

CONSULTANT CONTRACT 2012.106  
**STORMWATER MANAGEMENT AND COMPLIANCE ASSISTANCE SERVICES**  
SCOPE OF WORK

The Maine Turnpike Authority (Authority) is soliciting Statements of Qualifications for Stormwater Management and Compliance Assistance Services. In general, the Services include the following:

- Support for activities related to stormwater pollution prevention, planning and management at the Authority facilities
- Erosion prevention and sedimentation control and stormwater management as it applies to existing infrastructure and construction projects undertaken by the Authority (e.g., Highway Maintenance and/or a qualified contractor on behalf of the Authority)
- Development and/or implementation of appropriate Best Management Practices (BMP), both structural and non-structural, at the Authority's facilities and throughout the Authority's Right of Way (ROW) and
- Provide written communication from policy, planning and stakeholders meetings.

Design and environmental permit development for Authority construction projects is performed by Authority staff and other consultants under contract for that purpose. The Consultant selected for this scope of services will not be directly involved in those projects, unless required by the Authority for peer review or advice.

The following environmental services Tasks as they relate to Maine Pollutant Discharge Elimination System (MEPDES) General Permits, Regulatory Requirements in Code of Maine Rules (CMR) or Maine Statue and Urban Impaired Stream (UIS) Watershed Management Planning, Participation and Considerations are anticipated. The document titled Stormwater Regulatory Programs for the Maine Turnpike Authority may be referenced for the current status of each regulatory program.

Task 1: Compliance Assistance with Municipal Separate Storm Sewer Systems (MS4) Permit

The Consultant shall provide services in support of the current 5-year MS4 and provide support to the Authority in negotiating the terms of the next MS4 permit. The Consultant shall communicate with regulators and stakeholders, as well as the Authority management to keep the Authority apprised of MS4 regulatory developments. In addition to preparing the annual MS4 progress report to be submitted to the Maine Department of Environmental Protection (MaineDEP), services provided as part of this task may include (but may not be limited to) the following subtasks relative to each Minimum Control Measure (MCM):

- MCM #1 – Public Education and Outreach:
  - Assist in implementing the Awareness and/or BMP Adoption Plan developed for the Authority's target audience (i.e., employees and contractors);
  - Track “process and impact indicators” associated with each Plan in order to provide MaineDEP an assessment of each in the annual progress report as required;
  - Address and include stormwater topics in annual training sessions for Authority employees and public Authority Board meetings;
  - Assist the Authority in managing the required information and documentation submitted from contractors acting as the On-Site Responsible Party (OSRP) who is trained in erosion and sedimentation control practices for each construction contract; and

- Participate in stormwater meetings, such as the Greater Portland Interlocal Stormwater Working group (ISWG), as needed.
- MCM #2 – Public Involvement and Participation:
  - Coordinate with others (e.g., MaineDEP personnel, other stormwater coordinators from host municipalities, etc.) regarding stormwater topics that may affect Authority operations.
- MCM #3 – Illicit Discharge and Detection Elimination (IDDE):
  - Review the Authority’s Urbanized Area (UA) maps and documentation to ensure that the documents accurately reflect the current MS4 permit requirements (e.g., subsurface infrastructure with flow directions, receiving waters, etc.), as well as any potentially new Authority infrastructure (i.e., constructed or purchased) within UA;
  - Assist the Authority in establishing and implementing revised IDDE procedures to ensure that the Authority is compliant with current MS4 permit requirements;
  - Provide guidance to Authority personnel regarding annual dry weather outfall inspections and annual catch basin cleanout programs, especially those located in the Authority’s two prioritized UIS watersheds (e.g., Goosefare Brook in Saco and Hart Brook in Lewiston);
  - Track inspections and cleanouts conducted by Authority personnel in the Authority’s Stormwater Management database; and
  - Provide assistance regarding other IDDE requirements, such as identifying illicit discharges to open ditch systems and documenting authorized non-stormwater discharges.
- MCM #4 – Construction Site Runoff Control:
  - Assist the Authority in implementing/enforcing a program (i.e., Construction Project Environmental Compliance [CPEC] program) to reduce pollutants in stormwater runoff from construction activity resulting in a land disturbance of one acre or more by assisting with future projects and auditing CPEC binders for completed projects.
- MCM #5 – Post-Construction Management in New Development and Redevelopment:
  - Assist the Authority in implementing/enforcing a program (i.e., CPEC program) to address stormwater runoff from development and/or redevelopment projects resulting in a land disturbance of one acre or more that incorporates both structural and non-structural BMPs appropriate to Authority operations;
  - Provide assistance in ensuring that structural BMPs are inspected in accordance with a schedule to satisfy MS4 permit requirements, such as the procedures and schedule/spreadsheet developed as the Post-Construction Operations & Maintenance (O&M) Plan for CPEC projects and Site Law projects (e.g., West Gardiner Service Plaza, Kennebunk Service Plazas, Authority Headquarters building); and
  - Assist the Authority in integrating specific post-construction requirements within UA into the CPEC program for applicable maintenance and construction projects.
- MCM #6 – Pollution Prevention (P2)/Good Housekeeping in the Authority operations:
  - Assist the Authority in ensuring that P2 and good housekeeping requirements are adequately documented in UA along Authority ROW, such as the annual programs for pavement sweeping, catch basin cleanouts and maintenance of stormwater conveyances;

Task 2: Assistance with other MEPDES and National Discharge Pollutant Elimination System (NPDES) permits

The Consultant shall provide assistance related to the following existing and proposed MEPDES and NPDES permitting programs as it applies to Authority operations:

- **MEPDES Construction General Permit (MCGP):** The Consultant shall provide regulatory updates, as needed, regarding MCGP renewal on the State and federal level. The Consultant shall assist the Authority in preparing the notifications (e.g., Notice of Intent [NOI] to comply, Notice of Termination [NOT] for permit coverage, etc.) associated with applicable projects undertaken by the Authority.
- **MEPDES Multi-Sector General Permit (MSGP):** The Consultant shall update the Authority on this regulatory development that may affect each of the Authority Highway and Equipment Maintenance garages and assist in any implementation of process or projects in order to comply.
- **Long Creek General Permit (GP):** The Consultant services associated with this permit include assistance in tracking permit requirements, developing/implementing O&M Plans, calculating credits allowed under the Participating Landowners Agreement (PLA) and other provisions associated with these MEPDES permits.
- **Other MEPDES/NPDES Permits:** This task may include participation in any upcoming stakeholders groups or rulemaking processes associated with proposed revisions to MEPDES/NPDES permits applicable to Authority operations. The Consultant shall be prepared to represent the Authority's interests appropriately, and communicate developments to the Authority management, as needed.

Task 3: Assistance with Applicability of Chapter 500

The Consultant will provide services related to implementation of the existing and/or revised Stormwater Management Law (Chapter 500) requirements as it applies to the Authority in consideration of the Memorandum of Agreement (MOA) with MaineDEP. Services associated with this task may include (but not necessarily be limited to) the following:

- Reviewing Authority construction projects relative to construction and post-construction requirements for erosion and sedimentation control BMPs, as well as stormwater management and permitting considerations;
- Reviewing inspection documentation for existing projects constructed under existing Chapter 500 permit requirements (e.g., West Gardiner Service Plaza, Kennebunk Service Plazas, Authority Headquarters Building) that require regular Authority inspections, annual third-party inspections and eventually recertification by MaineDEP (i.e., 5 years following permit);
- Developing and implementing a similar self-certification program for newly installed structural BMPs in accordance with Chapter 500 as it applies to the Authority via the MOA (i.e., assist in auditing CPEC binders and the resulting follow up to ensure compliance);
- Assisting to implement post-construction requirements as part of the CPEC process for projects constructed by either the Authority maintenance crews and/or outside contractors (i.e., developing Post-Construction O&M Plans for completed construction projects);
- Providing assistance with the existing CPEC program in support of the design and construction of the Authority projects to meet the regulatory requirements of Chapter 500 (i.e., central document

repository, inspections, reviews/audits, etc.) and other environmental considerations, such as the MCGP and MS4 requirements; and

- Assisting with other regulatory functions and obligations to satisfy the applicable regulatory requirements of Chapters 500 and 502.

This task shall also include participation in any upcoming stakeholders groups or rulemaking processes associated the MaineDEP's proposed revisions to Chapters 500, 502 and other related rules applicable to Authority operations.

#### Task 4: Assistance with MOA Development and Implementation

The Consultant will provide services in support of the Authority's existing Chapter 500 MOA (i.e., prepare annual MOA report for submittal to MaineDEP and attend annual meeting with MaineDEP and Maine Department of Transportation [MaineDOT]), as well as provide expertise relative to the development of a new Chapter 500 MOA or MEPDES MOA to satisfy the requirements of the stormwater management programs within the State as applicable to the Authority projects, assets and operations. Services associated with this task may include (but not necessarily by limited to) the following:

- Prepare annual MOA report to satisfy the requirements of the existing Chapter 500 MOA;
- Attend the annual meeting with MaineDEP and MaineDOT, if needed;
- Assess existing and proposed Chapter 500 regulatory requirements as they apply to Authority operations;
- Offer, develop and/or review draft MOA language;
- Attend meetings to negotiate the terms of the MOA with MaineDEP representatives; and
- Continue to provide assistance with general MOA development and implementation.

#### Task 5: Assistance with UIS WMPs and Other Related Programs

The Consultant will provide services in support of other stormwater programs that may be applicable to (or have the potential to be applicable to) Authority facilities, projects and operations. Services associated with this task may include (but not necessarily be limited to) attending meetings, participating in stakeholders groups and other similar tasks relative to the following topics:

- **UIS WMP Participation and Development:** The Consultant shall provide assistance during the development and/or implementation of WMPs that may affect Authority operations and considerations. The Consultant's tasks may include (but not necessarily be limited to) attending meetings on behalf of the Authority, reviewing drafts and providing comments relative to emerging WMPs, as well as communicating developments and implementation schedules to Authority management as needed.
- **Proposed Statewide Impervious Cover (IC) Total Maximum Daily Load (TMDL) Development:** The Consultant services associated with this task are anticipated to include (but may not be limited to) participation in meetings with MaineDEP, MaineDOT and host municipalities; preparing comments to be submitted during the formal public comment period; participation in additional WMPs to be developed by municipalities within the 29 listed watersheds; and developing a statewide strategy to develop a consistent streamlined approach for

the two State Transportation Agencies to satisfy IC TMDL obligations. Additional services may be identified following finalization of the IC TMDL and subsequent notification from MaineDEP.

- **Stormwater Utility District Development:** For communities developing a stormwater utility district that are applicable to the Authority's operations, the Consultant shall be prepared to attend meetings on behalf of the Authority; provide written summaries from meetings that will include specific follow up and/or questions for Authority management; correspond with municipal representatives; and assist Authority management with supplemental activities.
- **Assessment of other proposed stormwater considerations:** The Consultant shall notify and update Authority management regarding emerging local, State and Federal stormwater rules, permits and considerations. Therefore, the Consultant shall be prepared to participate in additional stakeholders' processes on behalf of the Authority and communicate developments to Authority management in consideration of potential effects and impacts to Authority operations.