



# Contracting Basics

**Region 5 Tribal Workshop - May 5, 2026**

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[www.tribaltab.org](http://www.tribaltab.org)

# Technical Assistance to Brownfields (TAB)

## What is TAB?

- A national program funded by U.S. EPA
- Dedicated TAB services provider for each EPA region & a dedicated TAB services provider for all federally recognized Tribes & Alaska Native villages
- Services provided are **FREE** and tailored to address specific community needs
- Assist communities and tribes with the brownfield assessment, cleanup and redevelopment process
- Planning, environmental and economic development expertise
- Webinars, workshop, e-tools (e.g., BiT, TAB EZ) and online resources
- And much, much more...

## Who are the TAB Service Providers?

[University of Connecticut](#) – EPA Region 1

[New Jersey Institute of Technology \(NJIT\)](#) – EPA Regions 2 & 4

[Mid-Atlantic TAB](#) – EPA Region 3

[Kansas State University \(KSU\)](#) – EPA Regions 5, 6, 7, & 8

[Center for Creative Land Recycling \(CCLR\)](#) – EPA Regions 9 & 10

[KSU - ITEP - ANTHC](#) – Tribal TAB





*The Tribal Technical Assistance to Brownfields (Tribal TAB) program supports Indigenous communities in protecting and restoring sacred lands.*

## Who We Are

Tribal TAB is a collaborative partnership between KSU, ITEP, and ANTHC.



## What We Do

The Tribal TAB network provides free technical assistance to all federally recognized Tribes, Alaska Native Villages, and other Tribal entities.



## Contact Us

Tribal-TAB@ksu.edu

## How We Can Assist

- ❖ Help identifying & prioritizing brownfields
- ❖ Tribal Response Program resources
- ❖ Tribal Brownfields Knowledge Circle
- ❖ Identify potential funding
- ❖ Brownfields for renewable energy & energy sovereignty
- ❖ Incorporate culture & tradition in brownfields efforts
- ❖ Planning & redevelopment visioning
- ❖ Review of technical documents
- ❖ And much, much more

# Procurement Policies

Under [2 CFR 200.317](#) - Procurements by State and Indian Tribes, when using federal funds, a State or Indian Tribe must:

- Follow its own written procurement policies and procedures when they exist and apply them consistently to both federal and non-federal funds
- If no such policies exist, follow the federal procurement standards in [200.318](#) through [200.327](#).

[EPA Procurement Guidance Document](#)

[Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements | US EPA](#)

# Roundtable Discussion

“What has been the biggest challenge when hiring contractors for environmental or technical projects?”



# Define the Scope

- Provide clarity to ensure everyone is on the same page
- Scope may include items such as Phase I and II ESAs, cleanup planning, demolition, reuse planning, and/or cleanup oversight
- Avoid being too vague with scope language

## Key Steps:

- Identify the need or problem to be addressed
- Define the tasks, deliverables, and timeline
- Set clear expectations for outcomes and success
- Ensure the scope aligns with funding requirements and Tribal/community priorities

# Request for Qualifications and Proposals (RFQP)

- Fair and open competitive process
- Goal is to have a clear, comprehensive documents
- Scope becomes the basis of the RFQP
- Spells out the steps for submitting a proposal, including required content, deadlines and evaluation criteria

# RFQPs Do's and Don'ts

- Don't accept help putting together the RFQP from a contractor that plans to bid on the project
  - If someone helps with the RFQP together (provides sample language, draft the scope, etc.), then they must be excluded from consideration


## INSTEAD

- Connect with the Tribal TAB program for RFQP templates
  - Assessment
  - Cleanup
  - Multipurpose (both assessment and cleanup)
  - With and without grant writing assistance

# RFQPs Do's and Don'ts

- Don't be overly restrictive, as it may limit competition and make it so that only one consultant/contractor can meet the criteria

## INSTEAD

- Seek relevant (but not exact) experience
  - Keep the solicitation open for at least 30 days
  - Advertise widely
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# More RFQP Suggestions

- Keep open and transparent communication
  - If you respond to questions, require that they be submitted in writing, with responses posted in writing where all potential responders can see them.
- Consider including the option to extend the contract
- Include any compliance requirements related to the vendor's work
- Set a page limit for the RFQP document
- Talk with other Tribes and area governments about their experience

# Evaluation Criteria

- List the evaluation criteria in the RFQP document
- Use a scoring matrix to evaluate each submission consistently
- Have a small internal team evaluate all the proposals received
- Compare and rank proposals based on submissions

## Potential criteria:

- Experience
- Technical expertise
- Cost (EPA recommends at least 25%)
- Cultural competency
- Local hiring
- Support for Native-owned businesses

# Scoring Matrix Example

Written Proposal Criteria	Points Available	Points Awarded	Comments
Identification of key personnel and experience/capability	20		
Resources and key personnel available to perform work in reasonable time frame	20		
Respondent's approach to successfully complete each scope of services task	10		
Ability to handle multiple projects simultaneous and meet deadlines	10		
Specific experiences, references and/or considerations the Respondent has that makes it uniquely qualified	15		
Reasonable overall costs/hours/rate schedule	25		
<b>Total Points</b>	100		
Interview Criteria	Points Available	Points Awarded	
Participation from project manager and other key personnel	10		
Presentation specific to applicable scope of work tasks	15		
Responses to questions	25		
<b>Total Points:</b>	50		

# Selection

- Document the decision
  - Keep records for the process and how the selection was made
  - If lowest bidder was not selected, document why the decision was made
- Verify contractor eligibility in [sam.gov](https://sam.gov)

# Roundtable Discussion

“What’s one thing you’ve seen missing or unclear in an RFP?”



# Roundtable Discussion

“How do you balance cost vs. expertise in brownfield work?”



# Writing the Contract – Information Gathering

What I request from tribal staff:	How I use it:
RFP/Q and all follow-up written questions and answers	Finding scope of work, budget considerations, geographic location of work, special issues to be considered
Funding source documents	Determining additional contract terms, regulations requirements
Contractor bid documents	Total bid price, verification of contractor status (licensed, not federally excluded), safety plan, insurance compliance
Prior experience with contractor	Successful prior cleanups, similar past contract work

# Writing the Contract – Key Inclusions

- Identification of parties and geographic location
- Detailed scope of work
- Start and end date, including allowances for extensions
- Contract price
- Payment terms
- Progress considerations
- Safety considerations and plans
  - fires, human health, public access, contractor accidents
- Insurance requirements
- Required contract provisions from funding sources
  - prevailing wage, non-discrimination, seatbelt use, non-smoking, etc.
- Dispute resolution

# Writing the Contract - Tribal Considerations

- Access to site
  - Prior authorization, timing, sensitive nearby-areas, coordination
- Contractor liens
  - Enforceability issues
- Dispute resolution
  - Tribal specific priorities – informal, arbitration, litigation
  - Tribal, state, federal courts
- Tribal sovereign immunity
  - Tribal specific priorities for waiver, non-waiver

# Roundtable Discussion

“What’s one contracting mistake you’ve seen or want to avoid?”



# Roundtable Discussion

“What part of the process feels most unclear or risky?”



# BROWNFIELDS PROCUREMENT FOR TRIBAL COMMUNITIES

*Know the Rules and Win the Game!*

Virtual Event

**Tuesday, May 19<sup>th</sup> 2026 | 1:00 - 2:00 pm CT**

Learn the rules of procurement—  
and set your community up to win.



*Learn more &  
register today!*



# Tribal TAB Contact Info

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**Let's Connect!**

Scan to get in touch with a Tribal TAB team member or to join our mailing list



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# Thank You

For joining us for this session. Please get in touch if you have any questions or comments: [kp3@ksu.edu](mailto:kp3@ksu.edu)