



**CITY OF
GALLUP**

**REQUEST FOR QUALIFICATIONS
TO PROVIDE PROFESSIONAL SERVICES**

RFQ No. 2015/2016/01/QP

FINAL

Gallup, NM Wastewater Utility
Design, Build, Operate (DBO) Upgrades and
Contract Operation & Management Services

Qualifications DUE: November 16, 2015 by 2:00 p.m. (Mountain Standard Time)

Envelope(s) shall be sealed and marked with RFQ # and Project Title.

SUBMIT PROPOSALS TO:

Via United States Postal Service

Frances Rodriguez, CPPB
Purchasing Director
PO Box 1270
Gallup, NM 87305
Tel: 505-863-1334

Via Courier Service or In-Person

Frances Rodriguez, CPPB
Purchasing Director
110 W. Aztec Avenue
Gallup, NM 87301
Tel: 505-863-1334



**CITY OF
GALLUP**

**REQUEST FOR QUALIFICATIONS (RFQ) No. 2015/2016/01/QP
Gallup, NM Wastewater Utility
Design, Build, Operate (DBO) Upgrades
and
Contract Operation and Management Services**

The City of Gallup, NM invites qualified firms or individuals to submit a statement of qualifications to provide Design, Build, Operate (DBO) Services for upgrades to residuals / solids handling facilities and Operation & Maintenance (O&M) of the City's 5 MGD wastewater treatment plant including the DBO upgrades, and associated pump stations with an additional submittal addressing qualifications for the operation of the wastewater collection system (210 miles). The DBO portion of the workscope is only for the residuals / solids handling facilities. The City will invite Shortlisted firms, who in the City's assessment meet the RFQ Qualifications criteria, to respond to a formal Request for Proposals.

A complete Request for Qualifications packet may be examined at the (City of Gallup Purchasing Department, Frances Rodriguez, CPPB, Purchasing Director, 110 W. Aztec Avenue, Gallup, NM 87301 Tel: 505-863-1334). An electronic copy of the Request for Qualifications may be obtained at The City's website: www.gallupnm.gov/bids. You may direct all questions and concerns relating to this project to Frances Rodriguez, Purchasing Director at frdriguez@gallupnm.gov.

Sealed responses will be received by the Purchasing Director of the City of Gallup, New Mexico up to the hour of **2:00 p.m. (MDT) on November 16, 2015**. Responses delivered later will not be accepted. The City of Gallup is not responsible for late deliveries.

All responses to this request that are mailed through the United States Postal Service shall be addressed to the Purchasing Director, City of Gallup, as specified on the cover page of this RFQ document. Please be advised USPS deliveries requiring a signature may not be delivered in a timely manner as our receiving point is not staffed at all times and may not be available to sign at the time of delivery. Hand-delivered responses, or responses not sent through the USPS, shall be delivered to the Purchasing Director at the W. Aztec address specified on the cover page of this RFQ document. .

All responses shall be placed in a sealed envelope, which is clearly marked "**Gallup, NM Wastewater Utility Design, Build, Operate (DBO) Services RFQ No. 2015/2016/01/QP** " **Responses by FAX or EMAIL will not be accepted.**

The City of Gallup reserves the right to cancel this request or reject any and all responses submitted or to waive any minor formalities if in the City's opinion the best interest of the City would be served.

Frances Rodriguez, CPPB
Purchasing Director

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APPENDICES

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- B Regulatory Performance, and Summary Narratives for Odor Control, and Bio-Solids Performance for the Gallup Facilities
- C Contract Costs for Severn Trent (2014-2015) and Current Contract
- D Facility Flow Sheet and Information Summaries
- E SOQ Submittal Forms
- F SOQ Evaluation Sheet for Assessing RFP Qualifications Criteria
- G Wastewater Plant Design Criteria and Plant Flow Schematic Drawing

1.0 INTRODUCTION

1.1 BACKGROUND

The City of Gallup, New Mexico is located in McKinley County, New Mexico, United States. The City's population is approximately 25,000. It is the county seat of McKinley County and the most populous city between Flagstaff and Albuquerque. City government is a City manager format with an elected City Council.

The City has a total area of 13.4 square miles (35 km²), all land. Gallup City government is responsible for the City's vital infrastructure and urban services. It builds and repairs roads, maintains water and sewer service, provides fire and police protection as well as parks & recreation programs, administers land use policy and takes an active role in the City's commercial and industrial development. The City's wastewater utility (5mgd treatment plant), 4 pump stations, and 210 miles of collection system serves the residents and businesses of the City.

Gallup was named as the winner in the 2013 Best of the Road contest by Rand McNally as the "Most Patriotic Small Town in America 2013". It is on the "Trails of the Ancients Byway", one of the designated New Mexico Scenic Byways. Gallup is known as the "Heart of Indian Country" because it is in the middle of the Navajo reservation and home to many tribes.

Severn Trent currently operates, maintains, and manages the following wastewater facilities for the City via a professional services agreement, which is set to expire on August 31, 2016:

1. The wastewater treatment plant located at 800 Sweetwater Place, Gallup, NM 87301
2. Associated pump stations (5) as summarized in Appendix D

The City's current operations & maintenance contract with Severn Trent is approximately \$ 1.5 million for the fiscal year (FY 2015 - 2016). The City is responsible for the provision of all capital items and the costs associated with these items. The City is also currently responsible for operation, maintenance, and capital improvements for the wastewater collection system. A copy of the contract costs for FY 2014 - 2015 and the current Severn Trent contract are available (see Appendix C). Facility flow sheet summaries for the wastewater plant are provided in Appendix D.

The last several years have been marked with significant sludge management issues, odor issues, and the acknowledged need for upgraded facilities and operations to successfully, efficiently, and

cost effectively deal with the situation.

In September 2015, the City executed a professional services agreement with Eisenhardt Group, Inc. to assist the City with the development of a municipal Wastewater Treatment Design, Build, Operate (DBO) RFQ and RFP documents. The City Council has accepted staff recommendations and authorized the competitive procurement of a public-private partnership for the Design, Build, Operate (DBO) of wastewater facility upgrades and improvements and the operation and maintenance of the wastewater facilities.

1.2 PURPOSE and OBJECTIVES

Through the issuance of this Request for Qualifications (RFQ), the City of Gallup, NM is hereby soliciting for sealed Statement of Qualifications (SOQ's) from private sector firms for the upgrades and operation of the City's wastewater facility and pump stations using a Design, Build, Operate (DBO) contract format. The City is also requesting submittal of qualifications for the operation and management of the City's wastewater collection system so that the addition of the collection system workscope may be considered by the City for inclusion in the RFP workscope.

While not a requirement for the Respondents RFQ submittal, the City is also interested in private sector financing for the capital costs for the odor control and bio-solids facilities.

Respondents must be capable of providing: 1) the design, build, operate (DBO) services for the upgrades for the wastewater facility, 2) operation and maintenance of the wastewater treatment plant, including the upgrades, 3) operation and maintenance of pump stations, 4) the development and implementation cost effective, regulatory compliant solutions for odor control and bio-solids processing and disposal, and 5) the operation and management of the collection system to include customer response and repair, TV surveys and assessments, and collection system cleaning using City provided vector truck equipment.

Additional services to be provided by the private sector firm include laboratory facilities and services, development and implementation of updates and capability enhancements for the Maintenance Management System (MMS), SCADA systems, and Asset Management Programs including responsibility for "repair & replacement expenditures" at the facility.

The City intends to provide the following functions: oversight for the facilities; oversight of collection system construction and upgrades, condition surveys, and GIS system updates; capital planning and

financing; policy development; long range and service area planning; setting of rates and charges for services to its customers; meter reading; billing and collection; and customer service, except that the Respondent will be responsible for responding to customer service calls relating to treatment plant operations (noise, odor). The City will remain responsible for Ordinances controlling discharges to the sewer system and the long-term capital program for the facilities.

This procurement is governed by City of Gallup City Code, 1-9, Procurement Code. The City also has retained Eisenhardt Group of Port Townsend WA to assist in the development of this Request for Qualifications (RFQ) the subsequent Request for Proposals (RFP), evaluation of resulting proposals, and eventual contract negotiations. Only those firms responding to this RFQ will be eligible to receive an RFP. The City expects to select a limited number of respondents to receive the RFP.

Consistent with the contract provisions of New Mexico law, The City is interested in proposals for a public-private 8-year contract term. The Request for Qualifications process and the subsequent Request for Proposals (RFP) will be conducted by the City in accordance with all applicable laws, rules, and regulations to include the following:

Equal Employment Opportunity

No Offeror shall in any way, directly or indirectly, discriminate against any person because of age, race, color, handicap, sex, national origin, or religious creed. All subcontractors will be required to comply with the same laws, procedures, policies, and regulations as the Respondent..

Laws and Regulations

This procurement shall be governed by and construed and enforced in accordance with the laws of the State of New Mexico, and the laws, ordinances, rules and regulations of the City of Gallup. The City also requires that all responses to this RFQ, and any contracts that may arise as a result of this procurement, be in accordance with laws, ordinances, and regulations of the State of New Mexico and the City of Gallup, New Mexico.

Confidentiality

Submittals are subject to provisions of State law relating to inspection of public records. Submittals will be kept confidential until a list of recommended Respondents is approved by the City Council. Following that approval, all documents pertaining to this submittal will be open for public inspection, except material(s) previously designated by the Respondent as proprietary or confidential. The City will not disclose or make public any pages of a submittal on which the Respondent has stamped or imprinted the words “proprietary” or “confidential”. Confidential data are normally restricted to confidential financial information concerning the Respondent’s organization and data that qualifies as a trade secret in accordance with the Uniform Trade Secrets Act, 57-3A-1 to 57-3A-7 NMSA (1978). Such materials must be readily separable from the submittal in order to facilitate eventual public inspection of the non-confidential portion. If a request is received for disclosure of data for which a Respondent has made a written request for confidentiality, the Central Purchasing Department shall examine the Respondent’s submittal and make a written determination specifying which portions of the submittal should be disclosed in accordance with applicable New Mexico law. Unless the Respondent takes action to prevent the disclosure, the submittal may be so disclosed. The submittal shall be open to public inspection subject to any continuing prohibition on the disclosure of confidential data.

Prohibited Contacts

The Respondent, including any person affiliated with or in any way related to the Respondent, is strictly prohibited from any contact with members of the City Council, City staff or the City’s consultant on any matter having to do in any respect with this RFQ other than as outlined herein. Questions and requests for information regarding this RFQ, site visits or other requirements shall be presented to the City as prescribed in this RFQ. Failure by any Respondent to adhere to this prohibition may, at the sole discretion of the City, result in disqualification and rejection of any SOQ.

Bribery and Kickbacks

As required by 13-1-191, NMSA (1978), it is a third-degree felony under New Mexico law to commit the offense of bribery of a public officer or public employee (30-24-1, NMSA (1978)). It is a third-degree felony to commit the offense of demanding or receiving a bribe by a public officer or public employee (30-24-2, NMSA (1978)). It is a fourth-degree felony to commit the offense of soliciting or receiving illegal kickbacks (30-41-1, NMSA (1978)). It is a fourth-degree felony to commit the offense of offering or paying illegal kickbacks (30-41-2, NMSA (1978)).

Protest Deadline

Any protest by a Respondent must be timely and in conformance with City of Gallup Procurement Code and applicable procurement regulations. The seven (7) calendar day protest period for responsive Respondents shall begin on the day following the City's written notification to all responding Respondents of the successful Respondents awarded to continue the RFP process. Protests must be written and must include the name and address of the protestor and the number assigned to this RFQ by the City. It also must contain a statement of grounds for protest including appropriate supporting exhibits.

Respondents shall carefully review this document to ensure a clear understanding of the City's needs, objectives, and scope of services.

Respondents are requested (required) to complete Proposal Form 11 (Acknowledgement of Receipt) and return to the City by Monday, October 26 , 2015 by 2pm (MDT) at the address location specified in Proposal Form 11 so as to receive copies of all Respondent written questions and the City's written response as well as RFQ amendments, if any are issued.

In issuing this RFQ, the City seeks to identify qualified and interested firms who will subsequently be invited to participate in the formal RFP process. Generally, the objective of the City is to provide the users of the City's wastewater system with cost effective and reliable wastewater treatment services while at the same time achieving the additional objectives listed below:

- Elimination of odor issues and provision of regulatory compliant bio-solids disposal done in a cost effective manner
- Guaranteed capital costs for the odor control / bio-solids upgrades
- Guaranteed regulatory compliance and operating costs
- Development and implementation of an expanded Asset Management Program and upgraded SCADA system capabilities
- Updated contract provisions addressing accountability, performance requirements, responsibility, liability provisions, and guarantees
- Inclusion of "Repair & Maintenance" capital in the scope of services
- A "partnership" that works cooperatively together to maximize effectiveness, performance, and cost efficiency for the ratepayer
- Establishment of known, long-term, Service Fee costs that are adjusted annually

for inflation, long-term increases or decreases in flows or loadings, and for changes in regulatory and / or legal requirements that impact the resources and costs necessary for compliance

- Incentives for cost reductions and performance improvements that proactively motivate the performance of the private sector party and the City in the “partnership” sought by the City

2.0 GENERAL INFORMATION

2.1 DEFINITIONS

For the purpose of this RFQ, and for the eventual use in any subsequent RFP or Agreement, a glossary of words and terms has been developed. Unless otherwise specified in the RFQ, all capitalized terms refer to defined terms in the glossary. This glossary is included as Appendix A.

2.2 OVERVIEW OF SCOPE OF SERVICES

In providing the wastewater treatment services outlined in this RFQ, the City will require that any successful Respondent perform all activities associated with operation, maintenance and management of Facilities in accordance with all existing and future regulatory requirements, including prevailing wage requirements. Services shall be provided in a safe, secure, effective, and efficient manner and shall be in full compliance with all applicable laws, rules, and regulations.

The City is also interested in:

- 1) a cooperative, pro-active working relationship with the selected Respondent
- 2) creative, proven solutions and usage of equipment and systems for the cost effective, regulatory compliant processing and disposal of bio-solids
- 3) odor minimization and odor control management from such bio-solid operations and the overall wastewater treatment facility
- 4) the possible transfer of collection system operation and management to the selected Respondent

- 5) the possibility of the selected Respondent providing the financing for the odor control and bio-solid capital items

2.3 ACCURACY OF RFQ AND RELATED DOCUMENTS

The City assumes no responsibility for the completeness or accuracy of specific technical and background information presented in this RFQ, or otherwise distributed or made available during this procurement process. Without limiting the generality of the foregoing, the City will not be bound by or be responsible for any explanation or interpretation of the proposed documents other than those prepared in writing. In no event may a Respondent to this RFQ rely upon any oral statement by the City or its agents, advisors or consultants.

Should a Respondent find discrepancies in or omissions from this RFQ document and related documents, the Respondent shall immediately notify the City point-of-contact, and a written addendum or bulletin of instructions, if necessary, will be issued and posted to the website. Each Respondent requesting an interpretation will be responsible for delivering such requests to the City or its designated representative in writing.

3.0 PROCUREMENT QUALIFICATION PROCESS

3.1 PROCUREMENT PROCESS

The City will evaluate all Statement of Qualifications (SOQ's) containing the information requested and prepared in the format required by this RFQ.

Respondents must meet the RFQ specified Minimum Qualifications Criteria for further consideration by the City. The City will invite Shortlisted Respondents, based on the Respondent's RFQ submittal evaluated against the RFP Minimum Qualifications Criteria specified in the RFQ, to submit proposals for the subsequent RFP to be issued by the City.

Only the invited Respondents who were evaluated by the City as meeting the RFP Minimum Qualifications Criteria will receive the RFP and be eligible to submit Proposals. The RFP will

include detailed information concerning the project description, as well as the performance requirements to be addressed and met by the successful Proposer. The RFP will contain a draft Service Agreement that presents the terms and conditions of the Service Agreement that are anticipated by the City. Specific economic and non-economic evaluation criteria will be presented in the RFP, and may include, but are not limited to, the following:

- Project approach and provision of requested workscope elements
- Project team experience
- Technical qualifications
- Operational qualifications, including innovative approaches
- Financial and legal qualifications
- References
- Acceptance of the Service Agreement provisions and risk profile
- Capital costs for the requested upgrades
- Operations and maintenance costs
- Energy consumption guarantees
- Life-cycle costs
- Public outreach

3.2 CITY RIGHTS AND OPTIONS

This RFQ constitutes an invitation to Respondents to submit SOQ's to the City. Without limitation, the City including its agents and designated representatives, reserves and holds, at its sole discretion, the following rights and options:

1. To waive any technicalities or immaterial irregularities in the SOQ submittals.
2. To prepare and issue such amendments and/or addenda to the RFQ prior to submittal of the SOQ's due date and time that may reduce, expand, or cancel any portion or all work described in the RFQ.
3. To receive written questions from Respondents and to provide such questions and the City's written responses to all potential Respondents.
4. To seek written clarifications from any or each of the Respondents in order to

fully understand the nature of the submissions and evaluate the SOQ's.

5. To postpone or change the date for receipt of SOQ's or any other deadlines and dates specified in the RFQ.
6. To conduct investigations with regard to the information provided by each Respondent; and to hold public hearings for consideration of the merits of any or all Respondent(s).
7. To accept or reject any and all SOQ's in whole or in part.
8. To discuss different or additional terms to those included in this RFQ or received in response, and to amend or modify any of the terms of this RFQ.
9. To proceed with a formalized RFP for Shortlisted Respondent(s). The RFP will be formulated with the purpose of selecting one of the Respondents, based upon their response to the RFP document and requirements.
10. To cancel this procurement process at any time, or to invalidate this RFQ and issue a second RFQ.

3.3 INFORMATION REQUESTS AND POINTS OF CONTACT

The City recognizes that Respondents may need additional information or clarification of the RFQ to prepare their responses. Each Respondent requesting information and/or clarifications will be responsible for delivering such requests to the City's designated representative in writing. The City will not be bound by or be responsible for any explanation or interpretation of the proposed documents other than those issued by the City in writing. The City, at its sole discretion, may choose to provide the requested information or clarification, which will be done via the issuance of addenda or through the open publication of the clarifying question and subsequent answer.

All communications are subject to distribution to all Respondents. Communications sent via email may be printed and distributed to all Respondents. Respondents are requested not to contact any official, employee or consultant of the City concerning this project, with the

exception of the points of contact identified herein. Any unauthorized communications during this RFQ process may be grounds for disqualification and their response may be rejected from further consideration.

Respondent may direct all questions and concerns relating to this project to Frances Rodriguez, Purchasing Director at frodriguez@gallupnm.gov.

3.4 RFQ AND QUALIFICATIONS SUBMITTAL

This RFQ is the first step in the procurement process for the selection of the private sector firm to provide design, build, operate (DBO) services for the City's wastewater treatment plants and related facilities. In order to be eligible to receive and submit a Proposal in response to the subsequent RFP, a response must be submitted to this RFQ and the Respondent must be Shortlisted.

It is the sole responsibility of the Respondent to learn of Addenda, if any. The City of Gallup accepts no responsibility or liability and will provide no accommodation to bidders who fail to check for addendums and submit inadequate or incorrect responses.

Submission of a SOQ requires that Respondents affirmatively declare in writing their intention to participate in the RFP process provided the RFP workscope is restricted to the specified wastewater DBO for residuals / bio-solids upgrades, O&M of wastewater treatment facilities and the collection system workscope (i.e. private sector financing is not a requirement for an RFP submittal). SOQ's shall comply with Section 4 of this RFQ.

3.5 CORRECTION OF ERRORS

The person signing the SOQ or their representative must initial any corrections or modifications to the SOQ. The Respondent further agrees that in the event of any errors, the City reserves the right, but has no obligation, to waive such errors.

3.6 DISCLOSURE TO THIRD PARTIES

All SOQ's received in response to this RFQ document will become the property of the City and will not be returned. It has been the City's practice not to disclose vendor proposals/quotes or evaluation sheets prior to award of contract because such disclosure may produce a public loss by undermining the City's position in the procurement process and allowing vendors to utilize information in the vendor submittals for their private gain. The City's policies and actions are consistent with the City of Gallup, NM Home Rule Code Para. 1-9-6 and New Mexico Code Para. 13-1-116 NMSA 1978 COMP. All SOQ's and Proposals will be open to public inspection after the Service Agreement is awarded and the City has executed the Service Agreement, except as otherwise provided by the applicable sections of the New Mexico Public Records Act.

Should it be required under New Mexico or other law, the City will comply and publicly disclose all submitted information and materials to third parties requesting such information. If a Respondent believes that portions of its SOQ are exempt from disclosure to third parties, under this or any other provision of the law, the Respondent must clearly label the specific portions that are to be kept confidential. Marking all or substantially all of the SOQ as confidential may result in the submitted response/SOQ being considered non-responsive by the City and therefore excluded from further evaluation.

Notwithstanding the foregoing, the Respondent recognizes and agrees that the City will not be responsible or liable in any way for any losses or damage that the Respondent may suffer from the disclosure of information or materials to third parties.

3.7 SCHEDULE

A summary of the major activities associated with this procurement is presented below. Please note the City reserves the right to modify any or all of these dates or activities at its sole discretion.

<u>ACTIVITY</u>	<u>DUE DATES</u>
1) Issuance of the RFQ	10/17/15
2) SOQ Due to City, 2:00 p.m., local time	11/16/15

3) Selection of Shortlisted Respondents for RFP Process	12/4/15
4) RFP Issued to Shortlisted RFQ Respondents	1/6/16
5) Proposals due to the City	4/6/16
6) Interviews of Proposal Respondents	early May
7) Completion of proposal evaluations and recommendation	6/6/16
8) City Council authorization to finalize service agreement with selected Respondent	7/6/16
9) Finalized Service Agreement Authorized by City Council for execution	8/1/16
10) Service Agreement execution	8/3/16
11) Transition	8/10 – 8/30/16
12) Commencement of new Service Agreement and Operations	9/1/16

3.8 RESPONDENT EXPENSES

The City accepts no liability for the costs and expenses incurred by the Respondents in responding to this RFQ, responses to requests for clarification, attendance at interviews, participation in contract development sessions, and meetings and presentations required for the selection and contract approval process. Each Respondent that enters into the procurement process shall prepare the required materials and submittals at its own expense and with the express understanding that they cannot make any claims whatsoever for reimbursement from the City for the costs and expenses associated with the process.

4.0 SOQ REQUIREMENTS AND FORMAT

4.1 GENERAL INSTRUCTIONS AND RESPONSE FORMAT

The Respondent shall submit an SOQ in accordance with the content and format requirements set forth in this RFQ. The SOQ shall be bound and written on 8 1/2” x 11” paper in English and shall utilize a minimum 12 – pt font size. The Respondent shall provide one original and three (3) hard copies of the SOQ and one electronic version on CD in PDF or MS Word format.

Sealed responses will be received by the Purchasing Director of the City Gallup, New Mexico up to the hour of **2:00 p.m. on November 16, 2015**. Responses delivered later will not be accepted. The City of Gallup is not responsible for late deliveries. Responses received after the deadline

will not be considered and shall be returned unopened.

All responses shall be placed in a sealed envelope, which is clearly marked “**Gallup, NM Wastewater Utility Design, Build, Operate (DBO) Services RFQ No. 2015/2016/01/QP**”. **Responses by FAX or EMAIL will not be accepted.**

All responses to this request shall be addressed to the attention of the Director of Purchasing:

<u>Via United States Postal Service</u>	<u>Via Courier Service or In-Person</u>
Frances Rodriguez, CPPB Purchasing Director PO Box 1270 Gallup, NM 87305 Tel: 505-863-1334	Frances Rodriguez, CPPB Purchasing Director 110 W. Aztec Avenue Gallup, NM 87301 Tel: 505-863-1334

Please be advised that USPS deliveries requiring a signature may not be delivered in a timely manner as our receiving point is not staffed at all times and may not be available to sign at the time of delivery.

Failure to submit the General Information page and the Letter of Transmittal page will render the response non-responsive and therefore void. The General Information page and the Letter of Transmittal page will be submitted using SOQ Forms 10 A & B. Note that the Acknowledgement of Receipt page (SOQ Form 11) must be submitted to the City no later than 2pm (MDT) on October 26, 2015 per the instructions contained on SOQ Form 11.

It is the sole responsibility of the Respondent to learn of Addenda, if any. The City of Gallup accepts no responsibility or liability and will provide no accommodation to bidders who fail to check for addendums and submit inadequate or incorrect responses.

Respondents shall include the following information in the sealed envelope(s) or box (es):

1) General Information Page and the Letter of Transmittal Page (SOQ Forms 10A & 10B); 2) Transmittal Letter; and 3) “Statement of Qualifications (SOQ) for the Gallup Wastewater Design, Build, Operate (DBO) Project”. The SOQ’s will not have a public opening session.

Respondents are urged to be complete, but precise in their responses. Sales brochures are not

desired unless directly related to the SOQ and referenced in the text. A maximum page-limit of twenty (20) pages is set for the SOQ. Double-sided pages will be counted as two pages. The following items are not included in the 20-page limit: The General Information Page and the Letter of Transmittal Page (SOQ Forms 10A & B), Transmittal Letter, Table of Contents, SOQ Submittal Forms, resumes of key staff, standard brochures, financial information and supporting data. Audio visual materials will not be accepted.

The Respondent shall complete and sign the attached General Information page, and a Transmittal Letter that contains a complete listing of all companies that form the Respondent's team. A Table of Contents shall identify the major sections of the SOQ organized into nine (9) tabs as specified herein, and any illustrations, tables, charts or graphics. Appendix materials should be clearly noted.

The SOQ shall consist of nine (9) tabs as follows:

- 1) Table of Contents
- 2) Executive Summary
- 3) Respondent Information
- 4) Technical Qualifications
- 5) Relevant Project Experience and References
- 6) Summary of Financial and Legal Qualifications

- 7) Completed SOQ Submittal Forms
- 8) Additional Comments - Project Concept, Additional Services (if any) & Benefits to City (OPTIONAL Form)
- 9) Appendix Materials (if any)

Respondents are required to organize the information requested in this RFQ in accordance with the format outlined in this section. Failure to do so may result in the City, at its sole discretion, deeming the SOQ non-responsive to the requirements of the RFQ. The Respondents, however, may reduce the repetition of identical information within several sections of the SOQ by making the appropriate cross-references to other sections of their SOQ.

Respondents may, but are not required to provide comments in tab 8 concerning the City's project concept, additional services (if any) and benefits, project schedule, or other elements of the Project presented in this RFQ. Comments provided by Respondent in tab 8 will not be evaluated under the evaluation terms of Section 5 of this RFQ, but will provide the City useful

information that may or may not be applied to the procurement process at the City's sole discretion.

In assessing the quality and feasibility of each Respondent's SOQ, the City will evaluate the comprehensiveness and detail of how the Respondent plans to meet the requirements for providing the outlined Design, Build, Operate (DBO) services for residuals / bio solid upgrades, the O&M of the wastewater plant / pump stations and the additional, supplemental operation and management services for the Collection System.

4.2 INSTRUCTIONS FOR TAB SECTIONS

The following discussion elaborates the general instructions and format instructions:

Tab 1 Table of Contents

Requested format with page number/ tab references for headings and sections

Tab 2 Executive Summary

At a minimum, include an identification of the project team, description of the responsibilities of the project team, and a summary of the proposed services. This section should include a clear statement of the Respondent's understanding of the

RFQ and summarize the key attributes and differentiators of the Respondent. **The Executive Summary shall not exceed five pages.**

Tab 3 Respondent Information

This section must present the experience and capabilities of the Respondent for providing the proposed services. This section shall be organized into the following sub-sections:

Capability Summary

A summary of Respondent's technical, operations, maintenance, financial and management capabilities as it relates to this project. Sufficient detail should be presented so that the relationship of the capability to the workscope of services

and the resultant benefit to the City are clearly presented.

Company, Organization, or Team Information and Project Approach

A concise summary of the key components of the company, organization, or team making the SOQ shall be provided. Form 2 shall also be used to summarize this information. A summary discussion of the Respondent's technical and operational approach for providing wastewater treatment services for the City shall be provided. Company, organization, or team responsibilities throughout the term of the service agreement shall be discussed with clear identification of the specific entity responsible for that portion of the work. Comments should be provided to clearly address the City's desire for single source (i.e. one entity) responsibility throughout the term of a service agreement.

Tab 4 Technical Qualifications

For each component of the envisioned scope of services, the Respondent shall provide a summary discussion of the Respondent's qualifications. The discussion shall address all aspects of technical capabilities that the Respondent considers relevant and important for the City. The City expects the following areas to be addressed as part of the response:

- 1) regulatory compliance and expertise;
- 2) experience and demonstrated success with provision of design, build, operate (DBO) services for wastewater treatment facility upgrades located in the United States; the workscope for DBO services may be for facility upgrades of specified treatment plant components (as being requested by the City of Gallup) or for more comprehensive DBO work scopes for wastewater facilities.
- 2) facility operations, maintenance (including repair & replacement), and management;
- 3) systems expertise including MMS, SCADA LIMS, asset management, treatment plant operations and reporting, and pump station operation and maintenance;
- 4) operation and maintenance of collection systems to include TVing and cleaning services.

The City reserves the right to conduct an investigation and review of the Respondent's technical qualifications. Additional information may be requested

by the City during the review and evaluation of the Respondent's SOQ.

As a minimum, the Respondent's SOQ should also provide the following information to demonstrate technical qualifications:

1. Design, Build, Operate (DBO) Experience for Wastewater Facility

Improvements - the Respondent shall provide its individual member and collective experience with wastewater facility upgrades with special emphasis on projects similar to the identified needs for the Gallup facilities.

2. Facility Operations Experience - the Respondent shall provide its individual

member and collective operation, maintenance, and management experience, including unattended SCADA based operations, maintenance and asset management (including repair & replacement), odor control, bio-solids processing and disposal, pump station operations and maintenance, and collection systems.

3. Regulatory Compliance and Permitting – The Respondent shall submit its team's experience with assisting the public entity owner of wastewater plants with regulatory compliance and permitting. Demonstration of this experience shall include:

- Identification of a minimum of three (3) state regulatory agencies that Respondent has worked with for the regulation of public wastewater treatment facilities located within the United States. Experience should summarize the duration and record of regulatory dealings with secondary treatment standards highlighted. Pacific Southwest experience should be highlighted.
- Demonstration of assistance provided to the public sector owner in achieving final regulatory approval for DBO project plans that support capital project improvements.
- Evidence of compliance with NPDES permits to include a summary of all instances within the past three (3) years of NPDES permit limit exceedances or Notices of Violation (regardless of regulatory fines or not) , licenses, and regulatory requirements applicable to wastewater facilities and bio-solids programs.

4. Key Project Staff – The Respondent shall provide the relevant qualifications of the potential key staff envisioned for potential assignment to the Project. The SOQ Form 4 provided in Appendix F of this RFQ shall be utilized to provide the summarized qualifications of all key staff to include at a minimum: Program / Project Manager and on-site Project Manager. Appendix F may also be used to provide qualifications of example candidates for engineering design manager; construction manager; maintenance manager; lead operator; and laboratory manager. The City understands and accepts that the example candidates are just that and that alternative individuals may ultimately be proposed in an RFP submittal. However, the City expects that the qualifications of any alternate staff will equal or exceed those of the example candidates. Appendix F shall also be used to provide information for Respondent staff who will provide lead systems / software coordinator; and lead safety & training program coordinator. Information to be provided shall also include summary information for all key Project staff of the contracting firm, identification of the parent company (if any), cooperating firms (if any), and major subcontractors (if any). For all key personnel, full resumes containing the relevant qualifications should be provided as an Appendix to the SOQ.

Respondents should recognize that the employees identified as key staff for potential assignment to the Project will provide the basis for determining that SOQ submittals meet the “Minimum Qualifications” AND for the “RFP Qualifications Criteria” for staffing evaluation. State of New Mexico certifications and/or certifications with New Mexico reciprocity should be highlighted. An operator certified for Class IV by the state of New Mexico shall be in responsible charge of the day-to-day operation of the wastewater treatment plant.

The City understands and acknowledges that substitutions for specific employees may be necessary during the subsequent RFP phase of the procurement. However, the City’s expectation is that any substitution will provide a substitute employee of equal or greater qualifications, relevant experiences, and certifications.

Tab 5 Relevant Project Experiences and References

The Respondent shall provide information on project experiences relevant to the envisioned scope of work for the City of Gallup. It is requested that information be organized by skill sets and/or projects. Information provided shall summarize the project scope of services, current status, and the history of the relationship. References for up to seven (7) relevant projects (as applicable) shall be provided utilizing SOQ Form 5 of the RFQ documents. The information provided in Form 5 will summarize the relevant Design, Build, Operate (DBO) projects and relevant Contract O&M projects where the Respondent has been the successful operator of the indicated facility for a minimum of two (2) years beyond facility start-up and operation. It is requested that such project experiences be drawn from the United States with particular emphasis for the Southwest.

Tab 6 Financial and Legal Qualifications

The most recent audited financial statements shall be provided by the Respondent and for key organizations augmenting the Respondent entity (if any). These financial statements shall be provided as an Appendix with this section of the SOQ summarizing the information. SOQ Form 6 shall be utilized by the Respondent to provide the outlined summary of the requested financial information.

Respondents shall also utilize SOQ Form 6 to provide a summary statement regarding any legal charges and/or convictions of the organization or its officers regarding fraud, bribery, or criminal offenses. Specific legal matters within the last 3 years arising out of wastewater treatment plant operations must also be reported on SOQ Form 6 using “yes/no/how many/optional comments” for the following:

- 1) Any Federal Clean Water Act administrative sanctions or litigation,
- 2) Any state pollution control administrative sanctions or litigation.

Project Guarantor, Insurance and Performance Bonds

The Respondent shall provide a commitment from its Project Guarantor in the response to the RFQ. The Project Guarantor obligation shall be in effect throughout the project term.

The ability to provide insurance coverage as indicated in SOQ Form 7 shall be demonstrated by the Respondent. Minimum dollar amounts requested by the City

are specified in SOQ Form 7. Amounts of any deductibles or self –insured retentions shall also be specified.

Capability to provide a performance bond or bank letter of credit shall be demonstrated by the Respondent. The dollar amount shall be for 10% of the Respondent’s first year service fee and will secure the performance and payment of all obligations incurred in the performance of the work described in the Respondent’s workscope. For purposes of this RFQ, the referenced dollar amount to be demonstrated is established as \$150,000. SOQ Form 7 shall be utilized to summarize and demonstrate this capability.

Submittal of a performance bond is not requested or required by this RFQ. The objective and hence requirement is to demonstrate the ability to issue such a bond to the City of Gallup if selected as the successful Respondent to the RFP.

Performance and Service Guarantees

Respondents are to discuss their approach and willingness to provide the following items:

- Guaranteed permitting and construction costs
- Effluent quality guarantee
- Regulatory responsibility and guarantee
- Operating cost guarantee (first and subsequent years utilizing CPI adjustment, change in law provisions, and change of scope provisions)
- Performance guarantees for design/construction, operations, maintenance, management, and odor control
- As desired by the City of Gallup, provision of the requested services for the eight (8) years maximum contract term allowed under New Mexico law (Para. 13-1-150)

SOQ Form 8 shall be completed to provide a summary of this section. For responding to this section and assistance in completing SOQ Form 8, the following elaborations are provided for usage by the Respondents:

- **Changes in Regulatory Requirements** – the City recognizes that during the term of the envisioned agreement changes to existing regulatory and legal requirements may occur. Should changes in regulatory or legal requirements occur in the future, it is the City’s expectation that the Respondent would continue

to meet regulatory and legal requirements. To the extent that the change in regulatory requirements or law results in revised costs and expenditures by the then operator (Respondent), the City will request a contract provision along the following lines:

Should changes in regulatory or legal requirements occur in the future, Operator will continue to meet the regulatory and legal requirements. To the extent that the change in regulatory requirements or law results in the need for new facilities and / or revised costs and expenditures by the Operator, the City and the Operator agree that Operator compensation shall be accordingly adjusted. The City shall have the right, at the City's expense, to utilize a third party review of the proposed adjustment prior to its acceptance by the City. The Operator shall make all relevant cost information available as part of its documentation of its changed cost basis to meet the new regulatory or legal requirements.

Respondents shall provide a brief discussion of their agreement with the City's approach and expectations. To the extent the Respondent provides an alternative approach, the benefits to the City of the alternative (s) should be provided.

● **Liability Indemnification to be Provided the City** - Respondents shall indicate, at a minimum, their willingness to provide the following:

- 1) Financial responsibility for fines and penalties, and related actions, including but not limited to corrective action and remediation, for failure to achieve regulatory compliance provided the City's wastewater is within the specified influent limits of the service agreement.
- 2) Acceptance of an indemnification provision that generally provides the following indemnification concepts:
 - The Company will defend and hold the City harmless for all claims, costs and liabilities, including legal fees, arising directly or indirectly from operations, services, or other activities of the Company except for claims or litigation arising from the sole negligence or willful misconduct of the City.

- Joint negligence or fault of the Company and the City shall result in the Company assuming responsibility for damages, including legal fees, consistent with the Company’s contributory negligence or fault.

Tab 7 Completed SOQ Forms

To be deemed responsive to this RFQ, Respondents must provide the requested information and complete detail in all SOQ Forms (listed below) using typewritten format. **The SOQ Submittal Forms 1 to 10 to be completed for Tab 7 shall be utilized to summarize the Respondent’s submittal.** An electronic copy of the SOQ Forms is provided in Appendix F of this RFQ. Completed SOQ Forms shall be included in Tab 7 of the Respondent’s SOQ.

Form 1	Minimum Qualifications Summary
Form 2	Respondent Information Requirements
Form 3	Technical Qualifications
Form 4	Key Project Staff
Form 5	Relevant Project Experiences and References
Form 6	Summary of Financial and Legal Qualifications
Form 7	Project Guarantors, Insurance and Performance Bond
Form 8	Performance and Service Guarantees
Form 9	Comments on Project Concept, Additional Services (if any) and Benefits to City (OPTIONAL Form)
Form 10 A	General Information Page
Form 10 B	Letter of Transmittal Page
Form 11	Acknowledgment of Receipt (must be submitted to the City by 2pm on Oct. 26, 2015)

Tab 8 Additional Comments – OPTIONAL (Project Concept, Additional Services (if any) & Benefits). This Tab 8 is an optional submittal and shall utilize Form 9 as the outline for any submittal.

Tab 9 Appendix Materials (if any)

5.0 REVIEW AND EVALUATION OF QUALIFICATIONS

5.1 EVALUATION COMMITTEE

The City has established an Evaluation Committee who will evaluate the SOQ's that are received and that comply with the requirements of this RFQ. The committee will likely consist of three (3) members of the City staff: Chief Financial Officer (CFO), Water & Sanitation Director, and City Attorney.

5.2 EVALUATION PROCESS

SOQ's will be evaluated based upon the Evaluation Criteria described in Section 5.3 of this RFQ. Any Respondent's SOQ that fails to meet the Minimum Qualifications Criteria (Form 1) listed under Section 5.3.1, as evaluated by the City, will be rejected for non-responsive and will not be further considered in the review of RFQ submittals. Upon completion of the evaluation for Minimum Qualifications Criteria (Form 1), the City will use the RFP Invite Qualifications Criteria to establish a Shortlist of qualified firms and to invite these Shortlisted firms to respond to a formal Request for Proposals. It is the City's expectation that these Shortlisted Respondents will prepare and submit comprehensive responses to the RFP.

5.3 EVALUATION CRITERIA

Preference will be given to experience with wastewater treatment facilities that, as a minimum, are of similar size, complexity, and performance requirements as the Gallup facilities. Evaluation criteria, summarized below and elaborated in Sections 5.3.1 and 5.3.2, that will be used in the evaluation of SOQ's include, but are not limited to:

- 1) Minimum Qualifications Criteria (SOQ Submittal Form 1)**
 - a) Organizational Ownership Structure and Staff Information
 - b) Demonstrated Technical and Operational Qualifications
 - c) Demonstrated Financial and Legal Qualifications

- d) Project Experience
- e) Additional items listed in SOQ Submittal Form 1

2) Additional RFP Invite Qualifications Criteria

- a) **Staff Information and Organizational Structure** – experience, suitability, viability
- b) **Demonstrated Technical and Operations Qualifications** – demonstrated experience, reliability, and viability; relevance; demonstrated DBO experience and performance with facilities similar to the City of Gallup’s Facilities including SCADA and unattended operations, Maintenance Mangt. Systems (MMS), solids handling, and odor control.
- c) **Environmental** – regulatory compliance; permitting; long-term compliance
- d) **Demonstrated Financial and Legal Qualifications** – cost effectiveness; financial qualifications and financial strength; bond & credit ratings; legal standing (no fraud, bribery, or criminal legal convictions or charges; acceptable track-records for the number (if any) of Federal Clean Water Act administrative sanctions or litigation and state pollution control administrative sanctions or litigation; ability to provide requested performance bond and insurance coverages; and provision of outlined performance guarantees and liability coverages.
- e) **Project experiences**
- f) **Client references and partnering that demonstrate** satisfactory reference checks, regulatory compliance, program improvements using the DBO format, cost effective operations, and cooperative working relationship

Section 5.3.1 – Minimum Qualifications Criteria

The Respondent must satisfy the Minimum Qualifications provided in Table 5-1 (below) of this Section 5.3 to continue in the evaluation and selection process. The SOQ Form titled “Form 1 – Minimum Qualifications Summary” must be used to summarize the Respondent information provided for Table 5-1. Failure to complete Form 1 shall result in rejection for non-responsiveness of the SOQ without further consideration. Respondents that meet the Minimum Qualifications will be further evaluated per Section 5.3.2 to determine if they will be Shortlisted and invited to participate in the subsequent RFP process. Failure to meet the Minimum Qualifications Criteria outlined in Section 5.3.1 will render the SOQ submittal non-responsive

and therefore eliminated from further consideration.

Table 5-1: Minimum Qualifications Criteria:

Item #	Criteria	Discussion
1	Wastewater DBO	Respondent shall demonstrate a minimum of three (3) successful wastewater DBO projects for facilities in the United States. At a minimum, the projects shall be of size and complexity comparable to the Gallup workscope for the residuals / bio-solids facility upgrades and shall be currently on-line and operating post the construction and startup.
2	Contract Operations	Respondent shall demonstrate a minimum of five (5) years of contract operations experience (operations, maintenance and management) with wastewater treatment facilities in the United States with a minimum of three facilities exceeding 5 MGD with secondary treatment or better under contract a minimum of 2 yrs.
3	Key Project Staff	Proposed Program / Project manager and on-site manager must possess over 10 years of experience with the operation, maintenance, and management of wastewater treatment plants in the United States. These key project staff shall also have appropriate licenses, registrations, and certifications or be able to demonstrate reciprocity with the State of New Mexico.
4	Single Entity Responsibility	Respondent shall provide a single entity for provision of Project responsibility and guarantee requirements for the term of the envisioned Service Agreement
5	Bonding & Insurance Capabilities	Respondent must demonstrate the ability to provide the insurance coverages specified in this RFQ as described in Section 4.2.6 and specified in SOQ Form 7
6	Guarantees	Respondent must evidence the willingness to accept performance guarantees for regulatory compliance; operating costs; operations, maintenance, and management requirements of the project; and legal compliance
7	Project Guarantor Net Worth	Guarantor shall demonstrate a positive net worth
8	Legal and Financial	Each Respondent team member shall certify that it has not

	Disclosure	filed for bankruptcy in the past ten years or have been convicted of a felony or fraud.
9	Conflict of Interest	The Respondent shall disclose any actual, apparent, or potential conflicts that are present or could develop with respect to this Project. The existence of such a conflict will not automatically disqualify any Respondent or team member. The City will evaluate such disclosures and determine, in the City's sole judgment, if the conflict is disqualifying or can be mitigated.
10	RFQ Process	The Respondent must acknowledge acceptance of the communications protocol established in Section 3.3 of this RFQ
11	Contract Termination	Respondent shall list any contracts or agreements terminated for convenience or default within the past three (3) years. An explanation of each occurrence (if any) shall be provided
12	SOQ Forms Submitted	Confirmation that SOQ Forms 1-9 and Form 10 are completed in detail as required for further evaluation of the SOQ submittal. Failure to complete and provide the required SOQ Forms will render the SOQ submittal non-responsive and therefore eliminated from further consideration

5.3.2 Additional RFP Invite Qualifications Criteria

Respondents that satisfy the Minimum Qualifications of Table 5-1, as summarized in their SOQ Form 1 –Minimum Qualifications Summary, will continue in the evaluation process for further consideration by the City using the RFP Invite Qualifications Criteria described below.

Additional RFP Invite Qualifications Criteria to be Evaluated

5.3.2.a – Staff Information and Organizational Structure

Respondents shall provide the qualifications of Key Project Staff and any additional key

staff the Respondent cares to identify as envisioned to be assigned to the project. This submission shall include the Key Project Staff of the proposing organization, its parent organization (if applicable), and envisioned cooperating entities, firms and major subcontractors. Information shall include length of time practicing in profession, familiarity with wastewater treatment operations, maintenance and management projects, and proposed project leadership. The proposed Program / Project manager and the on-site Project manager shall each have a minimum of ten (10) years of experience with the design and/or operation of wastewater treatment plants. Key project personnel shall have the appropriate licenses, registrations, and certificates or demonstrate the feasibility of New Mexico reciprocity.

Items to be considered in the evaluation are the following:

- 1) Proposed program/project manager's experience with similar wastewater DBO projects and long term operations, including education and employment history
- 2) Proposed full-time, on-site project manager's experience and qualifications operating similar wastewater treatment facilities, including education and employment history
- 3) Demonstrated experience, certifications, and qualifications of the additional key staff members identified at this time for the project
- 4) Off-site support and resource availability and capabilities
- 5) Single source entity for provision of services vs. partnership and subcontractors; clarity of delineation of responsibility and authority

5.3.2.b – Demonstrated Technical and Operations Qualifications

The criteria for technical and operational assessment of the Respondent's approach and demonstrated capabilities for facility design, construction, operation, maintenance, and management are summarized below:

1) Implementation, Reliability, and Viability: This criterion will be used to assess the Respondent's ability to successfully implement (in a timely fashion) and provide the design, construction, operation, maintenance, and management services outlined in this RFQ.

Detailed items that will be evaluated are the following:

- a) Ability of Respondent to efficiently and effectively meet the design, construction, performance requirements and regulatory requirements outlined in this RFQ.
- b) The Respondent's approach to operating, maintaining, and managing the Facility, including frequency and completeness of maintenance activities and demonstrated experience with the development and implementation of Maintenance and Asset Management Systems.
- c) Respondent's approach to responding to customer service requests and emergency situations.
- d) Coordination of the Facility operations with other City of Gallup's functions and contracted services associated with the Facility. Such coordination shall include interfacing with the City's wastewater operations for the collection system, capital planning, and regulatory and financial reporting.

2) Experience: Under this criterion, Respondents will be evaluated based upon their experience and qualifications in providing the proposed services for other wastewater treatment projects. This evaluation includes an assessment of the number of similar projects operated, maintained, and managed by the Respondents. The Respondent's experience will be assessed based on information submitted in response to this RFQ and may be supplemented by reference checks and client site visits as solely determined by the City.

Specific additional experience criteria that will be evaluated are the following:

- **Wastewater Design, Build, Operations (DBO) and Management Experience**
The Respondent shall provide its experience with provision of DBO services for wastewater facilities serving the public and other environmental management facilities. At a minimum, the DBO projects shall be of size and complexity comparable to the Gallup workscope for the residuals / bio-solids facility upgrades and shall be currently on-line and operating post the construction and startup.

Information shall include information on design & construction capability and demonstrated performance, startup, staffing and long term operation of the overall facility, and permit and contract compliance. staffing approaches, operations and maintenance and preventive maintenance and asset management programs, permit and contract compliance, facility upkeep, length of time operating the plant, and overall performance. The Respondent shall demonstrate having been in the business of providing comprehensive wastewater treatment system operations and management for at least five (5) years.

- **Current Operations and Management Service Delivery**

Respondents must currently operate and manage three (3) or more wastewater treatment facilities of 5 MGD or greater design capacity providing secondary wastewater treatment with special emphasis on those facilities utilizing SCADA control, unattended operations, and computerized maintenance management and asset management systems. Regulatory compliance, plant & cost control performance, residuals / bio-solids management, and staff safety record will be evaluated using the information provided by Respondents and additional sources as determined by the Evaluation Committee.

- **Permit Compliance Support**

The Respondent must have at least five (5) years' experience in the collection of data, maintenance of records and preparation of all required reports for compliance with NPDES permits and regulatory reporting requirements.

Section 5.3.2.c - Environmental

This criterion addresses the City's environmental concerns and the Respondent's capabilities and abilities for achieving compliance with regulatory requirements, long-term environmental protection, protection of natural resources, and avoidance and mitigation of any potential future environmental impacts. The Respondent's understanding of the regulatory review and permitting processes of all agencies having jurisdiction will also be assessed under this criterion. The Respondent's capabilities will be evaluated on the following factors:

- (a) Guarantees provided by the Respondent.
- (b) Experience in successfully providing full compliance with all Federal and state

regulatory and permit requirements.

- (c) The Respondent's experience with residuals / bio solids facilities and regulatory compliance and odor control for such facilities
- (d) Measures or features that encourage/enhance long-term efficient use of resources and optimize the use of chemicals and utilities during wastewater processing and treatment.
- (e) Environmental leadership positions, awards, or other industry recognition

5.3.2.d - Demonstrated Financial and Legal Qualifications

The criteria of this section will be used to evaluate the information requested in Section 4 of this RFQ for: 1) financial; 2) bonds & insurance coverage; 3) guarantees and liability coverages.

All SOQ's will be evaluated based on the financial information provided for the respondent and Guarantor. Areas of financial information that will be assessed are:

- 1) Profitability and Rates of Return on revenues, assets, and equity
 - 2) Coverage ratios for book value of debt / equity, current liability ratio, current liabilities to net worth
 - 3) Total Assets/Revenues; Revenues/Net Working Capital; Debt to Equity Ratio
 - 4) Bond, credit ratings from Moody's Investors Service and/or Standard & Poor's Rating Service
- Financial Information

The Respondent shall provide full disclosure information regarding its financial condition and, if applicable, the financial condition of the entity willing to guarantee the Respondent's obligations under the Service Agreement (the "Project Guarantor"). The required disclosure information shall include a copy of the most recent Annual Report, the most recent three years of annual reports filed with the Securities and Exchange Commission (SEC) on form 10-K, and all quarterly reports filed with the SEC on form 10-Q since the last 10-K was filed. If the Respondent is not required to make periodic filings with the SEC, the Respondent shall submit an audited financial statement for the organization's last three fiscal years of operation. The financial statement must include income

statements, balance sheets, and changes in financial position.

Respondent shall provide detailed information concerning all direct and indirect fixed or contingent liabilities undertaken by the Respondent, its parent, affiliates and subsidiaries in connection with other projects, whether by way of financial or performance commitments, guarantees, or otherwise that may put limitations on its financial exposure for this project. In addition, the Respondent shall disclose any outstanding litigation that could adversely affect its financial condition if judgment is brought against the Respondent.

- Project Guarantor

Respondents to this RFQ must demonstrate a single Project Guarantor to guarantee all the financial obligations required for performance in connection with the operation, maintenance, and management of the wastewater facilities and services to be provided by the Respondent. The Project Guarantor can be the contracting party, its parent company or organization, or a substantially capitalized general partner that is an integral part of the Respondent's team. Respondent must demonstrate to the City that the Project Guarantor has the capability and legal commitment to guarantee the financial obligations of the Respondent for the project. The Guarantor's commitment letter should be attached to SOQ Form 7.

If a sole purpose subsidiary is envisioned to be created as the contracting party, the parent company / organization or one or more of the cooperating firms, shall be the Project Guarantor to guarantee performance of the subsidiary's obligations. A subsidiary with limited capitalization and without the full parent company, organization or cooperating firm guarantee will not be allowed as the contracting party. If a subsidiary is envisioned to be formed or newly created to respond to this RFQ, the reasons for this action must be fully disclosed.

The Respondent shall identify the legal entity that will act as the Project Guarantor and such identification shall also include a statement that the Project Guarantor will fully guarantee all obligations of the contracting party for the operation, maintenance and management of the Facilities. If the proposed Project Guarantor is a corporate subsidiary, the Respondent shall also indicate which entities in its ownership chain are entities not offered as Project Guarantor.

- Good Legal Standing

The Respondent (*and* the Project Guarantor, if applicable) must not have any convictions for fraud or other illegal activities as a result of operations. The Respondent (*and* the Project Guarantor, if applicable) must not have been the subject of any bankruptcy judgments over the last ten (10) years. The following additional specific legal matters within the last 5 years arising out of wastewater treatment plant operation must also be reported using the “no/yes/how many/optional comments” format of Form 6 and will be reviewed for impact on operations: 1) any Federal Clean Water Act administrative sanctions or litigation and 2) any state pollution control administrative sanctions or litigation.

- Performance Bond / Letter of Credit

The Respondent or Project Guarantor must demonstrate the ability to provide a performance bond (AA Best rating) or letter of credit (LOC) equal to ten (10) percent of the first year’s estimated service fee, including pass through costs. For response to this SOQ, this value is established as \$ 150,000.

- Insurance Coverage

The Respondent or a Project Guarantor must demonstrate the ability to provide the insurance coverages specified in SOQ Form 7.

- Performance Guarantees and Liability Coverages

The Respondent or a Project Guarantor must demonstrate the ability and willingness to provide the performance guarantees and liability coverages specified in Section 4.2.7 of this RFQ. SOQ Form 8 shall be utilized to summarize these items.

5.3.2.e – Project Experience

The Respondent should provide information describing up to seven (7) projects. To be evaluated as Most Responsive for this criteria, these projects should include, as a minimum:

1) three (3) projects of DBO for facility upgrades (similar in scope complexity to Gallup and / or complete facility DBO’s), 2) three (3) projects of 5 MGD or greater that are currently under contract operations and similar in nature to the scope of services to be provided for this Project. The projects listed should demonstrate a minimum of two (2)

years of contract operation by the Respondent.

A brief description of these selected projects should be provided, including the history of operation, current status, and a description of the Respondent's specific involvement in these projects. These projects should be located in the United States with special emphasis placed on Southwest experience.

Using SOQ Form 5, the following summary information should be provided for each project:

- 1) Name and location of project
- 2) Client and Owner
- 3) Applicability and relevance of referenced project to the Gallup project
- 4) Description of systems and processes including size and capacity
- 5) Annual budget, including pass through costs
- 6) History of operations, including start-up date and years of services
- 7) Key project contact of Respondent for the given project
- 8) Key project contact of Client
- 9) Key personnel involved; if joint venture or partnership, indicate participating firms
- 10) Additional comments / points (if any)

Each Respondent team member shall also list any contracts/agreements terminated for convenience or default within the past three yeasts. An explanation of each occurrence (if any) shall be provided. If no terminations for convenience or default within the past three years, the Respondent shall so state.

5.3.2.f - Client References and Partnering that Demonstrate

Project references provided in SOQ Form 5, additional information provided in the Respondent's SOQ, and information independently obtained by the Evaluation Committee, including reference checks, will be utilized by the Evaluation Committee. The City is also interested in a cooperative, pro-active working relationship with the selected private sector party and will consider such factors in its evaluation and selection

criteria. SOQ's will be evaluated for this section 5.3.2.f criterion for demonstration of:

- 1) Satisfactory references
- 2) Regulatory compliance
- 3) Strong, pro-active project management and initiation for program improvements by the Respondent
- 4) A track record of cost effective operation
- 5) Cooperative working relationship

6.0 SOQ SUBMITTAL FORMS

6.1 INTRODUCTION

To be deemed responsive to this RFQ, Respondents must provide the information requested in this RFQ and complete in detail all SOQ Forms. The SOQ Submittal Forms are an integral part of the Respondent's SOQ and should be completed in typewritten form using the SOQ Submittal Forms provided in Appendix F of this RFQ.

6.2 SOQ SUBMITTAL FORMS

These required SOQ Submittal Forms are outlined below and provided in Appendix F of this RFQ document. These forms are to be provided in Tab 7 of the SOQ as outlined in Section 4.1 – General Instructions and Response Format. **Note that Form 11 must be submitted to the City no later than 2pm (MDT) on October 26, 2015, per the instructions provided on Form 11.**

Form 1	Minimum Qualifications Summary
Form 2	Respondent Information Requirements
Form 3	Technical Qualifications
Form 4	Key Project Staff
Form 5	Relevant Project Experiences and References
Form 6	Summary of Financial and Legal Qualifications
Form 7	Project Guarantor, Insurance and Performance Bond
Form 8	Performance and Service Guarantees
Form 9	Comments on Project Concept, Additional Services (if any) and Benefits to City (OPTIONAL Form)

Form 10A	General Information Page
Form 10B	Letter of Transmittal Page
Form 11	Acknowledgment of Receipt

APPENDICES

A	Glossary of Words and Terms
B	Regulatory & Safety Performance of the Gallup Facilities
C	Contract Costs for Severn Trent and Current Contract
D	Facility Flow Sheet Summaries
E	SOQ Submittal Forms
F	SOQ Evaluation Sheet for Assessing RFP Qualifications Criteria
G	Wastewater Plant Design and Plant Flow Schematic Drawing

Appendix A: Glossary of Words & Terms

- Acknowledgment of Receipt – the form provided as SOQ Form 11 that is to be completed and submitted to the City no later than 2pm (MDT) on October 26, 2015 per the instructions provided on SOQ Form 11.
- Agreement / Service Agreement – the contract document that will be issued with the RFP for the provision of the requested DBO and O&M services for the City’s wastewater treatment facilities
- AMSA - American Metropolitan Sewerage Agencies
- Asset Management Program – the computerized record keeping, planning, trending, and analysis system and procedures to be developed and implemented by the selected firm for implementation to cover all facility assets as an element of the Service Agreement contract
- City – City of Gallup, NM
- City Representative - the person or persons designated in writing in the request for Qualifications (RFQ) and subsequent Request for Proposals (RFP) as the contact person for all communications regarding the RFQ or RFP
- City Staff – employees of the City of Gallup with responsibility for the wastewater treatment program
- Collection System - that portion of the City’s wastewater system infrastructure utilized for the collection, pumping and transport of wastewater to the City’s treatment Facility.
- Contract Operator - the private sector firm responsible for the operation, maintenance, and management of the City’s wastewater facility as specified in the Service Agreement between the City and the firm
- Facility / Facilities - for this RFQ / RFP process the terms shall mean those infrastructure items assigned by the City to the contract operator for operations, maintenance, and management

- Key Project Staff – the program / project manager and on-site manager proposed by the Respondent for the project
- Minimum Qualifications - those qualification criteria listed in Table 5.1 of the RFQ document and summarized in SOQ Form 1
- Maintenance Management System (MMS) - the computerized records keeping and management system that includes work orders, work order backlogs, scheduled equipment maintenance, and maintenance records for maintenance performed for each piece of equipment (hours & costs).
- Respondent - an entity submitting a SOQ in response to the City's RFQ
- RFP Qualifications Criteria - the qualifications criteria listed in Section 5.3 of the RFQ, discussed in Section 5.3.2, presented in the SOQ, and summarized in SOQ Forms 2–8
- SCADA - (supervisory control and data acquisition) is a system operating with coded signals over communication channels so as to provide control of remote equipment and processes. The supervisory system is combined with a data acquisition system that uses coded signals over communication channels to acquire information about the status of the remote equipment for display or for recording functions. The system is capable of reporting and analyzing trends and performance of processes and equipment.
- Service Agreement - the contract executed by the City and the selected entity for the provision of the DBO and contract operation, maintenance, and management services
- Service Fee - the annual budget amount, including any pass through costs, that shall be budgeted and paid by the City for the private sector entity's performance of the Service Agreement responsibilities and obligations
- Shortlisted – A small number of Respondents who are among the top ranked/scored Respondents and who will be invited to participate in the subsequent RFP process and proposal submittal.
- Transmittal Letter - the cover letter submitted with the SOQ by the Respondent

Appendix B: Regulatory Performance, and Summary Narratives for Odor Control, and Bio-Solids Performance for the Gallup Facilities

1) Regulatory Performance: During the past five (5) years, all NPDES Requirement Regulations and New Mexico Department of Ecology regulations have been met.

2) Odor Control Narrative: The City of Gallup has been experiencing significant odors being generated at the wastewater treatment plant. After 5-years of foul and relentless odors, the City's approach changed to "Emergency Mode", as the community had had enough. On or about, August 2014, plans were developed to discontinue utilizing the nearby sludge disposal fields and transport de-watered sludge to the local landfill located in Thoreau, NM. This plan included the following tasks:

- The operating permit was modified to maintain the disposal field option as a future alternative but that the routine mode would be landfill disposal.
- The apparent inefficient and odor generating Aerobic Digesters were modified to aerated "Quick" holding/mixing tanks prior to dewatering utilizing an existing belt filter press.

This plan has now been fully implemented as of August 2015. While the modifications to the operating pan have resulted in significant odor reduction at the plant, it has also substantially increased operating costs to the City.

A key component of the proposed RFP is to challenge the private sector to survey the existing plant facilities, including an existing sludge dryer, and to develop technology and process recommendations with a cost estimate that can be considered by the City for cost optimization of the residual sludge handling and disposal system.

3) Bio-Solids Performance Plan Narrative:

I. Current Situation

- a. Waste Activated Sludge and Primary Sludge are thickened prior to Aerobic Digestion.
- b. The Aerobic Digesters are underperforming.
 - While volatile solids reduction is in line with reference material expectations, the DO of the contents cannot be maintained and is normally zero.
 - There is considerable odor generated by the digesters.

- Detention time through the Aerobic Digesters is below normally expected design parameters.
 - There is limited process control data generated for this key plant unit process.
 - The subsequent Sludge Dewatering Process generates considerable Hydrogen Sulfide and is a Safety issue for the operating staff.
 - A written operating (wasting, process control) strategy is lacking.
- c. Residual Solids Disposal is to permitted and dedicated Disposal Fields
- Residual Solids is normally injected below ground.
 - An alternative disposal method is through the use of an existing belt filter press. Solids from the Aerobic Digester are dewatered and spread onto the disposal fields. Solids are then “Disked under” via a separate operation.
 - During the winter, the Plant Operator is unable to access the Disposal Fields and dewatered residual solids are stockpiled at the plant resulting in nuisance odors.
 - The Disposal Fields generate considerable odor during the wet months of the year.

II. Proposed Temporary Residual Solids Operating Plan

- a. Immediately discontinue use of the Disposal Fields. The Plan includes maintaining the Disposal Fields in a State of New Mexico permitted status and available as a backup.
- b. Transport dewatered sludge form the Aerobic Digesters to a permitted landfill.
- c. Investigate the feasibility and conduct jar testing for using an iron salt to further mitigate hydrogen sulfide generation during the existing sludge dewatering process. Dewatering building ventilation has already been upgraded in anticipation of this plan.
- d. The Aerobic Digesters will be upgraded as per the plan developed by the City’s Operator, Severn Trent Services, and is currently under review by City Staff.
- e. This temporary plan will continue until a long term residual solids management plan is developed and presented to the City Manager and City Council for approval.

III. Concurrent Activities

- a. Investigate rehabilitation of existing and inoperative sludge dryer.
- b. Investigate feasibility of alternate outlets/markets for residual solids.

Appendix C: Contract Costs for Severn Trent and Current Contract

Severn Trent Contact Costs

Cost Category (\$000)	FY 2014-15	FY 2013-14
Operations	\$ 1,146	\$ 1,009
Maintenance	163	156
Major Maintenance	<u>46</u>	<u>699</u>
Total	\$ 1,355	\$ 1,865

The Current City – Severn Trent Contract

The Contract is available electronically on the City's website (www.gallupnm.gov).

Appendix D: Facility, Pump Station, and Information Summary

Wastewater Facility

The facility design is 5MGD and includes the following unit processes:

- Mechanical bar screens
- Grit removal
- Primary clarifiers
- Secondary clarifiers
- Aeration basins
- Blower building
- Oxidation ditch
- Gravity thickener
- Sludge dewatering
- Pressure sand filter (out of service)
- Chlorine contact basin
- Effluent discharge structure

(Plant flow schematic drawing is included as Appendix G)

Pump Stations (5)

Name	# of Pumps	GPM	Horsepower Each
Mentmore	2	650 each	50
Tomada	2 submersible	300 each	15
I 40	2 submersible	300 each	15
Indian Hills	2	250 each	15
Red Rock	2	250	15

Monthly Plant Data for Gallup Wastewater Plant on Next Two (2) Pages

Month	Daily Flow MGD	INF BOD mg/l	INF TSS mg/l	INF BOD Loading lbs	INF TSS Loading lbs	EFF flow - Rio - Puerco Daily MGD	EFF BOD conc- Daily - NPDES mg/l	EFF TSS conc - Daily - NPDES mg/l	EFF BOD load - Daily - CALC lbs/day	EFF TSS load - Daily - CALC lbs/day	Power Use kWh
Oct 2011	2.30	185.0	132.3	3,463.2	2,598.3	1.94	4	4	63	63	296,100
Nov 2011	2.28	216.0	197.6	4,054.9	3,832.5	1.98	4	3	76	50	288,400
Dec 2011	2.25	250.0	182.6	4,580.3	3,387.8	1.87	7	5	114	88	301,700
Jan 2012	2.28	267.5	142.6	5,078.6	2,650.3	2.23	14	24	256	443	326,200
Feb 2012	2.35	212.0	135.5	4,171.3	2,644.9	2.32	10	9	209	189	303,100
Mar 2012	2.29	230.0	144.6	4,367.0	2,719.4	1.94	5	5	97	83	317,800
Apr 2012	2.22	245.0	132.7	4,462.5	2,453.2	1.84	7	4	111	61	287,000
May 2012	2.19	272.0	139.8	4,961.0	2,579.4	1.77	8	3	144	57	296,100
Jun 2012	2.24	277.5	156.5	5,053.8	2,945.6	1.59	13	3	157	33	295,400
Jul 2012	2.33	215.0	182.3	4,163.3	3,515.1	1.93	10	4	171	65	296,100
Aug 2012	2.35	256.0	190.7	4,964.3	3,674.4	1.99	6	2	115	43	294,700
Sep 2012	2.37	202.5	211.6	4,141.4	4,068.7	2.06	5	2	89	44	249,200
Oct 2012	2.25	198.0	194.3	3,637.1	3,667.0	1.90	5	2	71	26	237,300
Nov 2012	2.27	233.3	253.5	4,318.2	4,747.4	2.06	5	3	83	50	232,400
Dec 2012	2.25	170.0	234.0	3,125.8	4,450.3	2.19	6	6	100	107	262,500
Jan 2013	2.42	194.0	229.4	3,861.4	4,510.6	2.28	10	12	190	221	268,800
Feb 2013	2.37	290.0	152.0	5,708.3	3,022.5	2.27	12	15	227	213	256,200
Mar 2013	2.27	225.0	186.8	4,179.8	3,490.0	2.09	16	21	288	384	263,200
Apr 2013	2.18	337.0	202.8	6,114.6	3,738.0	1.81	9	15	115	201	256,200
May 2013	2.18	244.0	207.1	4,552.3	3,734.4	1.71	8	8	126	132	256,900
Jun 2013	2.18	227.5	181.0	4,192.3	3,284.6	1.54	9	5	98	55	242,200
Jul 2013	2.19	160.0	176.0	2,911.1	3,106.3	1.84	6	3	96	54	226,100
Aug 2013	2.26	123.3	187.8	2,248.1	3,441.5	1.95	9	3	147	42	229,600
Sep 2013	2.25	143.3	332.0	2,664.4	6,527.1	1.99	7	3	116	55	226,655
Oct 2013	2.16	149.6	372.6	2,696.1	6,815.8	1.94	6	2	85	38	252,650
Nov 2013	2.25	137.5	469.7	2,610.0	8,639.9	2.17	9	5	154	56	260,000
Dec 2013	2.28	202.5	300.3	4,246.7	5,799.4	2.22	7	8	107	117	303,800

Jan 2014	2.18	237.5	304.1	4,246.5	5,218.6	2.06	5	5	79	82	319,200
Feb 2014	2.24	225.0	339.4	4,190.4	6,206.8	2.20	8	6	143	113	291,200
Mar 2014	2.41	167.5	565.8	3,054.3	11,208.2	2.13	8	5	153	100	329,000
Apr 2014	2.35	190.0	718.6	3,734.4	13,737.9	1.87	10	5	176	82	305,200
May 2014	2.13	160.0	755.7	2,800.1	13,255.2	1.71	16	5	233	76	307,300
Jun 2014	2.15	151.0	680.7	2,745.2	12,407.5	1.60	11	6	151	77	264,600
Jul 2014	2.21	115.2	781.0	2,132.8	16,272.8	1.84	21	6	278	78	284,200
Aug 2014	2.21	177.5	895.6	3,170.5	15,981.8	2.01	11	4	225	83	257,600
Sep 2014	2.18	205.0	901.7	4,449.0	15,753.6	1.91	17	5	216	76	242,900
Oct 2014	2.11	245.2	565.7	4,427.9	9,843.1	2.02	12	5	225	69	263,900
Nov 2014	2.05	167.5	572.5	2,864.6	9,716.8	2.09	29	15	401	198	282,100
Dec 2014	2.18	171.8	348.4	3,149.5	6,656.5	2.19	11	12	230	245	279,300
Jan 2015	2.21	176.5	451.3	3,171.5	8,086.7	2.29	8	10	154	188	302,400
Feb 2015	2.21	182.5	299.1	3,305.8	5,091.8	2.33	12	19	218	353	272,300
Mar 2015	2.14	227.5	475.0	3,944.0	8,309.2	2.18	11	13	199	236	299,600
Apr 2015	1.98	194.0	350.6	3,172.7	5,745.4	1.90	12	7	163	104	273,000
May 2015	2.15	202.5	435.0	3,573.3	7,720.0	2.08	11	6	184	98	290,500
Jun 2015	2.06	167.5	446.1	2,589.2	7,948.1	1.68	10	7	178	89	299,600
Jul 2015	2.13	148.0	381.3	2,560.9	6,765.6	2.02	12	6	194	101	278,600
Aug 2015	2.14	152.5	362.5	2,737.2	6,382.2	1.91	8	3	112	42	224,700
Sep 2015	2.04	182.5	355.7	3,169.2	6,201.6	1.87	7	4	113	67	224,000
Minimum	1.98	115.2	132.3	2,132.8	2,453.2	1.54	4	2	63	26	224,000
Maximum	2.42	337.0	901.7	6,114.6	16,272.8	2.33	29	24	401	443	296,100
Average	2.22	202.3	346.1	3,744.1	6,344.9	1.99	10	7	159	115	275,365

Appendix E: SOQ Submittal Forms

Form 1	Minimum Qualifications Summary
Form 2	Respondent Information Requirements
Form 3	Technical Qualifications
Form 4	Key Project Staff
Form 5	Relevant Project Experiences and References
Form 6	Financial and Legal Qualifications
Form 7	Project Guarantor, Insurance and Performance Bond
Form 8	Performance and Service Guarantees
Form 9	Comments on Project Concept, Additional Services (if any) and Benefits (OPTIONAL Form)
Form 10A	General Information page
Form 10B	Letter of Transmittal page
Form 11	Acknowledgment of Receipt (must be submitted to the City by no later than 2pm on October 26, 2015 per the instructions provided on Form 11)

Notes:

1. Provide the information requested in the format provided for each form. Individual sections of the form may be resized to accommodate information. Clearly labeled supplemental sheet may also be attached.
2. Abbreviations used on the forms:
 - O&M Operations & Maintenance
 - MMS Maintenance Management System
 - PM Preventative Maintenance
 - Y Yes
 - N No
 - DEV Software Development Responsibility
 - IMPLM Implementation Responsibility
 - YRS Calendar years of Operation
 - INSTALL Installation Responsibility
 - LIMS Laboratory Information Management System

CITY OF GALLUP – WW RFQ

Submitted By _____

(Respondent name)

<p>SOQ Submittal Form – Form 1</p> <p>Minimum Qualifications Summary</p>
--

Provide the information requested in the format shown below. Individual sections of the form may be resized to accommodate information. Clearly labeled supplemental sheets may also be attached.

1) Experience Summary

a) DBO Upgrades and Operations Experience (Provision for Wastewater Project Upgrades or Full Facility) *and*

b) Contract Operations (Provision of Operations, Maintenances and Management of Wastewater Treatment Facilities with Activated Sludge Process and Secondary or Better Treatment)

c) Years in Business:

- Less than five (5) years (provide dates) _____
- Greater that five (5) years (provide dates) _____

1. Verifiable Experience for Minimum Requirements:

DBO Experiences

Client Contact Name & Tel Location & MGD	Program Dates	DBO Program Components	Treatment Level	Residuals / Bio-Solids Component (yes / no)	Activated Sludge Process (yes / no)

Contract O&M Experiences

Client Contact Name & Tel Location & MGD	Program Dates	O&M Program Components	PM Maintenance System (yes/no)	Treatment Level	Activated Sludge Process (yes/no)

2) Key Project Staff: Respondent shall complete this summary chart for each individual listed in response to Item #2 of the Table 5-1. *Professional Profiles* for all Key Project Staff shall be included in the Appendix of the Respondent. Additional Staff may also be listed below. Additional Staff profiles shall also be included in the Appendix of the Respondent.

Name	Organization	SOQ Project Role	Evocation/Certifications	Years Experience
------	--------------	---------------------	--------------------------	---------------------

- 3) Single Entity Responsibility: Respondent shall indicate below the legal entity (entity name, address, contract person with address & telephone number) for provisions of Project responsibility and guarantee requirements as Project Guarantor

Entity Name: _____

Address: _____

Contact Person:

 Name: _____

 Address: _____

 Tel: _____

- 4) Bonding and Insurance: Respondent shall indicate the ability to provide the following:

- ANNUAL OPERATIONS PERFORMANCE BOARD –\$ 150,000 / YEAR

YES NO

- INSURANCE PACKAGE PROVIDING SPECIFIED LIMITS OF SOQ FORM 7

YES NO

If yes, name of insurance broker/provider (include a letter of commitment):

- 5) Guarantees: Respondent shall indicate willingness to accept performance guarantees for the following areas:

AREA	YES	NO
• Regulatory Compliance	<input type="checkbox"/>	<input type="checkbox"/>
• Annual Operating Costs	<input type="checkbox"/>	<input type="checkbox"/>

Form 1-3

- Operations, Maintenance and Management Performance
- DBO upgrade costs, schedule, and performance for all facilities operated
- Legal Compliance with All Law Regulations

6) Project Guarantor Net Worth: Respondent shall indicate the book value dollar amount of net worth for the Project Guarantor listed in item #3 of this form.

\$ Amount of Net Worth (book value) \$ _____

Please provide (attach) supporting documentation

7) Legal and Financial Disclosure: The SOQ Respondent shall certify for each team member that the team member has not filed for bankruptcy in the past ten years or been convicted of a felony or fraud.

Team Member (list Respondent first)	No		Felony or Fraud	
	Bankruptcy		Convictions	
	Filing in Last			
	10 Years			
	Yes	No	Yes	No
1) Respondent Organization (provide name)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Team Members (if any, list names and answers for each member)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8) Conflict of Interest: Respondent shall provide the disclosure information requested in Item #8 of SOQ Table 5-1.

—

9) RFQ Process: Respondent acknowledges acceptance of the communications protocol established in Section 3.3 of this RFQ.

Yes No

10) Contract Termination: Respondent shall list any contracts or agreements terminated for convenience or default within the past three years and shall provide an explanation of each occurrence (if any). If no occurrences, Respondent shall so indicate.

Occurrence Summary

Contract or Agreement Name	Client Contract (Name & Telephone #)	Terminated For		Date of Termination
		<u>Convenience</u>	<u>Default</u>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	

Explanation of Occurrence

List by contract or agreement name with explanation of occurrence

11) Confirmation that all required SOQ Forms (Forms 1 – 9, Forms 10A & B, and a copy of Form 11) are submitted in the SOQ. Check the appropriate box. Failure to submit all required SOQ Forms shall result in the Respondent not meeting the Minimum Qualifications and as such the SOQ shall not be eligible for further evaluation.

Check Yes or No box below.

YES

NO

12) Respondent shall provide Form 1 authentication by completing below.

Attest: Minimum Qualifications
SOQ Form – Form 1

Date: _____

Name: _____

Title: _____

Organization: _____

Tel. Contact: _____

12) Respondent affirmatively declares their intention to participate in the RFP process.

Date: _____

Name: _____

Title: _____

Organization: _____

Tel. Contact: _____

YES

NO

Form 1-6

CITY OF GALLUP – WW RFQ

**Submitted By _____
(Respondent name)**

<p>SOQ Submittal Form – Form 2 Respondent Information Requirements</p>

1) **RESPONDENT – ORGANIZATION ENTITY:** (Name & nature of legal entity)

2) **PROJECT GUARANTOR:** (Name & nature of legal entity)

3) **ADDITIONAL ORGANIZATIONS / LEGAL ENTITIES:** (Name & Address and Envisioned Role of Any Additional Organizations Participating as Part of the Proposer’s Overall Project Team)

Name & Address	Envisioned Project Role
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Reference Information: (For organizations listed above, provide the following reference information)

Organization	Reference Project & Contract Name and Title	Telephone #
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CITY OF GALLUP – WW RFQ

Submitted By _____
(Respondent name)

<p>SOQ Submittal Form – Form 3 Technical Qualifications</p>

1) Wastewater Operations and Management:

(each location listed should demonstrate 2 or more years of experience)

- **Computerized MMS and Asset Management**

<u>LOCATION & MGD</u>	<u>MMS</u>			<u>ASSET MANAGEMENT</u>		
	<u>DEV</u>	<u>IMPLM</u>	<u>YRS</u>	<u>DEV</u>	<u>IMPLM</u>	<u>YRS</u>
	<u>Y/N</u>	<u>Y/N</u>		<u>Y/N</u>	<u>Y/N</u>	

- **SCADA System and Unattended Operations**

<u>LOCATION & MGD</u>	<u>SCADA SYSTEM</u>			<u>UNATTENDED OPERATIONS</u>	
	<u>DEV</u>	<u>INSTALL</u>	<u>YRS OF</u>	<u>Y/N</u>	<u>YRS</u>
	<u>Y/N</u>	<u>Y/N</u>	<u>USAGE</u>		

Additional Software Development and Usage (list)

- LIMS: (indicate location and MGD of facility)

- OTHER: (indicate software location and MGD of facility)

• DBO Experience

LOCATION & MGD	TREATMENT PROCESS AS S/T	DBO WORKSCOPE		CAPITAL COSTS (\$000)	ANNUAL OPERATING COSTS (\$000)	REGULATORY COMPLIANCE (last 3 yrs)		PROGRAM DATES	CLIENT (Name, Title, and Tel #)
		Upgrades or Full Facility (Check)	UpGrd. Full			NPDES	Fines		

AS = activated sludge (Y/N) S = Secondary treatment standards
T = Tertiary or advanced treatment standards

• Contract Ops. Facilities Demonstrating More Than Five (5) Years of Experience

LOCATION & MGD	TREATMENT PROCESS AS S/T		ON-SITE STAFF (FTE's)	SLUDGE Residuals and Bio-Solids	SCADA & UNATTENDED OPS Y/N Y/N		REGULATORY COMPLIANCE (last 3 yrs)		PROGRAM DATES	CLIENT (Name, Title, and Tel #)
					Y/N	Y/N	NPDES	Fines		

AS = activated sludge (Y/N) S = Secondary treatment standards
T = Tertiary or advanced treatment standards

2) **Current Operations and Management Service Delivery**

- Facilities Exceeding 5 MGD Design Capacity For Average Flow

<u>LOCATION & MGD</u>	<u>TREATMENT PROCESS</u>	<u>CONTRACT O&M PROGRAM DATES</u>	<u>CLIENT CONTRACT (Name & Tel)</u>

- For facility locations listed above, and any additional location that provide additional “RFP Qualifications Criteria” list the following:

LOCATION & MGD	PM MAINTENANCE Y/N	ASSET MANAGEMENT Y/N	PERMIT & CONTRACT COMPLIANCE	SAFETY RECORD	INDUSTRY RECOGNITION AND AWARDS

3) Permit Compliance Support

- 5 Years experience in
 - Data collection (y/n) _____
Example location _____
Reference (name & tel) _____
 - Records Management (y/n) _____
Example location _____
Reference (name & tel) _____

- Responsibility for
 - NPDES discharge permit reporting (y/n) _____
Example location _____
Reference (name & tel) _____
 - Reporting for regulatory requirements (y/n) _____
Example location _____
Reference (name & tel) _____

CITY OF GALLUP – WW RFQ

**Submitted By _____
(Respondent name)**

<p>SOQ Submittal Form – Form 5 Relevant Project Experiences and References</p>
--

A) Respondent is to provide information describing up to seven (7) relevant projects. The listed projects should be projects that are similar in nature to the scope of services to be provided the City of Gallup and where the respondent is currently the contract operator and has been for a minimum of two (2) years. Projects should be drawn from the United States. Pacific Southwest experiences should be highlighted. To be evaluated as meeting the “RFP Qualifications Criteria: 1) a minimum of three (3) of the projects should be of facility size greater than 5 MGD and be currently under contract, 2) a minimum of three (3) of the projects should have contained a DBO component.

Project descriptions should include the elements specified in Section 5.3.2e of the RFQ in the numeric order listed in Section 5.3.2e. Respondent should use a separate sheet (attached sample, Form 5-3) for each project and attach each Project experience sheet to this Form 5.

Respondent should summarize the attached projects in the table provided below with the information requested in the table.

Project Name & MGD	DBO Yes / No	DBO Construction Budget (\$ 000’s)	Contract O&M (Annual \$ 000)	Project Reference (Name and Tel)
1)				
2)				
3)				
4)				
5)				
6)				
7)				

B) Contract / Agreement Cancellations. Respondent shall list any contract/ agreement terminated for convenience or default within the past three (3) years. An explanation of each occurrence (if any) shall be provided. If no cancellations, Respondent shall so indicate.

(Name & Location)	Contract / Agreement	Yr. Cancelled/Explanation

C) Summary of Additional Relevant Contracts. To demonstrate additional experiences and expertise, Respondent may provide a list of any additional contract operations projects of similar size, complexity, and scope to the Vancouver project in which the Respondent has been involved as the facility operator during the past five (5) years.

Project Name, Location & MGD	Budget \$000's	Years	Relevance Scope Complexity	Reference	
				Name	Tel

CITY OF GALLUP – WW RFQ

**Submitted By _____
(Respondent name)**

**SOQ Submittal Form – Form 6
Summary of Financial and Legal Qualifications**

1) 3 Years of Respondent Financial Information:

Year			
Total Assets	\$	\$	\$
Net Worth	\$	\$	\$
Revenues	\$	\$	\$
Profit After Tax	\$	\$	\$

2) 3 Years of Guarantor Financial Information:

Year			
Total Assets	\$	\$	\$
Net Worth	\$	\$	\$
Revenues	\$	\$	\$
Profit After Tax	\$	\$	\$

3) Credit Rating;

Credit Rating	Moody's	Standard & Poor's
Respondent		
Guarantor		

4) Direct & Indirect Fixed or Contingent Liability Summary:

(See Section 5.3.2 d-f of RFQ)

5) Legal Qualifications Summary

- a) Outstanding Litigation that could affect Respondent financial condition if judgment brought against Respondent (if any)

- b) No Convictions for Fraud or Other Illegal Activities
(to be signed by the Respondent Officer submitting the Respondent SOQ)

“Neither the Respondent or any affiliate of the Respondent or the Projector, if another entity, or any Affiliate of the Project Guarantor have been convicted for fraud or illegal activities as a result of operations.”

Name: _____
Signature: _____
Title: _____
Date: _____

- c) Bankruptcy (to be signed by the Respondent Officer submitting the SOQ)

“Neither the Respondent or any affiliate of the Respondent or the Projector, if another entity, or any Affiliate of the Project Guarantor has been the subject of any bankruptcy judgments over the last ten (10) years.”

Name: _____
Signature: _____
Title: _____
Date: _____

- d) Legal actions summary for items within the last 5 years arising out of wastewater treatment plant operation in connection with Federal Clean Water Act administrative sanctions or litigation and/or state pollution control administrative

sanctions or litigation.

Provide responses indicating occurrences in the following format:

No Yes Number

1) Federal Clean Water Act

Optional Comments (if any):

No Yes Number

2) State Pollution Control

Optional Comments (if any):

CITY OF GALLUP – WW RFQ

Submitted By _____
(Respondent name)

SOQ Submittal Form – Form 7
Project Guarantor, Insurance and Performance Bond

1) **Project Guarantor**

a. Name, Location & Contact for Project Guarantor

b. Guarantor Commitment Letter (attach to Form 7)

Attached: Yes No

2) **Insurance: Respondent must demonstrate the ability to provide the following insurance coverages** (attach supporting documentation to Form 7)

a. Commercial Automobile Liability

- \$2,000,000 combined single limit

b. Commercial General Liability

- Coverages shall apply and/or operations,
products, and/or completed operations,
independent contractors, contractual liability, and broad form property
damage exposures with minimum limits of \$2,000,000 per occurrence
and \$2,000,000 aggregate.

c. Environmental Impairment Insurance

- Limits of \$1,000,000 per occurrence
\$2,000,000 aggregate

3) Performance Bond or Letter of Credit of \$ 150,000

Yes No

Attach to this Form 7 a written demonstration of the ability of the Respondent or Project Guarantor to obtain the required performance bond or letter of credit. Written confirmation should be on the letterhead of the financial institution that can provide the performance bond or letter of credit. The financial institution shall confirm that it is licensed to operate in the State of New Mexico. The dollar amount specified in Section 4.2.6 of the SOQ (\$ 150,000) shall be demonstrated.

CITY OF GALLUP – WW RFQ

**Submitted By _____
(Respondent name)**

<p align="center">SOQ Submittal Form – Form 8 Performance and Service Guarantees</p>

The Respondent or Project Guarantor must demonstrate the ability and willingness to provide the performance guarantees and liability coverages specified in Section 4.2 of this RFQ as listed below. Amplifying comments may be provided (but are not required) following each guarantee or indemnification provision (a-e below)

	<u>Yes</u>	<u>No</u>
a) <u>Effluent Quality Guarantee</u>	<input type="checkbox"/>	<input type="checkbox"/>
b) <u>Regulatory Responsibility</u>	<input type="checkbox"/>	<input type="checkbox"/>
c) <u>Cost Guarantee – capital costs</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>- annual operation costs</u>	<input type="checkbox"/>	<input type="checkbox"/>
d) <u>Performance Guarantees for</u>		
– DBO facility upgrades	<input type="checkbox"/>	<input type="checkbox"/>
– Operations	<input type="checkbox"/>	<input type="checkbox"/>
– Maintenance	<input type="checkbox"/>	<input type="checkbox"/>
– Management	<input type="checkbox"/>	<input type="checkbox"/>
e) <u>Liability Indemnification</u>		
– Financial coverage	<input type="checkbox"/>	<input type="checkbox"/>
– Indemnification Provision that generally provides the concepts specified in Section 4.2 of the RFQ	<input type="checkbox"/>	<input type="checkbox"/>
f) <u>Contract term of eight (8) years</u>	<input type="checkbox"/>	<input type="checkbox"/>

CITY OF GALLUP – WW RFQ

**Submitted By _____
(Respondent name)**

**SOQ Submittal Form – Form 9 (optional)
Comments on Project Concept Additional Services, (if any) and Benefits to City**

Optional Respondent comments addressing:

Topic	Comments	Benefit to City
1. Project Concept:		
2. Additional Services (if any):		
3. Project Schedule:		
4. Other Elements of the Project:		

SOQ Submittal Form – Form 10 A
General Information Page

**RFQ No. 2015/2016/01/QP: GALLUP WWTP DBO UPGRADES
and
OPERATIONS, MAINTENANCE & MANAGEMENT SERVICES**

General Information

This form must be signed by a person authorized to make responses and enter into contract negotiations on behalf of your agency. To be considered for this project, the submittals must be completed in accordance with this RFQ and this cover sheet must be attached to the RFQ submittal package and included in the SOQ Forms of Tab 7.

Failure to submit this form will result in your response being deemed non-responsive.

Authorized Official (Signature)	Date
Print Name of Authorized Official	Title of Authorized Official
Company Name	Contact Person
Address	City, State, Zip
Phone Number	Fax Number
E-Mail Address	Federal Tax ID #

NOTE: It is the sole responsibility of the Respondent to learn of Addenda, if any.

SOQ Submittal Form – Form 10 B
Letter of Transmittal Page

**RFQ No. 2015/2016/01/QP: CITY of GALLUP WWTP DBO UPGRADES
and
OPERATIONS, MAINTENANCE & MANAGEMENT SERVICES**

THE UNDERSIGNED CERTIFIES THAT THEY HAVE READ AND UNDERSTAND THE ABOVE GENERAL CONDITIONS AND THAT THEY ACCEPT THESE CONDITIONS AND SUBMIT THE ATTACHED QUALIFICATIONS IN FULL COMPLIANCE WITH THESE CONDITIONS AND THE APPLICABLE SPECIFICATIONS.

IN SUBMITTING THESE QUALIFICATIONS, THE OFFEROR REPRESENTS THAT THE OFFEROR HAS FAMILIARIZED THEMSELVES WITH THE NATURE AND EXTENT OF THE REQUEST FOR QUALIFICATIONS DEALING WITH FEDERAL, STATE AND LOCAL REQUIREMENTS WHICH ARE A PART OF THIS REQUEST FOR QUALIFICATIONS. THE OFFEROR WILL COMPLY WITH ALL APPLICABLE FEDERAL AND STATE LAWS, LOCAL ORDINANCES AND THE RULES AND REGULATIONS OF ALL AUTHORITIES HAVING JURISDICTION OVER THE SERVICES OF THE PROJECT.

NAME OF FIRM

AUTHORIZED SIGNATURE

NAME PRINTED OR TYPED

TITLE

DATE: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

TELEPHONE: _____ FAX: _____

RETURN THIS FORM WITH YOUR STATEMENT OF QUALIFICATIONS SUBMITTA

**SOQ Submittal Form – Form 11
Acknowledgement of Receipt**

In acknowledgment of receipt of this Request for Qualifications for Design, Build, Operate (DBO) Upgrades and Contract Operation & Management Services for the City of Gallup’s Wastewater Plant and Lift Stations, the undersigned agrees that he/she has received a complete copy consisting of 75 pages, including the title page.

This Acknowledgment of Receipt should be signed and returned to the Purchasing Office by no later than 2:00 P.M. local time on October 26, 2015. Only potential Respondents who elect to return this completed form with the indicated intention of submitting a statement of interest and qualifications will receive copies of all Respondent written questions and the City’s written responses to those questions as well as RFQ amendments, if any are issued.

FIRM: _____
REPRESENTED BY: _____
TITLE: _____ PHONE NO.: _____
FAX NO.: _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP CODE: _____
SIGNATURE: _____
DATE: _____ EMAIL: _____

The above name and address will be used for all correspondence related to this RFQ.

Firm **DOES / DOES NOT (circle one)** intend to respond to this Request for Statements of Interest and Qualifications.

Return this form to: City of Gallup Purchasing Department
Frances Rodriguez, CPPB
P.O. Box 1270
Gallup, NM 87305
(505) 863-1334
(505) 722-5133 Fax

Please return this form by 2pm (MDT) on October 26, 2015

Appendix F: SOQ Evaluation Sheet for “RFP Qualifications Criteria”

Utilizing the information provided in the Respondent’s SOQ write-up; SOQ Submittal Form 1, SOQ Submittal Forms 2 – 10; and client, regulatory, and industry references, the following items will be evaluated as outlined below.

Evaluation Criteria Factors - Section 5.3.2

a) Staff Information and Organizational Structure

- 1) Project Manager’s experience (10 yr min) and qualifications
- 2) Full time, on-site manager’s experience (10 yr min) and qualifications
- 3) Demonstrated experience, certifications, and qualifications of additional key staff members (optional submittal)
- 4) New Mexico certifications and / or reciprocity
- 5) Off-site support and resource availability and capabilities
- 6) Single source entity for provision of services vs. multiple entities and subcontractors; clarity of delineation of responsibility & authority

b) Demonstrated Technical and Operations Qualifications

1) Implementation, Reliability, and Viability

- Meet performance requirements
- Approach for DBO Upgrades
- Approach for Operations, Maintenance & Management (O, M, & M)
- Elaboration of Approach for Residuals / Bio-Solids Management
- Maintenance program (software and completeness)
- Asset Management Program and Systems

2) Experience

- DBO Upgrades and Operations and Management Experience DBO Projects
 - Relevant Projects and Successful Completion
 - Cost Control
 - Regulatory Complaint Upgrades
 - Innovative, Cost Effective Solutions That Work
- Wastewater Operations and Management Experience
 - Computerized MMS
 - Installation and utilization for SCADA and unattended ops.
 - Additional management software including LIMS
 - Residuals / Bio-solids experience
 - Demonstrated Regulatory Compliance and Cost Control
 - WWTP with 3 or more years experience for above items
 - Minimum of 5 years demonstrated experience in contract ops
- Current Operations and Management Service Delivery
 - Three or more secondary treatment WWTP greater than 5 MGD

- SCADA experience as contract operator
- Unattended operations
- Regulatory compliance
- Plant performance
- Staff safety record
- Permit Compliance Support
 - 5 years of experience in data collection, records maintenance
 - Reporting for discharge permits and regulatory requirements

c) Environmental

- 1) Guarantees provided as outlined
- 2) Compliance with all Federal and state regulatory and permit requirements
- 3) Experience with solids processing
- 4) Efficient long term usage of resources, chemicals, and utilities
- 5) Environmental leaderships, awards, recognitions

d) Demonstrated Financial and Legal Qualifications

- 1) Financial analysis and strength of requested ratios and profitability
- 2) Credit ratings
- 3) Financial information (10K, 10Q or audited financials)
- 4) Impact of any contingent liability exposures
- 5) Impact of any adverse outstanding litigation
- 6) Suitability and strength of Project Guarantor for all financial obligations
- 7) Demonstration of capability and legal commitment of Guarantor to meet requirements
- 8) Good legal standing (no fraud; no illegal activities; no bankruptcy in 10 yrs.)
- 9) Minimal legal matters within the last 5 years arising out of wastewater treatment plant operation in connection with Federal Clean Water Act administrative sanctions or litigation and/or state pollution control administrative sanctions or litigation
- 10) Demonstration of ability to provide Performance Bond
- 11) Demonstrated ability to provide requested insurance coverages
- 12) Ability and willingness to provide requested performance guarantees and liability coverages

e) Project Experience

- 1) Number and quality of results for projects similar to requested scope of services
- 2) DBO project upgrades experiences
- 3) Experiences for the 3 projects greater than 5 MGD
- 4) Applicability of projects to Gallup project
- 5) Treatment flow sheet and similarity to Gallup
- 6) Operational record
- 7) Regulatory compliance record
- 8) Safety record
- 9) Cost vs budget performance

- 10) Provision of list of all projects of similar size, complexity and scope and assessment of overall capabilities for Gallup
- 11) Contracts / Agreements terminated for convenience or default

f) Client References and Partnering that Demonstrate

- 1) Satisfactory reference checks
- 2) Regulatory compliance
- 3) Program improvements
- 4) Cost effective operations
- 5) Cooperative working relationship

Additional RFQ Requirements

- **Transmittal Letter and Executive Summary**
- **SOQ Submittal Forms**
 - Form 1 Minimum Qualifications Summary
 - Form 2 Respondent Information Requirements
 - Form 3 Technical Qualifications
 - Form 4 Key Project Staff
 - Form 5 Relevant Project Experiences and References
 - Form 6 Summary Financial and Legal Qualifications
 - Form 7 Project Guarantor, Insurance and Performance Bond
 - Form 8 Performance and Service Guarantees
 - Form 9 Comments on Project Concept, Additional Services (if any) and Benefits to City (OPTIONAL Form)
 - Form 10A General Information Page
 - Form 10B Letter of Transmittal Page
 - Form 11 Acknowledgement of Receipt