

REQUEST FOR QUALIFICATIONS

CITY OF FORT WORTH
CODE COMPLIANCE DEPARTMENT
ENVIRONMENTAL MANAGEMENT DIVISION
1000 THROCKMORTON
FORT WORTH, TEXAS 76102



PROJECT: ENV 16-03: EECS

ENVIRONMENTAL AND ENGINEERING
CONSULTING SERVICES
ANNUAL CONTRACT

JANUARY 11, 2016

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1.0 REQUEST FOR QUALIFICATIONS

1.1 PROJECT DESCRIPTION: Qualifications are being accepted by the City of Fort Worth for the provision of professional services for environmental and engineering consulting on an annual contract agreement. Individual projects under the contract will be released on a Task Order basis when the City elects to proceed with each project. Providers are being asked to present the qualifications and experience of their company as well as their personnel for these services.

THERE IS NO MINIMUM GUARANTEE OF ANY WORK UNDER THIS CONTRACT.

1.2 GENERAL REQUIREMENTS:

Qualifications documents may be obtained from the City of Fort Worth - Purchasing web site at www.fortworthtexas.gov/purchasing in portable document format (PDF).

The Qualifications Documents submitted in accordance with this Request for Qualifications shall remain valid for sixty (60) days after the due date.

All Providers must comply with:

- Chapter 17, "Human Relations," Article III, "Discrimination," Division 3, "Employment Practices," of the Code of the City of Fort Worth, prohibiting discrimination in employment practices.
- City of Fort Worth's Business Diversity Enterprise (BDE) Ordinance, Ordinance No. 20020-12-2011.

1.3 INTERPRETATION OF THE REQUEST FOR QUALIFICATIONS:

All requests for an interpretation of the Request for Qualifications must be made in writing and submitted to the Code Compliance Department – Environmental Management Division, by fax, regular mail, or email, at any time up to seven (7) calendar days prior to the deadline date for submitting Qualifications Packages. The person submitting the request will be responsible for its prompt delivery. No oral requests for interpretation will be answered.

The City will issue any interpretation of the Qualifications Documents as a formal addendum. Each Provider that intends to submit a Qualifications Package, must e-mail Mr. Roger Grantham, with a notification of intent to submit. The City will also post addenda on the web site. The City will not be responsible for any other explanations or interpretations. It is the Provider's obligation to determine if addenda have been issued prior to the deadline for submitting the Qualifications Package.

Requests for interpretations must be submitted to:

Roger Grantham
Code Compliance Department–Environmental Management Division
City of Fort Worth
1000 Throckmorton Street
Fort Worth, TX, 76102-6311
Fax 817.392.6359
Email roger.grantham@fortworthtexas.gov

- 1.4 CONFLICTS: Should there be conflicts between the Qualifications documents and the final executed contract documents, the final contract documents shall take precedence.
- 1.5 HOW TO SUBMIT A QUALIFICATIONS PACKAGE: Each Provider must submit **ONE (1) electronic copy (in Adobe Acrobat® format (PDF)) and three (3) unbound printed copies** of their Qualifications Package to the City. All items to complete the submittal must be included within the Qualifications Package or the entire Qualifications Package may be considered non-responsive and rejected. In case of ambiguity or lack of clarity, the City reserves the right to adopt the construction most advantageous to the City or to reject the Qualifications Package.

Qualifications Packages must be submitted in a sealed envelope, addressed to the City of Fort Worth Purchasing Division, 1000 Throckmorton, Fort Worth, Texas 76102. The Qualifications Packages must be received by the Purchasing Division no later than 1:30 p.m. on February 18, 2016.

The project number must be clearly marked on the envelope and the statement **“QUALIFICATIONS DOCUMENTS ENCLOSED, DELIVER TO PURCHASING DIVISION ONLY BEFORE 1:30 on Thursday, February 18 2016”** placed in the lower left-hand corner of the envelope in which the documents are delivered. If the documents are placed in an envelope that is contained inside another envelope, the statement shall be placed on the outermost envelope.

Proposal/Bid documents may be obtained from the City of Fort Worth, website;

The URL address is: <http://www.fortworthgov.org/purchasing>

Any Qualifications Documents not properly marked or not received in the proper place by the proper time will be considered non-responsive.

NO FAXED QUALIFICATIONS WILL BE ACCEPTED

- 1.6 OPENING OF QUALIFICATIONS: The Document entitled "Qualifications Summary" in each Qualifications Package submitted will be opened and read aloud at 2:00 P.M. on Thursday, February 18, 2016, in the Fort Worth City Council Chambers. The Qualifications Packages shall be handled so as to avoid the disclosure of the remainder of their contents to competing offerors and so as to keep such contents secret during negotiations. All Qualifications Packages will be open for public inspection after the contract is awarded.

However, information in the Qualifications Packages subject to the trade secrets exception of the Public Information Act under § 552.110 of the Texas Government Code or the confidential information exception under §552.101 of the Texas Government Code will not be open to public inspection. It is the responsibility of the Provider to clearly mark as such any information they deem trade secret or confidential.

1.7 QUALIFICATIONS EVALUATION CRITERIA: The City will select the most highly qualified Provider responding to the request, based upon demonstrated competence and qualifications. Qualifications will be evaluated by qualitative measures and will be weighted as follows:

FACTOR	WEIGHT
1. Provider's Company Experience	40 points
2. Provider's Personnel Experience	30 points
3. Provider's Legal History	20 points
4. Provider's Work History With City *	15 points
5. Subcontractor's Experience	20 Points
6. <u>BDE Ordinance – SBE Participation</u>	25 points
 TOTAL	 150 points

* No work history with the City will receive a score of 0 points.

NOTE: Any of the above factors may be weighted as low as -10 points.

The City may conduct such investigations as deemed necessary to assist in the evaluation of any Qualifications and to establish the responsibility, qualifications, and financial ability of the Provider, subcontractors, and other persons who are proposed to work on the project.

1.8 NEGOTIATION OF THE CONTRACT: After selecting the most highly qualified Provider, the City will then attempt to negotiate with such Provider a contract at a fair and reasonable price. At this time the City will request from Provider a Fee Statement for primary charges for the proposed scope of services. If a satisfactory contract cannot be negotiated with the most highly qualified Provider, the City shall formally end negotiations with that Provider, select the next most highly qualified Provider, and attempt to negotiate a contract with that Provider at a fair and reasonable price. This process shall continue until a contract is entered into, or until the City rejects all submittals and issues a new Request for Qualifications based on a new scope of work. The professional fees under the contract must be consistent with and not higher than the recommended practices and fees published by the applicable professional association for such services, and may not exceed any maximum provided by law. During negotiations, the Provider will also respond to the City's Business Diversity Enterprise Utilization Requirements as set forth in Section 2.3 of this Request for Proposals. The City will negotiate with the successful Provider any final changes to the contract and any exceptions identified in the Qualifications Documents. The City is not obligated to accept any exceptions made by Provider. The successful Provider will be required to submit three (3) hard copies of the entire RFQ printed double sided to the City. After the negotiations, the City will prepare and issue the contract documents with

the notice of award to the successful Provider.

- 1.9 CONTRACT TIME: The successful Provider will be awarded a one-year contract with four (4) one-year options to renew.
- 1.10 AWARD OF THE CONTRACT: The City will send a notice of award letter to the successful Provider with three (3) sets of contract documents. The successful Provider must execute the contract in each set and return all three sets to the City. Upon receipt of the three sets, the City will execute each set and issue one set to the Provider with a letter entitled notice to proceed. This letter authorizes work to begin and invoices to be paid.
- 1.11 RESERVATIONS: The City reserves the right to reject any or all Qualifications Packages and waive any or all formalities.



2.0 QUALIFICATIONS DOCUMENTS

2.1 QUALIFICATIONS DOCUMENT CHECKLIST

All Qualifications Documents, including this Checklist, must be completed in full and submitted in a sealed envelope, in the requested order, or the Qualifications Package may be considered as a non-responsive submittal.

<u>Qualifications Documents</u>	<u>Initial if Included</u>
1. QUALIFICATIONS DOCUMENT CHECKLIST	_____
2. ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA	_____
3. BUSINESS DIVERSITY ENTERPRISE ORDINANCE REQUIREMENTS	_____
4. QUALIFICATIONS SUMMARY	_____
5. QUALIFICATIONS OF PROVIDER	_____
6. LIST OF SUBCONTRACTORS	_____
7. INSURANCE CERTIFICATES	_____
8. PROVIDER'S LICENSES & CERTIFICATES	_____
9. NONDISCRIMINATION	_____
10. PROVIDER'S LEGAL & COMPLIANCE HISTORY	_____
11. PROVIDER'S FINANCIAL STATEMENT	_____
12. HEALTH & SAFETY PROGRAM MANUALS	_____

I understand that failure to submit all of these items may cause my submittal to be considered non-responsive.

Name _____

Title _____

Company _____

2.2 ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

2.2.1 Check if applicable _____

The undersigned acknowledges the receipt of the following addendum (a) to the Request for Qualifications, and has attached all addenda following this page. (Add lines if necessary).

___ Addendum Number 1 _____
(Date received)

___ Addendum Number 2 _____
(Date received)

___ Addendum Number 3 _____
(Date received)

___ Addendum Number 4 _____
(Date received)

2.2.2 Check if applicable _____

The undersigned acknowledges the receipt of no addenda to the Request for Qualifications.

PROVIDER:

Company Name

BY: _____
(print or type name of signatory)

Address

(Signature)

City, State, Zip

Title (print or type)

2.3 BUSINESS DIVERSITY ENTERPRISE (BDE) UTILIZATION REQUIREMENTS

All Offerors shall note that it is the policy of the City of Fort Worth to ensure the full and equitable participation of Small Business Enterprises (SBE) in the procurement of goods and services. If the total dollar value of the contract is greater than \$50,000, then an SBE subcontracting goal may be applicable.

The SBE goal on this project is 15%.

Interested Offerors must obtain a SBE listing from the M/WBE Office at 817-212-2674 to ensure that SBE listings reflect only those currently certified by the North Central Texas Regional Certification Agency (NCTRCA) located in the six (6) county geographic marketplace that has been accepted by the City ("Marketplace"). The Marketplace is made up of the counties of: Tarrant, Dallas, Denton, Johnson, Parker and Wise. Offerors are strongly encouraged to confirm that each SBE that it intends to use is located in the geographic marketplace to ensure that the SBE will be counted towards the established goal.

The information shall be submitted with the proposal and shall include: (1) the name, address and telephone number of each SBE; (2) the description of the work to be performed by each SBE; and (3) the approximate dollar amount/percentage of the participation.

A **Small Business Enterprise (SBE)** is defined as a business concern located in the marketplace that meets the United States Small Business Administration definition of a small business as outlined in the code of Federal Regulation 13 CFR 121. Firms certified as a Disadvantaged Business Enterprise (DBE) also meet small business enterprise requirements.

Additionally, the City will accept firms certified as SBEs by Federal agencies or other certifying agencies that the City may deem appropriate and accepted by the City of Fort Worth. The City, at its discretion may elect to not accept a SBE certification and/or its assertion that it meets all certification requirements; If it is determined to be in the best interest of the City.

Further, the City reserves the right to request SBEs seeking to do business with the City to allow an audit and/or examination of any books, records and files held by the SBE that will substantiate its SBE certification.

Any intentional and/or knowing misrepresentation of facts will be grounds for terminating any active contracts and/or debarment from City work for a period of not less than three (3) years and for initiating action under Federal, State or Local laws concerning false statements.

The business must be certified prior to recommendation of award in order for the participation to be counted towards the established goal.

If an Offeror is certified as a DBE, MBE, SBE or WBE firm, please be aware that the City's Ordinance does not allow a certified company to count itself towards the established goal; the goal represents subcontracting opportunities.

If an Offeror (regardless of certification status or if a non-D/M/W/SBE), however, forms a joint venture with one or more SBEs, the SBE joint venture percentage participation will be counted towards the established goal. The appropriate City of Fort Worth Joint Venture form must be

submitted for review and approval in order for it to be counted. The City of Fort Worth strongly encourages joint ventures.

If Offeror failed to meet the stated SBE goal, in part or in whole, then a detailed explanation must be submitted to explain the Good and Honest Efforts your firm made to secure SBE participation.

Failure to submit the SBE participation information or the detailed explanation of the proposer's Good and Honest Efforts to meet or exceed the stated SBE goal, may render the proposal non-responsive. The SBE plan will be part of the final weighted selection criteria.

The undersigned acknowledges the City's BDE Ordinance requirements as stated above, and if selected as the most highly qualified provider, will comply with the requirement to submit a utilization plan during contract negotiations.

PROVIDER:

Company Name

BY: _____
(print or type name of signatory)

Address

(Signature)

City, State, Zip

Title (print or type)



2.4 QUALIFICATIONS SUMMARY

TO THE CITY OF FORT WORTH:

The undersigned hereby proposes to furnish the equipment, labor, materials, superintendence, and any other items or services necessary to perform the required environmental and engineering consulting services as instructed by the City. All work will be outlined in a Task Order issued by the City to the Provider for each required task. The Scope of Services is outlined on the following pages of the Qualifications Documents.

All Qualifications Documents have been submitted in one sealed package.

_____ Addenda to the Request for Qualifications have been received as acknowledged in Section 2.2.

This Qualifications Summary and the accompanying Qualifications Documents are intended to be complete and will remain valid for sixty (60) days from the date of submittal.

PROVIDER:

(Company Name)

BY: _____
(print or type name of signatory)

(Address)

(Signature)

(City, State, Zip)

Title (print or type)

Phone)

(FAX)



QUALIFICATIONS OF THE PROVIDER

Provider shall identify its company name, address, telephone number(s), and FAX number(s) for the local office as well as the headquarters.

Provider shall include a narrative on how they will act as an extension of the Environmental Management staff. While Task Orders will outline services to be provided and the price list will set the unit rates, the Provider will be expected to be a good steward of the City's funds.

Explain how the Provider will manage their operations in a manner that will provide cost effective, efficient, responsive, and creative support to the City of Fort Worth. Discussion should also focus on the Provider's billing practices to ensure accurate and timely billing in a manner that is easily reviewed and understood by the City.

Provider shall attach a copy of its current statement of qualifications (**10-page maximum, 10 pt type minimum**). If subcontractors are to be utilized, a current statement of qualifications for each subcontractor must also be included (**5-page maximum per subcontractor, 10 pt type minimum**).

Document the Provider's company and personnel experience with environmental and engineering consulting services as discussed in the **Scope of Services**. This section should discuss past and current relevant jobs with special focus on Fort Worth/Dallas Metropolitan Area work. Specific projects shall be included that summarize work performed, costs incurred with details in regard to being under, on or over original budget, and references. Each Provider must submit their qualifications for each Primary Service identified under the Scope of Services or the entire submittal may be rejected.

Submit an organization chart depicting contact arrangement from the City to the Provider and from the Provider's representative to other areas within the Provider. Identify key persons by name and title and describe the primary work assigned as well as the percentage of time each person will devote to this contract. This chart must include the individual(s) assigned to ensure the BDE plan is followed.

Submit a brief résumé (one page maximum, 10 pt type minimum) for each professional person who will be assigned to PERFORM WORK under this contract. Resume should detail specific projects and accomplishments that are directly related to the Scope of Services contained in this RFQ. Descriptions should be very specific on actual work performed by the individual.

SCOPE OF SERVICES

Qualifications are being accepted by the City of Fort Worth for the provision of professional services for environmental and engineering consulting on an annual contract agreement. Individual projects will be released on a Task Order basis when the City elects to proceed with each effort. Providers are being asked to present the Company's qualifications and experience for this work as well as their Personnel's qualifications and experience for this work.

Provider shall ensure that the Qualifications Package and any resumes included not only document relevant work experience but also summarize how the Provider has been a good steward of the Client's funds. Additionally, details should be included how the Provider has brought creative solutions to the table in an effort to control costs, reduce remediation time, increase effectiveness, etc.

THERE IS NO GUARANTEE OF ANY WORK UNDER THIS CONTRACT, however the types of work for which the successful Provider should be qualified to perform include the following:

Primary Services

- Phase I Environmental Site Assessments in strict accordance with the All Appropriate Inquiries Final Rule and ASTM Standard 1527-05.
- Phase II Environmental Site Assessments including potential impacts to soil, groundwater, surface water, and air.
- Leaking Petroleum Storage Tank (LPST) site investigation, monitoring, remediation, and/or closure including necessary field work, data collection and analysis, reporting, etc.
- Oversight of underground storage tanks removal, soil and groundwater sampling, and report preparation to achieve site closure, etc.
- Site remediation, including developing a cleanup strategy under the appropriate TCEQ program and picking the proper cleanup level for a particular site, overseeing the cleanup, providing appropriate documentation to TCEQ during the cleanup process, and seeing the cleanup through to closure.
- Volatile Organic Compound (VOC) impacts to soil and groundwater including source identification, monitoring/delineation, and active/passive remediation.
- Groundwater water flow issues associated with complex subsurface characteristics including natural and man-made features. Design, installation and monitoring of subsurface systems for groundwater flow control, groundwater treatment, etc.
- Permitting natural gas wells, natural gas compressor stations, and other natural gas related facilities including air, storm water, and waste handling requirements. Experience in conducting point source emission testing and ambient air testing must be included. Additionally, direct experience in performing health analysis based on direct measurements, ambient air results and modeling results.

Secondary Services

- National Environmental Protection Act (NEPA) associated work with focus on Categorical Exclusion criteria reports.
- Housing and Urban Development (HUD) compliant Noise Assessments in accordance with 24 CFR 51, B.
- Air pollution modeling and preparation of reports regarding air toxics, particulate matter and other pollutants.
- Design and construction management of structures, systems, and components intended to collect and/or prevent pollutants from entering the municipal separate storm sewer system (MS4).
- Storm water pollutant concentration modeling.



2.6 LIST OF SUBCONTRACTORS

Providers shall complete the following information and submit it with the Qualifications Documents to permit the City of Fort Worth to more fully evaluate the submittal's quality prior to awarding the contract. **Attach additional pages as necessary.**

Company Name:			
Address:			
Phone Number:		Website:	
Proposed Tasks on the Project:			
Company Name:			
Address:			
Phone Number:		Website:	
Proposed Tasks on the Project:			

Company Name:			
Address:			
Phone Number:		Website:	
Proposed Tasks on the Project:			
Company Name:			
Address:			
Phone Number:		Website:	
Proposed Tasks on the Project:			

2.7 INSURANCE CERTIFICATES

2.7.1 **FOR PURPOSES OF THIS REQUEST FOR QUALIFICATIONS, PLEASE ATTACH A COPY OF YOUR CURRENT INSURANCE CERTIFICATE(S) FOLLOWING THIS PAGE AND BOUND WITHIN THE QUALIFICATIONS PACKAGE.**

2.7.2 The successful Provider will be required by the contract to have insurance coverage as detailed below. Prior to commencing work, the Provider shall deliver to Fort Worth certificates documenting this coverage. The City may elect to have the Provider submit its entire policy for inspection.

(a) Insurance coverage and limits:

Provider shall provide to the City certificate(s) of insurance documenting policies of the following coverage at minimum limits that are to be in effect prior to commencement of work on the contract:

1. Commercial General Liability
 - \$5,000,000 each occurrence
 - \$5,000,000 aggregate
2. Automobile Liability
 - \$1,000,000 each accident, or
 - \$250,000 property damage / \$500,000 bodily injury per person per accident

A commercial business auto policy shall provide coverage on “any auto,” defined as autos owned, hired and non-owned during the course of this project.

3. Worker's Compensation
 - Coverage A: statutory limits
 - Coverage B: \$1,000,000 each accident
\$1,000,000 disease - policy limit
\$500,000 disease - each employee
4. Professional Liability
 - \$2,000,000 each claim
 - \$5,000,000 aggregate

Professional Liability Insurance shall be written on a project specific basis. The retroactive date shall be coincident with or prior to the date of this contract and the certificate of insurance shall state that the coverage is claims-made and the retroactive date. The insurance coverage shall be maintained for the duration of this contract and for five (5) years following completion of the contract (Tail Coverage). An annual certificate of insurance shall be submitted to the City for each year following completion of this contract.

5. Environmental Impairment Liability and/or Pollution Liability
 - o \$2,000,000 per occurrence.

EIL coverage(s) must be included in policies listed in items 1 and 4 above; or, such insurance shall be provided under a separate policy or policies. Liability for damage occurring while loading, unloading and transporting materials collected under the contract project shall be included under the Automobile Liability insurance or other policy(s).

- (b) Certificates of insurance evidencing that the Provider has obtained all required insurance shall be delivered to the City prior to Provider proceeding with the contract.
 1. Applicable policies shall be endorsed to name the City an Additional Insured thereon, as its interests may appear. The term City shall include its employees, officers, officials, agents, and volunteers as respects the contracted services.
 2. Certificate(s) of insurance shall document that insurance coverage specified according to items in section (a) above are provided under applicable policies documented thereon.
 3. Any failure on part of the City to request required insurance documentation shall not constitute a waiver of the insurance requirements.
 4. A minimum of thirty (30) days notice of cancellation or material change in coverage shall be provided to the City. A ten (10) days notice shall be acceptable in the event of non-payment of premium. Such terms shall be endorsed onto Provider's insurance policies. Notice shall be sent to Michael Gange, Assistant Director, Transportation and Public Works Department - Environmental Management Division, City of Fort Worth, 1000 Throckmorton, and Fort Worth, Texas 76102.
 5. Insurers for all policies must be authorized to do business in the state of Texas or be otherwise approved by the City; and, such insurers shall be acceptable to the City in terms of their financial strength and solvency.
 6. Deductible limits, or self-insured retentions, affecting insurance required herein shall be acceptable to the City in its sole discretion; and, in lieu of traditional insurance, any alternative coverage maintained through insurance pools or risk retention groups must be also approved. Dedicated financial resources or letters of credit may also be acceptable to the City.
 7. Applicable policies shall each be endorsed with a waiver of subrogation in favor of the City as respects the contract.
 8. The City shall be entitled, upon its request and without incurring expense, to review the Provider's insurance policies including endorsements thereto and, at the City's discretion, the Provider may be required to provide proof of insurance premium payments.

9. The Commercial General Liability insurance policy shall have no exclusions by endorsements unless the City approves such exclusions.
10. The City shall not be responsible for the direct payment of any insurance premiums required by the contract. It is understood that insurance cost is an allowable component of Provider's overhead.
11. All insurance required in section (a) above, except for the Professional Liability insurance policy, shall be written on an occurrence basis in order to be approved by the City.
12. Subcontractors to the Provider shall be required by the Provider to maintain the same or reasonably equivalent insurance coverage as required for the Provider. When subcontractors maintain insurance coverage, Provider shall provide City with documentation thereof on a certificate of insurance. Notwithstanding anything to the contrary contained herein, in the event a subcontractor's insurance coverage is canceled or terminated, such cancellation or termination shall not constitute a breach by Provider of the contract.



2.8 PROVIDER'S LICENSES & CERTIFICATES

Provider shall procure all permits and licenses, pay all charges, costs, and fees, and give all notices necessary and incident to the due and lawful prosecution of the work.

Provider should provide a copy of the appropriate certifications, registrations, and licenses and related certificates (including Subcontractors) with their submittal including but not limited to:

- TCEQ Corrective Action Specialist (CAS);
- TCEQ Correction Action Project Manager (CAPM);
- Professional Engineer (PE);
- Professional Geologist (PG);
- Professional Land Surveyor; and
- Hazardous Waste Operations and Emergency Response (HAZWOPER) Training – only for key field personnel.

**ATTACH COPIES OF CURRENT APPLICABLE LICENSES AND CERTIFICATES
FOLLOWING THIS PAGE AND BOUND WITHIN THE QUALIFICATIONS PACKAGE**



2.9 NONDISCRIMINATION

All City contractors are required to comply with Chapter 17, "Human Relations," Article III, "Discrimination," Division 3, "Employment Practices," of the Code of the City of Fort Worth, prohibiting discrimination in employment practices. Provider agrees that Provider, its employees, officers, agents, contractors or subcontractors, have fully complied with all provisions of such Ordinance, and that no employee, participant, applicant, contractor or subcontractor has been discriminated against according to the terms of such Ordinance by Provider, its employees, officers, agents, contractor or subcontractors herein.

CONTRACTOR:

Company Name

BY: _____
(print or type name of signatory)

Address

(Signature)

City, State, Zip

Title (print or type)



2.10 PROVIDER'S LEGAL AND COMPLIANCE HISTORY

Provider's legal and compliance history is a critical component of this Request For Qualifications. Read this section with care and respond accordingly. Failure of the Provider to provide all the information requested and to certify the report, will result in the Provider's submittal being declared non-responsive.

Provider shall attach a written report of legal action brought against Provider, Provider's officers, Provider's employees, AND Provider's proposed subcontractors relating to the protection of the environment. The terms "legal action" and "relating to the protection of the environment" are defined below.

The report shall include all legal action brought within **five (5) years of the closing date of this Request for Qualifications**. The report shall detail the substance, status, and outcome of such legal action. This includes without limitation the names of the agency and/or persons bringing the action, all relevant dates, and all fines, judgments, and/or settlements. Include the following information for each case at a minimum:

- Style of Case (X vs. Y)
- Cause Number
- Court
- Date of Disposition
- Settlement Information (as appropriate)
- Names / Addresses of all parties named
- Counsel List and phone numbers
- Judgment and Order of Judgment

"LEGAL ACTION" means: ANY enforcement action by the United States Environmental Protection Agency, the Occupational Safety and Health Administration, any other federal agency, the Texas Commission on Environmental Quality (including its predecessor agency the Texas Natural Resource Conservation Commission), the Texas Department of State Health Services (including its predecessor agency the Texas Department of Health), and any other state agency, commission or department, whether in Texas or elsewhere, when such enforcement action is a result of violations, real or alleged, of any laws, licenses, permits, judicial orders, or administrative orders, relating to the protection of the environment. In this context, enforcement action shall include without limitation, written warnings, notices of violation, consent orders or agreements, compliance orders, administrative hearings, civil litigation and criminal prosecution. Legal action also means any civil litigation brought by any person relating to the protection of the environment.

"RELATING TO THE PROTECTION OF THE ENVIRONMENT" means: requirements pertaining to the manufacture, processing, distribution, use, handling, storage, transportation, reporting, records keeping, permitting, licensing, treatment, disposal, emission, discharge, spill, release, or threatened release of hazardous materials, hazardous substances, hazardous wastes, toxic substances, petroleum, industrial waste, solid waste, pollutants or contaminants into or onto the air, surface water, drinking water, groundwater, storm water, publicly owned treatment works, or land.

THE REPORT SHALL BE SIGNED AND CERTIFIED by an authorized representative of the Provider, using the form on the following page. The top portion of the form is to be completed if a report of legal action is attached. The bottom portion of the form is to be completed if Provider has no legal action to report. **Make certain that the appropriate portion of the form is filled out and signed.**

AN AUTHORIZED REPRESENTATIVE OF THE PROVIDER shall mean:

- (1) if the Provider is a corporation: the president, secretary, or treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation;
- (2) if the Provider is a partnership, a general partner; and
- (3) if the Provider is a sole proprietorship, the sole proprietor.

**INCLUDE A COPY OF THE REPORT OF LEGAL ACTION
FOLLOWING THE CERTIFICATION PAGE AND
BOUND WITHIN THE QUALIFICATIONS PACKAGE**

Certification of Provider's Legal and Compliance History

Complete ONE of the Following Certifications:

Certification of Legal Action Report

I certify under penalty of law that the attached Legal Action Report detailing Provider's, Provider's officers, Provider's employees, and Provider's proposed subcontractors legal and compliance history relating to the protection of the environment was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

PROVIDER:

Company Name

BY: _____
(print or type name of signatory)

(signature)

Title (print or type)

Date

Certification of NO Legal Action

I certify under penalty of law that the legal and compliance history of Provider, Provider's officers, Provider's employees, and Provider's proposed subcontractors was researched under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I hereby certify that no legal action relating to the protection of the environment was brought against Provider, Provider's officers, Provider's employees, or Provider's proposed subcontractors within the preceding five years. To the best of my knowledge and belief, this statement is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

PROVIDER:

Company Name

BY: _____
(print or type name of signatory)

(signature)

Title (print or type)

Date

2.11 FINANCIAL STATEMENT

Providers must provide a current certified or compilation financial statement within this section of the proposal. The financial statement shall be no more than six months old.

**INCLUDE A COPY OF THE STATEMENT FOLLOWING THIS PAGE
BOUND WITHIN THE PROPOSAL PACKAGE**

2.12 HEALTH & SAFETY PROGRAM MANUALS

Each Provider shall submit a copy of its Corporate Health & Safety Program Manual.

**INCLUDE AN ELECTRONIC COPY OF THE HEALTH & SAFETY PROGRAM MANUAL
BOUND SEPARATELY FOLLOWING THIS PAGE**



ADDENDUM

TO: Interested Parties
FROM: Roger Grantham, Environmental Supervisor
Department of Environmental Management
DATE: February 8, 2016
RE: Addendum
Professional Contract for Environmental Engineering and Consulting
Services
Project #: ENV 16-03 EECS

As of Thursday, February 11, 2016, at 1:30P, the following clarifications apply;

1. I just need clarification on page limit. Is the narrative on how we will act as an extension of the Environmental staff, etc., separate from the SOQ? Does the org chart count in the 10 page limit for the SOQ or is it separate like the resumes?

In addition to the questions I submitted yesterday, I wanted more clarification on the page limitations and how they apply to each factor. Can you please provide more clarification on page limitations?

Do the resumes count towards the 10 page maximum set for the statement of qualifications?

Does the org chart count towards the 10 page maximum set for the statement of qualifications?

A: The Page Limits are applicable to the following areas only:

- Corporate resume, as the prime contractor – 10 pages
- Each individual Subcontractor's resume – 5 pages
- Each individual resume, Prime Contractor or Subcontractor – 1 page

The organizational chart or the narratives due not apply to the page limitations as is the same for the copies of licenses and certifications that are applicable. The individual resumes for applicable personnel that will be actively working on the project do not count towards the 10-page limitation, but each applicable resume is restricted to being only one page in length.

2. What constitutes a "page" (i.e. must they be printed single sided or can they be printed double sided)? Does a double side count as one or two pages?

A: Each individual side of a page will count towards the applicable page limit. A single-sided page will equal one page as a double-sided page will equal two pages.

3. Our firm is a privately held firm and all Financial Information is confidential (and not a for Public Record). Can the financials be submitted under separate cover directly to the City and not bound within the proposal package?

A: No, however you may conspicuously mark these sensitive documents similarly to "confidential", "proprietary", "trade secret". Therefore the answer to Question #4 should provide the answer.

4. Is there a policy regarding what is public domain and what is not? We would like to present project summaries that are "confidential" in nature in support of our qualifications. These summaries could include reference contact and phone numbers. If we mark these particular projects as "confidential", can I assume this would not be part of the public record? Similarly, there are other qualifications documents we would like to be excluded from public record (financial statements, health and safety program manuals, etc.).

A: Yes. A submittals are presumptively available for public review, however marking certain documents "confidential", "proprietary", "trade secret" will thus allow the City to notify the vendor of the public records request and for the vendor to interject into the Attorney General's (AG) evaluation process and file a brief with the AG as to the reasons why this information should not be made available. This is applicable on a request by request basis.

5. Please clarify that all items on this page are limited to 10 pages (for the Prime Consultant). In addition, whether resumes, the organization chart, copies of licenses and certifications count towards the 10 page limit.

A: Please see the answer to question number one (1.). The 10-page limit is applicable to the Statements of Qualifications only for the Prime Contractor. Organizational chart, copies of licenses, and certifications, along with the individual assigned personnel for the project do not count toward the 10-page limits.

6. Can you confirm there is no pre-submittal meeting?

A: There is not scheduled pre-bid meeting.

7. Do we need to provide copies of insurance for the prime and subs, or just prime?

A: Insurance is required for the prime or primes, if joint-venture. It is advisable for the insurance certificates also be included for each subcontractor also.

8. Do the actual pages 2-5 through 2-24 need to be included in our submission?

A: Yes.

9. The Certification of Providers Legal and Compliance History (Page 2-16). Can we have each of our subcontractors submit there own signed Certification vs. the Provider signing for everyone.

A: The Provider is considered the general or prime contractor. It is necessary for the provider to supply certification for their past compliance history. Also, certifications may also be included for each individual subcontractor as related to their compliance history.

10. On page 2-23, it states to include a copy of our financial statement bound within the proposal package, yet on page 1-2, item 1.5, it states that we must submit 3 unbound printed copies of the package. Can you please clarify whether the package should be unbound or bound??

A: Concerning page 1-2, Item 5, please submit the following:

- One electronic copy of the entire submittal;
- One bound hard-copy of the entire submittal in its entirety, in the format and order established in the RFQ.

The Recommended vendor will then be asked to provide three complete unbound copies of the RFQ at the time of contract finalization

11. Under the "Qualifications of Provider" section, the 5th paragraph states,

"Document the Provider's company and personnel experience with environmental and engineering consulting services as discussed in the Scope of Services. This section should discuss past and current relevant jobs with special focus on Fort Worth/Dallas Metropolitan Area work. Specific projects shall be included that summarize work performed, costs incurred with details in regard to being under, on or over original budget, and references. Each Provider must submit their qualifications for each Primary Service identified under the Scope of Services or the entire submittal may be rejected."

Should the above be included as part of the SOQ (which has a 10-page limit), or is it a stand-alone section without a page limit?

A: The information requested within the above paragraph should be included in the 10-page SOQ for the submitting Prime Contractor.

12. Are covers allowed?

A. Yes.

13. Where online will addenda be posted?

A. The addenda will be located at the following:

www.fortworthtexas.gov/purchasing

14. On page 2-18, it states the "provider should provide a copy of the appropriate certifications, registrations, and licenses and related certificates (including subcontractors) with their submittal including but not limited to:

- TCEQ Corrective Action Specialist (CAS)
- TCEQ Correction Action Project Manager (CAPM)
- Professional Engineer (PE)
- Professional Geologist (PG)
- Professional Land Surveyor
- Hazardous Waste Operations and Emergency Response (HAZWOPER) Training"

Does our team need to include someone for each of the certificates above? Do we need a R.P.L.S?

A. It is important for the prime to determine for themselves the applicability of the persons that would like to include and then submit certifications as they deem necessary.

15. Is analytical included in the Environmental and Engineering Consulting Services Annual Contract (Project: ENV 16-03), or is the City of Fort Worth handling analytical services separately? Should the Provider include a laboratory as part of their team or is that a separate contract with the City?

A: Analytical services are provided by the City on a separate contract and should not be included in the submittal.

16. "Qualifications of the Provider" (Page 2-10) asks for current Statement of Qualifications of the provider and each of the sub-consultants, besides other additional information that will make this section quite long. We wonder if the response to such section has to be included right after page 2-10 or in a separate section?

A: Yes, please begin submission of SOQs immediately following this page.

17. In the RFQ (pg 2-10), does the narrative on how the Provider will act as an extension of the City's staff, as well as how the Provider will manage their operations, count towards to 10-page limit?

A: These are specific questions that should be addresses in addition to providing the information about your company. Please do not count these pages in the count towards the SOQ page limit, however, it should not require more than one page per topic as described in #17

18. Do the sub consultants have to provide/sign any of the required forms?

A: No. At this time they do not, however, if selected, all sub consultant usage will need to be approved through the MWBE office.

19. The requirements in the RFQ indicate that the Professional Liability be written on a project specific basis. We have General/Professional/Pollution liability with a \$5M limit. Will the city accept our General/Professional/Pollution liability in lieu of the Professional Liability?

A: Yes.

20. The requirements in the RFQ indicate we carry Environmental Impairment Liability (EIL) and/or Pollution Liability (PLL) coverage. We have Contractors Pollution Liability (CPL) coverage which provides third party liability for bodily injury and property damage. According to our agent, EIL and PLL would only apply to the consultant if they owned the property. Will the city accept our CPL coverage in lieu of the EIL and PLL coverage?

A: Yes.

21. Is there a policy regarding what is public domain and what is not? We would like to present project summaries that are "confidential" in nature in support of our qualifications. These summaries could include reference contact and phone numbers. If we mark these particular projects as "confidential", can I assume this

would not be part of the public record? Similarly, there are other qualifications documents we would like to be excluded from public record (financial statements, health and safety program manuals, etc.).

A: Yes. A submittals are presumptively available for public review, however marking certain documents "confidential", "proprietary", "trade secret" will thus allow the City to notify the vendor of the public records request and for the vendor to interject into the Attorney General's (AG) evaluation process and file a brief with the AG as to the reasons why this information should not be made available. This is applicable on a request by request basis.

Our Firm is a closely held Firm with all stock owned by the Management Team. We do not typically provide copies of our financial statements. Please review the attached letter and let me know if this option would suffice?

A: As with all submittals, the requested information should be included as requested or the entire proposal may be considered non-responsive

Good morning Roger, I have a question related to the financial statement requested in the City of Fort Worth RFQ. Our financial statement is published as part of our quarterly and annual reporting as a public company. Our published statement is 147 pages long but it is available on our website under investor's relations. Could we just provide the link to the information on line or do you want us to include the entire document in our response?

A: Yes. You may include your financial information attached to the submittal in electronic format (i.e...CD, :thumb-drive", etc.)

22. Does the City have to plans to approve more than one vendor?

A: No

23. May we separate these sections with Tabs (Qualifications Docs, Addenda, M/WBE Utilizations, etc) without the tabs themselves being counted towards that 10-page limit?

A: Tabs and dividers may be used and do not count towards the 10-page limit.

24. If we are using another firm to comply with the 15% DBE requirement, is this where we can include their information in the additional 5-pages for the "subcontractor"?

A: The 5-page limit applies for each subcontractor utilized;

The page limitations are as follows:

- General Contractor – 10 pages

- General Contractor Professional Resumes – 1 page/each person
- Subcontractors – 5 pages/each
- Subcontractors Professional Resumes – 1 page/each person

25. Please clarify on page 2-10: Submit a brief resume (1page max) for each professional person who will be assigned to PERFORM WORK under this contract. Does this include all person(s) who would fill secondary scopes of services spots as well as key personnel (for example project manager)?

A: Yes. Include a one-page resume for all pertinent personnel who will be actively working on the various projects authorized under this contract.

26. Is there a page limit to the Resumes as a whole?

A: No, but only include applicable personnel who may actively participate in the execution of this contract.

27. Does the Org chart and (or) Tabs and (or) cover page count towards the 10 page max of the SOQ?

A: No. Please see Q&A #s 1, 23, and 24.

28. In Section 2.8 of the RFQ, it mentions needing a Professional Land Surveyor. Do you anticipate surveying to be a part of the scope of services?

A: A Registered Professional Land Surveyor has been used in the past and will be an asset for the services requested by the City, but it is entirely dependent on the submitter's consideration as to include.

29. The RFQ talks about Provider's work history with the City and that no work history with the City will receive a score of 0 points. My question is, although the Company may not have experience working for the City, if the company's local personnel and subcontract team have experience working for the City, does that count and therefore avoid a score of 0 points in the evaluation?

A: Including sub consultants who are in good standing with the MWBE office will count as work experience with the City to varying degrees depending on amount of work history and quality of work performed in the past for the City.

30. Please deliver all proposals to the Purchasing Division, Lower Level, City Hall, 1000 Throckmorton, Fort Worth, Texas, 76102.

31. Clearly mark exterior of package with the project number and "Request for Qualifications".

32. Will there be an extension of the due date from January 17, 2013?

A. No extension of the due date is planned. See #29 above.

33. For clarification purposes, in the past, this contract has not allowed Analytical Laboratories to be listed as subcontractors. Even though the RFQ has no mention of it, the City of Fort Worth as a separate contract with an Analytical Laboratory. All samples will be sent to the City's contract laboratory under Chain of Custody listing the City of Fort Worth for billing purposes. Therefore, no MBE credit will be given for listing a subcontracted Analytical Laboratory for purposes of meeting the MBE goal of %15.

32. Do we need to provide copies of the safety manuals for the prime and subs, or just prime?

A. Health and Safety Manuals or Company plan shall be submitted in an electronic format attached to the inside front panel of the offering, only for the prime or primes, if a joint venture.

33. Please be advised to contact information located in section 2.7 (a) 5 (b) 4, should reflect:

Elmer DePaula, Acting Assistant Director, Code Compliance Department - Environmental Management Division

34. On page 2.11, please be aware of the current ASTM Standard as 1527-13 instead of the previous ASTM Standard of 1527-05.

35. Do we need to provide information on permitting of the natural gas wells and air monitoring activities?

A. No. This requirement is no longer required under this contract. Natural gas related activities are not required in this submittal.

Note the following City of Fort Worth representative contact information:

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Code Compliance
Environmental Management Division**

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