



Request for Proposal (RFP)
Wastewater Systems Improvements and Expansion (Ylincheta Lane) Engineering Services

Proposals Due:

Thursday, Dec 12, 2024

1:00 pm

at

the Town of Manila Office Building

145 East Highway 43, Manila, Utah 84046, or by mail at PO Box 189, Manila, UT 84046

Work under this project is funded with federal grant funds from the Environmental Protection Agency (EPA), and as such, is subject to federal regulation, specifically 2 CFR 200 and other federal regulation.

Town of Manila

Proposal Advertisement

Request for Proposals

Wastewater System Improvements and Expansion (Ylincheta Lane) Engineering Services

NOTICE IS HEREBY GIVEN that the Town of Manila (“TOWN”) is requesting sealed proposals from qualified firms or individuals to provide engineering services for design and construction management concerning TOWN’s wastewater system improvements and expansion in the Ylincheta Lane area. TOWN’s wastewater system improvements and expansion (Ylincheta Lane) are described generally in this document and include the design and construction management of new wastewater lines and residential connections extending to a current wastewater facility. Town is seeking qualified firms or individuals to provide professional engineering services, including, without limitation, (a) preliminary and design engineering, including plans and specifications, for certain wastewater system improvements and expansion, and (b) complete construction management services for the project.

Interested parties may obtain a copy of the Request for Proposals (the “RFP”) and related documents by downloading a copy from TOWN’s website at <https://manilautah.com/>. Interested parties may receive a hardcopy of the RFP (and related documents) at the Town of Manila Office Building, 145 East Highway 43, Manila, Utah 84046.

All proposals must be *sealed* in an opaque envelope or package and must be submitted to TOWN Mayor Kathi Knight by mail to PO Box 189, Manila, UT 84046, or hand delivery at 145 East Highway 43, Manila, Utah 84046 by **1:00 p.m., Thursday, Dec 12, 2024**. Sealed proposals will be publicly opened at 5:30 p.m. on Thursday, December 12, 2024. TOWN will NOT consider any proposal received after the stated date and time, that is incomplete, and/or that is not submitted in the proper manner and format. Proposals must be clearly marked “Town of Manila Request for Proposal – Wastewater System Improvements and Expansion (Ylincheta Lane) Engineering Services.”

Town of Manila

Request for Proposal

Wastewater System Improvements and Expansion (Ylincheta Lane) Engineering Services

OVERVIEW

The Town of Manila (“**TOWN**”) is a historic farming and ranching community located in the Lucerne Valley of Dagget County, UT. Originally, domestic water was hauled from a central tank to meet the needs of those residing in one- or two-room log cabin homes. The Town of Manila was established in 1958 with growth due to the construction of the Flaming Gorge project and other important developments. During this same time, growth saw the need to construct a new water and sewer system. Since 1958, the collection system had been expanded to support the TOWN’s needs and growth. The existing sewer lagoons were added in around 1983 as part of an expansion to take care of the needs of the TOWN. The existing lagoons are located just off East State Line Road on the border of Utah and Wyoming. Wastewater lines currently run to these lagoons as part of a system that remains incomplete.

Based upon recent issues related to the deterioration of resident wastewater drain field systems, the current wastewater system is in need of major improvements and expansion into unincorporated areas within Daggett County, especially within the Ylincheta Lane area, for the protection of the County’s water supply needed for the safety of residents and maintaining infrastructure standards set by the Environmental Protection Agency (EPA) (Build American, Buy America Act - BABA, etc.), regardless of whether any growth occurs in the TOWN service areas. TOWN is also in the process of expanding the lagoons to incorporate increased capacity. This is a separate project and utilizes a separate funding resource. The Wastewater System Improvements and Expansion (Ylincheta Lane) project will add roughly 14,500 ft of new wastewater mainline that will be connected to an existing line, as well as roughly 65 new sewer connections in the Ylincheta Lane area and provide an avenue to the existing sewer lagoons.

The purpose of this Request for Proposals (“RFP”) is to select an engineering firm to provide engineering design and construction management services for TOWN concerning these wastewater system improvements and expansion (Ylincheta Lane) needs and in accordance to EPA standards. The selected firm will report directly to the TOWN mayor and/or other designee.

GENERAL BACKGROUND INFORMATION

A. Project

1. TOWN is planning to improve and expand upon the wastewater system that was established in 1958 to incorporate the Ylincheta Lane area of Daggett County. The wastewater system expansion will consist of the installation of 14,500 ft of new wastewater line, with roughly 65 new residential sewer connections and provide an avenue to the existing sewer lagoons.

The TOWN is still using components and line from when the existing wastewater system was originally installed; most of the line and connection components are in working condition. Modifications have been made over time to address breakages and line flow issues. However, despite upgrades and modifications, the existing wastewater system and its coverage is unable to address the needs of residents with deteriorating wastewater drain fields in the Ylincheta Lane area and the need for permanent and transient expansion. As a result, wastewater improvements and expansions are needed.

2. TOWN's town council has reviewed the need for wastewater improvement and expansion (Ylincheta Lane). The best option includes the following: improve the existing infrastructure to incorporate 14,500 ft of new wastewater line to the Ylincheta Lane area of Daggett County while adding roughly 65 new sewer connections and an avenue to the existing sewer lagoons. The goal of the project is to create the highest benefit for City taxpayers and residents in need with the existing EPA funding available.
 3. On March 15, 2022, President Biden signed FY 2022 Consolidated Appropriations Act (P.L. 117-103) into law which would fund specifically named community infrastructure projects. TOWN was awarded \$3.5M for a "sewage system project". With the need for wastewater improvements and expansion, these funds came at an opportune moment for the TOWN.
 4. For purposes of this RFP, the term "**PROJECT**" means the Wastewater System Improvements and Expansion (Ylincheta Lane). Copies of rough draft wastewater improvement and expansion (Ylincheta Lane) plans may be obtained on the TOWN's website and/or at the TOWN Office Building.
- B. *Estimated Project Cost.* The Project is estimated to cost approximately \$3,500,000 which will include the engineering services outlined in the RFP as well as the actual construction of the project with material costs.
- C. *Estimated Time Period.* Engineering design and construction management services for the PROJECT are estimated to begin in the Fall of 2024 and be completed in 2026. The estimated time period in which the Engineering Services and Construction Management ("**SERVICES**", as defined below) will be performed will begin in the Fall of 2024 and end in 2026, once the PROJECT and SERVICES are complete.

SCOPE OF SERVICES

The scope of services to be performed by the firm pursuant to this RFP include, without limitation, the following engineering SERVICES concerning the PROJECT (collectively, the "**SERVICES**"):

- A. Preliminary Engineering
 - Complete easement and land acquisition, as needed.

- Complete environmental and archaeological investigations and reports, as needed.
- Assist with permit acquisition, as needed.

B. Design Engineering

- Complete design topographical surveys.
- Preparation of draft and final engineering design documents including plans, specifications, contract documents, and cost estimates.
- Submit final design plans, specifications, and other documents to TOWN and applicable agencies for review and approval.
- Prepare all permit and approval applications for the project as required, including, without limitation, all applicable Utah, and/or Daggett County permits.
- Assist environmental consultant with wetland delineation, cultural surveys, and other environmental review support, as needed.

C. Construction Engineering

- Complete advertisement for bids.
- Attend a pre-bid conference, respond to technical questions from potential bidders, and issue addenda, as required.
- Assist in bid opening, provide recommendations to the Town Council for bid award, and assist in contract development.
- Attend a pre-construction meeting(s).
- Provide engineering support during construction including submittal reviews, contract administration, applications for payment, change order preparation, etc.
- Review the selected contractor's progress payment requests and certify quantities claimed accurately reflect work performed and materials supplied during the payment period.
- Provide services related to change orders such as preparation of change order proposal description and justification documentation, assistance with negotiation of change with contractor, making recommendations to the TOWN regarding any change orders, and processing the formal change order documents.
- Provide full- or part-time construction observation.
- Complete contract closeout process including substantial completion walk-through, development of a "punch list," final completion walk-through, and recommendation of final payment.
- Advise TOWN and the contractor of the dates for any warranty periods as established in contract documents.
- Maintain files and document tracking system throughout the entire project.
- Coordinate with the contractor and TOWN for final testing and startup of system.
- Prepare and submit to TOWN as-built drawings upon completion of construction.
- Provide all services list above, and more, while following the regulations set forth in the TOWN Federal Procurement Policy and by following EPA rules and regulations regarding the

requirements of the grant funding provided for this project and see to it that all contractors and subcontractors follow the same.

- D. Other Items. It is anticipated that other PROJECT-related tasks could arise during the preliminary engineering and/or design engineering phases. These tasks may include, without limitation, geotechnical explorations, conditional use permits, site specific reports, and other evaluations. The firm will perform the role of project manager with regard to these anticipations. The firm will answer questions, make decisions, provide guidance, and assist in coordination as needed. All available information TOWN has will be available to the firm selected to perform the SERVICES. Information may include, without limitation, tax maps, aerial photos, and as-built drawings.

FUNDING SOURCES

Funding sources for the Project will include, without limitation, funding by a community grant provided by the FY 2022 Consolidated Appropriations Act. Funds will be used for the preliminary engineering and design services concerning the Wastewater System Improvements and Expansion (Ylincheta Lane) and for final engineering and construction management as well as construction of the PROJECT. Such portions of the SERVICES will be performed subject to and in accordance with all applicable requirements including, without limitation, those policies attached hereto as Exhibit A (*Procurement Policy*) as well as all requirements provided under 2 CFR 200 of federal code and regulation and any other requirements as set forth by the EPA regarding this PROJECT and the SERVICES required to complete the PROJECT.

EVALUATION CRITERIA

The qualification-based selection process will be administered in accordance with the authority and procedures in the TOWN federal procurement and financial policies and procedures and as outlined by 2 CRF 200 and the EPA. Proposals submitted before the deadline will first be evaluated for compliance with the minimum required qualifications identified below. Proposals meeting these requirements will be forwarded to an *evaluation committee* that will independently score each proposal according to the scored criteria listed in Exhibit B (Scoring Criteria).

- A. *Minimum Required Qualifications*. Failure to comply with one or more of the following criteria will result in rejection of the proposal:
1. Name of Firm and the location of the firm's offices and the office where the majority of the TOWN's work will be performed.
 2. The age of the firm and the average number of employees of the firm over the past five (5) years. Also, the age of the office in which the work for the TOWN will be performed along with the average number of employees at the office over the past five (5) years.

3. At least one (1) copy of the submittal proposal must bear an original signature on the introductory letter. A duly authorized representative empowered to bind the firm must sign the proposal.
 4. The proposal must include the overall price of the proposal offered by the firm to the TOWN, which is to include all SERVICES offered for the specified amount of the PROJECT as outlined in this RFP.
 5. The proposal must demonstrate that the proposer (a) has all valid applicable Utah licenses, including, without limitation, all applicable licenses to practice engineering in the State of Utah, County and TOWN, and (b) is in good standing with the Utah State Bar of Examiners for Engineering and Land Surveying.
 6. The proposal must demonstrate the proposer's compliance with the insurance required in this RFP.
 7. Each proposal must include a certificate of non-discrimination pursuant to 2 CFR 200, substantially in the form attached hereto as Exhibit C (*Certificate of Non-Discrimination*).
- B. *Scored Criteria*. All proposals from qualified firms that meet the minimum required qualifications will be evaluated on the following criteria (a total of 100 points is available for the scored criteria):
1. Professional Qualifications of Project Team (10 points). Provide a firm overview and qualifications for providing the Services. List key team members who will be assigned to this project, their roles and responsibilities, and their qualifications and experience.
 2. Experience (10 points). Provide at least three (3) examples of services rendered on projects completed in the last five (5) years that best characterize and demonstrate the firm's experience providing services similar to the SERVICES. Also demonstrate experience within the framework and requirements of grant funded projects, particularly EPA.
 3. Current workload (10 points) of the key persons to be assigned to the TOWN.
 4. Method of Approach (10 points). Demonstrate a clear approach to completing the SERVICES and proposed benchmarks for PROJECT and SERVICES completion.
 5. Availability; Familiarity with TOWN's Systems (20 points). Demonstrate ability to provide responsive services to assist TOWN during the PROJECT, based on the amount and type of staff resources available in the PROJECT vicinity to perform the SERVICES. Also include your team's past performance history with the TOWN.

6. Understanding of Requested SERVICES (10 points). Demonstrate a clear and concise understanding of the SERVICES.
 7. References (10 points). Provide references and recommendations from at least five (5) current or former clients. References should establish the firm's demonstrated ability to successfully and reliably complete similar projects.
 8. Concept reports, feasibility studies, cost estimates (engineering services monetary quote), proposed funding plans, and other written materials regarding requested PROJECT SERVICES (20 points).
- C. The outcome of the independent evaluation may, at the TOWN's sole discretion, result in (a) notice to a proposer(s) of selection and possible award, or (b) further steps to gather more information for evaluation, which may include, without limitation, a notice of placement on an interview list with time and date of the interview.

PROPOSAL SUBMISSION REQUIREMENTS

- A. *No Pre-Proposal Meeting.* TOWN will not hold a pre-proposal meeting.
- B. *Submission.* Six (6) copies of the proposal must be received by **1:00 p.m.**, Mountain Time on **Dec 12, 2024**. Sealed proposals will be publicly opened at 5:30 p.m. on Thursday, Dec 12, 2024. At least one copy of the proposal must bear an original signature. A duly authorized representative empowered to bind the proposer must sign the proposal. All proposals must be sealed in an opaque envelope or package and must be delivered to TOWN Mayor Kathi Knight by mail at PO Box 189, Manila, UT 84046, or hand delivery at 145 East Highway 43, Manila, Utah 84046, by **1:00 p.m.**, Mountain Time on **Dec 12, 2024**. Mis-deliveries, late, and/or faxed submittals will be considered nonresponsive.
- C. *Format for Proposals.* Please submit written proposals in compliance with the following page limitations (one page is considered to measure 8-1/2 x 11, with 11-point font size minimum):

<u>Contents</u>	<u>Maximum Number of Pages</u>
Introductory Letter	2
Professional Qualifications of Project Team	3
Experience	3
Method of Approach	3
Availability; Familiarity with TOWN's Systems	3
Understanding of Requested Services	3
References	2
Price Proposal with Listed Services	1
Total	20

The proposal should not exceed twenty (20) pages, excluding the cover sheet, certificate of nondiscrimination, and any tabs or indexes.

D. *Introductory Letter.* The letter will name the person(s) authorized to represent the firm in any negotiations and name of the person(s) authorized to sign any contract which may result. The letter will indicate insurance coverage carried by the firm. The letter will be signed by an authorized representative of the firm. The firm must carry the following types and minimum coverages of insurance: (a) general liability insurance for all losses or claims arising out of or related to the selected firm's performance of its obligations under the Agreement (defined below) (including, without limitation, damages as a result of death or injury to any person or destruction or damage to any property) with limits of not less than \$1,000,000 per occurrence, \$2,000,000 in the aggregate; (b) comprehensive automobile liability insurance for all owned, non-owned, and hired vehicles that are or may be used by the selected firm in connection with the firm's performance of the SERVICES with limits of not less than \$1,000,000 per occurrence, \$2,000,000 in the aggregate; (c) errors and omissions insurance with limits of not less than \$1,000,000 per occurrence, \$2,000,000 in the aggregate; (d) employer liability insurance with limits of not less than \$500,000 per occurrence and in the aggregate; and (e) workers' compensation insurance in form and amount sufficient to satisfy the requirements of applicable Utah law. Firms who do not carry the required insurance may not be considered. All supporting insurance documentation may be added in the index of the submission.

SELECTION PROCESS

- A. Proposals that do not meet the minimum required qualifications will be rejected. Proposals meeting the minimum required qualifications will be evaluated by an evaluation committee based upon the criteria and points assigned in this RFP.
- B. TOWN will appoint an evaluation committee of no fewer than three (3) individuals to review, score, and rank each proposal. The evaluation committee may contact references provided in each proposal.
- C. The evaluation committee may request interviews. Interviews will be scored on the same criteria and points as the initial submission of proposal. Upon completion of the interviews, if any, the evaluation committee will provide the TOWN council the results of the scoring and ranking of each proposal. If TOWN does not cancel the RFP after it receives the results of the scoring and ranking of each proposal, TOWN will issue a notice of intent (NOI) to award and after any protest period, begin negotiating a contract with the highest-ranked proposer.
- D. Contract negotiations with the highest ranked proposer will be directed toward obtaining written agreement on (a) the firm's performance obligations and a performance schedule, and (b) the payment methodology and a maximum, not-to-exceed contract price that is fair and reasonable to TOWN, as determined by TOWN, taking into account the estimated value, scope,

complexity and nature of the SERVICES. TOWN reserves the right to negotiate a final contract that is in the best interest of TOWN.

- E. If negotiations with the highest-ranked proposer fail to result in a contract, TOWN reserves the right to formally terminate negotiations and enter into negotiations with the second-ranked proposer and, if necessary, the third-ranked proposer and so on, until the negotiations result in a contract. If the subsequent rounds of negotiations fail to result in a contract within a reasonable amount of time, as determined by TOWN, the RFP may be formally terminated.
- F. Any contract entered into by TOWN and the selected firm will contain terms and conditions required under applicable law, including, without limitation, certain state and federal requirements applicable to funding sources, as applicable, and will otherwise be in form and content satisfactory to TOWN. Without otherwise limiting the generality of the immediately preceding sentence, the contract will include terms and conditions concerning, among other things, acceptable standards of performance, compensation, minimum insurance requirements, compliance with laws, federal and state contract clauses, indemnification, and representations and warranties, etc.

ANTICIPATED SCHEDULE

RFP Issued	Oct 31, 2024
Requests/RFP Protest Deadline	Nov 8, 2024
Proposal Due Date	Dec 12, 2024
Opening	Dec 12, 2024 (Town Council Meeting)
Review and Scoring	Dec 17, 2024
Evaluation Interviews (if Needed)	Dec 19, 2024
Review and Scoring by EPA	Jan 8, 2025
Notice of Intent to Award (“NOI”) (apprx.)	Jan 9, 2025
Award Protest Deadline (apprx.)	Jan 17, 2025
Negotiations	Jan 23, 2025
Notice of Award (apprx.)	Jan 30, 2025 (Town Council Meeting)
Contract Signing	Jan 30, 2025 (Town Council Meeting)

ADDITIONAL INFORMATION

- A. Cost and Fee schedules will be submitted as a part of a proposal. Pursuant to Utah public contracting law, cost and fee information will also be presented during contract negotiations after the selection of the most qualified firm with which to negotiate. It is understood that all submittals will become part of the public file on this matter, without obligation to TOWN.
- B. Notwithstanding anything contained in this RFP to the contrary, if in TOWN’s best interest, TOWN reserves the right to amend and/or revise this RFP in whole or in part, cancel this RFP, extend the submittal deadline for responses to this RFP, and/or reject any or all proposals for

any reason and/or without indicating reasons for rejection. Further, TOWN reserves the right to (a) seek clarification(s) from each proposer and/or require supplemental statement or information for any proposer, (b) waive and/or correct any irregularities in proposals after prior notice to the proposer, and/or (c) negotiate with alternate proposers, if initial contract negotiations are unsuccessful.

- C. Proposers may submit to TOWN questions and/or requests for additional information, including, without limitation, inquiries related to substantive portions of the RFP, questions regarding the intent of the work, and/or questions concerning technical aspects of the work. All questions and/or requests must be submitted in writing either by mail or email to:

Town of Manila
Attn: Kathi Knight
145 East Highway 43, or
PO Box 189
Manila, Utah 84046
kathik@manilautah.com

All requests for additional information must clearly reference, "Town of Manila Request for Proposal – Wastewater System Improvements and Expansion (Ylincheta Lane) Engineering Services." All questions and/or requests to change any provision, specification, or contract term must be received not later than seven (7) calendar days prior to the deadline to submit proposals. Substantive questions and all responses will be made available at the city's office or at <https://manilautah.com/>. When appropriate, revisions, substitutions, and/or clarifications will be issued as official addenda to this RFP.

- D. The selected firm will be required to obtain a TOWN business license and maintain active business license status while conducting work within the TOWN. The firm and any subconsultant and/or subcontractor will need to be registered with SAM.gov.
- E. The EPA, through the 2 CFR 200 and the terms and conditions of the grant funding, requires grant recipients to take affirmative steps to use small firms, minority-owned firms and women-owned firms, and emerging small businesses in grant-funded projects.
- F. TOWN has or will adopt a policy to require its contractors to make good faith efforts to provide equal employment opportunity to all employees and applicants for employment without regard to race, color, religion, sex, national origin, disability, veteran's or marital status, or economic status and to take affirmative action to ensure that both job applicants and existing employees are given fair and equal treatment.
- G. All contacts entered into based on the award to a firm after following RFP processes is subject to all requirements of 2 CFR 200, the Federal Procurement Policy of the TOWN, the TOWN

financial policy, and any other EPA rules and regulations that are required with regard to the funding available for the PROJECT.

- H. Notwithstanding anything contained in this RFP to the contrary, TOWN will issue the NOI and make a decision to award the contract for the SERVICES only after the EPA funding award has taken place. This RFP does not obligate TOWN to award a contract and/or to procure the SERVICES described herein. Without otherwise limiting the generality of the immediately preceding sentence, TOWN reserves the right to not award a contract (and/or procure the SERVICES) if TOWN is not awarded grant funding through the EPA funding award. Firms responding to this RFP do so at their own expense and TOWN is not responsible for any costs and/or expenses associated with the preparation and/or submission of any proposal.
- I. Prospective proposers may obtain a copy of this RFP as well as copies of rough draft wastewater improvement and expansion (Ylincheta Lane) plan wastewater facilities plan on the TOWN's website at <https://manilautah.com/> and/or at the TOWN Office Building at 145 East Highway 43, Manila, Utah 84046.
- I. Confidential Information
 - 1. Any proposal submitted may be subject to public information requests as permitted by Utah Public Records Law. TOWN will attempt to maintain the confidentiality of materials marked "Confidential" to the extent required under Utah Public Records Law. If it is necessary to submit trade secrets and/or other confidential information in order to comply with the terms and conditions of this RFP, each proposer must label any information that it desires to protect from disclosure to third parties as a trade secret with the following: "This material constitutes a trade secret and/or confidential information and is not to be disclosed except as required by law." Each page containing the trade secret and/or other confidential information must be so marked.
 - 2. TOWN will take reasonable measures to hold in confidence all such labeled information, but in no event will TOWN be liable for release of any information when required by law or court order to do so, whether pursuant to the Utah Public Records Law or otherwise, and will also be immune from liability for disclosure or release of information.
 - 3. In submitting a proposal, each proposer agrees that TOWN may (a) reveal any trade secret and/or other confidential materials contained in the proposal to TOWN staff and to any TOWN consultant, and (b) post the proposal on TOWN's intranet or internal network for purposes related to its evaluation and ranking. By responding to this RFP, each proposer agrees to defend, indemnify, and hold harmless TOWN, each TOWN officer, employee, representative, and agent from all costs, damages, and expenses incurred in connection with refusing to disclose any material that the proposer has designated as a trade secret and/or as confidential information. Any proposer that designates its entire proposal as a trade secret may be disqualified.

PROTEST PROCEDURES

Proposers may submit to the TOWN mayor a written protest of the RFP, contractual terms or specifications, or award of protest. To be considered, a protest must (a) identify the proposer's name and reference to this RFP, (b) contain evidence that supports the grounds on which the protest is based and specify the relief sought, including, without limitation, a statement of the proposed changes to the process or RFP provisions, requirements or terms, and/or conditions that the proposer believes will remedy the conditions upon which the protest is based, (c) be signed by the proposer's authorized representative, and (d) be submitted, in writing, to the TOWN mayor at the address(es) set forth in this RFP. A timely submitted protest will be resolved within a reasonable time following TOWN's receipt of the protest.