

**Request for Proposals
Natural Resource Damage Groundwater Restoration Projects
In Portions of the Kansas City, Missouri, Metropolitan Area**

INTRODUCTION

This Request for Proposals (RFP) for compensatory groundwater restoration projects relates to the natural resource damage assessment and restoration process undertaken by the State of Missouri as Trustee for groundwater resources within the State, pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. §§ 9601-9675) and implementing regulations (43 C.F.R. Part 11). The Missouri Department of Natural Resources (“Department”) recovered natural resource monetary damages through the bankruptcy and related litigation involving releases of creosote, an industrial wood treatment chemical, to groundwater at former Kerr-McGee Corporation (Anadarko Petroleum Corporation) facilities in Missouri.

Monies recovered from a Natural Resource Damage Assessment and Restoration (NRDAR) settlement are being made available for public proposals by the Department in accordance with the Missouri Statewide Groundwater Restoration Plan (MSGRP). The MSGRP guides expenditures of groundwater damages funds recovered by the State of Missouri.

This RFP is seeking respondents that can implement successful programs and projects of compensatory environmental restoration within the vicinity of the injured groundwater that was the source of the recovered funds. The targeted programs and projects will compensate for groundwater resources injured by the release of hazardous substances associated with the former Kerr McGee facility in Kansas City, Missouri. For the purposes of this RFP, restoration project areas should be located with a nexus to, but not within contaminated areas of the impacted sites.

A. Restoration under the Missouri Statewide Groundwater Restoration Plan

The Department developed the MSGRP to guide the implementation of restoration projects designed to restore, protect and preserve the state’s groundwater resources. The MSGRP serves to:

- 1) Provide a planning tool for the restoration of groundwater resources using recovered damages;
- 2) Minimize the time between recovering damages and implementing restoration projects;
- 3) Provide information to interested parties regarding potential restoration actions;
- 4) Provide a restoration plan in compliance with any applicable federal requirements; and,
- 5) Utilize natural resource damage recoveries in connection with other funding streams to produce larger benefits to the public.

The MSGRP may be found at:

<http://dnr.mo.gov/env/hwp/sfund/docs/finalgroundwaterstatewiderestorationplan.pdf>

B. Funds Available

Up to \$500,000 is available for restoration programs and projects proposed under this RFP. To meet the goals of this RFP, the Department reserves the right, in its sole discretion, to award a portion of the available funds to multiple entities or the entire amount to a sole recipient.

C. Geographic Area for Restoration

The geographic area of desired projects is represented in the attached map included as Figure 1; additionally, projects must either benefit areas of connectivity between groundwater and surface water or benefit the Blue River or its tributaries. Proposed projects outside the designated area or that do not benefit areas of connectivity between groundwater and surface water or benefit the Blue River or its tributaries will not be eligible for funding.

D. Restoration Goals and Project Descriptions

The Department intends to award funds to an entity or entities whose proposals can best and most cost effectively benefit groundwater within the tiered priority areas. The restoration goal of this RFP is to improve or protect groundwater quality or the quality of aquatic and riparian habitats to support the protection of groundwater quality. The following broad categories of projects represent potential restoration opportunities under this RFP:

- Preservation of groundwater, caves, springs, and karst systems by land acquisition or by acquiring conservation easements;
- Elimination of conduits or pathways for contamination, via projects such as well plugging;
- Funding of groundwater conservation projects;
- Implementation of riparian or floodplain restoration projects which benefit the quality of recharge waters and groundwater;
- Protect recharge areas/establish groundwater protection zones;
- Educate the public about the importance of groundwater quality in Missouri as a component of an otherwise eligible project proposal;
- Other projects which improve or protect groundwater quality or the quality of aquatic and riparian habitats to support the protection of groundwater quality.

E. Eligibility

In order to be eligible, all NRDAR restoration project proposals must: 1) address or compensate for injured groundwater resources or services targeted for restoration; 2) be compliant and consistent with federal, state and local laws, regulations, ordinances and policies; 3) be located within the geographic area as described above; 4) received by the application deadline; 5) contain a specific budget as described below; and 6) be technically feasible.

Projects cannot be used for response actions under CERCLA, mitigation measures under the Clean Water Act, nor can they be proposed by responsible parties as a means to eliminate or reduce their liability for NRDAR or to address federal, state or local environmental or human health related violations caused or exacerbated by the proposer or any entity or individual directly connected therewith.

Only proposals received under this RFP which meet the eligibility criteria listed above will be evaluated and scored by the Department. Scoring and evaluation will be performed using the attached scoring matrix (See Appendix A) to prioritize the funding of projects and determine the best use of restoration funds.

F. Proposals

Proposals should address:

Name of group submitting proposal - Name the lead group or individuals submitting the restoration project proposal. This is the group or individuals that will enter into an agreement with the Department should the proposal be selected. Include name of project coordinator, address, telephone and facsimile number and e-mail address.

Description of the restoration project(s) being proposed - Please provide details of project(s) being proposed and how it furthers the restoration goals described above. Include specifics on likely target areas for restoration, parcel or other geographically relevant information. It is not expected that proposers will have specific projects “in hand;” however, if so describe the current status of the project and, if currently ongoing, how this proposal will enhance, supplement or add to the project. If the proposer plans to partner with other groups or individuals to carry out the project, state the name(s) of all project partners and the role they will play in the project.

Project Benefit - Provide metrics on the project benefit in terms of number of acres, feet, boreholes or other applicable measure of the project performance that will be implemented, protected or restored as it relates to groundwater resources or services. Discuss whether or how the project will provide connectivity or enhance nearby targeted resources; will restore or enhance lost human uses; and/or provide resource benefits not otherwise provided in the priority areas.

Monitoring and reporting - Outline your proposed monitoring plan for the project including goals, methods and metrics for determining the short term and long term (if applicable) success of the project. Describe how those results will be reported to the Department.

Timeline - Outline the estimated time and steps or phases needed to complete the project including an estimated completion date and key milestones. Identify key monitoring dates and steps anticipated should monitoring indicate project goals are not being met. Describe any ongoing maintenance necessary after completion. Estimate how long the project will take to reach its full potential and the expected lifespan if applicable.

Amount of request and budget - Total amount of funding requested is not to exceed \$500,000. Provide an approximate budget for the funding requested in descriptive summary categories such as personnel, materials, realty costs, operations and maintenance costs, monitoring etc. Proposals stating only a total cost with no budget breakdown will not be considered.

Additional Resources - Please detail how you would maximize the impact of awarded funds by also utilizing funds from other sources including in-kind staff time, equipment or other resources on the project(s). Identify the source, amount and timing (are the funds currently obligated, availability date, etc.) of other funds or in-kind contributions.

Experience and qualifications - Describe your organization's experience and that of all project partners, over the past five years, in areas related to the Restoration Goals (described above) and in implementing projects similar to that/those being proposed. Identify the key staff that will be involved in the project and for each describe their location, the role they will play in the project, their experience with similar projects and provide a short bio setting forth their educational and professional qualifications including certifications and licenses. Please provide details on your organization's experience, partner's experience and that of the key individuals assigned to the project, with developing monitoring and implementing plans to monitor and identify methods and metrics for determining success.

Description of experience with enrollment in state and federal funding programs - Please detail your organization's experience, over the past five years, as well as that of project partners, participating in, or assisting others enroll or participate in, state and federal funding programs for projects similar to that being proposed.

Permitting and other Authorizations - List all permits or other federal, state or local authorizations necessary for the project. For each, note the status and anticipated issuance date.

G. Proposal Evaluation and Procedures

Proposals will be evaluated by a team selected by the Department which will include in-house staff and/or out of house technical advisors. The compensatory restoration projects will be evaluated and selected using a matrix of factors (see "Project Ranking Matrix" in Appendix A) to be considered including criteria to give appropriate weight to the factors used to rank the projects.

Upon completion of the scoring, the Department may recommend a short list of the proposals that it determines, in its sole discretion, best meet the objective of the RFP. The Department may request more information from any or all of the short listed applicants, and carry out negotiations for the purpose of obtaining best and final offers therefrom.

H. Proposal Schedule

Proposals are due at 5:00 pm CST October 3, 2016. The Department, at its discretion, may extend this due date.

A Webinar will be held to answer any potential applicant questions on September 9, 2016. Information regarding the Webinar may be found at the Department's NRD website listed below.

Questions relating to the RFP may also be submitted to the Department at the e-mail address listed in Section J below no later than 5:00 p.m. on Monday, September 12, 2016. Please specify that your question relates to the Kansas City RFP. All questions submitted by the deadline will be answered no later than 5:00 p.m. on September 15, 2016, via a link on the Department's NRD website shown below. Questions submitted after the deadline or in any other manner will not be answered. It is the responsibility of each potential proposer (including those that submit questions) to check the website for questions and responses. They will not be provided individually or in any other format. Any other contact relating to the RFP is grounds for disqualification of the proposer.

The Department reserves the right to withdraw this RFP at any time and for any reason and to issue such clarifications, modifications, and/or amendments as it may deem appropriate. Any additional information will be posted on the Department's NRD website, and it will be the responsibility of the applicants to check for updates. The website is:

<http://dnr.mo.gov/env/hwp/sfund/nrda.htm>

The Department may request additional information as necessary from proposal applicants within 15 days after the proposal due date. The Department will provide written notification of selection within 30 days after the deadline for proposal submission.

I. Other Contracting Requirements

Successful applicants will enter into a contractual agreement with the Missouri Department of Natural Resources. Contractual requirements, including but limited to, reporting, indemnification, insurance coverages, performance bonds, enrollment in the federal work authorization program and records retention may be applicable. Successful applicants will be notified of contracting and cooperative agreement needs upon selection of proposals. Final approval of a project will occur at the completion of any necessary contracts or formalization of cooperative agreements. The Department is not responsible for the costs related to the development of the proposal or project expenses incurred prior to the effective date of the agreement.

J. Submittal

Proposals shall be submitted electronically to:

missouriNRD@dnr.mo.gov

Please specify in your e-mail or subject line that the proposal is for the Kansas City RFP.