

CITY OF PALM VALLEY
Request for Qualifications (RFQ) for Engineering, Bond Counsel and
Financial Advisor Services

The City of Palm Valley is seeking to enter into engineering, bond counsel and financial advisor services contracts with a state registered engineer, licensed Bond Counsel, and licensed financial advisor for a Texas Water Development Board project. The following outlines this request for qualifications.

- I. **Scope of Work** - The engineering, bond counsel and financial advisor contract will encompass all application and project related services to the City of Palm Valley, including but not limited to the following:
- Preliminary and final documentation for funding by all three (3) consultants
 - Preliminary and design plans and specifications by engineer
 - Preparation of the request for qualifications packet by engineer
 - Conduct all field testing and inspections (interim and final) by engineer
 - Other special services as may be required by all three (3) consultants
 - Completing all necessary requirements for closing on financings

Proposed Project: Drainage Utility System Improvements within the City of Palm Valley and other future water and wastewater projects.

- II. **Statement of Qualifications** - The City of Palm Valley is seeking to contract with a competent engineering, bond counsel and financial advisor firms, registered and licensed to practice in the State of Texas, that has had experience in the following areas:
- Municipal construction including but not limited to waterworks, projects
 - Registered and licensed and in good standing as professional engineer, bond counsel and financial advisor
 - Texas Water Development funded construction projects; and
 - Projects located in this general region of the state
 - The Firm is not debarred or suspended from the Excluded Parties List System (EPLS) of the System for Award Management (SAM) www.Sam.gov.

As such, please provide within your proposal a list of past local government clients, as well as resumes of all personnel who will or may be assigned to this project if you receive the services contract award.

Also, please provide a copy of your current certificate of insurance for professional liability.

III. Evaluation Criteria - The proposals received will be evaluated and ranked according to the following criteria:

| <u>Criteria</u> | <u>Maximum Points</u> |
|---------------------|-----------------------|
| Experience | 60 |
| Work Performance | 25 |
| Capacity to Perform | <u>15</u> |
| Total | 100 |

IV. For this RFQ, respondent's qualifications will be evaluated, and the most qualified respondents will be selected, subject to negotiation of fair and reasonable compensation.

For costs of professional services, negotiations must occur after the initial selection of the engineer or architect as price cannot be used as a selection factor. (See 2 CFR 200.320(d) (5) and Texas Government Code § 2254.004)

Each procurement contract signed by a recipient of financial assistance must include the following term and conditions:

The respondents shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The respondents shall carry out applicable requirements of 40 CFR Part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the respondents to carry out these requirements is a material breach of this contract which may result in the termination of a proposed contract or other legally available remedies.

In addition, all proposers need to be aware that the City of Palm Valley plans to comply to the extent possible with the following:

The proposed contract is subject to the Environmental Protection Agency's (EPA) Disadvantaged Business Enterprise (DBE) Program, which includes EPA-approved fair share goals toward procurement of Minority and Women-owned Business Enterprise (M/WBE) businesses. EPA rules require that applicants and prime respondents' make a good faith effort to award a fair share of contracts, subcontracts, and procurements to M/WBEs through demonstration of the six affirmative steps. For more details of the DBE Program and the current, applicable fair share goals, please visit www.twdb.texas.gov/dbe

DBE PROGRAM LINKS:

TWDB DBE Program Webpage: www.twdb.texas.gov/dbe

DBE Rules (40 CFR Parts 33, 35, and 40): www.epa.gov/sites/production/files/2013-09/documents/final_dbe_rule.pdf

MBE/WBE Certification Fact Sheet: www.epa.gov/sites/production/files/2013-09/documents/mbe_wbe_certification.pdf

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The proposed contract is to be funded through a loan obtained from the Texas Water Development Board as part of the Clean Water State Revolving Fund. There are a number of special provisions for this funding that proposers, by submitting a request for qualifications, acknowledge understanding, including the following: A contract is contingent upon release of funds from the TWDB. Any contract or contracts awarded under this Notice to Proposers are expected to be funded in part by financial assistance from the TWDB. Neither the State of Texas nor any of its departments, agencies, or employees are or will be a party to this Invitation for Request for qualifications or any resulting contract.

Equal Opportunity in Employment - All qualified applicants will receive consideration for employment without regard to race, color, national origin, sex, religion, age, or handicap. The respondents shall carry out applicable requirements of 40 CFR Part 33 in the award and administration of contracts awarded under TWDB financial assistance agreements. Failure by the respondents to carry out these requirements is a material breach, which may result in the termination of the awarded financial assistance.

The City of Palm Valley reserves the right to reject any or all request for qualifications or to waive any informality in the proposing. Request for qualifications may be held by the City of Palm Valley for a period not to exceed sixty (60) days from the date of the request for qualifications opening for the purpose of reviewing the request for qualifications and investigating the proposers' qualifications prior to the contract award.

Small and minority firms are encouraged to submit request for qualifications for this project.

- V. **Deadline for Submission -** The proposals received will be received no later than January 11, 2021 at 4:30 P.M. at the following address:

Attention: The Honorable George Rivera, Mayor
c/o Sylvia R. Treviño, City Secretary
1313 North Stuart Place Road
Harlingen, Texas 78552

CITY OF PALM VALLEY

ENGINEER, BOND COUNSEL, and FINANCIAL ADVISOR - REQUEST FOR QUALIFICATIONS

The City of Palm Valley requests the submission of qualifications statements, which will lead to the possible award of a contract to provide Engineering, Bond Counsel and Financial Advisor services for a project involving the City of Palm Valley's Drainage Utility System Project and other future Texas Water Development Board projects.

Scope of Work

The services to be obtained for the Engineer require: Preliminary and final design plans and specifications, preparation of the request for qualifications packet, conduct all field testing and inspections (interim and final) and other special services.

The services to be obtained for the Bond Counsel require: Experience with review of all legal financing documents to be submitted to the Texas Water Development Board and opinions as required by the Texas Water Development Board.

The services to be obtained for the Financial Advisor require: Experience with the preparation of all financing obligations to the Texas Water Development Board. Also, the Financial Advisor be licensed and in good standing as a Financial Advisor.

Guidelines for Content of Qualification Statements

DO NOT INCLUDE COST INFORMATION with the qualification statement. Responses that include cost or pricing information will be rejected and will not be considered by the City of Palm Valley.

Detailed instructions on preparation of the qualification statement must be obtained from the City of Palm Valley. For more information on preparing and submitting the qualification statement, contact Sylvia Treviño, City Secretary, at the City of Palm Valley. This information should be requested as soon as possible in order to allow time to prepare the document and comply with the procedures.

Submittal Deadline

Three copies of the qualifications statement must be filed with the City of Palm Valley by: January 11, 2021 at 4:30 P.M.

Minimum Qualifications and Selection Criteria

The City of Palm Valley will evaluate the proposals to determine which firm has the best qualifications.

Contract Terms and Negotiation Schedule

The consultant for Bond Counsel, Financial Advisor, Engineering and Rate Consultant services is expected to negotiate an agreement for services that is acceptable to the City of Palm Valley. If an acceptable contract cannot be negotiated, the City of Palm Valley may formally end negotiations and begin negotiating with the next highest qualified person or firm.

This contract is contingent upon release of funds from the Texas Water Development Board (TWDB). Any contract or contracts awarded under this Invitation for Bid (IFB) or Request for Qualifications (RFQ) are expected to be funded in part by a loan from the TWDB. Neither the State of Texas nor any of its departments, agencies, or employees are or will be a party to this IFB, RFQ, or any resulting contract. RFQ's are issued in accordance with Section 2254 of the Texas Government Code (Professional Services Act).

This contract is subject to the Environmental Protection Agency's (EPA) Disadvantaged Business Enterprise (DBE) Program, which includes EPA-approved fair share goals toward procurement of Minority and Women-owned Business Enterprise (M/WBE) firms. EPA rules require that applicants and prime respondents make a good faith effort to award a fair share of contracts, subcontracts, and procurements to M/WBEs through demonstration of the six affirmative steps. For more details of the DBE Program and the current, applicable fair share goals, please visit www.twdb.texas.gov/dbe.

The City of Palm Valley is an affirmative action/equal opportunity employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age, handicap, or national origin. Small, minority, and women-owned business enterprises are encouraged to submit proposals.

George Rivera, Mayor