

REQUEST FOR PROPOSALS
FOR
ENGINEERING DESIGN AND CONSTRUCTION PHASE
SERVICES FOR THE LISBON POND

As Requested by

THE SOUTHERN SANDOVAL COUNTY ARROYO
FLOOD CONTROL AUTHORITY



RFP No. 2019-03

PROPOSAL DUE DATE: SEPTEMBER 4, 2019

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Submission Instructions to Offerors:

1. Proposal due date: September 4, 2019 at 3:00 p.m. local time. Proposals for the project will be received by the Fiscal Services Department, Southern Sandoval County Arroyo Flood Control Authority, 1041 Commercial Dr. SE, Rio Rancho, New Mexico 87124.
2. Submit 1 Original and 4 copies of your Proposal in a sealed envelope or container.
3. Proposals must be submitted in a sealed package or envelope listing the following information on the outside:

**Engineering Design and Construction Phase Services for the Lisbon Pond
RFP No. 2019-03**

4. **Point of Contact:** This Request for Proposals (RFP) is issued by SSCAFCA, Fiscal Services Department, which is the sole point of contact during the procurement process (the “Point of Contact”). Communications initiated by a respondent to this RFP (the “Offeror”) with members of the Governing Body or SSCAFCA personnel, other than as coordinated by the Point of Contact noted below, shall be grounds for Offeror disqualification. Any inquiries or requests during this procurement shall be submitted to the following Point of Contact:

Southern Sandoval County Arroyo Flood Control Authority
Fiscal Services Department
Attention: Deborah Casaus, Fiscal Services Director
1041 Commercial Dr. SE
Rio Rancho, NM 87124
(505) 892-5266
dcasaus@sscafca.com

**SOUTHERN SANDOVAL COUNTY ARROYO
FLOOD CONTROL AUTHORITY
(SSCAFCA)**

**ENGINEERING DESIGN AND CONSTRUCTION PHASE SERVICES
FOR THE LISBON POND
REQUEST FOR PROPOSALS
RFP No. 2019-03**

1. INTRODUCTION

1.1. Overview. Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA), a political subdivision of the State of New Mexico, requests qualification based competitive sealed proposals for **Engineering Design and Construction Phase Services, including Resident Project Representative, for the Lisbon Pond.**

SSCAFCA is an independent corporate political body with an elected board entrusted with flood and storm water control. Established by New Mexico Statute Section 72-19-1 through 72-19-103 in 1990, we acquire, improve, maintain and operate flood and storm water control facilities on streams and watersheds that enter, originate in or cross our area of authority.

As part of the Black Watershed Park Management Plan Technical Addendum, August 2013, we have identified the Lisbon Pond as a facility to be constructed to provide flood protection for the residents of the watershed as part of a series of projects to enhance flood protection in the area downstream of the Pond location.

1.2. Funding. This is a federally funded project. Funding for this project is provided by the New Mexico Department of Homeland Security, the state agency that administers the Federal Emergency Management Agency's Hazard Mitigation Grant Program.

1.3. Timeline. A biddable set of plans and specifications shall be completed by December 31, 2019.

1.4. Scope of Work/Specifications. The Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA) is seeking professional Engineering Design & Construction Phase Services for the Lisbon Pond.

- 1.4.1** The Engineering Design objective of this detention facility will be to:
- a. Reduce the existing peak flow from the 24-hour, 100-year storm event entering the Lisbon Channel at Tulip Rd. to the maximum extent practical.
 - b. Safely bypass two large diameter high pressure regional natural gas lines (buried) with the pond's primary spillway conduit.
 - c. Safely bypass Inca, Idalia and Tulip Roads (and associated subsurface utilities) with the pond's primary spillway conduit.
 - d. Provide water quality improvement through sediment and gross debris removal within the Lisbon Pond.

- e. The pond and outfall must be located wholly within SSCAFCA’s existing land holdings and existing drainage easements.
- f. The design for the facility to be constructed shall incorporate the usage of arid low impact development (Arid LID) practices and concepts, where applicable, for the purpose of sediment and gross debris removal, promoting infiltration, and shall accommodate the removal of sediment from the stormwater entering the facility. Additionally, hardened features shall incorporate naturalistic features as functional parts of the facility.
- g. Lisbon Pond shall drain completely within 96 hours
- h. Lisbon Pond shall be non-jurisdictional, as defined under NMAC Section 19.25.12.7.D.(1) (b).
- i. Collect and convey offsite drainage for basins discharging between Lisbon Pond and Tulip Road

1.4.2 Construction Phase Services will include:

- a. Response to RFI’s, Change Orders, etc.
- b. Completion of Record Drawings, etc.
- c. Resident project representative.

1.5. Available Resources. SSCAFCA can make available the following resources to assist the selected engineering firm.

1.5.1 A conceptual design of the Lisbon Pond completed July 2013

1.5.2 HEC-HMS hydrology model of the contributing watershed to the Lisbon Channel

1.5.3 Topographic and boundary survey information for the project area.

1.6. Restrictions from Proposing. Due to the role the SSCAFCA Executive Engineer will have on the Selection Committee, the following firms cannot submit proposals for this project.

1.6.1 Smith Engineering, Inc.

2. CONDITIONS GOVERNING PROCUREMENT

2.1. Overview. This section of the Request for Proposals (RFP) contains the schedule for the procurement, describes the major events and milestones and specifies general conditions governing the procurement.

2.2. Schedule of Events. SSCAFCA will make every effort to adhere to the following schedule:

Action	Responsibility	Date	Time
Issue RFP	SSCAFCA	August 11, 2019	NA
Non-Mandatory Pre-Proposal Conference	SSCAFCA and Potential Offerors	August 20, 2019	10:00 AM

Deadline to Submit Written Questions	Potential Offerors	August 23, 2019	5:00 PM
Response to Written Questions	SSCAFCA	August 27, 2019	5:00 PM
RFP Addenda	SSCAFCA	If applicable, no later than August 27, 2019	5:00 PM
Submission of Proposals	Offerors	September 4, 2019	3:00 PM
Proposal Evaluation (Including time for Interviews, Oral Presentations, and Best and Final Offers)*	Evaluation Committee	September 5-10, 2019	
Notify Offerors of Selection	SSCAFCA	September 11, 2019	
Finalize Contract (upon SSCAFCA Board approval)	SSCAFCA/Offeror/D HSEM	September 19, 2019	
Protest Deadline	Offerors	10 days following notification of award	

*Offerors will be notified by the Fiscal Services Department if and when to expect interview and Best and Final Offer dates.

2.2.1 Non-Mandatory Pre-Proposal Conference. A non-mandatory pre-proposal conference will be held at SSCAFCA Offices, at 10:00 AM on August 20, 2019. A more detailed description of the project and supporting documentation will be presented at the conference.

2.2.2 Written Questions and RFP Amendments. Potential Offerors may submit written questions as to the intent or clarity of this RFP until the date and time specified in the schedule of events. All written questions must be sent by email and addressed to the Point of Contact. All addenda and communications will be posted to SSCAFCA’s website at the following address:
<http://www.sscafca.com>

It is the responsibility of all potential Offerors to ensure that all addenda have been received before submitting their proposal.

2.2.3 Submission of Proposal. All Offeror proposals must be received by SSCAFCA no later than the date and time specified in the Schedule of Events. Proposals received after this deadline will not be accepted. The date and time of receipt will be recorded on each proposal. Proposals must be hand delivered or mailed to:

**Southern Sandoval County Arroyo Flood Control Authority
 Attention: Deborah Casaus, Fiscal Services Director
 1041 Commercial Dr. SE
 Rio Rancho, New Mexico 87124**

Proposals must be submitted in a sealed package or envelope listing the following information on the outside:

**Engineering Design and Construction Phase Services for the Lisbon Pond
RFP No. 2019-03**

SSCAFCA shall not be responsible for proposals that are mailed and not received by the time specified in this section. Receipts for hand delivered proposals may be issued by SSCAFCA (upon request).

- 2.2.4 Proposal Evaluation.** The evaluation and ranking of proposals will be performed by the Evaluation Committee during the time period noted in the Schedule of Events.
- 2.2.5 Selection of Finalist.** The Evaluation Committee will select, and the Point of Contact will notify, the Finalist Offeror.
- 2.2.6 Oral Presentations and Interviews.** The Evaluation Committee may request oral presentations or interviews by the Offerors. If this is required, the requested action will take place at the SSCAFCA office in Rio Rancho within the proposal evaluation timeframe specified the Schedule of Events.
- 2.2.7 Finalize Contract.** The Contract will be finalized with the most qualified Offeror. In the event that mutually agreeable terms cannot be reached, SSCAFCA reserves the right to terminate negotiations with that Offeror. The Contract will be presented to the SSCAFCA Board of Directors for its approval on the date specified in the Schedule of Events.
- 2.2.8 Protest Deadline.** The ten (10) day protest period for Offerors shall begin on the day following the notification of the contract award and will end at 5:00 pm MT on the tenth calendar day following the notification of the contract award. Protests must be submitted in writing and must include the name and address of the protestant and the RFP number. It must also contain a statement of grounds for protest and be addressed and delivered to the Point of Contact.

2.3. General Conditions.

- 2.3.1** Proposals and any other information submitted by Offerors in response to this RFP shall become the property of SSCAFCA. All information, documentation, and other materials submitted in response to this RFP are considered non-confidential and/or non-proprietary and are subject to public disclosure after the solicitation is completed.
- 2.3.2** Offerors shall carefully read the information contained in this RFP and submit a complete response to all requirements and questions as directed. Incomplete proposals may be considered non-responsive and subject to rejection.
- 2.3.3** Proposals that are qualified with conditional clauses, alterations, or irregularities of any kind may be considered non-responsive and subject to rejection.

- 2.3.4** It is incumbent upon each Offeror to carefully examine all specifications, terms, and conditions contained herein. Any inquiries, suggestions, or requests concerning interpretation, clarification or additional information shall be made in writing, (facsimile transmissions acceptable, email is preferred) through the Point of Contact named above. SSCAFCA will not be responsible for any oral representation(s) given by any employee, representative or others. The issuance of a written addendum is the only official method by which interpretation, clarification or additional information can be given. If it becomes necessary to revise or amend any part of this RFP, notice may be obtained by accessing our web site. Respondents in their proposal must acknowledge receipts of amendments. **Each Offeror should ensure that they have received all addenda and amendments to this RFP before submitting their proposal.**
- 2.3.5** A proposal may be amended or withdrawn in person at any time BEFORE the scheduled due date and time of proposals provided a receipt for the withdrawn proposal is signed by the Offeror's authorized representative. An amendment must be a complete replacement for a previously submitted proposal and must be clearly identified in a transmittal letter signed by the Offeror's authorized representative. SSCAFCA reserves the right to request proof of authorization to withdraw or amend a proposal.
- 2.3.6** SSCAFCA may evaluate the proposals based on the anticipated completion of all or any portion of the project. SSCAFCA reserves the right to divide the project into multiple parts, to reject any and all proposals and re-solicit for new proposals, or to reject any and all proposals and temporarily or permanently abandon the project when deemed to be in SSCAFCA's best interest. SSCAFCA makes no representations, written or oral, that it will enter into any form of agreement with any Offeror to this RFP for any project and no such representation is intended or should be construed by the issuance of this RFP.
- 2.3.7** SSCAFCA may, in the evaluation of proposals, request clarification from Offerors regarding their proposals, obtain additional material or literature, and pursue other avenues of research as necessary to ensure that a thorough evaluation is conducted.
- 2.3.8** By submitting a proposal in response to this RFP, the Offeror accepts the evaluation process and acknowledges and accepts that determination will require subjective judgments by SSCAFCA.
- 2.3.9** Offeror acknowledges and accepts that any expense incurred from the Offeror's participation in this RFP process shall be at the sole risk and responsibility of the Offeror.
- 2.3.10** SSCAFCA expects the highest level of ethical conduct from Offerors including adherence to all applicable laws regarding ethical behavior. The Procurement Code, NMSA 1978, Sections 13-1-28 through 13-1-199 (1984 as amended), imposes civil

and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

2.3.11 After identifying the highest-ranking Offeror, SSCAFCA will attempt to negotiate final terms of a Contract with such Offeror, on such terms as SSCAFCA deems in its best interest. SSCAFCA reserves the right to negotiate all elements of the Contract.

2.3.12 SSCAFCA shall evaluate any potential conflict of interests identified and determine if it is a direct conflict of interest. A direct conflict of interest shall be cause for disqualifying an Offeror from consideration. SSCAFCA's determination shall be final.

2.3.13 Federal Funds. Because this project incorporates federal funding, the selected Offeror will be required to comply with the applicable federal requirements. This project is wholly or partially funded with United States Federal Emergency Management Agency funds, and therefore must comply with all federal cross cutter requirements. Neither the United States nor its department's agencies or employees is or will be party to this Request for Proposals or any resulting contract. This procurement and subsequent contract will be subject to regulations contained in 2 CFR part 200. Language from 2 CFR part 200 is incorporated into the attached template contract.

3. PROPOSAL FORMAT AND ORGANIZATION

3.1. General Proposal Requirements. Proposals shall be prepared simply and economically, providing a straightforward, concise description of the Offeror's ability to meet the requirements of this RFP. Emphasis shall be placed on the quality, completeness, and clarity of content of the proposal.

3.2. Number of Copies. Offeror must submit 1 original and 3 copies of its proposal in a sealed envelope or container.

3.3. Proposal Format.

3.3.1 Proposals shall be limited to a maximum length of 15 numbered pages, not including the Cover Letter, Table of Contents, dividers, the front and back cover and any documentation listed in Section 4.2. Please identify the requirement number in the proposals when responding to each.

3.3.2 Proposals shall be clearly divided into unique sections, which shall include:

- a. Cover Letter
- b. Table of Contents

- c. Required Documents
- d. Response to Scoring Criteria

3.3.3 Proposals shall be printed on letter-size (8-1/2" x 11") paper and bound or assembled with spiral bindings, stapled or in 3-ring binders. Graphics incorporated into the proposal may exceed the paper-size requirement. Any 11" x 17" pages shall be numbered as two pages. Drawings on 24" x 36" sheets shall be numbered as four pages.

4. SUBMISSION REQUIREMENTS

4.1. Overview. This section contains the mandatory and scoring criteria requirements as well as related information.

4.2. Mandatory Proposal Submission Requirements. Failure to comply with a mandatory requirement will result in disqualification of the proposal.

4.2.1 Required Documents. The following list of documents must be submitted with the proposal.:

- a. **Disclosure of any Potential Conflicts of Interest.** Offeror shall either state they have no conflict of interest or disclose any potential conflict of interest. A potential conflict of interest includes, but is not limited to:
 - i. Accepting an assignment where duty to SSCAFCA would conflict with the Offeror's personal interest, or interest of another client.
 - ii. Performing work for a client or having an interest which conflicts with this contract.
- b. Certificate of professional liability insurance of at least one million dollars (\$1,000,000).
- c. **Campaign Contribution Disclosure Form.** In accordance with the Procurement Code, Section 13-1-28, all prospective contractors who are seeking to enter into a contract with a state agency or local public body (SSCAFCA) are required to file the attached "Campaign Contribution Disclosure Form" with that state agency or local public body, in this case SSCAFCA. This form must be filled out in its entirety and submitted with the offer.
- d. Offeror shall acknowledge that funding is contingent upon compliance with all terms and conditions of the funding award.

4.3. Scoring Criteria. Failure to respond to a scoring category will result in zero (0) points being awarded for that requirement, except for Section 4.3.5.

4.3.1 Qualifications and Experience with Scope of Services. A description of the Offeror's qualifications and experience with providing all of the services requested in this RFP, including a draft schedule of services. Also include a description or brief resume of individuals or subcontractors who would perform major duties and functions under the proposed contract; include role and responsibility, and specialized or favorable qualifications, if any.

4.3.2 Familiarity with SSCAFCA and entities within its boundaries. A description of the Offeror's experience, knowledge of and/or familiarity with SSCAFCA, Sandoval County or other public agencies in Sandoval and Bernalillo Counties.

4.3.3 Past Record of Performance. Please include a summary of all flood control/drainage related projects for which work was completed by the Offeror within the previous 3 years with a design services fee greater than \$60,000. For each project, please provide

- a. Client contact (with phone numbers and/or email address);
- b. Source of project funding;
- c. Scope of services/work completed;
- d. Year(s) services provided;
- e. Initial cost estimate and final project completion cost;
- f. Project start and completion dates, and
- g. List of key team members for each project.
- h. A narrative explaining the project or specific items listed above, as needed for clarification.

4.3.4 Quality and Content of Proposal. The proposal will be scored on the overall quality of the assembly and presentation of information.

5. EVALUATION OF PROPOSALS

5.1 Evaluation of Proposals. Each Offeror and their proposal will be evaluated pursuant to Section 5.2 through 5.4 below, as applicable, to determine the preferred Offeror.

5.2 Scoring Criteria Summary. The following is a summary of evaluation factors and the maximum point factors assigned to each. These will be used in the evaluation of each Offeror proposal submitted.

RFP Section	Factor	Points
	<u>Mandatory Requirements-Pass/Fail</u>	
4.2.1	Required Documents	
4.2.1 a.	Disclosure of Conflicts of Interests	Pass/Fail
4.2.1 b.	Certification of Liability Insurance	Pass/Fail
4.2.1 c.	Campaign Contribution Disclosure Form	Pass/Fail
4.2.1 d.	Acknowledgement regarding federal funding	Pass/Fail
4.3	<u>Scoring Categories*</u>	
4.3.1	Qualifications and Experience with Scope of Services	35
4.3.2	Familiarity with SSCAFCA and entities within its boundaries	15
4.3.3	Past Record of Performance	40
4.3.4	Quality and Content of the proposal	10
	TOTAL POINTS POSSIBLE	100

*Response to Section 4.3 is limited to 15 pages per Section 3.3.1

5.3 Volume of Work. Each Offeror will be ranked based on the volume of work previously done for SSCAFCA which is not seventy-five percent complete with respect to basic professional design services and has not been billed as of the due date for submittals for this RFP.

5.3.1 The deductive point value of work not yet completed is assigned as follows:

Value of work not yet completed on projects that are not 75% complete	Points
None	0
\$1 to \$100,000	-1
\$100,001 to \$200,000	-2
\$200,001 to \$300,000	-3
\$300,001 to \$400,000	-4
\$400,001 or greater	-5

5.4 Oral Presentation/Interview. Offerors who submit a written proposal in response to this RFP may be selected to give an oral presentation. SSCAFCA reserves the right to award a contract on the basis of proposals only or may require selected Offerors to be interviewed or make an oral presentation.