

# REQUEST FOR QUALIFICATIONS



**On-Call/Continuing  
Consultant Services**

Issued: October 20, 2017

## Public Notice

The Town of Clayton (Town) is seeking professional consulting firm(s) (Consultants) whose combination of experience and expertise will provide timely, cost-effective and quality professional services for Town projects. The Town intends to contract with Consultants to provide “on-call” continuing consulting services on an “as needed” basis for the Town. The Town will pre-qualify Consultants to be placed in the Town’s “Consultant Library” which will cover a wide range of professional disciplines. The contracts resulting from this RFQ will be for a period of three (3) years with an option for the Town to renew the Consultant Library for up to two (2) additional annual periods.

The Consultant Library will include consultants/firms for the following professional disciplines:

- **Telecommunications (Cell Tower Review)**
- **Architecture**
- **Landscape Architecture**
- **General Civil Engineering**
- **Environmental/Geotechnical**
- **Structural Engineering**
- **Transportation/Traffic Engineering**
- **Parks and Recreation**
- **Library**
- **Planning**
- **Surveying**
- **Electric Distribution**
- **Plumbing, Mechanical and Electrical (PM&E)**
- **Wastewater Treatment**
- **Special Inspections**
- **Construction Administration**
- **Stormwater Engineering/Modeling**
- **Marketing / Graphic Design**

Respondents shall specifically indicate in their Statement of Qualifications (SOQ) submittal all of the disciplines they request their firm to be considered for. This may include other disciplines which are not specifically listed above.

The qualification and selection of consultants will be in accordance with the N.C.G.S. 143 – 64.31 (Mini Brooks Act). The dollar value of professional contracts/work will vary based on the professional service category.

Consultants desiring the Request for Qualifications (RFQ) for this project may obtain such documents from the Town of Clayton, Office of the Town Clerk, 111 East Second Street, Clayton, NC 27520. Telephone: (919) 553-5002.

Information regarding this RFQ, including any addenda, will be posted on the Town’s website at [www.townofclaytonnc.org](http://www.townofclaytonnc.org)

Questions related to this solicitation must be submitted in writing to:

David DeYoung, Planning and Development Director  
Town of Clayton  
111 East Second Street, Clayton, NC 27520  
Phone: 919-553-5002  
Email: [ddeyoung@townofclaytonnc.org](mailto:ddeyoung@townofclaytonnc.org)

## **Request for Qualification (RFQ) Instructions and Scope of Work**

### **Project Overview**

The Town of Clayton regularly contracts with professional consultants to assist Town staff with a wide range of projects. Due to the frequency of need, time constraints and the cost associated with multiple advertisements, the Town is seeking to augment Town staff with qualified consulting firms which possess the skills to assist Town staff on an “on-call” basis.

The Town will review the consultant’s Statement of Qualifications (SOQ) in each desired category and select one or more qualified consultants for placement in the Town’s “Consultant Library”.

The Consultant Library will include consultants/firms for the following professional disciplines:

- **Telecommunications (Cell Tower Review)**
- **Architecture**
- **Landscape Architecture**
- **General Civil Engineering**
- **Environmental/Geotechnical**
- **Structural Engineering**
- **Transportation/Traffic Engineering**
- **Parks and Recreation**
- **Library Services**
- **Planning / Urban Design**
- **Surveying**
- **Electric Distribution**
- **Plumbing, Mechanical and Electrical (PM&E)**
- **Wastewater Treatment**
- **Special Inspections**
- **Construction Administration**
- **Stormwater Engineering/Modeling**
- **Marketing / Graphic Design**

The Town does not grant exclusive rights for the above categories to the pre-qualified consultants. The Town reserves the right to formally solicit individual projects in the open market, should the Town deem it to be in its best interest.

The Respondent shall specifically indicate in their SOQ submittal all disciplines they request their firm to be considered for. This may include other disciplines which are not specifically listed above.

### **Assignment of Projects**

The Town will select on-call consulting firms for specific project assignments on a rotating basis. However, the Town may select any firm in the Consultant Library based on a range of factors including, but not limited to, the specialized qualifications of key personnel, recent project experience in a specific work area, and the firm’s past performance providing services to the Town.

When professional consulting services are needed for a project, the Town will provide the relevant background information to the selected on-call firm. The selected firm will prepare and submit to the Town a specific scope of work, cost proposal, and schedule. The selected firm shall also delineate for the Town any perceived special conditions associated with the project. The selected firm’s scope of work, cost proposal, and schedule will be used as the starting point for contract negotiations. If contract terms cannot be reached in a reasonable period of time, then the Town will cease negotiation with the selected firm and negotiate with another firm from the on-call list. Compensation discussed with one prospective firm will not be disclosed or discussed with another firm.

This process will be repeated, if necessary, until a contract is negotiated. The contract will not be in force until it is approved and fully executed. The Consultant shall perform services as requested by the Town, only after receipt of a fully executed contract has been issued for the subject project.

### **RFQ Schedule of Events**

- Advertisement of RFQ - October 20, 2017
- Due Date for Questions: - October 27, 2017
- Due Date for SOQs: November 17, 2017 at 4:00 PM EDT
- Interviews (if deemed necessary): December 8, 2017
- Selection Notification: December 15, 2017 (anticipated)

### **Clarification of Ambiguities**

Consultants are expected to promptly notify the Town in writing to report any ambiguity, inconsistency or error in this RFQ. Failure to notify will constitute a waiver of claim of ambiguity, inconsistency or error.

### **Disclaimer**

Each Consultant must perform its own evaluation and due diligence verification of all information and data provided by the Town. The Town makes no representations or warranties regarding any information or data provided by the Town.

### **SOQ Evaluation Criteria**

Each SOQ will be evaluated based on the Consultant's responses to the requirements of this RFQ. Evaluations will focus on strengths, weaknesses, deficiencies and risks as demonstrated in the Consultant's SOQ. The Town reserves the right to select the firms providing the best benefit to the Town.

The evaluation criteria include:

1. Experience in providing similar services for the professional disciplines;
2. Qualifications of key staff identified in the SOQ, as demonstrated by other directly relevant project experience;
3. Familiarity with the Clayton, NC;
4. Past experience with projects in Clayton, NC;
5. Availability of key staff; and
6. SOQ appearance and presentation.

### **Evaluation Process**

The Town will conduct a fair and impartial evaluation of all SOQs that are received in accordance with the provisions of this RFQ. The Town Manager will appoint a selection committee to evaluate and rank SOQs based on consensus. The selection committee will shortlist Consultant firms/teams for potential inclusion in the Consultant Library. The shortlisted Consultants may, at the Town's discretion, be required to participate in interviews and/or discussions.

The Town reserves the right to obtain clarifications or additional information from any Consultant regarding its SOQ. All Consultants that submit SOQs will be notified of the final selection decision.

## **SOQ Format**

The Consultant's SOQ should consist of responses to the items listed below, and should include required forms and optional materials, if any. Consultants must submit six (6) original bound qualification packages and one (1) CD containing one consolidated digital copy of the complete SOQ in .pdf format.

Due to demands on the time of the Evaluation Committee members, all responses are limited to a maximum total of 15 pages. Both sides of each page may be used. SOQs shall be printed on 8 ½" x 11" paper, although organizational charts, matrices, or diagrams may be printed on larger sheets. Type size should be no smaller than 11 points for narrative sections, but may be reduced for captions, footnotes, etc. as required, while still maintaining legibility. Required forms, sub-tabs and dividers do not count toward the page limit. Non-conforming submissions may be removed from consideration.

## **SOQ Content Requirements**

SOQs should provide forms and responses sequentially as follows:

- A cover letter that clearly indicates the discipline(s) for which consideration is requested.
- The legal entity that would enter into a contract with the Town and include the location of company headquarters, local office location, type of business (sole proprietorship, partnership, corporation, etc.), State of incorporation or organization (e.g., NC), current size (financial and staffing), and the name and title of the person authorized to enter into an agreement. In addition, provide the name of each proposed sub-consulting firm, the office location, website, contact name and telephone number, and the services to be provided.
- An organizational chart and identification of key members of the team, including sub-consultants who would be assigned to this project. Specifically identify individuals who will serve as project managers.
- A list of five (5) relevant and recent projects. List only projects involving current staff of the proposed prime consultant and any proposed sub-consultants. List projects in date order with newest projects listed first.
- For each project listed, include a brief description; the date the services were performed; the name, address and phone number of the client representative having knowledge of the firm's work; the dollar amount; and total time period involved.
- Discuss the methods, approach, and controls used on similar projects. Describe how the work was completed in an effective, timely, economical and professional manner.

## **Due Date and Delivery of SOQs**

SOQs must be date and time stamped by the Town no later than 4:00 PM EDT on November 17, 2017. Deliveries must be delivered to:

Office of the Town Clerk  
Town of Clayton  
111 East Second Street, Clayton, NC 27520  
Phone: 919-553-5002

## Miscellaneous Provisions

1. Cost of SOQ Preparation. The Town accepts no liability for the costs and expenses incurred by Consultants responding to this RFQ, in preparing responses for clarification, in attending interviews, participating in contract development sessions, or in attending meetings and presentations required for the contract approval process. Each Consultant that enters into the procurement process shall prepare the required materials and submittals at its own expense and with the express understanding that the Consultant cannot make any claims whatsoever for reimbursement from the Town for the costs and expenses associated with the procurement process.
2. Ownership of Proposals. Upon receipt by the Town, each SOQ becomes the property of the Town and is considered a public record except for material that qualifies as "Trade Secret" information under North Carolina General Statute 66-152 et seq. SOQs will be reviewed by the Town's selection committee, as well as other Town staff and members of the general public who submit public record requests after a selection result has been announced to the public. To properly designate material as a trade secret under these circumstances, each firm must take the following precautions: (a) any trade secrets submitted by the firm should be submitted in a separate, sealed envelope marked "Trade Secret – Confidential and Proprietary Information – Do Not Disclose Except for the Purpose of Evaluating this Qualification package," and (b) the same trade secret/confidentiality designation should be stamped on each page of the trade secret materials contained in the envelope.

In providing a SOQ, each firm agrees that the Town may reveal any trade secret materials contained in such response to all Town staff and Town officials involved in the evaluation process and to any outside consultant or other third parties who serve on the selection committee or who are hired by the Town to assist in the selection process. Furthermore, each firm agrees to indemnify and hold harmless the Town and each of its officers, employees and agents from all costs, damages and expenses incurred in connection with refusing to disclose any material that the firm has designated as a trade secret. Any firm that designates its entire proposal as a trade secret may be disqualified from consideration.

3. Financial Capacity; Insurance Requirements. Selected firms must have the financial capacity to undertake the work and assume associated liability. The selected firm will be required to furnish proof of professional liability insurance coverage in the minimum amount of \$1,000,000 at the time work is being assigned to the firm. Firms may also be required to provide certificates of insurance evidencing coverage for automobile liability in the minimum amount of \$1,000,000, commercial general liability in the minimum amount of \$1,000,000, and workers' compensation insurance as required by North Carolina statutes.
4. North Carolina's Iran Divestment Act. In accordance with North Carolina's Iran Divestment Act (S.L. 2015-118; SB455), the Town of Clayton is prohibited from entering into contracts with an entity that has been identified by the North Carolina State Treasurer as being engaged in certain investment activities in the Iranian energy sector. An entity identified on the Treasurer's list (called the "Final Divestment List") is prohibited from contracting with the Town of Clayton. In

addition, all entities contracting with the Town of Clayton are prohibited from subcontracting with any entity included on the Final Divestment List. Contracts entered into in violation of the Act are rendered void by operation of statute. The Town of Clayton will require all selected consulting firms to certify that they are not included on the Final Divestment List.

5. Registration with Secretary of State for North Carolina; Licensed Engineers. Consultants wishing to be considered for Engineering and Surveying Services must be properly registered with the Office of the Secretary of State and with the North Carolina Board of Registration for Professional Engineers and Land Surveyors at the time of submission of the SOQ. Engineering firms selected under this RFQ will be responsible for providing all professional, technical, managerial, and administrative staff with the appropriate skills and qualifications to perform required services. The engineers in responsible charge of the work must be registered Professional Engineers in the State of North Carolina and must have good ethical and professional standing.

Any firm proposing to use corporate subsidiaries or subcontractors must include a statement that these companies are properly registered with the NC Board of Registration for Professional Engineers and Land Surveyors. It will be the responsibility of the prime firm to verify the registration of any corporate subsidiary or subcontractor prior to submitting a SOQ.

5. No Lobbying. The Consultant certifies that it has not and will not pay any person or organization to influence or attempt to influence an officer or employee of the Town, the State of North Carolina, any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining a contract under this RFQ. In addition, in the event that a single contract awarded under this RFQ exceeds \$100,000, the consultant must fully comply with the requirements of Title 40 CFR Part 34, New Restrictions on Lobbying, and submit required certification and disclosure forms accordingly.
6. Town Reserved Rights and Options. The Town expects to select a minimum of one Consultant, but intends to select multiple Consultants for each professional discipline. The Town reserves the right to request substitutions of any key team member, including staff and sub-consultants. The Town reserves the right to contact any Consultant if such is deemed desirable by the Town to obtain any additional information including but not limited to experience, qualifications, abilities, equipment, facilities, and financial standing. The Town reserves the right to conduct investigations with respect to the qualifications and experience of any Consultant.

The Town reserves the right to modify any part of this RFQ by issuing one or more addenda during the RFQ response period. The Town reserves the right to reject any or all responses to the RFQ, to advertise for new RFQ responses, or to accept any RFQ response, in whole or part, deemed to be in the best interest of the Town. The Town reserves the right to waive technicalities and informalities.

This RFQ does not constitute an offer by the Town. A response to this RFQ shall not be construed as a contract, nor indicate a commitment of any kind. No binding contract, obligation to negotiate, or any other obligation shall be created on the part of the Town unless the Town and the

Consultant execute a contract. The Town may select the Consultant to engage in further discussions. The commencement of such discussions, however, does not signify a commitment by the Town to execute a contract or to continue discussions. The Town can terminate discussions at any time and for any reason. No recommendations or conclusions from this RFQ process concerning the Consultant shall constitute a right (property or otherwise) under the Constitution of the United States or under the Constitution, case law, or statutory law of North Carolina.