

Request for Proposal for Preparation of Third-Party

Environmental Assessment

Southgate Amendment Project

Mountain Valley Pipeline, LLC (Mountain Valley)

October 14, 2024

DISCLAIMER

THIS IS NOT A FEDERAL PROCUREMENT

THE FOLLOWING REQUEST FOR PROPOSALS (RFP) WILL RESULT IN A PRIVATE CONTRACT BETWEEN MOUNTAIN VALLEY PIPELINE, LLC (MOUNTAIN VALLEY) AND A CONTRACTOR, AND WILL BE GOVERNED BY THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA. NEITHER THE PROCUREMENT NOR ADMINISTRATION OF THE RESULTING CONTRACT IS SUBJECT TO FEDERAL PROCUREMENT LAWS, REGULATIONS, OR PROTEST PROCEDURES. ANY DISPUTES NOT SETTLED BY THE PARTIES THEMSELVES MUST BE RESOLVED BY A COURT OF COMPETENT JURISDICTION, OR THROUGH ALTERNATIVE DISPUTE RESOLUTION PROCEDURES TO BE DETERMINED BY THE PARTIES AND DESCRIBED IN THE CONTRACT.

QUESTIONS CONCERNING THIS PROCUREMENT SHOULD BE DIRECTED ONLY TO MOUNTAIN VALLEY PIPELINE, LLC AND MUST PROVIDE INFORMATION SUPPLIED TO ANY INDIVIDUAL CONTRACTOR TO ALL CONTRACTORS SUBMITTING A LETTER OF INTENT TO RESPOND TO THE RFP.

THE FEDERAL ENERGY REGULATORY COMMISSION STAFF SHOULD NOT BE CONTACTED AND WILL NOT RESPOND TO ANY QUESTIONS CONCERNING THE PROCUREMENT PROCESS.

HOLD HARMLESS

The parties agree that the Federal Energy Regulatory Commission and its employees are not liable for any costs or judgments arising from the conduct of this procurement, and administration or supervision of the contract for the environmental services described herein.

VIA E-Mail

Mountain Valley Pipeline, LLC

TO: Potential Third-Party Contractor

FROM: Mountain Valley

DATE: October 14, 2024

SUBJECT: Request for Proposals (RFP) to Prepare an Environmental Assessment (EA) for the Southgate Amendment Project

Proposal Due Date: 5:00 PM EST, November 4, 2024

1.0 BACKGROUND AND OVERVIEW

1.1 Background

Mountain Valley Pipeline, LLC (Mountain Valley) is soliciting proposals for the preparation of an Environmental Assessment (EA)¹ and related documents and services to address the Southgate Amendment Project as more specifically described in Section 1.2. The EA will be prepared under a third-party contractor arrangement with Mountain Valley as the Applicant and the Federal Energy Regulatory Commission (FERC or Commission) as the lead federal agency for the National Environmental Policy Act (NEPA) process. The FERC's Office of Energy Projects (OEP) will be responsible for providing technical direction to the third-party contractor during the preparation of the EA and related documents. A contract will be executed pursuant to the third-party contracting procedures set forth in 40 CFR 1506.5 and as referenced in the FERC third-party contracting program announced on February 4 and 9, 1994.

As the Applicant, Mountain Valley is soliciting proposals through this RFP for a third-party contractor to provide the services described in section 2.0. The technical and cost proposals will be initially reviewed and evaluated by Mountain Valley who will then submit the proposals to the OEP staff and file the proposals on the FERC's project docket as privileged. The OEP staff will make the final selection of the third-party contractor, based on its independent review of the technical, managerial, personnel, and Organizational Conflict of Interest (OCI) aspects of each proposal. Upon selection, the third-party contractor, Mountain Valley, and the Director of OEP will sign a Memorandum of Understanding (MOU) that details the roles and responsibilities of each party and mandatory provisions of the contract (A sample MOU is provided in Appendix G). Mountain Valley will finalize a contract with and fund the successful contractor for the preparation of this third-party EA and attendant activities.

Once a third-party contractor is selected, the OEP staff will direct the activities of the contractor in the preparation and processing of the EA within the scope identified herein. Mountain Valley will have no control over nor direct the

¹ For the purposes of this proposal, the contractor should assume that the OEP staff will conclude that an EA is sufficient to meet the NEPA requirements for the proposed project. If, upon evaluating the proposed action, OEP staff concludes that the project requires an environmental impact statement, a work modification would be negotiated with the selected contractor.

activities of the contractor. The U.S. Army Corps of Engineers (USACE); U.S. Fish and Wildlife Service (USFWS); U.S. Department of Transportation (USDOT); and U.S. Environmental Protection Agency (USEPA), and possibly others may be cooperating agencies for the NEPA review process.

Appropriate regulatory agencies in Virginia and North Carolina will also be invited and encouraged to participate in the NEPA process.

1.2 Overview of the Project

On June 18, 2020, the Commission issued a Certificate of Public Convenience and Necessity (Certificate or Order) authorizing Mountain Valley to construct, own, and operate the Southgate Project. The Southgate Project would extend approximately 75 miles from the terminus of the Mountain Valley Pipeline in Pittsylvania County, Virginia to new delivery points in Rockingham and Alamance Counties, North Carolina and provide up to 375,000 dekatherms per day of firm transportation service. On December 29, 2023, Mountain Valley announced that it had entered into precedent agreements for a redesigned Southgate Project (in lieu of the original project). The redesigned project will extend approximately 31 miles from the terminus of the Mountain Valley Pipeline in Pittsylvania County, Virginia to planned new delivery points in Rockingham County, North Carolina. The Southgate Amendment Project will be a 30-inch diameter pipeline (originally approved as a 24-inch diameter pipeline). The Southgate Amendment Project will include substantially fewer water crossings and will not require a new compressor station. The new precedent agreements collectively provide for 550,000 dekatherms per day of firm capacity commitments and are each for 20-year terms (subject to two potential five-year extensions). These changes incorporate public feedback and allow the Southgate Amendment Project to satisfy the growing public need for natural gas in electricity generation and residential and business uses. Mountain Valley will be filing an application to amend the existing certificate of public convenience and necessity to reflect the redesigned project scope.

Maps of the proposed Southgate Amendment Project are included as Appendix H.

1.3 Distribution Plan

Mountain Valley posted a notice of availability (NOA) of an RFP for OEP third-party NEPA contractor services to its website between October 14, 2024 and November 4, 2024. In addition to posting the NOA on the website, Mountain Valley sent specific notifications about the NOA to contractors that are known to Mountain Valley to provide third-party NEPA contractor services to the OEP.

1.4 Scope

Once Mountain Valley has filed its application with FERC, the selected third-party contractor will:

- Verify, update, and maintain mailing lists;
- Assist OEP staff in reviewing, organizing, and formatting the stakeholder mailing list provided by Mountain Valley;
- Coordinate and attend agency scoping meetings (assume 1) and other meetings and site visits as requested by OEP staff and summarize comments for posting to FERC's public record;
- Coordinate, participate in, and summarize interagency conference calls with OEP staff;
- Identify and summarize concerns raised by regulatory agencies and other stakeholders;
- Prepare meeting minutes for OEP staff for all attended meetings and conference calls;
- Work with OEP staff to identify additional concerns of affected/adjacent landowners, landowner organizations, environmental groups, and federal, state, and local agencies;
- Prepare a draft Notice of Scoping and summarize comments identifying major issues;
- Coordinate and attend public scoping meetings (assume 1 and additional ones if needed, including virtual)
- Review resource reports and prepare data request questions;
- Prepare and submit a draft EA to OEP staff;
- Incorporate comments from OEP staff into an administrative draft EA;
- Submit the administrative draft EA to OEP staff and the cooperating agencies;

- Incorporate/resolve comments on the administrative draft EA from OEP staff and the cooperating agencies;
- Prepare and submit final EA to OEP staff;
- Assist the OEP staff in preparing responses to public comments on the EA;
- Prepare a Biological Assessment and review of essential fish habitat (EFH) if required; and,
- Assist OEP staff, as necessary, with project-related tasks between the issuance of the EA and the Commission Order. Examples of such tasks include support in responding to comments on the EA.

1.5 Available Data

The proposed Southgate Amendment Project application will be filed with FERC to amend its existing Certificate. Environmental Resource Reports (RR) per the FERC's regulations at 18 CFR 380.12, will be updated to provide the information that has changed from the original Certificate.

FERC staff issued a Final Environmental Impact Statement (FEIS) on February 14, 2020 and the Commission issued an Order on June 18, 2020 for the original Southgate Project. The FEIS and Order should be reviewed to gain an understanding of the project and the level of available environmental data. This information should be assessed for any required supplemental analysis prior to proposal preparation and submittal. This review may also include the following items:

- Maps and Alignment Sheets
- Work required to comply with the Endangered Species Act, including agency scoping, field surveys and preparation of a Biological Assessment and Mitigation Plans;
- Work required to comply with the National Historic Preservation Act, including field surveys, and all associated reports and mitigation plans;
- Work required to delineate waters of the U.S. and wetlands that will be subject to the Federal and state permitting requirements; and
- Work required to comply, as applicable, with the Coastal Zone Management Act and the Magnuson-Stevens Fishery Conservation and Management Act.)

It is expected that the available data (*along with the site-specific information, as discussed above,*) will facilitate the preparation of the EA.

1.6 Schedule

Proposals submitted in response to this RFP should identify any perceived need for specific supplemental studies to fully comply with NEPA and the FERC's implementing regulations.

Adherence to the proposed schedule, below, is essential. Assuming Mountain Valley is able to successfully identify and resolve all project issues in an expeditious manner and is able to respond expeditiously to data requests, the major milestones of the Southgate Amendment Project schedule are summarized below; however, it should be understood that the timeline from filing of the FERC amendment application to the availability of the EA will be determined by OEP staff:

Tentative Milestones for Southgate Amendment Project Schedule – Subject to Change	
• Mountain Valley issues RFP to prospective contractors	October 14, 2024
• Prospective contractors submit proposals to Mountain Valley	November 4, 2024 (COB)
• Mountain Valley files Amendment Application and third-party proposals to FERC	December 22, 2024
• OEP staff selects third-party contractor	January 2025
• Mountain Valley, OEP, and third-party contractor execute MOU	January 2025
• Mountain Valley concludes contract with third-party contractor	January 2025
• Third-party contractor begins work	Upon execution of contract
• OEP issues Notice of Scoping	April 2025
• Third-party contractor delivers Draft EA to OEP	July 2025
• OEP issues EA	September 2025
• FERC issues order (estimated)	January 2026
• Proposed construction start	2027

1.7 Letter of Intent

Third-party contractors shall submit a Letter of Intent before the Contractors' Conference to offer a proposal to Mountain Valley at the e-mail address or regular

mail address listed in Section 3.12. Those submitting a Letter of Intent will receive amendments to this RFP, if any, and copies of any written material from the Conference as described in Section 1.6. This letter will facilitate the distribution of written information but does not obligate the contractor to submit a proposal.

1.8 Contractors' Conference

A Contractors' Conference will be held by Mountain Valley on Thursday, October 24, 2024 beginning at 9:00 AM Eastern time. At the conference, questions will be answered by Mountain Valley. Contractors who submit a Letter of Intent and who do not attend the conference will be notified of any modifications and receive a copy of the minutes of the meeting within five (5) days of the meeting via email.

The purpose of this conference will be to:

- answer contractors' questions about the RFP;
- provide copies of any other information to be used in the submission of a proposal; and
- entertain requests for other background documents, which may be available for use during the preparation of the proposal but were not sent to contractors.

All third-party contractors are strongly encouraged to attend this conference. Telephone calls are not permitted.

2.0 SERVICES REQUIRED

The selected third-party contractor will be responsible for assisting the OEP staff in conducting the NEPA review, preparing an EA, and completing related work within the agreed-upon schedule and approved budget. It will be the contractor's responsibility to notify Mountain Valley if the work effort ultimately required by the OEP staff exceeds the work effort on which the bid was based or the approved budget.

The third-party contractor will be responsible for satisfactory completion of the following tasks:

- 2.1** Task 1 - Preparation of all project-related documents, reports, and notices required by OEP staff. All materials must be provided to the OEP staff in electronic format (generally Microsoft Word or Adobe pdf format), or as otherwise agreed to by the OEP Environmental Project Manager. Any required databases (such as mailing lists) must be in Microsoft Excel. The camera-ready EA will be provided as pdf files as specified by the OEP staff. Hard copies may be requested in certain circumstances.
- 2.2** Task 2 - Preparation of notices and presentation materials for public scoping meetings on the EA. This task will require close coordination with the OEP Environmental Project Manager. Required work will include researching venues, preparing notices, developing materials for meetings, participating in meetings, and preparing reports summarizing the results of the scoping meetings/process. The contractor will prepare a summary of agency scoping comments/issues for subsequent agency review and concurrence. Assume at least one public and one virtual scoping meeting will be conducted.
- 2.3** Task 3 - Preparation and maintenance of a computerized (sortable database) mailing list of agencies, officials, community/environmental groups, concerned citizens, affected property owners and known interested parties. Mountain Valley will provide the initial agency and affected property owners list.
- 2.4** Task 4 - Characterization of existing environmental conditions, incorporation of issues identified during scoping, assessment of the significance of the potential environmental effects of the proposed project, identification of potential site, route and facility location alternatives, (both locally and regionally) and determination of mitigation necessary to avoid or reduce impacts to acceptable levels for the environmental topics listed in section 2.5 (below). Studies shall take into account both direct and indirect effects of project facility construction, operation and maintenance, upset conditions, and abandonment for all proposed and alternative

project facilities. Special expertise may be needed for areas of non-routine environmental sensitivity. The RRs contained in the FERC application (*and other major applications, if any*) and other already available technical data shall be used to the maximum extent practicable.

- 2.5** Task 5 - Preparation of an environmental document to meet the requirements of NEPA, the National Historic Preservation Act, Endangered Species Act, other applicable laws and regulations, any additional requirements of the OEP staff, and to address any scoping meeting issues.

The EA shall include, but not necessarily be limited to, the following sections: ¹²

1. Cover Sheet
2. Executive Summary
3. Introduction
4. Description of Proposed Southgate Amendment Project
5. Alternatives
6. Environmental Analysis
7. Conclusions (including summary of unavoidable significant adverse effects) and Recommendations (mitigation measures, including mitigation monitoring plan)
8. List of Preparers and Contributors
9. References (including agencies and sources consulted)
10. EA Distribution List
11. Index
12. Comments and Responses (Final EA only)
13. Appendices and Technical Reports (e.g., Essential Fish Habitat Assessment, if appropriate)

The Southgate Amendment Project as proposed by Mountain Valley includes several pipeline route and aboveground facility site location alternatives. In conjunction with the OEP staff, the third-party contractor will be responsible for identifying and assessing potential alternatives to the proposed project that are capable of meeting the project's goals and are sufficient to meet the requirements of NEPA, including reducing potentially significant effects associated with the proposed project and fostering informed decision-making. System alternatives to the Southgate Amendment Project that should be addressed will be identified in RR10 of the RRs. Additional project alternatives may be identified by the OEP staff, cooperating agencies, and other stakeholders.

The Description of the Proposed Southgate Amendment Project and Alternatives should include, at a minimum, the following subsections:

1. Purpose and Need for the Southgate Amendment Project
2. Approvals to be sought through Use of the EA
3. Southgate Amendment Project Description
4. Ancillary Facilities
5. General Design Parameters
6. Construction and Restoration Methods (including Applicant-Proposed Mitigation Measures)
7. Construction Schedule and Work Force
8. Operation and Maintenance Procedures
9. Abandonment Procedures
10. Interrelationships with Other Planned Projects and Nonjurisdictional Facilities
11. Alternatives (including No Action)

The majority of this information will be available in the RRs included in the application made to the FERC. The third-party contractor shall review the RRs for accuracy and adequacy to meet the needs of NEPA for the preparation of an EA, and shall prepare a data request(s) to Mountain Valley (routed through the OEP staff) requesting any other data that may be needed. The EA shall fully address the following resource topics (as applicable):

1. Geology (including mineral resources and geologic hazards)
2. Soils (including erosion control and restoration/revegetation)
3. Water Resources (surface water and groundwater hydrology and quality)
4. Biological Resources (including wildlife, vegetation, wetlands, aquatic biology, essential fish habitat, and threatened and endangered species)
5. Land Use and Recreation
6. Socioeconomics
7. Environmental Justice
8. Visual Resources/Aesthetics
9. Air Quality
10. Noise
11. Cultural and Paleontological Resources
12. Public Safety
13. Cumulative Impacts (including climate change)

2.6 Task 6 - Prepare supporting maps showing the location of all project facilities and related areas of disturbance, and pertinent resource data. Mountain Valley will be responsible for developing all maps requested by the third-party contractor. The scale of the supporting maps will normally range from 1:24,000 to (*identify larger scale*), depending on the complexity/sensitivity of the resources potentially

affected and project specifics.

- 2.7** Task 7 - Maintain ongoing review of potential environmental issues and assessment of adequacy of overall scope of the environmental analysis. The OEP staff shall be advised immediately of any potential data gaps or analysis shortcomings.
- 2.8** Task 8 - Arrange with Mountain Valley to participate in inspections of the proposed facility locations (including overflight, as appropriate), with the OEP staff. This may occur in conjunction with the scoping meetings. (The FERC will reimburse Mountain Valley for all costs associated with OEP staff participation in overflights.)
- 2.9** Task 9 - Analyze comments and prepare draft responses to comments on the EA and related documents.
- 2.10** Task 10 - Prepare camera-ready copies of the EA and any required notices for submission to the FERC staff
- 2.11** Task 11 - Develop and maintain a formal project management system to allow for weekly or biweekly, as mutually agreed, tracking of schedule and budget status for the prime contractor and any subcontractors.
- 2.12** Task 12 - Prepare a Biological Assessment, if appropriate.
- 2.13** Task 13 - Prepare an Essential Fish Habitat Assessment, if appropriate.

3.0 PROPOSAL REQUIREMENTS

If a contractor provides a Letter of Intent to bid on the RFP, and subsequently does not intend to submit a proposal, the contractor shall notify Mountain Valley as soon as possible, but in any event no later than one day prior to the proposal due date. Contractors shall also return all materials to Mountain Valley.

Contractors must provide the technical proposal and cost estimate via email; Mountain Valley will coordinate distribution, and ultimately provide the OEP staff with an electronic copy of the proposals. Cost estimates must be submitted as a separate attachment from the technical proposal in Microsoft Excel format. The technical proposal is limited to (50) pages (single-sided, space and a half). All materials should be easily readable. The proposal should be concise, well organized and contain the following information in the order presented below.

RFP Schedule:

- RFP Issuance Date – Monday, 10/14/2024
- Bidder Questions Due Date – Monday, 10/21/2024 at 5:00 PM Eastern time
- Contractor's Conference Date - Thursday, 10/24/2024 at 9:00 AM Eastern time
- Contractor's Conference Notes and Q&A Response Date – Tuesday, 10/29/2024
- Bid Responses Due Date – Monday, 11/4/2024 at 5:00 PM Eastern time
- Tentative Award Date – January 2025 (selection made by FERC staff)
- Tentative Project Start Date - January 2025

Contractors should confirm compliance of the terms and requirements contained within Mountain Valley's FERC Master Consulting/Professional Services Agreement (See **Appendix A**). If the bidder does not accept all terms within this agreement, the bidder must identify any requested revisions to the form of the agreement and describe with specificity the reason for such request.

3.1 Introduction

Explain the contractor's understanding of the project and a summary of the contractor's qualifications for this project in one or two pages. Because the project is located in Virginia and North Carolina, qualifications for assessing impacts to the environment of this region of the country should be highlighted.

3.2 Technical Approach

Present both an overall technical approach for the preparation of the EA and the approach proposed for individual technical areas and tasks. Include any recommendations to improve the scope (including rationale) and reflect those recommendations in the cost estimate.

3.3 Project Organization and Management Approach

Describe the proposed project organization, with an organization chart including positions, responsibilities and reporting relationships. The project manager, deputy project manager, environmental resource specialists with responsibility for each resource area, administrative support personnel, and any subcontractor(s) must be identified and their location specified. These key personnel shall not be reassigned within the project or to other projects without prior consultation with the OEP staff.

Describe the proposed management scheme for the project, with a discussion of where the work will be done and where each key person and subcontractor presently resides. Provide the proposed mechanisms for communication, reporting, technical direction and control, cost control, schedule control, quality control, quality assurance and control of subcontractors.

3.4 Qualifications and Experience

Describe qualifications and prior experience in completing similar NEPA projects, particularly pipeline construction projects or other linear facility projects.

Emphasize prior work experience with the FERC for natural gas-related projects, Virginia and North Carolina state agencies, major relevant construction projects, and the geographical areas of study. Discuss the contractor's familiarity with the specialized issues and requirements of proposed facility construction. Discuss the contractor's understanding of the FERC environmental requirements for projects under the Natural Gas Act as reflected in FERC's regulations and current policies. Describe the contractor's past record in meeting performance and delivery requirements for similar contracts.

Statements of education, qualifications, and prior experience should be provided not only for the contractor, but also for the key personnel and subcontractors that will be assigned to the project, along with their **specific experience with the type of project under consideration.**

The past, current, and proposed use of small and small disadvantaged owned business enterprises by the contractor should be described.

3.5 Project Schedule

Submit a proposed schedule delineating dates for completion of the major work tasks specified in Section 2 of this RFP. The selected contractor's proposal must address the completion dates as specified in Section 1.6 of this RFP. Any suggested modifications to this schedule must be presented with reasons for the changes. **Note, however, that the ultimate schedule will be determined by the OEP staff not the applicant.**

It is important that contractors demonstrate to Mountain Valley and the OEP staff that ample resources exist to meet the project schedule. If a contractor has multiple EA obligations underway concurrently, it must clearly show separate resources or provide convincing evidence that it can meet the schedule.

3.6 References

List and describe three successfully completed or in-progress projects of a similar nature with the name and phone number of the client's project manager. Additionally, list three client references specifically for the proposed project manager.

3.7 Conflicts of Interest and Critical Energy Infrastructure Information

Identify possible conflicts of interest that may require investigation by the FERC staff. Include a discussion of all work completed by the contractor for similar work on natural gas-related projects within the last 3 years. Pursuant to 40 CFR 1506.5(b)(4), a contractor must disclose any financial or other interest in the outcome of the action. The contractor must also submit a Critical Energy Infrastructure Information (CEII) Non-Disclosure Agreement for itself and each subcontractor used.

All proposals must include the following items:

- Either the FERC's (a) Organizational Conflict of Interest (OCI) Representation Statement, or (b) OCI Disclosure Statement, prepared by a responsible official attesting the contractor and its subcontractor(s) have no financial or other conflicting interest in the outcome of the project, or proposing a mitigation plan if an actual or potential OCI exists. (See Appendix C.)
- The FERC's OCI Questionnaire. (See Appendix D.)
- A Contractor CEII Non-Disclosure Agreement. (See Appendix E.)

Mountain Valley will complete an OCI Certification. (See Appendix F.)

3.8 Resumes

Resumes may be submitted as an attachment to the proposal or as a separate volume. All resumes should be limited to two pages and must include the institution and date of graduation for all academic degrees, as well as a summary of relevant work experience and the specific dates of performance.

3.9 Cost Estimate

Upon execution of the FERC Master Consulting/Professional Services Agreements (See Appendix A), Mountain Valley anticipates awarding a Time & Materials Not to Exceed Purchase Order to the selected contractor.

Contractor's proposal must include a rate sheet for labor and identify mark-ups on expenses, if any; standard rates of indirect expenses (e.g. reproduction, per diems, mileage, etc.); and other applicable costs/charges. The contractor's time-and-material, not-to-exceed cost proposal must present costs for labor and expenses for each of the tasks identified in Section 2. The cost proposal should be completed and submitted using Appendix B – Bid Pricing Form - in excel format. Acceptance of the "Bid Detail" tab within Appendix B is assumed unless Contractor states specific clarifications within the Assumptions tab of the Appendix B.

Mountain Valley understands that there may be out-of-scope requirements for the completion of this project and any resultant costs will be handled between the contractor and the applicant under the provisions of the contract. The contractor is required to promptly advise Mountain Valley of any anticipated budget changes for out-of-scope work requested by the OEP and included in the monthly project invoices.

Any limiting assumptions used to prepare the cost estimate should be clearly specified in the proposal using the "Assumptions" tab of the bid pricing form.

Assume that Mountain Valley, through the OEP staff, will provide the successful contractor with copies of all environmental information filed with FERC, including base maps, air photos, and computerized mailing lists of agencies, officials, community/environmental groups, concerned citizens, affected property owners and known interested parties at the time that contract negotiations are completed. Mountain Valley will provide aerial overflights for key contractor and OEP staff (weather conditions permitting) either prior to or in conjunction with the scoping meetings, or at OEP staff's request. (However, the FERC will reimburse Mountain

Valley for all costs associated with OEP staff participation in aerial overflights.)

3.10 Available Materials

Documents available from Mountain Valley that should assist contractors in preparation of their proposals are included as Appendices to this RFP via a Box.com website link. Please email craig.devinney@eqt.com if your organization needs access to the documents. Note that Mountain Valley requests that any questions about this RFP be submitted via email to the Supply Chain contact listed above by Monday, 10/21/2024 at 5:00 PM Eastern time. Questions will be answered via the Contractor's conference that will take place Thursday, 10/24/2024 at 9:00 AM Eastern time. If time permits, additional questions will be taken verbally at the Contractor's Conference.

Responses to questions and notes from the Contractor's Conference will be emailed to Respondents by Tuesday, 10/29/2024. If a contractor considers its question to be confidential, particularly because the question reveals an innovative approach, it must mark the question as confidential when it is submitted. If Mountain Valley, in its sole discretion, agrees the question should be treated as confidential, it will respond to the request on a confidential basis. If Mountain Valley concludes, in its sole discretion, that it is unable to respond to the question on a confidential basis, it will notify the contractor of its decision and the contractor will have the opportunity to withdraw the question. If the contractor does not wish to withdraw the question, then the question and Mountain Valley response will be available to all contractors.

Each Respondent must submit its proposal and other related documentation as required in this RFP via email to Craig Devinney at craig.devinney@eqt.com.

3.11 Sample Memorandum of Understanding (MOU)

Appendix G to this RFP presents a sample MOU with key provisions that must be included in the awarded contract. Contractors are asked to review this sample MOU and point out any difficulties with contract language in their proposal. The proposal must indicate the contractor's review of the sample MOU and identify issues which require resolution during negotiations. Issues raised after submittal of the proposal will not be subject to negotiation. The person(s) authorized to negotiate on behalf of the contractor should be identified.

Please note the OEP staff cannot be contacted on any contract negotiations between Mountain Valley and the contractor.

3.12 Addresses

Submit Letters of Intent via e-mail to:

Craig Devinney – craig.devinney@eqt.com

Submit Technical Proposals and Cost Estimates to:

Craig Devinney – craig.devinney@eqt.com

Technical Proposals and Cost Estimates should be submitted to Mountain Valley by November 4, 2024.

4.0 SELECTION PROCESS

Only those proposals submitted by contractors prior to the deadline stated herein will be evaluated. The proposals will be initially reviewed by Mountain Valley, and then all proposals will be filed on the FERC project docket in accordance with the Commission's instructions for filing of privileged material.

Mountain Valley will provide the OEP staff with an electronic copy of the contractors' proposals, along with the contractors' OCI statements, CEII non-disclosure agreements, and Mountain Valley's OCI certification of each contractor. GAL will perform an OCI review of the submitted proposals. OEP staff will then conduct an independent review of the contracts cleared by GAL and the Director of OEP will make the final selection of the contractor. Lack of an OCI Statement, or the existence of an identifiable OCI (relative to the contractor, its key personnel, or any proposed subcontractor) that cannot be mitigated to the satisfaction of the FERC staff, will be sufficient grounds for proposal rejection.

Once the OEP staff has notified Mountain Valley of its selection and the MOU is signed, Mountain Valley will negotiate and fund a contract with the contractor. Mountain Valley will keep the OEP staff apprised of the negotiations with the contractor. Once the contract has been executed, the contractor will proceed to work solely under the direction and guidance of the OEP staff. Pursuant to 40 CFR 1506.5(b)(1), the agency (i.e., the OEP staff) will "assist the applicant by outlining the types of information required or, for the preparation of environmental documents, shall provide guidance to the applicant or contractor and participate in their preparation."