

REQUEST FOR PROPOSALS
CDBG Infrastructure Project
1st Avenue Overlay

BACKGROUND

The City of Lake Charles (herein referred to as “the City”) hereby issues a Request for Proposal (RFP) for an engineering firm that possesses professional services and requisite qualifications to serve as the consultant to assist the City with the implementation and management of the City’s CDBG Infrastructure Project for 1st Avenue Overlay in accordance with the Department of Housing and Urban Development (HUD) and Federal CDBG requirements. Community Development Block Grant (CDBG) funds in the amount of \$241,180.00 will be utilized for this program. Project is to include:

1st Avenue Overlay (Opelousas St. – Giefers St.)
1st Avenue PCC Repair (Giefers St. – Moeling St.)

- An overlay on the existing asphalt from Opelousas to St. John St. and St. John St. to Giefers St.
- Concrete repair work on blocks from Giefers St. to Moeling St.

COLC intends to award a single contract to one firm (“Firm”) that will be responsible for every aspect of this project.

Interested parties are invited to secure a proposal package from the City of Lake Charles, 326 Pujo Street, Lake Charles, Louisiana 70601, and (337) 491-1490. Packets may also be obtained by emailing a request to Mister Edwards or Stacy Dowden, City of Lake Charles, at engineering@cityoflc.us. Responses to this Request must be hand delivered or mailed to the above named persons at the above named address in such a manner that it is received no later than **4:30 PM February 11, 2015**.

Any and all questions must be submitted to COLC no later than **12:00PM on Wednesday, February 4, 2015** by writing or emailing the persons mentioned above.

The City of Lake Charles is an Equal Opportunity Employer. Any persons requiring reasonable accommodation to respond to this solicitation are requested to contact Sheri Marcucci at (337) 491-1490 to discuss their particular needs.

REQUIRED SIGNATURE PAGE FOR PROPOSALS

This page, signed by an authorized officer of your Company, must accompany your proposal as the cover page.

I, the undersigned, having carefully examined the Request for Proposals, propose to furnish services in accordance therewith as set forth in the attached proposal.

I hereby certify that this proposal is genuine and not a sham or collusive proposal, or made in the interests or on behalf of any person not therein named; and I have not directly or indirectly induced or solicited any Contractor or supplier on the above work to put in a sham proposal or any person or corporation to refrain from submitting a proposal; and that I have not in any manner sought by collusion to secure to myself an advantage over any other contractor(s) or person(s).

In order to induce the City to consider this proposal, the Company irrevocably waives any existing rights which it may have, by contract or otherwise, to require another person or corporation to refrain from submitting a proposal to or performing work or providing supplies to the City of Lake Charles, and Company further promises that it will not in the future directly or indirectly induce or solicit any person or corporation to refrain from submitting a bid or proposal to or from performing work or providing supplies to the City of Lake Charles.

Please type or print legibly information below.

Proposer hereby acknowledges receipt of the RFP and agrees to Terms and Conditions set forth in this RFP.

PROPOSER INFORMATION

Firm Name: _____

Address: _____ City/State/Zip: _____

Phone No.: _____ Fax No.: _____

AUTHORIZATION TO PROPOSE (must be signed):

By: _____
Signature Offer Date Printed Name

Primary Contact Person (If other than above):

Name: _____ Phone No: _____ Fax No: _____

Title: _____ E-mail Address: _____

If this proposal is being submitted on behalf of an agent/broker, please complete section below:

Submitted on behalf of: _____

Phone No: _____ Fax No: _____

E-mail Address: _____

REQUEST FOR PROPOSALS
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SCOPE OF WORK

It is the intention of the City of Lake Charles to award a lump sum/fixed fee contract to the selected proposer. The selected firm will work closely with the Director of Public Works and the Development Engineer of the City of Lake Charles and other administrative staff to implement the Community Development Block Grant Funds. The scope of services that the consultant must prepare and provide is as follows:

1. Prepare all project applications according to HUD guidelines.
2. Reassess projected project budgets and determine if sufficient funds are available to successfully implement all projects as identified.
3. Manage all contractors and meet performance standards, to be mutually agreed upon between the City and HUD, as established through the HUD's performance monitoring tracker system.
4. Assist the City in establishing a financial management system acceptable for the utilization and tracking of CDBG Funds.
5. Per HUD's CDBG Program, including monthly invoices, as well as any bookkeeping requirements which may include the disbursement of funds, preparation of financial statements, implementation schedules and budgets.
6. Establish and maintain project files in the local governing body's office consistent with recordkeeping requirements reflected in the HUD's CDBG Administrative Manual.
7. Assist with citizen participation requirements including, but not limited to, assisting with public notices, conducting the hearings, responding to citizen inquiries or complaints, etc.
8. Prepare all bid documents, as may be required, for Request for Qualifications and Request for Proposals, when applicable, and ensure the procurement process is documented and in compliance with City and CDBG guidelines.
9. Serve as the City's designated Labor Compliance Officer and ensure compliance with all applicable labor standards.
10. Prepare construction contracts, which comply with Federal regulations.
11. Manage and oversee all aspects of project construction as required by HUD guidelines.
12. Attend and assist The City of Lake Charles during the HUD's monitoring visits. Prepare the City's response to all monitoring findings.
13. Assist in a final inspection of the projects and in the issuance of a final acceptance of the work.

14. Prepare project close-out documents as well as the close-out report for the Cooperative Endeavor Agreement (CEA).
15. Ensure the City is in compliance with the Core Checklist reflected in the Monitoring Section of the CDBG Administrative Manual and make recommendations thereto.

DELIVERABLES

Deliverables include but are not limited to: (all deliverables should be maintained in hard copy format in the City's files)

- All Requests for Proposals (RFP) and Requests for Qualifications (RFQ), or other applicable procurement documents as needed for projects and services
- All Contracts for services and projects, as outlined and in accordance with CDBG regulations
- Approved HUD Project Applications for all projects
- Environmental exemptions, exclusions and assessments as each project requires
- All permits, right-of-ways, acquisitions, etc. as may be required for the implementation and completion of each project, as outlined by the Uniform Relocation Act (URA)
- Plans & specifications as required for each project
- File documentation for each activity consistent with requirements/check lists in the OCD-DRU CDBG Administrative Manual
- All Invoices, other documentation, Request for Payment Documents on a monthly basis
- Close-out Reports for each project and the Cooperative Endeavor Agreement (CEA)

Additionally, participation at City staff meetings as requested, City Council meetings, and/or in meetings or workshops with OCD-DRU officials will be required.

The consultant will also develop, in conjunction with the City and OCD-DRU, an overall implementation schedule for each project that tracks OCD-DRU's performance monitoring templates and will provide updates/explanations on project status as may be required by the City and/or the state.

GENERAL TERMS AND CONDITIONS

1.0 RFP Process

- 1.1. This RFP is subject to all applicable state and local laws, including the Louisiana Code of Governmental Ethics.
- 1.2. RFP's, associated documents and addenda may be obtained from the Department of Public Works, 326 Pujo Street, Lake Charles, Louisiana 70601 or by downloading from the City's website at www.cityoflakecharles.com.
- 1.3. Written addenda to the RFP may be issued to provide clarification, corrections, or to answer questions. It is the Consultant Firm's responsibility to periodically check either with Sheri Marcucci in the Department of Public Works or City website, for addendum that may be issued to implement changes or clarifications to the RFP, prior to due date.
- 1.4. The City reserves the right to request additional information to clarify proposals. The City shall determine the appropriate means of clarification: telephone, e-mail, letter, or oral interviews.

2.0 Submission of Proposal

- 2.1 Proposals must be submitted by the time and date specified in this RFP.
- 2.2 Each Consultant Firm shall provide a submittal package based on the designated point evaluation scoring criteria. The submittal shall provide clear and sufficient information to enable the selection committee to evaluate the responsiveness and quality of the proposal. The Selection/Scoring Criteria (Exhibit A) will be

used to evaluate all proposals received. Failure to provide all required information, including the "Required Signature Page for Proposals", shall be cause for rejection of the submittal as non-responsive.

- 2.3 Consultant/Firm shall submit an original and five (5) copies of proposal by the date and time specified. Failure to submit the required number of copies may result in finding of nonconformance. Originals should be clearly marked.
- 2.4 The City will not be responsible for submissions forwarded through the U.S. Postal Service or any delivery service if lost in transit at any time before submission opening, or if hand-delivered to the incorrect location.
- 2.5 Proposals submitted by facsimile (FAX) or e-mail will not be accepted. Any proposal received after **4:30 p.m. (CST) on February 11, 2015** will be deemed unresponsive and will be returned to Consultant/Firm unopened.

4.0 Public Disclosure

It is understood and agreed upon by the Consultant/Firm in submitting a proposal that the City has the right to withhold all information regarding this procurement until after contract award, including but not limited to: the number received; competitive technical information; competitive price information; and the City's evaluation concerns about competing proposals. Information releasable after award is subject to the disclosure requirements of the Louisiana Public Records Act. Consultant/Firm specifically waives any claims against City related to the disclosure of any materials if made under a public records request.

5.0 City Commitment

- 5.1 City shall have the right to reject or accept any Proposal or offer, or any part thereof (i.e., any component of any proposed solution) for any reason whatsoever and to accept other than the lowest offer, at its sole discretion.
- 5.2 This RFP does not commit the City to award, nor does it commit the City to pay any cost incurred in the submission of the Proposal, or in making necessary studies or designs for the preparation thereof, nor procure or contract for services or supplies. Further, no reimbursable cost may be incurred in anticipation of a contract award.
- 5.3 The City reserves the right to terminate this RFP at any time prior to contract execution.
- 5.4 No prior, current, or post-award verbal conversation or agreement(s) with any officer, agent, or employee of the City shall affect or modify any terms or obligations of this RFP, or any contract resulting from this procurement.
- 5.5 The City reserves the right to revise any part of the RFP by issuing an addendum to the RFP at any time in accordance with the State of Louisiana Revised Statutes 29:728. Issuance of this RFP in no way constitutes a commitment by the City to award a contract. The City reserves the right to accept or reject, in whole or part, all Proposals submitted, and/or cancel this announcement if it is determined to be in the City's best interest. All materials submitted in response to this announcement become the property of the City, and selection or rejection of a submittal does not affect this right.

6.0 Late, Modified, or Withdrawn Proposals

- 6.1 Any proposal received after the exact time specified for receipt will not be considered.
- 6.2 No modification of a proposal, except a modification resulting from the City's request for "best and final offer," will be accepted.
- 6.3 No Consultant/Firm may withdraw his/her proposal within forty-five (45) days after the actual date of opening thereof.

7.0 Evaluation and Selection

7.1 Objective

The purpose is to evaluate all proposals with the ultimate interest of entering into an agreement with that Consultant/Firm determined to be most advantageous to the City, price and other factors considered.

7.2 Evaluation

A Source Selection Committee is appointed by the City President for the purpose of evaluating qualifications and proposals received in response to an RFP. The Committee will evaluate proposals submitted by qualified Consultants/Companies on the basis of the guidelines set forth in the RFP. The City reserves the right to request additional information and clarification of any information submitted.

Evaluation criteria have been established to determine which Company/Consultant will best contribute to the overall goals of the City. This criteria is detailed in Exhibit A, Selection/Scoring Criteria, which is attached hereto and made a part hereof.

The Source Selection Committee will determine if interviews are necessary as part of its evaluation process.

7.3 Recommendation and Selection

The City Administration will present its recommendation to The City of Lake Charles Council for award. As part of the negotiation process, the City reserves the right to negotiate with the successful Company. This award will be made to the most responsible firm or team whose proposal is determined in writing to be most advantageous to the City, based on the scoring criteria set forth in this document. The City also reserves the right to reject any and all proposals.

8.0 Term

The contract shall be for the duration of the project.

9.0 Insurance.

Prior to the signing of this Agreement, Consultant shall furnish to the City proof of coverage for the following:

- a) Professional Liability Insurance as follows:

Minimum Limits of Liability Construction Cost

\$100,000 Up to \$500,000 - \$250,000

\$500,000 up to \$1,500,000 - \$500,000

\$1,500,000 up to \$5,000,000 - \$750,000

\$5,000,000 up to \$10,000,000 - \$1,000,000

\$10,000,000 up to \$20,000,000 TBD by the City

Insurance will be required at the time of execution of this Agreement between the City and Consultant. Proof of coverage will be required at that time. No deductible shall be in excess of five (5%) percent of the required minimum limits of liability coverage.

- b) Comprehensive General Liability with minimum limits of \$500,000 per accident/occurrence.
c) Comprehensive Automobile Liability Insurance with minimum limits of \$300,000 per accident/occurrence
d) Consultant shall provide a certificate of insurance as proof of Workman's Compensation coverage.

10.0 Submittals Required upon Provisional Award

Failure to provide the following documentation within the time period specified may be cause for the provisional award to be voided and the submittal to be rejected as non-responsive:

- Insurance Requirements as specified in Section 9.0, if not currently on file
- A current, fully executed Taxpayer Identification Number (W-9 form)
- A current The City of Lake Charles Occupational License, if applicable.

11.0 Invoices

Certified itemized invoices to the City for the payment of these services shall be submitted to the Finance Department Attn: Missy Billiot PO Box 3706, Lake Charles, LA 70602 by the 10th of each month. All invoices must include a task summary to be processed.

12.0 Hold Harmless

To the fullest extent permitted by law, Company/Consultant shall indemnify, hold harmless, and defend the City Council and all of its Agents and Employees, from and against all claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from performance of the work, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the work itself) including loss of use resulting therefrom, but only to the extent caused in whole or in part by negligent acts or omissions of Company.

13.0 Non-assignability

No Company/Consultant shall assign any interest in this contract by assignment, transfer, or novation, without prior written consent of the City. This provision shall not be construed to prohibit the contractor from assigning his bank, trust company, or other financial institution any money due or to become due from approved contracts without such prior written consent. Notice of any such assignment or transfer shall be furnished promptly to the City.

14.0 Exclusions

Pursuant to Louisiana Revised Statute 38:2227, Contractor must certify that he has not been convicted of, or has not entered into a plea of guilty or nolo contendere to public bribery, corrupt influencing, extortion, money laundering or their equivalent Federal crimes. Consultants must further certify that he has not been convicted of, or has not entered into a plea of guilty or nolo contendere to theft, identify theft, theft of a business record, false accounting, issuing worthless checks, bank fraud, forgery; contractors' misapplication of payments, malfeasance in office, or their equivalent Federal crimes within the five (5) years prior to submitting the proposal.

15.0 Disclosure

Company/Consultant must disclose whether it provides services or pays commissions to any employee or elected official of The City of Lake Charles. If so, company must disclose to whom services are provided and/or commissions are paid. Both positive and negative responses must be submitted.

16.0 E-Verify Program

Pursuant to Louisiana Revised Statute 38:2212.10, contractor must certify that it and each individual, firm or corporation associated with it and engaged in the physical performance of services in the State of Louisiana, under a contract with The City of Lake Charles has registered with, is participating in, and shall continue to participate in a federal work authorization program designated as such under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended, which is operated by the United States Department of Homeland Security, known as the "E-Verify" program. Contractor must verify the legal status of all existing and new employees in the State of Louisiana by attesting herein that each is a citizen of the United States or legal aliens as defined by now effective immigration laws of the United States of America.

E-VERIFY AFFIDAVIT

STATE OF LOUISIANA

PARISH OF _____

BEFORE ME, the undersigned Notary Public PERSONALLY CAME AND APPEARED,

I, _____, the owner/authorized representative of

Company/Individual/Legal Entity Name

Who hereby personally and as the authorized representative of the above identified legal person executes this affidavit, as the undersigned Contractor verification of its current and future compliance with L.S.A.

R.S. 38:2212.10, stating affirmatively that it and each individual, firm or corporation associated with it and engaged in the physical performance of services in the State of Louisiana, under a contract with The City of Lake Charles has registered with, is participating in, and shall continue to participate in a federal work authorization program designated as such under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended, which is operated by the United States Department of Homeland Security, known as the "E-Verify" program. The Contractor hereby verifies the legal status of all existing and new employees in the State of Louisiana by attesting herein that each is a citizen of the United States or legal aliens as defined by now effective immigration laws of the United States of America.

Contractor shall not assign this Contract or any monies due or to become due hereunder, or subcontract any part of the Work without the prior written consent of The City of Lake Charles.

Contractor verifies that Contractor will collect an affidavit in this form from any approved subcontractor and forward a copy to: The City of Lake Charles Purchasing Office, 326 Pujo Street, Lake Charles, Louisiana 70601, no later than five business days of contracting with its subcontractor; however, in no instance shall the affidavit be received after commencement of work by the subcontractor.

Signature of Authorized Signatory

Date E-Verify ID Assigned

Printed Name of Signatory

E-Verify ID

Title of Authorized Signatory

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE DAY OF _____, 20____

Notary Signature

Printed Notary Name: _____

Notary/Bar Roll Number: _____

My Commission is For/Expires: _____

PAST CRIMINAL CONVICTIONS OF BIDDERS ATTESTATION (LA. R.S. 38:2227)

STATE OF LOUISIANA

PARISH OF _____

BEFORE ME, the undersigned Notary Public PERSONALLY CAME AND APPEARED,

I, _____, (Appeared) the owner/authorized representative of

Company / Individual / Legal Entity Name

Appearer, as a Bidder on the herein named Project, does hereby attest that:

A. No sole proprietor or individual partner, incorporator, director, manager, officer, organizer, or member who has a minimum of a ten percent (10%) ownership in the bidding entity named herein, including any silent or dormant owner or manager, has been convicted of, or has entered a plea of guilty or nolo contendere to, any of the following state crimes or equivalent federal crimes:

(a) Public bribery (R.S. 14:118)

(c) Extortion (R.S. 14:66)

(b) Corrupt influencing (R.S. 14:120)

(d) Money laundering (R.S. 14:230)

B. For five years prior to the project bid date, no sole proprietor or individual partner, incorporator, director, manager, officer, organizer, or member who has a minimum of a ten percent (10%) ownership in the bidding entity named herein, including any silent or dormant owner or manager, has been convicted of, or has entered a plea of guilty or nolo contendere to any of the following state crimes or equivalent federal crimes, during the solicitation or execution of a contract or bid awarded pursuant to the provisions of Chapter 10 of Title 38 of the Louisiana Revised Statutes:

(a) Theft (R.S. 14:67)

(f) Bank fraud (R.S. 14:71.1)

(b) Identity Theft (R.S. 14:67.16)

(g) Forgery (R.S. 14:72)

(c) Theft of a business record (R.S. 14:67.20)

(h) Issuing worthless checks (R.S. 14:71)

(d) False accounting (R.S. 14:70)

(i) Malfeasance in office (R.S. 14:134)

(e) Contractor's misapplication of payments (R.S. 14:202)

Name of Bidder

Signature of Authorized Signatory of Bidder

Project Name/Number

Title of Authorized Signatory

SUBSCRIBED AND SWORN BEFORE ME ON THIS _____ DAY OF _____, 20_____

Notary Signature

Printed Notary Name: _____

Notary/Bar Roll Number: _____

My Commission is For/Expires: _____

CITY OF LAKE CHARLES NON-SOLICITATION AND UNEMPLOYMENT AFFIDAVIT

(Pursuant to La. R.S. 38:2224 and La. R.S. 23:1726(B))

STATE OF _____

PARISH/COUNTY OF _____

Before me, the undersigned authority, came and appeared,

I, _____, *the owner/authorized representative of*

Company/Individual/Legal Entity Name

who, being first duly sworn, depose and state that I personally and as an authorized representative of the above identified legal person executes this continuing affidavit stating that neither the above named Contractor nor a person acting on its behalf, either directly or indirectly, employed, paid, nor promised any gift, consideration or commission to any person or legal entity to procure or assist in procuring this public contract, other than persons regularly employed by Contractor whose services were in the regular course of their duties for Contractor in connection with the construction, alteration or demolition of a public building or project.

The above named Contractor, if awarded, continually affirms that no part of the contract price received by Contractor was paid or will be paid to any person, corporation, firm, association, or other organization for soliciting the contract, other than the payment of their normal compensation to persons regularly employed by the affiant whose services were in the regular course of their duties for Contractor.

The above named Contractor hereby attests and certifies that it does not have any unpaid assessment or penalty levied against it regarding unemployment compensation and currently does and will continue to properly classify each employee.

Contractor verifies that Contractor will collect an affidavit in this form from any approved subcontractor and forward a copy to: City of Lake Charles Purchasing, 326 Pujo Street, Lake Charles, Louisiana 70601, no later than five business days after contracting with its subcontractor; however, in no instance shall the affidavit be received after commencement of work by the subcontractor.

Signature of Authorized Signatory

Date E-Verify ID Assigned

Printed Name of Signatory

E-Verify ID

Title of Authorized Signatory

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE DAY OF _____, 20____

Notary Signature

Printed Notary Name: _____

Notary/Bar Roll Number: _____

My Commission is For/Expires: _____

EXHIBIT A

SELECTION/SCORING CRITERIA

The following criteria and corresponding point system will be utilized to evaluate all respondents. All respondents will be ranked according to the point system. The award will be made to the firm which scores the highest number of points and whose costs are deemed reasonable for similar work.

Total: 100 Points

- Firm's experience in general, and, in particular, as involved in work for municipalities, states, or other governmental entities.

No previous experience: 0 pts.

Under contract for 1-5 Projects: 10 pts.

Under contract for over 5 Projects: 25 pts.

- Required Price Consideration 20 pts.

The lowest priced proposal will receive the maximum points for price. Other more expensive proposals will receive reduced amounts of points awarded for price.

- Length of time firm has been in business:

Less than 5 years: 5 pts.

5-10 years: 10 pts.

10-15 years: 15 pts.

Over 15 years: 25 pts.

- Previous CDBG experience: Max 30 pts.

-Describe past CDBG experience (narrative)