

REQUEST FOR QUALIFICATIONS FOR ENGINEERED BEACHES RESTORATION

NOTICE OF PROPOSAL OPENING

NOTICE IS HEREBY GIVEN that the City of Gulf Shores, Gulf State Park (ADCNR) and the City of Orange Beach (the “Owner Group”) shall collectively receive and open Requests for Qualifications (RFQ) to assist the Owner Group in selecting a consultant that will provide coastal engineering consultant services and also design FEMA, State, of Locally declared storm engineered beaches restoration project for the Gulf State Park, the City of Orange Beach and the City of Gulf Shores (hereinafter referred to as “Engineered Beaches Restoration” in this RFQ and in attached specifications).

The RFQ opening will take place at Gulf Shores Council Chambers located at 1905 West 1st Street, Gulf Shores, Alabama 36542, Alabama at 10:00 A.M. on Wednesday, October 20, 2021. **Time is of the essence in submitting RFQ’s and only RFQ’s received and date stamped by 10:00 A.M. Central Time on Wednesday, October 20, 2021, will be opened and considered.** One selection will be made pursuant to the procedures set out herein. Consultants and any other interested individuals are invited to attend the proposal opening.

THE INVITATION PACKAGE

The invitation package for this request for qualifications includes: this RFQ, the qualification form and any and all information deemed necessary by the consultant to convey their qualifications. Consultants should verify that they have received all pages of the invitation package. If there are any omissions, the consultant should contact Gulf Shores Procurement Officer, Temple Smith, by e-mail at tsmith@gulfshoresal.gov to request missing pages. It is the responsibility of the consultant to make this request in sufficient time to prepare and submit the RFQ in time for opening. Consultants should carefully read and comply with all parts of the invitation package, including all attachments.

PREPARING AND SUBMITTING QUALIFICATIONS

Consultants shall submit one original RFQ, three copies and one digital copy on a USB drive. All RFQ’s must be typed or hand written in ink on the attached Proposal Submittal Form. **The completed Qualifications Submittal Form shall be placed in front of and separated from all other documents included in the proposal packet, such that it will be the first document viewed upon opening the RFQ packet.** RFQ’s submitted in pencil and not submitted on the Qualifications Submittal Form will *not* be considered. All RFQ’s shall include all documentation requested in the specifications. RFQ’s submitted without such documentation will *not* be considered. Only information contained on the attached Qualifications Submittal Form and accompanying required documentation will be considered in evaluating RFQ’s.

Envelopes containing no list of qualifications shall also include the words “NO RFQ” on the outside of the envelope. Facsimiles and e-mails will not be accepted. RFQ’s submitted by “Express/Overnight” services must be in a separate inner envelope or package sealed and identified as stated above. All RFQ’s must be received prior to the proposal opening. RFQ’s received after the deadline will be returned unopened.

A full copy of the complete RFQ can be downloaded from the City's website: www.gulfshoresal.gov/Bids.aspx

Questions or comments pertaining to this RFQ must be presented in writing, or sent as e-mail to the attention of Temple Smith, tsmith@gulfshoresal.gov, P.O. Box 299 Gulf Shores, AL 36547

Envelopes containing RFQ's must be sealed and labeled on the outside as follows: "Request for Qualifications for Engineered Beaches Restoration", list the consultant's name, and the opening date and time.

Sealed RFQ's must be mailed to the following address:
City of Gulf Shores, Purchasing Division, P.O. Box 299, Gulf Shores, Alabama, 36547

For hand delivery or courier:
City of Gulf Shores, Purchasing Division, 1905 West 1st Street, Gulf Shores, Alabama, 36542

Faxed and/or emailed RFQ's will not be accepted.

CONSULTANT QUALIFICATIONS

All consultants and all program participants must be in compliance with any applicable federal, state, county and municipal laws, regulations, resolutions and ordinances, including but not limited to, licensing, permitting, and taxation requirements. All consultants should be prepared to submit any evidence or documentation as proof that they are properly licensed and permitted under any applicable laws upon request. Additionally, all consultants shall provide proof that they are in compliance with the e-verify requirements of Alabama's Immigration Law (Ala. Code § 31-13-1 et seq.)

CONSULTANT SELECTION

The Alabama Department of Conservation and Natural Resources (ADCNR), the City of Orange Beach and the City of Gulf Shores will serve as the Selecting Authority. The consultant selection will be awarded by all three parties. Any and all submittals in compliance with this Request for Qualifications shall be considered, and a selection will be made to the most qualified consultant meeting the specifications as determined by the awarding authority in compliance with Alabama law and Alabama Emergency Management Agency (AEMA), Federal Emergency Management Agency (FEMA), and any other applicable agencies' regulations and guidelines.

As fully detailed in the attached specifications, this RFQ is for annual coastal engineering services (including beach monitoring, reporting, etc.) and Engineered Beaches Restoration which comply in all respects with AEMA, FEMA, and any other applicable agencies' procedures, and guidelines for professional services. Throughout this RFQ and the attached specifications, any reference to FEMA shall also imply AEMA and any other agencies compliance when the circumstances dictate, such as when sites eligible for emergency relief work are involved. All RFQ's will be reviewed and evaluated by a committee created for that purpose, which committee will make comments and recommendations to the awarding authority. All factors contained in the invitation package will be evaluated in determining the successful consultant, and any omissions of the stated requirements may be cause for rejection of the proposal submitted. The

committee's evaluation to determine the most qualified consultant meeting specifications may include any or all of the following:

- (1) Cost of services
- (2) The consultant's demonstration to begin design services in a timely manner
- (3) The consultant's demonstration of ability to perform services as required by the specifications
- (4) The consultant's demonstration of ability to activate adequate and properly trained personnel to perform services in compliance with AEMA, FEMA, and any other applicable agencies' guidelines and all applicable federal law and regulations to ensure reimbursement, if reimbursement is available
- (5) The consultant's demonstration of past performance on other engineered beach restoration contracts in compliance with AEMA, FEMA, and any other applicable agencies' guidelines
- (6) The consultant's demonstration of financial ability to perform services required within the payment procedures set out in the specifications
- (7) Proof of general and professional liability insurance to cover any damages resulting from services provided by the successful consultant, including any denial of reimbursement due to the actions or inactions of the recovery and response grant services consultant or any failure to perform as required in the contract

The Selecting Authority will score the proposals based on the following criteria:

- Consultant qualifications (50%)
- Staff qualifications (25%)
- Technical approach (25%)

Total (100%)

SELECTION PROCESS

Each RFQ received will be reviewed in accordance with the criteria stated above. Once a consultant is selected, the Selecting Authority (i.e., Owner Group representatives) will then develop a professional services agreement and present the agreement to the ADCNR, Orange Beach City Council, and the Gulf Shores City Council for approval. An award is made on execution of the written agreement by all parties. Only the Selecting Authority is authorized to issue news releases relating to this RFQ, its evaluation, award, and/or performance of the agreement. In the event the Selecting Authority and the consultant cannot agree on terms of an agreement, then agreement negotiations with the next most appropriate finalist will be made.

All information provided by the consultant related to the items listed above shall be attached to the Proposal Submittal Form as provided in the instructions on that form. It is the consultant's responsibility to provide, with its Qualifications Submittal Form, information to adequately and accurately reflect its ability to effectively carry out the requirements of the contract.

The Selecting Authority reserves the right to reject any and all RFQ's, to waive any informality in proposals, and to accept in whole or in part such proposal solely at its discretion.

CONTRACT WITH SUCCESSFUL CONSULTANT

The successful consultant will be required to execute a written contract with the Selecting Authority, which will bind the successful consultant to the terms requiring compliance with all items required in these specifications. The contract period will be from the notice of award date through FEMA project closeout.

CONTACT REGARDING RFQ AND INVITATION

Any questions or problems related to downloading or obtaining copies of this RFQ or the specifications should be directed to Temple Smith at (251) 968-1443 or tsmith@gulfshoresal.gov.

Any questions or requests for additional information regarding this invitation or the following specifications shall be submitted **in writing** no later than 48 hours prior to proposal opening to:

Temple Smith at tsmith@gulfshoresal.gov

Contact initiated by a potential consultant with any ADCNR, Orange Beach or Gulf Shores official or employee shall only be as specifically set out in this RFQ. Any other contact with an official representative or employee by a potential consultant regarding this RFQ between the date of this invitation and the date of consultant selection shall be deemed as an attempt to unduly influence the selection of the consultant and shall be grounds for rejection of the RFQ submitted by the consultant initiating such other contact.

PROPOSAL SPECIFICATONS

INTRODUCTION

It is a requirement of this RFQ that the successful consultant be able to provide the services set out in these specifications in full compliance with all AEMA, FEMA, and all other applicable agencies' guidelines and regulations and all federal law and regulations applicable at the time work is performed to ensure reimbursement, if reimbursement is available. Any conflict with the language included in these specifications shall be construed to comply with AEMA, FEMA, and all other applicable agencies' requirements promulgated under Title 2 U.S. Code of Federal Regulations, Part 200.

SERVICES ACTIVATION PROCEDURES

The City will forward to the consultant a written Notice to Proceed on a form prepared for that purpose. The Coastal Engineering Services/Engineered Beaches Restoration consultant will be required to begin work upon receipt of the Notice to Proceed. Once awarded, the consultant shall provide the services set out in these specifications to the extent necessary to meet the needs of the City.

The Coastal Engineering Services/Engineered Beaches Restoration consultant must be able to provide the minimum services included in these specifications upon activation. **Each consultant shall include with his or her Proposal Submittal Form complete and adequate contact information for transmitting the Notice to Proceed to the Coastal Engineering Services/Engineered Beaches Restoration consultant.** Project communication contacts for the City shall be detailed in the Notice to Proceed. The Coastal Engineering Services/Engineered Beaches Restoration consultant shall be responsible for coordinating with these designated City representatives to ensure compliance with the project specifications.

SCOPE OF SERVICES

The consultant must demonstrate in its proposal documents that the Engineered Beaches Restoration includes each of the following services in compliance with all AEMA, FEMA and any other applicable agencies' guidelines and regulations and applicable federal law and regulations to the City. The scope of services as described below shall be considered minimum standards to meet in submitting proposals.

- A. The Owner Group currently holds active permits from the Alabama Department of Environmental Management and the U.S. Army Corps of Engineers. To construct the FEMA-supported beach nourishment project, the Consultant shall perform the following tasks.
- B. **Task 1 - Preparation of Construction Documents, including technical specifications and construction drawings.** The Consultant shall prepare contract documents suitable for advertisement for solicitation of public competitive bids to secure a qualified dredging contractor. Such documents shall include technical specifications and construction drawings compliant with the project permits, and contract provisions consistent with Owner group guidelines.

- C. Task 2 - **Bidding and Pre-Construction Assistance.** The Consultant shall assist the Owner during the public bid advertisement period to answer questions regarding the contract documents, including the preparation of Bid Addendums, prepare for and participate in a pre-bid conference, conduct bid evaluations and prepare a recommendation regarding bid submittals. The Consultant shall prepare for and perform pre-construction activities relating to permit compliance, Notice to Proceed, and pre-construction meetings.
- D. Task 3 - **Construction-Related Services.** The Consultant shall perform construction period services including, but not limited to, contract administration, construction observation, contract compliance, permit compliance, review of consultant pay submittals, and final certification.
- E. The Consultant shall assist the City with the administration of Engineered Beaches Restoration with federal and state agencies to include but not limited to: Federal Emergency Management Agency (FEMA), Alabama Emergency Management (AEMA), and other Federal, State or Local programs and projects contemplated by Project Worksheets (PWs).
- F. The Consultant shall assist City with meetings with AEMA, FEMA, and other agencies.
- G. The Consultant shall assist City on project formulation, project development, large project submittals, and project closeout with AEMA, FEMA and other agencies.
- H. The Consultant shall assist City with deliverables to AEMA, FEMA and other agencies.
- I. The Consultant shall provide the necessary information to the City to assist with quarterly reporting to AEMA, FEMA, and other agencies.
- J. The Consultant shall assist in responding to Requests for Information from AEMA, FEMA and other agencies.
- K. The Consultant shall assist, as needed, with the submission of appeals to AEMA, FEMA and other agencies.
- L. The Consultant shall provide detailed and periodic management reports on the status of PWs including development, revisions, submissions/approvals, open issues, financial overview, etc.
- M. The Consultant shall assist with the preparation of public procurement documentation and providing additional procurement assistance as needed.
- N. The Consultant shall review their data and records for compliance with AEMA, FEMA and other agencies.
- O. The Consultant must submit a DUNS number.

- P. The Consultant must register with the GSA database at www.sam.gov to confirm debarment/suspension status.

Consultant shall demonstrate that it is experienced and knowledgeable in handling and executing projects in compliance and consistent with the policies, publications, guidelines and publications of the AEMA, FEMA, and any other applicable agencies, and all applicable federal law and regulations in effect at the time of the work being performed. Throughout these specifications, any reference to FEMA shall also mean all Federal compliance when the circumstances dictate, such as when sites eligible for emergency relief work are involved. The consultant shall further demonstrate compliance with, including but not limited to, the following:

- FEMA Public Assistance Program and Policy Guide (latest edition)
- FEMA Procurement Disaster Assistance Team (PDAT) Field Manual
- Title 2 U.S. Code of Federal Regulations, Part 200
- 41 C.F.R. Part 60-1.4 Equal Opportunity Clause
- 29 C.F.R. §5.5(b) Contract Work Hours and Safety Standards Act
- Clean Air Act and Federal Water Pollution Control Act
- 2 C.F.R. part 180 and 2 C.F.R. part 3000 Suspension and Debarment Compliance
- 31 U.S.C. § 1352 and 44C.F.R. Part 18 Byrd Anti-Lobbying Amendment (as amended)
- Section 6002 Solid Waste Disposal Act
- 31 U.S.C. Chapter 38 Program Fraud and False or Fraudulent Statements or Related Acts
- Emergency Relief Manual (Federal-Aid Highways) (latest edition)
- FEMA and Federal Requirements for Access to Records
- Prohibition on Use of Department of Homeland Security Seal, Logo, and Flags
- Compliance with Federal Law, Regulations and Executive Orders for FEMA Financial Assistance
- State of Alabama Administrative Regulations for Public Assistance for State Managed Events in Compliance with Alabama Act 2009-342
- Compliance with 2. C.F.R. 200.318(j)(1) – (j)(2) contract requirements for time and materials contracts.
- FEMA Public Assistance Alternative Procedures Section 428
- FEMA Hazard Mitigation Grants: Section 404 and 406
- And all other applicable Federal, State and local regulations

In addition to the compliance requirements above, the consultant shall comply with requirements under **2 C.F.R. §200.321**. The awarded consultant agrees, if subcontracts are to be let, to assure that minority businesses, women's business enterprises and labor surplus area consultants are used when possible. The affirmative steps must include:

- a. Placing qualified small and minority businesses, and women's business enterprises on solicitation lists;

- b. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- d. Establishing delivery schedules, where the requirement permits, which encourages participation by small and minority businesses, and women's business enterprises;
- e. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

INSURANCE

All consultants shall provide adequate documentation to demonstrate ability to satisfy the following requirements related to insurance, bonding, and payment of damages for noncompliance with the contract or Notice to Proceed:

GENERAL AND PROFESSIONAL LIABILITY INSURANCE

The Coastal Engineering Services/Engineered Beaches Restoration consultant shall maintain such general and professional liability insurance as will protect the consultant and the City from any claims for workmen's compensation and from claims for damage and/or personal injury, including death, which may arise from operations under the executed contract. Such insurance shall also cover any financial loss to the City as a result of the denial of AEMA, FEMA, and any other applicable agencies' reimbursement due to the errors and/or negligence of the Coastal Engineering Services/Engineered Beaches Restoration consultant. Additionally, such insurance shall cover the consultant's failure to perform after receipt of a Notice to Proceed issued by the City. Such insurance shall be written by companies authorized to do business in Alabama.

Proof of insurance with the following minimum coverage shall be included with each proposal submitted by the monitoring services consultant:

Professional Liability:
\$1,000,000 per occurrence

General Liability:
\$1,000,000 - Bodily injury and property damage combined occurrence
\$1,000,000 - Bodily injury and property damage combined aggregate
\$1,000,000 - Personal injury aggregate

Automobile Liability:
\$1,000,000 - Bodily injury and property damage combined coverage
Any automobile including hired and non-owned vehicles

Statutory Workers Compensation as required under Alabama law

Employers Liability:
\$100,000 - Limit each occurrence

Umbrella Coverage:
\$1,000,000 - Each occurrence
\$1,000,000 – Aggregate

The Consultant agrees the Certificate(s) of Insurance shall:

1. Clearly indicate the City has been endorsed on the Commercial Umbrella/Excess Liability and Commercial General Liability policy as an Additional Insured. Clearly indicate the project name and project number.
2. Clearly indicated Certificate Holder(s) as follows:

Original to: City of Gulf Shores
Attn: Purchasing
P.O. Box 299
Gulf Shores, AL 36547
Email: tsmith@gulfshoresal.gov

QUALIFICATION SUBMITTAL FORM

Engineered Beaches Restoration

Company Name:

Address:

Proposal Submitted by:

(Name of company representative)

Title: _____

e-mail address: _____

Phone: _____

DUNS: _____

In addition to the above-stated proposal prices, by initialing below and signing this Proposal Submittal Form, the consultant acknowledges that he or she has attached documentation to demonstrate ability to meet each of the following project requirements:

Consultant's Initials

Ability to perform within specified timeframe _____

Ability to perform services as required by specifications _____

Ability to activate adequate and properly trained personnel to perform services in compliance with AEMA, FEMA, and any other agencies' guidelines to ensure reimbursement for recovery activities, if reimbursement is available

Financial ability to perform services required in the City under the payment procedures set out in the proposal specifications

Proof of general and professional liability insurance to cover any damages resulting from services provided by the successful consultant, including any denial of reimbursement due to the actions or inactions of the Hurricane Sally Engineered Beaches Restoration consultant, or from the failure to perform services or complete a project for the City.

By initialing below and signing this Proposal Submittal Form, the consultant also acknowledges and agrees to each of the follow:

Consultant's Initials

That the proposal submitted meets the proposal specifications

That the proposal prices set out on this RFQ will be honored for the period from the Notice to Proceed to project closeout

That the company has the capability to provide services to the City simultaneously with other contracts.

That the company will comply with all requirements and/or requests to confirm compliance with Title 2 U.S. Code of Federal Regulations, Part 200; AEMA, FEMA, and any applicable agencies' guidelines and regulations; and all applicable local, state and federal law.

That the company listed above will respond to any Notice to Proceed within the time frame and under the procedures set out in the proposal specifications

That the company will provide insurance in the amounts and at the times required in the proposal specifications

That the company will comply with the payment procedures set out in the proposal specifications

Signature of Company Representative submitting proposal:

Title: _____