

**BORDEN COUNTY, TEXAS**  
**Water System Improvement Project**  
**Request for Qualifications**  
**Engineering Services**

**1.0 REQUEST FOR QUALIFICATIONS**

**1.1 General Information**

Borden County, Texas (County) requests the submission of Statements of Qualifications (SOQ) with respect to possible loan and/or grant funding through the Texas Water Development Board (TWDB) to provide for planning, design, and construction management phase services associated with the design and construction of various water system improvement projects. This Request for Qualifications (RFQ) solicits information that will enable the County to determine the highest qualified Engineering Firm that may provide professional engineering services for the planning, design and construction management of a project, or projects that may be funded through the TWDB.

**1.2 Intent**

The intent of the County is to hire an Engineering Firm to provide planning, design, and construction management phase engineering services via a two-step procurement process with formal advertising. The County will evaluate all Respondent's Statement of Qualifications in step one and may conduct interviews with short-listed Respondent's, in step two. At the conclusion of either step one or step two of this process, the County will rank candidates by order of highest qualifications and first attempt to negotiate a fair and reasonable fixed price contract with the highest qualified Engineering Firm. If unable to negotiate a mutually acceptable contract, the County will terminate negotiations with the highest qualified Engineering Firm and begin negotiating with the next highest qualified candidate. If necessary, the County will repeat these steps until an acceptable contract is obtained. Complete procedures for procuring the Engineering Services are presented in Section 2.0 of this RFQ.

The County reserves the right to reject any or all qualification statements received in response to this public notice. The County reserves the right to short list respondents and base final selection rankings on personal interviews. The County reserves the right to conduct new project planning, design, and construction management phase engineering services selection procedures for this or future projects.

**1.3 Standards**

The selection of a service provider and award of a contract may be contingent upon the funding and approval of one or more loans through the TWDB: DWSRF, CWSRF, SWIFT, DFund and/or EDAP.

This RFQ is issued in accordance with Section 2254 of the Texas Government Code (Professional Services Act) and Title 40 Code of Federal Regulations, Part 31 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).

State and Federal requirements are be applicable to this Project, including requirements regarding procurement, cost and pricing data, solicitation of Minority and Women's Business Enterprises (MWBE) and Equal Employment Opportunity (EEO). It is the respondent's responsibility to make a good faith effort in offering fair opportunity for participation in this project. Documentation of applicable efforts may be required.

Small, Minority, and Women Business Enterprises (SMWBE) are encouraged to submit qualification statements for consideration as are Small Business in a Rural Area (SBRA).

#### 1.4 Project Schedule and Submittal Deadline

The project planning, design and construction management phase services contract is anticipated to be awarded September 2018, and the anticipated completion date is December 15, 2019. The anticipated overall duration of this service contract is 15 months with a tentative starting date of October 1, 2018. The contract may be extended at the mutual agreement of the parties, or whatever greater period of time allowed by the TWDB during which the contract is in effect.

**The SOQ Package (see Section 2.2) must be submitted to the County no later than 5:00 P.M. Central Time on Friday, September 21, 2018.** See Section 2.3 for mailing or delivery instructions.

#### 1.5 Project Description

The proposed various future projects for the period of service may include, at the County's determination and schedule, the following:

1.5.1 Design and installation of arsenic removal and fluoride removal equipment.

#### 1.6 Public Record

All data and information submitted by the Engineering Firm in response to this RFQ shall become public information, as provided by the Texas Open Records Act, Texas Government Code Sections 552.001 – 552.026. The County does not assume responsibility for asserting legal arguments for confidentiality on behalf of the Engineering Firm.

#### 1.7 Cost of Preparing Statement of Qualifications Package

Costs for preparing the SOQ Package and any subsequent materials or presentations shall be solely the responsibility of the prospective Engineering Firm.

#### 1.8 Scope of Services

The Selected Engineering Firm shall provide timely and professional planning documents, geotechnical investigations, design surveys, construction plans and technical specifications and contract documents, construction staking, operations and maintenance manuals and other specific services as discussed below. It is the intent of this RFQ that a consistent quality of services is provided for all of the Project's components.

The scope of Planning, Design, and Construction Management Phase Engineering Services is expected to include:

1.8.1 Attend preliminary conferences with the County, TWDB personnel and other interested parties regarding the Project. Assist the County in the preparation of applications and supporting documents for government grants, loans, or advances in connection with the Project. Assist in the preparation or review of environmental assessments and impact statements; review and evaluation of the effects on the design requirements for the Project of any such statements and documents prepared by others; and assistance in obtaining approvals of authorities having jurisdiction over the anticipated environmental impact of the Project.

1.8.2 Prepare a Preliminary Engineering Feasibility report, which shall, as appropriate, contain schematic layouts, sketches and conceptual design criteria with appropriate exhibits to indicate the agreed-to requirements, considerations involved, and those alternate solutions available to the County, which the Engineer recommends.

1.8.3 Determine the necessity for acquisition of any additional real property/easements/right-of-way for the County's potential Project(s) and, if applicable, furnish all necessary information such as name and address of property owners, legal descriptions of parcels to be acquired and map of entire tracts with designation of part to be acquired to the County. Prepare property surveys, detailed

descriptions of sites, maps, or drawings as required assist in negotiating for land and easement rights. The Engineer will coordinate preparation of an appraisal by a qualified appraiser to be paid for by the County, of the value of real property needed for the necessary facilities and determine the availability of title, easements, and rights-of-way needed to implement the project. The Engineer will assist the County to obtain all necessary right-of-way and easements on behalf of the County pursuant to federal requirements acceptable to public funding agencies.

- 1.8.4 Furnish and submit, on behalf of the County, the engineering data necessary for applications for routine permits by local, state and federal authorities (as distinguished from detailed applications and supporting documents for government grants-in aid, or for planning advances). The Engineer will also prepare and submit, on behalf of the County, the engineering data and other information as required by the Texas Commission on Environmental Quality (TCEQ) for Texas Pollution Discharge Elimination (TPDES), including discharge permits and Storm Water Pollution Prevention Plans (SWP3) as required.
- 1.8.5 Provide field surveys to collect information required for planning and design and complete related office computations and drafting.
- 1.8.6 Perform geotechnical investigations such as auger borings core borings, soil tests, or other subsurface explorations and laboratory testing and inspecting of samples or materials relevant to design.
- 1.8.7 Prepare detailed construction plans, specifications and contract documents for the construction authorized by the County in accordance with all State and Federal requirements.
- 1.8.8 Prepare estimates for probable construction cost of the authorized construction.
- 1.8.9 Furnish the County with copies of approved contract documents including notices to bidders and proposal forms.
- 1.8.10 Assist the County in the advertisement of the project for Bids.
- 1.8.11 Attend the bid opening and tabulate the bid proposal, analyze the responsiveness of the bidder(s) and make recommendations for awarding contract(s) for construction to the lowest responsive bidder(s).
- 1.8.12 Prepare and coordinate approval of formal Contract Documents and coordinate issuance of Notice to Proceed from the TWDB.
- 1.8.13 Provide field surveys and office computations for construction control staking, including the staking of bench marks and horizontal control references for the contractor to stake out of work.
- 1.8.14 Consult and advise the County during construction; issue all instruction to the contractor requested by the County and prepare and issue routine change orders with the County's approval. Prepare alternate designs or non-routine contract change orders that are necessary due to no fault of the Engineer and upon approval of the County and TWDB.
- 1.8.15 Review samples, catalog data, schedules, shop drawings, laboratory, shop and mill tests of material and equipment and other data which the contractor submits. The Engineer will review and approve for conformance with the design concept, all shop drawings and other submittals as required by the Contract Documents to be furnished by contractors.
- 1.8.16 Obtain and review monthly and final estimates for payments to contractors, and furnish any recommended payments to contractors or suppliers to the County and assemble written guarantees which may be required by the Contract Documents.
- 1.8.17 Attend monthly meetings with the County and TWDB during construction.

- 1.8.18 Prepare an operation and maintenance manual that meets applicable TWDB guidelines for submission to the County before construction of the project is 90% complete.
- 1.8.19 Conduct, in the company of the County, a final inspection of the project for compliance with the Contract Documents and submit recommendations concerning project status of the County's final payment to the contractor. Prior to submission of recommendation for final payment on each contract, the Engineer will submit a certificate of substantial completion of work done under that contract to the County, TWDB and others as required.
- 1.8.20 Revise the Contract Drawings (unless redrawing is required) from as-built drawings submitted by the contractor, to show the work as constructed. The Engineer will provide the County with one set of reproducible records (as-built) drawings and two sets of prints. Such drawings will be based on the resident project inspector's construction data and the construction records provided by the contractor during the construction.
- 1.8.21 Coordinate approval and issuance of Certificate of Completion from TWDB and others as required.
- 1.8.22 Conduct, within one month of its expiration, in the company of the County, a warranty inspection of the project for compliance with the Contract Documents and submit recommendations concerning project warranty issues to the County, TWDB and others as required.
- 1.8.23 The Engineer shall review the first year's operation of the Project and revise the operations and maintenance manual for the Project as necessary to accommodate actual operational requirements and expenses. Eleven months after initiation of the Project's operation, the Engineer shall advise the County in writing whether the Project meets the project performance standards.
- 1.8.24 The Engineer shall assist in training operating personnel and coordinate the preparation of curricula and training materials for operating personnel.

## **2.0 INSTRUCTIONS AND PROCEDURES**

### **2.1 Prohibition**

Do not submit pricing information. If pricing information is submitted, the response to the RFQ will not be considered.

### **2.2 SOQ Package Preparation**

The Qualification Package will include the following four (4) components and shall be numbered as shown:

- 2.2.1 One Page Transmittal Letter. The letter shall provide the names, title, address (physical and mailing) and telephone number of the official contact and shall be numbered if more than one page.
- 2.2.2 Statement Concerning Insurance. Confirmation that the Engineering Firm will provide general liability insurance, worker's compensation and professional liability insurance for the project within 10 calendar days of any Notice of Award.
- 2.2.3 Statement Concerning Conflict of Interests. Those interests of the Engineering Firm that would impede with or interfere in the carrying out of the duties and responsibilities of the position of Project Design Engineer are deemed conflicting. Utilize the attached Conflict of Interest Statement form.
- 2.2.4 Qualifications Statement. Use the format in Section 3.0, Statement of Qualifications – Format. No material shall be incorporated by reference only, nor should brochures, photos, or additional data be submitted. Any such material will not be considered in the evaluation process. The entire

Qualification Package shall stand alone and include full responses to all RFQ instructions. The Qualification statement must not exceed 20 pages of 8½” by 11” paper.

Note: If the Engineering Firm is a Joint Venture firm, then documentation of its incorporation may be requested.

### 2.3 Submitting the SOQ Package

The Engineering Firm shall submit three (3) copies of the Statement of Qualifications Package. Packages may be delivered by courier or mail. No faxes will be accepted. The Qualifications Statement Package should be in sealed envelopes which are clearly labeled and addressed as follows:

The RFQ is available from the County upon request or by picking up a copy at the address below during regular business hours. **Proposals must be received no later than 5:00 PM (Central) on Friday, September 21, 2018, at the County Courthouse, 117 East Wasson, Gail, TX 79738. Three (3) copies of the proposal must be sealed and clearly marked on the face of the shipping material “ENGINEERING FIRM RFP”.**

Regardless of submission method, the submission deadline for SOQ’s is no later than 5:00 P.M., Central Time, Friday, September 21, 2018. The County may not review packages submitted in any other format. Late proposals will not be accepted for review under any circumstances.

### 2.4 Evaluation Factors and Relative Importance

The following factors, in order of relative importance, will be used in identifying the highest qualified Engineering Firm:

2.4.1 Professional qualifications of the individual(s) (including subcontracted personnel) who will perform the work.

<u>Criteria</u>	<u>Points</u>
Experience	50
Capacity to perform	30
Familiarity with the County and TWDB	20

### 2.5 Inquiries

If any Engineering Firms have any questions or need any additional information to clarify the intent of this RFQ, submit questions or requests in writing as discussed in Section 2.6. The County will collect these questions and respond to all the RFQ Package holders in writing prior to evaluation.

Engineering Firms should not attempt to contact any individual from the County other than in the form provided in this Request for Qualifications. Should any Engineering Firms find discrepancies in or omissions from the RFQ, or should the Engineering Firm be in doubt as to their meaning, the Engineering Firm shall notify Mr. Ross D. Sharp, County Judge, at (806) 756-4391 or [bordencj@poka.com](mailto:bordencj@poka.com). Request for clarifications will be received in writing up to 96 hours of the submittal deadline. Answers to all such requests will be given in writing by the County to all prospective Engineering Firms no later than 48 hours of the submittal deadline. Oral explanations or instructions will not be binding. Written request for clarifications may be sent to same address as shown for final SOQ Package submittal. Clarifications will be sent to all individuals or firms that have received the RFQ.

### 2.6 Evaluation Process

The County may call upon anyone they deem necessary to assist with the evaluation.

The County may obtain information from references.

The County may contact the Engineering Firms for the purpose of obtaining additional information or clarification during the evaluation period.

The County will evaluate each Qualification Package received, in accordance with the factors in Section 2.4, based on the contents of the SOQ package, any subsequent written clarifications required, and reference information obtained. The County will not consider any information or data incorporated by the Engineering Firm by reference or otherwise referenced, except it will consider reference information the County obtains from existing and prior clients of the Engineering Firm.

The County may rank and determine the highest qualified Engineering Firm based solely upon the evaluation of the Statement of Qualifications package, any subsequent written clarifications required, and reference information obtained.

If, based on the review of the Qualifications Packages the County deems it necessary to interview Engineering Firms in order to determine the highest qualified Engineering Firm, the County may identify two or more Engineering Firms to be interviewed using the procedure in Section 2.7.

2.7 Interviews

The County will develop a list of questions to be answered by each Engineering Firm interviewed, and provide additional instructions to be followed. These parties will be allowed one (1) week to prepare for the interviews. The total elapsed time between the County short-list selections and interviews by the County will be approximately two (2) weeks. The County will rank and determine the highest qualified Engineering Firm upon completion of the interviews.

2.8 Notification of Selection

The County will notify the most qualified Engineering Firm in writing. Upon notification of selection by the County, the Engineering Firm shall submit a detailed cost proposal based on the proposed scope of work. Upon receipt of the proposal, the County and Proposer will attempt to negotiate scope and extent of work to be performed, time for full performance, compensation, and other terms. Final selection of the successful Engineering Firm will be contingent upon approval of the Commissioners Court.

2.9 Additional Information

2.9.1 This contract is contingent upon release of funds from the Texas Water Development Board (TWDB).

2.9.2 Any contract or contracts awarded under this Request for Qualifications (RFQ) are expected to be funded in part by a loan or grant from the TWDB. Neither the State of Texas nor any of its departments, agencies, or employees are or will be a party to this RFQ or any resulting contract.

2.9.3 This contract is subject to the Environmental Protection Agency’s (EPA) “fair share policy”, which includes EPA approved “fair share goals” for Minority Business Enterprise (MBE) & Women Business Enterprise (WBE,) firms in the Construction, Supplies, Equipment; and Services procurement categories. EPA’s policy requires that applicants and prime contractors make a good faith effort to award a fair share of contracts, subcontracts, and procurements to SMWBE’s. Although EPA’s policy does not mandate that the fair share goals be achieved, it does require applicants and prime contractors to demonstrate us of the six affirmative steps. The current fair share goals for the State of Texas are as follows:

	<u>MBE</u>	<u>WBE</u>
Construction	12.94%	8.72%
Supplies	9.68%	9.34%
Equipment	7.12%	5.39%
Services	10.84%	5.72%

2.9.4 Equal Opportunity in Employment - All qualified Applicants will receive consideration for employment without regard to race, color, religion, sex, age, handicap of national origin. Bidders on this work will be required to comply with the President's Executive Order No. 11246, as amended by Executive Order 11.375, and as supplemented in Department of labor regulations 41 CFR; Part 60. Small, minority and women-owned firms are encouraged to submit proposals.

3.0 STATEMENT OF QUALIFICATIONS- FORMAT

The information in the Engineering Firm's Statement of Qualifications in this Package shall be presented either on these sheets or in the same order and sequence as outlined below.

3.1 Organization

Describe the Engineering Firm's organization in accordance with the format below:

General

3.1.1 Firm Name: \_\_\_\_\_

3.1.2 Address & Phone Number: \_\_\_\_\_  
\_\_\_\_\_

3.1.3 Texas Board of Professional Engineers Firm Registration Number: \_\_\_\_\_

3.1.4 Submittal is for:  Parent Company  Branch Office

3.1.5 Year Firm Established: \_\_\_\_\_

3.1.6 Former Firm Name(s): \_\_\_\_\_

3.1.7 Type of Ownership: \_\_\_\_\_

3.1.8 Name of Parent Company (if any): \_\_\_\_\_

3.1.9 Name of Principals and Titles:

Principal Name: \_\_\_\_\_ Title: \_\_\_\_\_

Principal Name: \_\_\_\_\_ Title: \_\_\_\_\_

Principal Name: \_\_\_\_\_ Title: \_\_\_\_\_

Principal Name: \_\_\_\_\_ Title: \_\_\_\_\_

Principal Name: \_\_\_\_\_ Title: \_\_\_\_\_

3.1.10 Office Locations, Number of Personnel in each Office and Types of Disciplines in each Office. Examples of Disciplines: Administrative, Draft persons, Computer Technicians, Civil Engineers, Construction Managers, Inspectors, Schedulers and other.

Office Location: \_\_\_\_\_ Employees: \_\_\_\_\_

Disciplines: \_\_\_\_\_

Office Location: \_\_\_\_\_ Employees: \_\_\_\_\_

Disciplines: \_\_\_\_\_

Office Location: \_\_\_\_\_ Employees: \_\_\_\_\_

Disciplines: \_\_\_\_\_

Office Location: \_\_\_\_\_ Employees: \_\_\_\_\_

Disciplines: \_\_\_\_\_

Office Location: \_\_\_\_\_ Employees: \_\_\_\_\_

Disciplines: \_\_\_\_\_

3.2 Key Personnel/Project Team

3.2.1 The Engineering Firm shall provide a brief profile for key personnel that will be assigned to this project. The information for each member of the Project Team must include the following: Name, Area(s) of Expertise, Years of Experience in that area(s), Professional License(s), including registration number(s), (if applicable), TCEQ Licenses, (if applicable) and experience with State and Federal Agencies (if applicable).

3.2.2 For those team members than maintain a professional license issued by a state agency, indicate their current standing with that agency.

3.2.3 The Engineering Firm shall describe their specific project approach and key elements identified relative to the project description in 1.5 and the tasks shown in 1.8 of the RFQ.

3.2.4 Include an organizational chart showing participants and disciplines for specific portions of assigned work on this project, and lines of authority for all portions of the work.

3.2.5 The Engineering Firm shall provide a list of names, addresses and specialties of outside consultants/associates for this project and prior working relationship. List specific areas of responsibility (including administrative, technical and financial) for each firm.

3.2.6 Identify the level of participation of MWBE team members in percent of total work effort.

3.3 Resource Utilization Plan

3.3.1 Labor Resources: The Engineering Firm shall include a brief statement describing how staff will be provided, allocated and balanced during sickness, attrition and periods of increased workloads.

3.3.2 Equipment Resources: The Engineering Firm shall list all pieces of office and/or field equipment which is owned, or that it has direct access to, that is pertinent to this project.

Office Equipment:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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Field Equipment:

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3.4 Workload Status



- 3.4.1 Based on the Engineering Firm's current workload and staffing, indicate the current percentage of capacity at which the Engineering Firm is operating. Indicate the current backlog (if any) of the assignments in months.
- 3.4.2 Based on current assignments, backlogged assignments and known future assignments not currently in-house, indicate the percentage of capacity that the Engineering Firm will be operating during the time period indicated in the RFQ and the ability to meet the time constraints for completion of the project tasks while completing other prior committed workloads which involve members of the team identified for assignment to this project.
- 3.4.3 Identify the percentage of time key personnel will devote to this project.
- 3.4.4 Identify tasks to be completed locally, by an identified associated office or by an identified subcontractor.

### 3.5 Experience

The Engineering Firm shall list examples of the Firm's project management, design and construction management experience. List the most recent 5 years experience (maximum of 10 assignments) Experience must include: Name, Location, contact Person and telephone Number, Date of Engagement for Assignment.

### 3.6 References

The County will contact references. In addition to the contact person(s) listed, the County may discuss the Engineering Firm's work performance with any current or former employee of the reference firm. References must include: Project Name & Location, Engineering Firm's role and responsibility, specific client contacts, list name(s) and phone number(s) of the County(s) representatives, name and phone number of Project Engineer, list name(s) and phone number(s) of Governmental Agency contact and brief description of the projects and Firm's duties.

### 3.7 Claims/Performance/Insurance/Bonding

- 3.7.1 If the Engineering Firm is currently involved in litigation or arbitration based on its work, briefly describe the nature of the claim.
- 3.7.2 If the Engineering Firm has ever been terminated from an assignment for non-performance, please briefly explain.
- 3.7.3 Name of Engineering Firm's General Liability, Workers Compensation and Professional Liability insurance carrier and agent's address and telephone number.

### 3.8 Joint Ventures/Subcontracts

If it is anticipated that this assignment will be executed as a joint venture, and/or of 25% or more of the assignment based on either cost or time is to be subcontracted, provide the company's name of the joint venture partner and/or subcontractor and the proposed work for which it is responsible. Joint venture partners and subcontractors responsible for 25% of the work as indicated above must provide a separate Qualification Package.

### 3.9 Submittal Shall Be Signed In Accordance With The Following Format:

Submitted By: (must be principal of the Firm)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (typed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## CONFLICT OF INTEREST STATEMENT

I certify that the following statement is true with respect to the Request of Qualification for Engineering Planning, Design and Construction Management Services for the Water System Improvement Project for Borden County, Texas.

1. No principal or employee of this firm has offered or promised to pay or deliver directly or indirectly, any commission, political contribution, gift, favor, gratuity, benefit, or reward as an inducement to secure this assignment;
2. No employee, officer, or agent of Borden County, Texas, or their immediate family members, has financial or other interest in this firm;
3. This firm will not engage in construction contracting or in the supply of goods, materials and/or equipment for the construction of this project;
4. This firm is not associated or affiliated, either directly or indirectly, with firms, individuals, or commercial organizations that have a vested interest in the construction of this project.

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Signed by Principal of Firm

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Name Typed

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Title