



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
235 Promenade Street
Providence, Rhode Island 02908

2016 Brownfields Remediation and Economic Development Fund

Announcement of Request for Proposals (RFP)

August 3, 2016

All proposals due by close of business October 7, 2016

Please submit proposals to: Permit Application Center (DEM.PAC@dem.ri.gov)
RIDEM/Permit Application Center, 2nd Floor
235 Promenade Street
Providence, RI 02908

The Rhode Island Department of Environmental Management (the Department) is pleased to announce the availability of grants to assist in the development and facilitation of brownfield remediation projects. In accordance with the *Rules and Regulations for the Brownfields Remediation and Economic Development Fund (Fund Regulations)*, this Request for Proposals (RFP) is seeking proposals for brownfield site redevelopment projects that will support the clean-up of contaminated property and contribute to the state's economic development, including through the creation of jobs in Rhode Island. Many acres of brownfields occupy desirable commercial/industrial space within the urban corridor. Remediation and redevelopment of these sites not only mitigates the threat to public health and the environment from exposure to uncontrolled contamination, but it also can create and attract jobs, revitalize streets and neighborhoods, and increase the local tax base.

1. Purpose of Available Grants

The purpose of the grant program created for the Brownfields Remediation and Economic Development Fund ("Brownfields Fund") is to stimulate the clean-up and redevelopment of Brownfields sites across Rhode Island. The grant program, specifically the criteria for evaluating and prioritizing applications, provides funding support and technical assistance to facilitate and accelerate the return of brownfields to productive re-use and strengthen Rhode Island's economic base. In general, these funds should be used to clean up sites in Rhode Island, create jobs, assist small businesses, and add to the tax base of the communities where they are utilized.

2. Applicant Eligibility

Applicants eligible to apply for the above listed grants include Government or Public entities, Non-Profit entities, and Private/Non-Governmental entities that are proposing projects on brownfield sites and have real economic development impact, create jobs, leverage private funds, and return under-utilized properties to beneficial re-use.

In general, applicants for Brownfields Funds must be the entity that legally controls the brownfield site. Private consultants are not eligible to receive grant awards directly on behalf of their clients.

Applicants must demonstrate administrative capacity to manage their grant funds and comply with applicable state and federal fiscal requirements including, but not limited to, accounting, recordkeeping, procurement, and reporting procedures. Applicants must also demonstrate ability to manage their project, document matching funds, and report of progress of deliverables specified in a grant agreement.

Please be aware that it is the Department's policy that financial assistance shall neither directly or indirectly benefit parties whose willful action or inaction has resulted in damage to the environment. At the Director's discretion, the Department may restrict, delay, or limit funding due to the occurrence of criminal, civil enforcement actions, or compliance matters. To be eligible for grants, applicants must disclose any existing violations and compliance actions related to their proposal. This includes the issuance of any Notice of Intent to Enforce.

3. Project Eligibility

As outlined in the *Fund Regulations*, the following types of costs are eligible to receive grant monies from the Brownfields Fund:

- Soil, groundwater, soil gas, indoor air, and infrastructure/building materials investigation;
- Site Assessment;
- Remediation;
- Hazardous material abatement and/or waste disposal;
- Long term groundwater, indoor air, soil gas, and other environmental monitoring;
- Institutional controls;
- Environmental consulting costs; and/or
- Other environmental investigations, compilation of information, marketing materials, design, or site work required to support reuse/development of the Brownfields site.

Examples of types of costs that are ineligible to receive grant monies from the Brownfields Fund include:

- a. Any costs incurred before a fully executed grant agreement is in place;
- b. Administrative costs including clerical support, monthly utility expenses, the purchase of office equipment, personnel costs associated with fund raising for the entity, etc.;
- c. Costs associated with the performance of a Supplemental Environmental Project ("SEP");

- d. State or Federal lobbying costs, penalties, fines, or regulatory fees including, but not limited to RIDEM and CRMC permit fees, or any municipal fees;
- e. Land acquisition projects that do not have tangible public health or environmental benefits and physical construction or redevelopment;
- f. Building materials and/or costs associated with building construction;
- g. Response costs for emergency response actions caused or exacerbated solely by the applicant or their agents or assigns; and/or
- h. Proposed projects associated with unresolved litigation (administrative or judicial) with the Department or conditions or activities that have violated or are violating statutes or regulations administered by the Department shall be ineligible to receive Fund monies without the express written consent of the Director and the resolution of said litigation or violation(s).

Please be aware that the Department and the State of Rhode Island take no responsibility for project work done outside the term or scope of a valid grant agreement or prior to full approval of an agreement. Agreements are not valid until the Rhode Island Department of Administration issues the appropriate encumbrance (i.e. purchase order (PO) or PO release). All agreements must be signed and dated by an authorized agent of the applicant and the Department.

Eligibility of expenses may vary with the type of grant application. Eligible expenses may include the costs of personnel salary and fringe, travel, supplies, constructions, and contractual services. With respect to personnel, the Department generally will not subsidize salaries of existing governmental staff, but rather encourages such expenses to be allocated as match.

4. Available Grant Categories

4.1 – Site Preparation Grants

Site Preparation Grants are for sites already identified as a Brownfield based on previous Phase I and/or site investigation work but do not yet have an approved RAWP. The purpose of this type of grant is to fill in the gaps that may exist in the previously obtained site investigation data, develop and analyze potential remedial strategies, and ultimately end with an approved Remedial Action Work Plan that satisfies the regulatory requirements in the Remediation Regulations and can be simultaneously implemented during redevelopment of the Brownfield.

RIDEM reserves the right to limit the annual Individual Grant Amount in this category to \$100,000 at its sole discretion.

Qualifying expenses under a Site Preparation Grants shall include:

- File review;
- Development and implementation of a SIWP;
- Development of an Supplemental Site Investigation Report (SSIR) to obtain a Program Letter from the Department;

- Analysis of Remedial Alternatives;
- Completion of any public notice requirements in accordance with the Remediation Regulations;
- Development of a RAWP; Other costs to complete tasks required to obtain a Remedial Approval Letter (RAL) or Order of Approval (OA), as deemed appropriate by the review committee; and/or
- Collection and compilation of other environmental investigations, information, marketing materials, design, or site work required to support reuse/development of the Brownfields site.

4.2 – Redevelopment Grants

These grants are for the Brownfield sites that already have completed and approved site investigations and an approved Remedial Action Work Plans (RAWPs), via a Remedial Approval Letter (RAL) or an Order of Approval (OA) issued by the Department’s Office of Waste Management. Redevelopment Grants are meant to fund the actual remediation and redevelopment of a Brownfields site to bring the site into productive reuse.

RIDEM reserves the right to limit the annual Individual Grant Amount in this category to \$250,000 at its sole discretion.

Qualifying expenses under a Redevelopment Grants shall cover costs associated with remediation and redevelopment such as:

- Implementation of the approved RAWP;
- Equipment costs;
- Hazardous material abatement and waste disposal;
- Sub-Contractor costs;
- Long term environmental monitoring;
- Institutional controls;
- Costs associated with RIDEM required reporting;;
- Marketing and public outreach;
- Other costs required to fully implement the RAWP and complete redevelopment, as deemed appropriate by the review committee; and/or
- Collection and compilation of other environmental investigations, information, marketing materials, design, or site work required to support reuse/development of the Brownfields site.

5. Project Time Periods

The grant awards will be authorized via grant agreements for a limited period of time. Due to greater emphasis being placed on the timeliness of expenditures by the State, projects that will be completed in one or two year time period will be favored. With adequate supporting justification,

the Department will consider longer project time periods for larger, more complex projects. Projects not promptly initiated or that fall substantially behind schedule once underway may have their grant awards rescinded or reduced. The Department encourages applicants to take into consideration and to plan adequate time for procurement and obtaining permits or other approvals in their project schedule.

6. Match Requirements

“Match” refers to the funds of services used to conduct a project that are not borne by grant funds. All projects match must: (1) relate directly to the project for which the match is being applied; (2) be reasonably valued; and (3) be supported by documentation. Match is an indicator of local commitment to a project and is considered in proposal eligibility and rank. The Brownfields Funds will be available to eligible applicants in the form of grants of up to eighty percent (80%) of eligible costs. Applicants must be able to match at least twenty percent (20%) of eligible costs. At the Director’s sole discretion, a grant for less than eighty percent (80%) of eligible costs may be awarded based on site remediation and redevelopment characteristics.

Match may include: (1) cash; (2) the value of non-cash, in-kind contributions (e.g. value of equipment donated for use of the project); or (3) the value of goods and services directly contributed to the project. In-kind services may be considered as credit towards the 20% match at the sole discretion of the Review Committee.

Examples of actions that might be used as eligible match include the following:

- Cost of value-per-hour rate multiplied by the number of hours performing work associated with the project proposal tasks such as labor, bid or subcontract development, development of designs, permit reviews including attending meetings pertaining to such, conducting public meetings, or similar work relating to the project but not directly funded by the grant;
- Cost of materials, supplies, or equipment rentals used for the project; and/or
- Cost of construction (including labor, equipment, and materials).

7. Updated RFP Information

During the application period, as the need arises, the Department may post additional information concerning this RFP and funding opportunity on its website. This may include clarification of commonly asked questions. Potential applicants are advised to periodically check the Department’s website.

8. Proposal Evaluation Criteria

Project proposals will receive an initial screening by representatives of the Department's Office of Waste Management for basic eligibility criteria. To be awarded a grant, applicants must possess adequate fiscal and project management capabilities. Past performance on prior Department grants will be taken into account when assessing organizational capacity to effectively manage a project. Eligible proposals will be referred to interagency review committee(s). The interagency review committee will evaluate the eligible proposals consistent with the scoring criteria developed in conjunction with the *Brownfields Regulations* and applicable state requirements in order to make recommendation subject to final decision by the Director.

Scoring criteria:

- Economic impact, private funds leveraged, temporary and permanent jobs the redevelopment will produce, and other public benefits (40%);
- Timeframe for the proposed project and readiness to proceed/provide environmental and economic impact (5%);
- Beneficial impact to the environment through remediation (25%);
- Capacity of applicant to develop and manage this project moving forward, project team, past experience, likelihood of success/full implementation (5%);
- Implement green energy (solar, wind, geothermal) at the site as part of the redevelopment, expansion of existing businesses that create more permanent jobs and tax benefits (or tax benefit only for new businesses and construction), promotes green energy in final remedy (20%); and
- Estimated costs and cost effectiveness or assessing and remediating the Brownfield site to get it ready for development (5%).

9. How to Apply – Final Submission Deadline – October 7, 2016

Final proposals must be received by the Department no later than 4:00 p.m. on Friday, October 7, 2016. The proposal must include mandatory application forms, and other supporting materials as appropriate; e.g. site plan, letters of support, photographs, etc. The Department encourages that proposals be sent electronically (Microsoft Word format). Hard-copies will also be accepted. Refer to Appendix A.

10. Preparing the Proposal for Final Approval

For projects that are selected, the Department may request the applicant to modify project proposals based on comments received during project evaluations and the selection process. The applicant must submit the revised project proposal/scope of work to the Department prior to final approval. The Department will conduct a final review of the proposal in coordination with appropriate agencies and, if satisfied that all review comments have been adequately addressed, the final proposal or scope of work will become the basis for the grant agreement that will be executed to formalize the grant award.

11. Project Administration

11.1 – Grant Agreements

Grants will be awarded on a competitive basis until funds for that grant period are exhausted. Successful applicants will receive a Grant Agreement template that will specify the amount, duration and conditions of the award. The Grant Agreement will be in the form of a binding contract. Grantees must fill out the applicable information where prompted in the Grant Agreement template electronically and submit the completed Grant Agreement via email for final Department approval within thirty (30) days of receiving their Grant Agreement template. Other requirements to secure funding shall be the following:

- Recipients will be required to sign, accept, and return the original signed Grant Agreement to the Department within thirty (30) days of the date of approval. Failure to execute the agreement within the thirty (30) days may result in the cancellation of the grant award and may result in these funds being awarded to the next highest rated project;
- Recipients will have ninety (90) days from the date of the acceptance of the Grant Agreement to provide proof of the necessary grant match by letters of credit, loan agreements, dedicated escrow accounts or any other pre-approved proof of matching funds by the Department; and
- The recipient is responsible for obtaining all necessary permits or approvals from any federal, state, or local agency with authority over the project or project area. Copies of these permits/approvals must be submitted to the Department for inclusion in the project file before the first payment request.

All grant payments will be paid in the form of **reimbursement** payments for eligible expenses incurred in accordance with an approved project. Please refer to Section 3 above for examples of eligible and ineligible costs. Requests for reimbursement must include an invoice, documentation of the incurred, eligible costs. Such type of documentation required to receive reimbursement will be detailed in the grant offer and/or grant agreement. Grant recipients must enter into an agreement with DEM to establish mutually agreeable terms for completing the project. Items in the agreement include, *but are not limited to*:

- Scope of work including tasks, schedules and deliverables (The approved project proposal is usually incorporated as the scope of work);
- RIDEM and sponsor responsibilities, including interim and final reporting requirements;
- Statement of the project's total budget, matching budget, and grant;
- Statutory and regulatory requirements for contracting such as competitive bidding, fair-share allotments, i.e., minority-owned and women-owned business enterprises (MBE/WBE);
- Requirements for subcontracting;
- Project payment schedule and payment terms; and/or
- Record-keeping and reporting.

Payments will be made on a reimbursement basis in accordance with the payment schedule and terms contained in the Grant Agreement. Reimbursement is tied to performance targets and payments are not scheduled more frequently than once a month.

For grant awards less than \$100,000, there will only be one (1) reimbursement payment which will occur at the completion of all performance targets outlined in the Grant Agreement.

For grant awards greater than \$100,000, no more than three (3) reimbursement payments will be permitted. Each payment shall be at the completion of the approved performance targets as outlined in the Grant Agreement.

Grant recipients will be required to provide regular progress reports to RIDEM. Projects are expected to be completed in the timeframe of the grant agreement. Timeframes will be negotiated in the range of 6-24 months. Time extensions will not be granted without specific and appropriate justification.

11.2. Pre-project and Pre-contract Costs - RIDEM and the State of Rhode Island take no responsibility for project work done outside the term or scope of the grant agreement or prior to full approval of a grant agreement. Applicants should NOT anticipate any funding for work that is done before approval of a grant agreement. Agreements are not valid until the Rhode Island Department of Administration issues the appropriate encumbrance (i.e., purchase order). All agreements must be signed and dated by an authorized agent of the sponsor and RIDEM.

11.3 Procurement - The expenditure of funds pursuant to these grants is subject to state law governing procurement, including requirements for competitive bidding and goals for participation by minority or woman business enterprises (MBE/WBE). In general, where consultant, engineering or construction services are to be obtained, a competitive process is required. Where a municipality has retained engineering or consultants under a prior competitive solicitation, DEM may allow that arrangement to be utilized for a project, provided adequate documentation is provided that the services sought were within the anticipated scope of services under the original solicitation, and that the manner of pricing is consistent with applicable requirements. RIDEM reserves the right to review and approve the award of any contract or subcontract.

11.4 Permitting - Many grant projects will require a permit from RIDEM or CRMC or review by another governmental agency to proceed. Applicants should consider the time needed to acquire permits and other agency reviews and plan projects accordingly. Failure to obtain and comply with permits is generally considered a material breach of a grant agreement and may jeopardize project funding.

11.5 – Suspension, modification or revocation - The Director may suspend, modify or revoke any awards granted pursuant to these regulations in the event that subsequent examination

reveals any data included in an application form, submittal, reimbursement request, plan or sketch to be incorrect or not in compliance with these regulations.

- 11.6 – Stop Payment** - The Director may take appropriate action to stop payment of and/or seek the return of grant funds expended for any project where: (1) the applicant has obtained said grant based upon incomplete, false, misleading or erroneous information; or (2) the applicant has not completed the work approved under the grant in accordance with any and all conditions of approval issued by the Director in the grant award.

Appendix A: Final Application Content & Forms

Your completed application should include the following:



FORM A: Required Applicant and Project Information for Site Preparation



FORM B: Required Applicant and Project Information for Redevelopment



Site/Location Map
(if applicable)



Proposed Reimbursement Schedule
& Performance Targets



Other Supporting Material
(Recommended) (Pictures, data, letters of support, etc.)

**Rhode Island Department of Environmental Management
FORM A
Brownfields Remediation and Economic Development Fund –
Site Preparation Application**

Grant Amount Requested

Match Amount (min. 20%)

GRANTEE INFORMATION

Grantee's Name

Contact Person Title

Street Address City Zip Code

Mailing Address (if different from Street Address)

Telephone Email

Company Name/Project Title

President/Executive Director

Business Organization Corporation Partnership Sole Proprietorship LLC
 Trust Other _____

If property is municipally-owned describe property status/ownership:

PROJECT DETAILS (attach additional pages is warranted)

Section One – Site Information

Location, size and condition of property (for each building describe age, condition, number of stories, any other pertinent information).

Available utilities Sewer Public Water Storm Sewer Electricity
 Natural Gas Telephone Other _____

Describe past and current uses of the property

Describe any known environmental contamination at the property and attach all available reports

Section Two – Applicant Information

Describe any experience in managing similar projects as well as your capacity to develop and manage this project moving forward. Please also include relevant information on your proposed project team.

Section Three – Project Information

Describe in detail the intended redevelopment project.

Describe the timeframe for the proposed project, including start dates and anticipated duration.

To the extent known, describe the environmental contamination and its cause and source. If applicable, please provide the site remediation case number, the RIDEM project manager, and list the relevant documents that have been submitted on behalf of the site.

If applicable, describe number of buildings proposed on site, whether they will be newly constructed or rehabilitated buildings, anticipated building occupants, terms of leases, and any other relevant information.

How many jobs will this redevelopment produce, including temporary and permanent employment.

If known or applicable, please identify any local officials or neighborhood organizations that have been contacted regarding the proposed redevelopment and any known support or opposition.

Please describe any local government financial support or infrastructure improvements for the project.

Please provide an estimated payment schedule that includes the anticipated amount of each reimbursement payment with the associated tasks and deliverables listed for each reimbursement request. Please note: There may be only one (1) reimbursement for grant amounts less than \$100,000 and not more than three (3) reimbursement requests for grant amounts greater than \$100,000.

TOTAL PROJECT COSTS

Land Acquisition	Acres	<input type="text"/>	Cost	<input type="text"/>
Site Assessment Costs (if applicable)			Cost	<input type="text"/>
Estimated Remediation Costs			Cost	<input type="text"/>
Construction of New Building(s)	Sq. Feet	<input type="text"/>	Cost	<input type="text"/>
Rehabilitation of Existing Building(s)	Sq. Feet	<input type="text"/>	Cost	<input type="text"/>
Property Improvements	Sq. Feet	<input type="text"/>	Cost	<input type="text"/>
Other Costs, including fees, permits, etc.			Cost	<input type="text"/>
Total Project Costs				<input type="text"/>

PROJECT FUNDING SOURCES

Source of Matching Funds

RI Brownfield Redevelopment Bond Funding Requested	Amount	<input type="text"/>
Other Public Sources	<input type="text"/>	Amount <input type="text"/>
Bank Financing/Equity	Amount	<input type="text"/>
Total Project Financing		<input type="text"/>

CERTIFICATIONS

By signing below, the Grantee shall certify the following:

- Grantee for Brownfield Funds must be the current entity that legally controls the brownfield site;
- Grantee is not currently contributing to, or exacerbating, the existing contamination; and
- Grantee is not subject to any continuing enforcement action by the State of Rhode Island.

The undersigned hereby represents and certifies to the best of his/her knowledge and belief that the information contained in the foregoing Statement and exhibits or attachments hereto is true and complete and accurately describes the proposed project, and agrees to promptly inform RIDEM of any changes in the proposed project which may occur.

Grantee

Title

Signature _____

Date _____

HOW TO SUBMIT AN APPLICATION

Submit the completed and signed application, along with attachments, In Person or by Mail to:

RI Department of Environmental Management
Permit Application Center, 2nd Floor
235 Promenade Street, Providence, RI 02908

Or by E-mail to:

Mr. Matthew DeStefano
matthew.destefano@dem.ri.gov

If you have any questions on this application, RIDEM Office of Waste Management (OWM) Staff are available to assist you, please call the Office of Waste Management at (401) 222-2797 to speak to one of the following: Ashley Blauvelt, ext. 7026 / Gary Jablonski, ext. 7148 / Matthew DeStefano, ext. 7141.

**Rhode Island Department of Environmental Management
FORM B
Brownfields Remediation and Economic Development Fund –
Remediation and Redevelopment**

Grant Amount Requested

Match Amount (min. 20%)

GRANTEE INFORMATION

Grantee's Name

Contact Person Title

Street Address City Zip Code

Mailing Address (if different from Street Address)

Telephone Email

Company Name/Project Title

President/Executive Director

Business Organization Corporation Partnership Sole Proprietorship LLC
 Trust Other _____

If property is municipally-owned describe property status/ownership:

PROJECT DETAILS (attach additional pages is warranted)

Section One – Site Information

Location, size and condition of property (for each building describe age, condition, number of stories, any other pertinent information).

Available utilities Sewer Public Water Storm Sewer Electricity
 Natural Gas Telephone Other _____

Describe past and current uses of the property

Describe any known environmental contamination at the property and attach all available reports

Section Two – Applicant Information (provide attachments as necessary)

Describe any experience in managing similar projects as well as your capacity to develop and manage this project moving forward. Please also include relevant information on your proposed project team.

Section Three – Project Information

Describe in detail the intended redevelopment and timeframe (start and completion dates) for the proposed project.

Describe the environmental contamination and its cause and source. If applicable, please provide the site remediation case number, the RIDEM project manager, and list the relevant documents that have been submitted on behalf of the site.

If applicable, describe number of buildings proposed on site, whether they will be newly constructed or rehabilitated buildings, anticipated building occupants, terms of leases, and any other relevant information.

How many jobs will this redevelopment produce, including temporary and permanent employment. Please describe in detail the plan of remediation and ultimate remedy.

If known or applicable, please identify any local officials or neighborhood organizations that have been contacted regarding the proposed redevelopment and any known support or opposition.

Please describe any local government financial support or infrastructure improvements for the project.

Please describe any other economic or community benefits and/or physical revitalization that the project will promote or encourage.

Please provide an estimated payment schedule that includes the anticipated amount of each reimbursement payment with the associated tasks and deliverables listed for each reimbursement request. Please note: There may be only one (1) reimbursement for grant amounts less than \$100,000 and not more than three (3) reimbursement requests for grant amounts greater than \$100,000.

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Other Costs, including fees, permits, etc.			Cost	<input type="text"/>
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PROJECT FUNDING SOURCES

Source of Matching Funds

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Other Public Sources	<input type="text"/>	Amount <input type="text"/>
Bank Financing/Equity	Amount	<input type="text"/>
Total Project Financing		<input type="text"/>

RELEVANT SUPPLEMENTAL INFORMATION

Please utilize this part of the application to expound on earlier areas of the application or other relevant information that may aid us in processing this application.

CERTIFICATIONS

By signing below, the Grantee shall certify the following:

- Grantee for Brownfield Funds must be the current entity that legally controls the brownfield site;
- Grantee is not currently contributing to, or exacerbating, the existing contamination;
- Grantee is not subject to any continuing enforcement action by the State of Rhode Island;

The undersigned hereby represents and certifies to the best of his/her knowledge and belief that the information contained in the foregoing Statement and exhibits or attachments hereto is true and complete and accurately describes the proposed project, and agrees to promptly inform RIDEM of any changes in the proposed project which may occur.

Grantee Title

Signature _____ Date _____

HOW TO SUBMIT AN APPLICATION

Submit the completed and signed application, along with attachments, In Person or by Mail to:

RI Department of Environmental Management
Permit Application Center, 2nd Floor
235 Promenade Street, Providence, RI 02908

Or by E-mail to:

Mr. Matthew DeStefano
matthew.destefano@dem.ri.gov

If you have any questions on this application, RIDEM Office of Waste Management (OWM) Staff are available to assist you, please call the Office of Waste Management at (401) 222-2797 to speak to one of the following: Ashley Blauvelt, ext. 7026 / Gary Jablonski, ext. 7148 / Matthew DeStefano, ext. 7141.