

Title and Summary

RFQ No. FY14-1115 Phase 6 Telecommunications Outside Plant Construction Project

| | |
|---|--|
| Contracting Entity: | Orangeburg County, South Carolina (“Owner”) A political subdivision of the State of SC |
| Project Engineer: Ethan Beeks W. Metts Engineering 121 Bridge St. Branchville SC 29432 ethan@wmetts.com | Procurement Director Jannella Shuler Orangeburg County Procurement Office 1437 Amelia St. (“Administrative Center”) Orangeburg SC 29115 jshuler@orangeburgcounty.org |

The RFP is composed of the following:

- Title and Summary pages – this document
- Those articles of the Code specified in the Code & Articles Acknowledgement
- Code & Articles Acknowledgement
- Certification of No Exceptions
- Certification of Preferences
- Evaluation Criteria
- Scope of Work
- RUS Form 274 (Rev. 6-81) titled “Bidder’s Qualifications”
- RUS Form 276 (Rev. 5-59) titled “Bidders Qualifications for Buried Plant Construction
- RFP amendments and/or addendum, if any

RFP amendments, if any, will be posted on <http://www.orangeburgcounty.org/>

Questions. If vendors have questions, same shall be directed via e-mail to the Project Engineer with a cc to the Procurement Director no later than 12-Noon on 11/13/2013.

Each vendor submission to the RFQ shall be composed of one fully completed and executed original and one copy of the following:

- Code & Articles Acknowledgement
- Certification of No Exceptions
- Certification of Preferences
- Addendum Acknowledgement
- RUS Form 274 (Rev. 6-81) titled “Bidder’s Qualifications”
- RUS Form 276 (Rev. 5-59) titled “Bidders Qualifications for Buried Plant Construction

- Submission Deadline: 11:00 a.m. on November 15, 2013
- Submission Location: 1437 Amelia Street County Admin. Center, Basement Floor,
Procurement Office, Orangeburg, SC 29115

Additional Information, Including Special Conditions

To the extent the Procurement Code requires the Procurement Director to take certain action regarding the evaluation of proposals, recommendations, and award for this RFQ, the Project Engineer shall be deemed to have the duties otherwise assigned to the Procurement Director.

Procurement Code Section 1-302.3.a. applies to this procurement. The funding agency's procurement requirements will govern the procurement in any instance in which those requirements conflict with the Orangeburg County Procurement Code. To the extent that is the case, this procurement is exempt from the conflicting provisions of the Orangeburg County Procurement Code.

The funding agency for the Phase 6 Project requires that the contract for this procurement be on RUS Form 515. There will be no negotiation or deviation from the RUS Form 515 contract terms when the RFP is released.

The following from the Code of Federal Regulations applies to this procurement: 7 C.F.R. §1788.

SCOPE OF WORK

Requests for Qualifications-FY14-1115 –Phase 6 Telecommunications Outside Plant Construction Project

The scope of services requested by the county for this RFQ No. 14-1115 are as follows:

In connection with that anticipated procurement, vendors submitting in the RFQ process are hereby advised that the successful vendor will be given a “List of Owner’s Material On Hand” which will include the necessary cable, hand holes, pedestals, and major materials. The successful vendor will be responsible for any miscellaneous material not included on the “List of Owner’s Material On Hand”.

Procurement:

Sealed proposal of qualifications for the construction of a fiber to the premises project, including the supply of necessary labor, miscellaneous materials, and equipment, of a rural telecommunications project as described below.

Project Work Order: WO #10-6

Owner: ORANGEBURG COUNTY

Exchange(s): Canaan

County: ORANGEBURG

State: SOUTH CAROLINA

The Project shall consist of approximately the following miles [kilometer (km)] of fiber to the premises plant (herein the “Plant”):

- Aerial Sheath: 0.00 miles (0.00 km)**
- Buried Sheath: 87.3 Miles (144.00 km)**
- Number of Service Entrances: 325**
- Closures: 65**
- Pedestals: 316**

General Information

Any proposal offers as a result of the Request for Proposal shall be binding for sixty (60) calendar days following the opening date. Any proposal determined to deviate from the provided form and provide material list will be deemed unresponsive and will be rejected.

Upon completion of the RFQ, the Project Engineer will not release a set of Plans, Specifications, and Construction Sheets bearing a serial number to a vendor unless the Project Engineer has ranked the vendor in the top five (5) or less vendors pursuant to RFQ No. FY14-1115 (herein “Pre-Qualified

Vendors"). Questions relating to a vendor's qualifications shall be resolved prior to the invitation for bids or proposals for the project.

Pre-Qualified vendors may obtain the Plans, Specifications, and Construction sheets together with all necessary forms and other documents for the project from the Owner's Project Engineer, W. Metts Engineering Co., Inc., 121 Bridge St., Branchville SC 29432, upon payment of \$250 (per set) for a paper copy. Electronic copies are available at no additional charge. The Plans, Specifications, and Construction sheets may be examined at the offices of the Project Engineer. Each set of Plans, Specifications, and Construction sheets will have a serial number, assigned by the Project Engineer, and the number of each set with the name of the purchaser-recipient will be recorded by the Project Engineer. Bids will be accepted only from the top two (2) to five (5) vendors the Project Engineer selects from the submission to RFQ No. FY14-1115.

No Proposal or bid will be considered from a Pre-Qualified Vendor that does not attend the Pre-Bid Conference, unless the Pre-Qualified Vendor has been notified by the Project Engineer prior to the Pre-Bid Conference that attendance is not required. Notes covering the Pre-Bid Conference will be prepared by the Project Engineer and distributed to all Pre-Qualified Vendors attending the Pre-Bid Conference.

Evaluation Criteria

Request for Qualifications FY14-1115 – Phase 6 Telecommunications Outside Plant Construction Project

If Orangeburg County decides to go forward with the procurement, the award shall be made to the vendor whose request for proposal it determines to be the most advantageous to the County taking into consideration the evaluation factors stated in this section. The following person is hereby designated as the County's designee, the Project Engineer to substitute for the Procurement Director in the evaluation and ranking duties. The factors to be considered in evaluating are as follows, and are listed in order of relative importance: (see note below)

1. Past performance;
2. The ability of professional personnel;
3. Demonstrated ability to meet time and budget requirements;
4. Location;
5. Recent, current, and projected workloads of the firms;
6. Creativity and insight related to the project;
7. Related experience on similar projects and references;
8. Understanding of Plans and Specifications; and
9. Responsiveness to Plans and Specifications.

Note: The method of selection, Request for Proposal, does not require a numerical weighting for each factor. See Code §5-304.7

BIDDER'S QUALIFICATIONS

To be submitted in accordance with the provisions set forth in "Notice and Instructions to Bidders" contained in the bidding documents for the project.

The undersigned Bidder makes the following representations relating to its proposal to _____

for (Business name, address and Rural Utilities Service designation)

1. The Bidder maintains a permanent place of business at

_____, _____, _____

2. The Bidder possesses adequate financial resources as indicated by the following abbreviated statement:

Financial condition at close of business _____ 20 ____

ASSETS:

| | |
|---|----------|
| (a) Cash in bank and on hand _____ | \$ _____ |
| (b) Receivable -- notes, open accounts and interest _____ | _____ |
| (c) Stock and bonds _____ | _____ |
| (d) Real estate, furniture and fixtures, materials _____ | _____ |
| (e) Equipment _____ | _____ |
| (f) Other assets (name) _____ | _____ |
| TOTAL ASSETS | \$ _____ |

LIABILITIES:

| | |
|--|----------|
| (a) Payable--notes, open accounts and interest _____ | \$ _____ |
| (b) Real estate encumbrances _____ | _____ |
| (c) Other encumbrances (name) _____ | _____ |
| (d) Reserves _____ | _____ |
| (e) Capital stock paid up (all classes) _____ | _____ |
| (f) Surplus--net worth _____ | _____ |
| TOTAL LIABILITIES | \$ _____ |

In addition to the foregoing, a complete and detailed financial statement will be furnished if required.

3. The following judgments are outstanding against the Bidder:

| | <i>Judgement Creditors</i> | <i>Where Docketed and Date</i> | <i>Amount</i> |
|-----|----------------------------|--------------------------------|---------------|
| (a) | _____ | - - | \$ _____ |
| (b) | _____ | - - | _____ |
| | TOTAL JUDGMENTS | | _____ |

4. In the event the contract is awarded to the Bidder, a surety bond in a penal sum not less than the maximum Contract price will be furnished by:

(Surety Company)

Date _____ (Signed) _____

Representative of Surety Company

5. The Bidder will make available for use in connection with the proposed construction the following construction plant and equipment:

6. The Bidder has had the following experience on other similar work:

7. If awarded the contract for the construction of the Project, the Bidder will employ the construction superintendents and supervisors listed hereunder for work throughout the course of the construction of the Project.

Attached hereto are signed statements of the qualifications of said superintendents and supervisors, including specific experience in supervision of construction of the type of facilities included in the plans and specifications.

8. The Bidder now has the following bonded jobs under contract:

_____ \$ _____
_____ _____
_____ _____

9. The Bidder possesses Contractor's License No. _____ for the State of _____ in which the Project is located, and said license expires on _____, 20____.

10. The Bidder hereby represents and warrants that all statements set forth herein are true and correct. (If the Bidder is a partnership, the partnership name must be signed, followed by the signature of at least one of the partners. If the bidder is a corporation, the corporate name must be signed, followed by the signature of a duly authorized officer and the corporate seal affixed. A typewritten copy of all such names and signatures shall be appended. No alterations, erasures, corrections or interlineations will be permitted.)

(OFFICIAL SEAL)

Name of Bidder

Date Signature Title

Date Signature Title

BIDDERS QUALIFICATIONS FOR BURIED PLANT CONSTRUCTION

INSTRUCTIONS - To be submitted in accordance with the provisions set forth in "Notice and Instructions to Bidders" contained in the bidding documents for the project.

The undersigned Bidder makes the following representations relative to its proposal to _____

for the construction of Rural Utilities Service Project designated _____

The word "it", used herein by way of reference to the undersigned, shall be deemed to mean "he" if the Bidder is an individual and "they" if the Bidder is a partnership.

1. It maintains a permanent place of business at _____

2. It has completed telephone construction contract(s) for _____ or more RUS Borrower(s). List RUS Borrower(s), if the construction included buried plant of the type contemplated in the project.

NAME OF BORROWER

APPROXIMATE NUMBER OF MILES

| NAME OF BORROWER | APPROXIMATE NUMBER OF MILES |
|------------------|-----------------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

3. if awarded the Construction Contract it will: (Check one)

- Perform all construction with it's own forces.
- Employ the following subcontractor(s) listed below along with a brief explanation of the construction activities the subcontractor(s) will perform such as plowing, trenching, or installation of pedestals, terminals, service wire, telephone instruments, poles, etc:

NAME AND ADDRESS OF SUBCONTRACTOR

CONSTRUCTION ACTIVITY

| NAME AND ADDRESS OF SUBCONTRACTOR | CONSTRUCTION ACTIVITY |
|-----------------------------------|-----------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

4. Buried plant construction experience of the Bidder and its subcontractors listed above includes the following:

| COMPANY FOR WHICH WORK WAS DONE | LOCATION OF WORK | APPROX. MILEAGE | OFFICIAL CONFIRMATION OF WORK DONE | |
|---------------------------------|------------------|-----------------|------------------------------------|----------|
| | | | NAME AND ADDRESS OF OFFICIAL | TEL. NO- |
| | | | | () - |
| | | | | () - |
| | | | | () - |
| | | | | () - |
| | | | | () - |

5. The plow proposed to be used on the Project to perform the buried plant construction is described in the following information about the design and capabilities of the plow and the work the Bidder or subcontractor has done with the plow.

6. It will make available the following other equipment for use in plowing, trenching and other operations related to buried plant.

7. It either owns the plow, and other equipment described in Item 6, or has arranged for equipment as follows: *(List equipment and whether to be bought or leased.)*

8. If awarded the Construction Contract the name of the construction superintendent it will place in overall charge of the proposed construction is _____

Attached hereto is a signed statement of his experience in telephone construction and in supervision of construction of the type proposed.

The names of foremen and other key personnel and brief summaries of their experience in the particular operation such as plowing in which each one will be in charge, are as follows:

9. Listed below are the names of other RUS Borrowers and their Engineers which have found the qualifications of the Bidder satisfactory for bidding buried plant construction.

OWNER

ENGINEER

10. It now has the following bonded jobs under contract:

_____ \$ _____

11. It possesses contractor's license no _____ for the State of _____ in which the Project is located, and said license expires on _____, 20 _____

12. It hereby represents and warrants that all statements set forth herein are true and correct.
(If the Bidder is a partnership, the partnership must be signed, followed by the signature of at least one of the partners. If the Bidder is a corporation, the corporate name must be signed, followed by the signature of a duly authorized officer. A typewritten copy of all such names and signatures shall be appended. No alterations, erasures, corrections or interlineations will be permitted.)

NAME OF BIDDER

DATE

SIGNATURE

TITLE

DATE

SIGNATURE

TITLE

Addendum Acknowledgement

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Vendor acknowledges receipt of the follow Addendum to the above-described procurement, agrees that same is/are hereby incorporated and made a part of the above-described procurement as if the Addendum had been included in the original procurement documents:

| Addendum No. | Addendum Date | Initials of Vendor's Authorized Agent |
|--------------|---------------|---------------------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Printed Vendor Name

Signature of Vendor's Authorized Agent

Printed Name of Vendor's Authorized Agent

Title with Vendor of Vendor's Authorized Agent

Certification of No Exceptions

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The Code requires vendors to give written notice with a submission if vendor will not accept a term of the Request for Proposal and the incorporated Code as a contract term. See Code §5-304-302. In connection with that requirement, a vendor must complete this certification and include it in its submission.

Vendor certifies the following regarding its bid:

1. Vendor AGREES to all of the terms of the Invitation to Bid (including the incorporated Code terms) and takes NO EXCEPTIONS: Yes No

2. Vendor does NOT AGREE to all of the terms of the Invitation to Bid (including the incorporated Code terms), and a COMPLETE LIST OF VENDOR'S EXCEPTIONS to same are listed and described below:

Yes No

| Identification Of Excepted Term | Description of vendor's substituted term | Vendor's Initials |
|---------------------------------------|--|----------------------|
|---------------------------------------|--|----------------------|

Exception 1:

Exception 2:

Exception 3:

Exception 4:

The undersigned vendor hereby certifies that the above-listed exceptions comprise the only exceptions vendor has to the Request for Proposal (including the incorporated Code terms). The undersigned vendor understands and agrees that if it is the successful vendor, its attempt to claim any exceptions other than those listed above, shall result in the County having the right to claim the bid security bond, retract the intent to award or award, award to another vendor, and suspend and/or debar the vendor.

Printed Vendor Name

Signature of Vendor's Authorized Agent

Printed Name of Vendor's Authorized Agent

Title with Vendor of Vendor's Authorized Agent

Certification of Preference(s)

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(The Code authorizes specific preferences. See Article 3. If a vendor is qualified for one or more preferences and desires to exercise the preference(s), then the vendor must complete and submit this form with its proposal. If a vendor is either (1) not qualified for any preference OR (2) is qualified, but does not desire to exercise any preference, then the vendor does not need to complete or submit this form with its proposal.

Vendor is qualified for and desires to exercise the following preference(s) as vendor has marked, below:

| | | |
|--|------------------------------|-----------------------------|
| Preference 1. Vendor is a resident of the State of South Carolina: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Preference 2. Vendor is a resident of Orangeburg County, SC: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Preference 3. Vendor is an MBE: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

The undersigned vendor hereby certifies that vendor is qualified for the preference(s) above to which the vendor has indicated "Yes". In addition, the undersigned vendor understands and agrees that if it is not qualified for a preference, but claims to be qualified for a preference on this form, the County shall have the right to suspend and/or debar the vendor in accordance with the Code.

Printed Vendor Name

Signature of Vendor's Authorized Agent

Printed Name of Vendor's Authorized Agent

Title with Vendor of Vendor's Authorized Agent

Code and Articles Acknowledgement

RFQ No. FY14-1115 Phase 6 Telecommunications Outside Plant Construction Project

Incorporation by Reference.

The following articles of the Code are incorporated by reference as if set forth verbatim in this RFP (“Incorporated Code Provisions”):

- Articles 1, including §§1-302.3.a. and 1-303.2.a.
- Article 2.
- Article 3; however, modified to Project engineer as designee for Procurement Director regarding evaluation of proposals, recommendations, and award for this RFQ
- Article 4 Part A
- Article 5 §§5-101 and 5-304
- Article 7

By submitting a proposal, the vendor agrees that the Incorporated Code Provisions govern this procurement from solicitation through completion of the full execution of the resulting contract.

ACCESS TO CODE. On November 16, 2009, Orangeburg County Council, the governing body of Orangeburg County, repealed all aspects of its procurement policy and enacted the Orangeburg County Procurement Code (the “Code”). The Code may be accessed online without charge at <http://www.orangeburgcounty.org/Purchasing/code.html> In addition, a copy of the Code is available for review without charge at the Office of the Procurement Director. If neither of those options meets your needs, a hard-copy of the Code is also available for purchase at the Office of the Procurement Director.

http://www.orangeburgcounty.org/_____.or

Method of Source Selection.

The undersigned vendor understands and agrees to be bound to the Incorporated Code Provisions in all matters arising from the RFQ identified above.

Printed Vendor Name

Signature of Vendor’s Authorized Agent

Printed Name of Vendor’s Authorized Agent

Title with Vendor of Vendor’s Authorized Agent