

**TO: Arkansas Democrat Gazette  
Legal Advertising**  
P.O. Box 1821  
Little Rock, AR 72203

**FROM: Arkansas Dept. of Environmental  
Quality**  
5301 Northshore Drive  
North Little Rock, AR 72118-5317  
(501) 682-0807; fax (501) 682-0910

**FULL RUN**

Please insert the following Notice to consultants in the appropriate column of your paper with your issued dated **03/03/2019 and 03/10/2019**.

**INVOICES ARE TO BE SUBMITTED TO:**

**Reference Number 930-RFQ-1901**

Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, AR 72118-5317  
Keith Tarter, 501-682-0600

**Please E-MAIL a Copy of the Advertisement Proof To: or [mcwilliamsc @adeq.state.ar.us](mailto:mcwilliamsc@adeq.state.ar.us)**

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**REQUEST FOR QUALIFICATIONS**

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY- Office of Land Resources (ADEQ), MINING PROGRAM REQUEST FOR QUALIFICATIONS (RFQ) **930-RFQ-1901**

DESIGN PROFESSIONAL, CIVIL ENGINEERING-AERIAL MAPPING AND DESIGN OF ABANDONED SURFACE COAL MINE PROJECTS WITHIN ARKANSAS

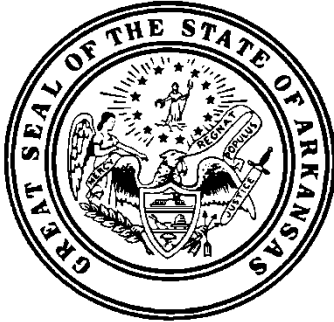
The Surface Mining and Reclamation (SMR) of the Arkansas Department of Environmental Quality- Office of Land Resources (ADEQ), Mining program is soliciting responses from qualified engineering firms to provide all services necessary to develop and prepare for bidding projects to reclaim abandoned surface coal mines within the State of Arkansas. Projects will be selected following contract approval with additional projects determined at a later date. The contract shall be an on-call contract. Projects require experience in the production of topographic mapping, including aerial and ground survey, designing large scale civil site grading and hydrology with an emphasis on mine site reclamation design.

An official complete RFQ package (hardcopy or electronic) may be obtained from Ms. Barbara Mathews, ADEQ, phone number (501) 682-0865, e-mail: [mathews@adeq.state.ar.us](mailto:mathews@adeq.state.ar.us); or Ms. Joy McCarty, ADEQ, phone number (479) 968-7339, email: [mccarty@adeq.state.ar.us](mailto:mccarty@adeq.state.ar.us).

A Statement of Qualification (SOQ) is due by 2:00 p.m., **03/15/2019**. Submit SOQ package to:

Clark McWilliams, P.E.  
Engineer Supervisor  
Office of Land Resources  
Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, AR 72118-5317  
[mcwilliamsc @adeq.state.ar.us](mailto:mcwilliamsc@adeq.state.ar.us).

**STATE OF ARKANSAS**  
**ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**OFFICE OF LAND RESOURCES – MINING PROGRAM**



**REQUEST FOR QUALIFICATIONS**  
**DESIGN PROFESSIONAL SERVICES**  
**ABANDONED MINE LAND RECLAMATION**  
**DBA RFQ #930-RFQ-1901**

**DATE:** March 1, 2019

**FOR:** Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, Arkansas 72118  
(501) 682-0744

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**ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY  
REQUEST FOR QUALIFICATIONS (RFQ)  
DESIGN PROFESSIONAL SERVICES  
ABANDONED MINE LAND RECLAMATION**

**I. INTRODUCTION**

A. General

The Arkansas Department of Environmental Quality (ADEQ) is a cabinet-level agency headed by a director and staffed by a number of full-time personnel responsible for administering environmental programs under the jurisdiction of the Arkansas Pollution Control and Ecology Commission. The Department is responsible for the day-to-day administration of the Commission's regulations for a variety of environmental programs. The Department's regulatory programs, including the Office of Air Quality, Office of Water Quality, and Office of Land Resources, monitor ambient environmental conditions, issue permits for various regulated activities, monitor and inspect permitted activities and other perform other activities related to the Department's programs. The Department also takes enforcement action for violations of state law, regulations, or permit conditions. The Department's regulatory programs have been authorized, delegated or approved by the US Environmental Protection Agency (EPA) and other Federal agencies, with authority to administer many federal environmental programs within Arkansas.

The Mining Program (MP), of the ADEQ, Office of Land Resources (OLR) is responsible for the administration of the State's mining and reclamation laws. There are three laws, the Arkansas Open-Cut Land Reclamation Act (A.C.A. 15-57-301 *et seq.*), the Quarry Operation Reclamation and Safe Closure Act (A.C.A. 15-57-401 *et seq.*), and the Arkansas Surface Coal Mining and Reclamation Act (A.C.A. 15-58-101 *et seq.*). There are two regulations, Regulation No. 15 (the Arkansas Open-Cut Mining and Reclamation Regulation) and Regulation No. 20 (the Arkansas Surface Coal Mining and Reclamation Code).

The Arkansas Surface Coal Mining and Reclamation Act, passed in 1979, is consistent with the federal Surface Mining Control and Reclamation Act of 1977 (SMCRA). SMCRA authorized the state to pass legislation for primacy to assume control of the regulation of surface coal mining and reclamation in Arkansas. The Office of Surface Mining Reclamation and Enforcement (OSMRE) of the U.S. Department of the Interior provides federal oversight pursuant to the federal SMCRA law and the approved state program.

The reclamation of abandoned coal mines is often referred to as the Title IV program of SMCRA. Under the Title IV Program, the Mining Program handles the reclamation of abandoned coal mines that existed prior to the passage of the law to ensure that the public safety and environmental concerns at these sites are corrected. Arkansas' Regulation No. 20 (Arkansas Surface Coal Mining and Reclamation Code) outlines the State's program, the mining operational and reclamation standards, and other activities specifically related to coal mining in Arkansas.

The Arkansas Open-Cut Land Reclamation Act, passed in 1991, is legislation to protect public health and the environment during and after completion of open-cut or stream bed mining operations of non-coal related natural resources in the State. Regulation No. 15 (the Arkansas Open-Cut Mining and Reclamation Regulation) provides non-coal mining operations with performance standards to be followed during active mining and during the process of reclaiming the land to a beneficial use. Arkansas Act 1166 of 1997 provides regulation for operation, reclamation and safe closure of stone quarries.

## B. Objective/RFQ Availability

The ADEQ is seeking responses from qualified environmental engineering consultants interested in performing environmental engineering related consulting services associated with the reclamation of abandoned mine lands in Arkansas. Responses received associated with this RFQ will be used to screen prospective Consultants and select finalists. Selected finalists will be required to conduct oral presentations and answer questions concerning technical performance and other capabilities. ADEQ will select one or more Consultant considered the best qualified and capable of performing the work. The Consultant must have and maintain current registration with the Arkansas Board of Professional Engineers and Land Surveyors. The initial term of the contract will be for one year, and may be, if determined to be in the best interest of the State and mutually agreed to by the Consultant, extended annually for an additional six (6) one year periods.

An official complete RFQ package (hardcopy or electronic) must be obtained by each prospective Consultant from Ms. Barbara Mathews or Ms. Joy McCarty of MP, OLR. Ms. Mathews can be contacted at (501) 682-0865, or [mathews@adeq.state.ar.us](mailto:mathews@adeq.state.ar.us); Ms. McCarty can be contacted at (479) 968-7339, or [mccarty@adeq.state.ar.us](mailto:mccarty@adeq.state.ar.us). In order to submit a Statement of Qualification (SOQ) each prospective Consultant must have received a complete RFQ package from one of the two contact personnel listed above. Failure to receive an official RFQ package will result in no addenda notification to the prospective

Consultant, should the need for addenda arise during the solicitation period. Not receiving addenda may affect the results of the consultant selection process.

## **II.SCOPE OF WORK**

The ADEQ plans on maintaining and continuing abandoned mine land (AML) reclamation work around the State of Arkansas. Although, the majority of the past work has included only coal related abandoned mines, ADEQ may also include non-coal related abandoned mine lands resulting from bond forfeited mining operations. For ease of terminology, ADEQ will label both the abandoned coal mines and bond forfeited non-coal mines as simply, abandoned mine lands. As part of the reclamation work, ADEQ will require current conditions of the abandoned mine lands be assessed along with a review of historical information related to future reclamation. After this assessment and review, the work will involve the preparation of plans, specifications and contractual documents for reclamation work. Oversight engineering, construction contract, and administration activities associated with the implementation of reclamation work will also be required.

All of this work will be performed in accordance with Arkansas Code Title 15, Chapters 57 and 58, more specifically detailed, but not limited to A.C.A. 15-57-301 *et seq.*; 15-57-401 *et seq.*; 15-58-101 *et seq.*, and 15-58-401 *et seq.* In addition to the State statutes, although not intended to be an exhaustive, general guidance and information relating to facility assessment, reclamation design, and oversight activities can be found in:

- "Arkansas Pollution Control and Ecology Regulation 20"
- "Arkansas Pollution Control and Ecology Regulation 15"
- Federal law - "Surface Mining Control and Reclamation Act of 1977, (SMCRA)
- Handbook on Procedures for Implementing the National Environmental Policy Act (NEPA), March 1989; US Dept. of Interior, Office of Surface Mining Reclamation and Enforcement (OSMRA)
- Dept of Finance and Administration – Division of Building Authority (DBA) – "Standards and Criteria Manual"
- "Conservation Practices for the Reclamation of Surface Mines in Arkansas", March 30, 2001; Arkansas Dept. of Environmental Quality
- Interstate Technology Regulatory Council (ITRC), "Mining Waste Treatment Technology Selection"; website based interactive document

- Other Arkansas Pollution Control and Ecology regulations, as appropriate

Under this work there will be two (2) types of abandoned mine lands: (1) those sites that have already been located and mapped by ADEQ and (2) those sites that have not been located and/or mapped. For both types of sites, major tasks to be performed by the Consultant for site assessment and review, reclamation design and oversight activities are summarized below. Each of the four (4) tasks may or may not be required of the Consultant. ADEQ will define the assessment, review, reclamation and oversight tasks to be performed by the Consultant during the negotiations of the site specific Scope of Work and budget. Major tasks to be performed by the Consultant for reclamation design and oversight may be further refined by ADEQ based upon completed results of the assessment and review, and will be defined in a revised Scope of Work, if required. The details of these tasks are not all inclusive; some elements may be added and others deleted during the scoping of the work.

Task 1 - Project Initiation and Planning

- a) Project specific Scope of Work.

Task 2 – Site Assessment/Project Review

- a) Local and regional summary of land use and control.
- b) Determine all affected landowners and site boundaries.
- c) Site reconnaissance (coordinate with Mining Program to arrange landowner visits. Obtain rights-of-entry from each landowner. Determine participation and landowner goals for completed project).
- d) History of response actions.
- e) Confirm/perform control survey mapping (establish control points).
- f) Complete topographic mapping to a level of detail as required by each individual project.
- g) Refine specific project Scope of Work, if needed.
- h) Reclamation Assessment/Review Summary Letter Report (presents conceptual reclamation approach -10 pages or less).

Task 3 – Reclamation Design and Procurement

- a) Conceptual design of reclamation.
- b) Estimate reclamation costs – refined as design develops.
- c) Providing necessary maps and design parameters that are necessary for submittals to National Environmental Policy Act (NEPA) agencies.
- d) Development of project specific plans, specifications, and construction bid documents (i.e., Project Manual).

- e) Accomplish State agencies' reviews.
- f) Participate in advertisement, bidding and procurement of reclamation construction.

Task 4 – Reclamation Construction Management/Oversight

- a) Represent ADEQ in management of construction as related to accomplishing the reclamation as designed.
- b) Review and manage reclamation contractors' submittals.
- c) Periodic reclamation construction observations.
- d) Organize and conduct construction meetings.
- e) Process contractor's pay requests, develop and manage change orders.
- f) Execute and participate in contract close out procedures.
- g) Receive, review and transmit "record" documents.

Project "record" documents include, but are not limited to: complete bid proposals of all bidders, substantive correspondence related to the project, complete contractor pay applications and Consultant's inspection reports and photos, manuals and specifications books, all contractor warranty documents, inspection and permit documents issued by Federal and State entities, complete set of reproducible prints legibly and accurately drawn to indicate all changes from the contract drawings.

**III. SCHEDULE**

The anticipated schedule for completing the selection process to the award of the design professional services contract are as follows:

Approx. Date	Procurement and Project Activities
March 03, 2019 March 10, 2019	ADEQ advertises RFQ
March 11, 2019	Deadline for consultants to submit written questions or written request for clarifications to ADEQ (If required, written addenda will be issued via e-mail before two (2) working days prior to SOQ due date. No addenda will be issued within two (2) days of the SOQ due date).
March 15, 2019	Statement of Qualifications (SOQs) due to ADEQ

March 25, 2019	ADEQ selects Consultants for oral presentation
April 22, 2019	Oral presentation complete and Consultant selected for negotiations
April 25, 2019	Negotiations complete, design professional consultant services contract signed and submitted to Arkansas State procurement offices
May 10, 2019	Contract approved by Dept. Of Finance and Administration, Division of Building Authority (DBA), State Legislative Council, and signed by the Department of Finance and Administration's Director of State Procurement

The anticipated schedule for completing reclamation assessment, design and procurement that encompasses the four (4) tasks listed above is as follows:

y	Site Scope of Work Prepared by ADEQ and Consultant
y + 1 to 2 wks	Scope of Work and Cost Refinement
y + 2 to 3 wks	Consultant initiates assessment (file review and any field activities), if needed
y + 5 wks	Consultant submits Reclamation Assessment/Review Summary Letter Report
y + 5 to 6 wks	Consultant submits conceptual (15%) Draft Plans and Specifications
y + 8 to 10 wks	Consultant submits 75% Draft Plans and Specifications
y + 12 to 14 wks	Consultant submits final report with completed (100%) plans and specifications for reclamation

During "y" period Consultant submits monthly progress reports including budget status



## **IV. WRITTEN QUALIFICATIONS SUBMISSION GUIDELINES**

### **A. Submittal Information**

Five (5) printed copies and one (1) electronic copy in .pdf format of the Statement of Qualifications (SOQ) must be received at the following addresses before the deadline listed in the Request for Qualifications advertisement.

Mr. Clark McWilliams, Engineer Supervisor  
Mining Program  
Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, AR 72118

Envelopes should state "Statement of Qualifications - Design Professional Services and DBA RFQ #930-RFQ-1901 on the cover. Statements submitted in response to this request must address the items outlined herein. Any and all information submitted by an offeror in variance with these instructions may not be reviewed or evaluated except at the discretion of the ADEQ.

No information concerning neither the statement of qualification evaluations nor the identity of the evaluators will be released by ADEQ until a negotiated contract is signed with the awarded Consultants(s).

### **B. Contents**

The statement of qualifications should contain the following information. Please note the submittal page limitations (maximum) as applicable. A page shall consist of one typewritten or graphic representation of standard size 8-1/2 X 11 inch stationery. Double sided print on standard 8-1/2 X 11 inch paper will count as two pages. Maps on 8-1/2 X 11 inch paper may be used but will count the same as one typewritten page. Maps on 11 X 17 inch paper will count as two pages. Other paper sizes and blank filler pages are discouraged. It is not necessary to prepare your response to this solicitation using elaborate brochures and art work, expensive paper and bindings, or other expensive visual presentation aids.

#### **1. Transmittal Letter (one page submittal)**

This is to serve only as the document covering transmittal of the statement of qualifications. The letter should provide the name, title, address, and telephone number of the official contact and alternate. This individual(s) should be available to be contacted by telephone or attend meetings as may be appropriate. A brief

summary of the statement of qualifications may be provided within the body of the letter. The letter should be signed by a principal or corporate officer of the firm.

## 2. Technical Proficiency of the Consultant

This is to demonstrate technical competence of the Consultant based upon previous experience, technical approaches to several previous projects, and available facilities and equipment.

### a. Project Examples and Case Histories (15 page submittal, maximum)

The Consultant shall list project examples completed or underway during the previous seven years. Examples shall include project name, location and description of activities involved in the project. Include description of your involvement in total project scheme if not 100%. The client name, address and phone number must be indicated such that ADEQ can confirm information accuracy. The cost of work of your participation, and total project cost must be provided. No more than twenty (20) projects may be listed. The most relative projects should be listed first. Include general case histories of the ten (10) most relevant projects listed describing the purpose and results of each with actual versus estimated consulting and construction costs (if applicable). Special problems encountered and how they were overcome may be illustrated together with explanations for unusual site specific data or phenomena. The explanations provided should demonstrate the Consultant's comprehension of objectives, technical methods, and rationale for various or unique approaches which the Consultant has undertaken. Final outcomes must be listed for finished projects and most recent status must be listed for ongoing projects.

### b. Facilities and Equipment (5 page submittal, maximum)

Provide a description of the support facilities available to your firm(s) to aid in assessment, review, design, and oversight activities. Describe the availability of the major pieces of equipment as owned or secured through subcontract. Specifically, describe equipment which your firm(s) has and uses, such as:

- 1) Subsurface Investigation Equipment
- 2) Surveying Equipment
- 3) Field Environmental Analysis Equipment (e.g., pH and conductivity meters)

- 4) Waste Collection and Handling
- 5) Computer Support Services-Surface Water Modeling, CAD systems, Budget and Expense Tracking, Project Scheduling etc.

### 3. Personnel Capability (10 page submittal, maximum)

#### a. Qualifications & Experience

Provide a brief overall description of the qualifications and experiences of the key and other personnel of the firm(s) which will be specifically assigned to the project. Experience should demonstrate technical expertise in relevant areas of the individual's respective field. Project leader(s) should have a proven track record in managing similar types of projects. Each individual's expected work time ratio planned for this project must be included. Personnel background relative to the project examples and case histories stated previously should be also be provided.

Consultants should note that this contract will require that key personnel must have the necessary certifications, registrations and qualifications to indicate top proficiency status in each respective field of expertise. Registration as a Professional Engineer in the State of Arkansas (RPE) is required by at least one person who will be involved in the work from beginning to end. Evidence of such registration shall be provided. The person shall have the necessary qualifications to indicate his/her value and responsibility to the project. Registration as a Professional Geologist in the State of Arkansas (RPG) shall also be required for at least one person who will be involved in the work from beginning to end. All plans and reports which require specialized disciplines shall be certified by the appropriate licensed personnel.

#### b. Staffing Pattern

The number of personnel assigned must be adequate in all areas (i.e., managerial, technical, support labor). Location and availability of personnel should allow for timely response to various irregular events at any project site (where applicable and necessary). Home offices or official work stations of all personnel should be defined.

### 4. Administration and Management (5 page submittal, maximum)

This portion of the proposal must demonstrate capability to meet

various requirements in an effective manner.

a. Project Management

The Consultant must demonstrate an ability to acquire and disseminate a vast amount of information expeditiously. Regularity of communication through daily logs, and weekly or monthly progress reports reflects management control. Project scheduling and cost control procedures and protocols illustrate working knowledge of management. Management control will also be defined through identification of work groups or work tasks. Management effectiveness will be reflected by well coordinated short response time frames to unanticipated circumstances. Overall coordination of the project should not entail burdensome management schemes. The ability and commitment of the Consultant to follow the above schedule should be shown.

b. EOP, SBE, WBE, MBE, LSA

Equal Opportunity Policy (EOP), Small Business Enterprise (SBE), Women Business Enterprise (WBE), Minority Business Enterprise (MBE), Labor Surplus Area (LSA): The SOQ must demonstrate that the Consultant conforms with all applicable State and Federal civil rights, equal employment opportunity and labor law requirements.

In compliance with Act 2157 of 2005, the Arkansas Department of Finance and Administration, Office of State Procurement is required to have a copy of the submitter's Equal Opportunity Policy prior to issuing a contract award. EO policies should accompany the submitter's response. The Office of State Procurement will maintain a file of all vendor EO policies submitted in response to solicitations issued by this office or any state agency. The submission is a one time requirement but vendors are responsible for providing updates or changes to their respective policies and of supplying EO policies upon request to other state agencies that must also comply with this statute. Vendors that do not have an established EO policy will not be prohibited from receiving a contract award, but are required to submit a written statement to that effect.

c. Illegal Immigrant Disclosure Statement, Proof of Insurance, Proof of Engineer/Geology Licenses, and Restriction of Boycotting of Israel Statement.

The Consultant must illustrate that no illegal immigrants are employed or contracted. The Arkansas Department of Finance Administration provides an on-line certification at:

<https://www.ark.org/dfa/immigrant/index.php/disclosure/submit>

One (1) copy of the completed form shall be submitted with the SOQ.

The Consultant must also present proof of insurance coverage as specified in Section VIII. – Special Conditions of this RFQ and in accordance with the Division of Building Authority (DBA), Minimum Standards & Criteria (MSC), Sections 2-312 and 2-313.

The Consultant must provide a copy of the individual licenses for professional engineers and geologists licensed in the State of Arkansas for the primary responsible individuals. Company professional licenses should also be presented.

The Consultant must provide a statement agrees not to engage in business contracts of \$1,000 or greater which could be considered a Boycott of the Country of Israel. [Reference - Arkansas Code Annotated 25-1-503.]

d. QA/QC and Safety

Quality Assurance/Quality Control and Safety Procedures should be briefly summarized, particularly within the context of the Consultant's ability to implement these often detailed procedures. Training in these areas is also required. Prior use of these systems or the ability to implement them must be demonstrated.

5. Technical Approach (15 page submittal, maximum)

The technical approach should demonstrate the Consultant's comprehension of the project by presenting the major considerations involved in proposed work activities. Possible and probable problem areas should be discussed.

A detailed technical approach should outline at a minimum:

- a. Goals and objectives of the proposed work;
- b. Major proposed project considerations, including the scope of appropriate studies/investigations/reviews/analysis/designs/oversight services;

- c. Project organization and approach; and,
- d. Scheduling.

The Consultant's concepts, methodologies and techniques toward achieving the objectives of the proposed project work, within the allotted time frame, should be described.

## **C. Evaluation Criteria**

### **1. Transmittal Letter**

This category has a weighted value of 1 percent (1%).

A maximum of five (5) points may be awarded for the transmittal letter.

### **2. Technical Proficiency of the Consultant**

This category has a weighted value of 34 percent (34%).

#### **a. Project Examples & Case Histories (24%)**

Project examples will be considered for the number and type of projects, and the dollar amount of projects. Judgment will be made on the technical proficiency and approach, uniqueness of solutions to unusual problems, innovative and practical methods, or other similar factors, as described in the case histories. A total of six (6) projects must be directly related to categories 1, 2, 3, 4, 5, and 6 below. Of the six (6) projects listed, no less than three (3) must be finished, and the others must be at least 50% finished. All respondents failing to meet these criteria will be disqualified, and a maximum of five (5) points may be awarded. The following types of projects are important:

- 1) Environmental investigation and assessment;
- 2) Cost effective engineering relative to site investigations and risk evaluations;
- 3) Cost effective operations and maintenance work related to implemented site remedial activities;
- 4) Geologic and hydrologic surveys, analysis, site characterization, and site assessments;
- 5) Environmental contaminant management and abatement;
- 6) Environmental, ecological and human health assessments and investigations;

Judgment will be made on the technical proficiency and approach, uniqueness of solutions to unusual problems,

innovative and practical methods, or other similar factors, as described in the case histories. A maximum of twenty (20) projects may be listed, and a maximum of five (5) points may be awarded.

b. Facilities and Equipment (10%)

While it is not necessary that the Consultant possess facilities and equipment necessary for all the project activities, possession of said equipment and facilities does indicate a working knowledge of the elements, details and constraints related to assessments, designs and oversight services. A maximum of five (5) points may be awarded for this element.

3. Personnel Capability

This category has a weighted value of 25 percent (33%).

a. Qualifications and Experience (24%)

Provide a description of the key personnel to be used on the design team. Provide a brief description of the qualifications and experience including education and licenses. Descriptions should also indicate how long the person has been with the current firm and where the individual has worked (if other than the current firm) in the past 5 years and in what capacity.

ADEQ will consider the mix of talent, appropriateness of expertise of the staff. ADEQ may awarded up to five (5) points for this element based upon the appropriateness, composition, availability, and competence of the personnel.

b. Staffing Pattern (9%)

Provide a description of the key personnel to be used and how they will collaborate an organizational chart may be included. The descriptions should detail the role each individual will play along with brief examples of similar projects where this individual served in the same or a similar capacity. Descriptions should also indicate how often and for how long the individual has worked with other team members during the past 5 years and in what capacity.

If other than the primary design team provides other functions (e.g., peer review of the design documents, review of contractor submittals for compliance with the contract documents, and field observation of work in progress) include descriptions of those

personnel. A maximum of five (5) points may be awarded for this element

4. Administration and Management

This category has a weighted value of 20 percent (16%).

a. Project Management (6%)

Up to five a maximum of (5) points may be awarded for this element based upon ADEQ perception of the Consultant's management, scheduling, communication, cost control, effectiveness, and coordination.

b. EOP, SBE, WBE, MBE, LSA (3%)

Equal Opportunity Policy (EOP), Small Business Enterprise (SBE), Women Business Enterprise (WBE), Minority Business Enterprise (MBE), Labor Surplus Area (LSA):

Provide a copy of EOP policy or statement which is currently on file with the Office of State Procurement (OSP) and the Agency. A respondent is not required to have a formal policy but is required to disclose whether they have one or not. Up to a maximum of three (3) points may be awarded for this element based on demonstration of conformance.

c. Illegal Immigrant Disclosure Statement, Proof of Insurance and Proof of Engineer/Geology Licenses (3%)

Up to a maximum of five (5) points may be awarded for this element based up Consultant's thoroughness and accuracy in completing the illegal immigrant, insurance and licensing. Current status of licensing will also be considered.

d. QA/QC and Safety (4%)

Up to a maximum of five (5) points may be awarded based upon ADEQ perception of the Consultant's ability or experience in these areas.

5. Technical Approach (16%)

This category has a weighted value of 30 percent (30%).



ADEQ may award up to a maximum of five (5) points for this category based upon the Consultant's presentation of the major goals, tasks and objectives. Special experience and technical competence of reclamation design, and construction administration should be emphasized.

**SUMMARY OF SOQ PAGE LIMIT AND SCORING**

Category/Element	Page Limit *	Maximum Points	Weighted Value (Percent)
1. Transmittal Letter	1	5	1
2. Technical Proficiency of the Consultant			
a. Project Examples & Case Histories	15	5	24
b. Facilities & Equipment	5	5	10
3. Personnel Capability	10		
a. Qualifications & Experience		5	24
b. Staffing Pattern		5	9
4. Administration & Management	5		
a. Project Management		5	6
b. EOP, SBE, WBE, MBE, LSA		5	3
c. Illegal Immigrant Disclosure Statement, Proof of Insurance and Proof of Engineer/Geology Licenses		5	3
d. QA/QC and Safety		5	4
5. Technical Approach	15	5	16
<b>TOTALS</b>	<b>51</b>	<b>5</b>	<b>100</b>

**SPECIAL NOTE:**

\* Submitted Information on pages after the page limit will not be reviewed.

All point awards information regarding the RFQ will be held as confidential information until a negotiated contract is signed with the awarded Consultant(s).

**V. SELECTED CONSULTANTS FOR ORAL PRESENTATIONS**

A. A minimum of three (3) a maximum of five (5) consultants shall be identified as the most responsively qualified and shall be selected for oral presentations. The total scores from all evaluators shall be

averaged to arrive at a ranking for each submittal. The consultants having the highest average scores shall be selected for oral presentations. In the event of a tie score(s) for any position of ranking, the tie(s) shall be broken by coin toss elimination. The consultant winning the coin toss shall be placed in the ranking above the loser of the toss. When ranking is to be decided by coin toss, the affected consultants will be notified and an offer to witness the coin toss will be extended. If the consultant declines to attend, it shall be so noted in the selection record.

- B. The order of the scheduled times for oral presentations shall be determined by random drawing. The names of the consultants selected for oral presentations shall be placed in a container and the names drawn one at a time from the container by a member the selection committee. The order of the schedule shall be as follows; the first name drawn shall have the first time slot; the second name drawn the second slot and so forth until all names are drawn. All oral presentations may be scheduled for the same date and location.
- C. If only one response to this solicitation is received, the Agency may request the DBA, Design Review Section to waive the oral presentation and proceed directly to the negotiation of a contract with the single respondent.

## **VI. ORAL PRESENTATIONS**

### **A. General Oral Presentation Information**

Each selected Consultant will be scheduled for an oral presentation and should be prepared to answer questions concerning their qualifications and capabilities. The presentation should be well prepared and concise, and shall be no longer than forty (40) minutes (30 minute presentation and 10 minutes reserved for questions). The presentation will be scored basis upon technical content and management capabilities. It is not necessary to prepare and use elaborate exhibits or displays during the presentations.

### **B. Content of the Oral Presentation**

#### **1. Office Size and Location**

This required presentation topic serves to demonstrate that the Consultant has existing office facilities capable of accomplishing the proposed work, and to demonstrate that the office location(s) are adequate to service the needs and requirements of any project located around the State.

This portion of the presentation should summarize the office size (physical building and total staff numbers) and the location of the Consultant's personnel. The ability to perform the required work (general staff educational disciplines and experience) should be explained.

## 2. Key Personnel

### a. Assigned Personnel and Work Load

This topic shall present the specific key personnel which will be assigned to the projects. The Consultant shall explain the experience and qualification of the personnel. Other personnel which will be involved in the project shall also be presented. The general work-time ratio planned for the projects shall be presented for each key individual expected to be assigned this project. The project leader shall have a proven record in managing similar types of projects. Project technical staff shall exhibit a record of thorough experience with the project needs and requirements.

The Consultant should present the current office work load and explain how the Consultant's facilities and location will be impacted by the proposed work. In addition, the ability to meet project scheduled objectives should be explained, and the ability to regain lost time and accelerate the personnel performance to meet the scheduled objectives should be discussed.

### b. Certifications and Registrations

It should be noted and exhibited that each individual shall have the required certifications, registration, and documented qualifications to provide proficiency in their respective fields of expertise. It should also be noted that all plans or reports which required specialized disciplines shall be certified by the appropriate licensed personnel.

## 3. Consultant's Experience

The Consultant shall present past or current projects which illustrate his/her capabilities and expertise in performing the proposed work, and the ability of the proposed team to deliver high quality and functional designs. The range and types of projects shall be outlined. The project size and scope of services provided shall be explained. The scope and services provided to these projects shall be presented and thoroughly explained.

The Consultant shall present an overview of the total number of state agency projects submitted through DBA Design Review Section (DRS) over the past 5-years. Identify projects which were submitted for public bidding, alternative delivery, in-house construction, or other. Discuss the familiarity the firm has with the current DBA processes

Special problems encountered and how they were overcome should be presented. Unusual explanations for site specific data or phenomena should also be presented.

The Consultant may discuss or present examples of projects for which their team has received local, regional, or national recognition or awards. Local awards may include society awards, industry association awards, or newspaper and periodical awards published annually.

The Consultant shall also provide specific examples of projects which are similar in scope as the Work. The scope and services provided to these projects shall be presented and thoroughly explained. These specific project examples shall include at a minimum:

- 1) Environmental investigation and data reduction and evaluation;
- 2) Cost-effective engineering relative to site investigations and risk evaluations;
- 3) Geologic and hydrologic surveys, analysis, and site characterization;
- 4) Environmental contaminant abatement;
- 5) Environmental, ecological, and human health assessments and investigations;
- 6) System analysis and evaluation.

#### 4. Consultant's Management Plan

The Consultant shall present the organization of personnel to be involved in the proposed work and the responsibilities of each person. The individual's workload and experience shall also be presented. A client contact shall be established and be specifically designated to have overall responsibility of the proposed work. In addition, project controls to curb cost and provide effective and efficient use of time and resources shall be explained by the Consultant.

The Consultant must demonstrate an ability to acquire and disseminate a vast amount of information. Regularity of

communication through daily logs, and weekly or monthly progress reports reflect management control. Management control is also illustrated through identification of work groups or work tasks. Management effectiveness may be illustrated by well coordinated short response time frames. Overall coordination of the project should not entail burdensome management schemes. The ability and commitment of the Consultant to follow the project schedule should be presented.

## 5. Schedule

The Consultant shall present the ability to meet schedules. Examples of experience in meeting scheduled projects should be outlined. The Consultant shall also present details of regaining lost time when a project falls behind schedule.

The Consultant shall explain the responsibility of conducting and achieving schedule control and how schedule control impacts work loads for specific project personnel.

## 6. Cost Control

The Consultant shall discuss the cost estimating procedures that his/her firm utilizes when analyzing different site assessments/reviews/designs/oversight services. General examples should be presented and the methods used to evaluate cost uncertainties should be explained. Experience with the cost estimating procedures shall be illustrated in a manner which indicates that the Consultant is competent in accomplishing cost estimates.

The Consultant shall also discuss the cost control procedures utilized to monitor and maintain a project budget. Accounting rules and mechanisms should be specified and an explanation of the internal project budget checks and balances should be included. The frequency of State, federal, and/or private audits should be presented along with procedures to correct deficiencies and irregularities should be explained.

## 7. Construction Observation and Contract Administration

The Consultant shall present ability to meet the industry's standard of care as well as the DBA established criteria in this area

The Consultant's use of the key members of the design team for field observations and contract management should be presented as well as the proposed frequency of site visits during the

construction phase of the project and the proposed methodology for monitoring, documenting and controlling change orders during the construction phase.

The Consultant's approach to keeping the Agency and DBA informed as to the progress of construction and major issues as well as the methodology used to track and resolve issues in a timely manner shall be presented. The consultant's past performance with DBA may be considered in this area.

## 8. Project Close-Out

The Consultant shall present his/her typical project close-out practices and procedures. The close-out should include, at a minimum, completion of all final documents, completion of any outstanding tasks, and procedures for invoicing after completing all work activities.

The Consultant shall present his/her capabilities and experiences with Arkansas Building Authority construction close-out procedures, including final inspection, substantial completion, final pay request, release of liens, consent of surety, and project "records". In addition, the Consultant shall present his/her typical project close-out practices and procedures. The close-out should include, at a minimum, completion of all final documents, completion of any outstanding tasks, and procedures for invoicing after completing all work activities.

The Consultant shall also present his/her commitment to accomplishing all tasks required to complete the project work, and his/her responsibility to provide and report true and accurate information.

## **C. EVALUATION OF ORAL PRESENTATIONS**

Oral presentations will be scored, and a maximum of forty-three (43) points may be awarded to a Consultant's presentation. Scoring will be based upon technical and management capabilities and the ability to perform the proposed work in an expeditious and scheduled time frame.

### 1. Office size and Location

This category has a weighted value of 5 percent (5%).

This required presentation topic serves to demonstrate that the Consultant has existing office facilities capable of accomplishing the Work tasks, and to demonstrate that the office location(s) are

adequate to service the needs and requirements of any project located around the State.

This portion of the presentation should summarize the office size (physical building and total staff numbers) and the location of the Consultant's personnel. The ability to perform the required work (general staff educational disciplines and experience) should be explained.

A maximum of five points may be awarded for office size and location.

## 2. Key Personnel

This category has a weighted value of 20 percent (20%).

### a. Assigned Personnel and Work Load (10%)

A description of the key personnel to be used on the design team will be evaluated. Descriptions of each individual's role along with brief examples of similar projects where this individual served in the same or a similar capacity will be reviewed. Length of the person's employment with the current firm and where the individual has worked previously will be considered.

ADEQ will consider the mix of talent, appropriateness of expertise of the staff. ADEQ may award up to five (5) points for this element based upon the appropriateness, composition, availability, and definition of the staffing pattern.

### b. Certifications and Registrations (10%)

ADEQ may award up to five (5) points for this element based upon presentation of current applicable certifications and licenses.

## 3. Consultant Experience

This category has a weighted value of 15 percent (15%).

Consultant's experience shall be one of the more significant evaluation factors in this selection process. Qualified Consultants which have accomplished a significant amount of similar projects to those proposed and should be able to illustrate such experience.

The Consultant will be evaluated based on specific examples of projects which are similar in scope as the Work. The scope and services provided to these projects will be reviewed and examined. These specific project examples shall include at a minimum:

- 1) Environmental investigation and data reduction and evaluation;
- 2) Cost-effective engineering relative to site investigations and risk evaluations;
- 3) Geologic and hydrologic surveys, analysis, and site characterization;
- 4) Environmental contaminant abatement;
- 5) Environmental, ecological, and human health assessments and investigations;
- 6) System analysis and evaluation

Special problems encountered and how they were overcome should be presented.

Unusual explanations for site specific data or phenomena should also be presented. A maximum of five (5) points may be awarded for this category.

#### 4. Consultant Management Plan

This category has a weighted value of 15 percent (15%).

The Consultant will be evaluated on the organization of personnel to be involved in the Work and the responsibilities of each person. The individual's workload and experience shall also be reviewed. A client contact shall be established and be specifically designated to have overall responsibility of the Work. In addition, project controls to curb cost and provide effective and efficient use of time and resources shall be assessed.

The Consultant must demonstrate an ability to acquire and disseminate a vast amount of information. Regularity of communication through daily logs, and weekly or monthly progress reports reflect good management control. Management control is also illustrated through identification of work groups or work tasks. Management effectiveness may be illustrated by well-coordinated short mobilization time frames. Overall coordination of the project should not entail burdensome management schemes. The ability and commitment of the Consultant to follow the project schedule should be presented.

In addition, the Consultant shall present information related to their Quality Assurance/Quality Control, and Health and Safety procedures, policies, and practices. A maximum of five (5) points may be awarded for this category.

#### 5. Schedule

This category has a weighted value of 10 percent (10%).



The Consultant should have adequate schedule controls to illustrate effective and efficient completion of the project tasks. In addition, adequate measures should be available to be implemented to accelerate the productivity when scheduled tasks are not met on time. A maximum of five (5) points may be awarded for this category.

6. Cost Control

This category has a weighted value of 10 percent (10%).

The Consultant shall have and use costing procedures to estimate site assessment, design and oversight services expenses and the capabilities to evaluate all cost uncertainties and explain the impact of the uncertainties to the overall expenses. Also, the Consultant shall have and use industry accepted cost accounting procedures and present information about recent State, federal or private audits. A maximum of five (5) points may be awarded for this category based upon ADEQ's perception of Consultant's ability to achieve quality cost estimates and budget controls.

7. Construction Observation and Contract Administration

This category has a weighted value of 15 percent (15%).

The consultant shall be evaluated on demonstrated ability to meet the industry's standard of care as well as the DBA established criteria in this area. The consultant's use of the key members of the design team may be considered as well as the proposed frequency of site visits during the construction phase of the project and the proposed methodology for monitoring, documenting and controlling change orders during the construction phase shall be of primary consideration.

The consultant's approach to keeping the Agency and DBA informed as to the progress of construction and major issues as well as the methodology used to track and resolve issues in a timely manner shall also be evaluated. The consultant's past performance with DBA may be considered in this area. A maximum of five (5) points may be awarded for this category.

8. Project Close-Out

This category has a weighted value of 10 percent (10%).

The Consultant shall present his/her capabilities and experiences with Arkansas Department of Finance and Administration, Division of Building Authority (DBA) construction close-out procedures, including final inspection, substantial completion, final pay request, release of liens, consent of surety, and project "records". In

addition, the Consultant shall describe his/her close-out procedures typically used. A commitment to completing all proposed tasks shall be included. A maximum of five (5) points may be awarded for this category based on Consultant's experience and knowledge of contractual close-out procedures.

### **SUMMARY OF ORAL PRESENTATION SCORING**

Category/Element	Maximum Points	Weighted Value (Percent)
1. Office Size and Location	5	5
2. Key Personnel		20
a. Assigned Personnel and Work Load	5	
b. Certifications and Registrations	5	
3. Consultant Experience	5	15
4. Consultant Management Plan	5	15
5. Schedule	5	10
6. Cost Control	5	10
7. Construction Observation and Contract Administration	5	15
8. Project Close-Out	5	10
<b>TOTALS</b>	<b>5</b>	<b>100</b>

**SPECIAL NOTE:**

All point awards information regarding the oral presentation will be held as confidential until a negotiated contract is signed with the awarded Consultant(s).

### **VII. SELECTED CONSULTANT(S) FOR NEGOTIATIONS**

ADEQ shall determine the Consultant(s) considered the best qualified and capable of performing the proposed work activities. After the oral presentations and scoring, ADEQ will combine the written and oral presentation scores. The scores shall be ranked from highest to lowest (i.e.: highest score receives the number 1 rank position and second highest the number 2 position, etc.). In the event of a tie score(s), the tie(s) shall be broken by coin toss elimination. The consultant winning the coin toss shall be placed in the ranking above the loser of the toss. When ranking is to be decided by coin toss, the affected consultants will be notified and an offer to witness the coin toss will be extended. If the consultant declines to attend, it shall be so noted in the selection record. The consultant(s) having the highest total score (ranking) shall be selected for negotiations. ADEQ will

notify the Consultants, in writing, of the results of the selection process.

The Consultant(s) selected for negotiation will be instructed to submit a proposed scope of work to be provided for this contract along with a copy of all proposed attachments to the contract. Include a schedule of the proposed fees and anticipated reimbursable expenses. If services above and beyond the customary basic services are anticipated, submit a description of the proposed services and the proposed fees. Basic services, allowable reimbursable expenses and additional services shall be as defined in the MSC. ADEQ will schedule a meeting as soon as possible with the selected consultant to discuss the details and requirements of the full scope of services and contract budget. All contracts shall be on the forms approved by the Office of State Procurement and DBA. Attachments to this form are permissible and necessary to fully define the terms and conditions of the proposed contract. All attachments shall be edited as required to be in compliance with Arkansas law, MSC, Office of State Procurement rules and guidelines governing professional service contracts and DBA's policies. Fee payments, entire or a portion thereof, shall be based on satisfactory performance of the work.

If the one selected Consultant and ADEQ are unable to negotiate a satisfactory design professional contract, the negotiations with that Consultant shall be terminated. ADEQ will then undertake negotiations with the Consultant having the next highest ranked consultant. If the second negotiation is unsuccessful, the ADEQ may terminate negotiation and move to the third ranked, and so forth. If ADEQ is unable to successfully negotiate a contract with any of the consultants interviewed, the selection process shall be terminated. ADEQ may re-evaluate the scope of services required under this solicitation and begin the RFQ selection process over or may cancel this solicitation. Under no circumstances will ADEQ undertake negotiations with any of the consultants not selected for the oral presentation. ADEQ will not be financially obligated for any Consultants' expenses associated with the negotiation procedures.

### **VIII. Special Conditions**

The ADEQ shall identify the qualified Consultant that, in the sole judgment of ADEQ, represented by the Director, exhibits the ability to perform successfully under the terms and conditions of the Request for Qualifications. To qualify as responsible, a party must meet and maintain the following minimum standards as they relate to the proposed project.

- A. Consultant must provide: 1) information on its status and the status of parent companies, subsidiaries, affiliates, and subcontractors as potential responsible parties of the site; 2)

- certification that, to the best of its knowledge and belief, it has disclosed such information or no such information exists; 3) a statement that it will immediately disclose any such information discovered after submission of SOQ, or after award. The State will evaluate such information and will exclude any Consultant who is a potential responsible party at the Site if the State determines the Consultant's conflict of interest is significant and cannot be avoided or otherwise resolved. In addition, the Consultant must provide information on its status and the status of parent companies, subsidiaries, affiliates and subcontractors as to listing on the Office of Surface Mining, Reclamation and Enforcement (OSMRE), Applicant Violator System (AVS) after submission of the SOQ, and before contract execution. Failure to fulfill this provision will cause immediate termination of negotiations.
- B. Have adequate financial resources for performance, adequate liability insurance, experience, organization, technical qualifications, equipment, and facilities or a firm commitment, arrangement, or ability to obtain such (including proposed subagreements).
  - C. Ability to comply with the proposed or future negotiated completion schedule for the project. Have a satisfactory record of integrity, judgment, and performance, including in particular, prior performance history in completing contracts within the specified costs and schedules. In evaluating qualifications and proposals submitted for consideration by prospective Consultants, ADEQ may consider past performance in determining the acceptability of Consultant and personnel to be employed under contract with ADEQ.
  - D. Have an adequate financial management system and audit procedures which provide timely, efficient, and effective accountability and control of all property, funds, and assets.
  - E. Consultant shall be required to indemnify and hold harmless the State of Arkansas and the Arkansas Department of Environmental Quality, its employees and officers against any and all liability, loss or damage claimed by any party caused by Consultant's negligent conduct or intentional misconduct arising out of or incident to the Consultant's work performance. Proof of Worker's Compensation Insurance with waiver of subrogation to the State of Arkansas and ADEQ for all personnel and subcontractors must be provided as a condition of contract execution. In addition, as a condition of

- Contract award, the Consultant shall provide general casualty insurance with personal injury and property damage amounting to a total annual aggregate of \$1,000,000 with individual occurrences equivalent to annual aggregate. The Consultant will provide a letter of assurance from the insurance carrier (or the Certificates of Proof of Insurance) that the necessary insurance is available to the Consultant upon request. Failure to fulfill this provision will cause immediate termination of negotiations.
- F. The Consultant shall comply with all applicable State and Federal laws.
  - G. In submitting a document in accordance with this RFQ, the prospective Consultant agrees that, if awarded the contract for this work, he or she will, on his or her own time and at his or her own expense, procure all permits, licenses, and certificates that may be required by him or her (and his or her subcontractors) by law for the execution of the work. He or she shall certify compliance with all federal, state, and local laws, ordinances, rules, and regulations relating to the performance of the work. He or she shall be responsible for contacting utility companies and verifying existence of cables, gas mains, or other utilities, above ground and underground.
  - H. Submittals will be accepted only for the entire anticipated scope of work. Any partial work proposals will be rejected without consideration.
  - I. Any exception or exclusion, either stated or implied, made by the Consultant in submitting qualifications for evaluation under the instructions and requirements of this RFQ will cause immediate rejection of the submittal for due cause.
  - J. In submitting a SOQ for consideration under this request, Consultant agrees that the personnel resources presented in the SOQ will be available and committed to perform the work described herein and in the forthcoming Contract upon request by ADEQ