

REQUEST FOR PROPOSALS

Big Sky Economic Development (BSED) has been awarded a U.S. EPA Brownfields Assessment Grant to assess potential hazardous substance and petroleum contamination brownfields sites in the targeted area of the East Billings Urban Renewal District and the Downtown Billings Urban Renewal District in Billings, MT. BSED requests proposals for environmental consulting. Work must comply with all applicable requirements of the U.S. EPA and must be completed by September 2026.

View the full RFP at www.bigskyeconomicdevelopment.org. A mandatory pre-proposal Zoom meeting will be conducted Monday, April 3, 2023, at 10:00 a.m. All responses to the detailed RFP must be delivered to BSED by 4:00 PM MDT on Thursday, April 13, 2023.

BIG SKY ECONOMIC DEVELOPMENT

Request for Proposals

for

Big Sky Economic Development Brownfields Assessment Project 2022 - 2026

Request for Proposals

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Section 1: General Information

Request for Proposals (RFP) Big Sky Economic Development (BSED) Brownfields Project

THE ABOVE DESCRIPTION MUST APPEAR ON ALL PROPOSALS AND RELATED CORRESPONDENCE.

THIS IS NOT AN ORDER

<p>RESPOND NO LATER THAN</p> <p>April 13, 2023, at 4:00 p.m. MT</p> <p><i>Mandatory pre-bid meeting via Zoom: April 3, 2023 @ 10:00 am.</i></p> <p>https://us02web.zoom.us/j/3736663603</p>	<p>RFP INITIATIVE:</p> <p>Big Sky Economic Development Brownfields Assessment Project</p>	<p>One electronic and four (4) hard copies of the proposal should be mailed to the contact person at the address below.</p>
<p>Proposer Name:</p>		<p>SEND ALL CORRESPONDENCE TO THE CONTACT BELOW:</p> <p>Big Sky Economic Development 201 North Broadway Billings, MT 59101 ATTENTION: Thom MacLean, Senior Project Manager</p> <p>Email: thom@bigskyeda.org PHONE: (406) 869-8407</p>

GRANT MONIES WILL BE USED TO FUND CONTRACTS EXECUTED UNDER THIS RFP.

Section 2: Project Overview

Introduction

Big Sky Economic Development (BSED) is soliciting responses for conducting public education and outreach as well as completing Phase I and II Environmental Site Assessments, along with cleanup planning, per the Workplan approved by the United States Environmental Protection Agency (EPA) in its Cooperative Agreement BF-95821402. The assessments will be conducted primarily within the East Billings Urban Renewal District (EBURD) and the Downtown Billings Alliance Tax Increment Financing District (Downtown Billings). This Request for Proposal (RFP) provides the specifications and requirements for prospective applicants to complete a proposal with cost estimates for services. The deadline for submittal in response to this solicitation is **April 13, 2023, at 4:00pm** Mountain Time.

EPA has selected BSED for a Brownfields Community-wide Assessment Grant, addressing both Hazardous Substance and Petroleum contamination. The Brownfields Assessment Grant will assist redevelopment through the completion of environmental assessments on eligible brownfield properties. It will be used to identify the nature and severity of contamination on properties and allow for the planning and selection of cleanup remedies. Our overall goals for the Brownfield program are to remove the environmental uncertainties associated with properties in the EBURD area and Downtown Billings through the completion of environmental assessments, to further the clean-up of contamination, and to bring about more sustainable and beneficial development to the City of Billings.

Proposed work must meet all federal requirements for work funded by an EPA Brownfields Grant.

Background & Site Description

Big Sky Economic Development will continue our efforts initiated under previous EPA grants to assess and revitalize properties located in the Downtown Billings and East Billings Tax Increment Finance Districts (TIFD). The Downtown TIFD extends from 6th Avenue North to 1st Avenue South and from North 32nd Street to North 22nd Street. The East Billings TIFD extends from 8th Avenue North to Minnesota Avenue and from North 22nd Street to US Highway 87. Together, these districts measure over 600 acres and encompass most of the urban properties from the downtown business core to MetraPark, the largest entertainment and trade show complex in Montana. Both districts seek to alleviate blight, foster economic growth, and generate added tax revenue by assisting revitalization of underutilized properties. The Brownfield program can play a vital role in these efforts.

The City of Billings, located in southcentral Montana, is the state's largest city with a population of 117,116. It is a regional hub for commerce, industry, health care, and retail. The Downtown Billings Urban Renewal District includes most of the central business district (CBD) and features office space, retail, hospitality and entertainment, municipal services, and some residential. The East Billings Urban Renewal District, located to the east of the CBD, features more industrial areas and warehousing among its mix of uses.

BSED was awarded a US EPA Brownfields Community Assessment Grant for both Hazardous Substances and Petroleum in October 2022. Funding provided by this grant will extend for a four-year grant period and will be used to conduct community outreach, identify an inventory of

potential brownfield sites, and complete environmental assessment and planning activities at selected brownfields located in Yellowstone County, Montana.

The selected contractor is required to hold at least four public meetings as outlined in the Milestone Chart included in the workplan (Attachment E). The public will be given an opportunity to express concerns regarding possible sites, prioritize projects, provide historical information and propose concepts for the future use of the property.

Following the first public meeting, the BSED Brownfields Steering Committee, with guidance from the contractor, will be responsible for the final selection of properties to be reviewed within the guidelines of the Brownfields application.

Section 3: Scope of Services

The goal of Big Sky Economic Development's brownfields effort is to remove the environmental uncertainties associated with properties within the EBURD and Downtown Core and, if possible, elsewhere in Billings, through the completion of environmental assessments, to further the clean-up of contamination, and to bring about more sustainable and beneficial development to the City of Billings. The objective of this project is to identify the contaminants that may exist at facilities and provide clean up options.

The work efforts for this project will generally fall into ten tasks as follows:

Task 1.0: Community Outreach and Education

- Meet with BSED project staff and the Brownfields Steering Committee as needed
- Plan and hold at least four public meetings to answer questions and provide basic information about brownfields site assessments
- Work with BSED staff and Steering Committee to gain voluntary access to assessment sites
- Assist in the creation of a marketing brochure and fact/FAQ sheet

Deliverables:

- Community Outreach Plan
- Written permission for access from property owners
- 300 Marketing brochures and 300 Fact/FAQ sheets

Task 2.0: Inventory and Prioritize Recognized and Potential Brownfields Sites

- Gather site information
- Enter sites on GIS mapping tool
- Prioritize sites based on need, redevelopment potential, and community need
- Produce an area-wide plan for the brownfields impacted areas

Deliverables:

- Site inventory with GIS map
- Identification and eligibility determination for 10 priority sites
- Area-wide plan addressing assessment, cleanup, and reuse strategies

Task 3.0: Develop Data Quality Objectives and EPA Quality Assurance Project Plan (QAPP). The QAPP must be responsive to and consistent with U.S. EPA Region 8's QA

Document Review Checklist and be approved by U.S. EPA. Quality Assurance is addressed in Section 5.

Deliverable:

- One community QAPP

Task 4.0: Perform Phase I Environmental Assessments, including the following:

- Complete Phase I Assessments on at least ten (10) sites
- Complete assessment of sites using ASTM E 1527-21 as guidance and prepare Phase I reports
- Identify recognized environmental conditions
- Provide focus for prioritizing at least four (4) Phase II site assessments, per site selection process, working within budget constraints

Deliverable:

- Ten (10) Draft and Final Phase I Reports

Task 5.0: Develop Sampling Analysis Plans (SAPs) for at least four (4) sites identified in Task 4. Include a Field Sampling Plan plus the QAPP.

Deliverable:

- Draft and Final SAPs

Task 6.0: Conduct Phase II Site Investigations including a Health and Safety Plan.

Deliverable:

- Draft and Final Phase II Environmental Assessment Report(s) on at least four (4) sites

Task 7.0: Upon completion of a Phase I or Phase II Assessment, provide an official Reliance Letter for each assessment, AND; fulfill all requirements of the Environmental Professional outlined in the provided sample reliance letter. See **Attachment D** for sample letter.

Deliverable:

- SBA Reliance Letter for each Phase I and Phase II Assessment

Task 8.0: Cleanup Planning.

- Compare site data with appropriate risk-based cleanup standards and conduct risk assessments, if needed, for at least two sites, considering budget constraints
- Identify cleanup options and costs based on site data, for at least two sites, considering budget constraints
- Identify redevelopment options (residential, recreational, and commercial) based on site data and community input, and considering goals envisioned relevant community documents, including but not limited to the Billings Growth Plan, the 2009 EBURD Master Plan, and the Downtown Billings Strategic Plan. Links to these plans are provided in Attachment F

Deliverable:

- Draft and Final Clean-up/Remedial Design Plan(s)

Task 9.0: Progress Reports, Invoice Submittals, and enter data in the Assessment, Cleanup and Redevelopment Exchange System (ACRES) Reporting.

Deliverables:

- Monthly progress reports
- Timely and accurate Invoices
- Data entered in the Assessment, Cleanup and Redevelopment Exchange System (ACRES) in accordance with EPA requirements as requested by BSED

Task 10.0: Montana Department of Environmental Quality (DEQ) Compliance.

- Ability to exhibit knowledge and experience with Montana's DEQ and Montana's Petroleum Tank Release Compensation Board (PTRCB)
- Identifying property eligibility and sourcing funds for eligible projects

Deliverables:

- Providing 24-hour petroleum release notices
- Navigating forms and eligible costs associated with PTRCB costs

Section 4: Methodology for Environmental Assessments

Big Sky Economic Development will review all environmental assessment proposals, QAPPs, and subsequent work plans to determine if activities will meet the objectives of the Brownfields project before the start of assessment activities. The final scope of services will be negotiated and modified as site conditions warrant.

Phase I and II assessments are necessary for the purpose of this RFP. The Phase I assessment will document previous as well as contemporary uses of the site and the potential for contamination due to site uses and/or migration from surrounding properties. Findings from a Phase I assessment typically include observations made on the property, interviews with people familiar with the property, and a review of public documents relevant to the property. Soil, air, or water sampling are not performed in a Phase I assessment.

The Phase I assessment will be conducted in accordance with the ASTM Standards on Environmental Site Assessments for Commercial Real Estate (ASTM Designation E1527-21), as well as applicable local and state requirements.

Phase II assessments evaluate potential concerns identified in the Phase I assessment. Phase II assessments are tailored to meet site-specific needs based on current or future use of the property. At a minimum, this may involve limited sampling and analysis to confirm or rule out potential environmental concerns. The Phase II sampling will follow guidelines, regulations and requirements of the designated lead regulatory agency, as appropriate. Phase II will also adhere to ASTM Standards for Phase II Assessments (ASTM Designation E1903-19) when applicable. If the Phase II work indicates the need for clean-up, a separate RFP soliciting proposals will be prepared. Sampling activities must be adequate to determine the presence or absence, magnitude, extent, and clean up options for contaminants that may pose a threat to redevelopment and future land use. Phase II work will also adhere to applicable Federal and State regulatory requirements and should include identifying likely exposure pathways and characterizing risks to establish cleanup goals and to evaluate clean up options.

The EPA requires that all federally funded environmental monitoring, sampling and measurement efforts participate in a centrally managed quality assurance program. Anyone generating data under this quality assurance program has the responsibility to implement procedures to ensure

that the precision, accuracy, and completeness of its data are known and documented. To meet this responsibility, EPA requires that for each Brownfields site, a written QAPP be prepared and submitted to and approved by EPA prior to the commencement of sampling. Section 5 discusses QAPPs in further detail.

Analysis of clean-up options will be based on clean-up goals, methods, and costs considered acceptable by the Grantee, the community, and/or State/Federal regulators. The contractor will provide evaluation criteria and several options based on feedback from the Grantee and the community. Specific evaluation criteria that contractors will initially consider include the following: risk to public health, safety, and the environment (during and after redevelopment); ease of implementation; effectiveness; applicability with Federal, State, and local laws/regulations; degree of permanency; time; and cost.

Section 5: Quality Assurance

The proposal should describe the measures that will be used to ensure that defensible and quality data are collected and reported for this project. Proposals must describe and provide a rationale for selecting locations, types, quantities, and analyses for proposed samples. Proposals should also include general equipment and methods for proposed sampling and analyses with references to specific Federal, State, and professional practice guidelines. Proposed analysis and measurement methods must be capable of reliably detecting concentrations equal to or below applicable cleanup standards for future land use.

The consultant will prepare a Quality Assurance Project Plan (QAPP) containing required information for approval by the U.S. EPA Region VIII, per document EPA 540-R-98-038, *Quality Assurance Guidance for Conducting Brownfields Site Assessments*. The consultant will complete a U.S. EPA Region 8's QA Document Review Checklist to facilitate approval of the final document. QAPPs must address five general areas:

- A. Data Quality Objectives
- B. Project management
- C. Measurement/data acquisition
- D. Assessment/oversight
- E. Data validation and usability

Section 6: Health & Safety Requirements

The project manager or technical lead for the project must have advanced health and safety training as specified in OSHA, 29 CFR 1910.120. The proposed individual must be present on site during any on-site work and sampling activities. All individuals working at the site must have appropriate health and safety training, including 40-hour Hazardous Waste Site Operations and 8-Hour Refresher courses. A site-specific health and safety plan must be prepared by a certified safety professional or certified industrial hygienist, and submitted prior to performing on-site work. The proposal should provide an example outline or describe the type of information that will be in the health and safety plan. Such a plan must be submitted as part of the work plan for the final negotiated scope of services and revised, as necessary, for subsequent work plans.

Section 7: MBE/ WBE Utilization Requirements

In accordance with EPA’s Program for utilization of Small (SBE), Minority (MBE), and Women’s Business Enterprises (WBE), the contractor must ensure that the six affirmative steps are followed in extending subcontracting opportunities to qualified MBE/WBE firms (see 40 CFR 35.6580(a)). The following goals for MBE/WBE participating has been established for this project: the fullest extent possible that at least the following percentages will be met:

	MBE	WBE
Personnel Services	2.0%	3.0%
Equipment	2.0%	3.0%
Supplies	2.0%	3.0%
Construction	2.0%	3.0%

EPA requires that bidders/proposers under federally funded contracts or subcontracts for supplies, construction, equipment and/or services include solicitation efforts to organizations owned or controlled by socially and economically disadvantaged individuals and women. To evaluate compliance with the Fair Share policy, the bidder needs to demonstrate compliance with the six affirmative steps:

1. Include qualified SBEs, MBEs, and WBEs on solicitation lists.
2. Assure the SBEs, MBEs, and WBEs are solicited whenever they are potential sources
3. Divide total requirements, when economically feasible, into small tasks or quantities to permit maximum participation of SBEs, MBEs, and WBEs.
4. Establish delivery schedules, where the requirements of the work permit, which will encourage participation by SBEs, MBEs, and WBEs.
5. Use the services and assistance of the Small Business Administration and the Minority Business Development Agency, U.S. Department of Commerce, as appropriate.
6. If work is awarded from the prime contractor to a subcontractor, the subcontractor is required to take the affirmative steps outlined above.

Section 8: Community Outreach & Education Plan

The Grantee plans to solicit community participation in the assessment, cleanup and redevelopment activities. The contractor, in consultation with BSED staff, will be responsible for the development of a Community Outreach and Education Plan that describes the outreach approach and schedule, and examples of educational material that will be used to communicate technical aspects of the environmental activities to the community. Respondents to this RFP should outline experience in holding community meetings and identify personnel who will be involved in on-site community training activities. Information presented to the community must be in layman’s terms and will include summaries of cleanup standards, assessment sampling plans and results, proposed cleanup options and recommendations as related to project objectives and decisions. Respondents should plan to hold at least three public meetings, and to participate in Brownfields Steering Committee meetings as needed.

Section 9: Project Deliverables

All deliverables should be submitted to Big Sky Economic Development in both electronic and hard copy formats. The proposal should provide a description or outline of the work plan and reports that are part of the deliverables for the project. At a minimum, the following project deliverables are expected:

1. **Community Outreach/Environmental Education Plan & Report.** Summarizes the information presented and feedback received relevant to redevelopment objectives and scope of the assessment work. This will include key interactions and feedback from Federal, State, and local agencies. (See Section 8) for more information on activities related to this report).
2. **Draft and Final Phase I Environmental Assessment Reports.** Written summary of potential environmental concerns, with illustrations, for incorporation into the final EA report. These materials should document a level of effort consistent with the ASTM Standard E 1527.
3. **Draft and Final Quality Assurance Project Plan.** Required elements are described in Section 5.
4. **Draft and Final Sampling Analysis Plans.** Consists of field sampling plans, including justifications for sampling locations, types and numbers of samples, analytical methods, etc. In addition, a Health and Safety Plan shall be provided that complies with OSHA 29 CFR 1910.120 entitled "Hazardous Waste Operations and Emergency Response." Prior to beginning any fieldwork, a health and safety plan will be in place for each site at which field work will be performed using EPA funds.
5. **Draft and Final Phase II Environmental Assessment Report.** The report should provide a summary of procedures and results of the Phase I and Phase II assessments, including a definition of the lateral and vertical extent of contamination (and associated exposure pathways and risks, if necessary), which poses a threat to planned reuse. This would include action levels and those samples that exceeded the action levels. The report should also include recommendations for cleanup or other appropriate actions, with cost estimates. Risk and cost figures will be reported within acceptable (negotiated) levels of confidence. The report will also contain a brief summary of Quality Assurance/Quality Control performance. Appendices will include boring logs, raw field and laboratory analytical data, sample chain-of-custody records, photograph logs, documentation of proper management of investigation-derived wastes, and abandonment records for boring and monitoring wells.
6. **SBA Reliance Letter for Each Phase I and Phase II Assessment.** The contractor will provide a signed reliance letter, utilizing the sample letter with no changes, to BSED for every Phase I and II Assessment.
7. **Draft and Final Clean-up/Remedial Design Plan(s).** This will consist of remediation options with preliminary cost estimates and levels of confidence (as appropriate). The report should also include recommendations for clean-up or other appropriate actions, with cost estimates. Risk and cost figures will be reported within acceptable (negotiated) levels of confidence.
8. **Progress Reports/Invoice Submittals.** Should occur on at least a monthly basis and contain short summaries of progress for all phases of work, data, and findings. Also,

information that relates to decisions for subsequent assessment work and redevelopment will be reported in a timely manner, including:

- A. **Recognition of new, potential environmental concerns** (verbally/immediately).
- B. **Detection of contaminant concentrations** or other features that exceed or may exceed levels requiring cleanup for intended land use (verbally/immediately).
- C. **Preliminary estimates** of magnitude, extent, and regulatory implications (or risks, if necessary) of contaminants, in context of redevelopment and intended land use. The contractor will provide levels of confidence for estimated risks (monthly or as appropriate).
- D. **Quality Assurance/Quality Control** shortcomings and corrective actions (verbally/immediately).
- E. **Deviations from the QAPP/SAP** with explanations.
- F. **Health/Safety** incidents (immediately).
- G. **ACRES Reporting** (monthly or as appropriate).

Section 10: Information for Consultants

10.1: Qualifications

The proposal should include descriptions of roles for key personnel expected to work on this project, and their resumes, which indicate work location, education/certifications, and experience in the following areas:

1. Managing and performing Phase I and II Environmental Assessments.
2. Familiarity with Brownfields or equivalent processes should be described, giving examples of recent projects.
3. Performing site remediation and closure feasibility assessments (to include estimating associated risks and costs).
4. Working with federal, tribal and state regulatory agencies.
5. Providing community outreach and environmental education.
6. Experience on the uses of alternative or innovative technologies.

In addition, the proposal will describe institutional qualifications (including certifications or licenses) for:

7. Boring and monitoring well installations (attach typical log diagram) and abandonment.
8. Analytical laboratories, including results of participation in performance evaluation programs use of alternative/innovative technologies/equipment (as applicable).

Section 10.2: Schedule and Costs

The proposal should include anticipated schedule and time/material cost estimates for the activities listed below to be completed by September 30, 2026. Time should be allowed in the schedule for BSED to review and revise draft deliverables and for preparation of final documents. Unit rates on which costs are based should be included with the proposal as well as a timeline and project milestones, which should correspond to those in the Workplan approved by EPA (*see Attachment E*).

Provide a separate fee proposal for each task as described in Section 3 of this Request.

Submit unit rates for the following:

- Final negotiated assessment plan preparation

- Surveys, field sampling, and analytical testing (If innovative techniques are proposed, submit a cost comparison to conventional methods)
- Report writing and project management activities
- Quality assurance activities
- Providing environmental remediation strategies
- Community involvement and environmental education activities (including facilitation of meetings)

Section 10.3: Content of Proposals

Consultants shall provide the following information in their Proposal for evaluation by BSED:

- A. A list and description of projects similar in scope and size upon which the Consultant and Consultant's proposed sub-consultants have provided professional services; the names of personnel of the Consultant or Consultant's proposed sub-consultants who performed the work; a discussion of whether the projects were completed on time and within budget; and the names of persons responsible for the property owner and his/her telephone number. A minimum of three property owners must be identified in the Proposal.
- B. A list of the sub-consultants proposed to be used by the Consultant in the performance of the services described in the Scope of Services.
- C. Names and qualifications (including professional training, licenses, experience, awards, etc.) of personnel of Consultant and Consultant's proposed sub-consultants for the services described in the Scope of Services, and the role of each in the projects.
- D. The proposal should describe the measures that will be used to ensure that defensible and quality data are collected and reported for this project.
- E. Evidence that the Consultant has professional liability insurance.
- F. Overall project work plan and timeline, and such other data or information to assist BSED in applying the selection criteria set for the project herein below.

Section 10.4: Submission Procedures

A Mandatory pre-bid proposal conference call will be conducted on April 3, 2023, at 10:00 a.m. to discuss the RFP and answer any questions from consultants. This will be conducted via Zoom.

Zoom Link: <https://us02web.zoom.us/j/3736663603>

Written response proposals to this RFP must be received by no later than 4:00 p.m. MT on Thursday, April 13, 2023. Proposals received after this time/date will not be considered. Please deliver four (4) hard copies and one (1) electronic copy of this proposal to:

Attention: Thom MacLean
Big Sky Economic Development
201 North Broadway
Billings, Montana 59101

Mark the outside of the envelope: Brownfields RFP

The recipient must supply a statement that the consulting firm presently has no interest and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of the services contemplated by the agreement with the project. No person having such interest shall be employed by or associated with consultant during the term of this agreement. The recipient

must also state whether they are on the list of contractors that have been debarred from receiving Federal funding.

Questions about the project should be directed to Thom MacLean (406) 869-8407, or thom@bigskyeda.org. Copies of relevant documents may be obtained by contacting Thom MacLean or accessing www.bigskyeconomicdevelopment.org and clicking on Community Development, then Projects.

Section 10.5: Selection Process

An evaluation committee comprised of BSED's Brownfields Selection Committee will review each proposal. BSED reserves the right to reject all proposals. Award of any contract is contingent upon approval by the BSED Board. The cost of preparing responses to this RFP shall be borne by the respondents and shall not be reimbursed by BSED. Criteria for rating firms will include the following:

- 15% the firm's reputation for personal and professional integrity and competence; ability to work with and comply with federal, state, and local government agencies and persons in official oversight/compliance capacities; and familiarity and experience with the type of project/process and site
- 25% Professional and educational experience of key personnel to be assigned to the project and the firm's experience with the type of the project/process as well as the project site. Firms that have developed approved QAPPs and Health & Safety Plans will receive a minimum of 10 percentage points.
- 25% Ability of the firm to provide required services and to perform the required work within the project period, which ends September 2026.
- 25% Costs associated with the scope of work. Final costs will be negotiated with the selected firm upon submittal of a detailed project work plan, and cannot exceed the amount awarded by U.S. EPA for this project.
- 10% Convincing scientific and logical strategies and innovative approaches

In addition, each proposal must demonstrate its compliance with the MBE/WBE program requirements as described above in Section 7.