

REQUEST FOR QUALIFICATIONS (RFQ)

Mississippi Public Service Commission

Docket No. 2020-AD-129

The Mississippi Public Service Commission (“Commission”) seeks to select a highly-qualified, capable firm to assist the Commission in its investigation of sinkholes occurring in the Hidden Hills subdivision located in Rankin County, Mississippi, in furtherance of the Commission’s *Order* filed in Docket No. 2020-AD-129 on September 22, 2020. To some of the participants in the above-referenced docket, the Commission’s role is limited to facilitator. For that reason, the Commission will be evaluating and selecting the best suited candidate for the project outlined below. *The contract ultimately awarded to the selected Engineer, however, will be entered into between some or all of the participants in this docket and the selected Engineer. The Commission and/or the State of Mississippi will not be a party to the contract.*

Project Description

The Commission invites response to this RFQ from qualified firms interested in providing forensic civil engineering services related to the project described in detail below.¹

Project Name: Hidden Hills Sinkhole Assessment Project

Project Location: Hidden Hills Subdivision in Rankin County, Mississippi

County: County of Rankin

Response Deadline: **Friday, October 30, 2020, until 2:00 p.m., CDT²**

No. of required paper copies (stapled, not bound) 3

No. of required electronic copies (PDF) 0

Mail or hand-deliver three (3) paper copies of your Statement of Qualifications directly to Stephanie Taylor, Esq., Senior Attorney, Mississippi Public Service Commission at 501 N. West St., Suite 201-A, Jackson, Mississippi 39201 or P.O. Box 1174, Jackson, Mississippi 39215-1174. See Section E of this RFQ for additional submittal instructions.

¹ Firms who participate in this RFQ are sometimes referred to herein as “Respondents”.

² A response to this RFQ received after this deadline will not be considered, absent an extension of time granted by the Commission.

This RFQ will be published on the Commission's website at www.psc.ms.gov. An RFQ may also be obtained by written request to:

Mississippi Public Service Commission
Attn: Katherine Collier, Executive Secretary
501 N. West St., Suite 201-A
Jackson, MS 39201

-or-

P. O. Box 1174
Jackson, MS 39215-1174

Any questions regarding this RFQ must be submitted in writing to Stephanie Taylor, Esq., at stephanie.taylor@psc.ms.gov with the project name included in the subject line (no phone calls please). All inquiries for information must be submitted to the Commission on or before **Friday, October 23, 2020, no later than 3:00 p.m., CDT.**

In order to prevent an applicant from obtaining a competitive advantage because of acquisition of information unknown to other applicants, answers to all written questions that are submitted in a timely manner and are relevant to this RFQ will be posted on the Commission website, www.psc.ms.gov, under Docket No. 2020-AD-129, by Wednesday, October 28, 2020, no later than 4:00 p.m., CDT. Any non-written representations, explanations, or instructions given by Commission staff are not binding and do not form a part of, or alter in any way, this RFQ or the awarding of the contract.

Please note that to ensure proper and fair evaluation of each response, the Commission prohibits *ex parte* communication (e.g., unsolicited) initiated by the Respondent to the Commission or Commission staff to make inquiries about the progress of this selection process. Respondents will be contacted when it is appropriate to do so.

Project Overview

A. Project Background

In June of 2020, a homeowner, located in the Hidden Hills subdivision at 708 N Haven Place, Brandon, Mississippi, contacted the Commission to report a large sinkhole on her property line above the underground drainage piping system. Multiple underground utilities, including Commission-regulated utilities, are located

within or immediately adjacent to the sinkhole at 708 N Haven Place. Since that time, the Commission has been made aware of several other sinkholes in this subdivision which have caused damage to or threaten utility facilities which are proximately located. If continued unchecked, these sinkholes may result in service disruptions to customers in this area. Under *Miss. Code Ann. § 77-3-2*, the Commission is charged with regulating public utilities in a manner which, “promote[s] adequate, reliable, and economical service to all citizens and residents of the state.” In furtherance thereof, the Commission opened Docket No. 2020-AD-129 to investigate the cause(s) of the sinkholes in the Hidden Hills subdivision and to ascertain immediate repair options or other remedial measures which are required in order to avoid utility service interruption to the residents in this area.

B. Scope of Work (SOW)

The selected Civil Forensic Engineer (“Engineer”) must have the professional qualifications and experience to accomplish the SOW set forth below, and such other incidental work as may be determined necessary and appropriate to facilitate resolution in Docket No. 2020-AD-129. The Engineer’s duties will include, but not be limited to, the following:

1. There are multiple sinkholes of various levels of severity located throughout the Hidden Hills neighborhood that must be evaluated and this SOW shall include evaluation of all such sinkholes. A Hidden Hills Board member created a map with color-coded locations. This SOW shall include, but not be limited to, all sinkholes noted on that map (marked and attached hereto as “Exhibit A”). Also, the selected Engineer shall evaluate all other sinkholes and potential sinkholes (any sign of soil subsidence) located in the subdivision easements, regardless of apparent cause. At each sinkhole location, the selected Engineer shall delineate the ownership, extent, and boundaries of public and private right-of-ways (ROW) and additional easements (e.g., utility, drainage) along and between each lot and in other areas where storm water drainage infrastructure is located.
2. The selected Engineer shall make a visual inspection of all such sinkholes, either by direct above-ground and/or below-ground observation or through the use of other technology, such as, but not limited to, fiber-optic camera and closed-circuit television. Where no direct access is available to origination of sinkhole, the selected Engineer shall contact Mississippi 811 for utility location and then hand-dig in this area (with written permission from landowner) to evaluate the source of the apparent sinkhole.
3. For each subject location throughout the neighborhood, the selected Engineer shall electronically create a map(s) to identify and record the

location of each sinkhole or potential sinkhole, including GPS coordinates, accurate to at least 5 decimal places. For each location:

- The selected Engineer shall note all underground and aboveground issues or items discovered, including utilities, drainage infrastructure, decomposing vegetation, soil loss, evidence of improper soil compaction, etc., including the depths discovered;
 - The selected Engineer shall note composition and condition of subject material, such as expansive clay, drainage pipe material(s) and construction methods, along with dimensions, depth from surface, etc.; and
 - The selected Engineer shall provide photographs of his/her work.
4. For each of the locations identified in #3 above, the selected Engineer shall:
- Provide a scope and assessment of the damage(s), if any;
 - If possible, identify the causation and/or contributing factors to the damage(s);
 - Suggest corrective action for a permanent resolution of the problem area, including any alternatives as applicable.
5. The selected Engineer shall provide a project update to the Commission no more than thirty (30) days after acceptance of SOW. The selected Engineer shall provide a sealed report with supporting documentation to the Commission no more than sixty (60) days after acceptance of SOW.

C. Anticipated Schedule

- Commission Selection Date: Friday, Nov. 20, 2020 by 5 p.m., CDT
- Anticipated Start Date: Monday, December 7, 2020
- Date Professional Services are expected to be completed:

The investigation, assessment, and report must be completed to the satisfaction of the Commission no later than Friday, February 5, 2021.

D. Evaluation Criterion for Selection

The Commission and its staff shall consider and evaluate each Response based on the following criterion:

- Previous experience (*e.g.*, number and size of projects);
- Ability to manage project assignment with current workload;
- Past experience compatible with the proposed project (*e.g.*, client type, size and scale, type of development);
- Past performance reviews;
- Qualifications and experience of individual(s) to be directly involved with the project;
- Proximity to the project site;
- Apparent resources and capacity to meet the needs of this project; and
- Skills in written and oral communication.

The Commission and its staff will evaluate all submissions to determine which Respondent has the experience and qualifications most suited to this project. The Commission may request personal interviews with the highest-scoring Respondents or may request one or more Respondents submit detailed proposals, which may include the following:

- A timeline of when each task will be completed;
- Methods Respondent proposes to use to manage the project and communicate with the Commission as the project progresses;
- Resumes of key personnel to be assigned to the project;
- Pricing; and
- Data which will be provided to the Commission during and upon completion of the project.

Under no circumstances, however, will any private meeting be scheduled between any Respondent and the Commission prior to the submittal deadline.

E. Submittal Instructions

To enable the Commission to efficiently evaluate all responses to this RFQ, it is important that the Respondents follow the required format in preparing their response. Responses that do not conform to the prescribed format may not be evaluated.

The Statement of Qualifications may be either mailed or hand-delivered to the Commission. Paper copies of the Statement of Qualifications should be stapled only. Do not use special binding or coverings of any type. Submissions shall include a cover page that clearly states the name, address, and telephone number of the Respondent. If available, please include, on the cover page, the name, telephone number, and email address of the point person who may be contacted directly regarding the submission. Pages shall be no larger than letter size (8 ½" x 11").

Electronic submittals may be submitted in addition to the paper copies, not in lieu of paper copies. Electronic submissions should be emailed to Stephanie A. Taylor, Esq., Senior Attorney for the Mississippi Public Service Commission, at stephanie.taylor@psc.ms.gov in PDF file format. The PDF should be labeled with the Project Name, Docket Number listed on the RFQ, and your firm's name. Please include the Project Name and Docket Number in the subject line of your email.

Respondents should provide three (3) identical copies of the Statement of Qualifications. The Statement should include the following:

- A description (up to two (2) pages) of Respondent's approach to the project;
- A response to each of the criteria listed in Section D, above;
- Disclosure of any civil or criminal litigation or investigation pending which involves Respondent or in which Respondent has been judged guilty;
- Disclosure of any vendor, affiliation, or business relationship Respondent has that might cause a conflict of interest;³ and
- Any additional information that will aid in evaluation of the response.

In addition, Respondents may submit other material which demonstrates the Respondent's expertise and capability.

F. Legal Considerations for Respondents

By submitting a response, the Respondent represents and warrants to the Commission that all information provided in the response is true, correct, and complete. Any Respondent who provides false, misleading, or incomplete information, whether intentional or not, in any documents presented to the Commission for consideration in the selection process may be excluded from consideration.

Submission of a response indicates acceptance of the conditions contained in this RFQ, unless clearly and specifically noted in the response and then confirmed in the contract with the selected Engineer.

All documents, papers, and other things provided by the Respondent to the Commission in response to this RFQ shall become the property of the Commission and will not be returned to the Respondent. In accordance with *Miss. Code Ann.* § 25-61-5, submissions in response to this RFQ are subject to release as public information

³ Any attempt to intentionally or unintentionally conceal or obfuscate a conflict of interest may automatically result in the disqualification of Respondent's submission. To be eligible, Respondents must be neutral, impartial, and without any conflicts of interest related to Docket No. 2020-AD-129.

unless the response or specific parts of the response can be shown to contain trade secrets, confidential commercial or financial information, or information otherwise protected from disclosure under applicable Mississippi law.⁴ If a Respondent believes its submission or part of its submission is confidential, then the Respondent shall so specify. The Respondent shall stamp in bold red letter the term "CONFIDENTIAL" on that part of its submission which the Respondent believes to be confidential. Vague or general claims as to confidentiality shall not be accepted. All responses, or parts of a response, to this RFQ which are not marked as confidential will be automatically considered public information after the contract is awarded.

Respondents shall not offer any gratuities, favors, or anything of pecuniary value to any Commissioner or any Commission staff member for the purpose of influencing this selection. Any attempt by a Respondent to influence the selection process by any means other than disclosure of qualifications and credentials through the proper channels, will be grounds for exclusion from the selection process. Accordingly, contacts with the Commission and/or Commission staff which are outside of the established process should not be initiated by the Respondent.

The contents of the response submitted by the selected Engineer and this RFQ will become part of the contract award. The response and this RFQ shall be incorporated by reference into the contract as though fully set forth therein.

Under no circumstances shall a Respondent whose submittal is not accepted be entitled to any claim for compensation. The Commission shall not be responsible for the costs incurred by anyone in the submittal of a response to this RFQ.

G. Legal Considerations for Selected Engineer

The selected Engineer shall comply with all federal, state, and local laws, regulations, and mandates relative to the services to be provided under this RFQ.

The selected Engineer shall have the appropriate liability insurance written by an insurer authorized to transact insurance in the State of Mississippi.

The selected Engineer shall indemnify, defend, and hold harmless the Commission, its staff, agents, servants, and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses or fees, including attorney's fees, incident to any work done as a result of this RFQ; provided, however, that the selected Engineer shall not be liable for any suits, actions, legal proceedings, claims, demands, damages, costs, expenses, and fees, including attorney's fees,

⁴ See *Miss. Code Ann.* §§ 25-61-9 and -11.

arising out of a willful or negligent act or omission of the Commission, its staff, employees, or third parties.

H. Reservation of Rights

The Commission reserves the right to extend any deadline set forth herein, specifically those deadlines set forth in Section C, above.

The Commission reserves the right to amend and/or expand the SOW, delineated in Section B, above, if necessary to accomplish the objectives of the investigation opened by Commission's *Order* dated September 22, 2020 and filed in Docket 2020-AD-129.

The Commission, with the aid and assistance of its staff, reserves the right to evaluate all responses to this RFQ, to waive any irregularities therein, to request the submission of more detailed or alternate proposals from certain Respondents, to accept any submission or portion of a submission, and/or to reject any or all Respondents if such is in the best interest of the public.

If deemed necessary, the Commission reserves the right to cancel the RFQ process in its entirety.

I. Conclusion

Absent the granting of an extension by the Commission, all Statements of Qualifications must be received by the Commission **no later than 2:00 p.m., CDT on Friday, October 30, 2020**, at the following address:

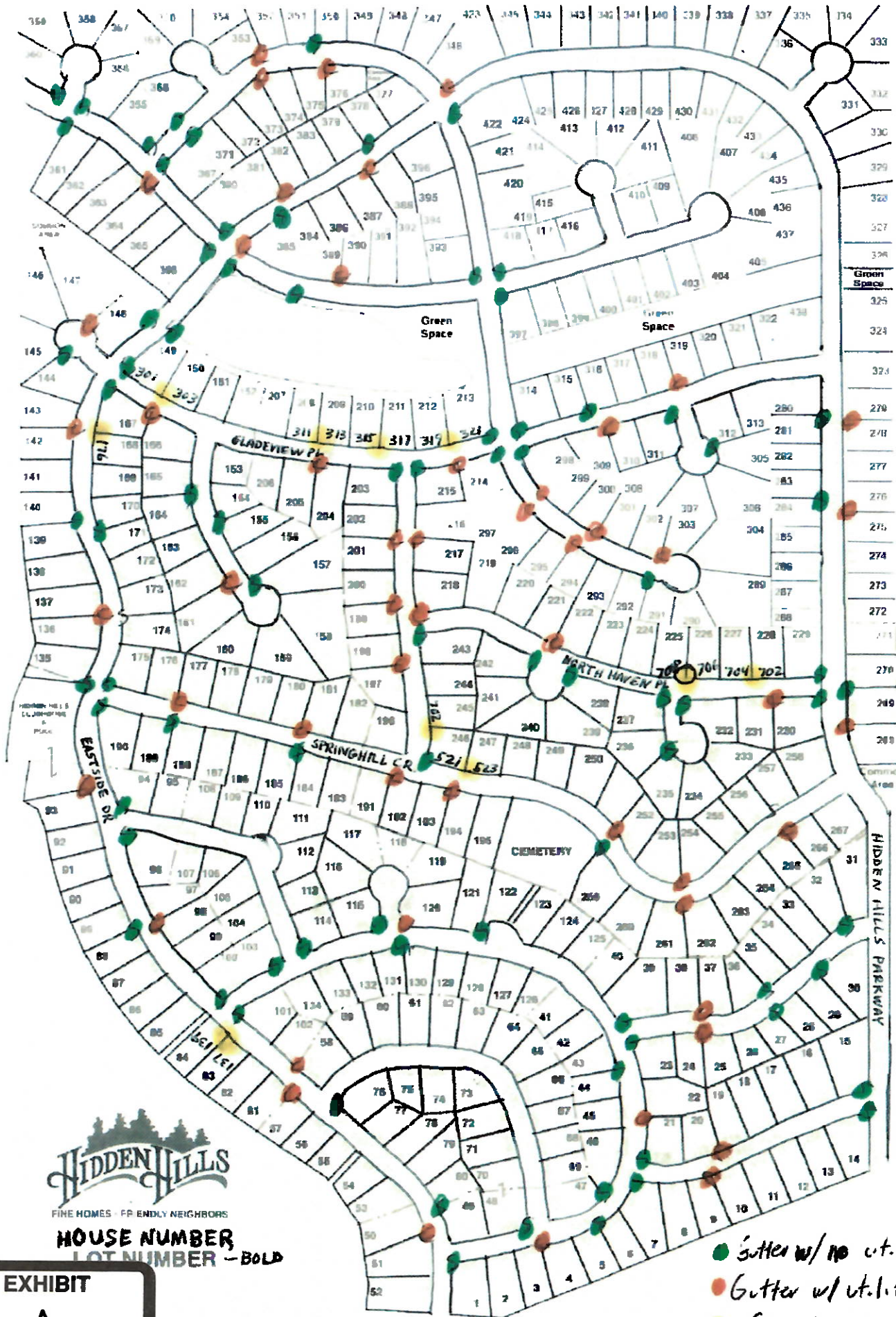
Mississippi Public Service Commission
Attn: Stephanie A. Taylor, Esq.
501 N. West St., Suite 201-A
Jackson, MS 39201

-or-

P. O. Box 1174
Jackson, MS 39215-1174

ISSUED this the 8th day of October, 2020.


BRENT BAILEY
Commissioner and Appointed Hearing Examiner



HOUSE NUMBER
LOT NUMBER - BOLD

- Gutter w/ no ut. lines
- Gutter w/ ut. lines
- Sinkhole

tabbies®

EXHIBIT

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