

RFQ: Teton Creek Construction Contractor

Request for Qualifications Teton Creek Restoration Project

January 24, 2013

1) Project Introduction and Location

Teton County, Idaho and Friends of the Teton River (FTR) have received funding to stabilize and restore approximately one mile of Teton Creek located 1.5 miles due east of Driggs, Idaho. The section of stream to be restored was channelized for over twenty years and is now flanked by several subdivisions. The project scope of work includes the construction of an inset floodplain which is designed to stabilize the streambed and streambanks, protect infrastructure and to enhance fish and wildlife habitat. At this time, project plans have been developed and permitted by the regulatory agencies and are available upon request in an electronic format. 25% of the project was completed during the first phases of construction in 2009 and 2010. This (Request for Qualifications) RFQ is for the Final Phase construction of the project includes approximately 75% of the total project (Figure 1). The cost for Final Phase construction has yet to be finalized, but is estimated to be between \$1,100,000 and \$1,400,000.

The project scope includes the construction of 7,400 feet of inset floodplain along with associated floodplain benches and a low flow channel. The inset floodplain is designed to meet the following criteria: convey and contain the 100-year flood event; provide sediment and energy continuity; provide a stable streambed and streambanks; and to provide fish and wildlife habitat. To provide streambed stability, hardened riffles and pools will be placed intermittently across the channel. Pools will be constructed between the hardened riffles to provide fish habitat and streambed variability. Pools will vary in size and location and will consist of lateral and mid-channel scour pools. The floodplain benches will be designed to provide roughness necessary to slow velocities, capture sediment and propagate native vegetation. Streambanks along the bankfull channel and inset floodplain edges will be stabilized using several types of bio-engineering structures. For streambanks and associated floodplain edges located along the outside of stream bends adjacent to infrastructure, rip-rap with soil lift systems will be used. All other streambanks and floodplain edges will be stabilized using a combination of rootwads, logs and brush barbs. Native vegetation including willows, cottonwood and native grass will be planted on stream banks, floodplain benches and along floodplain edges to provide fish and wildlife habitat and roughness. Some plants and root stock generated from clearing and grubbing will be systematically replanted as grading is completed. Vegetation will be irrigated in the project reach until plants have reached a self-sustaining level.

2) Purpose of Request

The purpose of this RFQ is to establish a list of qualified applicants eligible to participate in the preparation and submission of bids for construction of the Final Phase of the Teton Creek Restoration Project and to rank the qualified applicants. The County of Teton in the State of Idaho ("County") is soliciting responses to this Request for Qualifications (RFQ). This response, or Statements of Qualifications (SOQ), and performance data from construction firms (or teams

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consisting of multiple firms) will be in connection with performing professional services for Teton County with respect to construction of the Teton Creek restoration and inset flood plain creation, pursuant to Title 67, Chapter 23.20.

Eligibility and ranking criteria will be based on the firm's qualifications, capabilities and experience as demonstrated by satisfactory completion of similar projects that involved the specific types of stream restoration construction techniques described below. The RFQ will be evaluated by the Evaluation Committee which is comprised of a member of the Teton Creek Subwatershed Committee, and employees of Teton County and FTR. A Request for Proposal (RFP) for Final Phase construction will be sent to each firm that the Evaluation Committee qualifies in January, 2013 with a construction start time currently slated for April, 2013. The majority of the project will need to be completed by November 15, 2013. Firms will be chosen based on how they rank on the RFQ and on their Request for Proposal (RFP) cost estimate. Teton County will announce the official weighting of the RFQ and RFP rankings in the RFP process as outlined in this document.

Only firms that have been qualified in accordance with the procedures set forth herein will be allowed to submit a bid for Final Phase construction. **Bids received from firms who have not been qualified will not be considered.**

3) Project Description

The stream restoration practices considered for this RFQ are outlined in the Specs and Detail Sheets of the Pre-100% Design Plans for the Teton Creek Restoration Project. The Pre-100% Specs and Design Plans are available in an electronic format and can be requested orally, by email or in writing from Jay Mazalewski, Teton County Engineer. The Plans and Specs can be downloaded off of FTR's FTP web site. For directions on how to access the FTP site, see Attachment B.

General site construction procedures such as clearing and grubbing, erosion and sediment control practices, grading, stabilization and landscaping will be included within the project. Additionally, specialized bio-engineering structures such as root wads, log jams, cross vanes, engineered riffles and pools, buried rock toe protection, fabric encapsulated soil systems, woody material trenches, barbs using native materials such as brush and logs, will be implemented as per project design. Other fine grading elements such as the creation of individual facet (riffles, pools, glides and runs) cross-sections and slopes will also be required to meet the engineering specifications.

4) Time Schedule

The RFQ will be issued on January 24, 2013. All questions shall be received NO LATER THAN 4:00 PM, February 1, 2013. Applicants shall submit five (5) SOQ forms to Teton County. SOQ forms must be RECEIVED by Teton County NOT LATER THAN **10:00 AM, local time on Friday, February 8, 2012.**

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5) Instructions to Applicants

- i) Submittals will be reviewed and evaluated based on each firm's Statement of Qualifications (SOQ) (see Attachment A).
- ii) A Cover Letter is required with the SOQ and should introduce your firm/team, identify who is the lead firm in the case of a team proposal, identify the single point of contact, and provide the contact telephone number and address of the project manager. This letter should include a statement committing the personnel and resources identified in the proposer's submittal. It should also include:
 - (a) Full, correct legal name and type of business entity.
 - (b) Address (street and mailing)
 - (c) Name of respondent's representative for purposes of notice or other communications regarding the RFQ.
 - (d) Telephone, Facsimile numbers and email addresses of the office and the representative.
- iii) All responses shall be sent to:

Jay Mazalewski, County Engineer
Teton County
150 Courthouse Drive
Driggs, ID 83422
208 354-0245

Or hand delivered to the County Clerk/Recorder office at 150 Courthouse Drive, Driggs, Idaho.
- iv) **All firms and subcontractors must be Public Works Certified in Idaho to the amount equal to or greater than \$1,400,000 which is the upper end of the cost estimate for the Final Phase.** This will require at least a Class AA license of the appropriate type and category.
- v) Please place five (5) copies of your SOQ in a sealed envelope and clearly label "SOQ for Teton Creek Construction Contractor" and the name of the applicant.
- vi) Information contained in the SOQ shall be typed or clearly printed in an organized, concise manner and should follow the same sequence as the SOQ **with the item numbers cross-referenced**. Use of both sides of the sheets of paper for any submittals to the County is desirable whenever practicable.
- vii) SOQ submissions should be as thorough and detailed as possible so that the Evaluation Committee may properly evaluate the firm's capabilities to provide the required services and to determine their reliability. Qualified firms must be able to substantiate their experience, knowledge and ability to complete the work. SOQ submissions which are incomplete or lack key information may be rejected by the Committee at its sole discretion.
- viii) The Evaluation Committee may, at its sole discretion, contact one or more applicants during the evaluation process for clarification of any entries in the SOQ and may request additional information. Such additional information must be submitted to Teton County no later than seven calendar days after the receipt of the request by the applicant.

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- ix) An authorized representative of the lead firm must complete and sign at least one (1) original of its SOQ, certifying the truth of the statements and representations made in the SOQ. This can be addressed in the cover letter.
- x) Any questions, discrepancies, omissions, or doubts as to the meaning of the RFQ document shall be communicated by email or in writing to Jay Mazalewski, Teton County Engineer via email to jmaz@co.teton.id.us or by facsimile at 208 354-8778. Prospective applicants should act promptly and allow sufficient time for a reply to reach them. No oral statement of any person shall modify or otherwise change or affect the terms, conditions or specifications stated in the RFQ.
- xi) Project walk through is available by request. Please contact the Project Coordinator, Mike Lien, Friends of the Teton River (FTR) at 208 201-3177 or email Mike at mike@tetonwater.org to confirm that you would like to attend the walk through.

6. Evaluation of RFQ Applications

At the designated time and date as shown above, the Evaluation Committee will open the SOQ applications for evaluation. The SOQs will be opened in public at 10:15 on February 8, 2013 and reviewed in private. The Evaluation Committee will determine whether applicants are either “qualified” or “not qualified” to be a qualified contractor. **Contractors will need to score at least 36 points out of 48 total points in order to be considered qualified.** Teton County will notify all applicants in writing or by email whether or not they are eligible within thirty calendar days after the deadline of receipt of the SOQ. The decision shall be final and conclusive. Firms that are named as qualified to perform will be placed on a listing as a qualified firm for four years. Denial of qualification shall not be the basis for any monetary claim or action for injunctive relief against the Evaluation Committee or Teton County or any of its employees. In determining whether an applicant should be qualified, the Committee, in its sole and absolute discretion, will decide whether the applicant is capable of fully performing the contractual requirements for the project, in all respects.

The Evaluation Committee will evaluate the qualifications based on the information provided in the SOQ and by references. References may be questioned about the following:

- a. Firm’s overall performance.
- b. Any problems that developed while performing.
- c. Firm’s organization.
- d. How well the firm cooperated with other entities including but not limited to local, state and federal agencies; landowners and stakeholders.
- e. Problems with work passing inspections or acceptance tests.
- f. Adherence to the contract documents and specified materials and equipment.
- g. Adherence to established schedules.
- h. Quality and performance of firm’s personnel, subcontractors and/or its agents.
- i. Other questions of a business nature deemed necessary by the Evaluation Committee.

Any unsatisfactory references may serve as a basis for disqualification of the applicant as determined by the Evaluation Committee. Examples of unsatisfactory references include but

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are not limited to untimely performance, failure to properly schedule the work, failure to complete the work, defective work not corrected, failure to complete punch list work, lack of proper manpower to meet scheduled activities, poor workmanship, submission of unreasonable claims, failure to make prompt payments, inappropriate staffing, safety violations, or any other documented evidence of non-compliance with the terms and conditions of prior construction contracts.

In evaluating each RFQ, the Evaluation Committee will consider information provided in the SOQ and the following criteria:

- a. Firm has been in business as a General Contractor for a minimum of one year, and has successfully completed, on time and within budget, a minimum of five stream restoration construction projects of a similar type and technical difficulty within the last five years for governmental, institutional or private owners.
- b. The proposed project foreman must have served in these same capacities on at least five similar stream restoration projects within the last five years.
- c. Grant Compliance Requirements as stated in the SOQ: Certify payment of prevailing wages in compliance with the fair labor standards act. Certify that they are not on the federal excluded contractors system on the website www.epls.gov. Certify that they comply with equal opportunity and drug free workplace laws. Certify that they do not traffic in persons. Provide evidence that the consultant has established and implemented an Affirmative Action Plan and has experience with DBE requirements associated with federal grants. These requirements must be complied with for the responding agency to be eligible for the project.

7. TERMS AND CONDITIONS

The following outlines Teton County Terms and Conditions which include these items:

- i) The County reserves the right to reject any and all responses, and to waive minor irregularities in any RFQ responses.
- ii) The opening of any RFQ response does not constitute acceptance of such respondent as a responsible, qualified respondent.
- iii) The County reserves the right to request clarification of information submitted, and to request additional information from any consultant.
- iv) Any RFQ response may be withdrawn up until the date and time set above for opening of the RFQ responses.
- v) The County reserves the right, in its sole discretion, to reject any and all Statements of Qualifications and to waive any technicality, informality or irregularity in any Statement of Qualifications received for any reason at any time prior to entering into a contract to perform the Services. Without limiting the foregoing, the County specifically reserves the right to reject a Statement of Qualifications if the Respondent fails to furnish the data required by this RFQ or if the Statement of Qualifications is in any way incomplete or irregular.
- vi) The County shall not be responsible for any costs incurred by the firm/team in preparing, submitting or presenting its response to the RFQ.

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- vii) The County encourages minority and women-owned firms to submit qualifications consistent with the County's policy to ensure that minority and women-owned firms are afforded the maximum practicable opportunity to compete for and obtain public contracts for services.
- viii) The Evaluation Committee intends, but is not required, to contact all of the references listed in the SOQ to establish applicant's performance in all aspects. By submitting an application, the applicant agrees that the Committee may research the information provided and contact entities associated with such information at its discretion.
- ix) All RFQ information supplied shall be the most current and up-to-date data that is available. Applicants must provide prompt notice to Teton County if the applicant experiences a substantial change in its financial condition, ownership, corporate structure or personnel after the SOQ and related information have been submitted. Failure to notify Teton County of any substantial change in financial condition, corporate structure or personnel may constitute grounds for rescinding the applicant's qualification.

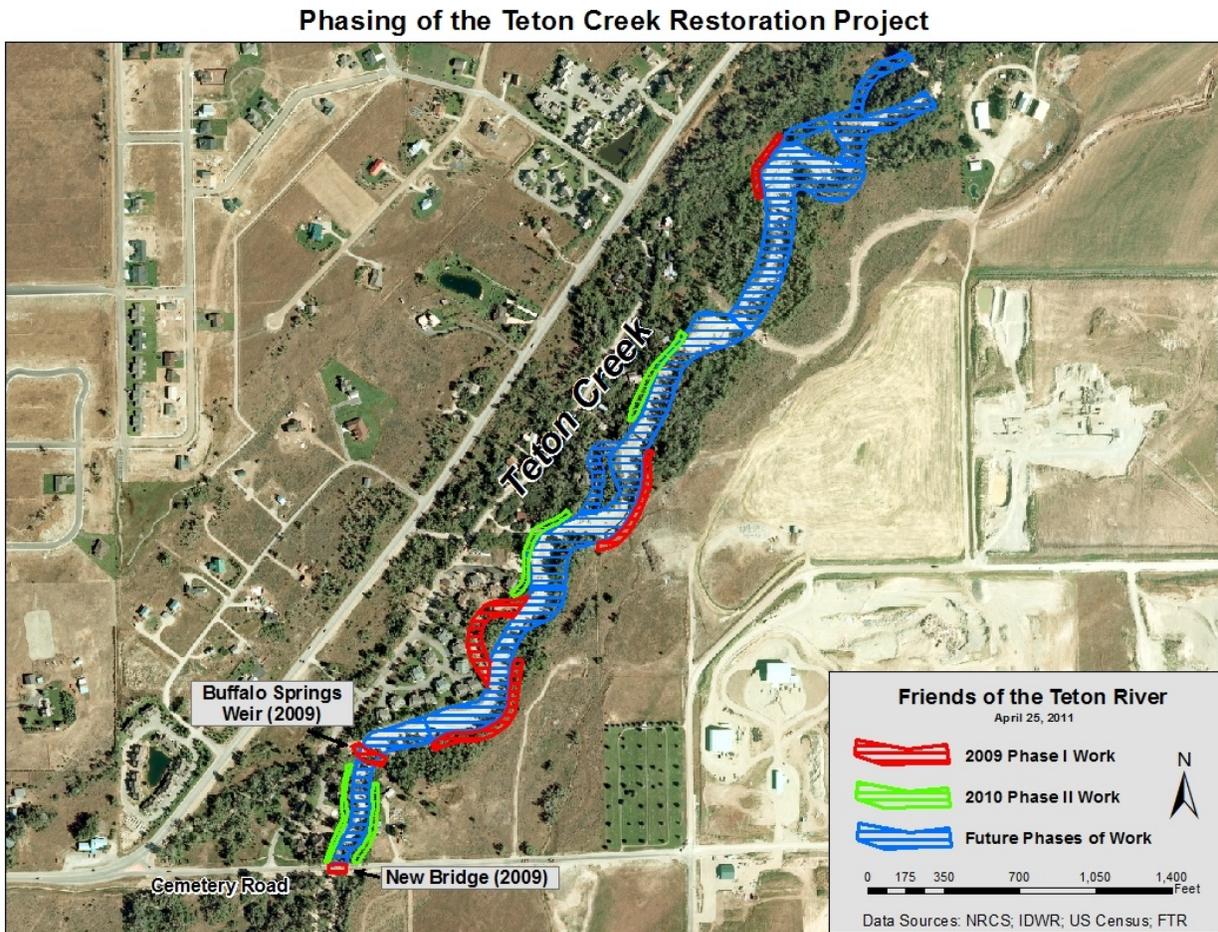
The Evaluation Committee may deny qualification to any applicant for any reason it deems appropriate, including but not limited to the following:

- a. RFQ submittals that fail to conform to the requirements of the RFQ and SOQ may be considered non-responsive and the applicant determined to be "not qualified to bid."
- b. If any applicant knowingly makes a misrepresentation in submitting information to Teton County, such misrepresentation may be sufficient grounds for denying qualification to that applicant or rescinding the applicant's qualification. Any such misrepresentation may also result in debarment of the applicant by the Evaluation Committee.
- c. The applicant does not have sufficient financial ability, including bonding capacity, to perform the contract.
- d. Applicant does not meet minimum experience requirements.
- e. The applicant does not have the appropriate staff or experience to perform the work.
- f. The applicant (or any subcontractor, officer, director, or owner thereof) has had judgments entered against him/her within the past ten years for the breach of contract for governmental or non-governmental projects, including but not limited to, construction, design-build or construction management contracts.
- g. The applicant has been in substantial noncompliance with the terms and conditions of prior construction contracts with Teton County without good cause. If Teton County has not contracted with the firm in any prior construction contracts, the Evaluation Committee may deny pre-qualification if the firm has been in substantial noncompliance with the terms and conditions of comparable construction contracts with another entity without good cause.
- h. The applicant (or any subcontractor, officer, director, owner, project manager, procurement manager, or chief financial officer thereof) has been convicted within the past ten years of a crime related to construction or contracting.

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- i. The applicant (or any subcontractor, officer, director, owner thereof) is currently debarred pursuant to an established debarment procedure from bidding or contracting by any public body, agency or another state, or agency of the Federal Government.
- j. The applicant fails to provide Teton County with any additional information requested by Teton County within the time frames established in this solicitation.

Figure 1: Phase of Construction for the Teton Creek Restoration Project



Attachment A: Statement of Qualifications Form (SOQ)

When filling out this form please answer each question as thoroughly as possible. Please limit your answer for each question to 3,000 words. Failure to adequately address each of these questions may result in a denial of qualification. Points will be given for each question and tallied to determine RFQ ranking. The more points a company receives the higher they will rank. Unless otherwise noted, 0-2 points will be given for each question. 0-points will be given if a company cannot adequately address a question, for example, if a company has not been an active Teton Creek Stakeholders Committee member they would receive 0-points for the question. 1-point will be given if a company adequately addresses a question, for example,

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they provide an organization chart or they have the required experience implementing each outlined restoration technique. If they do not have the required experience implementing each restoration technique the applicant will receive 0-points for this question. 2-points will be given to a company that can answer the questions in an exceptional manner. For example, the company shows that they have an exceptional amount of stream restoration experience relative to this project and can effectively illustrate their information in a thorough, professional manner, providing additional information when applicable. There are a total of 48 points allowable. **Contractors will need to score at least 36 points out of 48 total points in order to be considered qualified.**

1. Provide an organizational chart including any subcontractors and their role in the project. (0-1 points)
2. Provide length of existence of the company and subcontractor companies. (0-1 points)
3. Please list name(s) of the person you will be designating as foreman for this project and all equipment operators along with their individual experience and number of years performing similar work. (Note: Teton County will require that project foreman is present on site during project construction). Please include only those individuals that will actually be working on this project. List all relevant professional licenses, degrees and training for each of your company employees. (0-2 points)
4. Provide a general overview of your company's experience in stream restoration implementation. Describe total number of stream restoration projects completed, range of project costs and total cost of all projects. (0-2 points)
5. Provide information about your company's strengths, successes and innovations. (0-2 points)
6. Provide detailed information for at least five projects your company has completed in the past five years that are relevant to the Teton Creek Project. Projects may include stream relocation, headcut stabilization, inset floodplain construction and channel and bank stabilization work. (Note: this question is worth up to 8 points)
 - A. Describe project locations; actual work performed by your company; and size and cost of projects. (0-2 points)
 - B. Describe who in your company performed the work and what their responsibilities were and provide the names of contact people who can verify the work. (0-2 points)
 - C. Describe the most and least successful aspects of your company's involvement in the project. (0-2 points)
 - D. Provide photos of your work. Before and after installation photos are preferred. (0-2 points)
7. Include the bid price for of each of your five projects listed above and the actual final costs. Include an explanation for any discrepancies between the bid price and final cost. (0-2 points)
8. Describe your company's experience working on Teton Creek.
 - A. Describe any involvement your firm/team has had with restoration work on Teton Creek. (0-2 points)
 - B. Describe any involvement your firm/team has had with working on previous phases of the Teton Creek Restoration Project described in this RFQ. (0-2 points)

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9. Describe your company's past experience installing structures that will be used for this project. (Note: this question is worth up to 6 points).
 - A. Provide a narrative of your company's expertise installing bio-engineering structures that will be used for the Teton Creek Project as described in the Pre-100% Project Specs and Design Sheets including root wads, log jams, cross vanes, engineered riffles and pools, buried rock toe protection, fabric encapsulated soil systems, woody material trenches, and barbs using native materials such as brush or logs. Include the total linear feet of each structure that you have implemented. (0-2 points)
 - B. For each type of structure, explain if you have had any structures fail and if so what lessons did you learn? If you were hired to repair the failed structures, describe how you made repairs. (0-2 points)
 - C. Include photos of your work. Before and after installation photos are preferred. (0-2 points)
10. Provide a narrative of up to three projects that your company has completed where you worked with numerous stakeholders and landowners. Describe the degree of success to which you were able to work with a large number of stakeholders/landowners. (0-2 points)
11. Provide a narrative of your involvement with the Teton Creek Subwatershed Committee (TCSC). Indicate the years that you have been involved with the TCSC, the number of meetings you have attended and describe your level of participation in TCSC general meetings, Charrettes, and technical workshops. (0-2 points)
12. Please list the equipment that you will use for project construction. If your company will need additional equipment, describe how you intend to acquire said equipment. (0-1 points)
13. State your company's Public Works Certification class, type and category. (Note: 1-point will be given if this question is answered completely. 0-points will be given if the question is answered incompletely.)
14. Describe the ability of your company to obtain Bid, Performance and Payment Bonds in the amount equal to 5%, 100%, and 100% respectively and the amount of bonding your company can provide for this project (Note: If your company can provide Bid, Performance and Payment Bonds in the amount equal to 5%, 100%, and 100% respectively for a project total of at least \$1,400,000 you will be given 1-point. If you cannot meet this requirement you will not be given any points for this question).
15. Provide name of company's insurer and proof of current status. (Note: 1-point will be given if this question is answered completely. 0-points will be given if the question is answered incompletely.)
16. Describe active, prior, or pending litigation regarding your company and how the matters were resolved with respect to construction or contracting. (0-1 points)
17. Certify payment of prevailing wages in compliance with the fair labor standards act. Certify that your company is not on the federal excluded contractors system on the website www.epls.gov. Certify that your company complies with equal opportunity and drug free workplace laws. Certify that you do not traffic in persons. Provide evidence that your company has established and implemented an Affirmative Action Plan and has experience with DBE requirements associated with federal grants. These requirements

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must be complied with for the responding agency to be eligible for the project. (0-1 points)

18. Please provide three references who have worked with you in the past five years. If you will be using subcontractors, provide three references for each subcontractor. (Note: this question is worth up to 6 points. 0-2 points will be given for each of the three references interviewed for the company).
19. The Evaluation Committee will be contacting each contractor for interview. Contractors are expected to answer questions succinctly and accurately. (0-4 points)

Attachment B: Directions for FTR's FTP Web Site

On the FTP site under the "Teton Creek Pre-100% Design Plans" directory you will find project Specs, Design Plans, Design Report and Working Aerial Maps. The directions for accessing FTR's FTP web site are as follows:

- 1) Start by connecting to the internet.
- 2) In the address box, type in the following address: <ftp://65.163.13.161>
- 3) Enter the following user name: FTRFTP
- 4) Enter the following user password: cleanwater

Please note that the user name and password are case sensitive. **Note: you cannot open files on the FTP site. You will need to download files to your hard drive before you can open them.** Please contact FTR if you have any questions.