



THE MATTABASSETT **DISTRICT**

ADVERTISEMENT

FEBRUARY 13 2023 & FEBRUARY 14, 2023

REQUEST FOR QUALIFICATIONS

RFQ

**ON-CALL ENGINEERING AND RELATED
SERVICES**

RFQ No.: 2023-1

RFQ DUE: Friday, March 24, 2023 at 2:00 pm

RFQ INVITATION No. 2023-1

FEBRUARY 13, 2023 & FEBRUARY 14, 2023

Sealed Statements of Qualification and proposals will be received at the office of the Executive Director of The Mattabassett District Water Pollution Control Facility, Cromwell, Connecticut, until **2:00 PM on Friday, March 24, 2023**, for:

ON-CALL ENGINEERING AND RELATED SERVICES

Forms, contract terms, and specifications are available at The Mattabassett District's offices, 245 Main Street, Cromwell, Connecticut, and are also available electronically on the District website at www.mattabassettdistrict.org. Interested Firms shall timely register with the District to receive any further communications or addenda. All prospective candidates/Applicants should continue to monitor the District website for any changes in the RFQ. Simple ministerial procedural Questions regarding this Request may be directed to Mrs. Kimberly Pierpont, Office Supervisor at 860-635-5550, extension 200. **NO SUBSTANTIVE OR FORMAL QUESTIONS WILL BE ANSWERED BY ORAL COMMUNICATION.**

The Mattabassett District and its Board of Directors reserve the right to reject any or all Qualification Statements, partially or in entirety; to reject any or all proposals in whole or in part; to accept any Qualification Statement, all in the District's sole discretion, and to withdraw or cancel this invitation to submit a response to this Request for Qualifications, at any time before or after the Qualification Statements are opened and proposals received. Qualification Statements will not be received after the stated due date and time. Qualification Statements cannot be faxed or sent by email. Qualification Statements and proposals sent by fax or by email will not be considered. Submittal of a Statement of Qualification or proposal does not ensure that the firm will be selected or contracted to perform any Services.

By order of The Mattabassett District

Arthur G. Simonian, P.E.
Executive Director

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I – INTRODUCTION

The Mattabassett District (“District”) owns and operates a 35 MGD primary and secondary wastewater treatment facility, with biosolids incineration and state-of-the-art pollution and odor control systems. The District also owns and maintains 8.5 miles of trunk sewer pipe transporting sewage from District member towns.

The District is a public entity and functions in a manner similar to a municipality under the Connecticut General Statutes but does not have taxing authority. The District provides treatment for sewage delivered by the City of New Britain, Town of Berlin, Town of Cromwell and City of Middletown.

The District is seeking qualification statements (“Qualification Statement”) and proposals for a full range of on-call professional engineering services (the “Services”) from engineering and similar professional consulting firms with a minimum of ten (10) years of broad experience in consulting, design and engineering services in the various disciplines required for the operation, maintenance, improvement and rehabilitation requirements of the District’s wastewater treatment plant and facility; and, more specifically in the specialization and disciplines for architectural planning and design, landscape architecture, mechanical engineering, electrical engineering, civil engineering, including site work and surveying services, environmental engineering, including experience with federal, state and local permitting, structural engineering, and GIS services. Experience must include specialized experience with public and private wastewater treatment facilities including design and odor control.

The District is interested in entering into contract with as many as three (3) on-call engineering and related services consulting firms, for a duration up to five (5) years, starting July 1, 2023, to June 30, 2028. The selected firm(s) must be capable of providing a full range of engineering and engineering related Services.

II – RESPONSES TO THIS RFQ

II.1 – RFQ SUBMITTAL

Interested Eligible Firms must demonstrate substantive technical knowledge and adequate staffing with sufficient expertise to provide the Services described in this RFQ. Interested Candidates must submit ten (10) copies of a written Qualification Statement. Qualification Statements must be received by the District, or postmarked **no later than 2:00 PM** Eastern Standard time on **Friday, March 24, 2023**. Qualification Statements, proposals and other submissions received after that date and time may be received by the District as a clerical function only; and, will not be considered, evaluated or otherwise eligible for consideration and selection.

ALL STATEMENTS AND SUBMISSIONS MUST BE IN SEALED ENVELOPES/PACKAGES AND BE CLEARLY MARKED AND IDENTIFIED AS “MATTABASSETT DISTRICT – ONCALL ENGINEERING AND RELATED SERVICES, RFQ No. 2023-1”

The District shall have no express or implied obligation to reimburse any company or firm responding to this RFQ for any costs or expenses incurred in preparing Qualifications Statements or proposals or otherwise responding to this RFQ. The District may select up to six (6) firms to be interviewed by a Committee. The District anticipates conducting interviews during the **week of April 24th, 2023**. The selection process and criteria will consider the firm’s experience, available staffing, specialized capability, professional and technical certifications and licenses, and experience with submitting applications for state and federal funds and grants to fund potential improvement projects.

The District reserves the right to retain all Qualification Statements and proposals submitted and to proceed with any work recommended in any one or more Qualification Statements, regardless whether that proposal is selected, or is recommended after the evaluation is submitted to the District. Submission of a Qualification Statement indicates acceptance by the Candidate of the conditions contained in this Request for Qualifications, unless clearly and specifically noted in the Qualification Statements submitted and confirmed in any eventual contract between The District and the firm(s) selected.

This RFQ requires the submission of a Statement of Qualifications in the form and in the manner set forth in this solicitation no later than the date and time specified in this document. Time is of the Essence. The submittal shall be delivered in a sealed envelope/packages to:

Arthur G. Simonian, P.E., Executive Director
Mattabassett District
245 Main Street
Cromwell, CT 06416

The outside of the envelope shall include:

1. **Mark: “Statement of Qualifications for MATTABASSETT DISTRICT – ONCALL ENGINEERING AND RELATED SERVICES , RFQ 2023-1”**
2. **The name & address of the firm**
3. Each Response shall include ten (10) copies of the following materials:

- a. A cover letter signed by the Firm’s duly authorized principal/member /manager
- b. Certificate of Insurance
- c. Affidavit on Non-collusion Form
- d. Interested Firm information Form with attachments

Submittals will not be accepted after the time and date specified in this RFQ announcement. Submittals received after the stated date and time deadline will be deemed non-responsive, ineligible for evaluation, and returned to the INTERESTED FIRM.

Each response to this RFQ submitted to the District shall become the property of the District.

II.2 – QUESTIONS & ADDENDA

All formal or substantive questions regarding the requested services, this RFQ, or request for additional information shall be submitted by email in adequate detail to enable specific response to Mrs. Kimberly Pierpont, Office Manager, at the following email address: kpierpont@matttdist.org. Questions must be received no later than Monday, March 6, 2023, at 4 pm. Emails with questions received after this date and time will NOT be answered. Telephone calls with questions regarding this RFQ will NOT be answered. Questions left on voicemail will NOT be answered.

Interested firms shall NOT contact or communicate with any other person at the District regarding this RFQ. Contact by interested firms or their representatives with any person at the District other than the person designated above regarding this RFQ is strictly prohibited and failure strictly to adhere to this requirement shall disqualify the interested firm from consideration.

Responses to questions or to provide additional information will be posted to the District’s website at www.mattabassettdistrict.org. At all times it remains the responsibility of Interested Firms to check the District website for updates or addenda to the RFQ. Under no circumstances will the District provide interpretive guidance. No oral interpretation will be provided as to the meaning of any document.

II.3 – SUMMARY OF DUE DATES FOR SUBMITTAL/QUESTIONS

The following is the schedule of key dates for this RFQ:

- Monday, March 6, 2023, at 4 pm, is the deadline for questions regarding this RFQ
- District to issue addenda with answers to questions by email no later than Wednesday, March 15, 2023
- Friday, March 24, 2023 is the due date for Statement of Qualifications
- Interviews the week of April 24, 2023

II.4 – INTERVIEWS

Interviews will be held with up to six (6) selected firms. Interviews will be conducted after the submittal of the Statements of Qualifications. Selected Firms will be notified of the time and location of the interviews.

III – NATURE OF SERVICES REQUIRED

The District seeks on-call licensed professional engineering and related services from qualified and experienced consulting firms in the design, construction, operation, maintenance and improvement of public wastewater and sewerage treatment facilities, or related disciplines more specifically as follows:

1. Architectural Services including the design of building expansion and improvement with related mechanical facilities, lighting, electrical, plumbing and roofing.
2. Structural Engineering Services for design and evaluation of existing structures/facilities and provide recommendation for improvements such as column and slab repairs and rehabilitation
3. Civil Engineering Services, including design, site work, utilities, and landscape architecture
4. Environmental Engineering and federal, state and local environmental and general permitting, including those pertaining to the District's incinerator, landfill and outfall and coordination with governmental agencies as necessary.
5. Wastewater Engineering facilities and infrastructure design, including odor control systems, and energy conservation and improvements.
6. Professional Surveying and Mapping Services
7. GIS services;
8. Hazardous/contaminated materials identification, handling, disposition and remediation.

IV – SUBMITTAL REQUIREMENTS

IV.1 – GENERAL

The District is requesting this information in order to have a measure and standards to choose the most qualified firm(s). The Selection Process is discussed in Section V.

IV.2 - STATEMENT OF QUALIFICATIONS

Each Interested Eligible Firm shall submit a detailed Statement of Qualifications (SOQ).

The following format shall be used for the Statement of Qualifications submittal. The order and content of the SOQ shall be strictly followed. The District seeks brief, concise, truthful and accurate responses.

The following items represent the materials that must be submitted as part of the SOQ submittal.

IV.2.1 - COVER LETTER

The Interested Eligible Firm's cover letter shall identify the consultant responding to the RFQ and designate a primary contact person who has the authority to submit the SOQ package and who has the authority to ensure the assignment of resources to meet the needs of the District should the consultant ultimately be selected.

IV.2.2 - AFFIDAVIT OF NON-COLLUSION

The Interested Eligible Firm shall also complete and execute the Affidavit of Non-Collusion included in this RFQ announcement and submit each affidavit with the cover letter with the Statement of Qualification (SOQ). Each team member consultant providing more than 20% of the proposed man-hours shall complete and submit the affidavit.

IV.2.3 - INTERESTED FIRM INFORMATION

Interested Eligible Firms shall provide the following information and detail in the SOQ:

- A. Nature of Interested Eligible Firm's principal business, including a general description of services provided, emphasizing those required to satisfy the needs of the requirements of the work for the District described in the previous section.
- B. Address of principal office and, if different, the addresses of the office from which the work would be managed and of the offices at which the work will be performed including nominal services and percentage of the services to be provided from each office.

Date Interested Eligible Firm was established. Include former corporate entity names, if any, and landmark dates in growth of the Firm, size and staffing

- C. Interested Eligible Firm's size and size of local or regional offices to provide services for the proposed work (i.e., the primary managing office, number of personnel and expertise of personnel, estimated annual revenues, description and nature of services provided).

- D. Name, address, email and phone number of the INTERESTED FIRM's officer or officers
Name, address, email and phone number of Eligible Interested Firm's officers or officer able to act on behalf of the Eligible Interested Firm to receive notifications and to reply to the District's inquiries, and authorize contractual responsibilities and commitments.
- E. Copies of any and all corporate and professional licenses, and/or registrations providing
Copies of any and all corporate and professional licenses, and/or registrations providing proof of the ability to act in a professional capacity in the State of Connecticut for the District.
- F. Each Interested Firm shall provide a listing of the number of staff it employs in each
Eligible Interested Firm shall provide a listing of the number of staff it employs in each personnel classifications in Connecticut Offices, New England offices, and other national offices.
- G. Insurance requirements are discussed in Section VII. Each Eligible Interested Firms shall include a Certificate of Insurance with the SOQ submittal.
- H. Eligible Interested Firm's affirmative action plan.

IV.2.4 - COMPANY EXPERIENCE

Each Eligible Interested Firm should include clear, detailed descriptions of previous professional engineering services provided on projects that best illustrate the consultant's qualifications and ability to provide services similar in size and complexity to those described in Section I & Section III of this RFQ. Only those projects where the Eligible Interested Firm acted as the prime consultant over the last ten (10) years, or acted as a sub-consultant over the last (10) ten years, that performed more than 25% of the project's work shall be submitted. Include only personnel with the (5) years or more experience that are to be involved in the work to be assigned under this RFQ. Preferably, include design projects that were bid for construction and are either under construction, or have completed construction. Projects completed by the Eligible Interested Firm current staff while working at previous employer shall not be used/listed under company experience, but can be listed in the Eligible Interested Firm key personnel's resume.

IV.2.5 – FIRM'S QUALIFICATONS AND STAFF QUALIFICATIONS

Provide five (5) projects in which the Eligible Interested Firm has experience matching those services requested in the RFQ. Each project or contracted work listed shall include the following information in tabular form:

- A. Organization Name (Owner), and full address
- B. Location of Project
- C. Project owner contact information. Principal contact person with whom the Eligible Interested Firm was contracted to perform the services at the time that they were rendered and any new contact person at the organization. Include name, title, and contact phone number.

- D. Project description, including contract value and quantity of infrastructure designed. Include all services provided by the Eligible Interested Firm; and describe how these services (provided) relate to the District's requested services under this RFQ.
- E. Key personnel; include resumes of those that performed the services described.
- F. Project design duration; including contract start dates and completion dates, and actual completion time.
- G. Compensation for design (dollar amount), including initial contact fee, and change orders, and description of additional services and related amounts.
- H. Construction Project (designed by the Eligible Interested Firm), contract value, change orders and description of changes, and total construction cost.

Eligible Interested Firms shall present the qualifications of all personnel and subconsultants who it intends to use on the project. All key personnel assigned to any District project shall be experienced in their designated roles. The experience of the designated personnel shall be presented in a clear and concise manner in a resume, and must include:

- A. Name, title, total years of experience, total years working with Eligible Interested Firm, responsibilities, and explanation of the role this key personnel would provide on project assignments.
- B. Educational background, academic degrees, certifications, licenses and professional affiliations
- C. Experience on projects involving services similar to requested under this RFQ. Include the experience which precedes the employee's current association with the Eligible Interested Firm if deemed applicable to the services requested under this RFQ, and include the name of the firm under which the experience was gained.
- D. Primary office location from which personnel would be working from.

As stated in this Section, Interested Firms shall submit:

1. A letter of interest, together with general information on the firm
2. Firm's experience in five (5) projects completed successfully over the last ten (10) years, together with project owner, project contact information, the size and scope and references for the projects.
3. Resumes of key personnel responsible for design and supervision of staff and include organizational structure. All key personnel in charge to have a valid CT Professional Engineer's License, or applicable Architectural license in the State of CT.
4. The selected firm must meet all Town, State and Federal affirmative action and equal employment opportunity practice. The Consultant's published statement as such shall be included in the RFQ.
5. Identify personnel to be designated to be in charge and responsible for supervision and project performance. Include key personnel resumes, with a valid CT Professional Engineer's License.

Please timely address all inquiries via email to the District's Office Supervisor, Mrs. Kimberly Pierpont at kpierpont@mattdist.org who will serve as the District's contact person.

All questions, comments, submissions and other communications with the District regarding this RFQ must be addressed to the above named contact person by **Monday, March 6, 2023 by 4pm**. Any information and material received that does not indicate that it is RFQ related or included

contents will be opened as general mail.

Please be sure that the following contact information is included with any Qualification Statement and any appended Submission:

Eligible Interested Firm: _____

Business Address: _____

E-mail address: _____

Business Telephone Number: _____

By: _____

Print name: _____

Title: _____

Date: _____

V- EVALUATION PROCESS & CRITERIA

The Interested Firms and Consultants will be evaluated and selected based on past experience, technical competence, past successful performance on similar projects, complete submittal as outlined in the previous section of the RFQ, staffing capacity and capability to perform the on-call work starting July 1 2023, to June 30, 2028.

The selection team will consist of representatives of the District Board, as well as the District Executive Director, and District Engineer.

V.1 – AUTHORITY

The Selection Authority for the RFQ is the Executive Director and the District Board.

V.2 - SELECTION PANEL AND EVALUATION PROCESS

The SOQ's received under this RFQ, will be reviewed by a panel consisting of District Board members of the Engineering Committee, the Executive Director and the District Engineer.

The panel shall evaluate all responses to this RFQ and will grade each SOQ based on the complete submission of requested materials which would reflect having met the requirements and intent of all the engineering and related Services as requested in Section IV. The intent for grading each SOQ is to rank each SOQ to determine the most qualified in all the disciplines requested in the RFQ, and to short-list firms which will be invited to proceed to the final selection and interview process.

The following criteria shall be more specifically considered in the evaluation and scoring of each Statement of Qualification (SOQ) submitted:

- E. Firm and personnel certifications and licensing demonstrating qualifications to conduct professional engineering, surveying, architectural and related services, as requested in this RFQ, including but not limited to the complete and orderly submission of information requested in the SOQ, such that the firm's and personnel's experience and qualifications can be clearly evaluated by the District panel.
- F. Insurances as included in Section VII
- G. Past project performance
- H. Firm's experience and key personnel experience that are assigned to specific engineering or related services
- I. Specialized experience and technical experience in the type of work required
- J. Ability to meet deadlines

V.3 - FINAL SELECTION PROCESS

The Selection Panel will select six (6) qualified firms having the highest scores will be invited to proceed to and participate in the final selection process.

The final selection process will include an interview with the Selection Panel. The interview will be graded.

Following the interview with the Selection Panel, (3) three of the six (6) short-listed firms with the highest scores will be invited to submit a detailed fee proposal.

The detailed proposal shall include the items requested in Section V.3.2 in this RFQ.

V.3.1- INTERVIEWS

The interview will be held at the District's Administration Building, and will include a (20) twenty minute interview with the Selection Panel. The interview will be rated by the Selection Panel, and the final highest three (3) scores will determine the three (3) firms short-listed to submit detailed fee proposals.

The eligible Interested Firms shall present on their firm's experience, sub-consultant's experience and staff experience, in each of the engineering and related services requested under in this RFQ.

V.3.2 - NEGOTIATION OF PROPOSAL AND SCOPE AND FEES

The three (3) Firms short-listed firms will be invited to submit a detailed fee proposal and schedule. The fee proposal shall include each of the services outlined in this RFQ. The engineering or related services discipline shall include if the Firm or subcontractor's Firm will perform the work. The proposal shall include a not-to-exceed fee with cost reimbursement, or a fixed fee. The fees shall remain constant up to June 30, 2028.

Any fee and expense proposal exceeding an amount the District considers excessive will be renegotiated to a more acceptable fee, or the Firm will not be awarded the on-call bid.

V.3.3 - SUBCONTRACT MARKUPS

Any subcontract charges and any mark-up on subcontractor fees and expense shall be clearly disclosed in detail.

V.4 - CONTRACT EXECUTION

As per Section V.3.2, the District will request fee proposals from the three (3) shortlisted firms that are selected following the interviews. The District will provide the CONTRACT WITH TERMS to the selected firms at the time they are requested to submit fee proposals or at a time thereafter. When the selected firms are offered a contract, the Firms shall timely sign and remain available as contracted.

VI- GENERAL TERMS & CONDITIONS

The following general terms and conditions shall apply:

VI.1 – DISTRICT’S RIGHT TO REJECT/ PROPOSAL

The District reserves the right to reject any or all qualification statements and submissions, to waive informalities in the process and to accept or reject any item or combination of items. In addition, the District reserves the right to withdraw and/or cancel this RFQ at any time prior to contract award, such determination to be made by the District in its sole and absolute discretion. Each Interested Firm assumes all charges, costs, claims or liability for the preparation and submission of its SOQ and proposals. The District is under no obligation to pay or reimburse Interested Firms except pursuant to written contract expressly providing for reimbursements.

VI.2- ACCURATE INFORMATION, ACCOUNTING SYSTEM & AUDIT

The Interested Firm certifies that all information the Interested Firm will provide to the District is true, accurate, complete and correct and can be relied upon by the District in awarding, modifying, making payments, or taking any other action with respect to a written agreement entered into with the Interested Firm pursuant to this request for qualifications (hereinafter “the Agreement”). Any false or misleading information is grounds for the District to terminate any Agreement with the Interested Firm or any written agreement entered into with Interested Firm as such termination shall relieve the District of any direct or consequential damages or costs incurred by Interested Firm. The Interested Firm certifies that the Interested Firm’s accounting system conforms to generally accepted accounting principles and is sufficient to comply with the Interested Firm’s budgetary and financial obligations and to produce reliable financial data and information. The District may examine and audit the Interested Firm’s records to determine and verify compliance with the Agreement. The Interested Firm must grant the District access to these records at all reasonable times during the Agreement term and for a period of (3) three year after termination. If Federal, State or District funds support the Agreement, the appropriate Federal, State or District authorities may also examine these records and retention of such records shall be in accordance with applicable federal and state regulations.

VI.3 -ADDITIONAL SERVICES

The District reserves the right to evaluate additional or new consulting Services which may be in the best interest of the District from time to time and may, within the District’s procurement processes, negotiate the scope and price of these services with a successful Firm or another firm or consultant, whichever is determined to be the most advantageous to the District.

VI.4- CONFIDENTIALITY

The District agrees, to the extent permitted by applicable laws and regulations, to hold all material information belonging to the Interested Firm, which such Firm notifies and states it deems to be confidential, in strictest confidence. Each Interested Firm must specify in writing, delivered to the District, the precise information or material contained in its SOQ and any response to this RFQ or subsequent Contract which the Interested Firm deems to be either a trade secret or other confidential material and state the reasons. The successful Interested Firms agree(s) to hold all material and information belonging to the District or the District’s agents in strictest confidence and not to make use thereof other than for the performance of contractual obligations to the

District, and to release it only to employees or agents of the Interested Firm requiring such information.

VI.5- CONFLICT OF INTEREST

In accordance with the District's financial disclosure and technical conduct policy and /or ordinances, a prerequisite for payment pursuant to the terms of any contract issued under this RFQ is that the Interested Firm shall furnish explicit statements, under oath, that the District Chairman, and/or any other officer of the District, employee of the District, and no member of the governing body of the District has ever received or has been promised directly or indirectly, any financial benefit by way of fee, finder's fee, or in any other manner, remuneration directly or indirectly related to this RFQ or eventual contract and that upon request by the District or other authorized agent, as a prerequisite to payment pursuant to the terms of any subsequent contract, the Interested Firm will furnish the District under oath, answers to any interrogatories and comply with any request to review document related to a possible conflict of interest as herein embodied. The Interested Firm shall also certify under oath that no employee or agent of the Interested Firm is a member or employee of any agency, commission, board or corporation of the District or is a spouse or any other relative of any of the foregoing. If the Interested Firm is unable to so certify, the details of any such relationship with the District shall be disclosed.

VII- NON-DISCRIMINATION & AFFIRMATIVE ACTION

The District is an Equal Opportunity/Affirmative Action Employer and Contractor. Firms selected to contract as a result of this RFQ must meet all municipal, state and federal Affirmative Action and Equal Employment Opportunities practices. All contracts under this RFQ remain Subject to *Conn. Gen. Stat. §4a-60*.

The successful Interested Firm(s) agree(s) to the following provisions:

(1) The Firm agrees and warrants that in the performance of this Agreement Firm will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or gender preference, disability, mental or physical disability including but not limited to blindness, unless it is shown by Interested Firm that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States of the State of Connecticut (the "State"); and Interested Firm further agrees to take affirmative action to ensure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, disability, mental or physical , including but not limited to blindness, unless it is shown by Interested Firm that such disability prevents performance of the work involved;

(2) Firm agrees, in all solicitations or advertisements for employees placed by or on behalf of Interested Firm, to state that it is an "affirmative action-equal opportunity employer" in accordance with regulations adopted by the Connecticut Commission on Human Rights and Opportunities (the "Commission");

(3) Firm agrees to provide each labor union or representative of workers with which Interested Firm has a collective bargaining agreement or other contract or understanding and each vendor with which the Firm has a contract or understanding a notice to be provided by the Commission advising the labor union, workers' representative and vendor of Interested Firm's commitments under *Conn. Gen. Stat. §4a-60*, and to post copies of the notice in conspicuous places available to employees and applicants for employment;

(4) Firm agrees to comply with each provision of *Conn. Gen. Stat. §4a-60*, and with each regulation or relevant order issued by said Commission pursuant to *Conn. Gen. Stat. §46a-56*; and

(5) The Firm agrees to provide the Commission with such information requested by the Commission, and permit access to pertinent books, record and accounts, concerning the employment practices and procedures of the Interested Firm as relate to the provisions of *Conn. Gen. Stat. §4a-60* and *Conn. Gen. Stat. §46a-56*.

The successful Firm(s) agree(s) to the following provisions:

1. Firm agrees and warrants that in the performance of this Agreement Firm will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or the State of Connecticut, and that employees are treated when employed without regard to their sexual orientation;

2. agrees to provide each labor union or representative of workers with which Interested Firm has a collective bargaining agreement or other contract or understanding and each vendor with which Interested Firm has a contract or understanding a notice to be provided by the Commission advising the labor union, workers' representative and vendor of Interested Firm commitments under *Conn. Gen. Stat. § 4a-60*, and to post copies of the notice in conspicuous places available to employees and applicants for employment;
3. Interested Firm agrees to comply with each provision of *Conn. Gen. Stat. §4a-60*, and with each regulation or relevant order issued by the Commission pursuant to *Conn. Gen. Stat. §46a-56*; and
4. The Interested Firm agrees to provide the Commission with such information requested by the Commission, and permit access to pertinent books, record and accounts, concerning the employment practices and procedures of the Interested Firm as relate to the provisions of *Conn. Gen. Stat. §4a-60* and *Conn. Gen. Stat. 46a-56*.
5. The successful Interested Firm agrees and warrants that it will make good faith efforts to employ minority business enterprises as sub consultants and suppliers of materials to perform work or services hereunder; and Interested Firm shall develop and maintain adequate documentation in a manner prescribed by the District, of its good faith efforts.
6. If the successful Interested Firm has one or more contracts with the State or a political subdivision thereof (including the District) that is valued at less than fifty-thousand dollars for each year of the contract, Interested Firm shall provide the District with a written or electronic representation that complies with nondiscrimination agreements and warranties in Sections above, provided if there is any change in such representation, Interested Firm shall provide the updated representation to the District not later than thirty days after such change.

If the successful Interested Firm has on or more contract with the State or a political subdivision thereof (including the District) that is valued at fifty thousand dollars or more for any year of the contract, Interested Firm shall provide the District with any of the following:

- A) Documentation in the form of a company or corporate policy adopted by resolution of the board of directors, shareholders, managers, members or other governing body of Interested Firm that complies with the nondiscrimination agreements and warranties in Sections above.
- B) Documentation in the form of a company or corporate policy adopted by a prior resolution of the board of directors, shareholders, managers, members or other governing body of Interested Firm if (i) the prior resolution is certified by a duly authorized corporate officer of Interested Firm to be in effect on the date the documentation is submitted, and (ii) the head of the agency of the State or such political subdivision, or a designee, certifies that the prior resolution complies with the nondiscrimination agreements and warranties in the Sections above.
- C) Documentation in the form of an affidavit signed under penalty of false statement by a chief executive officer, president, chairperson or other corporate officer duly

authorized to adopt Interested Firm s company or corporate policy that certifies that the company or corporate policy of Firm complies with the nondiscrimination agreements and warranties in the above sections and is in effect on the date that the affidavit is signed.

The District shall not award a contract to an Interested Firm which has not provided the representation or documentation required under this Section, and each successful Firm warrants that it has provided all such representations and documentation to the District as required under his Section hereof. Firm shall not be required to resubmit such representation or documentation unless there is a change in the information contained in such representation or documentation. In the event of such a change, Interested Firm shall submit an updated representation or documentation, as applicable, either (A) not later than thirty days after the effective date of such change, or (B) upon the execution of a new contract with the State or a political subdivision thereof, whichever is earlier. Interested Firm shall also certify, in accordance with this Section, (B) or (C) and not later than fourteen days after the twelve-month anniversary of the most recently filed representation or documentation, that such representation or documentation on file with the State or the political subdivision thereof is current and accurate.

The successful Firm shall include the provisions in this this Section in every subcontract or purchase order entered into in order to fulfill any obligation of Interested Firm under this Agreement and such provisions shall be binding on a sub consultant, vendor or manufacturer unless exempted by regulations or orders of the District. The Interested Firm shall take such action with respect to any such subcontract or purchase order as the District may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with C.G.S. §46a-56; provided, if Interested Firm becomes involved in, or is threatened with litigation with a sub consultant or vendor, as a result of such direction by the District, the Interested Firm may request the State to enter into any such litigation or negotiation prior thereto to protect the interests of the State and the State may so enter.

For purposes of this section, the terms “Agreement” shall include any extension, changes or modification of the Agreement, and “Firm” includes any successors or assigns of the successful Interested Firm ; and the terms “minority business enterprise” and “good faith efforts” shall have the meanings assigned to such terms in *Conn. Gen. Stat.* §4a-60.

THE DISTRICT RESERVES THE RIGHT IN ITS SOLE DISCRETION TO REJECT ANY AND ALL QUALIFICATION STATEMENTS, PROPOSALS AND SUBMISSIONS, TO EXTEND DEADLINES OR CANCEL THIS RFQ PROCUREMENT AT ANY TIME IF IT IS DEEMED IN THE BEST INTERESTS OF THE DISTRICT.

The District reserves the further right to modify or amend this RFQ at any time before signing a contract; to refuse to accept Qualification Statements that do not comply with the District’s procurement requirements; to reject any Qualification Statement that is incomplete or in which there exist significant inconsistencies or inaccuracies; to require Interested Firms, at their own expense, to submit written clarification of statements in any manner or format the District may determine; waive any technical defects, irregularities and omissions if in the District’s judgment it is in the District’s best interest; contract for all or any portion of the scope of services or tasks contained in this RFQ or contract with one or more Interested Firms if deemed in the best interest of the District; to negotiate separately any Services in any manner needed to serve the best interests of the District and to reopen the entire process if the District determines that the statements and

submissions are unacceptable.

At all times it remains solely the responsibility of an Interested Firm to obtain any and all Addendums, if any are issued, or obtain official announcements pertaining to this RFQ. Neither the issuance of this RFQ nor the District's receipt of a response creates any liability or obligation on the part of the District. Interested Firms are referred to the District's website for any information regarding this RFQ.

Due regard will be given to the protection of proprietary information contained in all submissions received; however, respondents must be aware that all material associated with this procurement solicitation remains subject to the terms of the Connecticut Freedom of Information Act ("FOIA"). The particular pages or sections, if any, that a respondent considers confidential and proprietary must be specifically identified as such.

VIII - INSURANCE REQUIREMENTS

Insurance Each Interested Firm represents that it has purchased and agrees that it will keep in force for the duration of the performance of the Services or for such longer term as may be required by a Contract with the District, in a company or companies lawfully authorized to do business in the state of Connecticut, such insurance as will protect the District from claims for loss or injury which might arise out of or be related to the Services required by this Contract regardless whether such operations and Services be conducted by a contracted Firm , Consultant or by an approved subcontractor or its subcontractors for which Consultant may be responsible. Each Firm and Consultant represents and agrees that the insurance is written for and shall be maintained in an amount not less than the limits of the liability specified below or required by law, whichever coverage is greater. Interested Firms certify that coverage shall be written on a “claims made” form and shall be maintained without interruption from the commencement of Services and work until the expiration of all applicable statutes of limitation.

- a) Worker’s Compensation, employer liability, \$1,000,000.
- b) Comprehensive General Liability with limits of not less than \$1,000,000.00 per occurrence, \$2,000,000 Aggregate.
- c) Professional Liability with limits not less than \$1,000,000 per occurrence, \$1,000,000 Aggregate.
- d) Comprehensive Automobile Liability (owned, non-owned, hired) of \$1,000,000 each accident.
- e) Cyber liability not less than \$1,000,000 per occurrence and Aggregate.
- f) Umbrella Liability of not less than \$5,000,000 per occurrence and Aggregate.
- g) Pollution Liability not less than \$3,000,000.00

Certificate The contracted Firm(s) and Consultants shall file Certificates of Insurance, naming the District as an additional named insured, in duplicate, acceptable to all parties prior to commencement of Services, which shall contain a provision that coverage under the policies shall not be canceled or allowed to expire or permit material changes until at least Thirty (30) days written notice has been given to the District.

IX – NON-COLLUSION AFFIDAVIT

NON-COLLUSION AFFIDAVIT

(This affidavit must be signed and sworn to by the person signing it)

AFFIDAVIT FOR CORPORATION APPLICANT

STATE OF CONNECTICUT

COUNTY OF _____

_____ Being first duly sworn deposes and says:

That they are the _____ of the corporation who
(Official Title of Cooperate Officer or Agent)

is the Applicant submitting the accompanying RFQ for Contract No. **2023-1**; and that they, being duly authorized, signed this affidavit on behalf of such Applicant; and that such RFQ is genuine and not a sham or collusive or made in the interest or on behalf of any person not therein named; and that such Applicant has not directly or indirectly, induced or solicited any other Applicant to put in a sham RFQ, or any other person, firm or corporation to refrain from submitting an RFQ and that such Applicant has not in any manner sought by collusion to secure such Applicant any advantage over any other Applicant; and that such Applicant has not otherwise taken any action in restraint of free competitive negotiation in connection with the subject RFQ.

Subscribed and sworn to before me this _____ day of _____, 2023

_____ My Commission expires _____

Notary Public
(Seal)

(Signature of Cooperate Officer or Agent)

NON-COLLUSION AFFIDAVIT

(This affidavit must be signed and sworn to by the person signing the RFQ)

AFFIDAVIT FOR CO-PARTNERSHIP APPLICANT

STATE OF CONNECTICUT

COUNTY OF _____

Each being first duly sworn, each deposes and each for themselves says: That they are a member of and that the persons listed above collectively compose the co-partnership firm designated as _____ who is the Applicant submitting the accompanying

(Firm Name)

RFQ for Contract **No. 2023-1**; and that they, being duly authorized, signed this affidavit on behalf of such Applicant; and that such RFQ is genuine and not a sham or collusive or made in the interest or on behalf of any person not therein named; and that such Applicant has not directly or indirectly, induced or solicited any other Applicant to put in a sham bid, or any other person, firm or corporation to refrain from submitting an RFQ and that such Applicant has not in any manner sought by collusion to secure for such Applicant any advantage over any other Applicant; and that such Applicant has not otherwise taken any action in restraint of free competitive negotiation in connection with the subject RFQ

Subscribed and sworn to before me this _____ day of _____, 2023

_____ My Commission expires _____

Notary Public
(Seal)

Signatures of Named Principals:

NON-COLLUSION AFFIDAVIT

(This affidavit must be signed and sworn to by the person signing the RFQ)

AFFIDAVIT FOR INDIVIDUAL APPLICANT

STATE OF CONNECTICUT

COUNTY OF _____

_____ Being first duly sworn deposes and says:
That he/she is the person who is the Applicant r submitting the accompanying Qualification Statement for Contract No. **2023-1**; and that he/she has read, understood, and agreed to all the terms and provisions thereof, signed this affidavit; and the accompanying Qualification Statement ; and that such statement is genuine and not a sham or collusive or made in the interest or on behalf of any person not therein named; and that such Applicant has not directly or indirectly, induced or solicited any other Applicant to put in a sham qualification statement, or any other person, firm or corporation to refrain from submitting a qualification statement and that such Applicant has not in any manner sought by collusion to secure such Applicant any advantage over any other Applicant ; and that such Applicant has not otherwise taken any action in restraint of free competitive negotiation in connection with the subject RFQ.

Subscribed and sworn to before me this _____ day of _____, 2023

_____ My Commission expires _____

Notary Public
(Seal)

(Signature of named individual)