

# ***CITY OF FOLEY***

**REQUEST FOR PROPOSALS (QUALIFICATIONS-BASED)  
FOR  
ENGINEERING DESIGN SERVICES FOR WASTEWATER  
REGIONALIZATION PROJECT**



**RELEASED: October 2, 2019**

**ADVERTISEMENT:**

CITY OF FOLEY, MINNESOTA  
Request for Qualifications Based Proposals for Design Services for Wastewater  
Regionalization Project

The City of Foley, Minnesota is requesting proposals from licensed, qualified Offeror's to provide Design Services based upon the scope of work outlined in this Request for Qualifications Based Proposal (RFP). All potential Offeror's are to read, understand and accept the requirements of this RFP. All proposals submitted shall be valid for ninety (60) days subject to action by the City. The City reserves the right to reject any and all proposals in part or in whole. A completed proposal shall be submitted in a sealed container indicating the proposal title along with the Offeror's name and address clearly marked on the outside of the container. All proposals shall be received by 4:00 PM on October 25, 2019, at the City of Foley, City Hall, 251 4<sup>th</sup> Avenue N, PO Box 709, Foley, MN 56329. By submitting a proposal for the requested services, each Offeror is certifying that it is a qualified firm and its proposal complies with regulations and requirements stated within the Request for Proposals.

**EQUAL EMPLOYMENT OPPORTUNITY:** All qualified Offeror's will receive consideration of contract(s) without regard to race, color, religion, sex or national origin, ancestry, age, physical and mental handicap, serious medical conditions, disability, spousal affiliation, sexual orientation or gender identity.

Request for proposals will be available by contacting Sarah A. Brunn, City Administrator, 251 4<sup>th</sup> Avenue N, PO Box 709, Foley, MN 56329, by telephone at (320) 968-7260, or by email at [sbrunn@ci.foley.mn.us](mailto:sbrunn@ci.foley.mn.us) or via the city website at [www.ci.foley.mn.us](http://www.ci.foley.mn.us).

**PROPOSALS RECEIVED AFTER THE DATE AND TIME SPECIFIED ABOVE WILL NOT BE CONSIDERED AND WILL BE REJECTED BY THE CITY OF FOLEY.**

**BACKGROUND INFORMATION:**

The City of Foley has a current population of 2,732 people and is located approximately eleven (11) miles east of the City of St. Cloud via Minnesota State Highway 23.

The City of Foley currently has approximately 880 sewer service connections and an average daily wastewater flow of 371,000 gallons. The City is also home to PouchTec Industries, LLC, a large wet industry.

The current wastewater system consists of two pond systems, Birch Ponds and Golf Ponds. The Birch Pond system is at the end of its life cycle and a complete decommission is expected. The Golf Pond system is still functioning but at capacity and still has remaining life expectancy. **Figure 1** shows the pond locations and lift stations.

**Figure 1**

**Aerial of Foley, MN and Location of Birch Pond (SD001) and Golf Pond (SD002)**



Aerial courtesy of Beacon and Schneider Corporation

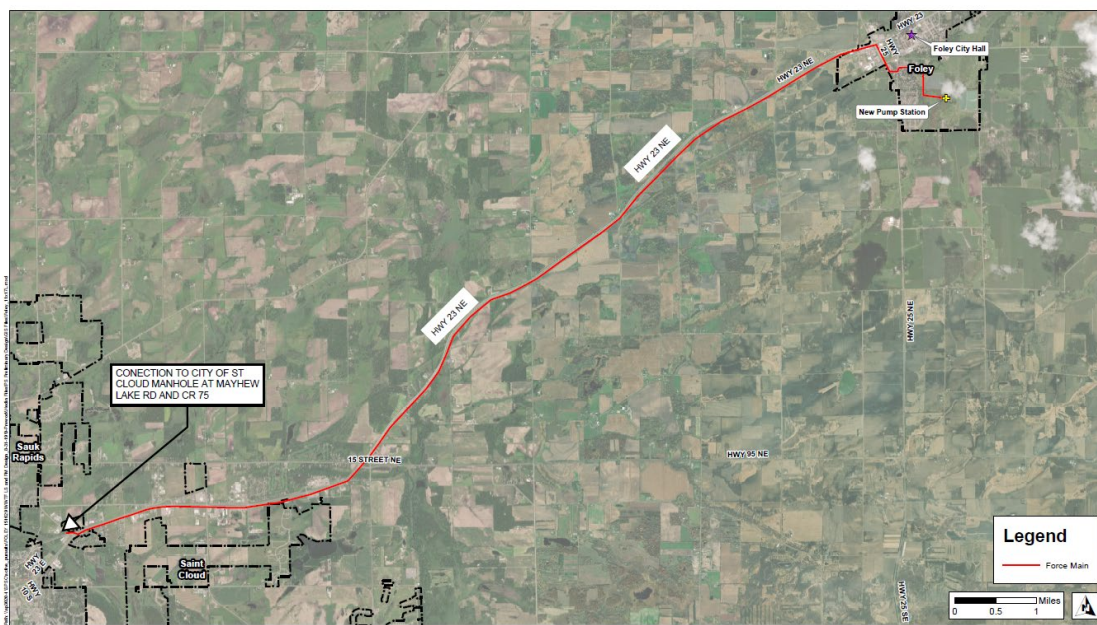
The wastewater expansion project begun when a facility plan was officially ordered by city council in July of 2017 after the Minnesota Pollution Control Agency (MPCA) restricted additional sewer extensions and determined current pond capacity required an expansion. The facility plan reviewed on-site treatment options as well as a regionalization option of running a force main and connecting with the City of St. Cloud. A full copy of the adopted Facility Plan with all exhibits is available on the City of Foley website, <https://ci.foley.mn.us/wastewater-facility-expansion>. The Facility Plan provides more details on flows of the current wastewater system and existing infrastructure.

The City of Foley is unique in that its current, on site system discharges to the Stoney Brook and into a “wild rice designated water”, making the City subject to a sulfate limit. The facility plan process determined the cost of treating sulfates creates additional exposure on the city’s current and future limits for on-site treatment.

The City of Foley began discussions with the City of St. Cloud on a regionalization option given the close proximity of St. Cloud and state highway right-of-way that exists between Foley and St. Cloud. It was determined St. Cloud has available capacity and a desire to allow Foley to connect to their system.

A connection point has been determined by the City of St. Cloud near Minnesota Truck Headquarters at Mayhew Lake Road and County Road 75 in St. Cloud, MN. **THIS CONNECTION POINT IS A CHANGE FROM THE CONNECTION POINT IDENTIFIED IN THE FACILITY PLAN!** A map showing a concept route is identified in **Figure 2**.

**Figure 2**



The wastewater facility plan was completed on April 12, 2019 by Short Elliot Hendrickson (S.E.H.) and approved by the Minnesota Pollution Control Agency on August 27, 2019. This facility plan approves the option of wastewater expansion by regionalizing with the City of St. Cloud. Again, the full wastewater facility plan is available on the City of Foley website at <https://ci.foley.mn.us/wastewater-facility-expansion/>.

In addition to the facility plan being prepared by Short Elliot Hendrickson (S.E.H.) the Foley City Council also hired an additional engineering firm, AE2S, to review and provide comments on the facility plan. These comments were presented to the council on July 9, 2019. Based on these comments and the findings in the facility plan the council has continued their progress towards a regionalization option with St. Cloud for wastewater expansion.

The estimated project costs for regionalization with the City of St. Cloud is estimated between \$19-\$22 million. These project cost estimates include a \$6-\$9 million connection fee which will be charged by the City of St. Cloud and is still being finalized. A more detailed breakdown of estimated costs can be found in the Facility Plan on page 42 in Table 29.

Based on discussions with the City of St. Cloud, this project is also anticipated to utilize the existing Golf Pond to serve as a stabilization pond to provide more flexibility to control the flow as it is sent to the City of St. Cloud.

The City of Foley is exploring a number of funding options for the project including loan and grant options through the Public Facilities Authority (PFA) and Rural Development, a direct request in the state bonding bill and a Federal EDA grant.

#### **SCOPE OF WORK:**

The scope of work in this proposal includes all aspects of design with regionalization to the City of St. Cloud. This includes identification of a specific route as well as types, numbers and sizes of pipes. This also includes locations and sizes of any needed pumps and treatment equipment before inclusion in the City of St. Cloud system.

The scope of work for this proposal will also consist of the preparation of a PER (Preliminary Engineering Report) should the City become eligible for federal grant funding. The PER should follow the requirements as identified in **Exhibit A** and as determined by the Federal EDA.

The City of Foley is also in the early stages of exploring the option of running a fiber optic line in collaboration with the wastewater regionalization project. Although two separate components, if the fiber optic line were to be pursued it may require cooperation with right-of-way acquisition being sought for both projects.

Other grant requirements may be included should the need arise during the design process.

**PROJECT AREA:**

The primary project area will include the city limits of Foley, approximately 2.51 square miles, as well as the corridor along Highway 23 running west, towards the City of St. Cloud where the wastewater force main, pumps and treatment will be installed.

**PROJECT CONTACTS:**

Sarah A. Brunn, City Administrator  
City of Foley  
251 4<sup>th</sup> Avenue N  
P.O. Box 709  
Foley, MN 56329  
320-968-7260  
[sbrunn@ci.foley.mn.us](mailto:sbrunn@ci.foley.mn.us)

Mark Pappenfus, Public Works Director  
City of Foley  
251 4<sup>th</sup> Avenue N  
P.O. Box 709  
Foley, MN 56329  
320-968-4082  
[mpappenfus@ci.foley.mn.us](mailto:mpappenfus@ci.foley.mn.us)

**SUBMITTALS OF PROPOSALS:**

Proposals must be submitted to the City of Foley by 4:00 p.m. *October 25, 2019* at 251 4<sup>th</sup> Avenue N, PO Box 709, Foley, MN 56329. The proposal shall be placed in a sealed envelope marked clearly, “Response to RFP For Foley Wastewater Design Services”.

**EVALUATION CRITERIA:**

All proposals will be evaluated on the following criteria:

- (a) Technical qualifications of the engineering firm and any subconsultants.
- (b) Technical experience with similar projects – demonstrate by providing contacts (name and phone number) & dates of all similar projects completed in similar sized communities in the last 5 years. Community will also conduct its own research of recently completed projects for each firm submitting a proposal.
- (c.) Ability to complete the PER in timely manner – demonstrate by providing a listing of key staff (engineering, community relations, financial expertise, and construction

management) and subconsultants who will complete this project, along with brief resumes or evidence of their experience in working with similar projects.

(d) Experience with multiple funding sources – demonstrate by providing list of projects completed within the last five years that utilize multiple funding sources.

(e) Expertise in designing facilities that reflect modest design, simple operational requirements, and economical cost of operation.

(f) Evidence of engineering firm's ability to provide a complete and thorough PER that complies with federal grant requirements.

(g) Evidence of firm's ability to design a project appropriate for the community's size, financial strength, and ability to repay the proposed indebtedness and operational costs.

(h) Any experience or other services provided that may be beneficial to this type of project.

(i) Engineering Firms hourly rate for services.

**SELECTION PROCESS:**

The City of Foley will review all proposals meeting the requirements and received by the City. Selection may be made based on applications supplied or by interviewing the best qualified applicants.

If interviews are to be conducted, the engineering firms under consideration will be notified as to time, date, and location of these interviews in order for the City's selection committee to ask specific questions to each candidate and evaluate their responses.

**NOTE:**

Prospective engineering firms are advised that no obligation or commitments are incurred by the City of Foley in announcing this Request for Proposals (Qualifications-Based). It is the intention that the City of Foley, after appropriate evaluations and interviews, will select the best qualified engineering firm and enter into an Agreement for design services and to complete a PER (if necessary). The Agreement for Engineering Services will utilize the prescribed format of the funding agency/agencies. At the option of the City, the selection process may include future utility system design, inspection, and construction management in addition to the completion of design services.

**EXHIBIT A**  
**EDA Preliminary Engineering Report Requirements**  
*Last Updated August 16, 2016*

**Overview**

EDA is required to complete an engineering review for all construction and design projects before making an award. EDA's Application Form (Form ED-900, *Application for EDA Assistance*) and related forms require Applicants to provide key information about the proposed construction and design projects to enable EDA to complete its requisite reviews.

All applications for construction and design assistance must complete the **Preliminary Engineering Report (PER)**. The following outline provides more detailed information on these requirements in order to assist Applicants in preparing their application.

**Preliminary Engineering Report Requirements.**

*Items listed in "bold italic" font are intended to provide additional guidance. All items must be consistent in this report, SF-424 application, ED-900, Environmental Report, exhibits and any other document.*

C. Preliminary Engineering Report

To be considered for assistance, all construction and design applications must include a Preliminary Engineering Report (PER) that at a minimum provides the following information:

C.1. Description of project components. Provide a general description of all project components involved in the project. Indicate whether the project involves the construction of new infrastructure or facilities or the renovation or replacement of existing ones. Describe each of the project components in terms of dimensions, quantities, capacities, square footage, etc.

***Provide a detailed description of the Project Components.***

C.2. A statement verifying that the project components described in the engineering report are consistent with the EDA investment project description that is provided in Section B.2 of Form ED-900. Engineering reports that describe project components that are inconsistent with the EDA investment project description in Section B.2 of Form ED-900 will not be considered valid.

***Provide such a statement.***

C.3. Drawings showing the general layout and location of the existing site conditions and of the project components as well as location of any project beneficiary identified in Section B.9 of Form ED-900 that provide economic justification for the project, if any. Rough dimensions and quantities for major project components should be shown and labeled on



the drawings. Drawings should clearly identify the project components that are being proposed. Applicants are encouraged to clarify such drawings, for example, through color coding, labeling, and other appropriate methods.

***All of the project components must be identified in the plans. Provide one set of 11"x17" drawings if possible. A site plan is required. If the site has a building, a detailed floor plan is required with all of the programming complete. Provide a typical pavement section cut if the project has a roadway.***

C.4. A feasibility analysis for the constructability of the project. Include a review of the existing conditions and note particular features, alignments, and circumstances affecting construction of project components.

***Provide a feasibility analysis.***

C.5. The proposed method of construction. Indicate whether construction procurement will be done through competitive bid or other method. Indicate if any portion of the project is to be done by design/build, construction management at risk, the applicant's own forces, or a third-party construction manager. If an alternate construction procurement method (other than traditional design/bid/build with sealed competitive bid process) is proposed, a construction services procurement plan must be provided to EDA for approval in accordance with EDA's regulation at 13 C.F.R. § 305.6(a).

***Traditional methods of design/bid/build with sealed competitive bids are preferred. Indicate the entity that will be responsible for all of the construction contracts and provide a detail of the entity's required tasks in Item 1 of the Budget Requirements found below in this Report.***

C.6. The number of construction contracts anticipated. If multiple contracts are proposed, describe the project components included in each contract. If separate contracts are anticipated for demolition or site work, the budget information cost classification should reflect the estimated costs for these components. If project phasing is proposed, a project phasing request must be provided to EDA for approval per EDA's regulation at 13 C.F.R. § 305.9(a).

***Provide the number of construction contracts anticipated.***

C.7. A current detailed construction cost estimate for each of the project components. Show quantities, unit prices, and total costs and provide a basis for the determination of construction contingencies. The total of this estimate should match the construction line item of the SF-424C.

C.8. Real property acquisition. If the budget includes costs for acquisition of real property, include a current fair market value appraisal completed by a certified appraiser for the property to be purchased.

***Provide a current detailed Architect or Engineer's opinion of costs.***

C.9. A list of all permits required for the proposed project and their current status. Identify all permits required; include the timeline to obtain the permits and discuss how the permitting relates to the overall project schedule. If the project crosses a railroad right-of-way or is within a railroad right-of-way, explain any permitting or approvals that may be required from the railroad or other authority and the timeframe for obtaining these permits or approvals.

***Provide a list of all anticipated permits required.***

C.10. An overall estimated project schedule. This schedule should agree with the project schedule outlined in the ED-900. Include the number of months for each of the following:

- i. design period;
- ii. period of time to obtain required permits;
- iii. period of time to obtain any required easements or rights-of-way;
- iv. solicitation of bids and awarding of contracts, and
- v. construction period.

***Provide an estimated project schedule.***

C.11. Overall project budget breakdown. For each "cost classifications" line item that the applicant indicates will be included in the project budget on Form SF-424C, the applicant must provide a breakdown of the proposed project costs and tasks that is consistent with the detailed construction cost estimate for the project provided in the PER.

***Provide a detailed breakdown of the tasks to be performed as listed below:***

- a) ***Note: All amounts should be rounded to the nearest hundred dollars.***
- b) ***Line 1 – Administrative and legal expenses. Examples include: EDA components: record keeping, financial management, monitoring equal opportunity requirements, (EO), monitoring compliance with federal labor standards, EDA requirements monitoring, project closeout documentation, legal opinions, legal title search, etc.***
- c) ***Line 2 – Land, structures, rights-of-way, appraisals, etc. This item is only to be used in the event an existing building is to be used as local match. Consult your EDA representative.***
- d) ***Line 3 – Relocation expenses and payments. This item applies only to relocation expenses and payments and/or land acquisition. Consult your EDA representative***

- e) *Line 4 – Architectural and engineering fees. Examples include preparing plans and specs, required consultants (structural, mechanical, electrical, plumbing, etc.), bid administration, attend meetings, process change orders, review contactors’ requests for payments and reimbursable costs, etc.*
- f) *Line 5 – Other architectural and engineering fees. Examples include: Survey, soils borings/report and material testing.*
- g) *Line 6 – Project inspection fees. Examples include: One time staking of project, construction inspection/observation for the project, notify Owner at 11 months after substantial completion and follow up, and a 12 month warranty inspection of all EDA project components.*
- h) *Line 7 – Site work. Add cost to the Construction line item for “pad ready” tasks.*
- i) *Line 8 – Demolition and removal. Add cost to the Construction line item for “pad ready” tasks.*
- j) *Line 9 – Construction. Provide a detailed Architects/Engineers Opinion of Costs consistent with that provided in Question 7 above.*
- k) *Line 10 – Equipment. N/A or contact an EDA representative.*
- l) *Line 11 – Miscellaneous. N/A or contact an EDA representative.*
- m) *Line 13 – Contingencies. No more than a 5% contingency is allowed. No other line item may contain contingency costs.*

*Note: If there will be changes to any of the budget line items, please submit an updated SF-424C.*

*If the costs for an Architect/Engineer (all treated as a “contractor” refer to 2 CFR Part 200.23) is included the application and/or the Preliminary Engineering Report, ensure that they were properly procured for the complete project (including preparing the plans, specifications, ext.). Refer to 2 CFR Part 200.319 Competition. If they only are procured for the application and/or the Preliminary Engineering Report, then they will be ineligible to be procured for the complete project.*

*CFR Part 200.319 Competition (partial not the complete text)*

- (a) *All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.*