

**D & M WATER SUPPLY CORPORATION
ENGINEER
REQUEST FOR PROPOSALS
AND
STATEMENTS OF QUALIFICATIONS**

To provide assistance with respect to possible loan and/or principal forgiveness funding through the Texas Water Development Board (the "TWDB") and to provide for planning, acquisition, design, and construction management phase services associated with the design and construction of various water and/or wastewater system improvement projects.

A. INTENT OF PROPOSAL

The D & M Water Supply Corporation (Corporation) is soliciting Proposals and Statements of Qualifications from interested qualified professionals to provide the following services: provide planning, acquisition, design, and construction phase engineering services, as necessary for the successful design and construction of various water and/or wastewater and/or drainage system improvement projects. This solicitation is intended to cover any financial assistance received by the Corporation from the TWDB for a period of three years following the date of award of any contracts pursuant hereto, whether from the Drinking Water State Revolving Fund, Clean Water State Revolving Fund, or any other financial assistance program administered by the TWDB during said three-year period. The Corporation reserves the right to accept or reject any or all proposals for any reason it finds to be in the best interests of the Corporation.

The Corporation seeks to afford the opportunity for qualified small business enterprise ("SBE"), minority business enterprise ("MBE") and women-owned business enterprise ("WBE") firms to propose to provide the services described herein.

B. SCOPE OF SERVICES:

The services to be provided by the Engineer shall include, but are not limited to, the following as necessary:

- Attend preliminary conferences with the Corporation, TWDB personnel and other interested parties regarding the Project. Assist the Corporation in the preparation of applications and supporting documents for government grants, loans, or advances in connection with the Project. Assist in the preparation or review of environmental assessments and impact statements; review and evaluation of the effects on the design requirements for the Project of any such statements and documents prepared by others; and assistance in obtaining approvals of authorities having jurisdiction over the anticipated environmental impact of the Project.
- Prepare a Preliminary Engineering Feasibility Report, which shall, as appropriate, contain schematic layouts, sketches and conceptual design criteria with appropriate exhibits to indicate the agreed-to requirements, considerations involved, and those alternate solutions available to the Corporation, which the Engineer recommends.
- Determine the necessity for acquisition of any additional real property/easements/right-of-way for the Corporation's potential Project(s) and, if applicable, furnish all necessary information such as name and address of property owners, legal descriptions of parcels to be acquired and map of entire tracts with designation of part to be acquired to the Corporation. Prepare property surveys, detailed descriptions of sites, maps, or drawings as required assist in negotiating for land and easement rights. The Engineer will coordinate preparation of an appraisal by a qualified appraiser to be paid for by the Corporation, of the value of real property needed for the necessary facilities

and determine the availability of title, easements, and rights-of-way needed to implement the project. The Engineer will assist the Corporation to obtain all necessary right-of-way and easements on behalf of the Corporation pursuant to federal requirements acceptable to public funding agencies.

- Furnish and submit, on behalf of the Corporation, the engineering data necessary for applications for routine permits by local, state and federal authorities (as distinguished from detailed applications and supporting documents for government grants-in aid, or for planning advances). The Engineer will also prepare and submit, on behalf of the Corporation, the engineering data and other information as required by the Texas Commission on Environmental Quality (TCEQ) for Texas Pollution Discharge Elimination (TPDES), including discharge permits and Storm Water Pollution Prevention Plans (SWP3) as required.
- Provide field surveys to collect information required for planning and design and complete related office computations and drafting.
- Perform geotechnical investigations such as auger borings core borings, soil tests, or other subsurface explorations and laboratory testing and inspecting of samples or materials relevant to design.
- Prepare detailed construction plans, specifications and contract documents for the construction authorized by the Corporation in accordance with all State and Federal requirements.
- Prepare estimates for probable construction cost of the authorized construction.
- Furnish the Corporation with copies of approved contract documents including notices to bidders and proposal forms.
- Assist the Corporation in the advertisement of the project for Bids.
- Attend the bid opening and tabulate the bid proposal, analyze the responsiveness of the bidder(s) and make recommendations for awarding contract(s) for construction to the lowest responsive bidder(s).
- Prepare and coordinate approval of formal Contract Documents and coordinate issuance of Notice to Proceed from the TWDB.
- Provide field surveys and office computations for construction control staking, including the staking of bench marks and horizontal control references for the contractor to stake out of work.
- Consult and advise the Corporation during construction; issue all instruction to the contractor requested by the Corporation and prepare and issue routine change orders with the Corporation's approval. Prepare alternate designs or non-routine contract change orders that are necessary due to no fault of the Engineer and upon approval of the Corporation and TWDB.
- Review samples, catalog data, schedules, shop drawings, laboratory, shop and mill tests of material and equipment and other data which the contractor submits. The Engineer will review and approve for conformance with the design concept, all shop drawings and other submittals as required by the Contract Documents to be furnished by contractors.
- Obtain and review monthly and final estimates for payments to contractors, and furnish any recommended payments to contractors or suppliers to the Corporation and assemble written guarantees which may be required by the Contract Documents.
- Attend monthly meetings with the Corporation and TWDB during construction.
- Prepare an operation and maintenance manual that meets applicable TWDB guidelines for submission to the Corporation before construction of the project is 90% complete.
- Conduct, in the company of the Corporation, a final inspection of the project for compliance with the Contract Documents and submit recommendations concerning project status of the Corporation's final payment to the contractor. Prior to submission of recommendation for final payment on each contract, the Engineer will submit a certificate of substantial completion of work done under that contract to the Corporation, TWDB and others as required.
- Revise the Contract Drawings (unless redrawing is required) from as-built drawings submitted by the contractor, to show the work as constructed. The Engineer will provide the Corporation with

one set of reproducible records (as-built) drawings and two sets of prints. Such drawings will be based on the resident project inspector's construction data and the construction records provided by the contractor during the construction.

- Coordinate approval and issuance of Certificate of Completion from TWDB and others as required.
- Conduct, within one month of its expiration, in the company of the Corporation, a warranty inspection of the project for compliance with the Contract Documents and submit recommendations concerning project warranty issues to the Corporation, TWDB and others as required.
- The Engineer shall review the first year's operation of the Project and revise the operations and maintenance manual for the Project as necessary to accommodate actual operational requirements and expenses. Eleven months after initiation of the Project's operation, the Engineer shall advise the Corporation in writing whether the Project meets the project performance standards.
- The Engineer shall assist in training operating personnel and coordinate the preparation of curricula and training materials for operating personnel.

C. STATEMENT OF QUALIFICATIONS

The proposer shall provide a description of the history and background of the firm, identification of the services currently being provided to political subdivisions in Texas and other information relevant to the provision of Engineering Services.

1. General information about the firm.
 - A. Name, address, and telephone number of the firm.
 - B. History of the firm, year established and former name(s) (if any).
 - C. Type of ownership of firm and name of parent company (if any).
 - D. List names and titles of officers of the firm who will be directly responsible for Engineer's services.
 - E. Texas Board of Professional Engineers Firm Registration Number.
2. References.
 - A. List of three (3) references of political subdivisions for which similar services have been provided.
 - B. References must include: Project Name & Location, Engineering Firm's role and responsibility, specific client contacts, list name(s) and phone number(s) of the Corporation(s) representatives, name and phone number of Project Engineer, list name(s) and phone number(s) of Governmental Agency contact and brief description of the projects and Firm's duties.
3. Identify key personnel to be assigned responsibility for administering the account (provide resume and location for the individual representatives that the firm will assign to the account).
 - A. The information for each member of the project team must include the following: Name, Area(s) of Expertise, Years of Experience in that area(s), Professional License(s), including registration number(s), (if applicable), TCEQ Licenses, (if applicable) and experience with State and Federal Agencies (if applicable).
 - B. Identify the percentage of time key personnel will devote to this project.
4. List the examples of the Firm's project management, design and construction management experience. Particular attention should be given to projects with TWDB funding.

5. Claims/Performance/Bonding.
 - A. If the Engineering Firm is currently involved in litigation or arbitration based on its work, briefly describe the nature of the claim.
 - B. If the Engineering Firm has ever been terminated from an assignment for non-performance, please briefly explain.
 - C. Name of Engineering Firm's General Liability, Workers Compensation and Professional Liability insurance carrier and agent's address and telephone number.
6. Joint Ventures/Subcontracts.
 - A. If it is anticipated that this assignment will be executed as a joint venture, and/or of 25% or more of the assignment based on either cost or time is to be subcontracted, provide the company's name of the joint venture partner and/or subcontractor and the proposed work for which it is responsible. Joint venture partners and subcontractors responsible for 25% of the work as indicated above must provide a separate Qualification Package.

D. SUBMISSION REQUIREMENTS

- **System for Award Management.** Engineer and its Principals may not be debarred or suspended or otherwise on the Excluded Parties List System (EPLS) in the System for Award Management (SAM). Include verification that the Engineer as well as its Principals are not listed (are not debarred) through the System for Award Management (www.SAM.gov). Enclose a printout of the search results that includes the record date.
- **Form CIQ.** Texas Local Government Code Chapter 176 requires that any vendor or person who enters or seeks to enter into a contract with a local government entity disclose in the Questionnaire Form CIQ the vendor or person's employment, affiliation, business relationship, family relationship or provision of gifts that might cause a conflict of interest with a local government entity. Questionnaire form CIQ is included in the RFQ and must be include with the response.
- **Certification Regarding Lobbying.** Certification for Contracts, Grants, Loans and Cooperative Agreements is included in the RFQ and must be submitted with the response.
- **Statement of Conflicts of Interest** (if any) the Engineer or key employees may have regarding these service, and a plan for mitigating the conflict(s). Note that the Corporation may in its sole discretion determine whether or not a conflict disqualifies a firm, and/or whether or not a conflict mitigation plan is acceptable.

E. ADDITIONAL INFORMATION

1. This contract is contingent upon release of funds from the TWDB.
2. Any contract or contracts awarded under this Request for Proposals and Statements of Qualifications are expected to be funded in part by a loan and/or loan forgiveness funds received from the TWDB. Neither the State of Texas nor any of its departments, agencies, or employees are or will be a party to this Request for Proposals and Statements of Qualifications or any resulting contract.
3. This contract is subject to the Environmental Protection Agency's ("EPA") "fair share policy", which includes EPA approved "fair share goals" for MBE and WBE firms in the Construction, Supplies, Equipment and Services procurement categories. EPA's policy requires that applicants and prime contractors make a good faith effort to award a fair share of contracts, subcontracts, and procurements to small, minority and women-owned business enterprise ("SMWBE") firms. Although EPA's policy does not mandate that the fair share goals be achieved, it does require

applicants and prime contractors to demonstrate use of the six affirmative steps. For more details of the DBE Program and the current, applicable fair share goals, please visit www.twdb.texas.gov/dbe.

4. Equal Opportunity in Employment - All qualified Applicants will receive consideration for employment without regard to race, color, religion, sex, age, handicap or national origin. Bidders on this work will be required to comply with the President's Executive Order No. 11246, as amended by Executive Order 11.375, and as supplemented in Department of Labor regulations 41 CFR; Part 60.
5. SMWBE firms are encouraged to submit proposals.

F. SELECTION CRITERIA

The following criteria will be used as a basis for the selection of the Engineer:

Criteria	Points
Experience	50
Capacity to perform	30
Familiarity with the Corporation and TWDB	20
Total	100

G. RECEIPT OF PROPOSALS

If your firm is interested in being considered as ENGINEER for the Corporation, proposals must be filed received no later than 2:00 p.m. (Central Time) on Friday, August 15, 2025, at the Corporation Office, 111 Buck Alley Douglass, TX 75943. Three (3) copies of the proposal must be sealed and clearly marked on the face of the shipping material "ENGINEER RFP".

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

Signature of vendor doing business with the governmental entity

Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;

or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

Certification Regarding Lobbying

(To be submitted with each bid or offer exceeding \$100,000)

The undersigned certifies, to the best of his or her knowledge and belief, that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(c) The undersigned shall require that the language paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995).

The Contractor, _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.

Signature of Contractor's Authorized Official

Printed Name and Title of Contractor's Authorized Official

Date

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, City, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, City, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, City, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).

11. ~~The certifying official shall sign and date the form, print his/her name, title, and telephone number.~~

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503

