



**REQUEST FOR QUALIFICATIONS**

**to provide**

**ENGINEERING SERVICES**

***“NEDERLAND WATER DISTRIBUTION LINE REPLACEMENT PROJECT RFQ”***

**RFQ Issue Date: January 23, 2011**

**Response Date: 2:00PM, February 15, 2012**

Gay Ferguson, City Clerk  
City of Nederland  
P.O. Box 967  
1400 Boston Avenue  
Nederland, Texas 77627

**CITY OF NEDERLAND  
REQUEST FOR QUALIFICATIONS (RFQ)  
FOR WATER DISTRIBUTION LINE REPLACEMENT PROJECT  
ENGINEERING SERVICES**

The City of Nederland, Texas is requesting qualifications from qualified firms for engineering services to provide comprehensive professional engineering, planning, bidding, and construction phase services on an as needed basis in connection with the improvement(s) to the City Of Nederland's Water Distribution System to be funded through certificates of obligation authorized in 2011.

**1. BACKGROUND AND GENERAL INFORMATION**

The existing water distribution and treatment systems serve a population of approximately 17,500 people; the existing system consists of a water treatment plant (6.0MGD) located at 1700 Canal Avenue, 3 elevated storage tanks, and approximately 106 miles of water mains. The project involves the addition of isolation vales to existing water lines that cross highways and railroad tracks along with the replacement of existing water lines. The scope of the project is anticipated to be approximately \$1,000,000.

**2. SCOPE OF SERVICES**

The Services to provided by the selected Firm may include but not limited to utilities and infrastructure design; surveying; preparation of plans, specifications, and engineer's reports; cost estimating and scheduling; permitting; bidding and award; construction administration and resident engineering inspection; project record-keeping and close-out services; and all other related services.

**3. SUBMITTAL REQUIREMENTS AND SUBMITTAL**

Firms are advised to carefully follow the instructions listed below in order to be considered fully responsive to this RFQ. Submittals sent by facsimile (FAX) or electronic mail will **NOT** be accepted. Any Submittal received after 2:00 p.m., on Wednesday, February 15, 2012 shall be deemed unresponsive and will be returned to Firm unopened. Firm shall carefully review and address all of the evaluation factors previously outlined in this RFQ as well as responding to all questions contained here-in. In order to be considered, Firm must be able to demonstrate that it meets the minimum qualifications established in the RFQ and has the resources, both staff and financial, to satisfactorily meet the requirements of this RFQ.

- i. **NUMBER OF SUBMITTALS:** One (1) Original (clearly marked "ORIGINAL") and three (3) Copies (clearly marked "COPY"). All submittals shall be marked as **NEDERLAND WATER DISTRIBUTION LINE REPLACEMENT PROJECT RFQ**. The maximum size of the

submittals, including all attachments, diagrams, or other information shall not exceed thirty (30) pages.

- ii. DELIVERY OF SUBMITTALS: The delivery of the submittal to the City of Nederland prior to the deadline is solely and strictly the responsibility of the Firm. The delivery deadline is Wednesday, February 15, 2012 at 2:00 pm, Central Time. The City of Nederland will in no way be responsible for delays caused by the United States Postal Service or for delays caused by any other occurrence.

Hand-delivery, mail delivery, or courier delivery:

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City of Nederland  
P.O. Box 967  
1400 Boston Avenue  
Nederland, Texas 77627

- iii. EXECUTION OF SUBMITTAL: Firm shall execute the Submittal, or an official of Firm's firm authorized to do so as stated in this RFQ.
- iv. REJECTION OF SUBMITTALS: The RFQ shall in no manner be construed as a commitment on the part of the City to award a contract. The City of Nederland reserves the right to reject any or all submittals; to waive minor irregularities in the RFQ process or in the responses thereto; to re-advertise this RFQ; to postpone or cancel this process; and to change or modify the RFQ schedule at any time.

Additionally, any of the following causes may be considered as sufficient reason for disqualification and/or rejection of a prospective applicant's submittal:

- a. Submission of more than one (1) submittal by an individual, firm, partnership, or corporation under the same or different names.
  - b. Submission of an incomplete submittal.
  - c. Firm's failure to satisfactorily perform any present or previous obligation to the City.
  - d. Any other conduct or circumstance which by law requires rejection of a submittal.
  - e. Firm's failure to follow provisions of the RFQ.
- v. COST OF PREPARATION: The cost of preparing a submittal to this RFQ shall be borne entirely by the Firm.
  - vi. RFQ COMPLIANCE: It is the responsibility of each Firm to examine carefully this RFQ and to judge for itself all of the circumstances and conditions which may affect its submittal and subsequent performance, operation and management pursuant to the Agreement. Any data furnished by the City is for informational purposes only and is not warranted. Firm's use of any such information shall be at Firm's own risk.

Failure on the part of any Firm to examine, inspect, and to be completely knowledgeable of the terms and conditions of the Agreement, operational conditions, or any other relevant documents or information shall not relieve the selected Firm from fully complying with this RFQ. Submittals submitted early by Firms may be withdrawn or modified prior to the Submittal deadline. Such requests must be in writing to the City Clerk. Modifications received after the Submittal deadline will not be considered.

- vii. **REQUESTS FOR INTERPRETATION OR CLARIFICATION:** If any prospective Firm finds discrepancies or omissions or there is doubt as to the true meaning of any part of the RFQ, a written request for a clarification or interpretation must be submitted in writing, addressed to the City Clerk Gay Ferguson at the address listed on the cover of this RFQ. E-mail requests for interpretations will also be accepted for this project at gferguson@ci.nederland.tx.us. It is the responsibility of the Firm to verify the City has received the written or e-mail request. To be given consideration, such requests must be received at least ten (10) business days prior to the due date set for the submission of submittals. All such interpretations and any supplemental instructions will be in the form of a written addendum which, if issued, will be sent to each person formally requesting, directly from the City Clerk, a copy of this RFQ at the respective mailing address, e-mail address, or fax number furnished for such purposes prior to the date fixed for the deadline for Submittals. Failure of any Firm to receive any such addendum or interpretation shall not relieve said Firm from any obligation contained therein. Any objection to the specifications and requirements as set forth in this RFQ must be filed in writing with the City of Nederland not less than ten (10) business days prior to the Submittal deadline.
- viii. **WARRANTY:** The Firm warrants that the Submittal is not made in the interest of or on behalf of any undisclosed party; that the Firm has not, directly or indirectly, induced any other Firm to submit a false Submittal; or that Firm has not paid or agreed to pay to any party, either directly or indirectly, any money or other valuable consideration for assistance or aid rendered or to be rendered in attempting to procure the contract for the privileges granted herein.
- ix. **SUPPLEMENTAL INFORMATION:** The City of Nederland reserves the right to request any supplementary information it deems necessary to evaluate Firm's experience or qualifications. This may include: supplemental financial information, schedule interview(s) and/or additional presentations by the Firm.

This RFQ broadly outlines the information that responders must submit to enable the City of Nederland to evaluate the experience and capabilities of the responding firms. Submittals shall be typed, double-spaced with each page numbered at the bottom, and using one side of the paper only on 8 ½ x 11 sheet size paper. Firm shall respond to all questions and requirements below in the following format. All questions must be completed in full, as a condition of the RFQ. Submittals shall be stapled or otherwise bound, and assembled in

organized sections that include a table of contents and TABS with each section title. Resumes and relevant project descriptions may be included in two (2) appendices (Appendix A - Resumes and Appendix B - Project Descriptions).

***DO NOT INCLUDE PRICE INFORMATION IN YOUR SUBMITTAL.*** Selection will be based on qualifications first – then a price will be negotiated with the selected Firm.

#### **4. CONTENT OF RESPONSE**

- i. FIRM'S COMPANY BACKGROUND:
  - a. Legal name of entity, entities or joint venture
  - b. Contact information to include mailing address, phone, and fax of each company to be involved in the project including sub-contractors.
  - c. Attach a description or organizational chart of the Firm's proposed management structure depicting project staff personnel and their responsibilities, including sub-contractors, if any. Identify the individual that will be the primary day-to-day contact on this project and include their contact information including email. Indicate the process that will be implemented to maintain awareness and interaction between project team members.
  - d. Appropriate State of Texas design professional registration, licensure and construction contracting licenses
  
- ii. FIRM'S COMPANY EXPERIENCE: Provide a list and brief description of relevant projects and associated work performed by the Firm within the last five (5) years to include:
  - a. Project Name
  - b. Project Location
  - c. Contact Person, title, Phone number and/or email
  - d. Date of project (year)
  - e. A description of project scope provided. (Complete project descriptions may be included in Appendix B)
  
- iii. QUALIFICATION/AVAILABILITY OF KEY PERSONNEL: The selection of a firm shall be based upon a review of qualifications provided in response to this RFQ. Qualification statements will be evaluated in accordance with the following criteria:
  - a. Capability to perform all or most aspects of anticipated projects.
  - b. Recent experience in water distribution line projects.
  - c. Key personnel's professional background and experience.
  - d. Knowledge of all applicable regulations, policies and procedures.
  - e. Quality of projects previously undertaken.

- f. Firm's experience with local/regional contractors within the last 5 years.
  
- iv. REFERENCES AND ADDITIONAL INFORMATION:  
Attach any other background information about the qualifications and experience of Firm's organization or personnel that may be useful to the City in evaluating your capabilities. Please include complete contact information of five references from recent projects of the Firm.
  
- v. INSURANCE AND INSURABILITY:  
Firm shall attach hereto a current insurance certificate outlining limits and a letter from Firm's current insurance company stating that the insurance company would provide insurance at the limits required by the City.
  
- vi. EXCEPTIONS AND ASSUMPTIONS NOTED:  
Firm shall request any changes or exceptions to any part of this RFQ in writing as part of their submittal. List all assumptions upon which the response to the RFQ is based. Assumptions may be related to available data, schedule, interim and final work products, or other aspects of the requested work effort.
  
- vii. HISTORICALLY UNDERUTILIZED BUSINESS ("HUB") AND DISADVANTAGED BUSINESS ENTERPRISE ("DBE"): Indicate whether the responding firm is a certified HUB or DBE and if so provide supporting documentation, including evidence of certification through the State of Texas or a Texas regional certification agency.

## **5. EVALUATION AND SELECTION PROCESS**

- i. OBJECTIVE: It is the City's intention to solicit Submittals from potentially qualified Firms; to evaluate their Submittals; and to award a contract to the Firm whose Submittal is determined to serve in the best interest of the City of Nederland. While personal visits are typically welcomed, the selection committee and staff will appreciate that meetings to discuss this RFQ with potential consultants be avoided during the advertising period. Questions and inquiries should be emailed to Gay Ferguson at [gferguson@ci.nederland.tx.us](mailto:gferguson@ci.nederland.tx.us).
  
- ii. EVALUATION AND RECOMMENDATION:  
An evaluation committee, consisting of City staff, will review and evaluate all qualified Submittals received by the submittal date as set forth in this RFQ, or as amended by addenda. The City reserves the right to request additional information and clarification of any information submitted, including any omission from the original Submittal. After receipt of the submittals the City will rank the eligibility of each Submittal to be considered. All Submittals will be treated equally with regard to this item. Based on its review, the committee will prepare a tabulation of all firms, indicating the top three (3) scoring firms.

In order to achieve maximum scores, Firms must demonstrate to the City's Evaluation Team that they are fully qualified to provide the services required by this RFQ. Fully qualified Submittals will have the qualifications (financial resources, expertise and skills) and experience (documented, successful, and relevant) necessary to meet the requirements of the RFQ.

The firm considered by the Selection Committee to be the most highly qualified will be selected for the project, after which discussions will be initiated with that firm to finalize the scope of services and negotiate a contract. The submitted RFQs will be reviewed and ranked by the Selection Committee using the following selection criteria:

Documentation of the requirements of Section V	25%
Recent experience in projects comparable to the proposed project	20%
Firm resources and local/regional presence	20%
Experience of key personnel and availability of these individuals for this project (current workload and ability to meet project schedules or deadlines)	15%
Firm's knowledge of the Nederland water utility system	15%
HUB/DBE commitment	5%

## **6. GENERAL TERMS AND CONDITIONS**

- i. **INSURANCE REQUIREMENTS:** Prior to commencement of operation, the successful Firm shall procure and maintain insurance as specified by the City for all activities to be conducted by the Firm.
- ii. **BINDING OFFER:** A Firm's submittal shall remain valid for a period of thirty (30) days following the Submittal deadline and will be considered a binding offer to perform the required services, assuming all terms are satisfactorily negotiated. The submission of a submittal shall be taken as prima facie evidence that the Firm has familiarized itself with the contents of the RFQ.
- iii. **COMPLIANCE:** Firm shall comply with all local, State and federal directives, orders and laws as applicable to this submittal and subsequent agreement including completion of Firm's work.
- iv. **CANCELLATION AND NON-EXCLUSIVITY OF AGREEMENT:** The successful Firm understands and agrees that any resulting contractual relationship is non-exclusive and may be cancelled at any time. The City of Nederland reserves the right to cancel the agreement at any time at its sole discretion and/or seek similar or identical services (subject to minimum development and performance standards) elsewhere if deemed in the best interests of the City.

- v. **COLLUSION:** Submittals may be rejected if there is reason for believing that collusion exists among Firms, and no participant in such collusion will be considered in any future submittals for the operation of any concession for the next six (6) months following the date of the Submittal submission.
- vi. **HOLD HARMLESS:** The Firm hereby agrees to indemnify and hold harmless the City, its departments and divisions, its employees and agents, from any and all claims, liabilities, expenses or lawsuits as a result of the Consultant's participation pursuant to this Agreement, whether said claims, liabilities, expenses or lawsuits arise by the acts or omissions of the undersigned or his/her agents. The Firm further releases and discharges the City, its departments and divisions, its agents and employees, and any and all persons legally responsible for the acts or omissions of the City, from any and all claims which the Firm has or may have against the City, its agents or employees, arising out of or in any way connected with the Firm's activities as set forth below, other than those acts which occur due to the negligence of the City, its employees or agents.
- vii. **GOVERNANCE:** If any of the language or information in this Submittal conflicts with language in the Agreement as prepared by the City of Nederland, the language of the final Agreement, as executed, will govern.
- viii. **PUBLIC DISCLOSURE:** All Submittals and other materials or documents submitted by Firm in response to this RFQ will become the property of the City of Nederland and will not be released to the public until after the selection or rejection of any or all submittals. Responses may be subject to public disclosure under the Texas Public Information Act (PIA). Any material believed by the responder to be proprietary, confidential, or otherwise exempt from disclosure under the PIA should be clearly marked as such. If the City receives a request for public disclosure of all or any portion of a response, the City will use reasonable efforts to notify the responder of the request and give the responder an opportunity to assert, in writing to the Office of the Attorney General, a claimed exemption under the Act or other applicable law within the time period allowed under the Act.
- ix. **CONFLICT OF INTEREST:** No officer, agent or employee of the City shall have a financial interest, direct or indirect, in any contract with the City, or be financially interested, directly or indirectly, in the sale to the City of any land, materials, supplies, or services, except on behalf of the City as an officer or employee. Any violation of this section shall render the contract involved voidable.
- x. **ANTI-LOBBYING PROHIBITION:** Responders shall NOT contact, either directly or indirectly, members of the Nederland City Council concerning the subject matter of this RFQ from the date of issuance until the day after selection of the Firm by the City Council. Any responder judged to be in violation of this anti-lobbying prohibition may be disqualified from being considered for being considered in this procurement.