

Nebraska (Department of Natural Resources) REQUEST FOR PROPOSAL FOR CONTRACTUAL SERVICES FORM

RETURN TO:
Department of Natural Resources
245 Fallbrook, Suite 201
Lincoln, Nebraska 68521
Phone: 402-471-2363
Fax: 402-471-2900

SOLICITATION NUMBER	RELEASE DATE
RFP NDNR 22-2	October 27, 2022
OPENING DATE AND TIME	PROCUREMENT CONTACT
December 8, 2022, 1:00 p.m. Central Time	Jesse Bradley

This form is part of the specification package and must be signed and returned, along with proposal documents, by the opening date and time specified.

PLEASE READ CAREFULLY!

SCOPE OF SERVICE

The Nebraska Department of Natural Resources, is issuing this Request for Proposal, RFP Number 22-2 for the purpose of selecting a qualified contractor to provide engineering design services for the Perkins County Canal Project (Project).

Written questions are due no later than November 10, 2022, and should be submitted via e-mail to jesse.bradley@nebraska.gov. Written questions may also be sent by facsimile to (402) 471-2900.

Bidder should submit one (1) original and five (5) copies of the entire proposal. In the event of any inconsistencies among the proposals, the language contained in the original proposal shall govern. Proposals must be submitted by the proposal due date and time.

PROPOSALS MUST MEET THE REQUIREMENTS OUTLINED IN THIS REQUEST FOR PROPOSAL TO BE CONSIDERED VALID. PROPOSALS WILL BE REJECTED IF NOT IN COMPLIANCE WITH THESE REQUIREMENTS.

1. Sealed proposals must be received in State Department of Natural Resources by the date and time of proposal opening indicated above. No late proposals will be accepted. No electronic, e-mail, fax, voice, or telephone proposals will be accepted.
2. This form "REQUEST FOR PROPOSAL FOR CONTRACTUAL SERVICES" MUST be manually signed, in ink, and returned by the proposal opening date and time along with bidder's proposal and any other requirements as specified in the Request for Proposal to be considered for an award.
3. It is the responsibility of the bidder to check the website for all information relevant to this solicitation to include addenda and/or amendments issued prior to the opening date. Website address is as follows:
<https://dnr.nebraska.gov/perkins-county-canal>
4. It is understood by the parties that in the State of Nebraska's opinion, any limitation on the contractor's liability is unconstitutional under the Nebraska State Constitution, Article XIII, Section 3, and that any limitation of liability shall not be binding on the State of Nebraska despite inclusion of such language in documents supplied with the contractor's bid or in the final contract.

BIDDER MUST COMPLETE THE FOLLOWING

By signing this Request For Proposal For Contractual Services form, the bidder guarantees compliance with the provisions stated in this Request for Proposal, agrees to the terms and conditions (see Section II) and certifies bidder maintains a drug free work place environment.

FIRM: _____

COMPLETE ADDRESS: _____

TELEPHONE NUMBER: _____ FAX NUMBER: _____

SIGNATURE: _____ DATE: _____

TYPED NAME & TITLE OF SIGNER: _____

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I. SCOPE OF THE REQUEST FOR PROPOSAL

The State of Nebraska, Department of Natural Resources (hereafter known as NDNR), is issuing this Request for Proposal, RFP NDNR 22-2 for the purpose of selecting a qualified contractor to provide engineering design services for the Perkins County Canal Project (Project). The Project will include (but may not be limited to) the following general elements:

- Provide project management and coordination and facilitate documentation requirements
- Provide survey data to supplement existing survey information for project area
- Prepare a quality control plan (QCP) and implement quality assurance (QA) program
- Prepare design plans and construction specifications (10% - conceptual design, 30% design, 60% design, and 90% design)
- Perform environmental assessment evaluations
- Prepare and secure project permits
- Provide bidding services, including pre-bid conferencing, answering bidder questions, review of bid tabulations, and providing recommendation of bid award

The Department will review the project at key milestones (10% - conceptual design, 30% design, and 60% design) and reserves the right to terminate the project at any phase.

Consultants are to use the information contained in this Request for Proposal when preparing their proposal for the Project. Consultants are strongly encouraged to visit the project area and review materials hosted by NDNR on their website.

A contract resulting from this Request for Proposal will be issued for a period effective from date of contract award through December 31, 2026, with the option to renew for two (2) additional six (6) month periods as mutually agreed upon by all parties.

A. REJECTION OF PROPOSALS

The State reserves the right to reject any or all proposals, wholly or in part, or to award to multiple bidders in whole or in part. The State reserves the right to waive any deviations or errors that are not material, do not invalidate the legitimacy of the proposal and do not improve the bidder's competitive position. All awards will be made in a manner deemed in the best interest of the State.

ALL INFORMATION PERTINENT TO THIS REQUEST FOR PROPOSAL CAN BE FOUND ON THE INTERNET AT: <https://dnr.nebraska.gov/perkins-county-canal>

B. SCHEDULE OF EVENTS

The State expects to adhere to the tentative procurement schedule shown below. It should be noted, however, that some dates are approximate and subject to change.

	ACTIVITY	DATE/TIME
1.	Release Request for Proposal	October 27, 2022
2.	Last Day to Submit Written Questions	November 10, 2022
3.	State responds to written questions through Request for Proposal "Addendum" and/or "Amendment" to be posted to the Internet at: https://dnr.nebraska.gov/perkins-county-canal	November 17, 2022
4.	Proposal opening Location (closed): Nebraska Department of Natural Resources 245 Fallbrook Suite 201 Lincoln, NE 68521	December 8, 2022 1:00 PM Central Time
5.	Review for conformance of mandatory requirements	December 8, 2022
6.	Evaluation period	December 9 - 23, 2022
7.	"Oral Interviews/Presentations and/or Demonstrations"	TBD
8.	Post "Letter of Intent to Contract" to Internet at: https://dnr.nebraska.gov/perkins-county-canal	January 20, 2022
9.	Contract award	February 9, 2022
10.	Contractor start date	February 10, 2023

C. GENERAL INFORMATION

The Request for Proposal is designed to solicit proposals from qualified vendors who will be responsible for providing engineering design services for the Perkins County Canal Project (Project). Proposals that do not conform to the mandatory items as indicated in the Request for Proposal will not be considered. Proposals shall conform to all instructions, conditions, and requirements included in the Request for Proposal. Prospective bidders are expected to carefully examine all documentation, schedules and requirements stipulated in this Request for Proposal, and respond to each requirement in the format prescribed. In addition to the provisions of this Request for Proposal and the awarded proposal, which shall be incorporated by reference in the contract, any additional clauses or provisions required by the terms and conditions will be included as an amendment to the contract.

D. COMMUNICATION WITH STATE STAFF

From the date the Request for Proposal is issued until a determination is announced regarding the selection of the contractor, contact regarding this project between potential contractors and individuals employed by the State is restricted to only written communication with the staff designated above as the point of contact for this Request for Proposal. Once a contractor is preliminarily selected, as documented in the intent to contract, that contractor is restricted from communicating with State staff until a contract is signed. Violation of this condition may be considered sufficient cause to reject a contractor's proposal and/or selection irrespective of any other condition.

The following exceptions to these restrictions are permitted:

1. Written communication with the person(s) designated as the point(s) of contact for this Request for Proposal or procurement,
2. Contacts made pursuant to any pre-existing contracts or obligations, and
3. State-requested presentations, key personnel interviews, clarification sessions or discussions to finalize a contract.

Violations of these conditions may be considered sufficient cause to reject a bidder's proposal and/or selection irrespective of any other condition. No individual member of the State, employee of the State, or member of the Evaluation Committee is empowered to make binding statements regarding this Request for Proposal. The buyer will issue any clarifications or opinions regarding this Request for Proposal in writing.

E. WRITTEN QUESTIONS AND ANSWERS

Any explanation desired by a bidder regarding the meaning or interpretation of any Request for Proposal provision must be submitted in writing to the Department of Natural Resources and clearly marked "RFP NDNR 22-2; Perkins County Canal Questions." It is preferred that questions be sent via e-mail to jesse.bradley@nebraska.gov.

Written answers will be provided through an addendum to be posted on the Internet at <https://dnr.nebraska.gov/perkins-county-canal> on or before the date shown in the Schedule of Events.

F. ORAL INTERVIEWS/PRESENTATIONS AND/OR DEMONSTRATIONS

Oral interviews/presentations may be required to determine the successful bidder. All bidders may not have an opportunity to interview/present; the State reserves the right to select only the top scoring bidders to present/give oral interviews in its sole discretion. The scores from the oral interviews/presentations and/or demonstrations will be added to the scores from the Technical Proposals. The presentation process will allow the bidders to demonstrate their proposal offering, explaining and/or clarifying any unusual or significant elements related to their proposals. Bidders' key personnel may be requested to participate in a structured interview to determine their understanding of the requirements of this proposal, their authority and reporting relationships within their firm, and their management style and philosophy. Bidders shall not be allowed to alter or amend their proposals. Only representatives of the State and the presenting bidders will be permitted to attend the oral interviews/presentations and/or demonstrations.

Once the oral interviews/presentations and/or demonstrations have been completed the State reserves the right to make a contract award without any further discussion with the bidders regarding the proposals received.

Detailed notes of oral interviews/presentations and/or demonstrations may be recorded and supplemental information (such as briefing charts, et cetera) may be accepted; however, such supplemental information shall not be considered an amendment to a bidders' proposal. Additional written information gathered in this manner shall not constitute replacement of proposal contents.

Any cost incidental to the oral interviews/presentations and/or demonstrations shall be borne entirely by the bidder and will not be compensated by the State.

G. SUBMISSION OF PROPOSALS

The following describes the requirements related to proposal submission, proposal handling and review by the State.

To facilitate the proposal evaluation process, one (1) original, clearly identified as such, and five (5) copies of the entire proposal should be submitted. The copy marked "original" shall take precedence over any other copies, should there be a discrepancy. Proposals must be submitted by the proposal due date and time. A separate sheet must be provided that clearly states which sections have been submitted as proprietary or have copyrighted materials. All proprietary information the bidder wishes the State to withhold must be clearly identified in the proposal. Proposal responses should include the completed Form A, Bidder Contact Sheet. Proposals must reference the request for proposal number and be sent to the specified address. Container(s) utilized for original documents should be clearly marked "ORIGINAL DOCUMENTS". If a recipient phone number is required for delivery purposes, 402-471-2363 should be used. The request for proposal number must be included in all correspondence. Emphasis should be concentrated on conformance to the Request for Proposal, responsiveness to requirements, completeness, and clarity of content. If the bidder's proposal is presented in such a fashion that makes evaluation difficult or overly time consuming, it is likely that points will be lost in the evaluation process. Elaborate and lengthy proposals are neither necessary nor desired. The Technical Proposal should be presented in separate sections on standard 8 ½" x 11" paper, except that charts, diagrams and the like may be on fold-outs which, when folded, fit into the 8 ½" by 11" format. Pages may be consecutively numbered for the entire proposal or may be numbered consecutively within sections. Figures and tables must be numbered consecutively within sections. Figures and tables must be numbered and referenced in the text by that number. They should be placed as close as possible to the referencing text.

A cost proposal **should not** be submitted with the Proposal. The firm selected as most qualified will negotiate with NDNR to establish a fair and equitable contract. If an agreement cannot be reached, the second most qualified firm will be invited to negotiate with NDNR, and so on, until an agreement is reached.

H. LATE PROPOSALS

Proposals received after the time and date of the proposal opening will be considered late proposals. Rejected late proposals will be returned to the bidder unopened, if requested, at bidder's expense. The State is not responsible for proposals that are late or lost due to mail service inadequacies, traffic, or any other reason(s).

I. EVALUATION OF PROPOSALS

All responses to this Request for Proposal which fulfill all mandatory requirements will be evaluated. Each category will have a maximum possible point potential. The State will conduct a fair, impartial and comprehensive evaluation of all proposals in accordance with the criteria set forth below. Areas that will be addressed and scored during the evaluation include:

1. Proposed approach to the scope of work for meeting the needs of the project and deliverable timeframes,
2. Expertise and technical understanding of current design standards and cost-estimation techniques,
3. Demonstrated understanding of Platte River Basin water uses, return flows, and water supply interconnections,
4. Demonstrated expertise and technical understanding of similar Projects,
5. Project team experience in conducting such evaluations,
6. The ability, capacity, and skill of the bidder to deliver and implement the system or project that meets the requirements of the Request for Proposal,
7. The character, integrity, reputation, judgment, experience, and efficiency of the bidder, and
8. The ability of the bidder to perform the contract within the specified time frame.

Evaluation criteria and a list of respondents will be posted to the Department's website at <https://dnr.nebraska.gov/perkins-county-canal>.

J. EVALUATION COMMITTEE

Proposals will be independently evaluated by members of the Evaluation Committee(s). The committee(s) will consist of staff with the appropriate expertise to conduct such proposal evaluations. Names of the members of the Evaluation Committee(s) will not become public information.

Prior to award, bidders are advised that only the point of contact indicated on the front cover of this Request For Proposal For Contractual Services Form can clarify issues or render any opinion regarding this Request for Proposal. No individual member of the State, employee of the State or member of the Evaluation Committee(s) is empowered to make binding statements regarding this Request for Proposal.

K. MANDATORY REQUIREMENTS

The proposals will first be examined to determine if all mandatory requirements listed below have been addressed to warrant further evaluation. Proposals not meeting mandatory requirements will be excluded from further evaluation. The mandatory requirement items are as follows:

1. Signed in ink Request For Proposal For Contractual Services form,
2. Executive Summary,
3. Corporate Overview, and
4. Technical Approach.

L. REFERENCE CHECKS

The State reserves the right to check any reference(s), regardless of the source of the reference information, including but not limited to, those that are identified by the company in the proposal, those indicated through the explicitly specified contacts, those that are identified during the review of the proposal, or those that result from communication with other entities involved with similar projects.

Information to be requested and evaluated from references may include, but is not limited to, some or all the following: project description and background, job performed, functional and technical abilities, communication skills and timeliness, cost and schedule estimates and accuracy, problems (poor quality deliverables, contract disputes, work stoppages, et cetera), overall performance, and whether the reference would rehire the firm or individual. Only top scoring bidders may receive reference checks and negative references may eliminate bidders from consideration for award.

M. SECRETARY OF STATE/TAX COMMISSIONER REGISTRATION REQUIREMENTS

All bidders are expected to comply with any statutory registration requirements. It is the responsibility of the bidder who is the recipient of an Intent to Award to comply with any statutory registration requirements pertaining to types of business entities (e.g. a foreign or Nebraska corporation, non-resident contractor, limited partnership, or other type of business entity). The bidder who is the recipient of Intent to Award will be required to certify that it has so complied and produce a true and exact copy of its registration certificate, or, in the case registration is not required, to provide the reason as to why none is required. This must be accomplished prior to the award of contract.

N. VIOLATION OF TERMS AND CONDITIONS

Violation of the terms and conditions contained in this Request for Proposal or any resultant contract, at any time before or after the award, shall be grounds for action by the State which may include, but is not limited to, the following:

1. Rejection of a bidder's proposal, and
2. Suspension of the bidder from further bidding with the State for the period of time relative to the seriousness of the violation, such period to be within the sole discretion of the State.

II. TERMS AND CONDITIONS

By signing the “Request For Proposal For Contractual Services” form, the bidder recognizes the requirements to comply with the provisions stated in this Request for Proposal, agrees to the terms and conditions and certifies bidder maintains a drug free work place environment.

Prior to entering into contract with the State, the award-winning Bidder(s) are expected to closely read the contractual Terms and Conditions and provide a binding signature of intent to comply with the Terms and Conditions; provided, however, a bidder may indicate any exceptions to the Terms and Conditions by (1) clearly identifying the term or condition by subsection, (2) including an explanation for the bidder’s inability to comply with such term or condition which includes a statement recommending terms and conditions the bidder would find acceptable.

III. PROJECT DESCRIPTION AND SCOPE OF WORK

A. Project Overview

Project Title: Perkins County Canal Project

The Nebraska Legislature adopted LB1015 during the 2022 legislative session finding that it is essential to the economic prosperity, health, and welfare of the people of the State of Nebraska, and to the environmental health of the entire Platte River Basin, to protect Nebraska's full entitlement to the flows of the South Platte River as provided for in the South Platte River Compact. The South Platte River Compact is the law of Nebraska and of the United States that specifically authorizes Nebraska to develop a canal and associated storage facilities for the diversion of water from the South Platte River for beneficial use in Nebraska.

The project will generally consist of a diversion structure, canal, pumping systems, reservoirs, and other necessary components to divert no less than 500 cubic feet per second (cfs) from the South Platte River at a location no further west than Ovid, Colorado and entering Nebraska. The system must have capacity to store available waters and integrate such storage into other irrigation and water related operations of the South Platte River and Platte River.

The Nebraska Department of Natural Resources (NDNR) has been provided the authority and funding to begin designing, engineering, and permitting activities associated with this project. NDNR is requesting proposals from qualified engineering firms licensed in the state of Nebraska to conduct engineering activities to fulfill the scope of work as outlined below.

This RFP is for a qualified and experienced bidder to develop and prepare plans and technical specifications for the Perkins County Canal Project (Project). The Project is to include all aspects necessary to address the requirements of the development of the canal project.

The Project is to include those aspects mentioned above and the following:

- a. An assessment of potential impacts likely to result from the proposed project,
- b. Measures that will be undertaken to monitor, minimize and mitigate for such impacts,
- c. Procedures to deal with changed and unforeseen circumstances,
- d. Alternative routes to the proposed project that were analyzed and the reasons the alternative actions were not adopted, and
- e. Additional measures the State may require as necessary for purposes of the plan.

B. Project Requirements

1. Meet with the project team to identify project priorities, needs, issues, potential problems, coordination efforts and to conduct progress meetings as needed. The project team members will be identified by NDNR.
2. Prepare and submit a project management plan indicating team organization, lines of communication, team meeting plan, etc.
3. A Quality Control Plan (QCP) specifically tailored to this project shall be prepared and

submitted for approval by NDNR. The plan shall describe review methods, tests, procedures, inspections, documentation, and other information as necessary to provide complete assurance that all work will be conducted in accordance with acceptable standards of engineering and scientific practice. The plan shall describe a quality control organization with names of individuals, qualifications of those individuals, responsibilities, and chains of authorities. The QCP shall identify peer reviews, interdisciplinary reviews, and independent technical reviews. The QCP shall also address the quality control procedures of all subcontractors and how subcontractor products will be interfaced with the primary consultant's documents. The consultant is responsible for the quality of all subcontractor products. A certification of compliance with the QCP shall be included as part of each submittal. Failure to provide adequate quality control processes or failure to comply with an approved QCP may form the basis for withholding payment or requiring corrective actions at no additional cost to State of Nebraska.

4. Provide and describe all necessary site surveys, engineering analysis, soil testing, quantity estimates, construction methods, utility locations, mapping, drawing development, technical specifications, construction cost estimates, etc. for the preliminary design of the Project.
5. Provide all necessary maps, plans and drawings for the project at key milestones: 10% - conceptual design, 30% - design, 60% - design, and 90% - design.
6. The Consultant is to provide NDNR with printed and electronic drawings ready for preliminary review. The consultant shall be responsible for delivering the drawings in the latest version of Microstation or Autocad format.
7. Provide environmental information necessary to complete an Environmental Assessment meeting the requirements of the National Environmental Policy Act. This may include information on existing conditions, assisting to identify environmental constraints within the project, and providing input on beneficial or adverse impacts resulting from the alternative plans (routes). Anticipated assistance includes local flood plain permit(s), wetland delineations, USACE 404, NPDES (SWPPP) and NDEE 401. Anticipated environmental reviews will include Historical and Cultural Resources, Threatened and Endangered Species, terrestrial and aquatic biological surveys, and Wetlands. The Consultant will coordinate with NDNR to research, apply for and secure all permits and reviews required for this project.
8. Facilitate public meetings (plan for three (3) public meetings) as needed throughout the engineering design process development.
9. Provide all necessary design drawings, technical specifications, etc. to take the interim design to 90% completion (draft-final). The Consultant is to provide NDNR with complete printed and electronic drawings and specifications ready for draft-final review. The consultant shall be responsible for delivering the drawings in the latest version of Microstation or Autocad format. Full scale drawings shall be 24" by 36". A table of drawing sheets, file names, layers, views, etc., shall be provided indicating which files, layers, etc., are needed to reproduce each sheet of the drawings. A copy of this file shall be provided to NDNR and uploaded via ftp site. All drawings shall be legible and easily readable when reproduced at half-scale. Consultant will provide NDNR with description of drawing Standards. The Consultant shall provide NDNR with ten (10) published sets (plans and specifications) and electronic copies.

9. Final drawings shall be signed and stamped by an engineer licensed to practice in Nebraska in accordance with The Nebraska Engineers and Architects Regulation Act as well meeting the appropriate laws and rules for engineering design and construction for those portions of the project within the State of Colorado. At final design, the consultant shall provide one of each of the following:
 - One set of properly signed, stamped, or sealed and dated drawings, and
 - A certified cover document showing for each discipline the name and stamp or seal of the professional who supervised the work, and the date each stamp or seal was affixed, or
10. An electronic equivalent that indicates for each discipline the name, stamp or seal of the professional who supervised the work, and the date each stamp or seal was affixed. The consultant shall prepare construction specifications using current Construction Specification Institute (CSI) 3-part formatting. Other applicable guide or standard specifications (e.g., Nebraska Department of Transportation Standard Specifications) may be referenced with the relevant CSI format. If the consultant needs to prepare specifications for specific items including any proprietary items, or work groups not covered by guide specifications, the format of the new specifications shall as consistent as possible and shall be approved by NDNR prior to use. As part of the construction specifications, the consultant will complete the items listed below for inclusion in the contract documents:
 - Table of Contents and Indices
 - Schedule and Phasing Requirements
 - Sheet & drawing numbers, title, and date for each drawing
 - Listing of State furnished - Contractor Installed Equipment
 - Salvage material to be retained by the State for recycling or reuse
11. Provide bidding services, including pre-bid conferencing, answering bidder questions, review of bid tabulations, and providing recommendation of bid award.

IV. PROPOSAL INSTRUCTIONS

This section documents the mandatory requirements that must be met by bidders in preparing the Technical Proposal. Bidders should identify the subdivisions of "Project Description and Scope of Work" clearly in their proposals; failure to do so may result in disqualification. Failure to respond to a specific requirement may be the basis for elimination from consideration during the State's comparative evaluation.

Proposals are due by the date and time shown in the Schedule of Events.

A. PROPOSAL

The Proposal shall consist of four (4) sections:

1. SIGNED in ink "State of Nebraska Request For Proposal For Contractual Services" form, Bidder Contact Sheet (Form A), and Certificate of Liability Insurance,
2. Executive Summary,
3. Corporate Overview, and
4. Technical Approach.

1. REQUEST FOR PROPOSAL FORM

By signing the "Request For Proposal For Contractual Services" form, the bidder guarantees compliance with the provisions stated in this Request for Proposal, agrees to the Terms and Conditions stated in this Request for Proposal and certifies bidder maintains a drug free work place environment. The Request For Proposal For Contractual Services form must be signed in ink and returned by the stated proposal due date and time as section 1 of the bidders submittal to be considered for an award.

Bidder Contact Sheet (Form A) shall be completed and included in this section.

A copy of the bidder's certificate of liability insurance.

2. EXECUTIVE SUMMARY

The Executive Summary shall condense and highlight the contents of the solution being proposed by the bidder in such a way as to provide the Evaluation Committee with a broad understanding of the Contractor's Technical Proposal.

Bidders must present their understanding of the problems being addressed by implementing a new system, the objectives and intended results of the project, and the scope of work. Bidders shall summarize how their Technical Proposal meets the requirements of the Request for Proposal, and why they are best qualified to perform the work required herein.

3. CORPORATE OVERVIEW

The Corporate Overview section of the Technical Proposal must consist of the following subdivisions:

a. BIDDER IDENTIFICATION AND INFORMATION

The bidder must provide the full company or corporate name, address of the company's headquarters, entity organization (corporation, partnership,

proprietorship), state in which the bidder is incorporated or otherwise organized to do business, year in which the bidder first organized to do business, whether the name and form of organization has changed since first organized, and Federal Employer Identification Number and/or Social Security Number.

b. **FINANCIAL STATEMENTS**

The bidder must provide financial statements applicable to the firm. If publicly held, the bidder must provide a copy of the corporation's most recent audited financial reports and statements, and the name, address and telephone number of the fiscally responsible representative of the bidder's financial or banking organization.

If the bidder is not a publicly held corporation, either the reports and statements required of a publicly held corporation, or a description of the organization, including size, longevity, client base, areas of specialization and expertise, and any other pertinent information must be submitted in such a manner that proposal evaluators may reasonably formulate a determination about the stability and financial strength of the organization. Additionally, a non-publicly held firm must provide a banking reference.

The bidder must disclose any and all judgments, pending or expected litigation, or other real or potential financial reversals, which might materially affect the viability or stability of the organization, or state that no such condition is known to exist.

c. **CHANGE OF OWNERSHIP**

If any change in ownership or control of the company is anticipated during the twelve (12) months following the proposal due date, the bidder must describe the circumstances of such change and indicate when the change will likely occur. Any change of ownership to an awarded vendor(s) will require notification to the State.

d. **OFFICE LOCATION**

The bidder's office location responsible for performance pursuant to an award of a contract with the State of Nebraska must be identified.

e. **LICENSURE**

The bidder is required to indicate that the project team has and will maintain all necessary licensures during the term of the project.

f. **RELATIONSHIPS WITH THE STATE**

The bidder shall describe any dealings with the State over the previous five (5) years. If the organization, its predecessor, or any party named in the bidder's proposal response has contracted with the State, the bidder shall identify the contract number(s) and/or any other information available to identify such contract(s). If no such contracts exist, so declare.

g. **BIDDER'S EMPLOYEE RELATIONS TO STATE**

If any party named in the bidder's proposal response is or was an employee of the State within the past twelve (12) months, identify the individual(s) by name,

State agency with whom employed, job title or position held with the State, and separation date. If no such relationship exists or has existed, so declare.

If any employee of any agency of the State of Nebraska is employed by the bidder or is a subcontractor to the bidder, as of the due date for proposal submission, identify all such persons by name, position held with the bidder, and position held with the State (including job title and agency). Describe the responsibilities of such persons within the proposing organization. If, after review of this information by the State, it is determined that a conflict of interest exists or may exist, the bidder may be disqualified from further consideration in this proposal. If no such relationship exists, so declare.

h. **CONTRACT PERFORMANCE**

If the bidder or any proposed subcontractor has had a contract terminated for default during the past five (5) years, all such instances must be described as required below. Termination for default is defined as a notice to stop performance delivery due to the bidder's non-performance or poor performance, and the issue was either not litigated due to inaction on the part of the bidder or litigated and such litigation determined the bidder to be in default.

It is mandatory that the bidder submit full details of all termination for default experienced during the past five (5) years, including the other party's name, address and telephone number. The response to this section must present the bidder's position on the matter. The State will evaluate the facts and will score the bidder's proposal accordingly. If no such termination for default has been experienced by the bidder in the past five (5) years, so declare.

If at any time during the past five (5) years, the bidder has had a contract terminated for convenience, non-performance, non-allocation of funds, or any other reason, describe fully all circumstances surrounding such termination, including the name and address of the other contracting party.

i. **SUMMARY OF BIDDER'S CORPORATE EXPERIENCE**

The bidder shall provide a summary matrix listing the bidder's previous projects similar to this Request for Proposal in size, scope and complexity. The State will use no more than three (3) narrative project descriptions submitted by the bidder during its evaluation of the proposal.

The bidder must address the following:

- Bidder must provide narrative descriptions to highlight the similarities between their experience and this Request for Proposal. These descriptions must include:
 - a) The time of the project,
 - b) The scheduled and actual completion dates,
 - c) The contractor's responsibilities,
 - d) For reference purposes, a customer name (including the name of a contact person, a current telephone number, a facsimile number and e-mail address), and

- e) Each project description shall identify whether the work was performed as the prime contractor or as a subcontractor. If a bidder performed as the prime contractor, the description must provide the originally scheduled completion date and budget, as well as the actual (or currently planned) completion date and actual (or currently planned) budget.
- Contractor and subcontractor(s) experience must be listed separately. Narrative descriptions submitted for subcontractors must be specifically identified as subcontractor projects.
- If the work was performed as a subcontractor, the narrative description shall identify the same information as requested for the contractors above. In addition, subcontractors shall identify what share of contract costs, project responsibilities, and time were performed as a subcontractor.

j. **SUMMARY OF BIDDER'S PROPOSED PERSONNEL/MANAGEMENT APPROACH**

The bidder must present a detailed description of its proposed approach to the management of the project.

The bidder must identify the specific professionals who will work on the State's project if their company is awarded the contract resulting from this Request for Proposal. The names and titles of the team proposed for assignment to the State project shall be identified in full, with a description of the team leadership, interface and support functions, and reporting relationships. The primary work assigned to each person should also be identified.

The bidder shall provide resumes for all personnel proposed by the bidder to work on the project. The State will consider the resumes as a key indicator of the bidder's understanding of the skill mixes required to carry out the requirements of the Request for Proposal in addition to assessing the experience of specific individuals.

Resumes must not be longer than three (3) pages. Resumes shall include, at a minimum, academic background and degrees, professional certifications, understanding of the process, and at least three (3) references (name, address, and telephone number) who can attest to the competence and skill level of the individual. Any changes in proposed personnel shall only be implemented after written approval from the State.

k. **SUBCONTRACTORS**

If the bidder intends to subcontract any part of its performance hereunder, the bidder must provide:

- Name, address, and telephone number of the subcontractor(s),
- Specific tasks for each subcontractor(s),
- Percentage of performance hours intended for each subcontract, and
- Total percentage of subcontractor(s) performance hours.

4. **TECHNICAL APPROACH**

The Technical Approach must consist of the following subsections:

- Understanding of the project requirements,
- Proposed development approach,
- Technical considerations,
- Detailed project work plan, and
- Deliverables and due dates (proposed project schedule).

Form A
Bidder Contact Sheet
Request for Proposal NDNR 22-2

Form A should be completed and submitted with each response to this Request for Proposal. This is intended to provide the State with information on the bidder's name and address, and the specific person(s) who are responsible for preparation of the bidder's response.

Preparation of Response Contact Information	
Bidder Name:	
Bidder Address:	
Contact Person & Title:	
E-mail Address:	
Telephone Number (Office):	
Telephone Number (Cellular):	
Fax Number:	

Each bidder shall also designate a specific contact person who will be responsible for responding to the State if any clarifications of the bidder's response should become necessary. This will also be the person who the State contacts to set up a presentation/demonstration, if required.

Communication with the State Contact Information	
Bidder Name:	
Bidder Address:	
Contact Person & Title:	
E-mail Address:	
Telephone Number (Office):	
Telephone Number (Cellular):	
Fax Number:	