



DRIPPING SPRINGS  
Texas

**REQUEST FOR QUALIFICATIONS  
CITY OF DRIPPING SPRINGS, TEXAS  
Request for Qualifications “Old Fitzhugh Road Engineering Services”  
CLARIFICATION 3**

Notice is hereby given that the City of Dripping Springs, Texas is soliciting **Statements of Qualifications for Old Fitzhugh Road Engineering Services.**

**Sealed Statements of Qualifications must be submitted in one (1) original, five (5) copies, and one (1) electronic copy in PDF format on a flash drive and shall be delivered to:**

City of Dripping Springs, Texas  
Attn: Laura Mueller, City Attorney  
511 Mercer Street or P.O. Box 384  
Dripping Springs, Texas 78620

Electronic submission is also allowed at [lmuellet@cityofdrippingsprings.com](mailto:lmuellet@cityofdrippingsprings.com). Statements of Qualifications must be submitted **by 4 p.m. on August 27, 2021**, at which time the statements will be publicly opened and read aloud. Statements received after the opening date and time will not be considered.

A pre-proposal virtual meeting will be held on **August 16, 2021 at 2:00 p.m.** by Zoom. This meeting is optional. If interested in participating in the pre-proposal meeting please email [kcampbell@cityofdrippingsprings.com](mailto:kcampbell@cityofdrippingsprings.com) by August 13, 2021 to receive the meeting invite.

If additional information is requested, please email questions to Laura Mueller, City Attorney at [lmuellet@cityofdrippingsprings.com](mailto:lmuellet@cityofdrippingsprings.com) with “OFR Engineering Services” in the subject line. RFQs may be viewed online at the City’s website at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com).

The City of Dripping Springs (“City”) intends to develop the Plan Specifications and Estimates (PS&E) phase services which will develop and advance engineering and design of the Old Fitzhugh Road Concept Plan. City now intends to enter into one (1) contract with a consulting engineering firm as a professional service provider, including design services, to provide the following services.

**REQUEST FOR STATEMENT OF QUALIFICATIONS:**

The City of Dripping Springs, hereinafter referred to as “the City”, is soliciting Statement of Qualifications (SOQ) from engineering firms, hereinafter referred to as “Applicant,” which have LGPP Certified staff and more than three (3) years experience in design and construction

administration of street projects as outlined in the SCOPE OF SERVICES section of this request. The Applicant awarded the contract is referred to herein as “the Consultant.”

Statement of Qualifications are due at 4 p.m. on August 27, 2021 and will be opened by City Staff at that time. Proposals will become public, as required by the Texas Public Information Act, Texas Government Code, Chapter 552 after the contract is awarded.

As part of the Bidding process, interested persons are able to request additional information from the City regarding the Bid and its process. The following additional information is available:

### **CLARIFICATION 1**

**Question 1.** RFQ Page 5, Qualification Requirements item 10 states respondents must have an approved indirect cost rate in order to be considered for award. This section states our qualification must include the requirements in this section. Are respondents to include our indirect cost rate with our response to this RFQ? Does the Professional Services Procurement Act; Section 2254.004, Texas Code not apply? Just the roadrunner trail

**Clarification:** No costs should be included in the Request for Qualifications. All negotiations related to costs will be done after the engineer is selected through the RFQ process. The RFQ has been updated to clarify this language.

### **CLARIFICATION 2**

**Question 2.** Attachment “C” Draft Professional Services Agreement states, “6. Limitations. During the period the Contractor is covered by this agreement, the Contractor will not be permitted to perform any services for any agency, developer, contractor or individual performing work within or for the City, or any project or construction that involves inspection, coordination, approval or in any other manner that involves the City other than that work assigned by an agency of the City.” We had understood that this is not a controversial project and the direction of the project has previously been established by others. We are not certain as to the specific concern that this limitation is intended to address but request that this might be reconsidered as perhaps not applicable to this specific procurement. This clause may limit the potential field of respondents to just a few firms.

**Clarification:** This provision is an extension of Section 2.02.002 of the City of Dripping Springs Code of Ordinances. This is more restrictive than our ordinance and the City is open to negotiating this issue so long as any agreement complies with our ordinance. Here is the ordinance in question:

Sec. 2.02.002. - Standards of conduct and disclosure of interest.

(E) Any city contractor that has a substantial interest in a business entity, or represents a person or business entity that has any pending applications with the city, shall file a notice with the city

secretary stating such interest or representation at least two weeks prior to the date of any consideration of such application by the appropriate body of the city. If such body desires such city contractor to continue to advise such body regarding such application, a written acknowledgement and waiver shall be executed by the presiding officer of such body.

**Question 3.** Does the Draft PSA, provision 6 Limitations also apply to subcontractors?

**Clarification:** Generally, no. But will be viewed on a case by case basis.

**Question 4.** Do we need a Registered Accessibility Specialist included on our team or will the City submit for RAS review and TDLR approvals?

The selected Engineering Firm is responsible for providing a Registered Accessibility Specialist.

**Question 5.** “In order to be considered for award of this contract, Applicants must have an approved indirect cost rate.”

**With whom do we need an approved indirect cost rate and how is that documented?**

**Clarification:** No costs should be included in the Request for Qualifications. All negotiations related to costs will be done after the engineer is selected through the RFQ process. The RFQ has been updated to clarify this language. The submission of the indirect cost rate can occur during negotiation of the PSA after the engineer is selected.

**Question 6:** “Confirmation that the professional engineer assigned to the project carries general liability insurance, worker’s compensation, Business Automobile Policy, and professional liability insurance within ten (10) calendar days of any Notice of Award.”

- **For the SOQ, is a statement sufficient or is a specific form required?**

**Clarification:** Statement that such insurance will be provided is sufficient.

**Question 7: Conflict of Interest Affidavit – Is this submitted with the SOQ or with contract execution? Do you need a statement to address conflicts of interest in the SOQ?**

**Clarification:** This can be provided at any time including during the SOQ or once engineer is selected.

**Question 8:** Please verify Electronic Only submissions are acceptable in lieu of printed copies.

**Clarification:** Electronic submission is allowed in lieu of printed copies.

**Question 9:** Can you please confirm that there are no DBE/MBE/WBE or HUB goals?

**Clarification:** There are no DBE/MBE/WBE or HUB goals with this project.

**Question 10:** Item 10 under the requirements mentions the consultant must have an approved Indirect Cost Rate with the City. Can you confirm that a TxDOT-approved Overhead FAR Audited rate is acceptable? Or that if a consultant already has existing contracts with the City that the consultant would meet this requirement?

**Clarification:** No costs should be included in the Request for Qualifications. All negotiations related to costs will be done after the engineer is selected through the RFQ process. The RFQ has been updated to clarify this language. The submission of the indirect cost rate can occur during negotiation of the PSA after the engineer is selected.

**Question 11:** Are there any firms that are precluded from this RFQ based on current or previous work with the City or other entities on this project?

**Clarification:** No, there are not but all submissions will be reviewed for possible conflicts of interest.

**Question 12:** What project funding sources are currently anticipated for this project (i.e. local, state, federal, private)?

**Clarification:** The City is actively pursuing a variety of funding sources, including City, County, State and Federal funds or grants.

**Question 13:** Does the City intend to have additional Public Involvement as part of this contract?

**Clarification:** Ongoing Public Involvement with Old Fitzhugh Road stakeholders, in coordination with City resources and Staff, will be expected of the Consultant including possible presentations at various City boards and commissions including City Council, Historic Preservation Commission, and the Tax Increment Reinvestment Zone Board.