

Community Advisory Group (CAG) **for the** **Omaha Lead Site**

Contracting Committee
Minutes from February 15, 2006 Meeting
Omaha Small Business Network

Bob Feild (EPA), Jennifer Rawley (MFG, Inc.), Steve Sanders (EPA), and Cheryl Weston (Lead Safe Omaha Coalition) were in attendance.

Ms. Weston asked Mr. Feild to describe EPA's contracting process for the Omaha Lead Site. Mr. Feild stated that the EPA Superfund Division develops a Statement of Work, which Mr. Feild is responsible for reviewing. The Statement of Work is then provided to the EPA contracting staff, who work with Mr. Feild and his staff to create a Pre-Solicitation Notice. Mr. Feild stated that the contracting staff determines when to hold a pre-bid conference and how long the bid will be open. Mr. Feild stated that the contracting staff are the primary contact point during bidding and at the Omaha Lead Site, and Ms. Marie Noel is the main contact person. Ms. Marie Noel is the contracting officer and is responsible for contracting language, payments, and contracting issues.

Mr. Feild stated that a contract cannot be awarded until a funding appropriation is secured. Ms. Weston asked if the appropriation would be secured before the bid is solicited. Mr. Feild stated that funding does not have to be secured to release the Pre-Solicitation Notice, but typically is. Mr. Feild stated that funding has to be secured before entering into an Inter-Agency Agreement (AIG) with the U.S. Army Corps of Engineers.

Mr. Feild that the next step is the assignment of a project officer. At the Omaha Lead Site, the project officer is Mr. Bryant Burnett. Mr. Feild explained that the project officer is the primary contract for the contract and serves as the technical lead. Ms. Weston asked who approves selection of a contractor. Mr. Feild replied that selection is the responsibility of the contracting officer, although Mr. Feild and his staff do provide input into the selection.

Ms. Weston stated that the number of properties to be excavated is excluded from the current Pre-Solicitation Notice for the Omaha Lead Site. Mr. Feild stated that two large contracts are planned: one is a time and materials contract with EMR and the other will be selected through the U.S. Army Corps of Engineers, with a potential of up to 425 yard excavation.

Ms. Weston asked if funding from this year's appropriation will be utilized for the upcoming contracts. Mr. Feild stated that this year's funding could be utilized, but EPA is not planning on doing so.

Ms. Weston asked if other agencies could provide contracting services to EPA, besides the U.S. Army Corps of Engineers. Mr. Feild stated that the Bureau of Reclamation could be utilized.

Mr. Feild stated that the U.S. Army Corps of Engineers has the most construction contracting experience and is typically used by EPA; however, selecting an agency to partner with is up to the discretion of each EPA Region.

Ms. Weston asked if the upcoming IAG with the U.S. Army Corps of Engineer will provide EPA with more control over the process than last year's pilot program. Mr. Feild stated that EPA does not have a direct contractual relationship with the contractors selected by the U.S. Army Corps of Engineers; however, if an issue arises, EPA does have influence over the U.S. Army Corps of Engineers.

Ms. Weston asked if the U.S. Army Corps of Engineers contract will be for North Omaha and the other contract for South Omaha. Ms. Feild replied that the U.S. Army Corps of Engineers contract will be for North Omaha and the other contract for South Omaha.

Ms. Weston asked what incentives will be included to increase participation from local personnel and businesses. Mr. Feild replied that the incentives may be increased from last year.

Mr. Feild stated that the U.S. Army Corps of Engineers will select a pre-placed contractor; therefore the bid process may not be full and open competition. Ms. Weston asked if the bid process will be competitive. Mr. Feild replied that the process will be competitive amongst pre-placed contractors.

Mr. Feild stated that a pre-bid conference will be held. The conference will take place in Kansas City on February 28, 2006 at 1:00 p.m. in Room 2240B at the EPA Region 7 office.

Ms. Weston asked if contractors must identify a staging area in their bids. Mr. Feild replied that staging areas do not need to be identified in bids. Mr. Feild stated that EPA is trying to reserve space at the Missouri Waste Water Treatment Plant. Mr. Feild stated that if EPA cannot work out a deal with the City to use additional space at the Missouri Waste Water Treatment Plant, contractors will be responsible for securing a staging area on their own. Mr. Feild added that contract will include requirements to work with EPA to ensure adequate public participation in the selection of staging areas. Ms. Weston asked if the cost for a staging area should be included in bids. Mr. Feild stated that two bids should be provide: one with a staging area cost and one without (assuming use of the Missouri Waste Water Treatment Plant).

Ms. Weston asked if EPA has attempted to locate a suitable staging area in North Omaha, such as OPPD. Mr. Feild replied that EPA has not contacted OPPD. Mr. Feild stated that it will be the responsibility of the contractors to locate a site.

Ms. Weston asked, in regards to EPA's cooperative agreement for paint stabilization services with the City of Omaha, if EPA has looked into ensuring that the City utilizes local personnel. Mr. Feild replied that it is his understanding that the City awards contracts to small businesses in the City.