

2025 Brownfield Remediation and Economic Development Fund

Announcement of Request for Proposals & 2025 Guidelines

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Announcement of Request for Proposals (RFP)

All proposals due by close of business May 9, 2025

Submit completed application via email ONLY to: <u>DEM.BrownfieldBG@dem.ri.gov</u>

The Rhode Island Department of Environmental Management (the Department) is pleased to announce the availability of reimbursable grants to assist in the development and facilitation of brownfield remediation projects. In accordance with 250-RICR-140-30-2, the *Rules and Regulations for the Brownfields Remediation and Economic Development Fund (Fund Regulations*), this Request for Proposals (RFP) is seeking proposals for brownfield site redevelopment projects that will support the cleanup of contaminated property to transform underutilized brownfield sites into locations that add value to communities. Many acres of brownfields occupy desirable commercial/industrial space within the urban corridor. Remediation and redevelopment of these sites not only mitigates the threat to public health and the environment from exposure to uncontrolled contamination, but it also can create and attract jobs, revitalize streets and neighborhoods, and increase the local tax base.

1. Purpose of Available Grants

The purpose of the grant program created for the Brownfields Remediation and Economic Development Fund ("Brownfields Fund") is to stimulate the cleanup and redevelopment of Brownfields sites across Rhode Island. The grant program, specifically the criteria for evaluating and prioritizing Brownfield Fund grant applications, provides funding support to facilitate and accelerate the return of brownfields to productive re-use and strengthen Rhode Island's economic base. In general, these funds should be used to clean up sites in Rhode Island, create jobs, positively contribute to the local economy, and provide benefit to the communities where they are located.

2. Applicant Eligibility

Applicants eligible to apply for the above listed grants include Government or Public entities, Non-Profit entities, and Private/Non-Governmental entities that are proposing projects on Brownfield sites and have real economic development impact, leverage other funds, return under-utilized properties to beneficial re-use, and benefit the local community.

In general, applicants for Brownfields Funds must be the entity that legally controls the Brownfield site. Private consultants are not eligible to receive grant awards directly on behalf of their clients.



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Applicants must demonstrate administrative capacity to manage their grant funds and comply with applicable state and federal fiscal requirements including, but not limited to, accounting, recordkeeping, procurement, and reporting procedures. Applicants must also demonstrate ability to manage their project, document matching funds, and report on the progress of deliverables specified in a grant agreement.

Please be aware that it is the Department's policy that financial assistance shall neither directly nor indirectly benefit parties whose willful action or inaction has resulted in damage to the environment. At the Director's discretion, the Department may restrict, delay, or limit funding due to the occurrence of criminal, civil enforcement actions, or compliance matters. To be eligible for grants, applicants must disclose any existing violations and compliance actions related to their proposal. This includes the issuance of any Notice of Intent to Enforce.

3. Project Eligibility

As outlined in the *Fund Regulations*, the following types of costs are eligible to receive grant monies from the Brownfields Fund:

- Soil, groundwater, soil gas, indoor air, and infrastructure/building materials investigation;
- Site Assessment;
- Remediation;
- Hazardous material abatement and/or waste disposal;
- Institutional controls;
- Costs associated with RIDEM required reporting;
- Other costs required to fully implement the Remedial Action Work Plan (RAWP) and complete redevelopment, as deemed appropriate by the review committee.
- Environmental consulting costs; and/or
- Other environmental investigations, compilation of information, marketing materials, design, or site work required to support reuse/development of the Brownfields site.

Examples of types of costs that are ineligible to receive grant monies from the Brownfields Fund include:

- Any costs incurred before a fully executed grant agreement is in place and the subsequent Purchase Order (PO) has been issued by the Rhode Island Department of Administration;
- Administrative costs including clerical support, monthly utility expenses, the purchase of office equipment, personnel costs associated with fund raising for the entity, etc.;
- Costs associated with the performance of a Supplemental Environmental Project ("SEP");
- State or Federal lobbying costs, penalties, fines, or regulatory fees including, but not limited to RIDEM and CRMC permit fees, or any municipal fees;



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- Land acquisition projects that do not have tangible public health or environmental benefits and do not include physical construction or redevelopment;
- Building materials and/or costs associated with building construction;
- Response costs for emergency response actions caused or exacerbated solely by the applicant or their agents or assigns; and/or
- Proposed projects associated with unresolved litigation (administrative or judicial) with the Department or conditions or activities that have violated or are violating statutes or regulations administered by the Department shall be ineligible to receive Fund monies without the express written consent of the Director and the resolution of said litigation or violation(s).

Please be aware that the Department and the State of Rhode Island take no responsibility for project work done outside the term or scope of a valid grant agreement or prior to full approval of an agreement. Agreements are not valid until the Rhode Island Department of Administration issues the appropriate encumbrance (i.e., PO or PO release). All agreements must be signed and dated by an authorized agent of the applicant and the Department.

Eligibility of expenses may vary with the type of grant application. Eligible expenses may include the costs of personnel salary and fringe, travel, supplies, constructions, and contractual services. With respect to personnel, the Department generally will not subsidize salaries of existing governmental staff, but rather encourages such expenses to be allocated as match.

4. Available Grant Categories

4.1 Site Assessment/Preparation Grants

Site Preparation Grants are for sites already identified as a Brownfield based on previous Phase I and/or site investigation work but do not yet have an approved RAWP. The purpose of this type of grant is to fill in the gaps that may exist in the previously obtained site investigation data, to develop and analyze potential remedial strategies, and ultimately conclude with an approved Remedial Action Work Plan that satisfies the regulatory requirements in the <u>Remediation Regulations</u> and can be simultaneously implemented during redevelopment of the Brownfield.

RIDEM reserves the right to limit the annual Individual Grant Amount in this category to \$150,000 at its sole discretion.

4.2 Remediation/Redevelopment Grants

These grants are for the Brownfield sites that have completed and approved site investigations and have in place an approved RAWPs via a Remedial Approval Letter (RAL) or



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an Order of Approval (OA) issued by the Department's Office of Land Revitalization & Sustainable Materials Management (LRSMM). Additionally, redevelopment grants may be used for Site specific pilot testing and Limited Design Investigations as necessary. Redevelopment Grants are meant to fund the actual remediation and redevelopment of a Brownfields site to bring the site into productive reuse.

RIDEM reserves the right to limit the annual Individual Grant Amount in this category to \$300,000 at its sole discretion.

4.3 Grant Amounts

RIDEM reserves the right to limit the individual grant amounts to \$125,000 for Site Assessment/Site Preparation projects and \$300,000 for Remediation/Redevelopment projects at its sole discretion. These amounts represent "soft caps," however, grant applications requesting higher grant amounts are advised to provide a detailed outline of eligible tasks and associated cost estimates with a concise explanation justifying the request for grant funding in an amount greater than the abovementioned soft caps.

5. Project Time Periods

The grant awards will be authorized via grant agreements for a limited period of time. Due to greater emphasis being placed on the timeliness of expenditures by the State, projects that will be completed within a one to two-year time frame will be favored. With adequate supporting justification, the Department will consider longer project time periods for larger, more complex projects. Projects not promptly initiated or that fall substantially behind schedule once underway may have their grant awards rescinded or reduced. The Department encourages applicants to take into consideration and to plan adequate time for procurement and obtaining permits or other approvals in their project schedule.

6. Match Requirements

"Match" refers to the funds of services used to conduct a project that are not borne by grant funds. All projects' match must: (1) relate directly to the project for which the match is being applied; (2) be reasonably valued; and (3) be supported by documentation. Match is an indicator of local commitment to a project and is considered in proposal eligibility and rank. The Brownfields Funds will be available to Grantees in the form of reimbursable grants. Please note that Grantees shall be required to demonstrate a match of at least 20% of the awarded total at or before the final reimbursement payment can be issued.



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The required match may be demonstrated by: (1) cash; (2) the value of non-cash, in-kind contributions (e.g., value of equipment donated for use of the project); or (3) the value of goods and services directly contributed to the project. In-kind services may be considered as credit towards the 20% match at the sole discretion of the Review Committee.

Examples of actions that might be used as eligible match include the following:

- Cost of value-per-hour rate multiplied by the number of hours performing work associated with the project proposal tasks such as labor, bid or subcontract development, development of designs, permit reviews including attending meetings pertaining to such, conducting public meetings, or similar work relating to the project but not directly funded by the grant;
- Cost of materials, supplies, or equipment rentals used for the project; and/or
- Cost of construction (including labor, equipment, and materials).

Please note that the match is only required for those funds received through this grant.

7. Updated RFP Information

During the application period, as the need arises, the Department may post additional information concerning this RFP and funding opportunity on its website. This may include clarification of commonly asked questions. Potential applicants are advised to periodically check the Department's website.

8. Proposal Evaluation Criteria

Project proposals will receive an initial screening by representatives of the Department's Office of LRSMM for basic eligibility criteria. To be awarded a grant, applicants must possess adequate fiscal and project management capabilities. Past performance on prior Department grants will be considered when assessing organizational capacity to effectively manage a project. Eligible proposals will be referred to interagency review committee(s). The interagency review committee will evaluate the eligible proposals consistent with the scoring criteria developed in conjunction with the *Brownfields Regulations* and applicable state requirements in order to make recommendation subject to final decision by the Director.

Scoring criteria:

• Economic impact, temporary and permanent jobs the redevelopment will produce, expansion of existing businesses that create more permanent jobs and tax benefits for the surrounding community (35%);



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- Redevelopment/Reuse plan results in a positive impact on the community, public benefits, amenities available for public use, designated Environmental Justice areas, and/or community enrichment for historically low-income areas throughout Rhode Island (20%);
- Beneficial impact to the environment through remediation (20%);
- Timeframe for the proposed project and readiness to proceed/provide environmental and economic impact, ability to complete project, other funding leveraged, and estimated costs for proposed scope of work specific to this grant program (15%); and
- Integrates green remediation BMPs, incorporates climate resiliency into remedial and project design, and/or promotes green energy in final remedy (10%).

9. How to Apply – Final Submission Deadline – May 9, 2025

Final proposals must be received by the Department no later than 4:00 p.m. on Friday, May 9, 2025. The proposal must include the completed mandatory application form and other supporting materials as appropriate, e.g., site plan, letters of support, photographs, etc. The Department requires that proposals be sent electronically (PDF format) to DEM.BrownfieldBG@dem.ri.gov. Hard copies will not be accepted.

All submitted applications must contain a completed and signed W-9 Form to be considered for funding. A blank W-9 Form can be found at the end of the Brownfields Site Preparation and Remediation Funding <u>Application Form</u>.

10. Preparing the Proposal for Final Approval

For projects that are selected, the Department may request the applicant to modify project proposals based on comments received during project evaluations and the selection process. The applicant must submit the revised project proposal/scope of work to the Department prior to final approval. The Department will conduct a final review of the proposal in coordination with appropriate agencies and, if satisfied that all review comments have been adequately addressed, the final proposal or scope of work will become the basis for the grant agreement that will be executed to formalize the grant award.

11. Project Administration - Grants

11.1 Grant Agreements

Grants will be awarded on a competitive basis until funds for that grant period are exhausted. Successful applicants will receive a letter specifying the amount of the award. The Department will then require submittal of a grant specific Scope of Work including tasks, schedules and



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deliverables, and an estimated timeline for reimbursement requests including estimates of amount requested and match represented.

Grantees must properly register as a vendor with the State of Rhode Island's Office of Purchasing at https://ridop.ri.gov/ocean-state-procures-osp/osp-vendor-registration before the grant agreement can be finalized.

The Grant Agreement will be in the form of a binding contract. Grantees will receive an electronic copy of a project specific Brownfield Bond Fund Grant Agreement via email for review along with specific signatory instructions from the Department's Contract Coordinator. Please read these communications carefully.

Other requirements to secure funding shall be the following:

- Recipients must submit the required grant specific Scope of Work and estimated timeline within thirty (30) days of receiving the email in which those items are requested. Failure to submit these documents may result in the cancellation of the grant award and may result in these funds being returned to the fund for future grant awards. Additional time to submit the documents may be approved upon request, at the discretion of the Department;
- Recipients will be required to sign, accept, and return the original signed Grant Agreement to the Department within forty-five (45) days of the date of receipt. Failure to execute the agreement within the forty-five (45) days may result in the cancellation of the grant award and may result in these funds being returned to the fund for future grant awards. Recipients that may require additional time must submit a request via email and provide a timeline for returning the grant agreement to the Department;
- Recipients will have ninety (90) days from the date of the acceptance of the Grant Agreement to provide proof of the necessary grant match by letters of credit, loan agreements, dedicated escrow accounts or any other pre-approved proof of matching funds by the Department; and
- The recipient is responsible for obtaining all necessary permits or approvals from any federal, state, or local agency with authority over the project or project area. Copies of these permits/approvals must be submitted to the Department for inclusion in the project file before the first payment request.

All grant payments will be paid in the form of **reimbursement** payments for eligible expenses incurred in accordance with an approved project. Please refer to Section 3 above for examples of eligible and ineligible costs. Requests for reimbursement must include an invoice, documentation



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of the incurred, eligible costs, and documentation of paid invoice/costs. Such type of documentation required to receive reimbursement will be detailed in the grant offer and/or grant agreement. Grant recipients must enter into an agreement with DEM to establish mutually agreeable terms for completing the project. Items in the agreement include, *but are not limited to*:

- Scope of Work including tasks, schedules and deliverables;
- RIDEM and sponsor responsibilities, including interim and final reporting requirements;
- Statement of the project's total budget, matching budget, and grant;
- Statutory and regulatory requirements for contracting such as competitive bidding, fairshare allotments, i.e., minority-owned and women-owned business enterprises (MBE/WBE);
- Requirements for subcontracting;
- Project payment schedule and payment terms; and/or
- Record-keeping and reporting.

Payments will be made on a reimbursement basis in accordance with the payment schedule and terms contained in the Grant Agreement. Reimbursement is tied to performance targets, invoices, proof of payments, and demonstration of 20% match.

For grant awards less than \$100,000, there will only be one (1) reimbursement payment which will occur at the completion of all performance targets outlined in the Grant Agreement.

For grant awards greater than \$100,000, no more than three (3) reimbursement payments will be permitted. Each payment shall be at the completion of the approved performance targets as outlined in the Grant Agreement.

Grant recipients will be required to provide regular progress reports to RIDEM. Projects are expected to be completed in the timeframe of the grant agreement. Timeframes will be negotiated in the range of 12-36 months. Time extensions will not be granted without specific and appropriate justification, and if granted, only a single extension will be permitted, after which the remaining funds shall be forfeited by the grantee and the grant agreement will be terminated.

11.2. Pre-project and Pre-contract Costs

RIDEM and the State of Rhode Island take no responsibility for project work done outside the term or scope of the grant agreement or prior to full approval of a grant agreement. Applicants should NOT anticipate any funding for work that is done before approval of a grant agreement. Agreements are not valid until the Rhode Island Department of Administration issues the appropriate encumbrance (i.e., purchase order). All agreements must be signed and dated by an authorized agent of the sponsor and RIDEM.



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11.3 Procurement

The expenditure of funds pursuant to these grants is subject to state law governing procurement, including requirements for competitive bidding and goals for participation by minority or woman business enterprises (MBE/WBE). In general, where consultant, engineering or construction services are to be obtained, a competitive process is required. Where a municipality has retained engineering or consultants under a prior competitive solicitation, DEM may allow that arrangement to be utilized for a project, provided adequate documentation is provided that the services sought were within the anticipated scope of services under the original solicitation, and that the manner of pricing is consistent with applicable requirements. RIDEM reserves the right to review and approve the award of any contract or subcontract.

11.4 Permitting

Many grant projects will require a permit from RIDEM or CRMC or review by another governmental agency to proceed. Applicants should consider the time needed to acquire permits and other agency reviews and plan projects accordingly. Failure to obtain and comply with permits is generally considered a material breach of a grant agreement and may jeopardize project funding.

11.5 Suspension, modification or revocation

The Director may suspend, modify, or revoke any awards granted pursuant to these regulations in the event that subsequent examination reveals any data included in an application form, submittal, reimbursement request, plan or sketch to be incorrect or not in compliance with these regulations. Awards may also be suspended, modified or revoked, at the Departments sole discretion, if any other aspects of these regulations are not met.

11.6 Stop Payment

The Director may take appropriate action to stop payment of and/or seek the return of grant funds expended for any project where: (1) the applicant has obtained said grant based upon incomplete, false, misleading or erroneous information; (2) the applicant has not completed the work approved under the grant in accordance with any and all conditions of approval issued by the Director in the grant award; or (3) the applicant receives a Letter of Non-Compliance, Notice of Intent to Enforce, Notice of Violation, or is subject to any other enforcement action by the Department while the Grant Agreement is valid.



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HOW TO SUBMIT AN APPLICATION

Submit the completed and signed Brownfields Remediation and Economic Development Fund Grant Application no later than **May 9, 2025** via E-mail to:

DEM.BrownfieldBG@dem.ri.gov

If you have any questions about this RFP, RIDEM Office of Land Revitalization & Sustainable Materials Management (LRSMM) staff are available to assist you. Please email questions to DEM.BrownfieldBG@dem.ri.gov or contact one of the following:

- Ashley Blauvelt, 401.537.4309
- Gary Jablonski, 401.537.4344
- Michelle McLarney, 401.537.4350
- Matthew DeStefano, 401.537.4324