror must have adequate staff including a licensed Professional Engineer registered in Mississippi and at times, a licensed Professional Geologist registered in Mississippi. Some work may require certification by a Professional Engineer or Professional Geologist.

6. Hazardous Waste and/or Underground Injection Control (“UIC”) Well Permitting

The MDEQ implements and oversees the hazardous waste permitting program for the State of Mississippi in accordance with Title 11 of the Mississippi Administrative Code Part 3 Hazardous Waste Regulations, the Resource Conservation and Recovery Act (“RCRA”). MDEQ also implements and oversees the UIC well permitting program for the State of Mississippi in accordance with Title 11 of the Mississippi Administrative Code, Part 2, Underground Injection Control Regulations. MDEQ receives and reviews applications for permits related to regulated hazardous waste management activity and underground injection control wells. MDEQ corresponds with Applicants, evaluates applicable permitting and post closure criteria, assesses the technical merits, develops permit conditions and limits, engages stakeholders in public participation, and permits activities in accordance with state and federal law. In order to protect human health and the environment and promote wise economic development, MDEQ provides support to the public, permit applicants, and other internal and external stakeholders before, during, and after the permitting process.

Activities the Offeror may perform under this Task include, but are not limited to the following:

- Provide thorough review of applications submitted for hazardous waste/UIC permits or for renewal of existing permits;
- Provide defensible evaluations on projects based on applications, reports, or other submittals;
- Conduct physical site visits and area review as needed to determine compliance with siting criteria for hazardous waste management and/or UIC facilities to facilitate the permit application review(s);
- Develop and draft letters of deficiency or other documents detailing the results of the review of the applications, draft hazardous waste permits, draft UIC well permits and supporting documents such as fact sheets, public notices, and other

supporting documents in accordance with hazardous waste regulations, hazardous waste permitting process, based on review of applications and information submitted to MDEQ;

- Update MDEQ data management systems (i.e. “enSite”);
- Conduct and/or participate in stakeholder engagement, community outreach, and presentations before the Mississippi Environmental Quality Permit Board as required by state law and regulations;
- Perform other related tasks as directed by MDEQ

This support Task Area requires the Offeror to be knowledgeable of state and federal hazardous waste management regulations, Underground Injection Control regulations the MDEQ hazardous waste facility and UIC well permitting processes, and MDEQ’s permitting software, enSite.

#### 7. Office of Land and Water Resources

Activities the Offeror may perform under this Task include, but are not limited to, the following:

- The Offeror must demonstrate adequate experience related to the following tasks required for issuance of dam construction or modification permits including, but not limited to: watershed evaluations; hydraulic and hydrologic modeling for spillway determinations using HydroCAD or similar; dam breach modeling using HEC-RAS 2D; field inspections of dams; technical expertise in the areas of geotechnical design and analysis, structural design and analysis, and hydrology and hydraulics analysis in support of the dam safety program;
- Provide Perform duties related to the issuance of groundwater and surface water withdrawal permits including, but not limited to: GIS analysis; modeling groundwater and surface water flows; predictive modeling scenarios; analysis of well reports and geophysical logs: production of online reports and query tools; communication with the regulated community; dissemination of data; and data management activities; and
- Perform other related tasks as directed by MDEQ.

#### 8. Office of Geology

The Mining and Reclamation Division regulates all surface mines in the state as provided for in the Mississippi Surface Mining and Reclamation Act of 1977 (Sec. 53-7-1 et seq., Miss. Code 1972). Activities Offeror may perform under this Task include, but are not limited to the following:

- Provide thorough review of applications submitted for surface mining permits;
- Advise Applicants in writing of deficiencies in submitted applications;

- Provide defensible evaluations on projects based on applications, reports, or other submittals;
- Develop surface mining permits, notices of exempt operations, and/or supporting documents in accordance with applicable laws and regulations based on applications and information submitted to MDEQ;
- Update applicable MDEQ data management systems (i.e. “enSite”);
- Participate in project meetings, stakeholder engagement, community outreach, public hearings and presentations before the Mississippi Environmental Quality Permit Board;
- Perform other related permitting tasks as directed by MDEQ.

This support area requires the Offeror to be familiar with the Mississippi Surface Mining Regulations as well as having the capability to provide technical support. The Offeror must demonstrate adequate experience with Surface Mining Permit Applications and associated checklist(s). The Offeror must have adequate staff to provide these services.

## **2.4 Term**

The term of the contract shall be for a period through the repeal date of SB2649 which is July 1, 2028. Should the Mississippi Legislature extend the repeal date, the contract may be extended one (1) year as authorized by statute, upon written agreement of both parties, and under the same prices, terms, and conditions as in the original contract

### **2.4.1 Multi-Term Contracts**

Unless otherwise provided by law, a contract for services may be entered into for a period of time not to exceed four (4) years with an option to renew for one (1) year, provided the term of the contract and conditions of renewal or extension, if any, are included in the solicitation and funds are available for the first fiscal period at the time of contracting. Payment and performance obligations for succeeding fiscal periods shall be subject to the availability and appropriation of funds.

#### **2.4.1.1 Requirements**

- a) Four (4) years of service with an option to renew for one (1) year.
- b) A multi-term contract will be canceled if funds are not appropriated or otherwise made available to support the continuation of performance in any fiscal period succeeding the first; however, this does not affect either the State’s right or the Contractor’s rights under any termination clause in the contract.
- c) The Procurement Officer must notify the Contractors on a timely basis that the funds are or are not available for the continuation of the contract for each succeeding fiscal period.

## SECTION 3

### 3.1 Insurance

Prior to Contract performance, Contractor shall provide and maintain sufficient insurance coverage during the period of performance of the Contract, from an insurance carrier(s) licensed or holding a Certificate of Authority from the Mississippi Department of Insurance, as required by applicable state and federal law related to the work of the Contract and in connection with the Contract. This may include, but is not limited to the following:

- 1) Workers' Compensation and Employer's Liability Insurance. This insurance shall protect Contractor against all claims under applicable State workers' compensation laws. Contractor shall also be protected against claims for injury, disease, or death of employees, which, for any reason, may not fall within the provisions of a workers' compensation law. The liability limits shall not be less than the required statutory limits for workers' compensation and employer's liability limits in the amount of One Million and 00/100 Dollars (\$1,000,000.00).
- 2) Comprehensive General Liability Insurance. This insurance shall include bodily injury, property damage, contractual and other standard coverage contained in comprehensive general liability insurance, in an amount of not less than One Million and 00/100 Dollars (\$1,000,000.00) per occurrence and Five Million and 00/100 Dollars (\$5,000,000.00) aggregate.
- 3) Auto Liability Insurance. This insurance shall be in the amount of not less than One Million and 00/100 Dollars (\$1,000,000.00) Combined Single Limit to protect it from any and all claims arising from the use of the following: (1) Contractor's own automobiles and trucks; (2) hired and non-owned automobiles and trucks; and (3) automobiles and trucks owned by Contractors. The aforementioned is to cover use of automobiles and trucks in performance of the work.
- 4) Errors and Omissions/Professional Liability Coverage. This insurance shall be in the amount of not less than One Million and 00/100 Dollars (\$1,000,000.00) per occurrence.

MDEQ, its Commissioners, Board Members, officers, employees, agents, and representatives, and the State of Mississippi and its elected and appointed officers, employees and agents shall be named as additional insureds on such policies. The successful Contractor shall provide that the insureds thereon waive subrogation against the State of Mississippi and the said political subdivisions thereof. The successful Contractor's respective policies shall provide primary coverage before any applicable policy otherwise covering MDEQ, and any insurance covering MDEQ shall be excess coverage over the successful Contractor's coverage. Endorsements so stating shall be provided to MDEQ by the successful Contractor. The policies shall also provide for all additional insureds to be provided with a minimum 30-day written notice prior to a cancellation or modification of each respective policy. While the successful Contractor shall provide MDEQ with endorsements as set forth in this paragraph, the failure to do so, or the failure of the endorsements or insurance provided to conform to the Contract, does not constitute waiver or estoppels as to MDEQ of their respective legal and equitable rights, including but not limited to, the right to enforce the terms of the Contract. These contractual insurance provisions are intended to be, and shall be interpreted to be, separate and independent contractual obligations from the contractual provisions addressing the indemnity of MDEQ by the successful Contractor.



Upon execution of the Contract, Contractor shall promptly furnish MDEQ with endorsements showing the Contractor compliance with the insurance provisions of this paragraph. While Contractor shall provide MDEQ with endorsements as set forth in this paragraph, the failure to do so, or the failure of the endorsements or insurance provided to conform to the Agreement, does not constitute waiver or estoppels as to MDEQ of their respective legal and equitable rights, including but not limited to, the right to enforce the terms of the Contract. These contractual insurance provisions are intended to be, and shall be interpreted to be, separate and independent contractual obligations from the provisions addressing the indemnity of MDEQ by Contractor.

### **3.1.1 Subcontractor Insurance**

The Contractor is responsible for ensuring that any Subcontractors provide adequate insurance and/or bond coverage for the activities arising out of subcontracts.

## **SECTION 4**

### **4.1 Submission Format**

The Offeror will be limited to no more than thirty (30) pages in their SOQ submittal. Exceptions made to the above page limitations are described in Section 4.2 of this RFQ. Offeror need only to submit a response to Section 4.2.1-3 below once.

Paper size shall be 8 1/2 x 11. Typeface shall not be smaller than a font size of 12. Any information contained on pages that exceed the page limit will not be evaluated.

The Offeror must submit one (1) original and one (1) digital copy of the SOQ in PDF format on a USB flash drive of the SOQ to MDEQ on or before the above specified time and date as stated in Section 1.1.1 of this RFQ. The original must be signed by an authorized representative of the Offeror.

### **4.2 Written Statement of Qualifications Must Contain the Following Minimum Information**

**Offerors shall provide, at a minimum, all of the following information requested in this Section in their SOQ submittal package.**

1. A completed Attachment A, Offeror Information Sheet. These pages are not included in the thirty (30) page limit.
2. A completed Attachment B, Certifications and Assurances. This page is not included in the thirty (30) page limit.
3. The Offeror shall provide the following:
  - A list of previous contract/projects of similar scope performed by the Offeror in the past three (3) years, indicating any contract claims, early termination, or other issues, if any, from Offeror's performance of the work. For each referenced contract/project, provide the following information for a responsible individual who may be contacted for a reference:

- The name,
  - telephone number, and/or
  - email address.
- Indicate any ethics violations for Offeror and Offeror's key personnel who is proposed to perform work under this RFQ;
  - The Offeror's programs or measures used to ensure quality of completeness;
  - Résumés of key personnel who would be assigned to provide the required services, including, but not limited to, their respective backgrounds, experience, Project responsibilities, licenses, certifications, education, and skills. This information will not be counted towards the thirty (30) page limit.
  - The name of any company or individual anticipated to be used as a *subcontractor* on this Project, as well as that subcontractor's duties on the Project. Indicate the level of effort anticipated for subcontractors, if any. If subcontractors have not yet been identified but Offeror has certain duties that it anticipates subcontracting, Offeror shall delineate that scope of work to be subcontracted. Also, Offeror should be aware that all subcontractors must be approved by MDEQ. This information will not be counted towards the thirty (30) page limit.
4. For each Task Area indicated by the Offeror in Attachment A, Offeror shall provide a narrative detailing the following:
- A clear understanding of the scope of the Task and related objectives;
  - The ability and staffing to perform the work in an expeditious manner;
  - Experience and past performance of the Offeror, Offeror's key personnel, and subcontractors proposed, in similar work or related industry or programs to perform the Task. Offeror shall also indicate which key personnel from the résumés provided are anticipated to perform the Task;
  - Familiarity with MDEQ permitting processes, regulations, permit requirements and data systems;
  - The facilities, appropriate technology and techniques, and other resources available to perform the Task; and
  - Project management experience utilizing available staff and resources to perform the Task.
5. Acknowledgment of Amendment(s). Offerors shall acknowledge receipt of any amendment to the solicitation by signing and returning the amendment(s) with the SOQ. The amendment(s) must be received by MDEQ by the time and at the place specified for receipt of SOQ. This information will not be counted towards the thirty (30) page limit of the Qualifications of the Offeror section.

Offerors that do not comply with these minimum requirements and/or do not satisfactorily document in the SOQ that they meet the minimum requirements will not be considered.

### **4.3 Minimum Qualifications**

The Offerors will be evaluated based on requirements set forth in RFX3140003892 MDEQ-RFQ10072024. Those criteria that will affect the SOQ and be considered in evaluation for award shall be objectively measurable where possible. This RFQ sets forth the evaluation criteria to be used. No criteria will be used in an evaluation that is not set in this RFQ. Only respondents who are found responsive and responsible will have their SOQ considered.

MDEQ will receive SOQs from Offerors having specific experience and qualifications in the area identified in this solicitation. For consideration, SOQ for the project must contain evidence of the Offeror's experience and abilities in the specified area and other disciplines directly related to the proposed service. Other information required by MDEQ is included herein. Unless otherwise stated, all Offerors shall provide profiles and resumes of the primary staff to be assigned to the project, references, illustrative examples of similar work performed, and any other information that clearly demonstrates the Offeror's expertise in the area(s) of this solicitation.

The SOQ shall be specific and sufficiently detailed to satisfy the requirements set forth in this solicitation. A selection committee shall review and evaluate the SOQs.

#### **4.3.1 Responsive Offeror**

The Offeror must submit an SOQ, which conforms in all material respect to this Request for Qualifications, RFX3140003892 MDEQ-RFQ10072024, as determined by MDEQ.

#### **4.3.2 Responsible Offeror**

The Offeror must have capability in all respects to perform fully the contract requirements and the integrity and reliability, which will assure good faith performance, as determined by MDEQ.

### **4.4 Nonconforming Terms and Conditions**

A Statement of Qualifications that includes terms and conditions that do not conform to the terms and conditions in the Request for Qualifications is subject to rejection as non-responsive. MDEQ reserves the right to permit the Offeror to withdraw nonconforming terms and conditions from its Statement of Qualifications response prior to a determination by MDEQ of non-responsiveness based on the submission of nonconforming terms and conditions.

### **4.5 Conditioning Statement of Qualifications Upon Other Awards**

Any Statement of Qualifications which is conditioned upon receiving award of both the particular contract being solicited and another Mississippi contract shall be deemed non-responsive and not acceptable.

## **4.6 Evaluation Procedure and Factors to be Considered in the Evaluation Process**

### **4.6.1 Evaluation Procedure**

SOQs that are deemed satisfactorily responsive pursuant to Section 4.3.1 of this RFQ will be reviewed and evaluated by the Evaluation Committee in accordance with the below described process.

SOQs will be reviewed and evaluated by the Evaluation Committee for the information submitted in Offeror's SOQ required under Section 4.2 of this RFQ and for each Task Area and sub-category indicated by the Offeror in Attachment A. Each Offeror receiving a combined minimum score of 75 of their SOQ for each Task Area is anticipated to be awarded for the assigned Task(s) under this RFQ. The Evaluation Committee will only evaluate Task Areas(s) that the Offeror marked on Attachment A and submitted with their SOQ. Offerors may be selected for one or more Task Area depending on the above-described scoring and evaluation process.

MDEQ may make reasonable investigations deemed necessary and proper to determine the ability of the Offeror to perform the work. The Offeror shall furnish to MDEQ all information for this purpose that may be requested.

MDEQ reserves the right to reject any offer if the evidence submitted by, or investigation of, the Offeror fails to satisfy MDEQ that the Offeror is properly qualified to carry out the obligations of the contract and to complete the work described therein.

### **4.6.2 Evaluation Factors**

The following are the Evaluation Factors to be evaluated by the Evaluation Committee in accordance with Section 4.6.1, Evaluation Procedures, described above.

#### **4.6.2.1 Qualifications of the Offeror – 100 points**

##### **General Offeror Information – 30 Points**

- 1) Provided list of contracts/projects of similar scope in past three years. (8 Points)
  - a. Does the Offeror demonstrate work without claims/issues?
  - b. Does the Offeror provide contact information?
- 2) Offeror/personnel without ethics violations. (5 Points)
- 3) Offeror's programs/measures used to ensure quality and reliability. (5 Points)
- 4) Offeror's personnel. (8 Points)
  - a. Résumés provided.
  - b. Relevant education/experience.
- 5) Offeror's ability to complete work without subcontractors. (4 Points)

## **Task Specific Factors – 70 Points**

- 1) Is the Offeror's SOQ complete and responsive to the specific Task needs, duties, and requirements? (10 Points)
- 2) Does the Offeror demonstrate a clear understanding of the scope of the Task and related objectives? (5 Points)
- 3) Does the Offeror demonstrate the ability and staffing to perform the work in an expeditious manner? (15 Points)
- 4) Does the Offeror document experience and past performance of the Offeror, Offeror's key personnel, and proposed sub-contractors in similar work or related industry or programs to perform the Task? (15 Points)
- 5) Does the Offeror demonstrate specific familiarity with MDEQ permitting processes, regulations, permit requirements, and data systems? (15 Points)
- 6) Does the Offeror demonstrate available facilities, appropriate technology and techniques, and other resources available to perform the Task? (5 Points)
- 7) Does the Offeror demonstrate project management experience utilizing available staff and resources to perform the Task? (5 Points)

## **4.7 Award**

Any Contract Award(s) will be made to those qualifying Offerors for the specific Task Areas they are found to be qualified and proposed for in accordance with Section 4.6. The selected Offeror(s) shall supply all necessary labor, material, services, equipment, and facilities in support of the effort described herein and as further directed by specific Work Orders in accordance with the Contract. The Contract(s) will be awarded by written notice, to all Offerors whose SOQ meets the requirements and criteria set forth in this RFQ.

### **4.7.1 Notification**

All participating vendors will be notified of MDEQ's intent to award a contract(s). In addition, MDEQ will identify the selected vendor(s).

## **SECTION 5**

### **5.1 Post-Award Vendor Debriefing**

An Offeror, successful or unsuccessful, may request a post-award debriefing, in writing, by U.S. mail or electronic submission. The written request must be received by the Executive Director of MDEQ within three (3) business days of notification of the contract award. A post-award debriefing is a meeting and not a hearing; therefore, legal representation is not required. A debriefing must occur within three (3) business days of receipt of the request. If the Offeror prefers to have legal representation present, the Offeror must notify the Executive Director of MDEQ in writing and identify its attorney by name, address, and telephone number. MDEQ will schedule and/or suspend and

reschedule the meeting at a time when legal counsel can be present.

Unless good cause exists for delay, the debriefing should occur within three (3) business days after receipt of the vendor request and may be conducted during a face-to-face meeting, by telephonic or video conference, or by any other method acceptable to the agency. The Chief Procurement Officer or designee should chair the meeting, and where practicable, include other staff with direct knowledge of the procurement.

At a minimum, the debriefing information shall include the following:

- (1) MDEQ's evaluation of significant weaknesses or deficiencies in the Offeror's SOQ, proposal, or qualifications, if applicable;
- (2) The overall evaluated cost or price, and technical rating, if applicable, of the successful Offeror(s) and the debriefed Offeror;
- (3) The overall ranking of all Offerors, when any ranking was developed by the MDEQ during the selection process;
- (4) A summary of the rationale for award; and,
- (5) Reasonable responses to relevant questions about selection procedures contained in the solicitation, applicable regulations, and other applicable authorities that were followed.

The debriefing shall not include point-by-point comparisons of the debriefed Offeror's SOQ, proposal, or qualification with those of other offering vendors. Any written request by an Offeror for nondisclosure of trade secrets and other proprietary data is subject to the provisions of Mississippi Code Annotated §§ 25-61-9 and 79-23-1 and §§ 75-26-1 through 75-26-19.

## **5.2 Protest of Award**

Any actual or prospective Offeror or Contractor who is aggrieved in connection with this solicitation or the outcome of the Request for Qualifications may file a protest with the MDEQ RFQ Coordinator, Ms. Aveleka Moore, Contracts Division Director. The protest shall be submitted, in writing, within seven (7) calendar days of the Notice of Intent to Award. All protests must be in writing, dated, signed by the Offeror or an individual authorized to sign contracts on behalf of the protesting Offeror, and contain a statement of the reason(s) for protest, citing the law(s), rule(s) or regulation(s), and/or procedure(s) on which the protest is based. The written protest letter shall contain an explanation of the specific basis for the protest. The protesting Offeror must provide facts and evidence to support the protest. A protest is considered filed when received by the MDEQ RFQ Coordinator, Aveleka Moore, Contracts Division Director, via either U.S. mail, postage prepaid, or personal delivery. Protests filed after the seven (7) calendar days will not be considered.

## **5.3 Standard Contract Terms and Conditions**

Any Contract entered into between MDEQ, and an Offeror shall include the clauses found in **Attachment C**.

#### **5.4 Mississippi Contract/Procurement Opportunity Search Portal**

This SOQ, any Amendments, and the Notice of Intent to Award will be posted on the MDEQ website and on the Mississippi Contract/Procurement Opportunity Search Portal website.

#### **5.5 Attachments**

The attachments to this Request for Qualifications are made a part of this Request for Qualifications as if copied herein in words and figures.

Attachment A – Offeror Information Sheet

Attachment B – Certifications and Assurances

Attachment C – Standard Contract Terms and Conditions