

**TV Public Infrastructure District
Tooele County, Utah**

REQUEST FOR STATEMENTS OF QUALIFICATIONS

District Engineering Services

Issue Date:
August 21, 2024

Qualification Due Date and Time:
August 30, 2024, at 5:00 PM

Contact, Mailing/Hand Delivery Address (hard copies):

Smith Hartvigsen, PLLC
Attn: Jay L. Springer
257 E. 200 S., Ste. 500
Salt Lake City, UT 84111
(801) 413-1600

Electronic Submission:

Email to: jspringer@SHutah.law
Subject line: TVPID Engineering RFQ Submission

SUMMARY

TV Public Infrastructure District, sometimes referred to as the Tooele Valley Public Infrastructure District (“District”) is requesting proposals from qualified engineering firms who are well-versed generally with special emphasis in water and wastewater engineering services servicing industrial sites. Responders should be qualified to provide the type of general engineering services common to Utah public infrastructure districts in addition to ordinary tasks, i.e., grants, bids, certifications of fair market value, and review and oversight. This Request for Statements of Qualifications for District Engineering Services (“RFQ”) is issued consistent with the Utah Procurement Code for Design Professional Services (Utah Code Title 63G, Chapter 6a, Part 15).

ABOUT THE DISTRICT

The District was formed in 2024 to construct, develop, own, and manage certain public improvements. The District is governed by a Board of three trustees (“Board”) appointed by the Utah Inland Port Authority (“UIPA”) and is governed by the Governing Document for the District adopted by UIPA. The majority of District operating funds come from bond proceeds. The District may also utilize grants awarded from Federal, State, and County entities to assist in funding capital projects.

DISTRICT LOCATION

The District is located entirely in unincorporated Tooele County, Utah. The District initially serves no connections and is intended to serve only commercial/industrial facilities.

INTENT & NATURE OF SERVICES

The District plans to retain a qualified consulting engineer to provide the District services as its District Engineer. Through this RFQ, the District is seeking proposals from qualified engineering firms to provide general engineering services for various construction projects, which may vary in complexity, on an as-needed, on-call basis and includes, without limitation, projects relating to roadways, water projects, wastewater projects, drainage improvements, stream rehabilitation, etc.

The intent is to select one engineering firm to complete selected projects over the next five or more-year period as constraints allow and funding becomes available. Responses to this RFQ will be evaluated by the District which intends to compare and evaluate all qualifying submittals and select the most qualified firm(s) based on proposal content. This is an RFQ only and should not be interpreted as a solicitation for services or as a contract for services. Submittals should be comprehensive, concise, and directly responsive to the goals and format as outlined in this RFQ. Statements of qualifications (“SOQs”) should include details about experience, key personnel, subcontractors and reference contacts as described herein. Based upon its evaluation of the SOQs, the District may choose at its discretion to award an engineering firm an ongoing contract.

DISTRICT ENGINEER FUNCTIONS

- Manages all aspects of engineering for the District;
- Manages and oversees all aspects of GIS and Arc Map;
- Reviews all matters pertaining to engineering to ensure that undertakings proposed and implemented by the District and others are done in a manner that protects the District’s interests, and are in keeping with District goals, specifications, and practices as well as with local, state, and federal laws;

TV Public Infrastructure District
Request for Qualifications – District Engineering Services

- Assists in planning, coordinating, supervising, and evaluating programs, plans, services, equipment, and infrastructure;
- Evaluates the District's needs and formulates short- and long-range plans to meet needs in all areas;
- Provides engineering services on capital improvement projects;
- Reviews construction plans for development for consistency with District-adopted engineering specifications, District policies and relevant laws, rules and regulations and ensures Board actions are implemented;
- Makes presentations to the public and the District Board;
- Is available to meet with developers to oversee matters dealing with the engineering functions of the District;
- Maintains engineering records and maps required to ensure accurate information is available to the District and public;
- Prepares reports, investigations, studies, and evaluations as may be required from time to time and as directed by the District Chairman or Designee;
- Advises the District as to engineering and construction financing available to the District and prepares and initiates applications for funding;
- Remains on-call for the District; and
- Performs other engineering-related functions as directed by the District Chairman or Designee.

REPORTING FUNCTION

- Supports and produces reports, certifications, and other statutorily required documents and performs such other tasks as required by a public infrastructure district under the Public Infrastructure District Act (Utah Code Ann. Section 17D-4-101 et seq.)

PROPOSAL REQUIREMENTS AND CONTENTS

Proposals submitted for this project are to follow the outline described below and must address all requested information. Any additional information that the firm wishes to include that is not specifically requested should be included in an appendix to the proposal. Firms are encouraged to keep the proposals brief and to the point, but sufficiently detailed to allow evaluation of the proposal's approach.

Copies of the proposal must be submitted either (i) electronically by email to Jay Springer (jspringer@shutah.law) with the email subject "*TVPID Engineering RFQ Submission*" or (ii) by hard copy to Smith Hartvigsen, PLLC at 257 E. 200 S., Ste. 500, Salt Lake City, UT 84111.

- Preference will be given to firms with extensive water systems and wastewater engineering experience and familiarity with high elevation mountain utilities and operations. The District reserves the right to withdraw this RFQ at any time without prior notice and reject all proposals submitted without reason. Any award of contract for services shall be made to the firm found to be most qualified and responsive in the opinion of the District.
- Proposals may be rejected at the District's option if they contain any alterations, additions, conditions or alternatives, are incomplete, or contain erasures or irregularities of any kind.

TV Public Infrastructure District
Request for Qualifications – District Engineering Services

- The District expressly reserves the right to postpone submittal opening for its convenience.
- The selected firm must agree to indemnify and hold harmless the District, its officers, agents and assigns from any liability or loss resulting from suits, claims, or actions brought against the District which result directly or indirectly from the wrongful or negligent actions of the consultant or company in the performance of the contract.
- The selected firm will be required to comply with all existing State and Federal labor laws including those applicable to equal opportunity employment provisions.
- The District reserves the right to negotiate unique requirements and proposed service levels using the selected proposal as a basis.
- All responses to this RFQ shall become the property of the District and will be retained or disposed of accordingly.
- No amendments, additions or alternates shall be accepted after the submission date and time.
- All documents, records, designs, and specifications developed by the selected firm while providing services for the District shall be the property of the District.
- Anything considered to be proprietary should be designated by the firm.
- Acceptance by the District of any proposal submitted pursuant to this RFQ shall not constitute any implied intent to enter a contract for services.
- The District reserves the right to issue a written notice in the same manner as the original notice of any change in the proposal requirements or submission schedule should the District determine, in its sole discretion, that such changes are necessary.
- All services provided by the firm shall be in accordance with Federal, State, County, and District standards.

SECTION 1 – OVERVIEW OF RESPONDING FIRM

Provide a narrative description of your firm and your firm's experience with the following:

- Public entities;
- Grant identification, application, success, and management;
- The firm's familiarity with the District's area;
- Water projects;
- Wastewater projects;
- Fire and EMS projects;
- Sanitation projects;
- Funding entities such as State, County and Federal grant (ARPA); and
- Identify any unique approaches or strengths that your firm may have related to the provision of District Engineer services.

Successful candidates shall, at a minimum:

- Have a valid Professional Engineering License from the State of Utah;

TV Public Infrastructure District
Request for Qualifications – District Engineering Services

- Maintain up-to-date general commercial liability insurance (provide policy in response);
- Have qualifying engineers who graduated from an accredited engineering school;
- Be familiar with Tooele County infrastructure requirements;
- Be familiar with State of Utah codes related to drinking and wastewater;
- Be familiar with U.S. Safe Water codes;
- Have experience managing large and small water and wastewater projects;
- Be familiar with the geology and geography of the District, especially as it relates to water sources, pipe trenches and other construction concerns;
- Be able and willing to communicate with the District staff and Board, including attending and presenting at Board meetings; and
- Be able and willing to consult with the District staff on technical matters as they may arise.

SECTION 2 – DISTRICT ENGINEER TEAM

A responsible District Engineer shall be identified and associated responsible personnel should also be identified. A project team organization diagram and a brief resume of each team member shall be included. Any sub-consultants should be listed. Full resumes may be included in an appendix.

Include client names, addresses and telephone numbers for the District to check references.

SECTION 3 – CONFLICTS OF INTEREST

Firms must disclose any actual, apparent, direct or indirect, or potential conflicts of interest that may exist with respect to the firm, management, or employees of the firm or other persons relative to the services to be provided under the agreement for engineering services to be awarded pursuant to this RFQ.

SECTION 4 – PROPRIETARY INFORMATION

Firms must provide a statement that nothing contained in the submitted proposal will be proprietary. All proposals shall become the property of the District once submitted.

SECTION 5 – INSURANCE AND OTHER REQUIREMENTS

The District will require the selected responder to maintain general liability, automobile, workers' compensation, and errors and omissions insurance. The contract will contain provisions requiring the selected firm to indemnify the District and provide that the District Engineer is an independent contractor serving at the will of the District. Other required provisions will include the District's right to terminate the agreement, at its sole discretion, upon the provision of notice. Other required provisions will include the District's right to terminate the agreement, at its sole discretion, upon the provision of notice.

SECTION 6 – COMPENSATION

The SOQs shall be used as a basis for negotiating and finalizing compensation that is fair and reasonable in compliance with Utah Code Ann. Section 63G-6a-1505.

SECTION 7 – SIGNATURE AND ACCEPTANCE OF CONDITIONS

The proposal shall be signed by an official authorized to bind the consulting firm and shall expressly state the proposal is valid for 90 days. Additionally, this section will be a statement offering the firm's acceptance of all conditions listed in the RFQ document. Any exceptions or suggested changes to the RFQ of any contractual obligations, including the suggested change, the reasons therefore and the impact it may have on any considerations on the firm's behalf must be stated in the proposal. Unless specifically noted by the firm, the District will assume that the proposal is in compliance with all aspects of the RFQ.

PROPOSAL DEADLINES AND START DATE FOR SERVICES

<u>August 21, 2024:</u>	Posting of Request for Qualifications and beginning of period to accept Proposals.
<u>August 30, 2024, at 5:00 PM:</u>	Deadline for Proposals.
<u>By September 3, 2024:</u>	Opening and evaluating proposals.
<u>No earlier than September 3, 2024:</u>	Official award of the contract by the Board will be at a Board Meeting.
Promptly thereafter:	Completion of contract negotiations and commencement of services.

PROPOSAL TERMS AND CONDITIONS

The District will not pay any costs incurred by the firm in preparing or submitting the proposal. The District reserves the right to modify or cancel, in part or in its entirety, this RFQ. The District reserves the right to reject any or all proposals, to waive defects, irregularities, or informalities, and to offer to contract with any firm in response to any RFQ. This RFQ does not constitute any form of offer to contract.

During the evaluation process, the District reserves the right, where it may serve the District's best interest, to request additional information or clarification from proposers, or to allow corrections of errors or omissions. At the discretion of the District, firms submitting proposals may be requested to make oral presentations as part of the evaluation process.

The District reserves the right to retain all proposals submitted and to use any idea(s) in the proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in the request for proposals and of the District's standards terms and conditions for professional services, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the District and the firm selected.

RIGHT OF REFUSAL

The District reserves the right to reject any and all proposals without cause. Proposals will be evaluated in their entirety. The District reserves the right to negotiate specific requirements and costs using the selected proposal as a basis.

SELECTION PROCEDURES

Written proposals submitted by the deadline will be evaluated based upon qualifications, experience, ability to perform, and understanding of specific services to be provided.

In reviewing the proposals for ranking, the District will carefully weigh the following:

- The firm's approach to and understanding of the Scope of Work;
- The firm's previous experience with the project area, if any, and familiarity with the project area;

TV Public Infrastructure District
Request for Qualifications – District Engineering Services

- Experience and expertise with GIS, Arc Map and surveying;
- The firm's experience with similar contracts and clients;
- The experience and qualifications of the proposed staff in providing similar services;
- The firm's demonstrated ability to deliver work on time and within budget;
- The extent of involvement by key personnel;
- The extent to which previous clients have found the firm's services acceptable;
- Communication skills; and
- Other qualifications/criteria as deemed appropriate.

AWARD OF CONTRACT

The Board shall designate the following three individuals to serve as the Evaluation Committee for purposes of this RFQ:

- Charles W. Akerlow, District Chair
- Mark Horne, District Vice-Chair
- Matt Smock, District Clerk

After taking into consideration the District's Evaluation Committee's recommendations based on qualifications, experience, ability to perform and understanding of specific services provided, the Board shall award the contract to one or more of the top-ranked Proposers or may elect to reject all proposals. In making its decision, the Board shall determine which proposal is in the best interest of the District, after considering all applicable factors.

The Board may make the awarding of a contract subject to further negotiations and modifications deemed to be in the best interest of the District, and the award of contract shall be subject to the District and the proposer entering into a contract acceptable to the District.