



LEWIS AND CLARK COUNTY

Public Works Department

LEWIS AND CLARK COUNTY, MONTANA REQUEST FOR QUALIFICATIONS DRAINAGE, TRAIL AND ROADSIDE MAINTENANCE RELATED SERVICES FOR THE HELENA VALLEY RURAL IMPROVEMENT DISTRICTS

Introduction

Lewis and Clark County (hereafter, the “County”) is soliciting Statements of Qualifications (SOQ) to create a roster of qualified contractors to perform drainage, trail, and right-of-way maintenance services within Rural Improvement Districts (RIDs) in Lewis and Clark County. The County will utilize the selected contractors through an on-call basis for individual projects over a three-year period from August 2024 through June 2027.

The County will review SOQs according to the criteria within this request. Once rostered, contractors will be eligible to execute task orders for specific projects and individual project scopes will be established as the need for maintenance arises. Projects will be offered to the roster and contractor selections will be made based on cost, availability, equipment, and experience.

Any individual project with a total cost over \$25,000 will require a separate contract and be subject to prevailing wages and certified payroll reporting.

All projects will require a completed task order form, attached as Exhibit A, prior to work commencing. Contractors will be required to coordinate with County representatives on start and stop dates for each RID, so that work can be coordinated appropriately with HOAs and homeowners.

The County will oversee quality control, and contractors shall supply correct signage in accordance with the Manual on Uniform Traffic Control Devices for the safety of the traveling public during the onsite work, unless other arrangements are made through the County.

Scope of Services

1. Drainage Maintenance:

- Maintain or repair drainage infrastructure within RIDs, including but not limited to roadside ditches, drainage canals, culverts, infiltration structures, headgates, retention ponds, storm drainage systems, and other necessary infrastructure within road rights-of-way and/or drainage easements.
- Work is to be done in accordance with Typical Section One (1) in the Lewis and Clark County Public Works Manual, where applicable.

2. Trail Maintenance:

- Maintain gravel surface trail systems, including shaping or reshaping the surface, addition and compaction of material, or other projects to preserve and maintain RID trail systems.
- Work is to be done in accordance with Typical Section One (1) in the Lewis and Clark County Public Works Manual, where applicable.

Prevailing Wage

If any individual project exceeds a total cost of \$25,000, a separate contract will be required, and the project will be subject to prevailing wage rates and weekly certified payroll reports. All employees employed by the selected contractor will be paid wages at rates as may be required by the laws of the State of Montana in accordance with the schedule of Montana Prevailing Wage Rates for Heavy Construction Services 2024, included as Exhibit B.

Solicitation Timeline

Publication of Notices	July 27, August 3, 2024
Questions Due	August 12, 2024
Responses to Questions Posted on Website	August 16, 2024
SOQ Due	August 23, 2024
SOQs Opened, Reviewed by Evaluation Committee	August 26, 2024
Contractor Qualifications Selection/Contract Negotiation	By August 30, 2024

SOQ Submission Requirements

- Contractors shall submit **three (3) copies** of the Statement of Qualifications (SOQ)
- SOQs must be received no later than 4:00 PM on August 23, 2024
- SOQs must be sealed and prominently marked “**Drainage SOQ**”, and submitted to:
Lewis and Clark County Public Works Department
Attention: Drainage SOQ
3402 Cooney Drive
Helena, MT, 59602
- SOQs will be unsealed on August 26, 2024, at 3:00 PM in Room 309 of the City-County Building, 316 N. Park Avenue, Helena, MT
- Contractors with questions related to this solicitation shall contact Jade Wills, at jwills@lccountymt.gov. Questions may be submitted until 4:00 PM on August 12, 2024.

Responses to questions will be posted to the County’s website no later than August 16, 2024.

- A determination may be made of the contractor’s financial and operational stability to serve the County. Only SOQs from financially responsible organizations, as determined by the County, which are presently engaged in the business of providing drainage and trail services shall be considered.
- The County reserves the right to contact the selected contractor’s current and prior clients prior to the award of a contract.
- Any costs associated with the preparation of SOQs, product demonstrations, or any expenses related to responding to this solicitation are the sole responsibility of the contractor.

SOQ Content Requirements

- Name, address, contact information, Tax ID Number, Contractor Registration Number, and authorized signature of official approving the statement of qualifications.
- List of available equipment
- Project examples with available equipment
- A minimum of two (2) references from projects completed within the last year.

Types of equipment, project capabilities with available equipment, and a minimum of two (2) references should be summarized on the following worksheet and submitted with the completed signature page.

The County intends to solicit from the roster the most qualified contractor for the work being solicited based on the following criteria: cost, availability, equipment, and experience. If a Contractor is solicited for a project, the Contractor must provide completion dates prior to approval or start of the project. Once approval of a project is received, the Contractor is obligated and shall complete the project within the agreed upon timeframe.

Insurance

General Liability Insurance – Contractor shall maintain general liability insurance from an insurance carrier licensed to do business in the State of Montana in the amount of one million dollars (\$1,000,000) for each occurrence (minimum) and two million dollars (\$2,000,000) aggregate. The County must be listed as an additional insured on the liability insurance certificate.

Workers Compensation Insurance – Contractor shall maintain workers compensation insurance from an insurance carrier licensed to do business in the State of Montana or provide a Workers Compensation Exemption Certificate.

Automobile Liability Insurance – Contractor shall maintain automobile liability from an insurance carrier licensed to do business in the State of Montana with the following limits:

- a) Bodily Injury:

Each Person	\$1,000,000
Each Accident	\$1,000,000

- b) Property Damage:

Each accident	\$1,000,000
(or)	
Combined Single Limit of	\$1,000,000

- c) Automobile Coverage to Include:
 - a. All owned Autos
 - b. All Hired Autos
 - c. All Non-Owned Autos

Contractor's Automobile Liability Insurance may be satisfied by primary insurance or a combination of primary and excess or umbrella insurance. The same excess or umbrella insurance may also be used to satisfy the limits of General Liability Insurance and/or Employer's Liability. Proof of general liability, workers compensation insurance and automobile liability insurance shall be provided to the County upon contract execution and prior to commencing any work.

Selection

All qualified contractors will be offered a contract. A contract is not a guarantee that services will be solicited. To be qualified, contractors must:

1. Be a registered Contractor with the State of Montana in good standing.
2. Be able to meet all insurance requirements.
3. Submit a Statement of Qualifications by August 23, 2024.
4. Contractors with unsatisfactory prior County contract performance that resulted in contract cancellation will not be considered.

Compensation

Each RID project must be invoiced separately for work completed in accordance with the associated task order.

Invoices shall be submitted within 30 days of project completion.

STATEMENT OF QUALIFICATIONS

THE UNDERSIGNED CONTRACTOR has become familiar with the services solicited by Lewis and Clark County. The Contractor agrees to follow and abide by all laws required in the State of Montana and Lewis and Clark County. The Contractor, having satisfied themselves of the services, does submit the statement of qualifications as follows:

THE CONTRACTOR HEREBY PROPOSES AND AGREES, if this SOQ is accepted, to enter into an Agreement, and assumes all obligations, duties, and responsibilities specified herein:

Please provide a general list of capabilities or activities offered related to drainage-related or trail maintenance-related projects, such as: culvert cleaning and maintenance, culvert installation, rip rap maintenance or placement, ditch cleaning and/or excavation, and supplying, laying, and compacting trail surface material such as decomposed granite or road-mix to repair gravel trail surface and grades.

1)

2)

3)

4)

5)

6)

7)

8)

9)

STATEMENT OF QUALIFICATIONS

The following is a list of equipment available to perform listed activities:

EQUIPMENT LIST:

STATEMENT OF QUALIFICATIONS

REFERENCES:

Contact Name:	
Business Name:	
Address:	
Telephone:	
Email:	
Project Type/Date:	

Contact Name:	
Business Name:	
Address:	
Telephone:	
Email:	
Project Type/Date:	

THE UNDERSIGNED CONTRACTOR HEREBY CERTIFIES:

1. This statement of qualifications is genuine and is not made in the interest of, or in the behalf of, any undisclosed person or firm, and is not submitted as a result of any agreement with any association, corporation, or group.
2. The Contractor has not directly or indirectly induced or solicited any other Contractors to put in a false or sham statement of qualifications.
3. The Contractor has not solicited or induced any person or firm to refrain from also submitting a statement of qualifications.
4. The Contractor has not sought by collusion to obtain any advantage over any other Contractor or over Lewis and Clark County.

Contractor Business Name: _____

Business Address: _____

Point of Contact Name: _____

Telephone No.: _____

Contact E-Mail: _____

Tax ID Number _____

Contractor Registration No.: _____

Signature of authorized company official approving the SOQ as submitted:

[sign here]

Name: _____

Title: _____

Date: _____

Submit completed SOQ to:

Lewis and Clark County Public Works Department
Attention: Drainage SOQ
3402 Cooney Drive
Helena MT, 59602

Standard Terms and Conditions

By submitting a response to this Request for Qualifications, the contractor agrees to acceptance of the following Standard Terms and Conditions and any other provisions that are specific to this solicitation.

1. Authority

This Request for Qualifications (RFQ) is issued under the authority of the Lewis and Clark County Purchasing Policy. The RFQ process is a procurement option which allows the award to be based on evaluation of contractor qualifications. The relative importance of all evaluation criteria is found herein and only the evaluation criteria outlined in the RFQ will be used. Lewis and Clark County (herein, the “County”) reserves the right to accept or reject any or all statements of qualifications, wholly or in part, and to make awards in any manner deemed in the best interest of the County.

2. Competition

Lewis and Clark County encourages free and open competition among contractors to obtain quality, cost-effective services and products. Whenever possible, specifications, invitations, and conditions are designed to accomplish this objective, consistent with the necessity to satisfy the County’s needs and accomplishment of a sound economical operation.

Prior to the award of the contract, statements of qualifications may be held by Lewis and Clark County for a period not to exceed 90 days from the date of the opening of statements of qualifications for the purpose of reviewing statements of qualifications and investigating the qualifications of the contractors.

3. Public Inspection of Statement of Qualifications

All information received in response to this RFQ, including copyrighted material, is deemed public information and with one exception will be available for public viewing and copying after the statement of qualifications deadline.

The public will not be able to view bona fide trade secrets meeting the requirements of the Uniform Trade Secrets Act, Title 30, Chapter 14, Part 4, MCA. The purchasing officer will remove any such trade secrets from the SOQ prior to public viewing.

4. Bona Fide Trade Secrets

Confidential information meeting the requirements of Title 30, Chapter 14, Part 4, MCA will be available for review only by the purchasing officer, the evaluation committee members, and limited other designees. Before the SOQ is made available to the public, the purchasing officer will remove the confidential information if the following conditions are met:

- Confidential information is clearly marked and separated from the rest of the statement of qualification; and
- No confidential material is contained in the qualification section; and
- An affidavit from the contractor's legal counsel attesting to and explaining the validity of the trade secret claim is attached to the statement of qualifications.

The contractor shall pay all legal costs and fees associated with defending a claim for confidentiality if a “right to know” request is received from another party.

In order for a contractor to request that material be kept confidential, a notarized Affidavit for Trade Secret Confidentiality shall be provided by the contractor’s attorney acknowledging that material included in a statement of qualification is open to public inspection except for information that meets the provisions of Montana’s Uniform Trade Secrets Act.

5. Classification of Statement of Qualifications as Responsive or Non-responsive

All statements of qualifications will be classified as either “responsive” or “non-responsive.” A statement of qualifications is considered “responsive” if it conforms in all material respects to the requirements of the RFQ. A statement of qualifications may be found non-responsive if:

- Required information is not provided.
- The statement of qualifications does not conform to the specifications described and required in the RFQ.

If a statement of qualifications is found to be non-responsive, it will receive no further consideration.

6. Determination of Contractor Responsibility

The purchasing officer and/or the selection committee will decide whether a contractor has met the standards of responsibility based on the requirements of the RFQ. Factors used to determine the responsibility may include whether the contractor has:

- The appropriate financial, material, equipment, or human resources to meet all contractual requirements;
- A satisfactory record of integrity;
- The legal ability to contract with the County;
- Provided all information requested for use in the determination of responsibility; and
- A satisfactory record of past performance.

A contractor may be deemed “non-responsible” at any time during the procurement process if information surfaces to support such a determination.

7. Evaluation of Statements of Qualifications and Contractor Interviews/Product Demonstration

The remaining statements of qualifications will be scored according to the evaluation criteria stated herein. The selection committee may ask finalists to appear for interviews or product demonstrations or to provide written responses to items requiring clarification. Any costs associated with interviews or product demonstrations are the sole responsibility of the contractor.

8. County’s Right to Investigate and Reject

Lewis and Clark County may make such investigations as are deemed necessary to determine the ability of the contractor to provide the product or services specified. The County reserves the right to reject any statement of qualifications if the evidence obtained fails to satisfy the County that the contractor is properly qualified to perform the obligations of the contract. This includes the County's ability to reject a statement of

qualifications based on negative references.

9. Contractor Selection and Contract Execution

After an evaluation of the contractor, interviews, and/or product demonstrations, the selection committee will recommend a contract award, which the purchasing officer will communicate to the contractor selected. The County intends to award a contract to all qualified contractors. The work described in the RFQ may begin only after the contract is signed by all parties.

10. County's Rights Reserved

Submission of a statement of qualifications confers no rights upon any contractor and shall not obligate the County in any manner whatsoever. Lewis and Clark County reserves the right to make no award and to solicit additional statements of qualifications at a later date.

The RFQ in no way constitutes a commitment by the County to award and execute a contract. If such actions are deemed in its best interests, the County, in its sole discretion, reserves the right to:

- Cancel or terminate this RFQ;
- Reject any or all statements of qualifications received in response to this RFQ;
- Waive any undesirable, inconsequential, or inconsistent provisions of this RFQ; and/or
- If awarded, suspend contract execution or terminate the resulting contract if the County determines adequate funds are not available.

11. Nondiscrimination

In accordance with federal and state laws, the contractor agrees not to discriminate against any client, employee, or applicant for employment or for services because of race, creed, color, national origin, sex, or age with regard to, but not limited to, the following:

- Employment upgrading;
- Demotion or transfer;
- Recruitment or recruitment advertising;
- Lay-offs or terminations;
- Rates of pay or other forms of compensation;
- Selection for training; or
- Rendition of services.

Contractors and the awardee shall comply with all federal, state, and local laws, rules and regulations. Contractors and the awardee and any of the contractors' and the awardee's sub-grantees, contractors, subcontractors, successors, transferees, and assignees shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the

Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract or agreement.

It is further understood that any contractor who is in violation of this clause shall be barred forthwith from receiving awards of any purchase from Lewis and Clark County unless a satisfactory showing is made that discriminatory practices have ceased, and the recurrence of such acts is unlikely.

12. Cone of Silence

A cone of silence shall be established on all Lewis and Clark County competitive selection processes. The cone of silence prohibits any communication regarding a competitive solicitation between any contractor (or its agents or representatives) or other entity with the potential for a financial interest in the award (or their respective agents or representatives) regarding such competitive solicitation, and any County official (elected or appointed), employee, selection committee member, or other persons authorized to act on behalf of the County other than the individual outlined as the point of contact in this solicitation.

The cone of silence shall be in effect from the time of advertisement until contract award. Violations of the cone of silence may be grounds for disqualification from the selection process. The cone of silence shall not apply to communications with the established point of contact in this solicitation or at any public proceeding or meeting.

The cone of silence shall terminate when the Board or a County employee authorized to act on behalf of the Board awards or approves the Contract, rejects all offers or responses, or otherwise takes action to end the selection process.

13. Protest Procedure

A contractor aggrieved in connection with the solicitation or award may protest in accordance with the procedure outlined in the Lewis and Clark County purchasing policy.

End of Request for Qualifications