City of Biddeford
City Council
April 19, 2022 6:00 PM Council Chambers and via Zoom
Please click the link below to join the webinar:
https://biddeford.zoom.us/j/98169125424?pwd=MmQ3bVRtaElUSmIzV1VLYTZ5elRHZz09

Passcode: 788821
Or One tap mobile :
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Webinar ID: 981 6912 5424
International numbers available: https://biddeford.zoom.us/u/a3lIehD5w

1. **Zoom Meeting Link**
   1.a. Please click the link below to join the webinar:
   https://biddeford.zoom.us/j/98169125424?pwd=MmQ3bVRtaElUSmIzV1VLYTZ5elRHZz09

   Passcode: 788821
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   Or Telephone:
   Dial(for higher quality, dial a number based on your current location):
   US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 9128
   Webinar ID: 981 6912 5424
   International numbers available: https://biddeford.zoom.us/u/a3lIehD5w

2. **Roll Call**
3. **Pledge of Allegiance**
4. **Adjustment(s) to Agenda**
   4.a. Add Order 2022.32 - Aeration Basin Concrete Epoxy Injection at Wastewater Treatment Plant

5. **Presentation:**
   5.a. UNE Integration with the City of Biddeford

6. **Public Hearing**

6.a. State Liquor License: Coco Bar and Grill - 11 Adams Street

6.b. State Liquor License: Broad Reach Sailing - On Saco River (579 Pool Street)

7. Liquor License Consideration

7.a. Coco Bar and Grill - 11 Adams Street
4-19-2022 Coco Bar and Grill Liquor License Application.pdf

7.b. Broad Reach Sailing - On Saco River (579 Pool Street)
4-19-2022 Broad Reach Sailing-Liquor License Application.pdf

Public Addressing the Council...(3-minute limit per speaker for up to a total of 15 minutes)

8. Consideration of Minutes:

8.a. April 5, 2022 Council Meeting Minutes
4-05-2022 Council Meeting Minutes.docx

9. Orders of the Day: {Public Comment - 3 Minute Limit}

9.a. 2022.32) Approval/Aeration Basin Concrete Epoxy Injection at Wastewater Treatment Plant
4-19-2022 AB Crack Sealing-MEMO.docx
4-19-2022 AB Painting Bid Tab.docx

9.b. 2002.26) Amendment/Land Development Regulations, Art. III-Official Zoning Map/Zone Change (Tax Map 17, Lots 16-2 and 16-3 - Cole Road) from I-1 to R-1-A
4-19-2022 Cole Road Zone Change-ORDER.docx
4-19-2022 Cole Road I-1 to R-1-A MEMO.docx
4-19-2022 Tansley Memo-Cole Road I-1 to R-1-A PB Directive.pdf
4-19-2022 Cole Road Zone Change-MAP.pdf
4-19-2022 Cole Road Zone Change (Lowe)-Oct 1994 Council Order.pdf

9.c. 2022.27) Directive to Planning Board/Add Mobile Food Court as Permitted Use in B2 Zone
4-19-2022 PB Directive-Mobile Food Court Zoning Amendment-ORDER.docx
4-19-2022 Mobile Food Court B-2 Zoning Amendment MEMO.docx
4-19-2022 Mobile Food Courts-Policy Comm March 2022 Memo.pdf
4-19-2022 Mobile Food Vendor Courts Oct 2021 Order.docx

9.d. 2022.28) Approval/Purchase of F-150 Lightning (EV) Pickup Truck for Engineering Department/
Arundel Ford
4-19-2022 F150 EV Lightning Pickup Purchase-ORDER.doc
4-19-2022 F150 EV Lightning Pickup-Engineering-MEMO.docx
4-19-2022 F150 Lightning EV Pickup Truck-backup docs.pdf

9.e. 2022.29) Approval of Deputy Recreation Director Position
4-19-2022 Creation of Deputy Recreation Director-ORDER.doc
4-19-2022 Creation of Deputy Recreation Director-MEMO.pdf

9.f. 2022.30) Confirmation/Appointment of 2022/2023 Election Clerks
4-19-2022 Appt-Election Clerks 2022-2023.docx
4-19-2022 Appt-Election Clerks 2022-2023-MEMO.pdf
Election Clerks for 2022-2023.doc

9.g. 2022.31) Approval/FEMA & MEMA Consultant for Disaster Recovery Services/October 2021 River Wall Repair & Other River Wall Projects

4-19-2022 Consultant for River Wall Repairs-ORDER.doc
4-19-2022 Consultant for River Wall Repairs-MEMO.pdf
4-19-2022 Consultant for River Wall Repairs-RFP.pdf
4-19-2022 Consultant - Request for further clarification-Meridian Exhibit-A-2.pdf
4-19-2022 Disaster Recovery Consulting Aggreement-Meridian Exhibit-A-3.pdf
4-19-2022 Disaster Recovery Grant Management Assistance- Berquist Recovery Consulting Exhibit-B.pdf
4-19-2022 Request for further clarification -BRC- Exhibit-B-2.pdf
4-19-2022 FEMA Recovery Consulting Agreement- BRC Exhibit B-3.pdf
4-19-2022 Request for Bids- Disaster Recovery Grant Management Assistance-Exhibit C.pdf

10. **Public Addressing the Council..(5-minute limit per speaker; 30 minute total time limit)**
11. **City Manager Report {James Bennett}**
12. **Other Business {Councilors' Comments; Updates; Announcements}**
13. **Council President Addressing the Council {Councilor Norman Belanger}**
14. **Mayor Addressing the Council {Mayor Alan Casavant}**
15. **Adjourn**

pd #210.00 3/29/2022

For New Businesses and Businesses with Liquor Licenses: Please be sure to contact the Code Enforcement Office to schedule an inspection (207) 284-9236

City of Biddeford

BUSINESS LICENSE APPLICATION

BUSINESS NAME: Coco Bar and Grill

Business Address: 11 Adams St, Biddeford **Map** ____ **Lot** ____

Mailing Address: 52 Ferry Rd, Saco, ME 04072

Business Telephone Number: ____

Email Address: cocobarandgrill@gmail.com

OWNER/OPERATOR: El Mexicano 2, LLC

Home Physical Address: Jesus Ayala Rentes

Home Mailing Address: ____

Home Telephone Number: (419) 908-0641

Applicant(s) Date of Birth: ____

____ 3/28/2022

Applicant's Signature **Date**

Any information provided in this application, which is found to be false, will result in the denial or revocation of this license – per 1 M.R.S.A. 17-A §453.

TYPES OF ENTERTAINMENT: **$150.00 (single/multiple events)**

- ❑ Concert
- ❑ Exhibitions (live performances)
- ❑ Circus/Carnival
- ❑ Playhouse/Play

$150.00 (annual)

- ❑ Indoor Skating Rink
- ❑ Bowling Lanes
- ❑ Theater/Movie House (plus $25.00 per screen)
- ❑ Billiard Room(s)
- ❑ Public Firing Range
- ❑ Bottle Club

AUTOMOBILE REPAIR AND/OR GRAVEYARD:

- ❑ Automobile Repair Garage for maintenance **$75.00**
- ❑ Automobile Graveyard **$200.00**

PLACES/DEALERS IN PRODUCTS: **$200.00**

- ❑ Secondhand Dealers
- ❑ Dealers in gold jewelry, etc.
- ❑ Antique Dealer
- ❑ Flea Market (for 20 tables; $5 per add'l table)
- ❑ Junk Dealer/Recycling

For New Businesses and Businesses with Liquor Licenses: Please be sure to contact the Code Enforcement Office to schedule an inspection (207) 284-9236

PAWNBROKER:	**$200.00**
VENDOR ON A PUBLIC PLACE:	**$50.00**
ICE CREAM TRUCK VENDOR (need to show proof of at least $500,000 liability insurance)	**$75.00**
VENDING ON WATERWAYS	**$100.00**

OPERATING LICENSE:

❑ Victualer (no alcohol)-State Cert. Required	**$75.00**
❑ Victualer serving beer and/or wine-State Cert. Required	**$100.00**
X Victualer serving beer, wine and/or liquor State Cert. Required	**$150.00**
❑ Taxicab, motorbus, public automobile (plus $20.00 per vehicle)	**$50.00**
❑ Massage Establishment/Therapist	**$100.00**
❑ Combined Massage Establishment/Massage Therapist	**$150.00**
❑ Adult Business	**$2,000.00**
❑ Sludge Disposal	**$50.00**

MISCELLANEOUS:

❑ Advertising (for liquor licenses)	**$60.00**
❑ Newspaper Vending Machines (per machine)	**$10.00**
❑ Video Game Devices (up to a max of $50.00)	**$10.00 (each machine)**

New Business License Application Disclosure: By submitting, signing and paying the applicable $10.00 application fee (and $60.00 advertising, when applicable), the issuance of business license in the City of Biddeford is not guaranteed. You will be required to pay the full business license fee(s) once departmental reviews have been completed and an Occupancy Permit has been issued by the Code Enforcement Office.

CITY COUNCIL APPROVAL DATE (if applicable): _____

CODE ENFORCEMENT APPROVAL: Scott Smith LSI.
(Occupancy Permit Issued)

CITY CLERK ISSUED: _____ **DATE:** _____

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Division Use Only
License No:
Class: By:
Deposit Date:
Amt. Deposited:
Payment Type:
OK with SOS: Yes ☐ No ☐

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Section I: Licensee/Applicant(s) Information; Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC): El Mexicano 2 LLC	Business Name (D/B/A): Coco Bar and Grill
Individual or Sole Proprietor Applicant Name(s): Jesus Ayala Rentes	Physical Location: 11 Adams St. Biddeford, ME 04005
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: 52 Ferry Rd. Saco ME 04072
Mailing address, if different from DBA address:	Email Address: cocobarandgrill@gmail.com
Telephone # 419 908 0691 Fax #: N/A	Business Telephone # N/A yet Fax #:
Federal Tax Identification Number: 86-3996490	Maine Seller Certificate # or Sales Tax #:
Retail Beverage Alcohol Dealers Permit:	Website address: not yet av.

1. New license or renewal of existing license? ☒ New Expected Start date: April 2022
   ☐ Renewal Expiration Date: N/A

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
   Food: N/A Beer, Wine or Spirits: N/A Guest Rooms: N/A

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
   ☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

4. Indicate the type of license applying for: (choose only one)

☒	Restaurant (Class I, II, III, IV)	☐	Class A Restaurant/Lounge (Class XI)	☐	Class A Lounge (Class X)
☐	Hotel (Class I, II, III, IV)	☐	Hotel – Food Optional (Class I-A)	☐	Bed & Breakfast (Class V)
☐	Golf Course (included optional licenses, please check if apply) (Class I, II, III, IV)	☐	Auxiliary	☐	Mobile Cart
☐	Tavern (Class IV)	☐	Other: _____		
☐	Qualified Caterer	☐	Self-Sponsored Events (Qualified Caterers Only)		

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

11 Adams St Biddeford, ME 04005

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If **Yes**, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

_____

11. Do you own or have any interest in any another Maine Liquor License? ☒ Yes ☐ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
El Mexicano		136A #16 Main St. Sanford, ME 04073
Taqueria 207		2 Ocean Park Rd. OOB, ME 04064

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Jesus Ayala Flores	10/31/1980	Mexico

Residence address on all the above for previous 5 years

Name Jesus Ayala Flores Address: 52 Ferry Rd. Saco ME 04072

Name Address:

Name Address:

Name Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If **Yes**, provide name of law enforcement officer and department where employed:

_____

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Court Square Properties, LLC, 124 Fortunes Rock Rd. Biddeford, ME 04005

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: N/A

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

A small dine in restaurant with a full bar. Both drinks and food menu are based on Mexican cusine. Plan on serving beer, wine, and mixed drinks. Bar will have aprox. ten seats and fifty seats at our dinning room.

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: St. James School

Distance: 0.3 miles

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to $2,000 or by both.

Please sign and date in blue ink.

Dated: March 29 2022

Signature of Duly Authorized Person

Signature of Duly Authorized Person

Jesus Ayala Fuentes

Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
    - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of $10.00 must be included with all applications.

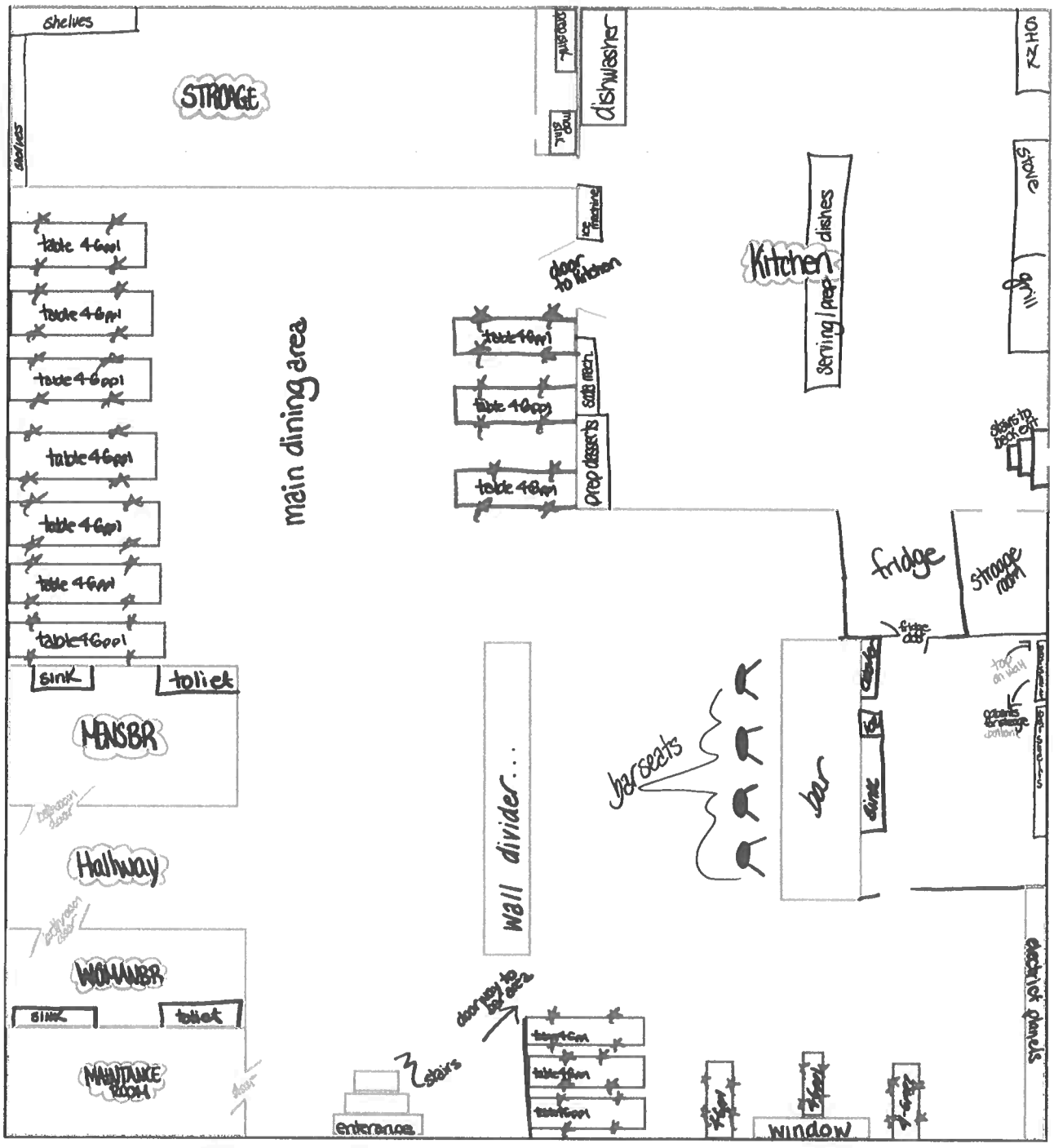
Please note: For Licensees/Applicants in unorganized territories in Maine, the $10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	**For the sale of liquor (malt liquor, wine and spirits)**	$ 900.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	
Class I-A	**For the sale of liquor (malt liquor, wine and spirits)**	$1,100.00
	This class includes only hotels that do not serve three meals a day.	
Class II	**For the Sale of Spirits Only**	$ 550.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	**For the Sale of Wine Only**	$ 220.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	**For the Sale of Malt Liquor Only**	$ 220.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class III and IV	**For the Sale of Malt Liquor and Wine Only**	$ 440.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class V	**For the sale of liquor (malt liquor, wine and spirits)**	$ 495.00
	This class includes only a Club without catering privileges.	
Class X	**For the sale of liquor (malt liquor, wine and spirits)**	$2,200.00
	This class includes only a Class A Lounge	
Class XI	**For the sale of liquor (malt liquor, wine and spirits)**	$1,500.00
	This class includes only a Restaurant Lounge	

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: El Mexicano 2 LLC
2. Doing Business As, if any: Coco Bar and Grill
3. Date of filing with Secretary of State: May 25 2021 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: N/A
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Jesus Ayala Fuentes	52 Ferry Rd. Saco ME 04072	10/31/80	President	100%

(Ownership in non-publicly traded companies must add up to 100%.)

pd #60 - advertising fee 3/23/2022

$10.00 application fee is applicable to all NEW businesses
$60.00 advertising fee for new liquor license applications is an up-front charge

City of Biddeford
BUSINESS LICENSE APPLICATION

BUSINESS NAME: Broad Reach Sailing Business on a boat on the Saco River

Business Address: 579 Pool Street, Biddeford, ME **Map** 51 **Lot** 9

Mailing Address: 579 Pool Street, Biddeford, ME

Business Telephone Number: 207.229.1014

Email Address: Bob@BroadReachSailing.us & Abby@BroadReachSailing.us

OWNER/OPERATOR: Robert A. Fralley, Jr. & AbbyLynn Haskell

Home Physical Address: 579 Pool Street, Biddeford, ME

Home Mailing Address: 579 Pool Street, Biddeford, ME

Home Telephone Number: 207.229.1014

Applicant(s) Date of Birth: February 5, 1960

Applicant's Signature — **Date** 3/23/22

Any information provided in this application, which is found to be false, will result in the denial or revocation of this license – per 1 M.R.S.A. 17-A §453.

TYPES OF ENTERTAINMENT:

- ☐ Concert
- ☐ Exhibitions (live performances) — **$150.00 (single/multiple events)**
- ☐ Circus/Carnival
- ☐ Playhouse/Play
- ☐ Indoor Skating Rink — **$150.00 (annual)**
- ☐ Bowling Lanes
- ☐ Public Firing Range
- ☐ Theater/Movie House (plus $25.00 per screen)
- ☐ Bottle Club
- ☐ Billiard Room(s)

AUTOMOBILE REPAIR AND/OR GRAVEYARD:

- ☐ Automobile Repair Garage for maintenance — **$75.00**
- ☐ Automobile Graveyard — **$200.00**

PLACES/DEALERS IN PRODUCTS: — **$200.00**

- ☐ Secondhand Dealers
- ☐ Flea Market (for 20 tables; $5 per add'l table)
- ☐ Dealers in gold jewelry, etc.
- ☐ Junk Dealer/Recycling
- ☐ Antique Dealer

$10.00 application fee is applicable to all NEW businesses
$60.00 advertising fee for new liquor license applications is an up-front charge

PAWNBROKER:	**$200.00**
VENDOR ON A PUBLIC PLACE:	**$50.00**
ICE CREAM TRUCK VENDOR	**$75.00**
(need to show proof of at least $500,000 liability insurance)	
VENDING ON WATERWAYS	**$100.00**

OPERATING LICENSE:

❑ Victualer (no alcohol)-State Cert. Required	**$75.00**
❑ Victualer serving beer and/or wine-State Cert. Required	**$100.00**
❑ Victualer serving beer, wine and/or liquor State Cert. Required	**$150.00**
❑ Taxicab, motorbus, public automobile (plus $20.00 per vehicle)	**$50.00**
❑ Massage Establishment/Therapist	**$100.00**
❑ Combined Massage Establishment/Massage Therapist	**$150.00**
❑ Adult Business	**$2,000.00**
❑ Sludge Disposal	**$50.00**

MISCELLANEOUS:

❑ Advertising (for liquor licenses)	**$60.00**
❑ Newspaper Vending Machines (per machine)	**$10.00**
❑ Video Game Devices (up to a max of $50.00)	**$10.00 (each machine)**

New Business License Application Disclosure: By submitting, signing and paying the applicable $10.00 application fee (and $60.00 advertising, when applicable), the issuance of business license in the City of Biddeford is not guaranteed. You will be required to pay the full business license fee(s) once departmental reviews have been completed and an Occupancy Permit has been issued by the Code Enforcement Office.

CITY COUNCIL APPROVAL DATE (if applicable): _____

CODE ENFORCEMENT APPROVAL: _____
(Occupancy Permit Issued)

CITY CLERK ISSUED: _____ **DATE:** _____

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Division Use Only
License No:
Class: By:
Deposit Date:
Amt. Deposited:
Payment Type:
OK with SOS: Yes ☐ No ☐

Application for a Public Service License

All Questions Must Be Answered Completely. Please print legibly.

Section I: Licensee/Applicant(s) Information; Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC):	Business Name (D/B/A): Broad Reach Sailing
Individual or Sole Proprietor Applicant Name(s): AbbyLynn Roselle Haskell	Physical Location: On vessel moored near 579 Pool Street, Biddeford
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: 579 Pool Street, Biddeford, ME 04005
Mailing address, if different from DBA address:	Email Address: abby@BroadReachSailing.us
Telephone # Fax #: 207.415.5858 N/A	Business Telephone # Fax #: 207.229.1014 N/A
Federal Tax Identification Number: 84-1732968	Maine Seller Certificate # or Sales Tax #:
Retail Beverage Alcohol Dealers Permit:	Website address: BroadReachSailing.us

1. New license or renewal of existing license? ☒ New Expected Start date: 05/01/2022
   ☐ Renewal Expiration Date: _____

2. Indicate the type of license applying for:

   ☒ Public Service Class I – Beer, Wine and Spirits ☐ Public Service Class II – Spirits Only

   ☐ Public Service Class III – Wine Only ☐ Public Service Class IV – Beer Only

3. This application is for: (check only one)

☒ Vessel ☐ Train ☐ Aircraft

Refer to Section V for the License Fee Schedule

Please note for vessels only: For each municipality where the vessel will port or dock and will be offering the service of alcoholic beverages while at port or docked, a separate approval from each municipality is required. The form is attached at the end of this application.

4. Business records are located at the following address:

579 Pool Street, Biddeford, ME 04005

5. Is the licensee/applicant(s) a citizen of the United States? ☒ Yes ☐ No

6. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

Note: Applicants that are not citizens of the United States are required to file for the license as a business entity.

7. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If **Yes**, complete Section VII at the end of this application

8. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☒ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

9. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

_____

10. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

11. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
AbbyLynn Haskell	07/05/1973	Bangor, ME
Robert A. Fralley, Jr.	02/05/1960	Bellivelle, NJ

Residence address on all the above for previous 5 years

Name	Address:
AbbyLynn Haskell	632 Chick Crossing Road, ME 04090
Name	Address:
Robert A. Fralley, Jr.	579 Pool Street, Biddeford, ME 04005
Name	Address:

12. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If **Yes**, provide name of law enforcement officer and department where employed:

_____

13. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Did the licensee/applicant(s) formerly hold a Maine liquor license? ☐ Yes ☒ No

16. Does the licensee/applicant(s) own the premises? ☒ Yes ☐ No

If No, please provide the name and address of the owner:

_____

17. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

On the sailing vessel named Mistress.

Section II: Signature

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to $2,000 or by both.

Please sign and date in blue ink.

Dated: 3/23/22 March 23, 22

AbbyLynn Haskell

Signature of Duly Authorized Person

Signature of Duly Authorized Person

AbbyLynn Roselle Haskell

Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only
Approval of an application for a public service liquor license

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____
☐ County Commissioners of _____ County

☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

This approval will **expire 60 days** from the date of municipal or county approval unless submitted to the Bureau.

Please use this link to view Maine's liquor laws in Section 653 regarding the approval process by the municipalities or the county commissioners and your rights under this section of law. This is provided as a courtesy only and may not reflect the law in effect at the time of application.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
- The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of $10.00 must be **included** with all applications.

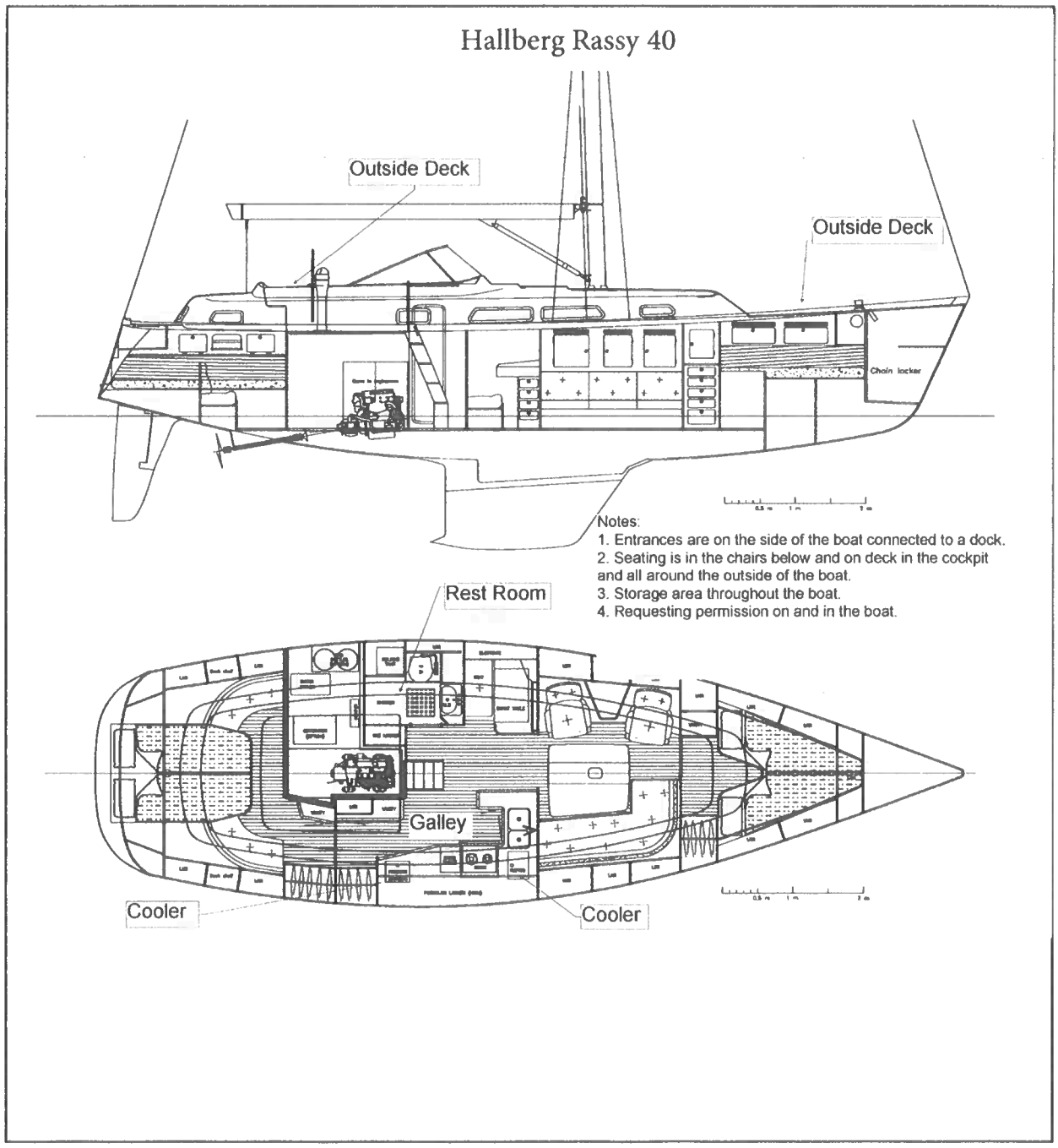
Please note: For Licensees/Applicants in unorganized territories in Maine, the $10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor (beer), wine and spirits)	$ 900.00
Class II	For the sale of spirits only	$ 550.00
Class III	For the sale of wine only	$ 220.00
Class IV	For the sale of malt liquor only	$ 220.00
Class III and IV	For the sale of malt liquor and wine only	$ 440.00

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



COUNCIL MEETING
APRIL 5, 2022
NOTE: Due to COVID-19, this meeting was held in-person in the Council Chambers, as well as virtually (via ZOOM),

Mayor Casavant called the meeting to order at 6:00 p.m.

Roll Call: William Emhiser, Scott Whiting, Martin Grohman, Amy Clearwater, Norman Belanger, Liam LaFountain, Doris Ortiz and Marc Lessard

Bobby Mills joined via Zoom.

The Council, and all who were present, recited the Pledge of Allegiance.

Adjustments to the Agenda:
- Add: Discussion/Approval) Review River Wall Repair Alternatives Analysis – Recommend Extension of Contract with Weston & Sampson

Appointment & Confirmation: **City Solicitor**
2022. IN BOARD OF CITY COUNCIL..APRIL 5, 2022
BE IT ORDERED, that Mayor Casavant's appointment of Harry B. Center, Esq. and the firm of Woodman Edmands Smith Danylik, Austin & Jacques, P.A., as City Solicitor, in accordance with the Charter of the City of Biddeford be confirmed.

Motion by Councilor Emhiser, seconded by Councilor Lessard to confirm the appointment.
Vote: Unanimous.

Public Addressing the Council…(3 minute limit per speaker for up to 15 minutes):
There were no public comments.

Public Hearing: ***Liquor Licenses***
- **Valleigh, Inc. DBA: Valerie's Scratch Kitchen – 45 Boulder Way**
- **Vickie's Veggie Table, LLC – 229 Main Street, Suite 101**

The Chair opened the Public Hearing at 6:02 p.m.
There were no public comments.
The Public Hearing was closed at 6:03 p.m.

Liquor Licenses Consideration:
- **Valleigh, Inc. DBA: Valerie's Scratch Kitchen**

Motion by Councilor Whiting, seconded by Councilor Clearwater to recommend the issuance of a State Liquor License to *Valleigh, Inc. DBA Valerie's Scratch Kitchen*.
Vote: Unanimous.

Motion by Councilor Whiting, seconded by Councilor Clearwater to recommend the issuance of a State Liquor License to *Vickie's Veggie Table, LLC*.
Vote: Unanimous.

Presentation: ***Grant Submission & Allocation***
City Manager James Bennett gave an update on the Earmark Grant request that is being submitted to Senator Collins's office this week, and Senator King's Office next week. He explained that the City has been working toward creating bicycle and pedestrian connections in the downtown, in conjunction with the Pepperell Mill, Lincoln Mill, Parking Garage and other development that the City has seen. The Earmark includes work for these improvements, as well as improvements to the RiverWalk. The total amount for the Earmark request is anticipated to be around $14 – $18 million. With funds already in place for these projects; as well as expected matching funds, this amount is attainable.

Motion by Councilor Belanger, seconded by Councilor Clearwater to support the submission of the Earmark Grant Request.
Vote: Unanimous.

Consideration of Minutes: **March 15, 2022**
Motion by Councilor Clearwater, seconded by Councilor Whiting to accept the minutes as printed.
Vote: Unanimous.

Second Reading:
{For a copy of the Order and first reading, see the Council Meeting minutes of March 15, 2022}

2022.17) Authorization/Biddeford School Revolving Renovation Fund Financing/Bonds for Health, Safety and Compliance Repairs at School Facilities for June 14, 2022 Municipal Referendum Election.
Motion by Councilor Belanger, seconded by Councilor Clearwater to grant the second reading of the order.
Vote: Unanimous.

Orders of the Day:
2022.23 IN BOARD OF CITY COUNCIL..APRIL 5, 2022
BE IT ORDERED, that in accordance with the provisions set forth under *Ch. 6, Amusements, Article V – Sales, Possession and Consumption of liquor at and during Special Events on City Public Property*, the City Council of the City of Biddeford does hereby grant approval for Biddeford Saco Chamber of Commerce to serve liquor at their Membership Cookout on July 21, 2022 at Mechanics Park, providing that the said Biddeford Saco Chamber of Commerce is and remains in compliance with the provisions set forth under Ch. 6, Section 6-178 et seq.

BE IT FURTHER ORDERED, that the City Council also approves the issuance of a Special Event Permit for the Biddeford & Saco Chamber of Commerce Trade Show/Business Expo Event on July 21, 2022 at Mechanics Park.

Motion by Councilor Clearwater, seconded by Councilor Whiting to grant the order.
Vote: Unanimous.

2022.24 IN BOARD OF CITY COUNCIL..APRIL 5, 2022
BE IT ORDERED, that in accordance with the provisions set forth under *Ch. 6, Amusements, Article V – Sales, Possession and Consumption of liquor at and during Special Events on City Public Property*, the City Council of the City of Biddeford does hereby grant approval for LaKermesse Franco-Americaine to have beer/wine served at their festival on June 23rd, 24th, 25th and 26th, 2022 at St. Louis Field, providing that the said LaKermesse Franco-Americaine is and remains in compliance with the provisions set forth under Ch. 6, Section 6-178 et seq.

BE IT FURTHER ORDERED, that the City Council also approves the issuance of a Special Event Permit for the LaKermesse Franco-Americaine Festival on June 23rd, 24th, 25th and 26th, 2022.

Motion by Councilor Clearwater, seconded by Councilor Whiting to grant the order.
Vote: Unanimous.

2022.25 IN BOARD OF CITY COUNCIL.....APRIL 5, 2022
BE IT ORDERED, that the City Manager be authorized to sign an agreement with Center for Public Safety Management, LLC for conducting an assessment of the Biddeford Fire Department in the total not-to-exceed amount of $53,500.

BE IT FURTHER ORDERED, that authorization for any additional work shall comply with the City of Biddeford purchasing policy and rules.

NOTE: The Finance Committee is scheduled to reviewed this item on April 5, 2022 as part of the published agenda.

Motion by Councilor Clearwater, seconded by Councilor Whiting to grant the order.
Vote: 7/2; Councilors Lessard and Mills opposed.
Councilors Emhiser, Whiting, Grohman, Clearwater, Belanger, LaFountain and Ortiz in favor.
Motion carries.

2022.26) Discussion/Approval – Review River Wall Repair Alternatives Analysis/ Recommended Extension of Contract with Weston & Sampson

From Chief Operating Officer Brian Phinney's Council Briefing:

FEMA has approved the disaster declaration for the river wall collapse at the RiverWalk overlook. Staff is providing a project update to review the wall repair alternatives report, FEMA funding expectations, and next steps. Weston & Sampson recommends a soldier pile and lagging wall design. It happens that this design is also the lowest cost alternative. To ensure selection of the most appropriate alternative given the wall failure and other factors. A 3rd party review was requested as a "check". James W. Sewall Co., confirmed Weston & Samson's findings. Next steps include moving forward with permitting, final design once FEMA sign-off is received and construction bidding.

With funding available in the FY22 budget, staff also recommends adding a municipally funded task to Weston & Samson's Agreement for permitting repair of the known failure and erosion damage at the Mechanics Park wall. The road constructed to access the RiverWalk collapse at Pepperell runs directly by the Mechanics Park section. Moving forward with permitting will allow repair and reduced overall cost. The City's EMA director is also actively pursuing federal funding in support of the Mechanics Park section.

Motion by Councilor Clearwater, seconded by Councilor Whiting to approve the extension of the contract with Weston & Sampson, which is to include the River Wall repair permitting at the Pepperell, and to add a separate Municipal funded task for permitting for the River Wall at Mechanics Park.
Vote: Unanimous.

Appointments:

Maine Service Center Coalition

Motion by Councilor Belanger, seconded by Councilor Clearwater to nominate City Manager James Bennett as Biddeford's Voting Delegate on the Maine Service Center Coalition.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL…APRIL 5, 2022

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

Bryan Hadler
100 Summer Street, #302
Ward 4

to the *Conservation Commission*, replacing Kenneth Buechs, for a term to expire in December 2022.

Motion by Councilor Belanger, seconded by Councilor Whiting to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL…APRIL 5, 2022

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do herebyappoint:

Larry Patoine
12 Shepherds Way
Ward 6

to the *Planning Board*, as an Associate Member, for a term to expire in December 2025.

Motion by Councilor Belanger, seconded by Councilor Whiting to confirm the appointment.
Vote: Unanimous.

Public Addressing the Council…(5 minute limit per speaker; 30 minute total time limit):
One citizen addressed his comments to the Council.

City Manager Report:
City Manager James Bennett informed the Council that the Auditors are currently planning to present the Audit to both the Council and School Committee at the May 3rd Council Meeting. The Audit will be sent to the Councilors prior to the presentation.

He also shared that the Bond Rating presentation will be done for the Bond Agencies at the end of this month. He is confident that the City is in much better financial standing and it is likely the City's bond rating will be upgraded.

Other Business:
Councilor Lessard asked if there are any dates and extended hours set for Spring cleanup at the Recycling Center. City Manager Jim Bennett will follow up with the DPW Director, Jeff Demers.

Councilor Grohman shared that there are improvements going on at Clifford Park; including the building of new picnic tables by the students at the Center of Technology.

Councilor Mills recently heard from a constituent who is concerned with the rising cost of rental units in Biddeford. Councilor Mills is hearing of many landlords who are making improvements to their rental units and then hiking up the monthly rents. This is causing the displacement of families who can no longer afford the monthly rents. This is very concerning and he hopes to talk with the recently formed Housing Committee to talk about this issue.

Council President Addressing the Council: Councilor Belanger reminded the Council that there is a Budget Committee meeting this coming Thursday and he encouraged the Councilors to take a look at the Municipal Service budget requests ahead of time to be prepared. He also encouraged the public to send their concerns/comments about the budget to the Council.

Mayor Addressing the Council: Mayor Casavant thanked the UNE Students who came out and helped with the cleanup of the City parks. He is pleased with the partnership that the City has formed with UNE.

Motion by Councilor Belanger, seconded by Councilor Clearwater to adjourn.
Vote: Unanimous. Time: 7:08 p.m.

Attest by:_____
Carmen J. Bernier, City Clerk

Finance Committee

Meeting Date: 2/19/22
Meeting Time: 5:00 PM

Agenda Item No: 4.2
Item Description: Approval/Aeration Basin Crack Sealing at Wastewater Plant

Submitted by: Jeff Demers - Public Works Director/Waste Water

Supporting Information/Documentation:

Aeration Bid Tab

Executive Summary:

Approval to have the Wastewater Treatment Plant Aeration basins cracks epoxy injected.

Detailed Review:

The Wastewater Treatment Plant Aeration basins were built as part of the original plant in 1965 and are in need of concrete epoxy repairs and a new coat of epoxy paint. These tanks are the primary source of treatment for all of Biddeford's wastewater and need to be repaired to maintain good working order. Waste Water staff did an RFP for contractors on November 10, 2020. Three contractors supplied bid packets with pricing. Staff recommended awarding the contract to the low bidder being Apex Corporation for the sum of $36,775. The finance Committee did approve the bid. Jeff did explain that staff would probably be coming back after a more thorough inspection was completed. That inspection by Epoxy Experts has been completed from the landing 4' down to the water level. It has been highly recommended that we inject the cracks with an epoxy filler prior to coating. This will help keep the cracks from expanding.

Funding Source:

This project will be funded from the Bond proceeds.

Staff Recommendation:

The cost to have the epoxy injected into the cracks is additional $18,195.00. Total cost for the A/B repairs are $54,970.00. That still places Apex as the low bidder for the project. Staff recommends updating the approval for Apex Construction.

City of Biddeford

Wastewater Division

Bid Tabulations

Aeration Tank Concrete Repairs and Coating

Bidders	Amount
Apex Construction	Lump Sum = $36,775 Spall repair <= 2" deep = $95/SF Spall repair > 2" deed = $139/SF Epoxy injection crack repair = $92/LF Crack Sealant = $23/LF
Copia Specialty Contractors	Lump Sum= $75,000 Concrete Repairs = $45/SF
Knowles Industrial Services	Lump Sum = $64,460 Surface Repairs = $85/SF Crack Sealant = $15/LF

2022.26 **IN BOARD OF CITY COUNCIL..APRIL 19, 2022**

BE IT ORDAINED by the City Council of Biddeford, Maine to amend the Code of Ordinances of the City of Biddeford as follows:

Part III (Land Development Regulations), Article III (Official Zoning Map):
Change Map 17, Lots 16-2 and 16-3 from I-1 Zone to R-1-A Zone, which will bring Lot 16-2 into conformity and allow residential uses consistent with the zone on Lot 16-3.

Biddeford City Council

Meeting Date: April 19, 2022
Meeting Time: 6:00 PM

Agenda Item No: 2022.26
Item Description: Amendment/Land Development Regulations, Art. III-Official Zoning Map/Zone Change (Tax Map 17, Lots 16-2 and 16-3 from I-1 to R-1-A

Submitted by: Hannah Bonine, Assistant City Planner

Supporting Information/Documentation:

- Order of City Council dated October 4, 1994
- Memo to City Council written by Janice DeRoche-Champagne, dated September 29, 1994
- Supplemental map from 1994 zoning amendment showing parcels to be rezoned
- Memo to City Council written by Greg Tansley, dated March 1, 2022

Key Terms:

None

Executive Summary:

- Currently under consideration is the rezoning of parcels at Map 17, Lot 16-2 and 16-3 from I-1 to R-1-A.
- Richard Lowe owns property off of Cole Road between the St. Demetrios Orthodox Cemetery and the train tracks (Tax Map 17, Lot 16-3), which is currently part of the I-1 zone.
- In reviewing the zoning history in the area, it appears this property was zoned R-1-A in the 1990s, but has been subject to administrative changes through map interpretation over time.
- City Council reviewed this item on March 1, 2022 and the Planning Board held a Public Hearing on April 6, 2022. Following the Public Hearing, the Planning Board unanimously voted to recommend passage of the amendment at City Council.

Detailed Review:

- In October 1994, the issue of confusing zoning in this area was brought to the attention of the Biddeford City Council. Parcels along Cole Road and Edwards Avenue (Tax Map 17, Lots 8, 9, 10,11, 12, 14, 16, and 20) had been part of the I-1 zone but had single family residences on them.
- On October 4, 1994 Biddeford City Council passed the amendment to change the zoning of these parcels from I-1 to R-1-A. The memo written by Planning Board Chair Janice DeRoche-Champagne explains the “confusing zoning arrangement” and recommends the zoning

change to "allow for better use of an area that is zoned industrial but is totally single family residential."

- Lots 16-2 and 16-3 were created from Lot 16 in 1995, following the rezoning. A single family home was constructed on the lot adjacent to Mr. Lowe's property (Map 17, Lot 16-2) in 1995, as it appears to have been treated as part of R-1-A.
- Over time, and when parcel-based zoning mapping was used in the 2000s, it appears that only Lot 16 remained in the R-1-A zone, and Lots 16-2 and 16-3 were incorrectly classified as I-1.
- These lots may not be suitable for industrial uses due to factors such as load restrictions on nearby roads and the lack of public sewer connectivity. Because of the neighboring residential uses, the best use of this parcel is residential.

- 1979 Zoning Map. Red star shows approximate location of the parcel.

- 1990 Zoning Map. Red star shows approximate location of the parcel within R-1-A zone.

- 2001 Zoning Map. Red star shows approximate location of the parcel on the border between R-1-A and I-1 zones.

- Current zoning map. Red star indicates the parcels. The I-1 zone is shown in purple, and the R-1-A zone is green.

- Amending the zoning for Map 17, Lots 16-2 and 16-3 will create conforming lots in the R-1-A zone. There is access via a deeded easement to both lots. Lot 16-3 will be buildable for allowed uses in the R-1-A zone, including a single-family residence.

Funding Source:

N/A

Staff Recommendation:

The Biddeford Planning Board positively recommends the zoning amendment for passage by the City Council.

Biddeford City Council

Meeting Date: March 1, 2022
Meeting Time: 6:00 PM

Agenda Item No: 2022.14
Item Description: Changing/clarifying the Zoning for two properties off Cole Road, Tax Map 17, Lots 16-2 and 16-3 as Residential (R-1-A) – Send to Planning Board for recommendation.

Submitted by: Greg Tansley, A.I.C.P., Deputy Director/City Planner

Supporting Information/Documentation:

- See Attached Council Order

Key Terms:

- None

Executive Summary:

- Mr. Richard Lowe owns property off the south side of Cole Road, between the Demetrios Cemetary and the train tracks.
- This property has a confused history with respect to Zoning. It appears this property has been the subject or various zoning map interpretations over time. The owner has expressed their belief that the property was zoned R-1-A (Residential) since back in the 1990's but over time has had its zoning changed administratively (map interpretation) rather than City Council action. The record seems to support this.
- One of the properties (17/16-2) has had a single-family home on it since 1995, according to tax records. This parcel is not currently owned by Mr. Lowe (once was) but is part of this discussion.
- In reviewing the zoning history of the area and reflecting on a lack of parcel-based mapping until the 2000's, it is possible that these two parcels have been intended to be R-1-A all along. Due to the scale and detail of the maps available, however, they may have been incorrectly classified as I-1 through map changes.
- We recommend the City Council send this matter to the Planning Board for a Public Hearing and a recommendation back to the City Council for future consideration.

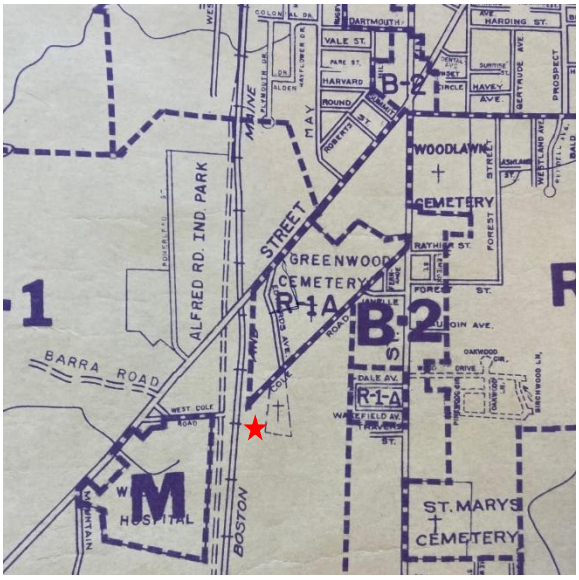
Detailed Review:

- See above.
- Also, for additional information, here are pictures of the zoning map for this areas back to 1979. Given that a single-family house is located on one of the parcels (built in 1995 – Tax Map 17, Lot 16-2) it seems reasonable to believe that they have been

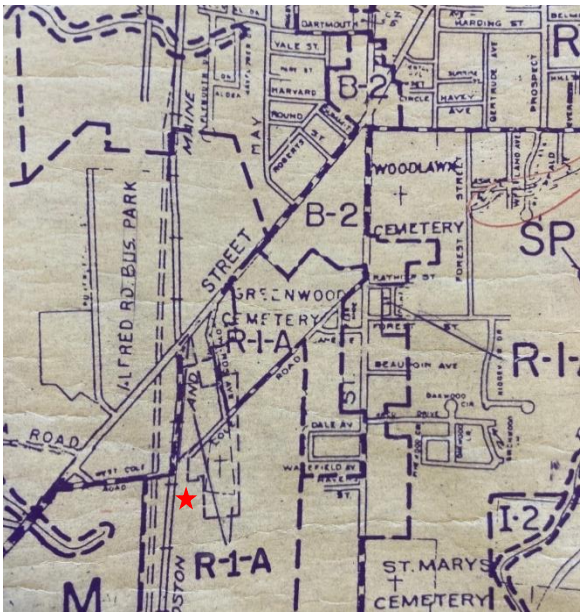
considered R-1-A since that time and the map should be corrected as such. The red star indicates the approximate location of these parcels on the zoning maps.

- It should also be noted that these parcels are not easily suitable for industrial uses with no ready access to city sewer and located at the end of a street with limited access to Route 111 due to Edwards Avenue load restrictions. It appears at this time that residential may have been the intended use of these parcels and remains the highest and best use to this day.

1979 Zoning Map:

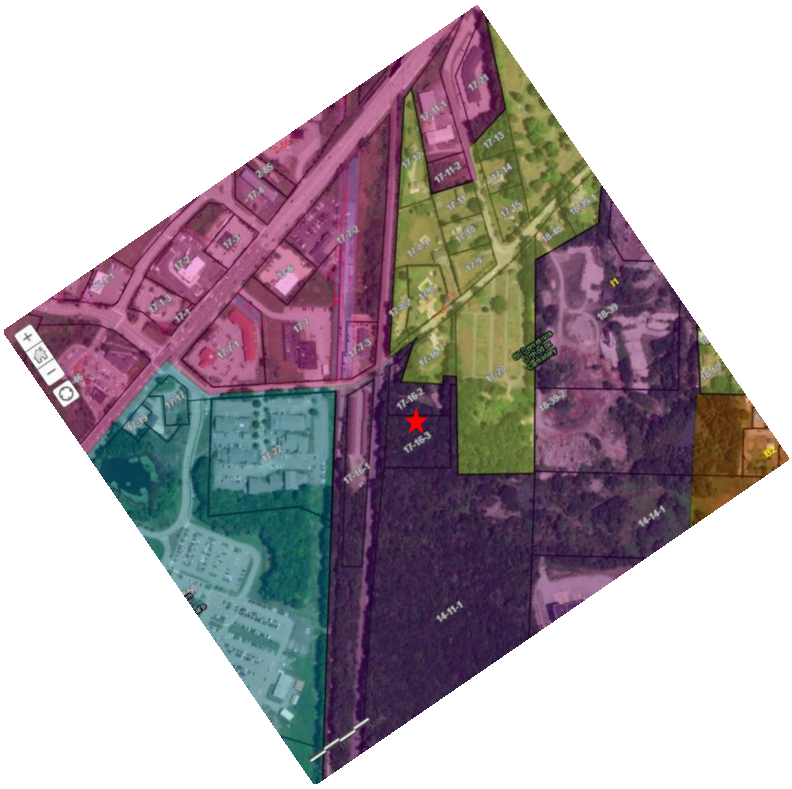


1990 Zoning Map:



2001 Zoning Map:

- Current:

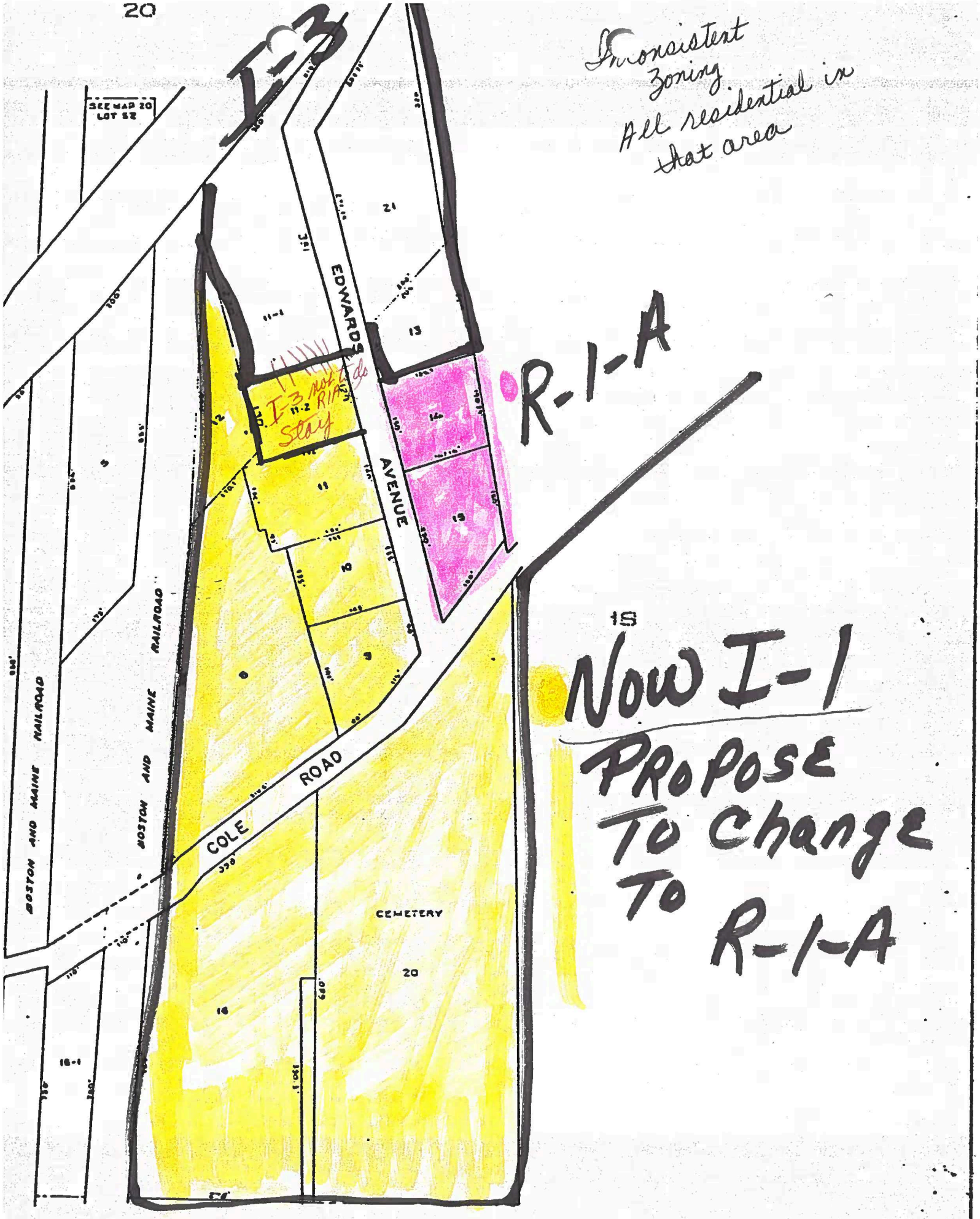


Funding Source:

- N/A

Staff Recommendation:

Send to the Planning Board to hold a Public Hearing and make a recommendation back to the City Council for future consideration.


20
I-3
SEE MAP 20 LOT 52
Inconsistent Zoning All residential in that area
EDWARDS
AVENUE
I-3 not to do R1A Stay
R-1-A
15
NOW I-1
PROPOSE TO Change TO R-1-A
BOSTON AND MAINE RAILROAD
BOSTON AND MAINE RAILROAD
COLE ROAD
CEMETERY
20
14
PROPERTY MAP

City of Biddeford

IN BOARD OF CITY COUNCIL ..... OCT 4 1994

Ordered By the Council of the City of Biddeford, upon recommendation by the Planning Board, that the Official Zoning Map of the City be amended by the City Engineering Office in accordance with provisions of Article III of the City of Biddeford Zoning Ordinance, as follows:

That the zoning designation of the area of Edwards Avenue be changed from I-1 (General Industrial) to R-1-A (Single Family Residential). The area to be changed is defined as follows:

From a point beginning at the SW intersection of the Boston and Maine ROW and Cole Road, then SW 1150"+/-; thence Easterly 700'+/-; thence NE to Cole Road, thence northerly of Cole Road along existing lot lines 300"+/-, thence westerly 160'+/- to Edwards Ave, thence southerly for 90'+/-, thence west 192 feet, thence northerly along lot line to intersection with RTE 111, thence westerly 16'+/- to Boston and Maine ROW, thence Southwesterly to Point of Beginning.

This description includes lots on Biddeford Tax Map 17 - lots 8, 9, 10, 11, 12, 14, 15, 16 and 20.

The purpose of this zone change is to bring the existing residential lots into conformity with the Biddeford Zoning Ordinance.

READ AND PASSED: October 4, 1994
Motion by Councilor Frechette, seconded by Councilor Sheltra to amend the Zoning Ordinance and grant first reading of the order.
Vote: Unanimous.

READ AND PASSED: OCTOBER 18, 1994
MOTION BY COUNCILOR FRECHETTE, SECOND BY COUNCILOR COTE TO GRANT THE SECOND READING OF THIS ORDER. VOTE: UNAIMOUS

ATTEST BY: Clairma R. Matherne
CLAIRMA R. MATHERNE, CITY CLERK

CITY OF BIDDEFORD, MAINE

PLANNING BOARD

P.O.Box 586
Biddeford, ME 04005
(207) 284-9115

September 29, 1994

Mayor Grattelo
Members of the City Council
City of Biddeford
205 Main Street
Biddeford, Maine 04005-0586

SUBJECT: Change in Zoning for Cole Road/Edwards Ave.

Honorable Mayor and Members of the Council:

The Planning Board has conducted a Public Hearing on September 7, 1994 regarding this proposed zone change and is hereby recommending that the area described in the attached Council Order and excerpt from Tax Map 17 be changed from its current Industrial zoning to R-1-A. This proposal is being presented by the Planning Department in an attempt to ease the confusion from the meeting of three different zones in a single area.

This has been an awkward area and difficult to establish as a zone because of the varied uses. At the beginning of this month a couple came in to ask if they could divide their lot and construct a new single family residence. This is the second request for a new house in this area within a year. Unfortunately, the area where the houses would go is I-3 which does not allow for residential development.

This confusing zoning arrangement has been in existence since at least the early 1980s, and is becoming more burdensome for the several property owners in regards to allowed land uses and the affects on the existing residential nature of the specific neighborhood.

This proposed zone change would allow for better use of an area that is zoned industrial but is totally single family residential. The intent is to move several existing residential structures/properties from an Industrial Zone (I-1) to the adjacent R-1-A zone. The several industrial commercial uses will remain in the I-1 or I-3 zones.

The Board has unanimously voted to approve this document and looks forward to working with it over the next several years.

Respectfully submitted for the Board,

Janice DeRoche-Champagne
Chair

City of Biddeford

2022.27 **IN BOARD OF CITY COUNCIL..APRIL 19, 2022**

BE IT ORDERED, that the City Council does hereby request the Planning Board to hold a Public Hearing and make recommendations to the City Council regarding a proposed amendment to Land Development Regulations, Article VI, Section 56.1.b to allow Mobile Food Vendor Courts in the B-2 zone.

Biddeford City Council

Meeting Date: April 19, 2022
Meeting Time: 6:00 PM

Agenda Item No: 2022.27
Item Description: Directive to Planning Board/Mobile Food Court, Permitted Use in B2 Zone

Submitted by: Hannah Bonine, Assistant City Planner

Supporting Information/Documentation:

Council Order 2021.102

Memo to Policy Committee, written by Mathew Eddy, dated March 15, 2022

Key Terms:

Mobile Food Vendor Court, as defined in Chapter 22 of the Code of Ordinances: A collection of mobile food vendors in a common outdoor plaza or site providing a common area for self-serve dining. Mobile food vendor courts are also subject to § 56 (Restaurants) of the Zoning Ordinance and Planning Board Site Plan Review.

Further Performance Standards are included under Article VI, Section 56 of the Land Use Regulations.

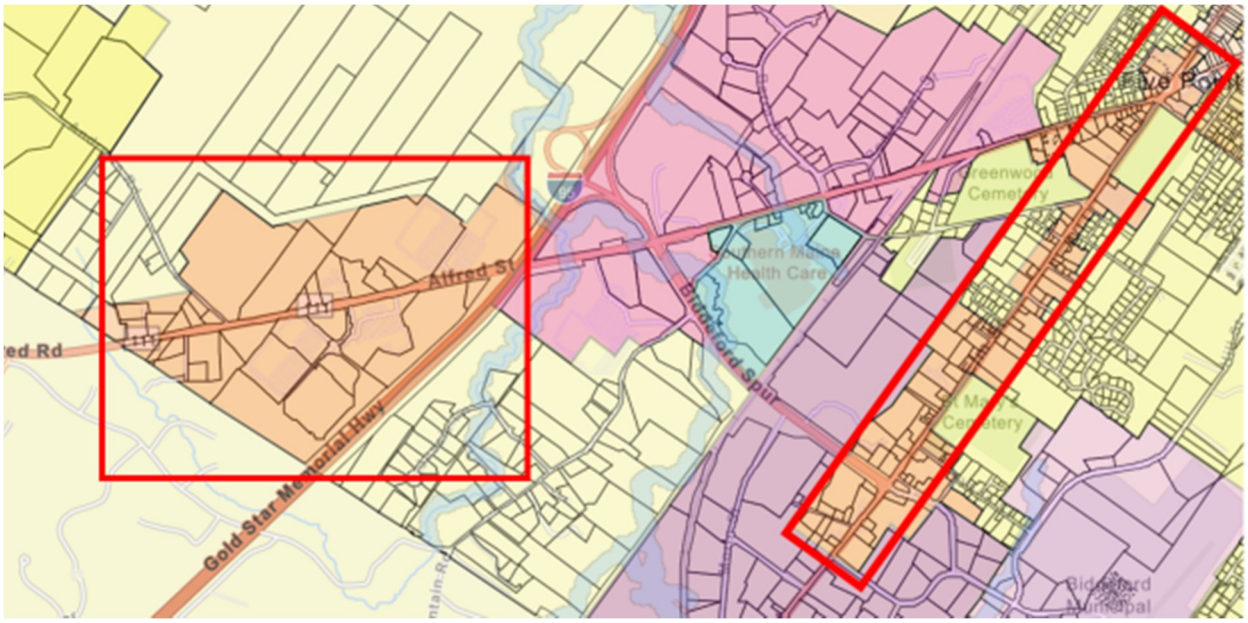
Executive Summary:

- In October of 2021, Mobile Food Vendor Courts were added to the Code of Ordinances as a permitted use in the MSRD-1 and MSRD-3 zones. This addition was reviewed and supported by the City Council, Policy Committee, and the Downtown Development Commission.
- The current request is to include the B-2 zone in the allowed zones for Mobile Food Vendor Courts, which would include the area along Route 1 from Five Points to Landry Street and the area along Alfred Street from I-95 to the Arundel line.
- The Policy Committee reviewed this amendment on March 15, 2022 and gave a positive recommendation to the City Council.
- The proposed amendment would add the B-2 zone to the allowed zones for Mobile Food Vendor Courts (Land Development Regulations, Article VI, Section 56.1.b)

Detailed Review:

- The City has received a request for a Mobile Food Vendor Court to be located on the lot at 585 Elm Street, at the corner of Elm Street and Landry Street. This lot is located in the B-2 zone, adjacent to the I-1 zone.

- In October of 2021, zoning amendments were made following similar business requests to establish Mobile Food Vendor Courts and allow the use downtown in the MSRD-1 and MSRD-3 zones.
- This request is to also allow the use in the B-2 zone.
- Mobile Food Vendor Courts in the B-2 zone would be subject to all standards previously set for Mobile Food Vendor Courts in the MSRD-1 and MSRD-3, including Site Plan Review by the Planning Board, Section 22 *Licensing*, and LDR Article VI, Section 56 *Restaurants*.
- See amendments made in October 2021 (Council Order 2021.102)



Amendment would allow Mobile Food Vendor Courts in the B-2 zone, shown in orange and outlined in red.

Funding Source:

None

Staff Recommendation:

Policy Committee unanimously voted to recommend to City Council the addition of Mobile Food Vendor Courts as an allowed use in the B-2 zone and recommended City Council send the item to the Planning Board for further review and consideration.

Policy Committee

Meeting Date: March 15, 2022
Meeting Time: 6:00

Agenda Item No:

Item Description: Permitting Mobile Food courts in Other Zoning Districts

Submitted by: Mathew Eddy

Supporting Information/Documentation:

Easement drafted by the City Attorney

Key Terms:

Mobile food service operations are defined as a subset of restaurants, with further clarifications under the Performance Standards of Article VI, Section 56 of the Land Use Regulations. Changes in the ordinance were made in and can be found through the following documents in October 5, 2021 documents : 10-05-2021_Mobile_Food_Vendor_Courts_-_ORDER-PDF.pdf (legistarweb-production.s3.amazonaws.com)

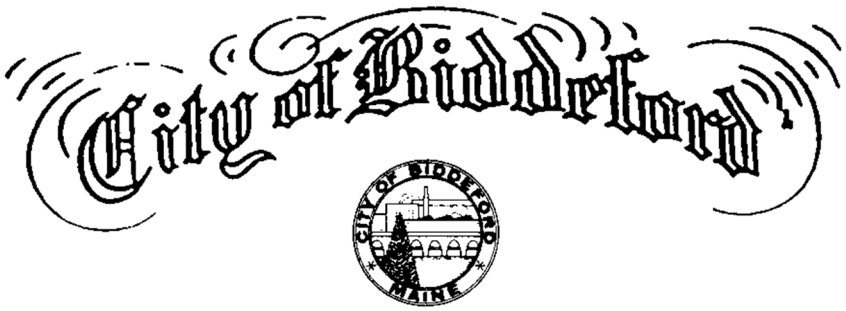
Executive Summary:

This request is to consider expanding the permissibility of food courts in the B2 and other possible districts. We have a specific request for 585 Elm Street (Biddeford Industrial Hardware, closed), which is in the B2 zone, next to the I1 district.

The food court industry is growing in Maine. The opportunity to change over food cart operators daily will provide a mixture of food options for the community. The food court may provide a unique attraction to the downtown food industry and fuel the City's further redevelopment. During previous policy discussions, the Food court was supported by downtown businesses.

Funding Source: N/A

Staff Recommendation: Recommend consideration



2021.102 IN BOARD OF CITY COUNCIL..OCTOBER 5, 2021

BE IT ORDAINED by the City Council of Biddeford, Maine to amend the Code of Ordinances of the City of Biddeford as follows:

Sec. 22-17 Purpose.
[Added 3-20-2018 by Ord. No. 2018.17]

The purpose of Sections 22-17 through 22-21.2 is to regulate mobile food vending on property owned or under the control of the City of Biddeford and mobile food vending on private property in order to create a desirable situation where mobile food apparatuses may conduct business.

Sec. 22-18 Definitions.
[Added 3-20-2018 by Ord. No. 2018.17]

As used in this chapter, unless the context otherwise indicates, the following terms shall have the following meanings.

EDIBLE GOODS

May include, but are not limited to:

(1) Prepackaged food, including, but not limited to, candy, beverages, chips, popsicles and ice cream.
(2) Prepared food, including, but not limited to, hot dogs, desserts, sandwiches and pizza.
(3) On-site prepared food, including, but not limited to, shaved ice, sandwiches and tacos.

MOBILE FOOD VENDOR

Any business which sells edible goods from a nonstationary location within the City. The terms shall include, but not be limited to:

(1) MOBILE FOOD TRUCK— A self-contained motorized unit selling items defined as "edible goods."
(2) CONCESSION TRAILER— A vending unit which is pulled by a motorized unit and has no power to move on its own.

MOBILE FOOD VENDOR COURT

A collection of mobile food vendors in a common outdoor plaza or site providing a common area for self-serve dining. Mobile Food Vendor Courts are also subject to Article 56 (Restaurants) of the Zoning Ordinance and Planning Board Site Plan Review.

NONREFRIGERATED

Edible goods that are not required to be kept at a temperature below 41° F.

Sec. 22-19 Application and permit.

[Added 3-20-2018 by Ord. No. 2018.17]

(a) Permit. Every mobile food vendor shall have a permit issued by the City to conduct business in the City.

(b) Application. Every mobile food vendor shall apply for a permit on a form promulgated by the City. Each vending unit requires a separate permit. Applications for permits meeting the requirements for mobile vendors shall be processed within 10 business days.

(c) Mobile food vendor application form. A complete application shall require the following information from the applicant to be considered:

(1) Name of applicant, as well as physical street address, mailing address, telephone number(s), and e-mail address.

(2) Legal name of business or entity.

(3) Signed permission form, or provide notarized affidavit from the private property owner granting permission for unit placement.

(4) Name, phone number and driver's license number of business owner and all employees operating within the mobile food vendor unit.

(5) Proposed itinerary with route, vending locations and times.

(6) Contact name and phone number for mobile food vending unit while in route.

(7) Description of product being sold.

(8) Site plan where the mobile food vending unit will be located on the property.

(9) Valid and current vehicle/trailer registration of mobile food unit.

Sec. 22-20 Permit regulations.

[Added 3-20-2018 by Ord. No. 2018.17]

(a) The application fee for a mobile food vendor permit shall be $200. Each mobile food vendor unit shall be permitted separately.

(b) Mobile food vendor permits shall expire on December 31 of each year.

(c) Mobile food vendors shall provide, at their expense, and keep in force during the term of their contract, with a responsible insurance company or companies authorized to do business in the state, commercial general liability insurance in the amount of at least $1,000,000. The mobile food vendor shall deliver certificates of such insurance to the City at the time of application.

(d) Mobile food vendors shall provide proof of a State of Maine health certificate at the time of application.

(e) Upon renewal the applicant shall pay the renewal fee of $200 and update any changes in the permitting documentation upon permit renewal. The applicant must submit the application and the renewal fee within 30 days before expiration of the permit or must reapply as a new applicant.

(f) The City Manager is authorized to make reasonable rules and regulations, not inconsistent with this section, governing the design, construction and location of pushcarts or food trucks.

(g) Display of permit. Every permit, including those from the City, shall be displayed at all times in a conspicuous place where they can be read by the general public on the mobile food vendor's truck or concession trailer.

Sec. 22-21.1 Prohibited conduct.

[Added 3-20-2018 by Ord. No. 2018.17]

(a) Distance regulations:

(1) No mobile food vendor shall conduct business within any single-family residential or agricultural zoning district unless otherwise approved in writing by the Code Enforcement Officer.

(2) A mobile food vendor may not be located within 100 feet of the primary entrance of an open and operating fixed-location food service or eating establishment; or within 40 feet from another mobile food vendor except in the following:

- During City sponsored or other community events; or
- Within a mobile food vendor court consistent with the Article VI (Performance Standards), Section 56 (Restaurants) of the Zoning Ordinance.

(b) A mobile food vendor, except when located in a mobile food vendor court, shall not conduct sales at a stationary location:

(1) For a duration exceeding 60 minutes on any public street or public

streets adjacent to public parks and recreational facilities, next to fire lanes and no-parking designated areas. Mobile vendors parking on public streets may not move to a new location without prior approval from the City.

(2) In congested areas where the operation impedes vehicular or pedestrian traffic.

(3) Between the hours of 1:00 a.m. and 6:00 a.m.

(c) Offenses and regulations.

(1) It shall be unlawful for any individual as the agent or employee of another regulated under this section to sell edible goods in the City unless its principal or employer has received a permit under this section.

(2) A permit issued under this section is not transferable.

(3) It shall be unlawful for an individual to sell edible goods while displaying a valid permit issued by the City in the name of another individual, organization, or entity.

(4) It shall be unlawful for any individual, directly or through an agent or employee, to sell goods within the corporate limits of the City after the expiration of the permit issued by the City under this section.

(5) It shall be unlawful for an individual, directly or through an agent or employee, to misrepresent on the permit affidavit any acts that are regulated under this section.

(6) It shall be unlawful for any individual, directly or through his agents or employees, to represent that the issuance of a permit by the City constitutes the City's endorsement or approval of the product for sale.

Sec. 22-21.2 Mobile food vendor requirements.

[Added 3-20-2018 by Ord. No. 2018.17]

The following regulations shall apply to mobile food vendors:

(1) Each unit shall be equipped with a portable trash receptacle and shall be responsible for proper disposal of solid waste and wastewater in the sanitation facility legally accessed by the food service establishment. All disturbed areas must be cleaned following each stop to a minimum 20 feet of the sales location.

(2) Mobile food vendors may not have a drive-through.

(3) Continuous music or repetitive sounds shall not project from the mobile unit.

(4) A five-foot clear space shall be maintained around the mobile food vending unit.

(5) All mobile units shall have a gray water holding tank.

(6) The mobile unit will be subject to inspection upon permit application through the Code Enforcement Department, the Health Department and the Fire Department, and may be subject to random inspection and upon reissuance of the permit.

(7) No sales are allowed within public park facilities while park concession units are operating. Mobile units operating in public parks and on streets adjacent to public parks or recreational facilities require approval by the City's Recreation Director.

Land Development Regulations, Article VI, Section 56 Restaurants.

[Ord. of 8-3-1993(1); Ord. No. 2006.13, 3-7-2006]

1. a. The following provisions address restaurants, whether year-round or seasonal, seat down or takeout, building or mobile. Subsections A through E refer to nonmobile food service operations.

b. For the purposes of this section, the term “restaurants” shall be divided into four categories:

(1) Establishments in permanent buildings;

(2) Establishments in mobile units, either towed or self-propelled, preparing and serving food products on a particular site; and

(3) Establishments in mobile units, either towed or self-propelled, serving prepared food products, and travelling to selected locations on a daily basis, and remaining on-site for limited time periods, i.e., during lunch breaks, etc. Such units are often referred to as catering services or food services.

(4) Establishments in mobile food units located in mobile food vendor courts and permitted in the MSRD1 and MSRD-3 Districts.

A. The application for a permit shall state the maximum seating capacity of the restaurant. Any expansion or enlargement over the stated capacity shall require a new permit, and shall comply with setbacks, square footage, and all other requirements of this ordinance.

B. Any restaurant located within 500 feet of an existing public sewer line shall connect with the sewer system at the expense of the owners. When subsurface sewage

disposal is proposed, completed soil evaluation forms (HHE-200) shall be submitted. All proposed subsurface disposal systems shall meet the requirements of the Maine State Plumbing Code.

C. All parking and loading facilities shall be located to side or rear of the building, and shall be screened from abutting residential lots. Screening shall be comprised of a continuous landscaped area not less than eight feet in width, containing evergreen shrubs, trees, fences, walls, berms, or any combination, forming a visual barrier not less than six feet in height. In the Rural Farm Zone, the parking and loading facilities shall also be screened from all public roadways.

D. (Reserved)

E. Storage and disposal of refuse, fuel, and other potentially hazardous materials shall be so conducted as to create no health hazard, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution. Areas where such activities occur shall be effectively enclosed and screened by safety fences, walls, or any combination thereof.

F. Mobile food service operations shall comply with the State of Maine rules relating to eating and lodging places, as periodically amended, and shall require a victualer's permit from the municipal officers consistent with Section 22-17 to 22-21.2.

   a. Further, mobile food service operations, preparing food on-site, unless permanently connected to public utilities and approved by the Planning Board, shall not be left on-site or displayed, or left in public view, in the location of business during nonbusiness hours, unless otherwise conditioned by the City Council in their specific permit/licensing process.

   b. The Building Inspector shall review mobile food service operations, preparing food on-site, to ensure, as a minimum, the following:

      1. The placement of the vehicle:

         a. Shall not hinder vehicular traffic or cause traffic congestion; and

         b. Shall not hinder, or interfere with, pedestrian traffic; and

         c. Shall not block or otherwise hinder access to or from private property; and

         d. Shall not adversely impact on abutting properties in regards to:

            (1) Noise.

            (2) Odor, fumes or smoke.

            (3) Light and glare.

      2. The operator shall have written permission from the property owner to locate the vehicle on said property.

3. The operator shall have available, and under written agreement, at least three off-street parking spaces. In cases where on-street parking is available immediately in front, the operator must have one off-street parking space for any vehicle belonging to an employee working on a given shift.

4. a. The operator shall provide at least one fifty-five-gallon covered trash receptacle, or similar sized container, to hold wastes and debris. No paper, food or other wastes shall be allowed to accumulate on-site.

   b. The waste container shall be emptied at least daily into an approved commercial dumpster (it being emptied by a licensed hauler on a regular basis) or other suitable and approved means of transport away from the site. It shall be the responsibility of the operator to ensure that all wastes are handled and disposed of properly.

5. The operator shall ensure that there is an adequate supply of potable water for cleaning equipment and the preparation of foods.

6. The operator shall ensure that there is an adequate and safe source of electrical power.

7. The operator shall ensure that all storage of food supplies and other business material is within the vehicle or other container secured to the vehicle. No loose material shall be permitted outside of the vehicle.

8. There shall be no signs placed on sidewalks or other rights-of-way. No temporary or mobile signs shall be allowed.

9. The trailer, or vehicle, being used shall be registered, in good upkeep, and provide a neat appearance.

October 5, 2021

Motion by Councilor Clearwater, seconded by Councilor McCurry to grant the first reading of the ordinance amendment.
Vote: 7/1; Councilor Lessard opposed.
Councilors Emhiser, McCurry, St. Cyr, Williams, Clearwater, Belanger and Ready in favor.
Motion carries.

October 19, 2021

Motion by Councilor McCurry, seconded by Councilor Clearwater to grant the second reading of the ordinance amendment.
Vote: 6/1; Councilor Lessard opposed.
Councilors Emhiser, McCurry, Williams, Clearwater, Ready and Ortiz in favor.
Motion carries.

Attest by:_____
Carmen J. Morris, City Clerk

City of Biddeford

2022.28 **IN BOARD OF CITY COUNCIL..APRIL 19, 2022**

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the purchase of a 2022 Ford F-150 (EV) Lightning Pickup Truck with modular toolboxes from Arundel Ford in an amount not to exceed $46,264.00. This purchase is budgeted for in account 21204-60900-42201- Vehicle Capital Replacement.

NOTE: The Finance Committee will consider this item at their April 19, 2022 meeting.

Finance Committee – City Council

Meeting Date: 4/19/2022
Meeting Time: 5:00 PM/6:00 PM

Agenda Item No: 4.2 (Finance Committee); 9.3 (Council)
Item Description: Approval/Purchase of F-150 (EV) series pickup truck

Submitted by: Jeff Demers - Public Works Director

Supporting Information/Documentation:

2022 F-150 (EV) Lighting

F-150 Cap Tool Box

Executive Summary:

Approval to purchase a F-150 (EV) series pickup truck

Detailed Review:

The public works department is requesting the approval to purchase a 2022 Ford F-150 (EV) pickup truck. Public works reached out to the following dealerships. Arundel Ford, Weirs Motors, Rowe Ford, Bill Dodge, Quirk Chevy, Casco Bay ford and Marc Motors, etc.

The reason we are being told for no municipal Bid interest at this time is the market demand. There is not enough profit margin on municipal pricing at this time. The concern is Public works placed an order for the school department for a pickup truck in May of 2021. The school department still has not received that order through state bidding. The dealers will not supply state bidding pricing until mid-June 2022. Public works had to take one pickup off the road as it will not pass inspection. We were told this (EV) vehicle is one year out if ordered today. This vehicle will be replacing a 2008 Chevy Trailblazer with 93,000 miles.

Funding Source:

This vehicle was budgeted in line 21204-60900 -42201 Vehicle capital replacement. Total price for this vehicle with storage rear is $46,264.00

Staff Recommendation:

Staff recommends going forward with purchase from Arundel ford. Staff will be available for any further questions.

2022 F-150 Lightning

PRO

PAINT S4

COLOR

FX4

DCU-MT3

SKU DCU-MT3

The DCU-MT3 offers optional modular toolboxes with adjustable shelf, divider and attachment features to fit every need. Your Century authorized dealer can explain the many variations we offer and help you to decide on the right configuration to fit your needs.

City of Biddeford

2022.29 **IN BOARD OF CITY COUNCIL..APRIL 19, 2022**

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the position of Deputy Recreation Director as a funded position, effective immediately.

City Council

Meeting Date: April 19, 2022
Meeting Time: 6:00 PM

Agenda Item No: 2022.29
Item Description: **Approval of Deputy Recreation Director Position**

Submitted by: James A. Bennett, City Manager

Supporting Information/Documentation:

N/A

Key Terms:

N/A

Executive Summary:

The peak demand for recreation services is in the summer months. No other time of the year is there more participants or employees. The vast majority of the participants are school age children.

As discussed during the FY23 budget process, while the recreation offerings and participants have grown significantly over the last couple of years, there has been no significant changes in the permeant staff to keep pace with the growth.

The proposed FY23 budget includes a new position of Deputy Recreation Director. This position is proposed to be paid for off budget (will not impact the property tax commitment in FY23). There is significant savings during the current year to cover hiring the position now. Recruitment for the position was initiated with an optimistic view; both in terms of finding a quality candidate in this job market as well as support from the City Council. The optimistic view did result in a positive outcome for a quality applicant.

The request is for the Council to authorize the filling of the Deputy Recreation Director position prior to July 1, 2022.

Detailed Review:

N/A

Funding Source:

Available FY22 funds because of vacancies within the operating budget.

Staff Recommendation:

Staff recommends filling the position immediately.

City of Biddeford

2022.30 **IN BOARD OF CITY COUNCIL..APRIL 19, 2022**

BE IT ORDERED, that the City Council of the City of Biddeford does here by accept the City Clerk's nominations for Election Clerks for the 2022 and 2023 Elections.

NOTE: The City Clerk may include other Election Clerks not on the attached list, as necessary.

City Council

Meeting Date: April 19, 2022
Meeting Time: 6:00 PM

Agenda Item No: 2022.30
Item Description: Confirmation/Appointment of 2022/2023 Election Clerks

Submitted by: Carmen J. Bernier, City Clerk

Supporting Information/Documentation:

List of Election Clerks from most recent elections

Key Terms:

N/A

Executive Summary:

Per State Law, by May 1st of each even-number year, the City Clerk must submit a list of Election Clerks to be approved by the Municipal Officers.

Detailed Review:

Every other year, a list of Election Clerks is submitted to the Municipal Officers for consideration and confirmation for the next two-year election cycles. The list is comprised of Election Clerks who typically work at the poll on Election Day; however, depending on the size of the election, the Clerk may hire additional Election Clerks as needed.

Funding Source:

Election Clerks are paid out of the Election & Registrations Budget – 21104.

Staff Recommendation:

The City Clerk recommends confirmation of the attached list of Election Clerks.

Election Clerks for 2022 & 2023

NAME	ADDRESS	WARD
Angers, Andrea	124 South Street	6
Beaupre, Penny	7 Westwood Drive	3
Boisvert, Joann	93 Prospect Street	4
Boissonnault, Ruth	310 Hill Street, #39	4
Bolduc, Loyce	474 Main Street	6
Cloutier, Starr	110 Granite Street, #12	3
Cote, Colombe	11 Whitewater Drive	6
Eon, Martine	45 Cathedral Oaks Drive	6
Farley, Rita	173 May Street	7
Gosselin, Jane	197 Guinea Road	1
Grenier, Diane	278 Guinea Road	3
Laverriere, Rachel	371 South Street	6
Laverriere, Rick	371 South Street	6
Martel, Diane	6 Ponderosa Lane	3
Neault, Sheila	6 Ponderosa Lane	3
Paul, Claire	20 Meetinghouse Road	1
Pearl, Patrick	5 Jordan Drive	3
Perrone, Ashley	3 Wildbrook Drive	3
Perry, Andrea	11 Marial Avenue	2
Pinard, Albert	15 Clarendon Street	4
Pinard, Diana	15 Clarendon Street	4
Robertson, Deanne	8 Whitewater Drive	6
Saucier, Diane	3 Cadorette Avenue	2
Simensky, Barbara	267 Alfred Street	5
Strout, Anne	6 Chappellfield Oaks Dr, #105	4

City of Biddeford

2022.31 **IN BOARD OF CITY COUNCIL..APRIL 19, 2022**

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to sign an agreement with Meridian Strategic Services, INC. Meridian is a consulting firm that will be assisting the City in the reimbursement process with FEMA and MEMA for the River Wall Repairs from damage done in October 2021; as well as other River Wall Projects as necessary.

BE IT FURTHER ORDERED, that all consulting costs will be reimbursed to the City as part of this disaster declaration.

NOTE: The Finance Committee is scheduled to reviewed this item on April 19, 2022.

Finance Committee/City Council

Meeting Date: April 19, 2022
Meeting Time: 5:00 PM/6:00 PM

Agenda Item No: 4.3 (Finance Committee)/2022.31 (Council)
Item Description: Approval/FEMA & MEMA Consultant for Disaster Recovery Services/ October 2021 River Wall Repair & Other River Wall Projects

Submitted by: Roby Fecteau, Director of Code Enforcing & Emergency Management

Supporting Information/Documentation:

Disaster Recovery Services Request for Bids- Meridian Strategic Services, Inc **Exhibit-A**

Request for further clarification on how Biddeford's project could be managed with potential funding- Meridian **Exhibit-A-2**

Disaster Recovery Consulting Agreement- Meridian Strategic Services, Inc **Exhibit A-3**

Disaster Recovery Grant Management Assistance- Berquist Recovery Consulting **Exhibit-B**

Request for further clarification on how Biddeford's project could be managed with potential funding- BRC **Exhibit-B-2**

FEMA Recovery Consulting Agreement- BRC, **Exhibit B-3**

City of Biddeford Request for bids- Disaster Recovery Grant Management Assistance-**Exhibit C**

Key Terms:

N/A

Executive Summary:

The City released a request for bids and received two bids for consulting firms interested in assisting the City in recovery assistance from the Federal Emergency Management Agency and the Maine Emergency Management Agency. After review of the submittals, interviews, and reference checks, we requested further clarifications on the project as well as other projects. Staff recommends Meridian Strategic Services, Inc.

Detailed Review:

The City released a request for bids for consulting firms interested in assisting the city in recovery assistance from the Federal Emergency Management Agency and the Maine Emergency Management Agency. The recovery assistance will help the city get full reimbursements of costs related to the October 30-31, 2021 storm. The City further requested information relating to other areas of the river wall and potential funding to repair the wall(s). These areas are not directly related to the October storm.

A review committee comprised of Arthur Cleaves, York County Emergency Management Director, Megan Arsenault, Deputy Director York County Emergency Management and Roby Fecteau, EMA Director, reviewed the two proposals and supplemental information and agreed that Meridian Strategic Service is the preferred firm to assist the City in disaster recovery reimbursements.

Funding Source:

Pursuant to FEMA reimbursement requirements, these costs are considered direct administrative costs and professional consulting is capped at 5% of the total cost of the project(s). These costs are 100% reimbursed by FEMA.

Consulting cost for other Projects outside of the wall collapse are covered under those mitigation grants**.**

Federal procurement procedures were followed which is a requirement for FEMA to authorize reimbursements of management costs

Staff Recommendation:

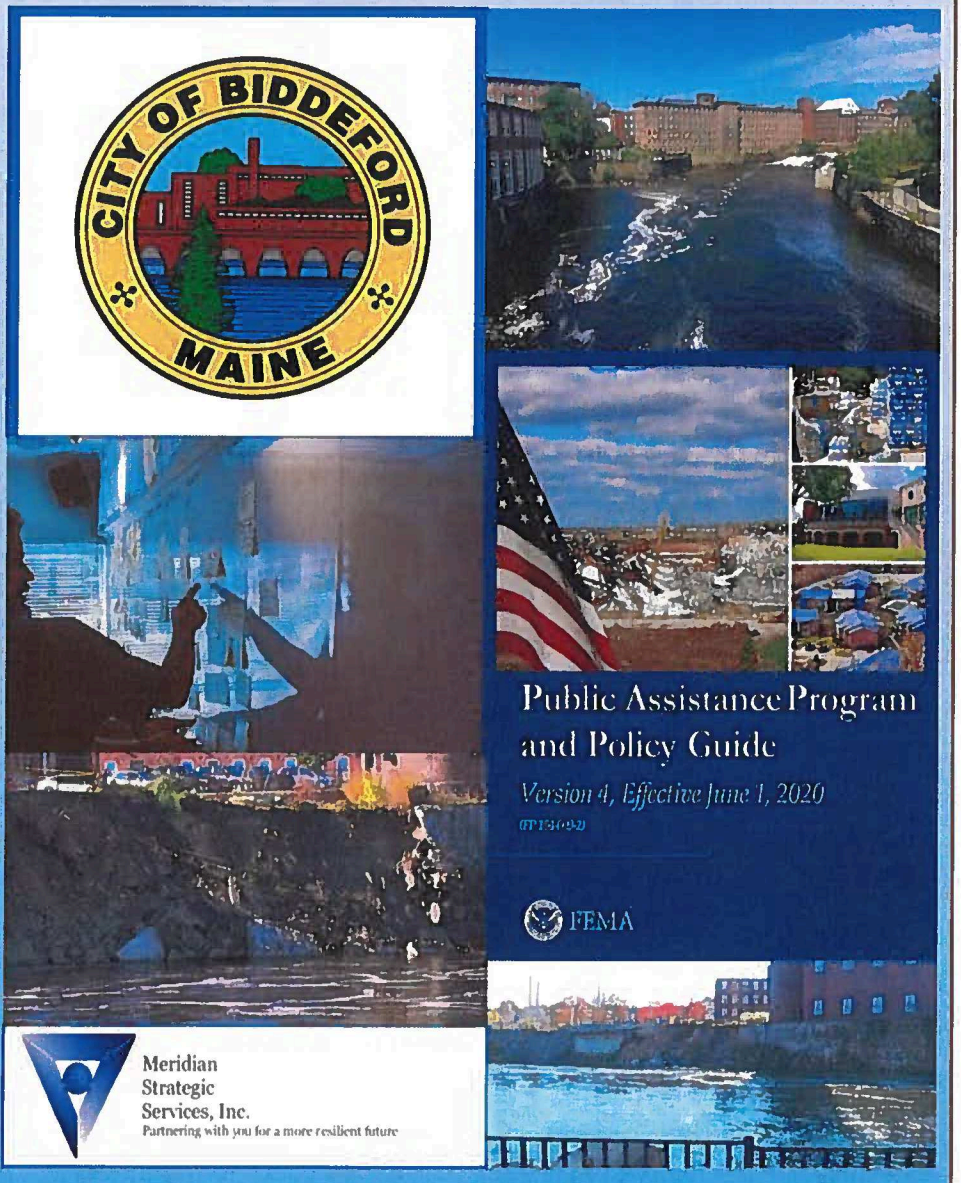
Staff recommends awarding the contract to Meridian Strategic services.

EXHIBIT

A

City of Biddeford

Maine



Disaster Recovery Administrative Services

Request for Proposal

MERIDIAN STRATEGIC SERVICES, INC.

P.O. BOX 158
ESOPUS, NY 12429

1-845-384-3012

info@meridianstrategicserv.com

www.meridianstrategicserv.com

Meridian
Strategic
Services, Inc.
Partnering with you for a more resilient future

Seamus K. Leary, M.P.A., C.E.M.
President
P.O. Box 158 Esopus, NY 12429
845-332-5599
sleary@meridianstrategicserv.com

Date: April 7, 2022

Mr. Roby Fecteau
City of Biddeford
205 Maine Street
Biddeford, ME 04005

SUBJECT: Disaster Recovery Administrative Services Request for Proposal (RFP)

Dear Mr. Fecteau:

Please consider the following documents as Meridian Strategic Services, Inc.'s submission for consideration for the City of Biddeford's RFP for Disaster Recovery Administrative Services.

Thank you for the opportunity to be considered for this important project.

As the President of Meridian Strategic Services, I certify that the information contained is accurate and we guarantee the proposed price.

If you have any questions regarding this submission, please feel free to contact me at your convenience.

Seamus Leary

Seamus K. Leary, M.P.A., C.E.M.
President

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EXECUTIVE SUMMARY

Meridian Strategic Service, Inc. (MSS) is pleased to present this proposal to the City of Biddeford, Maine for consultant services related to disaster recovery assistance in response to the Severe Storm and Flooding Event that occurred October 30-31, 2021 (DR-4647-ME).

Meridian is a Certified Veteran Owned Small Business specializing in disaster recovery and grant management consulting services. Our focus is to assist local governments in preparing for and recovering from natural and manmade disasters.

The Meridian Team has decades of executive, senior and technical level experience in the Federal Emergency Management Agency (FEMA), State and Local Emergency Management.

Our team has unparalleled experience at all levels of government in coordinating disaster recovery efforts utilizing the FEMA Hazard Mitigation Program, FEMA Public Assistance (PA) Program and the Department of Housing and Urban Development's (HUD) Community Development Block Grant-Disaster Recovery (CDGB-DR) funding. Our team has facilitated the delivery of billions of dollars in pre and post disaster federal assistance to local jurisdictions.

If selected, the Meridian Team will assist the City in collecting and organizing disaster recovery related data and providing this critical information to FEMA and the State of Maine. We will review each potential project to ensure that the City receives the maximum amount of reimbursement for their disaster related costs as permitted by federal regulation. In addition to assisting with our technical expertise, we also help the City focus on their day-to-day priorities by alleviating much of the administrative burden associated with coordinating a disaster recovery effort.

We are prepared to assign an experienced Project Manager to the City, who has significant experience working with local governments in this region during the disaster recovery process. Our Project Manager will serve as primary point of contact throughout the life of this engagement. In addition, we are prepared to leverage our team of highly experienced professionals to support our Project Manager with additional subject matter expertise as required by the needs of the project.

We know what it takes for a local government to recover from a disaster, because we have been there and faced similar challenges. We understand the complexities of FEMA grant programs and we offer practical solutions for complex disaster recovery problems.

COMPANY OVERVIEW

ABOUT MERIDIAN STRATEGIC SERVICES

Meridian Strategic Services, Inc. is a Certified Veteran Owned Small Business that specializes in crisis management, risk mitigation, and grant management by individuals with decades of experience in hazard mitigation, preparedness, crisis response, community development and disaster recovery operations.

The Meridian Team is composed of professionals with experience in FEMA, the United States Army, United States Navy, United States Coast Guard, State Emergency Management, County Emergency Management, County Public Health, Law Enforcement, Healthcare Emergency Management, and the Private Sector.

OUR DIFFERENCE

The Meridian Team is comprised of highly experienced professionals with varied backgrounds and specialties that no other company can offer.

Our team has significant experience in assisting local governments recover from a wide range of disasters including Hurricane Sandy, Hurricane Matthew, Hurricanes Irma and Maria, and COVID-19.

Our Team is composed of former FEMA Federal Coordinating Officers (FCO), former FEMA Federal Disaster Recovery Coordinators (FDRC), State Public Assistance Officers as well as other members with significant technical and administrative knowledge in the coordination and delivery of disaster recovery assistance and community development funding to local governments across the country.

OUR EXPERIENCE

- World Trade Center Attacks
- Hurricane Katrina
- Hurricane Rita
- Deep Water Horizon
- Hurricane Irene
- Tropical Storm Lee
- Haitian Earthquake
- Super Storm Sandy
- 2015 Papal Visit to NYC
- Hurricane Matthew
- Lake Ontario Flooding
- Hurricane Harvey
- Hurricanes Irma & Maria
- Hurricane Florence
- Hurricane Dorian
- COVID-19 Response
- Tropical Storm Fred
- Hurricane Ida
- Over 50 Significant Disasters Worldwide

We combine our extensive knowledge of disaster recovery and grant management at all levels of government, with experience gained from major disasters from across the United States. Our professionals have "on the ground" experience in hundreds of emergency response incidents and disasters. This experience includes leading large diverse multi-functional and multi-jurisdictional teams during planning, response, and recovery operations during some of the most significant disasters in the United States within the last twenty years.

As part of this disaster recovery experience, members of our team have served in executive positions in the federal government and led long-term recovery and community development efforts in New York State after Superstorm Sandy and in the US Virgin Islands after Hurricanes Irma and Maria. Our Team has overseen the delivery of nearly fifteen billion dollars in Federal disaster recovery and community development funding across the country.

The Meridian Team offers practical solutions and best practices to your organization because we've been there and we know the challenges you will face in an uncertain future.

OUR SERVICES

One of the core functions of our Team is providing effective grant administration and community development support. We do this by leveraging our experience in coordinating disaster recovery efforts from around the United States.

Our mission would be to ensure that the City of Biddeford receives the maximum amount of disaster recovery funding it is eligible for under the federal regulations. In addition, it is our goal to alleviate the time-consuming administrative burden of coordinating the integration of federal grant funding into your disaster recovery effort.

The diverse experience and leadership capability of the Meridian Team enables us to rapidly partner with our clients to devise a comprehensive strategy to engage with FEMA and the State of Maine to ensure that the City of Biddeford receives all the disaster recovery funding it is entitled to under the Stafford Act.

INSURANCE

Each member of the Meridian Team, and its subcontractors, will have general and professional liability in accordance with the requirements of the City. Documentation is available upon request.

PROJECT PROPOSAL

PROJECT SUMMARY

The Meridian team is ready to work closely with the City of Biddeford to effectively assist in the administration of its federal disaster recovery grant funding.

Our Team is largely composed of former senior Federal and State Emergency Management leaders. We know the extraordinary amount of time required by a community to effectively coordinate the administration of disaster recovery funding. We can help communities like the City of Biddeford with the Public Assistance and All-Hazards Mitigation grant process while allowing the City's staff to stay focused on their critical day to day duties.

We will assign a Project Manager to the City who will be the primary point of contact throughout the life-cycle of this project. The Project Manager will provide day-to-day oversight of the project's administration and management.

As outlined in the RFP, our team could assist the City in the following activities:

1. Attend meetings with the State and Federal agencies including applicant briefings, kick-off meetings and project specific discussions.
2. Provide technical advisory services related to Emergency Management and disaster recovery. This includes providing advice on the eligibility of facilities, work, and other costs and develop justifications for presentation to the State of Maine
3. Develop and implement strategies designed to maximize federal and state disaster recovery assistance.
4. Prepare applicable correspondence to FEMA and the State of Maine.
5. Prepare required progress reports to the City of Biddeford State and FEMA.
6. Develop a financial tracking process that organizes and records project related expenses in a manner that facilitates the financial reimbursement by FEMA.
7. Serve as subject matter experts and provide programmatic and policy advice to the City of Biddeford regarding various federal disaster relief programs.
8. Provide project management for the disaster recovery projects.
9. Assist the City of Biddeford senior leadership in the development of a strategic disaster recovery plan as it relates to the project and mitigation efforts.
10. Review and organize disaster related documentation to ensure regulatory compliance and maximize reimbursement opportunities.
11. Conduct site visits of damaged areas and collect information for project formulation in coordination with city staff, design engineer, and selected contractor as may be needed.
12. Prepare project documentation for review by FEMA and the State ensuring

that the scope of work is accurate and comprehensive, estimates are accurate, expenses are eligible and documented, and that projects are categorized as small or large in a manner that ensures prompt reimbursement to the City of Biddeford

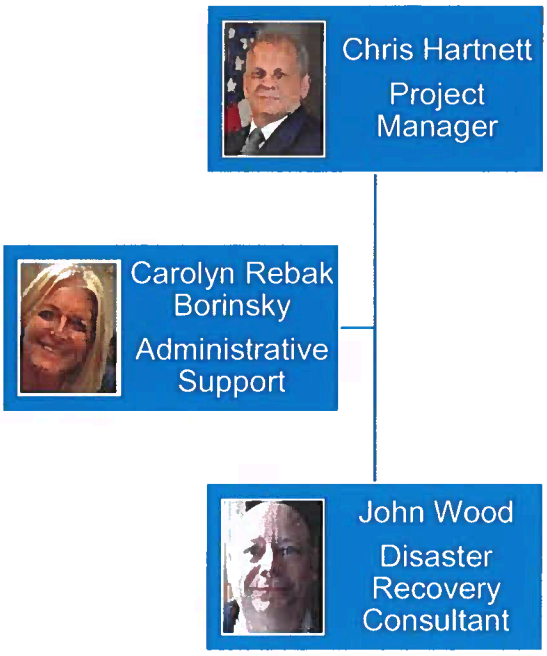
13. Enter disaster related information and documentation into FEMA's Grants Portal as applicable.
14. Identify potential Hazard Mitigation opportunities of 406 Hazard Mitigation Funding.
15. Meet with City of Biddeford management team to collect documentation, provide regular updates, and to ensure regulatory compliance.
16. Coordination with the City of Biddeford leadership team in the development and preparation of any appeals to FEMA, if applicable.
17. Provide grant close-out services.

In addition to assigning an experienced dedicated Project Manager, Meridian will assign additional subject matter experts to this project to assist in the development of technical products and provide specific technical expertise as required by the City.

PROPOSED ORGANIZATION

If selected, Meridian will assign a Project Manager that serves as both the primary coordinator of the projects outlined in this RFP and as the primary point of contact for the City.

Subject Matter Expert Consultants will support the Project Manager, as needed, with technical and administrative support based on a jointly approved work-plan.



We will employ a modular staffing model in order to only activate the resources needed by the City. This modular model is designed to have flexibility to scale up to meet the needs of the City. In order to reduce administrative costs, we intend to only activate the resources needed when a specific requirement arises.

PERSONNEL AND QUALIFICATIONS

Overview

The Meridian Team has significant experience in assisting its clients recover from man-made and natural disasters. Our Team specializes in assisting local governments develop and implement a disaster recovery strategy that is best suited to their needs. Below are the biographies of the members of the Meridian Team that are ready to assist the City of Biddeford in their ongoing disaster recovery efforts.

Seamus K. Leary, M.P.A, C.E.M, Meridian Principle

Seamus K. Leary is a crisis manager with 20 years of experience in the risk and consequence management field. Seamus has served in key leadership roles in twenty-five Presidentially declared Major Disaster declarations and four federal Emergency Declarations at both the county and federal levels of government. Most recently, Seamus led large diverse and multifunctional teams in response to the COVID-19 Pandemic in New York, Hurricanes Irma and Maria in the U.S. Virgin Islands, and Hurricane Matthew in South Carolina. In addition, Seamus provided leadership for the Orange County Division of Emergency Management during Hurricane Irene, Tropical Storm Lee and Super Storm Sandy.

As the President of Meridian Strategic Services Inc., Seamus leads the Meridian Team in developing close relationships with our clients in order to enhance the client's ability to limit their exposure to risk and to help them succeed in times of crisis and uncertainty.

Prior to becoming the President of Meridian Strategic Services Inc., Seamus was a Federal Coordinating Officer with the Federal Emergency Management Agency. In this role, he was appointed by the President of the United States to coordinate the delivery of federal resources during disaster response and recovery operations to assist state, territorial, local, and tribal nation governments as well as coordinating direct aid and relief to disaster survivors. Seamus also served as the Deputy Commissioner for the Orange County Department of Emergency Services where he served as the primary emergency manager for a county of over 400,000 residents.

Seamus served as a Transportation Officer in the United States Army.

Seamus is a Certified Emergency Manager with the International Association of Emergency Managers, a graduate of the Harvard University's Crisis Leadership Program and a graduate of the National Emergency Management Executive Academy. Seamus received his Masters of Public Administration from Marist College, School of Management and his Bachelor's Degree from Norwich University, Military College of Vermont.

Chris Harnett, Project Manager

Chris Hartnett is an experienced leader in helping communities across the country to recover from disasters utilizing FEMA's Public Assistance Program and the All-Hazard's Mitigation Program.

Before joining Meridian, Chris served as the FEMA Region II Public Assistance Branch Chief and was responsible for managing the Public Assistance Program assisting the State of New York, State of New Jersey, the Commonwealth of Puerto Rico and the United States Virgin Island. In this role, he was responsible for providing oversight, coordination, and management of over 120 employees and the management of over 35 legacy disaster close-outs initiatives. Prior to his assignment as PA Branch Chief, Chris was the Director of the New Jersey Sandy Recovery Office and coordinated all New Jersey Hurricane Sandy Recovery PA and Hazard Mitigation Grant Program grants.

Prior to FEMA Chris spent 26 years in the New Jersey State Police where he was the State Public Assistance Officer, State critical response incident manager and emergency management professional within the New Jersey State Police and New Jersey Office of Emergency Management, where he was assigned as one of the State Coordinating Officers for 11 federally-declared disasters including Hurricanes Irene and Sandy.

As a senior leader in FEMA Region II, Chris has extensive experience in working closely with various Local, State and Federal agencies in order to coordinate their various capabilities and missions to enhance funding opportunities and integration of their expertise in order to meet highly complex disaster recovery goals.

Chris is a veteran of the United States Air Force.

Chris received his Bachelors of Arts Degree from Centenary College.

John Wood, Disaster Recovery Consultant

John Wood is an experienced emergency management professional with significant experience in assisting local governments recover from disasters. John assisted several local governments receive over $50,000,000 in recovery assistance funding after Superstorm Sandy.

John has significant disaster response and recovery experience including serving as the Finance and Administration Chief for the New York State Incident Management Team during Hurricanes Harvey and Dorian. He also served as the Law Enforcement Branch Director during numerous disasters in Orange County, New York and served as the Planning Section Chief for the County during Hurricane Irene and Tropical Storm Lee.

John is a highly regarded instructor in various subjects in emergency management and he is certified as an instructor by FEMA's National Emergency Management Academy in Emmitsburg, Maryland.

John spent twenty-two years in Law Enforcement and retired from the Orange County Sheriff's Office as a Sergeant. During his time with the Sheriff's Office, John served as the Marine Patrol Supervisor, Emergency Management Sergeant, Counter Terrorism Supervisor and Grants Manager for the department.

John a veteran of the United States Army.

Carolyn Rebak-Borinsky, Administrative Support Consultant

Carolyn Rebak-Borinsky is an Administrative Support Consultant specializing in assisting local governments in reducing the complex administrative burden of disaster recovery grant management. Carolyn joined our team from the financial world where her role was client facing and customer service focused.

Previously, Carolyn was a Securities Broker and a former Wealth Management Executive in the Financial Industry.

She holds both Series 7 & 63 licenses and earned her Bachelor's degree from Syracuse University.

PROPOSED PRICING

PRICING OVERVIEW

Meridian offers the City of Biddeford the following labor rates based on the anticipated needs of the City and the anticipated scope of work. These rates do not include other direct costs associated with the project.

Other direct costs, which may include printing, rental of facilities, etc., are passed through to the client without mark up and are not included in the labor rates provided below.

PRICING

The following table denotes the pricing, by position, proposed for this project. The specific composition of any support, aside from the Project Manager, will be identified through an Initial Capability Gap Analysis and with the agreement of the City.

Position Title	Hourly Rate
Principal	$200
Project Manager	$150
Subject Matter Expert	$170
Disaster Recovery Consultant	$140
Administrative Support Consultant / Analyst	$80

If the City requires our services in addition to what is identified in the RFP, Meridian will honor these hourly rates for the full term of the contract and any extensions thereafter.

TRAVEL

As most of our support will be virtual, any travel costs would be charged separately and in accordance with the standards set by the General Services Administration (GSA) Federal Travel Regulations, where applicable.

OTHER DIRECT COSTS

Other direct costs may include printing, facility rental, equipment rental and similar costs directly related to the project and contained within the scope of work. These items and services will be procured at open market rates and will be billed to the City separately with a full accounting of each item provided to the City. Any costs of this nature will be approved by the City in writing prior to procurement.

CLIENT REFERENCES

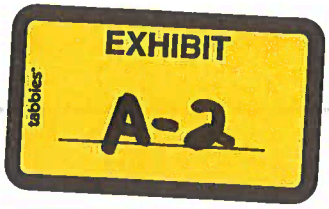
The following provides a list of references that verify the performance of the members of the Meridian Team in disaster recovery operations. We can provide additional references upon request.

Town of Jerusalem, New York	
Tony Hurd, Highway Superintendent	315-595-2277 (Ext. 2) highwaydept@jerusalem-NY.org 3816 Italy Hill Road Branchport, NY 14418

Cresskill Board of Education, Cresskill New Jersey	
Dawn Delasandro, Business Administrator	201-227-7791 busadmin@cboek12.org 129 Madison Ave Cresskill, NJ 07626

Borough of Sommerville, New Jersey	
Jason Kraska Emergency Management Coordinator	908-725-0331 (Ext. 7322) jkraska@somervillenj.org 25 West End Ave Somerville, NJ 08876

Services, Inc.
Partnering with you for a more resilient future



Seamus K. Leary, M.P.A., C.E.M.
President
P.O. Box 158 Esopus, New York 12429
845-332-5599
sleary@meridianstrategicsev.com
www.meridianstrategicserv.com

Roby Fecteau
Director of Code Enforcement &
Emergency Management
City of Biddeford

Date: April 13, 2022

Dear Mr. Fecteau:

As a Disaster Recovery Consulting Company, our expertise is helping communities coordinate their disaster recovery efforts. Our goal is to ensure that all federal and state regulations are met and that our clients receive the maximum amount of disaster recovery funding that they are entitled to.

Our role in a project such as this is to collaborate with engineers and other technical experts retained by our clients and to ensure that our clients are orchestrating their recovery efforts in a manner that not only maximizes their potential for federal funding, but also enhances their overall resiliency against future storms. We provide the technical expertise associated with disaster recovery grant funding and project management.

Projects that are related to water, such as bulkheads and seawalls, can be complex and Applicants often encounter difficulty when scopes of work are not followed, change orders are not submitted and when deadlines are missed. Meridian assists our client with managing their complex recovery projects and ensuring that federal and state regulations and requirements are met. We work closely with our clients, and their engineers, to ensure that any proposed projects are in accordance with federal regulations and consensus-based Codes and Standards. This includes ensuring our clients are aware of any existing environmental regulations that may impact the project.

Our strategy for this project would be:

- Meet with the City's Leadership Team to obtain your goals and objectives.
- Retrieve & Review project related documentation:
  - 90-91 (FEMA Project)
  - CEF. Review for accuracy and completion.
  - Emails and other correspondence pertinent to the grant
- Meet with the engineering firm affiliated with the current project to gain information of what has been accomplished and the recommended path forward.
- Conduct an extensive review of the project and develop a comprehensive Recovery Strategy that will be offered to the City for approval.
- Meet with Local and State and Federal authorities to discuss the City's Strategy and coordinate our joint collaborative activities.
- Identify potential concerns and obstacles and make recommendations to overcome them.
- Work with City's engineers to identify Potential 406 Mitigation opportunities for the project.
- Assist with grant formulation in conjunction with FEMA Region I and the State of Maine.
- Work to receive a partial payment on the project in order to alleviate potential bond interest and other loan obligations.
- Maintain an effective, transparent, and collaborative process throughout the lifecycle of the project.

The team we are proposing for this project has significant experience with complex projects associated with water. Seamus Leary served as the Federal Coordinating Officer during Hurricane Michael in the State of South Carolina and worked closely with senior level Local, State, and Federal officials to implement complex recovery projects along the entire coastline of the State.

Chris Hartnett was the State Coordinating Officer for the State of New Jersey during Superstorm Sandy. He was instrumental in securing FEMA funding for the temporary shoring up of several coastal facilities and other Emergency Protective Measures associated with projects in New Jersey.

Two specific projects Chris was involved with in the recovery effort from Superstorm Sandy in New Jersey were the Mantoloking Sea Wall Project and the Sea Bright Sea Wall restoration.

In addition to projects in New Jersey, Chris Hartnett has been involved with the Bellport Marina bulkhead replacement project in the State of New York. Chris Hartnett coordinated with the onsite engineers, validated change orders and other scope alterations to get FEMA to quickly engage with the project and move it forward. FEMA offered the Village a fraction of what they had obligated originally. Chris and his team were able to meet with FEMA and were able secure funding for the project that was not originally in the scope of work.

John Wood was involved in nearly **twenty** municipal seawall projects in the aftermath of Superstorm Sandy on Long Island in New York State.

Due to our extensive experience with FEMA, we are able to engage with the federal government to help expedite your projects while also ensuring that the City of Biddeford receives the maximum amount of reimbursement funding possible.

Based on our initial analysis of your project, this seawall should be considered as one (1) facility. The entire wall needs to be consistent in design and construction (materials, reinforced concrete, sub-base and outer layer) so as to not breach the integrity of any portion of the facility and to maximize the protection of the city. We would explore a few options to capture as much funding for the city as possible by exploring the following:

- **Improved Project** - An Improved Project is a project that restores the pre-disaster function, and at least the same capacity, of the damaged facility and incorporates improvements or changes to its pre-disaster design that is not required by eligible codes or standards.

- **428 (PAAP)** fixed capped grant. This approach would basically be a "lump sum" that would include mitigation allowances as well. If your project comes in under the agreed amount of the cap grant, the city can use the excess for any type of project that promotes resiliency. This excess could be used to offset any cost for the area of the wall that houses the Waste Water holding tank (if not incorporated into the initial project).

- **406 Mitigation** – There are several types of hazard Mitigation. FEMA is a proponent of the 406 HMP which is project specific; meaning it is incorporated into the cost of your project for the Sea Wall.

- **404 HMGP** – An application that is competitive for the State and has an extensive selection process that is not 100% guaranteed.

- **BRIC** (Building Resilient Infrastructure and Communities - competitive FEMA grant program to support states, local communities, tribes and territories. The panel reviews submitted sub applications for hazard mitigation projects that aim to reduce the risk from disasters and natural hazards. Again, another competitive application that is not 100% guaranteed.

In Summary, Meridian has significant experience in assisting communities like the City of Biddeford during their complex disaster recovery efforts. We believe we can be of assistance to the City of Biddeford and we are looking forward to an opportunity to work with you.

Seamus K. Leary, M.P.A., C.E.M
President

DISASTER RECOVERY
CONSULTING AGREEMENT

Between

Meridian Strategic Services, Inc.

and

the City of Biddeford, Maine

Meridian
Strategic
Services, Inc.
Partnering with you for a more resilient future

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CONSULTING AGREEMENT

This agreement is made by and between Meridian Strategic Services, Inc. (MSS), including its subcontractors, and the City of Biddeford, Maine. In consideration of mutual promises of each Party to the other herein contained, it is mutually agreed as follows:

ARTICLE 1: Objective

This Disaster Recovery Consultant Agreement is made between Meridian Strategic Services, Inc., and its subcontractors, and the City of Biddeford located in the State of Maine.

MSS will provide disaster recovery consulting services to the City of Biddeford in the terms and conditions set forth in this Agreement. The purpose of this agreement is for MSS to assist the City of Biddeford to coordinate their ongoing disaster recovery activities associated with the Storm and Flooding that occurred on October 30-31, 2021 (DR-4647-ME), any other open projects from previous disaster declarations. MSS will also provide consultancy and project management services to the City of Biddeford in its effort enhance its resiliency and to reduce the city's exposure to the impacts of future disasters.

ARTICLE 2: General

MSS, and its subcontractors, will provide disaster recovery, project management and technical expertise consulting services to the City of Biddeford. These services will include assistance in the administration of funding granted through the Federal Emergency Management Agency's (FEMA) Public Assistance Grant Program and its All-Hazards Mitigation Program. These services will also include coordinating the City's effort to enhance its resiliency in the face of future disasters.

Any other services will require a separate Consultant Agreement between MSS and the City of Biddeford.

ARTICLE 3: Term

This Agreement, and its terms, conditions, will become effective upon full execution of this document by both parties. This Agreement will remain in effect until terminated under provisions of Article 11 herein.

ARTICLE 4: Services

The following are the services MSS, and its subcontractors, will perform for the City of Biddeford as part of this Agreement:

1. Attend meetings with the State and Federal agencies including applicant briefings, kick-off meetings and project specific discussions.
2. Provide technical advisory services related to Emergency Management and disaster recovery. This includes providing advice on the eligibility of facilities, work, and other costs and develop justifications for presentation to the State of Maine
3. Develop and implement strategies designed to maximize federal and state disaster recovery assistance.
4. Prepare applicable correspondence to FEMA and the State of Maine.
5. Prepare required progress reports to the City of Biddeford State and FEMA.
6. Develop a financial tracking process that organizes and records project related expenses in a manner that facilitates the financial reimbursement by

FEMA.

7. Serve as subject matter experts and provide programmatic and policy advice to the City of Biddeford regarding various federal disaster relief programs.
8. Provide project management for the disaster recovery projects.
9. Assist the City of Biddeford senior leadership in the development of a strategic disaster recovery plan as it relates to the project and mitigation efforts.
10. Review and organize disaster related documentation to ensure regulatory compliance and maximize reimbursement opportunities.
11. Conduct site visits of damaged areas and collect information for project formulation in coordination with city staff, design engineer, and selected contractor as may be needed.
12. Prepare project documentation for review by FEMA and the State ensuring that the scope of work is accurate and comprehensive, estimates are accurate, expenses are eligible and documented, and that projects are categorized as small or large in a manner that ensures prompt reimbursement to the City of Biddeford
13. Enter disaster related information and documentation into FEMA's Grants Portal as applicable.
14. Identify potential Hazard Mitigation opportunities of 406 Hazard Mitigation Funding.
15. Meet with City of Biddeford management team to collect documentation, provide regular updates, and to ensure regulatory compliance.
16. Coordination with the City of Biddeford leadership team in the development and preparation of any appeals to FEMA if applicable.
17. Provide grant close-out services.

MSS will determine the methods, manner, specifics of performing these services with prior client approval.

The scope and services for this Agreement is limited to damages associated with Storm and Flooding that occurred on October 30-31, 2021 (DR-4647-ME), open legacy disasters and long-term disaster resiliency services.

ARTICLE 5: Compensation

MSS will assign a Project Manager as the primary consultant to the City of Biddeford. This Project Manager will serve as the City's primary point of contact for this project and this consultant will be billed at a rate of $150.00 per hour. MSS will also assign a Disaster Recovery Consultant to the project at a rate of $140 per hour. Administrative support is available for $80 per hour.

If the project requires additional support or technical expertise, MSS can assign additional consultants to the City's projects. Additional consultants may be selected based on the needs and scope of the project. MSS will seek prior permission, in writing, before assigning any additional consultants to a project. MSS will select the appropriate consultant after permission is provided by the City.

The table below provides our hourly rates in the event additional consultants are required:

Position	Hourly Rate
Principal	$200
Project Manager	$150
Subject Matter Expert	$170
Disaster Recovery Consultant	$140
Administrative Support Consultant / Analyst	$80

MSS will advise the City of Biddeford and gain approval prior to performing any services. If approval is delayed or not provided, the function will not be performed by MSS without consequence to MSS for any delay.

Compensation rates are not inclusive of expenses, travel costs, or any other direct costs which may be incurred for services rendered where travel or per diem is required. The Consultant will seek written permission from the client prior to incurring travel related costs. MSS will utilize the General Services Administration's (GSA) rates for travel including airfare, hotel, car rental, parking fees, tolls, laundry and meals.

ARTICLE 6: Invoicing and Payment

MSS will submit an invoice to the City of Biddeford on the first business day of each month.

Payment should be rendered within thirty (30) days of the submitted invoice for payment.

Payments should be made to Meridian Strategic Services, Inc at:

Meridian Strategic Services, Inc.
P.O. Box 158
Esopus, NY 12429

Late payments could incur a 1% late fee each month until payment is received.

ARTICLE 7: Period and Place of Performance

The period of performance for this Agreement will be for so long as the City of Biddeford has open FEMA projects or other disaster related grant funded projects.

MSS consultants will perform most of their duties remotely, but when required, MSS consultants will be present onsite at a City of Biddeford facility or other designated site to attend meetings, collect information and conduct site inspections.

ARTICLE 8: Reporting Requirements

MSS will provide a monthly written progress report to the City of Biddeford regarding ongoing projects.

ARTICLE 9: Information Access

City of Biddeford and its employees, contractors, vendors and other representatives will provide MSS with all project related information when requested to facilitate project development, administration, and for auditing purposes.

ARTICLE 10: Notices

All notices required or permitted to this Agreement shall be deemed given if and when personally delivered in writing to the Party or it designated agent or representative, or if and when mailed by United States mail, registered, certified mail, return receipt requested, and properly addressed. All notices shall be addressed to each organization's representative:

Organization	**Meridian Strategic Services, Inc.**	**City of Biddeford, Maine**
Address	Meridian Strategic Services, Inc. P.O. Box 158 Esopus, NY 12429	City of Biddeford 205 Maine Street Biddeford, ME 04005
Point of Contact	Seamus K. Leary	James Bennett
Title	President	City Manager
Email	sleary@meridianstrategicserv.com	james.bennett@biddefordmaine.org
Phone	845-384-3012	207-571-0700

ARTICLE 11: Termination

The City of Biddeford and Meridian Strategic Services, Inc. may terminate this agreement, in writing, at any time or when the City of Biddeford has closed all of its disaster related projects due to completion or withdrawal.

IN WITNESS, WHEREOF, the parties hereto have, through duly authorized officials, executed this Agreement relative to the services described herein, as of the day and year indicated:

Accepted By:

James Bennett
City Manager

Date

Accepted By:

Seamus K. Leary
President

Date

CITY OF BIDDEFORD — DISASTER RECOVERY GRANT MANAGEMENT ASSISTANCE

CITY OF BIDDEFORD — DISASTER RECOVERY GRANT MANAGEMENT ASSISTANCE

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1 COVER LETTER

DATE: April 11, 2022
ATTENTION: Roby Fecteau
City of Biddeford
205 Main Street. Biddeford, Maine 04005
SUBJECT: Request for Proposals – Disaster Recovery Grant Management Assistance

Dear Mr. Fecteau:

Berquist Recovery Consulting, LLC. (BRC) appreciates this opportunity to submit its proposal to the City of Biddeford in response to *Request for Proposals for Disaster Recovery Grant Management Assistance.* The following proposal details our depth of experience in disaster recovery and grants management, our understanding of the various reimbursement programs needed to recapture expended funding, and our ability to provide a team of professionals who will help supplement City staff as they respond to the impacts of the severe storms and flooding that occurred in August 2020.

For more than fifteen years, members of the BRC team have been at the forefront of some of the most significant and most devastating disasters throughout the United States and outlying territories. Collectively, our team has deployed to over 30 disasters to support and augment our client's staff following disaster-related events. Since our inception, we have administered and managed over $500 million in disaster assistance grant funding and continue to build on our experience through such engagements. Most importantly, with more than a decade of financial reconciliation and audit experience, not a single audit finding has been identified by regulatory authorities, nor have any of our client's reimbursements been de-obligated.

For this engagement, we have hand-selected a team of experienced professionals who have directly served in a variety of leadership and advisory roles for several New York State municipalities, the New York State Division of Homeland Security and Emergency Services (NYS DHSES), and the Federal Emergency Management Agency (FEMA) during some of the nation's most complex and devastating events. Our team will be led by Jonathan Berquist, a New York-based project manager who has been involved in state and local disaster recovery and mitigation programs for more than ten years. He will receive additional support from various corporate professionals, including Robert Berquist, PE., a former Manager at Adjusters International, Inc., who will serve as our team's Senior Technical Advisor. Robert Berquist has over 37 years of professional experience as a licensed Civil Engineer in New York and has worked on over 18 presidentially declared disasters.

From the outset of our engagement, we will work with the City and associated stakeholders to create a mutual understanding of recovery goals and programmatic requirements, thus enabling a quick and effective recovery for all stakeholders and eligible subrecipients.

We look forward to working with the City to negotiate mutually acceptable terms and conditions upon the award of a contract. If you should have any questions, please contact our proposed Project Manager, Jonathan Berquist, at (518) 229-4367, or by email at jberquist@berquistrecoveryconsulting.com.

Sincerely,

Jonathan Berquist, President

Berquist Recovery Consulting, LLC.

2 EXECUTIVE SUMMARY

QUALIFICATIONS OF THE FIRM

Whether we are helping communities recover from natural disasters or providing logistical support to our first responders, we go to work every day, knowing that we are making a positive impact on the world. These are huge responsibilities, and we take pride in providing a successful path forward. Thinking differently and challenging the norm is our mandate. Every day we plan for the unexpected, develop critical insights, and deliver new, creative, and adaptive solutions. No matter the situation, **BERQUIST RECOVERY CONSULTING, LLC (BRC) IS YOUR PARTNER AND ADVOCATE.**

Today, BRC is a management consulting firm that provides emergency management and disaster recovery services to both public and private sector clients. In the last ten years, BRC has helped manage over 20 grant-funded programs valued at over $500 million. For each of our engagements, we use a project delivery and control system that is customized and scaled to our client's needs and capacity. Our approach includes the following fundamental goals:

- ✓ Identifying and reducing program risks;
- ✓ Monitoring contractual and programmatic compliance;
- ✓ Proactively detecting potential fraud, waste, and abuse in advance of funding or disbursements;
- ✓ Reducing the recapture of obligated funds;
- ✓ Developing solutions to solve complex problems;
- ✓ Overcoming recovery obstacles by streamlining internal processes and optimizing resources.

We have extensive experience administering federal grants from the FEMA PA, FTA-ER, and FHWA-ER programs; Sections 404, 406 and 428 of the Stafford Act (HMGP, HM and Public Assistance Alternative Procedures (PAAP)); HUD's CDBG and CDBG-DR programs, and several other federal, state, private and philanthropic grants that support response and recovery while promoting resiliency.

At BRC, we pride ourselves in our ability to help communities of all sizes establish sound recovery management processes that increase reimbursement, reduce negative audit findings, and allow our clients to obtain and retain the maximum amount of funding that they are entitled to. Our staff has a deep understanding of federal disaster assistance programs and is committed to supporting all divisions that fall under City of Biddeford's purview.

As recipients of federal disaster assistance funding, the City must comply with all of the laws and regulations enforced by the administering agencies. Adverse audit findings and careless errors frequently result in sizable clawbacks and increased scrutiny by oversight organizations, thus tarnishing the reputation of the City and delaying the closeout of each grant. Our staff has worked on dozens of presidentially-declared disasters and have assisted grantees, and subrecipients properly account for their disaster relief funds.

BRC is committed to supporting the City of Biddeford navigate the ever-evolving and complex recovery process. Our advantage lies in our extensive experience throughout State of Maine, our relationships with federal and state stakeholders, and our ability to help the City emerge with increased resiliency and awareness.

The City has many options available when selecting a recovery partner, and we believe that our team's experience and passion for helping communities get back on track makes **BRC THE RIGHT RECOVERY PARTNER FOR THE CITY OF BIDDEFORD**. Within this summary, we will highlight our expertise, stress our commitment to City of Biddeford, emphasize our local presence, explain our understanding of the project, and illustrate how BRC will help the City maximize reimbursement, streamline the grants management process, and assure that City of Biddeford experiences a robust and stress-free recovery.

OUR EXPERTISE

Following a disaster-related event, the City will require a firm that not only has a vast understanding of disaster recovery and long-term planning, but a firm who has local experience and expertise with the Stafford Act, the Super Circular (2 CFR 200), FEMA guidelines, and a myriad of other laws, codes, regulations, and evolving policies. If selected for this engagement, the BRC team will provide expertise in the following areas, as outlined in ***Figure 01*** below:

- ✓ *Stafford Disaster Relief and Emergency Assistance Act*
- ✓ *2 CFR 200 "The Super Circular"*
- ✓ *Sandy Recovery Improvement Act of 2013*
- ✓ *New York State Division of Homeland Security and Emergency Services (NYSDHSES)*
- ✓ *FEMA Public Assistance Program (PA)*
- ✓ *FEMA Individual Assistance Program (If Applicable)*
- ✓ *Sections 404, 406 & 428 of the Stafford Act*
- ✓ *Pre-Disaster Mitigation (PDM), Flood Mitigation Assistance (FMA) & Severe Repetitive Loss (SRL)*
- ✓ *HUD CDBG and CDBG-DR Program (If Applicable)*
- ✓ *FTA-ER and FHWA-ER Programs (If Applicable)*
- ✓ *Small Business Administration*
- ✓ *National Flood Insurance Program (NFIP)*
- ✓ *Preliminary Damage Assessments (PDA)*
- ✓ *Requests for Reimbursement (RFR)*
- ✓ *Insurance Claims Recovery*
- ✓ *Cost Estimating Format and RS Means*
- ✓ *Single Audits & OMB Circular A-133*
- ✓ *Knowledge and Systems Transfer*
- ✓ *Procurement and Contract Management*
- ✓ *Debris Management & Monitoring*
- ✓ *Grant Cost Tracking & Financial Management*
- ✓ *Data & Document Management & Storage*
- ✓ *Closeout Management and Reporting*

Figure 01: *BRC's disaster-related expertise*

OUR COMMITMENT TO THE CITY OF BIDDEFORD

At BRC, we pride ourselves on our ability to not only help communities recover from disaster-related events but to help educate our clients on the importance of preparedness and resiliency planning following such events. As disaster recovery professionals and survivors of such events, we understand the struggles that communities face. Over the years, our team has helped countless communities maximize funding by forming collaborative relationships with public, private, and non-profit organizations. Due to the overwhelming number of natural disasters within the last few years, our networks have grown to meet the demands of our clients. Within our reach, we have access to dozens of professionals who specialize in strategic planning, emergency management, grants management, hazard mitigation, resiliency planning and execution, insurance management and allocation, regulatory compliance, as well as information technology and database management.

Managing a federally declared disaster requires an experienced project manager and a team of cross-functional professionals who are equipped with innovative tools and technology. If selected for this engagement, BRC will use its wide array of resources to perform the following core functions:

- › Represent the City in meetings with other disaster recovery stakeholders;
- › Provide financial management and policy advice on grant-related activities;
- › Provide advice on procurement as it relates to grant funding and compliance;
- › Provide status reports that include project status updates and contract metrics;

- Prepare correspondence to stakeholders as needed;
- Work with the City, MEMA, and FEMA to identify all disaster-related damages;
- Help the City identify and apply for applicable funding opportunities;
- Manage the City's portfolio of grant-funded projects using a customizable Quick Base© application;
- Prepare a closeout/audit module to ensure that the City is well equipped for potential audit and grant closeout activities; *and*
- Defend the City with ineligible determinations, appeals, and potential de-obligations.

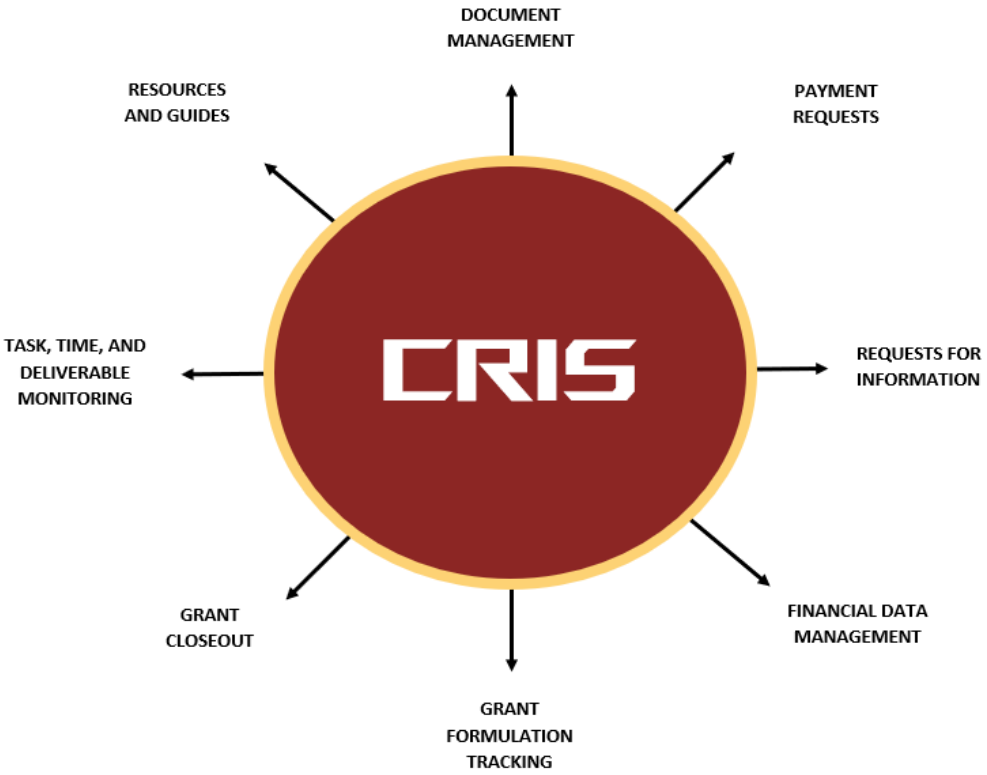
In addition to these core activities, our team of subject matter experts and disaster recovery specialists will be available to guide the City through a variety of programs and subject matter areas, including programmatic compliance and disaster financial management, among others.

As the City's recovery partner, BRC will ensure the safety of your community, maximize the amount of eligible grant funding for the City, streamline the overall grant recovery process, and reduce or eliminate the disaster-related burdens placed on City resources. To do this, BRC has identified a team of professionals and dedicated staff that will work with the City to perform the following tasks:

CAPTURE OF DISASTER-RELATED DAMAGES: Our team has worked on dozens of federally declared disasters – from performing site inspections to managing the entire recovery operation. We will staff this engagement with the resources needed to properly identify and capture eligible activities that qualify for disaster assistance.

ESTABLISH A GRANTS MANAGEMENT SYSTEM: To manage the complex data and documentation associated with disaster recovery operations, we will be teaming with IAF Consulting, a well-known management consulting firm to design and implement a scalable system for the City's needs. BRC has teamed with IAF Consulting on many engagements and has successfully customized our own grants management system within Quick Base®, known as CRIS, or Central Recovery Information System, as illustrated in ***Figure 02*** below.

***Figure 2**: BRC's CRIS System*



BRC created CRIS with transparency in mind. There is no better way to manage a consultant/client recovery operation than to have both parties involved. Accordingly, CRIS enables the City and BRC to simultaneously manage the recovery operation, giving access to selected users, and placing various limitations and restrictions to maintain data integrity. If BRC is selected as your recovery consultant, we highly recommend utilizing this tool as soon as possible. We plan on discussing the benefits of our system and will discuss the specifics during the initial contract kickoff meeting. In the event that you have your own grants management system and/or do not wish to use ours, we are fully capable of adapting our methodologies and approach to other systems, processes, and procedures.

FEATURES OF CRIS

Hosted on the Quick Base® online, secure relational database platform, this tool can include modular components that will help the City monitor, report, and visualize many important sets of information related to its recovery. At the City's discretion, these components may include:

- Performance tracking through task, budget, management cost and invoice tools
- Individual and comprehensive project recovery data – including procurement and actual or estimated costs
- Supporting documentation and file management for grants formulation
- Correspondence and meeting tracking
- City finance/accounting software integration
- Reimbursement and closeout monitoring and tracking
- Additional modules for tracking appeals, other funding streams, eligibility issues, force account labor calculators, costs, procurement, budgeting, staffing, mitigation, etc., are simple to deploy and tailor-fit to meet any of the City's operational needs.

CRIS prominently features dashboard-centric visuals (as illustrated in **Figure 03**), allowing for fast and accurate identification of recovery issues. Clients often use the graphics and charts pulled directly from CRIS to provide accessible updates to recovery stakeholders on recovery and contract progress. Executive-level City staff, council members, recovery leaders, and members of the public who do not have readily available access to this data benefit from CRIS's visually intuitive and automatically-generated summary reports.

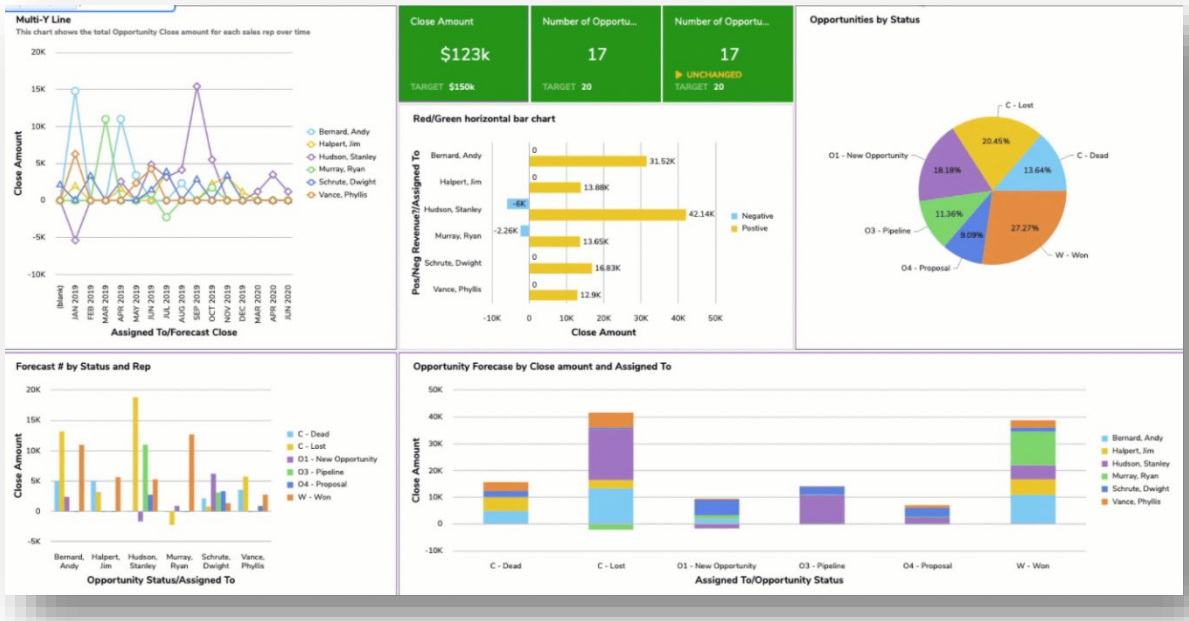


Figure 03 *CRIS is a highly dashboard-centric tool, designed to comprehensively manage recovery data and communicate key recovery and contract metrics to a variety of stakeholders.*

RETENTION OF FUNDING: Our team will provide the support needed to ensure that the City retains all the funding it is entitled to under the provisions and statutes outlined in the law. Our team is staffed with construction managers, engineers, policy experts, and legal advisors who will work together to ensure that all activities performed on behalf of the City are in accordance with applicable laws, codes, and regulations.

INNOVATIVE STRATEGIES: Beginning at the kickoff meeting, the BRC team will help the City prioritize projects and apply for immediate needs funding if needed. We will also help identify any funding opportunities available to the City and work to apply, formulate, and administer these grants/programs. Our team is especially adept at identifying innovative opportunities to fund the integration of sustainability and resiliency strategies into recovery projects. We will leverage every dollar of funding in support of the overall recovery and resiliency of the City.

LEVERAGE OUR RELATIONSHIPS: Our unique experiences and long-standing relationships with MEMA, FEMA Region II, and other federal, state, and local counterparts will enable us to resolve problems, expedite funding, and ensure that the City's funding is being utilized in the most effective and efficient manner.

KNOWLEDGE TRANSFER TO THE CITY: Most importantly, our team will work to educate and train City staff on grants management and document management. Doing this will help to reduce our contract duration, overall cost, and reliance on a consultant. However, it will help prepare City staff for future disaster-related events through knowledge transfer, lessons learned, and best practices.

REVIEW POLICIES AND PROCEDURES: If desired, our team can assess the City's current policies, procedures, contracts, plans, financial systems, and legal authorities and offer strategic recommendations to improve their responsiveness to the needs of disaster response and recovery. Our advice will be consistent with grantor rules and regulations, best practices, and lessons learned. Providing the City with this assessment will enhance its internal emergency management capabilities and support long-term recovery goals.

PERFORM FEMA-SPECIFIC TASKS: For FEMA-related grants, our team will provide funding, grant management, and grant compliance oversight. At a minimum, we will provide oversight and direction that consider these important considerations and requirements:

- Meet with City staff to provide an overview of the FEMA Public Assistance program and review the responsibilities, compliance requirements, and timelines that will need to be adhered to.
- Identify reimbursement opportunities, review the list of projects, identify unmet needs or unformulated project worksheets, and itemize those projects into eligible project worksheets.
- Review FEMA PWs for accuracy and unjustified reductions.
- Provide contract, cost reasonableness, contractor eligibility, and grant compliance reviews.
- Develop and/or review budget/cost summaries, environmental, and historical preservation forms.
- Suggest alternate, improved, or PAAP projects when beneficial to the City.
- Prepare the City for potential compliance issues and mitigate the issue with necessary historical and retroactive documentation.
- Compile, categorize, record, track and file all disaster-related costs on approved forms and/or via the FEMA Grants Manager Grant Portal.
- Understand the short-term and long-term goals of the City and leverage all funding to accomplish said goals.
- Provide reviews of invoices, contracts, and perform cost reasonableness assessments.
- Research, develop, and submit appeals or arbitration briefs when reimbursements do not reflect the funding that the City is entitled to.

- Assist the City with Requests for Information (RFI) and other strategic correspondence directed towards FEMA and MEMA.
- Suggest and review hazard mitigation opportunities and leverage funding from the various programs to maximize potential funding.
- Provide technical assistance during preparation, submission, and tracking requests for payments, and facilitate the reimbursement cycle.
- Review change orders and scope changes and make sure that they are captured in subsequent project worksheets or project worksheet amendments and versions.
- Facilitate communication and act as City's representative (if desired) amongst stakeholders, including MEMA and FEMA.
- Review insurance policies and anticipated/actual deductions from FEMA to ensure accuracy and avoid duplication of benefits.
- Maintain electronic records, process document requests, and upload documents to Quick Base®
- Prepare and submit the project completion reports as well as to conduct and perform all required closeout activities with FEMA and MEMA.
- Assist with the compilation of financial and procurement documentation.
- Support the City with recordkeeping, grant and financial management, procurement, EEO, Minority and Women-owned business requirements, and labor law compliance.
- Provide technical assistance during construction meetings and limited on-site observation.
- Review project descriptions, propose eligible scopes of work, and perform risk assessments when needed.
- Review procurement documents, including RFPs and contracts for compliance with federal laws and regulations.

PROJECT UNDERSTANDING

At BRC, we pride ourselves on our ability to not only help communities recover from disaster-related events but to help educate our clients on the importance of preparedness and resiliency planning following such events. The City of Biddeford has many options available when selecting a consultant to assist in the aftermath of Halloween Storm (FEMA-4647-DR-). We believe that our team's passion and commitment to assisting communities throughout the State of Maine and beyond make our team the right recovery partner for your needs.

As disaster recovery professionals and survivors of such events, we understand the struggles that communities face. Over the years, our team has helped countless communities maximize funding by forming collaborative relationships with public, private and non-profit organizations. Due to the overwhelming number of natural disasters within the last few years, our firm has morphed into a conglomerate of professionals specializing in strategic planning, emergency management, grants management, hazard mitigation and resiliency, insurance, regulatory compliance, architectural and engineering, as well as information technology and database management.

When it is all said and done, our goals for the City of Biddeford are as follows:

- Provide the support needed to ensure the City receives and retains all the funding to which it is entitled under the provisions and statutes set forth in law
- Identify opportunities to approach recovery and mitigation projects with innovative funding strategies
- Offer guidance on new or disaster-specific opportunities and developments across programs, agencies, and levels of government

› Leverage our unique experiences and long-standing relationships with state and federal partners to resolve challenges, as needed

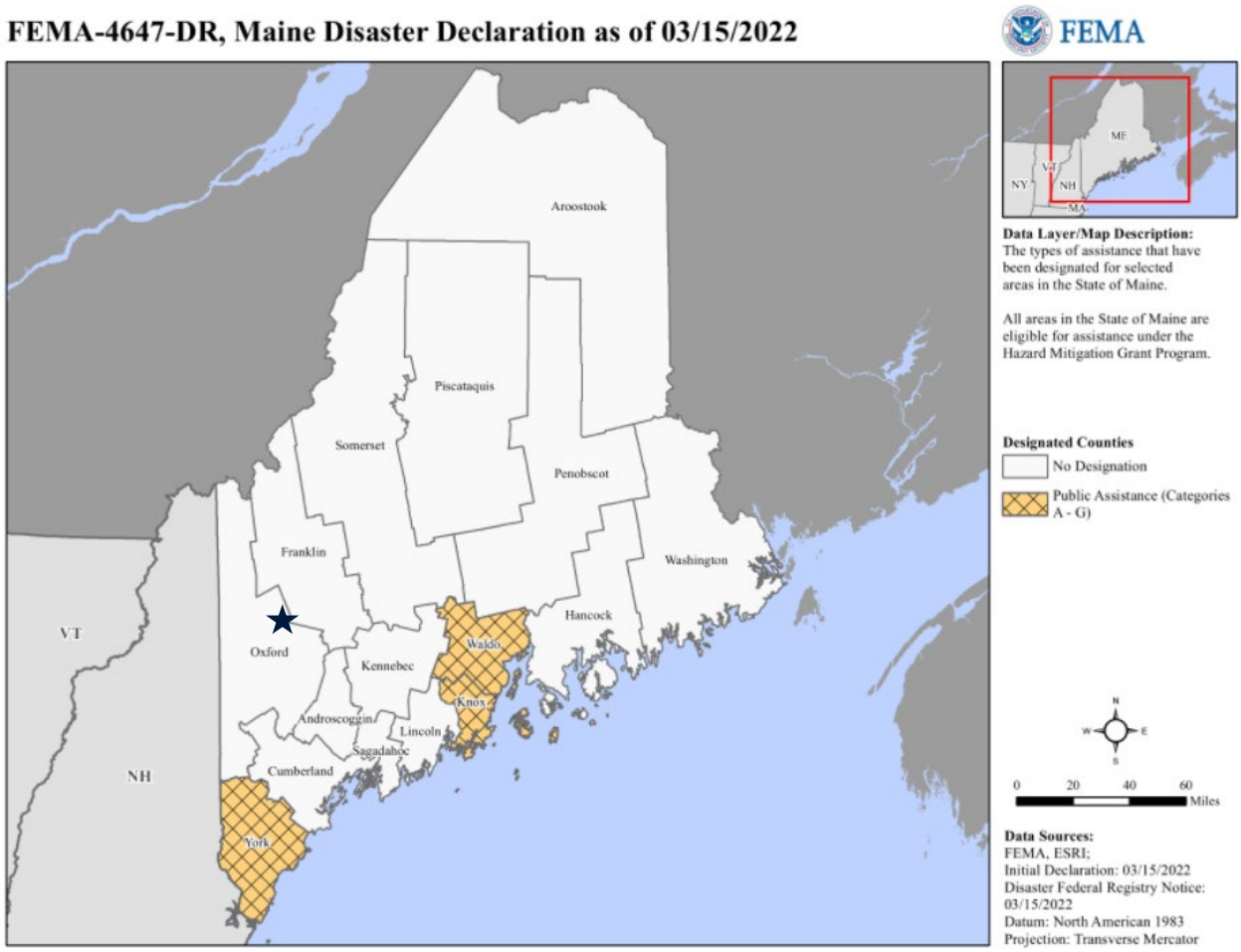


***Figure 05**: Declared Counties throughout Maine following DR-4647*

3 ORGANIZATIONAL PROFILE AND COMPARABLE EXPERIENCE

ORGANIZATIONAL PROFILE

THE BRC PROJECT TEAM

Our proposed project team is comprised of Berquist Recovery Consulting (BRC) as prime consultant with Tectonic and IAF Consulting as sub-consultants. Leveraging each firm's unique experience and relevance to the RFP requirements, the BRC Team will collectively deliver the highest quality recovery services to City of Biddeford. Each firm has different strengths, though together, we form a well-qualified team that meets all the requirements outlined in the City's Request for Proposal.

PRIME CONTRACTOR

BERQUIST RECOVERY CONSULTING LLC. (BRC) is a professional services firm providing engineering, project and program management, and disaster management services to public agencies and private sector clients. BRC and its firm's employees have helped over 20 disaster recovery operations throughout California, Florida, Mississippi, New York, New Jersey, Puerto Rico, Texas, Louisiana, and South Carolina. We use a proven project delivery and control system that has evolved over the years to suit the needs of our clients better. For all our disaster recovery projects, we work towards the following goals:

- Identifying and reducing program risks
- Monitoring contractual and programmatic compliance
- Developing innovative solutions to solve complex problems
- Overcoming recovery obstacles by streamlining program processes
- Optimizing staffing and program resources
- Proactively detecting potential fraud, waste, and abuse
- Preventing or reducing recapture of obligated funds

At BRC, our team of professionals has extensive experience administering and assisting clients with the following programs:

- FEMA Public Assistance (PA)
- FEMA Section 404 (HMGP)
- FEMA Section 406 (HM)
- FEMA Flood Mitigation Assistance (FMA)
- FEMA Section 428 (PAAP)
- Federal Transit Administration (FTA)
- FEMA Pre-Disaster Mitigation (PDM)
- NYS DHSES
- Insurance Programs
- Federal Highway Administration (FHWA)
- HUD (CDBG) and HUD (CDBG-DR)
- Small Business Administration (SBA)

Our expertise and experience translate to City of Biddeford with expedited program management activities, reduced delivery costs, and consistent, high-quality deliverables.

SUBCONTRACTORS

IAF CONSULTING LLC (IAF) is a management-consulting firm that specializes in financial, program, and data management. Its team members are drawn from diverse academic and professional backgrounds, including law, engineering, software development, accounting, finance, and system integration. Since 2012,

the IAF team has supported many disaster recovery and emergency management projects at the state, local, and federal levels. IAF is certified as a Louisiana Disadvantaged Business Enterprise (SLDBE), Small and Emerging Business Enterprise, and certified-active as a Small Entrepreneurship with Louisiana Economic Development's Hudson Initiative.

For the past 30 years, **TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C** have delivered quality professional services in a timely and cost-effective manner by pooling its talented staff into project teams that think, act, and perform as one integral unit. By carefully listening and collaborating with its clients, the firm can identify the key issues and assure stakeholder objectives are met in the final deliverables. Through innovating and adopting technological advances, the firm is able to find solutions to some of the planet's - and country's - most challenging problems, such as environmental degradation due to climate change and achieving massive rebuilding after extreme weather events. As the world evolves, and its challenges grow more complex, Tectonic continues to innovate and provide the practical solutions and exceptional customer service its clients have trusted since its founding.

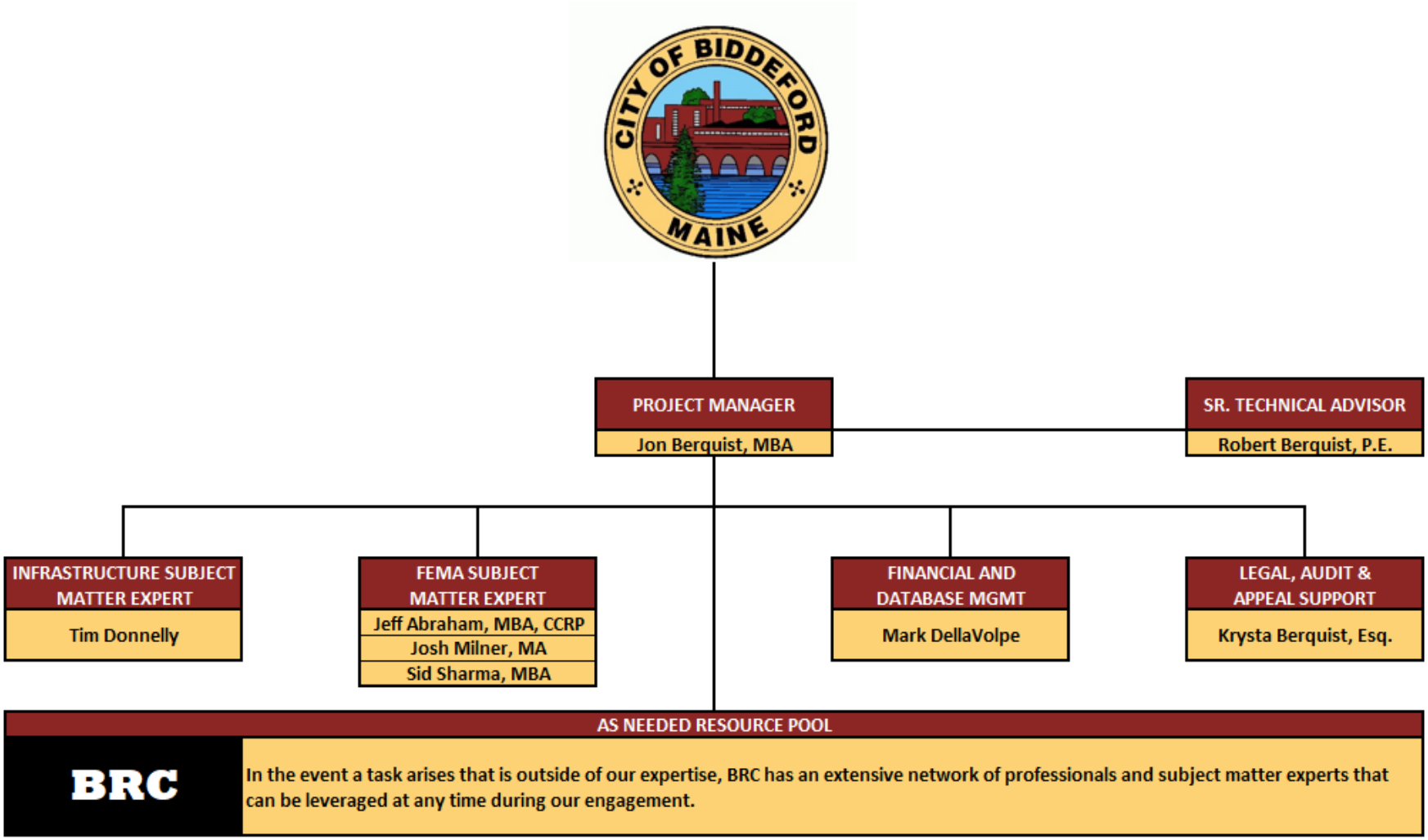
GRANTCITY CONSULTING, LLC is a professional services firm providing disaster-related project, program, and grants management services to public- and private-sector clients. Jeff Abraham, Founder, and Principal, is a highly skilled project manager with extensive experience in planning, executing, and completing projects of all sizes and complexities. Throughout his career, he has led teams that support federal, state, and local government engagements and has also managed large-scale construction projects for the private sector. Mr. Abraham has a robust background in construction management, finance, and compliance management, and has applied these skills to serve his clients in the grants management arena. Mr. Abraham has worked on twelve presidentially declared disasters and has helped dozens of applicants apply for, author, and manage grants from dozens of federal, state, and local entities. Mr. Abraham has a successful track record helping clients solve complex problems and is passionate about contributing to the recovery efforts of communities following disaster-related events.

As alluded to above, our proposed project team has worked on dozens of preparedness, response, recovery, and mitigation projects throughout the US. We understand the emergency management and disaster recovery landscape throughout US and are familiar with the current response and recovery challenges facing local governments. Currently, BRC provides disaster response and recovery services to several clients throughout the United States and outlying territories.

OUR PROPOSED ORGANIZATIONAL CHART AND STAFFING MATRIX

At BRC, we believe that the team structure is one of the most important aspects of a successful recovery. In our experience, effective results are derived from the people on the engagement and their ability to drive success. Based on our current workload and available resources, we have proposed a team of professionals who possess the required skills and experience necessary to execute the scope of services outlined by the City effectively. Our proposed organizational chart for City of Biddeford is illustrated in **Figure 06**. In the event a task arises that is outside of our expertise, BRC has an extensive network of professionals and subject matter experts that can be leveraged at any time during our engagement.

Figure 06: *Our proposed Organizational Chart for the City of Biddeford*



BRC has experience building collaborative, integrated, multi-state teams across multiyear projects. We are dedicated to sharing knowledge and resources and resolving issues or addressing needs as a team. We are an adaptive, agile, diverse, continually learning, and mission-driven workforce that thrives on innovation and takes the initiative. We continuously strive for and exhibit characteristics essential to our effectiveness in delivering exceptional preparedness, response, recovery, and resiliency capabilities to communities large and small.

We have proposed an experienced team of disaster recovery and technical specialists to support the City's current and future needs resulting from disaster-related events. Our team includes staff with substantive knowledge of and experience in project management, grant administration, disaster recovery policy and program compliance, hazard mitigation, strategic and operational planning, and training delivery. The experience of our personnel is shown in **Figure 07,** with personnel bios and resumes of our primary staff following.

Figure 07: *Relevant personnel experience*

NAME / POSITION	AVAILABILITY	CITY OF BIDDEFORD REQUESTED SCOPE OF SERVICES									
		FEMA PUBLIC ASSISTANCE ADVISORY SERVICES	FINANCIAL, GRANT & DOCUMENT MANAGEMENT	EMERGENCY MANAGEMENT AND REMEDIATION SUPPORT	PROGRAM COMPLIANCE AND POLICY ADVISORY SERVICES	CLOSEOUT MANAGEMENT SUPPORT	AUDIT AND APPEAL SUPPORT	STRATEGY AND PLAN DEVELOPMENT	COST ESTIMATING AND DOCUMENTATION	SPECIAL CONSIDERATIONS ANALYSIS	PROGRESS REPORTS AND REPORTING REQUIREMENTS
Robert Berquist / Senior Technical Advisor	Remote or On-Site (As Needed)	●	●	●	●	●	●	●	●	●	●
Jonathon Berquist / Project Manager	Remote or On-Site (As Needed)	●	●	●	●	●	●	●	●	●	●
Jeff Abraham / FEMA SME / Grants Manager	Remote or On-Site (As Needed)	●	●	●	●	●	●	●	●	●	●
Josh Milner / FEMA SME / Grants Manager	Remote or On-Site (As Needed)	●	●	●	●	●	●	●	●	●	●
Mark DellaVolpe / Financial and Database SME	Remote or On-Site (As Needed)		●			●					●
Tim Donnelly / Infrastructure SME	Remote or On-Site (As Needed)	●	●	●	●	●	●	●	●	●	●
Krysta Berquist / Legal Compliance	Support Staff				●		●				

PRIMARY STAFFING PLAN

ROBERT BERQUIST, P.E. – SENIOR TECHNICAL ADVISOR–

Robert Berquist is a highly-qualified FEMA Subject Matter Expert with extensive experience in the disaster recovery program for public infrastructure and commercial facilities. Robert has worked with multiple clients throughout the US, assisting them at the state and local levels with assessments and repairs of their damaged infrastructure, project eligibility, payment reviews, and funding disbursements in addition to ensuring complete program compliance.

Mr. Berquist has developed over 500 FEMA Project Worksheets covering all categories of work (A – G) and has overseen 1000's of project worksheets in development by others. Mr. Berquist has served as a Project Manager on several projects from Mississippi to New York. He was also instrumental in helping Jackson County recover after Hurricane Katrina securing over $250MM in funding for the County.

Mr. Berquist holds a Bachelor of Science in Civil Engineering.

JON BERQUIST, MBA – PROJECT MANAGER

Jon Berquist is a highly-qualified FEMA Project Manager with extensive experience in the disaster recovery program for public infrastructure, commercial facilities, and residential properties. Jon has worked with multiple clients throughout the US, assisting them at the state and local levels with assessments and repairs of their damaged infrastructure, project eligibility, payment reviews, and funding disbursements in addition to ensuring complete program compliance.

Mr. Berquist has developed over 75 FEMA Project Worksheets covering all categories of work (A – G). Mr. Berquist has served as a Deputy Program Manager and Program Manager on several projects from South Carolina to New York and California. He was also instrumental in administering and implementing the newly implemented 428 Public Assistance Pilot Program and the Sandy Recovery Improvement Act of 2013.

Mr. Berquist holds a Bachelor of Science in Building Science, in addition to a Master of Business Administration from the University of Florida.

JEFF ABRAHAM, MBA, CCRP – FEMA SUBJECT MATTER EXPERT / GRANTS MANAGER

Jeff Abraham is a highly skilled project manager with extensive experience in planning, executing, and completing projects of all sizes and complexities. Throughout his career, he has led teams that support federal, state, and local government engagements and has managed large-scale construction projects for private sector clients. Mr. Abraham has a robust background in construction management, finance, and compliance management. He has applied these skills to serve his clients in the grants management arena. Mr. Abraham has worked on eight presidentially declared disasters and has helped dozens of applicants apply for, author, and manage grants from local, state, and federal government agencies. Specifically, Mr. Abraham is well versed with grants and compliance-related activities with the Federal Emergency Management Agency (FEMA), the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the U.S. Department of Housing and Urban Development (HUD), and the US Department of Homeland Security, among other philanthropic, State, and local grant-funded programs. Mr. Abraham has a successful record of accomplishment, helping clients solve complex problems and is passionate about contributing to the recovery efforts of disaster-affected communities.

JOSH MILNER, MA – FEMA SUBJECT MATTER EXPERT / GRANTS MANAGER

Josh Milner is a highly motivated and experienced FEMA Public Assistance Project Specialist specializing in outstanding applicant interface and proficiency in policy, hazard mitigation, debris operations, and project formulation. Completed or worked on more than 300 Public Assistance projects worth over $200 million and received numerous letters of appreciation from FEMA applicants and a CH2M Hill Reward and

Recognition Appreciation Award.

MARK DELLA VOLPE – FINANCIAL AND DATABASE SUBJECT MATTER EXPERT

Mr. Mark Della Volpe is a management consultant who specializes in large-scale operational analysis, program and financial management, and system implementation. Currently, Mr. Della Volpe serves as the engagement lead on all IAF projects, including the Housing Authority of New Orleans, New York City Housing Authority, Terrebonne Levee and Conservation District, US Virgin Islands, Texas Governor's Land Office and the Port Authority of New York and New Jersey. Prior to joining IAF Consulting, LLC., Mr. Della Volpe worked in software development and spent three years as an investment banker in New Orleans.

TIM DONNELLY – INFRASTRUCTURE SUBJECT MATTER EXPERT

Tim is a Senior Project Manager / Insurance Specialist with experience in large FEMA Declared Disasters. His career spans over forty-five years with a background in management, finance, insurance, construction, and FEMA Projects (Categories A through G). Tim had contracts with the Army Corp. of Engineers for 20 plus years and owned his own construction and insurance businesses, since 1982.

JON BERQUIST, MBA, BS.

PROJECT MANAGER

PROFESSIONAL QUALIFICATIONS

Mr. Jon Berquist is a highly qualified FEMA Project Management Analyst with extensive experience in the disaster recovery program for public infrastructure, commercial facilities, and residential properties. Jon has worked with multiple clients throughout the United States, assisting them at the state and local levels with assessments and repairs of their damaged infrastructure, project eligibility, payment reviews, and funding disbursements in addition to ensuring complete program compliance.

Mr. Berquist has developed over 75 FEMA Project Worksheets covering all categories of work (A – G). Mr. Berquist has served as a Deputy Program Manager and Program Manager on several projects from South Carolina to New York to California.

He was also instrumental in administering and implementing the 428 Public Assistance Pilot Program and the Sandy Recovery Improvement Act of 2013.

RELEVANT PROJECT EXPERIENCE

President, Berquist Recovery Consulting LLC: DR-4399-FL, March 2017- December 2019

Mr. Berquist completed over $12MM in Cost Estimate Formats for Calhoun Liberty Hospital, Bay County School Board, City of Panama City, and Bay Haven Charter Academy. He assisted in the preparation of the 50% rule documentation package with A/E firm for replacement of Calhoun Liberty Hospital. In addition, he validated over $6MM of force account labor and equipment for the City of Panama City's Category B project worksheets.

President, Berquist Recovery Consulting LLC: DR-4280-FL, DR-4283-FL, October 2017- October 2019

Mr. Berquist effectively validated over $130MM in requests for reimbursement for the Florida Department of Emergency Management. He audited 100% of FEMA documented labor, equipment, materials, contracts, and procurement to adhere to FEMA policy. Furthermore, he prepared and submitted closeout packages to FEMA on behalf of the Florida Department of Emergency Management. This amounted to over $6MM in closeouts.

President, Berquist Recovery Consulting LLC: DR-4241-SC, DR-4286-SC, October 2015 - Present

Since starting in 2015, Mr. Berquist has served as project manager for East Richland County Public Service District and has facilitated the recovery of $11 MM of FEMA eligible funds. He continues to write and review project worksheets, 404 and 406 mitigation applications, as well as analyze, validate,

EDUCATION

Master of Business Administration, Business, University of Florida, Gainsville, Florida, 2009.

Bachelor of Science, Building Science, Rensselaer Polytechnic Institute, Troy, New York, 2005.

HIGHLIGHTS

FEMA Public Assistance experience for nine years.

A total of eighteen years of experience.

Experience with EMMIE, Grants Portal, Closeouts, 406 Hazard Mitigation, 404 Hazard Mitigation, Debris Specialist, Benefit-Cost Analysis, QA/QC, Policy, CEF, PAAP, 50% Analysis Repair/Replace, Writing PWs in all categories (A-G); expertise in all categories.

SPECIALIZED COMPUTER SKILLS

Microsoft office, Microsoft Project, Suretrak Scheduling, Prolog, Adobe, RS Means, Xactimate, FEMA BCA Toolkit, EM Grants Pro, FEMA Grants Portal.

CERTIFICATES/ BADGE STATUS

Certificate in FEMA PA operations.

Smart Badge in hand, with expiration date if badged 12/19/2024.

and organize data for presentation to FEMA. He remains responsible for the review of design RFP's, quarterly reporting, project worksheet tracking, and database administration.

Senior Public Assistance Consultant, Tetra Tech: DR-4193-CA, January 2015 - June 2015

Through his time as a Senior Public Assistant Consultant for Tetra Tech, Mr. Berquist created thorough project worksheet review processes. He reviewed and revised $6.5 million dollars of Category F project worksheets for The City of Napa, California. Additionally, he coordinated with the County of Napa Accounting staff to build data for $4.5 million dollars of Category B project worksheets and reviewed and revised $2.2 million dollars of Category B and Category C project worksheets for The County of Napa, California.

Senior Public Assistance Consultant, Project Specialist, Adjusters International: Hurricane Sandy: DR-4085-NY, November 2012 - October 2015

Mr. Berquist facilitated the development of Nassau County project worksheet versions totaling $122 MM, FHWA DDIR's totaling $3.2 MM, and the preparation of closeout packages totaling $15.4 MM. He developed key components of the FEMA Public Assistance Grant's for critical infrastructure damage within applicant owned facilities involved in the Hurricane Sandy disaster declaration. Through his enthusiastic dedication, he performed kickoff meetings, scheduled, and conducted site visits, assessed damages, estimated costs, and performed exit briefings with applicants and state counterparts. He also wrote 45 FEMA Public Assistance Grant's in all categories (A-G), obligating more than $60 million dollars to applicants. Finally, he developed 12 facility cost estimates totaling more than $18 million dollars**.**

Project Specialist, FEMA: Hurricane Irene: DR-4020-NY, DR-4031-NY, October 2011- August 2012

He developed the FEMA Public Assistance Grant's for infrastructure damage within applicant owned facilities involved in the Hurricane Irene and Tropical Storm Lee disaster declarations. Furthermore, he performed kickoff meetings, scheduled, and conducted site visits, assessed damages, estimated costs, and performed exit briefings with applicants and state counterparts. Finally, he wrote 160 FEMA Public Assistance Grant's in all categories (A-G), obligating more than $10 million dollars to applicants.

ROBERT BERQUIST, P.E.

SENIOR TECHNICAL ADVISOR

PROFESSIONAL QUALIFICATIONS

Robert Berquist is a highly qualified FEMA Subject Matter Expert with extensive experience in the disaster recovery program for public infrastructure and commercial facilities. Mr. Berquist has worked with multiple clients throughout the United States, assisting them at the state and local levels with assessments and repairs of their damaged infrastructure, project eligibility, payment reviews, and funding disbursements in addition to ensuring complete program compliance.

Mr. Berquist has developed over 500 FEMA Project Worksheets covering all categories of work (A – G) and has overseen thousands of project worksheets in development by others. Mr. Berquist has served as a project manager on several projects from Mississippi to New York. He was also instrumental in helping Jackson County recover after Hurricane Katrina securing over $250MM in funding for the County.

EDUCATION

Bachelor of Science in Civil Engineering

HIGHLIGHTS

A total of 37 years of experience.

Emergency management experience for 13 years.

Training in cost estimate format, NIMS and ICS, cost-benefit analysis, and FEMA management institute.

Expertise in FEMA public assistance, civil engineering, EMMIE, project worksheet development, cost estimating format, 404 & 406 hazard mitigation, and appeals.

CERTIFICATIONS

Certificate in FEMA PA operations.

RELEVANT PROJECT EXPERIENCE

Project Manager, New York, New York: Hurricane Sandy FEMA Public Assistance, 2012-2013

Mr. Berquist was a FEMA PA coordinator and assisted in the development of PWs for critical infrastructure damage. He led teams consisting of FEMA representatives and technical specialists; conducted initial and follow up meetings; and worked with municipal executives, administration, public works, and public safety.

Project Manager, Jackson County, Mississippi: Hurricane Katrina FEMA & FHWA & CDBG-DR; Recovery: $250MM, 2006-2008

Mr. Berquist worked as a FEMA project manager for recovery assistance and grant management and administration for multiple funding sources, including FEMA, CDBG-DR. He was responsible for implementing systems and processes for financial tracking, application tracking, data management, and reporting. In addition, he provided expert advisory services related to FEMA, FHWA, engineering and procurement support, and for the development of contracts.

Project Manager, State of New York: FEMA 1710; Recovery: $23MM, 2007-2008

During his time as FEMA project manager, he effectively provided preliminary damage assessments, PW funding, including scope and cost estimates for FEMA Cat B-G, emergency repairs, and procurement support. His work included roadways, dams, water, wastewater, and public safety/fire facilities.

Project Manager, State of New York: FEMA 1692; Recovery: $12MM, 2007-2008

During his time as a FEMA project manager, he effectively provided preliminary damage assessments, PW funding, including scope and cost estimates for FEMA Cat B-G, emergency repairs, and procurement support. His work included roadways, dams, water, wastewater, and public safety/fire facilities.

JEFFREY ABRAHAM, MBA, CCRP
FEMA SME / GRANTS MANAGER

PROFESSIONAL QUALIFICATIONS

Jeff Abraham is a highly skilled project manager with extensive experience in planning, executing, and completing projects of all sizes and complexities. Throughout his career, he has led teams that support federal, state, and local government engagements. He has also managed large-scale construction projects for the private sector. Mr. Abraham has a robust background in construction management, finance, and compliance management. He has applied these skills to serve his clients in the grant's management arena. Mr. Abraham has worked on eight presidentially declared disasters and has helped dozens of applicants apply for, author, and manage grants from the following federal agencies:

- Federal Emergency Management Agency (FEMA)
- Federal Highway Administration (FHWA)
- Federal Transit Administration (FTA)
- U.S. Department of Housing and Urban Development (HUD)
- U. S. Department of Homeland Security

Mr. Abraham has a successful record helping clients solve complex problems and is passionate about contributing to the recovery efforts of communities following disaster-related events.

RELEVANT EXPERIENCE

DEPUTY PROGRAM DIRECTOR WINSOR CONSULT GROUP CORP. -DEC 2019 - PRESENT

New York State Governors Office of Storm Recovery (GOSR)

As the Deputy Program Director for NYS GOSR, Mr. Abraham manages a team of construction project managers who are responsible for overseeing 87 federally-funded construction projects throughout the State of New York, totaling $236MM. In this role, Mr. Abraham performs the following functions:

- Reports regularly on progress against goals to Executive Program Director and raise any issues, concerns, and updates as needed.
- Delivers on high priority requests with a sense of urgency as needed.
- Discusses the need for amendments with Project Managers and identifies other action items triggered by change (e.g., environmental review; reallocation of funds); Supports Project Managers in drafting complex approval memos (e.g., obtaining budget info for projects with SR's portfolio)
- Reviews Project Approval Review Guide and provides Project Approval on all projects
- Reviews bid documents and Bid Checklists and provides Bid Authorization
- Attends pre-bid meetings with Project Managers for more complex/high profile construction projects

EDUCATION

Master of Business Administration, Business, College of Saint Rose, Albany, New York, 2010

Bachelor of Arts, Economics, State University at Albany, Albany, New York, 2008

Associate of Applied Science, Criminal Justice, Hudson Valley Community College, Troy, New York, 2004

HIGHLIGHTS

Recovery efforts for eight Presidential Disaster Declarations

Team Lead and Compliance Liaison for the NYC Department of Corrections

Compliance Liaison for NYC Department of Environmental Protection & NYC Department of Transportation

Experience with FEMA PA, 404 and 406 Hazard Mitigation, HUD CDBG and CDBG-DR, FEMA 428 PAAP, FHWA-ER, FTA-ER, UASI, HSGP, CDAA, Insurance

CERTIFICATIONS

Certified Compliance and Regulatory Professional (CCRP), Lubin School of Business at Pace University, July 2015

VOLUNTEER WORK

Big Brother – Big Brothers Big Sisters of Essex, Hudson, & Union Counties, NJ

- Provides 1st and 2nd level invoice review for all projects within their respected portfolio
- Ensures that Project Managers are regularly and accurately updating project Financial Management Trackers (FMTs), reviews project budgets and costs with Project Managers
- Supports Project Managers in drafting and reviewing resiliency performance memos, LMI memos, tie to the storm memos, subrecipient selection memos, and 4-Part test memos
- Coordinates with the Policy team to identify areas where their staff need training or support and set training schedules
- Addresses contentious issues with subrecipients or vendors related to project scope, schedule, budget, or compliance
- Attends project status update meetings for projects within their portfolio (as needed)
- Ensures that Project Managers are capturing the needed documentation per GOSR policy and applicable State and Federal regulations from subrecipient and vendors throughout the project lifecycle.

PROJECT MANAGER, APTIM ENVIRONMENTAL & INFRASTRUCTURE, INC., NEW YORK, NEW YORK, OCTOBER 2016 – PRESENT

Project Manager, Monterey County Disaster Recovery Services, Monterey County, California, 2017 – Present

Monterey County engaged APTIM to provide a wide array of consultant services related to storm recovery from DR-4301 and DR-4308. Services include general program support and guidance comprising of identifying eligible costs/damages, categorizing losses, identifying possible alternate and/or improved projects, assisting with project worksheet formulation, performing special reviews, seeking, and applying for hazard mitigation opportunities, providing advice on procurement and documentation requirements, providing general policy advice and problem resolution with all stakeholders. As the Project Manager, Mr. Abraham is responsible for the overall execution of the project, providing oversight, strategic policy advice, and leading a team of qualified subject matter experts and disaster recovery professionals. Furthermore, Mr. Abraham:

- Provides oversight on a +/- $24M portfolio of federally-funded grant projects following the severe winter storms of 2017
- Provides strategic policy advice and grants management support for federal grant programs, including the FEMA Public Assistance Program (PA) and the FHWA-ER Program (FHWA-ER)
- Formulates project worksheets and associated documentation to support the repair and restoration of damages being claimed by the County
- Manages and coordinates the workload of other APTIM Disaster Recovery Specialists
- Coordinates with the subcontractors utilized on technical projects throughout the County
- Presents technical information and advises the client on best practices
- Manages contract metrics and client expectations
- Collaborates and coordinates with Monterey County staff to effectively collect and compile the information needed to formulate project worksheets.

Project Manager, Merced County Disaster Recovery Services, Merced County, California, 2017 – Present

Merced County engaged APTIM to provide a wide array of consultant services related to storm recovery from DR-4301 and DR-4308. Services include general program support and guidance comprising of identifying eligible costs/damages, categorizing losses, identifying possible alternate and/or improved projects, assisting with project worksheet formulation, performing special reviews, seeking, and applying for hazard mitigation opportunities, providing advice on procurement and documentation requirements, providing general policy advice and problem resolution with all stakeholders. As the Project Manager, Mr.

Abraham is responsible for the overall execution of the project, providing oversight, strategic policy advice, and leading a team of qualified subject matter experts and disaster recovery professionals. Furthermore, Mr. Abraham:

- Provides oversight on a +/- $15M portfolio of federally-funded grant projects following the severe winter storms of 2017
- Provides strategic policy advice and grants management support for federal grant programs, including the FEMA Public Assistance Program (PA) and the FHWA-ER Program (FHWA-ER)
- Formulates project worksheets and associated documentation to support the repair and restoration of damages being claimed by the County
- Manages and coordinates the workload of other APTIM Disaster Recovery Specialists
- Coordinates with the subcontractors utilized on technical projects throughout the County
- Presents technical information and advises the client on best practices
- Manages contract metrics and client expectations
- Collaborates and coordinates with Merced County staff to effectively collect and compile the information needed to formulate project worksheets

Project Manager, Port Authority of New York and New Jersey (PANYNJ), New York, New York, October 2016 – 2017

The Port Authority of New York and New Jersey engaged APTIM to provide a wide array of consultant services related to storm recovery from Hurricane Sandy. Services include general program support and guidance comprising of identifying eligible costs/damages, categorizing losses, identifying possible alternate and/or improved projects, assisting with project worksheet formulation, performing special reviews, seeking, and applying for hazard mitigation opportunities, providing advice on procurement and documentation requirements, providing general policy advice and problem resolution with all stakeholders. As the Project Manager, Mr. Abraham is responsible for the overall execution of the project, providing oversight, strategic policy advice, and leading a team of qualified subject matter experts and disaster recovery professionals. Furthermore, Mr. Abraham:

- Provided emergency management and resiliency services to the Port Authority of New York and New Jersey
- Provided strategic policy advice and grants management support for federal grant programs, including the FEMA Public Assistance Program (PA), the FEMA Hazard Mitigation Grant Program (HMGP) and the US DOT FTA ER Program (FTA-ER)
- Educated and advocated for PANYNJ while working collaboratively with federal, state, and other local agencies to support community recovery and resiliency
- Prepared grant documents and project worksheet amendments/versions that support the repair or replacement of damaged facilities
- Supervised and managed other APTIM Disaster Recovery Specialists and subcontractors/consultants working on the Port Authority project
- Presented technical information during meetings and advised senior leadership staff on best practices
- Managed contract metrics and internal and external reporting
- Collaborated and coordinated with all PANYNJ staff and other consultants to effectively manage projects throughout the grant lifecycle

SENIOR MANAGEMENT CONSULTANT (PROGRAM COMPLIANCE TEAM), HAGERTY CONSULTING, NEW YORK, NEW YORK, JUNE 2015 – OCTOBER 2016

The New York City Office of Management and Budget engaged Hagerty Consulting to provide strategic and tactical grants management services for more than $9 billion in funding through the FEMA PA Program

for Hurricane Sandy recovery. As a Senior Management Consultant serving as the Team Lead for the NYC Department of Corrections and Conformance Liaison for NYC DOC, NYCDEP, and NYCDOT, Mr. Abraham:

- Worked with client and client agencies to understand the overall needs and requirements of the organization
- Organized, supervised, and participated in contract compliance and closeout activities for capital construction projects
- Developed plans to seamlessly integrate new processes with existing processes
- Performed audits and investigations to ensure that all federal policies and other regulations are followed
- Assisted in business process improvements, process re-engineering, and process design to achieve client expectations and goals
- Reviewed and evaluated contractor documentation for adherence to established regulations and standards
- Prepared project proposal presentations, RFP responses, and pricing metrics
- Coordinated internal client databases, project schedules, and meetings
- Recommended and implemented changes to policies and procedures when necessitated by new legislation
- Participated in pre-bid and/or pre-construction conferences
- Assisted in the development and implementation of the client's overall plan and initiatives
- Prepared various correspondence, records, and reports
- Identified technical problems and develops solutions to support client objectives
- Provided strategic advisory services on regulatory and compliance-related issues

SENIOR GRANT MANAGER, NEW YORK CITY DEPARTMENT OF TRANSPORTATION (NYCDOT), NEW YORK, NEW YORK, AUGUST 2014 – JUNE 2015

- Managed and administered grants from numerous sources, including but not limited to the FTA, FHWA, FBD and DHS/FEMA
- Ensured compliance with Federal, State, and Local regulations (CFR & NYCRR)
- Planned for and execute compliance reviews according to the established review schedule and ad hoc regulatory/business commitments
- Validated compliance against established policies and procedures and applicable regulations
- Provided guidance on compliance and supervisory findings related to review areas
- Performed in-depth research, interpretation, and analysis of grant requirements
- Drafted grant applications and proposals, including the creation of all required documentation
- Tracked grant expenditures and prepare grant claims related to the use of non-City funds for personnel and non-personnel expenditures
- Developed reports on the status of claims, monies spent, and actual reimbursements
- Coordinated, prepared, and performed monthly, quarterly, and annual reporting of grant-funded projects
- Combined and reported information from divergent sources, such as from contracts and in-house staff, to assess and analyze funds used for certain projects and programs
- Prepared and reviewed procurement documents in accordance with Federal, State, and Local regulations
- Coordinated with project managers and associated staff to track and monitor projects
- Prepared summary reports and recommendations to continue funding, provide additional funding, or defund contracted projects and services.

SENIOR MANAGEMENT CONSULTANT - PROJECT MANAGEMENT TEAM (PMT), HAGERTY CONSULTING, NEW YORK, NEW YORK, OCTOBER 2013 – AUGUST 2014

The New York City Office of Management and Budget engaged Hagerty Consulting to provide strategic and tactical grants management services for more than $9 billion in funding through the FEMA PA Program for Hurricane Sandy recovery. As a Senior Management Consultant serving as a Project Manager for the NYC Department of Transportation, Mr. Abraham:

- Developed projects, initiatives, and grants for the Federal Transit Authority (FTA), Federal Highway Administration (FHWA), and Federal Emergency Management Agency (FEMA)
- Managed all grant activity from preliminary development through final closeout/reconciliation;
- Develop, maintain, and implement compliance policies and procedures in response to project deliverables;
- Monitored costs and spending to align with the fiscal budget established by the Office of Management and Budget (OMB)
- Worked with the New York City Department of Transportation to formulate projects/grants for the HMGP and FTA Resiliency Grant initiative
- Coordinated efforts with State and Federal counterparts to capture damages, scopes of work, and costs sustained during Hurricane Sandy
- Participated in the formulation of permanent mitigation proposals (404 & 406 Mitigation)
- Provided oversight and support for all emergency relief activities
- Managed a group of professional engineers and architects engaged in developing a citywide global conduit project worksheet
- Performed ad hoc assignments as directed by upper management

CONSTRUCTION MANAGER II - CH2M HILL (CCPRS), SECAUCUS, NEW JERSEY, DECEMBER 2012 – OCTOBER 2013

- Developed cost estimates and written reports for damaged facilities ranging from $30,000 – $5,000,000, using FEMA cost codes and RS Means CostWorks
- Managed subgrant applications and projects exceeding $1,000,000
- Provided customer service and technical assistance to applicants regarding damaged facilities, scope of work feasibility, and eligibility claims
- Interpreted and applied federal regulations and policies to all projects
- Scheduled meetings with community officials and performed site visits to inspect damaged facilities
- Updated the Case Management Files (CMF), Dashboard tracking system, and entered project worksheets into the Emergency Management Mission Integrated Environment (EMMIE)

FEMA PROJECT SPECIALIST, FEDERAL EMERGENCY MANAGEMENT AGENCY (DHS/FEMA), ALBANY, NEW YORK, OCTOBER 2011 – AUGUST 2012

- Developed project worksheets and cost estimates using FEMA cost codes and RS Means CostWorks
- Managed subgrant applications and projects exceeding $1,000,000
- Provided customer service and technical assistance to each applicant regarding project worksheets through direct communication and frequent meetings
- Scheduled meetings with community officials and performed site visits to inspect damaged facilities
- Updated the Case Management Files (CMF) and project worksheet tracking spreadsheets, prepared statistical reports, responded to data requests from FEMA management, and entered project worksheets into the Emergency Management Mission Integrated Environment (EMMIE)

PROJECT MANAGER, G.E. ABRAHAM CONSTRUCTION, INC., COLONIE, NEW YORK, JANUARY 2004 – OCTOBER 2011

- Coordinated all construction activities from conceptual development through project completion
- Supervised the construction of complex luxury home developments exceeding $5,000,000
- Supervised on-site subcontractors and employees in charge of managing, administering, expediting, engineering, and coordinating various aspects of complex construction projects
- Responsible for managing the implementation of capital projects through the scope, design, and construction phases
- Reviewed schedules, reports and orders prepared by consultants, contractors, and agencies to assure conformance with project completion dates
- Maintained a management information system to provide data for the planning and control for project development
- Monitored progress and ensured compliance with plans and codes, tracked and controlled costs, negotiated vendor contracts, and managed on-site safety

JOSHUA MILNER, MA

SENIOR DISASTER RECOVERY CONSULTANT

PROFESSIONAL QUALIFICATIONS

Mr. Josh Milner is a Veteran of the United States Army with over 30 years of combined experience in construction management and administration, emergency management, and disaster recovery operations. Throughout his career, he has supported several federal, state, and local government engagements, and has worked on 14 separate disaster declarations throughout the United States. Josh is extremely passionate about disaster-recovery and has helped several communities maximize their reimbursements following disaster-related events. Having authored over 200 subgrant applications for FEMA, Mr. Milner is well-versed in the FEMA Public Assistance Program and provides high-level policy advice and guidance on policy, procurement, compliance, closeout, and overall grants management activities. Josh has also served on large-scale debris removal operations and has helped clients identify Section 404 and 406 mitigation opportunities, when feasible. Most recently, Josh helped re-author several Section 428 PAAP grants and became certified in the New Public Assistance Delivery Model.

RELEVANT PROJECT EXPERIENCE

Simmons Recovery Consulting, Senior Applicant Consultant - TDY 2017

- Assigned to Clay County Schools, DR-4273 WV. Worked alongside the school district's engineering firm to not only ensure compliance with federal and state regulations, but also to assess, re-write, and resubmit several project worksheets to include additional damages and hazard mitigation measures, increasing the overall value by upwards of $5 million.
- Assigned to Clay County Business Development Authority. Re-wrote several project worksheets to increase the Authority's portfolio from $468,000 to nearly $4 million, to include several hazard mitigation measures.

Federal Emergency Management Agency (FEMA), Public Assistance Project Specialist - 2015 – 2017

- Assigned as a Site Inspector to DR-4308 California.
- Assigned to Portsmouth Schools, Old Dominion University and various Applicants for DR- 4291, Virginia.
- Assigned to Parish and Local Applicants for DR-4263 and DR-4277, Louisiana. Authored several PWs and HMPs.
- Assigned to various Applicants in South Texas for DR-4245.
- Assigned to State, County and Local Applicants for DR-4229, Colorado.

EDUCATION

MA, American History, American Military University, 2010

BS in Liberal Arts/History, Business Minor, Excelsior College, 2006

AAS, State University of New York at Morrisville, 1993

Studied Technical Writing at State University of New York at Morrisville, 2000-2001

HIGHLIGHTS

Over 30 years of combined experience in construction management, emergency management, and disaster recovery.

Served on 14 Presidential Disaster Declarations.

Authored over 200 FEMA Public Assistance project worksheets, several of which included in-depth 406 Hazard Mitigation proposals.

REGISTRATIONS/ CERTIFICATIONS

NIMS & ICS Certified

406 Hazard Mitigation Certified

New FEMA PA Delivery Model Certified

MILITARY EXPERIENCE

U.S. Army Military Police Office
Ft. Leonard Wood, MO., 1994-

CCPRS, FEMA Public Assistance Technical Assistance Contractor (TAC) - 2012- 2015

- Debris Specialist assigned to State, County and Local Applicants for DR-4176, Alabama. Covered Waterway Debris projects along with Tornado-generated Debris and PAAP Program.
- Assigned to various Private Non-Profits throughout New Jersey for DR-4086, Hurricane Sandy, 6-month deployment.
- Completed a wide range of projects, from docks and piers to hospital roofs, damaged churches, and historic buildings. Also wrote several debris and emergency work projects.

Federal Emergency Management Agency (FEMA), Public Assistance Project Specialist - 2011- 2012

- Assigned to various town and county applicants in Albany, NY, for DR-4020, Hurricane Irene. Wrote over 70 projects worth $3 million to replace damaged town and county infrastructure and worked closely with each applicant to mitigate future damages from similar storm events.
- Completed a wide range of projects, from bridges and culverts to damaged roads, debris, and emergency work.

MARK DELLAVOLPE

FINANCIAL AND DATABASE SME

PROFESSIONAL QUALIFICATIONS

Mark Della Volpe is a management consultant who specializes in large-scale operational analysis, program and financial management, and system implementation. Currently, Mr. Della Volpe serves as the Engagement Lead on all IAF projects, including the Housing Authority of New Orleans, New York City Housing Authority, Terrebonne Levee and Conservation District, US Virgin Islands, Texas Governor's Land Office and the Port Authority of New York and New Jersey. Prior to joining IAF Consulting, LLC Mr. Della Volpe worked in software development and spent three years as an investment banker in New Orleans.

RELEVANT EXPERIENCE

Project Manager, City of New York Office of Management and Budget, New York, New York, September 2015 – 2017

- Implemented and monitored systems and processes to efficiently expedite the City's $5 billion recovery program for Hurricane Sandy.
- Developed and managed the grant process for over 50 City Agencies and Private Non-Profits
- Managed capital bonding requirements through FEMA eligibility reviews
- Created a working NYC Grants Management System that currently manages over $3 billion in expenditures and 200 users across multiple agencies.
- Developed web-based databases to track assets, vehicles, and other disaster-related data for public consumption

Project Manager, Housing Authority of New Orleans, New Orleans, Louisiana, November 2014 – Present

- Managed project formulation, grant management and closeout for the Katrina (DR 1603) and Isaac (DR 4080)
- Devised funding and cash flow strategies for capital projects related to the Public Assistance Program
- Designed and maintained a web-based database containing capital project financial data and project time tracking for Project Management and Direct Administrative Costs
- Mapped business processes, recommended and implemented process improvements

New York City Housing Authority, New York, New York, November 2015 – Present

- Implemented data integrations for disaster-related platforms. Systems include Oracle eBusiness Suite, Primavera (P6), HUD DRGR, e-Builder and Quick Base©
- Produced cash flow models and expenditure reports and re-engineered/managed business processes

Senior Management Consultant, City of New Orleans Capital Projects Division, New Orleans, Louisiana, January 2011 – 2014

- Identified key performance indicators and designed suites of reports for a variety of departments: gathered requirements, wrote technical specifications, created, and implemented applications, and developed training manuals and workshops to administer the Public Assistance Program
- Advised the Department of Public Works, the Department of Finance, and the Office of Community Development on its $1 billion Recovery from Hurricane Katrina.

EDUCATION

Bachelor of Science, Economics, Duke University, Durham, North Carolina

REGISTRATIONS/ CERTIFICATIONS

FINRA Series 7 (General Securities Representative), Series 86, Series 87 (Research Analyst)

COMMUNITY INVOLVEMENT

Board of Directors- Partnership for Youth Development

St. Bernard Project

Rebuild Together NOLA

Special Olympics Coach/Mentor

Duke Young Alumni Admissions Council

NYCares

TIM DONNELLY

SENIOR DISASTER RECOVERY CONSULTANT

PROFESSIONAL QUALIFICATIONS

Tim Donnelly is a seasoned veteran of FEMA DISASTER RECOVERY assignments across the United States and US Territories. With over 50 years of combined experience in construction management and administration, emergency management, and disaster recovery operations and insurance. Throughout his career, he has supported several federal, state, and local government engagements, and has worked on 30 plus separate disaster declarations throughout the United States. Tim is extremely passionate about disaster-recovery and has helped several communities maximize their reimbursements following disaster-related events. Having authored over 1,500 subgrant applications for FEMA, Mr. Donnelly is well-versed in the FEMA Public Assistance Program and provides high-level policy advice and guidance on policy, procurement, compliance, closeout, and overall grants management activities. Tim has also served on large-scale debris removal operations and has helped clients identify mitigation opportunities, when feasible. Most recently, Tim has helped recover over $500,000,000 in recovery across the United States in COVID-19 funding in hospitals, universities, medical schools, and senior citizen communities.

RELEVANT EXPERIENCE

Marsh McLennan, Senior FEMA Expert - March 2020 through August 6, 2021

- Assigned to two of the "Big Five NYC Hospitals". Tim worked alongside the senior accounting staff of Marsh's Forensic Recovery Team to not only ensure compliance with federal and state regulations, but also to assess, consult, and review several project submissions to include additional damages and review addition income potential measures, increasing the overall value of FEMA Funding Recovery Tim was concurrently signed to hospital groups and colleges throughout the United States.
- Assigned to Nashville International Airport to assist with the recovery of March 3,2020 Tornado. Consulted with FEMA on several project worksheets to increase the Airports recovery measures.

Federal Emergency Management Agency (FEMA) - Public Assistance Project Specialist - 2006 – Present

FEMA -DR-4335, DR-4340 ST. CROIX, VI. US Territory:

- Two CAT 5 Hurricanes (Irma and Maria) devastated the Island of St. Croix December 2017. I worked on multiple projects of Categories A through G The Water and Sewer Facility was completed in 2022 for 2+ Billion dollars.

FEMA-4337, FL: HURRICANE IRMA

- Hurricane Irma hit Collier County Florida with severe winds creating a massive debris recovery. I was stationed in Naples, Florida Emergency Management Command and working with 20 Florida personnel and doing multiple field trips through the Everglades.

EDUCATION

Associate of Applied Sciences (A.A.S), SUNY Broome County College, 1971

HIGHLIGHTS

Over 50 years of combined experience in construction management, emergency management, finance, disaster recovery and insurance.

Served on over 30 Presidential Disaster Declarations.

Authored over 1,500 FEMA Public Assistance project worksheets, several of which included in-depth Category A-G PW's

REGISTRATIONS/ CERTIFICATIONS

FAA Licensed Instrument Rated Pilot

25 years Class C Water Operator License

NC Property & Casualty Licensed

ADDITIONAL PROFESSIONAL TRAINING

15 FEMA Disaster Courses

5 Occupational Safety & OSHA Training Courses.

New FEMA Pa Delivery Model Certified.

2012 FEMA Course in Herndon, Va.

USACE Training Weeklong Debris Management

Training Program with Ron Moore.

FEMA 4301 DR- CA

› In March of 2017, the breach of the Oroville Dam took place. I was sent to Sacramento, California to work with the Department of Water Resources. The tallest earthen dam in the United States breached at 900' from severe flooding by 65' snowpack melting in the upper California mountains. The construction work to repair was estimated in the billions of dollars.

FEMA 4227-LA CITY OF WALKER

› In August of 2016: the City of Walker Louisiana was flooded with 90% of the community. Severe flooding of 10' of water flowed through the City of Walker with a population of 6,000 people. I was assigned to handle the community with all Categories A through G. This parish was a massive debris field. I had extensive debris, water plant, sewer plant, road, and Emergency Protect Measures to deal with throughout the city.

FEMA -4166-DR-SC

› I was transferred from Hurricane Sandy in NYS to Columbia, South Carolina to join a five-person task force to help a stalled recovery operation. Our TEAM got the 18 South Carolina Counties up and running within seven months. We recovered $160,000,000.00 and completed our assignment on November 26, 2014.

FEMA 4085 DR --NY-HURRICANE SANDY

› Assigned to Orange and Putnam County as a Disaster Assistance Representative I was heavily involved with more than twenty applicants doing the initial field work and handing over and assisting new Project Specialists. I worked with Orange County and their consultants on all their Large FEMA Disaster Projects. I also worked with Putnam County DPW and Highway Department on their extensive number of projects. The Town of Southeast Facilities came into the disaster two months later and I was sent there to handle all the town and community facilities. The work was extensive dealing with debris, roads, water facilities, and infrastructure throughout the community including a major school project.

FEMA 1763 DR IA

› I was a Consultant for the City of Cedar Rapids Water and Wastewater Plants. I reviewed infrastructure and wrote project work sheets involving (1) debris removal (2) emergency protective measures (3) roads and bridges (4) water control facilities (5) buildings and equipment (6) utilities (7) parks, recreational, and other facilities. Member of specialized consulting team working with the City of Cedar Rapids, guiding them through an estimated $1 billion recovery that was complicated by historical concerns and hazardous materials issues. Assignment May 27, 2008, through November 30, 2008.

FEMA 1692-, DR-NY COLUMBIA AND GREENE COUNTIES

› As a consultant for Homeland Security in NYS. The work consisted of debris, emergency protection measures, roads, and miscellaneous small projects.

FEMA 1650-DR-NY and FEMA 1670 COOPERSTOWN AND SURROUNDING COUNTIES.

› I was assigned two overlapping disasters by a meeting held with Senator Hillary Clinton.

FEMA-1665-DR-NY-BUFFALO, NY

› October early heavy snowfall. I was assigned to work with a Senior FEMA Consultant. We worked on flooding, debris removal, the airports, and mass transit system.

COMPARABLE EXPERIENCE

EXPERIENCE THAT COUNTS

For over 13 years, BRC has performed post-disaster debris management, facility assessment, construction, and federal funds management services to repair and harden housing, infrastructure, and critical facilities. We have worked on 21 federally declared disasters throughout five states, as outlined below in **Figure 08**. We understand the specific issues involved in performing damage assessments, emergency repairs, design and construction services, and overall grant funds management as they relate to federal agencies and local municipalities and authorities. We know how to navigate the system, and we know *when* and *where* to tap into funding sources. We understand the rules to ensure funding sources are *maximized and* not jeopardized.

BRC DISASTER RECOVERY EXPERIENCE SINCE 2004

STATE	DR	CLIENT	ESTIMATED DOLLARS	FUNDING SOURCE
CALIFORNIA	DR-4193	City of Napa	$10M FEMA	FEMA
		Napa County	$100M FEMA	FEMA
		California Department of Water Resources	$500M FEMA	FEMA
NEW YORK STATE	DR – 4480	Rensselaer County	$100M	FEMA, HHS
	DR-4020	NYS State Department of Transportation	$25M	FEMA
	DR-4085	Catholic Health Services of Long Island	$7M	FEMA
		Nassau County	$1.6B	FEMA, CDBG-DR, FHWA-ER, USDA, NY EFC, EFC-SMLP
		FEMA - Hurricane Sandy	$13.5B	FEMA
	DR-1710	FEMA - Severe Storms & Coastal Flooding	$12M	FEMA
	DR-1692	FEMA - Severe Storms & Inland Flooding	$83M	FEMA
FLORIDA	DR-4283	University of Florida	$10M	FEMA
		St. John's County Airport	$5M	FEMA
		St. John's County	$500M	FEMA

BRC DISASTER RECOVERY EXPERIENCE SINCE 2004				
STATE	**DR**	**CLIENT**	**ESTIMATED DOLLARS**	**FUNDING SOURCE**
SOUTH CAROLINA	DR-4241	City of Sumter	$6M	FEMA
	DR-4241 DR-4286	East Richland County Public Service District	$12M	FEMA
MISSISSIPPI	DR-1604	Jackson County	$250M	FEMA

***Figure 08**: A snapshot of BRC's disaster recovery experience*

4 PAST PERFORMANCE AND QUALITY OF WORK

EVALUATION OF FIRMS PAST PERFORMANCE AND QUALITY OF WORK

OUR EXPERIENCE AND REFERENCES

BRC has provided descriptions and client references for projects of similar scope and size to the City's project performed within the past three years. City of Biddeford may contact any one of our client references during the evaluation phase. BRC manages more than 4,000 projects each year and has a long list of satisfied clients and award-winning performance on a wide range of diverse engineering, program management, and construction management assignments, including disaster recovery projects across the City. ***Figure 13*** provides a summary of our references and their similarity in scope to City of Biddeford.

***Figure 13**: BRC's three project references for City of Biddeford*

		RELEVANT EXPERIENCE									
REFERENCE #	CLIENT AND PROJECT NAME	FEMA PUBLIC ASSISTANCE ADVISORY SERVICES	FINANCIAL, GRANT & DOCUMENT MANAGEMENT	EMERGENCY MANAGEMENT AND REMEDIATION SUPPORT	PROGRAM COMPLIANCE AND POLICY ADVISORY SERVICES	CLOSEOUT MANAGEMENT SUPPORT	AUDIT AND APPEAL SUPPORT	STRATEGY AND PLAN DEVELOPMENT	COST ESTIMATING AND DOCUMENTATION	SPECIAL CONSIDERATIONS ANALYSIS	PROGRESS REPORTS AND REPORTING REQUIREMENTS
1	**Client:** East Richland County Public Service District **Project:** Technical Assistance for Stafford Act Programs: Public Assistance, Hazard Mitigation, Individual Assistance & National Flood Insurance Act Support	☑	☑	☑	☑	☑	☑	☑	☑	☑	☑

		RELEVANT EXPERIENCE									
REFERENCE #	CLIENT AND PROJECT NAME	FEMA PUBLIC ASSISTANCE ADVISORY SERVICES	FINANCIAL, GRANT & DOCUMENT MANAGEMENT	EMERGENCY MANAGEMENT AND REMEDIATION SUPPORT	PROGRAM COMPLIANCE AND POLICY ADVISORY SERVICES	CLOSEOUT MANAGEMENT SUPPORT	AUDIT AND APPEAL SUPPORT	STRATEGY AND PLAN DEVELOPMENT	COST ESTIMATING AND DOCUMENTATION	SPECIAL CONSIDERATIONS ANALYSIS	PROGRESS REPORTS AND REPORTING REQUIREMENTS
2	**Client:** Catholic Health Services of Long Island **Project:** Superstorm Sandy Recovery	☑	☑	☑	☑	☑	☑	☑	☑	☑	☑
3	**Client:** Merced County, California **Project:** Disaster Recovery Strategy & Consulting Services, California Severe Winter Storm & Flooding Events	☑	☑	☑	☑	☑	☑	☑	☑	☑	☑

REFERENCE #1 – SUMMARY TABLE	
PROJECT BRIEF:	
PROJECT TITLE:	On-Call FEMA PA Consulting Services
RELEVANT STAFF:	Jonathan Berquist, Jeff Abraham
CLIENT NAME AND ADDRESS	East Richland County Public Service District
CLIENT CONTACT INFORMATION	Larry Brazell Executive Director (803) 788-1570 lbrazell@ercpsd.net
LOCATION OF PROJECT	Columbia, South Carolina
DESCRIPTION OF SERVICES PROVIDED	BRC provides technical assistance to East Richland County Public Service District in the administration and execution of the FEMA PA, and FEMA HMGP programs. BRC provides technical support for over 30 projects with an estimated portfolio exceeding $13 million in damages. BRC provides expertise in the following areas: (1) Cost Estimating and Analysis, (2) Insurance Recovery, (3) Appeals and Arbitration, (4) Direct Administrative Cost Recovery, (5) Alternate/Improved and SRIA Section 428 Projects, (6) 406 Hazard Mitigation and Benefit-Cost Analysis, (7) Policy Advice, and (8) Procurement, Debris, Temporary Facilities, and Floodplain Expertise
PROJECT DURATION / SUBMISSION TIMELINE	October 2015 - Present

REFERENCE #2 - SUMMARY TABLE	
PROJECT BRIEF:	
PROJECT TITLE:	NYSDHSES – Catholic Health Services of Long Island
RELEVANT STAFF:	Jon Berquist
CLIENT NAME AND ADDRESS	Catholic Health Services of Long Island 992 North Village Avenue Rockville Centre, NY 11570
CLIENT CONTACT INFORMATION	Linda Foy Director (516) 705-3850 linda.foy@chsli.org
LOCATION OF PROJECT	Nassau County, NY
DESCRIPTION OF SERVICES PROVIDED	FEMA Public Assistance Grants - Consulting Services
PROJECT DURATION / SUBMISSION TIMELINE	October 2012-June 2014

REFERENCE #3 – SUMMARY TABLE	
PROJECT BRIEF:	
PROJECT TITLE:	Disaster Recovery Strategy & Consulting Services
RELEVANT STAFF:	Jeff Abraham, Mark DellaVolpe
CLIENT NAME AND ADDRESS	Merced County, California
CLIENT CONTACT INFORMATION	Mark Cowart Director, Administrative Services Merced County 3500 North Apron Avenue Atwater, CA 95301 209-385-7612 mcowart@co.merced.ca.us
LOCATION OF PROJECT	Merced County, California
DESCRIPTION OF SERVICES PROVIDED	Mr. Abraham, through his previous employer, coordinated with multiple entities as well as with California's Department of Transportation for FHWA-ER grants, the recipient California Governor's Office of Emergency Services (CalOES), and with FEMA to manage approximately $1 Million in grant-recovery funding. Mr. Abraham provided expertise in the following areas: (1) Cost Estimating and Analysis, (2) Insurance Recovery, (3) Appeals and Arbitration, (4) Direct Administrative Cost Recovery, (5) Policy Advice, (6) Procurement Expertise, and (7) Debris Management and Monitoring
PROJECT DURATION / SUBMISSION TIMELINE	May 2017 - Present / +500 Days
NEGATIVE EXPERIENCES ENCOUNTERED	Negative experiences include: (1) Insurance Issues, (3) Environmental and Historical Issues, (4) Time Extension Denials, (5) Cost Reasonableness, (6) Lack of Stakeholder Engagement, (7) Inadequate Internal Systems, (8) Lack of Coordination Between Inner-agencies, (9) Direct Administrative Cost Recovery, (10) Deferred Maintenance Road Determinations, and (11) Bottlenecks Due to Implementation of FEMA's New PA Delivery Model

5 OVERALL PRICING STRUCTURE

OVERALL PRICING

STAFF	PROPOSED PROJECT TITLE	HOURLY RATE
Robert Berquist, P.E.	Senior Technical Advisor	$175.00
Jonathon Berquist, MBA	Project Manager	$150.00
Jeff Abraham, MBA, CCRP	FEMA Subject Matter Expert & Grants Manager	$140.00
Josh Milner, MA	FEMA Subject Matter Expert & Grants Manager	$140.00
Mark DellaVolpe	Financial and Database Subject Matter Expert	$125.00
Krysta Berquist, Esq.	Legal Policy Advisor	$180.00
Tim Donnelly	Infrastructure Subject Matter Expert	$165.00

**Travel and Expenses will be billed at actual rates. No markup.*

6 REQUIRED PROPOSAL FORMS

Fecteau, Roby

From: Jonathan Berquist <jberquist@berquistrecoveryconsulting.com>
Sent: Tuesday, April 12, 2022 8:35 PM
To: Fecteau, Roby
Subject: Re: Projects

Good Evening Roby,

I had some quick thoughts tonight. These are probably repetitive from previous conversations with your FEMA counterpart but here it is.

I don't see a project in FEMA's Grants Manager system for your wall project.

Is CEF(Cost Estimate Format) complete and project obligated?

If a CEF is not complete, that would be your first step.

We could complete a Public Alternative Procedures Project to push for as much money as possible as a capped grant....add 406 mitigation on top of that and then rebid the work.(You can take capped grant funds and apply them to other things you want to fix.)

Also codes and standards or good construction practices could enable you to replace sections 1 and 2 together.

If the City is looking to do section 1 and 2 anyways maybe an improved project makes sense.(another solution)

I would say the 3rd section of wall (not damaged) but does protect a WW holding tank could be funded with 404 or BRIC.

Since there is a WW holding area, the loss of the wall would affect many people throughout the WW system and make a Benefit Cost Analysis work and project desirable for rankings.

Though we must move quick because 404 deadline for Covid approaching

Obviously BRIC funding is available every year. (and growing every year)

I have personally worked on slope/wall failures in Stephentown NY and Troy, NY.

Thank You

Jonathan Berquist
Berquist Recovery Consulting, LLC
Mobile: (518)-229-4367
jberquist@berquistrecoveryconsulting.com
www.berquistrecoveryconsulting.com

On Tue, Apr 12, 2022 at 2:06 PM Fecteau, Roby <Roby.Fecteau@biddefordmaine.org> wrote:

EXHIBIT
B-3

This FEMA Recovery Service Agreement ("Agreement") takes effect on July 1, 2020 ("Effective Date") and is made by xxxxxxxxx, a municipal corporation established and existing under the laws of the State of New York and having an address of 1600 Seventh Avenue, Troy, New York 12180, and Berquist Recovery Consulting LLC ("BRC"), a New York limited liability company having an address of 511 Aiken Hunt Cir, Columbia, SC 29223. COUNTY and BRC are sometimes referred to in this Agreement individually as a "Party' and collectively as the "Parties".

Background

The COUNTY issued the Request for Proposal dated May 12, 2020 and numbered RFP-20-27 ("RFP") for consulting services to recover for the COUNTY the maximum financial return possible from Federal Emergency Management Agency ("FEMA") grant sources related to the COVID-19 pandemic. COUNTY wishes to contract with BRC for services under the RFP as set forth in this Agreement and BRC wishes to provide such services for COUNTY.

The Parties agree as follows:

1. **Services.** BRC shall perform and complete for the COUNTY the consulting and related services as set forth in, and in accordance with, the "Scope of Services" section of the RFP ("Services"). A copy of the RFP is attached and is hereby incorporated into this Agreement as Exhibit A, and a copy of the proposal dated May 29, 2020 ("Proposal") and submitted by BRC in response to the RFP is attached and is hereby incorporated into this Agreement as Exhibit B. BRC may not subcontract to any third party any portion of the Services nor may BRC, voluntarily or by operation of law, assign or transfer any of its rights or obligations under this Agreement, without the prior written consent of COUNTY. COUNTY and BRC will coordinate scheduling for Services to be completed by BRC as soon as practicable.

2. **Compensation**. For the Services, COUNTY shall pay to BRC an amount calculated by multiplying BRC time spent on providing the Services by the rates set forth on Page 39 of the Proposal ("Fees"), but in no event shall the total amount of the Fees payable under this Agreement by COUNTY to BRC exceed $50,000.00. The Fees include, and BRC shall be responsible for, all expenses and taxes incurred by BRC in connection with providing the Services. BRC shall prepare and submit to COUNTY a proposed billing budget and work plan for performance of the Services over the Term ("Budget and Work Plan"). BRC shall submit the Budget and Work Plan to COUNTY within fourteen (14) days after the signing of this Agreement. BRC acknowledges that COUNTY is a political subdivision of the State of New York and, therefore, is exempt from payment of sales tax.

3. **Payment Terms**. BRC shall submit to COUNTY an invoice in such form as approved by the COUNTY within 7 days of the end of each month during the Term listing in detail all Services provided by BRC to COUNTY and the Fees for the Services provided by BRC to COUNTY. COUNTY

shall remit payment to BRC on undisputed invoices within 45 calendar days of the COUNTY's receipt of an invoice.

4. **Term.** The Agreement begins on the Effective Date and ends on June 30, 2021 unless earlier terminated (a) by COUNTY by delivering written notice to BRC prior to the effective date of termination or (b) by COUNTY in accordance with Section 13 ("Term").

5. **Independent Contractor.** BRC is and shall be an independent contractor of COUNTY. Neither BRC nor BRC's employees shall be deemed to be employees or agents of COUNTY. BRC and BRC's employees will not be entitled to any benefits made available to COUNTY employees. Nothing in this Agreement establishes a partnership, joint venture, or agency relationship between the Parties, and neither BRC nor BRC's employees are authorized to bind COUNTY or make any representations on behalf of COUNTY in any matter.

6. **Insurance**. BRC shall, at its sole cost and expense, procure and maintain for the duration of this Agreement the insurance coverage set forth in the "Insurance Requirements" section of the RFP attached to this Agreement as Exhibit A. For any claims arising out of this Agreement, BRC's insurance coverage, whether or not required under this Agreement, shall be primary insurance with respect to COUNTY, its officials and employees. Any insurance or self-insurance maintained by COUNTY, its officials and employees shall be excess of BRC's insurance and shall not contribute with it.

7. **Confidentiality.** At all times after the Effective Date, BRC will, and will cause its employees and agents to, keep in confidence and trust all confidential and proprietary information that BRC learns of or receives during the term of this Agreement, and will not use, reproduce, or disclose to others any confidential information without COUNTY's advance written consent except as may be directly necessary in the ordinary course of performance of the Services under this Agreement, or as otherwise may be required by law. In addition, BRC will, and will cause its employees and agents to, keep confidential and not disclose to any third party any information regarding Van Rensselaer Manor Nursing Home residents or any resident protected health information.

8. **Representations.** BRC represents that: (a) BRC will comply with all federal, state and COUNTY laws, rules and regulations in performing the Services; (b) the Services will be performed in compliance with generally accepted professional procedures and industry standards prevailing at the time the Services are performed; and (c) BRC has, and shall maintain in effect for the duration of this Agreement, all licenses, permits, qualifications, and approvals which are legally required for BRC to render the Services.

9. **Indemnification**. BRC agrees to hold harmless, defend, and indemnify COUNTY and its agents, officials and employees from and against all claims, damages, losses, and expenses (including without limitation attorneys' fees and costs) arising out of or in any way related to (i) the performance of the Services or (ii) any breach or default in the performance of any of BRC's obligations under this Agreement including, without limitation, any breach of any warranty or representation. This indemnity shall not be limited by reason of any insurance coverage required under this Agreement.

10. **Limitation on Damages**. In no event shall COUNTY be liable to BRC for any special, consequential, indirect, exemplary, punitive, incidental, or similar damages (including, without limitation, loss of profits), even if COUNTY has been apprised of the possibility thereof.

11. **Survival**. The provisions of Sections 4 (Term), 5 (Independent Contractor), 6 (Insurance), 7 (Confidentiality), 8 (Representations), 9 (Indemnification), 10 (Limitation on Damages), and 17 (Miscellaneous) shall survive termination of this Agreement.

12. **Names and Logos**. VENDOR shall not use County's name, logo or insignia, or the name, logo or insignia of any department or division thereof, or otherwise identify the County or any of its departments or divisions in any form of publicity or disclosure without the prior written permission of County, which permission may be given or withheld in the County's sole discretion.

13. **Executory.** This Agreement is executory to the extent New York State or Federal funding is relied upon by the County for the payment of all goods, labor and services to be furnished by BRC under the terms and provisions of this Agreement, and that in the event such funding shall not be forthcoming, this Agreement may be terminated by the County upon prior written notice to BRC.

14. **Compliance.** BRC represents and warrants that it, and its employees and/or contractors, are not excluded from participation and are not otherwise ineligible to participate in a "federal health care program" as defined in 42 U.S.C.1320a-7b or in any other government payment program. BRC further represents and warrants that it will perform screening, on a monthly basis, all of its employees and subcontractors against: (a) The General Services Administration's Federal Excluded Party List System or any successor list; (b) The United States Department of Health and Human Service's Office of the Inspector General's List of Excluded Individuals and Entities or any successor list; and (c) The New York State Department of Health's Office of the Medicaid Inspector General's list of Restricted, Terminated or Excluded Individuals or Entities, or any successor list. In the event that an excluded person or entity is discovered by BRC, BRC must notify the COUNTY within 5 days of such discovery. The COUNTY reserves the right to terminate this Agreement upon such notification or in the event that BRC fails to fulfill its obligations under this Section.

15. **Non-Discrimination.** BRC must abide by the applicable provisions of the Human Rights Law of the State of New York, as set forth in Sections 290-301 of the Executive Law of the State of New York.

16. **Lobbying Disclosure**. BRC certifies, to the best of its knowledge and belief, that:

    A. No State or Federal appropriated funds have been paid or will be paid, by or on behalf of BRC, to any person for influencing or attempting to influence legislation or appropriation actions pending before local, State and Federal executive and/or legislative bodies in connection with the awarding of any contract, the making of any grant, the making of any loan, the entering into of any cooperative agreement, and the extension,

continuation, renewal, amendment, or modification of any contract, grant loan, or cooperative agreement.

B. If any funds other than State or Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence legislation or appropriation actions pending before local, State and Federal executive and/or legislative bodies in connection with this Agreement, grant, loan or cooperative agreement, BRC must request COUNTY to provide a copy of, and must complete and submit to COUNTY, the Standard Form-LLL "Disclosure Form to Report Lobbying."

17. Miscellaneous.

17.1 This Agreement, and any dispute between the Parties arising out of or related to this Agreement, shall be governed by and construed in accordance with the laws of the State of New York, excluding its conflict of laws rules.

17.2 Any and all legal action that is initiated to enforce any provision of this Agreement or arising out of or related to this Agreement must be brought or filed in either state court located in Rensselaer County, New York or federal court located in Albany County, New York.

17.3 No provision of this Agreement is intended to confer any benefit upon any third party and no third party shall have the right to enforce any provision of this Agreement.

17.4 No waiver of any of the provisions of this Agreement shall be deemed, or shall constitute, a waiver of any other provision, whether or not similar, nor shall any waiver constitute a continuing waiver.

17.5 If any provision of this Agreement is held invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions will not in any way be affected or impaired thereby.

17.6 This Agreement, including its Exhibit, may not be modified except in writing signed by duly authorized representatives of the Parties.

17.7 This Agreement together with Exhibit A constitutes the entire agreement between the Parties pertaining to its subject matter, superseding all prior and contemporaneous agreements, proposals, letters of intent and memorandums of understanding. In the event of a conflict between Sections 1-17 of this Agreement and Exhibit A of this Agreement, Sections 1-17 control.

[SIGNATURE PAGE FOLLOWS]

Scope of Services

Consulting and Representation Services – Disaster Recovery

CONSULTANT will provide professional services and technical assistance to support the Applicant to apply for Public Assistance for Post Declaration Activities, Project Listing Development and Project Formulation as described in Attachment A.

CONSULTANT will assist with documenting activities performed before, during and after the disaster.

- Grant Management

The CONSULTANT is to provide assistance and support for grants management and administration as needed for federal and state programs, including primarily, but not limited to, the Federal Emergency Management Agency Public Assistance Program and Federal Emergency Management Agency Hazard Mitigation Program. The CONSULTANT shall work closely and collaborate with various funding agencies and internal District departments to ensure the proper use and application of federal and state funds. The CONSULTANT shall focus on maximizing eligible, allocable federal dollars. The CONSULTANT will provide technical knowledge and experience, proven business processes, and policy strategies. In order to develop and implement the framework of grant activities, the CONSULTANT may perform services and work to complete the following objectives and tasks:

- Effectively maintain efficient and complete records concerning any and all applicable grant programs.
- Compile and summarize/justify costs for presentation to Federal agencies and State agencies for reimbursement of eligible costs, ensuring compliance with applicable regulations.
- Attend meetings with the District, Federal agencies, and State agencies to negotiate and represent Project Worksheet's and the obligation of eligible amounts.
- Provide grant management advice to maximize reimbursements of disaster recovery expenses.
- Provide advice to District personnel and consultants; attend and participate in meetings as required.
- Prepare draft correspondence to local, Federal and State officials as necessary.

- Prepare and conduct the closeout process, ensuring maximum recovery and retention of all eligible funding, satisfactory disposition of appeals and availability of supporting documents for future audits.

- Keep track and monitor CONSULTANTS own time and activates by project, or as allowable under the provisions of Federal guidance for direct administrative, indirect, and project management costs.

- Provide written performance and status reports to District on the status of the FEMA Public Assistance program and other grant programs as requested. The performance and status reports should include, but not limited to, the following:

- Hours billed and amount invoiced by personnel
- PW and grant application development and revisions
- PW and grant application submissions and approvals
- Obligated amounts versus eligible estimates
- Issues with PW and grant application submissions and resolutions
- Issues requiring assistance
- Amounts awarded to District per PW and grant application
- Requests for reimbursement submitted
- Estimated and actual costs
- Reimbursements received by District

- Grant Development

The CONSULTANT shall provide services to maximize grant funding for the District, including but not limited to the following objectives and tasks:

1.2.1 Prepare and coordinate the development of Project Worksheets and versions as required with the District, Federal agencies and State agencies. This includes project development, formulation, and processing as required for small and large projects.

1.2.2 Prepare, submit and track Hazard Mitigation Grant program applications as required. This includes project or program development, formulation, processing, and monitoring as required.

1.2.3 Review eligibility issues for the District and develop justifications for presentation to the Federal Agencies, and State agencies. All eligible damages shall be incorporated into Project Worksheets and grant applications with supporting documentation and proper cost estimates, using the FEMA Cost Estimating Format when necessary.

1.2.4 Review contracts, bid documentation, change orders, and other records to support the proper preparation of PW's, grant applications and eligible activities.

1.3 Policy Support

The CONSULTANT shall provide support to the district on all relative grant policies, including but not limited to providing the District with any changes in policies, procedures, processes or deadlines throughout the financial disaster recovery process.

- Additional Services

The CONSULTANT shall provide professional experts to prepare damage assessments and technical reviews and oversight in the furtherance of program objectives.

- Project Management

The CONSULTANT shall perform work that is considered Project Management in order to seamlessly and efficiently support the District's grants and programs objectives.

- Contact District departments and consultants for information and coordinate their participation.
- Oversee and coordinate project decisions
- Participate in document management
- Assist in processing and tracking financial transactions related to such grants
- Other project management activities as requested
- Provide coordination services between District departments on capital projects.

EXHIBIT
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Roby Fecteau
Director of Code Enforcement & Emergency Management
City of Biddeford Office of Code Enforcement
205 Main Street Suite 104
Biddeford, ME 04005

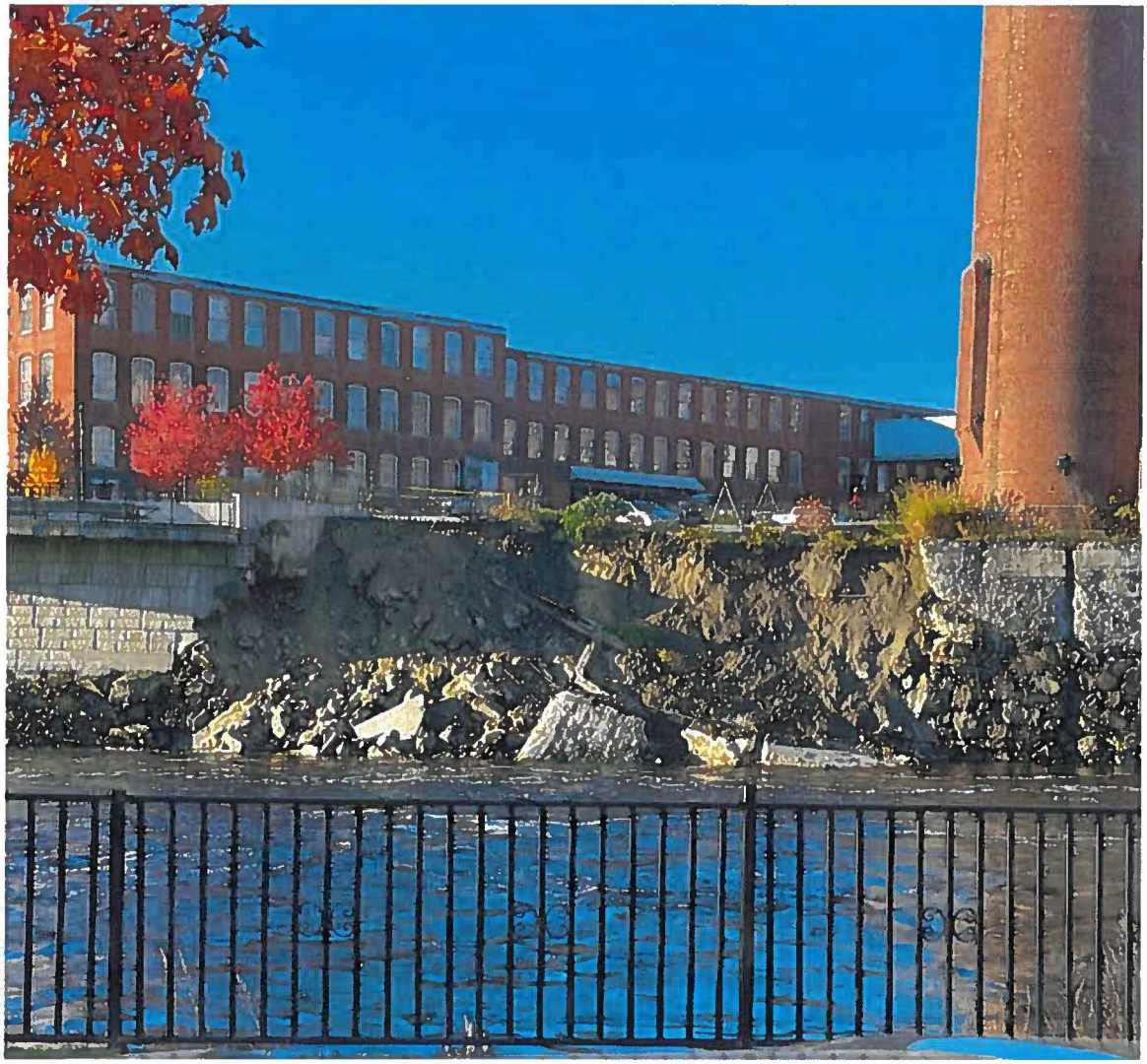
Request for Bids Announcement

On October 30/31, 2021 the City of Biddeford had a river wall collapse along the Saco River. The wall that collapsed is roughly 80' long and is adjacent to a river walk overlook that was built in 2011.

The city and its engineers worked on temporary bank stabilization because of extensive erosion issues. Permitting through state and federal agencies was obtained to construct a 500-foot access road in the river to access the collapse.

On March 15, 2022, President Biden sign a disaster declaration for the State of Maine for damages sustained in this weather event.

The City of Biddeford is seeking bids for a professional consulting company to help the City of Biddeford though the Public Assistance process. See RFB for requirements and deadlines.



City of Biddeford, Maine

REQUEST FOR BIDS
DISATER RECOVERY GRANT MANAGEMENT ASSISTANCE

The City Of Biddeford seeks a professional consultant to assist in the management and coordination of with the disaster recovery grant funding from the Federal Emergency Management Agency (FEMA) in response to 2021 Halloween Storm DR-4647 that occurred on 10/30/2021-10/31/2021

SCOPE OF WORK:

In the aftermath of a DR-4647, the City of Biddeford seeks secure the services of a qualified disaster recovery consultant as outlined in the following scope of work. In order to ensure a rapid recovery and post disaster redevelopment process, the City of Biddeford requires the services of qualified, experienced professionals to manage state and federal grant management processes.

The selected Consultant shall assist City of Biddeford with the following duties and others as mutually agreed upon:

1. Attend meetings with the State/Federal agencies including applicant briefings, kick-off meetings and project specific discussions.
2. Provide technical advisory services related to Emergency Management and disaster recovery. This includes providing advice on the eligibility of facilities, work, and other costs and develop justifications for presentation to the State of Maine
3. Develop and implement strategies designed to maximize federal and state disaster recovery assistance.
4. Prepare applicable correspondence to FEMA and the State of Maine
5. Prepare required progress reports to the City of Biddeford State and FEMA.
6. Develop a financial tracking process that organizes and records project related expenses in a manner that facilitates the financial reimbursement by FEMA.
7. Serve as subject matter experts and provide programmatic and policy advice to the City of Biddeford regarding various federal disaster relief programs.

8. Provide project management for the disaster recovery projects.
9. Assist the City of Biddeford senior leadership in the development of a strategic disaster recovery plan as it relates to the project and mitigation efforts..
10. Review and organize disaster related documentation to ensure regulatory compliance and maximize reimbursement opportunities.
11. Conduct site visits of damaged areas and collect information for project formulation in coordination with city staff, design engineer, and selected contractor as may be needed.
12. Prepare project documentation for review by FEMA and the State ensuring that the scope of work is accurate and comprehensive, estimates are accurate, expenses are eligible and documented, and that projects are categorized as small or large in a manner that ensures prompt reimbursement to the City of Biddeford
13. Enter disaster related information and documentation into FEMA's Grants Portal as applicable.
14. Identify potential Hazard Mitigation opportunities of 406 Hazard Mitigation Funding .
15. Meet with City of Biddeford management team to collect documentation, provide regular updates, and to ensure regulatory compliance.
16. Coordination with the City of Biddeford leadership team in the development and preparation of any appeals to FEMA if applicable.
17. Provide grant close-out services.

QUALIFICAITONS OF THE BIDDING FIRM:

The Respondent shall provide a narrative of the firm's qualities and capabilities that demonstrates how the firm will work with the City of Biddeford to fulfill the requirements of this project. Describe the firm's methods of providing the Disaster Recovery Administrative Services outlined within the Scope of Work.

Firm qualifications must include, at minimum, the following:

1. Recent experience demonstrating current capacity and expertise in assisting local governments in obtaining reimbursement from state and federal agencies following disaster events.
2. Provide at least three references for which the firm has performed disaster grant management and administrative services that are similar to the requirements in the Scope of Services. Provide the reference contact name, address, e-mail address, telephone numbers and date of the contract.
3. Describe the approach and methodology it will use to accomplish the work herein. The project approach shall include information on schedule and availability where applicable.
4. The Respondent shall include a list of the proposed staff that will perform the work required if awarded this contract and a summary of staff qualifications. An organizational chart and management plan should be included in this section.

RESPONSE REQUIREMENTS:

To properly evaluate each firm, the following materials and information should be submitted in each firm's response:

1. Letter proposal indication the consultant's interest.
2. Background and experience of the firm.
3. A description of the project team and team's approach/methodology.
4. An organizational chart showing the proposed project team.
5. Biographies or resumes for each member of the project team.
6. Management plan for the project.
7. Demonstrated understanding of the project.
8. References and contact information for similar completed projects.
9. Fee Schedule: submit a fee schedule showing hourly rates and an itemized list of all direct and indirect costs associated with the performance of this contract.
10. Proposed "draft" contract, as set forth in "special conditions," above.

CRITERIA FOR SELECTION:

The responses to the RFB will be reviewed and the most qualified firm will be selected based on evaluation of the following criteria:

1. Previous relevant and successful experience and qualifications.
2. Proposed methodology.
3. Management plan for the project.
4. Understanding of the project.
5. Prior experience with comparable entities.
6. Cost effectiveness.
7. Timeless of proposal.

Form of Submission and Consultant Selection:

Interested parties will submit one email-copy to roby.fecteau@biddefordmaine.org

Bids are due at 3:00 p.m.on April 11, 2022

Any project related questions should be directed to:

Roby Fecteau
City of Biddeford
205 Main Street. Biddeford, Maine 04005
Roby.fecteau@biddefordmaine.org
1-207-284-9236

All respondents will be notified of the selection as soon as possible after the submission deadline.

The City of Biddeford may, in its discretion, conduct phone/ virtual interviews of one or more proposers.