August 24, 2012

REQUEST FOR PROPOSAL TO PROVIDE ORGANIZATION AND STAFFING SUPPORT FOR STATE AIR QUALITY ASSOCIATION

I. BACKGROUND

The Association of Air Pollution Control Agencies (AAPCA or the "Association") ("Requestor") requests proposals for assistance related to the establishment and implementation of a new association of States and other governmental organizations responsible for the implementation of the Clean Air Act and the improvement in air quality. It is the intent of AAPCA to enhance and promote efficient and effective programs for the implementation of the federal Clean Air Act and the respective state laws that will result in improvements in air quality.

II. A. BACKGROUND OF THE ASSOCIATION

During the fall of 2011, several states initiated discussions to form an association of state air quality agencies to focus on technical issues associated with the implementation of the Clean Air Act. These states formed an organization to assist staff with the application of the various aspects of Clean Air Act and associated regulations. Local air agency staff are also expected to participate in the organization. The Association currently has no staff or headquarters. With all of the various means of communication available today, the need for a traditional stand-alone office has decreased. Instead, the states are looking to "outsource" many of the duties handled by a fixed structure organization. The purpose of this RFP is to solicit bids to provide the administrative and technical support to assist the states and local air agencies in the goals of the efficient implementation of Clean Air Act requirements. Up to 15 states in various parts of the country will be members of the organization the first year along with up to 20 local air agencies.

III. REQUESTED PROPOSAL

The Requestor seeks proposals from qualified organizations to provide technical assistance and logistical support for the new organization of state air pollution control agencies. Initially, it is contemplated that the selected organization will serve as the Interim Executive Director and staff to the association.

Any response to this Request for Proposal should include the following elements.

(1) The background and capabilities of the organization to provide technical and logistical support to the Association.

(2) The preparation of a weekly or bi-weekly newsletter that contains highlights of U.S. EPA rule proposals and adoptions, Congressional action related to Clean Air topics, and actions taken by the Association distributed via email.

(3) The coordination of monthly or bi-monthly telephone calls of various Committees including preparation of an agenda and hosting the conference call, and preparing and distributing a summary of the discussions.

(4) The development and hosting of a web-site to provide an electronic forum for members to find out information and be a repository for documents produced by the Association.

(5) To work with the member agencies and identify specific areas where training is appropriate. Conducting of training is not included in this RFP request, only the identification of training needs. The actual training is funded through a different mechanism.

(6) Provide the logistical support for a semi-annual membership meeting of up to 100 people for up to 2 1/2 days. This includes selection of a location (after consultation with Board of Directors), hotel and meal arrangements, solicitation of speakers, reservation of audio-visual equipment, and consolidation of presentation material. Note: the meetings should be designed to be "self-sufficient" on cost. That is, the individuals in attendance at the meetings should be charged a registration fee to cover the cost of the meeting.

(7) Provide the logistical support for up to two specialty conferences per year of up to 50 people in attendance for up to two days. This includes selection of a location (after consultation with Board of Directors), hotel and meal arrangements, solicitation of speakers, reservation of audio-visual equipment, and consolidation of presentation material. Note: the meetings should be designed to be "self-sufficient" on cost that is, the individuals in attendance at the meetings should be charged a registration fee to cover the cost of the meeting.

(8) Provide the logistical support for up to two Board of Directors meeting per year of up to 25 people in attendance for up to two days. This includes selection of a location (after consultation with Board of Directors), hotel and meal arrangements, preparation of agenda and documents. The Board meeting should be "self-sufficient" on cost. That is, the individuals in attendance at the meeting should be charged a registration fee that covers the cost of the meeting. (The Board of Directors may decide to

conduct the meeting by conference phone, video conferencing, or WebEx).

(9) All meetings held by the Association must be held at locations that charge no more than the federal per diem for rooms for the attendees.

(10) Provide a focal point with U.S. EPA on the dissemination of information to and from the members of the organization.

(11) Provide for the development of a “best practices” forum either at membership meetings or on the Association website to highlight specific advancements/improvements in the air regulatory field by member organizations.

(12) Provide a recommendation on whether there should be an independent Executive Director for the organization and whether the Executive Director should be a full-time or part-time position.

(13) Maintain the financial records of the organization in a manner that is consistent with requirements for U.S. EPA grant monies.

(14) Contract with an independent accounting firm to perform a financial audit consistent with U.S. EPA grant requirements.

IV. SCHEDULE

A. Administrative Schedule

The following schedule is projected for administrative actions the Association will take leading up to contract execution:

1. Release RFP – August 24, 2012.
2. Deadline for responses for proposals – September 26, 2012.
3. Complete contractor selection process and notify winning bidder – October 31, 2012.
4. Complete negotiation of technical work plan with the Association – November 15, 2012
5. Complete negotiation of contract – December 5, 2012.

B. Technical Project Schedule

The following schedule is projected for initial technical project tasks;

1. Contractor initiates office function of the Association – January 1, 2013.

2. Contractor initiates actions under the technical work plan to complete elements identified in the RFP – January 15, 2013.

3. Contractor is operational and supporting states in all aspects of the activities outlined in RFP and technical work plan. – April 1, 2013

V. PROPOSAL SUBMISSION REQUIREMENTS AND CONDITIONS.

A. Proposal Submitted Deadline.

In order to be guaranteed consideration, paper copies of the proposals shall be submitted to the Requestor and received no later than 5:00 p.m. EDT on September 27, 2012. The Requestor reserves the right not to accept proposals received after the prescribed day and time.

B. Number of Copies and Proposal Format.

Bidders shall submit to the Requestor seven paper copies and one email electronic copy of their respective Technical Proposal in Microsoft Word, Excel and/or Adobe Portable Document Format. One copy of the Cost Proposal shall be submitted in a clearly marked sealed envelope. The required paper copies may be sent by regular mail, express mail, or package delivery to:

Association of Air Pollution Control Agencies
c/o Robert Hodanbosi
Ohio EPA
Division of Air Pollution Control
50 West Town Street, Suite 700
Columbus, Ohio 43215

Email address: bob.hodanbosi@epa.state.oh.us

The email electronic copy should not include the cost proposal, but only the technical elements.

C. Proposal Content.

Bidders are cautioned to carefully follow the requirements of this RFP in preparation of bids in order that submitted proposals will contain as much consistency as possible. A respondent may submit a partial proposal that addresses specific tasks and clearly states for which tasks a response is not provided.

Responses to this RFP shall contain, at a minimum, the following components:

1. Transmittal Letter.

   A transmittal letter shall be submitted with a proposal and shall include the name, address, telephone number, fax number, and email address for all primary and secondary contacts for the proposal. The proposal shall be submitted by an authorized representative whose signature on the transmittal letter shall serve to certify the accuracy of the proposal and all attachments and appendices and the commitment of the bidding entity to fulfill the requirements of the project.

2. Title Page.

   The proposal shall contain a title page referencing the title and date of the RFP, the date of the proposal, and respondent information.

3. Technical Proposal.

   The entire Technical Proposal should be no more than twenty single spaced pages, not counting attachments and appendices. The Technical Proposal shall follow the Project task outline in Section VI. of this RFP and shall describe the proposed approach for accomplishing each task. The Technical Proposal shall include a brief abstract with a summary of qualifications, a list of key personnel, and a description of the proposed general approach. A proposed schedule for completing the project tasks shall be included in the Technical Proposal.

4. Cost Proposal.

   The cost proposal shall provide a detailed breakdown of projected expenditures by task, including a listing of personnel, hours proposed for each person, travel cost estimates, and other direct and indirect charges.

5. Respondent Qualifications.

   A summary shall be provided in the proposal outlining relevant capabilities and experience. More detailed descriptions of qualifications and references shall be appended to the proposal. This appended information shall include a summary description of previous work performed by key personnel including the name of the entity for which the work was performed as well as a client contact person familiar with the quality of the deliverable.

6. Key Personnel.

The respondent shall provide a listing of key personnel who will be assigned to contribute substantially to completion of the project. Included shall be each individual's name, job title, specific project work for which the individual will be responsible, and any specialized abilities that each person would bring to the project. Resumes may be appended to the proposal.

7. Reporting Commitment.

The proposal shall contain a commitment to submit concise but informative progress reports outlining work tasks associated with each invoice.

8. Certificate Related to Debarment and Suspension.

A signed certification shall be submitted with the proposal indicating that the respondent is not debarred or suspended from receiving payments utilizing federal funds.

D. Deficient Proposals.

Failure of a respondent to comply with all submission requirements shall be cause for the Requestor, at its sole discretion, to disqualify the proposal. The Requestor will give primary consideration to proposals from individuals, corporations, and other qualified entities meeting the terms and conditions of this RFP and demonstrating adequate experience in the development of state and/or regional air quality and air pollution programs.

E. Proposal Submission Costs.

Expenses for preparing project proposals shall be solely the responsibility of the respondent. Once submitted, proposals shall become the property of the Association. Negotiation of the final contract shall not be a billable task.

F. Inquiries.

Inquiries regarding RFP requirements, project expectations, and other related information shall be directed to:

Association of Air Pollution Control Agencies
c/o Robert Hodanbosi
Ohio EPA

Division of Air Pollution Control
50 West Town Street, Suite 700
Columbus, Ohio 43215

The Requestor reserves the right to compile bidder questions and issue responses for distribution to all bidders.

G. Interested Bidders

Any party that has an interest in bidding should send an email to:

bob.hodanbosi@epa.state.oh.us by September 7, 2012 with the following information:

1. Name of Organization
2. Contact Name
3. Email address
4. Phone number

The purpose of this information is only to provide a mechanism to distribute any updates to the RFP or to provide answers to all potential bidders to inquiries that have been received on the RFP.

Providing the above contact information does not, in any way, commit the organization to submit a proposal, and conversely, not submitting this information does not exclude an organization from submitting a proposal for consideration.

VI. PROPOSAL EVALUATION AND SELECTION PROCEDURES.

The Requestor shall entertain all proposals from respondents qualifying to expend both state and federal funds and proven to have experience in the operation of an organization that can provide technical and logistical support to governmental organizations. The Association reserves the right to reject any proposal containing components that are substantially inconsistent with any of the requirements set forth in this RFP.

Proposals will be evaluated as to responsiveness to the full range of services requested and conditions specified in this RFP. The Requestor may choose to hire more than one contractor for this project. The Requestor may choose to award a contract for individual or multiple components of this RFP as well as in its entirety.

The ability of a respondent to perform the tasks outlined in the statement of work section shall be determined based up an evaluation of the respondent's

Technical Proposal, the completeness and clarity of the contents of the proposal, and the relevance of the information provided with respect to the criteria in the RFP.

While this project requires strong technical skills, the Requestor shall also give weight to communication skills to ensure that the activities can be conveyed to staff at air pollution control agencies and, if necessary, the public in a satisfactory manner.

A. Proposal Evaluation Criteria

The Requestor shall evaluate each Technical Proposal based upon the following criteria:

1. Technical conformance with the goals of the project including a demonstrated understanding of project objectives, a credible approach to accomplishing the objectives, completeness in addressing technical objectives, realistic but aggressive product delivery schedule, use of existing efforts and programs where available and appropriate, clarity of the proposal, and other relevant factors at the discretion of the Association.

2. Qualifications and experience including demonstrated experience as outlined in Qualification Section and in working with various governmental and business/industry stakeholders as well as the allocation of more highly qualified senior staff versus support staff.

3. Costs including total projected costs, hourly rates, hours per task, fringe and other overhead costs, travel costs, and any special costs.

4. Other pertinent factors at the discretion of the Association.

B. Project Goals/Task

The Requestor seeks proposals from qualified organizations to provide technical assistance and logistical support for the new organization of state air pollution control agencies. Initially, it is contemplated that the selected organization will serve as the Interim Executive Director and staff to the organization.

The proposal should include the following elements:

(1) The background and capabilities of the organization to provide technical and logistical support to the Association.

(2) The preparation of a weekly or bi-weekly newsletter that contains highlights of U.S. EPA rule proposals and adoptions, Congressional action related to Clean Air topics, and actions taken by the Association distributed via email.

(3) The coordination of telephone calls of various Committees including preparation of an agenda and hosting the conference call and providing a written summary of the call.

(4) The development and hosting of a public and restricted access web-site to provide an electronic forum for members to find out information and be a repository for documents produced by the Association.

(5) To work with the member agencies and identify specific areas where training is appropriate. Conducting the training is not included in this RFP request, only the identification of training needs. The actual training is funded through a different mechanism.

(6) Provide the logistical support for a semi-annual membership meeting of up to 100 people for up to 2½ days. This includes selection of a location (after consultation with Board of Directors), hotel and meal arrangements, solicitation of speakers, reservation of audio-visual equipment, and consolidation of presentation material. Note: the meetings should be designed to be "self-sufficient" on cost. That is the individuals in attendance at the meetings should be charged a registration fee to cover the cost of the meeting.

(7) Provide the logistical support for up to two specialty conferences per year of up to 50 people in attendance for up to two days. This includes selection of a location (after consultation with Board of Directors), hotel and meal arrangements, solicitation of speakers, reservation of audio-visual equipment, and consolidation of presentation material. Note: The meetings should be designed to be "self-sufficient" on cost that is, the individuals in attendance at the meetings should be charged a registration fee to cover the cost of the meeting.

(8) Provide the logistical support for up to two Board of Directors meeting per year of up to 25 people in attendance for up to two days. This includes selection of a location (after consultation with Board of Directors), hotel and meal arrangements, preparation of

agenda and documents. The Board meeting should be "self-sufficient" on cost. That is, the individuals in attendance at the meeting should be charged a registration fee that covers the cost of the meeting. (The Board of Directors may decide to conduct the meeting by conference phone).

(9) Confirmation that all meetings held by the Association must be held at locations that charge no more than the federal per diem for rooms for the attendees.

(10) Provide a focal point with U.S. EPA on the dissemination of information to and from the members of the organization.

(11) Provide a recommendation on whether there should be an independent Executive Director for the organization and whether the Executive Director should be a full-time or part-time position.

(12) Maintain the financial records of the organization in a manner that is consistent with requirements for U.S. EPA grant monies.

(13) Contract with an independent accounting firm to perform a financial audit consistent with U.S. EPA grant requirements.

(14) Provide for the development of a "best practices" forum either at membership meetings or on the Association web-site to highlight advancements/improvements in the air regulatory field by member organizations.

C. Process and Sequence of Proposal Review

The Requestor shall convene a Selection Committee which will develop final proposal evaluation criteria. After completion of the review of proposals, recommendations will be provided to the Requestor for approval. Upon final approval by the Requestor, bidders will be notified of the outcome of the selection process and work on the contract and scope of work will begin.

D. General Procurement Provisions and Conditions

1. The Requestor reserves the right not to award any contract based on this Request for Proposals.

2. At the conclusion of the selection process, the Requestor may provide information on the strengths and weaknesses of an individual proposal to that respective respondent. Except as required by state and federal law, the Requestor shall not be obligated to provide more detailed information including

Contractor selection sheets or other information relative to the relative weightings of the Proposals. The Requestor shall not provide copies of proposals submitted pursuant to this RFP to any entity other than official representatives of the Requestor.

VII. QUALIFICATIONS

A. Organization – In order to be considered for this contract, any organization submitting bids must demonstrate that the organization can meet the following minimum standards:

1. Experience and ability to understand complex federal air quality regulations and provide a summary of the requirements, identify affected entities, provided estimated costs and other impacts of the proposed or final regulations.

2. Experience and ability to act as an independent arbitrator among parties for the purpose of reaching consensus among parties.

3. Experience and ability to develop recommendations for training courses on technical issues including, but not limited to, air pollution sources, control equipment, air pollution regulations, and dispersion modeling.

4. Experience and ability to produce periodic newsletters that identify and explain technical issues in a timely manner.

5. Experience and ability to plan, arrange, and facilitate meetings for members of the organization and other interested parties.

6. Experience and ability to manage federal grant monies. This organization may be funded either directly or indirectly with federal monies. The organization must have experience in applying for and expending federal monies consistent with specifications of the federal government.

B. Interim Executive Director – The Interim Executive Director should have the following characteristics or experience:

1. Knowledge of environmental protection – The Interim Executive Director must have a detailed, working knowledge in the field of environmental protection including air pollution control.

2. Experience in environmental protection, energy, or air pollution control – The Interim Executive Director must have at least five years experience in the field of environmental protection, energy, or air pollution control.

3. Ability to oversee organization – The Interim Executive Director must be able to manage multiple projects and deadlines, operate with a minimum of oversight and be responsive to members requests/and concerns.

4. Consensus Building – The Interim Executive Director will be working with a number of states in different parts of the country. The Interim Executive Director must be able to work impartially with the members to develop consensus opinions and has shown experience in building consensus among various parties.

VIII. GENERAL PROJECT REQUIREMENTS AND CONDITIONS

A. Conformance with Federal Requirements

Funds available for this project may include federal funds from EPA. No entity shall provide a proposal in response to this RFP unless it is in conformance with Contractor requirements applicable to federally-funded projects and unless the Respondent can assure performance consistent with all applicable federal requirements.

B. Data in Public Domain

All project information and data delivered by the Contractor pursuant to this RFP shall be in the public domain. At the end of the contract period, the Contractor shall deliver all files, documents, programs, and other material produced under this contract to the Association.

C. Signature and Certification of Proposal.

The signature on the cover transmittal letter of any submitted proposal shall signify agreement and compliance with all requirements set forth in this RFP except where specifically noted in the response. Said signature shall all represent and warrant that the information has been checked for errors and omissions, that the costs stated in the proposal are correct and as intended, that the cost information is complete and correct for performing the work and furnishing the labor, supplies, and materials to complete the tasks, and that the

firm has the staff and resources available to perform the tasks within the schedule quoted.

D. Right to Contact Bidders

The Requestor reserves the right to contact any bidder in order to clarify any point in a response or to obtain further information needed to evaluate a particular response. The Requestor also reserves the right to contact companies and names supplied in connection with descriptions of previous work. Once the criteria for contract award are applied to each proposal, certain respondents may be asked to make an oral presentation or demonstration before the Requestor for additional clarification.

E. Indemnification

The issuance of this RFP and the receipt of proposals in response to this request shall not, in any way, cause the Requestor or its representatives to incur any liability, financial or otherwise. The Requestor is the legal entity that will select the winning proposal and award the Contract. Any expenses incurred as a result of formulating a response to this request are the sole responsibility of the applicant. The Requestor and its representatives assume no obligation to reimburse or in any way compensate any respondent for expenses incurred in connection with their response to this request.

F. Use and Disclosure of Information

Any response to this RFP shall become the property of the Requestor and as such, may be distributed to the Requestor and its member agencies to the extent required by the Proposal review process. Proposals and selection process documents pursuant to this RFP shall not be shared with individuals outside the Requestor except to the extent required by law. The final contract, if one is executed, along with any final work products completed pursuant to said contract, shall be considered in the public domain and will be shared upon request with individuals outside the Requestor as required by federal and state laws.

G. Ownership of Results

Results of Requestor-supported work shall reside in the public domain. Anticipated results subject to this Paragraph shall include but not limited to data, coding, databases developed or improved with Requestor support, reports, and other materials developed as a part of any contract that results from this RFP.

H. Billing Frequency

Billing as a result of any contract executed pursuant to this RFP shall occur on a frequency of no more than once per calendar month and no less than once per calendar quarter basis unless otherwise authorized or required by the Association.

I. Conflict of Interest Policy

No person or organization shall enjoy any preference in performing work for the Requestor by virtue of being associated with the requestor or a participant in a Requestor-sponsored project. Any potential or actual conflict of interest by anyone associated with any proposal shall be disclosed in the proposal.

J. Expenditure Authorizations

This RFP solicits proposals assuming purchase of services on a time and material basis. Reimbursement will be made for services rendered under specific task authorizations. Work outside any agreed-upon scope of work will be allowed only after written approval by the Association.

K. Project Duration Budget and Funding

The initial contract period of the contract shall be two years beginning January 1, 2013 with the possibility of two; one year extensions. The scope of work defined in this RFP may extend across multiple funding years and potentially over multiple grant cycles. The funding for this project in future years is uncertain , and the Requestor reserves the right to fund some, but not all, tasks described in this RFP. The Requestor further reserves the right, at its sole discretion, to terminate this project and any contracts in force due to a lack of available funding.

L. Disadvantaged Business Services

The Requestor is obligated to conform to the disadvantaged business enterprise (DBE) provisions of 40 CFR Part 33, Subpart C. Contracts executed pursuant to this RFP shall contain provisions requiring contractors to:

1. Make DBEs aware of sub-contracting and procurement opportunities within this project.

2. Make information available to DBEs on forthcoming opportunities to participate in provision of needed services.

3. Consider sub-contracting with a consortium of DBEs when a contract is too large for a single DBE to property service.

4. Use the services and assistance of the Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce to gain knowledge on how to better allow DBEs to compete for services needed to support this project.

IX. PROJECT RESPONSIBILITIES – CONTRACTOR

A. The Contractor shall designate a Technical Project Manager to interface with the Requestor's contact on technical issues and an administrative contact to interface the Association's administrative offices on issues related to execution of contracts, payment of invoices, and other administrative functions.

B. The Contractor shall work with the Association to negotiate and finalize a final project work plan within two weeks after selection of the Contractor. The final work plan shall outline in detail the technical expectations of the project. The Contractor shall conform to all provisions of the work plan as finalized.

C. The Contractor shall modify project activities and make reasonable revisions and adjustments to the work products, consistent with the approved scope of work, as directed by the Requestor.

D. During the administration of the contract, the Contractor shall coordinate and communicate with the Requestor as requested and as the need arises through telephone calls, e-mail messages, and by providing regular progress reports and briefings in accordance with any schedule provided by the Requestor.

E. The Contractor shall produce a draft project report in accordance with the criteria and schedule provided by the Requestor. This report shall be offered to the Requestor for review and comment and shall be revised in a timely manner pursuant to feedback received from the Requestor. A final report shall be produced at the conclusion of the project.

F. The Contractor shall prepare and present at any scheduled project workshop(s) the procedures, results, conclusions, and recommendations of the project.

G. The Contractor shall prepare and submit to the Requestor adequately documented and accurate invoices showing total cost, specific costs by task, individual, or other chargeable category, and work that were completed during the billing period. Billing shall be in full calendar month increments with a

minimum of one month and a maximum of three months each. Invoices shall be submitted within thirty days of the end of each respective billing period and shall be accompanied by a progress report that defines the work performed.

X. PROJECT RESPONSIBILITIES – THE REQUESTOR.

A. The Requestor shall hold a meeting or conference call with the winning respondent after the bid is accepted and shall work with the respondent to finalize and execute a contract describing the expectations of the project and the responsibilities of the Contractor and the Association.

B. The Contract Officer for the Requestor shall be Robert Hodanbosi. The Contract Officer will oversee the project consistent with the expectation of the Requestor.