

City Council Members

Chuck Bradley
Millie Butcher Conway
Polly Singer Eardley
David Lusby



City Council Members

Mark Showalter
Connie Tackett
Karen Tingle-Sames
Marvin Thompson

TOM PRATHER, MAYOR

**REQUEST FOR QUALIFICATIONS
Geotechnical Engineering Consulting Services
OPENING:
Tuesday, September 12, 2017 at 10:00 AM**

SCOPE

The City of Georgetown is seeking proposals for qualifications of firms to provide On-Call Geotechnical Engineering Consulting Services.

GENERAL COMPLIANCE

NOTE TO PROPOSERS: Proposal submission does not constitute an agreement or a contract with the City of Georgetown.

NO RESPONSE: Proposers unable or unwilling to submit a proposal should immediately return the "Proposer Response Form" only with "No Response" marked clearly on the outside of the envelope. Any proposer not submitting a proposal is encouraged to indicate the reason(s) for not participating.

ALTERNATE PROPOSALS: It is not the intention of the specifications contained herewith to eliminate any proposers; however, quoted items must equal or exceed stated specifications.

INDICATION OF COMPLIANCE: The proposers shall indicate compliance with either a "Yes" or a "No" for each item specification. Blank spaces shall be considered non-compliance. Any deviation from the specification or where submitted literature does not fully support meeting the specification(s) must be clearly cited on the attached page labeled "EXCEPTIONS TO PROPOSAL SPECIFICATIONS AND/OR COMMENTS." No deviation below "minimum" specifications will be accepted.

Additional Information: While not necessary, the proposer may include any product brochures, software documentation, sample reports, or other documentation that may assist the City of Georgetown in better understanding and evaluating the proposer's response. Additional documentation shall not serve as a substitute for other documentation which is required by the Request for Qualifications (RFQ) to be submitted with the proposal.



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At the time of submission, each proposer will be presumed to have inspected the site(s), if necessary, and to have read the scope and to be thoroughly familiar with the project plans and contract documents (including any and all addenda). The failure or omission of any proposer to examine any form, instrument, or document shall in no way relieve any proposer from any obligation with respect to this proposal.

All proposals and submitted information becomes the property of the City of Georgetown and will not be returned to the proposer.

PROPOSAL SUBMISSION: All pages of the original signed hardcopy shall be initialed in ink on the lower right-hand corner. Typed quotation sheets are preferred; however, if hand-written, the sheets must be legible and in ink. Any pricing information that is illegible may result in the rejection of the proposal.

The proposer must submit one original signed hardcopy, and three (3) duplicates. These must be sealed in a container with the project name, the proposer's name, and the opening date clearly marked on the outside of the container. The cover of the original proposal should be marked "Original" and the covers of the duplicates should be marked "Copy." The proposal shall be addressed and delivered to City Clerk, 100 North Court Street, Georgetown, KY 40324 prior to proposal opening.

ANY PROPOSALS NOT RECEIVED PRIOR TO SCHEDULED OPENING DATE AND TIME WILL BE REJECTED AND RETURNED UNOPENED.

FAILURE TO SUBMIT REQUIRED DOCUMENTATION: Failure to submit ALL forms and information required in this RFQ may be grounds for disqualification.

LIABILITY: City of Georgetown is not liable for any expenses incurred in connection with the preparation of proposals.

METHOD OF PROCUREMENT: Shall be in conformance with Purchasing Policies as adopted by the City Council for the City of Georgetown, Kentucky. A copy of the City's Purchasing Policy is available on the City's website at www.georgetownky.gov (Finance Department).

KENTUCKY OPEN RECORDS LAW: At the time a proposal is submitted to the City, proposer shall identify any information that is submitted as part of the proposal that is proprietary or confidential in nature and not subject to release for public inspection. The City of Georgetown will protect any proprietary or confidential information to the extent allowable under the Kentucky Open Records Act.

NEW GOODS, FRESH STOCK: Unless otherwise specifically stated, all Contractors shall provide new commodities, fresh stock, latest model, design or package.

COMPLIANCE WITH LAWS AND REGULATIONS: Each proposer shall comply with all Federal, State & Local regulations concerning this type of service.

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METHOD OF AWARD: The award will be based upon the weighted evaluation criteria established in the request, and upon the lowest responsive and responsible proposer complying with specifications on each item. The City of Georgetown reserves the right to consider as a part of the proposal evaluation the stated warranty, stated delivery schedule, service, features, upgrades and payment terms.

The City of Georgetown reserves the right to reject any and all proposals, to award any proposal in whole or in part, and/or to waive any irregularities or minor immaterial defects in any and all proposals. The right is also reserved to award proposals based on the best interest and/or most advantageous to the City. The City of Georgetown may also consider any alternative proposals that meets its basic needs.

Proposals shall remain firm and open to acceptance by the City of Georgetown for a minimum period of sixty (60) days after the proposal opening. If the time period has expired the City of Georgetown could request a letter from proposers asking to extend the time period.

STANDARD AGREEMENT: The selected Proposer will be required to sign a Standard Agreement for Goods and Services with the City within 14 days of the Notice of Award. The agreement will contain terms and conditions that include duration of the agreement, sworn statement regarding campaign finance laws, a provision indicating that the proposer and its employees or agents are not employees of the City, a termination clause, an additional termination clause of those agreements covering multiple fiscal years in the event that sufficient funds are not appropriated as part of the budget process, provision that Kentucky law applies to interpretation of the agreement and any disputes and that venue shall be Scott County, KY, and a provision that the services cannot be assigned without the prior approval of the City.

A Notice to Proceed will be issued once the agreement has been signed by both parties and all required paperwork herein described is received by the City.

DELIVERY SCHEDULE: Delivery date shall be specified on each item quoted. The vendor will be expected to fulfill the delivery as specified.

PAYMENT: The proposal must clearly state the payment terms, including prompt payment discounts and payment due dates. Discounts should be figured into the unit price of the quoted item. The City of Georgetown reserves the right to select the most beneficial terms.

DEFAULT; TERMINATION OF CONTRACT: In the event that any of the provisions of this Contract are violated by the proposer such breach shall constitute a default. In the event of a default, the Owner may serve written notice upon the proposer of its intention to terminate the Contract, such notice to contain the reasons for such intention to terminate the Contract, and unless within ten (10) days after the serving of such notice upon the proposer, such violation or delay shall cease and satisfactory arrangement of correction be made, the Contract shall, upon the expiration of said ten (10) days, cease and terminate.

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The City shall be authorized to terminate for its own convenience all contracts for the procurement of supplies and services when the Department Head determines in writing that such termination will be in the best interest of the City.

SAFETY: The successful proposer must perform work in a safe and timely fashion, maintain a clean and safe work environment, follow safety requirements established by OSHA and the City of Georgetown, and may be required to provide safety equipment. If, in the opinion of the City, safety precautions are not in existence, work will cease immediately until corrective action is taken. Work will begin again only when vendor demonstrates to the satisfaction of the City that conditions are without risk.

INSURANCE REQUIREMENTS: The successful proposer covenants and agrees to maintain and keep in force during the term of the contract insurance policies in the following minimum amounts:

<u>Type of Insurance</u>	<u>Limits</u>
Worker's Compensation	Statutory
Commercial General Liability	\$1,000,000/\$1,000,000 CSL
Commercial Automobile Liability	\$1,000,000

On all liability policies of insurance proposer shall have the City named as an additional insured and shall further require that their liability carrier(s) notify the City at least thirty (30) days prior to the effective date of any change(s) in or cancellations of said insurance policies. A current copy of proposer's insurance certificate providing proof of insurance as stated above must be on file in the Purchasing Department prior to the proposal award. Submission of an Evidence of Insurability from your provider or an Insurance Certificate copy may be included with the proposal package.

HOLD HARMLESS AGREEMENT: The proposer covenants to save, defend, keep harmless, and indemnify the City of Georgetown and all of its officers, departments, agencies, agents, and employees from and against all claims, loss, damage, injury, fine, penalties, and costs including court costs and attorney's fees, charges, liability, and exposure however caused resulting from, arising out of, or in any way connected with the proposer's negligent performance or non-performance of the terms of the contract.

CONTRACTOR STATUS: Proposer understand and agrees that its employees, agents, or sub-proposers are not employees of City of Georgetown for any purpose whatsoever.

PROPOSER'S QUALIFICATIONS: Proposer must demonstrate to the satisfaction of the City of Georgetown that he/she has adequate equipment, personnel, experience and understanding of the specifications to perform service under the contract.

No contract will be awarded to any proposer who, in the opinion of the City, is not qualified to perform satisfactorily due to a previously unfavorable performance,

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reputation or lack of experience, capital, organization, equipment, and/or personnel to conduct and complete the services in accordance with the terms and conditions of the contract.

Successful proposer must comply with the City of Georgetown ordinances relating to Occupational License Fees, Business Licenses, payroll and net profits and any other ordinances which may apply to any particular proposal package.

PROPOSER PREFERENCE: Pursuant to KRS 45A.494, which is incorporated herein by reference: "a resident Proposer of the Commonwealth shall be given a preference against a nonresident Proposer registered in any state that gives or requires a preference to Proposers from that state. The preference shall be equal to the preference given or required by the state of the nonresident Proposer. "

EQUAL OPPORTUNITY STATUTES: The City of Georgetown is an equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, national origin, age, marital status, physical or mental disability, or any other characteristic protected by law. The City is also committed to employing only United States citizens and aliens who are authorized to work in the United States. The City complies with the Immigration Reform and Control Act of 1986. Therefore, the successful proposer must demonstrate to the satisfaction of the City that he also conforms to all Federal, State, and Local Equal Opportunity statutes. Further, the contractor will reimburse the City of Georgetown for any damages incurred due to any violation of the above mentioned statutes by the contractor while under contract to the City.

"OR EQUAL" CLAUSE: Whenever a material, article or piece of equipment is identified on the plans or in the specifications by reference to manufacturer's or vendors' names, trade names, catalog numbers, etc., it is intended merely to establish a standard; and, any materials, article or equipment of other manufacturers and vendors which will perform adequately the duties imposed by the general design will be considered equally acceptable provided the material, article or equipment so proposed, is, in the opinion of the Owner of equal substance and function.

AMBIGUITY, CONFLICT OR OTHER ERRORS IN RFQ: If a proposer discovers any ambiguity, conflict, discrepancy, omission or other such error in the RFQ, he/she shall immediately notify the City of Georgetown of such error in writing and request modification or clarification of the document if allowable by the City of Georgetown.

ADDENDA AND INTERPRETATIONS: No interpretation of the meaning of the plans, specifications or other pre-proposal documents will be made to any proposer orally.

Every request for such interpretation should be in writing addressed to the City Clerk, 100 North Court Street, Georgetown, KY 40324, by Fax to 502-863-9962, or by email to tracie.hoffman@georgetownky.gov no later than Tuesday, September 5, 2017 at 4:00 PM. **Any and all such interpretations and any supplemental instructions will be in the form of written addendum to the specifications which, if issued, will be emailed to prospective proposers and posted to the City's website:**

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www.georgetownky.gov no later than Friday, September 8, 2017 at 4:00 PM. Failure of any proposer to receive any such addendum or interpretation shall not relieve such proposer from any obligation under his/her proposal as submitted. All addendums so issued shall become part of the contract documents.

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GENERAL REQUIREMENTS

The City of Georgetown is seeking qualifications for a licensed Geotechnical Engineering Consulting firm to perform on-call professional services including but not limited to: construction site investigations, geotechnical investigations, design of retaining walls and other structural components, slope stability analysis and evaluation, erosion control measures, site inspections and monitoring, subsurface investigations, feasibility studies, engineering reports, soil analysis and testing, material testing, foundation analysis, groundwater control, pavement design, preparation of bidding documents and specifications, project oversight and project closeout documentation. The selected firm will work directly with the City Engineer's Office.

CONTRACT TERMS

The City of Georgetown and the selected proposer will enter into a three (3) year contract, with the possibility of a two (2) year extension at the end of that period.

PRE-BID MEETING

No pre-bid meeting will be held.

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QUALIFICATIONS-BASED SELECTION – COST EXCLUDED

General scope of this project is provided with a final scope to be negotiated if this proposal request is for engineering services, architectural services or other services which would require the use of qualifications based selection. This method will be clearly identified in the request by the appropriate city personnel for the City of Georgetown. The weighted evaluation criteria other than cost will be identified in the request.

In a qualifications-based selection, negotiations will begin with the highest ranking proposal; if an agreement cannot be reached, negotiations will begin with the next highest ranked proposer and continue in this manner. In all other proposals that include cost as one of the weighted evaluation criteria, the highest ranking proposal will be awarded unless extenuating circumstances arise which would not allow the award to be made.

EVALUATION CRITERIA

Every effort will be made to evaluate the proposals as objectively as possible. The best proposal will be determined by Committee that provides the best combination of factors relating to experience, qualifications, service and reputation:

PARAMETER	% WEIGHT
Scope of Services	40
Qualifications and Experience	40
References	20

EVALUATION COMMITTEE

The Evaluation Committee may include the following:

- Director of Finance
- City Attorney
- Finance / Legal Specialist
- City Engineer
- Engineering Technician
- Other member(s) deemed necessary as determined by the Finance Director

The Committee reserves the right to require written questionnaire responses, telephone interviews, and/or conduct selection interviews with respondent.

Committee members shall not be contacted by the Proposer during the proposal preparation and selection process, unless otherwise noted herein.

The Committee shall be the sole judge of the best proposal and the resulting negotiated agreement. The Committee reserves the right to investigate the reputation, integrity, skill, business experience, and quality of performance under

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similar operations before making a final decision and will be based on both an objective and subjective comparison of the proposal.

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SUBMISSION REQUIREMENTS

The proposer must submit one original signed hardcopy, and three (3) duplicates of their proposals using the following format:

1. **Cover Page** with firm's name, address and telephone numbers.
2. **Cover Letter** which includes a summary of the Proposer's ability to perform the services and enter into a contract with the City. The cover letter must be signed by a person having the authority to commit the agency to a contract.
3. **Qualifications and Experience**
 - a. Provide a brief history of your firm, including organizations of the firm and any mergers and acquisitions.
 - b. Provide information identifying principal staff members including any Sub-Consultants that will be directly involved in the project. Provide information including relevant experience and education in providing the required services.
 - c. Describe the experience of your firm in providing geotechnical engineering related services to government agencies.
 - d. Provide three (3) municipal references for which your firm has performed similar implementations and/or are currently using your services (located within the State of Kentucky is preferred).
4. **Scope of Services**
 - a. Proposer shall provide a complete list of services that they are willing and able to provide. If any services are outsourced to a subcontractor, the Proposer shall identify which services are provided by others and shall include qualification-based information on each subcontractor.
 - b. Proposer shall list any services, stated in this RFQ, that they are unable to perform.
5. **Additional Requested Information**
 - a. Please disclose any criminal investigation, indictment, prosecution, or other proceeding that has ever been brought against your firm (provide attachment if necessary). Also describe any civil litigation pending or concluded within the last five years against your firm that may impair the firm's ability to provide the requested services (provide attachment if necessary).
 - b. Disclose any potential conflicts of interest with representing the City of Georgetown for the requested services, including any potential conflicts of interest of employees assigned to this project. The City of Georgetown reserves the unqualified right to disqualify a firm or cancel any contract for any potential conflict of interest issues raised initially and/or during the contract period.

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PROPOSER RESPONSE FORM

NAME OF FIRM: _____

ADDRESS: _____

NAME (Type or Print): _____

TELEPHONE: _____

EMAIL: _____

* Authorized Signature: _____

Date: _____

* Signature certifies the proposed solution and services meet all requirements outlined in this proposal and the vendor will comply with all specified requirements unless exceptions are noted below.

Proposer Acknowledges receipt of Addendum as noted: (mark N/A if none)

_____ Dated _____

_____ Dated _____

_____ Dated _____

Sub-Contractor / Supplier	Contract Amount
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

Check here _____ and attach additional sheet for additional Sub-Contractors / Suppliers.

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AFFIDAVIT

Comes the Affiant, _____, and after being first duly sworn under penalty of perjury as follows:

1. His/her name is _____ and he/she is the individual or the authorized representative of _____ (hereinafter referred to as "Proposer"), and is authorized to submit the Proposal Response Form, equal opportunity agreement and Vendor's Statement Pursuant to KRS 45A.343 attached hereto and incorporated herein by reference.
2. Proposer will pay all taxes and fees, which are owed to the City of Georgetown at the time the proposal is submitted, prior to award of the contract and will maintain a "current" status in regard to those taxes and fees during the life of the contract.
3. Proposer will obtain a City of Georgetown business license, if applicable, prior to award of the contract.
4. Proposer authorizes the City of Georgetown to verify the above-mentioned information with the Division of Revenue and to disclose that taxes and/or fees are delinquent or that a business license has not been obtained.
5. Proposer has not knowingly violated any provision of the campaign finance laws of the Commonwealth of Kentucky within the past five (5) years and the award of a contract to the Proposer will not violate any provision of the campaign finance laws of the Commonwealth.
6. Proposer has not knowingly violated any provision of Chapter 2 of the City of Georgetown Code of Ordinances, known as "Ethics Act."
7. Proposer acknowledges that "knowingly" for purposes of this Affidavit means, with respect to conduct or circumstances described by a statute or ordinance defining an offense, that a person is aware or should have been aware that his conduct is of that nature or that the circumstance exists.

Further, Affiant sayeth naught.

Affiant

STATE OF _____

COUNTY OF _____

The foregoing instrument was subscribed, sworn to and acknowledged before me by _____ on this the _____ day of _____, 2017.

My Commission expires: _____

NOTARY PUBLIC, STATE AT LARGE

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EQUAL OPPORTUNITY AGREEMENT

The Law

- Title VII of the Civil Rights Act of 1964 (amended 1972) states that it is unlawful for an employer to discriminate in employment because of race, color, religion, sex, age (40-70 years) or national origin.
- Executive Order No. 11246 on Nondiscrimination under Federal contract prohibits employment discrimination by vendor and sub-vendor doing business with the Federal Government or recipients of Federal funds. This order was later amended by Executive Order No. 11375 to prohibit discrimination on the basis of sex.
- Section 503 of the Rehabilitation Act of 1973 states:
 The Vendor will not discriminate against any employee or applicant for employment because of physical or mental handicap.
- Section 2012 of the Vietnam Era Veterans Readjustment Act of 1973 requires Affirmative Action on behalf of disabled veterans and veterans of the Vietnam Era by vendors having Federal contracts.
- Section 206(A) of Executive Order 12086, Consolidation of Contract Compliance Functions for Equal Employment Opportunity, states:
 The Secretary of Labor may investigate the employment practices of any Government vendor or sub-vendor to determine whether or not the contractual provisions specified in Section 202 of this order have been violated.

The City of Georgetown practices Equal Opportunity in recruiting, hiring and promoting. It is the Government's intent to affirmatively provide employment opportunities for those individuals who have previously not been allowed to enter into the mainstream of society. In following this commitment to Equal Employment Opportunity and because the Government is the benefactor of the Federal funds, it is both against the Government policy and illegal for the Government to let contracts to companies which knowingly or unknowingly practice discrimination in their employment practices. Violation of the above mentioned ordinances may cause a contract to be canceled and the vendors may be declared ineligible for future consideration.

Please sign this statement in the appropriate space acknowledging that you have read and understand the provisions contained herein. Return this document as part of your application packet.

Proposers

I/We agree to comply with the Civil Rights Laws listed above that govern employment rights of minorities, women, Vietnam veterans, handicapped and aged persons.

Signature

Name of Firm

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VENDOR'S STATEMENT PURSUANT TO KRS 45A.343

45A.343 Local Public Agency may adopt provisions of KRS 45A.345 to 45A.460 – Effect of Adoption – Contracts are required to mandate revealing of violations of and compliance with specified KRS chapters – Effect of nondisclosure or noncompliance. (KRS 136 – Corporate taxes; KRS 139 – Sales & use taxes; KRS 141 – Income taxes; KRS 337 – Wage and hour; KRS 338 – Occupational safety; KRS 341 – Unemployment; KRS 342 – Workers Comp.)

The undersigned, as a duly authorized officer of _____ pursuant to KRS 45A.343 states;

1. To the best of my knowledge, information and belief, _____ has not been finally determined to have violated any of the provisions of KRS Chapters 136, 139, 141, 337, 338, 341, or 342 that apply to it within the five year period preceding this statement.

2. _____ acknowledges that it will be required to be in compliance with those provisions of KRS Chapters 136, 139, 141, 337, 338, 341, and 342 that apply to it for the duration of the Contract to be entered into with the City of Georgetown, Kentucky.

3. _____ acknowledges that if it fails to reveal any final determination of violation of KRS Chapters 136, 139, 141, 337, 338, 341, or 342, or to comply with the applicable provisions of those statutes for the duration of the aforesaid Contract, such shall be grounds for The City of Georgetown, Kentucky to:

- a) Cancel its contract with _____, and
- b) Disqualify _____ from eligibility for future contracts awarded by The City of Georgetown for a period of two years.

This the _____ day of _____, 2017.

Firm: _____

By: _____

Title: _____

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CHECKLIST FOR REQUIREMENTS

Initial "____" for all below as indicated or proposal may be rejected.

- ____ Proposer received and understands the Request for Qualifications Package and Specifications.
- ____ PROPOSER RESPONSE FORM completed and attached.
- ____ AFFIDAVIT signed and attached.
- ____ EQUAL EMPLOYMENT AGREEMENT signed and attached.
- ____ VENDOR'S STATEMENT PURSUANT TO KRS 45A.343 signed and attached.
- ____ EXCEPTIONS TO SPECIFICATIONS AND/OR COMMENTS completed and attached (IF APPLICABLE).
- ____ Proof of Required Insurance Coverages attached (IF APPLICABLE).
- ____ Warranty Information attached (IF APPLICABLE).
- ____ Verification of service and manufacturing qualifications attached (IF APPLICABLE).
- ____ Cover Page attached.
- ____ Cover Letter attached.
- ____ Firm Qualifications, Experience, and References attached.
- ____ Staff Qualifications, Experience, and References attached.
- ____ Marketing Information attached.
- ____ Project Methodology attached.
- ____ Additional Requested Information attached (if applicable).