

Request for Proposal

**Environmental Site Assessment Services
for
The Villages at Old Hickory (TVOH)
by
Tennessee Housing Development Corporation**

1. Introduction

Tennessee Housing Development Corporation (“THDC”) wishes to contract with a firm to complete a Phase I Environmental Site Assessment (“ESA”) for the subject property, and, if necessary, to complete a Phase II ESA. THDC is the non-profit development instrumentality of the Jackson Housing Authority.

This procurement meets the definition contained within THDC's procurement policy of a Small Purchase, which requires that price or rate quotations be obtained from an adequate number of qualified sources. Further, the work under this contract will be awarded as a result of a competitive negotiation contract for a firm-fixed price. **THIS IS NOT A LOW-BID PROCUREMENT.** THDC will consider an Offeror’s qualifications, capability, approach and price. Offerors are expected to apply professional practices and techniques that meet each of the conditions set forth in this Request for Proposal. Within these criteria, the Offeror is encouraged to be creative and innovative.

2. General Statement of Work

The Phase I Environmental Assessment must be performed by a trained and experienced environmental professional. The report product is to meet ASTM E 1527-13 and (only if appropriate) E 2247-08 as updated to E2247-16. In general the scope includes...

Site Visit

- Inspection of the Site by an Experienced Inspector
- Catalog the Presence of Hazardous Materials or Petroleum Products

Historical Research

- Historical Aerial Photographs
- Reverse Street Directories
- Building Permits
- Planning Records
- Topographical Maps
- Sanborn Fire Insurance Maps
- Title Information

- Groundwater Depth

Regulatory Research

- Fire Departments
- State Environmental Agency
- Federal Environmental Agency

Interviews and Document Review

- Interview Tenants and Owner
- Interview State and Local Regulators
- Review Provided Reports

Geology and Hydrogeology

- Soil Type
- Geological Setting



Radon — A focused/accelerated report on *Radon* at TVOH is desirable for purposes of special HUD submission. Madison County, Tennessee as of 2015 was deemed Zone 3. THDC’s parent organization, the Jackson Housing Authority, will assert to HUD that testing is not required. The successful Offeror will be asked to support this assertion. As an optional task with associated cost, Offerors should specify the cost and timeframe of conducting radon testing compliant with HUD’s Multifamily Accelerated Processing (MAP) Guide, section 9.6.3 which has been included as the appendix to this document.

Asbestos Containing Material (ACM) and Lead-Based Paint (LBP): Proposals should address how any presence of, and mitigation for, ACM and/or LBP will be determined.

The subject property is The Villages at Old Hickory. It is located at 550 Old Hickory Blvd in Jackson, Madison County, Tennessee. The built portion of the property consists of 36 two story buildings, a swimming pool and pool house. There are 144 2BR units, of which 141 are tenant occupied, 2 are staff occupied and 1 is the office. The property was built in 1971.

The work must be completed within thirty (30) days of authorization to proceed.

3. Proposal Documents

All information associated with the RFP is contained in this document.

4. Proposal Security

No Proposal Security is required with the submittal of a proposal.

5. Questions regarding this RFP

Any questions from potential Offerors concerning this RFP must be submitted in writing, directed by email to Mr. Ted Otokiti, of THDC, at totokiti@jacksonha.com. All requests must be received by 4:30 pm CT on Tuesday, September 28, 2021. There will be no response to requests received

after that date and time. There will no pre-proposal conference.

6. Special Contracting Requirements

The work under this contract will be funded in part with financial assistance from the U.S. Department of Housing and Urban Development (HUD) associated with a RAD development. Offerors are hereby notified to carefully familiarize themselves with all applicable conditions and requirements. Special attention is hereby drawn to the following:

Nondiscrimination in Employment: The successful Offeror will be required to comply with the President's Executive Order Number 11246.

Eligibility: Awards will not be made to individuals or firms which are on lists of contractors ineligible to receive awards from the United States as furnished from time to time by the Department of Housing and Urban Development.

7. Form of Proposals

A Proposal is to be submitted organized in the following sequence. The proposal must have a cover letter signed by a person authorized to bind the firm. The proposal must contain the address, office and cell phone and fax numbers, and email address for the primary person.

Note that elaborate proposals are not expected. What is sought in the proposal is a simple, straightforward presentation of how the Offeror will undertake the work, the experience that qualifies the Offeror to do the work (with particular reference to key individuals), references from similar, recent assignments (past five years), and fee and payment terms.

7.1 Approach — 50 points

Present your proposed approach to completing the Phase I Environmental Assessment as well as how a Phase II Environmental Assessment would be conducted.

7.2 Experience — 15 points

Present the professional qualifications of the lead firm, and sub-consultants (if used). THDC is especially interested in knowing the skills, capabilities and experience of the key individuals who will be involved in this effort. The key individuals must be named, and their roles identified. This information is to be provided in both narrative and resume form. (Resumes and firm qualifications are to be placed in an Appendix.) What is most important is to clearly understand who will be doing what, and why. The individuals proposed for the work must in fact conduct the work, and will be so named as "Key Personnel" in the contract. Experience completing ESAs for properties in Hammond is desirable.

7.3 References — 15 points

Provide at least three (3) references. The references must be for work either currently in progress or completed ideally within the past two (2) years. For each reference provide name and title of contact person, address (surface and email) and phone number.

7.4 Fee and Payment Terms — 20 points

Propose an inclusive fixed fee and payment terms for the assignment, with a Fee for the Phase I and a Fee for the Phase II, if required.

8. Acceptance of Proposals

The Proposal is to be submitted *electronically* in PDF to

THDC
by 4:30 p.m. CT Tuesday 5 October 2021
totokiti@jacksonha.com

Proposals will be accepted on normal Business Days between 9:00 a.m. and 4:30 p.m. CT. Proposals submitted after the specified time and date will not be accepted. THDC reserves the right to accept or reject any or all proposals, to waive any non-conformances with the requirements of this RFP, to waive any formalities, to re-advertise this Request for Proposals, to withhold the award for any reason the Owner determines and/or to take any other appropriate action

9. Withdrawal of Proposals

Proposals may be withdrawn on written request addressed to the THDC President, on proposer stationery, PDF'd and sent totokiti@jacksonha.com. Said written request must be received prior to the due date and time for proposal submittal. Proposals may not be withdrawn after the due date and time for proposal submittal. Negligence on the part of the Offeror in preparing his or her Proposal confers no right of modification of his or her Proposal after the Proposal due date.

10. Award of Contract

Proposals are binding upon the Offeror for thirty (30) days after the date for submittal, subject to any agreed upon extension. The Competitive Negotiation Process will be used. Each proposal will be evaluated on its individual merits by a ranking panel, in accordance with ranking criteria contained in the RFP which clearly identify the relative importance of price and other evaluation factors. Price will be used in determining the Competitive Range, which is those offers with a reasonable chance of obtaining the award, taking into account price AND other evaluation factors as published in the RFP. The proposal that best conforms to the needs of the Owner will be recommended for approval.

THDC reserves the right to interview Offerors deemed in the Competitive Range, and/or negotiate a contract with the Offeror whose qualifications, price and other factors considered, are ranked the highest. Should one or more Offerors be asked to submit Best and Final Offers (BAFO), those Offers are also ranked and shall be binding upon the BAFO Offeror(s) for thirty (30) days after the deadline for receipt of Best and Final Offers if any.

11. Equal Opportunity

THDC is an Equal Opportunity Employer.

APPENDIX A

Radon Testing per HUD MAP Guide

building-asbestos-operations-and-maintenance-om-program) or any applicable LSTF requirements if more protective of health and the environment. See [Section 9.6.21](#) for more information about Operation and Maintenance Plans. The asbestos survey report(s), O&M plans, and updated records if materials are removed or identified subsequently should be maintained by the operator and owner(s) of the property and made available to appropriate staff.

L. Other than for asbestos abatement on a structure that will be completely demolished, the cost of any asbestos abatement activities may be included in the proposed mortgage loan.

M. All asbestos abatement shall be done in accordance with EPA requirements for air pollution prevention pursuant to 40 CFR Part 61, subpart M especially 40 CFR 61.145, and OSHA requirements for Worker Protection, pursuant to 29 CFR 1926.1101, asbestos safety and health regulations for construction, and any LSTF asbestos abatement and worker protection rules. All asbestos abatement must be performed by a qualified asbestos abatement contractor with a supervisor ("competent person") trained in accordance with OSHA and, if applicable, EPA standards, and workers trained in accordance with the OSHA standard.

9.6.3 Radon (Supersedes ML 2013-07)

9.6.3.1 Background

A. One common constituent of soil and rock is the unstable element uranium. One of the decay products of uranium is radon, a colorless, odorless gas. Under certain natural conditions, the radon gas can enter surface soils and become part of the "soil gas" environment, which then can enter the air, including air inside of buildings. When soil gas that contains radon enters a building, radon and its decay products are either directly inhaled, or attached to dust on walls, floors and in the air, which then can be inhaled. These decay products then undergo further decay, resulting in the release of subatomic alpha particles. This alpha particle radiation can cause mutations in lung tissue which can lead to lung cancer. The risk of contracting lung cancer from radon increases with an increase in the concentration of radon in the air that is breathed by building occupants. EPA recommends mitigation for residences with radon concentrations at or above 4 picocuries per liter of air (pCi/L).

9.6.3.2 General Requirements

A. Radon Report:

1. A radon report is required unless an exception listed in [Section 9.6.3.2.C](#) applies.
2. The radon report shall be included in the pre-application, or application, as applicable. For new construction, or substantial rehabilitations or conversions where early testing is not feasible, the radon report must be submitted to HUD at the final completion inspection⁴⁰. Applications (including those for which early testing is not feasible) must include the radon mitigation system in the architectural plans, as HUD relies on the Project Architect to design and incorporate any required radon mitigation system consistent with the relevant standard. HUD encourages the Architect to seek

⁴⁰ For phased new construction projects, HUD will require the radon report at the final completion inspection of the final project phase. For intermediate project phases, HUD will accept the Pressure Field Extension Evaluation results (required under CC-1000) for each building in lieu of a radon report.

technical advice from a radon professional should the Architect believe it to be necessary in their professional judgment or if it is required by the relevant mitigation standard.

3. The radon report shall include the results of any testing performed, the sampling strategy as applicable, the details of any mitigation deemed necessary, and the timing of any such mitigation. The radon report must be signed and certified as to its compliance with the requirements of this section by a Radon Professional and include copies of appropriate certifications and/or licenses.

B. Radon Professionals:

1. All testing of existing properties, post-construction testing, and any mitigation required as a result of this testing must be performed by, or under the direct supervision of a Radon Professional, in accordance with the protocols referenced in this section.
2. Radon Certification/License of the Radon Professional is required as follows:
 - a. Certification from either the American Association of Radon Scientists and Technologists (AARST) National Radon Proficiency Program (NRPP) or the National Radon Safety Board (NRSB); and
 - b. Certification/License from the state in which the testing or mitigation work is being conducted if the state has this requirement.

C. Exceptions to a Radon Report:

1. A Radon Professional may conclude that testing or mitigation is not necessary based on exemptions laid out in the relevant state or ANSI-AARST radon standard. Any such justifications as to why testing or mitigation is not necessary must be provided in the Environmental Report in the form of a signed letter from the radon professional that references the appropriate standard. Housing staff will determine whether to grant the exception.
2. A radon report is not required for applications that are categorically excluded not subject to the laws and authorities at 50.4 (CENST) as per 24 CFR 50.19(b)(21) (see [Section 9.1.3.C.1](#) and [Section 9.1.3.C.2](#)).

However, applicants are encouraged to test for radon even at the CENST level of review. Any such testing must follow the testing protocols and resident notification protocols below and must then be incorporated within a radon report as described within this section. If the results of such testing indicate levels of radon at or above the threshold for unacceptability, mitigation as described in this section is required, following [Section 9.6.3.2.F](#).

D. Testing Protocols:

1. Radon testing must follow the protocols set by the American Association of Radon Scientists and Technologists, Protocol for Conducting Radon and Radon Decay Product Measurements in Multifamily Buildings (ANSI-AARST MAMF-2017) (available at www.standards.aarst.org). This includes testing 100% of ground floor units and 10% of upper floor units in all buildings included in the project.
2. As an alternative to a full testing assessment, all ground level units/rooms in all buildings included in the project must be mitigated following the appropriate mitigation standard listed at [Section 9.6.3.2.F](#).
3. The threshold for unacceptability is 4.0 picocuries per liter (4.0 pCi/L) based on initial and any confirmatory testing, if performed.

E. Occupant Notification:

1. Occupants of all new applications for Multifamily MAP mortgage insurance programs shall be informed of forthcoming testing in the manner described in AARST MAMF-2017, Section II.B and Section III. 2.2.1.
2. Occupants shall be informed both prior to and after mitigation activities. In the case of new construction, incoming occupants shall be informed of radon mitigation activities.

F. Mitigation Standards:

1. Radon resistant construction is required for all new construction, and radon mitigation is required for existing construction where testing has revealed that radon levels exceed the threshold for unacceptability. The radon resistant construction or radon mitigation, when required, must conform to the following standards, which include post-mitigation testing requirements. All standards listed below are available at www.standards.aarst.org.
 - a. For existing buildings:
 - 1) Multifamily structures reference ANSI-AARST RMS-MF 2018, Radon Mitigation Standards for Multifamily Buildings.
 - 2) Single Family structures reference ANSI/AARST Standard SGM-SF-2017, Soil Gas Mitigation Standards for Existing Homes.
 - b. For new construction:
 - 1) Multifamily structures reference ANSI-AARST CC-1000-2018, Soil Gas Control Systems in New Construction of Buildings or ANSI-ASHRAE 189.1-2017, Standard for the Design of High-Performance Green Buildings except Low Rise Residential Buildings, Sections 801.3.4, 1001.3.1.9, and 1001.3.2.1.4.5.d.
 - 2) Single Family structures reference ANSI-AARST CCAH-2020, Reducing Radon in New Construction of 1 & 2 Family Dwellings and Townhouses.

G. Mitigation Timing:

1. For new construction and substantial rehabilitation properties, all mitigation, including follow-up testing, must be complete and all reports submitted to HUD staff prior to final endorsement.
2. Radon mitigation included as part of a Section 223(f) project's repairs must be completed as quickly as practicable, and in any event, no later than 12 months after Closing. The scope of work and related costs identified in the Firm application must include all repairs related to radon.

H. Certificate of completion:

1. A certificate of completion from the Radon Professional must be submitted and appended to the radon report once radon testing and/or mitigation is completed. HUD staff must upload this to HEROS.

I. Operation and Maintenance Plans:

1. An operation and maintenance plan (called an operation, maintenance and monitoring (OM+M) plan under the ANSI-AARST standards) must be administered in accordance with the applicable mitigation standard for any mitigation project. A condition shall be attached to the Firm Commitment requiring

that the Borrower operate and maintain the property consistent with the referenced OM+M plan for the duration of the insured mortgage. The project must submit the final OM+M plan to HUD after the radon mitigation system is installed. Given the ongoing risk associated with radon, the OM+M requirement for maintaining mitigation systems must be implemented when a mitigation system is present on the property.

J. Existing Mitigation Systems:

1. All existing mitigation systems installed at the property must be evaluated to ensure that they function properly, and if applicable, corrective action must be taken by a qualified radon professional.

K. Cost estimates:

1. It is the responsibility of the Lender to provide the cost estimate for radon remediation to be included into the overall construction cost. The cost estimate must be accurate to the proposed construction and include ongoing O+M costs. Estimates must be based on the locality of the project as well as the proposed time of construction.

9.6.3.3 Requirements for Section 223(f) Projects

A. All Section 223(f) projects must be tested for radon.

1. Testing must be performed no earlier than 1 year prior to application submission.
2. Exception: The applicant may elect to proceed directly to mitigation without prior testing.

B. For mitigation, see the requirements at [Section 9.6.3.2.F](#), which include post mitigation testing. If estimated costs exceed the allowable cost for the Section 223(f) program, the application cannot be approved but may be considered under the substantial rehabilitation program.

9.6.3.4 Requirements for Substantial Rehabilitation and Conversion

A. All substantial rehabilitation and conversion projects must be tested for radon.

B. Regarding testing prior to substantial rehabilitation or conversion:

1. Early testing may not be feasible. For some proposals, such as a conversion of an existing building from non-residential to residential, the building envelope may change to such an extent that early testing would not be appropriate and in some cases not possible. If this is the case, proceed directly to mitigation as discussed at [Section 9.6.3.4.C](#).
2. When early testing is feasible:
 - a. It must be performed no earlier than 1 year prior to application submission in accordance with [Section 9.6.3.2.D](#).
 - b. If test results are below the threshold, no mitigation is required.
 - c. If test results are at or above the threshold, mitigation must be built into the project design per [Section 9.6.3.4.C](#).

C. Regarding mitigation:

1. If mitigation is built into project design, it must be conducted in accordance with the requirements at [Section 9.6.3.2.F](#), which require post mitigation testing.
2. If mitigation is not built into project design, a radon report must be submitted to HUD at the final completion inspection. If testing results are at or above the threshold, retrofit mitigation pursuant to the requirements at [Section 9.6.3.2.F](#) is required.

9.6.3.5 Requirements for New Construction

A. All new construction projects must follow radon resistant construction requirements.

1. Multifamily structures reference ANSI-AARST CC-1000-2018, Soil Gas Control Systems in New Construction of Buildings.
2. Single Family structures reference ANSI-AARST CCAH-2020, Reducing Radon in New Construction of 1 & 2 Family Dwellings and Townhouses.

B. Post-construction testing is required prior to final completion inspection. If post-construction testing results are above the threshold, the project must be brought into compliance by activating the mitigation system or through retrofit mitigation.

C. All testing and mitigation required as a result of this testing must be performed by, or under the direct supervision of a Radon Professional, in accordance with the protocols referenced in this section.

9.6.4 Historic Preservation (24 CFR 50.4(a))

A. HUD must comply with the National Historic Preservation Act (54 U.S.C. 300101 et seq.) and its implementing regulations at 36 CFR Part 800, which require Federal agencies to take into account the effects of their undertakings on historic properties, consult with the State Historic Preservation Officer (SHPO) and/or Tribal Historic Preservation Officer as appropriate, and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. The process is known as Section 106 review.

B. Applications for Firm Commitment, whether for new construction, rehabilitation, refinancing or conversion from non-residential to residential property are considered “federal undertakings” which require HUD to make a determination of no historic properties affected, no adverse effect, or adverse effect upon historic properties. An historic property means any prehistoric or historic district, site, building, structure, object, or traditional property or landscape included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. Also, HUD must consider the area of potential effect (APE), which is often the site boundary, but occasionally the block on which the site is located or the immediate site environs.

C. Pursuant to the “anticipatory demolition” requirements of Section 110(k) of the National Historic Preservation Act (54 U.S.C. 306113), even before the concept meeting or application submission takes place, any action by a potential Lender or Borrower, or any action by another party that the Lender or Borrower has the legal power to prevent, which is taken with the intent to circumvent Section 106 review and that significantly adversely affects a historic property, could result in rejection of an application.