



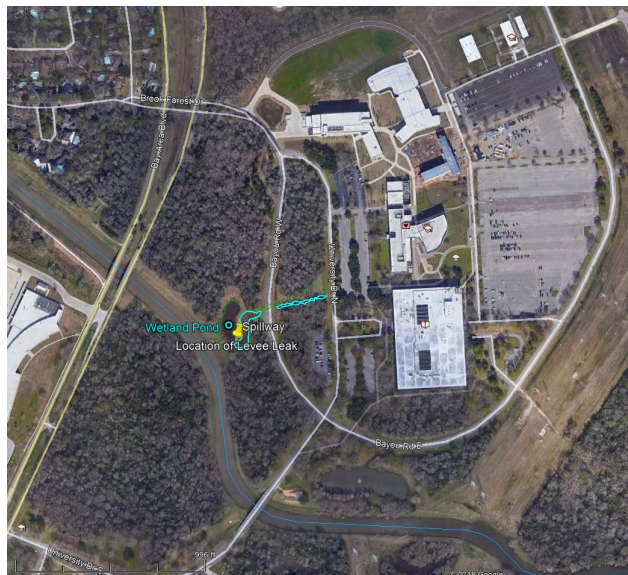
University
of Houston
Clear Lake

REQUEST FOR QUALIFICATIONS FOR Repair of Created Stormwater Treatment Wetland

RFQ 19-035

Posting Date: July 25, 2019

Submittal Due Date: August 16, 2019 @ 3:30 PM



Deliver Bid Response to:

Debra Carpenter
University of Houston-Clear Lake
Procurement Department, Attn: Debra Carpenter
2700 Bay Area Blvd. – North Office Annex II (NOA II)
Houston, Texas 77058

DO NOT FORGET TO INCLUDE ELECTRONIC VERSION OF BID SUBMISSION

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SECTION 1 – GENERAL INFORMATION & REQUIREMENTS

General Information. The University of Houston System (“**Owner**”) is soliciting statements of qualifications (“**Qualifications**”) for the selection of firms that design and conduct repairs (the “**Services**”) to a constructed wetland system located on the campus of the UHCL (the “**Projects**”). Any firm that wishes to be considered for the award of a Contract (defined in Section 2.1) for the Projects (each, a “**Respondent**”) must submit its Qualifications for such award in compliance with the requirements contained in this Request for Qualifications (this “**RFQ**”). Projects, if any, will vary in timing, complexity, extent of Services and dollar-value, and will be located at the 2700 Bay Area Blvd. campus. Each Project will have a separate budget, schedule, and project manager. The wetland system is located on the UHCL campus (Figure 1).

1.1

1.2 Selection Schedule Summary.

RFQ Posting.....	July 25, 2019
Pre-Proposal Meeting.....	August 2, 2019 @ 10:00 AM
Questions Deadline	August 6, 2019 @ 10:00 AM
Submittal Deadline.....	August 16, 2019 @ 10:00 AM
Evaluation of Qualifications	TBD
Notification of Finalists.....	TBD
Contract Negotiations Commence	TBD
Contracts Signed.....	TBD

Owner reserves the right to modify the above dates as necessary to accommodate other business of Owner and or the schedules of members of the Selection Committee (defined in Section 4.2).

SECTION 2 -- SCOPE OF SERVICES

2.1 Contract.

The Services support the design and repair of a constructed stormwater wetland levee and installation of water level and/or overflow pipe/ structure, and optionally repair and reinstall the associated educational boardwalk. The anticipated tasks include 1) any anticipated hydraulic/hydrological drainage modeling, 2) design and selection of final methodology and material (e.g. drain pipe, levee repair), 3) site preparation including removal of existing damaged structures, 4) construction and installation work (e.g. drain pipe, levee repair), 5) replanting of any wetland and levee vegetation with appropriate native adapted vegetation selected with approval by UHCL staff. The final optional task 6 would include replacement of the removed portions of the educational boardwalk. All construction waste and debris will be removed from the work site and disposed of according to all local, state and federal regulations.

Owner will contract for the Services (a “**Contract**”), if at all, by executing a Contract for Professional Services form, which “**Contract Form**” is published online at

<http://www.uh.edu/legal-affairs/contract-administration/contract-documents/departmentspecific-contracts-and-forms/#facilities> and which will include and incorporate **“Exhibit A and B,”** the Exhibit to this RFQ, with each selected Respondent. Any capitalized term used but not defined in this RFQ has the meaning ascribed to it in the Contract Form. **BY SUBMITTING ITS QUALIFICATIONS, RESPONDENT IS EXPRESSLY CONSENTING TO THE TERMS, CONDITIONS AND PROVISIONS OF THE CONTRACT FORM AND EXHIBIT A AND B.**

Service for the Project shall begin upon execution of the Contract. The completion date for the Project shall be November 1, 2019.

2.2 Compliance Standards. Services shall be provided in accordance with the University of Houston-Clear Lake standards.

2.3 Project Background

The UHCL constructed an experimental stormwater treatment wetland in 2007 with funding from the Galveston Bay Estuary Program (Figures 1 and 2 – Exhibit A). The 0.32 acre wetland complex is composed of the primary wetland complex (0.22 acres) and a secondary complex (0.10 acres) located immediately upstream which receives runoff from approximately 19 acres from a portion of the campus (Figure 2 and 3 – Exhibit A). The wetland cells were constructed by modification of the original pond located adjacent to the primary wetland and receives runoff from approximately 19 acres (Figures 3 and 4 – Exhibit A).

In early March 2018, leaks in the confining levee separating the receiving pond and primary wetland complex were observed beneath the observational Gazebo located near the end of the observational boardwalk (Figures 5 and 6 – Exhibit A). It was believed that flooding from Hurricane Harvey in August 2017 and possible additional runoff from the construction of new buildings (e.g. STEM building) may have contributed to the erosion of the levee. Continued erosion is occurring at the water control structure between the wetland and the receiving pond and it is likely without repairs the structure will collapse. UHCL would like to repair the levee and replace the spillway with a more permanent stable and effective drainage system.

2.4 Description of Services

The selected Contractor must provide services which shall include, but are not limited to, the requirements contained in this RFQ. Services set forth that contain the words “must,” “will,” or “shall” are mandatory and must be provided as specified with no alterations, modifications or exceptions. Services set forth that contain the words “may” or “can” allow Respondents to offer alternatives to the manner in which the Services are provided. The selected Contractor will provide assistance to the UHCL for activities described below for the Project stated within this RFQ.

2.5 Scope of Work

The primary objectives of the proposed project is to design a comprehensive approach that will be implemented to repair the constructed stormwater wetland levee which is leaking and install a new water level control and/or overflow pipe/ structure, and optionally repair and reinstall the associated educational boardwalk.

The primary identified tasks that will need to be completed include 1) repairing the existing wetland levee system, 2) conducting necessary engineering analyses and calculations to construct the appropriate sized drainage structure, 3) installing a new water level control structure capable of handling high-flow flood/rainfall events (e.g. 100 year) and associated runoff volumes from the upstream campus watershed, and 4) optionally if feasible repairing the educational gazebo and boardwalk after reconstruction and repair of the levee and installation of drainage systems. Installing the water level control structure *can* be accomplished using several approaches *including* removing and/or replacing the current water control structure with a flashboard riser and corrugated aluminum pipe (Figure 7 – Exhibit A). The successful applicant will work with the project officer to select the final alternative design. The successful applicant shall provide at a minimum a 10 year warranty on all labor, materials and workmanship that covers leakage or erosion associated with installed structures and/or repairs to the levee and associated features.

2.6 Minimum Qualifications

Applicant team should possess a P.E. and/or P.G. and associated experience in the design and construction of wetlands including evaluation of associated surface water hydrology, hydraulics, soils and associated design criteria.

SECTION 3 – GENERAL INFORMATION AND REQUIREMENTS

3.1 Clarifications and Interpretations. Any questions or requests for clarification or interpretation shall be submitted to the Point of Contact by email on or before the Questions Deadline identified in Section 1.2. All questions and requests for clarification or interpretation will be answered as addenda to this RFQ in one posting on the Electronic State Business Daily (“**ESBD**”) website (<http://www.txsmartbuy.com/sp>). Owner will post any other clarification to or interpretation of this RFQ that materially affects or changes its requirements as an addendum on the ESBD website. It is Respondents’ responsibility to obtain this information in a timely manner. All such addenda issued by Owner before the Submittal Deadline are, and must be treated as, part of this RFQ, and each Qualifications must specifically acknowledge receipt of this RFQ and each addendum.

3.2 Communication Restrictions. From the date this RFQ is posted until a Respondent is selected and a Contract for the Project is executed on the Contract Form, Respondents may communicate only with the Point of Contact and not with any employee, officer, Regent, agent, representative or contractor of Owner regarding this RFQ or matters related to it; and as permitted in Section 4.4.

3.3 No Reimbursement or Re-Delivery. Qualifications and any other information submitted by Respondents become the property of Owner and will not be returned. By submitting its Qualifications, each **RESPONDENT ACKNOWLEDGES AND AGREES THAT ANY COSTS INCURRED BY RESPONDENT IN CONNECTION WITH THIS RFQ (INCLUDING SUBMISSION OF ITS QUALIFICATIONS) IS AT RESPONDENT’S SOLE RISK, RESPONSIBILITY AND EXPENSE.**

3.4 No Confidentiality. All information, documentation and other materials requested by Owner and/or submitted or otherwise disclosed by a Respondent (including, but not limited to, the Qualifications, the “**Public Information**”) are and will be deemed non-confidential and/or non-proprietary and therefore subject to public disclosure under the Texas Public Information

Act (Texas Government Code, Chapter 552.001, et seq.) once a Contract is awarded. Owner strictly adheres to applicable laws, including but not limited to statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of information and compliance with the requirements of the Texas Public Information Act. **BY SUBMITTING ITS QUALIFICATIONS, A RESPONDENT SPECIFICALLY AND EXPRESSLY RELEASES OWNER FROM LIABILITY RESULTING, AND WAIVES ANY AND ALL CLAIMS ON BEHALF OF RESPONDENT AND ANY PERSON(S) CLAIMING BY, THROUGH OR UNDER RESPONDENT, FROM OWNER'S DISCLOSURE OF THE PUBLIC INFORMATION.**

3.5 Owner's Reservation of Rights. Owner reserves the right to reject any or all Qualifications at any point during this selection process, and to postpone or abandon – temporarily or permanently – the Projects at any time. Further, Owner reserves the right to re-post an RFQ for the Projects if Owner determines such action to further and/or protect its interests. In addition to the requirements herein, Owner reserves the option to conduct additional selection steps to further establish a Respondent's qualifications. Additional steps may include, but are not limited to, scheduled visits to the Respondent's offices or to representative projects, and written requests for supplemental information.

3.6 Historically Underutilized Business Participation. In accordance with the State of Texas policy of encouraging the use of Historically Underutilized Businesses ("**HUBs**") in state procurement, the University shall make a good faith effort to utilize HUBs in contracts for construction, goods and services. Owner strives to achieve HUB program goals by contracting directly with HUBs or indirectly through HUB subcontracting opportunities. If the Owner determines that subcontracting is probable under the contract, a HUB Subcontracting Plan ("**HSP**") must be completed by the Respondent and submitted with the Proposal in accordance with Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter B. The HSP, if required by this solicitation, will become a provision of any contract that results from this solicitation and the Respondent will utilize the subcontractors indicated in the HSP, unless a revision to the HSP is approved by the University. The Respondent will also provide monthly Progress Assessment Reports to the University during the life of the contract to verify compliance with the HSP in the manner indicated by the University.

3.7 Insurance Requirements.

3.7.1 Required Coverage. For the duration of the agreement, for any renewal terms, and for purposes of indemnification obligations that are specified to survive termination or expiration of the agreement, Contractor shall obtain, at its sole expense and at no cost to the University, the following coverages and shall maintain such coverage in full force and effect:

3.7.1.1 Commercial General Liability Insurance including operations, contractual liability, and products liability in the combined single limit of not less than one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) in the aggregate;

3.7.1.2 Professional Liability or Errors & Omission Insurance (For Professional Services only) of not less than five million dollars (\$5,000,000) per occurrence for professional services i.e., Physician,

Lawyer, Architect, Engineer, other “Professional” or a Consultant representing his own firm;

3.7.1.3 If, during the Term, Contractor will enter University property, Contractor shall also maintain the following insurance:

- a. Workers' Compensation and Employers Liability Insurance covering all individuals who provide Services pursuant to the agreement at the request of the Contractor, at the statutory limits in effect as of the Effective Date of the Contract and as modified from time to time by the regulatory body or insurance carrier charged with administering Workers' Compensation for the State of Texas. Employer's Liability in amounts of not less than one million dollars (\$1,000,000) per accident, one million dollars (\$1,000,000) for disease (policy limit), and one million (\$1,000,000) for disease (per person).
- b. Commercial Automobile Liability Insurance in the combined single limit of not less than one million dollars (\$1,000,000) or in the event Contractor does not own automobiles, Contractor agrees to maintain coverage for Hired & Non-Owned Auto Liability, which may be satisfied by way of endorsement to the Commercial General Liability Policy or a separate Commercial Auto Liability Policy;

3.7.1.4 University may require additional insurance coverages and/or limits depending on the nature and scope of the contract.

3.7.1.5 Providing and maintaining insurance coverage is a material term of this solicitation. Contractor shall provide Certificates of Insurance evidencing the Insurance Requirements no later than ten (10) days prior to the start of work and replacement or renewal certificates no less than thirty (30) days prior to the expiration of any such insurance. Insurance coverages must be written by companies authorized and admitted to do business in the State of Texas and rated A-, VII or better by A.M. Best Company. Contractor shall provide the University a full and complete copy of any insurance policy promptly upon request by the University, and without charge to the University.

3.7.2 Insurance Endorsements. The University shall be listed as an Additional Insured on the Commercial Liability and Automobile Liability policies. A waiver of subrogation must be granted in favor of the University for all policies. Contractor's insurance coverage must be primary and non-contributory for all policies. A 30 day notice of cancellation or material changes must be provided to the University for all policies.

3.7.3 Effect of Indemnification Obligations. No provision, term, or condition in the Contract regarding indemnification obligations shall be construed to limit the application of insurance procured by the Respondent in accordance with requirements set forth in the Contract.

SECTION 4 SPECIFIC REQUIREMENTS FOR SUBMISSION OF QUALIFICATIONS

4.1 Failure to Comply with Requirements. If Respondent fails to comply with any of the requirements in this RFQ, Respondent's Qualifications will be considered non-responsive and will be rejected. Below are the specific requirements of the RFQ.

4.2 Submission of Qualifications. Qualifications are due at or before 10:00 AM on the Submittal Deadline identified in Section 1.2. Qualifications received after 10:00 AM on the Submittal Deadline will not be accepted. Qualifications must be delivered to Owner's ***Point of Contact***:

University of Houston-Clear Lake
Attn: Debra Carpenter
Procurement Department
2700 Bay Area Blvd.
NOA II Building
Houston, TX 77058
Email: UHCLProcurement@uchl.edu

Owner recommends the use of a reliable courier rather than the United States Postal Service (USPS) for delivery of the Qualifications. Owner will not acknowledge or accept Qualifications delivered by USPS that require special handling, such as certified mail, return receipt requested, etc. Owner will not acknowledge or accept Qualifications delivered by telephone, facsimile (fax), or e-mail.

4.2.1 Qualifications must have a cover letter with complete contact information for Respondent's principal, including direct email, phone and fax.

4.2.2 Each submission of Qualifications must be provided in hard and electronic versions as follows:

4.2.2.1 Two (2) original, signed spiral-bound counterparts of the Qualifications and

4.2.2.2 One (1) flash drive or CD of the Qualifications in searchable PDF format no larger than 15 MB.

4.3 Execution of Offer. Each submission of Qualifications must include the completed, fully executed and acknowledged Execution of Offer in form and substance identical to the form attached hereto as **Exhibit C**.

4.4 Historically Underutilized Business Plan. Based on an analysis performed by the University's Purchasing Department, subcontracting was determined to be probable for this contract. Therefore, a Historically Underutilized Business Plan (HSP) will be required to be submitted with the Qualifications. **Exhibit D** contains the HSP form and instructions. If you have any questions about completing the HSP, please contact Debra Carpenter Executive Director Procurement & Payables via email at UHCLProcurement@uhcl.edu

4.5 Additional Requirements. Additional requirements of this RFQ, if any, are specified below:

N/A

SECTION 5 – QUALIFICATIONS

5.1 General Firm Information. Each Qualifications should provide the following information in the order below.

5.1.1 Introduction and general information of Respondent:

5.1.1.1 Firm data and general qualifications;

5.1.1.2 Legal name and address(es); and

5.1.1.3 Firm profile, i.e.;

- Age
- Type of legal entity (e.g., partnership, professional, corporation, etc.)
- Firm history
- Firm size (professionals by discipline) currently and one year ago
- Current certificate of incumbency
- Any kinship or other relationship between Respondent, including its principals, officers and employees (including their relatives and business associates) and any Owner employee, officer, or Regent

5.2 Evaluation of Qualifications. By submitting its Qualifications, Respondent accepts the evaluation process and acknowledges and accepts that determination of the “most qualified” firm(s) may require subjective judgments by Owner.

5.2.1 Owner will appoint representatives from the University of Houston campus (the “***Selection Committee***”) to review and evaluate all complete and compliant Qualifications. While the exact composition of the Selection Committee is not a matter of public information for the purpose of this RFQ, the Chair of the Selection Committee is the Point of Contact.

5.2.2 The Selection Committee will determine a short list (when applicable) of best qualified Respondents, in accordance with the criteria set forth in this RFQ. All Respondents will be notified of the short list.

5.2.3 If the Selection Committee elects to conduct interviews of the short-listed Respondents, the Selection Committee will notify them of the date, time and location of these interviews.

Qualifications will be ranked as follows:

<u>Selection and Rating Criteria</u>	<u>Value</u>
CRITERION ONE: Relevant Team and Individual Experience, Capabilities, and Certifications	55%
CRITERION TWO: Methodology and Best Practices	30%
CRITERION THREE: Financial Stability	5%
CRITERION FOUR: Quality and Responsiveness of Qualifications Package	10%
Total of Weighted Value	100%

5.3 Criterion One: Relevant Team and Individual Experience, Capabilities, and Certifications.

5.3.1 Identify or provide (as appropriate):

- 5.3.1.1 Single point of contact for the team and other key firm personnel to be assigned to the Projects (collectively, the “**Respondent’s Project Team**”). Include the telephone number, mailing address and email address of the point of contact.
- 5.3.1.2 Organizational chart illustrating reporting lines and names and titles for members of the Respondent’s Project Team.
- 5.3.1.3 Resumes for each individual on the Respondent’s Project Team and definition of that person’s role in providing the Services.
- 5.3.1.4 A list of no more than five (5) projects (“**Representative Projects**”) which Respondent considers most similar to the Projects, including no fewer than three (3) projects completed for institutions of higher education. List only projects in which you rendered the same type of services as the Services described in the RFQ. Relevant experience and capabilities will be judged through a review of Representative Projects and evaluated on the basis of the experience of the Respondent as well as the experience of members of Respondent’s Projects Team involved **firsthand** in providing primary services to the Representative Projects, regardless of the individuals’ employment at the time of the experience described or identified in the Qualifications.

5.3.2 For each of the Representative Projects, list the following:

- Size (acreage or square feet) of the site undergoing services
- Owner type (institution of higher education, planned community, parks board, etc.)
- Approximate cost
- Sustainable features (smart irrigation, pervious hard surfaces, xeriscape design)

5.3.3 Certifications. Provide a list of pertinent and current licenses and certifications held by members of the Respondent's Project Team.

- Project References. Provide references for each of the Representative Projects. The references shall be from the Representative Projects' Owner and from the Architectural Project Manager or Civil Engineer for architectural or engineering projects and shall include the references' names, email addresses and telephone numbers.

5.4 Criterion Two: Methodology and Best Practices.

5.4.1 Describe Respondent's proposed approach to managing the Projects expertly and efficiently. Be specific with regard to scheduling, internal and external communications, and quality control.

5.4.2 Describe procedures for implementing "best practices" in the following instances:

- Fostering teamwork and cooperation among project participants
- Designing, installing, and/or repairing new and currently constructed wetlands for water quality improvement and wildlife habitat.
- Managing labor, materials and equipment to minimize disturbance of the existing wetland while meeting project deadlines and objectives.
- Incorporating local native prairie and wetland plants into new and restoration wetland landscapes to achieve success of long-term habitat restoration and/or water quality improvement goals.
- Designing constructed wetlands for long-term minimal maintenance, stability, and resilience in response to variable weather and storm runoff conditions.
- Accurately estimating project costs
- Achieving outstanding project value at reasonable cost

5.5 Criterion Three: Financial Stability.

Financial stability will be evaluated based on Respondent's consistent revenue stream, on pending acquisitions, loan defaults and litigation.

- 5.5.1 Covenant that, if requested by Owner, Respondent will submit to Owner an audited copy, certified by the Respondent's chief executive officer, of Respondent's financial statements for each of the past three (3) years.
- 5.5.2 Provide Respondent's annual revenue totals for the past five (5) years.
- 5.5.3 Provide a copy of Respondent's financial rating and any documentation (e.g., a Dun and Bradstreet analysis) reflecting Respondent's current financial stability.
- 5.5.4 If Respondent is currently for sale or otherwise involved in any transaction to expand or to be acquired by another business entity, explain the impact the proposed transaction is expected to have on Respondent's organization and operation and on the staffing of the Projects.

- 5.5.5 If Respondent is currently in default, or has received a notice of default, or will be (due to the passage of time) in default on any loan or financing agreement, specify relevant dates, circumstances, and prospects for resolution.

5.6 Criterion Four: Quality and Responsiveness of Qualifications Package.

Qualifications shall be evaluated on the thoroughness of response, the tailoring of the submittal to Projects and Owner's needs and issues, and the overall quality of writing, organization, and editing.

EXHIBIT A: MAPS AND PHOTOS

See attached document

EXHIBIT B: SCOPE OF SERVICES

See attached document

EXHIBIT C: EXECUTION OF OFFER

See attached document

**EXHIBIT D: HISTORICALLY UNDERUTILIZED BUSINESS (HUB)
SUBCONTRACTING PLAN**

See attached document