

**City of Minot**  
**Request for Qualifications (RFQ)**  
**City Project No. 3135.2E**

**Minot SWIF plan improvements**

The City of Minot is requesting qualification submittals for reporting, permitting, design and construction engineering services for its System Wide Improvement Framework (SWIF) on the City's existing flood control system in the City of Minot. The project will include updating a yearly Emergency Action Plan, yearly SWIF report to the USACE, investigation of ROW and surveying of existing easements, along with the design and construction engineering of improvements identified from yearly levee and flood control inspections to bring the City of Minot into compliance with our current approved plan submitted to the USACE. Work shall include but not be limited to repair of existing levees, storm water drainage systems, tree removal, erosion areas and all other items identified in the USACE levee inspections.

**DUE DATE AND NUMBER OF PROPOSALS**

One (1) original and five (5) copies of the proposal are due at the Minot Public Works Office, 1025 31 <sup>st</sup> Street SE, Minot, ND 58701, no later than 4:00 p.m. Local Time, Monday March 26, 2018. The proposals are to be addressed to:
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Dan Jonasson, Director of Public Works  
PO Box 5006  
1025 31<sup>st</sup> Street SE  
Minot, ND 58702

All proposals should be marked:

**Project 3135.2E Request for Qualifications, Minot SWIF improvements**

**SELECTION PROCEDURE**

The selection will follow the procedure detailed in NDCC Chapter 54-44.7. The City of Minot will form a selection committee whose members will score the submittals and rank them by score. From the ranked list, the committee will select a list for interviews, which will also be scored. Negotiations will be initiated with the highest scoring firm or firms, and only if an agreement on a contract cannot be reached with that firm the committee will move down the list.

## **SCOPE OF WORK**

### **General**

The Scope of Work includes analysis, design, right of way research, construction engineering, yearly Emergency Action Plan updates, SWIF plan updates, participating in yearly inspection of the existing Minot levee inspections performed by the City of Minot and USACE which determines deficiencies in the existing flood protection works. The critical components of the project include, but are not limited to:

Assist in the review and inspection of any floodwall features added into the Minot flood control system to assure they are maintained in compliance with the USACE policy.

Provide survey, design engineering, construction engineering and general consultant services for noted deficiencies identified in the annual inspection reports. Provide long term planning of CIP projects and updates to staff in accordance with the City of Minot SWIF plan.

Provide preliminary engineering, design and construction engineering services for corrections to storm sewer line that penetrate the existing flood works as well as prepare plans and specifications to address deficiencies identified in the City SWIF plan. Prepare funding requests to State Water Commission for funding assistance and/or any other entities identified for funding assistance.

## **SCOPE OF SERVICES**

This Request for Qualifications (RFQ) is for analysis, design, right of way research, construction engineering, yearly Emergency Action Plan updates, SWIF plan updates, participating in yearly inspection of the existing Minot levee inspections performed by the City of Minot and USACE which determines deficiencies in the existing flood protection works and any and all items identified that the city needs assistance in to maintain and address deficiencies in the existing flood works program.

The Consultant will be responsible for actively managing the project and for the performance of all preliminary engineering, environmental analysis and documentation, permitting activity, right-of-way documents, final design engineering, The Consultant will also be responsible for providing construction engineering and management services.

### **Project Contact**

If you have a question or suspect an error, you must immediately notify the Project Contact identified in this section. Do not discuss the solicitation or your proposal, directly or indirectly, with any City officer or employee other than the City Project Contact. Only written answers to questions either by email or written correspondence shall be allowed and be binding on the City. Any and all questions submitted in writing will be answered regarding the project and will be posted on the City of Minot website. [www.minotnd.org](http://www.minotnd.org).

Dan Jonasson  
Minot Director of Public Works  
1025 31<sup>st</sup> Street SE  
Minot, ND 58701  
Phone: 701 857-4140  
Fax: 701 857-4130  
email: [dan.jonasson@minotnd.org](mailto:dan.jonasson@minotnd.org)

*Deliver Proposals to:*

Dan Jonasson  
Minot Director of Public Works  
1025 31<sup>st</sup> Street SE  
Minot, ND 58701

The City of Minot will open Proposals at the due date, time and delivery location. Prior to the due date, you may mail or hand-deliver proposals, modifications, or withdrawals. We do not allow email, fax, or other electronic submissions. We must physically receive submissions as specified; it is not sufficient to show you mailed or commenced delivery before the due date and time. We will not consider proposals, modifications, or withdrawals submitted after the due date and time. All times are City of Minot local times.

**Proposal Page Limit**

The proposal shall be limited to 40 pages. Resumes and references can be included in an appendix and will not count against the page limit.

**Number of Copies**

You must submit 1 signed original and 5 copies of the Proposal in a sealed envelope. In addition, you must submit [1] copy on CD in the following format: MS WORD 2003 or in an Adobe PDF file.

**Offer Firm Time**

Your Proposal must remain firm for 120 days from opening.

Proposals become the property of the City of Minot and these and late submissions will not be returned. Your proposal will be subject to disclosure or examination by the public under North Dakota Century Code Chapter 44-04-17.1 through 44-04-31 (open records law).

**Public Records and Requests for Confidential Treatment**

Proposals become the property of the City of Minot and these and late submissions will not be returned. Your RFQ/Proposal will be open to the public under North Dakota Century Code Chapter 44-04-17.1 through 44-04-31. We will disclose the successful Vendor's name and the substance of the proposal.

**Reservations**

You must read and understand the solicitation and tailor your Proposal and activities to ensure compliance. We reserve the right to amend the solicitation, reject any and all Proposals; to award by item, group of items, or grand total; and to waive minor defects. We may request a clarification; inspect your premises; interview staff; request a presentation; or otherwise verify the contents of

the Proposal, including information about subcontractors and suppliers. We may request Best and Final Proposals when appropriate. We will make all decisions on compliance, evaluation, terms, and conditions, and shall make decisions solely in the best interests of the City. This competitive process requires that you provide additional information and otherwise cooperate with us. If you do not comply with requests for information and cooperate, we may reject your proposal. You have no right to an award by submitting a Proposal. We are not responsible for and will not pay any costs associated with the preparation and submission of your Proposal. If you are the awardee, you shall not commence, and will not be paid for any billable work prior to the date all parties execute the contract, unless approved in writing in advance by the City Director of Public Works.

### **Governing Law and Forum**

North Dakota law and rule govern this solicitation and any resulting contract. You must bring any action relating to this solicitation or any resulting contract in the appropriate court in North Dakota. We do not allow binding arbitration.

## **SUBMISSION REQUIREMENTS**

### **Format of Proposed Statement**

In order to conduct a reasonable and efficient evaluation of prospective engineering firms, the City requires that firms prepare proposals that are clear and concise, and which follow the format outlined below. Proposals shall be bound and submitted on typewritten, one-sided, 8-½” x 11” paper. Margins shall be no less than 1” around the perimeter of each page. Font size shall be no less than 11-point type. The proposal shall contain a Table of Contents that cross-references each requirement with specific page in the proposal.

### **Submittal Requirements**

In addition to the Submittal Form included in this Request for Qualifications (RFQ), all companies shall submit one (1) original and five (5) copies of their proposals to demonstrate the extent to which the company and/or team meets the requirements of this RFQ. Submissions shall follow the outline below and include, at a minimum: company profile, project understanding and approach, staff experience, including resumes of each associate or individual working under the terms of the contract, a list of any sub-consultants that the company proposes to use including resumes of key personnel, and examples of recent work similar in nature to the work described under this RFQ.

### **Qualification Statements**

All qualification statements shall be organized in the following manner:

*Company Profile:* Provide a general description of the company, a brief history of the firm, with particular regard to the number of years in business and the number of years of specific relevant experience. Identify office locations, number, and type of personnel available to serve the City. Provide the name of the principal contact person at the company to whom all questions should be addressed.

*Key Personnel:* Each prospective firm must submit a list of key personnel, their areas of expertise, licenses and certifications, and a description of the manner in which the engineering tasks will be organized within the firm. The lead engineer must be a North Dakota licensed professional engineer, specializing in one or more of the required disciplines. All support personnel must be identified with their respective roles enumerated. Provide complete resumes for all key personnel along with an organizational chart.

### **Project Understanding and Approach**

The proposal must demonstrate that the proposer understands the scope of the overall project. The proposer should also develop an approach to implementing the project, to demonstrate that the project can be successfully completed while simultaneously addressing the resolution of critical issues identified in levee inspection reports and documents.

### **Engineering and Project Experience**

The proposal must include examples of work for a minimum of five (5) clients which demonstrate experience with flood protection, levee, levee inspection, SWIF preparation, floodwall projects, procedures, ordinances, related rules and regulations, and federal and state program requirements. This list should be in table format including project name, project description, client name, references, and year completed.

Specific references, including client name, project description, and staff member in charge, must be included with this information and the projects must demonstrate experience in the following areas:

The firm and/or team must have at least five (5) years experience in flood protection and levee engineering. Experience in value engineering, SWIF plan preparation, Emergency Action plan preparation and designing utility and drainage systems, storm-water preparation of construction bidding documents, permitting, and construction administration services is mandatory. Familiarity and experience with FEMA, USACE, and North Dakota State Water Commission Program funding rules and regulations is highly desired, as well.

### **References**

A minimum of five (5) references of similar type project for related engineering services work shall be provided with recently verified phone numbers and addresses.

### **Supplemental Information**

Respondents are encouraged to submit any other information which they deem useful in presenting their related abilities and qualifications.

### **Format of submittal**

The committee will base its evaluations on nine (9) criteria listed below. The submittal will be divided into nine (9) tabbed sections labeled A through I. For each criterion the committee

members will use only the information included in the respective tabbed section. Failure to follow this format may result in rejection of the submittal.

## **SELECTION CRITERIA**

The proposals will be examined and evaluated based on the factors presented below. It is the responsibility of the engineer/consultant to provide information, evidence, or exhibits which clearly demonstrate the ability to satisfactorily respond to project requirements and the factors listed below.

### **A. PAST PERFORMANCE**

Performance on previous work performed for the City of Minot.

### **B. ABILITY OF PROFESSIONAL PERSONNEL**

Specialized experience is required of the project personnel proposed to undertake the work assignments. Proposal must clearly demonstrate the capability, academic back-ground, training, certifications, and experience of the proposed personnel. The availability of the proposed staff is also of critical importance and must be demonstrated by showing each persons availability and workload. Specific project experience relevant to this Scope of Services must be demonstrated and project experience identified to specific company experience identified above or other projects, including specific project responsibilities, must be included.

### **C. WILLINGNESS TO MEET TIME AND BUDGET REQUIREMENTS**

Provide schedule of firms availability to complete the project.

### **D. LOCATION - WITH HIGHER PRIORITY GIVEN TO FIRMS HEADQUARTERED IN NORTH DAKOTA**

Provide location from which milkeage and expenses will be charged from.

### **E. RECENT, CURRENT, AND PROJECTED WORKLOADS OF THE PERSONS OR FIRMS**

Provide schedule of each person assigned to the project and availability toward this project and work load for those persons.

### **F. RELATED EXPERIENCE ON SIMILAR PROJECTS**

1. Specialized experience is required in a series of work areas. Proposals must clearly demonstrate full knowledge, understanding, and experience in the methods, techniques, and guidelines required for the performance of the required work. All elements within this factor are of equal importance. The engineer/consultant must indicate specific experience

in the required areas. The Consultant will submit a monthly progress report with their monthly progress payment requests that includes a description of current key activities.

#### **G. RECENT AND CURRENT WORK FOR PROJECTS OF THIS TYPE.**

A list of references of at least five (5) recent contracting offices on projects of similar type, magnitude and complexity is required. References must include current telephone numbers and affiliation.

#### **H. PROJECT UNDERSTANDING**

The engineer/consultant must demonstrate an understanding of the flood protection measures, river system, and alternatives and issues identified as deficient in the Minot Levee work plan.

In addition to the understanding of the Scope and approach, the engineer/consultant must demonstrate the following which will be considered in the selection:

1. Knowledge of current issues and state-of-the-art practices and procedures in the relevant technical areas previously discussed.
2. Experience demonstrated on similar projects and in the preparation of a 5 year CIP to prioritize projects in accordance with the City SWIF plan..
3. Working knowledge of the geographic area as evidenced by prior work experience in the City and the existing flood protection features.
4. An ability to coordinate with USACE personnel for the implementation of improvements and updates to the City SWIF, EAP and deficiencies identified in yearly reports.
5. The ability to provide the necessary skills and expertise from in-house resources and/or sub-consultants.
6. Methods for assuring product quality, cost control, delivery schedule, and project oversight. A narrative description of the engineer/consultant's quality control plan must be included.

#### **I. FEMA/USACE Permitting/Funding Experience**

The project funding for the construction is uncertain at this time, however sales tax funding is available and it is anticipated that the Consultant will be required to assist in preparation of applications for funding to various agencies. The engineer/consultant must demonstrate an understanding of the rules, regulations and requirements associated with FEMA/USACE or State Water Commission funded projects and any prior experience with funding from these agencies.

## **EVALUATION PROCEDURE**

1. All proposals will be reviewed and rated based upon the combination of factors regarding the proposal submitted and the evaluation criteria set forth in the proposal.
2. The City also reserves the right to pick multiple firms for the projects if it is determined that one firm has stronger strengths in a specific discipline of projects design and construction abilities.
3. Preference will be given to firms with North Dakota experience and prior knowledge and work experience with the City of Minot.

Based upon the results of this review process, a contract may be developed with the highest-rated engineer/consultant. If the City and the selected firm are unable to reach a mutually negotiated agreement, the City shall terminate negotiations with the selected firm and begin negotiations with the second ranked firm.

## **ADDITIONAL REQUIREMENTS**

### **Rejection of Proposals**

Proposals that do not conform to the requirements set forth in this RFQ may be rejected by the City. Proposals may be rejected for reasons that include, but are not limited to, the following:

- The Proposal contains unauthorized amendments to the requirements of the RFQ
- The Proposal is conditional
- The Proposal is incomplete or contains irregularities which make the proposal indefinite or ambiguous
- The Proposal is not received by the deadline
- The Proposal is not signed by an authorized representative of the party
- The Proposal contains false or misleading statements or references
- The Proposal does not follow the indicated format

### **Acceptance of Proposals**

The City reserves the right, in its sole discretion, to waive minor irregularities in Proposals. A minor irregularity is a variation of the RFQ, which does not give one party an advantage or benefit not enjoyed by the other parties, or adversely impacts the interest of the City. Waivers, when granted, shall in no way modify the RFQ requirements or excuse the party from full compliance with the RFQ specifications and other contract requirements, if the party is awarded the contract.



### **Exceptions and Deviations**

Proposers taking exception to any part of section of the solicitation shall indicate such exceptions on the Proposal and shall be fully described. Failure to indicate any exception will be interpreted as the Proposer's intent to comply fully with the requirements as written. Conditional or qualified Proposers, unless specifically allowed, shall be subject to rejection in whole or in part.

### **Nonconforming Terms and Conditions**

A Proposal that includes terms and conditions that do not conform with the terms and conditions in the RFQ is subject to rejection as non-responsive. The City reserves the right to permit the Proposer to withdraw nonconforming terms and conditions from its Proposal prior to a determination by the City of non-responsiveness based on the submission of nonconforming terms and conditions.

### **Expenses Incurred in Preparing Offers**

The City accepts no responsibility for any expense incurred by the Proposer in the preparation and presentation of an offer. Such expenses shall be borne exclusively by the Proposer.

### **Proprietary Information**

All submittals become public information. The Submitter should not include any information considered proprietary or confidential.

### **Additional Information**

Questions concerning the RFQ document must be submitted in writing to the City of Minot, Attn: Dan Jonasson, PO Box 5006 - 1025 31<sup>st</sup> Street SE, Minot, North Dakota 58701, via email at [dan.jonasson@minotnd.org](mailto:dan.jonasson@minotnd.org) or by facsimile to (701) 857-4130. Questions will be received through March 23, 2018 at 4:00 p.m. Responses to all questions will be distributed in writing via email or fax to all known Proposers and will be posted to the City of Minot's website ([www.minotnd.org](http://www.minotnd.org)). Proposers are cautioned that any statements made by the contact person that materially change any portion of the RFQ shall not be relied upon unless subsequently ratified by a formal written amendment to this RFQ.

### **Debarment**

By submitting a Proposal, the Proposer certifies that it is not currently debarred from submitting Proposals for contracts issued by any political subdivision or agency of the State of North Dakota or the Federal government and that it is not a person or entity that is currently debarred from submitting Proposals for contracts issued by any political subdivision or agency of the State of North Dakota or the Federal government.

**THE CITY OF MINOT  
REQUEST FOR PROPOSAL  
SUBMISSION FORM**

Company \_\_\_\_\_  
Address \_\_\_\_\_  
Contact Person \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
Email Address \_\_\_\_\_

**NOTE: It is the Proposer’s responsibility to provide adequate information in their Proposal package to enable the City to ensure that the Proposal meets the required criteria. Items listed in the package shall be in the same order as listed in the specifications. Failure to do so could result in the rejection of the Proposal.**

**EMPLOYEES NOT TO BENEFIT**

I (we) hereby certify that if the contract is awarded to our firm, partnership, or corporation, that no employee of the City, or members of his/her family, including spouse, parents, or children has received or been promised, directly or indirectly, any financial benefit, by way of fee, commission, finder’s fee, political contribution, or any similar form of remuneration on account of the act of awarding and/or executing this contract.

**CONFLICTS OF INTEREST**

The Proposer [ ] is [ ] is not aware (mark one box) of any information bearing on the existence of any potential organizational conflict of interest.

**COLLUSION**

I certify that this offer is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting an offer for the same services, materials, supplies, or equipment and is in all respects fair and without collusion or fraud. I understand collusive bidding is a violation of State and Federal laws and can result in fines, prison sentences, and civil damage awards. I hereby certify that the responses to the above representations, certifications, and other statements are accurate and complete. I agree to abide by all conditions of the proposal and certify that I am authorized to sign for my company.

Signature Date \_\_\_\_\_

Name (Printed) \_\_\_\_\_

Title \_\_\_\_\_

Signature \_\_\_\_\_