

**LEWIS AND CLARK COUNTY & CITY OF HELENA  
REQUEST FOR PROPOSALS  
PROFESSIONAL ENGINEERING SERVICES**

**Infrastructure Study for Extension of City Infrastructure  
and Connection of Existing and Future Non-City Infrastructure  
to City Infrastructure within the  
Urban Standards Boundary/Urban Growth Area**

**Introduction/Background**

Lewis and Clark County (hereafter, the “County”) and the City of Helena (hereafter, the “City”), located in west-central Montana, are seeking a Request for Proposals (RFP) from consulting firms to prepare a Joint Infrastructure Study within the Urban Standards Boundary/Urban Growth Area (USB/UGA) around the City (hereafter, the “Project”).

Lewis and Clark County has a population of 70,973 (as of the 2020 census) with 32,091 (as of the 2020 census) of these people residing within the City. The boundaries of the USB/UGA are identified in both the Lewis and Clark County Growth Policy Update 2015, Helena Valley Area Plan and the City of Helena 2019 Growth Policy.

**Statement of Purpose**

This project is aimed at preparing an Infrastructure Study regarding the extension of City infrastructure and connection of existing and future non-City infrastructure to City infrastructure within the USB/UGA.

In addition to this project, various other planning efforts are underway that the County and City envision the need for collaboration and coordination. This is paramount so that the duplication of planning efforts is kept to the absolute minimum while ensuring all efforts are maximizing their set-aside project budgets. Part of this collaboration will be to coordinate schedules and timing of plan completion for the following planning efforts:

1. City of Helena Growth Policy Update/Land Use Plan Conversion (*City lead*)
2. Lewis and Clark County Growth Policy Update (*County lead*)
3. Long Range Transportation Plan (*larger MPO designation efforts City lead*)
4. Lewis and Clark County Subdivision Regulations Update (*County lead*)

**Scope of Work**

This project consists of professional services to develop a planning study for extending City infrastructure and connecting both existing and future non-City infrastructure to City infrastructure within the USB/UGA of Lewis and Clark County, as identified in the City of Helena 2019 Growth Policy. This infrastructure will include: Water, Wastewater

Treatment, Storm Water, and Solid Waste Facilities, and Transportation Systems. At a minimum, the Plan is to include, but not be limited to, the following:

**A. Existing and Future Growth Patterns Assessment and Development Analysis**

- a. Assess Existing Development
- b. Estimate and Analyze Future Development in both City and County

**B. Water And Wastewater Facilities Analysis**

- a. Analyze Existing Water and Wastewater Treatment Facilities
  - i. City
  - ii. Development in USB/UGA
- b. Describe Current and Projected Water and Wastewater Use Demands
  - i. Existing Demands
  - ii. 5-Year Projections
  - iii. 10-Year Projections
  - iv. 20-Year Projections
- c. Water Facilities
  - i. Analyze Extension of Main Distribution (Backbone) System to Connect to Existing Development in USB/UGA
  - ii. Analyze Extension of Main Distribution (Backbone) System to Connect to Future City Development and Future Development in USB/UGA
  - iii. Analyze Future Storage
- d. Wastewater Facilities
  - i. Analyze Extension of Main Collection (Backbone) System to Connect to Existing Development in USB/UGA
  - ii. Analyze Extension of Main Collection (Backbone) System to Connect to Future City Development and Future Development in USB/UGA
  - iii. Analyze Existing and Future Treatment Capacity
  - iv. Analyze Short-term and Long-term Lift Station Options
  - v. Analyze a New Treatment Plant
  - vi. Comparison of Lift Station(s) vs. New Treatment Plant
  - vii. Regulatory Analysis
    - 1. Existing Regulatory Issues
    - 2. Planning Period Regulatory Issues

**C. Stormwater Facilities Analysis**

- a. Analyze Existing Stormwater Facilities
  - i. City
  - ii. Development in USB/UGA
- b. Model Flooding
  - i. 5-Year 24-hour Storm Event
  - ii. 25-Year 24-hour Storm Event
  - iii. 100-Year 24-hour Storm Event

- c. Develop Recommendations for Stormwater System Improvements
- d. Regulatory Analysis
  - i. Existing Regulatory Issues
  - ii. Planning Period Regulatory Issues
- D. Solid Waste Facilities Assessment**
  - a. Analyze Solid Waste Facilities and Highlight Potential Elements for Future Planning and Growth
- E. Transportation Systems Assessment**
  - a. Analyze Existing 2014 Greater Helena Area Long Range Transportation Plan
    - i. Determine Areas that Need Updating
    - ii. Review Future Travel Demands in Plan and Determine Relevance
    - iii. Analyze Relevance of Recommendations within USB/UGA

**Proposal Content Requirements**

The response should demonstrate the firm has the professional capabilities and resources available to satisfactorily and timely complete all the tasks as described in the *Scope of Work* section of this RFP. The factors listed below shall be considered in the evaluation of the *Scope of Work*. The *Scope of Work* shall give clear, concise information in sufficient detail to allow evaluation based on these factors. Although some of the factors listed below will be weighted more heavily than others, all factors are considered necessary for the evaluation of technical acceptability and competence. Based upon the initial evaluation, top-scoring firms will be scheduled for interviews by the selection committee prior to selection for an award.

Responses shall include:

1. The firm’s legal name, address, telephone number, federal Employee Identification Number (EIN), federal Unique Identifier Number (UEI) and principal contact email address.
2. Cover Letter/Statement of Interest.
3. A statement of the firm’s experience in analysis, engineering, and planning that evaluated alternative analysis, capacity, and design work associated with planning study areas and overall infrastructure needs and future efforts. A comprehensive description of the approach the firm will employ in order to address the problems identified in the *Scope of Work* including a detailed work plan and schedule. That includes a cost proposal that takes into consideration the total fees and includes a listing of other estimated direct costs.
4. Current work activities of firm.
5. References for the individual/firm and any subconsultants to include brief project descriptions for at least three (3) clients with whom the individual/firm or any subconsultants have worked with in the past four (4) years which are

similar in nature to *Scope of Work* described in this RFP. Please include the following information:

- a. Name of client;
- b. Name and title of client’s primary contact;
- c. Phone number, email address, and mailing address of the client’s primary contact; and
- d. A brief description of the types of services provided, the location where the services were provided, and the dates of service.

**Evaluation Criteria**

Proposals will be evaluated on the following factors:

| Criteria   | Points Possible   |
|--|-------------------|
| 1. Quality of proposal. Minimum requirements of RFP were met (e.g., page number maximum not exceeded, all required information included). Response is free of grammatical and spelling errors.   | 10 points         |
| 2. Qualifications of firm. Response indicates qualification and experience of the professional personnel to be assigned to the Project.  | 25 points         |
| 3. Capability of firm to meet time and budget requirements. Response indicates firm has the time and capacity to meet schedule requirements. Response demonstrates ability to design in consideration of, and adhere to, the Project budget. | 20 points         |
| 4. Present and projected workload. Response indicates firm has the available resources to complete the Project by the desired completion date.   | 15 points         |
| 5. Related experience on similar projects including publicly funded projects. Proposal indicates an understanding of the Project and user groups.  | 30 points         |
| <b>TOTAL</b>   | <b>100 points</b> |

Interview (Pass/Fail)

If requested, the interview aims to ensure a full understanding of the *Scope of Work* and for the offeror to introduce key staff associated with the contract. Interviews will be limited to 45 minutes, which should include a question-and-answer period.

## Timeline

|                                     |                                 |
|-------------------------------------|---------------------------------|
| RFP Notice Advertised               | October 7 & 14, 2023            |
| Questions Due                       | October 20, 2023                |
| Responses to Questions Returned     | October 27, 2023                |
| Proposal Submittal Deadline         | November 13, 2023               |
| Proposals Opened for Review         | November 14, 2023               |
| Scoring Evaluation Meeting          | No later than November 17, 2023 |
| Candidate Interviews (if necessary) | No later than December 1, 2023  |
| Candidate Notified of Selection     | No later than December 8, 2023  |

## Proposal Submittal

Seven (7) copies and one (1) digital copy in PDF format on a flash drive of the proposal are to be delivered to:

Lewis and Clark County  
Attn: Infrastructure Study RFP  
316 North Park Avenue, Room 345  
Helena, MT 59623

**All proposals must be received no later than 4:00 PM local time on November 13, 2023.** Proposals received after this deadline will not be considered. Proposals will be unsealed at 9:00 AM local time on November 14, 2023 in Room 309 of the City-County Building, 316 North Park Avenue, Helena, MT.

Proposals shall be limited to 17 single-sided pages with 12-point font. A one-page cover letter, corporate brochures, letters of recommendation, and personnel resumes will be excluded from the page limit. The proposal shall be submitted in a sealed envelope, prominently marked with:

"Proposal for Infrastructure Study"  
Name of Organization Submitting the Proposal

The offeror bears all costs associated with the preparation of the Proposal and any subsequent presentations. All submittals, reports, information, data, and other materials prepared by the offerors pursuant to this request are the property of the County, which has the exclusive and unrestricted authority to release, publish or otherwise use, in whole or part, information relating thereto. Any reuse without written verification or adaptation by the offeror for the specific purpose intended will be at the County's sole risk and without liability or legal exposure to the offeror. No material produced in whole or in part under this request may be copyrighted or patented in the United States or in any other country without the prior written approval of the County.

Before responding to this RFP, offerors shall carefully read all sections and shall fully inform themselves as to the existing conditions and limitations which may impact their ability to perform. Firms may submit questions by contacting Casey Hayes, Purchasing Officer, at [chayes@lccountymt.gov](mailto:chayes@lccountymt.gov). Questions may be submitted until 4:00 PM local time on October 20, 2023. Responses to questions will be posted to the County's website no later than October 27, 2023.

### **Contractual Terms and Conditions**

The selected vendor agrees to accept and execute the County's professional services agreement. Lewis and Clark County reserves the right to require the vendor to execute such further documents, contracts, agreements, or forms as may be reasonably necessary to express the intentions of the parties, or which may be recommended by the County Attorney's Office.

The vendor shall maintain general liability insurance in the amount of one million dollars (\$1,000,000.00) per occurrence (minimum) and two million dollars (\$2,000,000.00) aggregate and shall also maintain workers' compensation insurance. Both general liability and workers' compensation insurance must be from an insurance carrier licensed to do business in the State of Montana. The vendor agrees to furnish proof of insurance to the County prior to commencing work. The County must be listed as additionally insured on the general liability insurance certificate. Insurance certificates will be provided to the County at the time a contract is executed.

This solicitation is being offered in accordance with federal and state statutes governing procurement of professional services. Accordingly, Lewis and Clark County reserves the right to negotiate an agreement based on fair and reasonable compensation for the scope of work and services proposed, as well as the right to reject any and all proposals deemed unqualified, unsatisfactory, or inappropriate.

### **Standard Terms and Conditions**

*By submitting a response to this Request for Proposal, the offeror 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 Proposals (RFP) is issued under the authority of the Lewis and Clark County Purchasing Policy. The RFP process is a procurement option which allows the award to be based on evaluation criteria in addition to cost. The relative importance of all evaluation criteria is found herein and only the evaluation criteria outlined in the RFP will be used. Lewis and Clark County (herein, the "County") reserves the right to accept or reject any or all proposals, 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 offerors 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.

The offeror's submission of a proposal guarantees that the prices quoted have been established without collusion with other eligible offerors and without effort to preclude Lewis and Clark County from obtaining the lowest possible competitive price.

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

## **3. Public Inspection of Proposals**

All information received in response to this RFP, including copyrighted material, is deemed public information and with one exception will be available for public viewing and copying after the proposal 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 RFP 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 RFP 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 proposal;
- No confidential material is contained in the cost section; and
- An affidavit from the offeror's legal counsel attesting to and explaining the validity of the trade secret claim is attached to the proposal.

The offeror 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 an offeror to request that material be kept confidential, a notarized Affidavit for Trade Secret Confidentiality shall be provided by the offeror's attorney

acknowledging that material included in a proposal is open to public inspection except for information that meets the provisions of Montana's Uniform Trade Secrets Act.

#### **5. Classification of Proposals as Responsive or Non-responsive**

All proposals will be classified as either "responsive" or "non-responsive." A proposal is considered "responsive" if it conforms in all material respects to the requirements of the RFP. A proposal may be found non-responsive if:

- Required information is not provided;
- The cost proposal is excessive or inadequate as measured by criteria stated in the RFP;
- The proposal does not conform to the specifications described and required in the RFP.

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

#### **6. Determination of Offeror Responsibility**

The purchasing officer and/or the selection committee will decide whether an offeror has met the standards of responsibility based on the requirements of the RFP. Factors used to determine the responsibility may include whether the offeror 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.

An offeror may be deemed "non-responsible" at any time during the procurement process if information surfaces to support such a determination.

#### **7. Evaluation of Proposals and Offeror Interviews/Product Demonstration**

The remaining proposals 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 offeror.

#### **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 offeror to provide the product or services specified. The



County reserves the right to reject any proposal if the evidence obtained fails to satisfy the County that the offeror is properly qualified to perform the obligations of the contract. This includes the County's ability to reject a proposal based on negative references.

**9. Offeror Selection and Contract Execution**

After an evaluation of the offeror, interviews, and/or product demonstrations, the selection committee will recommend a contract award, which the purchasing officer will communicate to the offeror selected. If the offeror and the County cannot agree on the contract terms, the County may move to the next ranked offeror or cancel the RFP. The work described in the RFP may begin only after the contract is signed by all parties.

**10. County's Rights Reserved**

Submission of a proposal confers no rights upon any offeror 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 proposals at a later date.

The RFP 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 RFP;
- Reject any or all proposals received in response to this RFP;
- Waive any undesirable, inconsequential, or inconsistent provisions of this RFP; 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 offeror 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.

Offerors and the awardee shall comply with all federal, state, and local laws, rules and regulations. Offerors and the awardee and any of the offerors' 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 offeror 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 offeror (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**

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