



**Capital Projects & Purchasing Department
113 Mable T. Willis Blvd.
Walterboro, SC 29488
843.539.1968**

**RFQ: CC-22
COLLETON COUNTY ENGINEERING SERVICES
DUE: TUESDAY, OCTOBER 17, 2017 at 11:00am**

MAIL RESPONSE TO:
Capital Projects & Purchasing Department
Attn: Kaye B Syfrett
113 Mable T. Willis Blvd.
Walterboro, SC 29488

DELIVER RESPONSE TO:
Capital Projects & Purchasing Department
Attn: Kaye B Syfrett
113 Mable T. Willis Blvd.
Walterboro, SC 29488

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A. PURPOSE OF REQUEST:

Colleton County requests a letter of interest and current resume from consulting firms experienced in providing engineering and design services necessary for the preparation of site development plans, preliminary plans, water & wastewater design, right-of-way plans, final construction plans for transportation enhancement and economic development projects in Colleton County. The goal of this RFQ is to select up to five firms to perform the described services for Colleton County. All plans will be prepared in accordance to Colleton County and SCDOT specifications and in coordination with SCDOT's Local Public Agency Administration office as required.

Requested services include but are not limited to: architectural design, site design, project management, field surveys, right-of-way acquisition, environmental studies and documentation, all divisions of permitting, roadway design, landscape design, hydrology/hydraulic design, water and wastewater design, geotechnical services, hazardous materials survey, subsurface utility engineering, utility coordination, and construction plan modification and construction administration. The project team should be capable of providing all services outlined above.

All documentation associated with this solicitation is located on the Colleton County website at: <http://www.colletoncounty.org/bids-and-proposal-requests>. Questions regarding this proposal must be submitted via email to Carla Harvey, County Engineer at charvey@colletoncounty.org no later than **12:00pm on Tuesday, October 10, 2017**. Answers to all questions will be posted on the County website as addendums to this proposal.

B. METHOD OF PROCUREMENT:

This is a qualifications-based selection. Award will be given to the most responsible, responsive and most highly qualified consultant firms. Procedures for this procurement are identified in Section I, INSTRUCTIONS TO CONSULTANTS. This qualifications-based selection is based on the Brooks Act (40 U.S.C. 11). Cost is NOT a factor in the ranking of consultants to provide services herein. **DO NOT include any reference to consultant costs in the RFQ response.** Any RFQ response with any discussion of cost will be disqualified. Consultants are advised that this evaluation and selection process is a competition and not simply a prequalification. Note that all contracts will be based on a negotiated fee based on the project scope. A general scope of work is outlined below.

This will be an Indefinite Delivery Contract (IDC). The contract term will be for twenty-four (24) months from the date the contract is signed with the option for renewal for three (3) additional twelve (12) month periods.

C. GENERAL SCOPE OF SERVICES:

Work may include, but is not limited to the following:

- Project Organization and Management
- Field Surveys
- Environmental Documentation and NEPA Compliance
- Roadway Evaluation and Design
- Landscape Design and Site Development
- Roadway Rehabilitation
- Environmental and Encroachment Permitting
- Hydrology and Hydraulic Design
- Water and Waste Water Design
- Geotechnical Services

- Hazardous Material Survey and Mitigation
- Utility Coordination including Subsurface Utility Engineering
- Construction Administration and Inspection

D. SUBMITTAL FORMAT:

Responding firms shall submit three (3) bound copies, one (1) being the original.

The RFQ response must be submitted by the date and time listed in this RFQ. The response shall contain no more than twenty-five (25) double spaced pages, typed on one side only, excluding appendices. Minimum font size shall be 12-point. Responses should address each of the following proposal content requirements in the same order as listed below. The consultant may wish to include additional information. If a consultant does not submit responses to these items, their submittal may be considered non-responsive and returned without further review/evaluation. Consultants are advised that Colleton County reserves the right to conduct an independent investigation of any information, including prior experiences, identified in the responses. Consultants are responsible for effecting delivery by the deadline date and time; late submissions will be rejected without opening. Colleton County accepts no responsibility for misdirected or lost proposals. Responses shall be explained and identified within the twenty-five (25) pages. Appendices may only be used to support or supplement the detailed answers, but cannot be used as a substitute for the required narrative response.

E. PROPOSAL CONTENT:

The following is included in the 25-page RFQ response:

1. **Letter of Interest:** The Letter of Interest should be no longer than one (1) page and shall contain the following items:
 - a. An expression of the Prime Consultant’s interest in being selected for the project.
 - b. A statement confirming the commitment of key personnel identified in the submittal to the extent necessary to meet Colleton County’s quality and schedule expectations.
 - c. Provide the name of the Prime Consultant Principal, Officer of the Firm or Project Manager responsible for this contract and has authority to sign the contract for consultant.
 - d. A summary of key points regarding the Prime Consultant’s qualifications.
 - e. Signing the letter of interest constitutes authorization of consultant to submit qualification for the purpose of negotiating and entering a contract with Colleton County.
 - f. Certification of authorized submitter that information contained within is correct by including: “I certify that the information included within this document, is to the best of my knowledge, correct as of the date indicated”.
2. **Project Organization Chart:** - Limited to one (1) side of one sheet of paper. This chart must include the names of the key individuals selected for this project, their roles on the project, the names of the consultant by which they are employed, and the lines of communication, to include functional structure, levels of management and reporting relationships for Key Individuals, and major functions to be performed in managing and designing the project. It shall also indicate the people who will be points of contact with Colleton County’s Project Manager.

3. **Qualifications for key individuals.**
4. **Names and qualifications for other key individuals** that are considered critical to the success of this project in addition to those identified above. Qualifications should include information on experience related to similar projects and previous project work.
5. A **direct response to each of the selection criteria** identified below.
6. The consultant must provide a **chart indicating the present workload of all key personnel** to include all active projects (concurrent projects with other entities such as cities, other state agencies, counties, COGs MPOs, private sector) and their percentage availability for this project. Additionally, all proposals must clearly list the percentage of work for prime consultant and sub-consultant(s) that will be performing work as part of the project.

APPENDICES

1. Standard Form 330 (SF 330) as required by the Federal Acquisitions Regulations. All parts of the SF 330 must be completed in its entirety for the prime consultant, any sub-consultants and any sub-contractors. Also, indicate if the prime consultant has previously worked with the proposed sub-consultant and give a brief example of the previous relationship(s). The Form 330s will not count against the maximum page limit and can be included in the appendices.
2. Provide a list of References who have personal knowledge of the prime consultant's and the sub-consultant's previous performance. Provide three (3) client references each for both the prime and the sub-consultant(s). The references must include verified addresses, email addresses and telephone numbers, contact persons, and a brief description of services that have been provided similar to those described by Colleton County for this project. References shall be shown on separate sheets (limited to one (1) single-sided sheet; one sheet for the prime and one sheet for each sub-proposed).

REQUIRED FORMS

Include all required forms at the end of the submitted proposals as specified in the last section of this RFQ.

F. SELECTION AND EVALUATION PROCESS:

The Colleton County selection committee will evaluate each proposal based on the stated selection criteria and determine a short list of firms. The selection committee may invite those short-listed firms to make a presentation. The short list of firms will then be ranked by the selection committee at the conclusion of the presentation interviews. The final ranking of firms and recommendation of award will be presented to County Council for final approval. The County reserves the right to reject any or all qualifications, and to waive defects, technicalities and/or irregularities in any submittal. The County reserves the right to finalize a contract based on all factors involved in the written qualification(s) submitted without further discussion or interviews.

G. SELECTION CRITERIA:

The relative point value and selection criteria follow:

25%	Past performance
25%	Ability, qualification, and experience of key personnel
20%	Related experience on similar projects
10%	Demonstrated ability to meet time and budget requirements on previous projects
10%	Recent, current, and projected workload
10%	Proximity to and knowledge of the locality of the project

* Note: In each criterion above where special experience is evaluated, each project listed should include the client name, specific role of the team member for the consultant, and a point of contact for the client with telephone number and email address.

H. FINAL SELECTION AND NOTIFICATION:

It is the intent of Colleton County to identify up to five (5) engineering firms, that in its judgement, are the best qualified. The selected firms will be considered for award for each project during the course of the contract period. The County will always negotiate first with the firm most qualified for the project type in the opinion of the County. If a fair and reasonable cost and time frame can be successfully negotiated, that firm will be awarded the Contract. If, however, successful negotiations with this firm are not concluded, the County will attempt to negotiate with another contracted firm until successful negotiation. If negotiations fail with all contracted firms, a solicitation for the specific project will be opened for all vendors to participate in the RFQ process. The successful firm shall be required to execute formal Contract at the County's offices in Colleton within five (5) business days after request by the County. This negotiation process will occur each time a new project is identified and design services are requested.

For all County Transportation Committee (CTC) projects: Each firm shall be limited to a total expenditure of three hundred thousand dollars (\$300,000.00) per two (2) year period with an individual project expenditure not to exceed one hundred thousand dollars (\$100,000.00). Should a CTC project exceed one hundred thousand dollars (\$100,000.00), a project specific RFQ will be created. Depending on negotiations and the number of projects, all firms may not necessarily be awarded a project during the contract term.

I. INSTRUCTIONS TO CONSULTANTS:

ADDITIONAL INFORMATION: Colleton County reserves the right to request or obtain additional information about any and all responses to the RFQ.

AMENDMENT: Any amendment will be posted on Colleton County website in the form of an addendum. The RFQ may be amended at any time prior to the RFQ response submittal date. All actual or prospective consultants should monitor Colleton County's website for issuance of addendums. Consultants shall acknowledge receipt of any addendum to this RFQ by signing and returning the attached Addendum Acknowledgement form. If this RFQ is amended, then all terms and conditions which are not modified remain unchanged. It is the consultant's responsibility to check the website regularly for updates and modifications.

AUDITS: Prior to contract award, an audit may be conducted by Colleton County of the selected consultant. This audit will be for the purpose of ensuring the selected firm is financially capable of performing the contract, the cost information and prices quoted are reasonable and the selected consultant had adequate accounting practices to ensure accurate tracking of contract costs.

AUTHORIZATION TO BEGIN WORK: No work shall commence until after contract execution and issuance of a Notice to Proceed (NTP). Violations of NTP may result in non-payment of work performed, termination of an impending contract, or loss of federal funds, if applicable. Consultant billing shall not date prior to contract and/or modification of execution date.

AWARD: All selected firms and awards will be posted on Colleton County's website.

CERTIFICATION FORMS: Submission forms located in 'Appendix A' of this document must be completed, signed, notarized and submitted with the RFQ response. Failure to submit these forms may result in the RFQ response being deemed nonresponsive.

CLARIFICATIONS: Colleton County, at its sole discretion, shall have the right to seek clarifications from any consultant to fully understand information contained in their responses to the RFQ.

COMMUNICATION: Effective the date of the advertisement of this contract, no further contact is allowed with any Colleton County personnel concerning this RFQ except for questions of an administrative or contractual nature that shall be submitted in writing to the attention of one of the Contract Officers. This restriction is in effect until the selection has been announced. The employees of the proposing consultant may not contact any Colleton County staff including members of the Selection Committee, other than one of the Contract Officers to obtain information on the RFQ. Such contact may result in disqualification.

CONFLICT OF INTEREST: By submitting a proposal, proposer agrees that, if an organizational conflict of interest is discovered after the proposal is submitted, the proposer must make an immediate and full disclosure to Colleton County that includes a description of the action that the proposer has taken or proposes to take to avoid or mitigate such conflict. Colleton County considers it a conflict of interest for a consultant to represent more than one party in relation to any given project regardless of which phases of the service are involved. If after award of the contract an organizational conflict of interest is determined to exist, Colleton County may, at its discretion, cancel the contract. If the proposer was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to Colleton County, then Colleton County may terminate the contract for default. Consultant must complete and submit a DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST CERTIFICATION certifying it does not have any financial or other interest in the outcome of the project, that it has no agreement, enforceable promise, or guarantee with any individual or company to provide any work on the project, that it does not have any association or professional or business relationships with anyone who has a financial interest in the outcome of the project, nor does anyone with a financial interest in the outcome of the project, exercise any control over the consultant's pay, employment, bonuses, or other area subject to external influence.

CONFLICT OF INTEREST (NEPA): For all Environmental Impact Statement (EIS) and Environmental Assessment (EA) consultant selections, a DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST CERTIFICATION will be required from each firm of the project team (prime and all sub-consultants). Consultants will be required to disclose any financial or other interest they may have in the outcome of the environmental document, in accordance with Council on Environmental Quality Regulation, 40 C.F.R. §1506.5(c) (1999). The DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST CERTIFICATION is included in the Appendix to this RFQ.

COST RATE: Consultants and sub-consultants must have an SCDOT approved indirect cost rate prior to contract execution. Please refer to the following link for additional information:
http://www.scdot.org/doing/contractor_Audit.aspx.

DEBARMENT CERTIFICATION: Federal regulations require certification by prospective consultants as to current history regarding debarment, eligibility, indictments, convictions, or civil judgments. Consultant is required to submit the Debarment certification with its RFQ response. Any individual, business, organization, corporation, consortium, partnership, joint venture, or any other entity including sub-consultants currently debarred or suspended is ineligible to participate as a candidate for this process. Any entity ineligible to conduct business in the State of South Carolina for any reason is ineligible to respond to the RFQ. A CERTIFICATION OF PRIMARY PARTICIPANT REGARDING DEBARMENT, SUSPENSION, and OTHER RESPONSIBILITY MATTERS is included in the Appendix to this RFQ.

DEBRIEFING: If a non-selected consultant would like to schedule a debriefing, consultant will have three (3) working days from the date of notification of non-selection. Only written requests (emails are acceptable) for a debriefing will be scheduled. If a consultant chooses to schedule a debriefing prior to contract signature, they can no longer be considered for award of this contract. However, the option exists to schedule a post-award debrief which will not jeopardize their opportunity for contract award should negotiations with the selected firm(s) prove unsuccessful.

DRUG FREE WORK PLACE CERTIFICATION: By submitting an RFQ response, consultant certifies that, if awarded a contract, consultant will comply with all applicable provisions of the Drug-free Workplace Act, Title 44, Chapter 107 of the South Carolina Code of Laws, as amended.

ETHICS CERTIFICATION: By submitting this RFQ, the consultant certifies that the consultant has and will comply with South Carolina's Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended. The following statutes require special attention: (a) Offering, giving, soliciting, or receiving anything of value to influence action of public employee - §8-13-790, 8-13-705, 8-13-720; (b) Recovery of kickbacks - §8-13-790, (c) Offering, soliciting, or receiving money for advice or assistance of public official - §8-13-720, (d) Use or disclosure of confidential information - §8-13-725, Persons hired to assist in the preparation of specifications or evaluation of bids - §8-13-1150, (f) Solicitation of state employees - §8-13-755, §8-13-760 and §8-13-725. The state may rescind any contract and recover all amounts expended as a result of any action taken in violation of this provision.

INSURANCE and BONDS: Consultant and sub-consultants are responsible to obtain all required statutory and contractual insurance and bonds, including but not limited to Professional liability insurance and Error and Omissions insurance, and shall be submitted to Colleton County prior to execution of contract. The A/E and their consultants shall maintain all forms of insurance required by law in the State of South Carolina. The A/E shall also maintain insurance coverage for comprehensive, general liability, automobile liability, and workers' compensation (by statutory authority). Colleton County will be named as an "additional insured" party. This policy shall remain in effect for a minimum of 12 months after the date of issuance of the final Certificate of Payment by the A/E. Minimum insurance coverage limits can be seen below.

- Professional Liability Insurance – Minimum \$1,000,000.00 Proof of in force insurance must be provided in the response to the RFQ
- Other insurances:
- Workers' Compensation - \$100,000 – each accident
 - Statutory Coverage and Employer's - \$100,000 each employee
 - Liability - \$500,000 – policy limit
 - Comprehensive General Liability –
 - \$2,000,000 – bodily injury each occurrence
 - \$2,000,000 – bodily injury aggregate
 - \$2,000,000 – property damage each occurrence
 - \$2,000,000 – property damage aggregate
- Products – Completed Operations - \$1,000,000 – aggregate

- Business Auto Liability – Same as Comprehensive General Liability
- Excess or Umbrella Liability - \$2,000,000

JOINT VENTURES: If consultant is a partnership, limited partnership, joint venture or other association (hereinafter joint venture), provide a copy of the organizational document or agreement committing to form the organization. Provide documentation from its surety company acknowledging the formation of a joint venture for the purpose of completing the project and that the joint venture is capable of obtaining a performance bond and payment bond in the estimated amount of the contract. Provide a statement executed by all general partners, joint venture members, or other association members, as applicable, evidencing agreement to be fully liable for the performance under the contract. Provide documentation evidencing the person signing the contract has authority to sign the contract on behalf of the joint venture. This information may be included in the appendices and will not be counted against the maximum page limitation.

KEY INDIVIDUALS: Key individuals are those personnel deemed critical to the success of the project. They often vary from project to project. It is incumbent on the prime consultant to make a determination as to who they deem “key”. In general terms, it can include, but not limited to: the project manager and those individuals listed as leads for each functionally specific discipline on the project organization chart.

KEY INDIVIDUAL CHANGES: If during the selection process, the CO is notified by the consultant that key individuals are not available, action must be taken as follows: (1) if notified before scoring is complete, but after deadline for submittal, the consultant can submit the resume of the person who would be replacing the key individual. The selection committee will score using the new key individual; (2) if notified after the scoring is complete, but prior to final approval, and the change involves the top scoring consultant, the consultant can submit the resume of the person who will replace the key individual. The selection committee must then determine if the new person would affect the selection results. If not, the CO will notate the change and the justification for keeping the selection results. If it does, the selection committee will re-score the top consultant and change the selection; or (3) if a consultant notifies the CO of a key individual change any time after the final approval, Colleton County must determine if the new key individual is acceptable. If not, the consultant will be rejected and the next highest qualified consultant selected. To qualify for Colleton County’s authorization to replace a key individual, the firm must submit a written request explaining the reason for the change and must document that the proposed removal and replacement will provide services and/or management of the Project equal to or better than that submitted with the proposal. Colleton County will use the criteria specified in the advertisement and the qualification submitted by the firm to evaluate all requests. Colleton County reserves the right to reject the firm from further consideration if the new member is not approved. Firms that are found to consistently propose personnel who are not available are subject to temporary or permanent loss of their prequalification in that category, and may lose the right to submit proposals to SCDOT. SCDOT acknowledges that there are times where key individuals have to be changed due to change in employment or unanticipated work load shifts or schedule changes. All changes in key individuals must be approved by Colleton County in writing.

LAWS AND REGULATIONS: It is the responsibility of consultant to know and understand state and federal contracting and project regulations, rules, policies and procedures. Consultants shall conform to all state and federal requirements.

MULTIPLE PROPOSALS: Consultants are prohibited from submitting on multiple proposals as the prime consultant in response to this advertisement.

OWNERSHIP: All materials and written qualifications submitted pursuant to this RFQ shall become the property of Colleton County and will not be returned. All responders must visibly mark as “CONFIDENTIAL” each part of their submission that they consider to contain proprietary information the release of which would constitute an unreasonable invasion of privacy. All unmarked pages will be subject to release in accordance with law. Proposer should be prepared, upon request, to provide justification of why such materials should not be

disclosed under the South Carolina Freedom of Information Act, S.C. Code Section 30-4-10, et seq.

REQUIRED PERCENTAGE OF WORK FOR PRIME CONSULTANTS: Consultant must perform work valued at not less than 30% of the total work, excluding specialized services, with its own staff. Specialized services are those services or items not usually furnished by a consultant performing a particular type of services requested.

RESPONSIBLE: Award of the contract will be to firms who have the capability in all respects to perform fully the contract requirements and the integrity and reliability which will assure good faith performance which may be substantiated by past performance.

RESPONSIVENESS: Any RFQ response which fails to conform to the material requirements of the RFQ may be rejected as nonresponsive. Reasons for determining a proposal to be non-responsive may result from, but are not limited to, the following: failure to provide all information requested in RFQ, conflict of interests, conditional proposals, and failure to provide complete and honest information. Proposers will not be given an opportunity to correct any material nonconformity. Any deficiency resulting from a minor informality may be clarified or waived at the sole discretion of Colleton County.

RFQ PREPARATION COSTS: Colleton County assumes no liability and will not reimburse costs incurred by firms (whether selected or not) in developing responses to this RFQ or participating in interviews.

RIGHT TO MODIFY and AMEND RFQ: Colleton County reserves the right to modify or amend any provision of this RFQ, including the determination of its intent to award a contract pursuant to this RFQ. Interested A/E consultants are cautioned to rely solely on the contents of this RFQ and subsequent written amendments in preparing any list of qualifications. Colleton County shall not be bound by any oral instructions, comments, or recommendations of any kind.

RIGHT TO REJECT: Colleton County reserves the right, in its sole discretion, to reject any and all RFQ responses if it determines that such rejection is in the best interest of Colleton County.

RIGHT TO CANCEL: Colleton County reserves the right to cancel the advertisement, negotiations, or contract at any time in the best interest of Colleton County.

TERMS OF CONTRACT: Standard contract terms for all Colleton County projects utilizing State and/or Federal funding are non-negotiable.

VALIDITY OF INFORMATION: Consultant shall be held responsible for the validity of all information supplied in its RFQ, including that provided by potential subcontractors. Should subsequent investigation disclose that the facts and conditions were not as stated, the RFQ may be rejected or contract terminated for default if after award, in addition to any other remedy available under the contract or by law.

J. REQUIRED FORMS:

The following completed forms are required to be returned with each RFQ:

- Proposer's Submittal Form
- Certificate of Non-Collusion
- Certification of Primary Participant Regarding Debarment, Suspension, And Other Responsibility Matters
- Certification of Restrictions on Lobbying
- Certification of Consultant
- Disclosure of Potential Conflict of Interest Certification
- Drug-Free Workplace Certification
- Equal Employment Opportunity Certification
- Addendum Acknowledgement



RFQ: CC-22

PROPOSER'S SUBMITTAL FORM

In compliance with the above RFQ: CC-22, the undersigned hereby proposes to provide professional engineering and design services for Colleton County LPA related projects in accordance with the instructions, terms, conditions and requirements incorporated in the Request for Qualifications.

Qualifications submitted by:

Name of Firm _____

Address _____

Federal Tax Identification Number _____

Principal's Name and Title (type or print) _____

Principal's Signature _____

State of Incorporation _____

Is your business delinquent in paying any taxes owed to Colleton County? Yes No

Please note that the Procurement Department is required to verify that all taxes have been paid to the County by vendors with which they intend to do business. If you owe delinquent taxes your submittal may be disqualified from consideration. If you wish to inquire as to your tax status, you may contact the Colleton County Delinquent Tax Office at (843) 549-5433.

Does your business have a valid Colleton County Business License? Yes No

If so, list the number: _____. You must possess a valid Colleton County Business License for business undertaken in the unincorporated areas of the County. If you should have any questions, please call (843) 549-1709.

PAYMENT OPTIONS:

Do you accept credit cards as a form of payment? No Yes

MINORITY AND WOMAN-OWNED PROJECT GOALS FOR C-FUND CONTRACTS

For contracts that involve South Carolina Department of Transportation C-Funds (such as this contract) there is a goal of 5% minority and 5% woman-owned business enterprise subcontract participation. A list of certified minority and woman-owned disadvantaged business enterprises can be found at the SCDOT Web site:

http://www.scdot.org/doing/dbe_listing.shtml

BUSINESS OWNERSHIP CERTIFICATION

Are you a certified Colleton County Small Business Enterprise (SBE)? No Yes

(If yes, give SBE Certification No. _____)

Regarding the ownership of your company, mark all that apply:

- | | | |
|---|---|--|
| <input type="checkbox"/> White Male _____ % | <input type="checkbox"/> Hispanic/Latino Male _____ % | <input type="checkbox"/> American Indian/Alaskan Native Male _____ % |
| <input type="checkbox"/> White Female _____ % | <input type="checkbox"/> Hispanic/Latino Female _____ % | <input type="checkbox"/> American Indian/Alaskan Native Female _____ % |
| <input type="checkbox"/> Black Male _____ % | <input type="checkbox"/> Asian Male _____ % | <input type="checkbox"/> Native Hawaiian/Pacific Islander Male _____ % |
| <input type="checkbox"/> Black Female _____ % | <input type="checkbox"/> Asian Female _____ % | <input type="checkbox"/> Native Hawaiian/Pacific Islander Female _____ % |



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CERTIFICATE OF NON-COLLUSION

By submission of proposal, each person signing on behalf of any consultant certifies, and in the case of a joint proposal, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- 1) The proposal is submitted without collusion, consultation, communication, or agreement for the purpose of restricting competition, with any other bidder or with any competitor;
- 2) No attempt has been made or will be made by the proposer to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

Company Name

Authorized Signature

Date

SWORN AND SUBSCRIBED before me this _____ day of _____, 201__.

My commission expires _____.

Notary Public



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CERTIFICATION OF PRIMARY PARTICIPANT REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

The prime consultant, _____ certifies to the best of its knowledge and belief, that it and its principals:

- 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- 2) Have not within a three (3) year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- 3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
- 4) Have not within a three (3) year period preceding this application/proposal had one or more public transactions (Federal, State or Local) terminated for cause or default.

If the prime consultant is unable to certify to any of the statements in this certification, the consultant shall attach an explanation to this certification.

The primary consultant, _____ certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. Sections 3801 et seq, are applicable thereto.

Signature and Title of Authorized Official

Date

SAM's No. _____

Cage Code _____

DUN's No. _____



CERTIFICATION OF RESTRICTIONS ON LOBBYING

The consultant certifies, to the best of its knowledge and belief, that:

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

2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form--LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions (as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, et seq.)).

3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than ten thousand dollars (\$10,000) and not more than one hundred thousand dollars (\$100,000) for each such failure.

THE CONSULTANT, _____, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF EACH STATEMENT OF ITS CERTIFICATION AND DISCLOSURE, IF ANY. IN ADDITION, THE CONSULANT UNDERSTANDS AND AGREES THAT THE PROVISIONS OF 31 U.S.C. §§ 3801 ET SEQ. APPLY TO THIS CERTIFICATION AND DISCLOSURE, IF ANY.

Signature of the consultant's Authorized Official

Name and Title of the consultant's Authorized Official

Date



CERTIFICATION OF CONSULTANT

I hereby certify that I am the duly authorized representative of CONSULTANT and that neither I nor the above CONSULTANT I here represent has:

- a) employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above CONSULTANT) to solicit or secure this contract;
- b) agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the contract, or
- c) paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above CONSULTANT) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the contract except as here expressly stated (if any);
- d) either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action, in restraint of free competitive bidding in connection with the submitted proposal.

By execution of this Agreement, CONSULTANT certifies CONSULTANT and all sub-consultants, contractors, employees and agents will comply with South Carolina’s Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended. The following statutes require special attention: (a) Offering, giving, soliciting, or receiving anything of value to influence action of public employee - §8-13-790, 8-13-705, 8-13-720; (b) Recovery of kickbacks - §8-13-790, (c) Offering, soliciting, or receiving money for advice or assistance of public official - §8-13-720, (d) Use or disclosure of confidential information - §8-13-725, (e) Persons hired to assist in the preparation of specifications or evaluation of bids - §8-13-1150, (f) Solicitation of state employees - §8-13-755, §8-13-760 and §8-13-725. The state may rescind any contract and recover all amounts expended as a result of any action taken in violation of this provision.

I acknowledge that this certificate is to be furnished to the Department, the Federal Highway Administration, and the U. S. Department of Transportation, and is subject to applicable State and Federal laws, both criminal and civil.

CONSULTANT

Name of Consultant

By: _____

Date: _____

Its: _____



DRUG-FREE WORKPLACE CERTIFICATION

This certification is required by the Drug-free Workplace Act, Section 44-107-10 et seq South Carolina Code of Laws (1976, as amended). The regulations require certification by Contractors/Vendors prior to award, that they will maintain a drug-free workplace as defined below. The certification set out below is a material representation of fact upon which reliance will be placed when determining the award of a contract. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of contract, or suspension or debarment from the right to submit bids or proposals for Colleton County projects.

For purposes of this Certification, “Drug-free Workplace” is defined as set forth in Section 44-107019 (1), South Carolina Code of Laws (1976, as amended). The aforesaid Section defines workplace to include any site where work is performed to carry out the Contractor’s/ Vendor’s duties under the contract. Contractor’s/Vendor’s employees shall be prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of the Drug-free Workplace Act.

By signing this document, the Firm hereby certifies that it will provide a drug-free workplace by:

- (1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Contractor’s/Vendor’s workplace and specifying the actions that will be taken against employees for violation of the prohibition;
- (2) Establishing a drug-free awareness program to inform employees about:
 - (a) The dangers of drug abuse in the workplace;
 - (b) The Contractor’s/Vendor’s policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug violations;
- (3) Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by paragraph (1) above;
- (4) Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the contract, the employee will:

- (a) Abide by the terms of the statement: and
 - (b) Notify the employer of any criminal drug statue conviction for a violation occurring in the workplace no later than five (5) days after the conviction;
- (5) Notifying the using agency within ten (10) days after receiving notice under subparagraph (4) (b) from an employee or otherwise receiving actual notice of the conviction;
- (6) Taking one of the following actions, within thirty (30) days of receiving notice under subparagraph (4) (b) with respect to any employee who is convicted:
- (a) Taking appropriate personnel action against the employee, up to and including termination; and
 - (b) Requiring the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;
- (7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5), and (6) above.

Firm: _____

Address: _____

Authorized Representative Name/Title: _____

Signature: _____ **Date:** _____

Witness Name (Print): _____

Signature of Witness: _____

Note: This certification form is required for all contracts for a stated or estimated value of \$50,000 or more.



RFQ: CC-22

EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

Colleton County requires compliance with State and Federal regulations governing Equal Employment Opportunity, External Equal Opportunities (EO), External On-the-Job Training (OJT), Title VI, and the Americans with Disabilities Act (ADA) programs.

Sub-recipients of federal-aid contracts must include notifications in all solicitations for bids of work or material and agreements subject to Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities. Sub-recipients, contractors and subcontractors may not discriminate in their employment practices or in the selection and retention of any subcontractor.

By signing this document, the Firm hereby certifies their commitment to assure nondiscrimination in its programs and activities to the effect that no person shall on the grounds of race, color, national origin, sex, age, disability or income status be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any federally or non-federally funded program or activity administered by the sub-recipient and/or its contractors.

Firm: _____

Address: _____

Authorized Representative Name/Title (Print): _____

Signature of Authorized Representative: _____

Witness Name (Print): _____

Signature of Witness: _____



RFQ: CC-22
ADDENDA ACKNOWLEDGEMENT FORM

The firm has examined and carefully studied the proposal and the following Addenda, receipt of all of which is hereby acknowledged:

Addendum No. _____

Addendum No. _____

Addendum No. _____

Addendum No. _____

Authorized Representative Name/Title (Print)

Date

Authorized Representative's Signature