

REQUEST FOR PROPOSALS

Excess Soil Reuse Guidance

Contaminated Sites Working Group Canadian Council of Ministers of the Environment

1.0 BACKGROUND

The Canadian Council of Ministers of the Environment (CCME) is the primary minister-led intergovernmental forum for collective action on environmental issues of national and international concern. The 14 member governments work as partners in developing consistent environmental standards and practices.

Excess soil has been identified as a potentially valuable resource, however guidance for its use is not consistent across Canada. Further, excess soil from projects is not consistently tested for contaminants before being reused as fill at reuse sites. This treated and excess soil, with the right management limits, could be used for landfill cover, beneficially reused on a development site or incorporated in industrial construction fill projects rather than utilizing pristine soil. Management guidance, where it exists, is not consistent across jurisdictions and sometimes is not consistent within jurisdictions.

In the first stage of the project, the Contaminated Sites Working Group (CSWG)'s Excess Soils Project Team (hereafter the "Project Team") conducted a literature review of best management practices and guiding principles in Canadian and international jurisdictions. The Project Team used elements of the review to develop draft excess soil guidance. In the second stage of the project, a consultant further developed the draft guidance. The resulting draft guidance includes principles and best management practices for beneficial reuse of excess and/or treated soil and soil-like materials, e.g., foundry sand, remediated soil and dried sediments. It is intended to provide contaminated site managers with guiding principles and best management practices for managing treated and/or excess soil in a consistent and environmentally sustainable way, and support jurisdictions in developing their own excess soil management approaches.

The third and final stage of the project will obtain and incorporate input on specific aspects of the guidance through peer and public review. Specifically, the public review is intended to provide managers, stakeholders and other users of the guidance with the opportunity to suggest modifications to the excess soil guidance so that it better reflects the concerns and the reality of interested parties, and to ensure that the document's approach and applicability meet the needs of users.

2.0 STATEMENT OF WORK

The Contractor will:

- compile into a disposition table and analyze the peer and public review comments on draft excess soil reuse guidance
- propose responses to all comments
- revise the draft excess soil guidance based on the final disposition table.

3.0 SCOPE OF WORK

The project will commence on December 14, 2022 and will be complete by March 31, 2022.

The Contractor will have expertise in soil management and contaminated land remediation, as well as in the behavior of contaminants in the environment.

The excess soil reuse guidance does not deal with management of industrial wastes, hazardous wastes, or other similar materials, such as biosolids.

The Contractor is not responsible for conducting the peer review, which the Project Team has already completed, or managing the public review. The Project Team anticipates public review will start on November 21 and end on January 3.

3.1 Tasks

Without limiting the scope of work, the Contractor shall carry out the main items of work as described herein.

Task 1: Project initiation meeting

The Project Authority will provide the Contractor with a copy of the draft Excess Soil Reuse Guidance and the public review questionnaire upon signature of the contract.

The Contractor, Project Authority and Contract Authority will meet via teleconference within two weeks of the signing of the contract to discuss and agree upon the scope of the project, expectations for deliverables and periodic reports, format of deliverables and expected timelines.

Task 2: Disposition table

The Contract Authority will post the draft guidance document, along with a questionnaire developed by the Project Team, on the CCME website in English and French. The questionnaire covers aspects of the guidance including, but not limited to, principles, and possible soil-reuse scenarios. Reviewers will be invited to provide comments relative to the guidance and will have the option to leave their contact information in the questionnaire for clarification purposes if needed.

The Contract Authority will email all public and peer review comments received to the Contractor by January 4, 2023. The Contractor will compile the comments into a disposition table grouped by subject category. The Contractor will propose responses to each comment supported by rationale and bibliographical references. The Contractor will provide the draft disposition table to the Project Authority and Contract Authority by February 1, 2023.

The Project Team will review the disposition table and provide comments to the Contractor by February 10, 2023. The Contractor will incorporate Project Team comments into a final disposition table, indicating how they have responded to each comment, to be provided to the Project Authority and Contract Authority by February 17, 2023.

Task 3: Revised excess soil reuse guidance

The Contractor will use agreed-upon responses from the final disposition table to propose revisions to the draft excess soil reuse guidance that will be provided to the Contract Authority and Project Authority by March 3, 2023. The Project Team will provide comments to the Contractor by March 10, 2023. The Contractor will incorporate Project Team comments into a final guidance document, to be provided to the Project Authority and Contract Authority by March 17, 2023.

Task 4: Meeting with the Project Team

To help ensure clarity and common understanding, the Contractor will conduct a maximum two-hour virtual meeting with the Project Team the week of March 20, 2023. The Contractor will provide an overview of how the document was revised and respond to any questions the Project Team may have.

The Contractor will draft the meeting agenda for review by the Project Authority and Contract Authority by March 12, 2023 and finalize the agenda based on comments received. The Contract Authority will circulate the final agenda to all meeting participants one week before the meeting. The Contractor will Chair the meeting. The Contractor will not be responsible for logistics of the meeting such as web hosting, scheduling and creating an invite list. The Contractor Authority may record the meeting for reference.

Task 5: Project close meeting

The Contractor, Project Authority and Contract Authority will meet by March 31, 2023 to review the project to identify successes, challenges, and opportunities for improvement.

3.2 Payment and Deliverables

Payments will be based upon the Contractor's completion of tasks and as evidenced by the production of the specified deliverables listed below. Payments will be made only after receipt of such deliverables and acceptance thereof by the Project Authority and the Contract Authority. Except as otherwise specifically provided for herein or in the professional services contract entered into with CCME, CCME will not be required to pay for partially completed tasks or for any

additional work that may be required that the Contractor may not have budgeted for in its proposal. CCME shall not be committed to any other basis of payment by virtue of CCME having requested or received information regarding the Contractor's method of determining its bid for the completion of the Project, including, without limitation, any information regarding estimates of time spent and hourly rates of the Contractor's employees, contractors and agents involved in the Project.

Payment will be made by CCME via electronic funds transfer (TelPay is CCME’s current provider) to the Contractor according to the following schedule, subject to the deliverables listed below having been received and accepted by the Project Authority and the Contract Authority, and invoices having been submitted by the Contractor, and approved by the Project Authority and the Contract Authority and received by CCME. The Contractor will provide all necessary information to enable electronic funds transfers before initiating work on the project. If the electronic payment information provided by the contractor is incorrect and results in a returned payment, the Contractor will be responsible for reimbursing CCME for the service fees charged by CCME’s electronic funds transfer provider.

Deliverables	Payment Amount (% of contract value, inclusive of all applicable taxes)	Target Date
Task 1 and 2: Initiation meeting and final disposition table	30%	February 17, 2023
Task 3: Revised draft guidance	50%	March 17, 2023
Task 4 and 5: Project Team meeting and project close meeting	20%	March 31, 2023

The Contractor agrees to initiate work on the project by December 19, 2022.

The Contractor must provide all deliverables in electronic format to the Project Authority and Contract Authority no later than the dates specified above. All records, including but not limited to documents, reports, briefing notes and correspondence, generated by the contractor during the course of this project must be prepared in English using *Microsoft Word* for word processing, *Microsoft Excel* for data management, and *Microsoft PowerPoint* for presentations and other graphics.

All deliverables are the property of CCME and CCME reserves the right to publish them. The copyright in all materials produced as a product of the services shall belong exclusively to CCME. The Contractor shall waive all moral rights to all materials produced as a product of the services. The Contractor must advise the Project Authority of any information provided by a third party on a confidential basis for the purpose of the study and is to transmit the original documents containing any such information to the Project Authority under separate cover.

All discussion papers, reports and correspondence produced by the Contractor are subject to review by people designated by the Project Authority. The Contractor must perform all work to the satisfaction of the Project Authority and the Project Team.

Sufficient flexibility is required of the Contractor to respond to changing schedules and developments.

3.3 Budget

The maximum budget for this project is \$13,000 Canadian, inclusive of all fees, expenses and applicable taxes; proposals in excess of the maximum budget will not be considered. Proposed professional fees must be inclusive of all office and administrative costs. Project-specific expenses such as travel costs, where required, must be estimated and included in the total estimated cost of the project. These project-specific expenses may be billed on an “as incurred” (or monthly) basis and payment will be made after written confirmation from the Project Authority that the expenses were authorized and approved. The Contractor must supply reasonable and adequate documentation to support the expense claims. Travel-related expenses must follow *CCME Guidelines for Reimbursement of Expenses*.

Bidders from HST jurisdictions are advised that CCME’s office is located in Winnipeg, Manitoba and accordingly only GST should be applied.

4.0 PROPOSALS

4.1 The proposal shall not exceed a maximum of 10 pages in length, excluding appendices. The proposal must:

- Provide an outline of the intended approach including basic tasks, schedule of activities, and budget.
- Describe the personnel of the project team, areas of responsibility, time allotted and charge out rates.
- Document contingent procedures and personnel to be used if key team members become unavailable.
- Provide a brief description of any similar projects undertaken. Include the timeframe that the work was undertaken and key individuals involved in its completion.
- Include the names and contact information of three references.
- Include as an appendix *curricula vitae* and contact information of key team members.
- Include as an appendix:
 - the bidder’s legal name and mailing address
 - the name and contact information of the bidder’s authorized signing officer
 - the name and contact information for the bidder’s administrator of the contract if different from the signing officer
 - the bidder’s GST registration number or if exempt, proof of exempt status.

4.2 Personal information requested above is required to enable CCME to evaluate the proposal. All individuals noted in the proposal should be advised of and approve the release of personal information for the purpose of the proposal and the bidder is responsible for obtaining such approval.

4.3 The Contractor shall not, without written consent of CCME, subcontract any obligation of the Contractor.

5.0 CONDITIONS

5.1 CCME reserves the right in its sole discretion to consider or reject any and all proposals. CCME reserves the further right to extend the deadline for proposals and to add, delete and/or change the terms of this Request for Proposals (RFP) and issue corrections and amendments to it. CCME has made every effort to ensure the completeness and accuracy of the information contained in this RFP. CCME shall not be liable for any errors or omissions or responsible for any bidder interpretations or conclusions regarding the information contained in this RFP. Contractors who submit proposals will not acquire any legal or equitable rights or privileges whatsoever until a contract is signed with CCME. CCME will not pay any compensation for the preparation of the proposal and all proposals become the property of CCME.

5.2 The successful bidder is required to agree to a professional services contract with CCME. A sample CCME professional services contract is posted with this RFP. Bidders must identify in their proposals any changes requested to CCME's sample professional services contract and CCME reserves the right in its sole discretion to consider, accept, reject or amend such requested changes. CCME further reserves the right to revoke any offer to enter into a professional services contract. As part of a commitment to environmentally-sound business practice, it is CCME's practice to prepare, sign and transmit contracts electronically.

5.3 Proposal Deadline

The Contract Authority must receive proposals no later than 12:00 noon Central, December 8, 2022; proposals received after the deadline will not be considered. The time stamp on CCME's email server shall be deemed to be conclusive evidence of time of receipt.

5.4 Method of Submission

Bidders must submit proposals by email to the Contract Authority in an unsecured electronic format, file size to be no larger than 5.0 MB, compatible with MS Word or Adobe Acrobat.

5.5 Ineligible Bidders

The following organizations and individuals, and organizations proposing such individuals as part of a project team, are ineligible to bid on this project:

- 5.5.1 Federal, provincial and territorial governments and all their departments and ministries and Crown corporations, boards, commissions and agencies and any officials and employees of them.
- 5.5.2 Members of the House of Commons and provincial and territorial legislative assemblies.
- 5.5.3 Persons providing administrative and related services to the CCME group responsible for the project.
- 5.5.4 Members and participants of CCME committees and groups, and for a period of six months after such membership ends.
- 5.5.5 Any company that is ineligible to bid on federal, provincial or territorial government contracts.

6.0 CONTACTS

Prospective bidders should direct questions to the Contract Authority.

6.1 Contract Authority

Olivier Berreville
Canadian Council of Ministers of the Environment
123 Main Street, Suite 360
Winnipeg, MB R3C 1A3
Tel: (204) 451-6571
Email: oberreville@ccme.ca

6.2 Project Authority

Mathieu Laporte-Saumure
Direction des Lieux contaminés
Direction générale des politiques en milieu terrestre et du développement durable
Ministère de l'Environnement et de la Lutte contre les changements climatiques
675, boul. René-Lévesque Est, 9^e étage
Québec (Québec) G1R 5V7
Email: mathieu.laporte-saumure@environnement.gouv.qc.ca

7.0 PROPOSAL EVALUATION

All assessments and weighting of criteria is at the sole discretion of CCME. The Project Team will evaluate proposals based on the following criteria:

Technical and Management Proposal Evaluation Criteria

TECHNICAL PROPOSAL	Score
Demonstrated understanding of the project scope and objectives	10
Technical approach and methodology to meet project objectives	10
Work plan feasibility and organization	10
Recognition of possible problems, proposed solutions and additional innovative suggestions	10
MANAGEMENT PROPOSAL	
Experience and qualification of Program/Project Manager	10
Experience and qualifications of project team members, and alternate team members in case of unforeseen availability:	10
(a) qualifications of team members	
(b) depth and breadth of the team's experience	
(c) depth and breadth of individual team members experience in similar assignments	
Experience of organization in similar assignments	10
Experience working with a range of stakeholders	10
Ability to communicate effectively and to provide leadership/ coordination/ management under multi-partnership team setting	10
Value for money	10
COMPLETENESS OF PROPOSAL	
All information described in section 4.1 has been provided	10

8.0 AWARD OF CONTRACT

The Project Team will determine award of the contract by December 12, 2022. The lowest or any bid will not necessarily be accepted.

Upon award, the work must proceed on a timely basis as outlined in the table of deliverables. The successful proponent must not commence work until a contract is in place.

Contractors can view the status of this project on the CCME website, www.ccme.ca, on the What's New page.