

CITY OF KENEDY, TEXAS
Request for Qualifications
Engineering Planning, Design and Construction Management Phase Services

1.0 REQUEST FOR QUALIFICATIONS

1.1 General Information

The CITY OF KENEDY, TEXAS (City) requests the submission of Statements of Qualifications (SOQ) for planning, design, and construction management phase services associated with proposed water and wastewater improvement projects the City may undertake. This Request for Qualifications (RFQ) solicits information that will enable the City 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 Texas Water Development Board (TWDB) Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF).

1.2 Intent

The intent of the City 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 and direct solicitation. The City will evaluate all Respondent's State 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 City 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 City will terminate negotiations with the highest qualified Engineering Firm and begin negotiating with the next highest qualified candidate. If necessary, the City 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 City reserves the right to reject any or all qualification statements received in response to this public notice. The City reserves the right to shortlist respondents and base final selection rankings on personal interviews. The City 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 through the TWDB-DWSRF and CWSRF.

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 to 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.

The TWDB-DBE current negotiated Fair Share Goals for categories Construction and Non-Construction have been modified to meet EPA's 8% status, 42 U.S.C. 4370d, and are effective until superseded.

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 and the anticipated completion date will be determined by funding availability. The anticipated overall duration of this service contract will be for the application to the TWDB and with funding the construction of the project. 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 City by 3 p.m., local time on November 3, 2023. 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 City's determination and schedule, the following:

1.5.1 Upgrade the City's water and wastewater system as necessary.

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 City 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 City, TWDB personnel and other interested parties regarding the Project. Assist the City 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 City, which the Engineer recommends.
- 1.8.3 Determine the necessity for the acquisition of any additional real property/easements/right-of-way for the City's water works 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 City. Prepare property surveys, and detailed descriptions of sites, maps, or drawings as required to assist in negotiating for land and easement rights. The Engineer will coordinate the preparation of an appraisal by a qualified appraiser to be paid for by the City, of the value of real property needed to the waterworks project and determine the availability of title, easements, and rights-of-way needed to implement the project. The Engineer will assist the City in obtaining all necessary right-of-way and easements on behalf of the City pursuant to federal requirements acceptable to public funding agencies.

- 1.8.4 Furnish and submit, on behalf of the City, 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 City, 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 (SSWP3) 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 City in accordance with all State and Federal requirements.
- 1.8.8 Prepare estimates for the probable construction cost of the authorized construction.
- 1.8.9 Furnish the City with copies of approved contract documents including notices to bidders and proposal forms.
- 1.8.10 Assist the City 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 benchmarks and horizontal control references for the contractor to stake out of work.
- 1.8.14 Consult and advise the City during construction; issue all instructions to the contractor requested by the City and prepare/issue routine change orders with the City'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 City and TWDB.
- 1.8.15 Review samples, catalog data, schedules, shop drawings, laboratory, shop and mill tests of material and equipment and other data that 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 City and assemble written guarantees which may be required by the Contract Documents.
- 1.8.17 Attend monthly meetings with the City and TWDB during construction.
- 1.8.18 Prepare an operation and maintenance manual that meets applicable TWDB guidelines for submission to the City before construction of the project is 90% complete.
- 1.8.19 Conduct, in the company of the City, a final inspection of the project for compliance with the Contract Documents and submit recommendations concerning the project status of the City's final payment to the contractor. Prior to the 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 City, 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 City 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 City, a warranty inspection of the project for compliance with the Contract Documents and submit recommendations concerning project warranty issues to the City, 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 the initiation of the Project's operation, the Engineer shall advise the City 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

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 Interest. 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 8 ½" 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 to MELISSA GONZALEZ, City Manager, City of Kenedy, Texas. Packages may be delivered by courier or mail. No faxes or emails will be accepted. The Qualifications Statement Package should be in sealed envelopes that are clearly labeled and addressed as follows:

CONFIDENTIAL: STATEMENT OF QUALIFICATIONS ENCLOSED
ENGINEERING SERVICES
CITY OF KENEDY
303 W. MAIN STREET
KENEDY, TX. 78119

Regardless of the submission method, the submission deadline for SOQ's is no later than 3 p.m., local time November 3, 2023. The City may not review packages submitted in any other format. Later 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 The Engineering Firm's familiarity and previous project experience with the City.
- 2.4.2 Professional qualifications of the individual(s) (including subcontracted personnel) who will perform the work.
- 2.4.3 The Engineering Firm's record and experience (including subcontractors) with State and Federal Funding agencies.
- 2.4.4 The Engineering Firm's performance record and experience (including subcontractors) with similar type projects.
- 2.4.5 The Engineering Firm's familiarity with the public infrastructure needs of communities in south central Texas.
- 2.4.6 The Engineering Firm's office locations.
- 2.4.7 The Engineering Firm's insurability and status of current work-related litigation or arbitration.
- 2.4.8 The Engineering Firm's equipment resources.
- 2.4.9 The Engineering Firm's subcontractors, (if applicable) and organizational structure.
- 2.4.10 The Engineering Firm's anticipated workload during period of engagement and availability of personnel.

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 City 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 City 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 be Engineering Firm be in doubt as to their meaning, the Engineering Firm shall notify Melissa Gonzalez, City Manager, in writing and confirm via telephone at (830) 583-2230. 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 City 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 City may call upon anyone they deem necessary to assist with the evaluation.

The City may obtain information from references.

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

The City 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 City will not consider any information or data incorporated by the Engineering Firm by reference or otherwise referenced, except it will consider reference information the City obtains from existing and prior clients of the Engineering Firm.

The City 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 City deems it necessary to interview Engineering Firms in order to determine the highest qualified Engineering Firm, the City may identify two or more Engineering Firms to be interviewed using the procedure in Section 2.7.

2.7 Interviews

The City 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 City short-list selections and interviews by the City will be approximately two (2) weeks. The City will rank and determine the highest qualified Engineering Firm upon completion of the interviews.

2.8 Notification of Selection

The City will notify the most qualified Engineering Firm in writing. Upon notification of selection by the City, the Engineering Firm shall submit a detailed cost proposal based on the proposed scope of work. Upon receipt of the proposal, the City 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 City Council.

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: _____
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 who 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:

Field Equipment:

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 of experience (maximum of 10 assignments). Experience must include: Name, Location, Contact Person and Telephone Number, Date of Engagement for Assignment.

3.6 References

The City will contact references, in addition to the contact person(s) listed, the City may discuss the Engineering Firm's work performance with any current or former employee of the reference firm. References must include: Project Name and location, Engineering Firm's role and responsibility, specific client contacts, list name(s) and phone number(s) of the City(s) representatives, name and phone number of the 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, Worker's 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)

Title

Date

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 waterworks and wastewater projects for the City of Kenedy, 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 the City of Kenedy, 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.

Signed by Principal of Firm

Name (typed)

Title