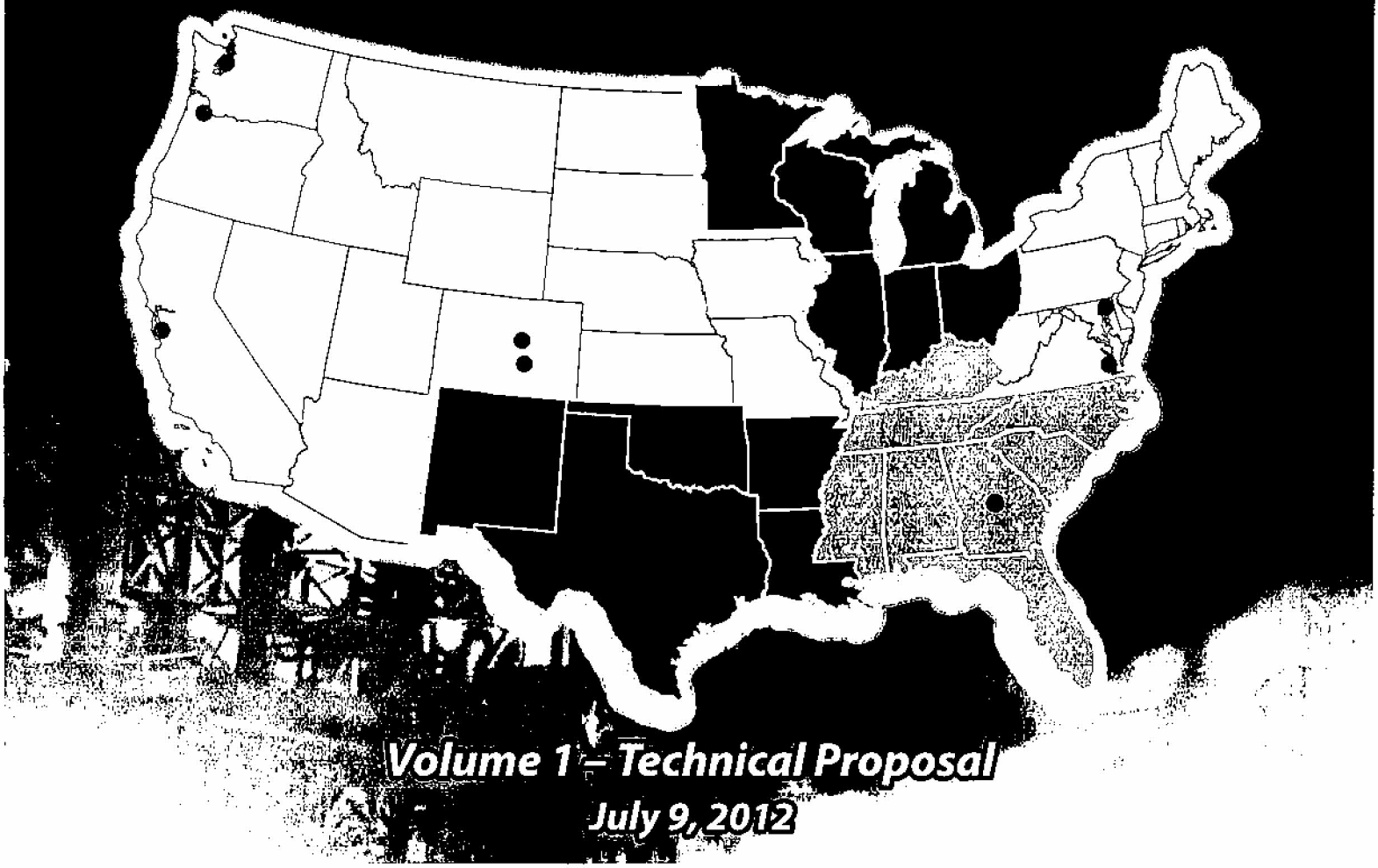
RCRA Enforcement, Permitting, and Assistance (REPA 5), ZONE II (EPA Regions 4, 5, and 6)

Small Business Set-Aside

Solicitation No. SOL-HQ-11-00039



Volume 1 – Technical Proposal

July 9, 2012

Prepared for:

U.S. Environmental Protection Agency
Washington, DC

Submitted by:

TOEROEK ASSOCIATES INC

In association with:

TETRA TECH

Volume I
Technical Proposal

for

RCRA Enforcement, Permitting and Assistance Contract (REPA 5)
Zone II (EPA Regions 4, 5 and 6)

Solicitation Number SOL-HQ-11-00039

July 9, 2012

Toeroek Associates, Inc. agrees in full with the terms and conditions of the agreement to this proposal and takes no exceptions.

Authorized to negotiate and sign:

Sandra Troyano
(b)(4)
(b)(4) .com

Name and Address of Offeror

TOEROEK ASSOCIATES, INC.

Toeroek Associates, Inc.
300 Union Boulevard, Suite 520
Lakewood, CO 80228
(b)(4)

This Proposal, in its entirety, is printed on 100% Recycled Paper

Volume I
Technical Proposal

for

RCRA Enforcement, Permitting and Assistance (REPA 5) Zone II (EPA Regions 4, 5 and 6)

Solicitation Number SOL-HQ-11-00039

July 9, 2012

Submitted To:

EPA

Corey Kerzhner
United States Environmental Protection Agency
Bid and Proposal Room 61107
1300 Pennsylvania Avenue, N.W.
Ronald Reagan Building, 6th Floor
Washington, D.C. 20004

Submitted By:

TOEROEK ASSOCIATES, INC.

Toeroek Associates, Inc.
300 Union Boulevard, Suite 520
Lakewood, CO 8022

This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed – in whole or in part – for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of – or in connection with – the submission of this data, the Government shall have the right to duplicate, use, or disclose, the data to the extent provided in the resulting contract. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in all sheets in this Technical Proposal.

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TOEROEK ASSOCIATES, INC.

Client: Environmental Protection Agency

Contract No./Title	Contract Value	SDB Goal/Actual	Contract Type	Period of Performance	Major Subcontractors
EP-S4-09-03 **ESS Region 4 EPA**	$5,498,813	NA	T&M/IDIQ	October 2009 – September 2014	(b)(4)

Contracting Officer/ Administrative Contracting Officer	Kimberly Washington (404) 562-8263 washington.kimberly@epa.gov	**Program Manager/ Project Officer**	Barbara Dobson (404) 562-8878 dobson.barbara@epa.gov

Relevance:

- Multi-million dollar contract to support EPA Region 4
- Staff with REPA-related experience
- More than 60 concurrent task orders
- Technical reviews and analysis support
- Enforcement negotiation and litigation support
- EPA records and data management
- Support for training, conferences, and community engagement activities

Directly Related Areas of Contract:

- √ Ensuring compliance with and enforcement of statutory and regulatory provisions of RCRA and HSWA
- Hazardous waste facility permitting support
- √ Corrective action investigation and cleanup support
- √ Reviewing combustor permit applications, facility permits, implementation of Clean Air MACT standards, risk assessment and air emissions modeling
- √ Other activities as described in the PWS

Description:

Toeroek was awarded the EPA Region 4 ESS contract in 2009, under which we conduct extensive reviews and analyses of technical documents to evaluate the liability of PRPs and ensure the proper investigation and remediation of hazardous waste sites. To date, we have been awarded more than 60 separate task orders, all of which have been performed simultaneously.

Under this contract, Toeroek:

(b)(4)

TOEROEK ASSOCIATES, INC. Client: Environmental Protection Agency

Contract No./Title	Contract Value	SDB Goal/Actual	Contract Type	Period of Performance	Major Subcontractors
EP-R8-09-10 **ESS Region 8 EPA**	$3,500,000	NA	T&M/IDIQ	September 2009 – September 2014	(b)(4)

Contracting Officer/ Administrative Contracting Officer	Ellen Shannon (303) 312-6824 shannon.ellen@epa.gov	**Program Manager/ Project Officer**	Carol Pokorny (303) 312-6970 pokorny.carol@epa.gov

Relevance:

- Multi-million dollar contract with EPA Region 8
- Staff with REPA-related experience and local knowledge
- Technical review and analysis support
- Enforcement negotiation and litigation support
- Preparation of presentations to opposing parties
- EPA records and data management
- Support for training, conferences, and public involvement activities

Directly Related Areas of Contract:

- √ Ensuring compliance with and enforcement of statutory and regulatory provisions of RCRA and HSWA
- Hazardous waste facility permitting support
- √ Corrective action investigation and cleanup support
- √ Reviewing combustor permit applications, facility permits, implementation of Clean Air MACT standards, risk assessment and air emissions modeling
- √ Other activities as described in the PWS

Description:

Toeroek has served as the prime contractor on the EPA Region 8 ESS contract since 1999 and have completed more than 700 assignments over that time.. In 2009, EPA Region 8 awarded Toeroek a third successive ESS contract, and issued 49 task orders under this current contract. Several of these task orders are multi-site assignments. Under this contract Toeroek routinely:

(b)(4)

(b)(4)

TOEROEK ASSOCIATES, INC.

EPA

TOEROEK ASSOCIATES, INC.

Client: Environmental Protection Agency

Contract No./Title	Contract Value	SDB Goal/Actual	Contract Type	Period of Performance	Major Subcontractors
GS-10F-0021P/ EP-BPA-11-W-0001 **SESS Region 9 EPA**	$19,160,347	NA	T&M/IDIQ	April 2011 – March 2016	(b)(4)

Contracting Officer/Administrative Contracting Officer	Cynthia Frate (202) 564-1046 frate.cynthia@epa.gov	**Program Manager/ Project Officer**	Keith E. Olinger (415) 972-3125 olinger.keith@epa.gov

Relevance:

- Multi-million dollar contract with Region 9
- 45 concurrent task orders
- Experience with State, Tribal, Congressional and Federal hazardous waste priority sites
- Staff with REPA-related experience
- Technical reviews and analysis support
- Enforcement negotiation and litigation support
- EPA records and data management
- Support for training, conferences, and community engagement activities

Directly Related Areas of Contract:

- √ Ensuring compliance with and enforcement of statutory and regulatory provisions of RCRA and HSWA
- Hazardous waste facility permitting support
- √ Corrective action investigation and cleanup support
- √ Reviewing combustor permit applications, facility permits, implementation of Clean Air MACT standards, risk assessment and air emissions modeling
- √ Other activities as described in the PWS

Description:

Toeroek is in the second year of the 5-year Region 9 ESS contract; we were previously a subcontractor on the predecessor contract from 2006 to 2011. Upon contract award, key staff and project managers from the previous prime contractor became Toeroek employees, thus maintaining institutional knowledge and continuity at more than 40 hazardous waste and Superfund sites in EPA Region 9. We were able to staff and begin work on task orders immediately upon award, demonstrating the success of Toeroek's transition plan. Toeroek works seamlessly with EPA's START and RAC contractors to share data and information to determine the extent and nature of site contamination, waste stream analysis, industrial process review, identity of responsible parties, determine enforcement strategies and financial viability, and identify compliance histories. Toeroek continues to work on some of the nation's most complex sites and has assisted EPA in the enforcement and recovery of more than $100 million. To date, Toeroek has been issued 45 concurrent work orders with a total budget of more than $4 million. Activities include:

(b)(4)

TOEROEK ASSOCIATES, INC.

Client: U.S. Army Corps of Engineers, Fort Worth District

Contract No./Title	Contract Value	SDB Goal/Actual	Contract Type	Period of Performance	Major Subcontractors
Fort Wingate RFI	$485,019	NA	FFP	September 2010 – December 2013	(b)(4)

Contracting Officer/ Administrative Contracting Officer	Elizabeth Crawford (817) 886-1175 elizabeth.a.crawford@usace.army.mil	Program Manager/ Project Officer	Eric Kirwan (817) 886-1673 stephen.w.kirwan@usace.army.mil

Relevance:

- Staff with RCRA corrective action experience
- Multi-party review of complex RFI Work Plan
- Tribal and State compliance review support
- Technical Reviews and Analysis Support

Directly Related Areas of Contract:

- √ Ensuring compliance with and enforcement of statutory and regulatory provisions of RCRA and HSWA
- √ Hazardous waste facility permitting support
- √ Corrective action investigation and cleanup support
- √ Reviewing combustor permit applications, facility permits, implementation of Clean Air MACT standards, risk assessment and air emissions modeling
- √ Other activities as described in the PWS

Description:

For the past 1 ½ years, Toerock has been providing RCRA technical, regulatory, and compliance assistance for corrective action at the Army's Fort Wingate in New Mexico. (b)(4)

(b)(4)

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(b)(4)

(b)(4)

(b)(4)

(b)(4)

4.2 CLIENT AUTHORIZATION LETTERS

Client authorization letters and past performance questionnaires have been sent to the references for each of the contracts described above. Copies of the client authorization letters follow.

TOEROEK
ASSOCIATES, INC.

June 15, 2012

Ms. Cora Stanley
Contracting Officer
U.S. Environmental Protection Agency
1445 Ross Avenue
Suite 1200
Dallas, Texas 75202-2733

Re: Solicitation No. SOL-HQ-11-00039
Client Authorization Letter

Dear Ms. Stanley,

We are currently responding to the U.S. Environmental Protection Agency (EPA) Request for Proposals (RFP) No. SOL-HQ-11-00039 for the procurement of RCRA Enforcement, Permitting, and Assistance Contract (REPA) REPA Zone II (EPA REGION(S) 4, 5, and 6). EPA is placing increased emphasis in their acquisitions on past performance as a source selection evaluation factor.

Your name was given to the Government as a reference of our past performance on the following contracts with your agency/firm:

Enforcement Support Services 4, Contract No. EP-W-10-011.

Attached is the Government's Past Performance Questionnaire. Please complete the attached questionnaire(s) to aid the Government in its evaluation of our past performance and email to bottalico.frank@epa.gov. EPA has requested receipt of this information by close of business June 22, 2012, as their evaluation will commence shortly thereafter.

You are advised that it is Government policy that the identity of sources providing past performance information will not be released outside the Government.

We appreciate your efforts to help the Government fairly evaluate our past performance. Should you have any questions related to this matter, please contact Frank Bottalico at bottalico.frank@epa.gov.

Sincerely,

Sandra Troyano
President

cc: Will LaBombard, Project Officer

300 Union Blvd, Suite 520
Lakewood, CO 80228
303-420-7735
Fax: 303-420-7658

TOEROEK
ASSOCIATES, INC.

June 15, 2012

Ms. Barbara Dobson
Project Officer
U.S. Environmental Protection Agency
61 Forsyth Street, SW
Atlanta, Georgia 30303

Re: Solicitation No. SOL-HQ-11-00039
Client Authorization Letter

Dear Ms. Dobson,

We are currently responding to the U.S. Environmental Protection Agency (EPA) Request for Proposals (RFP) No. SOL-HQ-11-00039 for the procurement of RCRA Enforcement, Permitting, and Assistance Contract (REPA) REPA Zone II (EPA REGION(S) 4, 5, and 6). EPA is placing increased emphasis in their acquisitions on past performance as a source selection evaluation factor.

Your name was given to the Government as a reference of our past performance on the following contracts with your agency/firm:

Enforcement Support Services 4, Contract No. EP-S4-09-03.

Attached is the Government's Past Performance Questionnaire. Please complete the attached questionnaire(s) to aid the Government in its evaluation of our past performance and email to bottalico.frank@epa.gov. EPA has requested receipt of this information by close of business June 22, 2012, as their evaluation will commence shortly thereafter.

You are advised that it is Government policy that the identity of sources providing past performance information will not be released outside the Government.

We appreciate your efforts to help the Government fairly evaluate our past performance. Should you have any questions related to this matter, please contact Frank Bottalico at bottalico.frank@epa.gov.

Sincerely,

Sandra Troyano
President

cc: Kimberly Washington, Contracting Officer
Janice Spady, Administrative Officer

300 Union Blvd, Suite 520
Lakewood, CO 80228
303-420-7735
Fax: 303-420-7658

TOEROEK
ASSOCIATES, INC.

June 15, 2012

Ms. Carol Pokorny
Contracting Officer
U.S. Environmental Protection Agency
1595 Wynkoop Street
Denver, CO 80202-1129

Re: Solicitation No. SOL-HQ-11-00039
Client Authorization Letter

Dear Ms. Stanley,

We are currently responding to the U.S. Environmental Protection Agency (EPA) Request for Proposals (RFP) No. SOL-HQ-11-00039 for the procurement of RCRA Enforcement, Permitting, and Assistance Contract (REPA) REPA Zone II (EPA REGION(S) 4, 5, and 6). EPA is placing increased emphasis in their acquisitions on past performance as a source selection evaluation factor.

Your name was given to the Government as a reference of our past performance on the following contracts with your agency/firm:

Enforcement Support Services 4, Contract No. EP-R8-09-10.

Attached is the Government's Past Performance Questionnaire. Please complete the attached questionnaire(s) to aid the Government in its evaluation of our past performance and email to bottalico.frank@epa.gov. EPA has requested receipt of this information by close of business June 22, 2012, as their evaluation will commence shortly thereafter.

You are advised that it is Government policy that the identity of sources providing past performance information will not be released outside the Government.

We appreciate your efforts to help the Government fairly evaluate our past performance. Should you have any questions related to this matter, please contact Frank Bottalico at bottalico.frank@epa.gov.

Sincerely,

Sandra Troyano
President

cc: Ellen Shannon, Contracting Officer

300 Union Blvd, Suite 520
Lakewood, CO 80228
303-420-7735
Fax: 303-420-7658

TOEROEK
ASSOCIATES, INC.

June 15, 2012

Ms. Cynthia Frate
Contracting Officer
U.S. Environmental Protection Agency
Superfund Regional Procurement Operations
1200 Pennsylvania Ave NW
Washington D.C. 20460

Re: Solicitation No. SOL-HQ-11-00039
Client Authorization Letter

Dear Ms. Frate,

We are currently responding to the U.S. Environmental Protection Agency (EPA) Request for Proposals (RFP) No. SOL-HQ-11-00039 for the procurement of RCRA Enforcement, Permitting, and Assistance Contract (REPA) REPA Zone II (EPA REGION(S) 4, 5, and 6). EPA is placing increased emphasis in their acquisitions on past performance as a source selection evaluation factor.

Your name was given to the Government as a reference of our past performance on the following contracts with your agency/firm:

Superfund Enforcement Support Services, Contract No. GS-10F-0021P.

Attached is the Government's Past Performance Questionnaire. Please complete the attached questionnaire(s) to aid the Government in its evaluation of our past performance and email to bottalico.frank@epa.gov. EPA has requested receipt of this information by close of business June 22, 2012, as their evaluation will commence shortly thereafter.

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We appreciate your efforts to help the Government fairly evaluate our past performance. Should you have any questions related to this matter, please contact Frank Bottalico at bottalico.frank@epa.gov.

Sincerely,

Sandra Troyano
President

cc: Keith Olinger, Project Officer

300 Union Blvd, Suite 520
Lakewood, CO 80228
303-420-7735
Fax: 303-420-7658

TOEROEK
ASSOCIATES, INC.

June 19, 2012

Elizabeth Crawford
Contracting Officer
U.S. Army Corp of Engineers Fort Worth
819 Taylor Street
Fort Worth, TX 76102-0300

Re: Solicitation No. SOL-HQ-11-00039
Client Authorization Letter

Dear Ms. Crawford,

We are currently responding to the U.S. Environmental Protection Agency (EPA) Request for Proposals (RFP) No. SOL-HQ-11-00039 for the procurement of RCRA Enforcement, Permitting, and Assistance Contract (REPA) REPA Zone II (EPA REGION(S) 4, 5, and 6). EPA is placing increased emphasis in their acquisitions on past performance as a source selection evaluation factor.

Your name was given to the Government as a reference of our past performance on the following contracts with your agency/firm:

RCRA Facility Investigation (RFI) Work Plan, Contract No. W9126G-10-C-0088.

Attached is the Government's Past Performance Questionnaire. Please complete the attached questionnaire(s) to aid the Government in its evaluation of our past performance and email to bottalico.frank@epa.gov. EPA has requested receipt of this information by close of business **July 22, 2012**, as their evaluation will commence shortly thereafter.

You are advised that it is Government policy that the identity of sources providing past performance information will not be released outside the Government.

We appreciate your efforts to help the Government fairly evaluate our past performance. Should you have any questions related to this matter, please contact Frank Bottalico at bottalico.frank@epa.gov.

Sincerely,

Sandra Troyano
President

300 Union Blvd, Suite 520
Lakewood, CO 80228
303-420-7735
Fax: 303-420-7658

TOEROEK
ASSOCIATES, INC.

June 15, 2012

Eric Kirwan
Project Officer
U.S. Army Corp of Engineers Fort Worth
819 Taylor Street
Fort Worth, TX 76102-0300

Re: Solicitation No. SOL-HQ-11-00039
Client Authorization Letter

Dear Mr. Kirwan,

We are currently responding to the U.S. Environmental Protection Agency (EPA) Request for Proposals (RFP) No. SOL-HQ-11-00039 for the procurement of RCRA Enforcement, Permitting, and Assistance Contract (REPA) REPA Zone II (EPA REGION(S) 4, 5, and 6). EPA is placing increased emphasis in their acquisitions on past performance as a source selection evaluation factor.

Your name was given to the Government as a reference of our past performance on the following contracts with your agency/firm:

RCRA Facility Investigation (RFI) Work Plan, Contract No. W9126G-10-C-0088.

Attached is the Government's Past Performance Questionnaire. Please complete the attached questionnaire(s) to aid the Government in its evaluation of our past performance and email to bottalico.frank@epa.gov. EPA has requested receipt of this information by close of business June 22, 2012, as their evaluation will commence shortly thereafter.

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We appreciate your efforts to help the Government fairly evaluate our past performance. Should you have any questions related to this matter, please contact Frank Bottalico at bottalico.frank@epa.gov.

Sincerely,

Sandra Troyano
President

cc: Shawna Villarreal, Contracting Officer

300 Union Blvd, Suite 520
Lakewood, CO 80228
303-420-7735
Fax: 303-420-7658

TETRA TECH

June 17, 2012

Aaron Zimmerman
USEPA REGION 7
901 North Fifth Street
Mail Code: AWMDIO
Kansas City, KS 66101

Subject: Client Authorization Letter

Dear Mr. Zimmerman:

Tetra Tech, Inc., as a subcontractor to Toeroek Associates, Inc., is currently responding to the U.S. Environmental Protection Agency (EPA) Request for Proposals (RFP) No. SOL-HQ-11-00039 for the procurement of RCRA Enforcement, Permitting, and Assistance Contract (REPA) Zone II (EPA Regions 4, 5, and 6). EPA is placing increased emphasis in their acquisitions on past performance as a source selection evaluation factor.

Your name was given to the Government as a reference of our past performance on the following contract with your agency: REPA 4, Zone III, No. EP-W-07-019.

Attached is the Government's Past Performance Questionnaire. Please complete the attached questionnaire(s) to aid the Government in its evaluation of our past performance and email to bottalico.frank@epa.gov. EPA has requested receipt of this information by close of business June 22, 2012, as their evaluation will commence shortly thereafter.

You are advised that it is Government policy that the identity of sources providing past performance information will not be released outside the Government.

We appreciate your efforts to help the Government fairly evaluate our past performance. Should you have any questions related to this matter, please contact me at 510-302-6333 or Kathy Homer at 816-412-1763.

Sincerely,

Ed Sussenguth
Operations Manager

Attachment: Past Performance Questionnaire

cc: Rayna Brown, EPA Contracting Officer

TETRA TECH

June 17, 2012

Tiffany Moreland
USEPA Headquarters
Ariel Rios Building
1200 Pennsylvania Avenue, N. W.
Mail Code: 5202P
Washington, DC 20460

Subject: Client Authorization Letter

Dear Ms. Moreland:

Tetra Tech, Inc., as a subcontractor to Toeroek Associates, Inc., is currently responding to the U.S. Environmental Protection Agency (EPA) Request for Proposals (RFP) No. SOL-HQ-11-00039 for the procurement of RCRA Enforcement, Permitting, and Assistance Contract (REPA) Zone II (EPA Regions 4, 5, and 6). EPA is placing increased emphasis in their acquisitions on past performance as a source selection evaluation factor.

Your name was given to the Government as a reference of our past performance on the following contract with your agency: OSWER Technology Transfer & Training, No. EP-W-07-078.

Attached is the Government's Past Performance Questionnaire. Please complete the attached questionnaire(s) to aid the Government in its evaluation of our past performance and email to bottalico.frank@epa.gov. EPA has requested receipt of this information by close of business June 22, 2012, as their evaluation will commence shortly thereafter.

You are advised that it is Government policy that the identity of sources providing past performance information will not be released outside the Government.

We appreciate your efforts to help the Government fairly evaluate our past performance. Should you have any questions related to this matter, please contact me at 510-302-6333 or Therese Gioia at 815-923-2368.

Sincerely,

Ed Sussenguth
Operations Manager

Attachment: Past Performance Questionnaire

cc: Wendy Rizzo, EPA Contracting Officer
Therese Gioia, Tetra Tech Contract Manager

TETRA TECH

June 17, 2012

Amy Hensley
USEPA Headquarters
Ariel Rios Building
1200 Pennsylvania Avenue, N. W.
Mail Code: 5202P
Washington, DC 20460

Subject: Client Authorization Letter

Dear Ms. Hensley:

Tetra Tech, Inc., as a subcontractor to Toeroek Associates, Inc., is currently responding to the U.S. Environmental Protection Agency (EPA) Request for Proposals (RFP) No. SOL-HQ-11-00039 for the procurement of RCRA Enforcement, Permitting, and Assistance Contract (REPA) Zone II (EPA Regions 4, 5, and 6). EPA is placing increased emphasis in their acquisitions on past performance as a source selection evaluation factor.

Your name was given to the Government as a reference of our past performance on the following contract with your agency: National Corrective Action Training Program, GSA Schedule GS-10F-0076K, Task Order Nos. EPW08069 and EP05W003375.

Attached is the Government's Past Performance Questionnaire. Please complete the attached questionnaire to aid the Government in its evaluation of our past performance and email to bottalico.frank@epa.gov. EPA has requested receipt of this information by close of business June 22, 2012, as their evaluation will commence shortly thereafter.

You are advised that it is Government policy that the identity of sources providing past performance information will not be released outside the Government.

We appreciate your efforts to help the Government fairly evaluate our past performance. Should you have any questions related to this matter, please me at 510-302-6333 or Carla Buriks at 703-390-0616.

Sincerely,

Ed Sussenguth
Operations Manager

Attachment: Past Performance Questionnaire

cc: Karen Tomimatsu, Former EPA Project Officer
Tom Moomaw, Former EPA Contracting Officer
Carla Buriks, Tetra Tech Task Order Manager

TETRA TECH

June 17, 2012

Pankaj Parikh
USEPA REGION 5
77 West Jackson Boulevard
Mail Code: SM-7J
Chicago, IL 60604-3507

Subject: Client Authorization Letter

Dear Mr. Parikh:

Tetra Tech, Inc., as a subcontractor to Toeroek Associates, Inc., is currently responding to the U.S. Environmental Protection Agency (EPA) Request for Proposals (RFP) No. SOL-HQ-11-00039 for the procurement of RCRA Enforcement, Permitting, and Assistance Contract (REPA) Zone II (EPA Regions 4, 5, and 6). EPA is placing increased emphasis in their acquisitions on past performance as a source selection evaluation factor.

Your name was given to the Government as a reference of our past performance on the following contract with your agency: RAC 2, EPA Region 5, No. EP-S5-06-02.

Attached is the Government's Past Performance Questionnaire. Please complete the attached questionnaire(s) to aid the Government in its evaluation of our past performance and email to bottalico.frank@epa.gov. EPA has requested receipt of this information by close of business June 22, 2012, as their evaluation will commence shortly thereafter.

You are advised that it is Government policy that the identity of sources providing past performance information will not be released outside the Government.

We appreciate your efforts to help the Government fairly evaluate our past performance. Should you have any questions related to this matter, please contact me at 510-302-6333 or Mindy Gould at 312-201-7460.

Sincerely,

Ed Sussenguth
Operations Manager

Attachment: Past Performance Questionnaire

cc: Parveen Vij, EPA Contracting Officer
Mindy Gould, SulTRAC Contract Manager

TETRA TECH

June 17, 2012

Katrina Jones
USEPA REGION 4
61 Forsyth Street, S.W.
Mail Code: 9T25
Atlanta, GA 30303-8960

Subject: Client Authorization Letter

Dear Ms. Jones:

Tetra Tech, Inc., as a subcontractor to Toeroek Associates, Inc., is currently responding to the U.S. Environmental Protection Agency (EPA) Request for Proposals (RFP) No. SOL-HQ-11-00039 for the procurement of RCRA Enforcement, Permitting, and Assistance Contract (REPA) Zone II (EPA Regions 4, 5, and 6). EPA is placing increased emphasis in their acquisitions on past performance as a source selection evaluation factor.

Your name was given to the Government as a reference of our past performance on the following contract with your agency: START III, EPA Region 4, No. EP-W-05-054.

Attached is the Government's Past Performance Questionnaire. Please complete the attached questionnaire(s) to aid the Government in its evaluation of our past performance and email to bottalico.frank@epa.gov. EPA has requested receipt of this information by close of business June 22, 2012, as their evaluation will commence shortly thereafter.

You are advised that it is Government policy that the identity of sources providing past performance information will not be released outside the Government.

We appreciate your efforts to help the Government fairly evaluate our past performance. Should you have any questions related to this matter, please contact me at 510-302-6333 or Andy Johnson at 678-775-3100.

Sincerely,

Ed Sussenguth
Operations Manager

Attachment: Past Performance Questionnaire

cc: Mark Benson, EPA Contracting Officer
Andy Johnson, Tetra Tech Contract Manager

APPENDIX A

RFP SECTION K:

REPRESENTATIONS AND CERTIFICATIONS

TOEROEK REPRESENTATIONS AND CERTIFICATIONS

PART IV - REPRESENTATIONS AND INSTRUCTIONS

SECTION K - REPRESENTATIONS, CERTIFICATIONS, AND OTHER STATEMENTS OF OFFERORS

K.1 NOTICE Listing Contract Clauses Incorporated by Reference

NOTICE:

The following solicitation provisions and/or contract clauses pertinent to this section are hereby incorporated by reference:

FEDERAL ACQUISITION REGULATION (48 CFR CHAPTER 1)

NUMBER	DATE	TITLE
52.203-11	SEPT 2007	CERTIFICATION AND DISCLOSURE REGARDING PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS
52.204-5	MAY 1999	WOMEN-OWNED BUSINESS OTHER THAN SMALL BUSINESS
52.222-38	SEP 2010	COMPLIANCE WITH VETERANS' EMPLOYMENT REPORTING REQUIREMENTS
52.223-4	MAY 2008	RECOVERED MATERIAL CERTIFICATION
52.225-25	NOV 2011	PROHIBITION ON CONTRACTING WITH ENTITIES ENGAGING IN SANCTIONED ACTIVITIES RELATING TO IRAN—REPRESENTATION AND CERTIFICATION

K.2 CERTIFICATE OF INDEPENDENT PRICE DETERMINATION (FAR 52.203-2) (APR 1985)

(a) The offeror certifies that --

(1) The prices in this offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other offeror or competitor relating to --

(i) Those prices;

(ii) The intention to submit an offer; or

(iii) The methods or factors used to calculate the prices offered.

(2) The prices in this offer have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law; and

(3) No attempt has been made or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition.

(b) Each signature on the offer is considered to be a certification by the signatory that the signatory --

(1) Is the person in the offeror's organization responsible for determining the prices being offered in this bid or proposal, and that the signatory has not participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) of this provision; or

(2)

(i) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) of this provision **Sandra Troyano, President** [insert full name of person(s) in the offeror's organization responsible for determining the prices offered in this bid or proposal, and the title of his or her position in the offeror's organization];

(ii) As an authorized agent, does certify that the principals named in subdivision (b)(2)(i) of this provision have not participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) of this provision; and

(iii) As an agent, has not personally participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) of this provision.

(c) If the offeror deletes or modifies subparagraph (a)(2) of this provision, the offeror must furnish with its offer a signed statement setting forth in detail the circumstances of the disclosure.

K.3 TAXPAYER IDENTIFICATION (FAR 52.204-3) (OCT 1998)

(a) Definitions.

"Common parent," as used in this provision, means that corporate entity that owns or controls an affiliated group of corporations that files its Federal income tax returns on a consolidated basis, and of which the offeror is a member.

"Taxpayer Identification Number (TIN)," as used in this provision, means the number required by the Internal Revenue Service (IRS) to be used by the offeror in reporting income tax and other returns. The TIN may be either a Social Security Number or an Employer Identification Number.

(b) All offerors must submit the information required in paragraphs (d) through (f) of this provision to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M and implementing regulations issued by the IRS. If the resulting contract is subject to the reporting requirements described in Federal Acquisition Regulation (FAR) 4.904, the failure or refusal by the offeror to furnish the information may result in a 31 percent reduction of payments otherwise due under the contract.

(c) The TIN may be used by the Government to collect and report on any delinquent amounts arising out of the offeror's relationship with the government (31 U.S.C. 7701(c)(3)). If the resulting contract is subject to the payment reporting requirements described in FAR 4.904, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the offeror's TIN.

(d) Taxpayer Identification Number (TIN).

[X] TIN: (b)(4)

[_] TIN has been applied for.

[_] TIN is not required because:

[_] Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the United States and does not have an office or place of business or a fiscal paying agent in the United States;

[_] Offeror is an agency or instrumentality of a foreign government;

[_] Offeror is an agency or instrumentality of a Federal Government;

(e) Type of organization.

[_] Sole proprietorship;

[_] Partnership;

[X] Corporate entity (not tax-exempt):

[_] Corporate entity (tax-exempt):

[_] Government entity (Federal, State, or local);

[_] Foreign government;

[_] International organization per 26 CFR 1.6049-4;

[_] Other _____.

(f) Common Parent.

[X] Offeror is not owned or controlled by a common parent as defined in paragraph (a) of this provision.

[_] Name and TIN of common parent:

Name_____

TIN_____

K.4 ANNUAL REPRESENTATIONS AND CERTIFICATIONS (FAR 52.204-8) (MAR 2012)

(a)

(1) The North American Industry classification System (NAICS) code for this acquisition is 541620.

(2) The small business size standard is $14.0 million.

(3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees.

(b)

(1) If the clause at 52.204-7, Central Contractor Registration, is included in this solicitation, paragraph (d) of this provision applies.

(2) If the clause at 52.204-7 is not included in this solicitation, and the offeror is currently registered in CCR, and has completed the ORCA electronically, the offeror may choose to use paragraph (d) of this provision instead of completing the corresponding individual representations and certification in the solicitation. The offeror shall indicate which option applies by checking one of the following boxes:

[X] (i) Paragraph (d) applies.

[_] (ii) Paragraph (d) does not apply and the offeror has completed the individual representations and certifications in the solicitation.

(c)

(1) The following representations or certifications in ORCA are applicable to this solicitation as indicated:

(i) 52.203-2, Certificate of Independent Price Determination. This provision applies to solicitations when a firm-fixed-price contract or fixed-price contract with economic price adjustment is contemplated, unless—

(A) The acquisition is to be made under the simplified acquisition procedures in Part 13;

(B) The solicitation is a request for technical proposals under two-step sealed bidding procedures; or

(C) The solicitation is for utility services for which rates are set by law or regulation.

(ii) 52.203-11, Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions. This provision applies to solicitations expected to exceed $150,000.

(iii) 52.204-3, Taxpayer Identification. This provision applies to solicitations that do not include the clause at 52.204-7, Central Contractor Registration.

(iv) 52.204-5, Women-Owned Business (Other Than Small Business). This provision applies to solicitations that—

(A) Are not set aside for small business concerns;

(B) Exceed the simplified acquisition threshold; and

(C) Are for contracts that will be performed in the United States or its outlying areas.

(v) 52.209-2, Prohibition on Contracting with Inverted Domestic Corporations—Representation. This provision applies to solicitations using funds appropriated in fiscal years 2008, 2009, or 2010.

(vi) 52.209-5; Certification Regarding Responsibility Matters. This provision applies to solicitations where the contract value is expected to exceed the simplified acquisition threshold.

(vii) 52.214-14, Place of Performance--Sealed Bidding. This provision applies to invitations for bids except those in which the place of performance is specified by the Government.

(viii) 52.215-6, Place of Performance. This provision applies to solicitations unless the place of performance is specified by the Government.

(ix) 52.219-1, Small Business Program Representations (Basic & Alternate I). This provision applies to solicitations when the contract will be performed in the United States or its outlying areas.

(A) The basic provision applies when the solicitations are issued by other than DoD, NASA, and the Coast Guard.

(B) The provision with its Alternate I applies to solicitations issued by DoD, NASA, or the Coast Guard.

(x) 52.219-2, Equal Low Bids. This provision applies to solicitations when contracting by sealed bidding and the contract will be performed in the United States or its outlying areas.

(xi) 52.222-22, Previous Contracts and Compliance Reports. This provision applies to solicitations that include the clause at 52.222-26, Equal Opportunity.

(xii) 52.222-25, Affirmative Action Compliance. This provision applies to solicitations, other than those for construction, when the solicitation includes the clause at 52.222-26, Equal Opportunity.

(xiii) 52.222-38, Compliance with Veterans' Employment Reporting Requirements. This provision applies to solicitations when it is anticipated the contract award will exceed the simplified acquisition threshold and the contract is not for acquisition of commercial items.

(xiv) 52.223-1, Biobased Product Certification. This provision applies to solicitations that require the delivery or specify the use of USDA-designated items; or include the clause at 52.223-2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts.

(xv) 52.223-4, Recovered Material Certification. This provision applies to solicitations that are for, or specify the use of, EPA- designated items.

(xvi) 52.225-2, Buy American Act Certificate. This provision applies to solicitations containing the clause at 52.225-1.

(xvii) 52.225-4, Buy American Act--Free Trade Agreements--Israeli Trade Act Certificate. (Basic, Alternate I, and Alternate II) This provision applies to solicitations containing the clause at 52.225- 3.

(A) If the acquisition value is less than $25,000, the basic provision applies.

(B) If the acquisition value is $25,000 or more but is less than $50,000, the provision with its Alternate I applies.

(C) If the acquisition value is $50,000 or more but is less than $77,494, the provision with its Alternate II applies.

(xviii) 52.225-6, Trade Agreements Certificate. This provision applies to solicitations containing the clause at 52.225-5.

(xix) 52.225-20, Prohibition on Conducting Restricted Business Operations in Sudan--Certification. This provision applies to all solicitations.

(xx) 52.225-25, Prohibition on Contracting with Entities Engaging in Sanctioned Activities Relating to Iran—Representation and Certification. This provision applies to all solicitations.

(xxi) 52.226-2, Historically Black College or University and Minority Institution Representation. This provision applies to—

(A) Solicitations for research, studies, supplies, or services of the type normally acquired from higher educational institutions; and

(B) For DoD, NASA, and Coast Guard acquisitions, solicitations that contain the clause at 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns.

(2) The following certifications are applicable as indicated by the Contracting Officer:

[Contracting Officer check as appropriate.]

___ (i) 52.219-22, Small Disadvantaged Business Status.

___ (A) Basic.

___ (B) Alternate I.

___ (ii) 52.222-18, Certification Regarding Knowledge of Child Labor for Listed End Products.

___ (iii) 52.222-48, Exemption from Application of the Service Contract Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment Certification.

___ (iv) 52.222-52 Exemption from Application of the Service Contract Act to Contracts for Certain Services--Certification.

___ (v) 52.223-9, with its Alternate I, Estimate of Percentage of Recovered Material Content for EPA-Designated Products (Alternate I only).

___ (vi) 52.227-6, Royalty Information.

___ (A) Basic.

___ (B) Alternate I.

___ (vii) 52.227-15, Representation of Limited Rights Data and Restricted Computer Software.

(d) The offeror has completed the annual representations and certifications electronically via the Online Representations and Certifications Application (ORCA) website accessed through https://www.acquisition.gov . After reviewing the ORCA database information, the offeror verifies by submission of the offer that the representations and certifications currently posted electronically that apply to this solicitation as indicated in paragraph (c) of this provision have been entered or updated within the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the NAICS code referenced for this solicitation), as of the date of this offer and are incorporated in this offer by reference (see FAR 4.1201); except for the changes identified below [offeror to insert changes, identifying change by clause number, title, date]. These amended representation(s) and/or certification(s) are also incorporated in this offer and are current, accurate, and complete as of the date of this offer.

FAR Clause	Title	Date	Change

Any changes provided by the offeror are applicable to this solicitation only, and do not result in an update to the representations and certifications posted on ORCA.

K.5 CERTIFICATION REGARDING RESPONSIBILITY MATTERS (FAR 52.209-5) (APR 2010)

(a)

(1) The Offeror certifies, to the best of its knowledge and belief, that --

(i) The Offeror and/or any of its Principals --

(A) Are [_] are not [X] presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;

(B) Have [_] have not [X], within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property (if offeror checks "have", the offeror shall also see 52.209-7, if included in this solicitation); and

(C) Are [_] are not [X] presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (a)(1)(i)(B) of this provision; and

(D) Have [_], have not [X], within a three-year period preceding this offer, been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

(1) Federal taxes are considered delinquent if both of the following criteria apply:

(i) The tax liability is finally determined. The liability is finally determined if it has been assessed. A liability is not finally determined if there is a pending administrative or judicial challenge. In the case of a judicial challenge to the liability, the liability is not finally determined until all judicial appeal rights have been exhausted.

(ii) The taxpayer is delinquent in making payment. A taxpayer is delinquent if the taxpayer has failed to pay the tax liability when full payment was due and required. A taxpayer is not delinquent in cases where enforced collection action is precluded.

(2) Examples.

(i) The taxpayer has received a statutory notice of deficiency, under I.R.C. §6212, which entitles the taxpayer to seek Tax Court review of a proposed tax deficiency. This is not a delinquent tax because it is not a final tax liability. Should the taxpayer seek Tax Court review, this will not be a final tax liability until the taxpayer has exercised all judicial appeal rights.

(ii) The IRS has filed a notice of Federal tax lien with respect to an assessed tax liability, and the taxpayer has been issued a notice under I.R.C. §6320 entitling the taxpayer to request a hearing with the IRS Office of Appeals contesting the lien filing, and to further appeal to the Tax Court if the IRS determines to sustain the lien filing. In the course of the hearing, the taxpayer is entitled to contest the underlying tax liability because the taxpayer has had no prior opportunity to contest the liability. This is not a delinquent tax because it is not a final tax liability. Should the taxpayer seek tax court review, this will not be a final tax liability until the taxpayer has exercised all judicial appeal rights.

(iii) The taxpayer has entered into an installment agreement pursuant to I.R.C. §6159. The taxpayer is making timely payments and is in full compliance with the agreement terms. The taxpayer is not delinquent because the taxpayer is not currently required to make full payment.

(iv) The taxpayer has filed for bankruptcy protection. The taxpayer is not delinquent because enforced collection action is stayed under 11 U.S.C. 362 (the Bankruptcy Code).

(ii) The Offeror has [[_] has not [X], within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal agency.

(2) "Principal," for the purposes of this certification, means an officer; director; owner; partner; or a person having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a division or business segment; and similar positions).

This Certification Concerns a Matter Within the Jurisdiction of an Agency of the United States and the Making of a False, Fictitious, or Fraudulent Certification May Render the Maker Subject to Prosecution Under Section 1001, Title 18, United States Code.

(b) The Offeror shall provide immediate written notice to the Contracting Officer if, at any time prior to contract award, the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

(c) A certification that any of the items in paragraph (a) of this provision exists will not necessarily result in withholding of an award under this solicitation. However, the certification will be considered in connection with a determination of the Offeror's responsibility. Failure of the Offeror to furnish a certification or provide such additional information as requested by the Contracting Officer may render the Offeror nonresponsible.

(d) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of an Offeror is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

(e) The certification in paragraph (a) of this provision is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Offeror knowingly rendered an erroneous certification, in addition to other remedies available to the Government, the Contracting Officer may terminate the contract resulting from this solicitation for default.

K.6 INFORMATION REGARDING RESPONSIBILITY MATTERS (FAR 52.209-7) (JAN 2011)

(a) Definitions. As used in this provision—

"Administrative proceeding" means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative Proceedings, Civilian Board of Contract Appeals Proceedings, and Armed Services Board of Contract Appeals Proceedings). This includes administrative proceeding at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include agency actions such as contract audits, site visits, corrective plans, or inspection of deliverables.

"Federal contracts and grants with total value greater than $10,000,000" means—

(1) The total value of all current, active contracts and grants, including all priced options; and

(2) The total value of all current, active orders including all priced options under indefinite-delivery, indefinite-quantity, 8(a), or requirements contracts (including task and delivery and multiple-award Schedules).

"Principal" means an officer, director, owner, partner, or a person having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a division or business segment; and similar positions).

(b) The offeror [X] has [_] does not have current active Federal contracts and grants with total value greater than $10,000,000.

(c) If the offeror checked "has" in paragraph (b) of this provision, the offeror represents, by submission of this offer, that the information it has entered in the Federal Awardee Performance and Integrity Information System (FAPIIS) is current, accurate, and complete as of the date of submission of this offer with regard to the following information:

(1) Whether the offeror, and/or any of its principals, has or has not, within the last five years, in connection with the award to or performance by the offeror of a Federal contract or grant, been the subject of a proceeding, at the Federal or State level that resulted in any of the following dispositions:

(i) In a criminal proceeding, a conviction.

(ii) In a civil proceeding, a finding of fault and liability that results in the payment of a monetary fine, penalty, reimbursement, restitution, or damages of $5,000 or more.

(iii) In an administrative proceeding, a finding of fault and liability that results in—

(A) The payment of a monetary fine or penalty of $5,000 or more; or

(B) The payment of a reimbursement, restitution, or damages in excess of $100,000.

(iv) In a criminal, civil, or administrative proceeding, a disposition of the matter by consent or compromise with an acknowledgment of fault by the Contractor if the proceeding could have led to any of the outcomes specified in paragraphs (c)(1)(i), (c)(1)(ii), or (c)(1)(iii) of this provision.

(2) If the offeror has been involved in the last five years in any of the occurrences listed in (c)(1) of this provision, whether the offeror has provided the requested information with regard to each occurrence.

(d) The offeror shall post the information in paragraphs (c)(1)(i) through (c)(1)(iv) of this provision in FAPIIS as required through maintaining an active registration in the Central Contractor Registration database at http://www.ccr.gov (see 52.204-7).

K.7 PLACE OF PERFORMANCE (FAR 52.215-6) (OCT 1997)

(a) The offeror or respondent, in the performance of any contract resulting from this solicitation, **[X]** intends, [ ] does not intend [check applicable block] to use one or more plants or facilities located at a different address from the address of the offeror or respondent as indicated in this proposal or response to request for information.

(b) If the offeror or respondent checks "intends" in paragraph (a) of this provision, it shall insert in the following spaces the required information:

Place of Performance(Street Address, City, State, County, Zip Code)	Name and Address of Owner and Operator of the Plant or Facility if Other Than Offeror or Respondent
310 Maxwell Road, Suite 600, Alpharetta, GA 30009	
205 W. Wacker, Suite 1622 Chicago, IL 60606	

K.8 SMALL BUSINESS PROGRAM REPRESENTATIONS (FAR 52.219-1) (APR 2011)

(a)

(1) The North American Industry Classification System (NAICS) code for this acquisition is **541620** [insert NAICS code].

(2) The small business size standard is **$14.0 M** [insert size standard].

(3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees.

(b) Representations.

(1) The offeror represents as part of its offer that it [X] is, [_] is not a small business concern.

(2) [Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.] The offeror represents, for general statistical purposes, that it [X] is, [_] is not, a small disadvantaged business concern as defined in 13 CFR 124.1002.

(3) [Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.] The offeror represents as part of its offer that it [X] is, [_] is not a women-owned small business concern.

(4) Women-owned small business (WOSB) concern eligible under the WOSB Program. [Complete only if the offeror represented itself as a women-owned small business concern in paragraph (b)(3) of this provision.] The offeror represents as part of its offer that—

(i) It [X] is, [_] is not a WOSB concern eligible under the WOSB Program, has provided all the required documents to the WOSB Repository, and no change in circumstances or adverse decisions have been issued that affects its eligibility; and

(ii) It [_] is, [X] is not a joint venture that complies with the requirements of 13 CFR part 127, and the representation in paragraph (b)(4)(i) of this provision is accurate in reference to the WOSB concern or concerns that are participating in the joint venture. [The offeror shall enter the name or names of the WOSB concern or concerns that are participating in the joint venture: _____.] Each WOSB concern participating in the joint venture shall submit a separate signed copy of the WOSB representation.

(5) Economically disadvantaged women-owned small business (EDWOSB) concern. [Complete only if the offeror represented itself as a women-owned small business concern eligible under the WOSB Program in (b)(4) of this provision.] The offeror represents as part of its offer that--

(i) It [X] is, [ ] is not an EDWOSB concern eligible under the WOSB Program, has provided all the required documents to the WOSB Repository, and no change in circumstances or adverse decisions have been issued that affects its eligibility; and

(ii) It [_] is, [X] is not a joint venture that complies with the requirements of 13 CFR part 127, and the representation in paragraph (b)(5)(i) of this provision is accurate in reference to the EDWOSB concern or concerns that are participating in the joint venture. The offeror shall enter the name or names of the EDWOSB concern or concerns that are participating in the joint venture: _____.] Each EDWOSB concern participating in the joint venture shall submit a separate signed copy of the EDWOSB representation.

(6) [Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.] The offeror represents as part of its offer that it [_] is, [X] is not a veteran-owned small business concern.

(7) [Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (b)(6) of this provision.] The offeror represents as part of its offer that is [_] is, [X] is not a service-disabled veteran-owned small business concern.

(8) [Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.] The offeror represents, as part of its offer, that –

(i) It [_] is, [X] is not a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration, and no material changes in ownership and control, principal office, or HUBZone employee percentage have occurred since it was certified in accordance with 13 CFR part 126; and

(ii) It [_] is, [X] is not a HUBZone joint venture that complies with the requirements of 13 CFR part 126, and the representation in paragraph (b)(8)(i) of this provision is accurate for each HUBZone small business concern participating in the HUBZone joint venture. [The offeror shall enter the names of each of the HUBZone small business concerns participating in the HUBZone joint venture: _____.] Each HUBZone small business concern participating in the HUBZone joint venture shall submit a separate signed copy of the HUBZone representation.

(c) Definitions. As used in this provision--

"Economically disadvantaged women-owned small business (EDWOSB) concern" means a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily business operations of which are controlled by, one or more women who are citizens of the United States and who are economically disadvantaged in accordance with 13 CFR part 127. It automatically qualifies as a women-owned small business concern eligible under the WOSB Program.

"Service-disabled veteran-owned small business concern"—

(1) Means a small business concern—

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a service-disabled veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

"Small business concern," means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and the size standard in paragraph (a) of this provision.

"Veteran-owned small business concern" means a small business concern—

(1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and

(2) The management and daily business operations of which are controlled by one or more veterans.

"Women-owned small business concern," means a small business concern --

(1) That is at least 51 percent owned by one or more women; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and

(2) Whose management and daily business operations are controlled by one or more women.

"Women-owned small business (WOSB) concern eligible under the WOSB Program (in accordance with 13 CFR part 127)," means a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily business operations of which are controlled by, one or more women who are citizens of the United States.

(d) Notice.

(1) If this solicitation is for supplies and has been set aside, in whole or in part, for small business concerns, then the clause in this solicitation providing notice of the set-aside contains restrictions on the source of the end items to be furnished.

(2) Under 15 U.S.C. 645(d), any person who misrepresents a firm's status as a business concern that is small, HUBZone small, small disadvantaged, service-disabled veteran-owned small, economically disadvantaged women-owned small, or women-owned small eligible under the WOSB Program in order to obtain a contract to be awarded under the preference programs established pursuant to section 8, 9, 15, 31, and 36 of the Small Business Act or any other provision of Federal law that specifically references section 8(d) for a definition of program eligibility, shall --

(i) Be punished by imposition of fine, imprisonment, or both;

(ii) Be subject to administrative remedies, including suspension and debarment; and

(iii) Be ineligible for participation in programs conducted under the authority of the Act.

K.9 SMALL DISADVANTAGED BUSINESS STATUS (FAR 52.219-22) (OCT 1999)

(a) General. This provision is used to assess an offeror's small disadvantaged business status for the purpose of obtaining a benefit on this solicitation. Status as a small business and status as a small disadvantaged business for general statistical purposes is covered by the provision at FAR 52.219-1, Small Business Program Representation.

(b) Representations.

(1) General. The offeror represents, as part of its offer, that it is a small business under the size standard applicable to this acquisition; and either—

_ X __(i) It has received certification by the Small Business Administration as a small disadvantaged business concern consistent with 13 CFR 124, Subpart B; and

(A) No material change in disadvantaged ownership and control has occurred since its certification;

(B) Where the concern is owned by one or more disadvantaged individuals, the net worth of each individual upon whom the certification is based does not exceed $750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); and

(C) It is identified, on the date of its representation, as a certified small disadvantaged business concern in the database maintained by the Small Business Administration (PRO-Net); or

___(ii) It has submitted a completed application to the Small Business Administration or a Private Certifier to be certified as a small disadvantaged business concern in accordance with 13 CFR 124, Subpart B, and a decision on that application is pending, and that no material change in disadvantaged ownership and control has occurred since its application was submitted.

(2) __ For Joint Ventures. The offeror represents, as part of its offer, that it is a joint venture that complies with the requirements at 13 CFR 124.1002(f) and that the representation in paragraph (b)(1) of this provision is accurate for the small disadvantaged business concern that is participating in the joint venture. [The offeror shall enter the name of the small disadvantaged business concern that is participating in the joint venture: _____.]

(c) Penalties and Remedies. Anyone who misrepresents any aspects of the disadvantaged status of a concern for the purposes of securing a contract or subcontract shall:

(1) Be punished by imposition of a fine, imprisonment, or both;

(2) Be subject to administrative remedies, including suspension and debarment; and

(3) Be ineligible for participation in programs conducted under the authority of the Small Business Act.

K.10 PREVIOUS CONTRACTS AND COMPLIANCE REPORTS (FAR 52.222-22) (Feb 1999)

The offeror represents that --

(a) It [X] has, [ ] has not participated in a previous contract or subcontract subject to the Equal Opportunity clause of this solicitation;

(b) It [X] has, [ ] has not filed all required compliance reports; and

(c) Representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained before subcontract awards.

K.11 AFFIRMATIVE ACTION COMPLIANCE (FAR 52.222-25) (APR 1984)

The offeror represents that --

(a) It [X] has developed and has on file, [ ] has not developed and does not have on file, at each establishment, affirmative action programs required by the rules and regulations of the Secretary of Labor (41 CFR 60-1 and 60-2); or

(b) It [ ] has not previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

K.12 PROHIBITION ON CONDUCTING RESTRICTED BUSINESS OPERATIONS IN SUDAN—CERTIFICATION (FAR 52.225-20) (AUG 2009)

(a) Definitions. As used in this provision—

"Business operations" means engaging in commerce in any form, including by acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

"Marginalized populations of Sudan" means—

(1) Adversely affected groups in regions authorized to receive assistance under section 8(c) of the Darfur Peace and Accountability Act (Pub. L. 109-344) (50 U.S.C. 1701 note); and

(2) Marginalized areas in Northern Sudan described in section 4(9) of such Act.

"Restricted business operations" means business operations in Sudan that include power production activities, mineral extraction activities, oil-related activities, or the production of military equipment, as those terms are defined in the Sudan Accountability and Divestment Act of 2007 (Pub. L. 110-174). Restricted business operations do not include business operations that the person (as that term is defined in Section 2 of the Sudan Accountability and Divestment Act of 2007) conducting the business can demonstrate—

(1) Are conducted under contract directly and exclusively with the regional government of southern Sudan;

(2) Are conducted pursuant to specific authorization from the Office of Foreign Assets Control in the Department of the Treasury, or are expressly exempted under Federal law from the requirement to be conducted under such authorization;

(3) Consist of providing goods or services to marginalized populations of Sudan;

(4) Consist of providing goods or services to an internationally recognized peacekeeping force or humanitarian organization;

(5) Consist of providing goods or services that are used only to promote health or education; or

(6) Have been voluntarily suspend.

(b) Certification. By submission of its offer, the offeror certifies that the offeror does not conduct any restricted business operations in Sudan.

K.13 HISTORICALLY BLACK COLLEGE OR UNIVERSITY AND MINORITY INSTITUTION REPRESENTATION (FAR 52.226-2) (OCT 2008)

(a) Definitions. As used in this provision --

"Historically Black College or University" means an institution determined by the Secretary of Education to meet the requirements of 34 CFR 608.2. For the Department of Defense, the National Aeronautics and Space Administration, and the Coast Guard, the term also includes any nonprofit research institution that was an integral part of such a college or university before November 14, 1986.

"Minority Institution" means an institution of higher education meeting the requirements of Section 365(3) of the Higher Education Act of 1965 (20 U.S.C. 1067k, including a Hispanic-serving institution of higher education, as defined in Section 502(a) of the Act (20 U.S.C. 1101a).

(b) Representation. The offeror represents that it --

[ ] is [X] is not a historically black college or university;

[ ] is [X] is not a minority institution.

K.14 REPRESENTATION OF LIMITED RIGHTS DATA AND RESTRICTED COMPUTER SOFTWARE (FAR 52.227-15) (DEC 2007)

(a) This solicitation sets forth the Government's known delivery requirements for data (as defined in the clause at 52.227-14, Rights in Data--General). Any resulting contract may also provide the Government the option to order additional data under the Additional Data Requirements clause at 52.227-16, if included in the contract. Any data delivered under the resulting contract will be subject to the Rights in Data--General clause at 52.227-14 included in this contract. Under the latter clause, a Contractor may withhold from delivery data that qualify as limited rights data or restricted computer software, and deliver form, fit, and function data instead. The latter clause also may be used with its Alternates II and/or III to obtain delivery of limited rights data or restricted computer software, marked with limited rights or restricted rights notices, as appropriate. In addition, use of Alternate V with this latter clause provides the Government the right to inspect such data at the Contractor's facility.

(b) By completing the remainder of this paragraph, the offeror represents that it has reviewed the requirements for the delivery of technical data or computer software and states [offeror check appropriate block]—

[X] (1) None of the data proposed for fulfilling the data delivery requirements qualifies as limited rights data or restricted computer software; or

[ ] (2) Data proposed for fulfilling the data delivery requirements qualify as limited rights data or restricted computer software and are identified as follows:

_____

_____

_____

(c) Any identification of limited rights data or restricted computer software in the offeror's response is not determinative of the status of the data should a contract be awarded to the offeror.

K.15 ORGANIZATIONAL CONFLICT OF INTEREST CERTIFICATION (EPAAR 1552.209-72) (APR 1984)

The offeror [X] is [ ] is not aware of any information bearing on the existence of any potential organizational conflict of interest. If the offeror is aware of information bearing on whether a potential conflict may exist, the offeror shall provide a disclosure statement describing this information. (See section L of the solicitation for further information.)

Disclosure Statement is provided in Cost Volume, Paragraph 4.2.

K.16 GENERAL FINANCIAL AND ORGANIZATIONAL INFORMATION (EPAAR 1552.215-73) (APR 1999)

Offerors or quoters are requested to provide information regarding the following items in sufficient detail to allow a full and complete business evaluation. If the question indicated is not applicable or the answer is none, it should be annotated. If the offeror has previously submitted the information, it should certify the validity of that data currently on file at EPA and to whom and where it was submitted or update all outdated information on file.

(a) Contractor's Name: **Toeroek Associates, Inc.**

(b) Address (If financial records are maintained at some other location, show the address of the place where the records are kept):

300 Union Blvd, Suite 520
Lakewood, CO 80228

(c) Telephone Number: **303-420-7735**

(d) Individual(s) to contact re. this proposal: **Mariana Tocheva, 720-898-4114**

(e) Cognizant Government:

Audit Agency: **DCAA**
Address: **10375 Park Meadows Dr., Suite 560, Littleton, CO 80124**
Auditor: **Chris Ressler**

(f)(1) Work Distribution for the Last Completed Fiscal Accounting Period:

Sales:	
Government cost-reimbursement type prime contracts and subcontracts	**$0**
Government fixed-price prime contracts and subcontracts	**$8,364,698**
Commercial Sales	**$0**
Total Sales	**$8,364,698**
(2) Total Sales for first and second fiscal years immediately preceding last completed fiscal year.	
Total Sales for First Preceding Fiscal Year	(b)(4)
Total Sales for Second Preceding Fiscal Year	
(g) Is company a separate rate entity or division?	
Yes———	
No—**X**———	

If a division or subsidiary corporation, name parent company:

___**N/A**_____

(h) Date Company Organized: **March 25, 1993**

(i) Manpower:

Total Employees (b)(4)
Direct: (b)(4)
Indirect
Standard Work Week (Hours) (b)(4)

(j) Commercial Products: **No**

(k) Attach a current organizational chart of the company.

Attached as last page of these Representations and Certifications.

(l) Description of Contractor's system of estimating and accumulating costs under Government contracts. (Check appropriate blocks.)

	Estimated/actual cost	Standard cost
Estimating System:		
(b)(4)		

Has your cost estimating system been approved by any Government agency?

Yes ———— No ——X——

If yes, give name, date or approval, and location of agency:

_____

_____

Has your cost accumulation system been approved by any Government agency?

Yes ——X—— No ————

If yes, give name, date of approval, and address of agency:

DCAA, 1/20/2006
10375 Park Meadows Dr., Suite 560, Littleton, CO 80124

(m) What is your fiscal year period? (Give month-to-month dates):

January - December

_____

What were the indirect cost rates for your last completed fiscal year?

(b)(4)

(n) Have the proposed indirect cost rate(s) been evaluated and accepted by any Government agency?

Yes _____ No ____**X**____

If yes, give name, date of approval, and location of the Government agency:

_____

Date of last preaward audit review by a Government agency:

_____

If the answer is no, data supporting the proposed rates must accompany the cost or price proposal. A breakdown of the items comprising overhead and G&A must be furnished.

(o) Cost estimating is performed by:

Accounting Department_____**X**_____
Contracting Department_____
Other (describe)_____

(p) Has system of control of Government property been approved by a Government agency?

Yes _____ No ____**X**____

If yes, give name, date of approval, and location of the Government agency:

_____

_____

(q) Purchasing System: FAR 44.302 requires EPA, where it is the cognizant Government agency, to conduct a Contractor Purchasing System Review for each contractor whose sales to the Government, using other than sealed bid procedures, are expected to exceed $25 million (annual billings) during the next twelve months. The $25 million sales threshold is comprised of prime contracts, subcontractors under Government prime contracts, and modifications (except when the negotiated price is based on established catalog or market prices or is set by law or regulation).

Has your purchasing system been approved by a Government agency?

Yes ——— No ——X——

If yes, name and location of the Government agency:

_____

Period of Approval:_____

If no, do you estimate that your negotiated sales to the Government during the next twelve months will meet the $25 million threshold? Yes ——— No ——X——

If you responded yes to the $25 million threshold question, is EPA the cognizant agency for your organization based on the preponderance of Government contract dollars?

Yes ——— No ———

If EPA is not your cognizant Government agency, provide the name and location of the cognizant agency ———

_____

Are your purchasing policies and procedures written?

Yes ——X—— No ———

(r) Does your firm have an established written incentive compensation or bonus plan?

Yes ——X—— No ———

(s) Additionally, offerors shall submit current financial statements, including a Balance Sheet, Statement of Income (Loss), and Cash Flow for the last two completed fiscal years. Specify resources available to perform the contract without assistance from any outside source. If sufficient resources are not available, indicate in proposal the amount required and the anticipated source (i.e., bank loans, letter or lines of credit, etc.).

Included in Cost Volume.

K.17 SOCIAL SECURITY NUMBERS OF CONSULTANTS AND CERTAIN SOLE PROPRIETORS AND PRIVACY ACT STATEMENT (EPAAR 1552.224-70) (APR 1984)

(a) Section 6041 of title 26 of the U.S. Code requires EPA to file Internal Revenue Service (IRS) Form 1099 with respect to individuals who receive payments from EPA under purchase orders or contracts. Section 6109 of title 26 of the U.S. Code authorizes collection by EPA of the social security numbers of such individuals for the purpose of filing IRS Form 1099. Social security numbers obtained for this purpose will be used by EPA for the sole purpose of filing IRS Form 1099 in compliance with section 6041 of title 26 of the U.S. Code.

(b) If the offeror or quoter is an individual, consultant, or sole proprietor and has no Employer Identification Number, insert the offeror's or quoter's social security number on the following line.

K.18 PROVISION EPA-2012-5 – REPRESENTATION BY CORPORATIONS REGARDING A FELONY CONVICTION UNDER FEDERAL LAW OR UNPAID FEDERAL TAX LIABILITY (APR 2012)

(a) In accordance with Sections 433 and 434, of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (H.R. 2055; Pub. L. 112-74), none of the funds made available by the Act may be used to enter into a contract with any corporation that:
(1) Was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government;
(2) Has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

(b) The Offeror represents that:
(1) It is [ ] is not [X] a corporation that has been convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, (2) It is [ ] is not [X] a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

(c) The Offeror shall provide immediate written notice to the Contracting Officer if, at any time prior to contract award, the Offeror learns that its representation was erroneous when submitted or has become erroneous by reason of changed circumstances.

(d) A representation that any of the items in paragraph (b) of this provision exists will not necessarily result in withholding of an award under this solicitation. However, failure of the Offeror to furnish a representation or provide such additional information as requested by the Contracting Officer may render the Offeror nonresponsible.

(e) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the representation required by paragraph (b) of this provision. The knowledge and information of an Offeror is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

(f) The representation in paragraph (b) of this provision is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Offeror knowingly provided an erroneous representation, in addition to other remedies available to the Government, the Contracting Officer may terminate the contract resulting from this solicitation for default.

THIS REPRESENTATION CONCERNS A MATTER WITHIN THE JURISDICTION OF AN AGENCY OF THE UNITED STATES AND THE MAKING OF A FALSE, FICTITIOUS, OR FRAUDULENT REPRESENTATION MAY RENDER THE MAKER SUBJECT TO PROSECUTION UNDER SECTION 1001, TITLE 18, UNITED STATES CODE.

K.19 SIGNATURE BLOCK (EP 52.299-900) (APR 1984)

I hereby certify that the responses to the above Representations, Certifications and other statements are accurate and complete.

Signature: Sandra S Troyano

Title Sandra Troyano, President
Date 7/3/2012

APPENDIX B

ORGANIZATIONAL CONFLICT OF INTEREST PLAN

CONFLICT OF INTEREST PLAN

Revision 1.2 – January 17, 2012

Toeroek Associates, Inc.
300 Union Blvd.
Suite 520
Lakewood, Colorado 80228
303-420-7735
fax 303-420-7658
www.toeroek.com

Conflict of Interest Plan

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APPENDIX C

JOINT QUALITY MANAGEMENT PLAN / QUALITY ASSURANCE PROJECT PLAN

QUALITY MANAGEMENT PLAN
FOR ENVIRONMENTAL PROGRAMS

RCRA ENFORCEMENT, PERMITTING, AND ASSISTANCE (REPA) CONTRACT
ZONE 2
(EPA REGIONS 4, 5 AND 6)

JUNE 22, 2012

Prepared by

Toeroek Associates, Inc.
300 Union Blvd., Suite 520
Lakewood, CO 80228
303-420-7735

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APPENDIX D

MENTOR-PROTÉGÉ APPLICATION