

Kent County Levy Court

**Department of Community Services
Kent County Recreation Center
1683 New Burton Rd
Dover, DE 19904**



**REQUEST FOR QUALIFICATIONS
FOR
CIVIL ENGINEERING SERVICES
KESSELRING PEDESTRIAN TRAIL BRIDGE PROJECT**

September 19, 2022

**KENT COUNTY DEPARTMENT OF COMMUNITY SERVICES
REQUEST FOR QUALIFICATIONS
CIVIL ENGINEERING SERVICES**



**Kent County Levy Court
Department of Administration
Request for Qualifications (RFQ)
Professional Consulting Services
RE: Kesselring Pedestrian Trail Bridge
September 19, 2022**

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**KENT COUNTY DEPARTMENT OF COMMUNITY SERVICES
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PUBLIC ADVERTISEMENT:

Public Notice is hereby given that the Kent County Department of Community Services will accept Statements of Qualifications from Civil Engineering firms with demonstrated expertise and experience with design and construction of structures within Regulatory Floodplains and Floodways. **Interested firms shall submit five (5) copies of their submittals on or before 2:00 p.m., Wednesday, October 26, 2022,** to the Kent County Department of Community Services, Kent County Recreation Center, 1683 New Burton Rd, Dover, Delaware 19904. Envelopes shall be marked "RFQ: Kesselring Pedestrian Bridge Project". Any submittals received after the stated time will be returned unopened.

Professional services will include, but are not limited to evaluation, planning, site design and engineering, regulatory compliance, permitting, bidding, and construction phase services for a pedestrian bridge to connect Kesselring County Park with the Brecknock Nature Trail across the Isaac Branch (Federal Floodway) in Kent County, Delaware. The authorized scope of work is subject to change and will depend upon the availability of sufficient funding.

Selection will be based on competitive ranking. The County reserves the right to award a contract in the best interest of the County and may award to multiple firms or none. The resulting contract period is limited to the duration of the project development, agency permitting, and construction phases. **The Statement of Qualifications shall be limited to 12 pages and include:**

- A. Reputation and expertise of the firm
- B. Expertise (for the particular project and tasks under consideration, especially with FEMA Floodplain/Floodway Regulations)
- C. Staffing capacity to meet expected work load
- D. Location of office where work will be performed
- E. Demonstrated ability in previous projects
- F. Familiarity with Community Services projects / standards.
- G. General unit rate schedule (hourly rate, mileage, etc.)

Interested parties shall obtain a detailed Request for Qualifications Document prior to preparing a submission by contacting the Director of Community Services, Jeremy Sheppard at (302) 744-2494 or by email at Jeremy.sheppard@kentcountyde.gov

**KENT COUNTY DEPARTMENT OF COMMUNITY SERVICES
REQUEST FOR QUALIFICATIONS
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INFORMATION FOR RESPONDERS**

1. INTRODUCTION

- A. Kent County Levy Court's Department of Community Services is seeking qualified firms to submit a Statement of Qualifications demonstrating the ability to provide professional Civil Engineering services to the Department of Community Services in the development of pedestrian bridge to connect Kesselring County Park with the Brecknock Nature Trail across the Isaac Branch (Regulatory Floodplain/Floodway).
- B. Firms are expected to have the expertise necessary to perform the duties described herein. The goal of this request is to identify and select a qualified Civil Engineering firm to prepare Site Design Plans and Construction Plans for requisite agency permitting, construction bidding, related construction phase services, and compliance with local and Federal Emergency Management Agency (FEMA) Floodplain and Floodway Regulations.

2. SCOPE OF SERVICES

- A. The Kent County Department of Community Services, in accordance with applicable provisions of Delaware Code, is requesting a Statement of Qualifications from qualified Civil Engineering firms with experience in the development of Site Design Plans and Construction Plans, agency permitting, and construction phase services.
- B. Professional services will include, but are not limited to, planning, permitting, civil engineering, design, and construction phase services, for a public pedestrian bridge (wetland boardwalk) over/through a Federal Floodway. The authorized scope of work is subject to change and will depend upon the availability of sufficient funding.
- C. Topographic Survey of Existing Isaacs Branch Trail System & Regulatory Floodplain prepared by Becker Morgan Group dated November 21, 2019.

3. ISSUING OFFICE AND PROJECT COORDINATOR

The Request for Qualifications (RFQ) Contact identified below is the primary point of contact regarding the RFQ from the date of issuance until selection of the successful vendor.

Jeremy Sheppard, Director of Community Services
Kent County Department of Community Services
Kent County Recreation Center
1683 New Burton Rd
Dover, Delaware 19904

Phone: (302) 744-2494

Email: Jeremy.sheppard@kentcountystate.gov

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4. SCHEDULE OF EVENTS

Actions	Complete by Date/Time <i>*All times are EST</i>
1. Advertisement	9/25/22 & 9/28/22
2. Mandatory Notice of Intent to Submit Proposal Form due date:	10/07/22
3. Deadline to submit questions (via email)	10/14/22
4. Answers to questions	10/19/22
5. Submission of Qualifications due:	10/26/22 @ 2:00 PM
6. Opening of Qualification submissions	10/26/22 @ 2:01 PM
7. Proposal reviews	November 2022
8. Projected vendor selection	November 2022

5. INTENT TO SUBMIT PROPOSAL

- A. Prospective Respondents are required to deliver on their own letterhead, a **"Letter of Intent to Submit"** signed by a duly authorized agent of the Prospective Respondent, by electronic mail to the RFQ Contact referenced in Section 3 above or hand-delivered to the Parks and Recreation Office, Kent County Recreation Center, 1683 New Burton Rd, Dover, DE 19904 on or before Friday, October 7, 2022 by 5:00 PM.
- B. Kent County will issue a confirmation email to each respondent vendor stating the Notice of Intent was received. Vendors are responsible for ensuring their Notice of Intent to submit is received and the confirmation email from Kent County was received.

6. QUESTIONS REGARDING RFQ

Please direct all questions concerning any aspect of this RFQ in writing to the RFQ Contact on or before Friday, October 14, 2022. When the answer to a question regarding the RFQ may clarify the intent of any aspect of the RFQ or may result in a material change to the RFQ, **the RFQ Contact will issue a written response no later than Wednesday, October 19, 2022**, first stating the question followed by the answer to the question. Only written answers to questions will be binding on Kent County. Written responses to all questions will be sent by email to all entities that have filed a Letter of Intent to Submit a Proposal as set forth in Subsection 3.F. below. Questions received by the RFQ Contact after Friday, October 14, 2022, may or may not be responded to at the discretion of Kent County.

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7. PRE-SUBMISSION CONSIDERATION

- A. Carefully and thoroughly evaluate this RFQ Document, the Scope of Services, the Available Information, and other relevant data contained in this RFQ. All submissions shall be in compliance with all requirements set forth herein.
- B. Consider federal, state and local laws and compliance aspects that may affect cost, progress, performance and furnishing of the professional services sought.
- C. A thorough and exhaustive analysis and understanding of FEMA Floodplain and Floodway Regulations is imperative for all Respondent Firms.

8. ERROR, OMISSION OR DISCREPANCY

If a Prospective Respondent suspects an error, omission, or discrepancy in this RFQ Document or other Available Information, it is incumbent upon the Prospective Respondent to immediately notify the RFQ Contact. If an error, omission, or discrepancy is detected, that warrant Amendment to the RFQ, the RFQ Contact will issue such Amendment as may be appropriate in accordance with the provisions set forth in Section 10 below.

9. ADDENDA TO THE RFQ

Kent County reserves the right to amend this RFQ at any time prior to one (1) week before the Submission Deadline. Should the County amend the RFQ, the County will notify all parties that have submitted a Letter of Intent to Submit Qualifications as outlined in Section 3.F. above of such amendment by electronic mail. Firms must acknowledge receipt of an amendment by electronic mail or US Mail prior to the Submission Deadline.

10. SUBMISSION REQUIREMENTS & DUE DATES

- A. Submissions must include a Letter of Submittal on the Respondent's letterhead signed by a duly authorized agent or representative of the Respondent.
- B. Firms shall submit five (5) printed copies of their Statement of Qualifications. The Statement of Qualifications must be printed on 8½ by 11-inch paper. Foldouts for charts, tables, spreadsheets, and single-line diagrams are acceptable. The Statement of Qualifications is limited to 12 pages and shall include:
 - 1) Reputation and expertise of the firm
 - 2) Expertise (for the particular project and tasks under consideration)
 - 3) Staffing capacity to meet expected workload
 - 4) Location of office where work will be performed
 - 5) Demonstrated ability in previous projects
 - 6) Familiarity with Community Services projects / standards.
 - 7) General unit rate schedule (hourly rate, mileage, etc.)
- C. Submission must include a total of five (5) bound (e.g., spiral; 3-Ring; etc.) original submission documents prepared on 8 1/2" x 11" paper.

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- D. All submissions must be mailed or hand-delivered in an opaque envelope or container addressed to the Kent County Levy Court Office (Room 243), Kent County Administration Complex, 555 Bay Road, Dover, DE 19901 and shall be labeled “*ATTN - Kent County RFQ For Civil Engineering Services RE: Pedestrian Trail Bridge*”.
- E. **Due Date:** All responses must be received no later than **2:00 p.m. (EST) Wednesday, October 26, 2022**. Submissions received after the deadline will NOT be accepted or considered.

11. SCORING, EVALUATION & SELECTION PROCESS

A. Scoring:

Each Proposal will be evaluated to determine the ability to provide the required services in the most efficient and advantageous manner for Kent County. The following weighted criteria will be used to evaluate respondents.

Evaluation Criteria	Weight
Experience/Reputation/Expertise	30
Capacity & Demonstration Ability	30
Location	5
Fee Proposal	35
Maximum Number of Points	100

B. Evaluation:

1. Statements of Qualifications will be evaluated on the content provided and the Kent County Department of Community Services may choose to interview several of the responding firms. However, at its discretion, the Kent County Department of Community Services may dispense with interviews and select a firm or firms to perform the work. A selection committee appointed by the Kent County Department of Community Services will assist with evaluation of submittals. Selected references will be contacted.
2. The County reserves the right to contact former clients of respondents and to verify qualifications by contacting professional references. Unfavorable responses to such inquiries may result in a respondent being eliminated from further consideration.
3. The Kent County Department of Community Services expects to evaluate proposals and provide written notification of the short-listed firms within 30 days of receipt of submittals. If interviews are held, they will be scheduled within three (3) weeks of short-list notification. The Kent County Department of Community Services will seek to negotiate a contract, a detailed scope of work, fee schedule, etc. with the highest ranked firm.

C. Selection:

1. Based upon the Written Submission Rating, Interview (if conducted), and any supplementary information submitted in response to Kent County's request, and such independent investigation as Kent County determines necessary or desirable to assist it in evaluation, Kent County will rank the Finalists in accordance with Total Evaluation Score.

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2. Following such ranking, Kent County will award the Engagement to the highest-ranking Firm and will pursue a Professional Services Agreement for this Engagement with said Firm.
3. Should Kent County be unable to negotiate a satisfactory Professional Services Agreement with the highest ranked Firm, Kent County may negotiate with the remaining Firms by order of ranking.
4. Following successful negotiations, a Professional Services Contract will be finalized and executed in accordance with Kent County Procurement Policy.

12. TERMS AND CONDITIONS

A. Disqualifications

The following are cause for rejection of proposals, depending on circumstances:

1. The firm does not deliver its Submission by the due date and time.
2. The firm does not meet one or more requirements of the RFQ.
3. The firm materially changes one or more requirements of the RFQ.
4. The firm does not include information necessary to substantiate that it will be able to meet the Professional Service required as set forth in Section 10 above.
5. The firm does not respond to Kent County's request for additional information, documents, or references.
6. The firm does not include any signature, certification, authorization, stipulation, or disclosure requested in the RFQ.
7. The firm does not submit the required "Letter of Intent to Submit Qualifications" by the specified date and time.
8. **Except for communications specifically authorized herein pertaining to the preparation and submittal of a Proposal, Respondents to this Request for Qualifications or their representatives shall not separately or independently of their own accord discuss, negotiate, promote, market, lobby or solicit with any County Employee or any County Official, verbally or in writing, during the Request for Proposal advertisement period and Proposal Review and Selection Process as indicated in this Request for Qualifications. Failure of a Respondent to adhere to this provision may result in the Respondents disqualification from further consideration.**

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B. Non-Collision Clause

By signing and submitting this proposal, proposer states that the proposal is genuine and not collusive or sham; such proposer has not colluded, conspired, connived, or agreed, directly or indirectly, with an proposer or person, to put in a sham bid, or that such other person with refrain from proposing and has not in any manner, directly or indirectly, colluded, conspired, connived, or agreed, with any person, to fix the price of affiant or any other proposer, or to fix any overhead, profit or cost element of said proposal price.

C. Non-Discrimination Clause

By signing and submitting this proposal for consideration if an award by Kent County Levy Court, the proposer covenants not to discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment, because of race, color religion, national origin, age, sex, orientation, height, weight, marital status or a disability that is unrelated to the individuals ability to perform the duties of a particular job or position. Breach of this covenant may be regarded as a material breach of the contract.

D. Communications Notice

Except for communications specifically authorized herein pertaining to the preparation and submittal of a Proposal, Respondents to this Request for Proposal or their representatives shall not separately or independently of their own accord discuss, negotiate, promote, market, lobby, or solicit with any County Employee or any County Official, verbally or in writing, during the Request for Proposal advertisement period and Proposal Review and Selection Process as indicated in this request for Proposal. Failure of a Respondent to adhere to this provision may result in the Respondents disqualification from further consideration.

E. Incurred Expense

The County will not be liable for any costs incurred in the preparation and production of a submittal, proposal, or any work performed prior to the execution of a contract. All submittals, proposals and other materials will become the property of the Kent County Levy Court.

F. Withdrawal, Resubmission or Modification of Proposal

A proposal may be withdrawn by a vendor's authorized representative any time prior to the proposal submission deadline, as specified in Section 4.5; Schedule of Events. Requests for withdrawal must be in writing, signed by the vendor's authorized representative, and submitted to the address in Section 3 of the RFQ. The vendor may thereafter submit a new or modified proposal prior to the deadline for submission date and time specified in Section 4.5 Schedule of Events. Modification offers after the due date in any other manner, oral or written, will not be considered. No proposal may be withdrawn after the deadline for submission date and time.

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G. Acceptance and Rejection of Proposal

The County reserves the right to waive any informalities or irregularities and reject any or all proposals received as a result of this Request for Qualifications; negotiate changes in the scope of work or services to be provided; conduct investigations required to determine the submitting firm's performance record and ability to perform the assignments specified as a part of this Request for Qualifications; negotiate separately with any source in a manner deemed to be in the best interests of the County.

H. Governing Laws

The laws of the State of Delaware will govern any contract entered into between the County and the selected vendor. Venue for any action under such contract shall be in Kent County, Delaware.

I. Acceptance of RFQ Contents

The contents of this RFQ, and of the successful vendor's proposal, will become contractual obligations if a contract ensues. Failure to accept these obligations may result in cancellation of the award.

J. Price Availability

Vendor must guarantee that all **prices and conditions presented in their proposals are valid for a minimum of 180 days.**

K. Confidentiality

Any vendor engaging in any service for the County requiring them to come into contact with confidential information will be required to hold confidential such confidential data made available to them. A confidentiality agreement will be incorporated into any resultant contract. Vendor and/or maintenance personnel who require periodic access to secured areas in accordance with the contract resulting from this RFQ will be required to comply with County security measures.

L. Payment Schedule

Payment will be made as agreed upon in the contract with the vendor.

M. Use of Subcontractors

Vendor must state whether they intend to use subcontractors to deliver the services requested in the RFQ. If any part of the work is to be subcontracted, the vendor shall fully identify the subcontractor and describe the subcontracting organization with the same level of information as needed for the vendor. All subcontractors shall be subject to approval by the County. The selected vendor shall also furnish the corporate or company name and the names of officers or principles of the company or companies proposed as subcontractors. Subcontractors may not be assigned after vendor selection without expressed written consent of the County. Preference may be given to those vendors who do not subcontract portions of the work. Vendors will be completely responsible for any work performed and costs incurred by the subcontractor.

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N. Additional Information

All information contained in this Request for Qualifications and acceptable provisions of the selected firm's response will be made a part of the executed agreement for services. Upon request, the submitting firm shall submit additional information as requested by the Kent County Department of Community Services.

O. Failure to Fulfill Obligations

If, through any cause, the selected firm shall fail to fulfill in a timely and proper manner its obligations under this agreement, or if the firm shall violate any covenants, terms, or conditions of the agreement, then Kent County can cancel the contract without prejudice by giving at least five (5) days prior written notice to the firm of such termination.