



**Capital Projects & Purchasing Department
113 Mable T. Willis Blvd.
Walterboro, SC 29488
843.539.1968**

RFQ: CC-20

COLLETON COUNTY ENGINEERING SERVICES

DUE: Tuesday, December 15, 2015 @ 11:00am

MAIL RFQ RESPONSE TO:

Capital Projects & Purchasing Department
Attn: Kaye B Syfrett
113 Mable T. Willis Blvd.
Walterboro, SC 29488

DELIVER RFQ RESPONSE TO:

Capital Projects & Purchasing Department
Attn: Kaye B Syfrett
113 Mable T. Willis Blvd.
Walterboro, SC 29488

County Colleton, South Carolina (the "County") is requesting interested firms to provide engineering services for a variety of projects throughout Colleton County. These services are to be provided on an as-needed basis under a Requirements Contract. The contract will be in effect for a period of two (2) years.

The Colleton County selection committee will evaluate each of the submittals or firms on the following criteria:

1. Experience in design and construction management;
2. Experience with local governments related projects;
3. Past performance with Colleton County and/or other local governmental agencies/ ability to provide "real time" service to client and projects;
4. Ability to meet schedule deadlines and budget constraints;
5. Familiarity with state and/or federally funded projects and requirements; and
6. Ability to assist county with identifying and obtaining state and federal grants.

Based on these evaluations, the selection committee will rank the most qualified applicants. Upon determination of the final rank by the selection committee, written notification of selection will be sent to all of those who respond to the Request for Qualifications. The Committee reserves the right to interview some or all of the prospective firms.

Colleton County shall make positive efforts to utilize Disadvantaged Business Enterprises for its supplies and services and shall allow these sources the maximum feasible opportunity to compete for contracts. Colleton County does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

RFQ information associated with this solicitation is located on the County website at: <http://www.colletoncounty.org/bids-and-proposal-requests>. If additional information is needed, requested can be made to Kaye B. Syfrett, Colleton County Procurement Manager, 113 Mable T. Willis Blvd., Walterboro, SC 29488, via email ksyfrett@colletoncounty.org. For questions specific to the RFQ documents, please contact John T. Stieglitz III, Capital Projects Director, via email jstieglitz@colletoncounty.org.

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I. PURPOSE OF REQUEST:

Colleton County is requesting engineering support from qualified engineering firms (Consultants) in order to meet the engineering requirements for the development of various projects, unanticipated emergencies, and/or other essential requirements. The County will retain qualified Consultants to enhance Colleton County's ability to provide the necessary engineering services and comply with South Carolina State and/or Federal laws and regulations governing the programs under which projects are developed.

The County will consider submittals from independent Consultants or Consultant teams in which the prime consultant is capable of providing a minimum of 65% of the services described herein. Submittals from Consultants or a team of Consultants not meeting this standard shall be deemed non-responsive, non-responsible.

II. METHOD OF PROCUREMENT:

This is a qualifications-based selection and the contract will be competitively negotiated. Award will be given to the most responsible, responsive and most highly qualified consultant firms. Procedures for this procurement are identified in Section IX, INSTRUCTIONS TO CONSULTANTS. This qualifications-based selection is based on the Brooks Act (40 U.S.C. 11). Cost is NOT a factor in the ranking of consultants to provide services herein. **DO NOT include any reference to consultant costs in the RFQ response.** Any RFQ response with any discussion of cost will be disqualified. Consultants are advised that this evaluation and selection process is a competition and not simply a prequalification.

These services are to be provided on an as-needed basis under a Requirements Contract. The contract will be in effect for a period of two (2) years with the opportunity to extend for additional one (1) year periods.

III. SCOPE OF SERVICES:

- A. Interested Consultants shall develop a team of professionals who are capable of offering the variety of services defined herein.
- B. Projects assigned to the Consultant under this contract may include, but not be limited to:
 - 1. **Water Resources Engineering:** Including hydraulic/hydrologic engineering using standard computation methodology and computer modeling, in accordance with, but not limited to: Colleton County, SC, Natural Resource Conservation Service (NRCS), South Carolina Department of Health and Environmental Control (SCDHEC), Federal Emergency Management Agency (FEMA), and U.S. Army Corps of Engineers (ACOE) standards, policies and procedures. Scope may include, but is not limited to, storm drainage system design and evaluation, storm water management best practices design, waterway analysis to support culvert and bridge design, evaluation of drainage complaints, development of sediment and erosion control measures, and other related activities.
 - 2. **Transportation and Highway Engineering:** Including, but not limited to: roadway widening projects, paving existing dirt roads, new roadway design, intersection improvements, pavement section design, right-of-way acquisition coordination, utility coordination, subsurface utility engineering, and evaluation of safety complaints; all in accordance with Colleton County, American Association of State Highway and Transportation Officials (AASHTO) and South Carolina Department of Transportation (SCDOT) standards and all other means necessary.
 - 3. **Structural Engineering:** Including, but not limited to, the design of structural repairs for bridges, design of new structures such as retaining walls, culverts, bridges, structural steel and wood structures, and inspections. All structural engineering shall be completed in accordance with professional engineering standards such as those published by the AASHTO, American Standards for

- Testing and Materials (ASTM), International Code Council (ICC), American Society of Civil Engineers (ASCE) and SCDOT standards and all other means necessary.
4. **Traffic Engineering:** Including, but not limited to, traffic calming recommendations, evaluation of traffic related complaints; development of signing and pavement marking plans; and maintenance of traffic plans. Traffic engineering assignments shall be completed in accordance with professional engineering standards defined by local, state and federal law, the Manual on Uniform Traffic Control Devices (MUTCD), manuals and best management practices of the Institute of Transportation Engineers (ITE), Highway Capacity Manual, and SCDOT policies and procedures as well as all other means necessary.
 5. **Land and Geodetic Surveying:** Includes, but is not limited to, measurement of land and land features, establishment of property boundaries, topographic mapping, establishment of vertical and horizontal surveying control using global positioning systems and equipment, adjustment of survey data including balancing of traverses and volume calculations, adjustment of GPS control points with existing data, cross sectioning, preparation of right-of-way and boundary plats and related activities. All land surveying and geodetic assignments shall be completed in accordance with the standards of practice accepted in the State of South Carolina.
 6. **Natural Resources Management:** Includes, but is not limited to wetland delineation, permitting and mitigation, archaeological, endangered species and any other regulatory permitting requirements. Ability to develop a wetland mitigation bank.
 7. **Real Property Acquisition:** Includes acquiring the necessary rights-of-way, drainage easements, slope permissions, etc. necessary to complete the work assigned. The methods used shall be in accordance to current County practices.
 8. **Construction Engineering and Inspection (CE&I):** Includes, but is not limited to construction management, construction administration to include and ensure adherence to specific regulations per applicable project funding sources, erosion control inspection, traffic control inspection, materials certifications, materials sampling, and materials testing. Materials sampling and testing should be performed at frequencies specific to the project requirements.

IV. SUBMITTAL FORMAT:

Responding firms shall submit four (4) bound copies, one (1) being the original.

All questions regarding the scope of work in the RFQ must be submitted by e-mail as directed in the RFQ. Questions shall be received a minimum of five (5) business days prior to the date and time that the proposal is due unless otherwise stated in RFQ. No further questions shall be accepted after that time specified. Colleton County will answer all questions received and publish as an addenda which will be placed on the County website. The submitted proposal must identify that latest addenda was taken into consideration. Oral explanations or instructions will not be binding.

The RFQ response must be submitted by the date and time listed in this RFQ. The response shall contain no more than twenty-five (25) double spaced pages, typed on one side only, excluding appendices. Minimum font size shall be 12-point. Responses should address each of the following proposal content requirements in the same order as listed below. The consultant may wish to include additional information. If a consultant does not submit responses to these items, their submittal may be considered non-responsive and returned without further review/evaluation. Consultants are advised that Colleton County reserves the right to conduct an independent investigation of any information, including prior experiences, identified in the responses. Consultants are responsible for effecting delivery by the deadline date and time; late submissions will be rejected without opening. Colleton County accepts no responsibility for misdirected or lost proposals. Responses shall be explained and identified within the twenty-five (25) pages. Appendices may only be used to support or supplement the detailed answers, but cannot be used as a substitute for the required narrative response.

V. PROPOSAL CONTENT:

The following is included in the 25-page RFQ response:

1. **Letter of Interest:** The Letter of Interest should be no longer than one (1) page and shall contain the following items:
 - a. An expression of the Prime Consultant's interest in being selected for the project.
 - b. A statement confirming the commitment of key personnel identified in the submittal to the extent necessary to meet Colleton County's quality and schedule expectations.
 - c. Provide the name of the Prime Consultant Principal, Officer of the Firm or Project Manager responsible for this contract and has authority to sign the contract for consultant.
 - d. A summary of key points regarding the Prime Consultant's qualifications.
 - e. Signing the letter of interest constitutes authorization of consultant to submit qualification for the purpose of negotiating and entering a contract with Colleton County.
 - f. Certification of authorized submitter that information contained within is correct by including: "I certify that the information included within this document, is to the best of my knowledge, correct as of the date indicated".
2. **Project Organization Chart:** Limited to one (1) side of one sheet of paper. This chart must include the names of the key individuals selected for this project, their roles on the project, the names of the consultant by which they are employed, and the lines of communication, to include functional structure, levels of management and reporting relationships for Key Individuals, and major functions to be performed in managing and designing the project. It shall also indicate the people who will be points of contact with the County's Capital Projects Director.
3. **Qualifications for key individuals.**
4. **Names and qualifications for other key individuals** that are considered critical to the success of this project in addition to those identified above. Qualifications should include information on experience related to similar projects and previous project work.
5. A **direct response to each of the selection criteria** identified below.
6. The consultant must provide a **chart indicating the present workload of all key personnel** to include all active projects (concurrent projects with other entities such as cities, other state agencies, counties, COGs MPOs, private sector) and their percentage availability for this project. Additionally, all proposals must clearly list the percentage of work for prime consultant and sub-consultant(s) that will be performing work as part of the project.

APPENDICES

1. Standard Form 330 (SF 330) as required by the Federal Acquisitions Regulations. All parts of the SF 330 must be completed in its entirety for the prime consultant, any sub-consultants and any sub-contractors. Also, indicate if the prime consultant has previously worked with the proposed sub-consultant and give a brief example of the previous relationship(s). The Form 330s will not count against the maximum page limit and can be included in the appendices.

2. Provide a list of References who have personal knowledge of the prime consultant's and the sub-consultant's previous performance. Provide three (3) client references each for both the prime and the sub-consultant(s). The references must include verified addresses, email addresses and telephone numbers, contact persons, and a brief description of services that have been provided similar to those described by Colleton County for this project. References shall be shown on separate sheets (limited to one (1) single-sided sheet; one sheet for the prime and one sheet for each sub proposed).

REQUIRED FORMS

Include all required forms at the end of the submitted proposals as specified in the last section of this RFQ.

VI. SELECTION PROCESS

Following the deadline for submittal of qualifications, a selection committee will review, analyze and rank all submittals based on their response to the information requested. The selection committee may conduct discussions with the Offerors submitting responses regarding the Contract and shall select from among them the Offerors deemed most qualified to provide the required services. At the discretion of the County, the discussions with the Offerors may consist of written questions and responses, and/or personal interviews with members of the Offerors. If personal interviews are required by the County, the persons proposed to be responsible for performing the work required herein shall attend the interview. If requested, Offerors should be prepared to submit financial status information, which shall be held in confidence. The County will negotiate a stipulated lump sum fee for basic services and a rate schedule to be utilized for additional services and contingent additional services with the highest qualified Offeror at a compensation which is considered to be fair and reasonable to the County. These rates shall include all disciplines (e.g., Architect, Project Manager, Civil, Structural, Mechanical, and Electrical Engineers, CADD Operator, etc.) In making this decision, the selection committee will take into account the general scope, the complexity, and the professional nature of the services to be rendered. Should the County be unable to negotiate a satisfactory contract with the Offeror considered to be most qualified, negotiations with that Offeror shall be formally terminated. Negotiations will then proceed with the remaining ranked Offerors in the same manner until a Contract is reached. The County reserves the right to reject any or all qualifications, and to waive defects, technicalities and/or irregularities in any submittal. The County reserves the right to finalize a contract based on all factors involved in the written qualification(s) submitted without further discussion or interviews.

VII. SELECTION CRITERIA AND EVALUATION PROCESS:

A three member selection committee comprised of Colleton County staff will be established by Colleton County Procurement Manager and County Planning Director to review the RFQ responses and rank the firms. The selection committee will receive copies of each responsive RFQ response submitted and will review and draft preliminary scores based on the selection criteria. The selection committee will then meet to discuss the RFQs and determine if interviews are necessary. If interviews will not be conducted, members finalize their individual scores and submit them to the Procurement Manager. If the selection committee determines interviews are necessary prior to selection, a maximum of three (3) consultants will be short-listed based on the preliminary scoring and invited to participate in interviews. The selection committee will develop the format for the interviews which will be used to refine and fill in gaps from their preliminary scoring. Upon conclusion of the interviews, the committee will reconvene to discuss the interviews, finalize their individual scores and submit them to the Procurement Manager. The Procurement Manager will compile the scores, rank the firms, and will start contract negotiations with the highest ranked firm. In the event that a satisfactory contract cannot be

reached, the Capital Projects Director will terminate contract negotiations and will start negotiations with the next highest ranked firm.

Consultants are advised that Colleton County may use all information provided by the consultant and information obtained from other sources in the assessment of past performance. Past performance information on contracts not listed by the consultant, or that of named subcontractors, may also be evaluated. Colleton County may contact references other than those identified by the consultant and information received may be used in the evaluation of the consultant's past performance. While Colleton County may elect to consider information obtained from other sources, the burden of providing current, accurate, and complete past performance information rests with the consultant. The criteria shown below will determine the consultant's qualification score.

The relative point value and selection criteria follow:

20%	Experience in design and construction management
20%	Experience with local governments related projects
20%	Past performance with Colleton County and/or other local governmental agencies/ ability to provide "real time" service to clients and projects
10%	Ability to meet schedule deadlines and budget constraints
10%	Familiarity with state and/or federally funded projects and requirements
20%	Ability to assist county with identifying and obtaining state and federal grants

VIII. INSTRUCTIONS TO CONSULTANTS:

ADDITIONAL INFORMATION: Colleton County reserves the right to request or obtain additional information about any and all responses to the RFQ.

AMENDMENT: Any amendment will be posted on Colleton County website. The RFQ may be amended at any time prior to the RFQ response submittal date. All actual or prospective consultants should monitor Colleton County's website for issuance of amendments. Consultants shall acknowledge receipt of any amendment to this RFQ (1) by signing and returning the amendment, (2) by letter; or (3) by submitting a RFQ response that indicates in some way that the consultant received the amendment. If this RFQ is amended, then all terms and conditions which are not modified remain unchanged. It is the consultant's responsibility to check the website regularly for updates and modifications.

AUDITS: Prior to contract award, an audit may be conducted by Colleton County of the selected consultant. This audit will be for the purpose of ensuring the selected firm is financially capable of performing the contract, the cost information and prices quoted are reasonable and the selected consultant had adequate accounting practices to ensure accurate tracking of contract costs.

AUTHORIZATION TO BEGIN WORK: No work shall commence until after contract execution and issuance of a Notice to Proceed (NTP). Violations of NTP may result in non-payment of work performed, termination of an impending contract, or loss of federal funds, if applicable. Consultant billing shall not date prior to contract and/or modification of execution date.

AWARD: Contract award will occur after successful negotiations with the selected firm are reached. All selected firms and awards will be posted on Colleton County's website. Award will be made to the top ranked firm that has successfully negotiated a contract.

CERTIFICATION FORMS: Submission forms located in 'Appendix A' of this document must be completed, signed, and notarized and submitted with the RFQ response. Failure to submit these forms may result in the RFQ response being deemed nonresponsive.

CLARIFICATIONS: Colleton County, at its sole discretion, shall have the right to seek clarifications from any consultant to fully understand information contained in their responses to the RFQ.

COMMUNICATION: Effective the date of the advertisement of this contract, no further contact is allowed with any Colleton County personnel concerning this project except for questions of an administrative or contractual nature that shall be submitted in writing to the attention of one of the Contract Officers. This restriction is in effect until the selection has been announced. The employees of the proposing consultant may not contact any Colleton County staff including members of the Selection Committee, other than one of the Contract Officers to obtain information on the RFQ. Such contact may result in disqualification.

CONFLICT OF INTEREST: By submitting a proposal, proposer agrees that, if an organizational conflict of interest is discovered after the proposal is submitted, the proposer must make an immediate and full disclosure to Colleton County that includes a description of the action that the proposer has taken or proposes to take to avoid or mitigate such conflict. Colleton County considers it a conflict of interest for a consultant to represent more than one party in relation to any given project regardless of which phases of the service are involved. If after award of the contract an organizational conflict of interest is determined to exist, Colleton County may, at its discretion, cancel the contract. If the proposer was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to Colleton County, then Colleton County may terminate the contract for default. Consultant must complete and submit a DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST CERTIFICATION certifying it does not have any financial or other interest in the outcome of the project, that it has no agreement, enforceable promise, or guarantee with any individual or company to provide any work on the project, that it does not have any association or professional or business relationships with anyone who has a financial interest in the outcome of the project, nor does anyone with a financial interest in the outcome of the project, exercise any control over the consultant's pay, employment, bonuses, or other area subject to external influence.

CONFLICT OF INTEREST (NEPA): For all Environmental Impact Statement (EIS) and Environmental Assessment (EA) consultant selections, a DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST CERTIFICATION will be required from each firm of the project team (prime and all sub-consultants). Consultants will be required to disclose any financial or other interest they may have in the outcome of the environmental document, in accordance with Council on Environmental Quality Regulation, 40 C.F.R. §1506.5(c) (1999). The DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST CERTIFICATION is included in the Appendix to this RFQ.

COST RATE: Consultants and sub-consultants must have an SCDOT approved indirect cost rate prior to contract execution. Please refer to the following link for additional information:
http://www.scdot.org/doing/contractor_Audit.aspx.

DEBARMENT CERTIFICATION: Federal regulations require certification by prospective consultants as to current history regarding debarment, eligibility, indictments, convictions, or civil judgments. Consultant is required to submit the Debarment certification with its RFQ response. Any individual, business, organization, corporation, consortium, partnership, joint venture, or any other entity including sub-consultants currently debarred or suspended is ineligible to participate as a candidate for this process. Any entity ineligible to conduct business in the State of South Carolina for any reason is ineligible to respond to the RFQ. A CERTIFICATION OF PRIMARY PARTICIPANT REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS is included in the Appendix to this RFQ.

DRUG FREE WORK PLACE CERTIFICATION: By submitting an RFQ response, consultant certifies that, if awarded a contract, consultant will comply with all applicable provisions of the Drug-free Workplace Act, Title 44, and Chapter 107 of the South Carolina Code of Laws, as amended.

ETHICS CERTIFICATION: By submitting this RFQ, the consultant certifies that the consultant has and will comply with South Carolina’s Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended. The following statutes require special attention: (a) Offering, giving, soliciting, or receiving anything of value to influence action of public employee - §8-13-790, 8-13-705, 8-13-720; (b) Recovery of kickbacks - §8-13-790, (c) Offering, soliciting, or receiving money for advice or assistance of public official - §8-13-720, (d) Use or disclosure of confidential information - §8-13-725, (e) Persons hired to assist in the preparation of specifications or evaluation of bids - §8-13-1150, (f) Solicitation of state employees - §8-13-755, §8-13-760 and §8-13-725. The state may rescind any contract and recover all amounts expended as a result of any action taken in violation of this provision.

INSURANCE and BONDS: Consultant and sub-consultants are responsible to obtain all required statutory and contractual insurance and bonds, including but not limited to Professional liability insurance and Error and Omissions insurance, and shall be submitted to Colleton County prior to execution of contract. The A/E and their consultants shall maintain all forms of insurance required by law in the State of South Carolina. The A/E shall also maintain insurance coverage for comprehensive, general liability, automobile liability, and workers’ compensation (by statutory authority). Colleton County will be named as an “additional insured” party. This policy shall remain in effect for a minimum of 12 months after the date of issuance of the final Certificate of Payment by the A/E. Minimum insurance coverage limits can be seen below.

- Professional Liability Insurance – Minimum \$1,000,000.00 Proof of in force insurance must be provided in the response to the RFP
- Other insurances:
- Workers’ Compensation - \$100,000 – each accident
 - Statutory Coverage and Employer’s - \$100,000 each employee
 - Liability - \$500,000 – policy limit
 - Comprehensive General Liability - \$1,000,000 – bodily injury each occurrence
\$1,000,000 – bodily injury aggregate
\$1,000,000 – property damage each occurrence
\$1,000,000 – property damage aggregate
- Products – Completed Operations - \$1,000,000 – aggregate
- Business Auto Liability – Same as Comprehensive General Liability
- Excess or Umbrella Liability - \$1,000,000

JOINT VENTURES: If consultant is a partnership, limited partnership, joint venture or other association (hereinafter joint venture), provide a copy of the organizational document or agreement committing to form the organization. Provide documentation from its surety company acknowledging the formation of a joint venture for the purpose of completing the project and that the joint venture is capable of obtaining a performance bond and payment bond in the estimated amount of the contract. Provide a statement executed by all general partners, joint venture members, or other association members, as applicable, evidencing agreement to be fully liable for the performance under the contract. Provide documentation evidencing the person signing the contract has authority to sign the contract on behalf of the joint venture. This information may be included in the appendices and will not be counted against the maximum page limitation.

KEY INDIVIDUALS: Key individuals are those personnel deemed critical to the success of the project. They often vary from project to project. It is incumbent on the prime consultant to make a determination as to who they deem “key”. In general terms, it can include, but not limited to: the project manager and those individuals listed as leads for each functionally specific discipline on the project organization chart.

KEY INDIVIDUAL CHANGES: If during the selection process, the CO is notified by the consultant that key individuals are not available, action must be taken as follows: (1) if notified before scoring is complete, but after deadline for submittal, the consultant can submit the resume of the person who would be replacing the key individual. The selection committee will score using the new key individual; (2) if notified after the scoring is complete, but prior to final approval, and the change involves the top scoring consultant, the consultant can submit the resume of the person who will replace the key individual. The selection committee must then determine if the new person would affect the selection results. If not, the CO will notate the change and the justification for keeping the selection results. If it does, the selection committee will re-score the top consultant and change the selection; or (3) if a consultant notifies the CO of a key individual change any time after the final approval, Colleton County must determine if the new key individual is acceptable. If not, the consultant will be rejected and the next highest qualified consultant selected. To qualify for Colleton County's authorization to replace a key individual, the firm must submit a written request explaining the reason for the change and must document that the proposed removal and replacement will provide services and/or management of the Project equal to or better than that submitted with the proposal. Colleton County will use the criteria specified in the advertisement and the qualification submitted by the firm to evaluate all requests. Colleton County reserves the right to reject the firm from further consideration if the new member is not approved. Firms that are found to consistently propose personnel who are not available are subject to temporary or permanent loss of their prequalification in that category, and may lose the right to submit proposals to SCDOT. SCDOT acknowledges that there are times where key individuals have to be changed due to change in employment or unanticipated work load shifts or schedule changes. All changes in key individuals must be approved by Colleton County in writing.

LAWS AND REGULATIONS: It is the responsibility of consultant to know and understand state and federal contracting and project regulations, rules, policies and procedures. Consultants shall conform to all state and federal requirements.

MULTIPLE PROPOSALS: Consultants are prohibited from submitting on multiple proposals as the prime consultant in response to this advertisement.

MWBE QUALIFICATION: To qualify as a MWBE on this project, the firm must be listed as approved for the type of work to be performed in the South Carolina Unified DBE Directory at the time of the RFQ submittal. Consultants shall comply with Title VI of the Civil Rights Act of 1964. The SCDOT and Colleton County strongly encourage the use of and involvement of Disadvantaged Business Enterprises (DBE) on this project. The directory can be found at the following link: http://www.scdot.org/doing/doingPDFs/businessDevelop/UCP_DBE_Directory.pdf.

OWNERSHIP: All materials and written qualifications submitted pursuant to this RFQ shall become the property of Colleton County and will not be returned. All responders must visibly mark as "CONFIDENTIAL" each part of their submission that they consider to contain proprietary information the release of which would constitute an unreasonable invasion of privacy. All unmarked pages will be subject to release in accordance with law. Proposer should be prepared, upon request, to provide justification of why such materials should not be disclosed under the South Carolina Freedom of Information Act, S.C. Code Section 30-4-10, et seq.

PREPARATION OF RFQ: Consultants and/or sub-consultants who assist the owner in the preparation of a RFQ document will not be allowed to participate in this RFQ or join a team submitting a proposal in response to the RFQ. However, Colleton County may determine there is not an organizational conflict of interest for a consultant or sub-consultant where: (a) The role of the consultant or sub-consultant was limited to provision of preliminary design, reports, or similar "low-level" documents that will be incorporated into the RFQ, and did not include assistance in development of instructions to proposer or evaluation criteria, or (b) Where all documents and reports delivered to the agency by the consultant or sub-consultant are made available to all consultants.

REQUIRED PERCENTAGE OF WORK FOR PRIME CONSULTANTS: Consultant must perform work valued at not less than 30% of the total work, excluding specialized services, with its own staff. Specialized services are those services or items not usually furnished by a consultant performing a particular type of services requested.

RESPONSIBLE: Award of the contract will be to firms who have the capability in all respects to perform fully the contract requirements and the integrity and reliability which will assure good faith performance which may be substantiated by past performance.

RESPONSIVENESS: Any RFQ response which fails to conform to the material requirements of the RFQ may be rejected as nonresponsive. Reasons for determining a proposal to be non-responsive may result from, but are not limited to, the following: failure to provide all information requested in RFQ, conflict of interests, conditional proposals, and failure to provide complete and honest information. Proposers will not be given an opportunity to correct any material nonconformity. Any deficiency resulting from a minor informality may be clarified or waived at the sole discretion of Colleton County.

RFQ PREPARATION COSTS: Colleton County assumes no liability and will not reimburse costs incurred by firms (whether selected or not) in developing responses to this RFQ or participating in interviews.

RIGHT OF WAY: Consultant or sub-consultant responsible for project right-of-way acquisitions must be listed on the "SCDOT Approved Right of Way Acquisition Firm Listing." Said listing identifies firms who have met the qualifications to perform right of way acquisitions for the SCDOT. Said listing and further information can be found at http://www.scdot.org/doing/publications_rightofway.aspx

RIGHT TO MODIFY and AMEND RFQ: Colleton County reserves the right to modify or amend any provision of this RFQ, including the determination of its intent to award a contract pursuant to this RFQ. Interested A/E consultants are cautioned to rely solely on the contents of this RFQ and subsequent written amendments in preparing any list of qualifications. Colleton County shall not be bound by any oral instructions, comments, or recommendations of any kind.

RIGHT TO REJECT: Colleton County reserves the right, in its sole discretion, to reject any and all RFQ responses if its determines that such rejection is in the best interest of the State

RIGHT TO CANCEL: Colleton County reserves the right to cancel the advertisement, negotiations, or contract at any time in the best interest of Colleton County.

TERMS OF CONTRACT: Standard contract terms for all Colleton County projects utilizing SCDOT and/or FHWA funding are non-negotiable.

VALIDITY OF INFORMATION: Consultant shall be held responsible for the validity of all information supplied in its proposal, including that provided by potential subcontractors. Should subsequent investigation disclose that the facts and conditions were not as stated, the proposal may be rejected or contract terminated for default if after award, in addition to any other remedy available under the contract or by law.

IX. REQUIRED FORMS:

The following completed forms are required to be returned with each proposal:

- Proposer's Submittal Form
- Certificate Of Non-Collusion
- Certification Of Primary Participant Regarding Debarment, Suspension, And Other Responsibility Matters
- Certification Of Restrictions On Lobbying
- Certification Of Consultant
- Disclosure Of Potential Conflict Of Interest Certification
- Drug-free Workplace Certification
- Equal Employment Opportunity Certification

PROPOSER'S SUBMITTAL FORM

In compliance with the above Request for Qualifications, the undersigned hereby proposes to provide professional design/consultant engineering services for Colleton County LPA related projects in accordance with the instructions, terms, conditions and requirements incorporated in the Request for Qualifications.

Qualifications submitted by:

Name of Firm _____

Address _____

Federal Tax Identification Number _____

Principal's Name and Title (type or print) _____

Principal's Signature _____

State of Incorporation _____

Is your business delinquent in paying any taxes owed to Colleton County? Yes No

Please note that the Procurement Department is required to verify that all taxes have been paid to the County by vendors with which they intend to do business. If you owe delinquent taxes your submittal may be disqualified from consideration. If you wish to inquire as to your tax status, you may contact the Colleton County Delinquent Tax Office at (843) 958-4570.

Does your business have a valid Colleton County Business License? Yes No

If so, list the number: _____. You must possess a valid Colleton County Business License for business undertaken in the unincorporated areas of the County. If you should have any questions, please call (843) 723-6705.

PAYMENT OPTIONS:

Do you accept credit cards as a form of payment? No Yes

MINORITY AND WOMAN-OWNED PROJECT GOALS FOR C-FUND CONTRACTS

For contracts that involve South Carolina Department of Transportation C-Funds (such as this contract) there is a goal of 5% minority and 5% woman-owned business enterprise subcontract participation. A list of certified minority and woman-owned disadvantaged business enterprises can be found at the SCDOT Web site http://www.scdot.org/doing/dbe_listing.shtml

BUSINESS OWNERSHIP CERTIFICATION

Are you a certified Colleton County Small Business Enterprise (SBE)? No Yes

(If yes, give SBE Certification No. _____)

Regarding the ownership of your company, mark all that apply:

- White Male _____ %
- Hispanic/Latin _____ %
- American Indian/Alaskan Native _____ %
- White Female _____ %
- Hispanic/Latin _____ %
- American Indian/Alaskan Native _____ %
- o Male _____ %
- o Female _____ %
- Female _____ %

Black Male _____ % Asian Male _____ % Native Hawaiian/Pacific Islander Male _____ %
 Black Female _____ % Asian Female _____ % Native Hawaiian/Pacific Islander Female _____ %

CERTIFICATE OF NON-COLLUSION

By submission of proposal, each person signing on behalf of any consultant certifies, and in the case of a joint proposal, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- 1) The proposal is submitted without collusion, consultation, communication, or agreement for the purpose of restricting competition, with any other bidder or with any competitor;
- 2) No attempt has been made or will be made by the proposer to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

Company Name

Authorized Signature

Date

SWORN AND SUBSCRIBED before me
This _____ day of _____, 201____.

My commission expires _____.

Notary Public

CERTIFICATION OF PRIMARY PARTICIPANT REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

The prime consultant, _____ certifies to the best of its knowledge and belief, that it and its principals:

- 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- 2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- 3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
- 4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or Local) terminated for cause or default.

If the prime consultant is unable to certify to any of the statements in this certification, the consultant shall attach an explanation to this certification.

The primary consultant, _____ certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. Sections 3801 et seq, are applicable thereto.

Signature and Title of Authorized Official

Date

CERTIFICATION OF RESTRICTIONS ON LOBBYING

The consultant certifies, to the best of its knowledge and belief, that:

1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of a Federal department or agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification thereof.

2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form--LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions (as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, et seq.)).

3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

THE CONSULTANT, _____, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF EACH STATEMENT OF ITS CERTIFICATION AND DISCLOSURE, IF ANY. IN ADDITION, THE CONSULANT UNDERSTANDS AND AGREES THAT THE PROVISIONS OF 31 U.S.C. §§ 3801 ET SEQ. APPLY TO THIS CERTIFICATION AND DISCLOSURE, IF ANY.

_____ Signature of the consultant's Authorized Official

_____ Name and Title of the consultant's Authorized Official

_____ Date

CERTIFICATION OF CONSULTANT

I hereby certify that I am the duly authorized representative of CONSULTANT and that neither I nor the above CONSULTANT I here represent has:

- a) employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above CONSULTANT) to solicit or secure this contract;
- b) agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the contract, or
- c) paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above CONSULTANT) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the contract except as here expressly stated (if any);
- d) either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action, in restraint of free competitive bidding in connection with the submitted proposal.

By execution of this Agreement, CONSULTANT certifies CONSULTANT and all sub-consultants, contractors, employees and agents will comply with South Carolina’s Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended. The following statutes require special attention: (a) Offering, giving, soliciting, or receiving anything of value to influence action of public employee - §8-13-790, 8-13-705, 8-13-720; (b) Recovery of kickbacks - §8-13-790, (c) Offering, soliciting, or receiving money for advice or assistance of public official - §8-13-720, (d) Use or disclosure of confidential information - §8-13-725, (e) Persons hired to assist in the preparation of specifications or evaluation of bids - §8-13-1150, (f) Solicitation of state employees - §8-13-755, §8-13-760 and §8-13-725. The state may rescind any contract and recover all amounts expended as a result of any action taken in violation of this provision.

I acknowledge that this certificate is to be furnished to the Department, the Federal Highway Administration, and the U. S. Department of Transportation, and is subject to applicable State and Federal laws, both criminal and civil.

CONSULTANT

Name of Consultant

Signature: _____

Date: _____

DRUG-FREE WORKPLACE CERTIFICATION

This certification is required by the Drug-free Workplace Act, Section 44-107-10 et seq South Carolina Code of Laws (1976, as amended). The regulations require certification by Contractors/Vendors prior to award, that they will maintain a drug-free workplace as defined below. The certification set out below is a material representation of fact upon which reliance will be placed when determining the award of a contract. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of contract, or suspension or debarment from the right to submit bids or proposals for Colleton County projects.

For purposes of this Certification, "Drug-free Workplace" is defined as set forth in Section 44-107019 (1), South Carolina Code of Laws (1976, as amended). The aforesaid Section defines workplace to include any site where work is performed to carry out the Contractor's/ Vendor's duties under the contract. Contractor's/Vendor's employees shall be prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of the Drug-free Workplace Act.

By signing this document, the Contractor/Vendor hereby certifies that it will provide a drug-free workplace by:

- (1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Contractor's/Vendor's workplace and specifying the actions that will be taken against employees for violation of the prohibition;
- (2) Establishing a drug-free awareness program to inform employees about:
 - (a) The dangers of drug abuse in the workplace;
 - (b) The Contractor's/Vendor's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug violations;
- (3) Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by paragraph (1) above;
- (4) Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the contract, the employee will:

- (a) Abide by the terms of the statement: and
 - (b) Notify the employer of any criminal drug statue conviction for a violation occurring in the workplace no later than five (5) days after the conviction;
- (5) Notifying the using agency within ten (10) days after receiving notice under subparagraph (4) (b) from an employee or otherwise receiving actual notice of the conviction;
- (6) Taking one of the following actions, within thirty (30) days of receiving notice under subparagraph (4) (b) with respect to any employee who is convicted:
- (a) Taking appropriate personnel action against the employee, up to and including termination; and
 - (b) Requiring the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;
- (7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5), and (6) above.

Contractor/Vendor

Name: _____

Address: _____

Authorized Representative

Name/Title: _____

Signature: _____

Date: _____

Witness: _____

Note: This certification form is required for all contracts for a stated or estimated value of \$50,000 or more.

EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

Colleton County requires compliance with State and Federal regulations governing Equal Employment Opportunity, External Equal Opportunities (EO), External On-the-Job Training (OJT), Title VI, and the Americans with Disabilities Act (ADA) programs.

Sub-recipients of federal-aid contracts must include notifications in all solicitations for bids of work or material and agreements subject to Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities. Sub-recipients, contractors and subcontractors may not discriminate in their employment practices or in the selection and retention of any subcontractor.

By signing this document, the Contractor/Vendor hereby certifies their commitment to assure nondiscrimination in its programs and activities to the effect that no person shall on the grounds of race, color, national origin, sex, age, disability or income status be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any federally or non-federally funded program or activity administered by the sub-recipient and/or its contractors.

Contractor/Vendor Name: _____

Address: _____

Authorized Representative Name and Title: _____

Signature of Authorized Representative: _____

Witness: _____