



City of Billings

# **Request for Proposals**

**For**

## **W.O. 20-37 City of Billings - Public Works Stormwater Utility Development**

**Request For Proposals**  
**Table of Contents**

**SECTION 1: GENERAL INFORMATION**

**SECTION 2: RULES GOVERNING COMPETITION**

**SECTION 3: SCOPE OF WORK**

**SECTION 4: PROPOSAL AND SUBMISSION REQUIREMENTS**

**SECTION 5: EVALUATION CRITERIA AND SELECTION PROCESS**

**SECTION 5: CONTRACT NEGOTIATION PROCESS**

**REQUEST FOR PROPOSALS**  
**For Professional Services to the City of Billings Public Works Department**  
**Engineering and Professional Services**

---

**SECTION 1 – GENERAL INFORMATION**

**1.1 Purpose**

The City of Billings is soliciting proposals from qualified Consultants to provide engineering and professional services for development of a Stormwater Utility Program.

**1.2 General Submission Information**

The Public Works Department intends to award a single contract for engineering and professional services. The proposal should address the Consultant's capabilities for performing all aspects of the project development process while presenting specific project information and substantiating the Consultant's methodologies and approach for completing the work requested.

**1.3 Questions**

Questions regarding this proposal shall be submitted to:

Tyler Westrope, P.E.  
City of Billings - Engineering  
2224 Montana Avenue  
Billings, MT 59101  
406-247-8656  
westropet@billingsmt.gov

**1.4 Preparation Costs**

The City shall not be responsible for proposal preparation costs, nor for costs including attorney fees associated with any (administrative, judicial or otherwise) challenge to the determination of the highest-ranked Proposer and/or award of contract and/or rejection of proposal. By submitting a proposal each Proposer agrees to be bound in this respect and waives all claims to such costs and fees.

**SECTION 2 – RULES GOVERNING COMPETITION**

**2.1 Examination of Proposals**

Proposers should carefully examine the entire RFP, any addenda thereto, and all related materials and data referenced in the RFP. Proposers should become fully aware of the nature of the Work and the conditions likely to be encountered in performing the Work.

## **2.2 Proposal Acceptance Period**

Award of this proposal is anticipated to be announced within **forty-five (45) calendar days**, although all offers must be completed and irrevocable for **ninety (90) days** following the submission date.

## **2.3 Confidentiality**

The content of all proposals will be kept confidential until the selection of the Contractor is publicly announced. At that time the selected proposal is open for review. After the award of the Contract, all proposals will then become public information.

## **2.4 Proposal Format**

Proposals are to be prepared in such a way as to provide a straightforward, concise delineation of the Proposer's capabilities to satisfy the requirements of this RFP. Emphasis should be placed on:

- Conformance to the RFP instructions
- Responsiveness to the RFP requirements
- Overall completeness and clarity of content

## **2.5 Signature Requirements**

All proposals must be signed. An officer or other agent of a corporate vendor, if authorized to sign Contracts on its behalf; a member of a partnership; the owner of a privately owned vendor; or other agent if properly authorized by a Power of Attorney or equivalent document may sign a proposal. The name and title of the individual(s) signing the proposal must be clearly shown immediately below the signature.

## **2.6 Proposal Submission**

Five (5) copies of the proposal must be received by the City prior to **4:00 PM on Friday, February 28, 2020**. All copies of the proposals must be under sealed cover and plainly marked. Proposals shall be delivered or mailed to:

Tyler Westrope, P.E.  
City of Billings - Engineering  
2224 Montana Avenue  
Billings, MT 59101

## **2.7 News Releases**

News releases pertaining to the award resulting from the RFPs shall not be made without prior written approval of Public Works Department.

## **2.8 Disposition of Proposals**

All materials submitted in response to this RFP become public records under Article II, Section 9 of the Montana Constitution and §§ 2-6-102 and 7-1-4144, MCA and may be distributed by written request pursuant to Montana's Constitutional Right to Know or Public Records Acts.

Information provided in response to this RFP will be held in confidence and will not be revealed or discussed with competitors prior to award of Contract by Council. However, one copy of each proposal submitted shall be retained for the official files of the Department and will become public record after award of the Contract. Fee or Price schedules submitted, but not reviewed by the City, do not become a public record and shall only be retained for official files.

Records and materials that are constitutionally protected from disclosure are not subject to the provisions of this section.

The Consultant understands that, if selected, the City reserves the right to provide its opinion publicly and privately regarding the Consultant's performance.

## **2.9 Modification/Withdrawal of Proposals**

A respondent may withdraw a proposal at any time prior to the final submission date by sending written notification of its withdrawal, signed by an agent authorized to represent the agency. The respondent may thereafter submit a new or modified proposal prior to the final submission date. Modifications offered in any other manner, oral or written, will not be considered. A final proposal cannot be changed or withdrawn after the time designated for receipt, except for modifications requested by the City after the date of receipt and following oral presentations.

## **2.10 Oral Change/Interpretation**

No oral change or interpretation of any provision contained in this RFP is valid whether issued at a pre-proposal conference or otherwise. Written addenda will be issued when changes, clarifications, or amendments to proposal documents are deemed necessary by the Municipality.

## **2.11 Late Submissions**

PROPOSALS NOT POSTMARKED BY THE DATE AND TIME SPECIFIED IN THE COVER LETTER WILL NOT BE CONSIDERED AND WILL BE RETURNED UNOPENED AFTER RECOMMENDATION OF AWARD.

## **2.12 Rejection of Proposals**

The City of Billings reserves the right to reject any or all proposals if determined to be in the best interest of the City.

## **SECTION 3 – SCOPE OF WORK**

### **3.1 Type of Services**

#### Background

The city currently does not have a stormwater utility that is similar to our water and sanitary sewer utilities. The city does have a stormwater fee that is assessed to all properties in the city, so there has been funding for the stormwater system. By not having a formal utility, the stormwater system has not been addressed adequately for many years in terms of deferred maintenance, capital improvements and planning for the future. By creating a stormwater utility, the following benefits can be realized: formalized rules and regulations, a rate structure that is more equitable than the existing fee system, proactive management of the infrastructure, and concentrated city resources to support a critical function.

#### Project Scope

It is the intent of this contact to hire professional services to evaluate the City's existing stormwater infrastructure system and current programmatic approach and make recommendations regarding the necessity, functionality and ultimately implementation of a Stormwater Utility Program. It is anticipated that a phased approach will be utilized. Services and schedules contemplated may include, but are not limited to:

#### Phase I – Program Research and Plan Development

- Review the City's existing stormwater infrastructure system, maintenance practices, policies, staffing and fees/rates and provide recommendations for improvements
- Coordinate information and findings from the City's concurrent Asset Management and GIS Services contracts
- Identify stakeholder groups and facilitate informational meetings
- Provide detailed options of various funding rates and rules and regulations and how they would be implemented

- Detail programmatic options that relate funding to various Levels of Service (LOS) options
- Evaluate organization and staffing needs corresponding to chosen LOS
- Provide recommendations of Phase I development and provide presentation materials for City Council and various Task Groups

### Phase II – Utility Implementation

The scope of Phase II will be based upon the outcome of Phase I, but Phase II is anticipated to include:

- Develop a more formalized rate structure and rules and regulations policies which may include reimbursement and compensation agreements, credits and special assessments
- Provide a risk assessment analysis
- Coordinate with the City to develop the first 5-year CIP plan which may include pipe rehab, master plan implementation and MS4 compliance requirements
- Provide public and City Council education and outreach with related media material
- Implement new rate structure
- Develop an appeals procedure/process for newly implemented rates
- Provide any ordinance change language that may occur as a result of policy changes

## **SECTION 4 – PROPOSAL AND SUBMISSION REQUIREMENTS**

To achieve a uniform review process and obtain the maximum degree of comparability, the proposals shall be organized in the manner specified below. Proposals shall not exceed five (5) pages in length (excluding resumes, title page(s), index/table of contents, attachments, or dividers). Information in excess of those allowed will not be evaluated/scored. One page shall be interpreted as one side of single-spaced, typed, 8½” X 11” sheet of paper.

The submittal shall include a provision under Section 4.4.D - Available Resources for notifying the Department within thirty (30) days of any changes of personnel that are included in this statement and the addition to the Consultant’s staff of personnel who may contribute to the discipline specialties for which the Consultant has been selected. The City reserves the right to approve all personnel changes. The Department also reserves the right to cancel any task request in effect should it determine that the proposed staff is not available or assigned to the task order.

### **4.1 Title Page (1 Page)**

Show the RFP number and project or contract being proposed on, the name of your firm, address, telephone number(s), name of contact person, and date.

#### **4.2 Letter of Transmittal (Limited to 1 Page)**

- A. Identify the RFP project or contract for which proposal has been prepared.
- B. Briefly state your firm's understanding of the services to be performed and make a positive commitment to provide the services as specified.
- C. Provide the name(s) of the person(s) authorized to make representations for your firm, their titles, address, and telephone numbers.
- D. The letter of each proposal must be signed by a corporate officer or other individual who has the authority to bind the firm. The name and title of the individual(s) signing the proposal must be clearly shown immediately below the signature.

#### **4.3 Table of Contents (1 Page)**

Clearly identify the materials by Section and Page Number.

#### **4.4 Proposal Narrative (Limited to 5 Total Pages)**

##### **A. Firm Experience (0-15 Points)**

- 1. Detail the firm's experience in the same or similar areas of expertise, stability, and its adaptability to providing the required services for small task projects.
- 2. Provide at least three references for which your firm has provided the same or similar services. Include a point of contact, current telephone number, and a brief description of the services provided.
- 3. Identify your firm's performance on similar projects, especially noting City work, City work in the project area, and task work of this type. Provide a point of contact for all City work identified. A current telephone number should also be provided if applicable.

##### **B. Project Manager (0-25 Points)**

Provide detailed information on the qualifications and relevant experience of the Project Manager as it relates to the required services. Include project reference contact name(s) and current telephone number(s).

##### **C. Key Project Staff and Subconsultants (0-20 Points)**

Identify key project staff, task leaders, and subconsultants, along with their availability, expected to provide services on behalf of the firm. Resumes should be included for each of the individuals and subconsultants referenced, which details their relevant experience. Performance on projects, especially City, should be noted.



**D. Available Resources and Consultant Location (0-10 Points)**

1. Business History: Provide information on size, resources, and business history of the firm.
2. Provide information on personnel resources available to your firm, which indicates that you have access to the services necessary to perform the work in the time available and within the required standard.
3. Describe the firm's location where the primary services are to be provided and the ability to meet in person with department personnel when required during the performance of the Contract.

**E. Project Methodology and Approach (0-30 Points)**

Provide detailed information on the firm's methodology in meeting the scope of work requirements identified in Section 3. Describe overall approach to include special considerations, which may be envisioned in scoping, completing, and managing small tasks.

**F. Total Possible Score (100 Points)**

**SECTION 5 – EVALUATION CRITERIA AND SELECTION PROCESS**

**5.1 Evaluation Criteria**

Submittals will be evaluated in accordance with the following criteria:

|  |                    |
|--|--------------------|
| A. Firm Experience                             | <b>0-15 Points</b> |
| B. Project Manager                             | <b>0-25 Points</b> |
| C. Key Project Staff and Subconsultants        | <b>0-20 Points</b> |
| D. Available Resources and Consultant Location | <b>0-10 Points</b> |
| E. Project Methodology and Approach            | <b>0-30 Points</b> |
| Maximum Score                                  | <b>100 Points</b>  |

**5.2 Qualitative Rating Factor**

Firms will be ranked using the following qualitative rating factors for each RFP criterion:

|     |                |
|-----|----------------|
| 1.0 | Outstanding    |
| 0.8 | Excellent      |
| 0.6 | Good           |
| 0.4 | Fair           |
| 0.2 | Poor           |
| 0.0 | Unsatisfactory |

The rating factor for each criterion category will be multiplied against the points available to determine the total points for that category.

A committee of individuals representing the City of Billings will perform evaluation of the proposals. The committee will rank the proposals as submitted.

The City of Billings reserves the right to award Contract(s) solely on the written proposal.

The City also reserves the right to request oral interviews with the highest-ranked firms (short-list). The purpose of the interviews with the highest-ranking firms is to allow expansion upon the written responses. If interviews are conducted, a maximum of three firms will be short-listed. A second score sheet will be used to score those firms interviewed.

The final selection will be based on the total of all evaluators' scores achieved on the second rating. The same categories and point range will be used during the second evaluation as for the first. The highest-ranked Proposer(s), after the second scoring, if performed, may be invited to enter into final negotiations with the City for the purposes of Contract Award.

## **SECTION 6 – CONTRACT NEGOTIATION PROCESS**

The highest-ranked Proposer(s) may be invited to enter into Contract negotiations with the City of Billings. If an agreement cannot be reached with the highest-ranked Proposer, the City shall notify the Proposer and terminate negotiations. The second highest Proposer may be contacted for negotiations. This process may continue until successful negotiations are achieved. However, the City reserves the right to terminate negotiations with any Proposer should it be in the City's best interest. The City of Billings reserves the right to reject any and all proposals submitted.