

**SOUTH BALTIMORE  
GATEWAY PARTNERSHIP**



# Request for Proposals

**Equivalent Impervious Acres Treated (EIA) Credits  
for MS4 Compliance in the  
“Middle Branch – Northwest Harbor” Segment  
(MD-PATMH-Middle-NorthwestHarborlittoral)  
of the Baltimore Harbor watershed (Basin Code 02130903).**

**Issue Date:** 6-11-21

**Submission Deadline:** 5pm on 6-25-21

**Email To:** [procurement@sbgpartnership.org](mailto:procurement@sbgpartnership.org)

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## 1. Overview

### Purpose

The State of Maryland issues National Pollutant Discharge Elimination System (NPDES) municipal separate storm sewer (MS4) permits to control stormwater pollution, improve water quality, and work toward meeting water quality standards. These permits require MS4 jurisdictions (including the City of Baltimore) to implement restoration activities in order to meet stormwater wasteload allocations (SWWLAs) included in Environmental Protection Agency (EPA) approved total maximum daily loads (TMDLs).

According to the Maryland Department of the Environment's (MDE) 2020 Accounting for Stormwater Wasteload Allocations and Impervious Acres Treated guidance document

(<https://mde.maryland.gov/programs/Water/StormwaterManagementProgram/Documents/2020%20MS4%20Accounting%20Guidance.pdf>):

MS4 jurisdictions must use an **impervious acre credit** to account for MS4 restoration achieved through stormwater BMP implementation. The impervious acre credit is the MS4 permit's surrogate parameter for level of implementation required to show progress in **total nitrogen (TN), total phosphorus (TP), and total suspended sediment (TSS) load reductions** toward meeting Chesapeake Bay and local TMDLs. MS4 jurisdictions must also report load reductions achieved through BMP implementation...

**Equivalent impervious acres (EIAs)** are used to determine the impervious acre restoration credit for alternative BMPs that are not found in the Manual but are additional options for MS4 jurisdictions to reduce stormwater pollutants. Alternative BMPs include street sweeping, storm drain cleaning, floating treatment wetlands, land cover conversion, urban soil restoration, septic practices, shoreline management, stream restoration, and elimination of discovered nutrient discharges from grey infrastructure. [*emphasis added*]

This RFP seeks to help the City of Baltimore achieve compliance with its MS4 water quality obligations for the "Middle Branch – Northwest Harbor" Segment (MD-PATMH-Middle-NorthwestHarborlittoral) of the Baltimore Harbor watershed (Basin Code 02130903). Specifically, it seeks proposals to provide anywhere between 50 and 250 EIA credits for total nitrogen (TN), total phosphorous (TP), and total suspended sediment (TSS) for purchase at a stated price, created through the establishment of living shorelines and/or restored wetlands in a manner consistent with the Middle Branch Resiliency Initiative described below.

### Background

The Middle Branch Resiliency Initiative (MBRI) is a comprehensive implementation strategy for using nature-based infrastructure to mitigate flood risks to public utilities, hospitals, transportation infrastructure, and communities surrounding the Middle Branch of the Patapsco River in Baltimore City. Through a coordinated network of vegetated berms, living shorelines, restored wetlands, and public space enhancements, the MBRI will not only protect critical infrastructure, but simultaneously achieve MS4 compliance at a magnitude sufficient to achieve valuable economies of scale.

The MBRI's unified approach to hazard mitigation and environmental regulatory compliance is a direct outgrowth of the Baltimore City Disaster Preparedness and Planning Project (DP3) (2020); the Baltimore City Critical Area Management Program Manual (2020); the Baltimore City Nuisance Flood Plan (2000); the Cherry Hill Transformation Plan (2020); the Baltimore Sustainability Plan (2019); the Baltimore Green Network Plan (2018); the South Baltimore Gateway Master Plan (2015); the Baltimore Climate Action Plan (2013); the Baltimore City Maritime Master Plan (2012); and earlier versions of the Middle Branch Master Plan (2007, 1977).

The MBRI is the implementation effort of the Middle Branch Master Plan – a multi-year, interagency collaboration spearheaded by the Baltimore City Mayor's Office and the South Baltimore Gateway Partnership that includes Baltimore City's Department of Planning, Department of Recreation and Parks, the Department of Public Works, the Department of Transportation, the Baltimore Development Corporation, and other city agencies. The South Baltimore Community Impact District Management Authority d/b/a South Baltimore Gateway Partnership (SBGP) is an economic development authority working in the neighborhoods of South and Southwest Baltimore, funded by casino revenues ([www.sbgpartnership.org](http://www.sbgpartnership.org)). Along with the City of Baltimore, Parks & People Foundation, and other partners, SBGP has been spearheading the effort to reinvent the Middle Branch of the Patapsco River as Baltimore's next great waterfront, with 11 miles of parks and trails from Brooklyn to Port Covington.

## **2. Request for Proposals**

### **2.1 Enquiries**

All enquiries related to this RFP are to be directed, in writing, to Brad Rogers, Executive Director of Baltimore Gateway Partnership, at [procurement@sbgpartnership.org](mailto:procurement@sbgpartnership.org). Information obtained from any other source is not official and should not be relied upon.

### **2.2 Closing Date**

All submissions must be made electronically to [procurement@sbgpartnership.org](mailto:procurement@sbgpartnership.org), in PDF or Microsoft Word format, by **5:00 PM on Friday, June 25, 2021**. Hard copies will not be accepted. Responses must include a cover page clearly marked with the name, address, phone number, and email of the respondent.

### **2.3 Late Responses**

Late responses will not be accepted and will be returned to the responder with a letter of explanation.

### **2.4 Review and Selection**

Qualifications will be reviewed by SBGP staff. The reviewer(s) will check responses against the criteria listed below. Responses not meeting the criteria will not be considered for review. Responses meeting the criteria may be contacted for subsequent interview(s) prior to final selection.

The goal of all SBGP contracting and procurement is to ensure the best use of public funds to serve the public good by fulfilling SBGP's mission while adhering to the highest standards of professional and ethical behavior. SBGP is committed to ensuring that all funds entrusted to the entity are appropriately allocated using fair, ethical, equitable, responsible, and transparent practices that demonstrate integrity.

These values guide all SBGP conduct and decision making related to procurements, bids/estimates for goods and services, agreements, contracts, and related forms of commitments.

## **2.5 Acceptance of Responses**

This RFP is not a binding agreement to purchase goods or services. Responses to an RFP are assessed in light of the qualification review criteria. Depending upon the volume of responses, SBGP may develop a shortlist of responders for subsequent interviews prior to making a final selection.

## **3. Services**

Qualified respondents will be expected to provide the following, with the precise details to be detailed in a subsequent written contract(s).

- Provide between 50 and 250 EIA credits for nitrogen, phosphorous, and suspended sediment.
- Provide credits that are applicable to the "Middle Branch – Northwest Harbor" Segment (MD-PATMH-Middle-NorthwestHarborlittoral) of the Baltimore Harbor watershed (Basin Code 02130903).
- Provide credits at a price acceptable to SBGP and/or the City of Baltimore.
- Provide credits for a stated period of years.
- Provide credits that are available within the next 3 years.
- Provide credits stemming from restored wetlands, living shorelines, and related alternative BMPs that are developed in a manner consistent with the Middle Branch Resiliency Initiative and the Middle Branch Master Plan.

## **4. Qualifications and Evaluation Criteria**

The ideal proposal will:

- Propose a specific number (or range) of available EIA credits.
- Propose a specific price (or range) per EIA credit.
- Provide specific information about the amount of total nitrogen (TN), total phosphorous (TP), and total suspended sediment (TSS) addressed by the EIA credit(s).
- Provide concept designs for the proposed project(s).
- Provide evidence of site control for the proposed project(s).

- Demonstrate the technical capacity to provide the credits as stated, including the ability to secure any needed permits for facilities (including nature-based facilities) to be constructed in the future.
- Demonstrate the ability to provide any necessary management, oversight, maintenance, insurance, or other stewardship of any facilities (including nature-based facilities) used to generate credits.
- Demonstrate experience in the design, permitting, budgeting, implementation, and stewardship of BMPs that generate EIAs.

Preference is given to proposals with:

- Credit-generating projects located within the Middle Branch of the Patapsco River in Baltimore City.
- Credit-generating projects that align with the resiliency goals of the Middle Branch Resiliency Initiative.
- Credit-generating projects that align with the Middle Branch Master Plan.
- Credit-generating projects that provide associated recreational or community benefits.
- Credit-generating projects that incorporate recycled dredge material into resiliency features.
- Respondents with demonstrated experience working with communities of color and low-income communities.
- Respondents with proven capacity to deliver projects on time and on budget.

## **5. Submission Requirements**

Please include:

- A. A specific proposal, including number and price of credits, responding specifically to the evaluation criteria listed above.
- B. A narrative describing the qualifications of your firm or team, responding specifically to the evaluation criteria listed above.
- C. Examples of similar past projects.
- D. Resumes of key team members and firm profiles.
- E. A disclosure of any actual, potential, or perceived conflicts of interest (see below).

## **6. Equal Opportunity**

SBGP will not discriminate in its procurement with regard to race, ethnicity, religion, gender, sexual orientation, national origin, marital status, age, disability, or any other characteristic protected by law.

SBGP does reserve the right to select, from among a pool of qualified proposals, the one that best provides an opportunity to further its mission through Impact Investment.

## **7. MBE/WBE Goals**

The selected applicant must comply with Article 5, Subtitle 28 of the Baltimore City Code (2007 Edition) regarding participation by Minority Business Enterprises (“MBE”) and Women's Business Enterprises (“WBE”) (collectively, “Certified Business Enterprises” or “CBEs”) in the execution of the services under this RFP. The selected applicant must use all reasonable good faith efforts to meet any Baltimore City-certified MBE and WBE participation goals that are established for this project, which will not be more than:

MBE GOAL: 27%

WBE GOAL: 10%

## **8. Conflict of Interest**

SBGP is a public body operating within a tightly defined geographic boundary, with a large board of directors and a wide range of project partners across the private, public, and non-profit sectors. As a result, it is common for participants in one SBGP project to overlap with, or have personal or professional relationships with, participants in another SBGP project. While this is generally a benefit to the communities involved, it introduces the possibility of conflicts of interest.

SBGP takes seriously its role to avoid actual, potential, or perceived conflicts of interest. The respondent should disclose any such conflicts of interest, in writing. The reviewer(s) will consider the nature of the respondent’s responsibilities and the degree of potential or apparent conflict in deciding the course of action that the respondent needs to take to remedy the conflict of interest.

## **9. Limitations**

SBGP reserves the right to select the respondent of its choosing, to reject all responses, or to terminate this request at any time. SBGP may issue a new request, extend the deadline, or make other good faith efforts to expand the applicant pool if the market for goods or services is limited. In the event that the selected firm or team fails to perform adequately during the application phase, or that grantor rules require it, SBGP reserves the right to select a new firm or team for the implementation phase.

Neither this request, nor any proposals provided in response to it, constitute a contract between SBGP and the applicant(s). Selection by SBGP does not guarantee that the parties will successfully negotiate or execute a contract, and final scope or contract details may vary from the description contained herein.

Applicants who are not successful may request a meeting to debrief about the selection process. SBGP documents created or used during the selection process, including any score cards, notes, emails, memos, or other written materials, are internal materials and will not be made available.

Late proposals, or proposals that are not fully responsive to the requirements listed herein, will be disqualified.