State of Louisiana

JOHN BEL EDWARDS
GOVERNOR

November 2, 2016

TO: ALL POTENTIAL PROPOSERS

RE: RFP NO. 2503-16-23
"Environmental Consulting Services Mid-Barataria Sediment Diversion Third-Party Environmental Impact Statement"

PROPOSAL DUE DATE: NOVEMBER 16, 2016 3:00PM CENTRAL STANDARD TIME

QUESTIONS AND ANSWERS

1. Q. If a firm is on the winning team for this Mid-Barataria EIS contract as the Prime or Subconsultant, can they serve as a Prime or Subconsultant on one of the upcoming E&D contracts for the Mid-Barataria or Mid-Breton Diversions or the EIS contract for the Mid-Breton project (i.e., does CPRA want unique teams for each of these four contracts)? The reason we ask is that we want to make certain we understand the availability of firms to form teams.

A. Considering CEQ's regulations and the required EIS Contractual OCIs, CPRA considers the "Selected" Prime Contractor for the MBSD EIS to be ineligible due to conflict (as a Prime or Sub-consultant) for MBSD Engineering Design or Design Review in support of Plans and Specifications performed concurrently with the EIS. "Selected" Sub-consultants for the MBSD EIS are also ineligible due to conflict, as a Prime Consultant, for MBSD Engineering Design or Design Review in support of Plans and Specifications performed concurrently with the EIS. "Selected" Sub-consultants for the MBSD EIS must also comply with the EIS OCI process under CEQ regulations and, after review of disclosures, it may be determined that those Sub-consultants either have no conflict or conflict which may be mitigated, or that those Sub-consultants are ineligible due to conflict for which they are unable to mitigate for the MBSD Engineering Design or Design Review in support of Plans and Specifications performed concurrently with the EIS. Potential upcoming advertisements for Mid-Breton Sediment Diversion (MBrSD) Environmental Impact Statement (EIS) or MBrSD Engineering Design or Design Review in support of Plans and Specifications are separate projects and solicitations from MBSD. The "Selected" Prime Contractor and any Sub-consultants for MBSD advertisements would not be conflicted out of competing for the MBrSD advertisements simply because they performed work on the MBSD Projects. However, please be aware that if MBSD work is concurrent with MBrSD advertisement/selection, all proposals may be evaluated for a Proposer's availability or overall team capacity.

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availability or overall team capacity.

2. Q. The RFP has cost proposal described in Section 1.6.A.l and there is no statement that this should be a separate volume. However, on page 16 of the RFP, Volume II is presented as the Financial Information and it is described as a separate volume (Volume II). Further down on the same page however, the instructions state that Volume II (Cost) should be a separate volume. Please confirm that Volume II should contain those items described in Section 1.6.A.l through Section 1.6.A.m in addition to the financial information, or if this information should be retained in Volume I.

A. The cost proposal/required rate schedule <u>shall</u> be included in Volume I. Volume II is only for the Financial Information in 1.6B.

3. Q. The Required Rate Schedule (Attachment 7) does not match the personnel descriptions identified in Section 1.6.A.g and yet as identified on page 15 of the RFP, compensation will be on a task order basis and will be based on those rates presented in Attachment 7. Recommend that the rate schedule be changed to reflect the personnel descriptions/disciplines.

A. See Section 1.6.A.l. Cost Proposal, "Slotting of proposed labor rates to individual personnel is negotiable and requires justification based on the individuals' qualification (experience) and the personnel classification prior to issuance of a Task Order." See Attachment 5, "Proposer to insert Required Rate Schedule Personnel Category, see Attachment 7. * this is for information purposes only-not part of the cost evaluation".**

4. Q. In the Scope of Work (page 66 of the RFP), it is stated: "Generally, the TPC is responsible for researching, obtaining, compiling, and reviewing the necessary data, analyses, documentation, literature, technical publications and previous environmental studies or reports and findings; ***conducting fieldwork and preparing technical studies in support of the EIS*** [emphasis added]; assisting USACE with public meetings/hearings; and preparing the NEPA documents, including reproduction, distribution/public posting and mailings." Yet in several sections of the Scope of Work (see, for example, Sections 7.12.1 [Wetlands], 7.12.2 [Cultural Resources], 7.12.11 [Water Quality], and 7.12.12 [HTRW]), it is stated that USACE/CPRA will provide data to the TPC that typically require field work. As the need for field work will greatly affect the level of effort and, thus, costs, we request that CPRA confirm what field work would be expected under this contract other than general reconnaissance surveys.

A. It is anticipated that reconnaissance level surveys will be required for the biological assessment (BA), HTRW, socioeconomic analysis, and environmental justice.

5. Q. Under 1.6 A.i. (pg 12 of RFP), Experience of Personnel – Concerning customer references on individual resume. If individual worked on a relevant project and that project was worked on while with another firm and he/she was not privy to client information, how should reference be handled? State Not Available or give a contact at

firm who submitted project work.

A. **Give as much contact information as possible so CPRA can verify reference.**

6. **Q.** Three of my third-party NEPA co-workers included for this CPRA proposal worked extensively for the Natural Resource Damage Assessment for the BP oil spill—they gained excellent T & E surveys and resource assessment experience. However, they worked for a firm, whose client was BP. Should they include that NRDA experience on their resume, even though the client was BP?

A. **Provide experience as described in Section 1.6.A.i. Experience of Personnel Assigned to the Project. As the Deep Water Horizon (DWH) case has reached a final settlement, CPRA does not consider previous work for British Petroleum or related to DWH as a conflict. Proposers should declare all real or perceived OCIs.**

7. **Q.** Concerning licenses and certificates – Does CPRA want all licenses and certificates for engineers, etc., regardless of state or just Louisiana licenses/certificates?

A. **Proposers should reference all relevant licenses and certifications on both the individual resumes and within Attachment 5 to verify proposal acceptance.**

8. **Q.** May a firm be a subcontractor on multiple teams?

A. **Yes.**

9. **Q.** Concerning example project summaries – Is it acceptable to use an IDIQ contract showing all the task orders with s description of each or does it need to be individual projects?

A. **See section 1.6.A.h., Proposers should include "relevant experience preparing NEPA documents for similar projects".**

10. **Q.** Who from CPRA will be on the technical review team?

A. **CPRA will assign appropriate staff to review, evaluate, and select a contractor.**

11. **Q.** Is it a conflict of interest to pursue this RFP if as a contractor for CPRA the Proposer worked on any aspect of the MBSD Engineering Design or Technical Review of the design?

A. **Considering CEQ's regulations and the required EIS Contractual OCIs, CPRA considers the "Selected" Prime Contractor for the MBSD EIS to be ineligible due to conflict (as a Prime or Sub-consultant) for MBSD Engineering Design or Design Review in support of Plans and Specifications performed concurrently with the EIS. "Selected" Sub-consultants for the MBSD EIS are also ineligible due to conflict, as a Prime Consultant, for MBSD Engineering Design or Design Review in support of Plans and Specifications performed concurrently with the EIS. "Selected" Sub-consultants for the MBSD EIS must also comply with the EIS OCI process under CEQ regulations and, after review of disclosures, it may be determined that those Sub-consultants either have no conflict or conflict which**

may be mitigated, or that those Sub-consultants are ineligible due to conflict for which they are unable to mitigate for the MBSD Engineering Design or Design Review in support of Plans and Specifications performed concurrently with the EIS.

12. Q. May the contractor who wins the MBSD EIS also compete to perform the Mid Breton EIS?

A. Potential upcoming advertisements for Mid-Breton Sediment Diversion (MBrSD) Environmental Impact Statement (EIS) or MBrSD Engineering Design or Design Review in support of Plans and Specifications are separate projects and solicitations from MBSD. The "Selected" Prime Contractor and any Sub-consultants for MBSD advertisements would not be conflicted out of competing for the MBrSD advertisements simply because they performed work on the MBSD Projects. However, please be aware that if MBSD work is concurrent with MBrSD advertisement/selection, all proposals may be evaluated for a Proposer's availability or overall team capacity.

13. Q. May the contractor who wins the MBSD EIS also compete to perform the Mid Breton Design?

A. Potential upcoming advertisements for Mid-Breton Sediment Diversion (MBrSD) Environmental Impact Statement (EIS) or MBrSD Engineering Design or Design Review in support of Plans and Specifications are separate projects and solicitations from MBSD. The "Selected" Prime Contractor and any Sub-consultants for MBSD advertisements would not be conflicted out of competing for the MBrSD advertisements simply because they performed work on the MBSD Projects. However, please be aware that if MBSD work is concurrent with MBrSD advertisement/selection, all proposals may be evaluated for a Proposer's availability or overall team capacity.

14. Q. On page 9, Part f of the RFP, Proposer Qualifications Form for Acceptance of Proposal, it is stated: "Compliance with the Proposer Qualifications is required for Acceptance of this Proposal. The Proposer **shall** complete the form in Attachment 4". Also on Page 19, Section 1.17, the RFP states, "Information required of the Proposer under the terms of this RFP shall also be required for each Subcontractor.

a. If a Proposer has Subcontractors, are the Subcontractors also required to submit Attachment 4?

b. Are Subcontractors required to provide a financial summary of their last 3 years?

c. Are Subcontractors required to provide the following documents: Memorandum of Understanding, Organizational Conflict of Interests,

Certificates of Insurance, Certification Statements?

d. If a Proposer has a Subcontractor who is an Expert that works at a university and has no financial records from any consulting work or only partial financial records for consulting work from the last 3 years, must the Expert Subcontractor submit any financial statements? If yes, what must the Expert Subcontractor provide that will satisfy the financial requirements of the RFP?

e. If a Proposer has Subcontractors, do the Subcontractors also need to complete Attachment 5 or can the information from the Subcontractor(s) be included in the Proposers Attachment 5 (i.e., the Proposer in their response to the RFP provides only one Attachment 5 with Proposer and Subcontractor information provided).

A. **a. No.**

b. No, only the Prime Contractor submits financial information required by Section 1.6B.

c. Only one MOU is required by the Proposer. All Sub-contractors are subject to this agreement. Only one Organizational Conflicts of Interest (OCI) is required by the Proposer. All Sub-contractors are subject to the OCI Certifications. The OCI Certifications submitted by the Proposer shall include all Sub-contractors. Only the Prime Contractor submits Certificates of Insurance and Certification Statements.

d. Sub-contractors are not required to submit financials.

e. Proposers shall only submit one Attachment 5, see Attachment 5.

15. Q. The contract is for a 3 year period. Will it be a task-order based contract?

A. **The contract has the capacity to be a maximum of three years.. See Section 1.6.A.l. "Compensation to the Contractor for services rendered in connection with this contract shall be Task Order based."**

16. Q. Can you further explain the difference between the cost estimate and budgetary total cost estimate as stated on page 15, section l?

A. **The cost estimate referenced in Section 1.6.A.l. paragraph 6, 1st sentence is based on the attached Scope of Work, "Proposers should provide an estimated cost with a detailed estimate of the number of hours with the proposed labor rates and individual personnel names, specialized equipment or materials costs, and travel costs to accomplish the SOW." The budgetary estimate should include additional costs beyond the cost estimate, if necessary, based on the SOW, the document**

matrix, and the Proposers' experience or judgment of additional tasks or efforts which may be identified during the EIS process, such as during the Public Scoping Meeting.

17. Q. For the purposes of the subject RFP, is there a difference between someone being a sub-contractor verses being a consultant. If so, please define or describe the difference.

A. No, the word is used interchangeably.

18. Q. Page 8: Section 1.6 (Proposal Format): Should the hard copies of the proposal be printed double-sided or single-sided, or would this be based on our preference?

A. This is based on your preference.

19. Q. Pages 9-11: Section 1.6.A.g (Minimum Personnel Qualifications Form for Acceptance of Proposal): The RFP defines the term of Proposer and Sub-Contractor (on Page 6) as being separate entities. However, in Section 1.6.A.g, on pages 9-11, the term Proposer refers to either the Prime or Sub-Contractor (the submitting team). These two definitions seem to contradict each other. Is the Proposer just the Prime Contractor, or the submitting team (Prime Contractor plus all Sub-Contractors)?

A. The Proposer is just the Prime Contractor.

20. Q. Pages 9-11: Section 1.6.A.g (Minimum Personnel Qualifications Form for Acceptance of Proposal): With the exception of 1.6.A.g.A and 1.6.A.g.B, can one individual be presented to meet the minimum requirements for more than one category? Can the primary Project Manager (1.6.A.g.A) function in another role, other than the NEPA Expert (1.6.A.g.B), which is specified must be a separate person? Can the NEPA Expert (1.6.A.g.B) function in another role?

A. Individuals in Section 1.6.A.g.A. and 1.6.A.g.B. are restricted from being the same individual, and shall not function in another role. Individuals in Section 1.6.A.g.C. through 1.6.A.g.K. may serve multiple roles, assuming the individual meets each individual Minimum Qualification. In addition, Proposers should consider Section 1.6.A.i. and j. Experience of Personnel Assigned to the Project and Approach and Methodology "their planned level of effort", and "Provide a reasonable approach to meeting the required project schedule as outlined in the Scope of Work."

21. Q. Page 10: Section 1.6.A.g.D (minimum qualifications for Wetlands Biologist): Regarding: "At least one individual of the Proposer (Prime or Sub-Contractor) must be a Wetlands Biologist with an botany degree or environmental degree with a minimum of twenty (20) semester hours in Botany and a minimum of five (5) years experience in wetlands delineation and mitigation or a combination of five (5) years experience in wetlands delineation and mitigation and education with courses equivalent to a major in botany or basic plant science with a minimum of 24 semester hours in botany, including experience in vegetation and invasive species."

a. Can Wetlands Biology or Plants in Coastal Environments courses count as

"Botany" coursework?

b. Can teaching courses in Taxonomy and Ecology of wetland plants substitute for "Botany" coursework?

A. **a. No. Semester hours are required in Botany (minimum of 20 semester hours in Botany with a botany or environmental degree OR minimum of 24 semester hours in botany with combination of 5 years experience in wetlands delineation and mitigation).**

b. No. Semester hours are required in Botany (minimum of 20 semester hours in Botany with a botany or environmental degree OR minimum of 24 semester hours in botany with combination of 5 years experience in wetlands delineation and mitigation).

22. Q. Page 10: Section 1.6.A.g.E (minimum qualifications for Professional Archaeologist): The link to minimum requirements from the Louisiana Department of Culture, Recreation, and Tourism, Office of Cultural Development, Division of Archaeology, Title 25 does not work. Suggest changing to: http://www.crt.state.la.us/cultural-development/archaeology/state-legislation/title-25/index, and reference Section 102 therein.

A. **Please reference the updated website: http://www.crt.state.la.us/cultural-development/archaeology/state-legislation/title-25/index**

23. Q. Page 15: Section 1.6.A.l (Cost Proposal): Should the costs for printing and distribution of the Scoping Report, DEIS, and FEIS, and other documents that may need to be mass-produced and shipped be included in the rate structure, or will these costs be reimbursable as separable expenses?

A. **Printing and distribution of the Scoping Report, DEIS, and FEIS are reimbursable as separable expenses.**

24. Q. Page 15: Section 1.6.A.l (Cost Proposal): Are meetings at the CEMVN considered routine travel, or would that travel be reimbursable under the terms of the contract?

A. **Project meetings with CPRA or USACE-MVN are considered routine travel.**

25. Q. Page 15: Section 1.6.A.n – Insurance: This section states that "The proposal should include a certificate of insurance as proof that Proposer has in effect limits of insurance required by the Sample Contract. If selected as a Contractor, the Proposer shall provide certificates of insurance as proof of coverage at the time of contract negotiation." Section 1.17 on page 19 states: "Information required of the Proposer under the terms of this RFP shall also be required for each Sub-Contractor." Does this mean that proof of insurance should be included from the Sub-Contractors for this proposal, but aren't required? (our emphasis)

A. **Sub-contractors insurance certificates are not required for this proposal.**

26. Q. Page 16, Section B, indicates that 3 years of audited financials are required for the Proposer, or if they aren't available, a letter from the bank is required. This doesn't mention subcontractors. However, Section 1.17 on page 19 states: "Information required of the Proposer under the terms of this RFP shall also be required for each Sub-Contractor." Is the same level of financial information required for subcontractors, or just the Prime?

A. Only the Prime Contractor shall submit financial information in Section 1.6B.

27. Q. Page 26: Part II: Evaluation, Item 2.5 (Cost Evaluation): Will the rates be weighted for different personnel categories (this was done for the Request for Proposal #2013-13-26), or will all thirteen (13) personnel categories be weighted equally when calculating the average weight?

A. All personnel categories will be weighted equally.

28. Q. Page 52: Attachment 4 (Proposer [Firm] Qualifications Form for Acceptance of Proposal). This section indicates that relevant experience with "requirements of 33 CFR Part 230, Appendix B" should be included. However, this Appendix is "Reserved" for Part 230. Should the RFP refer to "requirements of 33 CFR Part 235, Appendix B", which is "NEPA Implementation Procedures for the Regulatory Program"? If it truly does refer to "33 CFR Part 230, Appendix B", could a link to this Appendix be provided?

A. Reference should be to 33 CFR Part 325 Appendix B.

29. Q. Page 72: Scope of Work, Section 7.3.4 (Preparation of Public Notices for Public Scoping Meetings, Public Hearings and Filing of NEPA Documents): The narrative states that "a minimum of 5 public notices will be prepared", but only four are listed. Is there a fifth that is known, or should that sentence read "a minimum of 4"?

A. Proposers should account for 5 public notices, even though potentially only 4 are specifically listed.

30. Q. Page 73: Scope of Work, Section 7.4 (Maintain Electronic Mailing Lists; Create and Maintain EIS Proposed Action Website): This section has detailed information on maintaining the mailing list, but doesn't have any information regarding the nature or hosting of the web site. Is this information available, or will it be discussed/negotiated after award? Will the TPC be expected to host the web site, or will it be designed by the TPC and hosted on the USACE web site for compliance purposes?

A. The TPC shall establish and maintain the EIS Proposed Action website.

31. Q. Page 75: Scope of Work, Section 7.6.2.2 Meeting Plans (for Scoping Process and Scoping Report): The costs for arranging and hosting public meetings are the responsibility of the TPC. As per the terms presented on page 15, Section 1.6.A.l (Cost Proposal), are these to be included in the rate structure, or will these costs be

reimbursable as separable expenses?

A. **Costs for arranging and hosting public meetings are reimbursable as separable expenses.**

32. Q. Page 77: Section 7.8 (Development of Alternatives): TPC is to evaluate "other alternatives determined to be practicable by the CPRA." However, no direct contact between TPC and CPRA is allowed. Will these alternatives be communicated through the USACE, or will it be the USACE that determines which other alternatives should be evaluated?

A. **See page 78 of the SOW, "This task will include coordination meetings with USACE, all cooperating agencies and, if appropriate the commenting agencies and/or CPRA, as approved by USACE. This task will involve revisiting and refining the "basic" and "overall" purpose and need of the Proposed Action. This task may also involve reviewing and refining, if necessary, the screening criteria for alternatives, the alternative methods of implementation, and the alternatives at other sites as appropriate, and documenting the logistical and technical reasons (constraints) that make an alternative not practicable." See the MOU, Implementation of the SOW between CPRA, TPC, and USACE will be conducted in accordance with the MOU.**

33. Q. Page 83: Section 7.12.12 (Hazardous, Toxic, and Radioactive Waste Report): Will an Environmental Database Report (EDR) be provided to TPC, or will the TPC be responsible for the purchase of the EDR? If required to be purchased, would this be a reimbursable expense?

A. **TPC is responsible for acquiring. Yes the EDR would be reimbursable as separable expense.**

34. Q. Page 99: MOU, Article III, A(4). "Prior to initializing any communication between the TCP and CPRA, the USACE Primary Point of Contact or his/her authorized designee must be notified in writing." Can this and other "written" notifications be accomplished by email, or only by physical letter?

A. **Notifications can be either by email or letter.**

35. Q. Regarding the Conflict of Interest, how will a final determination be made on whether a COI exists? Would a past Independent Technical Review of an engineering aspect of the MRSD present a COI?

A. **CPRA does not consider previous work for MBSD efforts as a conflict. However, Proposers should declare all real or perceived OCIs.**

36. Q. Would a firm that worked on the Deepwater Horizon Oil Spill: Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Impact Statement EIS be conflicted out from participation on this EIS?

A. **CPRA does not consider previous work for British Petroleum or related to DWH as**

COASTAL PROTECTION AND RESTORATION AUTHORITY

REQUEST FOR PROPOSAL

ENVIRONMENTAL CONSULTING SERVICES

MID-BARATARIA SEDIMENT DIVERSION

THIRD-PARTY ENVIRONMENTAL IMPACT STATEMENT

RP 2503-16-23

REPORT OF HEARING

HELD AT

BATON ROUGE, LOUISIANA

OCTOBER 24, 2016

Michelle S. Abadie, CCR

(225) 261-5109

COASTAL PROTECTION AND RESTORATION AUTHORITY

REQUEST FOR PROPOSAL

ENVIRONMENTAL CONSULTING SERVICES

MID-BARATARIA SEDIMENT DIVERSION

THIRD-PARTY ENVIRONMENTAL IMPACT STATEMENT

RFP 2503-16-23

Report of the public hearing held by the Coastal Protection and Restoration Authority, on October 24, 2016, in Baton Rouge, Louisiana.

IN ATTENDANCE:

REPRESENTING CPRA:

Brad Barth, CPRA

Elizabeth Davoli, CPRA

Allison Richard, CPRA

PUBLIC QUESTIONS OR COMMENTS:

REPRESENTING TETRA TECH:
JOE CANCIENNE

REPRESENTING GEC:
EDDIE CARTER

REPRESENTING EXP:
EDD MANGES

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COASTAL PROTECTION AND RESTORATION AUTHORITY

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THIRD-PARTY ENVIRONMENTAL IMPACT STATEMENT

RFP 2503-16-23

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MR. BARTH:

We're going to go ahead and get started. This is a preproposal conference for the Environmental Consulting Service for Mid-Barataria Sediment Diversion Third-Party Environmental Impact Statement, RFP No. 2503-16-23.

I want to go through -- no presentation today. I want to go through a few notes before we open it up to questions.

Real quick, the intent of this preproposal conference, just to kind of remind everybody, the only official answer or position of the State will be stated in writing in response to a written question. Therefore, potential proposals -- proposers should submit all questions in writing, even if a question has been answered orally in this preproposal conference.

A little bit on the background of the project, Mid-Barataria Sediment Diversion is a controlled sediment diversion at Mississippi River mile 60.7. It's up to 75,000 cfs. The project features include an inlet, a conveyance structure, an outlet, interior drainage pump station, highway and railroad modifications.

Overall purpose and need for the project is to reconnect and reestablish the natural or deltaic sediment deposition process between the Mississippi River and the Barataria Basin. This serves as a long-term resilient sustainable strategy to reduce land loss rates and sustain DWH-injured wetlands through the delivery of sediment, fresh water, and nutrients.

I'm going to go ahead and hit a little bit on the RFP proposal schedule. In regards to this preproposal, written responses or written inquiries or questions will be due at 3:00 p.m., on October 26th. CPRA will issue written responses November 2nd, 2016, and proposals are due November 16th, 2016, by 3:00 p.m.

In terms of oral presentations, notification for selection -- it's a tight schedule -- will be approximately two days. It's -- the date for oral

presentations is currently scheduled for December 14th, so you will most likely be notified in e-mail, in phone call, on the 12th, or potentially earlier.

Acceptance of the proposal, I want to go ahead and call out Page 8, Section 1.5 of the RFP. The proposers must include all these items for an acceptable proposal. Proposer qualifications, this is a required -- for the proposal acceptance, and this is a "yes" or a "no." Likewise, minimum personnel qualifications, this is required for proposal acceptance; this is a "yes" or a "no." Army Corps of Engineers will confirm the "yes" or "no". Any "no" in Attachment 5 will render the proposal unacceptable.

A little bit of details on the organization of the lead federal agency and some of the scope of work, obviously, USACE, Army Corps of Engineers-New Orleans District, will serve as the lead federal agency.

In terms of other permits and consultations, that will be between CPRA and USACE. The third-party consultant will also assist USACE in some of those consultations.

Quick call out for NOAA NMFS consultation, CPRA will take the lead on the NOAA NMFS in terms of MMPA.

408 NEPA documentation, this scope of work does not include the effort for assembly, development, or

writing the NEPA documents submitted to the USACE as part of the 408 permission process for modification of federal interests or the purpose of federal interests. Again, this will just focus in on the complete EIS.

Communications and contractual requirements, the contract will be with CPRA. The project will be directed and managed by USACE. All communications will follow the memorandum of understanding, which is attached to the RFP package.

Only one MOU is required by the proposer. All subcontractors are subject to this agreement. Only one organizational conflicts of interest is required by the proposer. All subcontractors are subject to the OCI certifications. The OCI certifications submitted by the proposer shall include all subcontractors.

A couple of little details I want to call out on scope of work, in reference to the supportive technical appendices to be performed by the third party, assuming additional data information is necessary. Attached to your RFP is a document matrix of all the information that's been dissembled to date to support the project that may be accessible to support the supporting appendices and to help with the scope of work.

Some of the specific appendices we've called out were in terms of third-party contractor help will consist of the commercial and recreational fisheries assessment, the socioeconomic analysis, the water quality report, HTRW, and the environmental justice report.

Just a quick note about contract schedule and duration, CPRA's anticipated schedule is 18 months to a draft EIS and a total 24 months to a final EIS. Let me be clear. This EIS schedule is a contractual deliverable or a task to be directed and managed by the Corps. The EIS schedule must include the E&D effort associated with the 408 permission process. Although it's a separate process, we still need to make sure it's accounted for in the EIS schedule in terms of receiving a 10/404 permit.

That's really all I have for opening comments or remarks related to the project.

Do you have anything you want to add, Liz?

MS. DAVOLI:

No.

MR. BARTH:

This is Liz Davoli. She will be the lead environmental for CPRA. Alli Richard for project support.

And so from here, I guess we'll open it up to any questions.

QUESTIONS BY JOE CANCIENNE

MR. CANCIENNE:

My name is Joe Cancienne. I work for Tetra Tech.

And I'd like to know if the notes that you just described, would you put those up on the -- are they suitable for putting on the website?

MR. BARTH:

I think we can. Go ahead and -- I would suggest submit a written question to make sure we get them officially into the record.

MR. CANCIENNE:

Thank you very much. I appreciate your time.

You might be able to answer these questions right now, right?

MR. BARTH:

(Nods head.)

MR. CANCIENNE:

Maybe, maybe.

The contractor that wins this RFP, will he be -- will that contractor be eligible to compete for the Mid-Breton EIS?

MR. BARTH:

So the question was, whoever is selected for this

RFP, will they be available to submit and potentially win the Mid-Breton EIS?

MR. CANCIENNE:

Yes, exactly.

MR. BARTH:

I have a response for you on that one.

The potential upcoming advertisement for Mid-Breton Sediment Diversion Environmental Impact Statement or Mid-Breton Engineering and Design and Design Review in Support of Plans and Specifications are separate solicitations or projects from Mid-Barataria Sediment Diversion.

If the Mid-Barataria Sediment Diversion EIS work is potentially concurrent with Mid-Breton Sediment Diversion advertisement/selection, proposals may be evaluated for the proposer's availability or the overall team capacity.

MR. CANCIENNE:

So you can go for it, but you will be -- you know, you'll be evaluated as to if you have enough people to do it?

MR. BARTH:

Yes.

MR. CANCIENNE:

And that's for the EIS and the Design for Mid-

Breton?

MR. BARTH:

Yes.

MR. CANCIENNE:

Thank you very much.

Here's a tough one. Is it a conflict of -- is it considered a conflict of interest to pursue this RFP if there is a contractor for CPRA proposal worked on any aspect of a Mid-Barataria Sediment Diversion Engineering and Design or Technical Review in the past?

MR. BARTH:

Previous work?

MR. CANCIENNE:

Yes.

MR. BARTH:

So as you all know -- so the question was, any previous Mid-Barataria work, if it's a conflict working on or proposing on or being potentially selected for this RFP, is the question?

MR. CANCIENNE:

Yes, sir.

MR. BARTH:

Okay. As you can see in the RFP, there's a clear statement in there, in accordance with the Council on

Environmental Quality's regulation concerning NEPA at 40 CFR 1506.5.C, CPRA considers any contractor or subcontractor firms conducting tasks associated with the Mid-Barataria Sediment Diversion Engineering and Design or Design Review in Support of Plans and Specifications performed concurrently with the EIS as having a potential conflict of interest.

Bottom line for past or previous work, there will be an organizational conflict of interest process and certifications required with your submittal. So specific cases, I can't answer the specific cases at this time. They will be dealt with on a case-by-case basis, so there's potentially three outcomes. You could be found to have no conflict, you could be found to have a conflict that can be mitigated, or potentially unable to mitigate conflict.

MR. CANCIENNE:

Thank you.

MR. BARTH:

All right. There doesn't seem to be much action here today, so last call for questions?

QUESTIONS BY EDDIE CARTER

MR. CARTER:

Under the experience of personnel, concerning the customer references, if an individual has a relevant

project, however, that project was worked on at another company and they're not privy to the client information, how should be reference be handled, stated "not available" or give a contact at the company who submitted the project work?

MR. BARTH:

Did you have a page number that that is in reference to?

MR. CARTER:

Page 12, under 1.6.A.1.

I think on the call outs, there was some customer references that --

MR. BARTH:

Alli, this may be a question for you.

The question was, if you have an individual resume and a project that's performed with -- potentially with a previous employer -- is that the gist of it, Eddie?

MR. CARTER:

Yes.

MR. BARTH:

How would they reference --

MR. CARTER:

Either "not available" or put the contact of the previous employer?

MR. BARTH:

Yes. It would be I, the last bullet point.

MR. CARTER:

A.I.

MS. RICHARD:

Where are you looking, right here?

MR. CARTER:

Yes. Do you just put "not available," or --

MS. RICHARD:

That is something I'll have to get back to you on.

MR. CARTER:

Okay.

MS. RICHARD:

It's a good question.

MR. BARTH:

So in response, that would be, please, submit that question in writing, and we'll get a written response out.

MR. CARTER:

Yes. We'll do that.

So as most of these RFP's subs can be on multiple teams but you can't prime and sub?

MR. BARTH:

Go ahead and submit that question in writing, and

we'll get a response to you.

MR. CARTER:

This is a good one. Three of my third-party NEPA coworkers that are being included in this proposal have extensive natural resource damage assessment experience for the BP oil spill. They worked for a client, but then worked for BP.

The only real conflicts you guys have stated so far has been previous work on this, so is there going to be any conflicts of having worked for BP?

MR. BARTH:

That is an excellent question. Please submit your question in writing.

MR. CARTER:

And this is always a good one. Are financial statements needed for just the prime or for all the subs, too?

MS. RICHARD:

Brad, I can get this one.

Just the prime.

MR. CARTER:

Just the prime, okay.

MR. BARTH:

Just the prime. Hopefully, that's an easier process for everyone.

MR. CARTER:

Thank you.

MR. BARTH:

We'll make you get your exercise in today, Joe.

QUESTIONS BY JOE CANCIENNE

MR. CANCIENNE:

Can you repeat? So it sounds like -- so the finances for just the prime, and I think I heard you say the MOU COI, certificates of insurance, certification statements, are all of those just for the prime?

MR. BARTH:

For the OCI and MOU?

MR. CANCIENNE:

Yes.

MR. BARTH:

OCI and MOU will be signed by the prime, but they need to reflect your subcontractors.

MR. CANCIENNE:

Right, okay.

MR. BARTH:

Questions?

QUESTIONS BY EDD MANGES

MR. MANGES:

For the rate schedule, is it a single rate per

position, or can it be a range?

MR. BARTH:

It's a single rate per position, just basically as the form is listed.

MR. MANGES:

Okay.

MR. BARTH:

You have one -- one rate per position that's representative of your entire team.

MR. MANGES:

Second question, coming from my business people side, for the positions we can show the same person in more than one position as long as it isn't the project manager?

MR. BARTH:

The question was, can they show multiple people in the same position, as long as it's not --

MR. MANGES:

One person in multiple positions?

MR. BARTH:

Do you have an example?

MR. MANGES:

Wetland ecologist, wetland delineator, or whatever the title was? I don't remember the page number.

MR. BARTH:

That is probably one we will have to check and confirm. So if you wouldn't mind, put that in writing, and we can get an official response.

MR. MANGES:

Okay. Yes. We'll put that in writing.

Thank you.

MR. BARTH:

All right. Maybe this is the real last call then.

(No response.)

All right. Well, I appreciate everybody coming out today for the preproposal conference.

As a reminder, written questions due the 26th to CPRA. We will shortly follow up with written responses to everyone.

Thank you for your time.

CERTIFICATE

I, MICHELLE S. ABADIE, Certified Court Reporter in and for the State of Louisiana, do hereby certify that on October 24, 2016, at the LaBelle Room, Baton Rouge, Louisiana, that a preproposal conference was held by CPRA in the matter of RFP 2503-16-23; that it was reported by me in the stenomask reporting method, was prepared and transcribed by me or under my personal direction and supervision; that the foregoing pages, numbered 1 through 19, inclusive, is a true and correct transcript to the best of my ability and understanding; that I am not related any parties herein, nor am I otherwise interested in the outcome of this proceeding.

_____

MICHELLE S. ABADIE, CCR #24032
CERTIFIED COURT REPORTER

Mid-Barataria EIS RFP Pre-Proposal Conference
October 24, 2016 @ 1:00PM
Sign-In Sheet

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October 24, 2016 @ 1:00PM
Sign-In Sheet

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