



**BRAZOS VALLEY GROUNDWATER
CONSERVATION DISTRICT**

**REQUEST FOR
QUALIFICATIONS
FOR
HYDROGEOLOGY SERVICES
RELATED TO GROUNDWATER
MANAGEMENT**

RFQ# 07-2022

**Brazos Valley Groundwater Conservation
District**

112 W. 3rd Street
Hearne, Texas 77859

<https://brazosvalleygcd.org>

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NOTICE TO RESPONDENTS

The Brazos Valley Groundwater Conservation District ("District"), a groundwater conservation district comprised of Brazos and Robertson counties, is presently accepting **Statement of Qualifications for Hydrogeology Services**, as more described herein.

The objective of this Request for Qualifications (RFQ) is to solicit information from qualified professionals (Respondents) regarding their skills, abilities, experience, and credentials relevant to providing professional services related to groundwater management and hydrogeology. The District will consider the information provided to identify the highest qualified provider to negotiate contract terms for providing the above-mentioned services required by the District.

Qualified professionals must have documented experience successfully developing and implementing Management Plans under Chapter 36 of the Texas Water Code and expertise in Groundwater Availability Modeling. Experience working with the Simsboro, Calvert Bluff, Hooper, Carrizo, Sparta, Queen City, Yegua-Jackson, and Brazos River Alluvium aquifers Groundwater Availability Modeling is particularly valued. If selected, Respondent will serve as a technical consultant and be responsible for assisting the District's General Manager and Board of Directors (Board) with ongoing and potential studies and programs focused on the collection and analysis of scientific data regarding groundwater resources in the District and the region. In addition to programs and projects, the District will, from time to time, require the assistance of the Successful Respondent in executing its day-to-day tasks such as reviewing water well permit applications, assessing the impacts of proposed or existing water wells, and providing professional opinions regarding activities that may impact the groundwater resources in the District. The Successful Respondent may be tasked with providing scientific and technical reports and advice as requested by the General Manager and/or the Board. The Successful Respondent may be required to attend meetings with the General Manager and permittees; with the District's legal counsel; and regular and special meetings and hearings of the Board when requested and should be available for consultation as needed. Successful Respondent should be proximally located to the District Office in order to attend meetings as requested. Presently, regular board meetings usually occur in the afternoon on the second Thursday of each month; however, those meeting dates are subject to change at the sole discretion of the District. The District participates in joint planning and is a part of Groundwater Management Area 12.

Interested and qualified professionals should submit a statement of qualifications as described below to the District. To be considered for RFQ evaluation and subsequent contract award, submissions must include one (1) complete electronic version of the Statement of Qualifications submitted via email transmittal to aday@brazosvalleygcd.org and clopez@brazosvalleygcd.org in addition to one (1) original paper Statement of Qualifications and four (4) paper copies submitted via mail or hand delivery to be **RECEIVED BY the District no later than 5:00 PM on August 12, 2022**, at the address below. All Statements of Qualifications provided electronically are to be provided in a prepared Adobe Acrobat Portable Document File (PDF) format. The electronic version of the Statement of Qualifications shall be deemed delivered on the date and time in the email transmitting the submission.

Delivered Statements of Qualifications shall be enclosed and sealed in an envelope or

container clearly marked as **RFQ No. 07-2022, BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT HYDROGEOLOGY SERVICES** and addressed to Brazos Valley Groundwater Conservation District, Attn: Alan M. Day, General Manager.

In-Person Delivery or Mail Delivery:

Alan M. Day, General Manager
Brazos Valley GCD

Physical Address:
112 W. 3rd Street
Hearne, Texas 77859

Mailing Address:
P.O. Box 528
Hearne, Texas 77859

Email: aday@brazosvalleygcd.org and clopez@brazosvalleygcd.org

Upon receipt by the District, each statement will be stamped with the date and time received and stored unopened in a secure place until opened by District staff. All statements become the property of the District upon submission, The contents of all statements shall remain confidential by the District until an award is made.

STATEMENTS OF QUALIFICATION DELIVERED IN ANY MANNER OTHER THAN THE ABOVE STATED MANNER WILL BE REJECTED AND RETURNED TO THE RESPONDENT UNOPENED. It is the Respondent's sole responsibility to ensure that his/her Statement of Qualification is delivered by the proper method to the proper address by the deadline. Postmarks will not make timely any Statements of Qualifications that arrive after the date/time deadline listed above. These submissions will be considered Late deliveries and will be rejected and returned to the respondent unopened. Potential firms will be advised by mail or email that their RFQ was late and will not be accepted and will be allowed to pick up their RFQ package. Statements of Qualifications may be withdrawn by submitting a request to aday@brazosvalleygcd.org and clopez@brazosvalleygcd.org prior to the scheduled closing time for receipt of Statements of Qualifications.

Any questions concerning the contents of this document should be e-mailed to Alan M. Day, General Manager at aday@brazosvalleygcd.org and clopez@brazosvalleygcd.org.

Section 1 – Request for Statement of Qualifications Overview

1. Purpose of Request for Qualifications

The District is seeking Statement of Qualifications from hydrogeologists with the qualifications and experience to assist the District with hydrogeological and engineering services as referenced above.

The District shall receive responses to this RFQ and may conduct individual interviews to evaluate and select firms, which, in the District's opinion, are best suited to perform hydrogeological and engineering services for the District.

2. Anticipated Statement of Qualification Review Dates

The following table identifies the estimated dates/time frame for receipt, evaluation, and notice of acceptance as the highest qualified respondent to this RFQ. Please note the following key dates when preparing your response to this RFQ.

Description	Date*
Release of RFQ	July 12, 2022
STATEMENTS OF QUALIFICATIONS DUE	5:00 PM; August 12, 2022
Firm Interviews by District (<i>if any</i>)	To Be Determined
Notification of Selection as the highest qualified respondent to this RFQ	September 8, 2022 (tentative)

* The above noted dates are subject to change at the District's sole discretion without notice.

3. Statement of Qualification Evaluation

Selection of a firm shall be in accordance with Section 36.057(c) of the Texas Water Code, and the Professional Services Procurement Act, Subchapter A, Chapter 2254, Texas Government Code.

The Statement of Qualification review process used to select qualified firm or individual will be as follows:

a. The District will review, evaluate and rank all timely received Statements of Qualifications based on the requirements identified within Section 4 of this RFQ. The District may require additional information after the review of the initial information received. Incomplete Statements of Qualification may be rejected as non-responsive and may result in the respondent being excluded from the RFQ process.

b. Interviews may be conducted individually with up to five ranked respondents who submit timely responsive statements and who are determined as qualified for award of the contract.

c. Statements of Qualifications shall not include any information regarding respondent's fees, pricing, or other compensation.

4. Evaluation Criteria

The District will determine, in its sole discretion, the Respondent who is best qualified to perform the required services, based on consideration of the evaluation criteria, description and the total points available to each as follows:

a. **Responsiveness.** Responsiveness of the Statement of Qualifications in clearly stating the firm's practice areas and services, and in meeting the requirements of the RFQ for hydrogeological services. This criterion shall be scored between 0-20 points.

b. **Experience/Ability.** Relevant experience, expertise, and qualifications as it relates to the aquifers of the District; hydrogeologic mapping, hydrogeologic modeling, hydrogeologic investigations, research, and general knowledge of the aquifers in the District; relevant experience, expertise, and qualifications in developing Groundwater Conservation District (GCD) management plans and rules; experience relevant to the technical aspects of GCD rules relating to well spacing and production limits; experience creating forecast, planning models and tools; experience delivering presentations to the District, planning groups and the general public; relevant experience, expertise and qualifications working with Groundwater Availability Models for the aquifers in the District; experience as an expert witness in contested cases, writing and analyzing testimony, working with legal counsel. This criterion shall be scored between 0-35 points.

c. **Qualifications.** Qualifications supporting GCD Board decisions based on technical hydrogeologic data; experience testifying on behalf of a GCD in a contested case; relevant experience, expertise, and qualifications working for other GCDs; relevant experience, expertise, and qualifications working on the joint planning process within Groundwater Management Areas (GMAs) and developing Desired Future Conditions (DFCs); and accessibility, responsiveness, and access to client. This criterion shall be scored between 0-35 points.

d. **References.** Information obtained by the District from the firm's provided references and other clients. This criterion shall be scored between 0-10 points.

The total points available for all criteria combined is 100 points.

5. Acceptance

By submitting a Response to this RFQ, the Respondent: (a) acknowledges and accepts the evaluation process; and (b) understands that the determination of the most qualified Respondent will require the exercise of subjective judgment by the District.

IN SUBMITTING A RESPONSE TO THIS RFQ, THE RESPONDENT AGREES THAT IT WAIVES ANY CLAIMS IT HAS OR MAY HAVE AGAINST THE DISTRICT, THE DISTRICT'S EMPLOYEES, OFFICERS, AGENTS, REPRESENTATIVES, AND THE MEMBERS OF THE DISTRICT'S GOVERNING BODY IN CONNECTION WITH OR ARISING OUT OF THIS RFQ, INCLUDING, THE ADMINISTRATION OF THE RFQ, THE BASIS FOR SELECTION, THE EVALUATIONS OF THE RESPONSES, THE METHOD USED FOR SELECTION AND ANY DISCLOSURE OF INFORMATION REGARDING THE RESPONSES OR EVALUATIONS.

Section 2 – Scope of Work

After a Respondent is selected by the District, the Parties will endeavor to enter into a contract for services in the manner provided by law, including Chapter 2254 of the Texas Government Code. That contract shall: (a) define and describe the scope of services, the agreed-upon and reasonable fees for such services, and reimbursable expenses prior to any services being performed under the contract; (b) be drafted in a form and scope which is acceptable to the District and the Respondent; and (c) recite a fair and reasonable price for the services to be provided, however, the professional fees under the contract may not exceed any maximum provided by law.

Contract award will be authorized by the District's Board of Directors.

In the event that acceptable statements of qualifications are not submitted, as determined in the sole discretion of the District, the District retains the right to not award a contract in response to this RFQ.

Section 3 – Statement of Qualifications

1. Statement of Qualifications Format and Content

The Respondent's Statement of Qualifications should fully state its hydrogeological and/or engineering services experience. The submitted Statement of Qualifications should be organized and indexed in a format that ensures the District can easily review to effectively evaluate the Respondent's Statement of Qualifications.

Preferred Format

I. LETTER OF INTEREST

- I.A. Identify the submitting firm;
- I.B. A listing of all principals of the firm;
- I.C. Identify the name and title of the person authorized by the firm to contractually negotiate and obligate the firm;
- I.D. Identify the name, title and telephone number of the key personnel proposed to be assigned to providing services described herein.
- I.E. Identify the names, titles, and telephone numbers of persons to be contacted for clarification; and
- I.F. Be signed by the person authorized to contractually obligate the organization.

II. SUBMISSION OF STATEMENT OF QUALIFICATIONS

- II.A. Brief History of the firm, including a resume or Curriculum Vita of the personnel proposed to provide Hydrogeological and/or engineering services (if less than five years, previous experience of principals).
- II.B. Evidence of financial capability and financial stability to correctly, timely, and reliably perform the requested services for the District.
- II.C. Professional memberships, certifications, licenses, and other qualifications for key individuals assigned to the District.
- II.D. Company's experience and qualifications for similar types of engagements; this summary must include your firm's experience in each of the areas of specialty listed herein for which the Respondent is submitting a Statement of Qualifications.
- II.E. A listing of projects, if applicable, for any groundwater conservation district(s) that have been handled by the Respondent and/or its firm through consultation, negotiation, settlement, mediation, or litigation.
- II.F. Where applicable, a listing of clients with water wells producing groundwater in the District.
- II.G. A description of experience involving the major and minor aquifers in the District.
- II.H. Description of your professional liability insurance.
- II.I. Statement certifying that the Respondent and/or his/her firm is not aware of any existing conflicts of interest with the Lost Pines Groundwater Conservation District or its Board of Directors, including the filing of any statements required under Chapter 176, Local Government Code.

III. CERTIFICATE OF NON-DISCRIMINATION (Exhibit B)

- III.A. Respondent shall complete, sign, date, and include with its Statement of

Qualifications the Certificate of Non-Discrimination attached to this RFQ.

IV. REFERENCES FORM (Exhibit C)

A minimum of three (3) verifiable references shall be listed on the "References" sheet provided in this RFQ; this list may include current and former clients (with reason for cancellation if applicable), with all references being able to fully comment on the Respondent's related experience.

All costs related to the Respondent 's Statement of Qualifications/Proposal submission are the sole responsibility of the Respondent. All Statements of Qualifications that are submitted are the property of the District, which will hold the contents of all statements confidential until an award is made.

All information contained in Statements of Qualifications submitted may be subject to the Texas Public Information Act and/or the Texas Open Meetings Act, and the use and disclosure of the information provided are governed by these Acts. As such, any information deemed confidential or proprietary should be clearly identified by the Respondent. Such information may then be protected and treated with confidentiality to the extent permitted by state law.

Please note that in accordance with Sections 36.057(c) of the Texas Water Code and 2254.004 of the Texas Government Code, submittals must NOT include any cost quotations at this stage in the selection process. Any submittals that include cost quotations will be rejected upon receipt.

1. Request for Clarification/Information

Questions regarding the meaning of the Scope of Work, Qualifications, or other pre-proposal documents shall be directed to the District's General Manager, Alan M. Day, at aday@brazosvalleygcd.org and clopez@brazosvalleygcd.org.

2. Request for Qualifications (RFQ) Submittals

For the purpose of this Request for Qualifications, it should be noted that the documents submitted by prospective Respondents are sealed Statements of Qualifications. When submitted Statements of Qualifications are opened, submittals shall remain confidential until an award is made. At that time, any executed agreement or other executed contract between Respondent and District shall become public information, subject to disclosure under Texas law.

EXHIBIT A – Additional Terms and Conditions

a. INTERESTED PARTIES. RESPONDENT/CONTRACTOR acknowledges that Texas Government Code Section 2252.908 (“Section 2252.908”) requires disclosure of certain matters by RESPONDENT entering into a contract with a local government entity such as LPGCD. RESPONDENT confirms that it has reviewed Section 2252.908 and will 1) complete FORM 1295 and electronically file it with the Texas Ethics Commission (“TEC”); and 2) submit the signed Form 1295, including the certification of filing number of the Form 1295 with the TEC, to LPGCD. Form 1295 is available at the TEC’s website: https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm. This amended engagement letter is not effective until the requirements listed above are satisfied. The signed Form 1295 may be submitted to the District in an electronic format.

b. CONFLICT OF INTEREST. RESPONDENT/CONTRACTOR acknowledges that Texas Local Government Code Chapter 176 (“Chapter 176”) requires the disclosure of certain matters by RESPONDENT doing business with or proposing to do business with local government entities such as LPGCD. RESPONDENT confirms that it has reviewed Chapter 176 and, if it is required to do so, will complete and return FORM CIQ promulgated by the TEC and available on the TEC website within seven days of the date of submitting this amended engagement letter to LPGCD or within seven days of becoming aware of a matter that requires disclosure under Chapter 176, whichever is applicable.

c. Verification Under Ch. 2270, Texas Government Code. For purposes of Chapter 2270 of the Texas Government Code, RESPONDENT/CONTRACTOR represents and warrants that, at the time of execution and delivery of any contract, neither the Respondent/Contractor, or affiliate of the same, boycotts Israel or will boycott Israel during the term of this amended engagement letter. The foregoing verification is made solely to comply with Section 2270.002, Texas Government Code, and to the extent such Section does not contravene applicable Federal law. As used in the foregoing verification, “boycotts Israel” and “boycott Israel” means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes. RESPONDENT understands “affiliate” to mean any entity that controls, is controlled by, or is under common control with Developer and exists to make a profit.

d. Verification Under Ch. 2252, Texas Government Code. As of the date of this amended engagement letter, RESPONDENT/CONTRACTOR represents and warrants that, neither RESPONDENT/CONTRACTOR, nor any wholly owned subsidiary, majority owned subsidiary, parent company, or affiliate of the same, if any, are companies identified on a list prepared and maintained by the Texas Comptroller of Public Accounts under Section 2252.153 or Section 2270.0201, Texas Government Code. The foregoing representation is made solely to comply with Section 2252.152, Texas Government Code, and to the extent such Section does not contravene applicable Federal law and excludes Respondent and each parent company, wholly- or majority-owned subsidiaries, and other affiliates of the same, if any, that the United States government has affirmatively declared to be excluded from its federal sanctions regime relating to Sudan or Iran or any federal sanctions regime relating to a foreign terrorist organization. RESPONDENT understands “affiliate” to mean

any entity that controls, is controlled by, or is under common control with Developer and exists to make a profit.

e. **COMMUNICATION WITH THE DISTRICT.** To insure the proper and fair evaluation of this RFQ, The District prohibits ex-parte communication (e.g., unsolicited) initiated by a prospective Respondent to District Officials or Employees evaluating or considering the Responses prior to the time an award has been made. Communication between 'Prospective Respondent and the District will be initiated by the appropriate District Official or Employee to obtain information or clarification needed to develop a proper and accurate evaluation of the RFQ. Ex parte communication may be grounds for disqualifying the offending 'Prospective Respondent from consideration or award of the Solicitation then in evaluation, or any future Solicitation. Unless otherwise specified, all requests for clarification or questions regarding this Solicitation must be directed to Brazos Valley Groundwater Conservation District, Attn.: Alan M. Day, General Manager, P.O. Box 528, Hearne, Texas 77859, Email: aday@brazosvalleygcd.org and clopez@brazosvalleygcd.org. Answers to a prospective Respondent questions shall be shared with all Respondents.

f. **INSURANCE REQUIREMENTS.** Unless specific insurance requirements are noted, Respondent shall maintain standard insurance coverage. Respondent shall provide a copy of its professional liability insurance policie(s) to the District at the time of RFQ submittal.

g. **TAX EXEMPT STATUS.** The District is exempt from all federal excise, state and local taxes unless otherwise stated in this document. The District claims exemption from all sales and/or use taxes under Texas Tax Code §151.309, as amended. Texas Limited Sales Tax Exemption Certificates are furnished upon request. Respondent will not charge for such taxes. If billed, The District will not remit payment until a corrected invoice is received.

h. **INVOICING REQUIREMENTS:** Unless otherwise specified, all invoices shall be submitted to: Brazos Valley Groundwater Conservation District, Attn.: Alan M. Day, General Manager, P.O. Box 528, Hearne, Texas 77859, Email: aday@brazosvalleygcd.org and clopez@brazosvalleygcd.org.

i. **RIGHT TO AUDIT.** The Respondent agrees that the representatives of the District shall have access to, and the rights to audit, examine, or reproduce, any and all records of the Respondent related to the performance under this Agreement. The Respondent shall retain all such records for a period of four (4) years after final payment on this Agreement or until all audit and litigation matters that the District has brought to the attention of the Respondent are resolved, or retention required by law, whichever is longer. The Respondent agrees to refund to the District any overpayments disclosed by any such audit.

EXHIBIT B

CERTIFICATION OF NON-DISCRIMINATION

**TO BE EXECUTED BY RESPONDENT AND SUBMITTED
WITH STATEMENT OF QUALIFICATIONS**

Respondent hereby certifies in performing work or providing services for the District, there shall be no unlawful discrimination in its hiring or employment practices, and Respondent shall comply with applicable federal and Texas anti-discrimination laws.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Non-Discrimination this _____ day of _____, 2022.

RESPONDENT:

Type or print complete legal name of firm)

BY: _____
(Signature)

NAME: _____
(Type or Print)

TITLE: _____
(Type or Print)

ADDRESS: _____

CITY _____ STATE _____

ZIP _____

EXHIBIT C

REFERENCES

Respondent shall provide a minimum of three (3) References with three (3) or more years' experience with the Respondent.

REFERENCE 1	
NAME	
ADDRESS	
CITY, STATE ZIP CODE	
TELEPHONE #	
CONTACT	
DATES OF SERVICE	
DESCRIPTION OF SERVICES	

REFERENCE 2	
NAME	
ADDRESS	
CITY, STATE ZIP CODE	
TELEPHONE #	
CONTACT	
DATES OF SERVICE	
DESCRIPTION OF SERVICES	

REFERENCE 3	
NAME	
ADDRESS	
CITY, STATE ZIP CODE	
TELEPHONE #	
CONTACT	
DATES OF SERVICE	
DESCRIPTION OF SERVICES	

(ATTACH ADDITIONAL SHEETS IF DESIRED)



STATEMENT OF QUALIFICATIONS/PROPOSAL SUBMITTAL CHECKLIST

This checklist is provided to assist in the preparation of Respondent's Statement of Qualifications. It is only intended as a guide.

Respondents are encouraged to use the following checklist when preparing their proposed Statement of Qualifications/Proposal:

LETTER OF INTEREST – All requested information included and signed by authorized representative.

RESPONSE TO MANDATORY REQUIREMENTS – Include narrative, resumes, experience and qualifications, and statement of no conflict of interest.

EXHIBIT B – Certification of Non-Discrimination – Completed and signed by authorized representative.

EXHIBIT C - References – Complete as requested.