EPA

United States Environmental Protection Agency
Washington, DC 20460

Work Assignment

Work Assignment Number: 2-71

☐ Other ☐ Amendment Number:

Contract Number	Contract Period	Title of Work Assignment/SF Site Name
EP-C-16-003	07/01/2016 To 06/30/2021 Base Option Period Number 2	Hawaii's NPDES Program

Contractor: EASTERN RESEARCH GROUP, INC.

Specify Section and paragraph of Contract SOW: See PWS

Purpose:
- [X] Work Assignment
- [ ] Work Assignment Amendment
- [ ] Work Plan Approval
- [ ] Work Assignment Close-Out
- [ ] Incremental Funding

Period of Performance: From 07/31/2018 To 06/30/2019

Comments:

☐ Superfund — Accounting and Appropriations Data — [X] Non-Superfund

SFO (*Max 2*) ☐

Note: To report additional accounting and appropriations date use EPA Form 1900-69A.

Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	Amount (Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code
1										
2										
3										
4										
5										

Authorized Work Assignment Ceiling

Contract Period: 07/01/2016 To 06/30/2021 Cost/Fee: LOE:

This Action:

Total:

Work Plan / Cost Estimate Approvals

Contractor WP Dated: Cost/Fee LOE:

Cumulative Approved: Cost/Fee LOE:

Work Assignment Manager Name Peter Kozelka (Signature) (Date)	Branch/Mail Code: Phone Number: 415-972-3448 FAX Number:	
Project Officer Name Robin Danesi (Signature) (Date)	Branch/Mail Code: Phone Number: 202-564-1846 FAX Number:	
Other Agency Official Name (Signature) (Date)	Branch/Mail Code: Phone Number: FAX Number:	
Contracting Official Name Brad Heath (Signature) 7/31/2018 (Date)	Branch/Mail Code: Phone Number: 513-487-2352 FAX Number:	

PERFORMANCE WORK STATEMENT
CONTRACT EP-C-16-003
WORK ASSIGNMENT 2-71

TITLE: Technical Support for HAWAII'S NPDES program

WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (WACOR):

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PERIOD OF PERFORMANCE: July 31, 2018 through June 30, 2019

BACKGROUND: The Clean Water Act (CWA) authorized efforts to restore and maintain the Nation's waters, including Section 402 of the Act specifically created of the National Pollutant Discharge Elimination System (NPDES) permit program to regulate and reduce the point source pollution. Point sources must obtain a discharge permit from the proper authority, including states, tribes, and territories. EPA Regions are responsible for implementing the NPDES permit program in non-delegated States and for federal and tribal dischargers in authorized States.

In addition, under CWA Section 106, EPA provides a water pollution control grant to the State of Hawaii to build and sustain effective water quality programs that ensure the health of its coastal and inland waters. The Section 106 grant supports a wide variety of water pollution prevention and control programs and activities, including NPDES permits.

Hawaii is authorized to operate the NPDES program through Hawaii's Department of Health, Environmental Management Division, Clean Water Branch ("HDOH"). HDOH has requested that EPA Region 9 utilize a portion of Hawaii's CWA Section 106 grant to provide in-kind contractor assistance for several NPDES tasks including: program evaluation, site inspections and permit writing. Contractor support to be performed represents part of EPA's technical support to the State of Hawaii's NPDES program and to ensure protection of receiving water quality.

PURPOSE AND OBJECTIVE: The contractor shall, in consultation with EPA, provide technical support of Hawaii's NPDES permit program for three tasks: complete program evaluations, schedule and perform permit site inspections and draft permits for review and approval and issuance by HDOH.

The contractor shall conduct an independent evaluation of HDOH Clean Water Branch program offices, a separate more, in-depth evaluation of HDOH's NPDES program, and a separate more, in-depth evaluation of HDOH's Monitoring and Assessment program.

The contractor shall schedule and conduct NPDES inspections of traditional major and minor NPDES-permitted facilities (e.g. POTWs, industrial facilities, and federal facilities) as well as industrial facilities and construction sites that discharge stormwater. The primary goal of the inspections is to ensure and document whether entities regulated under the NPDES program are complying with their CWA obligations.

The contractor shall provide permit writing support. This support will include preparing draft and final individual permits, selected permit components, and coaching to HDOH staff in preparation for permit hearings/public meetings. Permit language and/or coaching topics are designed to meet the needs of the State of Hawaii and ensure compliance with the Clean Water Act and other applicable federal laws. The major focus of this task will be to prepare draft and final NPDES permits for review and issuance by the HDOH Clean Water Branch. The contractor shall coordinate with the HDOH Clean Water Branch staff to develop valid NPDES permits for HDOH to approve and issue. The work to be performed may also include providing technical and policy evaluations for specific NPDES permits or for issues that are relevant to many NPDES permits.

The work described under the PWS may be extended by additional one-year option periods, provided that (1) the Government has a need for continued performance, (2) the contractor has achieved acceptable quality levels, and (3) the contractor receives notice of the availability of funding.

Special Assumptions and Constraints

The contractor shall comply with the following assumptions and constraints in completing the inspections and reports described in the Scope (Section IV) by September 30, 2018.

1. Close coordination with EPA and HDOH to schedule and plan the inspections.
2. The contractor shall utilize an inspection checklist and report template that are consistent with EPA's NPDES Compliance Inspection Manual, July 2014, EPA 305-X-04-001 (https://www.epa.gov/sites/production/files/2013-09/documents/npdesinspect_0.pdf).
3. The contractor shall establish the necessary staffing and infrastructure to complete the required activities with a high level of competency within established milestones and schedule.
4. A complete list of entities to be inspected will be provided to the contractor after EPA awards the contract.

ASSUMPTIONS AND CONSTRAINTS
For all three tasks, the contractor shall possess and exercise a comprehensive understanding of the Clean Water Act and all other relevant federal and State of Hawai'i water protection laws; the skills and tools necessary to conduct program evaluations, NPDES inspections, and NPDES permit renewals, and a thorough appreciation of Hawaii's regulatory programs and practices in Clean Water Act. The contractor shall ensure compliance with Agency standards.

The contractor is authorized to contact HDOH directly to obtain additional information but shall copy EPA on all information requests and document all requests and responses for EPA. The contractor shall inform the EPA Work Assignment Contracting Officer Representative (WACOR) of any such information requirements. The contractor shall follow technical direction received from the WACOR or EPA Technical Expert.

If travel to and from Hawaii locations is required for these tasks, it should be limited to a reasonable number of trips not to exceed twelve (12) unless contractor staff conducting the trip(s) are locally based.

SCOPE OF WORK

This PWS describes contractor services required to support EPA Region 9 to carry out all tasks delineated below within the context of the NPDES permit requirements of the Clean Water Act. The contractor shall perform all activities in a manner consistent with all federal NPDES requirements safeguarding the relationship between the federal government and the State of Hawai'i.

TASK A-1: Evaluation of HDOH Clean Water Branch Program Offices

The contractor shall conduct an independent evaluation of HDOH's Clean Water Branch (CWB) program offices. This will be a screening level evaluation or fact-finding assessment of all offices therein; i.e., wastewater offices and safe drinking water offices. The purpose is to identify program strengths, weaknesses, challenges, needs of the CWB and then identify possible options and next steps to improve overall effectiveness of the branch as well as its role in cross-program efforts with wastewater branch and safe drinking water branch.

The contractor shall:

a. Hold kickoff meeting with WACOR and other EPA staff to discuss scope of this task.
b. Prepare a comprehensive workplan for this task pertaining to all sub-tasks for program evaluation. Workplan shall include a survey instrument/questionnaire that will be utilized on HDOH and EPA staff. EPA will review the draft workplan and survey instrument and provide comments for contractor to modify when preparing the final workplan and final instrument.
c. Conduct a screening level survey instrument which will include appropriate HDOH staff, managers, branch chiefs (CWB, safe drinking water, wastewater), Attorney General's office, Environmental Management Director, and HDOH Deputy Director and appropriate EPA staff/managers.
d. Review written materials provided by HDOH/EPA as appropriate. This could include HDOH current position descriptions or other HDOH branch organization materials.

(NOTE: this does not include all CWA statutes, regulations and Hawaii state statutes and regulations.)

e. Prepare a draft and final report that may include general description of the major program components within the Clean Water Branch, existing resources to conduct major program components (capacity assessment) and what options exist to address shortfalls (short term and long term) as well as possible next steps e.g. deeper dive into program components, program linkages, specific resource needs etc. EPA and HDOH will review and provide comments on draft report, the contractor shall consider such comments as they prepare the final report. Given the independent nature of this evaluation, contractor has discretion and is not obligated to incorporate all comments received from EPA and HDOH into final report.

THIS TASK WAS COMPLETED IN OPTION 1.

TASK A-2: In-depth Evaluation of HDOH's NPDES Permit Program

The contractor shall conduct a more thorough evaluation of HDOH's NPDES program, which will be more in-depth than described in Task A-1 above and could serve as a pilot for other Clean Water Branch programs. Contractor shall focus on HDOH staff and management plan within NPDES permits, NPDES Enforcement office and the (relevant portion of) Attorney General's office.

The contractor shall:

a. Conduct a greater in-depth fact-finding effort for HDOH NPDES program. This will effort shall build upon information gathered from the initial survey instrument (task A-1.a above).
    i. The more focused information gathering effort shall include an assessment of the work within the NPDES programs (permitting universe, inspections and enforcement), workload allocation compared to the existing resources, workflow processes between NPDES permits office, inspection/enforcement office and the NPDES portion of the Attorney General's office.
    ii. In addition, the more focused review shall include current assessment of existing challenges such as permit appeals, pacing of issuing general permits, technical capacity.

b. Based on the contractor's review of information and current circumstances, resources and process requirements, the contractor shall summarize findings and develop recommendations to improve and increase effectiveness of overall NDPES program in a draft and final report. EPA and HDOH will review and provide comments on draft report, the contractor shall consider such comments as they prepare the final report. Given the independent nature of this evaluation, contractor has discretion and is not obligated to incorporate all comments received from EPA and HDOH into the final report.

As of June 30, 2018, this task was partially completed. The contractor has performed document research and completed interviews.

During Option 2, the Contractor shall deliver draft and final reports of NPDES Permits program review.

TASK A-3: In-depth Evaluation of HDOH's Monitoring and Assessment Program
If funding allows, include a more thorough evaluation of HDOH's Monitoring and Assessment Office program(s) (i.e., monitoring, assessment, water quality standards, TMDLs, data management, etc). With the similar purpose of developing recommendations to improve and increase the effectiveness of the overall Monitoring and Assessment Office.

The contractor shall:

c. Conduct a greater in-depth fact-finding effort for HDOH monitoring and assessment program. This will effort shall build upon information gathered from the initial survey instrument (task A-1.a above).
    i. The more focused information gathering effort shall include an assessment of the work within the monitoring and assessment programs (i.e., water quality standards, total maximum daily loads, integrated report including impaired waters list, other monitoring programs/projects), workload allocation compared to the existing resources, workflow processes between monitoring and assessment. (do we need other here?)
    ii. In addition, the more focused review shall include current assessment of existing challenges such as monitoring effectiveness, process of water quality assessment and generating HDOH's integrated report, water quality standards triennial review and technical capacity.

d. Based on the contractor's review of information and current circumstances, resources and process requirements, the contractor shall summarize findings and develop recommendations to improve and increase effectiveness of overall Monitoring and Assessment program in a draft and final report. EPA and HDOH will review and provide comments on draft report, the contractor shall consider such comments as they prepare the final report. Given the independent nature of this evaluation, contractor has discretion and is not obligated to incorporate all comments received from EPA and HDOH into final report.

As of June 30, 2018, this task was not started and thus not completed. If funds are available, then the draft and final Monitoring and Assessment program review will be completed in Option 2.

DELIVERABLES REQUIRED AND SCHEDULE – PROGRAM EVALUATION

Deliverables: Final deliverables shall be consistent with the acceptance criteria described at end of this work statement. Additionally, all final deliverables shall be of superior editorial quality.

Summary of Deliverables and Due Dates			
Task/Subtask	**Deliverable**	**Distribution**	**Due Date**
Task A-1: Clean Water Branch Program Evaluation			
A-1.a	Kickoff meeting and proposed agenda	WACOR and EPA staff	Within 30 days of award date

Summary of Deliverables and Due Dates			
Task/Subtask	**Deliverable**	**Distribution**	**Due Date**
A-1.b	Draft workplan and survey instrument COMPLETED in OPTION 1	WACOR	Within 180 days of award date
A-1.b	Final survey instrument COMPLETED in OPTION 1	WACOR	Within 30 days of receipt of EPA's comments on instrument
A-1.e	Draft evaluation report of HDOH Clean Water Branch program COMPLETED in OPTION 1	WACOR and HDOH point of contact	Within 7 months of contract award date
A-1.e	Final evaluation report of HDOH Clean Water Branch program COMPLETED in OPTION 1	WACOR, EPA Technical Expert and HDOH point of contact	Within 30 days of receipt of HDOH and EPA's comments on draft report
Task A-2: NPDES Program Evaluation			
A-2.b	Draft report of HDOH NPDES permit program DUE IN OPTION 2.	WACOR and HDOH point of contact	Within 8 months of award date
A-2.b	Final report of HDOH NPDES permit program DUE IN OPTION 2	WACOR, EPA Technical Expert and HDOH point of contact	Within 30 days of receipt of HDOH and EPA's comments on draft report
Task B-3: Monitoring and Assessment Program Evaluation			
A-3.d	Draft report of HDOH Monitoring and Assessment program	WACOR and HDOH point of contact	Within 10 months of award date
A-3.d	Final report of HDOH Monitoring and Assessment program	WACOR, EPA Technical Expert and HDOH point of contact	Within 30 days of receipt of HDOH and EPA's comments on draft report

The Contractor shall notify the WACOR in writing when 75% of the authorized work assignment LOE/labor hours have been expended.

Total estimated level of effort for Task A and all sub-tasks therein is approximately 1707 hrs. The contractor shall assume two (2) travel trips for all sub-tasks associated within Task A.

TOTAL ESTIMATED EFFORT FOR TASK A-2 IN OPTION 2 IS 75 HOURS.
NO TRAVEL FOR TASK A IN OPTION 2.

SCOPE OF WORK – Task B: Inspection Support

The contractor shall conduct NPDES inspections of traditional major and minor NPDES-permitted facilities in Hawaii (e.g. municipal and domestic wastewater facilities, industrial facilities, and federal facilities) as well as industrial facilities and construction sites that discharge stormwater.

Task B-1: General Project Management

1.1 Project Administration: The contractor shall conduct and participate in meetings as needed. At least one meeting shall be held with EPA and HDOH, which may take place in person, by phone, or by video conference.
- An initial kick-off meeting shall be held for the contractor to meet the WACOR, Technical Expert and HDOH. The objective of the meeting is to review the scope of work required by this contract.
- Meeting agendas and summary shall be prepared by the contractor. The agenda shall be provided to EPA and HDOH at least three business days prior to the meeting.
- The contractor shall be available for routine communication, planning and coordination with the WACOR and Technical Expert.

1.2 Progress Reports: The contractor shall prepare and submit monthly technical and financial progress reports to the WACOR, which shall contain current project status; activities completed in the previous month; issues from the previous month and how they were managed; projected activities for the coming month; anticipated issues for the coming month and how they will be managed; and current expenditures and projected expenditures for the upcoming reporting period.

1.3 Inspection Schedule: The contractor shall work closely with the WACOR, Technical Expert and HDOH to prepare a schedule that shall include a general timeframe, by month or by quarter, for the trips needed to complete the inspections under this contract. Every effort shall be made to group inspections geographically for travel economy and to distribute the trips throughout the year to avoid an accumulation or backlog.

THIS TASK WAS COMPLETED IN OPTION 1.

Task B-2: Compliance Evaluation Inspections of Traditional Major and Minor NPDES Facilities

2.1 The contractor shall perform compliance evaluation inspections ("CEI") of eight major and three minor (non-major) NPDES-permitted facilities on Oahu and two minor NPDES-permitted facilities on Island of Hawai'i). The CEI is a non-sampling inspection designed to verify permittee compliance with applicable permit self-monitoring requirements, effluent limits, and compliance schedules. The contractor shall conduct the CEI in accordance with EPA's NPDES Compliance Inspection Manual, July 2014, EPA 305-X-04-001.

2.2 The contractor shall schedule each inspection within the inspection schedule established under task 1.3. The contractor shall ensure that sufficient time is allotted to adequately evaluate compliance. The contractor shall take the following steps in scheduling each inspection:

a. Coordinate with EPA and HDOH. EPA and/or HDOH may attend the inspections.
b. Contact facility representatives one week prior to the inspection.
c. Contact EPA and HDOH prior to each trip to obtain up-to-date, relevant information about the facilities to be inspected.

THIS TASK WAS COMPLETED IN OPTION 1.

Task B-3: Industrial Stormwater Inspections

3.1 The contractor shall inspect ten industrial facilities for stormwater discharges on Oahu and five industrial facilities for stormwater discharges on either Kauai, Maui or Hawaii. The contractor shall evaluate each facilities' stormwater control program and evaluate compliance with Hawaii's industrial stormwater permit provisions. The contractor shall conduct each industrial stormwater inspection in accordance with EPA's NPDES Compliance Inspection Manual, July 2014, EPA 305-X-04-001.

3.2 The contractor shall schedule each inspection within the inspection schedule established in task 1.3. The contractor shall ensure that sufficient time is allotted to adequately evaluate compliance. The contractor shall take the following steps in scheduling each inspection:

a. Coordinate with EPA and HDOH. EPA or HDOH may attend the inspections.
b. Contact EPA and HDOH prior to each trip to obtain up-to-date, relevant information about the facilities to be inspected.
c. Facility representatives should not be contacted prior to the inspection, unless otherwise directed by EPA and HDOH.

THIS TASK WAS COMPLETED IN OPTION 1.

Task B-4: Construction Stormwater Inspections

4.1 The contractor shall inspect ten construction sites for stormwater discharges on Hawaii, Oahu, Kauai or Maui. The contractor shall evaluate each sites' stormwater control program and evaluate compliance with Hawaii's construction stormwater permit provisions. The contractor shall conduct each construction stormwater inspection in

accordance with EPA's NPDES Compliance Inspection Manual, July 2014, EPA 305-X-04-001.

4.2 The contractor shall schedule each inspection within the inspection schedule established in task 1.3. The contractor shall ensure that sufficient time is allotted to adequately evaluate compliance. The contractor shall take the following steps in scheduling each inspection:
   a. Coordinate with EPA and HDOH. EPA or HDOH may attend the inspections.
   b. Contact EPA and HDOH prior to each trip to obtain up-to-date, relevant information about the facilities to be inspected.
   c. Facility representatives should not be contacted prior to the inspection, unless otherwise directed by EPA and HDOH.

THIS TASK WAS COMPLETED IN OPTION 1.

Task B-5: Inspection Reports

5.1 Draft Inspection Report: After the completion of each inspection, the contractor shall prepare, for review and comment by HDOH and EPA, a draft inspection report, documenting the inspector's observations and findings. The report shall include data collected before, during and after the inspection, a log of photos taken during the inspection, and all potential non-compliance observed during the inspection. The contractor shall conduct thorough quality assurance ("QA") reviews of the inspection reports to ensure accuracy, completeness and consistency between narrative, checklists, photos, and other supporting documentation. Each draft report shall be prepared in Microsoft Word and delivered via e-mail to both HDOH and EPA. The contractor shall assume one or two revisions.

5.2 Final Inspection Report: After receiving comments from the WACOR on the draft inspection report, the contractor shall revise/update the report and deliver a final inspection report in Adobe Acrobat (PDF) format via email to both HDOH and EPA. If the contractor does not receive comments from HDOH and EPA within 30 days of submitting the draft inspection report, the contractor may send a follow-up email stating that the report will be considered final if HDOH and EPA do not reply within 14 days with either comments or a schedule by which to receive comments. The report shall be complete, including photo log and relevant attachments. The photos shall also be submitted digitally on CD or other similar media.

THIS TASK WAS COMPLETED IN OPTION 1.

Task B-6: Data Entry

After the completion of each inspection, the contractor shall input relevant data regarding each inspection into EPA's Integrated Compliance Information System-NPDES (ICIS-NPDES) data management system. Data includes, but not limited to, facility, date, inspection type, and reason for inspection. If the contractor does not have access to ICIS-NPDES, the contractor shall contact

EPA to obtain access.

THIS TASK WAS COMPLETED IN OPTION 1.

DELIVERABLES REQUIRED AND SCHEDULE – INSPECTIONS

A schedule of deliverables is shown below. The contractor shall notify WACOR immediately, if at any time, he/she determines that the schedule will not be met for any reason.
Final deliverables shall be consistent with the acceptance criteria described at end of this work statement. Additionally, all final deliverables shall be of superior editorial quality.

Summary of Deliverables and Due Dates			
Subtask	**Deliverable**	**Distribution**	**Due Date**
Task B-1: Project Management			
1.1 Project Administration	Kick-off meeting agenda and summary COMPLETED IN OPTION 1	Via email	3 days prior to kick-off meeting that is within 45 days of award
1.2 Progress Reports	Monthly technical and financial progress reports COMPLETED IN OPTION 1	Via email	Monthly
1.3 Inspection schedule	Inspection schedule COMPLETED IN OPTION 1	Via email	Within 60 days of award
1.3 Inspection schedule changes	Revised inspection schedule COMPLETED IN OPTION 1	Via email, send revised schedule with changes clearly marked	As soon as possible
Task B-2: Compliance Evaluation Inspections of Traditional Major and Minor NPDES Facilities			
2.2 The contractor shall schedule each traditional major and minor NPDES inspection within the established schedule in coordination with EPA and HDOH.	Inspection date confirmation to EPA and HDOH COMPLETED IN OPTION 1	Via email	At least 14 days prior to conducting the inspection
Task B-3: Industrial Stormwater Inspections			

Summary of Deliverables and Due Dates			
Subtask	**Deliverable**	**Distribution**	**Due Date**
3.2 The contractor shall schedule each industrial stormwater inspection within the established schedule in coordination with EPA and HDOH.	Inspection date confirmation to EPA and HDOH COMPLETED IN OPTION 1	Via email	At least 14 days prior to conducting the inspection
Task B-4: Construction Stormwater Inspections			
4.2 The contractor shall schedule each construction stormwater inspection within the established schedule in coordination with EPA and HDOH.	Inspection date confirmation to EPA and HDOH COMPLETED IN OPTION 1	Via email	At least 14 days prior to conducting the inspection
Task B-5: Inspection Reports			
5.1 Draft inspection reports	Draft inspection report COMPLETED IN OPTION 1	Via email, submit report in Microsoft Word format to EPA and HDOH	Within 45 days of completing the travel associated with the inspection
5.3 Final inspection reports	Final inspection report COMPLETED IN OPTION 1	Via email, submit report in Adobe Acrobat format to EPA and HDOH	Within 14 days of receiving comments
5.3 Final inspection reports	Photos COMPLETED IN OPTION 1	Via CD or other similar media	Within 14 days of receiving comments
Task B-6: Data Entry			
6.1 Inspection data entry	Inspection data into ICIS-NPDES data system COMPLETED IN OPTION 1	Online	Within 14 days of completing the travel associated with the inspection

*Note: All days are calendar days unless otherwise specified.

The Contractor shall notify the WACOR and HDOH contact in writing when 75% of the authorized work assignment LOE/labor hours have been expended.

Total estimated level of effort for Task B and all sub-tasks therein is approximately 730 hrs. The contractor shall assume six (6) travel trips for all sub-tasks associated within Task A.

ALL 'B' TASKS AND ALL RELATED TRAVEL WERE COMPLETED IN OPTION 1.

SCOPE OF WORK – Task C: Permit Writing

Task C-1: Permit Writing - Project Management

C-1: Project Administration: The contractor's responsibilities shall include regular coordination with EPA's WACOR, EPA's Technical Expert, and HDOH staff to ensure preparation of permit drafts which are compliant with state and federal law, on a schedule which meets the needs of HDOH.

a. **Kick-off Meeting:** An initial kick-off meeting for the contractor to meet with the WACOR, technical expert and HDOH NPDES team. The objective of the kickoff is to provide a review of scope of permit writing tasks for the year which may be assigned to the contractor. This meeting may take place in person or via video- or teleconference. The agenda and meeting notes shall be prepared by the contractor, and the agenda shall identify any information the contractor will need to receive from EPA or the HDOH to begin work. The draft agenda shall be submitted to the WACOR at least three days prior to the meeting.
b. **Coordination and Planning:** The contractor shall be available for routine communication, planning and coordination with the WACOR on Hawaii NPDES permit writing needs. The contractor shall confirm in writing any significant decisions or agreements made during these interactions. These interactions will take place at least once a month (possibly as part of the Monthly Update Calls, see next), or as needed during normal business hours, via telephone, email, skype, video conferencing or in person.
c. **Monthly Update Calls:** The contractor shall participate in update calls, to be held on a frequency not less than monthly, with WACOR, EPA technical expert and HDOH to detail progress on each active work project (permit), to identify and correct problems, and provide feedback on permitting issues in individual areas. These calls shall be structured as an item-by-item review of the Progress Report and associated Tracking Spreadsheet.
d. **Tracking of progress on permit issuance:** The contractor is required to track each permit during the NPDES permit development process. The contractor shall maintain an up-to-date record of progress on all work assigned, including projected draft, review, correction and submission dates, in an electronic tabular format (hereafter referred to as the "Tracking Spreadsheet") based on the provided example. This information, particularly changes in target dates, will be shared with the WACOR during the monthly update calls and as part of the monthly progress reports, both described below. The contractor is required to submit the report electronically in a table format that includes each of the specific projected dates above, as well as timelines for completion of all final permit packages.
e. **Monthly Progress Reports:** The contractor shall prepare and submit a report on permit-writing progress during a given month, by the 10th day of the following month. This Progress Report shall be sent to the WACOR, EPA Technical expert and the designated HDOH Clean Water Branch contact/liaison, and shall take the form of an e-mail or similar communication enabling sharing of digital files. The Report shall contain a separate section on work, and shall discuss in writing any changes in target dates, the grounds for those changes, and major issues encountered, with special emphasis on any issues. Attached to the E-mail and integral to the Progress Report shall be a copy of the

most recent version of the Tracking Spreadsheet. Projected dates which have changed since the previous Monthly Progress Report shall be highlighted in the spreadsheet.

f. **Itemized Invoicing:** Each monthly invoice to EPA shall include an itemized list of all HDOH permits worked on in the preceding month and the status of that permit as of the date of the invoice.

g. **Submission Requirements:** Tracking Spreadsheets, Monthly Progress Reports, and other significant communications or submissions of deliverables shall be sent by e-mail to the WACOR, EPA technical expert and HDOH permit contact. Documents shall be in either .DOC or .PDF file formats (for text) or .XLS format (for tracking spreadsheets) and shall be accessible, functional and free from computer viruses or other technology problems.

THIS TASK WAS COMPLETED IN OPTION 1.

Task C-2: Permit Writing - Draft and Final Permit Packages and Administrative Records

The contractor shall prepare draft permit packages for each facility assigned. Specific permits will be identified by WACOR, EPA Technical Expert and HDOH and provided to the contractor in writing. Correspondence shall primarily be in electronic form. Each permit package shall be consistent with applicable Federal and Hawaii regulations, guidance and conform to Hawaii's style and formatting practices as directed in the permit templates supplied by HDOH.

The contractor may be asked to provide the following services:

- Review data that has been provided by EPA Region 9, the state, and/or the discharger as part of the permit application process;
- Identify, collect, and review any additional background data for each facility to be permitted and the affected receiving water needed to properly evaluate the need for permit limitations and conditions;
- Prepare a draft permit and supporting documentation for each facility assigned. These draft documents shall be provided to EPA Region 9, and other appropriate parties, for review and comment. Afterwards the contractor shall incorporate and address those comments and submit a permit package for HDOH to adopt and issue public notice. The final drafted products shall also be provided to WACOR, EPA Technical Expert and HDOH at the same time.
- Assist HDOH staff with response to comments received during the Public Comments Period for permits drafted under this task order, including preparing a written document containing responses to all comments related to development of the permit package.
- Upon completion of the public notice and public comment processes, the contractor shall again incorporate and address the comments received and prepare a final permit package (final permit document, final fact sheet, response to public comments, and transmittal letter) for issuance by HDOH.

Permit packages shall be categorized into one of two groups, based on the contractor activities requested by WACOR, EPA Technical Expert and HDOH.

***Task C-2-a**: 'traditional' permits* - (3 permits requested at this level of support)

- Contractor activities include writing draft permit, response to public comments and final permit to support for permit issuance by HDOH. These 'traditional' permits are considered to be permit renewals (i.e., not new permits).

THIS TASK WAS COMPLETED IN OPTION 1.

***Task C-2-b**: 'dairy' permit* - (1 permit at this level of support)

- Contractor activities include developing a new permit to address a large dairy facility on the Island of Hawaii, and writing the draft permit, the public notice and the final permit for issuance by HDOH. May also include review and comments on dairy facility's nutrient management plan as part of this permit development.

THIS TASK WAS PARTIALLY COMPLETED IN OPTION 1.
DRAFT AND FINAL 'DAIRY' PERMIT SHALL BE DELIVERED IN OPTION 2.

If a permit package cannot be precisely categorized into a group based on the above criteria, it shall be classified by WACOR based on best professional judgment.

Task C-3: Permit Writing – Coaching and Preparation of HDOH staff for NPDES permit hearing

C-3. Coaching support: The contractor's responsibilities shall include coaching support and discussion with HDOH staff to adequately prepare for public hearing meetings on NPDES permits. The goal is to ensure HDOH staff have extensive technical understanding of permit and related documents, prepare responses to advanced permit questions that may arise and practice oral defense of permit contents and decisions therein prior to HDOH permit hearing. Contractor shall provide coaching and preparation support to HDOH staff for no more than two (2) permits. (These permits and related documents may be drafted by HDOH staff or by the contractor.) Under this task, contractor will provide verbal guidance and coaching by phone/in-person to HDOH staff. There will be minimal written documentation required by the contractor to HDOH. Correspondence shall primarily be in electronic form.

Table 1, below, contains a list of activities and timeframes for the drafting of NPDES permits. The following is the suggested process and timeframe for providing NPDES permit support to HDOH. The process may need to be adjusted based on the specific schedules and procedures established by the WACOR and HDOH.

The documents shall be in either .DOC or .PDF file formats (for text) or .XLS format (for tracking spreadsheets) and shall be accessible, functional and free from computer viruses or other technology problems.

THIS TASK WAS COMPLETED IN OPTION 1.

Table 1. Contractor Activity Descriptions and Target Delivery Timeframes

No.	Activity Description	Target Timeframe for Permit Writing
1	Review/Copy Files • The Contractor will assign staff to review and copy all information necessary for development of NPDES documents, specifically Permits (information such as: permit applications, permit fact sheets, applicable statutes, regulations, guidance, Permit Quality Review, monitoring data, compliance and enforcement correspondence). • The Contractor will coordinate with EPA and the HDOH Clean Water Branch regarding when Contractor staff are scheduled for on-site visits for data collection prior to Contractor staff arriving at the Clean Water Branch. • The Contractor will obtain information from Clean Water Branch staff via email/mail, when feasible. CONTRACTOR HAS COMPLETED 3 'TRADITIONAL' PERMITS IN OPTION 1. 'DAIRY' PERMIT TO BE COMPLETED IN OPTION 2.	Within 2 weeks after assignment by EPA
2 [Permits only]	Collect Additional Data and Information for permit development (as necessary) • The Contractor shall be authorized to contact the facility directly if additional data or information is required to initiate permit development. Any correspondence between the facility and the Contractor shall be documented for the contract file and HDOH Clean Water Branch administrative file as deemed necessary (e.g., new data submittal). Perform Pre-Permit Site Visit (as necessary) • As time allows, a permit site-visit <u>may</u> be performed to observe facility operations, outfall conditions, etc. • When feasible, a permit site visit shall be coordinated with planned compliance evaluation inspections (CEIs). EPA and HDOH Clean Water Branch facility contacts shall be notified of all permit site visits prior to the visit. At EPA and HDOH discretion, their staff may accompany Contractor staff. CONTRACTOR HAS COMPLETED 3 'TRADITIONAL' PERMITS IN OPTION 1.	Within 4 weeks after permit assignment

No.	Activity Description	Target Timeframe for Permit Writing
	'DAIRY' PERMIT TO BE COMPLETED IN OPTION 2.	
3	Prepare and Deliver Administrative Draft NPDES Documents • Based on review of all collected information, identify (if any) policy issues for discussion with the Clean Water Branch. As necessary, discuss with the Clean Water Branch to reach resolution. • In order to facilitate review by EPA and the Clean Water Branch, any unique issues will be highlighted in the Administrative Draft Permits. • The Administrative Draft NPDES Documents will be delivered (via e-mail) to the Clean Water Branch contact, with copies sent to EPA and the appropriate Clean Water Branch Manager (as applicable). • Subsequent to delivery of the Administrative Draft NPDES Documents, the Contractor will schedule a conference call (as needed) or meeting with EPA and the Clean Water Branch contact to walk through the approach taken for developing requirements and provisions, and discuss any other potentially controversial issues related to the draft documents. [Note: if no comments are provided on the administrative draft, the draft will be considered the final administrative draft.] CONTRACTOR HAS COMPLETED 3 'TRADITIONAL' PERMITS IN OPTION 1. 'DAIRY' PERMIT TO BE COMPLETED IN OPTION 2.	Within 2 weeks after assignment by EPA
	Receive Clean Water Branch comments on Administrative Draft	Within 2 weeks after receipt
4	Incorporate Clean Water Branch Comments on the Administrative Draft Permits (as necessary), and Prepare and Deliver the Final Administrative Draft NPDES Documents • Based on comments from EPA and the Clean Water Branch, revisions to the administrative draft NPDES Documents will be made. If necessary, a final administrative draft NPDES Document(s) will be delivered (via e-mail) to the Clean Water Branch contact, with copies sent to the	Within 1 week after receipt of comments from EPA and the HDOH Clean Water Branch

No.	Activity Description	Target Timeframe for Permit Writing
	appropriate Clean Water Branch Manager. CONTRACTOR HAS COMPLETED 3 'TRADITIONAL' PERMITS IN OPTION 1. 'DAIRY' PERMIT TO BE COMPLETED IN OPTION 2.	
5	Prepare and Deliver the Public Notice Draft NPDES Documents (as necessary) • Address any comments received by EPA and the Clean Water Branch on the Final Administrative Draft NPDES Documents. • Make any final changes/edit/etc., and prepare the Public Notice Draft NPDES Documents. • The Public Notice Draft NPDES Documents shall include all components of the administrative draft record, • Prepare public notice materials to transmit the Public Notice Draft NPDES Documents (transmittal letter for interested parties, Notice of Public Hearing, letter to newspaper for public advertising, etc.). Formats for the public notice materials to be provided by the Clean Water Branch. • The Public Notice Draft NPDES Documents will be delivered (via e-mail) to the Clean Water Branch contact, with copies sent to EPA and the appropriate Clean Water Branch Manager. • Subsequent to delivery of the Public Notice Draft NPDES Documents, the Contractor will schedule a conference call (as needed) or meeting with the Clean Water Branch contact to discuss any significant changes or issues related to the public notice draft documents. CONTRACTOR HAS COMPLETED 3 'TRADITIONAL' PERMITS IN OPTION 1. 'DAIRY' PERMIT TO BE COMPLETED IN OPTION 2.	Within 2 weeks after receipt of comments from EPA and the HDOH Clean Water Branch
6	Support Public Notice and Public Comment proceedings on Draft NPDES Documents • Assist HDOH staff in preparing the Response to Comments for each NPDES Document. • Revisions to the Draft NPDES Document(s) shall be made to address the public comments received	Provide support as needed during the HDOH-designated public comment period, generally 30 days. Written

No.	Activity Description	Target Timeframe for Permit Writing
	and any additional comments from EPA and the HDOH contact. • A written "response to comments" document shall be prepared stating each of the comments received (consolidation of similar comments is allowable) and what response, if any, was made to each comment. This document will become part of the final permit and the administrative record. CONTRACTOR HAS COMPLETED 3 'TRADITIONAL' PERMITS IN OPTION 1. 'DAIRY' PERMIT TO BE COMPLETED IN OPTION 2.	comment responses due within 2 weeks after the end of the public comment period as part of the final package, below
7	Prepare and Deliver the Final NPDES Documents • Address all comments received during any public notice comment period(s) or public hearing(s) on the Public Notice Draft NPDES Documents. • Make any final changes/edit/etc., and prepare the Final Permit package(s). • A Final NPDES Permit Package shall include the Final NPDES Permit, the Final Fact Sheet, the response to public comments, and the final permit transmittal letter. • The Final NPDES Permit Package shall be delivered (via e-mail) to the WACOR, with copies sent to the EPA Region 9 Technical Expert and the HDOH Clean Water Branch contact. • Subsequent to delivery of the Final NPDES Permit Package(s), the Contractor will schedule a conference call (as needed) or meeting with the Clean Water Branch contact to discuss any significant changes or issues related to the final NPDES Documents. CONTRACTOR HAS COMPLETED 3 'TRADITIONAL' PERMITS IN OPTION 1. 'DAIRY' PERMIT TO BE COMPLETED IN OPTION 2.	Within 2 weeks after the end of the public comment period(s)

DELIVERABLES REQUIRED AND SCHEDULE – PERMIT WRITING

Based on HDOH Clean Water Branch requirements and applicable formats and/or language, the Contractor shall prepare the draft and public notice draft NPDES Documents (Permits with associated Fact Sheets) and their respective administrative records, for each facility or standard

assigned. These draft documents will be coordinated through the WACOR and EPA Technical Expert, to provide for appropriate EPA and State staff review and comment. The contractor will incorporate comments provided by EPA and HDOH on the administrative draft and supporting documentation. A copy of all draft and final documents will be provided to the WACOR, Technical Expert, and HDOH at the completion of the task order. Individual deliverable due dates shall be agreed with Hawaii DOH – Clean Water Branch, with concurrence by EPA.

NPDES Documents produced under this Task Order shall be submitted by e-mail to the relevant HDOH permit contact/liaison with a CC to the WACOR and EPA Technical Expert in either .DOC or .PDF file formats. Submitted files shall be accessible, functional and free from computer viruses or other technology problems.

Final deliverables shall be consistent with the acceptance criteria described at end of this work statement. Additionally, all final deliverables shall be of superior editorial quality. Contractor shall provide quality assurance reporting as specifically identified by the WACOR.

The duplication of more than 5,000 copies of a single page or 25,000 or more total impressions is considered "printing" and, therefore, prohibited. For more information on restrictions relating to deliverables, the contractor is referred to the EPA Publication Management Guide (EPA-175-K-92-011).

SUMMARY OF DELIVERABLES AND DUE DATES			
Task/Subtask	**Deliverable**	**Distribution**	**Due Date***
Task C-1-1.a	Kickoff Meeting Agenda COMPLETED IN OPTION 1	WACOR, EPA Technical Expert and HDOH NPDES staff	Within 2 weeks of award
Task C-1-1.b.	Kickoff Meeting Summary COMPLETED IN OPTION 1	WACOR, EPA Technical Expert and HDOH NPDES staff	No later than August 30, 2017.
Task C-1-1.c	Monthly Update Call Follow-up COMPLETED IN OPTION 1	WACOR, EPA Technical Expert and HDOH NPDES staff	Monthly after submission of Monthly Progress Reports, on a schedule to be agreed with HDOH.
Task C-1-2.d	Tracking Spreadsheet COMPLETED IN OPTION 1	WACOR, EPA Technical Expert and HDOH NPDES staff	Initial version within 2 weeks of first Technical Directive identifying permits for contractor support, then updated as new dates and information are

			received
Task C-2 (NPDES Permits)	Write NPDES Permits (3+1) as individually requested by HDOH – Clean Water Branch via EPA Technical Directives PARTIALLY COMPLETED IN OPTION 1	WACOR, EPA Technical Expert and HDOH NPDES staff	Schedule for individual permits (draft, public notice, and final), shall be as assigned in the relevant Technical Directive(s)
Task C-3 (coaching HDOH staff for permit hearings)	Oral coaching and preparation of HDOH staff on 2 permits prior to public hearings for HDOH adoption COMPLETED IN OPTION 1	WACOR, EPA Technical Expert and HDOH NPDES staff	Schedule for coaching shall be assigned in Kickoff meeting summary

*Note: All days are calendar days unless otherwise specified.

The Contractor shall notify the WACOR in writing when 75% of the authorized work assignment LOE/labor hours have been expended.

Total estimated level of effort for Task C and all sub-tasks therein is approximately 1506 hrs. The contractor shall assume four (4) travel trips for all sub-tasks associated within this Task.

THIS TASK WAS PARTIALLY COMPLETED IN OPTION 1.
THE CONTRACTOR SHALL DELIVER THE DRAFT AND FINAL 'DAIRY' NPDES PERMIT FOR IN OPTION 2. ONE TRAVEL TRIP MAY BE NEEDED IN OPTION 2.
TOTAL LEVEL OF EFFORT FOR COMPLETING TASK C-2 IN OPTION 2 IS 85 HOURS.

CONTRACT PWS REFERENCE

See Contract PWS Page 1-10 of 14 ***Task # "Task Title", Page # - # of # Task # Task Name***

ANTICIPATED TRAVEL REQUIREMENTS

All travel shall be approved in advance by the Contract-Level Contracting Officer's Representative (CL-COR) and shall be in accordance with the Contract.

ADDITIONAL REQUIREMENTS

Upon issuance of written technical direction, the Contractor shall submit for inspection of all work in progress at any time under this work assignment. The Contractor shall develop and maintain files supporting each task.

The contractor shall contact the Contracting Officer (CO) and/or the CL-COR by telephone to discuss any problems that may adversely affect the work on this Work Assignment. Within five (5) calendar days the contractor shall follow the phone call with a brief written explanation of the

problem, including any actions already taken, and/or recommended solutions to correct the problem. Written explanation shall be made available to the CO and the CL-COR.

CONTRACTOR IDENTIFICATION

To avoid any perception that contractor personnel are EPA employees, the contractor shall assure that contractor personnel are clearly identified as independent contractors of EPA when attending meetings with outside parties or visiting field sites.

CONTROL REQUIREMENTS

Quality Assurance Project Plan (QAPP):
Contractor has developed a quality assurance checklist for NPDES permit writers on staff. Contractor shall utilize this checklist when developing NPDES permits for HDOH. Contractor may be required to perform additional quality assurance measures as directed by WACOR.

Organizational Conflict of Interest:
The Contractor shall warrant that, to the best of the Contractor's knowledge and belief, there are no relevant facts or circumstances which could give rise to an organizational conflict of interest, as defined in FAR Subpart 9.5, or that the contractor has disclosed all such relevant information. See contract clause 1552.209-71 Organization of Conflict of Interest.

Notification of Conflicts of Interest Regarding Personnel:
The Contractor shall immediately notify the CL-COR and the CO of (1) any actual or potential personal conflict of interest with regard to any of its employees working on or having access to information regarding this contract, or (2) any such conflicts concerning subcontractor employees or consultants working on or having access to information regarding the contract, when such conflicts have been reported to the Contractor. A personal conflict of interest is defined as a relationship of an employee, subcontractor employee, or consultant with an entity that may impair the objectivity of the employee, subcontractor employee, or consultant in performing the contract work. See Section H.4, contract clause EPAAR 1552.209-73 Notification of Conflict of Interest.

The contractor shall contact the WACOR and/or the AWACOR by telephone to discuss any problems that may adversely affect the work described in the PWS. Within five (5) calendar days the contractor shall follow the phone call with a brief written explanation of the problem, including any actions already taken, and/or recommended solutions to correct the problem. Written explanation shall be provided via email to the WACOR with a copy to the AWACOR and CO.

Enforcement Sensitive Information:
The contractor recognizes that contractor employees in performing tasks specified in the PWS may have access to data/information, either provided by the government or first generated during contract performance, of enforcement sensitive nature which should not be released to the public without Environmental Protection Agency (EPA) approval. Enforcement sensitive refers to records or information compiled for law enforcement purposes (whether administrative, civil or

criminal), the disclosure of which could reasonably be expected to interfere with the enforcement action. It is imperative that all contractor personnel, including but not limited to, subcontractor and consultant personnel assigned to work on this contract and/or task order, or with access to materials developed pursuant to such efforts, understand that this information is confidential and any disclosure or misuse of the information may result in prosecution to the fullest extent of the law. All contractor personnel are expected to exercise due diligence in safeguarding, handling or disposing of any such information.

Project Employee Confidentiality Agreement The contractor agrees that the contractor employee will not disclose, either in whole or in part, to any entity external to the EPA, the Department of Justice, or the contractor, any information or data (as defined in FAR Section 27.401) provided by the government or first generated by the contractor under the work described in the PWS, any site-specific cost information, or any enforcement strategy without first obtaining the written permission from the WACOR. If a contractor, through an employee or otherwise, is subpoenaed to testify or produce documents, which could result in such disclosure, the contractor must provide immediate advance notification to the EPA so that the EPA can take action to prevent such disclosure. Such agreements shall be effective for the life and for a period of five (5) years after completion of all work described in the PWS.

Handling of Confidential Business Information (CBI)
Contractor's access to TSCA CBI must comply with the procedures set forth in the TSCA CBI Security Manual. Likewise, access to FIFRA CBI shall follow the security procedures set forth in the FIFRA Information Security Manual. To the extent that the work described in the PWS requires access to proprietary or confidential business or financial data of other companies, and as long as such data remains proprietary or confidential, the contractor shall protect such data from unauthorized use and disclosure.

All files or other information identified as Confidential Business Information (CBI) shall be treated as confidential and kept in a secure area with access limited to only contractor personnel directly involved in the case or special project assignment. The contractor, subcontractor, and consultant personnel are bound by the requirements and sanctions contained in their contracts with the EPA and in EPA's confidentiality regulations found at 40 CFR Part 2, Subpart B. The contractor subcontractors, and consultant must adhere to EPA-approved security plans which describes procedures to protect CBI, and are required to sign non-disclosure agreements before gaining access to CBI.

All official data, findings, and results of investigations and studies completed by the contractor shall be available for EPA and DOJ internal use only. The contractor shall not release any part of such data without the written direction of the WACOR.

Conferences and Workshops:
The tasks under this work assignment may require the acquisition of "off-site" facilities for conference(s) and meetings as defined in the IPN 12-05. AND the events associated with this work assignment are covered by EPA Order 1900.3 and do require EPA Form 5170.
The contractor shall immediately alert the WACOR to any anticipated event under the work assignment which may result in incurring an estimated $20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and

consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The WACOR will then prepare approval internal paperwork for the event and will advise the contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

Any event which meets the definition of a "conference," with total net expenditures greater than $20,000, is required to submit EPA Electronic Form 5170 and Form 5170-A (with cost estimates/actuals). In the case the workflow system is down and WACORs require emergency approval, they can submit EPA Form 5170 (PDF) (2pp, 93K) (with cost estimates) to conference@epa.gov.

PERFORMANCE SURVEILLANCE PLAN

Task A-1

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	Acceptable Quality Level
1.a Contractor shall conduct a kick-off meeting at the beginning of the contract. The contractor shall prepare the meeting agenda and summary.	- Contractor shall coordinate with EPA in a timely manner. - Agenda topics shall include all pertinent issues for discussion. - Meeting notes shall be submitted to EPA within one week of the meeting. - Meeting notes shall include, at a minimum, major items discussed, major items agreed upon, and tasks to be completed and by whom. - The contractor shall notify the WACOR in a timely manner of any issues, concerns or potential schedule changes. - The contractor shall be responsive to WACOR inquiries.	- The contractor conducts the kick-off meeting within 30 days of award. - The meeting agenda is provided to EPA at least 3 business days prior to each meeting. - 90% of all agenda topics are addressed during each meeting. - The contractor shall contact the WACOR, via telephone or email, at least once each month. - The contractor shall notify the WACOR of any significant issues, concerns or potential schedule impacts within 3 days of identification. - The contractor shall respond to WACOR inquiries or requests within 3 days.
1.b Contractor shall generate draft workplan including draft survey instrument.	- Contractor shall solicit comments from EPA, at minimum, regarding the draft survey instrument. - Draft workplan shall comprehensively address all tasks, sub-tasks and deliverables within Task A-1, A-2 and A-3.	- Contractor provides the draft workplan and the draft survey instrument to EPA within 180 days of award. - 100% of all tasks are addressed in draft workplan. - Draft workplan and survey instrument are thorough and minimal inaccuracies or minor errors in content spelling and grammar.
1.b Contractor shall generate final workplan and final survey instrument.	- Contractor shall revise final workplan and survey instrument based on comments from EPA, and possibly HDOH if comments provided. - Contractor shall maintain regular communications with WACOR, HDOH contact and	- Contractor provides the final workplan and final survey instrument to EPA within 30 days of receipt of comments. - Final workplan is complete and acceptable to WACOR. - Final survey instrument is complete, free of spelling and

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	Acceptable Quality Level
	others as identified by WACOR, regarding schedule and procedures for implementing survey instrument.	grammatical errors and acceptable to WACOR.
1.c & d. Contractor shall conduct survey of HDOH Clean Water Branch. Contractor shall review existing information on HDOH Clean Water Branch, as appropriate.	- Contractor shall, as appropriate, review existing information of HDOH Clean Water Branch. - Contractor shall utilize survey instrument to collect information regarding Clean Water Branch, from both managers and staff at EPA and HDOH. - Contractor shall complete survey in timely manner.	- Contractor shall complete review and survey of Clean Water Branch within 7 mos. of contract award.
1.e Contractor shall generate draft evaluation report of Clean Water Branch.	- Contractor shall provide draft evaluation report on HDOH Clean Water Branch in timely manner. - Contractor shall solicit comments from EPA, at minimum, regarding the draft evaluation report on Clean Water Branch program.	- Contractor shall provide draft evaluation report to EPA, at minimum, review and survey of Clean Water Branch within 7 mos. of contract award.
1.e Contractor shall generate final evaluation report of Clean Water Branch.	- Contractor shall review and consider comments from EPA (and possibly HDOH) as they prepare final evaluation report on Clean Water Branch Program. - Contractor shall include its own recommendations to improve HDOH Clean Water Branch as part of final evaluation report.	- Final evaluation report shall be submitted to WACOR within 30 days of receipt of EPA comments. - Final evaluation report shall be thorough, accurate, clear and concise, and free of spelling and grammatical errors.

Task A-2

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	Acceptable Quality Level
2.a. Contractor shall conduct in-depth fact-finding effort on HDOH NPDES program. Contractor shall review existing	- Contractor shall, as appropriate, review existing information of HDOH NPDES program.	-Contractor shall review NPDES permit appeals process, at minimum. - Contractor shall complete

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	Acceptable Quality Level
information of HDOH NPDES program.	- Contractor shall utilize survey instrument to collect information regarding NPDES program, from both managers and staff at EPA and HDOH. - Contractor shall complete survey in timely manner.	review and survey of NPDES program within 8 mos. of contract award.
2.b. Contractor shall generate draft evaluation report of NPDES program.	- Contractor shall provide draft evaluation report on HDOH NPDES program in timely manner. - Contractor shall solicit comments from EPA, at minimum, regarding the draft evaluation report on NPDES program.	- Draft evaluation report of NPDES program shall be completed within 8 mos. of contract award.
2.b. Contractor shall generate final evaluation report of NPDES program.	- Contractor shall review and consider comments from EPA (and possibly HDOH) as they prepare final evaluation report on NPDES program. - Contractor shall include its own recommendations to improve HDOH NPDES program as part of final evaluation report.	- Final evaluation report shall be thorough, accurate, clear and concise, and free of spelling and grammatical errors. - Final evaluation report shall be submitted to WACOR within 30 days of receipt of EPA comments.

Task A-3

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	Acceptable Quality Level
3.c. Contractor shall conduct in-depth fact-finding effort on HDOH Monitoring and Assessment program. Contractor shall review existing information of HDOH Monitoring and Assessment program.	- Contractor shall, as appropriate, review existing information of HDOH Monitoring and Assessment program. - Contractor shall utilize survey instrument to collect information regarding Monitoring and Assessment program, from both managers and staff at EPA and HDOH. Contractor shall complete survey in timely manner.	-Contractor shall review Monitoring and Assessment program and Integrated Report process, at minimum. -Contractor shall complete review and survey of Monitoring and Assessment program within 10 mos. of contract award.
3.d. Contractor shall generate draft evaluation report of	- Contractor shall provide draft evaluation report on HDOH	-Draft evaluation report of Monitoring and Assessment

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	Acceptable Quality Level
Monitoring and Assessment program.	Monitoring and Assessment program in timely manner. - Contractor shall solicit comments from EPA, at minimum, regarding the draft evaluation report on Monitoring and Assessment program.	program shall be completed within 10 mos. of contract award.
3.d. Contractor shall generate final evaluation report of Monitoring and Assessment program.	- Contractor shall review and consider comments from EPA (and possibly HDOH) as they prepare final evaluation report on Monitoring and Assessment program. - Contractor shall include its own recommendations to improve HDOH Monitoring and Assessment program as part of final evaluation report.	- Final evaluation report shall be thorough, accurate, clear and concise, and free of spelling and grammatical errors. - Final evaluation report shall be submitted to WACOR within 30 days of receipt of EPA comments.

Task B-1

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	Acceptable Quality Level
1.1 The contractor shall conduct a kick-off meeting at the beginning of the contract. The contractor shall prepare the meeting agenda and summary.	- The contractor shall coordinate with EPA and HDOH in a timely manner. - Agenda topics shall include all pertinent issues for discussion. - Agenda topics shall be fully addressed during the meeting. - Meeting notes shall be submitted to EPA and HDOH within one week of the meeting. - Meeting notes shall include, at a minimum, major items discussed, major items agreed upon, and tasks to be completed and by whom.	- The contractor conducts the kick-off meeting within 30 days of award. - The meeting agenda is provided to EPA and HDOH at least 3 business days prior to each meeting. - 90% of all agenda topics are addressed during each meeting. - 90% of the agenda and notes are accurate, clear, concise, and free of spelling and grammar errors.

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	Acceptable Quality Level
1.1 The contractor shall be available for routine communication, planning and coordination with EPA and HDOH.	- The contractor shall maintain regular communications with EPA and HDOH. - The contractor shall notify EPA and HDOH in a timely manner of any issues, concerns or potential schedule changes. - The contractor shall be responsive to EPA and HDOH inquiries. - The contractor shall confirm in writing any significant decisions or agreements.	- The contractor contacts EPA and HDOH, via telephone or email, at least once each month. - The contractor notifies EPA and HDOH of any significant issues, concerns or potential schedule changes within 3 business days of identification. - The contractor responds to EPA and HDOH inquiries within 3 business days. - The contractor confirms via email significant decisions or agreements to EPA and HDOH within 3 business days of interaction. - 90% of written communications are accurate, clear, concise and free of spelling or grammar errors.
1.2 The contractor shall monitor project status and provide monthly technical and financial progress reports indicating expenditures and projected expenditures for the upcoming reporting period.	- The project status shall be reflected in the monthly technical and financial progress reports. - Reports shall concisely and accurately detail current project status; activities completed in the previous month; issues from the previous month and how they were managed; projected activities for the coming month; anticipated issues for the coming month and how they will be managed; and current and projected expenditures. - Reports shall be delivered to EPA within one week after the end of the reporting period.	- 90% of all reports are complete, up-to-date, clear, concise, accurate and verifiable – with no more than 5 minor errors in content or spelling and grammar. - 90% of all reports are provided to EPA no later than one week after the end of the reporting period.

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	Acceptable Quality Level
1.3 The contractor shall prepare an inspection schedule in accordance with the established milestones and schedule.	- The inspection schedule shall be timely and complete. - The inspection schedule shall be well-organized, and demonstrate completion within the overall established schedule. - Significant schedule changes shall be submitted as they occur.	- The schedule is completed within 30 days of kick-off meeting. - The schedule is clear, concise, and accurately reflects work to be completed - with no more than 5 minor errors in content, spelling and grammar. - The contractor alerts EPA and HDOH of significant schedule changes within 5 business days of identification.

Task B-2

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	Acceptable Quality Level
2.1 The contractor shall inspect eight major and five minor NPDES-permitted facilities.	- The contractor shall ensure eight major and five minor NPDES-permitted facilities are inspected in a timely manner.	- The contractor completes inspections of eight major and five minor NPDES-permitted facilities within the overall established schedule.
2.1 The contractor shall perform inspections in accordance with EPA guidance.	- Inspections shall be conducted in accordance with EPA's NPDES Compliance Inspection Manual, July 2014, EPA 305-X-04-001.	- The contractor sufficiently inspects each facility to evaluate compliance, as described in the relevant sections of EPA's NPDES Compliance Inspection Manual.
2.2 The contractor shall schedule each inspection within the established schedule in coordination with EPA and HDOH.	- The contractor shall schedule each inspection and notify EPA and HDOH of each inspection in a timely manner.	- 90% of the scheduled inspections should require minimal schedule changes. - The contractor confirms each inspection with EPA and HDOH at least 14 days prior to conducting the inspection.

Task B-3

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	Acceptable Quality Level
3.1 The contractor shall inspect 15 industrial facilities.	- The contractor shall ensure 15 industrial facilities are inspected in a timely manner.	- The contractor completes inspections of 15 industrial facilities within the overall established schedule.
3.1 The contractor shall perform inspections in accordance with EPA guidance.	- Inspections shall be conducted in accordance with EPA's NPDES Compliance Inspection Manual, July 2014, EPA 305-X-04-001.	- The contractor sufficiently inspects each facility to evaluate compliance, as described in the relevant sections of EPA's NPDES Compliance Inspection Manual.
3.2 The contractor shall schedule each inspection within the established schedule in coordination with EPA and HDOH.	- The contractor shall schedule each inspection and notify EPA and HDOH of each inspection in a timely manner.	- 90% of the scheduled inspections should require minimal schedule changes. - The contractor shall confirm each inspection with EPA and HDOH at least 14 days prior to conducting the inspection.

Task B-4

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	Acceptable Quality Level
4.1 The contractor shall inspect ten construction sites.	- The contractor shall ensure ten construction sites are inspected in a timely manner.	- The contractor completes inspections of ten construction sites within the overall established schedule.
4.1 The contractor shall perform inspections in accordance with EPA guidance.	- Inspections shall be conducted in accordance with EPA's NPDES Compliance Inspection Manual, July 2014, EPA 305-X-04-001.	- The contractor sufficiently inspects each facility to evaluate compliance, as described in the relevant sections of EPA's NPDES Compliance Inspection Manual.
4.2 The contractor shall schedule each inspection within the established schedule in coordination with EPA and HDOH.	- The contractor shall schedule each inspection and notify EPA and HDOH of each inspection in a timely manner.	- 90% of the scheduled inspections should require minimal schedule changes. - The contractor confirms each inspection with EPA and HDOH at least 14 days prior to conducting the inspection.

Task B-5

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	Acceptable Quality Level
5.1 The contractor shall provide draft inspection reports and shall conduct thorough QA reviews of the inspection reports.	- The contractor shall provide draft inspection reports in a timely manner. - The draft inspection reports shall be written in accordance with Section 2.G of EPA's NPDES Compliance Manual, July 2014. - Each inspection report shall be reviewed, edited and proofread for accuracy, completeness, and internal consistency between narrative, checklists, photos and other supporting documentation.	- The contractor completes the draft inspection reports within 45 days after completing the travel associated with the inspection. - The draft inspection reports are thorough and have minimal inaccuracies or minor errors in content, spelling and grammar.
5.2 The contractor shall provide final inspection reports to EPA and HDOH.	- The inspection reports shall be revised based on comments from EPA and HDOH. - The final inspection report shall be technically and factually accurate and complete.	- The contractor completes the final inspection report with 14 days of receiving comments on the draft report. - The final reports are of sufficient scope and content to enable EPA and HDOH to determine compliance. - The final reports are acceptable to the WACOR with no inaccuracies and no more than 5 spelling or grammar errors.

Task B-6

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	Acceptable Quality Level
6.1 The contractor shall input inspection data into ICIS-NPDES.	- The contractor shall input inspection data in a timely manner. - The inspection data shall be accurate.	- The contractor shall input inspection data within 14 days after completing the travel associated with the inspection. - The inspection data shall have no inaccuracies.

Task C-1

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	ACCEPTABLE QUALITY LEVEL (AQL)
1.A.1 Kick-off Meeting: The contractor shall conduct a kick-off meeting and prepare the agenda and meeting summary.	○ Kick-off meeting shall be coordinated with all parties in a timely manner. ○ Agenda topics shall include all pertinent issues for discussion. ○ Agenda topics shall be fully addressed during the meeting. ○ Open issues shall be addressed within 5 days of meeting. ○ Meeting summary shall be submitted to the WACOR within 5 days of the meeting. ○ Meeting summary shall appropriately cover topics of discussion including key details and agreements.	▪ The kick-off meeting is held within 3 weeks of Task Order award, and no later than September 30, 2017. ▪ The draft agenda is submitted to the WACOR at least 3 days prior to the meeting. ▪ 90% of all agenda topics are fully addressed during the meeting. ▪ 95% of the agenda and meeting summary shall be accurate, thorough, clear, concise, and free of spelling and grammar errors.
1.A.2 Coordination and Planning: The contractor shall be available for discussions with the WACOR about permit issuance progress and related topics.	○ The contractor shall maintain regular communications with the WACOR and the HDOH liaison. ○ The contractor shall notify the WACOR in a timely manner of any issues, concerns or potential schedule changes. ○ The contractor shall be responsive to WACOR inquiries. ○ Conversations with the WACOR about progress on permit drafting shall be held not less than monthly (e.g. as part of monthly update calls, below), or as requested by the WACOR. ○ The contractor shall confirm in writing any significant decisions or agreements. E-mail is an acceptable medium for written confirmations.	▪ The contractor shall contact the WACOR, via telephone or email, at least once each month. ▪ The contractor shall notify the WACOR of any significant issues, concerns or potential schedule impacts within 3 days of identification. ▪ The contractor shall respond to WACOR inquiries or requests within 3 days. ▪ The contractor shall submit documentation of significant decisions or agreements to the WACOR within 3 days of interaction. ▪ 90% of the documentation shall be thorough, accurate, clear, concise and free of spelling or grammar errors.
1.A.3 Monthly Update Calls: The contractor shall participate in monthly update calls with EPA and the HDOH.	○ Calls shall be held not less than monthly on a schedule agreed to between the WACOR, HDOH representative, and the contractor. ○ Calls shall address the status of every active (assigned but not yet completed) permit being worked	▪ Call schedules are confirmed by the contractor not less than 1 week in advance. ▪ No monthly update calls are missed except by prior agreement with the WACOR, and calls which are rescheduled take place

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	ACCEPTABLE QUALITY LEVEL (AQL)
	on under the Task Order, as listed in the Monthly Progress Report. ○ Contractor shall update the WACOR and HDOH representative on any open issues, concerns or schedule changes; and shall be responsive to EPA and HDOH inquiries.	within 2 weeks of the original date. ▪ 90% of calls shall successfully address all ongoing work listed in the respective Monthly Progress Report. ▪ Issues which cannot be resolved on the call itself are responded to within 5 business days 90% of the time.
1.B.1 Tracking of Progress on Permit Issuance ("Tracking Spreadsheet"): The contractor shall maintain an accurate record of assigned work and projected interim and final dates.	○ The contractor shall prepare a tracking spreadsheet showing projected dates for the draft, review, correction and submission to HDOH of each assigned permit ○ The contractor shall ensure this spreadsheet remains up to date during performance of the TO. ○ The spreadsheet shall be in .XLS or .XLSX format and based on the template provided	▪ Initial Tracking Spreadsheet shall be crafted within 2 weeks of receiving the first Technical Directive assigning specific permits and shall be no less than 95% accurate. ▪ Updates to the Tracking Spreadsheet shall be made within 3 days of new Technical Directives or schedule changes made by WACOR or HDOH, at which point updated copies shall be sent to the WACOR and HDOH. ▪ Spreadsheet meets the format specified.
1.B.2 Monthly Progress Reports: The contractor shall prepare and submit a report on permit-writing progress during each month.	○ Permit Writing status shall be reflected in, and consistent between, the monthly invoices and the monthly progress reports. ○ The monthly progress report document shall concisely and accurately detail current status on each permit, including progress, projected dates, major issues encountered, and upcoming milestones. ○ A report shall be submitted by the 10th day of each calendar month, covering activities during the previous calendar month. ○ The progress report shall include an up-to-date version of the Tracking Spreadsheet, with highlighting for any changes made in the previous month to	▪ There shall be no discrepancies between monthly progress reports and submitted invoices in 95% of cases. ▪ 95% of monthly progress reports shall contain all the required information for permits whose status has changed. ▪ 95% of monthly progress reports are delivered by the 10th-day-of-next-month deadline. ▪ Progress reports highlight major issues with each permit, particularly any issues which affect multiple permits. ▪ 95% of included Tracking Spreadsheets have correct highlighting of all changed dates, with notes on the cause of each change.

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	ACCEPTABLE QUALITY LEVEL (AQL)
	scheduled dates.	
1.B.3 Itemized Invoices: Monthly invoices shall identify and distinguish work completed for HDOH.	o Monthly invoices shall include a list of all permits worked on in the preceding month and their status as of the date of the invoice.	▪ 100% of invoices are properly itemized in this fashion. 95% of invoices are found to be accurate when compared to which deliverables have been received by the WACOR.
1.B.4 Submission Requirements: The WACOR and HDOH shall be copied on all significant submissions of documents, including submission of draft and final permits (deliverables) to the HDOH.	o The WACOR and HDOH representative shall receive copies of all draft and final permits prepared by the contractor at the same time as these deliverables are sent to HDOH. o Documents shall be in either .DOC, .DOCX, or .PDF file formats (for text) or .XLS or .XLSX format (for spreadsheets) o Documents shall be accessible, functional and free from computer viruses or other technology problems.	▪ 95% of submissions are appropriately copied to the WACOR and HDOH representative upon submission, and all other submissions reach the WACOR and HDOH representative within 3 days of being identified. ▪ 100% of submitted documents conform to the formats listed ▪ Before submission, all documents are scanned for viruses, harmful macros, and similar issues using standard virus-protection software, and checked for functionality (no corrupted files, etc.).
QA/QC Plan	If needed develop QA/QC plan for relevant permits. Need will be determined as part of kick-off meeting, or as additional permits are assigned.	If needed QA/QC plan must meet standards of EPA QC Section *(EPA QA/R-5).* QA performance shall be in conformance with the *Office of Water Quality Management Plan of 2001.*

Task C-2

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	ACCEPTABLE QUALITY LEVEL (AQL)
Task 2 (all subtasks): Prepare draft NPDES permits - As listed in the table above, complete contractor activities 1, 2, 3, and 7, plus the specified number of additional	o Draft documents (RPAs, issue papers, permit drafts, administrative drafts etc.) shall be submitted in accordance with the schedule above, starting on the date a facility is assigned as part of a Technical Directive from the WACOR. o Permit drafts shall be delivered on or before the designated submission date agreed with the WACOR. o Permit drafts shall be substantially	▪ Permit drafts and other permit components shall be delivered on time, relative to the schedule listed in Table 1, 100% of the time unless prior arrangements for alternate schedules are made with the HDOH before the final due date. ▪ 95% of delivered documents shall require only minimal

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	ACCEPTABLE QUALITY LEVEL (AQL)
contractor activities as directed in each subtask above.	free from factual or regulatory errors, and require only minimal revision by the issuing Water Board o Draft permits must be professionally written and carefully edited and proofread o All permitting drafts must be in full compliance with all applicable laws. o Documents shall be in either .DOC, .DOCX, or .PDF file formats (for text) or .XLS or .XLSX format (for spreadsheets) o Documents shall be accessible, functional and free from computer viruses or other technology problems.	editing, excepting edits made at the discretion of the HDOH. ▪ 100% of submitted documents conform to the formats listed. ▪ Before submission, all documents are scanned for viruses, harmful macros, and similar issues using standard virus-protection software, and checked for functionality (no corrupted files, etc.).

Task C-3

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	ACCEPTABLE QUALITY LEVEL (AQL)
C-1.a. Kick-off Meeting: The Contractor shall conduct a kick-off meeting and prepare the agenda and meeting summary.	o Kick-off meeting shall be coordinated with all parties in a timely manner. o Agenda topics shall include all pertinent issues for discussion. o Agenda topics shall be fully addressed during the meeting. o Open issues shall be addressed within 5 days of meeting. O Meeting summary shall be submitted to the WACOR within 5 days of the meeting. O Meeting summary shall appropriately cover topics of discussion including key details and agreements.	▪ The kick-off meeting is held within 3 weeks of Task Order award, and no later than August 30, 2017. ▪ The draft agenda is submitted to the WACOR at least 3 days prior to the meeting. ▪ 90% of all agenda topics are fully addressed during the meeting. ▪ 95% of the agenda and meeting summary shall be accurate, thorough, clear, concise, and free of spelling and grammar errors.
C-1.b. Coordination and Planning: The Contractor shall be available for discussions with the WACOR about permit-issuance and -document development progress and related topics.	o The Contractor shall maintain regular communications with the WACOR and the HDOH permitting liaison. o The Contractor shall notify the WACOR in a timely manner of any issues, concerns or potential schedule changes. o The Contractor shall be	▪ The Contractor shall contact the WACOR, via telephone or email, at least once each month. ▪ The Contractor shall notify the WACOR of any significant issues, concerns or potential schedule impacts within 3 days of identification.

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	ACCEPTABLE QUALITY LEVEL (AQL)
	responsive to WACOR inquiries. o Conversations with the WACOR about progress on permit draft development shall be held not less than monthly (e.g. as part of monthly update calls, below), or as requested by the WACOR. o The Contractor shall confirm in writing any significant decisions or agreements. E-mail is an acceptable medium for written confirmations.	▪ The Contractor shall respond to WACOR inquiries or requests within 3 business days. ▪ The Contractor shall submit documentation of significant decisions or agreements to the WACOR within 3 business days of interaction. ▪ 90% of the documentation shall be thorough, accurate, clear, concise and free of spelling or grammar errors.
C-1.c. Monthly Update Calls: The contractor shall participate in monthly update calls with EPA and HDOH – Clean Water Branch.	o Calls shall be held not less than monthly on a schedule agreed to between the WACOR, the HDOH representative, and the Contractor. o Calls shall address the status of every active (assigned but not yet completed) permit being worked on under the Task Order, as listed in the Monthly Progress Report. o Contractor shall update the WACOR and HDOH representative on any open issues, concerns or schedule changes; and shall be responsive to EPA and HDOH inquiries.	▪ Call schedules are confirmed by the Contractor not less than 1 week in advance. ▪ No monthly update calls are missed except by prior agreement with the WACOR, and calls which are rescheduled take place within 2 weeks of the original date. ▪ 90% of calls shall successfully address all ongoing work listed in the respective Monthly Progress Report. ▪ Issues which cannot be resolved on the call itself are responded to within 5 business days 90% of the time.
C-1.d.Tracking of Progress on Permit Issuance and ("Tracking Spreadsheet"): The Contractor shall maintain an accurate record of assigned work and projected interim and final dates.	o The Contractor shall prepare a tracking spreadsheet showing projected dates for the draft, review, correction and submission to HDOH of each assigned permit. o The Contractor shall ensure this spreadsheet remains up to date during performance of the TO. o The spreadsheet shall be in .XLS or .XLSX format and based on the template provided	▪ Initial Tracking Spreadsheet shall be crafted within 2 weeks of receiving the first Technical Directive assigning specific permits and development, and shall be no less than 95% accurate. ▪ Updates to the Tracking Spreadsheet shall be made within 3 days of new Technical Directives or schedule changes made by HDOH, at which point updated copies shall be sent to the WACOR and HDOH Liaison. ▪ Spreadsheet meets the format specified.
C-1.e. Monthly Progress	o Permit-writing document-writing	▪ There shall be no discrepancies

PERFORMANCE REQUIREMENT	PERFORMANCE STANDARD	ACCEPTABLE QUALITY LEVEL (AQL)
Reports: The Contractor shall prepare and submit a report on permit document writing progress during each month.	status shall be reflected in, and consistent between, the monthly invoices and the monthly progress reports. o The monthly progress report document shall concisely and accurately detail current status on each permit, including progress, projected dates, major issues encountered, and upcoming milestones. o A report shall be submitted by the 10th day of each calendar month, covering activities during the previous calendar month. o The Monthly Progress Report shall distinguish between permits when reporting work which has been conducted. o The progress report shall include an up-to-date version of the Tracking Spreadsheet, with highlighting for any changes made in the previous month to scheduled dates.	between monthly progress reports and submitted invoices in 95% of cases. ▪ 95% of monthly progress reports shall contain all the required information for NPDES Documents whose status has changed. ▪ 95% of monthly progress reports are delivered by the 10th-day-of-next-month deadline. ▪ Progress reports highlight major issues with each permit, particularly any issues which affect multiple NPDES Documents. ▪ 95% of included Tracking Spreadsheets have correct highlighting of all changed dates, with notes on the cause of each change.
C-1.f. Itemized Invoices: Monthly invoices shall identify and distinguish work completed for each other Task.	o Monthly invoices shall include a list of all NPDES Documents worked on in the preceding month and their status as of the date of the invoice.	▪ 100% of invoices are properly itemized in this fashion. 95% of invoices are found to be accurate when compared to which deliverables have been received by the WACOR.
C-1.g. Submission Requirements: The WACOR and HDOH shall be copied on all significant submissions of documents, including submission of draft and final permits (deliverables) to HDOH.	o The WACOR and HDOH representative shall receive copies of all draft and final NPDES Documents prepared by the contractor at the same time as these deliverables are formally sent to HDOH. o Documents shall be in either .DOC, .DOCX, or .PDF file formats (for text) or .XLS or .XLSX format (for spreadsheets) o Documents shall be accessible, functional and free from computer viruses or other technology problems.	▪ 95% of submissions are appropriately copied to the WACOR and HDOH representative upon submission, and all other submissions reach the WACOR and HDOH representative within 3 days of being identified. ▪ 100% of submitted documents conform to the formats listed ▪ Before submission, all documents are scanned for viruses, harmful macros, and similar issues using standard virus-protection software, and checked for

PERFORMANCE REQUIREMENT	**PERFORMANCE STANDARD**	**ACCEPTABLE QUALITY LEVEL (AQL)**
		functionality (no corrupted files, etc.).
QA/QC Plan	If needed develop QA/QC plan for relevant permits. Need will be determined as part of kick-off meeting, or as additional permits are assigned.	If needed QA/QC plan must meet standards of EPA QC Section *(EPA QA/R-5).* QA performance shall be in conformance with the *Office of Water Quality Management Plan of 2001.*

PERFORMANCE SURVEILLANCE PLAN			
Performance Requirement	**Measurable Performance Standards**	**Surveillance Methods**	**Incentives/Disincentives**
Management and Communications: During the life of this work assignment, the Contractor shall notify EPA immediately of any issues that may impact the timeliness of deliverables of the problems associated with the development of deliverables.	The Contractor shall maintain contact with the WACOR throughout the performance of the work assignment. The contractor shall identify to the WACOR any delays with regard to deliverables not less than one week prior to the deliverable date that has been established in the work assignment or technical direction document. The contractor shall identify to the WACOR any issues or concerns that have a direct impact on project schedules within three (3) days of occurrence. The contractor shall provide options for EPA's consideration on resolving or mitigating the impacts identified.	WACOR and CL-COR (as necessary) will allocate the time needed to discuss and address all issues identified by the Contractor. The WACOR and CL-COR will document and maintain a complete record of the issues, agreements and outcome. The WACOR and CL-COR will review monthly progress reports for indicators of problems not previously mentioned. The WACOR will also monitor the timely receipt of deliverables. For those that are late without prior notice, the EPA will formally document to the Contracting Officer the late delivery.	If the contractor fails to implement corrective actions after EPA identifies and provided written documentation of performance issues, EPA will rate this performance category "unsatisfactory." If three or more the active work assignments for the period are rated unsatisfactory, EPA will rate the Business Relations category as unsatisfactory in the CPARS Contract Performance System.

Cost Management and Control: The Contractor shall perform all work in an efficient and cost effective manner, applying cost control measures where practical.	The Contractor shall monitor, track and accurately report level of effort, labor cost, other direct cost and fee expenditures to EPA through monthly progress reports and approved special reporting requirements. The Contractor shall assign appropriately leveled and skilled personnel to all tasks. The contractor should not exceed established work assignment ceilings and, in general, should expend dollars and hours at similar ratios. If either the expenditure of hours or dollars deviates significantly, the contractor shall provide an explanation in its Monthly Progress Report.	The EPA CL-COR will routinely meet with the Contractor's Project Manager to discuss the work progress and contract and individual work assignment level expenditures. The EPA CL-COR and WACOR shall review the Contractor's monthly progress reports and request the Work Assignment Contracting Officer's Representative to ensure that ceilings are not exceeded, that progress is being made, and that the contractor is effectively utilizing the LOE provided under the work assignment.	EPA will thoroughly review work assignment funding ceiling overruns to determine the contractor's ability to control the situation. If EPA determines that the contractor failed to control cost, the contractor will be rated "unsatisfactory" in this category. Multiple incidents of work assignment overrun that result in an overall cost overrun of greater than 4% of the approved total work assignment funding for the current contract period, will result in an unsatisfactory rating in the CPARS Contract Performance System.
Quality of Product/Services: The contractor shall ensure documents developed under this task order are quality products that are factual and based on sound science and engineering principles.	Products delivered under this work assignment must not contain any major factual errors. The analyses provided in each product shall be logical, consistent, and defensible.	The WACOR will review all documents delivered under this work assignment for content accuracy.	If EPA determines that the contractor's analyses is factually inaccurate or if significant technical errors are found in any documents produced by the contractor, EPA may determine that the cost associated with redoing the work shall be borne by the contractor. Multiple incidents of this nature under the contract will result in an unsatisfactory rating for Quality and Manage Control being reported to the CPARS Contract Performance System.

EPA

United States Environmental Protection Agency
Washington, DC 20460

Work Assignment

Work Assignment Number: 2-72

☐ Other ☐ Amendment Number:

Contract Number	Contract Period	Title of Work Assignment/SF Site Name
EP-C-16-003	07/01/2016 To 06/30/2021 Base Option Period Number 2	R9 Municipal Stormwater Permit

Contractor: EASTERN RESEARCH GROUP, INC.

Specify Section and paragraph of Contract SOW: See PWS

Purpose:
- [X] Work Assignment
- [ ] Work Assignment Amendment
- [ ] Work Plan Approval
- [ ] Work Assignment Close-Out
- [ ] Incremental Funding

Period of Performance: From 08/21/2018 To 06/30/2019

Comments:

☐ Superfund — Accounting and Appropriations Data — [X] Non-Superfund

Note: To report additional accounting and appropriations date use EPA Form 1900-69A.

SFO (*Max 2*) ☐

Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	Amount (Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code
1										
2										
3										
4										
5										

Authorized Work Assignment Ceiling

Contract Period: 07/01/2016 To 06/30/2021 Cost/Fee: LOE:

This Action:

Total:

Work Plan / Cost Estimate Approvals

Contractor WP Dated: Cost/Fee LOE:

Cumulative Approved: Cost/Fee LOE:

Work Assignment Manager Name Peter Kozelka (Signature) (Date)	Branch/Mail Code: Phone Number: 415-972-3448 FAX Number:	
Project Officer Name Jennifer Chan (Signature) (Date)	Branch/Mail Code: Phone Number: 202-564-3067 FAX Number:	
Other Agency Official Name (Signature) (Date)	Branch/Mail Code: Phone Number: FAX Number:	
Contracting Official Name Brad Heath (Signature) 8/21/2018 (Date)	Branch/Mail Code: Phone Number: 513-487-2352 FAX Number:	

PERFORMANCE WORK STATEMENT
CONTRACT EP-C-16-003
WORK ASSIGNMENT 2-72

TITLE: Municipal Stormwater Permit Monitoring and Program support

WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (WACOR):

Peter Kozelka
EPA Region 9
75 Hawthorne St. Mail Code: WTR 2-3
San Francisco, CA 94105
(415) 972-3448
kozelka.peter@epa.gov

ALTERNATE WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (AWACOR):

Pascal Mues
EPA Region 9
75 Hawthorne St. code: WTR 2-3
San Francisco, CA 94105
(415) 972-3768
mues.pascal@epa.gov

PERIOD OF PERFORMANCE: August 21, 2018 through June 30, 2019

BACKGROUND: Clean Water Act (CWA) Section 402 regulates treatment and discharge of pollutants to waters of the U.S. from urban stormwater discharge sources through issuance of Section 402 Municipal Separate Storm Sewer System (MS4) permits. EPA and state permitting authorities have issued up to 5 rounds of MS4 permits. EPA and states have invested substantial compliance program resources in inspecting and auditing MS4 programs to evaluate compliance with permit requirements and identify opportunities to improve stormwater program performance in reducing stormwater pollution. With the assistance of PG Environmental under an existing contract work assignment, EPA Region 9 has begun to evaluate opportunities to improve MS4 permitting approaches to facilitate more efficient use of stormwater management resources and integration of stormwater quality management needs with multi-objective stormwater management planning. That project entails holding a broad-scale workshop to explore opportunities to improve stormwater permitting and preparing of a follow up recommendations paper.[1]

Based on early analysis in that project, there are multiple problems with past approaches to stormwater monitoring and evaluation being conducted pursuant to existing and past MS4

[1] The present project follows but will not duplicate any of the effort associated with the existing ongoing project, which is being implemented pursuant to Contract R9-16-02 (WA #004).

permits. These problems include collection of water quality data that are insufficient to answer key regulatory and system management questions, insufficient tracking and reporting on actual stormwater practice implementation and effectiveness. Together, these deficiencies result in an inability at the permitting authority and local level to accurately evaluate effectiveness of stormwater management programs and make efficient adjustments in program approaches over time. This project will result in a focused evaluation of stormwater program monitoring and evaluation approaches and identification of opportunities to reform and improve municipal stormwater permit monitoring, tracking, evaluation, and reporting approaches. This project will provide recommendations that will assist EPA and authorized states to modify permitting practices to improve the evaluation permit effectiveness and efficiency of program expenditures on monitoring and evaluation.

OPTION YEAR 2 - Clean Water Act (CWA) Section 402 regulates treatment and discharge of pollutants to waters of the U.S. from urban stormwater discharge sources through issuance of Section 402 Municipal Separate Storm Sewer System (MS4) permits. With the assistance of ERG/PG Environmental under Work Assignment 1-72 and a separate contract work assignment (Contract R9-16-02, WA #004) with PG Environmental, EPA Region 9 conducted 2 workshops with a diverse group of experts and stakeholders to evaluate opportunities to improve MS4 permitting approaches to facilitate improvements in local stormwater program implementation. The first workshop, held in Fall 2017, focused on making more efficient use of stormwater management resources and integration of stormwater quality management needs with multi-objective stormwater management planning, and the second workshop, held in Winter 2018, focused on improving municipal stormwater program monitoring, evaluation, tracking and reporting. A final report describing the first workshop process and recommendations was written by PG and issued in May 2018. A draft report describing the second workshop process and recommendations was completed in June 2018. A small amount of work remains to be completed to finalize the second workshop report, and this work assignment includes task A-3 to complete the final workshop report.

A key finding from the first workshop was that local stormwater program managers need more detailed assistance to fully develop sufficient local program capacity and associated program plans to guide long term program development and implementation. The needs identified during the are particularly keen in the areas of long term financial planning and portfolios, planning and tracking program operations and maintenance, and communication strategies designed to build confidence in local program capability and support for providing the funding necessary to build sustainable programs capable of implementing NPDES permit requirements. Workshop participants recommended development of more training and program development materials to help local programs build capacity in these areas. While there are several sources of information available that discuss examples of local program planning and implementation, and offer advice on how to build individual facets of a comprehensive local stormwater program, existing resources do not provide an integrated framework and a detailed guide to building key program elements that are vital to success in developing a vital, sustainable local program. Workshop participants also suggested that these training and outreach materials would assist EPA and state stormwater permit writers in developing permits that incentivize creation of integrated, long term planning capacity at the local level. This project addresses these recommendations by supporting

development of a handbook and associated training materials that will cover the specific priority areas of need in supporting local program capacity building and integrated planning.

The handbook would explain why particular program elements are important and need to be developed cohesively, and how they can be developed, drawing heavily upon existing case studies to illustrate how peers have developed these program elements and showing the benefits they have yielded. This would not be a formal guidance document; it would represent a compilation of model program best practices and findings from organizations that have evaluated key attributes of successful municipal stormwater programs, supported by specific information about how to develop program elements in each area. The handbook will enable EPA to highlight the utility of new, innovative, planning, tracking, and implementation tools that enable better stormwater management at lower cost. This handbook will build upon and reference other related efforts by EPA and other organizations to build local stormwater program capacity, focusing on how these key program elements fit together into an integrated whole that is critical to building a successful program over time. Care will be taken to draw upon but not duplicate prior efforts.

Many ongoing efforts to improve state and local capacity to address municipal stormwater are addressing individual areas of need without recognizing how they relate to and depend upon each other. In other words, addressing any one or two of the key areas listed above without addressing the others will not enable communities to build the overall capacity to succeed in the long run. Developing and applying an overarching program development handbook will greatly assist efforts to build understanding of the need to interlink these types of planning and analysis to build an integrated set of technical, managerial, financial and planning skills and capabilities in municipal programs.

PURPOSE AND OBJECTIVE: The contractor shall provide technical, analytical, and report writing support to US EPA Region 9 (EPA) to evaluate past monitoring and evaluation provisions of municipal stormwater permits (MS4 permits). The contractor will provide planning assistance for a 1-day workshop on stormwater program monitoring and evaluation to be held in Region 9 (San Francisco Bay Area) in Spring 2018, and will participate in the workshop as subject matter expert, note taker, and small group discussion facilitator. Taking into account cross-cutting lessons learned based on experience with stormwater program audits and inspections along with feedback obtained from the workshop, the contractor will develop a focused report evaluating effectiveness of past monitoring and evaluation approaches and providing specific recommendations for revising permit content and process to improve cost-effectiveness of monitoring and evaluation requirements.

OPTION YEAR 2 – The contractor shall provide technical, analytical, and report writing support to EPA to develop a handbook and associated training materials to assist local governments in strengthening their municipal stormwater programs and building the capacity necessary to carry out actions necessary to provide desired service levels, protect water quality, comply with regulatory requirements, and achieve collateral goals in urban water management. The handbook and training materials shall address the following:

- Key program characteristics and capabilities, including the need to make the "business case" for robust stormwater management (benefits and avoided costs of better stormwater management)
- The importance of long term planning to set goals and identify needed future actions/investments
- The role of asset management planning systems in tracking and maintaining current assets and accounting for new ones
- Key strategies to carry out successful program outreach, marketing, and public involvement activities necessary to secure adequate program support and resources
- Key strategies for organizing municipal stormwater programs as independent utilities or components of larger municipal water management enterprises
- The importance of long term financial planning, taking into account funding needs, revenue sources, potential public-private financing strategies, affordability considerations, and their connection to long term program commitments to evaluate past monitoring and evaluation provisions of municipal stormwater permits (MS4 permits).
- Key strategies for engaging private parties and investors in stormwater management, including structure of municipal incentive programs to encourage private party participation, crediting programs, and Public-Private Partnership (P3) models.

The contractor will provide scoping assistance to EPA Region 9, EPA Region 3, other EPA Regions, and EPA Headquarters to fine-tune the scope, content, and presentation approach for the handbook and training materials. Based on the outcome of the scoping and planning effort, the contractor will develop a focused handbook and associated training materials in modular form focusing on each of the topic areas outlined above. This work assignment does not plan for the contractor actually delivering training, rather EPA anticipates using the materials prepared by the contractor in a series of training and outreach workshops and webinars, and to post these materials for public use on EPA's Water Finance and NPDES Permitting Clearinghouses.

SCOPE OF WORK: The contractor shall, in consultation with EPA Region 9 and a workshop planning group convened by EPA Region 9, assist in planning, then participating in a 1-day workshop held by EPA, and then generate a report based on lessons learned in the workshop regarding improving monitoring and evaluation provisions of MS4 stormwater permits. Briefly, the tasks are:

A-1 Participate in planning a 1-day stormwater monitoring and evaluation workshop, providing assistance in agenda and speaker planning. The contractor will participate in the workshop as a group discussion facilitator, note-taker, and subject area expert.

A-2 Prepare a draft and final outline describing "lessons learned" from the workshop (Task A-1 above).

A-3 Produce a draft and final report from the outline (Task A-2 above) summarizing lessons learned from the workshop as well as the contractor's own experience and knowledge gained from past stormwater permit audits and inspections.

The contractor shall confer with WACOR and EPA Technical Contact to discuss draft report, then complete final report for delivery to EPA.

OPTION Year 2 - The contractor shall, in consultation with EPA Regions 3, 9 and a planning group convened by EPA Regions 3 and 9, assist in scoping and organizing, then preparing, a handbook and associated training materials to assist local governments in municipal stormwater (MS4) program development, and permitting authorities in writing permits that incentivize development of holistic, sustainable local MS4 programs. Briefly, the tasks are:

B-1 Participate in 3-4 scoping conference calls with EPA to plan the training handbook, providing assistance in identifying the appropriate content, key resources of relevant information concerning each selected topic, and appropriate form and delivery mechanisms to be used to present the training handbook. The contractor shall prepare a draft and final outline of the training handbook based on this scoping process.

B-2 Prepare a draft and final training handbook and associated training materials (if needed) based on the outline prepared in Task B-1.

B-3 Prepare a training module focusing on strategies for engaging private parties and investors in stormwater management, including structure of municipal incentive programs to encourage private party participation, crediting programs, and Public-Private Partnership (P3) models.

TASK A-1 – Assist with Planning and Participate in a Workshop Concerning Design of Municipal Stormwater Permit Monitoring and Evaluation Provisions

Performance Requirements

Within three weeks of task award, Contractor shall coordinate an initial meeting with WACOR and EPA Technical Contact to provide review of task scope and to discuss goals of stormwater monitoring workshop. The contractor shall participate in 3 conference calls of a workshop planning group convened by EPA Region 9. Contractor shall assist in workshop implementation in a capacity as group discussion facilitator and subject matter expert. The workshop and presentations therein will focus on evaluating and revising the design of monitoring and evaluation provisions in municipal stormwater permits and explore opportunities to revamp permit monitoring approaches based on those lessons learned. The contractor will participate in the entire workshop will include information presented in the workshop in developing the findings report. Timing of the workshop has not been determined but WACOR will confer with contractor in scheduling it to ensure contractor's availability and participation. EPA will arrange for and organize the workshop.

Performance Standards

- Participate in workshop planning, drawing upon Contractor's experience to assist in developing an effective workshop and identify appropriate speakers.
- Participate as subject matter expert, small group discussion facilitator, and note-taker in workshop using knowledgeable, professional and respectful manner towards other workshop participants and engaging in dialogue in an understandable yet concise manner. Workshop notes will be delivered within 1 week of the workshop and will provide a

concise summary of presentation key points and key points from small group discussion feedback sessions.
- Demonstrate knowledge in stormwater permitting, provide value-added contributions to workshop discussions and concisely respond to participant questions.

Acceptable Quality Levels

- Workshop planning support shall reflect 100% of performance standards above.
- Audience asks informed questions and shows better understanding of Contractor's lessons gleaned from previous audits and inspections.
- Participation as subject matter expert, facilitator, and note taker shall adhere to performance standards above for 100% of the workshop.

Task A-1 was completed in OPTION YEAR 1.

Task A-2 – Prepare Report Outline that Identifies Key "Lessons Learned" from Workshop

Performance Requirements

Under this task the contractor will develop a draft outline of key lessons learned based on ideas shared by all workshop participants, as well as the contractor's own experiences interpreting monitoring and evaluation elements of stormwater permits and/or associated audits and inspections. Within 2 weeks after EPA-sponsored workshop, the contractor shall participate in one meetings/calls with WACOR and EPA Technical Contact to discuss the initial set of proposed lessons learned to be fleshed out into draft and final outline for the report (Task 3). Within 1 month of the second meeting, the contractor shall submit for EPA review a draft outline of the report required in Task 3. EPA will review and provide comments on this outline within 2 weeks. Within 2 weeks after receipt of EPA's comments, the contractor shall provide a final report outline.

Performance Standards

- Draft outline shall indicate key lessons learned with findings and recommendations; submit to EPA within one month of final meeting.
- Draft and final outline shall be written in clear, concise and professional manner as well as edited and proofread for accuracy and completeness.
- Final outline shall incorporate all EPA comments, edits, or clarifications.
- Final outline shall be submitted via email to WACOR and EPA Technical Contact within two weeks after receipt of EPA comments on draft outline.

Acceptable Quality Levels

- Draft outline must be comprehensive and include at least 90% of workshop recommendations.
- Draft and final outline shall be 90% free of spelling and grammar errors

- Final report outline shall address 100% of EPA's comments, edits and recommendations provided on the draft report
- Final documents shall be thorough, clear and 100% free of spelling and grammatical errors.

Task A-2 was completed in OPTION YEAR 1.

Task A-3 – Develop Report Describing Lessons Learned, Findings and Recommendations

Performance Requirements

The Contractor shall develop a draft and final report (based on final outline in Task A-2) containing key lessons learned, findings and recommendations developed through this evaluation project. Contractor shall hold two meetings between Contractor, WACOR and EPA Technical Contact. One meeting regarding the Contractor's draft report, another meeting prior to completion of final report. Within two months after the final report outline is accepted by the WACOR, the Contractor will provide a draft report for EPA review. EPA will provide comments on the draft report within 1 month of receipt. Within one month after receipt of EPA comments on the draft report, the Contractor will provide a final report to EPA. We anticipate that the report will be approximately 20 pages in length.

Performance Standards

- Report shall be in MS Word or PDF.
- Report shall contain a comprehensive evaluation of key lessons learned, and present findings and recommendations which will assist EPA and authorized state to modify permitting practices to improve the enforceability of permits and reduce program expenditures on activities that yield little benefit to the environment.
- Report shall be written in a clear, concise and professional manner as well as edited and proofread for accuracy and completeness.
- Report shall include verifiable references and quotes, as needed.
- Report shall be technically accurate and complete.
- Draft Report shall be submitted via email to the WACOR and EPA Technical Contact within three months after completion of final report outline.
- Final Report shall be revised to address all of EPA's comments, edits or clarifications.
- Final Report shall be submitted via email to WACOR and EPA Technical Contact within two months after receipt of EPA comments on draft report.

Acceptable Quality Levels

- Draft Report content shall reflect at least 90% of the Performance Standards cited above with minimal errors, inconsistencies or inaccuracies.
- Draft report shall be 90% free of spelling and grammar errors
- Final Report shall address 100% of EPA's comments, edits and recommendations provided on the draft report
- Final Report shall be thorough, clear and 100% free of spelling and grammatical errors.

Task A-3 was partially completed in OPTION YEAR 1. Draft report was completed in OPTION YEAR 2.

SUMMARY OF DELIVERABLES AND DUE DATES			
Task/Subtask	Deliverable	Distribution	Due Date*
Task A-1: Workshop Planning and Participation			
1.a.	Initial meeting/call and approx. 3 additional planning calls with WACOR, EPA Technical Contact COMPLETED IN OPTION YEAR 1	WACOR and EPA Technical Contact	Within three months after task award
1.b.	Workshop summary notes COMPLETED IN OPTION YEAR 1	WACOR and EPA Technical Contact	One week following workshop Workshop date TBD – EPA will coordinate with Contractor regarding availability for workshop
1.c.	Participate in workshop as subject matter expert, small group discussion facilitator, and note taker COMPLETED IN OPTION YEAR 1		TBD
Task A-2: Report Outline			
2.a.	Draft outline of lessons learned COMPLETED IN OPTION YEAR 1	WACOR and EPA Technical Contact	One month after final discussion w/ WACOR
2.b.	Final outline COMPLETED IN OPTION YEAR 1	WACOR and EPA Technical Contact	Two weeks after receipt of EPA comments on draft outline
Task A-3: Findings Report			
3.a.	Draft report on key lessons, findings and recommendations COMPLETED IN OPTION YEAR 1	WACOR and EPA Technical Contact	Two months after completion of final outline in Task 3

SUMMARY OF DELIVERABLES AND DUE DATES			
Task/Subtask	Deliverable	Distribution	Due Date*
3.b.	Final report **NOT** COMPLETED IN OPTION YEAR 1	WACOR and EPA Technical Contact	One month after receipt of EPA comments

*Note: all due dates are based on work assignment award date, assumes 30 days in month.

The Contractor shall notify the CO and WACOR in writing when 75% of the authorized work assignment LOE/labor hours have been expended.

The total estimated level of effort for all tasks is approximately 385 hours. Contractor may assume one trip for two people to participate in the stormwater workshop, presumably in California.

TASK A-1, A-2 WERE COMPLETED IN OPTION YEAR 1. TASK A-3 WAS PARTIALLY COMPLETED IN OPTION YEAR 1. SPECIFICALLY, THE DRAFT REPORT WAS COMPLETED IN OPTION YEAR 1.

DURING OPTION YEAR 2, CONTRACTOR SHALL RESPOND TO EPA COMMENTS ON DRAFT REPORT AND SHALL PROVIDE A FINAL REPORT. TOTAL ESTIMATED LEVEL OF EFFORT IN OPTION YEAR 2 IS APPROXIMATELY 75 HOURS. NO TRAVEL FOR THIS TASK IS ANTICIPATED DURING OPTION YEAR 2.

TASK B - Handbook and Training Materials for Building Robust Municipal Stormwater Programs

TASK B-1 – Participate in Training Handbook Scoping Calls and Prepare Outline

Performance Requirements

Within three weeks of task award, Contractor shall coordinate an initial meeting with WACOR and EPA Technical Contact to provide review of task scope and to discuss goals of stormwater training handbook. The contractor shall participate in 3-4 conference calls of a handbook planning group convened by EPA Region 9. Contractor shall take notes on each scoping call and work with the EPA Technical Contact to develop a training handbook outline based on scoping calls and content and material provided by the EPA Technical Contact and Planning Group members. WACOR will confer with contractor in scheduling calls to ensure contractor's availability and participation.

We anticipate the training handbook will address the following topics:

1. Identify Basic Program Goals, Elements and Attributes

Key questions: How do you set key program goals and objectives, and why are they critical? How

do you make a "business case" to the public and local government leaders about the importance of the program.

2. Develop Holistic Long-Term Program Plan

Key questions: What actions does your program need to take in the way of capital investments in infrastructure, O&M of existing assets and infrastructure, and administration of your program, taking into account a holistic view of what a local stormwater program needs to do to address water quality, flood protection, supply augmentation, urban greening, and other collateral goals? What key capabilities does the program need to develop?

3. Develop Asset Management Capability

Key questions: What resources and assets does the program currently track and manage and expect to manage in the future? How do we determine what assets need attention and when? How can we identify resources needs for asset O&M, and new investments to replace or create new infrastructure? How can we efficiently track and report on program management?

4. Improving Communication and Buy-In: Strategies for Demonstrating How the Program Effectively Meets Local Needs and Goals that the Public Values

Key questions: How can communities create effective strategies for demonstrating program value and building support with public and key opinion leaders as necessary to obtain sustainable support and funding? How can this "business case" best be communicated?

5. Optimize Program Organization Within and Across Jurisdictions

Key questions: What are the best approaches to stormwater program organization and governance? What are the pros and cons of organizing as a separate utility, or of becoming part of a larger water enterprise? How can we successfully form a utility or otherwise improve our governance structure to improve program ability to succeed? How can local programs share stormwater management functions and resources with neighboring jurisdictions to build collective capacity at lower overall cost?

6. Develop Long-Term Financial Plan

Key questions: What are the short and long-term program costs, potential revenue sources, funding shortfalls, community ability to afford stormwater services, and strategies for addressing funding shortfalls. What opportunities are there to adjust implementation timeframes based on financial constraints? How can local programs develop the funding capacity to implement the program they want to implement and not be limited by existing funding constraints?

This section would be divided into several subsections that would guide development of an integrated funding plan and strategy. Subtopics will likely include:

- How much will the program cost?
- How much funding do you have?
- How much more funding do you need?
- How much can your community afford?
- How much funding can you reliably obtain?

7. Assembling the Pieces: Combining Asset Management, Long Term Planning, and Financial Planning

Based on scoping workgroup discussions, it may be decided to focus on a subset of the topics above. If EPA decides not to incorporate each of these elements in the training handbook, revised direction will be provided accordingly to the contractor by the WACOR and EPA Technical Contact.

Performance Standards

- Participate in handbook planning, drawing upon Contractor's experience to assist in developing an effective handbook and training materials.
- Participate as subject matter expert, planning group discussion facilitator, and note-taker on planning calls using knowledgeable, professional and respectful manner towards other planning group participants and engaging in dialogue in an understandable yet concise manner. Planning call notes will be delivered within 1 week of the workshop and will provide a concise summary of key points and decisions on handbook scope and presentation method(s).
- Provide handbook outline based on planning group calls and discussions, review of supporting reference material and examples provided by EPA and planning workgroup, providing a concise but detailed outline to guide writing of the full training handbook. A draft outline will be provided within one month of the last planning workgroup call and a final outline within one month of receipt of comments from EPA.
- Demonstrate knowledge in stormwater program development and permitting, provide value-added contributions to planning workgroup discussions and concisely respond to participant questions.

Acceptable Quality Levels

- Handbook planning support shall reflect 100% of performance standards above.
- Draft outline must be comprehensive and include at least 90% of workshop recommendations.
- Draft and final outline shall be 90% free of spelling and grammar errors
- Final report outline shall address 100% of EPA's comments, edits and recommendations provided on the draft report
- Final documents shall be thorough, clear and 100% free of spelling and grammatical errors.

- Participation as subject matter expert, facilitator, and note taker shall adhere to performance standards above for 100% of the scoping/planning calls and in preparation of the handbook outline.

Task B-2 – Prepare Draft and Final Training Handbook

Performance Requirements

Under this task the contractor will develop a draft training handbook (and as needed associated training materials) based on the outline and scoping discussions addressed in Task B-1. Within 2 months after the final outline is delivered, the contractor shall submit for EPA review a draft training handbook. EPA will review and provide comments on this draft training handbook within one month. Within one month after receipt of EPA's comments, the contractor shall provide a final training handbook. It is anticipated that the training handbook may be organized in modular form to facilitate its use by EPA, state, and local users. Based on discussions with the WACOR and EPA Technical Contact, the sequence and schedules for developing, providing draft modules, and providing final modules may be modified to assist preparation of the handbook through this modular approach.

Performance Standards

- Draft handbook shall be in MS Word or PDF.
- Draft handbook shall address each element identified in Task B-1 and incorporated in the final outline developed in Task B-1. Draft handbook will be submitted to EPA within 2 months of completion of handbook final outline. EPA will provide comments within one month.
- Draft and final training handbook shall be written in clear, concise and professional manner as well as edited and proofread for accuracy and completeness.
- Final training handbook shall incorporate all EPA comments, edits, or clarifications.
- Final training handbook shall be submitted via email to WACOR and EPA Technical Contact within one month after receipt of EPA comments on draft handbook.

Acceptable Quality Levels

- Draft handbook must be comprehensive and include at least 90% of elements identified in outline prepared in Task B-1.
- Draft and final handbook shall be 90% free of spelling and grammar errors.
- Final handbook shall address 100% of EPA's comments, edits and recommendations provided on the draft handbook.
- Final handbook and any related training material shall be thorough, clear and 100% free of spelling and grammatical errors.

Task B-3 – Public Private Financing Training Module

Performance Requirements

Under this task the contractor will develop a training module to be included in the Stormwater Financing Training Program being developed by Water Infrastructure Resilience and Finance Center. This module will focus on strategies for engaging private parties and investors in stormwater management, including structure of municipal incentive programs to encourage private party participation, crediting programs, and Public-Private Partnership (P3) models. The module will follow the outline and format previously developed by the WIRFC team developing this training program. The draft training module content will be submitted for EPA review within 2 weeks after work assignment approval. EPA will review and provide comments on this draft module within 5 days. Within 2 weeks after receipt of EPA's comments, the contractor shall provide a final training module.

Performance Standards

- Draft handbook shall be in MS Word.
- Draft module shall address each element identified in the training program outline provided by EPA WIRFC. Draft module will be submitted to EPA within 2 weeks of being notified to proceed. EPA will provide comments within 5 days. Taking EPA comments into account, final module will be provided within 2 weeks of comment receipt.
- Draft and final training module shall be written in clear, concise and professional manner as well as edited and proofread for accuracy and completeness.
- Final training module shall incorporate all EPA comments, edits, or clarifications.
- Final training module shall be submitted via email to WACOR and EPA Technical Contact within 2 weeks after receipt of EPA comments on draft module.

Acceptable Quality Levels

- Draft training module must be comprehensive and include at least 90% of elements identified in outline provided by EPA, following the organizational template provided by EPA.
- Draft and final training module shall be 90% free of spelling and grammar errors.
- Final module shall address 100% of EPA's comments, edits and recommendations provided on the draft module.
- Final module and any related training material shall be thorough, clear and 100% free of spelling and grammatical errors.

SUMMARY OF DELIVERABLES AND DUE DATES			
Task/Subtask	Deliverable	Distribution	Due Date*
Task B-1: Training Handbook Scoping Calls and Outline			
1.a.	Initial meeting/call and approx. 3 additional planning calls with WACOR, EPA Technical Contacts, EPA planning workgroup	WACOR and EPA Technical Contact, EPA planning workgroup	Within three weeks after task award
1.b.	Meeting/call planning summary notes	WACOR and EPA Technical Contact, EPA planning workgroup	One week following planning calls
1.c.	Participate in planning workgroup calls as subject matter expert, facilitator, and note taker		TBD
1.d.	Draft outline of handbook	WACOR and EPA Technical Contact, EPA planning workgroup	One month after final discussion w/ WACOR
1.e.	Final outline	WACOR and EPA Technical Contact, EPA planning workgroup	One month after receipt of EPA comments on draft outline
Task B-2: Prepare Draft and Final Training Handbook			
2.a.	Draft Handbook (and separate training materials, if appropriate)	WACOR and EPA Technical Contact, EPA planning workgroup	Two months after completion of final outline in Task B-1
2.b.	Final Handbook	WACOR and EPA Technical Contact, EPA planning workgroup	One month after receipt of EPA comments
Task B-3: Prepare Draft and Final Private Financing Training Module			
3.a.	Draft module (and separate training materials, if appropriate)	WACOR and EPA Technical Contact, EPA planning workgroup	Two weeks after start work notification
3.b.	Final module	WACOR and EPA Technical Contact,	Two weeks after receipt of EPA

SUMMARY OF DELIVERABLES AND DUE DATES			
Task/Subtask	Deliverable	Distribution	Due Date*
		EPA planning workgroup	comments

*Note: all due dates are based on work assignment award date, assumes 30 days in month.

The Contractor shall notify the CO and WACOR in writing when 75% of the authorized work assignment LOE/labor hours have been expended.

The total estimated level of effort for all tasks is approximately 1035 hours. Contractor may assume one trip for two people to participate in EPA meetings where topic of Training Handbook is on the agenda.

CONTRACT PWS REFERENCE

See Contract PWS Page 1-10 of 14 ***Task # "Task Title", Page # - # of # Task # Task Name***

ANTICIPATED TRAVEL REQUIREMENTS

All travel shall be approved in advance by the Contract-Level Contracting Officer's Representative (CL-COR) and shall be in accordance with the Contract.

ADDITIONAL REQUIREMENTS:

Office direct costs (ODCs) for copying, postage/courier, supplies, computer usage, and graphics are allowed. No other ODCs are allowable as a direct charge to this delivery order without the prior written approval of the Contracting Officer.

Upon issuance of written Technical direction, the Contractor shall submit for inspection of all work in progress at any time under this work assignment. The Contractor shall develop and maintain files supporting each task.

The contractor shall contact the Contracting Officer (CO) and/or the CL-COR by telephone to discuss any problems that may adversely affect the work on this Work Assignment. Within five (5) calendar days the contractor shall follow the phone call with a brief written explanation of the problem, including any actions already taken, and/or recommended solutions to correct the problem. Written explanation shall be made available to the CO and the CL-COR.

CONTRACTOR IDENTIFICATION

To avoid any perception that contractor personnel are EPA employees, the contractor shall assure that contractor personnel are clearly identified as independent contractors of EPA when attending meetings with outside parties or visiting field sites.

CONTROL REQUIREMENTS

Quality Assurance Project Plan (QAPP):
Evaluation of MS4 permit monitoring design does not require a QAPP, since the tasks herein are focus on policy decisions not regulatory program decisions. Discussions of monitoring data will be general and not influenced by individual data nor groups of data. Besides people who generate the data are responsible for the data's quality, and it is their responsibility to develop a QAPP, if one is needed for their primary data uses.

Organizational Conflict of Interest:
The Contractor shall warrant that, to the best of the Contractor's knowledge and belief, there are no relevant facts or circumstances which could give rise to an organizational conflict of interest, as defined in FAR Subpart 9.5, or that the contractor has disclosed all such relevant information. See contract clause 1552.209-71 Organization of Conflict of Interest.

Notification of Conflicts of Interest Regarding Personnel:
The Contractor shall immediately notify the CL-COR and the CO of (1) any actual or potential personal conflict of interest with regard to any of its employees working on or having access to information regarding this contract, or (2) any such conflicts concerning subcontractor employees or consultants working on or having access to information regarding the contract, when such conflicts have been reported to the Contractor. A personal conflict of interest is defined as a relationship of an employee, subcontractor employee, or consultant with an entity that may impair the objectivity of the employee, subcontractor employee, or consultant in performing the contract work. See Section H.4, contract clause EPAAR 1552.209-73 Notification of Conflict of Interest.

Enforcement Sensitive Information:
The contractor recognizes that contractor employees in performing tasks specified by this WA may have access to data/information, either provided by the government or first generated during contract performance, of enforcement sensitive nature which should not be released to the public without Environmental Protection Agency (EPA) approval. Enforcement sensitive refers to records or information compiled for law enforcement purposes (whether administrative, civil or criminal), the disclosure of which could reasonably be expected to interfere with the enforcement action. It is imperative that all contractor personnel, including but not limited to, subcontractor and consultant personnel assigned to work on this contract and/or WA, or with access to materials developed pursuant to such efforts, understand that this information is confidential and any disclosure or misuse of the information may result in prosecution to the fullest extent of the law. All contractor personnel are expected to exercise due diligence in safeguarding, handling or disposing of any such information.

Project Employee Confidentiality Agreement
The contractor agrees that the contractor employee will not disclose, either in whole or in part, to any entity external to the EPA, the Department of Justice, or the contractor, any information or data (as defined in FAR Section 27.401) provided by the government or first generated by the contractor under this contract, any site-specific cost information, or any enforcement strategy

without first obtaining the written permission of the CL-COR. If a contractor, through an employee or otherwise, is subpoenaed to testify or produce documents, which could result in such disclosure, the contractor must provide immediate advance notification to the EPA so that the EPA can take action to prevent such disclosure. Such agreements shall be effective for the life and for a period of five (5) years after completion of the contract.

Handling of Confidential Business Information (CBI)
Contractor's access to TSCA CBI must comply with the procedures set forth in the TSCA CBI Security Manual. Likewise, access to FIFRA CBI shall follow the security procedures set forth in the FIFRA Information Security Manual.

To the extent that the work under this contract requires access to proprietary or confidential business or financial data of other companies, and as long as such data remains proprietary or confidential, the contractor shall protect such data from unauthorized use and disclosure.

All files or other information identified as Confidential Business Information (CBI) shall be treated as confidential and kept in a secure area with access limited to only contractor personnel directly involved in the case or special project assignment. The contractor, subcontractor, and consultant personnel are bound by the requirements and sanctions contained in their contracts with the EPA and in EPA's confidentiality regulations found at 40 CFR Part 2, Subpart B. The contractor subcontractors, and consultant must adhere to EPA-approved security plans which describes procedures to protect CBI, and are required to sign non-disclosure agreements before gaining access to CBI.

All official data, findings, and results of investigations and studies completed by the contractor shall be available for EPA and DOJ internal use only. The contractor shall not release any part of such data without the written direction of the WACOR.

Conference/Meeting Guidelines and Limitations
The contractor shall immediately alert the WACOR to any anticipated event under the work assignment which may result in incurring an estimated $20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The WACOR will then prepare approval internal paperwork for the event and will advise the contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

PERFORMANCE SURVEILLANCE PLAN			
Performance Requirement	**Measurable Performance Standards**	**Surveillance Methods**	**Incentives/Disincentives**
Management and Communications: During the life of this work assignment, the Contractor shall notify EPA immediately of any issues that may impact the timeliness of deliverables of the problems associated with the development of deliverables.	The Contractor shall maintain contact with the WACOR throughout the performance of the work assignment. The contractor shall identify to the WACOR any delays with regard to deliverables not less than one week prior to the deliverable date that has been established in the work assignment or technical direction document. The contractor shall identify to the WACOR any issues or concerns that have a direct impact on project schedules within three (3) days of occurrence. The contractor shall provide options for EPA's consideration on resolving or mitigating the impacts identified.	WACOR and CL-COR (as necessary) will allocate the time needed to discuss and address all issues identified by the Contractor. The WACOR and CL-COR will document and maintain a complete record of the issues, agreements and outcome. The WACOR and CL-COR will review monthly progress reports for indicators of problems not previously mentioned. The WACOR will also monitor the timely receipt of deliverables. For those that are late without prior notice, the EPA will formally document to the Contracting Officer the late delivery.	If the contractor fails to implement corrective actions after EPA identifies and provided written documentation of performance issues, EPA will rate this performance category "unsatisfactory." If three or more the active work assignments for the period are rated unsatisfactory, EPA will rate the Business Relations category as unsatisfactory in the CPARS Contract Performance System.

Cost Management and Control: The Contractor shall perform all work in an efficient and cost effective manner, applying cost control measures where practical.	The Contractor shall monitor, track and accurately report level of effort, labor cost, other direct cost and fee expenditures to EPA through monthly progress reports and approved special reporting requirements. The Contractor shall assign appropriately leveled and skilled personnel to all tasks. The contractor should not exceed established work assignment ceilings and, in general, should expend dollars and hours at similar ratios. If either the expenditure of hours or dollars deviates significantly, the contractor shall provide an explanation in its Monthly Progress Report.	The CL-COR will routinely meet with the Contractor's Project Manager to discuss the work progress and contract and individual work assignment level expenditures. The CL-COR and WACOR shall review the Contractor's monthly progress reports and request the Work Assignment Contracting Officer's Representative to ensure that ceilings are not exceeded, that progress is being made, and that the contractor is effectively utilizing the LOE provided under the work assignment.	EPA will thoroughly review work assignment funding ceiling overruns to determine the contractor's ability to control the situation. If EPA determines that the contractor failed to control cost, the contractor will be rated "unsatisfactory" in this category. Multiple incidents of work assignment overrun that result in an overall cost overrun of greater than 4% of the approved total work assignment funding for the current contract period, will result in an unsatisfactory rating in the CPARS Contract Performance System.
Quality of Product/Services: The contractor shall ensure documents developed under this work assignment are quality products that are factual and based on sound science and engineering principles.	Products delivered under this work assignment must not contain any major factual errors. The analyses provided in each product shall be logical, consistent, and defensible.	The WACOR will review all documents delivered under this work assignment for content accuracy.	If EPA determines that the contractor's analyses is factually inaccurate or if significant technical errors are found in any documents produced by the contractor, EPA may determine that the cost associated with redoing the work shall be borne by the contractor. Multiple incidents of this nature under the contract will result in an unsatisfactory rating for Quality and Manage Control being reported to the CPARS Contract Performance System.

EPA

United States Environmental Protection Agency
Washington, DC 20460

Work Assignment

Work Assignment Number: 2-73

☐ Other ☐ Amendment Number:

Contract Number	Contract Period	Title of Work Assignment/SF Site Name
EP-C-16-003	07/01/2016 To 06/30/2021 Base Option Period Number 2	R10 NPDES Permit Backlog

Contractor: EASTERN RESEARCH GROUP, INC.

Specify Section and paragraph of Contract SOW: See PWS

Purpose:
- [X] Work Assignment
- [ ] Work Assignment Amendment
- [ ] Work Plan Approval
- [ ] Work Assignment Close-Out
- [ ] Incremental Funding

Period of Performance: From 08/20/2018 To 06/30/2019

Comments:

☐ Superfund — Accounting and Appropriations Data — [X] Non-Superfund

Note: To report additional accounting and appropriations date use EPA Form 1900-69A.

SFO (*Max 2*) ☐

Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	Amount (Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code
1										
2										
3										
4										
5										

Authorized Work Assignment Ceiling

Contract Period: 07/01/2016 To 06/30/2021 Cost/Fee: LOE:

This Action:

Total:

Work Plan / Cost Estimate Approvals

Contractor WP Dated: Cost/Fee LOE:

Cumulative Approved: Cost/Fee LOE:

Work Assignment Manager Name Jayne Carlin (Signature) (Date)	Branch/Mail Code: Phone Number: 206-553-8512 FAX Number:	
Project Officer Name Jennifer Chan (Signature) (Date)	Branch/Mail Code: Phone Number: 202-564-3067 FAX Number:	
Other Agency Official Name (Signature) (Date)	Branch/Mail Code: Phone Number: FAX Number:	
Contracting Official Name Brad Heath (Signature) 8/20/2018 (Date)	Branch/Mail Code: Phone Number: 513-487-2352 FAX Number:	

PERFORMANCE WORK STATEMENT
CONTRACT EP-C-16-003
WORK ASSIGNMENT 2-73

TITLE: NPDES Permit Development Support in EPA Region 10

WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (WACOR):

Jayne Carlin
EPA Region 10
1200 6th Ave Mail Code: OWW-192
Seattle, WA 98101
(206) 553-8512
carlin.jayne@epa.gov

ALTERNATE WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (AWACOR):

Jamey Stoddard
EPA Region 10
1200 6th Ave Mail Code: OWW-191
Seattle, WA 98101
(206) 553-6110
stoddard.jamey@epa.gov

PERIOD OF PERFORMANCE: August 20, 2018 through June 30, 2019

LEVEL OF EFFORT: 2600 hours

BACKGROUND: The Clean Water Act (CWA) authorized efforts to restore and maintain the Nation's waters, including Section 402 of the Act specifically created of the National Pollutant Discharge Elimination System (NPDES) permit program to regulate and reduce the point source pollution. Point sources must obtain a discharge permit from the proper authority, including states, tribes, and territories. EPA Regions are responsible for implementing the NPDES permit program in non-delegated States and for federal and tribal dischargers in authorized States. The States of Washington, Oregon and Alaska are authorized to operate the NPDES program. EPA is gradually delegating Idaho's NPDES program in a phased approach. EPA continues to issue NPDES permits to federal facilities and facilities located on tribal lands. The Contractor will provide technical support in specific tasks related to NPDES permit development and issuance.

The 1973 Endangered Species Act (ESA), 16 U.S.C. 1531 *et seq.*, was enacted to protect and conserve endangered and threatened species and critical habitat. The Fish and Wildlife Service (FWS) of the Department of the Interior and the National Marine Fisheries Service (NMFS) of the National Oceanic and Atmospheric Administration (NOAA) within the Department of Commerce (collectively *the Services*) share primary responsibility for administration of the ESA.

ESA section 7 requires that federal agencies consult with the Services to ensure that any action authorized, funded, or carried out by the agencies that could affect a listed species or critical habitat and to ensure that their actions are not likely to jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of critical habitat of such species. The ESA section 7 regulations are in 50 CFR Part 402. The FWS maintains a worldwide list of endangered species. Species include birds, insects, fish, reptiles, mammals, crustaceans, flowers, grasses, and trees. When EPA issues NPDES permits, EPA is required to consult with the "services" to ensure that the permitting action is not likely adversely impact the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of critical habitat of such species.

Consultation may be either informal or formal. An informal consultation in the form of a biological evaluation determines if an action is or is not likely to adversely affect the species. A formal consultation is required if the findings from the informal consultation show that there is a likelihood for adverse impacts and evaluates whether the proposed action is likely to jeopardize the continued existence of the species. In developing NPDES permits, EPA Region 10 is required to develop and submit Biological Evaluations to demonstrate that the permitting action is unlikely to cause adverse effects of the action on listed and proposed species and designated and proposed critical habitat and demonstrates that any such species or habitat to the FWS/NMFS for review and approval. The services review of the biological evaluation and the outcome of this informal consultation determine whether formal consultation or a conference is necessary. This documentation and any decisions from the FWS/NMFS would become part of the permit documentation. EPA must consider potential discharges of the permit and its effects on endangered and threatened species and their habitat in the area covered by the permit. The Contractor will provide technical support in the preparation of biological evaluations for upcoming NPDES permitting actions.

PURPOSE AND OBJECTIVE: The Contractor will provide technical support in specific tasks related to NPDES permit development and preparation of biological evaluations for upcoming NPDES permitting actions. Specific tasks on which assistance is to be provided will be identified to the Contractor in a technical directive issued by the EPA Work Assignment Contracting Officer's Representative (WACOR).

ASSUMPTIONS AND CONSTRAINTS: The Contractor shall demonstrate an understanding of, and follow, all applicable laws, regulations and policies. The Contractor shall only follow technical direction received from the WACOR. The Contractor is authorized to contact the technical contact listed in the technical direction directly only to obtain additional information or clarify technical information but shall copy WACOR. The Contractor shall ensure compliance with Agency standards.

SCOPE OF WORK: This PWS describes possible tasks to support EPA Region 10 within the context of the NPDES permitting requirements of the Clean Water Act and consultation requirements under the Endangered Species Act. The Contractor shall perform all activities in a manner consistent with all federal data requirements.

TASKS

A: Project Management

For the purposes of scoping of this work assignment, assume 5% of hours towards project management tasks.

The Contractor shall set up, prepare an agenda and participate in kickoff meetings with the WACOR via conference calls at the beginning of each option period and new projects in which the WACOR intends to issue Technical Directions (TD). The kickoff meeting with the WACOR shall cover the following topics: points of contact, roles and responsibilities, quality assurance protocols, timelines, the schedule of benchmarks, milestones and deliverables, establish dates and times for monthly calls and monthly technical progress reports and general TO administrative information.

The WACOR shall set up, prepare an agenda and participate in calls between WACOR and/or EPA staff and the Contractor's technical lead to discuss the progress of the work under this Work Assignment (WA) and for specific tasks under TDs, as appropriate.

Unless told otherwise by the WACOR, the Contractor shall provide meeting summaries after the calls within five (5) business days in draft form for the WACOR (and others as directed by the WACOR) to review. The summary shall include decisions, action items and significant points made during the discussion. The WACOR shall provide any edits and/or comments on each meeting summary or approve the meeting summary without change; then the final written meeting summary shall be provided within five (5) business days after receipt of comments from the WACOR.

The Contractor shall provide monthly progress reports that also include the progress status, funding remaining and projected funding needed for each project under this WA and Contractor's technical lead for each project. The Contractor and WACOR will agree on the format and deadlines during the initial kick off call.

The Contractor shall ensure the tasks and deliverables outlined in technical direction are compliant with federal laws and regulations (as appropriate).

The Contractor shall track the tasks and deliverables outlined in technical directions to ensure they stay on schedule and within the allotted budget. The Contractor shall alert WACOR early when deadlines may be missed or the costs may be higher than projected. The Contractor shall notify the WACOR of any problems, delays or questions as soon as they arise, including immediate notification of any quality assurance issues and project delays.

Deliverables and Schedule

TASK	DELIVERABLE	SCHEDULE
A	Kickoff call summaries	Within 10 working days of Work Assignment Award and 5 working days after receipt of draft Technical Direction by WACOR.

A	Conference calls and meeting summaries	Draft within 5 business days Final within 5 business days after receipt of comments from the WACOR
A	Progress & Funding Status Reports by Project	Monthly unless WACOR changes frequency by technical direction.

B: Permit Development Support
For the purposes of scoping of this work assignment, assume 5% of hours towards permitting support tasks.

he Contractor shall provide technical support of EPA's NPDES permit program (traditional NPDES permit(s) and/or municipal separate storm sewage system (MS4) or other stormwater-related permit(s) or portions thereof) to address the current backlog. Specific tasks on which assistance is to be provided will be identified to the Contractor in a technical directive issued by the WACOR. The Contractor may be asked to provide the following services:

- Preparing draft permits (and supporting documentation) or selected permit components;
- Providing specialized technical assistance on various NPDES topic;
- Preparing fact sheets or selected components of the facts sheets;
- Providing a technical and/or editorial review of draft permits, fact sheets, and final permits;
- Compiling and organizing comments received during the public comment period;
- Helping to prepare a response to comment document;
- Compiling the administrative record and other tasks related to NPDES permit development;
- Reviewing data that has been provided by EPA Region 10, the discharger or other parties as part of the permit application process;
- Identifying, collecting, and reviewing any additional background data for each facility to be permitted and the affected receiving water needed to properly evaluate the need for permit limitations and conditions; and
- Supporting development of materials for public meetings and other types of meetings.

The documents shall be in either .DOC or .PDF file formats (for text) or .XLS format (for tracking spreadsheets) and shall be accessible, functional and free from computer viruses or other technology problems.

If it is determined that a QA Project Plan is required to document data quality requirements for any data-related activities or their data elements or for modeling, then the technical direction shall include a task to develop a QA Project Plan in accordance with R-5 and prior to beginning any tasks related to data and/or modeling. For data quality, this QA Project Plan will (i) identify the data elements for the data-related activities, and (ii) establish the data quality requirements for these data elements.

Deliverables and Schedule

TASK	DELIVERABLE	SCHEDULE
B	Comments on draft Technical Direction (TD) provided by WACOR including estimated hours.	Within 5 business days after receipt of TD or TD clarification call.
B	Conduct activities and provide deliverables in accordance with TD.	In accordance with schedule outlined in TD.

C: Biological Evaluations

For the purposes of scoping of this work assignment, assume 90% of hours towards biological evaluation tasks, specifically NPDES MS4 permits discharging in waterbodies within the Puget Sound.

The Contractor shall provide technical support to EPA on development of biological evaluations (BEs) for upcoming NPDES permitting actions. The WACOR will provide a template and/or examples of biological evaluations as part of the technical direction and an outline of the BE is provided in the Appendix. The Contractor will conduct tasks to support the BE development which could include the following tasks:

- ***Create GIS Maps to Support the BE*** **–** This task will create a series of GIS maps of the action, action area, species locations, and critical habitats. Maps may include: general geography, land use, outfall locations, BMP locations, tribal land boundary, species locations, and critical habitat areas.
- ***Draft Description of Listed Species*** **–** This task will draft the text for Section 3.0 that identifies the species in the action area, determines which species are classified as no effect and provides a species-specific description of the status and distribution, life history, critical habitat, and presence within in the action area for the species under consultation for the BE.
- ***Draft Description of the Essential Fish Habitat Present in the Action Area*** **–** This task will draft the text describing the EFH in the action area. The text will include a list of species with an EFH in the action area, description of the location of EFH in the action area, a qualitative description of the effects of the action on each EFH, a description of how the action will affect major prey species and life history stages for each species.
- ***Draft Environmental Baseline Description*** **–** This task will draft the text for the environmental baseline description that includes the following: a description of the land use, habitats in the area, sedimentation, hydrology, and the condition of the threats to the species under consultation. This task will also download and summarize the background water quality data available for the waterbody(ies).
- ***Summarize the Effectiveness of Stormwater Management BMPs in Permit*** **–** This task will draft the text for the BMP effectiveness discussion in the BE.
- ***Draft Species Exposure Discussion*** **–** This task will draft the qualitative discussion of the likelihood species will come into contact with the discharge.
- ***Draft Discussion of Potential Stressors*** **–** This task will summarize any end-of-pipe stormwater monitoring data collected in the action area. This task will draft a discussion

of the potential stressors to listed species from the action based on the monitoring data and pollutants typically found in stormwater.

- ***End-of-Pipe and Receiving Water Modeling Analysis –*** This task will model the estimated stormwater loads and concentrations at the end-of-pipe for each outfall and the system as a whole. This task will also model the estimated receiving water concentrations in the waterbody(ies) resulting from stormwater discharges. This task will prepare an appendix documenting the modeling methodology and results. This task will draft a discussion of the estimated changes to the environmental baseline from the action.
- ***Conduct the Species Response Analysis –*** This task will present a qualitative discussion of the effects of pollutants lacking specific concentration response on listed species. This task will identify species-specific effects thresholds for each pollutant. The task will compare the receiving water modeling results with effect thresholds to determine likelihood the action may affect listed species. The task will determine the final affect determination of the action for each species.

The documents shall be in either .DOC or .PDF file formats (for text) or .XLS format (for tracking spreadsheets) and shall be accessible, functional and free from computer viruses or other technology problems.

If it is determined that a QA Project Plan is required to document data quality requirements for any data-related activities or their data elements or for modeling, then the technical direction shall include a task to develop a QA Project Plan in accordance with R-5 and prior to beginning any tasks related to data and/or modeling. For data quality, this QA Project Plan will (i) identify the data elements for the data-related activities, and (ii) establish the data quality requirements for these data elements.

Deliverables and Schedule

TASK	DELIVERABLE	SCHEDULE
C	Comments on draft Technical Direction (TD) provided by WACOR including estimated hours.	Within 5 business days after receipt of TD or TD clarification call.
C	Conduct activities and provide deliverables in accordance with TD.	In accordance with schedule outlined in TD.

CONTRACT PWS REFERENCE

See Contract PWS Page 1-10 of 14 ***Task # "Task Title", Page # - # of # Task # Task Name***

ANTICIPATED TRAVEL REQUIREMENTS

All travel shall be approved in advance by the Contract-Level Contracting Officer's Representative (CL-COR) and shall be in accordance with the Contract.

ADDITIONAL REQUIREMENTS

Office direct costs (ODCs) for copying, postage/courier, supplies, computer usage, and graphics are allowed. No other ODCs are allowable as a direct charge to this delivery order

without the prior written approval of the Contracting Officer.

Upon issuance of written technical direction, the Contractor shall submit for inspection of all work in progress at any time under this work assignment. The Contractor shall develop and maintain files supporting each task.

The Contractor shall contact the Contracting Officer (CO) and/or the CL-CCOR by telephone to discuss any problems that may adversely affect the work on this Work Assignment. Within five (5) calendar days the Contractor shall follow the phone call with a brief written explanation of the problem, including any actions already taken, and/or recommended solutions to correct the problem. Written explanation shall be made available to the CO and the PO.

CONTRACTOR IDENTIFICATION

To avoid any perception that Contractor personnel are EPA employees, the Contractor shall assure that Contractor personnel are clearly identified as independent Contractors of EPA when attending meetings with outside parties or visiting field sites.

CONTROL REQUIREMENTS

Quality Assurance Project Plan (QAPP):

Publishing on the NPDES website does not require a QAPP, since the people who generate the data are responsible for the data's quality, and it is their responsibility to develop a QAPP, if one is needed for their primary data uses. The Contractor shall provide source references for data that is published on the website.

Organizational Conflict of Interest:

The Contractor shall warrant that, to the best of the Contractor's knowledge and belief, there are no relevant facts or circumstances which could give rise to an organizational conflict of interest, as defined in FAR Subpart 9.5, or that the Contractor has disclosed all such relevant information. See contract clause 1552.209-71 Organization of Conflict of Interest.

Notification of Conflicts of Interest Regarding Personnel:

The Contractor shall immediately notify the CL-COR and the Contracting Officer of (1) any actual or potential personal conflict of interest with regard to any of its employees working on or having access to information regarding this contract, or (2) any such conflicts concerning sub-contractor employees or consultants working on or having access to information regarding the contract, when such conflicts have been reported to the Contractor. A personal conflict of interest is defined as a relationship of an employee, sub-contractor employee, or consultant with an entity that may impair the objectivity of the employee, sub-contractor employee, or consultant in performing the contract work. See Section H.4, contract clause EPAAR 1552.209-73 Notification of Conflict of Interest.

The Contractor shall contact the WACOR and/or the Alternate Work Assignment Contracting Officer's Representative (Alternate WACOR) by telephone to discuss any problems that may adversely affect the work described in the PWS. Within five (5) calendar days the Contractor shall follow the phone call with a brief written explanation of the problem, including any

actions already taken, and/or recommended solutions to correct the problem. Written explanation shall be provided via email to the WACOR with a copy to the Alternate WACOR and Contracting Officer.

Enforcement Sensitive Information:
The Contractor recognizes that Contractor employees in performing tasks specified in the PWS may have access to data/information, either provided by the government or first generated during contract performance, of enforcement sensitive nature which should not be released to the public without Environmental Protection Agency (EPA) approval. Enforcement sensitive refers to records or information compiled for law enforcement purposes (whether administrative, civil or criminal), the disclosure of which could reasonably be expected to interfere with the enforcement action. It is imperative that all Contractor personnel, including but not limited to, sub-contractor and consultant personnel assigned to work on this contract and/or task order, or with access to materials developed pursuant to such efforts, understand that this information is confidential and any disclosure or misuse of the information may result in prosecution to the fullest extent of the law. All Contractor personnel are expected to exercise due diligence in safeguarding, handling or disposing of any such information.

Project Employee Confidentiality Agreement
The Contractor agrees that the Contractor employee will not disclose, either in whole or in part, to any entity external to the EPA, the Department of Justice, or the Contractor, any information or data (as defined in FAR Section 27.401) provided by the government or first generated by the Contractor under the work described in the PWS, any site-specific cost information, or any enforcement strategy without first obtaining the written permission of the EPA Work Assignment Contracting Officer's Representative (WACOR). If a Contractor, through an employee or otherwise, is subpoenaed to testify or produce documents, which could result in such disclosure, the Contractor must provide immediate advance notification to the EPA so that the EPA can take action to prevent such disclosure. Such agreements shall be effective for the life and for a period of five (5) years after completion of all work described in the PWS.

Handling of Confidential Business Information (CBI)
Contractor's access to TSCA CBI must comply with the procedures set forth in the TSCA CBI Security Manual. Likewise, access to FIFRA CBI shall follow the security procedures set forth in the FIFRA Information Security Manual.

To the extent that the work described in the PWS requires access to proprietary or confidential business or financial data of other companies, and as long as such data remains proprietary or confidential, the Contractor shall protect such data from unauthorized use and disclosure.

All files or other information identified as Confidential Business Information (CBI) shall be treated as confidential and kept in a secure area with access limited to only Contractor personnel directly involved in the case or special project assignment. The Contractor, sub-contractor, and consultant personnel are bound by the requirements and sanctions contained in their contracts with the EPA and in EPA's confidentiality regulations found at 40 CFR Part 2, Subpart B. The Contractor sub-contractors, and consultant must adhere to EPA-approved security plans which describes procedures to protect CBI, and are required to sign non-

disclosure agreements before gaining access to CBI.

All official data, findings, and results of investigations and studies completed by the Contractor shall be available for EPA and DOJ internal use only. The Contractor shall not release any part of such data without the written direction of the WACOR.

Conferences and Workshops:
The tasks under this work assignment may require the acquisition of "off-site" facilities for conference(s) and meetings as defined in the IPN 12-05. AND the events associated with this work assignment are covered by EPA Order 1900.3 and do require EPA Form 5170.

The Contractor shall immediately alert the WACOR to any anticipated event under the work assignment which may result in incurring an estimated $20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The WACOR will then prepare approval internal paperwork for the event and will advise the Contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

Any event which meets the definition of a "conference," with total net expenditures greater than $20,000, is required to submit EPA Electronic Form 5170 and Form 5170-A (with cost estimates/actuals). In the case the workflow system is down and WACORs require emergency approval, they can submit EPA Form 5170 (PDF) (2pp, 93K) (with cost estimates) to conference@epa.gov.

PERFORMANCE SURVEILLANCE PLAN			
Performance Requirement	**Measurable Performance Standards**	**Surveillance Methods**	**Incentives/Disincentives**
Management and Communications: During the life of this work assignment, the Contractor shall notify EPA immediately of any issues that may impact the timeliness of deliverables of the problems associated with the development of deliverables.	The Contractor shall maintain contact with the WACOR throughout the performance of the work assignment. The Contractor shall identify to the WACOR any delays with regard to deliverables not less than one week prior to the deliverable date that has been established in the work assignment or technical direction document. The Contractor shall identify to the WACOR any issues or concerns that have a direct impact on project schedules within three (3) days of occurrence. The Contractor shall provide options for EPA's consideration on resolving or mitigating the impacts identified.	WACOR and CL-COR (as necessary) will allocate the time needed to discuss and address all issues identified by the Contractor. The WACOR and CL-COR will document and maintain a complete record of the issues, agreements and outcome. The WACOR and CL-COR will review monthly progress reports for indicators of problems not previously mentioned. The WACOR will also monitor the timely receipt of deliverables. For those that are late without prior notice, the EPA will formally document to the Contracting Officer the late delivery.	If the Contractor fails to implement corrective actions after EPA identifies and provided written documentation of performance issues, EPA will rate this performance category "unsatisfactory." If three or more the active work assignments for the period are rated unsatisfactory, EPA will rate the Business Relations category as unsatisfactory in the CPARS Contract Performance System.

Cost Management and Control: The Contractor shall perform all work in an efficient and cost effective manner, applying cost control measures where practical.	The Contractor shall monitor, track and accurately report level of effort, labor cost, other direct cost and fee expenditures to EPA through monthly progress reports and approved special reporting requirements. The Contractor shall assign appropriately leveled and skilled personnel to all tasks. The Contractor should not exceed established work assignment ceilings and, in general, should expend dollars and hours at similar ratios. If either the expenditure of hours or dollars deviates significantly, the Contractor shall provide an explanation in its Monthly Progress Report.	The CL-COR will routinely meet with the Contractor's Project Manager to discuss the work progress and contract and individual work assignment level expenditures. The CL-COR and WACOR shall review the Contractor's monthly progress reports and request the Work Assignment Contracting Officer's Representative to ensure that ceilings are not exceeded, that progress is being made, and that the Contractor is effectively utilizing the LOE provided under the work assignment.	EPA will thoroughly review work assignment funding ceiling overruns to determine the Contractor's ability to control the situation. If EPA determines that the Contractor failed to control cost, the Contractor will be rated "unsatisfactory" in this category. Multiple incidents of work assignment overrun that result in an overall cost overrun of greater than 4% of the approved total work assignment funding for the current contract period, will result in an unsatisfactory rating in the CPARS Contract Performance System.
Quality of Product/Services: The Contractor shall ensure documents developed under this task order are quality products that are factual and based on sound science and engineering principles.	Products delivered under this work assignment must not contain any major factual errors. The analyses provided in each product shall be logical, consistent, and defensible.	The WACOR will review all documents delivered under this work assignment for content accuracy.	If EPA determines that the Contractor's analyses are factually inaccurate or if significant technical errors are found in any documents produced by the Contractor, EPA may determine that the cost associated with redoing the work shall be borne by the Contractor. Multiple incidents of this nature under the contract will result in an unsatisfactory rating for Quality and Manage Control being reported to the CPARS Contract Performance System.

Attachment 1

More about Biological Evaluations (BEs) to Support Permitting Actions

BEs generally include the following:

- Project description - Describe the what, when, where, and how of the project. Describe (1) **what** the project or action is; (2) **where** the project is (refer to attached maps); (3) **when** the action is going to take place, time line/implementation schedules; (4) **who** is going to do the action and under what authority, include name and address of the applicant; and (5) **how** the action will be accomplished. If it is multi-phased, describe the what, when, where and how of each phased separately. Identify any conservation measures that will be implemented to avoid, reduce, or eliminate adverse effects or that would benefit the protected species or critical habitat.
- Describe the project area - For determining whether a species or critical habitat "may be present," it is necessary to delineate the "action area." Action area is defined as all areas that may be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action. It encompasses the geographic extent of environmental changes (i.e., the physical, chemical and biotic effects) that will result directly and indirectly from the action. Action area is typically larger than the area directly affected by of the action.
- Describe the physical and biological attributes of the action area (e.g., topography, vegetation, condition and trend). Also, identify any management or activities already occurring in the area.
- Identify listed or proposed species that "may be present." List all species that "may be present" in the area and where you obtained this information. If you determined that a particular species that may be present in the general area, *but not in the action area*, it is helpful to identify that species and to explain why it is not present in the action area.
    - For each species that "may be present," describe the current habitat conditions within the action area. If known, include population status and trend. For critical habitat, identify the primary constituent elements that occur in the action area. For a description of the primary constituent elements, refer to the rule in the Federal Register that designated the critical habitat.
- Describe how the action may affect each protected resource - This section should document your conclusion and supporting rationale. Document your analysis of the what, when and how the protected resources will be exposed to and how such individuals or habitat are likely to respond to this exposure. Remember that you must consider effects that may occur later in time (e.g., after completion of initial construction). If species experts were contacted, include a summary of the conversations/conclusions reached. Include the references for the literature that your analysis relied upon.

The General BE Outline

1. Introduction

2. Description of the Action and Action Area

3. Status of Species and Critical Habitat and Essential Fish Habitat: Names the species in the action area, determines which species are no effect from the action, provides a discussion of the species to be evaluated in the BE, and describes the essential fish habitats present in the action area. Species descriptions should include: status and distribution, life history, critical habitat, and description of presence in in the action area.

4. Environmental Baseline: Provides a description of the environmental baseline including all past and present impacts of all Federal, state, or private actions and other human activities in the action area. The section includes a description of the land use, habitats in the area, sedimentation, and hydrology.

5. Effects of the Action: Presents the direct and indirect effects of the action on the listed species or critical habitat. The section includes a qualitative discussion of the likelihood species will come into contact with discussion,

6. Species Response Analysis: Presents the qualitative and quantitative discussion of the effects of the pollutants of interest on the threatened species in the action area.

7. Effect of Action on Tribal Resources

8. Summary of Determinations: Presents a summary table of the listed species in the action area with effects determination by pollutant of interest and summarize the overall effects determination.

9. Cumulative Effects

10. Conclusions