

**Subject:** Resolution 2016-102, a Resolution Approving Professional Services Agreement with Smith Environmental and Engineering for Environmental Consulting Services

**Presenter:** Dave Fenity, Project Manager

**Background:**

Upon acceptance of any federal grant, there is a requirement to conduct a National Environmental Policy Act (NEPA) investigation. In 1969, Congress enacted the National Environmental Policy Act (NEPA) in response to public concern about the deteriorating quality of the "human" environment and the inadequate consideration of environmental impacts of major federal projects.

The intent of NEPA is to ensure safe, healthful, productive, and aesthetically and culturally pleasing surroundings. NEPA helps federal agencies incorporate these values into their programs by requiring them to give equal consideration to environmental factors, in addition to financial and technical factors, in their planning and decision-making processes.

All FEMA projects require environmental review – usually prior to construction or site altering activities. Because the flood of 2013 forced emergency work to be performed to protect human life and property prior to environmental authorization, these projects need to be examined in order to avoid reimbursement "claw back".

Currently the Town does not retain any staff capable of conducting the research necessary, which in some cases does require PhD-level educational requirements. Therefore, the Town requests the services of a qualified environmental consultant capable of performing all the required tasks in order to properly close out grants and ensure reimbursement.

An RFP posted July 27, 2016 on Rocky Mountain eBIDS. There were four companies interested, with only two responding with proposals. In September, 2016, those proposals were received for Environmental Consulting Services. Two (2) consultants submitted proposals for the projects.

After reviewing the proposals, an Ad-Hoc committee interviewed both firms. Based on these interviews, the committee selected Smith Environmental and Engineering. The work will allow project closeout with FEMA and several other funding agencies with regards to environmental compliance. This work will be conducted through research and background interviews with staff and contractors. The maximum contract amount is not to exceed \$39,832.00.

The work is expected to begin this month, and will be completed by the end of February, 2017. Work includes background investigations and research, interviews with Town staff and contractors, verification of compliance, and reporting.

Additional work beyond the “not to exceed” amount of \$39,832.00 can be accomplished by a formal written amendment to the contract. Please see the attached proposal from Smith Environmental and Engineering for the project.

Staff recommends contracting with Smith Environmental to complete the information necessary to close out the environmental component of the grant requirements.