



TOWN OF BERLIN, CONNECTICUT

REQUEST FOR QUALIFICATIONS FOR: Civil Engineering Services-Paper Goods Dam

RFQ NUMBER: 2023-13

RFQ OPENING DATE: 2/23/2023

RFQ OPENING TIME: 2:00PM

RFQ OPENING PLACE: Berlin Town Hall, Public Works Office – Room 120

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The Town of Berlin (hereinafter "Town"), is seeking to engage the services of a Consulting Engineering Firm associated with repairing the Paper Goods Dam, and is requesting statements of qualifications for dam engineering services from expert, qualified, and independent firms. This contract has an anticipated start in March/April 2023.

One (1) original and two (2) copies of sealed qualifications which include a letter of interest, together with general information on the Firm and proposed Sub-consultants, the Firm's brochure/marketing information, experience of the Firm, and resumés of key personnel should be addressed to: Town of Berlin, Department of Public Works – Room 120, 240 Kensington Road, Berlin, CT 06037. Additionally, all interested Firms must submit a detailed statement including the organizational structure under which the Firm proposes to conduct business. Proposed sub-consultants should be clearly identified. The relationship to any "parent" Firm or Subsidiary Firm, with any of the parties concerned, must be clearly defined.

The documents comprising the Request for Qualifications may be obtained on the Town's website, www.Town.berlin.ct.us, under "Bid and RFP Information," or from Maryssa Tsolis, Purchasing Agent, Berlin Town Hall, 240 Kensington Rd, Berlin, CT 06037 during normal business hours. **Each proposer is responsible for checking the Town's website to determine if the Town has issued any addenda and, if so, to complete its qualification in accordance with the RFQ as modified by the addenda.**

The Town reserves the right to amend or terminate this Request for Qualifications, accept all or any part of a qualification, reject all qualifications, waive any informalities or non-material deficiencies in a qualification, and award the qualification to the proposer that, in the Town's judgment, will be in the Town's best interests.

1. **INTRODUCTION**

The Town of Berlin is soliciting qualifications to engage a Consulting Engineering Firm to determine the scope of work for required repairs to the Paper Goods Dam (CT ID # 707), prepare construction contract plans and documents, obtain all required permits, prepare engineer's construction estimate, assist the Town in bidding and awarding the construction contract, and assist in construction administration/inspection and project close-out. It is anticipated that the engineering work will begin in March/April 2023, and extend into the 2024 fiscal year.

The Consulting Engineer will be evaluated and selected based upon design and technical competence, the capacity and capability to perform the work within the time allotted, past record of performance, and knowledge of Federal, State and Town procedures.

This RFQ is not a contract offer, and no contract will exist unless and until a written contract is signed by the Town and the successful proposer. Interested parties should submit qualifications in accordance with the requirements and directions contained in this RFQ. The Town may choose not to select any firm. The Town is an equal opportunity, affirmative action employer, does not discriminate because of race, religion, color, sex, national origin, sexual orientation, marital status, disability or any other factors protected by law.

- **Background and Intent**

Background on the Paper Goods Dam (CT ID # 707) is provided in the most recent inspection report (2020) as well in the Emergency Action Plan last updated in 2019. These documents can be obtained from the Town Purchasing Agent, Maryssa Tsolis, upon request via email (mtsolis@berlinct.gov). If interested consultants want to review other project files, this can be arranged by contacting the Public Works Director at mahern@berlinct.gov. The intent of this assignment is to prepare design documents to address deficiencies noted in the 2020 inspection report and any others that may be uncovered during subsequent, more detailed inspections of the dam by the selected consultant.

It is the goal of the Town to enter into agreement with a vendor that will provide services efficiently, will accurately bill, and will provide high quality, flexible customer service to the Town. The Vendor will be expected to maintain expert knowledge of these services to ensure the Town is receiving the highest quality service at the most affordable rates while maintaining quality and secure technology.

- **Qualifications**

Eligible Engineering Services Vendors will be those individuals, businesses and firms that meet the following qualifications:

1. Consultant must be familiar with CT DEEP dam safety and inspection regulations and permitting.
2. Consultant must have demonstrated experience and expertise in regard to providing the types of or similar services as those outlined in the Scope of Services.
3. Consultant must have a proven track record in providing these types of services for similarly sized municipal governments, preferably in Connecticut.
4. Consultant must be familiar with, qualified, and properly licensed in the State of Connecticut to perform its obligation in compliance with all applicable Federal and State of Connecticut laws and regulations, statutes and policies.
5. The Town will not award to any business that, or person who, is in arrears or in default to the Town with regard to any tax, debt, contract, security or any other obligation.
6. Documented/audited internal control environment
7. Consultant must have a business continuity plan

- **Scope of Services**

The following scope of services is provided as a general overview which may be expanded and further defined through negotiation:

- Desktop review, initial site inspections, and preparation of base mapping suitable for detailed design (the selected consultant would be responsible for coordinating with a surveyor, wetland scientist, geotechnical subconsultant, etc., as needed)
- Detailed inspections to clarify details of required remedial work (per the dam deficiencies noted in the 2020 inspection report).
- Preparation of design drawings and specifications for permitting and bidding, and cost estimates
- Obtain all required permits and approvals
- Optional – assist the Town in preparing grant applications for relevant funding programs
- Assist the Town in bidding, bid analysis/recommendation, and awarding the construction contract
- Provide construction administration and inspection services, and assist the Town in project close-out.

- Provide industry standard or higher quality services while maintaining a focus on providing a cost-effective service to the Town.
- Provide the highest quality customer service to the Town, not limited to, but particularly in the areas of reliability and billing.

The selected firm shall work with and cooperate with the Finance and Public Works Departments in rendering services pursuant to this RFQ.

- **Agreement Period**

The Town anticipates entering into a contract with the selected Consultant commencing March/April 2023.

The Town will contractually reserve the right to cancel the contract at any time. The agreement period for any contract or purchase order resulting from this RFQ shall ultimately be as negotiated to the mutual agreement of the parties.

- **Additional Conditions**

All those submitting qualifications must be willing to adhere to the following additional conditions:

1. The consultant must certify that the personnel identified in its response to this RFQ will be the persons actually assigned to the project. At its discretion, the Town may require the removal and replacement of any of the consultant's personnel who do not perform adequately, regardless of whether they were previously approved by the Town.
2. All subconsultants hired by the selected consultant awarded a contract or purchase order as a result of this RFQ must have prior approval of the Town prior to and during the agreement period.
3. Any contract or purchase order resulting from this RFQ process will represent the entire agreement between the consultant and the Town and will supersede all prior negotiations, representations or agreements, alleged or made, between the parties. The Town shall assume no liability for payment of services under the terms of the contract or purchase order until the successful consultant is notified that the contract or purchase order has been accepted and approved by the Town. *Any contract resulting from this RFQ may be amended*

only by means of a written instrument signed by the consultant and signed by the Town Manager.

2. RIGHT TO AMEND OR TERMINATE THE RFQ OR CONTRACT

The Town may, in its sole discretion, clarify, modify, amend or terminate this RFQ if the Town determines it is in the Town’s best interest. The Town has the right to extend the RFQ Open Date no later than four (4) business days prior to the scheduled RFQ Open Date, via Addenda, if determined it is in the Town’s best interest. In the event that an insufficient number of qualified submissions are received by the RFQ Open Date, the Town may terminate and re-post the RFQ if determined it is in the Town’s best interest. All such actions shall be affected by a posting on the Town’s website, www.town.berlin.ct.us. **Each proposer is responsible for checking the Town’s website to determine if the Town has issued any addenda and, if so, to complete its qualification in accordance with the RFQ as modified by the addenda.**

If this RFQ provides for a multi-year agreement, the Town also reserves the right to terminate the Contract at the end of the last fiscal year for which funds have been appropriated, and the Town shall have no obligation or liability to the successful proposer for any unfunded year or years.

3. KEY DATES

RFQ Advertised	2/9/2023
Questions due from Vendors	2/16/2023
RFQ Open Date	2/23/2023
Interview of top Vendors	TBD, if required
Contract Execution Date	March/April 2023

4. QUALIFICATION SUBMISSION INSTRUCTIONS

A. Qualification Requirements & Required Format

Qualifications must set forth accurate and complete information for each of the items listed below. At the Town’s discretion, failure to do so could result in disqualification. Please ensure your qualification incorporates responses to the below questions, as well as any requested attachments.

1. Proposer Information: Please provide the following information:
 - a. Firm Name
 - b. Permanent main office address

- c. Date firm organized.
- d. Legal Form of ownership. If a corporation, indicate where incorporated.
- e. How many years have you been engaged in services you provide under your present name?

2. Experience, Expertise and Capabilities

- a. Philosophy Statement and Business Focus. A statement of the proposer's philosophy and approach in undertaking the services of the nature outlined in the RFQ, as well as a description of its primary business focus.
- b. Summary of Relevant Experience. A listing of projects that the proposer has completed within the last ten (10) years of a similar nature to those included in the Scope of Services in this RFQ must be provided.
- c. The following additional information shall be provided by each bidder:
 - **Please provide a sample billing** in the format the Town would receive on a regular basis.
 - General description of the organization structure of your institution including parent and/or subsidiary companies and the number of employees.
 - Identify who will be the primary client relationship manager.
 - Provide a general representation of the key factors and other important considerations that you feel separates your institution/firm from others in providing the requested services.
 - Detail description of your firm's technical resources and experience in providing the desired scope of services to similarly sized entities.
 - Identify the location of the office(s) from which the services will be performed.
 - Disclose any current (last 3 years) business, financial, personal, or other types of relationships which may pose a conflict of interest.
 - Please list any contracts or purchase orders in the last five (5) years between the proposer and any agency of the Town.

3. Statement of Qualifications and Work Plan

- a. Qualifications. For **each** item listed in Qualifications, please describe your firm's qualifications, experience and capabilities

as they pertain to each of the areas of qualifications listed, as well as those of the personnel to be assigned to this project.

- b. Work Plan. For **each** item listed in Scope of Services, please describe the approach that would be generally followed in undertaking these tasks.
- c. Services Expected of the Town. Identify the nature and scope of the services that would be generally required of the Town in undertaking these projects.

4. Information Regarding: Failure to Complete Work, Default and Litigation.

Please respond to the following questions:

- a. Have you ever failed to complete any work awarded to you? If so, where and why?
- b. Have you ever defaulted on a contract? If so, where and why?
- c. Is there any pending litigation which could affect your organization's ability to perform this agreement? If so, please describe.
- d. Has your firm ever had a contract terminated for cause within the past five years? If yes, provide details.
- e. Has your firm been named in a lawsuit related to errors and omissions within the past five years? If yes, provide details.
- f. During the past seven years, has your firm ever filed for protection under the Federal bankruptcy laws? If yes, provide details.
- g. Are there any other factors or information that could affect your firm's ability to provide the services being sought about which the Town should be aware?

5. Exceptions and Alternatives. Proposers wishing to take any exceptions to any requirement in the RFQ shall state and explain such exceptions. The Town may accept qualifications which take exception to any requirements in this RFQ, or which offer any alternative to a requirement herein, as well as consider such exceptions and alternatives in evaluating responses. Any exception or alternative must be clearly delineated and cannot materially affect the substance of this Request for Qualifications.

Your qualification should be submitted in a sealed envelope marked "Civil Engineering Services – Paper Goods Dam # 2023-13" to the Public Works Office at the Berlin Town Hall (Room 120), 240 Kensington Rd, Berlin, CT 06037, until but no later than **2:00 P.M., February 23, 2023**. The Town will not accept submissions by e-mail or fax. Proposers are solely responsible for ensuring timely delivery. The Town will **NOT** accept late qualifications.

Qualifications may be withdrawn personally or in writing provided that the Town receives the withdrawal prior to the time and date the qualifications are scheduled to be opened. Qualifications are considered valid, and may not be withdrawn, cancelled or modified, for sixty (60) days after the opening date.

An authorized person representing the legal entity of the proposer must sign the Qualification Form and all other forms included in this RFQ.

5. **QUESTIONS AND AMENDMENTS**

Questions concerning the process and procedures applicable to this RFQ are to be submitted **in writing** (including by e-mail or fax) and directed **only to:**

Name: Maryssa Tsolis

Position: Purchasing Agent

Email: mtsolis@berlinct.gov

Fax: (860) 828-7048

Proposers are prohibited from contacting any other Town employee, officer or official concerning this RFQ with the exception of requesting a file review from the Public Works Director. A proposer's failure to comply with this requirement may result in disqualification.

The appropriate Town representative listed above must receive any questions from proposers no later than seven (7) days before the qualification opening date. That representative will confirm receipt of a proposer's questions by e-mail. The Town will answer all written questions by issuing one or more addenda, which shall be a part of this RFQ and the resulting Contract, containing all questions received as provided for above and decisions regarding same.

At least four (4) calendar days prior to qualification opening, the Town will post any addenda on the Town's website, www.Town.berlin.ct.us. **Each proposer is responsible for checking the website to determine if the Town has issued any addenda and, if so, to complete its qualification in accordance with the RFQ as modified by the addenda.**

No oral statement of the Town, including oral statements by the Town representatives listed above, shall be effective to waive, change or otherwise modify any of the provisions of this RFQ, and no proposer shall rely on any alleged oral statement.

6. ADDITIONAL INFORMATION

The Town reserves the right, either before or after the opening of qualifications, to ask any proposer to clarify its qualification or to submit additional information that the Town in its sole discretion deems desirable.

7. COSTS FOR PREPARING QUALIFICATION

Each proposer's costs incurred in developing its qualification are its sole responsibility, and the Town shall have no liability for such costs.

8. OWNERSHIP OF QUALIFICATIONS

All qualifications submitted become the Town's property and will not be returned to proposers.

9. FREEDOM OF INFORMATION ACT

All information submitted in a qualification or in response to a request for additional information is subject to disclosure under the Connecticut Freedom of Information. Proposers are encouraged **not** to include in their qualifications any information which is proprietary a trade secret or otherwise confidential. All materials associated with this procurement process are subject to the terms of state laws defining freedom of information and privacy, and all rules, regulations and interpretations resulting from those laws.

10. REFERENCES

Each proposer must complete and submit the Proposer's Statement of References form included in this RFQ.

11. LEGAL STATUS

If a proposer is a corporation, limited liability company, or other business entity this is required to register with the Connecticut Secretary of State's Office, it must have a current registration on file with that office. The Town may, in its sole discretion, request acceptable evidence of any proposer's legal status. Each proposer must complete and submit the Proposer's Legal Status Disclosure form included in this RFQ.

12. PRESUMPTION OF PROPOSER'S FULL KNOWLEDGE

Each proposer is responsible for having read and understood each document in this RFQ and any addenda issued by the Town. A proposer's failure to have reviewed all information that is part of or applicable to this RFQ, including but not only any addenda posted on the Town's website, shall in no way relieve it from any aspect of its qualification or the obligations related thereto.

Each proposer is deemed to be familiar with and is required to comply with all federal, state and local laws, regulations, ordinances, codes and orders that in any manner relate to this RFQ or the performance of the work described herein.

By submitting a qualification, each proposer represents that it has thoroughly examined and become familiar with the scope of work outlined in this RFQ, and it is capable of performing the work to achieve the Town's objectives. If applicable, each proposer shall visit the site, examine the areas and thoroughly familiarize itself with all conditions of the property before preparing its qualification.

13. TAX EXEMPTIONS

The Town is exempt from the payment of federal excise taxes and Connecticut sales tax and use taxes. Such taxes must not be included in prices.

14. AWARD CRITERIA & SELECTION

All qualifications will be publicly opened and read aloud as received on the date, at the time, and at the place identified in this RFQ. Proposers may be present at the opening.

The Town reserves the right to correct, after proposer verification, any mistake in a qualification that is a clerical error, such as a price extension, decimal point error or FOB terms. If any error exists in an extension of prices, the unit price shall prevail.

The Town reserves the right to accept all or any part of a qualification, reject all qualifications, and waive any informalities or non-material deficiencies in a qualification. The Town also reserves the right, if applicable, to award the purchase of individual items under this RFQ to any combination of separate qualifications or proposers.

The Town will accept the qualification that, all things considered, the Town determines is in its best interests. Due consideration will be given to a proposer's experience, references, service, ability to respond promptly to requests, past performance, and other criteria relevant to the Town's interests, including compliance with the procedural requirements stated in this RFQ.

A. Evaluation Criteria

The following specific criteria are expected to be among those utilized in the selection process. They are presented as a guide for the proposer in understanding the Town's requirements and expectation for this project and are not necessarily all inclusive or presented in order of importance.

- The background, experience, and strength of the Proposer in providing similar services elsewhere, including the level of experience in working with other Connecticut municipalities of similar size, and the quality of

services performed, either for other school systems or other municipalities, or both.

- The Proposer's responsiveness and compliance with the RFQ requirements and conditions to provide the services requested.
- A review of references provided with the Qualification, and administration of prior contracts.

The Town may elect to have the qualifications evaluated by a committee as part of making a selection. If deemed necessary, the Town reserves the right to arrange for interviews/oral presentations as part of the selection process, which invitations for interviews may involve a short-listing of the qualifications received.

The Interview and Contract Execution dates in Key Dates are anticipated, not certain, dates.

15. ATTACHMENTS

The following attachments are included below and must be completed, as detailed within the RFQ.

A. References

INDEMNIFICATION

The Vendor at its own expense and without exception, shall indemnify, defend and pay all damages, costs, expenses, including attorney fees, and otherwise hold harmless the Town of Berlin, its employees, and agents, from any liability of any nature or kind in regard to the delivery of these services. The Vendor shall secure and maintain General Liability Insurance as will protect him from claims under the Worker's Compensation Acts and from claims for bodily injury, death, or property damage which may arise from the performance of his services under this contract.

INSURANCE REQUIREMENTS

The selected vendor must maintain insurance that meets the Town's minimum insurance requirements (listed below), to protect the Town from claims for loss or injury which might arise out of or result from the operations under this contract. Additionally, the selected vendor must file Certificates of Insurance with the Town, naming the Town as an additional insured.

Worker's Compensation, employer liability (or statutory limits - greater of two), \$1,000,000.

Comprehensive General Liability with limits of not less than \$2,000,000.00 per occurrence.

Professional Liability with limits not less than \$5,000,000.

Umbrella Liability of not less than \$3,000,000.

Comprehensive Automobile Liability (owned, non-owned, hired) of \$1,000,000.00 each accident.

**TOWN OF BERLIN, CONNECTICUT
ATTACHMENT A: CONSULTANT'S STATEMENT OF REFERENCES**

Civil Engineering Services-Paper Goods Dam

Provide at least three (3) references:

1. BUSINESS NAME

ADDRESS

CITY, STATE

TELEPHONE:

E-MAIL:

INDIVIDUAL CONTACT NAME AND POSITION

2. BUSINESS NAME

ADDRESS

CITY, STATE

TELEPHONE:

E-MAIL:

INDIVIDUAL CONTACT NAME AND POSITION

3. BUSINESS NAME

ADDRESS

CITY, STATE

TELEPHONE:

E-MAIL:

INDIVIDUAL CONTACT NAME AND POSITION
