

REQUEST FOR PROPOSALS
Yellowstone County MS4 Permit Compliance Assistance
Yellowstone County Public Works

SECTION 1 – GENERAL INFORMATION

1.1 Purpose

The Yellowstone County Public Works Department is soliciting proposals from qualified engineering firms for services relating to Yellowstone County's Storm Water Management Program (SWMP) and assistance with compliance under Montana's Pollutant Discharge Elimination System General Permit (MPDES) for Storm Water Discharges Associated with Small Municipal Separate Storm Sewer Systems (MS4). The County is currently permitted to discharge storm water under authorization MTR040054.

1.2 General Submission Information

The Public Works Department intends to enter into a professional services agreement for engineering services to lead and assist the county in updating and finalizing its MS4 SWMP. The County currently has a SWMP but needs assistance to achieve permit compliance, including updating and finalizing local regulations, operating procedures, permit structures, storm water inventory, and enforcement protocols to meet the obligations required by the general permit. The proposal should address the consultants' capabilities for performing all aspects of the project while presenting specific project information and substantiating the consultant's methodologies and approach for completing the work requested.

1.3 Preparation Costs

The County shall not be responsible for proposal preparation costs, nor for costs including attorney fees associated with any (administrative, judicial or otherwise) challenge to the determination of the highest-ranked proposer and/or award of contract and/or rejection of proposal. By submitting a proposal, each proposer agrees to be bound in this respect and waives all claims to such costs and fees.

SECTION 2 – RULES GOVERNING COMPETITION

2.1 Intent to Respond / Questions / RFP Modification

Interested consultants shall submit a completed "intent to respond" form as well as their complete list of questions regarding the RFP to the contact listed below no later than May 16, 2026:

Jay Anderson, Deputy Public Works Director
406-254-7926
jandereson@yellowstonecountymt.gov

It is the consultant's responsibility to verify the County has received the "intent to respond" form. The County will compile the questions and issue a single response via email to all firms that submitted the "intent to respond" form. The date of the County's response email must be acknowledged in the Letter of Transmittal (4.2).

Please note - the County may have your email from previous correspondence. If you are interested in submitting on this RFP, you submit question(s), but you fail to complete and submit the "intent to respond" form, you will not receive the electronic response to questions and any potential RFP modifications.

22 Examination of Proposals

Proposers should carefully examine the entire RFP, question responses issued by the County, and all related materials and data referenced in the RFP. Proposers should become fully aware of the nature of the work and the conditions likely to be encountered in performing the Work.

23 Proposal Acceptance Period

Award of this proposal is anticipated to be announced within **forty-five (45) calendar days** following the submission date, although all offers must be completed and irrevocable for **ninety (90) days** after the submission date.

24 Confidentiality

The content of all proposals will be kept confidential until the selection of the consultant is publicly announced. At that time the selected proposal is open for review. After the award of the contract, all proposals will then become public information.

25 Proposal Format

Proposals are to be prepared in such a way as to provide a straightforward, concise delineation of the proposer's capabilities to satisfy the requirements of this RFP. Emphasis should be placed on:

- Conformance to the RFP instructions
- Responsiveness to the RFP requirements
- Overall completeness and clarity of content

26 Signature Requirements

All proposals must be signed. An officer or other agent of a corporate vendor, if authorized to sign contracts on its behalf; a member of a partnership; the owner of a privately owned vendor; or other agent if properly authorized by a Power of Attorney or equivalent document may sign a proposal. The name and title of the individual(s) signing the proposal must be clearly shown immediately below the signature.

2.7 Proposal Submission

Two (2) hard copies and one (1) electronic copy (PDF on thumb drive or similar) of the proposal clearly identified as "RFP for Yellowstone County MS4 Permit Compliance Assistance" shall be received by the Board of County Commissioners (BOCC) no later than 3:00 PM local time, Friday, May 29, 2026. Proposals may be hand delivered to the BOCC at 2825 3rd Ave N, Rm 419, or mailed to:

Board of County Commissioners
Yellowstone County
P.O. Box 35000
Billings, MT 59107

2.8 News Releases

News releases pertaining to the award resulting from the RFPs shall not be made without prior written approval of the Public Works Department.

2.9 Disposition of Proposals

All materials submitted in response to this RFP become public records under Article II, Section 9 of the Montana Constitution and §§ 2-6-102 and may be distributed by written request pursuant to Montana's Constitutional Right to Know or Public Records Acts.

Information provided in response to this RFP will be held in confidence and will not be revealed or discussed with competitors prior to award of contract by BOCC. However, each proposal submitted shall be retained for the official files of the Department and will become public record after award of the contract.

Records and materials that are constitutionally protected from disclosure are not subject to the provisions of this section.

2.10 Modification/Withdrawal of Proposals

A respondent may withdraw a proposal at any time prior to the final submission date by sending written notification of its withdrawal, signed by an agent authorized to represent the agency. The respondent may thereafter submit a new or modified proposal prior to the final submission date. Modifications offered in any other manner, oral or written, will not be considered. A final proposal cannot be changed or withdrawn after the time designated for receipt, except for modifications requested by the County after the date of receipt and following oral presentations.

2.11 Late Submissions

PROPOSALS RECEIVED AFTER THE DATE AND TIME SPECIFIED IN THE ADVERTISEMENT (3:00 PM local time, Friday, May 29, 2026) WILL NOT BE CONSIDERED AND WILL BE RETURNED UNOPENED AFTER

RECOMMENDATION OF AWARD.

2.12 Rejection of Proposals

Yellowstone County reserves the right to reject any or all proposals if determined to be in the best interest of the County.

SECTION 3 – PROJECT INFORMATION

Project Name:

Yellowstone County MS4 Permit Compliance Assistance

Scope of Work:

1. Analysis of Existing Documents

- a. In the past, the County has had consultant help in preparing its Storm Water Management Program (SWMP). You may request a copy of this document by emailing Jay D. Anderson at janderson@yellowstonecountymt.gov or by finding it online at: https://www.yellowstonecountymt.gov/publicworks/forms/StormWater/Yellowstone_County_MS4_SWMP.pdf

2. Update Yellowstone County Storm Water Management Program (SWMP)

- a. The County, as part of its General Permit, has a SWMP for permit years 2022-2027. However, the SWMP requires updating reflective of the framework developed as part of this RFP and scope of work. The consultant shall amend the SWMP accordingly.
 - i. MCM 1&2 – Consultant to update MCM’s 1&2 in current SWMP as required to achieve 2022-27 General Permit compliance. Consultant will create active and passive engagement content to comply with permit requirements. This includes joining County staff in attending and presenting County MS4 information at seminars, conferences, meetings, and setting up a fair booth with County staff as required to satisfy the active engagement permit requirements. This includes creating webpage content for display on the website (see Section 3.6 for additional requirements) and on the Public Works counter as required to satisfy active and passive engagement permit requirements.
 - ii. MCM 3 – Consultant to update MCM 3 in current SWMP as required to achieve 2022-27 General Permit compliance. The County estimates infrastructure mapping is currently 70-80% complete see Section 3.3 for additional requirements). The Consultant will set up the illicit discharge detection and elimination (IDDE) program and determine the County’s authority and potential enforcement options. This includes all aspects as required by the General Permit within MCM 3 to achieve compliance. The Consultant will inspect outfalls and perform sampling in accordance with the General Permit.

- iii. MCM 4 & 5 – Consultant to update MCM’s 4 & 5 in current SWMP as required to achieve 2022-27 General Permit compliance. A framework for pre- and post-construction site reviews exists in the current SWMP. The consultant should anticipate updating and finalizing the framework. The Consultant will review the pre- and post-construction checklists and perform site visits to ensure compliance. The County is currently working with a software company for online permitting software services and would anticipate the Consultant finalizing the framework to be compliant.
 - iv. MCM 6 – Consultant to update MCM 6 in current SWMP as required to achieve 2022-27 General Permit compliance. The Consultant would be expected to update maintenance and operations for its several facilities and update current SOPs. The Consultant will complete training with pertinent County staff as required to satisfy requirements of the General Permit.
- 3. Stormwater Infrastructure Mapping and Outfall Inventory
 - a. The County estimates infrastructure mapping is current 80% complete. The consultant would be expected to review the existing asset data and identify, describe and map any remaining assets and outfalls within the mapped area. In addition to maps, the GIS data will be provided in an appropriate format to YCO GIS.
 - b. Utilizing the asset inventory, the consultant shall update the current recommended list of outfalls and prioritized outfalls based on potential illicit discharge risk.
- 4. Develop Program Framework complete with a Procedure Manual and All Associated Technical Documents
 - a. Develop regulatory framework including ordinance(s), regulation(s) and procedures that fit organizationally into Yellowstone County Public Works, taking into consideration, staffing, resources, and other factors. This task shall include:
 - i. Review of existing permit
 - ii. Draft Ordinance that specifically addresses, illicit discharge, construction and post construction controls and requirements and the enforcement authority.
 - b. Develop plan review and permit process with accompanying procedures, checklists, applications and other forms as necessary
 - c. Develop inspection and enforcement protocols with accompanying procedures, forms and checklists
 - d. Develop post construction monitoring and management framework with accompanying procedures, forms and checklists
- 5. Update of procedures for internal operations (municipal controls)
 - a. The Consultant shall review current County practices related to municipal activities that may affect stormwater quality, including but not limited to:
 - i. Street maintenance and sweeping
 - ii. Snow and ice operations

- iii. Fleet and equipment maintenance
 - iv. Parks and grounds activities
 - v. Material storage and handling
 - b. Based on the assessment of the above, the Consultant shall develop written procedures and best management practices tailored to County operations. Procedures should be practical, concise, and implementable by County public works staff given staffing and resources. If procedures require specific documenting protocols, associated documents, checklists and reporting logs shall be created.
- 6. Creation of Content for Public Users Website which is intended to be a toolbox and helpful "how-to" website. Content should be created for the following topic areas:
 - a. General overview of Yellowstone County stormwater requirements
 - b. Stormwater Management 101 and educational information.
 - c. How to Navigate MS4 permitting requirements in Yellowstone County
 - i. Commercial Development
 - ii. Residential Development
 - iii. SWPP Requirements
 - d. Illicit discharge information and source detection information
 - e. Frequently Asked Questions
 - f. Document hub with recommended documents that include description of MS4 Tools, Documents and Resources complete with how-to guides

Project Development Schedule:

The RFP and contract negotiation process is anticipated to be completed within twenty-one (21) calendar days after proposal submission. The priority task order timeframe is anticipated to be complete by August 28, 2026 (consultant to deliver draft study for County review by July 31, 2026). Additional task orders if necessary are to be completed via separate contract or amendment in 2026. The County reserves the right to modify or reschedule milestones as necessary.

The schedule will be discussed and agreed upon with the selected consultant based on the final scope of work.

SECTION 4 – PROPOSAL AND SUBMISSION REQUIREMENTS

To achieve a uniform review process and obtain the maximum degree of comparability, the proposals shall be organized in the manner specified below. Proposal page limits are as identified below – maximum 5 pages. Information exceeding the amount allowed will not be evaluated/scored. One page shall be interpreted as one side of single-spaced, typed (12 pt. font or greater), 8½" X 11" sheet of paper. Firms are encouraged to include resumes and any applicable past

projects in an appendix that will **NOT** count toward the pages of the narrative. A title or cover page is allowed and will **NOT** count towards the page number limit. A cover letter or transmittal letter is allowed and **WILL** count towards the page number limit. Electronic proposals to be emailed shall not exceed 25 mb.

The submittal shall include a provision under Section 4.4.D - Available Resources for notifying the Department within thirty (30) days of any changes of personnel that are included in this statement and the addition to the consultant's staff of personnel who may contribute to the discipline specialties for which the consultant has been selected. The County reserves the right to approve all personnel changes. The Department also reserves the right to cancel any task request in effect should it determine that the proposed staff is not available or assigned to the task order.

4.1 Title Page (Not to Exceed 1 Page not included in count)

Show the RFP title or contract being proposed on, the name of your firm, address, telephone number(s), name of contact person, and date.

4.2 Letter of Transmittal (Not to Exceed 1 Page included in count)

- A. Identify the RFP project or contract for which proposal has been prepared.
- B. Briefly state your firm's understanding of the services to be performed and make a positive commitment to provide the services as specified.
- C. Provide the name(s) of the person(s) authorized to make representations for your firm, their titles, address, and telephone numbers.
- D. The letter of each proposal must be signed by a corporate officer or other individual who has the authority to bind the firm. The name and title of the individual(s) signing the proposal must be clearly shown immediately below the signature.

4.3 Table of Contents (Not to Exceed 1 Page included in count)

Clearly identify the materials by Section and Page Number.

4.4 Proposal Narrative (Not to Exceed 3 Pages included in count)

- A. Firm Experience (0-20 Points)**
1. Detail the firm's experience in the same or similar areas of expertise, stability, and its adaptability to providing the required services.
 2. Provide at least three references for which your firm has provided the same or similar services. Include a point of contact, current telephone number, and a brief description of the services provided.
 3. Identify your firm's performance on similar projects, especially noting County work, County work in the project area, and task work of this type. Provide a point of contact for all County work identified. A current telephone number should also be provided if applicable.

B. Project Manager (0-10 Points)

Provide detailed information on the qualifications and relevant experience of the Project Manager as it relates to the required services. Include project references, contact name(s), and current telephone numbers.

C. Key Project Staff and Subconsultants (0-20 Points)

Identify key project staff, task leaders, and subconsultants, along with their availability, expected to provide services on behalf of the firm. Resumes should be included, in an appendix that will **NOT** count toward the page count of the narrative, for each of the individuals and subconsultants referenced, which details their relevant experience. Performance on projects, especially County, should be noted.

D. Available Resources and Consultant Location (0-10 Points)

1. Provide information on personnel resources available to your firm, which indicates that you have access to the services necessary to perform the work in the time available and within the required standard.
2. Describe the firm's location where the primary services are to be provided and the ability to meet in person with department personnel when required during the performance of the contract.

E. Project Methodology and Approach (0-40 Points)

Provide detailed information on the firm's methodology in meeting the scope of work requirements identified in Section 3. Describe overall approach to include special considerations and challenges, which may be envisioned in scoping, completing, and managing small tasks. Provide detailed information on Project Manager's role in scoping tasks with the County and working with key staff or task leaders.

Total Possible Score (100 Points)

SECTION 5 – EVALUATION CRITERIA AND SELECTION PROCESS

5.1 Evaluation Criteria

Submittals will be evaluated in accordance with the following criteria:

- | | | |
|-----------|--|--------------------|
| A. | Firm Qualifications and Experience | 0-20 Points |
| B. | Project Manager | 0-10 Points |
| C. | Proposed Project Staff and Subconsultants | 0-20 Points |
| D. | Available Resources and Firm Location | 0-10 Points |

E. Project Methodology and Approach	0-40 Points
Maximum Score	100 Points

A committee of individuals representing Yellowstone County will perform an evaluation of the proposals. The committee will rank the proposals as submitted.

Yellowstone County reserves the right to award a single contract solely on the written proposal.

The County also reserves the right to request oral interviews with the highest-ranked firms (short-list). Proposers should anticipate attending an oral interview on Wednesday, June 10, 2026 – specific times will be coordinated with individual firms the week prior. The purpose of the interviews with the highest-ranking firms is to allow expansion upon the written responses. If interviews are conducted, a maximum of three firms will be short-listed. A second score sheet will be used to score those firms interviewed.

The final selection will be based on the total of all evaluators’ scores achieved. The highest-ranked proposer(s), after the second scoring, if performed, may be invited to enter final negotiations with the County for the purposes of contract award.

SECTION 6 – CONTRACT NEGOTIATION PROCESS

The highest-ranked proposer(s) may be invited to enter contract negotiations with Yellowstone County. If an agreement cannot be reached with the highest-ranked proposer, the County shall notify the proposer and terminate negotiations. The second highest proposer may be contacted for negotiations. This process may continue until successful negotiations are achieved. However, the County reserves the right to terminate negotiations with any proposer should it be in the County’s best interest. Yellowstone County reserves the right to reject any and all proposals submitted.

SECTION 7 – MISCELLANEOUS

Compliance With Laws

The consultant must, in performance of work under this contract, fully comply with all applicable federal, state or local laws, rules, and regulations, including the Montana Human Rights Act, Civil Rights Act of 1964, the Age Discrimination Act of 1975, and the American with Disabilities Act of 1990. Any subletting or subcontracting by the consultant subjects subconsultants to the same provisions. In accordance with Section 49-3-207, MCA, the consultant agrees that the hiring of persons to perform the contract will be made on the basis of merit and qualifications and there will be no discrimination based upon race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing under the contract.

Insurance Requirements

The proposer certifies that it/they can comply with the County insurance requirements of:

1. Workers’ compensation and employer’s liability coverage as required by Montana law.

2. Commercial general liability, including contractual and personal injury coverage's - \$1,000,000 per claim and \$2,000,000 per occurrence.
3. Automobility liability - \$1,500,000 per accident.
4. Professional liability in the amount of \$1,500,000 per claim.

Each policy of insurance required by this section shall provide for no less than 30 days' advance written notice to the County prior to cancellation.

The County shall be listed as an additional insured on all policies except Professional Liability and Worker's Compensation policies.


Proposer shall comply with the applicable requirements of the Workers' Compensation Act, Title 39, Chapter 71, MCA, and the Occupational Disease Act of Montana, Title 39, Chapter 71, MCA. Proposer shall maintain workers' compensation insurance coverage for all members and employees of proposer's business, except for those members who are exempted as independent contractors under the provisions of 39-71-401, MCA.

Proof of insurance is not required at the time of proposal submission but is required to be provided prior to contract execution.

The successful proposer will be required to complete and submit the new vendor form to be eligible for payment, if not previously completed.

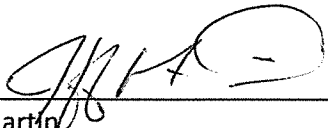
Done by the order of the Board of County Commissioners of Yellowstone County, MT this 28th day of April 2026.

Board of County Commissioners
Yellowstone County, Montana



Mark Morse
Chair

Attest:



Jeff Martin
Clerk and Recorder

