

**ARKANSAS DEPARTMENT OF ENERGY & ENVIRONMENT
DIVISION OF ENVIRONMENTAL QUALITY**

5301 NORTHSORE DRIVE

NORTH LITTLE ROCK, AR 72118

NO. 930-RFQ-2403

REQUEST FOR QUALIFICATIONS

FOR

ENGINEERING DESIGN SERVICES

FOR

**AN ABANDONED COAL MINE LAND RECLAMATION PROJECT
LOCATED IN SEBASTION COUNTY NEAR MIDLAND, AR**

DATE

December 4, 2023

SUBMITTAL DEADLINE

January 15, 2024 at 5:00 PM

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I. INTRODUCTION

A. General

In accordance with Arkansas Code Annotated § 19-11-801 et. seq., § 19-11-1001 et. seq., Arkansas Department of Transformation and Shared Services (TSS), Division of Building Authority (DBA) Minimum Standards and Criteria (MSC) § 2-100, and the Department of Transformation and Shared Services (TSS), Office of State Procurement (OSP) Policies and Guidelines, the Arkansas Department of Energy and Environment (ADEE), Division of Environmental Quality (DEQ), herein after referred to as the Agency, is soliciting qualifications from qualified firms to provide Geomorphic and Professional Engineering services associated with the reclamation of abandoned coal mined land located near the town of Midland in Sebastian County, Arkansas and referred to as the Price-Wharff Project. The Professional Engineering services shall be procured in accordance with the TSS Division of Building Authority's Minimum Standards and Criteria § 2-201 (DBA MSC). This RFQ is for a Specific Project. Applicants must be properly registered with the appropriate professional boards in accordance with Ark. Code Ann. § 17-15-101 et. seq. (Architectural), Ark. Code Ann. § 17-38-101 et. seq. (Landscape Architect), Ark. Code Ann. § 17-30-101 et. seq. (Engineering) and Ark. Code Ann. § 17-48-101 et. seq. (Land Surveyors). The MSC is available for review and can be downloaded at the following website link:

[https:// www.transform.ar.gov/wp-content/uploads/DBA-Minimum-Standards-Criteria_October-2022.pdf](https://www.transform.ar.gov/wp-content/uploads/DBA-Minimum-Standards-Criteria_October-2022.pdf)

B. Objective

The Arkansas Department of Energy and Environment, Mining Program issues this Request for Qualifications (RFQ) to obtain proposals from Qualified Engineering Design Consultants to provide professional geomorphic engineering design services for the production of studies, plans and specifications for the reclamation of abandoned coal mined lands near the town of Midland in Sebastian County, Arkansas and referred to as the Price-Wharff Project. The Agency intends to award the project to the Engineering Design Consultant (EDC) having the capability to provide the required services in-house, but shall also consider applicants which utilize outside sub-consultants to perform specific services.

C. Contemplated Project

The major tasks to be performed by the EDC include site assessment, reclamation design activities and project management as summarized in Section II of this RFQ. The Agency will define the site assessment and reclamation tasks to be performed by the EDC during the negotiations of the site specific Scope of Work. The Agency will issue the project assignment in writing and develop a detailed scope of services required to fulfill the needs of this particular project and at that time the EDC will make a formal proposal to provide the requested services for a stipulated method of compensation in accordance with the Minimum Standards and Criteria. Additional tasks to be performed by the EDC for reclamation design may be further refined by the Agency based upon completed results of the initial assessment and will be defined in a revised Scope of Work

D. Term

The term of the contract will be annual (or biennial) with the option for extension or renewal for up to seven (7) consecutive years or until the project is completed whichever comes first. The Agency will be responsible for the award and administration of any resulting contract.

E. Submittal of Statement of Qualifications

Responses to this RFQ shall be submitted to the evaluation committee facilitator identified under item IV.A. of this RFQ on or before the date stipulated.

Submittal of a Statement of Qualifications (SOQ) in response to this RFQ does not constitute an offer to perform any engineering design service nor does submittal of a SOQ represent a proposal to provide any particular level of services for any stipulated compensation. Responses to this RFQ will be used by the Agency solely to determine if the respondents have the appropriate background, experience, licenses, and qualifications to be considered for the specific project covered by this RFQ. The best qualified respondent will be selected to negotiate a professional services contract to provide engineering design services for the project specified in this RFQ.

F. Clarifications

Prospective respondents may submit written questions or request for clarifications to the facilitator on or before the date shown under item III of this RFQ.

G. Minority and Women's Business Participation

The State of Arkansas supports equal opportunity in the participation in all areas of capital improvements, therefore minority and women's business enterprises are encouraged to participate.

H. Vendor Performance Evaluations

In accordance with Ark. Code Ann. § 19-11-268 all vendors are subject to quarterly performance evaluations by the Agency during the life of the contract. The EDC selected for this project will be evaluated on the following broad scope categories:

1. Customer Service: The degree of responsiveness provided by the vendor to an agency's request for assistance in areas including but not limited to invoicing, communications, and problem solving.
2. Delivery: The degree with which the vendor supplied the services to the agency within the time frames identified or specified in the contract or scope of work statement.
3. Quality: The conformance of the services with the stated requirements, deliverables, and performance standards specific in the contract or scope of work statement.
4. Pricing: The level to which the vendor adheres to the project budget as outlined in the contract or scope of work statement.

Specific criteria for each category will be further defined in the contract negotiation phase with the selected EDC.

Quarterly reports will be submitted by the Agency to the Office of State Procurement (OSP) and will not be copied directly to the vendor by the Agency. OSP will review the report and submit all “Below Standard” reports to the vendor.

II. SCOPE OF SERVICES REQUESTED

The Qualified EDC selected under this RFQ shall provide professional services including but not limited to the following Tasks:

Task 1 - Project Initiation

- a) Research the subject project site and gather information from past investigations, if available.
- b) Complete the ADEE Eligibility Memorandum as required and including the memorandum write up and the associated documentation necessary for review and approval by the ADEE and the Office of Surface Mining Reclamation and Enforcement (OSMRE).

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 and determine participation and landowner goals for completed project.
- d) Confirm/perform control survey mapping (establish control points).
- e) Complete topographic mapping to a level of detail as required for project reclamation design.
- f) Code analysis to ensure the project complies with all applicable Federal and State codes, compliance with Federal and State regulations and rules regarding floodplain development management as well as State rules and standards including but not limited to:
 - “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 Transformation and Shared Services Division of Building Authority (DBA) – “Minimum Standards and Criteria Manual”

- “Conservation Practices for the Reclamation of Surface Mines in Arkansas”, March 30, 2001; Arkansas Dept. of Energy and Environment, Division 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.

- f) Refine specific project Scope of Work, if needed, following site assessment.
- g) Provide Reclamation Assessment Summary to outline conceptual reclamation approach.
- h) Development of an estimate of the maximum probable cost of the project.

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 a schematic design submittal (approximately 25% complete documents) for review and approval by the Agency.
 - e) Development of a design development submittal (approximately 50% complete documents) and a revised estimate of reclamation activity cost for review and approval by the Agency.
 - f) Development of a reclamation activity document submittal (100% complete documents), a revised estimate of reclamation activity cost, for review and approval by the Agency.
8. Submittal of the reclamation activity documents to all applicable regulatory review agencies on behalf of the Agency.
9. Submittal of the final documents to DBA Design Review Section for approval.
- f) Assistance with the preparation of bid advertisements and submittal to DBA Construction Section for approval, attendance at bid openings, evaluation of bids, and review of contract documents in conjunction with award of a specific project bid.

Task 4 – Reclamation Activities Management/Oversight

- a) Review and manage contractor’s reclamation activities in conformance with the approved design and represent Agency in management and completion of reclamation activities and overall contract administration.
- b) Periodic reclamation activities observations to include review of reclamation activity, contractor submittals, progress of the work proposal request, progress payments, contract change order, substantial completion and project closeout.

- c) Organize and conduct reclamation activities meetings.
- d) Process reclamation activities contractor's pay requests, develop and manage change orders.
- e) Review of the project site at the end of the reclamation activity contractor's warranty period and development of a list of deficiencies for correction under the terms of the warranty. Execute and participate in reclamation activities contract close out procedures.
- f) Receive, review and transmit "record" documents as follows:

Project "record" documents include, but are not limited to: complete bid proposals of all bidders, substantive correspondence related to a specific project, complete reclamation activities contractor pay applications and EDC'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. 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.

III. PROPOSED SCHEDULE OF EVENTS

A. Schedule

The following is provided for preliminary planning and to convey the Agency understands the time critical events and proposed milestones for the development of this RFQ only. This schedule is in no way intended to establish an expectation or commitment for the execution or delivery of any or all of the events listed below. This schedule may be reviewed and revised at each step of the process up to and including the negotiation of the engineering design services contract.

Approx. Date Procurement Event or Project Activity

- December 10, 2023 Agency Advertises RFQ (first run)
- December 17, 2023 Agency Advertises RFQ (second run)
- December 28, 2023 Deadline for submittal of written questions or clarifications
- January 4, 2024 Agency shall issue responses to all requests for clarifications (all questions will be answered and posted on the Agency's website as received)
- **January 15, 2024 Deadline for submittal of qualifications to the Agency**
- January 31, 2024 Agency notifies all respondents of selected EDC.

B. Funding

In the event that release of funding is delayed, it is the intent of the Agency to renew the Engineering Design Services contract annually until such time as funding is available or the project is determined to be no longer feasible.

IV. WRITTEN QUALIFICATIONS SUBMISSION GUIDELINES

A. Submittal Information

1. Provide five (5) copies of the statement of qualifications and one (1) in PDF file format on compact disc addressed to the evaluation committee facilitator at:

NAME: Andrea Hopkins

ADDRESS: 5301 Northshore Drive, North Little Rock, AR 72118

PHONE: 501.683.3469

EMAIL: Hopkins@adeq.state.ar.us

2. Submittals shall be received at the above address on or before **January 15, 2024**. Failure to meet this requirement shall result in automatic disqualification for consideration under this RFQ.

3. Envelopes should state "Statement of Qualifications for RFQ No. 930-RFQ-2403 ENGINEERING DESIGN CONSULTING SERVICES for ARKANSAS DEPARTMENT OF ENERGY & ENVIRONMENT, MINING PROGRAM".

4. In accordance with the policies of the Agency and State of Arkansas concerning recycling of paper products, the statement of qualifications should be printed on recycled paper or on paper suitable for recycling. Color printing and photographs are acceptable provided they comply with the State recycling program. Do not include glossy paper in the submittal. Do not include plastic laminated sheets or covers.

5. The submittal should be bound by a plastic comb binder, tape binder, three-ring binder, or other similar method suitable for ease of removal for recycling.

6. The statement of qualifications should contain the information listed under contents below. Please note the submittal page limitations (maximum) as applicable. Unused pages in one section of the response may not be substituted for addition pages in another section.

7. A page is defined as one typewritten, graphic, or photo representation on standard 8-1/2" x 11" stationery. Double sided print on standard 8-1/2" x 11" paper shall count as two pages. Maps, graphics or photos on one side of 11" x 17" paper shall count as two pages. Other paper sizes or blank filler pages are discouraged. It is not necessary to prepare your response to this solicitation using elaborate brochures and artwork, expensive paper and bindings or other expensive visual presentation aids.

8. Submittal brochures shall be indexed to correspond to the numbering and labeling shown under contents below.

9. No information concerning the statement of qualification, evaluation scores, nor the identity of the evaluators shall be released by the Agency until all ratings have been summarized and approved by the appropriate procurement official of the Office of State Procurement or the Agency.

B. Minimal Submittal Contents

1. Transmittal Letter (2-page maximum)

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 an alternate. This individual(s) should be available to be contacted by telephone or attend meetings to provide clarification on the statement of qualifications as may be appropriate. A brief summary of the consultant's qualifications may be provided with the body of the letter. The letter should be signed by a principal or corporate officer of the firm.

2. Proof of Registration (No page limit)

Submit evidence of proof of registration by the appropriate board having jurisdiction for each of the key personnel on the firms on the team. All individuals and firms must have a valid and current license and must be in good standing with the applicable board. Acceptable forms of proof from the Boards of Architects, of Engineers and Land Surveyors, and of Landscape Architects may be one of the following:

- (a) A copy of the Board issued wallet card showing the name of the individual or firm, the licenses number, and current expiration date. (Place multiple cards on a single page.)
- (b) A copy of the individual's or firm's license downloaded from the appropriate Board's official website.
- (c) A copy of the on-line verification of the individual or firm's license or certificate from the appropriate Board's official website. The copy should show the individual or firm's name, license or certificate number, and current expiration date.

3. Proof of Insurance (No page limit)

The primary consulting firm should submit proof of professional liability and general liability insurance in accordance with the requirements and limitations set forth in the MSC under § 2-312 and § 2-313. The consultant selected for award under this RFQ must maintain the insurance current and effective throughout the period stipulated in the MSC. The consultant may change insurance carriers subject to notification to the Agency. Any new carrier must be acceptable to the Agency.

4. Equal Employment Opportunity Policy (EEO) (No page limit)

The primary consulting firm should submit a copy of their EEO 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.

5. Office Size (2-page maximum)

Provide a description of the size (number of employees), and organizational structure of your firm/team. Include a detailed description of the staffing and resources for the office from which you intend to service this contract. Indicate if all anticipated services will be provided by in-house personnel.

If the respondent to this RFQ intends to utilize outside consultants (such as engineering or environmental sub-consultants), provide a description of the services to be provided.

7. Key Personnel of the Design Team (10-page maximum)

Provide a description of the key personnel to be used on the design team, including consultants. Provide a brief description of the qualifications including education and licenses. You may include an organizational chart. 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 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.

Include a listing of the name of the firm and the key person that will provide the following services on your team:

- Geo-technical engineering,
- Civil engineering,
- Geomorphic engineering
- Landscape design
- Surveying
- Environmental engineering

8. Experience – General (10-page maximum)

Provide detailed descriptions of projects of similar nature and scope that demonstrate your understanding of the requirements of this contract. Examples should be as closely matched to this type of contract as possible. Examples of other projects that demonstrate your ability to address key elements of this type of contract may be included provided the link between the key element and the anticipated application to this contract are clearly delineated.

9. Previously Awarded State of Arkansas Contracts (3-page maximum)

Provide a complete listing of all contracts that the primary firm has or had within the previous 24 months, including all current contracts. This listing should be limited to Arkansas State Agencies, Boards and Commissions, Higher Education Institutions, the Arkansas Highway and Transportation Commission, the Arkansas Game and Fish Commission and any Arkansas Constitutional Offices. Do not include public schools (K-12), county and municipal government units, or federal government contracts.

Listing should show the Agency with whom you had or have a contract, the type of contract (i.e. On-Call, or name of specific project), term of the contract (beginning and ending dates), amount of the contract, and the name, phone number and email address of the point of contact (person having operational knowledge of the contract) with the Agency.

Disclose all on-going legal controversies that you have with any Arkansas State Agency, Board, or Commission, including Higher Education Institutions, the Arkansas Highway and Transportation Commission, the Arkansas Game and Fish Commission, any Arkansas Constitutional Office and any public school district (K-12).

10. Risk Management Plan (No page limit)

Provide a description of the primary consulting firms approach to managing risk on the project during all phases of a project beginning with the pre-design phase through the reclamation activity phase closeout. Include discussion of how the primary consulting firm will incorporate each sub-consultant's risk management plan into an overall comprehensive plan for a project.

Provide a description of the major risk factors that you anticipate in this RFQ and mitigation steps for each factor.

V. EVALUATION OF RESPONSES AND SELECTION CRITERIA

A. General

The following provides a general overview of the evaluation process and describes the scoring criteria to be used in this evaluation process. The statements of qualifications shall first be screened to determine that the submittal meets the guidelines and requirements of this RFQ. Submittals which do not fully comply with these requirements shall be disqualified from consideration by the committee.

All compliant submittals shall be distributed to the committee members for evaluation. After each committee member has completed their evaluation and scoring, the committee shall convene to discuss each submittal and total the scoring from all members.

The evaluation committee will be comprised of three (3) or more representatives (an odd number is required) from the Agency. Voting members will have subject matter expertise in the areas of geologies, mine reclamation, engineering and environmental regulation. A representative of the DBA Design Review Section may attend the meeting as an observer and adviser for auditing purposes.

B. Disqualification Requirements

Submittals received after the closing date at time shown on the cover of this RFQ and in paragraph IV.A.2 shall be disqualified from consideration under this RFQ solicitation.

Submittals which exceed the maximum page limits in one or more areas shown below shall be disqualified from consideration under this RFQ solicitation.

Incomplete submittals shall be disqualified from consideration under this RFQ solicitation.

Submittals not organized in the order prescribed in this RFQ will be disqualified from consideration under this RFQ solicitation.

Respondents who attempt to influence an evaluation team member in a manner that violates State or Federal laws or the ethical standards of the State, TSS/OSP, TSS/DBA, or the Agency shall be disqualified from consideration under this RFQ solicitation. Violations of this subparagraph shall disqualify the respondent from further consideration at any point in this selection process.

C. Evaluation Criteria and Scoring

Submittals meeting the minimum requirements defined above shall be considered for evaluation. Those submissions deemed compliant will then be evaluated and scored as stipulated in section “IV.B.” of this RFQ and “V.C.” below. The information provided under this subsection will be evaluated based on the criteria contained below and scored based on the maximum points assigned to each category. The following information shall be bound in the submittal under the tab number indicated.

1. Transmittal Letter: A maximum of three (3) points shall be assigned. Weighted value assigned is 2 (equivalent to 2%).

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 an alternate. This individual(s) should be available to be contacted by telephone or attend meetings to provide clarification on the statement of qualifications as may be appropriate. A brief summary of the firm’s qualifications may be provided with the body of the letter. The letter should be signed by a principal or corporate officer of the firm.

2. Proof of Registration: A maximum of five (5) points shall be assigned. Weighted value assigned is 5 (equivalent to 5%).

Submit evidence of proof of registration by the appropriate board having jurisdiction for each of the key personnel and the firms on the team. All individuals and firms must have a valid and current license and must be in good standing with the applicable board. Acceptable forms of proof from the Boards of Architects, of Engineers and Land Surveyors, and of Landscape Architects may be one of the following:

- A copy of the Board issued wallet card showing the name of the individual or firm, the licenses number, and current expiration date. (Place multiple cards on a single page.)
- A copy of the individual’s or firm’s license downloaded from the appropriate Board’s official website.
- A copy of the on-line verification of the individual or firm’s license or certificate from the appropriate Board’s official website. The copy should show the individual or firm’s name, license or certificate number, and current expiration date.

3. Proof of Insurance: A maximum of five (5) points shall be assigned. Weighted value assigned is 5 (equivalent to 5%).

The primary design firm should submit proof of professional liability and general liability insurance in accordance with the requirements and limitations set forth in the MSC under § 2-312 and § 2-313.

4. EEO Policy: A maximum of three (3) points shall be assigned. Weighted value assigned is 3 (equivalent to 3%).

The firm should submit a copy of their EEO 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.

5. Office Size: A maximum of five (5) points shall be assigned. Weighted value assigned is 10 (equivalent to 10%).

Office size (number of employees) shall be evaluated based upon the anticipated needs for a project of this type, size and complexity. The number of discipline specific designer and support staff should be adequate to staff the proposed reclamation design team and backup personnel.

6. Office Location: A maximum of five (5) points shall be assigned. Weighted value assigned is 10 (equivalent to 10%). Response and travel time by the selected consultant is determined to be an important factor in the overall success of the project. Consideration shall be given to the location of the primary consultant's office as well as all outside consultants relative to the project site. In state distance will be calculated based upon the Arkansas Highway and Transportation Department's most current state highway map mileage chart between cities. No other source of distance will be evaluated.

7. Key Personnel: A maximum of five (5) points shall be assigned. Weighted value assigned is 25 (equivalent to 25%).

Key personnel shall be evaluated on their experience relative to the capacity they will serve in on the team. Experience on projects of the same or similar nature as this contract shall be the primary consideration. If a member is designated as a lead designer in a specific area, previous experience in lead roles is considered desirable. If this is the person's first project in a lead position, this shall not automatically disqualify that individual but the relative importance of that position to the overall success of the project shall be considered and points may be deducted for lack of adequate experience. The length of employment with the current firm shall be considered as well as employment history during the past 5 years.

Individuals should have been employed by their current employer at least 6-months and should not have had more than 3 different employers during the past 5-years.

8. Experience-General: A maximum of five (5) points shall be assigned. Weighted value assigned is 25 (equivalent to 25%).

Experience shall be evaluated on its relevance to this specific contract's requirements. Experience with projects of the same or similar nature as this specific project shall be the primary consideration. Experience of a general nature demonstrating an understanding or problem solving capability for discrete elements or functions related to this project's requirements may also be considered relevant.

9. Previously Awarded Arkansas Contracts: A maximum of five (5) points shall be assigned. Weighted value assigned is 5 (equivalent to 5%).

The consultant's current and recent (previous 24-months) contracting history shall be evaluated to ensure that all qualified firms have an equitable opportunity for State contracts.

10. Risk Management Plan: A maximum of five (5) points shall be assigned. Weighted value is 10 (equivalent to 10%).

Risk management plan shall be evaluated upon the consultant's overall understanding of the scope of the project and the factors that pose risk to the successful completion of the project. Consideration should be

given to the types of risk identified and the consultant's mitigation strategies to control or manage these risk.

D. Scoring Summary for Written Statement of Qualifications

Category	Maximum Points	Weighted Value %
1. Transmittal Letter	3	2
2. Proof of Registration	5	5
3. Proof of Insurance	5	5
4. EEO Policy	3	3
5. Office Size	5	10
6. Office Location	5	10
3. Key Personnel	5	25
8. Experience	5	25
9. Arkansas Contracts	5	5
10. Risk Management Plan	5	10
TOTAL	46	100

E. Notification of Results

In accordance with MSC § 2-106, within three (3) working days after the committee has completed this portion of the evaluation, the Agency shall notify all respondents of the results. Only the names of the consultants selected for placement on the QCL will be released. The scoring results of the consultants shall remain confidential.

VI. SELECTION OF CONSULTANTS FOR INTERVIEWS

A. In accordance with MSC §2-106, a minimum of three (3) and a maximum of ten (10) consultants shall be identified as the most responsively qualified and shall be selected for the oral presentation and interview phase. 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 interviews. 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. The coin toss shall be conducted by the evaluation committee chair and witnessed by the facilitator. When ranking is to be decided by coin toss, the facilitator shall notify the affected consultants and extend an offer for the consultant to witness the coin toss decision. If the consultant declines to attend it shall be so noted in the meeting minutes.

B. The order of the scheduled times for interviews shall be determined by random drawing. The names of the consultants selected for interview shall be placed in a container and the names drawn one at a time from

the container by the evaluation committee facilitator. 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 interviews may be scheduled for the same date and location.

C. Should the Agency receive only one response to this solicitation, the Agency may request the DBA Design Review Section to waive the interview phase and proceed directly to the negotiation of a contract with the single respondent or the Agency may re-evaluate the services requested and re-advertise the solicitation. If the Agency elects to request the waiver, the committee shall complete the evaluation of the one respondent to ensure the consultant meets the minimum qualifications and expectations.

VII. ORAL PRESENTATIONS AND INTERVIEWS

A. General

1. Each consultant selected shall be notified in writing of their selection and scheduled for oral presentations and interviews. Consultant shall be given no less than 14 calendar days to prepare for this meeting. Consultant should be prepared to answer questions concerning the qualifications and capabilities of their proposed team and the presentation should be well prepared and concise. The consultant will be given approximately 45 minutes to discuss their unique qualifications and team structure and to present examples of their previous works. Approximately 15 minutes will be allocated for the committee to ask questions relevant to the proposed team and the project. After the question and answer period, approximately 2 minutes will allocated for the consultant to make a brief closing statement regarding why he believes his firm/team is the best qualified for this project.

2. Interviews shall be conducted at the location shown in the letter of notification or virtual interview. The consultant may use photographic slides, Power Point presentations, or poster board displays for visual aids during the presentation. It is the responsibility of the consultant to bring the necessary equipment including projectors, screens, stands, or easels for this presentation.

3. The consultant may elect to provide paper copies of photographs or visual aids to the committee for later review. Copies shall be presented to the facilitator or committee chair person at the time of the interviews or prior to the virtual interview. Materials should be bound in a folder labeled in a similar manner to that of the initial response to the request for qualifications. The consultant may use photographic quality matte paper, color paper and other non-recyclable paper for this portion only. This material shall be used by the committee as a reference only during the evaluation. It is not necessary to prepare elaborate exhibits, displays or presentations with high end audio or graphics. No points shall be awarded or deducted for handout materials whether presented or not.

4. In accordance with MSC § 2-106, **preliminary designs or suggested designs for specific projects shall not be permitted**. This includes renderings, sketches, site plans, space plans, or other graphic or pictorial representations developed for this specific project. Failure to adhere to this requirement shall be grounds for disqualifications. This prohibition is not intended to exclude examples of projects of similar functions that have been previously prepared for other clients. All visual presentation materials should contain an identification of the client for which that material was prepared.

B. Evaluation of the Oral Presentation

1. Experience-Specific

The consultant shall be evaluated on ability to provide the requested services for projects of this type and size. A maximum of fifteen (15) points shall be assigned. Weighted value assigned is 30 (equivalent to 30%).

a. The consultant should present an overview of previous project experiences specific to this RFQ that illustrates the capabilities and expertise of the proposed team's ability to deliver high quality, functional and aesthetically pleasing designs. The range and types of design challenges the firm has encountered on previous projects that might occur on this contract should be discussed as well as how the consultant overcame these challenges.

b. 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 that your firm has with the current DBA processes. Do not include public school projects, university projects, or projects for other agencies not subject to DRS review.

c. The consultant may discuss or present examples of projects for which their team has received local, regional, or national recognition or awards in the past 5-years. Local awards may include society awards, industry association awards, or newspaper and periodical awards published annually. Regional and National awards may include association awards such as AIA, LEED, or ASHRAE or similar, and governmental awards such as GSA, DOD, EPA, DOE, Energy Star and similar. Awards include but are not limited to first, second, third place or honorable mention in a category or classification relevant to the subject project. For example, a project winning in the area of interior design or energy efficiency but not necessarily for overall project design may be applicable and appropriate for consideration.

Visual presentations of projects representing the consultant's style and creativity may be presented.

To the maximum extent possible, these examples should reflect projects of similar size, function and complexity as those typically seen under this type of contract.

2. Schedules

The consultant shall be evaluated on demonstrated ability to meet time critical schedules for similar mine reclamation projects of the type, size, and complexity. A maximum of five (5) points shall be assigned. Weighted value assigned is 20 (equivalent to 20%).

The consultant's current workload shall be evaluated to determine that the team has sufficient capacity to meet the Agency's needs. Staffing patterns, staff utilization, and staff productivity of the consultant shall be evaluated to determine if an adequate number of the key and support personnel are assigned or available to execute the project in a timely manner. The organization structure of the team shall be evaluated to ensure that the appropriate mix of talent and expertise is available for each phase of the project. The consultant's use of, and approach to the team concept as well as contingency planning shall be considered.

3. Cost Controls

The consultant shall be evaluated on demonstrated ability to meet established project budgets. Consultant's understanding of both hard cost (construction contract items) and soft cost (items outside of the general construction contract) shall be considered. A maximum of five (5) points shall be assigned. Weighted value assigned is 20 (equivalent to 20%).

The construction cost estimating examples provided by the consultant should be from the projects referenced in the specific project experience described in item B.1 above. The consultant should discuss the firm's approach to developing estimates of probable construction costs for the construction phase of small projects of the type normally seen under this type of contract. Include a discussion of the accuracy of the firm's estimates on all projects of similar size and complexity over the past 3 years and, if available, provide a discussion of the factors affecting estimates that exceeded plus or minus (+/-) 10 percent of original budget at the start of the design phase.

4. Management Plan

The consultant shall be evaluated on the firm's management approach for contracts of this nature and a demonstrated ability to acquire and disseminate the types of information required in a typical project assignment in an expedient and efficient manner to all members of the design team and the Agency. A maximum of ten (10) points shall be assigned. Weighted value assigned is 15 (equivalent to 15%).

The consultant should present an overview of the quality control methods used to document and track the project requirements to ensure compliance with the Owner's project requirements and all regulatory review agency submittal and approval requirements.

a. The consultant should discuss the firm's use of key personnel during the project for design and construction observation. Describe the primary licensed professionals' and non-licensed designers' roles with regards to budget reviews, code research, production of plans and specifications, attendance at design meetings with the Agency or other consultants, review of others work in peer reviews, review of contractor submittals, review of construction progress, review of proposed changes in scope of the work and review of pricing or payment requests, project observations, and project closeout.

b. The consultant should identify the primary and secondary points of contact to be used by the Agency. These individuals should be present and make this portion of the presentation. The consultant should describe the proposed organization of team members and support staff as required to meet the design challenges and delivery times for projects under this contract. Emphasis should be placed on the roles and responsibilities of each member of the team. The consultant should describe contingency plans to address the loss of key personnel, delays in production of bid documents and extreme fluctuations in construction cost that may adversely affect the project schedule or budget.

5. Construction Observation and Contract Administration

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. A maximum of ten (10) points shall be assigned. Weighted value assigned is 10 (equivalent to 10%).

a. 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.

b. 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.

6. Clarification Questions

The evaluation committee may ask questions for clarification of information provided in the written statement of qualifications. Questions will be limited to information provided in the written qualifications only. Consultant's responses should be limited to clarifying the information previously provided and should not contain new information that may have been omitted to add new qualification information not previously submitted. A maximum of 5 points will be assigned. Weighted value assigned is 5 (equivalent to 5%).

C. Summary of Oral Presentation Scoring.

Category Maximum Points Weighted Value

1. Experience-Specific	15 30
2. Schedules	5 20
3. Cost Controls	5 20
4. Management Plan	10 15
5. Construction Observation/Admin.	10 10
6. Clarification Questions	5 5

TOTAL 50 100

VIII. Selection of Engineering Design Consultant for Negotiations

A. The EDC selected for negotiation will be instructed to submit a proposed scope of basic services 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. 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.

B. The Agency 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 shall the Agency undertake negotiations with any of the consultants not selected under this RFQ.

C. The State of Arkansas nor any of its entities shall be financially obligated for any consultants' expenses associated with the negotiation process whether successful or not. Nothing within this document shall be construed to waive the sovereign immunity of the State of Arkansas or any of its entities.

END