

CITY OF MARFA, TEXAS

ISSUE DATE: October 27, 2023
TO: Engineering Firms
FROM: Amanda Roane
City Manager
SUBJECT: Request for Statements of Qualifications for – City Engineer “On Call” Municipal Engineering Services

The City of Marfa (City) is requesting a Statement of Qualifications (SOQ) from interested and qualified consulting engineering firms for professional engineering services to assist the City with aspects of the planning, design, and potential construction administration of future capital improvement projects and acting as the City’s Engineer on an “on call” basis. The selected firm or person will be retained to provide the engineering services to implement the capital improvement projects once funded. Enclosed for your consideration is a Request for Statement of Qualifications (RFQ).

To be considered for this project, your firm must meet the qualifications and satisfy the requirements set forth in the RFQ. If you are interested in being considered, please **submit your SOQ by 4 p.m., Friday, December 8, 2023**, to the person listed below. The submission date for questions, clarifications, or **requests for general information is 2 p.m., Monday, November 27, 2023**. Any requests received after this date will be returned and not addressed. Note that all questions, clarifications, or request for general information are to be submitted **in writing via email** or other mail carrier to the City Manager.

A committee consisting of City staff will rate the SOQs using the evaluation criteria developed for this project. Said evaluation criteria are attached to this RFQ. The selection committee may interview one or more firms to further evaluate qualifications. The selection committee will present their recommendations to the City Council who will select the consultant for this project. During the evaluation process, the City reserves the right, where it may serve the City’s best interest, to request additional information or clarifications from responders, or to allow corrections of errors or omissions.

Review of Proposals:

1. The committee will review the SOQs at its earliest convenience after the submittal deadline date.
2. The SOQs will be reviewed and rated relative to the evaluation criteria established for this project. Said evaluation criteria are attached to this RFQ.
3. If necessary, the committee will invite one or more responsive firms to make a presentation before the committee.
4. After completing the evaluation process, the committee will recommend the firm deemed the most qualified to City Council for consultant selection.
5. City Council will consider the committee recommendation at its earliest convenience.

Any questions and correspondence should be directed to:

City of Marfa: City Council
Amanda Roane: City Manager
Address: 113 S. Highland Avenue
(Hand delivery, UPS, FedEx)
PO Box 787 (USPS)
Marfa, TX 79843

Telephone: (432) 729-4315
Email: mroane@cityofmarfa.com

Contact regarding this project with any City personnel or officials other than Ms. Amanda Roane or her designated representative after the issue date of this RFQ will be grounds for removal of the firm from consideration.

Request for Qualifications

Professional Engineering Services for the City of Marfa

City of Marfa: City Council
Amanda Roane: City Manager
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P.O. Box 787 (USPS)
Marfa, TX 79843

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Introduction

In accordance with the provisions of Texas Local Government Code Chapter 271 and Texas Government Code Chapter 2254, The City of Marfa (the “City”) is requesting qualifications to contract with a qualified team of professionals with considerable experience in the delivery of professional engineering services to a municipality. The responses shall be submitted to the City of Marfa in a sealed submission, in accordance with Texas Local Government Code Chapter 271.

This Request for Qualifications (“RFQ”) from the City of Marfa invites the submittal of a Statement of Qualifications (“SOQ”) from firms or persons interested in providing engineering services to the City of Marfa on an “as needed” basis and acting as the City’s Engineer. By submitting an SOQ, the Proposer represents that they have carefully read the terms and conditions of this RFQ and all attachments and agrees to be bound by said documentation. This RFQ is not an offer to enter into a contract, but merely a solicitation of persons interested in submitting an SOQ to the City of Marfa.

The City may select one or more firms or persons for work under this RFQ. The scope of the professional services work in this RFQ may not include all City professional engineering work. If determined to be in the best interest of the City, the City may award work to firms for undefined projects that were not awarded work under this RFQ. The contracts for this RFQ shall be awarded on a case-by-case basis. Award of a contract or subsequent assignment as part of the awarded contract will not disqualify a firm from responding to any future project for which a project specific RFQ may be issued.

Project Overview

Background

Located in the northeastern part of Presidio County, Marfa was originally established in 1883 as a significant water stop and freight hub for the Galveston, Harrisburg, and San Antonio Railway. Positioned at an altitude of 4,830 feet above sea level within a semi-arid region, Marfa is surrounded by the Davis Mountains to the north, the Chisos Mountains to the southeast, and the Chinati Mountains to the southwest.

Over time, Marfa's population steadily increased, reaching 3,909 residents in 1930. During World War II, the town played host to the Chemical Warfare Brigades and a nearby prisoner of war camp, in addition to the Marfa Army Air Field, which provided advanced flight training. However, these military installations were subsequently closed, impacting both the town's economy and cultural landscape. In the 1970s, Marfa gained recognition for the mysterious Marfa Lights and served as a filming location for the last film of James Dean, "Giant." The town also became an artistic hub with the relocation of Donald Judd from New York City in 1971, marking the inception of his permanent art installations in Marfa. Marfa's rich and diverse

history, from its artistic influence to its intriguing natural phenomena, continues to captivate visitors and contribute to its enduring allure.

Project Objectives

The City is seeking to establish a contractual relationship with an engineering firm or person for the purpose of assisting the City with aspects of the planning, design, and potential construction administration of future capital improvement projects and acting as the City's Engineer on an "on call" basis. The selected firm or person will be retained to provide the engineering services to implement the capital improvement projects once funded.

The Engineering services required may include, but may not be limited to, the development of the complete project scope and timeline; preliminary engineering and environmental assessment; engineering design; preparation of project construction plans, specifications, and contract bid documents; attending project status, pre-bid, bid opening, and preconstruction meetings; contract administration and close-out; and providing project "As-Built" drawings in hard-copy Mylar and digital format. Project objectives include:

- 1) Establish a collaborative relationship between the City's team and the firm or person(s) hired to deliver quality design standards.
- 2) Manage multiple design and construction contracts to a coordinated and predictable outcome.
- 3) Meet individual project goals within scope, budget, and schedule.
- 4) Establish a high level of quality and safety for development.
- 5) Enhance and protect natural and cultural resources.
- 6) Achieve a comprehensive theme throughout each project that considers both the existing land uses abutting the subject area as well as its position within the City.
- 7) Review subdivision plats and other development documents to confirm compliance with the City's development regulations and advise the city council and planning and zoning authorities as

Scope of Work

After being selected, the successful firm or person(s) (the "Consultant") will execute an agreement with the City to provide the following services and materials to fulfill the following scope of work, including, but not limited to the following areas:

- a. Street, Stormwater, and Drainage Capital Improvements
- b. Stormwater and Utility Rate Analysis.
- c. Building and Site Plan, Plat, and Zoning Review

d. Construction Plan Review

e. Surveying – performing boundary, improvements, and/or topographical surveys as may be required. Perform construction staking as may be required during design or construction phases.

f. Federal, State, and County Funded Projects – must be familiar with writing grant applications, providing standard elements data, and environmental data associated with such grants.

g. Design Phase Services – prepare plans, project manual, and engineer’s Opinion of Probable Cost which comply with applicable Federal, State, and local regulations, and or County standards.

h. Engineering Documents – shall be delivered for City review and comment at the 30%, 60%, 90%, and 100% unsealed stages of completion. Complete and detailed engineering documents are required for the bidding and construction of proposed improvements. Final engineering documents shall include topographic and boundary surveys where required, geotechnical investigation, environmental assessment, and environmental clearances, identification of utility conflicts, required utility adjustments and replacements, coordination with utility companies, and determination of ROW/easement acquisition metes and bounds and sketch.

i. Bid and Construction Administration Services – respond to questions during advertisement and bid prepare required addenda during bid. Assist in evaluating bids, tabulating bids, and making recommendations for construction contract awards. Prepare conformed construction documents and drawings per addenda. Review and respond to shop drawings, submittals, Request for Information, change order proposals, and all other construction items. Conduct specialty site visits as necessary to assure general construction conformance with contract documents, assist in final walk-through and punch list, and prepare record drawings per contractor redlines.

j. Project Management Services – regulatory agency coordination and submission of associated required submittals for proposed projects for the duration of the project. Conduct regular scheduled meetings for the duration of projects, including meeting agendas, minutes, and action items. Perform Quality Assurance/Quality Control for the duration of the projects.

k. General Services: The selected firm shall be capable of performing numerous disciplines such as general civil engineering, planning, surveying, architectural design, geotechnical analysis, construction management, and environmental reviews, or at a minimum have the ability to coordinate with firms that provide such services.

l. Environmental Services and Regulatory Agency Interactions: Provide technical review of and answer inquiries relating to site, building, subdivision, improvement, land disturbance, floodplain development, construction plans, and escrows relating to various projects proposed by applicants to be developed in the City, to ensure that such conform to City Codes and all State and Federal regulations.

m. CAD and GIS Capabilities: Must have computer-aided drafting and geographical information system experience and capabilities and will, upon request, provide electronic files to the City.

n. Meeting Attendance and Participation: Will be expected to attend periodic meetings of the City Council in addition to meeting with City Staff and developers.

The final product that the Consultant will submit is a document that includes a set of engineering design standards and visual guides that can be incorporated into the City's Zoning Ordinance or a similar regulatory document. The proposed standards should complement the existing architecture and engineering of the City through the use of appropriate material, scale, and character. The standards should accommodate existing structures and new construction and should balance the need for concise and specific standards that can be clearly understood and implemented with the need for flexibility and creative leeway.

Contract Period

The scope of work is anticipated to begin on or about January 1, 2024, and will have an initial period of up to (1) year with the City's option to extend the contract for additional one-year periods for up to five (5) years or until the Council determines the services under the Scope of Work of this agreement have been completed.

Notice: State Sales Tax

The City is by statute exempt from Texas State Sales Tax and Federal Excise Tax. The City will furnish, upon request, sales tax exemption forms to the Consultant that is awarded. Consultant shall bear the responsibility of any sales or use tax if any product or supply is deemed to be taxable by the state. Such situations may include paying state sales tax for the purchase, rental, or lease of tools, machinery, and/or equipment used in the performance of the awarded contract and for materials purchased which are not incorporated into the completed project. It is the obligation of the Consultant to ascertain the amount of state sales tax to be paid under the Texas Tax Code and to include this amount in his/her proposal submitted to the City. For further information, the Consultant may wish to contact the office of the Texas Comptroller of Public Accounts at 1-800-252-5555.

Statement of Qualification (SOQ) Submission Requirements

The City is seeking to contract with an engineering service provider registered in the State of Texas with experience in the following areas:

- Organization of the firm and the roles and responsibilities of all assigned personnel.
- Demonstrate relevant project examples of how your proposed personnel will be able to deliver projects within scope, budget, and schedule.

- The firm’s capabilities, specialized experience, and technical competence in Project Management, development of design requirements, designs, and construction of similar projects and public interfaces.
- Past experience and satisfactory performance on Project Management/Design Projects contracts with public agencies, approval authorities, and private industry in terms of cost control, quality of work, and compliance with performance schedules.
- The firm’s financial stability, including proof of insurance.

The City requests that all interested proposers follow the below-listed requirements. Failure to follow these requirements will affect the evaluation rating scores or may even disqualify a proposer. All SOQ submittals shall contain the following:

- 1) Your Statement of Qualifications, no longer than 10 pages, that includes experiences, names, and resumes of all persons who will or may be assigned to provide engineering assistance to the City for engineering services.
- 2) Proof of the person(s) who will or may be assigned are licensed and qualified professional engineer(s) in the State of Texas.
- 3) Experience with a range of state and funding sources for municipal engineering projects, including CDBG, TCEQ, state, and federal project funding sources.
- 4) Chapter 176 of the Texas Local Government Code requires an engineer to file a conflict-of-interest questionnaire if the vendor has a business relationship with the City and has:
 - a. An employment or other business relationship with an officer or an officer’s family member that results in that person receiving taxable income that is more than \$2,500 in the preceding twelve months; or
 - b. Has given an officer or an officer’s family member one or more gifts totaling more than \$250 in the preceding twelve months.

A firm submitting an SOQ is required to file a questionnaire not later than the seventh business day after the latter of the following:

- The date the engineer begins discussions or negotiations to enter into a contract with the City; or
- submits an application or response to a proposal; or
- the date the submitter becomes aware of a relationship or gives a gift to an officer or officer’s family member.

State law requires that a Consultant file an updated questionnaire with the City Clerk’s office annually, before September 1st, and not later than the seventh business day after the date the originally filed questionnaire becomes incomplete or inaccurate. Compliance with this law is the responsibility of the Consultant.

Evaluation Criteria

Evaluation Criteria: SOQs received will be evaluated and ranked according to the following criteria to determine which proposal is best responsive to the needs of the City of Marfa:

Criteria	Maximum Points
Understanding Scope and Prior Related Experience	25
Technical Approach	15
Team Organization, Experience, and Availability	15
Project Management and Quality Control	15
Past relationship with the City	10
Reputation of the goods and services of proposer	10
The extent to which goods or services meet the City's needs	10
Total	100

To be deemed responsive, an SOQ must contain at a minimum the following:

- 1) **Understanding of Scope and Prior Related Experience:** Provide proposer's understanding of the Scope of Work described herein. Briefly outline similar or related experiences with the name, email, and telephone number for the City's representative of each project included. Information shall consist of a minimum of three (3) and not more than five (5) similar projects within the past five (5) years. The City will evaluate the preparedness, experience, and capacity of the proposer to understand and address the requirements of the project. This includes prior experience in engineering design, planning, and design of the project scope of work. The proposer shall not reiterate the tasks as outlined in the scope of work, except to summarize or reinforce its understanding of the scope for this project.
- 2) **Technical Approach:** Provide a brief discussion on proposed technical designs for the project. Suggestions or consideration of various alternatives are encouraged. Proposers will be evaluated on their ability to address the project issues and objectives, within the page limitations indicated. Information provided may include, but is not limited to, a brief discussion of such factors as: cost-effectiveness of proposed design; understanding of existing design theme and how the new design standards will mesh with existing development; understanding of existing culture and native landscapes; understanding of a mixed-income housing market; understanding of the pedestrian

network and pedestrian connectivity; understanding of federal, state, and local rules and regulations, laws and design standards; specialized problem-solving skills that would be required in the project; degree of commitment to the City's schedule; and if applicable, the proposed use of innovative solutions and techniques.

- 3) **Team Organization and Availability:** Provide a hierarchal Organizational Chart indicating the Project Team, which includes the names of proposed key project personnel, their area of responsibility, and relationships of sub-consultants. The proposed organization shall reflect, where applicable, the planning and phasing of the project. Key personnel experience and strengths relative to the project shall be briefly discussed, but extensive staff resumes shall not be submitted. The City will evaluate a proposer's proposed staffing organization based on factors such as: efficient team structure; qualifications of the sub-consultants; and team members' prior performance with the City. If any of the key personnel of the team should differ from what is presented in the SOQ, then the City must be notified in writing in advance of the proposed change for the City's consideration.

- 4) **Project Management and Quality Control:** Provide a brief discussion of the process and procedures in place and proposed for managing this project. Key items therein shall include the project's successful implementation, the proposed methods, and organizational efforts to provide for constructability reviews, and to ensure quality control in the project. The information provided may include a list of activities that may turn problematic as well as their proposed problem-solving process, and the organization of key activities and their emphasis. In addition, a proposer's evaluation will be based in part by the proposed Project Manager's track record of successful project management and construction administration relative to scheduling, reporting, quality of deliverables, and timely response to the City.

Selection of Consultants: Materials submitted will be reviewed and if deemed necessary, interviews will be scheduled with prospective engineers in order to select the most qualified.

Deadline for Submission: Sealed SOQs must be submitted to the City of Marfa, City Council, 113 S Highland Ave (Hand delivery, UPS, FedEx) or P.O. Box 787 (USPS), Marfa, TX 79843, by **4:00 PM CST, December 8, 2023**. Interested proposers are responsible for verifying receipt of SOQs.

The City of Marfa is an Equal Opportunity Employer and reserves the right to reject any and all proposals and to waive technicalities and formalities in this selection.

After a Statement of Qualifications is opened, the Statement of Qualifications shall be tabulated for comparison on the basis of the selection criteria set forth within this RFP. Until final award of the contract, the City reserves the right to reject any or all Statement of Qualifications, to waive technicalities or irregularities at its option, to re-advertise for new Statement of Qualifications, or proceed to do the work otherwise in the best interests of the City. Each proposer shall be furnished with a copy of the proposal tabulation upon request.

Contract Terms

If the Statement of Qualifications submitted is accepted and the Consultant is selected by the City, then the agreement negotiated by the City and the Consultant shall be incorporated into a written contract. No oral agreements, either expressed or implied, shall be valid. No different or additional terms will become part of this contract.