

# Request for Proposals

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**For an Inspection Engineer Related to  
the California High-Speed Rail Project**

**Madera Valley Water Company**

**Issue Date: March 19, 2021  
Response Date: April 7, 2021**

# Request for Proposals

## For an Inspection Engineer Related to the California High-Speed Rail Project.

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#### **I. Introduction and Background**

The Madera Valley Water Company (“Company”) is a non-profit mutual benefit corporation located in an unincorporated area of Madera County. The Company is a private water company which provides potable water service to its shareholders. The Company currently has approximately 1,950 shareholders and serves approximately 9,000 residents. The California High Speed Rail Authority (“Authority”) project currently being constructed in the Central Valley (the “Project”) bisects the Company’s water system requiring the relocation of several of the Company’s facilities.

The Company and Authority have entered into an Agreement for the relocation of these facilities, the costs of which will be paid for by the Authority including costs for work performed by the Company. All reimbursements from the Authority to the Company must be determined and allowable in accordance with 48.C.F.R. Part 31, Sub-Part 31.7, and U.S. OMB Circular A-122, Cost Principles for Non-Profit Organizations. Some of the work to be performed by the Company will include work done by an independent Inspection Engineer (“Consultant” or “Inspection Engineer”), contracted by the Company in compliance with the procurement procedures set forth in 49 CFR Sub-Title A Section 18.36. All reimbursable work under the Agreement must also comply with the Authority’s standard conditions which are set forth in the Relocation Agreement No.1 and Attachments thereto, attached hereto and incorporated herein by this reference as Attachment 1.

This Request for Proposal (RFP) describes the required scope of services, proposal submission process, minimum information that must be included in the proposal, and consultant selection process. Failure to submit information in accordance with these requirements and procedures may result in disqualification.

#### **II. Scope of Services**

The relocation of Company facilities required by the Authority’s Project will be done in multiple phases over a period of approximately three years (the “Relocation Project”). The construction work will be completed by the Authority’s contractor. The primary work to be performed by the Inspection Engineer is inspection of the construction work as it is being done by Authority’s contractor. It is anticipated that most of the services to be performed by the Inspection Engineer will be done in phases over the length of the approximately three-year relocation period. All inspections performed by Inspection Engineer shall be performed by a licensed civil engineer or his or her designee who may be a licensed civil engineer pursuant to a separate contract between Inspection Engineer and a licensed engineer.

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The Scope of Services to be provided by Consultant shall include, at a minimum, the following:

- A. Perform inspections in all phases of construction using civil engineers as inspectors with at least two (2) years of experience and licenses or certifications in the subject area of inspection.
- B. Be prepared to provide requested services for a period of three (3) years with possible two (2) year extension. Company anticipates the requested services will be needed from time to time as the phases are constructed. Company will inform Consultant when it approves any phase of the Relocation Project and notify the Consultant when each phase of the Relocation will begin.
- C. Phase 1 of the Road 27 pipeline relocation project will begin as soon as possible after a proposal is selected. This potentially means that inspections could start as early as April 19, 2021, with a construction kick-off meeting on April 16, 2021.
- D. The Authority will be expediting some or all of the phases of the Relocation Project. This means that construction may be performed 10 or more hours per day, six days per week.
- E. Review of Relocation Agreement No. 1 ("Agreement No. 1") between the Company and Authority and have a general knowledge of the obligations of the Parties as they related to the relocation of the facilities. A copy of Agreement No. 1 is attached hereto and incorporated herein by this reference as Attachment 2.
- F. Review and understand the Company's facility construction standards contained in Agreement No. 1 Phase 1 construction standards are contained in the workplan attached to Agreement No. 1 as Attachment D) prior to the commencement of each phase of the Relocation Project. The Company standards will be incorporated into the plans for each phase of the Relocation Project.
- G. Review and understand the plans and specification of each phase of the Relocation Project prior to the commencement of each phase.
- H. Identify the location of water valves which may be affected by each phase of the Relocation Project.
  1. Only Madera Valley water Company employees are to close and open valves.
  2. Consultant is responsible for lock out tag or other mitigating measures to prevent unauthorized closing or operating of any Company water valves.

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- I. Attend a construction kick-off meeting for each phase of the Relocation Project.
- J. Identify each designee of the Authority performing work on each phase of the Relocation Project and what work or roll each designee has in relation to the Project.
- K. Be on site at all times during construction/relocation of Company facilities by Authority's contractor. Consultant must be able to supply inspectors on relatively short notice
- L. Conduct toolbox/safety meeting at beginning of each workday, and document all pertinent information related to the day's work, including but not limited to:
  - 1. Each person attending the meeting/who they represent.
  - 2. The weather conditions.
  - 3. Each designee or contractor on site.
  - 4. The time the meeting begins and ends.
  - 5. A description of the work that will be performed that day.
  - 6. Who is performing the work and what equipment they are utilizing.
  - 7. A summary of all items discussed at the meeting.
  - 8. Any other relevant information that Inspector believes Company should be made aware of.
- M. Provide a copy of the toolbox/safety meeting documentation to the company each day with the daily report.
- N. Inspect all facility work as it is performed to validate that all work is done, and all parts, supplies and materials are in conformity with:
  - 1. The approved plans and specifications.
  - 2. Madera Valley Water Company specifications.
- O. Inspect all materials as delivered or before installed to ensure that all parts and material comply with the plans and specifications and are in proper condition for use as intended on the plans and specifications.
- P. Immediately notify Authority's Contractor and Company or Company Engineer if there is any deviation from the approved plans and specifications, any unanticipated problem or issue, any accident or damage to any property or injury to any person, or if questions regarding arise regarding the plans and specifications, performance of the work or any other matter related to the Relocation Project. If necessary, stop construction activities until the deviation, problem or safety issue is addressed.

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- Q. Due to the nature of the construction all work must be completed in full compliance with the plans and specifications prior to the burying of pipelines and other facilities. Inspector shall, on an ongoing basis, maintain a list of any incomplete, missing or defective work so that the Company can provide a “punch list” to the Authority upon substantial completion of each phase of the Relocation Project as described below.
- R. At the end of each day prepare a daily report, which will document all pertinent information related to the day’s work, including but not limited to:
1. The weather conditions.
  2. Each designee or contractor on site.
  3. The time the work began and ended.
  4. A description of the work that was performed that day.
  5. Who performed the work and what equipment was utilized.
  6. Any other relevant information that Inspector believes should be documented/Company should be made aware of.
  7. Document any punch list items.
  8. A copy of the toolbox/safety meeting report.
- S. Provide a copy of the daily report to the Company.
1. Greg Rodgers, Company’s General Manager
  2. Rodney Smith, Company’s Superintendent
- T. Upon substantial completion of each Relocation Project phase, (notice of substantial completion is provided by the Authority pursuant to section 4.4 of the Relocation Agreement No. 1) shall coordinate with Company and Company’s engineer to prepare a punch list and inspect all work performed to correct all items on the punch list.

### **III. Pre-Submission Activities**

#### A. Questions Concerning Request for Proposals

All questions regarding the RFP should be submitted electronically by 3:00 PM PST on March 26, 2021 to:

[gregrodgers@mvmc.net](mailto:gregrodgers@mvmc.net)

Subject line: Questions for RFP: Inspection Engineer.

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#### B. Revision to the Request for Proposals

Company reserves the right to revise the RFP prior to the date the Proposals are due. Revisions to the RFP shall be sent to all potential Proposers. Company reserves the right to extend the date by which the Proposals are due.

#### IV. Submission of Response to RFP

Responses to the RFP may be submitted either electronically or by mail no later than 3:00 p.m. PST on April 7, 2021. The Company will not accept any proposals after the deadline date and time. If RFP's are submitted by mail, the Proposer should mail the proposal in enough time to ensure delivery prior to this deadline. Anyone who chooses to submit a proposal via mail or courier service does so that their own risk and should confirm with the Company that the proposal was received.

All proposals submitted electronically should be sent to: [gregrodgers@mwwc.net](mailto:gregrodgers@mwwc.net) with: Response to RFP; Inspection Engineer.

All proposals submitted by mail should be addressed to:

Madera Valley Water Company  
Attn: Greg Rodgers, General Manager  
18454 Road 26  
Madera CA 93638

marked: Response to Request for Proposals; Madera Valley Water Company Inspection Engineer]

#### V. Content and Organization

##### A. General.

Proposals should be limited to specific discussion of the elements outlined in this RFP. It is the intent of the Company that the proposals will give the Company an understanding of each consultant's experience and qualifications related to appointment as Company's Inspection Engineer.

##### B. Submittal Layout.

The organization of the proposal shall follow the general outline below:

1. Transmittal Letter.
2. Introduction.
3. Qualifications.
4. Consultant(s) and Sub-consultant(s) Staff.
5. Consultant(s) and Sub-consultant(s) Qualifications and References.

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6. Qualifications: Licensure.
7. Resumes.
8. Fee Schedule.

#### C. Description of Submittal Layout.

##### 1. Transmittal Letter.

a) Contact Information. The Transmittal Letter should identify the Proposer(s) and include the name, title, address, phone number and email address of each individual who may be contacted during the proposal evaluation period.

b) The Transmittal Letter should also include the name, title, contact information and signature of each person with the authority to negotiate on behalf of and to contractually bind the Proposer.

c) Page Limitation. The Transmittal Letter may be up to two pages.

##### 2. Introduction.

a) The Proposer should provide an overview of their qualifications and experience of the type or potential types of work that may be performed and provide an understanding of the roll of contract Inspection Engineer.

b) The Introduction may not exceed two pages.

##### 3. Qualifications.

a) This section may include a brief statement to show the Proposer's experience and understanding of the services to be performed as the Company's Inspection Engineer.

b) This Section not to exceed four pages.

##### 4. Consultant, Sub-contractor of the consultant, and/or Staff.

a) This section should describe the qualifications and experience of each professional who will have input or participate in performing Inspection functions. Proposer should include, where applicable, the identification of the Relocation Project manager(s) along with each person who will manage the various tasks to be performed. An organizational chart may be helpful but is not required.

b) This section not to exceed four pages.

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#### 5. Qualifications and References.

a) This section should describe the nature and outcomes of previous projects completed by the consultant, sub-contractor of the consultant, or team related to the work described in the RFP, herein. Description should include contact names, contact information, and a description of the type of work performed and approximate dates when the work was conducted/completed. The description may also include the name(s) of staff or team members who performed the work.

b) Proposer may attach an exhibit or exhibits showing a sample of the Proposer's work as an Attachment "B" to the proposal. The attachment shall not exceed 20 pages.

c) This section (excluding the Attachment referenced in the above section) may not exceed four pages.

#### 6. Qualifications: Licensure or Certification

a) This section provide evidence that the consultant and/or the subcontractors of the Consultant are appropriately licensed or certified to perform the work described in this RFP, herein.

b) Maximum of one (1) page per staff or team member.

#### 7. Resumes.

a) The proposal may include resumes of each key member of Proposer's staff.

b) Maximum of one (1) page per staff or team member.

#### 8. Fee Schedule.

a) Should include a current billing rate schedule<sup>1</sup> for the Consultant and subcontractor(s) of the Consultant.

b) Maximum of four pages.

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<sup>1</sup> Rate schedule information to be used to determine a fair and reasonable rate to comply with 49 CFR Subtitle A § 18.36 (d)(3)(v).

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#### 9. Available Resources

a) All responses must state that the proposer has the ability to perform inspection services on Phase 1 of the Relocation Project or provide a date when Proposer will have the ability to perform those services.

b) All responses must state that proposer has the necessary personnel and resources to perform the inspection services at all times when construction is being performed.

#### VI. Proposal Evaluation and Selection.

A. Eligible firms shall be those with appropriate, recent experience and demonstrated knowledge of building inspection and plan checking associated with water line installation/relocation construction projects. Eligible firms must have an office located within reasonable driving distance of Company. Staff providing inspection services shall have appropriate certification or licensure.

#### B. Initial Evaluation.

1. Upon receipt of proposals, Company Staff will conduct a technical evaluation and scoring of each proposal. Company Staff will use the following criterion:

- a) Recent relevant experience (15%).
- b) Understanding of the requirements of the RFP (20%).
- c) Qualifications and experience (25%).
- d) References (5%).
- e) Demonstration of available staff and resources to start

and perform the work including those requirements noted in section II.C and II.D (35%).

#### 2. Selection.

If Company Staff judges multiple proposals to be of equal value, oral presentations of the proposals may be requested. Once Company Staff has selected a proposal, Company Staff will enter into negotiations with the Proposer to develop an agreement for consulting services. Final approval of any agreement must be made by the Board of Directors.

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#### **VII. General Conditions.**

- A. RFP - Not a Contract or Offer. The Request for Proposals is not a contract or offer for an award of a contract and does not commit the Company to award a contract or to procure or contract for consulting services.
- B. Rejection. The Company reserves the right to reject any and all proposals or to waive any irregularity or information in any proposal or in the RFP procedure and to be the sole judge of the suitability of any Proposer to perform the services to be rendered pursuant to this RFP. The Company further reserves the right to withdraw this RFP at any time without prior notice and reserves the right to modify the RFP or the schedule described therein at any time without any further notice.
- C. Consideration/Award. As described above, the Company may ask finalist to present oral briefings of their proposals. Finalists may also be required to participate in negotiations and to submit such price, technical, or other revisions to their proposals as may result from said negotiations. The Company further reserves the right to award the contract to any person or firm based on said person or firm's unique qualifications to perform the services of preparing the projects described herein. The Company further reserves the right to amend this RFP, in writing, and said amendment shall be considered part of the RFP.
- D. Written Agreement Required. Once the Company has completed evaluation of the proposals and negotiated with the selected consultant, the product of said negotiations shall be rendered to a written agreement which must be approved by the Board of Directors of the Madera Valley Water Company. Any modifications of said agreement must also be in writing and approved by the Board of Directors of the Madera Valley Water Company. No prior, current, or post award, verbal conversations or agreement(s) with any officer, agent, or employee or other representative of the Company will serve as a modification of any terms or obligations of the RFP or any contract resulting from the RFP unless set forth in writing and approved by the Madera Valley Water Company Board.
- E. Pre-contractual Expense. The Company shall not be liable for any pre-contractual expenses incurred by any Proposer or selected consultant. Those expenses include, but are not limited to, costs of preparing proposals in response to this RFP; negotiations with the Company on any matter related to the RFP; costs of negotiating or preparing a contract related to the RFP, or any other expenses incurred by consultant or Proposer prior to the effective date of any agreement approved by the Board of Directors of the Madera Valley Water Company. No pre-contractual expenses will be included in the Contract.

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By submitting an RFP, Proposer certifies that neither Proposer, nor any sub-contractors or other persons working on the projects described in the RFP on behalf of the Proposer, appear on the Controller General's list of ineligible contractors for federally assisted projects.

- F. Confidentiality and Public Record. Until the award of the contract, the Company will hold all proposals received in response to this RFP in confidence and unavailable for public review. Upon award of a contract to the successful Proposer, the Company will consider all proposals public records. No proposal will be returned after the date and time set for the opening thereof.
- G. Insurance Requirement. Insurance Requirements The minimum insurance requirements are: \$2M for Commercial General Liability insurance, \$1M for Automobile Liability insurance (including Additional Insured endorsement for both General Liability and Automobile Liability insurance) \$1M for Workers' Compensation insurance and \$1M for Professional Liability (Errors and Omissions) insurance.
- H. Independent Contractor. Consultant shall be acting at all times as an independent contractor and not as an employee of Company. Consultant shall have no power to incur any debt, obligation, or liability on behalf of Company or otherwise act on behalf of Company as an agent. Neither Company nor any of its agents shall have control over the conduct of Consultant or any of Consultant's employees, except as set forth in this Agreement. Consultant shall not, at any time, or in any manner, represent that it or any of its agents or employees are in any manner agents or employees of Company. Consultant shall secure, at its sole expense, and be responsible for any and all payment of Income Tax, Social Security, State Disability Insurance Compensation, Unemployment Compensation, and other payroll deductions for Consultant and its officers, agents, and employees, and all business licenses, if any are required, in connection with the services to be performed hereunder. Consultant shall indemnify and hold Company harmless from any and all taxes, assessments, penalties, and interest asserted against Company by reason of the independent contractor relationship created by this Agreement. Consultant further agrees to indemnify and hold Company harmless from any failure of Consultant to comply with the applicable worker's RFP NO.17-12-C01400 Page 19 of 37 compensation laws. Company shall have the right to offset against the amount of any fees due to Consultant under this Agreement any amount due to Company from Consultant as a result of Consultant's failure to promptly pay to Company any reimbursement or indemnification arising under this paragraph.

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- I. Equal Employment Opportunity and Affirmative Action Requirements. The Proposers shall provide a Statement of Equal Employment Opportunity / Affirmative Action. The consultant and each subcontractor shall not discriminate in the employment of persons on the work because of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sexual preference or sex of such persons except as permitted by Section 12940 of the California government Code. The consultant is expected to maintain policies similar to those of OCWD regarding equal employment opportunities and Affirmative action as set forth in OCWD's Administrative Policies.

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**A1. Attachment 1: Relocation Agreement No. 1**