

REQUEST FOR PROPOSALS

FOR

Nightglow Ave Flood Risk Reduction Project Design & Engineering Services

As Requested by

**THE SOUTHERN SANDOVAL COUNTY ARROYO
FLOOD CONTROL AUTHORITY**



RFP 2022-04

PROPOSAL DUE DATE: December 13, 2022

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Section 1 – GENERAL INFO AND DELIVERY REQUIREMENTS

- 1.1. **Overview.** Proposals shall be prepared simply and economically, providing a straightforward, concise description of the Offeror's ability to meet the requirements of this Request for Proposals (RFP). Emphasis shall be placed on the quality, completeness, and clarity of content of the proposal.
- 1.2. **Point of Contact.** This RFP is issued by Southern Sandoval County Arroyo Flood Control Authority (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 via e-mail to the following Point of Contact:

Deborah Casaus, Fiscal Services Director
dcasaus@sscafca.com

- 1.3. **Proposal Due Date.** December 13, 2022 at 3:00 p.m. local time. Proposals for the project will be received by:

Fiscal Services Department
Southern Sandoval County Arroyo Flood Control Authority
1041 Commercial Dr. SE, Rio Rancho, New Mexico 87124

Proposals received after this deadline will not be accepted. The date and time of receipt will be recorded on each proposal. 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).

- 1.4. **Number of Copies.** Submit one (1) original and four (4) copies of your Proposal in a sealed envelope or container.
- 1.5. **Page Limit.** Proposals shall be limited to a maximum length of ten (10) numbered pages, not including the Table of Contents, dividers, the front and back cover and any documentation listed in Section 4.3.
 - a. 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 (2) pages. Drawings on 24” x 36” sheets shall be numbered as four (4) pages.
- 1.6. Proposals must be submitted in a sealed package or envelope listing the following information on the outside: **RFP 2022-04 -Nightglow Ave Flood Risk Reduction Project Design & Engineering Services**

(End of Section 1)

Section 2 – OVERVIEW, FUNDING INFORMATION, SCOPE OF WORK

- 2.1. **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 **Nightglow Ave Flood Risk Reduction Project - Design & Engineering Services**.
- 2.2. **Funding Information.** 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 *Building Resilient Infrastructure and Communities (BRIC)* funding.

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.

- 2.3. **Scope of Work/Specifications.** Offerors should demonstrate their ability to directly provide the following services:
 - a. **Development of a Preliminary Engineering Report (PER).** The PER will include:
 - i. a review of the existing HEC-HMS and HEC-RAS 2-dimensional models developed for the project area.
 - ii. development of up to three (3) alternatives for mitigation of flooding in the project area.
 1. Alternatives considered may consist of centralized or disbursed solutions for area flood risk reduction.
 2. At least one (1) of the alternatives should consider nature-based or “green” solutions.
 3. Alternatives presented will include cost estimates.
 - iii. Recommendation of a preferred design alternative, in consultation with SSCAFCA.
 - b. **Solicitation of Public Input.** The selected consultant will be required to lead a public meeting where the PER design alternatives are presented for public review/comment.
 - i. The PER will be posted on SSCAFCA’s website prior to the public meeting for easy public access.
 - ii. The input received during the public meeting will factor into SSCAFCA’s selection of the preferred alternative
 - iii. Once a preferred alternative is selected, the consultant can begin construction plan set preparation.
 - c. **Development of Construction Plans, Specifications, and Cost Estimates (PS&E).**
 - i. PS&E review submittals will be made at the 35%, 65%, 95% progress interval
 - ii. Final PS&E will be certified by a licensed professional engineer

- iii. Project Specifications shall be APWA, SSSCAFCA, or NMDOT. This will be determined between SSSCAFCA and the consultant prior to final plan set preparation.
- d. **Benefit Cost Analysis Support.**
 - i. Provide engineering support for SSSCAFCA's development of a FEMA Benefit Cost Analysis (BCA). The BCA will be used to support potential future FEMA funding for construction of the project.
 - ii. This engineering support will incorporate cost estimate and hydraulic information (including 10-, 50-, 100- and 500-year water surface elevation information within the project area) developed during the PER and design processes.
- e. **Environmental Permitting.** The consultant (or their sub-consultant) will perform a biological and cultural resource assessment of the project area to meet FEMA Environmental and Historic Preservation compliance requirements. Cultural and Biological Assessments developed for FEMA Environmental and Historic Preservation Compliance may also be used for a future USACE 404 permit application, if applicable. The consultant should be prepared to provide SSSCAFCA information that may be needed for future USACE 404 permitting, including dredge and fill volumes within the Waters of the United States (WOTUS) and dimensions (footprint) of WOTUS impact.
- f. **Project Timeline.** The selected consultant will be required to deliver final PS&E on or before September 30, 2023.

(End of Section 2)

Section 3 – CONDITIONS GOVERNING PROCUREMENT

3.1. **Overview.** This section of the RFP contains the schedule for the procurement, describes the major events and milestones and specifies general conditions governing the procurement.

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

<i>Action</i>	<i>Responsibility</i>	<i>Date</i>	<i>Time</i>
Issue RFP	SSCAFCA	November 20, 2022	N/A
Deadline to Submit Written Questions	Potential Offerors	November 30, 2022	5:00 PM
Response to Written Questions	SSCAFCA	December 6, 2022	5:00 PM
RFP Addenda	SSCAFCA	If applicable, no later than December 6, 2022	5:00 PM
Submission of Proposals	Offerors	December 13, 2022	3:00 PM
Proposal Evaluation and Ranking (Including time for Interviews, Oral Presentations, and Best and Final Offers) *	Evaluation Committee	December 13-December 16, 2022	
Notify Offerors of Selection	SSCAFCA	December 16, 2022	
Finalize Contract	SSCAFCA/Offeror	January 19, 2023	

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

3.2.1. **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. SSCAFCA response to questions will be formalized as an addendum to the RFP.

3.2.2. **Addenda/Communication.** 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: <https://www.sscafca.org>. Oral and other interpretations or clarifications will be without legal effect.

It is the responsibility of all potential Offerors to check the website and to ensure that all addenda have been acknowledged on the “Required Information Form” (provided in Appendix A) before submitting their proposal.

- 3.2.3. **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.
- 3.2.4. **Selection of Finalist.** The Evaluation Committee will select, and the Point of Contact will notify the Finalist Offeror(s).
- 3.2.5. **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 within the proposal evaluation timeframe specified the Schedule of Events.
- 3.2.6. **Finalize Contract.** The Contract will be finalized with the most qualified Offeror(s). In the event that mutually agreeable terms cannot be reached, SSCAFCA reserves the right to terminate negotiations with that Offeror.
- 3.2.7. **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 local time on the tenth (10th) 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.

3.3. **General Requirements.**

- 3.3.1. 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.
- 3.3.2. Proposals and any other information submitted by Offerors in response to this RFP shall become the property of SSCAFCA.
- 3.3.3. Proposals that are qualified with conditional clauses, alterations, or irregularities of any kind are subject to rejection by SSCAFCA, at its option.
- 3.3.4. 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 through the Point of Contact named in Section 1. 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.
- 3.3.5. 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. SSSCAFCA reserves the right to request proof of authorization to withdraw or amend a proposal.

- 3.3.6. 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 procurement is completed.
- 3.3.7. SSSCAFCA may evaluate the proposals based on the anticipated completion of all or any portion of the project. SSSCAFCA 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 SSSCAFCA's best interest. SSSCAFCA 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.
- 3.3.8. SSSCAFCA 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.
- 3.3.9. 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 SSSCAFCA.
- 3.3.10. 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.
- 3.3.11. SSSCAFCA 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.
- 3.3.12. After identifying the highest scoring Offeror(s), SSSCAFCA will attempt to negotiate final terms of a Contract with such Offeror(s), on such terms as SSSCAFCA deems in its best interest. SSSCAFCA reserves the right to negotiate all elements of the Contract.
- 3.3.13. SSSCAFCA 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. SSSCAFCA's determination shall be final.

(End of Section 3)

Section 4 - SUBMISSION REQUIREMENTS

- 4.1. **Overview.** This section contains the list of mandatory requirements, scoring categories, and related information. Offerors must respond to the mandatory requirements and should respond to the scoring categories of this RFP providing the required responses, documentation, and assurances.
- 4.2. **Proposal Format.** The proposal must be organized in the following format and must contain, as a minimum, all listed items in the sequence indicated:
 - 4.2.1. Table of Contents
 - 4.2.2. Mandatory Requirements
 - 4.2.3. Scoring Categories

Any proposal that does not adhere to this format, and which does not address each specification and requirement within the RFP, may be deemed non-responsive and rejected on that basis.

- 4.3. **Mandatory Submission Requirements.** Failure to comply with a mandatory requirement will result in disqualification of the proposal. The items listed below will not be counted towards the page limit provided in Section 1.5.

The following items must be submitted with the proposal:

- 4.3.1. **Required Information Form.** See Appendix A.
 - 4.3.2. **Campaign Contribution Disclosure Form.** See Appendix B. 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 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 proposal.
 - 4.3.3. **Proof of Insurance.** Certification of professional liability insurance of at least one million dollars (\$1,000,000).
- 4.4. **Scoring Categories.** The following items will be evaluated on a points-based system, as outlined in Section 5.1. Failure to respond to a Scoring Category will result in zero (0) points being awarded for that item.
 - 4.4.1. **Experience and Capability of Project Team**
 - a. Provide qualifications of key team members shown in organization plan including membership in professional organizations and licensure.
 - b. Provide any unique knowledge of key team members relevant to this scope of work and their projected level of participation in this project.

- c. Identify and describe Offeror’s sub-consultants, if applicable, and their role in the project. Include the offeror’s past experience working with the identified sub-consultant(s) and the successes & failures of those experiences.

4.4.2. Local Presence & Experience

- a. Identify specific experience the proposing firm has with projects in the City of Rio Rancho, Town of Bernalillo, Village of Corrales or Sandoval County.
- b. Identify the firm’s local project representative who would be assigned to this project.
- c. Identify the firm’s familiarity with SSCAFCA Development Process Manual, Sediment & Erosion Design Guide, Watershed Management Plans, Quality of Life Master Plan, Standard Drawings or Technical Specifications.

4.4.3. Projects Completed

- a. Provide a summary of up to three (3) representative projects performed by firm in the last three (3) years , describe the Offeror’s role during the project and rationale for why you believe the past project is representative of the proposed project. If applicable, provide information on how the projects have performed and what the main “lessons learned” on the project were (from the design standpoint).

4.4.4. Technical Approach

- a. Describe Offeror’s understanding of the Scope of Work/Specifications identified in Section 2.3 of this RFP.
- b. Describe how the Offeror will manage this project to ensure timely completion, including funding agency coordination & approvals, see Section 2.3.f.
- c. Describe Offeror’s quality assurance/quality control practices to minimize errors and omissions.

4.4.5. Quality and Content of Proposal

- a. The proposal will be scored on the overall quality of the assembly and presentation of information.

4.4.6. References

- a. Please provide three (3) references for work completed within the last three (3) years. No more than one SSCAFCA personnel can be listed.

(End of Section 4)

Section 5 - EVALUATION OF PROPOSALS

5.1. **Evaluation Summary.** The following table 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.

MANDATORY SUBMITTAL REQUIREMENTS		
<i>RFP Section</i>	<i>Description</i>	<i>Evaluation Method</i>
4.3.1	Required Information Form - Appendix A	Pass/Fail
4.3.2	Campaign Contribution Disclosure - Appendix B	Pass/Fail
4.3.3	Proof of Insurance	Pass/Fail
SCORING CATEGORIES		
<i>RFP Section</i>	<i>Description</i>	<i>Max. Possible Points</i>
4.4.1	Experience and Capability	20
4.4.2	Local Presence & Experience	20
4.4.3	Projects Completed	10
4.4.4	Technical Approach	40
4.4.5	Quality and Content of Proposal	5
4.4.6	References	5
TOTAL POINTS POSSIBLE		100

(End of Section 5)

Appendix A – Required Information Form

1. IDENTITY OF OFFEROR:

FIRM NAME: _____

ADDRESS: _____

TELEPHONE #: _____

FEIN: _____

CONTACT PERSON FOR PROPOSAL: _____

E-MAIL ADDRESS*: _____

ALTERNATE EMAIL CONTACT*: _____

** SSCAFCA may attempt to contact Offeror via email. Please provide additional email contact information if available.*

2. DISCLOSURE OF ANY POTENTIAL CONFLICTS OF INTEREST

Please indicate any potential conflicts of interest including, but not limited to:

1. Accepting an assignment where duty to the client would conflict with the Offeror’s personal interest, or interest of another client.
2. Performing work for a client or having an interest which conflicts with this contract.
3. If NO conflict exists, write NONE below.

(Please attach additional pages if necessary)

3. LITIGATION STATUS

Provide a brief list of any pending, settled, tried, or other litigation the firm has been involved in for the past five (5) years relating to professional surveying services performed by the firm, with a description of the case(s) and their current status, if applicable. If not applicable, write NONE below.

(Please attach additional pages if necessary)

4. SIGNATURE

This page has been signed by a signatory with the authority to bind the Offeror. By signing this document, through the undersigned representative who has the authority to bind the Offeror, and by submitting this proposal in response to this RFP, the Offeror agrees to the following:

1. To perform the services required by such RFP and to adhere to all requirements, specifications, terms and conditions of the RFP.
2. To be bound by this proposal for a minimum of 60 days from the date proposals were due.
5. Receipt of all addenda that have been issued for this RFP.

SIGNED BY:

Name (print)

Signature

Title

Date

(End of Appendix A)

Appendix B – Campaign Contribution Disclosure Form

PROSPECTIVE CONTRACTOR NAME: _____

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred fifty dollars (\$250.00) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official’s employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

THIS FORM MUST BE INCLUDED IN THE REQUEST FOR PROPOSALS AND MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBERS, OR THEIR REPRESENTATIVES HAVE MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

“Applicable public official” means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

“Campaign Contribution” means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official’s behalf for the purpose of electing the official to statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal

expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

“**Family member**” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of:

- (a) a prospective contractor, if the prospective contractor is a natural person; or
- (b) an owner of a prospective contractor.

“**Pendency of the procurement process**” means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“**Prospective contractor**” means a person or business that is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or a small purchase contract.

“**Representative of a prospective contractor**” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

For the purposes of this procurement, the applicable public officials are the SSCAFCA Board of Directors named below:

James Fahey Jr.
4828 Corrales Rd.
Corrales, NM 87048

Cassandra D’Antonio
6031 Redondo Sierra Vista NE
Rio Rancho, NM 87144

Mark Conkling
2528 Sandia Loop NE
Rio Rancho, NM 87124

John Chaney
3592 Calle Suenos
Rio Rancho, NM 87124

Ronald Abramshe
852 Golden Yarrow Trail
Bernalillo, NM 87004

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR

Contribution Made By: _____

Relation to Prospective Contractor: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s): _____

Nature of Contribution(s): _____

Purpose of Contribution(s): _____

(Attach extra pages if necessary)

Signature

Date

Title (position)

— OR —

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250.00) WERE MADE to an applicable public official by me, or my family members or my representatives.

Signature

Date

Title (position)

(End of Appendix B)

Appendix C – Sample SCAFCA Contract

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(end of Agreement)