



MAGNOLIA 4A
ECONOMIC DEVELOPMENT CORPORATION

REQUEST FOR QUALIFICATIONS
ENGINEERING, DESIGN & CONSTRUCTION ADMINISTRATION SERVICES
FM 1774 S. SEWER LINE PROJECT

QUALIFICATIONS DUE DATE:
Tuesday, October 25, 2022
AT 4:00 P.M. (CST)

ISSUED BY:
Magnolia Economic Development Corporation,
Magnolia Texas
September 28, 2022

VENDOR ACKNOWLEDGEMENT FORM

FM 1774 S. SEWER LINE PROJECT

The undersigned hereby certifies that he/she understands the Request for Qualifications, has read the document in its entirety and that the information contained in this RFQ has been carefully reviewed and submitted as correct.

The following information must be filled out in its entirety for the proposal to be considered.

Company Name: _____

Federal Tax Identification Number: _____

Address of Principal Place of Business:

Phone/Fax of Principal Place of Business:

Phone Fax

Phone Fax Address, Phone and Fax of Majority Owner Principal Place of Business:

Phone Fax

Name of Authorized Representative:

Printed Name

Signature

Date

E-Mail Address of Representative: _____

PLEASE INCLUDE THIS COMPLETED PAGE AS THE FIRST PAGE OF YOUR SUBMITTAL.

REQUEST FOR QUALIFICATIONS
FM 1774 S.SEWER LINE PROJECT

Please ensure that you complete and return the following documents and information to the MAGNOLIA EDC, Rachel Steele, Executive Director, at the address shown in Section B of the Request for Qualifications before the deadline. Late submittals will not be accepted.

1. _____ One (1) ORIGINAL, five (5) COPIES, and one (1) electronic copy (USB) of the RFQ document packaged in a sealed container/envelope clearly marked with the RFQ number, title, due date/time, and company name and address on the outside of the container.
2. _____ Vendor Acknowledgement Form. This document MUST be completed in blue or black ink or typewritten. Signatures must be original, in blue or black ink, and by hand.
3. _____ Insurance Requirement Affidavit (Appendix A) or provide a copy of your current Certificate of Insurance.
4. _____ Complete responses requested in RFQ under Section K, Response Format and Preparation Instructions.
5. _____ Right of the MEDC to Request Further Documentation and Financial Information of short-listed or preferred Offeror.

FAILURE TO PROVIDE ANY OF THE ABOVE MAY RESULT IN YOUR PROPOSAL BEING DEEMED NON-RESPONSIVE.

PLEASE INCLUDE THIS COMPLETED PAGE AS THE SECOND PAGE OF YOUR SUBMITTAL.

**REQUEST FOR QUALIFICATIONS
ENGINEERING DESIGN SERVICES**

A. INTENT

The MAGNOLIA 4A ECONOMIC DEVELOPMENT CORPORATION, in Magnolia, Texas, hereinafter referred to as “the MEDC”, is soliciting proposals for the engineering design of a combination gravity and force main sewer line anchored by a lift station serving southern Magnolia, Texas along the FM 1774 corridor. The FM 1774 project corridor will run from approximately Oak Crossing at FM 1774 south within predetermined easements along FM 1774 to the intersection of Friendship Drive and FM 1774. The MEDC, in coordination with the City of Magnolia seeks to extend the City’s sanitary collection system throughout the southern city limits of Magnolia along the FM 1774 corridor with the construction of this line. It is the MEDC’s intention to contract with one company to design, bid, and administer the construction of the sewer line extension. Please see project location map under Appendix B.

The Offeror submitting the successful response must clearly demonstrate its ability to provide immediate and consistent efforts in the timely completion of the project.

B. QUALIFICATION SUBMISSION PROCESS, DUE DATE, AND REQUIRED DOCUMENTS:

One (1) original, five (5) copies, and one (1) electronic copy (USB) of the RFQ document, including all required forms and applicable supporting documentation, are required. RFQ responses are due no later than **Tuesday, October 25, 2022 at 4:00 p.m.**, Central Standard Time. The responses must be sealed when submitted. The response material must be addressed and delivered to:

**Rachel Steele
Executive Director
Magnolia EDC
18111 Buddy Riley Blvd
Magnolia, Tx 77354**

Responses received later than the above date and time will be rejected and returned unopened. Timely responses will be opened on the date specified above and will be kept secret during the process of negotiations. All responses that have been submitted shall be open to public inspection after the contract is awarded, except for trade secrets and confidential information contained in the responses marked “confidential” by the proper responding party.

C. SCHEDULE AND RESOURCES

- RFQ Issued: Wednesday, September 28, 2022
- Pre-Submittal Briefing: Tuesday, October 11, 2022, 2:00pm CST
- Proposals Submittal Deadline: Tuesday, October 25, 2022 – by 4:00pm CST
- MEDC Consideration: Thursday, November 10, 2022

A pre-submittal briefing will be held via Teams on Tuesday, October 11, 2022 at 2:00 p.m. (CST).

Meeting ID: 248 911 313 41

Password: NzKH6E

All documents pertaining to the RFQ process can be found under News and Announcements on the MEDC website:

<https://www.cityofmagnolia.com/economic-development/4a-corporation>

D. CLARIFICATION OF REQUIREMENTS

All requests for additional information or clarification concerning this Request for Qualifications must be submitted, in writing, no later than 4:00 P.M. on Tuesday, October 18, 2022 and shall be emailed to Rachel Steele, Executive Director, Magnolia Economic Development Corporation at rsteale@cityofmagnolia.com. Please note that any requests are considered public information and may be reviewed by other responders.

The Magnolia Economic Development Corporation is the sole source contact regarding this RFQ. Any contact with representatives of the Magnolia Economic Development Corporation is prohibited. Failure to comply with this prohibition will result in your proposal being deemed unresponsive.

It is the intent and purpose of the MEDC that this RFQ permits competitive responses. It is the Offeror's responsibility to advise the Executive Director, Rachel Steele, Magnolia Economic Development Corporation, if any language, requirements, etc., or any combinations thereof, inadvertently restricts or limits the requirements stated in this RFQ to a single source.

E. CANCELLATION

The successful Offeror will be awarded a contract on an exclusive basis. The MEDC shall have the option to terminate the contract for any reason upon thirty (30) days prior written notice. The successful Offeror may not assign the contract to any other party without the prior written consent of the MEDC.

F. QUALIFICATIONS OF OFFEROR

By submitting the RFQ response, the Offeror certifies that they are duly qualified, capable, and otherwise bondable business entity that is not in receivership or contemplates same, nor has filed for bankruptcy. The Offeror must not be indebted to the CITY OF MAGNOLIA and shall not owe any back taxes to the CITY of MAGNOLIA or MONTGOMERY COUNTY. The Offeror warrants that they are familiar with all laws, regulations, and customs applicable to the type of business required herein.

The contract will be awarded by the MEDC to a responsible Offeror only. In order to qualify as responsible, an Offeror must meet the following qualifications as they relate to this request for proposals.

1. Have adequate technical and financial resources for performance.
2. Have the necessary experience, organization, and technical skill in the field of civil engineering.
3. Have a satisfactory record of performance in design, bidding and construction administration of sewer lines.
4. Have a minimum of five (5) years of utility design and construction oversight experience in similar or larger size projects.
5. Have a satisfactory record working with economic development corporations and/or

municipalities on capital investment projects.

6. Must demonstrate ability to assist in easement negotiation, acquisition, and experience providing eminent domain testimony, if necessary.
7. Must be able to provide project reports and communicate with MEDC Executive Director, City Administration, City Engineer and City Public Works staff on a weekly if not daily basis as warranted.
8. Must not be acting as a subsidiary agent, consulting engineer or surveyor for any government entity, landowner or developer in the City of Magnolia or its extraterritorial jurisdiction.

G. EXCEPTIONS

Any exceptions to the requirements stated herein must be stated, in writing, in the Offeror's response. Explanation must be made for each item for which exception is taken, giving in detail the extent of the exception, and the reason for which it is taken, in order for consideration to be given to the proposal.

H. SELECTION AND AWARD PROCESS

1. Responses to this RFQ will be reviewed by the MEDC Board of Directors at their scheduled November 2022 Board meeting. A short list of firms will be identified and may be interviewed by the MEDC Board of Directors at a later meeting.
2. Selection shall be based on the evaluation factors published in this RFQ. After the MEDC Board makes its initial selection, it shall proceed to negotiate a contract at a fair and reasonable price.
3. If the MEDC is unable to negotiate a satisfactory contract with the most highly qualified person or firm, the MEDC shall formally end negotiations with that person or firm and begin negotiations with the second most highly qualified firm.
4. Following selection by the MEDC Board of Directors the successful firm will be required to file Form 1295 Certificate of Interested Parties with the Texas Ethics Commission and House Bill 89 Verification Form prior to entering into contract with the MEDC.

I. SCOPE OF WORK

Work under consideration for this RFQ will include all engineering services normally associated with a project of this type, including but need not limited to the following:

- Consultant shall be responsible for confirming detailed surveys of the project corridor areas to ensure complete and accurate information is known and presented on project plans. Detailed surveys shall collect accurate location information of all topographic and below grade features within the street right of ways and easements including but not limited to edge of asphalt road, sidewalk and driveway surfaces, road shoulders, ditches, utility poles, underground cables, trees & shrubs, culverts, water & sewer pipes, valves, hydrants, manholes, services, etc. Detailed surveys shall also collect an accurate location of buildings to be serviced along the project routing as well as any structures,

trees, etc. that may impact on the locating of services to the properties.

- Based on pre-completed survey the development of base alignment mapping which includes utilities, right-of-way and easements.
- Prepare right-of-way or easement survey maps, descriptions, parcel maps and additional information needed to purchase right-of-way or easements outside of easements already acquired. Provide supporting documentation to facilitate easement acquisition by the City of Magnolia.
- Identify and coordinate with Texas Department of Transportation (TxDOT), Texas Commission on Environmental Quality (TCEQ), City of Magnolia, and any other required agencies for any required permitting and installation requirements. Incorporate agency comments and obtain agency approvals prior to project bidding.

Preliminary Design (60% Design Submittal)

- Develop plan sheets for the sewer pipeline, showing existing utilities and proposed alignments at 1-inch equals 20 feet scale. Plan sheets shall be prepared at 22x34, but all submittals shall be made at 11x17.
- Perform field investigation of the alignments to determine the constructability issues, alignment location and utility clearances.
- Perform a geotechnical investigation and prepare a geotechnical memorandum indicating the recommendations for a trench cross section, including but not limited to embedment, backfill, benching and slopes. Provide soil borings and a signed/sealed analysis of the investigative methods used.
- Perform an investigation and prepare a memorandum discussing the types of manholes available (materials and manufacturers) as well as a recommendation for same.
- Prepare list of technical specifications and engineer's cost estimate.

Deliverables:

Two (2) sets of the 60% design submittal and one (1) electronic copy (USB) shall be presented to the City for review. The submittal shall include conceptual design with plan view showing the utility alignments and existing utilities and probable construction cost estimate. One meeting shall be scheduled with City staff to review the comments for the 60% design submittal. The submittal shall also include a list of construction specifications (in 50 Division Format).

Pre-Final Design Submittal (90% Design Submittal)

These services are comprised of the preparation of engineered design, drawings, specifications and contract documents, preparation of a traffic control, workplace safety and environmental protection plan, preparation of bid specifications and bid award recommendations. Examples of these services include, but may not be limited to:

- Perform and prepare detailed design including but not limited to calculations, site investigations, geotechnical testing to verify soil and water conditions, data collection, data and test analysis, data and test interpretation, design drawings, printing, resolving detail

problems, environmental protection, workplace safety plan, developing specifications and contract documents, and bid advertisement;

- Preparing a Traffic Control, Workplace Safety and Environmental Management Plan for the planned construction and incorporate these plans within bid documents and construction contracts;
- Prepare a Site Orientation Plan for the planned construction area and incorporate within bid documents and construction contracts. The plan will describe the general area, conditions to expect during construction, coordination that may be required as well as dates and times where work will be stopped to ensure no conflicts with activities planned within this general area;
- Establish a design and bid advertisement schedule;
- Preparing Cost Estimates for the work;
- Preparing, submitting and following-up on all submissions to Federal, State and other Regulatory Agencies having jurisdiction and authority;
- Consult with regulatory agencies and incorporate changes as required;
- The 90% Design Submittal shall be considered a complete design submittal.

Deliverables:

Two (2) sets of the 90% design submittal and one (1) electronic copy (USB) shall be presented to the City. The submittal shall include half-size drawings, contract documents and probable construction cost estimate. One meeting shall be scheduled with City staff to review the comments for the 90% design submittal.

Final Design Submittal (100% Design Submittal)

- Incorporate the 90% Design Submittal Comments.
- On behalf of the MEDC, publicly advertise bid in accordance with City and State purchasing regulations.
- During bid process, conduct pre-bid conference, respond to contractor queries and issue clarifications, details, corrections and addenda as may be required following consultation with the MEDC and City of Magnolia;
- Following bid closing bid opening and an evaluation of bids received, and provide a recommendation for award to the MEDC;
- Providing assistance and advice to the MEDC related to the evaluation and recommendation of bid award;
- Provide bond and insurance compliance review for selected contractor;
- All drawings are to be stamped and signed by a Professional Engineer registered or licensed to practice in the state of Texas;

- Submit all digital files (AutoCAD or Microstation, MS Word, MS Excel, etc.) for the project.

Deliverables:

Four (4) sets of the 100% final design submittal and one (1) electronic copy (USB) shall be presented to the City for inspection purposes. The submittal shall include one (1) full-size and three (3) half-size stamped and signed final drawings, contract documents and probable construction cost estimate.

Contract Administration and General Review during Construction Services

These services comprise administering the construction contract on behalf of the MEDC and providing engineering review during the construction period, following the award of the construction contract through to the end of the warranty period of the construction. Examples of these services include but may not be limited to:

- Act as the MEDC’s representative providing project management and liaison with the contractor(s) and other authority’s representatives from the beginning of construction until the completion of the warranty period of the final improvements;
- Prepare and coordinate (minimum of 3 sets) contract documents for contractor’s signature;
- Prepare as required construction plans and specifications;
- Respond and reply to Requests for Information
- Providing advice on the interpretation of contract documents to the contractor and City of Magnolia, and issuing supplementary details and instructions as required;
- Conduct project kick-off meeting and pre-construction conference
- Review and approval of shop drawings for general compliance with design requirements and contract documents;
- Reviewing contractor’s progress claims, including validity of additions or deletions;
- Recommending and issuing progress invoices, certificates and change orders for the MEDC’s review, coordination and acceptance;
- Perform field project representation services to confirm work is being performed in accordance with contract documents. Make site visits to assess progress of work and to ensure conformity of the work with the contract documents;
- Report issues and concerns in the field to City of Magnolia in writing via email.
- Report to the MEDC and City of Magnolia on the progress of construction regularly and as requested;
- Carrying out final review at the conclusion of the construction contract;
- Confirm constructed facilities function as designed and provide direction to the contractor

as required to correct deficiencies;

- Provide to the MEDC and City of Magnolia certification that the construction meets requirements of the project plans and specifications;
- Issuing substantial performance and/or final completion certificates;
- Perform inspections and provide direction to the contractor as required during the warranty period;
- Ensure accurate as-built record information is obtained during construction;
- Create and deliver to the City of Magnolia, in a timely fashion, as-built drawings, record drawings in PDF and electronic (GIS) format, and Operation and Maintenance Manuals for the completed works.

Requirements for As-Built Drawings and Records

As-built information and drawings shall be field confirmed by the Consulting Engineer prior to submission to the City. All original as-built drawings and records shall be submitted in the following form:

1. Drawings and records shall be **signed (not sealed) as being accurate to the best of the knowledge of the Engineer preparing the records.**
2. Drawings shall be submitted as:
 - One complete electronic copy (USB) in AutoCAD or Microstation format with all references bound into the drawing files.
 - One shapefile of the alignment for use in the City GIS system.
3. As-built drawings shall be a true reflection of what was built and not a reissued construction plan. Drawings shall accurately reflect the location of manholes, gate valves, waterman fittings, service boxes, pipes, fire hydrants, etc.

J. EVALUATION FACTORS

1. Completeness

Each response will be reviewed before the selection process for completeness and adherence to format. A response will be considered complete if all requested sections are included in the proper order.

2. Formal Evaluation

a. Evaluation Process

The MEDC Board of Directors will evaluate each submitted responses. The evaluation process will objectively grade the responses on their merit and responsiveness. Responses will be evaluated based on the material and substantiating evidence presented in the response, and not on the basis of what could be inferred. The evaluation process will include verification of references, verification of project team resumes, confirmation of financial stability, and may also request additional information as determined by the MEDC in its sole discretion.

b. Scoring Format

Each section of the RFQ response will be considered a separate selection criterion and will be scored individually. All scores will be summed to give the grand total score. The maximum possible grand total score for the RFQ response is 100 points. The details for the scoring criteria are shown in Section K.

c. Evaluation Factors

- i. Offeror Qualifications
- ii. Key Personnel Qualifications
- iii. Work Plan and Approach
- iv. Relevance and Completeness

3. Oral Interview (if warranted)

After the formal evaluations, the MEDC may decide on oral interviews to address specific issues with selected Offerors.

4. Final Selection/Notification

Final selection will be made in accordance with Chapter 2254, Texas Government Code, the Professional Procurement Act. The evaluation of the RFQ responses and the oral interview (if conducted) will be considered. The Offeror with the highest overall evaluation score shall be recommended for consideration. The selected contractor or firm will be notified by the MEDC Executive Director.

K. RESPONSE FORMAT AND PREPARATION INSTRUCTIONS

Offerors shall use the prescribed format outlined in this RFQ to clearly describe their proposal.

Offerors shall provide one (1) original, five (5) copies, and one (1) electronic copy (USB) of the response. Each response will be reviewed to determine if it is complete before evaluation. The MEDC reserves the right to eliminate from further consideration any response that is deemed to be unresponsive to this RFQ. The intent of the MEDC is that all responses follow the same format in order to evaluate each response fairly. Proposals will be evaluated based on the material and substantiating evidence presented in the proposal, and not on the basis of what could be inferred.

The response shall comply with the following criteria and limitations:

- All pages shall be 8 ½ x 11. Fold-out pages, tabbed pages or dividers are not allowed.
- All pages shall be white 20 lb. "copier-style" paper. Cover stock, plastic pages or laminations are not allowed.
- All pages shall be bound together only at the upper left-hand corner by a single staple or binder clip. Plastic bindings, wire bindings, screw-type bindings or

notebooks **are not allowed**.

- All text shall be minimum 11-point non-condensed font.
- All pages shall be single-sided.
- Page 1 of the response shall be the Vendor Acknowledgement Form
- Page 2 of the response shall be Request for Qualifications checklist
- Page 3 of the response shall be the cover sheet and shall include the project information as well as the Prime consultant name/logo, subconsultant(s) name(s) and all Texas Board of Professional Engineers firm numbers.
- Page 4 of the response shall be the table of contents
- Page 5 of the response shall be the organizational chart
- Page 6 shall be a Gantt chart showing the proposed schedule for the project phases and disciplines
- Pages 7 to 12 of the response shall be the information shown in the table below, in outline format with expanded narratives
- Pages 13 to 19 shall be one-page resumes for each of the following: Project Manager, Project Engineer, Geotechnical Engineer, Structural Engineer, Quality Manager (Note: the Quality Manager shall be a subconsultant whose sole function shall be to perform QM and shall not perform any other duties on this project).
- Page 20 shall be the Insurance Requirement Affidavit or current Certificate of Insurance.
- Responses longer than 20 pages shall not be allowed

In order to simplify the review process and obtain the maximum degree of comparison, proposals are to be outlined in the manner described below. Be specific about the Offeror's collective expertise in the sections that follow.

SCORING CRITERIA:

1. Offeror Qualifications (14 points max)	Maximum Points	Reviewers Points
Experience in design and construction oversight of sewer public improvements. Specifically list municipal clients that the Offeror has engaged in the past five (5) years and include the type of projects which were completed. NOTE: All references requested in this proposal shall include the name of client, name of contact person, physical address, telephone number, and the email address of the contact person.	14	
2. Key Personnel Qualifications (26 points)		
State the location of the office, as well as, the number of professional staff employed at that office that will have primary responsibility for the service	3	
Identify and describe the qualifications and length of service of the Principal that will be assigned to the project.	3	
Identify and describe the qualifications and length of service of the Project Manager that will be assigned to the project.	5	
Identify and describe the qualifications and length of service of the Geotechnical Engineer that will be assigned to oversee the geotechnical investigation for the sewer line extension project	5	
Identify and describe the qualifications and length of service of the Structural Engineer that will be assigned to oversee and manage the structural aspects of the sewer line extension project	5	
Identify and describe the qualifications and length of service of the Quality Manager that will be assigned to oversee the QA/QC for the sewer line extension project	5	
3. Work Plan and Approach (48 points)		
Describe firm's understanding of the scope and challenges of the project	6	
Identify any site logistics concerns and discuss plans for management of site organization and maintenance	6	

Identify any schedule concerns and constraints (e.g., permitting issues, labor and material availability, etc.) and discuss strategy for supporting completion of the project in accordance with the MEDC's proposed date for contract completion	6	
Describe approach to management of invoicing, cost control and verification of project completion status	6	
Describe approach to Quality Management including verification that project is being constructed in accordance with accepted engineering and construction standards. Include a schedule for QM reviews and a description of QM deliverables.	6	
Describe approach to the Geotechnical investigation of the project including anticipated testing methods.	6	
Describe approach to coordination of regulatory compliance concerns, special inspection issues, and plan for interaction with regulatory agencies	6	
Identification of safety concerns and summary description of plan for managing site safety and/or efforts to reduce workplace injuries	6	
4. Relevance and Completeness (12 points)		
Response and timeline are realistic	6	
Experience is relevant to the scope of work and level of qualifications	4	
Response was thorough and complete	2	
TOTAL	100	

L. RIGHT OF THE MEDC TO REQUEST FURTHER DOCUMENTATION

The MEDC reserves the right to request additional documentation that it deems appropriate and necessary for the review and award process during both the initial proposal review process and the negotiation/award/appointment phase. The MEDC reserves the right to request financial statements for short-listed Offerors to determine the eligibility of a proposer to receive a contract. If requested, financial statements will consist of previous years statement and reviewed independently by the City of Magnolia's Finance Administrator, and will be returned to the proposer upon request.

M. RIGHT OF THE MEDC TO CANCEL REQUEST FOR PROPOSALS, ELECT NOT TO AWARD, REJECT PROPOSALS, AND WAIVE INFORMALITIES OR IRREGULARITIES

The MEDC expressly reserves the right to cancel this RFQ at any time, to elect not to award any or all of the contracts cited in this RFQ, to reject any or all proposals, to waive any informality or irregularity in any proposal received, and to be the sole judge of the merits of the respective proposals received.

N. EQUAL OPPORTUNITY IN CITY BUSINESS CONTRACTING

Race, religion, sex, color, ethnicity, and national origin will not be used as criteria in the MEDC's business contracting practices. Every effort will be made to ensure that all persons regardless of race, religion, sex, color, ethnicity and national origin have equal access to contracts and other business opportunities with the MEDC.

O. EXAMINATION OF DOCUMENTS AND REQUIREMENTS

Each Offeror shall carefully examine all RFQ documents and thoroughly familiarize itself with all requirements prior to submitting a proposal to ensure that the proposal meets the intent of this RFQ.

Before submitting a proposal, each Offeror shall be responsible for making all investigations and examinations that are necessary to ascertain conditions and requirements affecting the requirements of this RFQ. Failure to make such investigations and examinations shall not relieve the Offeror from obligation to comply, in every detail, with all provisions and requirements of the Request for Proposal.

P. PROPOSAL COPIES

OFFEROR'S MUST SUBMIT THE ORIGINAL, FIVE (5) COPIES, AND ONE (1) ELECTRONIC COPY (USB) OF THE SEALED PROPOSAL PRIOR TO THE DUE DATE/TIME DEADLINE AT THE FOLLOWING ADDRESS:

Rachel Steele, Executive Director
Magnolia 4A Economic Development Corporation
18111 Buddy Riley Boulevard
Magnolia, Tx 77354

FAILURE TO SUBMIT THE ADDITIONAL COPIES MAY RESULT IN THE PROPOSAL BEING DECLARED NON-RESPONSIVE.

All proposals, responses, inquiries, or correspondence relating to or in reference to this RFQ, and all electronic media, reports, charts, and other documentation submitted by Offerors shall become the property of the Magnolia Economic Development Corporation, Magnolia, Texas when received.

Q. PROPOSAL PREPARATION COSTS

Issuance of this RFQ does not commit the Magnolia Economic Development Corporation, in any way, to pay any costs incurred in the preparation and submission of a proposal. The issuance of this RFQ does not obligate the Magnolia Economic Development Corporation to enter into contract for any services or equipment. All costs related to the preparation and submission of a proposal shall be paid by the Offeror.

R. TRADE SECRETS, CONFIDENTIAL INFORMATION AND THE TEXAS PUBLIC INFORMATION ACT

If you consider any portion of your proposal to be privileged or confidential by statute or judicial decision, including trade secrets and commercial or financial information, clearly identify those portions.

Proposals will be opened in a manner that avoids disclosure of the contents to competing Offerors and keeps the proposals secret during negotiations. All proposals are open for public inspection after the contract is awarded, but trade secrets and confidential information in the proposals are not open for inspection.

The Magnolia Economic Development Corporation will honor your notations of trade secrets and confidential information and decline to release such information initially, but please note that the final determination of whether a particular portion of your proposal is in fact a trade secret or commercial or financial information that may be withheld from public inspection will be made by the Texas Attorney General or a court of competent jurisdiction. In the event a public information request is received for a portion of your proposal that you have marked as being confidential information, you will be notified of such request and you will be required to justify your legal position in writing to the Texas Attorney General pursuant to Section 552.305 of the Government Code. In the event that it is determined by opinion or order of the Texas Attorney General or a court of competent jurisdiction that such information is in fact not privileged and confidential under Section 552.110 of the Government Code and Section 252.049 of the Local Government Code, then such information will be made available to the requester.

Marking your entire proposal CONFIDENTIAL/PROPRIETARY is not in conformance with the Texas Open Records Act.

S. CONFLICT OF INTEREST

The Offeror shall not offer or accept gifts or anything of value nor enter into any business arrangement with any employee, official or agent of the Magnolia Economic Development Corporation.

By signing and submitting the RFQ response, the Offeror certifies and represents to the MEDC that the Offeror has not offered, conferred or agreed to confer any pecuniary benefit or other thing of value for the receipt of special treatment, advantage, information, recipient's decision, opinion, recommendation, vote or any other exercise of discretion concerning this Request for Qualifications.

T. ANTI-LOBBYING PROVISION

During the period between proposal submission date and the contract award, Offerors, including their agents and representatives, shall not directly discuss or promote their proposal with any member of the Magnolia 4A Economic Development Corporation Board of Directors or staff, except in the course of MEDC -sponsored inquiries, briefings, interviews, or presentations, unless requested by the MEDC.

This provision is not meant to preclude Offerors from discussing other matters with MEDC Directors or MEDC staff. This policy is intended to create a level playing field for all potential Offerors, and assure that contract decisions are made in public, and to protect the integrity of the RFP process. Violation of this provision may result in rejection of the Offeror's proposal.

U. AUTHORIZATION TO BIND SUBMITTER OF RFQ Response

Proposals must show vendor name and address of Offeror. The original proposal must be manually signed by an officer of the company having the authority to bind the submitter to its provisions. Person signing the RFQ response must show title or AUTHORITY TO BIND THEIR FIRM IN A CONTRACT. Failure to manually sign proposal will disqualify the proposal from being

accepted by the Magnolia Economic Development Corporation.

ABOUT THIS DOCUMENT

This document is a Request for Qualifications under the Professional Services Procurement Act. The MEDC will select a provider of professional services on the basis of demonstrated competence and qualifications to perform the services.

The RFQ response evaluation criteria should be viewed as standards that measure how well an Offeror's approach meets the desired requirements and needs of the Magnolia Economic Development Corporation (MEDC). Those criteria that will be used and considered in evaluation for award are set forth in this document. The MEDC will thoroughly review all proposals received. The MEDC will also utilize its best judgment when determining whether to schedule a pre-proposal conference (before proposals are accepted), or meetings with Offerors (after receipt of all RFQ responses).

A contract for professional services will be negotiated with the Offeror determined to be the most qualified for a fair and reasonable price.

APPENDIX A

MAGNOLIA ECONOMIC DEVELOPMENT CORPORATION/CITY OF MAGNOLIA CONTRACTOR INSURANCE REQUIREMENTS

Contractors providing goods, materials and services for the Magnolia Economic Development Corporation and City of Magnolia, Texas shall, during the term of the contract with the CITY or any renewal or extension thereof, provide and maintain the types and amounts of insurance set forth herein. All insurance and certificate(s) of insurance shall contain the following provisions:

1. Name the MEDC/CITY, its officers, agents and employees as additional insured as to all applicable coverage with the exception of workers compensation insurance.
2. Provide for at least thirty (30) days prior written notice to the MEDC/CITY for cancellation, non-renewal, or material change of the insurance.
3. Provide for a waiver of subrogation against the MEDC/CITY for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance.

Insurance Company Qualification: All insurance companies providing the required insurance shall be authorized to transact business in Texas and rated at least "A" by AM Best or other equivalent rating service.

Certificate of insurance: A certificate of insurance evidencing the required insurance shall be submitted by the successful Offeror prior to contract execution. If the contract is renewed or extended by the MEDC/CITY a certificate of insurance shall also be provided to the MEDC/CITY prior to the date the contract is renewed or extended. All coverage amounts listed shall be in United States dollars.

Type of Contract

Type and Amount of Insurance

Professional Services

General Liability insurance for Personal Injury (including death) and Property Damage with a minimum of \$1 million per occurrence and \$2 million aggregate, including Advertising Injury, Products Coverage.

Professional Liability Insurance with a minimum of \$1 million per occurrence and \$2 million aggregate.

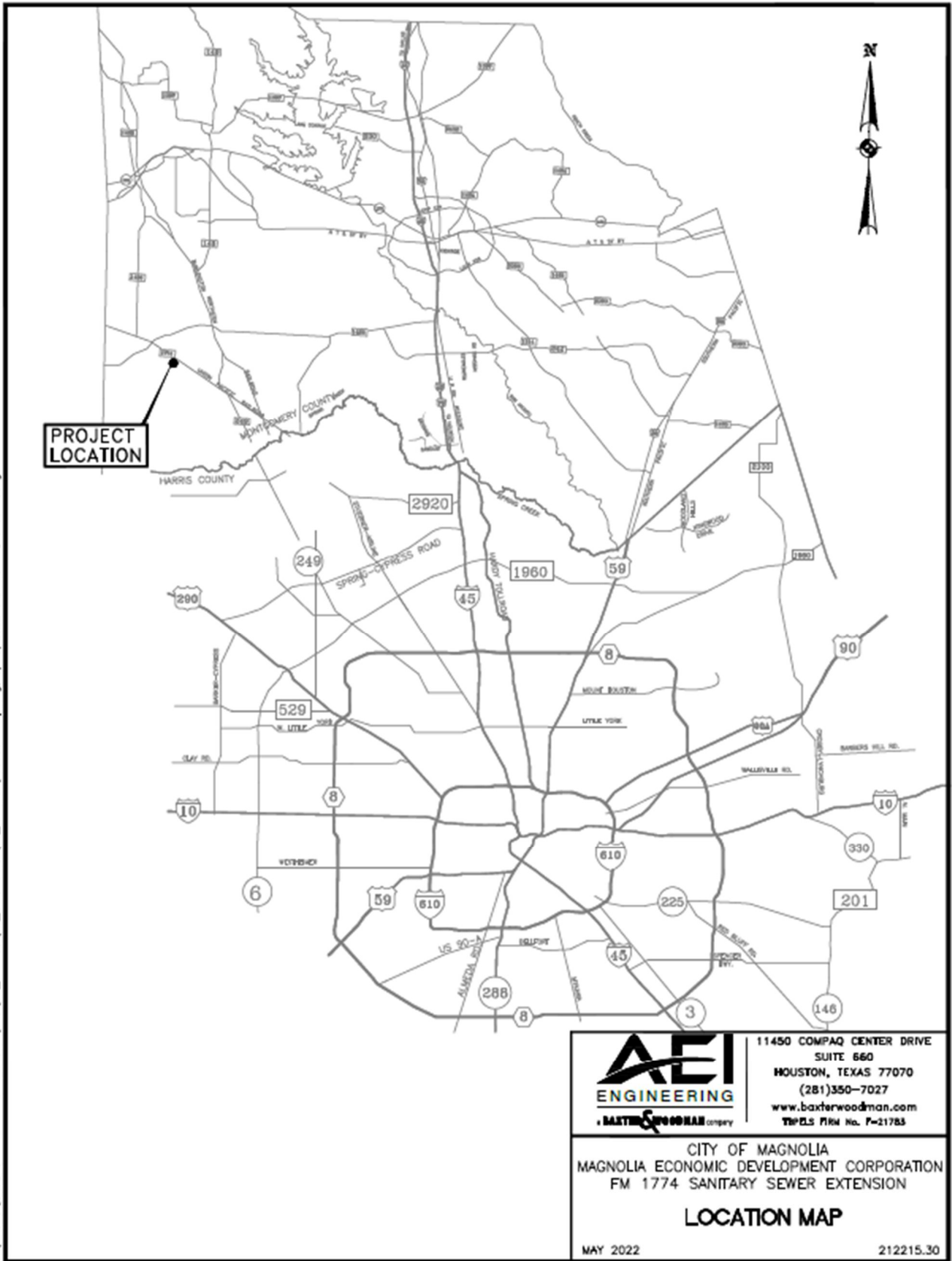
Workers Compensation insurance as required by state law.

NOTICES

The Contractor shall notify the MEDC in the event of any change in coverage and shall give such notices not less than 30 days prior the change, which notice must be accompanied by a replacement CERTIFICATE OF INSURANCE. All copies of the Certificates of Insurance shall reference the project name for which the insurance is being supplied. All notices shall be given to the MEDC at the following address:

Magnolia 4A Economic Development Corporation
Attn: Executive Director
18111 Buddy Riley
Magnolia, Tx 77354

APPENDIX B: Area Map



P:\MAGNOLIA\212215-FM1774-SAN SEWER EXTENSION\CAD\01_Civil_3D\02_Site-Other\02_Exhibits\Location Map.dwg, 8/18/2022, 3:26:38 PM, Chou Luong

 AEI ENGINEERING <small>a BAXTER & WOODMAN company</small>	11450 COMPAQ CENTER DRIVE SUITE 660 HOUSTON, TEXAS 77070 (281)350-7027 www.baxterwoodman.com TYPED FILE No. F-21785
CITY OF MAGNOLIA MAGNOLIA ECONOMIC DEVELOPMENT CORPORATION FM 1774 SANITARY SEWER EXTENSION <h3 style="margin: 0;">LOCATION MAP</h3>	
MAY 2022	212215.30