

Request for Qualifications to Provide Engineering and Support Services for the Port of Bay City Authority Grant Program

Legal Notice

The Port of Bay City is seeking statements of qualifications and performance data from prospective consulting firms to provide engineering and support services during calendar year 2024 for public projects related to the MARAD Port Infrastructure Development Program (PIDP) grant award for the West Basin Bulkhead Project.

Technical Areas of Interest

- Engineering
 - General Civil Engineering
 - Geotechnical Engineering
 - Hydraulics/Hydrology
 - Structural Engineering
 - Coastal Engineering
 - Construction Supervision and Quality Assurance
 - Mechanical, Electrical & Plumbing (occasional need for these services)
- NEPA
- Wetland Determinations and Mitigation
- USACE Permitting
- Pavement Management (occasional need for these services)
- Surveying
- Mapping and GIS Services
- Construction Materials Testing
- Federal Project Management and Compliance
- Environmental Services

Firms shall identify in their response to this Request for Qualifications the Technical Areas for which they want to be considered. During the selection process, each firm will be evaluated and ranked as to their qualifications to provide the services for each area of interest. Multiple firms may be selected for projects and services under each of the Technical Areas.

Interested parties may obtain a "Request for Qualifications" from portofbaycityoffice@gmail.com. Responses should be submitted **on or before 4:00 p.m. on May 9, 2024** at the Port of Bay City offices at PO Box 1426, Bay City, Texas 77404.

NOTE: Firms **shall not** provide a fee schedule.

Only those firms or individuals submitting letters of interest and completed qualifications packages that best meet the needs of the Port of Bay City will be considered for the requested services, regardless of past contracts with the Port of Bay City.

Notice of Nondiscrimination

The Port of Bay City complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975 and U.S. Department of Homeland Security regulation 6 C.F.R. Part 19. Therefore, the Port of Bay City does not discriminate, in any of its activities, whether federally funded or not, on the basis of race, color, creed, religion, sex, national origin, age, disability, marital status, sexual orientation, gender identity, genetic information, political opinions or affiliation. POBC will take reasonable measures to provide access to POBC services to individuals with limited ability to speak, write or understand English and/or to those with disabilities.

Complaints of alleged discrimination and inquiries regarding the nondiscrimination policies of the Port of Bay City may be addressed to Sharron Perez at portofbaycityoffice@gmail.com or telephone 979-245-5831.

The Port of Bay City will not tolerate intimidation, threats, coercion, or discrimination against any individual or group for the purpose of interfering with any right or privilege guaranteed under law or regulations, or because the individual has filed a complaint or has testified, assisted, or participated in any way in an investigation, proceeding, or hearing or has opposed any POBC action or decision.

The Port of Bay City, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

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I. General Information

The Port of Bay City is an independent authority within Matagorda County, governed by a six-person board who serve staggered terms of six years. The Port of Bay City was established for the purpose of facilitating waterborne commerce on the lower Colorado River. Over the years the Port Authority has evolved to meet the needs of navigation and drainage in the area.

Project Intent

The Port of Bay City wishes to retain professional consultants to provide engineering and support services for a variety of small and large-scale projects in the technical areas described above. Projects may include the need for extensive meetings with the Port of Bay City Commission, staff, and the general public. Consultants chosen will be required to adhere to any agreed upon schedule and

completion times for various projects. Failure to maintain production on projects may cause the Port of Bay City to terminate the contracts.

This Qualification Package provides guidelines for the submission of qualifications. Statements of qualifications will be kept on file until such time that professional services are required. At that time, selection may be based upon evaluation of statement of qualifications on file or proposals may be requested for a particular public project.

Scope of Services

Working with the Port of Bay City staff and the Port of Bay City Board of Commissioners, the selected individual/firm shall:

- Prepare engineering solutions on issues as they arise in performing the business of the Port of Bay City.
- Complete surveys, geotechnical analysis, infrastructure inspections, site plan schematics and other documents and reports as requested by Port of Bay City staff and the Port of Bay City Board of Commissioners.
- Be available by telephone or in person to act as engineering advisor to the Port of Bay City.
- Attend meetings, in person, with Port of Bay City staff and the Port of Bay City Board of Commissioners as requested.
- Represent the Port of Bay City in engineering issues as they arise in performing the business of the Port of Bay City.
- Perform all other engineering or support services deemed necessary or expedient by the Port of Bay City.

Criteria for Selection

The selected individual / firm shall have:

- Ability to do business within the State of Texas and Matagorda County
- No conflicts of interest for the given project.
- Knowledge and understanding of port authorities and industrial parks.
- Capabilities including financial resources, operational stability, and competence.
- Experience, credentials, and past performance to lead the Port of Bay City in establishing and accomplishing sustainability goals.
- Experience and past performance for clients of similar complexity and size – quality of work, ability to meet schedules, cooperation and responsiveness, references.
- Resources available to perform the required services, including key personnel, project organization, scheduling abilities to accomplish work in a timely and competent manner.
- Respondents are strongly encouraged to have minority, women and/or veterans participate on the team.

The Port of Bay City will consider firms that are multi-disciplinary, as the work will include civil, building structures, docks, harbors, roadway, electrical, mechanical, environmental, and construction engineering. Experience with roadways, levees, and marine-related projects is a plus. Firms must have engineers registered to practice these disciplines in Texas.

Additionally, the successful individual / firm will be required to comply with the provisions of Section 2252.908 of the Texas Government Code and Chapter 46 of the Texas Ethics Commission Rules by preparing and submitting Texas Form 1295, "Certificate of Interested Parties" and submitting the signed and notarized form to the Port of Bay City at the time the contract is executed for any agreement that requires Approval of the Port Commission. The successful individual / firm will be required to submit the Texas Form 1295 using the Port provided project number and description in Box 3 on the form.

The successful individual / firm will be required to comply with the provisions pursuant to Chapter 2271 of the Texas Government Code and verifies that it does not boycott Israel and will not boycott Israel through the terms of an agreement. For purposes of this provision, "boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

The successful individual / firm will be required to comply with the provisions pursuant to Chapter 2252 of the Texas Government Code and represents and certifies that, at the time of execution of an agreement, neither Party, nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the same (i) engages in business with Iran, Sudan, or any foreign terrorist organization as described in Chapters 806 or 807 of the Texas Government Code, or Subchapter F of Chapter 2252 of the Texas Government Code, or (ii) is a company listed by the Texas Comptroller of Public Accounts under Section 806.051, 807.051, or 2252.153 of the Texas Government Code. The term "foreign terrorist organization" in this paragraph has the meaning assigned to such term in Section 2252.151 of the Texas Government Code.

The successful individual / firm will be required to comply with the provisions regarding Discrimination Against Firearm Industry or Trade Association and certifies that neither Party, nor any parent company, wholly- or majority- owned subsidiaries, and other affiliates, if any, has a practice, policy, guidance or directive that discriminates against a firearm entity or firearm trade association, and will not discriminate through the terms of an agreement against a firearm entity or firearm trade association pursuant to Section 2274.002, Texas Government Code, as amended.

The successful individual / firm will be required to comply with the provisions regarding the Energy Company Boycott and certifies that neither Party, nor any parent company, wholly- or majority- owned subsidiaries, and other affiliates, if any, boycotts energy companies or will boycott energy companies through the terms of an agreement pursuant to Section 2274.002, Texas Government Code, as amended.

All applicants will be required to accept and adhere to the U.S. Department of Transportation Maritime Administration General Terms and Conditions and Exhibits, attached at the end of this Request for Qualifications.

II. Statement of Qualifications and Performance Data

Firms interested in performing services in the listed technical areas of interest must exhibit considerable relevant experience with the type of work and should emphasize both the experience and capability of particular personnel who will actually perform the work. They must be fully licensed in the State of Texas for the type of work to be performed, and licensees must remain current during any contract term with the Port of Bay City. Firms presenting legal documentation (e.g., property appraisals) and/or engineering design plans and specifications, surveys, technical reports, etc., to be used as the basis of engineering design shall carry the appropriate type(s) and coverage(s) of insurance consistent with the type of work being performed and Federal State and Local requirements (General Liability - \$1,000,000, Professional Liability - \$1,000,000, and Workers Compensation).

In order to ensure a uniform review process and to obtain the maximum degree of comparability, the qualifications and performance data packages shall be organized in the manner specified below. The packages should be assembled in the order listed below and utilize the headings given. Each Statement of Qualification shall not exceed 25 pages. The 25-page limit does not include the Cover Letter, or the Table of Contents.

Application Package

Cover Letter

The Cover Letter shall list each of the Technical Areas for which the firm wants to be considered. It shall include the name of the person(s) who will be authorized to make representations for the company, their title(s), office location, telephone number(s), and email address.

Table of Contents

Section 1 – Firm Overview

This section should describe the firm's overall capabilities and capacity, its core competencies, and describe what makes the firm uniquely qualified to provide the services specified. It should describe the firm's familiarity with the Port of Bay City and surrounding area, and the proximity of company offices to be used for project work.

Section 2 – Key Personnel and Organizational Chart

This section should identify company principals and staff with resumes and include an organization chart that identifies those individuals who will be most directly involved with the Port's projects. The chart should identify each person's home office, identify the primary point of contact responsible for day-to-day communication and coordination with the Port, and include primary project office location, address, and phone numbers/email addresses. Firm should declare whether they are a minority or woman-owned business, and highlight diversity in employment at their firm, including sub-consultants typically used.

Section 3 – Statement of Qualifications and Performance Data

This section should include a statement of the firm's qualifications and how they relate to the Technical Area(s) of interest for which they want to be considered. Present recent (within the last five years), relevant firm experience that is most similar to the requested scope of services with emphasis on

projects performed in Texas. Applicants are **strongly encouraged to provide performance data** for these projects regarding quality of work, control of project costs, adherence to schedule and deadlines, and any other relevant information.

Section 4 – References

Provide a brief synopsis for work provided to similar clients. Include scope of work, extent of involvement, name of client, **contact person, and phone numbers.**

Section 5 – Approach

Outline the approach to be taken in providing the selected services.

Section 6 – Additional Information

Up to three selections of support materials, such as reviews, news articles and other related information that you feel supports your firm’s qualifications for the project may be included.

III. How to Apply

Individuals / Firms interested in being considered shall submit **2 hard copies of plus 1 e-copy (by email or thumb drive)** of the noted materials before 4:00 pm, May 9, 2024 to:

Sharron Perez portofbaycityoffice@gmail.com
Port of Bay City
PO Box 1426
Bay City, Texas 77404
979-245-5831

All materials submitted become the property of the Port of Bay City and will not be returned unless a self-addressed and stamped envelope with sufficient postage is provided. The Port of Bay City will make every effort to protect submitted materials; however. It will not be responsible for any loss or damage.

The Port of Bay City reserves the right to reject any and all submittals of qualifications.

IV. RFQ Evaluation and Review Procedure

The evaluation factors and weighting points below will be used to rank responsive firm(s) or individual(s) qualified in each of the Technical Areas they have listed in their cover letter.

10 Points	Professional staff, including the education, experience, number of personnel available, and any partnership with subconsultants.
10 Points	General and professional reputation, including responsiveness to civil rights and equal employment opportunities requirements.
10 Points	Past work performance, or evaluations/references from other clients will be considered when the firm has not worked for the Port of Bay City previously.
10 Points	Experience with projects of similar nature as those advertised

40 Points Total

Additional considerations, associated with the factors above, that may be used to assist in the determination of the best-qualified firms may include, but no be limited to, the following:

- Key personnel qualifications and specialized knowledge
- Collaborative relationships and partnerships with sub-consultants
- Coordination with stakeholders
- Technical approach and creativity examples
- Flexibility in dealing with changes in project scope and schedules

Selection Process

Firms will be ranked as the need for engineering services arises, or when a project is planned, in the applicable Technical Area. In the event that two or more firms are ranked very close and there is no clear preference, the firms may be requested to participate in an informal interview to discuss the service or project requirements and the technical approach(s) the firms may consider. Assignment of the work is contingent upon the negotiation of a mutually acceptable performance contract. In the event the Port of Bay City is not able to negotiate a successful contract with the selected firm, the Port reserves the right to cease negotiations and proceed on to the next ranked firm.

FREEDOM OF INFORMATION ACT IS APPLICABLE

All information submitted is fully accessible under the Texas Public Information Act.

Additional Information

If you have questions or need additional information, please contact Sharron Perez, Office Manager, Port of Bay City, at 979-245-5831, portofbaycityoffice@gmail.com.