

## Pre-RFP Announcement - RFP 1138686 – Impervious Acre Credits

In the near future, the Department of Environmental Protection (DEP) expects to issue a Request for Proposals (RFP) for “Impervious Acre Credits” to obtain the services of one or more Design-Build contractors for a maximum possible of five contractors in each of two categories. The format of the RFP will be for a Pay-for-Performance contract, wherein the contractor will design, permit and build stormwater restoration projects and deliver them to the County for a single payment provided at contract completion.

DEP is responsible for fulfilling the requirements contained within its Municipal Separate Storm Sewer System (MS4) Permit (the “Permit”). The County receives Impervious Acre Credits under the Permit for treating untreated or inadequately treated impervious acreage, within a specified timeframe. The County is seeking cost-effective proposals for projects which would result in impervious acre credits being assigned to the County upon completion within the required timeframe.

**Projects are defined in two categories; offerors may submit proposals under Category A and/or Category B.**

**Offerors may submit more than one proposal in both or either categories**

**The County intends to enter into contracts with a maximum of five contractors under Category A and with a maximum of five contractors under Category B.**

- **Category A:** Proposals to deliver Impervious Acre Credits for Upland Best Management Practices per the Maryland Department of the Environment (MDE), “Accounting for Stormwater Wasteload Allocations and Impervious Acres Treated: Guidance for National Pollutant Discharge Elimination System Stormwater Permits, November 2021”. The Project(s) must include all work, services and costs by the vendor including, but not limited to, planning, design, easements, permitting, and construction costs.
- **Category B:** Proposals to deliver Impervious Acre Credits for some Alternative Best Management Practices, including Stream Restoration and Outfall Stabilization, per the Maryland Department of the Environment (MDE) “Accounting for Stormwater Wasteload Allocations and Impervious Acres Treated: Guidance for National Pollutant Discharge Elimination System Stormwater Permits, November 2021”. Proposals shall not include the following Alternative Best Management Practices: street sweeping, storm drain cleaning, septic pumping, septic denitrification, or septic to WWTP connection. The Project(s) must include all work, services and costs by the vendor including but not limited to, planning, design, easements, permitting, and construction costs.

The Offeror must:

- Have technical and management competency, capabilities, experience and resources necessary to perform its obligations as described in the solicitation, the proposal, and the resultant Contract in a timely manner.
- Demonstrate the financial stability and capacity to cover all its expenses until the Project is completed and certified by the County for payment.
- Be knowledgeable of and have experience with current laws, rules and regulations, including permitting requirements of Montgomery County or similar jurisdictions and/or

utility regulations, which are applicable to the design and construction of the Project implemented under this Contract. All Work under this Contract must be performed in strict compliance with County, State and Federal laws, codes, and regulations.

- Have at least five (5) years' experience in water quality improvement design and construction for the type of Work indicated in the proposal.
- Demonstrate its technical expertise and capability to successfully design and construct MDE-approved practices (i.e. creditable per MDE Accounting guidance).

The solicitation will be issued under the following Commodity Codes:

- 90625 (Design Build Services)
- 91223 (Construction – General)
- 91345 (Construction – Sewer and Storm Drain)
- 91831 (Construction Consulting)
- 91842 (Engineering Consulting)
- 91843 (Environmental Consulting)
- 92533 (Engineer Services – Professional)
- 92535 (Environmental Engineering)
- 92536 (Engineering Services – Not Otherwise Classified)
- 95826 (Construction Management Services)

**No further information will be available until the RFP is posted on <https://www.montgomerycountymd.gov/PRO/solicitations/formal-solicitations.html>**