



CITY OF CLUTE, TEXAS

REQUEST FOR QUALIFICATIONS:

ENGINEERING DESIGN SERVICES

for the City of Clute Regional

Flood Risk Reduction Project

Re-ISSUE DATE: November 14, 2022

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ADDENDUM A: Federal requirements associated with the Clute Regional Flood Risk Reduction Project as per GLO Contract No. 22-082-003-D198 (attached and incorporated herein).

KEY INFORMATION SUMMARY

SHEET CITY OF CLUTE TEXAS

REQUEST FOR QUALIFICATIONS

**Engineering Design Services
for the Clute Regional Flood Risk Reduction Project**

*in fulfillment of Community Development
Block Grant for Mitigation Activities ("CDBG-MIT") funding*

Re-Issue Date: MONDAY, NOVEMBER 14, 2022

Issuing Office: City Manager

Proposals Sent To: Mr. C.J. Snipes
City Manager City of Clute
108 E. Main Street Clute, TX 77531
979-265-2541

Proposals Due By: 3:00 PM CDT, FRIDAY, DECEMBER 16, 2022

Questions Due By: 12:00 PM CDT, TUESDAY, NOVEMBER 29, 2022

1. INTRODUCTION and OVERVIEW

The City of Clute, a Home Rule City located in Brazoria County, Texas is soliciting qualifications from qualified and interested firms for the provision of Engineering Design Services in fulfillment of the City of Clute, State and Federal Community Development Block Grant for Mitigation Activities (“CDBG-MIT”) funding for the Clute Regional Flood Risk Reduction Project.

1.1 BACKGROUND AND AUTHORITY FOR PROCUREMENT

The City of Clute was incorporated in 1952 and currently is one of the most rapidly growing communities in Southern Brazoria County. Essentially land locked and subject to significant flood risk, the City of Clute has made investments to improve the drainage infrastructure throughout the city. However, several areas have not yet been improved and still face substantial risk from intense rainfall events. Due to concerns about frequent flooding in various residential and business areas, the Cities of Clute and Lake Jackson commissioned Freese and Nichols, Inc (FNI) to perform a drainage study to include the development of hydrologic and hydraulic models representing existing conditions for a study area that spans portions of both cities. The Lake Jackson and Clute Drainage Study for Areas East of SH332 was completed in November 2019. This Study identified several key projects to target previously identified flooding hot spots and develop alternatives to reduce inundation extents and depths, where possible.

This solicitation is a Request for Qualifications (RFQ). Clute is requesting qualifications from firms interested in providing the City with Engineering Design Services related to identified drainage improvement activities that will increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, damaged to and loss of property, and suffering and hardship, by lessening the impact of future disasters through the implementation of the Clute Regional Flood Risk Reduction Project. The Engineering Design Services associated with this RFQ will involve storm sewer system upgrades and ditch improvements; as well as completion of all associated appurtenances in support of the Clute Regional Flood Risk Reduction Project described in Section 1.5 Scope of Work.

1.2 TITLE VI ASSURANCE

Clute, in accordance with Title VI of the Civil Rights Act of 1964, hereby notifies all Respondents that it will enforce compliance with this law, investigate alleged violations, and affirmatively ensure that in any contract entered into pursuant to Clute procurements, minority business enterprises will be afforded the full opportunity to submit responses and will not be discriminated against on the grounds of race, color, national origin, sex, age, or disability in consideration for an award.

Non-discrimination programs require that federal aid recipients, sub-recipients, and contractors prevent discrimination and ensure non-discrimination in all of the programs and activities, whether those programs are federally funded or not.

1.3 ENVIRONMENTAL IMPACT

It is the intent of Clute to purchase goods, equipment, and services having the least adverse environmental impact within the constraints of statutory purchasing requirements, municipal need, availability, and sound financial considerations.

1.4 CLUTE ORGANIZATIONAL STRUCTURE

Clute is the contracting party for this procurement. The procured service will be used by the

City of Clute, a Home Rule Charter City of Texas, which was incorporated in 1952. Clute is a Council - Manager form of government, managed by a City Manager. All contracts or awards must be approved by the duly elected governing body to be effective.

1.5 SCOPE OF WORK

1.5.1. Type of Procurement and Services. This solicitation is a Request for Qualifications (RFQ). Clute is requesting proposals from qualified firms interested in providing the City with Engineering Design Services related to identified drainage improvement activities that will increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, damaged to and loss of property, and suffering and hardship, by lessening the impact of future disasters. The Engineering services associated with this RFQ will involve storm sewer system upgrades and ditch improvements; as well as complete all associated appurtenances.

1.5.2. Location of work. The Engineering Firm selected will be responsible for providing above mentioned services for the following locations identified by the city.

1.5.2.1. Site 1: Flag Lake

1.5.2.1.1. Run 1: Intersection of Plantation Drive and Flag Lake Drive eastward toward Dixie Drive on Plantation Drive, then turning north toward Sanford Road on Dixie Drive, then heading westward along Sanford Road to the first turn in the road, then finally heading southward back to Plantation Drive along the border of the parking lot, making a rectangle; estimated 2,750 LF; coordinates 29.02081, -95.42136.

1.5.2.1.2. Run 2: From Plantation Drive heading southward to Flag Lake Drive to Texas, 288 Frontage Road; estimated 3,150 LF; coordinates 29.015831, -95.421389.

1.5.2.1.3. Run 3: From Flag Lake Drive traveling westward along a line even with Austin Street to Garland Drive; estimated 650 LF; coordinates 29.014258, -95.422508.

1.5.2.2. Site 2: Pin Money Run 1

From 200' west of the intersection of W. Plantation Dr. and N. Dixie Dr., traveling eastward along 100' south of W. Plantation Dr. to 150' southwest of Pin Money Loop, then from 100' south of W. Plantation Dr. traveling northward along 100' west of Pin Money Loop to 100' north of W. Plantation Dr., then from 100' north of W. Plantation Dr. traveling westward along 100' north of W. Plantation Dr. to 200' west of the intersection of W. Plantation Dr. and N. Dixie Dr., then traveling southward to 100' south of W. Plantation Dr. along 200' west of the intersection of W. Plantation Dr. and N. Dixie Dr., making a rectangle; estimated 2,950 LF; coordinates 29.018314, -95.417975.

1.5.2.3. Site 3: Ditch A

1.5.2.3.1. Run 1: From Oyster Creek Drive traveling southward along North Dixie Drive to 200' south of Pine Street; estimated 3,500 LF; 29.035281, -95.421939.

- 1.5.2.3.2. Run 2: From North Dixie Drive traveling eastward along the Carnation drainage ditch to 200' southwest of Jasmine Street; estimated 2,950 LF; coordinates 29.036972, -95.426089.
- 1.5.2.3.3. Run 3: From North Dixie Drive traveling eastward along the drainage ditch 175' north of Mulberry Street to South Bachelor Button Street; estimated 800 LF; coordinates 29.033611, -95.423331.
- 1.5.2.3.4. Run 4: From North Dixie Drive traveling westward along the Pine drainage ditch to the easternmost edge of the small body of water directly east of Mammoth Lake; estimated 4,050 LF; coordinates 29.032208, -95.415761.

1.5.3. Schedule of Engineering Design Work. Respondent selected will be responsible for the meeting the proposed design schedule for all site locations, which includes:

1.5.3.1. Thirty (30) percent submittal deliverable due 60 days from Notice to Proceed.

1.5.3.2. Final Documents deliverable due 170 days from Notice to Proceed.

1.5.5. Estimated Construction Schedule. Construction duration is estimated at approximately 16 months.

1.6 **REQUEST FOR QUALIFICATIONS (RFQ)**

DEADLINE SUMMARY:

ACTION	DATE
RFQ Re-released	November 14, 2022
Questions due to Clute City Manager	November 29, 2022
Addenda issued and questions answered	December 9, 2022
Submission deadline	December 16, 2022
ALL DEADLINES HAVE A SUBMITTAL TIME OF 3:00 PM CDT	

1.6.1. Submission Deadline: Respondents shall have a minimum of 30 **business days** from the date the RFQ is issued to submit their response. Responses must be received by the Clute City Manager no later than **December 16, 2022 at 3:00 PM CDT**. Responses must be clearly marked RESPONSE TO RFQ in sealed packages. Responses will be publicly opened, and the identity of responders will be announced. No portion of responses will be publicly read or disseminated at this public opening.

1.6.2. Questions and Addenda: Respondents shall have two (2) weeks from the date the RFQ is issued to submit written questions regarding the procurement to the Clute City Manager. All questions must be received by the City Manager by **November 29, 2022 at 3:00 PM CDT**. All Respondents' questions, along with answers, will be made available as an Addendum to the RFQ approximately one (1) week after the submittal deadline for questions. Questions and answers will be posted on the City of Clute website at www.clutetexas.gov. Clute will not be bound by any oral statement or representation contrary to the written specifications of the RFQ. Any revision, clarification, or

interpretation pertaining to this RFQ will be writing and issued by Clute as an Addendum. Any changes or interpretations not contained in an Addendum will not be binding on Clute.

- 1.6.3. Statement of Qualifications: Respondents shall be required to provide a Statement of Qualifications, which will initially be scored on a pass/fail basis. Responses that do not demonstrate the requisite work experience will not receive further consideration.
- 1.6.4. Disclosure of Response: All information submitted in an accepted response will be retained by the City of Clute for the period specified in the State of Texas records retention schedule. The information will not be returned to the Respondent. The Public Information Act, Government Code Chapter § 552, allows the public to have access to information in the possession of a governmental body through an open records request. Therefore, the Respondent shall clearly identify in the response any confidential or proprietary information. Proprietary information identified by the Respondent in the response will be kept confidential by City of Clute to the extent permitted by law. Clute merely raises the exception on behalf of the Respondent or the awarded vendor an opportunity to present to the Office of the Attorney General its arguments for non-disclosure of its identified confidential or proprietary information.
- 1.6.6. Alteration or Withdrawal of Response: Any alterations to a response made before the submission deadline shall be submitted in writing, sealed, and clearly markers **RFQ Response – Amendment**. The outer envelope must clearly show postmark or receipt stamp before the submission deadline to be considered. Responses cannot be altered or amended after the submission deadline. A response may be withdrawn, if requested in writing. The response will not be considered for award but will be retained by Clute, unsealed, until after the award.
- 1.6.7. Response Validity Period: The Respondent’s response will be valid for a period of 90 days after the submission deadline. The Respondent may elect to extend the validity period beyond this time at its discretion
- 1.6.8. Costs: Clute is not liable for any costs incurred by the Respondent in responding to this RFQ.

1.7 **AFFIRMATIVE STEPS**

The City of Clute and its partners as the recipients of federal funds are fully committed to awarding a contract(s) to firm(s) that will provide high quality services and that are dedicated to diversity and to containing costs. Thus, the City of Clute strongly encourages the involvement of small and minority businesses and women’s business enterprises to simulate participation in procurement and engineering design projects. Respondents selected for award are required to take similar affirmative steps to encourage participation by small and minority businesses, and women business enterprises whenever they are potential sources.

2. RFQ REQUIREMENTS AND FORMAT

2.1 PROPOSAL REQUIREMENTS

2.1.1 This section outlines general format specifications of this RFQ

2.2 RFQ RESPONSE SUBMISSION

2.2.1 Failure by the Respondent to submit the documentation listed below may disqualify the Respondent from consideration. The response submission shall be submitted in the format described in the section.

2.2.1.1. The Respondent shall submit one (1) signed and dated original (marked Original) and two (2) copies (marked Copy). The submission shall be in separate loose-leaf binders on one sided, letter-sized (8 ½ by 11 inch) paper, in double-spaced format. The proposal shall be tab-indexed corresponding to the sections listed below. Include only the information specified for each section.

2.2.1.2. Additionally the proposal shall be provided in electronic format (preferably PDF) and submitted via email: cjsnipes@clutetexas.gov or via Dropbox link.

2.2.2. Responses to this RFQ will be accepted until **3:00 PM CDT on FRIDAY DECEMBER 16, 2022.**

2.2.2.1. By hand delivery to the City Manager or the City Clerk at the Clute City Hall located at 108 E. Main Street, Clute, TX 77531.

2.2.2.2. By mail addressed to Mr. C.J. Snipes, City Manager, City of Clute, 108 E. Main Street, Clute, TX 77531. Mailed responses must be postmarked by December 16, 2022 and received in the office by December 16, 2022.

2.2.2.3. Responses to the RFQ, must be CLEARLY MARKED, "RFQ RESPONSE, ENGINEERING DESIGN SERVICES CDBG-MIT."

2.2.2.4. The Respondent is responsible for verifying that Clute has received the proposal.

2.2.2.5. Late responses will not be considered under any circumstances and will be returned unopened to the Respondent.

2.3. RFQ FORMAT

2.3.1. Cover Letter and Executive Summary: Section 1

2.3.1.1. The cover letter shall be limited to two (2) pages and include the following:

2.3.1.1.1. RFQ response due date

2.3.1.1.2. Respondent's (company) name

2.3.1.1.3. Contact name and telephone number

2.3.1.1.4. A statement specifying contractor's commitment to complying with federal requirements specified in this RFQ in Addendum A, as applicable and associated with the Clute Regional Flood Risk Reduction Project.

2.3.1.2. The executive summary shall provide a brief introduction of the respondent and project team(s), plus a summary-level overview of the Respondent's expertise designing flood risk reduction projects funded through federal grants, and a history of compliance with federal requirements. The executive summary shall be limited to five (5) pages.

2.3.2. Statement of Qualifications: Section 2

2.3.2.1. Company Qualifications and Experience: The Respondent shall demonstrate successful past performance through submission of documentation of relevant qualifications and experience relevant to the Scope of Work included in this RFQ. Respondent shall describe its qualifications as well as the qualifications of Respondent's major subconsultants, referencing specific similar projects that have been deployed by the Respondent as well as applicable experience designing projects funded through federal grants, and a history of compliance with federal requirements. This section shall be limited to five (5) pages, not including project resumes, and shall include:

2.3.2.1.1. Name, address, phone number, and email address of the person Clute should contract with any questions regarding to response submission.

2.3.2.1.2. A description of related or similar services within the proposed Discipline performed within the last seven (7) years. Specify the Respondent's tasks performed and role, whether as a subcontractor or primary contractor; whether as the project implementer or project manager overseeing implementation by another Respondent. Each Respondent shall identify the Respondent's Project Manager, a brief description including scope, software functionality, and project dates for relevant or similar projects to that described in the Scope of Work of this RFQ.

2.3.2.1.3. A summary of experience managing related of similar services of comparable size and scope to the services within the solicitation and an overview of meeting project schedules and achieving deadline deliverables.

2.3.2.2. If the Respondent's Statement of Qualifications demonstrates one (1) year of similar service performed within the last seven (7) years their response will be further evaluated. Respondents that do not demonstrate that they meet the qualification criteria shall provide justification as to why their proposal should receive further consideration.

2.3.3. Key Personnel: Section 3

2.3.4.1. The Respondent shall identify key personnel qualifications and references with a maximum of one (1) page per person. References shall substantiate the number of years of required experience of the individuals, including any proposed subconsultants who will be part of the Respondent's personnel providing the service. Each personnel profile shall include:

2.3.4.1.1. Individual's name and title

2.3.4.1.2. Education

2.3.4.1.3. Description of qualifications and experience for the last five (5) years

2.3.4.2. The Respondent shall provide personnel profiles for each of the following key personnel positions:

2.3.4.2.1. Chief Executive Officer or owner of the proposing company.

2.3.4.2.2. Program or Project Manager by Discipline

2.3.4.2.3. All other who will be on-site and performing services, including their names, experience, certifications, and qualifications.

2.3.4.2.4. Quality Assurance Manager. Provide name, qualifications, and personal experience of the person who shall have responsibility for quality assurance.

2.3.4. References: Section 4

2.3.8.1. The Respondent shall submit a minimum of three (3) project references to substantiate the qualifications and experience requirements related to services associated with this RFQ. References shall include name, point of contact, telephone number, and dates services were performed.

3. OTHER PROVISIONS

3.1. COMPLIANCE WITH LAWS, RULES AND STANDARDS

- 3.1.1.** The Respondent shall provide the specified service requirements in accordance with all applicable local, federal and state laws, standards, rules, and regulations necessary to perform the services.

3.2. RESPONDENT SERVICE REQUIREMENTS

- 3.2.1.** The Respondent shall:

3.2.1.1. Have experience working with federal, state, or local governmental entities providing services similar in size and scope.

3.2.1.2. Be in good financial standing and current in payment of all taxes and fees.

- 3.2.2.** Provide assurance that the personnel, subconsultants, or operators that are fully competent, fully trained, and duly certified to perform the work authorized or required for projects subsequently assigned following this process.

3.3. FORCE MAJEURE

- 3.3.1.** If for any reason of force majeure, either the selected contractors or Clute shall be rendered unable, wholly or in part, to comply with this RFQ, the parties shall give notice of the reasons within a reasonable time after the occurrence of the event, which shall be defined as acts of God, natural or man-made disasters which interrupt operations and cannot be reasonable avoided, unavoidable civil disturbances, or other generally defined force majeure conditions.

- 3.3.2.** Force majeure shall not be used as absolute grounds for failing to perform. Force majeure shall be one of the conditions precedents for excusing performance under the RFQ.

4. RESPONSE EVALUATION SELECTION AWARD

Only complete responses containing the required submittal documents and meeting qualifications will be considered. Minor inconsistencies or deviations may be waived at Clute's sole discretion. Clute will rank all proposals that are complete and responsive to the requirements of the RFQ and may select the Respondent whose proposal offers the apparent best value to Clute.

4.1. EVALUATION

- 4.1.1.** Each proposal will be evaluated based on the Respondents' ability to perform the services described in the Scope of Work of this RFQ to the benefit of the City of Clute and its taxpayers.
- 4.1.2.** Respondents shall not contact members of the evaluation team nor any elected or appointed official of the City prior to the announcement of the selected Respondents in each Discipline.
- 4.1.3.** The Respondent's qualifications will initially be scored on a pass/fail basis. It is the Respondent's obligation to ensure referenced projects are relevant and the scope performed is clear to the evaluation team. If the Respondent's qualifications demonstrate the minimum qualifications, the response will be further evaluated and ranked. Respondents that do not demonstrate that they meet the qualification criteria may not receive further consideration, and their technical responses may not be evaluated.
- 4.1.4.** Responses will be evaluated and ranked based on the following scale:
 - 4.1.4.1.** Qualifications: 25 percent.
 - 4.1.4.2.** Technical Proposal and Quality Assurance: 25 percent.
 - 4.1.4.3.** Experience: 30 percent.
 - 4.1.4.4.** References: 20 percent.
- 4.1.5.** The response may be disqualified if Clute is unable to verify qualification and experience requirements from the Respondent's references. The response may be disqualified if Clute receives negative responses. Clute will be the sole judge of references.

4.2. AWARD

- 4.2.1.** Following Evaluation by the City Manager will submit a recommendation to the City Council regarding approval of the proposal determined to offer the most qualified services. The City Council may approve or disapprove the recommendation, and if approved, the firm shall be offered a contract for services and assigned tasks within this contract by the City.

The City will negotiate a contract with the apparent best Respondent for the project. If an agreement satisfactory to Clute cannot be negotiated with that Respondent, or if in the course of negotiations, it appears that the proposal will not provide Clute with the overall best value, Clute will formally end negotiations with that Respondent and, in its sole discretion, may either (1) reject all proposals, (2) modify the project specifications and begin again the solicitation, or (3) proceed to the next most highly ranked proposal and attempt to negotiate an agreement with that Respondent.

4.3. CONTRACT PROVISIONS, IF SELECTED

Respondents selected for award shall certify their agreement to incorporate into all contracts executed between the subrecipient and a contractor the following CDBG-DR and/or CDBG-MIT Program requirements, as well as any other provisions required by HUD or Texas GLO in conformance with fund requirements:

- 4.3.1.** Performance requirements and penalties;
- 4.3.2.** Project schedule including the performance period and completion date;
- 4.3.3.** No contracts must make reference to compensation adjustments for cost plus or incentive savings provisions;
- 4.3.4.** All Section 3 covered contracts shall include required Section 3 clauses;
- 4.3.6.** Mandatory standards and policies relating to energy efficiency, which are contained in the Texas state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.
- 4.3.7.** Other Federally Required Provisions for non-Federal Entity Contracts Under Federal Awards.

ADDENDUM A
GLO & CITY OF CLUTE
Contract No. 22-082-003-D198