



STATE LAND BANK AUTHORITY

REQUEST FOR QUALIFICATIONS

RFQ 2023-004

ENVIRONMENTAL CONSULTANTS

ANSWERS TO QUESTIONS

FEBRUARY 3, 2023

- Q1.** Is the SLBA open to discussing modified contract terms (e.g., aligning insurance requirements with what our insurance carriers will allow per their policies, adding clarity on payment terms, etc.)?
- A1.** The Sample Contract is included in this RFQ as way of an example agreement. It is rare that substantive changes are necessary, however we are open to discussions as needed at time of contract award.
- Q2.** Is it SLBA's desire to have respondents include project specific details as defined under Section II, B-5 "competency" (to the extent possible) for drilling and laboratory subcontractors?
- A2.** The information provided in response to Section II, B-5, should include detailed information about each potential subcontractor.
- Q3.** Are subcontractors to the Environmental Consultant(s) selected by SLBA to be listed as qualified environmental professionals (QEPs), precluded from consideration for future work at SLBA sites where they provided subcontracted services?
- A3.** It is unclear what this question is asking, however subcontractors will not be listed as QEPs as they are not a Respondent to this RFQ.

- Q4.** Which submission should include Attachment B, Technical or Price?
- A4.** Please include with the Price Proposal.
- Q5.** Has SLBA established pre-defined regions or urban hubs respondents should use for purposes of defining service areas?
- A5.** No. Previous examples include, Upper Peninsula, Northern Michigan, Southeast Michigan, Statewide, etc.
- Q6.** How long is the term of an SLBA QEP? Rates are stated to be held firm for a minimum of three years. At what point, if ever, does a selected respondent's standing as a QEP lapse? Under what conditions are rates allowed to increase after a minimum of three years?
- A6.** It is SLBA's intention to identify QEPs for a three-year term. At the end of the three-year term, SLBA will re-issue a similar RFQ, at which point a Respondent is able to modify its pricing.
- Q7.** Can two firms partner and submit a single application?
- A7.** There is no need to do this as SLBA is selecting qualified consultants in each category, and not as a whole. For instance, if one firm only performs ACM/Hazardous Materials Survey and subsequent clearances, that is the only area SLBA would evaluate them on. There are no expectations that everyone will be able to meet requirements for all categories.
- Q8.** Are firms required to submit qualifications for all categories?
- A8.** A Respondent is not required to respond to all subject categories, only the area(s) they are qualified to offer services.
- Q9.** Are firms required to provide a fee schedule for categories that they are not planning to submit qualifications for?
- A9.** No.
- Q10.** How should respondents present exceptions and additional provisions to the sample contract?
- A10.** This negotiation would take place at time of an award, not during the qualification phase.

- Q11.** Will the SLBA consider a limitation of liability in the final contract or a waiver of consequential and indirect damages, due to the nature of the scope of work?
- A11.** Unlikely, however negotiation would take place at time of an award, not during the qualification phase.
- Q12.** Will the SLBA consider removing the provision from the contract which gives the SLBA access to the Respondent's highest insurance limits; and instead providing set limits that the SLBA believes are adequate to cover the risk associated with the scope of work?
- A12.** If the Respondent's policy contains coverage limits higher than the required minimums, the SLBA is entitled to coverage to the extent of the higher limits.
- Q13.** Will the SLBA arrange for site access?
- A13.** Respondent will be given site access, conditioned upon the circumstances surrounding the site and the project.
- Q14.** For remediation activities will the SLBA be responsible for signing waste manifests and bills of lading?
- A14.** No, such activities will be the responsibility of a selected remediation contractor or subcontractor.
- Q15.** Will the Respondent be expected to rely on information performed by other contractors? If so, will the SLBA identify the reliability of that information; or indemnify the Respondent for any damages resulting from reliance on third-party information; or pay the Respondent to reperform the work if there is reason to question the reliability of the information?
- A15.** Yes, Respondent may be expected to rely on information performed by other contractors. No, SLBA shall not assume liability responsibility nor indemnify.
- Q16.** Could you please tell me how this RFP was distributed for companies to bid?
- A16.** The RFQ was posted to the SLBA website, Facebook, State of Michigan vendor payee system (SIGMA), Builders Exchange, and direct email to inquiring firms.