

*Mayor*  
J. Alan Peoples  
*Mayor Pro-tem*  
Bill Ingham  
*Board Members*  
Crys Armbrust  
Chrelle Booker  
Bill Crowell

# Town of Tryon

*Office of the Town Manager*  
Zach Ollis



*Town Manager*  
Zach Ollis

*Town Clerk*  
Susan Bell

*Town Attorney*  
William Morgan

**RFQ Release Date: Tuesday, August 20, 2019**

## **Request for Qualifications (RFQ)**

**For**

**Lake Lanier Dam Inspections**

**RFQ- 2019-08-20-01**

The Town of Tryon is seeking a professional engineering firm qualified in the State of South Carolina to perform services related to Dam inspections. The requirements for submitting evidence of qualifications are provided herein.

Proposals are due no later than 3:00pm on Wednesday, August 21, 2019. If your firm would like to be considered for providing the required services, please submit one (1) originally signed and three (3) copies, all bound, in addition to one (1) electronic copy in PDF format (provided on CD or flash drive), of your Statement of Qualifications (SOQ). The SOQ is to be submitted per the instructions outlined within this RFQ. Attached is a sample of a standard professional services agreement that will be presented to the selected firm. Please review prior to submitting your SOQ.

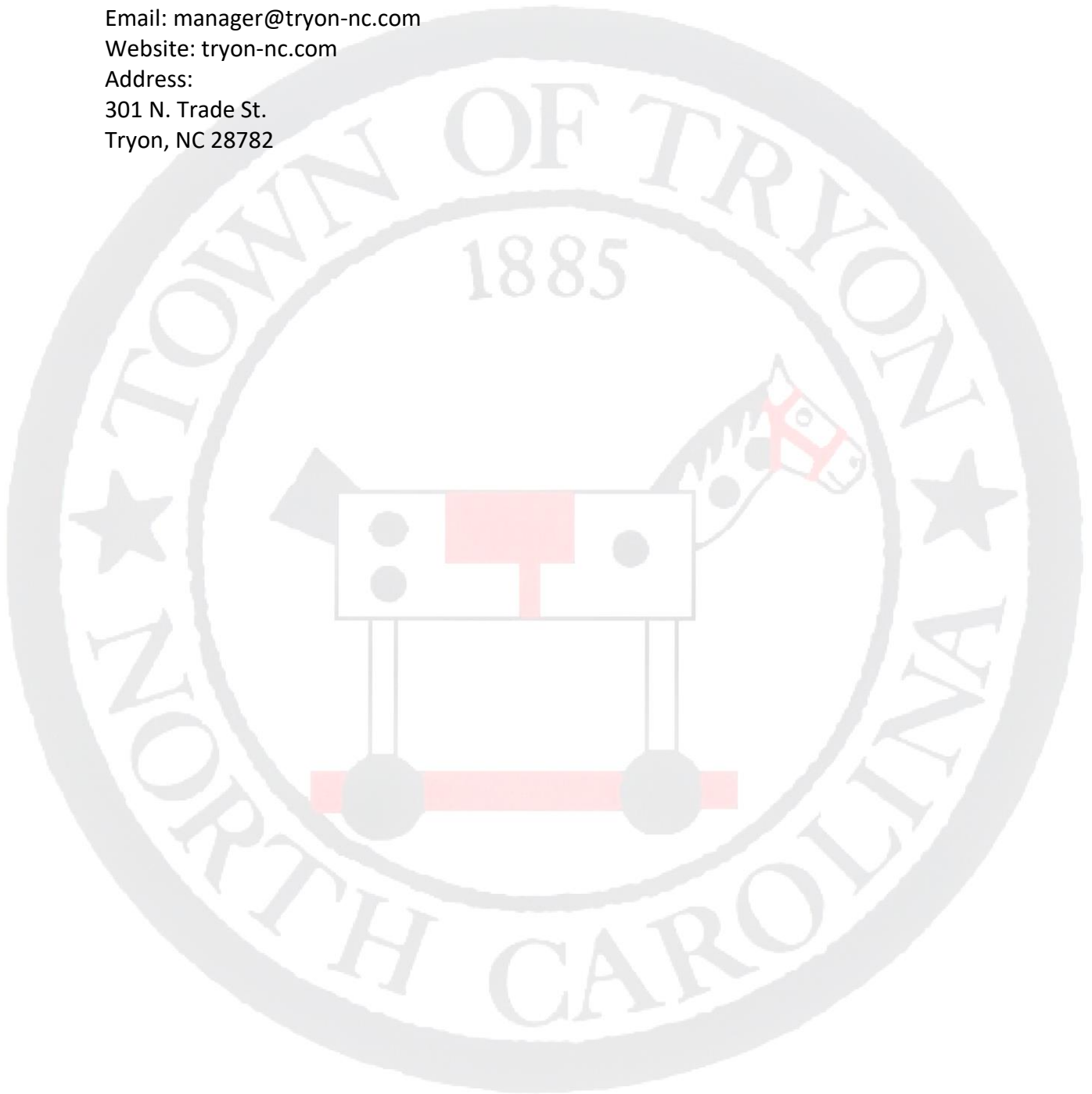
The full RFQ document, addenda, clarifications, and all other related information will be posted on The Town of Tryon website at [www.tryon-nc.com](http://www.tryon-nc.com). Each firm is responsible for checking the Town of Tryon Website to obtain the latest information.

The Town of Tryon appreciates your interest in providing professional services for this project.

Sincerely,

Zach Ollis  
Town Manager  
Tryon, NC

Zach Ollis  
Town Manager  
Tryon, NC  
Office: 828.859.6655  
Fax: 828.859.6653  
Email: [manager@tryon-nc.com](mailto:manager@tryon-nc.com)  
Website: [tryon-nc.com](http://tryon-nc.com)  
Address:  
301 N. Trade St.  
Tryon, NC 28782



**Request for Qualifications (RFQ)**  
**For**  
**Lake Lanier Dam Inspections**  
**RFQ- 2019-08-20-01**

**Description of Project**

The Town of Tryon is seeking a professional engineering firm qualified in the State of South Carolina to perform services related to inspections at the Lake Lanier Dam. The State of South Carolina and the Department of Environmental and Health Control has required that the Town of Tryon submit a detail inspection no later than December 1, 2019.

This RFQ is not a request for technical proposals. It is a request for firm qualifications with an emphasis on qualifications related to technical investigation and diagnostics, license to operate in SC, and government interaction.

Firm selection will require firms capable of understanding and providing services to complete on call services and task orders including but not limited to the following:

1. Investigate and analyze the Lake Lanier Dam.
2. Perform a detailed inspection that meets the requirements set forth by DHEC.
3. Perform Hydrologic analysis and Hydraulic analysis to DHEC standards.
4. Perform subsurface geotechnical investigation to DHEC standards.
5. Define a scope and opinion of probable cost for required engineering plans and specifications for repairs based on the above investigations and analysis.
6. Prepare plans and specifications for repairs.
7. Construction Administration of installation and repairs of the plans and specifications.

The qualified engineer will provide on call services and task orders. The winning firm will only provide services and task orders for the engineering related to the Lake Lanier Dam inspection. The Town of Tryon reserves the right to release additional RFQ's as they deem appropriate for any reason for any specific project related to the Lake Lanier Dam Inspection. This RFQ does not apply to any other engineering services within the Town of Tryon nor does it bind the Town to use the selected firm for any other project within the Town of Tryon.

**Schedule of Events**

RFQ release 8:30 AM local time on Wednesday, August 21, 2019

Last day to submit RFQ questions 3:00 P.M. local time on Wednesday, August 28, 2019

RFQ submission deadline 3:00 PM local time on Thursday, August 29, 2019

**Project Status**

Once the RFQ responses are received, the Town Manager for the Town of Tryon will prepare a report and recommendation to the Board of Commissioners. The Board will then approve, amend, or reject the engineer recommendation. Once selected, the engineer will work with the

Town Manager in developing a scope of investigation and analysis services to determine how to move forward with the Lake Lanier Dam Inspection.

**Statement of Qualifications (SOQ) Preparation**

If your firm would like to be considered for providing the required services to the Town of Tryon, please submit one (1) originally signed and three (3) copies, all bound, in addition to one (1) electronic copy in PDF format (provided on CD or flash drive), of your SOQ. The name and address of the proposer and RFQ-2019-08-20-01, including RFQ Title, shall be placed on the outside of the package. SOQs shall be addressed and delivered to:

Town Of Tryon  
ATTN: Zach Ollis, Town Manager  
301 N. Trade St.  
Tryon, NC 28782

SOQs may be mailed, or hand delivered to the 301 N. Trade St. Tryon, NC 28782. Proposals must be submitted in a sealed envelope or box with the following information clearly notated on the face of it:

SOQ ENCLOSED  
RFQ-2019-08-20-01  
Name of Firm  
Address of Firm

If submitted via mail (by a third party vendor), the outside sealed SOQ envelope or box must contain the aforementioned information clearly notated on the face of it.

If hand delivered, the SOQ envelope must be handed directly to either Zach Ollis, Susan Bell, Jeff Arrowood, or Tim Daniels.

No responsibility will be attached to the Town for prematurely opening a SOQ not properly addressed or identified.

Each Firm is solely responsible for the timely delivery of their SOQ. Firms accept all risks of late delivery regardless of fault. Any SOQ received after the date and time specified, regardless of the mode of delivery, shall not be considered.

The SOQ Package should consist of the information described below. Limit your proposal to eight (8) double-sided pages (or sixteen (16) single-sided pages). Page size should be 8.5" x 11" and type size should be no smaller than 11 points for narrative sections, but may be reduced for captions, footnotes, etc. as required while still maintaining legibility. Front and back covers, dividers, and required Exhibit forms will not count toward the page limit. Promotional literature, brochures, and the cover letter will be considered as part of the page limit. Statements consisting of more than the previously stated page limit may be rejected.

## **Cover Letter**

Cover letter should be signed by a person empowered to commit the firm to a contractual arrangement with the Town of Tryon.

## **Section One: Project Team**

Provide an organizational chart identifying members of the team, including subconsultants who would be assigned to this project. The chart should clearly delineate roles and responsibilities of the various team members.

For proposed subconsultants, please provide the name of each firm, the office location, contact name and telephone number, and the services to be provided.

Provide brief bios for the team members listed on the organizational chart. For each team member, provide his/her length of time with the firm, relevant experience for this project, professional registrations/certifications listing applicable state(s), and location. Particular emphasis should be placed on the project manager. The continuity of the selected Firm's key personnel throughout this project is vital to the success of this project. To that end, the individual(s) proposed for this project must be able to guarantee their commitment to this project. Background information for all team members should include:

## **Section Two: Experience**

Firms should do their best to demonstrate experience with the following emphasis:

1. Investigation and analysis of high hazard dams.
2. Experience in dealing with laws, requirements, and submittals in the State of South Carolina.
3. Experience in Hydrologic analysis and Hydraulic analysis with DHEC standards.
4. Experience in subsurface geotechnical investigation to DHEC standards.
5. Experience with management of construction administration utilizing plans and specifications.
6. Experience working with government agencies including municipal, state, and federal.

For each example project your project team has completed, provide a brief project summary, dates of design and construction completion, identify the Owner and include the name and phone number of a contact person. In addition, indicate which member(s) of your proposed project team had key roles in the projects, and what those roles were.

Proposers may list ongoing projects; however, preference may be given to proposers providing completed projects. Highlight any projects that utilized federal or state funding.

Firms shall submit experience for a minimum of three projects. Firms may include additional projects as long as the page limit is not exceeded.

### **Section Three: Approach**

Describe the general methodology your firm uses to investigate, analyze, and diagnose high hazard dams. Provide your firm's methodology and philosophy for communication with clients.

Summarize why your firm should be selected.

### **Section Four: Rate Structure**

Provide an hourly rate structure for team members for on call services such as scope consulting. Fee proposals will be requested for task orders once a scope for a task order is determined.

### **Required Forms**

Please note these forms are occasionally updated. Firms need to sign and submit the forms provided in the Exhibits section of this RFQ instead of submitting previously signed forms.

Exhibit 1 – Firm Information

Exhibit 2 – E-Verify Certification

### **Evaluation Criteria**

SOQ packages will be evaluated on the Firm's ability to meet the requirements of this RFQ. Evaluations will focus on relative strengths, weaknesses, deficiencies and risks associated with the SOQs. Factors will include the following:

- Experience with High Hazard Dams in the State of South Carolina (Critical selection criteria)
- Transparency, Honesty, and Integrity (Critical selection criteria)
- Reliability in completing projects and project deadlines on an agreed upon schedule (Critical selection criteria)
- Ability to communicate deadlines, status updates, and time sensitive information to points of contact within town and contractors. (Critical selection criteria)
- Familiarity with the town and surrounding area
- Professional personnel
- Qualifications and abilities of key individuals identified in the Qualifications Package
- References.

The Town is an Equal Opportunity Employer and encourages small, minority, and female-owned businesses to submit qualifications.

### **Additional Information about this RFQ**

Addenda / Question and Answers; Firms may submit written questions concerning this RFQ to Zach Ollis, Town Manager via email at [manager@tryon-nc.com](mailto:manager@tryon-nc.com). Questions received after the stated deadline in the Schedule of Events will not be answered. No oral statement of any person shall modify or otherwise change or affect the terms, conditions, or specifications stated in the RFQ, and changes to the RFQ, if any, shall be made in writing only and issued in the form of an Addendum to the RFQ. Addenda and clarifications will be posted on the Town of Tryon website at [www.tryon-nc.com](http://www.tryon-nc.com).

## **Selection Process**

The Town of Tryon will conduct a fair and impartial evaluation of all SOQ's that are received in accordance with the provisions of this RFQ. They reserve the right to obtain clarification of any point in a firm's/team's Qualification Package or to obtain additional information. All firms/teams who submit Qualification Packages will be notified of the firm selection. Final approval of any selected firm/team is subject to the action of Tryon Board of Commissioners.

## **Failure to Comply with Instructions**

The Town of Tryon may choose to exercise the following options for SOQ packages that fail to comply with any requirement of this RFQ:

- a) assign a low rating;
- b) deem the SOQ non-responsive and remove the SOQ from further consideration.

Modification or Withdrawal of SOQs; Firms may change or withdraw their SOQs at any time prior to the due date by providing written notice via email to Zach Ollis, Town Manager. In order to be effective, the intent of the notification must be clear and concise.

Withdrawal of a SOQ will not preclude a Proposer from subsequently submitting a new SOQ, so long as that new SOQ is properly submitted and received as required herein prior to the SOQ Due Date.

## **Negotiations and Modification of Contract Documents**

The Town of Tryon reserves the right to conduct negotiations with the Proposer regarding any remaining issues provided that the general work scope remains the same and that the field of competition does not change as a result of changes to the requirements stated in the RFQ. The Town of Tryon will make such modifications to the Contract Documents as it may determine, in the exercise of its sole discretion, to be necessary to fully incorporate the terms of the Proposer's Statement of Qualification, or to correct any inconsistencies, ambiguities, or errors that may exist in the Contract Documents. If, Tryon determines that the highest qualified Proposer is not responsive to the negotiation process, or that the parties will be unable to reach a mutually-acceptable Contract, the Town may terminate negotiations with the Proposer. The Town of Tryon will then continue the process of negotiation with the next highest qualified Proposer until they either successfully negotiate a Contract or cancel the procurement.

## **Public Records**

Upon receipt, each Qualifications Package becomes the property of the Town of Tryon and is considered a public record except for material that qualifies as "Trade Secret" information under North Carolina General Statute 66-152 et seq. Qualifications Packages will be reviewed by the Town of Tryon, Tryon Board of Commissioners, as well as other town staff and members of the general public who submit public record requests after a selection result has been announced to the public. To properly designate material as a trade secret under these circumstances, each firm must take the following precautions;

1. any trade secrets submitted by a firm should be submitted in a separate, sealed envelope marked "Trade Secret - Confidential and Proprietary Information - Do Not Disclose Except for the Purpose of Evaluating this Qualifications Package," and;
2. the same trade secret/confidentiality designation should be stamped on each page of the trade secret materials contained in the envelope.

In submitting a Qualifications Package, each firm agrees that the Town may reveal any trade secret materials contained in such response to all town staff and town officials involved in the selection process and to any outside consultant or other third parties who serve as selection reviewers or who are hired by the Town to assist in the selection process. Furthermore, each firm agrees to indemnify and hold harmless the Town of Tryon and each of its officers, employees, and agents from all costs, damages, and expenses incurred in connection with refusing to disclose any material that the firm has designated as a trade secret. Any firm that designates its entire Qualifications Package as a trade secret may be disqualified from the selection process.

E-Verify; As a condition for payment under this Contract, Company shall:

1. comply with the E-Verify requirements set forth in Article 2 of Chapter 64 of the North Carolina General Statutes (the "E-Verify Requirements"); and
2. cause each subcontractor under this Contract to comply with such E-Verify Requirements as well. Company will indemnify and save harmless the Town from all losses, damages, costs, expenses (including reasonable attorneys' fees), obligations, duties, fines, penalties, interest charges and other liabilities (including settlement amounts) incurred on account of any failure by Company or any subcontractor to comply with the E-Verify Requirements.

### **Conditions and Reservations**

The Town of Tryon reserves the right to request substitutions of subconsultants. The Town reserves the right to contact any Proposer if such is deemed desirable to obtain any additional information including but not limited to experience, qualifications, abilities, equipment, facilities, and financial standing. The Town reserves the right to conduct investigations with respect to the qualifications and experience of any Proposer. The Town reserves the right to contact any firm/team to negotiate if such is deemed desirable. The Town reserves the right to reject any or all responses to the RFQ, to advertise for new RFQ responses, or to accept any RFQ response deemed to be in the best interest of the Town. The Town of Tryon reserves the right to waive technicalities and informalities.

A response to this RFQ should not be construed as a contract, nor indicate a commitment of any kind. No recommendations or conclusions from this RFQ process concerning any firm shall constitute a right (property or otherwise) under the Constitution of the United States or under the Constitution, case law or statutory law of North Carolina. No binding contract, obligation to negotiate, or any other obligation shall be created on the part of the Town unless they and a firm jointly execute a contract.

### **Cost of SOQ Preparation**

The town of Tryon accepts no liability for the costs and expenses incurred by Proposers responding to this RFQ, in preparing responses for clarification, in attending interviews, participating in contract development sessions, or in attending meetings and presentations required for the contract approval process. Each Proposer that enters into the procurement process shall prepare the required materials and proposals at its own expense and with the



express understanding that the Proposer cannot make any claims whatsoever for reimbursement from the Town for the costs and expenses associated with the procurement process. The RFQ does not commit the Town to pay for costs incurred in the submission of a response to this RFQ or for any cost incurred prior to the execution of a final contract.

Registration with Secretary of State for North Carolina; Any Proposer wishing to be considered for the Services must be properly registered with the Office of the Secretary of State at the time of submission of the SOQ. The firm(s) selected under this RFQ will be responsible for providing all professional, technical, managerial, and administrative staff with the appropriate skills and qualifications to perform the required Services.

### **Communication Guidelines**

Firms and their staff are prohibited from communicating with elected Town officials and Town employees regarding the RFQ or proposals from the time the RFQ has been released until all respondents have been notified and the selection results have been publicly announced. These restrictions extend to “thank you” letters, phone calls, and emails and any contact that results in the direct or indirect discussion of the RFQ and/or the Qualification Package submitted by the firm/team. Violation of this provision by the firm/team and/or its agents may lead to disqualification of the firm’s/team’s proposal from consideration.

No Lobbying; The Proposer certifies that it has not and will not pay any person or organization to influence or attempt to influence an officer or employee of the Town or the State of North Carolina in connection with obtaining a contract under this RFQ.

The Town of Tryon is an Equal Opportunity Employer and encourages small, minority, and female-owned businesses to submit qualifications.

**EXHIBIT 1 FIRM INFORMATION**

Project: Inspection of Lake Lanier Dam

Exhibit 1 consists of the following 2 pages and should be signed by a person empowered to commit the firm to a contractual arrangement with the Town of Tryon. The person executing Exhibit 1, on behalf of the Company, being duly sworn, solemnly swears (or affirms) the following:

He/she has fully read the RFQ document and agrees to the contents.

The information contained in this Proposal, including its forms and other documents, delivered or to be delivered to the Town, is true, accurate, and complete. This Proposal includes all information necessary to ensure that the statements therein do not in whole or in part mislead the Town as to any material facts.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**PROPOSER INFORMATION**

Company Legal Name: \_\_\_\_\_

SC Board of Examiners for Engineers and Surveyors License No.: \_\_\_\_\_

Mailing Address (Headquarters): \_\_\_\_\_

Mailing Address (Local Office, if different from above): \_\_\_\_\_

Person(s) to Contact Regarding Proposal (including questions and selection announcements):

Contact 1 Name: \_\_\_\_\_

Contact 1 Email: \_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Contact 2 Name: \_\_\_\_\_

Contract 2 Email: \_\_\_\_\_

Phone: \_\_\_\_\_

**Type of Company (check one)**

- Sole Proprietor
- Partnership
- Corporation | State of Incorporation: \_\_\_\_\_
- Limited Liability Company | State of Incorporation: \_\_\_\_\_
- Joint Venture (Exhibit 1 must be completed by each joint venture company)

Name of Joint Venture: \_\_\_\_\_

**Does the Company or any key individual have any conflicts of interest with this project?**

- No
- Yes (If yes, please attach an additional sheet explaining.)

Does the Company or any key individual:

- A. currently have any unresolved claims, disputes, and/or litigation with the Town of Tryon?
- B. have claims, disputes, and/or litigation with the Town of Tryon resolved/settled within the past 5 years?

- No
- Yes (If yes, please attach an additional sheet explaining.)

**Proposal contains confidential / proprietary / trade secret information:**

- No
- Yes (If yes, pages must be clearly identified.)

**Acknowledgement of Addenda:**

No.: \_\_\_\_\_ Date: \_\_\_\_\_

No.: \_\_\_\_\_ Date: \_\_\_\_\_

No.: \_\_\_\_\_ Date: \_\_\_\_\_

No.: \_\_\_\_\_ Date: \_\_\_\_\_

EXHIBIT 2  
E-VERIFY CERTIFICATION

Project:

Lake Lanier Dam Inspection for The Town of Tryon

This E-Verify Certification is provided to the Town of Tryon ("Town") by the company signing below ("Company") as a prerequisite to the Town considering Company for award of a Town contract (the "Contract").

1. Company understands that:

- a. E-Verify is the federal program operated by the United States Department of Homeland Security and other federal agencies to enable employers to verify the work authorization of newly hired employees pursuant to federal law, as modified from time to time.
- b. Article 2 of Chapter 64 of the North Carolina General Statutes requires employers that transact business in this state and employ 25 or more employees in this state to: (i) verify the work authorization of newly hired employees who will be performing work in North Carolina through E-Verify; and (ii) maintain records of such verification (the "E-Verify Requirements"). Section 126-7.1 of the North Carolina General Statutes requires state agencies to verify their employees' work statuses through E-Verify.
- c. North Carolina General Statute 160A-20.1(b) prohibits the Town from entering into contracts unless the contractor and all subcontractors comply with the E-Verify Requirements.

2. As a condition of being considered for the Contract, Company certifies that:

- a. If Company has 25 or more employees working in North Carolina (whether now or at any time during the term of the Contract), Company has complied and will comply with the E-Verify Requirements with respect to Company employees working in North Carolina; and
- b. Regardless of how many employees Company has working in North Carolina; Company will take appropriate steps to ensure that each subcontractor performing work on the Contract that has 25 or more employees working in North Carolina complies with the E-Verify Requirements.

3. Company acknowledges that the Town will be relying on this Certification in entering into the Contract, and that the Town may incur expenses and damages if the Town enters into the Contract with Company and Company or any subcontractor fails to comply with the E-Verify Requirements. Only in the manner and to the extent permitted by the North Carolina Tort Claims Act, N.C.G.S. § 143-291, et seq., and without waiver of its sovereign immunity, company agrees to indemnify and save the Town harmless from and against all losses, damages, costs, expenses obligations, duties, fines and penalties (collectively "Losses") arising directly or indirectly from violation of the E-Verify Requirements by Company or any of its subcontractors, including without limitation any Losses incurred as a result of the Contract being deemed void.

\_\_\_\_\_  
Name of Company

\_\_\_\_\_  
Signature of Company's Authorized Official

\_\_\_\_\_  
Date