



**COUNTY OF FLUVANNA, VIRGINIA**  
**Request for Proposals (RFP) #2023-02**  
**TELECOMMUNICATIONS FACILITIES' APPLICATION REVIEW, GENERAL**  
**CONSULTING, LEASE MANAGEMENT, AND MARKETING SERVICES**

**Issue Date: October 18, 2022**

**Due Date: November 4, 2022 at 2 p.m. local time**

**Procurement Contact:**

County of Fluvanna  
Donna Allen, Purchasing Officer  
132 Main Street  
P.O. Box 540  
Palmyra, VA 22963  
Ph: (434) 591-1930  
Email: [dallen@fluvannacounty.org](mailto:dallen@fluvannacounty.org)

**Technical Contact:**

County of Fluvanna  
Kelly Harris, Assistant County  
Administrator  
132 Main Street  
P.O. Box 540  
Palmyra, VA 22963  
Ph: (434) 591-1910  
Email: [kharris@fluvannacounty.org](mailto:kharris@fluvannacounty.org)

**All sealed proposals shall be turned in no later 2:00 p.m. local time November 4, 2022. All Proposals that are delivered via mail or are hand delivered must be addressed to the "Procurement Contact" listed above. Any Proposals that are turned in late will be rejected and returned unopened. Any Proposals sent in via facsimile, telephone, or email shall not be considered.**

Proposal documents may be picked up at the Fluvanna County Department of Finance located at 132 Main Street, 2<sup>nd</sup> floor, Palmyra, VA 22963 or by clicking on the following link: <https://www.fluvannacounty.org/rfps>.

**I. Purpose:**

- A. The County of Fluvanna, Virginia (the "County") invites qualified licensed consulting firms ("Offerors") to submit proposals for services relating to Telecommunications Facilities currently or hereafter owned, leased or otherwise controlled by the County (hereinafter referred to as "County Telecommunications Facilities") and also to assist the County and its Department of Community Development in review of telecommunications-related submittals of all-kinds for non-County Telecommunications Facilities ("Non-County Telecommunications Facilities") in accordance with Applicable Law (as hereinafter defined), including, but not limited to, the following upon request as needed: (i) review of applications/submittals relating to Non-County Telecommunications Facilities and coordination with the County and its Department of Community Development related thereto; (ii) review of applications/submittals related to the County Telecommunications Facilities and coordination with the County, County Administrator's Office, the County Attorney's Office and the Fluvanna County Department of Community Development related thereto, (iii) lease

management of all or some of the County Telecommunications Facilities and guidance on lease provisions, fair market value rent and terms of such leases and any amendments thereto; (iv) general consulting for the County Telecommunications Facilities and Non-County Telecommunications Facilities (together the “Telecommunications Facilities”); (v) marketing of all or some of the County Telecommunication Facilities; (vi) the evaluation of telecommunications and wireless siting proposals for the County Telecommunications Facilities; (vii) general advice on engineering and structural analyses related to Telecommunications Facilities and related systems/sites; and (viii) only to the extent applicable or required by Applicable Law, real estate brokerage services for the County Telecommunications Systems (collectively the “Services”). Such Services are more specifically defined in this RFP, and particularly in Article III, Scope of Services. Telecommunications Facilities shall include towers, monopoles, roof-top sites, elevated water storage tanks and any other telecommunications systems, related facilities and equipment. Generally, towers, monopoles, roof-top sites, elevated water storage tanks and any other telecommunications systems, related facilities and equipment shall be referred to herein as “Telecommunications Facilities” and such uncapitalized term shall include all such facilities whether or not such are owned or operated by the County.

- B. The initial contract term will be for one year with up to three (3) one-year renewal options.
- C. The County reserves the right to award a Contract to more than one Offeror or to no Offerors. Nothing herein shall limit the County’s right to use other consultants, its staff, employees or officers to complete any or all of the Services requested herein instead of requesting such Services of the Offeror(s) awarded a Contract hereunder.

## **II. GENERAL INFORMATION:**

- A. Fluvanna County is centrally located in the heart of Virginia, 120 miles south of Washington, D.C., 60 miles west of Richmond, VA, and 25 miles southeast of Charlottesville, VA. The County encompasses a land area of 282 square miles and is bound by interstate 64 to the north and by the James River to the south. As of July 2021, the County had an estimated population of 27,723.
- B. A list of County Telecommunications Facilities is attached hereto as Exhibit A.
- C. Our current “Telecommunications Master Plan”, which is subject to change, can be found at the following link: <https://www.fluvannacounty.org/planning/page/telecommunications-plan>.

**III. SCOPE OF SERVICES:** The Offeror shall meet or exceed all requirements of this Request for Proposals (“RFP”) and the Offeror’s Proposal must demonstrate that the Offeror has the resources and capabilities to provide the requested Services on an as-needed on-call basis as prescribed in this RFP. Offeror shall submit documentation with their Proposal demonstrating compliance with any qualifications or licensures required below. Offeror shall provide details on the full services that can be offered related to the County’s existing needs as specified in this scope of services for the Services. **The Scope of Services requested under this RFP includes the following Services:**

- A. **Minimum Qualifications:**

- i. **Knowledge of and Compliance with Applicable Law:** Offeror shall have knowledge of and shall be able to apply Applicable Law and all Services shall comply with Applicable Law. Applicable Law is defined herein to be all applicable Federal, State, and local laws, rules, statutes, ordinances, regulations, guidelines, best practices or similar provisions, which shall include without limitation, the Code of Virginia, the Fluvanna County Code, the Fluvanna County Comprehensive Plan, the Virginia Statewide Building Code, Telecommunications Act of 1996, Federal Aviation Administration (“FAA”) and Federal Communication Commission (“FCC”) guidelines (collectively referred to herein as “Applicable Law”).
- ii. **Engineering Services:** Some of the Services herein require services of a professional engineer or other licensures or professional qualifications and Offeror shall have appropriate licensure and professional qualifications for providing the Services requested under this RFP.
- iii. **Real Estate Services:** Some of the Services herein may require a real estate broker’s license or other licensures or professional qualifications and Offeror shall have appropriate licensure and professional qualifications for providing the Services requested under this RFP. If applicable, copies shall be provided by Offeror.
- iv. **Optional Legal Services:** If Offeror intends to include legal services options, then a license to practice law in Virginia and a background in Telecommunications Facilities are pre-requisites as well as any other licensures or professional qualifications reasonably necessary to provide legal advice to the County with respect to the Telecommunications Facilities. Legal services are optional.
- v. **General:** Offeror shall have appropriate licensure and professional qualifications for providing the Services requested under this RFP. Copies thereof should be attached to the RFP.

**B. Expert Application Review for Telecommunications Facilities:**

- i. Offeror will assist the County in meeting its obligations under Section 704 of the Federal Telecommunications Act of 1996 including, but not limited to, taking action on any applications for Telecommunications Facilities or telecommunications infrastructure in a reasonable period of time, and making decisions based upon Applicable Law and the specific facts and circumstances.
- ii. Offeror will provide the technical information to form policy decisions for consistent review of all applications based on facts, Applicable Law, and necessities in wireless network or telecommunications facility design. Offeror must apply concepts and ordinances detailed in the Comprehensive Plan, the County Code including without limitation any Zoning Ordinances, and Telecommunications Master Plan in order to conduct detailed tower application reviews that will give the Planning Commission and the Board of Supervisors a consistent basis upon which to consider applications.
- iii. Offeror shall have background and experience in engineering, negotiation, fair value rents, technical, and land use matters relating to Telecommunications Facilities and a knowledge of the County.
- iv. Offeror will review any applications on an on-call basis as requested by the County and the County’s preference is for a flat fee schedule for review of applications. Offeror shall review the application itself, any governing documents, and assure its compliance with Applicable Law.

- v. Offeror will promptly notify the County of all technical or other issues it finds in any application and work with the County to resolve the same.
- vi. Offeror will work with County staff and officers on any application matters. Offeror may be asked to come to work or planning sessions from time to time and may be asked to come to meetings of the County Board.
- vii. Review of private utility applications, as well as review of County initiated applications, for Telecommunications Facilities, including, but not limited to, new cellular tower location requests (Comprehensive Plan Amendments), comments to applicants to ensure new tower installations are constructed to maximize co-locations opportunities to the extent permitted by Applicable Law.
- viii. Upon request by the County, Offeror will provide expert review of applications submitted to County for the placement, construction, amendment and/or modification of any telecommunications facility. Offeror will review and evaluate the application. Offeror will notify the County's Planning Director, or other person specified by the County from time to time, of any deficiencies in the application. Offeror's review and evaluation of applications will include, but is not limited to:
  - 1. Application completeness and accuracy;
  - 2. Assurance that the County meets all applicable timing requirements for dealing with applications, including, but not limited to, **the FCC "shot clock"**;
  - 3. Applicability of appropriate analysis techniques and methodologies for the telecommunications facility;
  - 4. Application validity of correctness of any conclusions or fact presented therein;
  - 5. Compliance with all Applicable Law;
  - 6. Provide site analysis and evaluate the adequacy of the site's search ring using generally accepted engineering principles and considering emerging technology and trends for the site;
  - 7. Evaluation of site options shall include proposing alternative site options and co-locations if applicable;
  - 8. Evaluation height, capacity, loading and coverage of Telecommunications Facilities in any application;
  - 9. Compliance with all zoning requirements;
  - 10. To the extent permitted by Applicable Law, evaluation of aesthetic impacts and mitigation of any undesirable impact;
  - 11. Evaluation of any applicable FCC Radio Frequency exposure compliance;
  - 12. Evaluation of compatibility of any application with the Fluvanna County Public Safety Communications systems, including without limitation all Telecommunications Facilities being built or to be built as part of the County's Public Safety Radio System Project;
  - 13. Evaluation of the safety and structural Integrity of any telecommunications facility to assure compliance with wind zone designations and Applicable Law;
  - 14. Assistance with any other matters related to any application deemed by County to be relevant;
  - 15. Offeror shall keep a checklist of completeness for each application; and
  - 16. Offeror will prepare and submit a report summarizing each application, and detail in writing its findings related to review and evaluation thereof consistent with the requirements for review and evaluation detailed above in this Section B of Article III of this RFP. Offeror will provide four (4) hard copies

of the report, and one (1) electronic copy. Offeror shall provide such report within five (5) business days of receipt of any request by the County to review an application.

**C. Site Leasing and Management:**

- i. Offerors shall assist in any leasing and management services related to County Telecommunications Facilities as requested by the County, which may include management and leasing matters on existing and future leases.
- ii. Offeror will assist in the management of the County's Telecommunications Facilities.
- iii. Offeror shall manage Telecommunications Facilities to ensure maximum usage of the site(s) by the County and as many other users as feasible. An emphasis shall be on effective use of Telecommunications Facilities so as to reduce towers or support structures needed, and maximizing the County's potential net profit from such leases.
- iv. Offeror will provide the following as-needed services related to leasing and management to include, but not limited to:
  1. Technical and engineering consulting relating to any telecommunications issues in the County and County Telecommunications Facilities;
  2. Maximizing potential net profit for the existing and future County Telecommunications Facilities;
  3. Review and Assistance of any design specifications for new or proposed Telecommunications Facilities;
  4. Minimizing the total number of individual sites (towers) needed for the County by proper collocation and combining of wireless provider services on existing and/or new facilities;
  5. Analyze lease rates and terms of existing lease contracts;
  6. Negotiate new leases, renewals, amendments and modifications to existing leases and assist in all matters related thereto in coordination with County staff and officers and the County Attorney's Office;
  7. As requested, general business, management and lease administration of new lease agreements between any tenants and the County;
  8. At the County's request, Offeror shall manage the billing of rent and any other amounts due under any lease of Telecommunications Facilities, including billing and collecting rent payments from the tenants and remitting reports and account balances to the County on a monthly basis (or alternatively instead of collection of rent on behalf of the County, at the County's option, the Offeror billing the tenants, but having payments from tenants remitted directly to the County, with the County then providing evidence of all payments to the Offeror, and then the Offeror submitting invoices to the County for its fees related its services - billing/reporting balances and accounting monthly to the County). This shall include tracking and applying any increases or other sums due under the Leases and notifying the County in writing of all defaults under Leases (monetary or otherwise). Any bill collection shall be in strict conformance with the requirements of Applicable Law. Upon request by the County, Offeror shall be responsible for all billings to Tenants in connection with their operations, and for the collection of any delinquent accounts subject to Applicable Law.

Notwithstanding the foregoing, any legal proceeding or litigation (including mediation, arbitration or any similar negotiation) of any kind must be instituted by the County and shall be upon the advice of the County Attorney;

- a. Monthly, Offeror will provide income receipt reports for all amounts received on behalf of the County with respect to the Telecommunications Facilities;
9. Upon request, the Offeror will forecast revenue projections for the Telecommunications Facilities;
10. In providing any advice to the County as-needed or if managing any County Telecommunications Facilities, the Offeror shall maintain the leases for Telecommunications Facilities and their related equipment in such a manner that will yield the highest net revenues to the County on a long-term basis;
11. Offeror shall perform any necessary intermodulation and interference studies;
12. Offeror shall coordinate of installations or modification activities; and
13. Offeror shall attempt to resolve any disagreements among Tenants.

**D. Marketing Services:**

- i. Upon request by the County, Offeror shall actively pursue new customers for and market the County Telecommunications Facilities and available space and shall negotiate future tenant leases subject to approval of the County Attorney and the County, including, but not limited to following Services:
  1. Market the County Telecommunications Facilities sites/locations to users and telecommunications carriers;
  2. Perform market analysis;
  3. Develop strategies for leasing space on Telecommunications Facilities;
  4. Work with County staff, officers and the County Attorney to negotiate leases;
  5. Coordinate appraisals; and
  6. Handle any other customary activates and services associated with real estate services and Telecommunications Facilities.
- ii. If required by Applicable law to perform the Services, Offeror shall be licensed and in good standing as a real estate broker in Virginia.
- iii. Offeror must be knowledgeable in real estate matters generally and specifically in matters relating to Telecommunications Facilities and commercial leasing.
- iv. Offeror shall be familiar with the County and must have a knowledge of the local real estate market.
- v. Offeror shall have an ability to market the sites globally.

**E. General On-Going Services:**

- i. Review and Assistance of any design specifications for new or proposed Telecommunications Facilities.
- ii. Recommend a fee structure for application reviews.
- iii. Offeror shall serve as both a legal and engineering consultant to the County for all Telecommunications Facilities' issues for the term of a contract with the County and shall work with County staff, officers and the County Attorney's office.
- iv. Upon the County's request, Offeror will provide a performance report and presentation, regarding the Telecommunications Facilities, leases, management

activities, placements, updated future needs and/or any other matters affecting or related to the Services.

- v. Offeror shall ensure all Services protect the County's Telecommunications Facilities and communications system (especially that County Public Safety Radio System) from interference, power loss or reduction, safety risk or damage of any sort.
- vi. Offeror must maintain an inventory of existing Telecommunications Facilities and nearby Telecommunications Facilities generally, including without limitation tower locations, to maximize co-location opportunities whenever practicable and if consistent with Applicable Law.
- vii. Offeror shall assist with and manage all FCC or FAA matters, including matters of tower compliance with Applicable Law and TIA/EIA standards and good engineering practices, tower lighting (FAA lighting notification), structural analysis (tower loading evaluations), necessary ANSI computation and/or measurements to assure the sites are safe (including that the sites are safe for human exposure to non-ionizing radiation).
- viii. Offeror shall consider and report to the County need to repair or improve any Telecommunications Facilities or related equipment; Offeror shall monitor Telecommunications Facilities and shall notify the County of any deficiencies in, or damage to, the Telecommunications Facilities and equipment.
- ix. All Services shall be conducted employing the highest level of expertise and scrutiny.
- x. Review of Telecommunications Facilities and equipment structures for compliance with best engineering standards and providing advice to the County Building Official, as necessary.
- xi. Assistance to County staff in regular reviews of the Fluvanna County Telecommunications Master Plan, telecommunications-related Ordinance, and future revisions to the County Code as needed relating to Telecommunications Facilities.
- xii. Attending meetings of the Board or staff from time to time as requested.
- xiii. Other assistance in evaluating telecommunications and wireless information services issues as needed.

- F. **Other Services:** Offerors are encouraged to provide information on related services they are able to provide, with justifications for why such services might be necessary or desirable.

#### IV. PROPOSAL PREPARATION:

- A. The County will follow the evaluation process and selection criteria described in this Request for Proposals. In order to provide each Offeror an equal opportunity for consideration, adherence to a standardized proposal format is required. The format of each proposal must contain the following elements organized into separate chapters and sections, as the Offeror may deem appropriate. The following paragraphs provide guidelines to each Offeror for information to include in the proposal:
  - i. **Cover Letter** - Provide a cover letter that confirms the Offeror's understanding of this Request for Proposal, an overview of the history and qualifications of the firm.
  - ii. **Forms** - All forms required to be submitted under this RFP must be included in the Proposal as an Appendix.
    - 1. Certificate of No Collusion

2. Offeror Statement
3. Proof of Authority to Transact Business in Virginia
4. Vendor Data Sheet
- iii. **Overview** – The purpose of this section is to provide County with an overview of the history, qualifications and abilities of the Offeror’s firm and for the Offeror to demonstrate the specific qualifications of the staff the Offeror will assign if selected. At a minimum, the proposal should:
  1. Designate a Project Manager and indicate office location.
  2. Include the organization chart, functional discipline, and responsibilities of project team members.
  3. Provide the legal name of the company, the size of the company.
  4. Describe your relevant experience in performing the Services.
  5. Status of the company including: (i) office location, number of employees supporting the same, and location of a point of contact; (ii) Define the Offeror’s long-term development strategy and plans for the County’s Telecommunications Facilities; (iii) Number of public sector clients for similar services and size of these organizations including names and locations.
- iv. **Key Personnel:** The personnel named in the proposal shall remain assigned to the project throughout the period of the contract unless requested to be replaced by the County. If the County requests an individual to be replaced (including any personnel of any sub-contractor), the Offeror shall do so within 30 days of the request, and without any additional charge to Fluvanna County. No replacement may be made without submission of a resume of the proposed replacement for approval by The County.
- v. **Qualifications** - Statement of qualifications and any additional information that the Offeror considers pertinent to its qualifications for the services and which respond fully to the Scope of Work described herein. “Additional Information” is defined as:
  1. Licenses to conduct services required by the Code of Virginia, if applicable;
  2. Specify any additional individuals who will be assigned to the contract, the level of their experience including credentials, related experience, training, and education of the personnel; and
  3. Sample documents and/or reports, relating to the services.
- vi. **Proposed Sub-Consultants** - The Offeror shall clearly state whether it is proposing to subcontract any of the work herein. The names of all proposed sub-consultants shall be provided. By proposing such firm(s) or individuals, the Offeror assumes full liability for the sub-consultant’s performance. The Offeror shall state the amount of previous work experience with the sub-consultant(s).
- vii. **Project Approach** – The purpose of this section is to provide the County with the Offeror’s understanding and proposed approach to the project/provision of services. The Offeror should discuss in detail the proposed management and project approach. The staffing of the Offeror’s firm and firm’s approach to ensure quality control and completion of all projects within the time frame set forth.
- viii. **Representative Projects** – This section of the Offeror’s Proposal should list and describe representative clients currently serviced focusing on similar services and especially services provided to other Virginia agencies, localities, and public bodies. Describe the local office experience including the project name and location, brief description of the project, description of the scope of services provided, and principal contact person. The Offer must include a description of every project it has worked on in the last two (2) years for Virginia (including any department or agency thereof) or a Virginia public body such must include the client’s name, a contact point for client, and a brief description of the type of services provided.
- ix. **Effective Controls**



1. Effective Cost Control – Demonstrated history of effective control of project costs and collection success and ability to accomplish work in a timely manner;
  2. Describe the Offeror's cost control methodology;
  3. Describe the approach for reducing the costs;
  4. Describe your documentation, tracking and reporting system; and
  5. Describe your program for quality control.
  6. **No Pricing** – The Offer will need to be prepared to discuss estimated pricing as a part of the negotiation phase with the County, for application review, marketing, lease management for both existing, new towers and co-location, and any other services offered by the proposer on an as needed basis. Since this RFP is a request for professional services pursuant to 2.2-4302.2, the County is not requesting cost of services be submitted as a part of any Proposal.
- x. **Other Requirements** - The proposal package shall include as a minimum:
1. The RFP document with any addenda acknowledgements filled out and signed as required (see attachments hereto).
  2. A detailed response to all requirements, general, specific, functional and technical as defined within this RFP.
  3. A sufficient description of the experience and knowledge base of the Offeror to show the Offeror's capabilities should be included in the proposal. At a minimum, the description of the experience and knowledge base of the Offeror included in the proposal should include, but not necessarily be limited to, the following:
    1. A brief description of the history and mission of the Offeror, including the Offeror's background and mission statement, the length of time the Offeror has been in business, a description of the Offeror's organizational structure and a description of the Offeror's customer make-up;
    2. A statement of how long the Offeror has provided services similar to the Services requested herein;
    3. A general description of the Offeror's experience and background in providing services similar to the Services requested herein;
    4. Any other relevant information about the experience and knowledge base of the Offeror which is deemed to be material;
    5. Resume of each key employee and any employee who will engaged in the services, including the roles of each and an overview of their previous experience with similar projects; and
    6. Background Information including at minimum: most recent year's financials (prefer audited) and a disclosure of any past and pending litigation
    7. Description of the typical assistance the Offeror will require of County staff.
  4. **Client References:** Offerors shall provide a minimum of four (4) client references that are similar in size and scope to the County' Project that have utilized similar Services. All client customers in the State of Virginia must be provided, regardless of circumstances. Client reference information must include the date of services, length of services, and a point of contact.
  5. **Other:** The County is not responsible for failure to locate, consider and evaluate qualification factors presented outside this format.
  6. **Presentation:** Offerors who submit a proposal in response to this RFP may be required to give an oral presentation of their proposal or meet with the County related to their Proposal (electronically or in person). This provides an opportunity for the Offeror to clarify or elaborate on the proposal. This is a fact

finding and explanation session only and does not include negotiation. The County will schedule the time and location of these presentations. Presentations are an option of the County and may or may not be conducted.

7. **Incurred Expenses:** The County will not be liable for any cost incurred by Offerors in preparing and submitting proposals. Offerors may not collect proposal preparation charges from the County of Fluvanna as a result of cancellation of this RFP.
8. **Addenda:** Return the RFP cover sheet and all addenda acknowledgments, if any, signed and filled out as required. By submitting a proposal Offerors certify that all information provided in response to this RFP is true and accurate.
9. **Negotiations.** During any negotiations and consistent with Applicable Law, Offerors shall be prepared to respond to questions and provide cost estimates during such negotiations.

#### **V. Submittal Instructions**

- A. **Each Offeror must submit one (1) original hard copy, Three (3) copies and one (1) electronic copy of its proposal on a USB flash drive/memory stick.**
- B. An authorized representative of the Offeror shall sign proposals. All information requested should be submitted. Failure to submit all information requested may result in the County requiring prompt submission of missing information and/or giving a lowered evaluation of the proposal. Proposals which are incomplete or lack information may be rejected by the County in its reasonable discretion as non-responsive.
- C. All forms attached to this RFP must be fully completed, executed by the Offeror and returned as a part of Offer's Proposal.
- D. Offers shall be prepared simply and economically, providing a straightforward, concise description of firm's capabilities to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of content.
- E. Proposals should be organized in the order in which the requirements are presented in the RFP. All pages of the proposal should be numbered. Each paragraph in the proposal should reference the paragraph of the corresponding section of the RFP. It is also helpful to repeat the text of the requirement as it appears in the RFP.
- F. **Each proposal shall be in writing and received in hard copy by the deadline. Oral proposals, proposals received by telephone, fax, telegraph, or email shall be rejected.**

#### **VI. GENERAL INSTRUCTIONS**

- A. **RFP Response:** In order to be considered for selection, interested parties must submit a complete response to this RFP. Failure to comply with all criteria listed herein may be cause to reject an Offeror's proposal.
- B. **RFP Questions:** Address questions concerning this RFP to:

Donna, Purchasing Officer  
P.O. Box 540  
132 Main Street  
Palmyra, VA 22963  
Ph: (434) 591-1937  
[dallen@fluvannaCounty.org](mailto:dallen@fluvannaCounty.org)

Offerors shall submit any questions in writing. Written responses, including the questions, will be posted with the RFP. Questions will not be accepted after October 28, 2022, at 10 a.m. local time.

- C. **Ownership of Proposals:** Ownership of all data, materials, and documentation originated and

prepared for the County pursuant to the RFP shall belong exclusively to the County and be subject to public inspection in accordance with the Virginia Freedom of Information Act ("FOIA"). Any proprietary or trade secrets material submitted must be identified as such prior to disclosure to the County, and must indicate the specific words, figures, or paragraphs specifically, and with a reason why such material is proprietary or a trade secret under Virginia law in strict conformance with Virginia Code 2.2-4342 and FOIA. Any classification not made in strict conformance with the requirements of Virginia Code or not meeting the definition of a "trade secret" or "propriety" shall be ineffective and such information shall not be held confidential and shall be subject to public inspection. The classification of an entire proposal document is not acceptable, will not be honored and may result in rejection and return of the proposal.

- D. **Due Date:** Sealed copies of the proposal must be received by the Purchasing Officer no later than 2:00 p.m. local time on November 4, 2022. Proposals must be addressed to:

Donna Allen, Purchasing Officer  
P.O. Box 540  
132 Main Street  
Palmyra, VA 22963

**Any Proposals that are turned in late will be rejected and returned unopened. Any Proposals sent in via facsimile, telephone, or email shall not be considered.**

#### **VII. EVALUATION CRITERIA**

- A. The County will follow the evaluation and selection criteria described in this RFP. The County shall evaluate proposals and intends to award the contract to the firm that makes the best proposal overall. The firm selected will be required to demonstrate its ability to provide the services required effectively with complete impartiality and without any conflict of interest. The selection of a Successful Offeror shall be based on the following criteria:
- |      |  |           |
|------|--|-----------|
| i.   | Project team qualifications and experience | (25 pts.) |
| ii.  | Offeror's project and management approach  | (20 pts.) |
| iii. | Representative projects                    | (10 pts.) |
| iv.  | Ability to control costs and schedule      | (25 pts.) |
| v.   | References                                 | (10 pts.) |
| vi.  | Responsiveness to County Goals             | (10 pts)  |
- B. The Evaluation Committee will independently read and rate each proposal.
- C. The Evaluation Committee may make such reasonable investigations as it deems proper and necessary to determine the ability of the Offeror to perform the work.
- D. The County reserves the right to make such additional investigations as it may deem necessary to establish competency and financial stability of any Offeror. If, after the investigation, the evidence of competency and financial stability is not satisfactory, such proposal may be rejected in the sole opinion of the County.
- E. The County may arrange for discussions with Offerors submitting Proposals for the purpose of obtaining additional information or clarification if needed.
- F. The County reserves the right to have any consultant(s) of its choosing serve on the evaluation committee or advise the evaluation committee with respect to responses to this RFP and information will be shared with any such consultant(s).

- G. Award(s) shall be made to as many Bidders/Offerors as deemed necessary to fulfill the anticipated requirements of the County.

#### VIII. AWARD OF CONTRACT

- A. *For architectural or engineering services only*, the County is not requesting or requiring such Offerors to list any exceptions to proposed contractual terms and conditions, unless such terms and conditions are required by statute, regulation, ordinance, or standards developed pursuant to Virginia Code Section 2.2-1132. At the negotiation stage and after the qualified Offerors are ranked for negotiations, such Offerors of architectural or engineering services MUST disclose any exceptions to the contractual terms or conditions in writing to the County.
- B. In accordance with Virginia Code Section 2.2-4301.3(A) of the Code of Virginia, the agreement shall be for an initial one (1) year term. The County shall have the option to renew the contract up to three (3) additional one (1) year terms. Under the terms of contract (s) made pursuant to this RFP, no individual **Task Order** fee shall exceed the limitations set forth in Code Section 2.2-4301.3(A). The aggregate total of fees for all **Task Orders** issued during the any term any Contract under this RFP shall not exceed the limitations set forth in Code Section 2.2-4301.3(A).
- C. The County provides no guarantee any work or of the amount of work to be assigned to the selected firm(s) and shall utilize other firms for consulting work.
- D. Award(s) shall be based on the Offeror(s)' ability to meet all RFP requirements and as set forth in this RFP; and the right is reserved to make the award to other than the lowest priced Offeror when it is in the best interest of the County and consistent with the Virginia Procurement Act, the County's Code, the County's Procurement Policies and Procedures and other applicable law.
- E. Award shall be made in accordance with this RFP and the requirement of procurement of professional services under the Virginia Procurement Act (with specific reference to Virginia Code Sections 2.2-4302.2(A)(4)). The Proposal shall not include costs of services or estimated project costs. At the discussion stage, the County may discuss nonbinding estimates of total project costs, including, but not limited to, life-cycle costing, and where appropriate, nonbinding estimates of price for services. Pursuant to Section 2.2-4302.2 (A)(4) of the Code of Virginia, selection of the Offeror will be as follows:
1. The County's designee or committee, shall engage in individual discussions with two or more Offerors, if there be that many deemed fully qualified, responsible and suitable on the basis of initial responses with emphasis on professional competence to provide the required services. Repetitive informal interviews shall be permissible. Such Offerors shall be encouraged to elaborate on their qualifications and performance data or staff expertise pertinent to the proposed projects as well as alternative concepts. These discussions may encompass nonbinding estimates of total project costs including, where appropriate, design, construction, life cycle cost, nonbinding estimates of price for services, and other matters. Properly designated proprietary information from competing Offerors shall not be disclosed to the public or competitors, except as may be required by law.
  2. At the conclusion of discussions, outlined in the paragraph above, on the basis of evaluation factors published in the RFP and all information developed in the selection process to this point, the two (2) or more Offerors whose professional qualifications and proposed services are deemed most meritorious shall be ranked in order of preference.
  3. Negotiations shall then be conducted, beginning with the Offeror ranked first. If a contract satisfactory and advantageous to the County can be negotiated at a price considered fair and reasonable, the award shall be made to that Offeror. Otherwise, negotiations with the Offeror ranked first

shall be formally terminated and negotiations conducted with the Offeror ranked second, and so on until such a contract can be negotiated at a fair and reasonable price. Should the County determine in writing and in its sole discretion that only one Offeror is fully qualified, or that one Offeror is clearly more highly qualified than the others under consideration, a contract may be negotiated and awarded to that Offeror.

- F. The County of Fluvanna may cancel this Request for Proposals or reject proposals at any time prior to an award, and is not required to furnish a statement of the reason why a particular proposal was not deemed to be the most advantageous (Section 2.2-4359(D) Code of Virginia). The award document will be a contract incorporating by reference all requirements, terms and conditions of the solicitation and the contractor's proposal as negotiated.
- G. The County's General Terms, Conditions, and Instructions to Bidders and Contractors are attached hereto and incorporated herein by reference as Appendix I and are a material part hereof. To the extent permitted by Applicable Law, these provisions bind all Offerors. Further, the conditions and requirements of this RFP, including, but not limited to, County's General Terms, Conditions, and Instructions to Bidders and Contractors, are a material part of any contract awarded between the County and the successful Offeror(s).

#### **GENERAL TERMS, CONDITIONS, AND INSTRUCTIONS TO BIDDERS AND CONTRACTORS**

ATTACHED hereto as Appendix I.

## VENDOR DATA SHEET

Note: The following information is required as part of your response to this solicitation. Failure to complete and provide this sheet may result in finding your bid nonresponsive.

1. Qualification: The vendor must have the capability and capacity in all respects to satisfy fully all of the contractual requirements.

2. Vendor's Primary Contact:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

3. Years in Business: Indicate the length of time you have been in business providing this type of good or service:

\_\_\_\_\_ Years \_\_\_\_\_ Months

4. Vendor Information:

FIN or FEI Number: \_\_\_\_\_ If Company, Corporation, or Partnership

5. Indicate below a listing of at least four (4) current or recent accounts, either commercial or governmental, that your company is servicing, has serviced, or has provided similar goods. Include the length of service and the name, address, and telephone number of the point of contact.

Company:	Contact:
Phone:	Email:
Dates of Service:	\$\$ Value:

Company:	Contact:
Phone:	Email:
Dates of Service:	\$\$ Value:

Company:	Contact:
Phone:	Email:
Dates of Service:	\$\$ Value:

Company:	Contact:
Phone:	Email:
Dates of Service:	\$\$ Value:

I certify the accuracy of this information.

Signed: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_

**PLEASE RETURN THIS PAGE WITH BID SUBMISSION – [REQUIRED]**

## PROOF OF AUTHORITY TO TRANSACT BUSINESS IN VIRGINIA

THIS FORM MUST BE SUBMITTED WITH YOUR PROPOSAL/BID. FAILURE TO INCLUDE THIS FORM MAY  
RESULT IN REJECTION OF YOUR PROPOSAL/BID

Pursuant to Virginia Code §2.2-4311.2, an Offeror/Bidder organized or authorized to transact business in The Commonwealth pursuant to Title 13.1 or Title 50 of the Code of Virginia shall include in its proposal/bid the identification number issued to it by the State Corporation Commission ("SCC"). Any Offeror/Bidder that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 of the Code of Virginia or as otherwise required by law shall include in its proposal/bid a statement describing why the Offeror/Bidder is not required to be so authorized. Any Offeror/Bidder described herein that fails to provide the required information shall not receive an award unless a waiver of this requirement and the administrative policies and procedures established to implement this section is granted by the County Administrator, as applicable. If this quote for goods or services is accepted by the County of Fluvanna, Virginia, the undersigned agrees that the requirements of the Code of Virginia Section 2.2-4311.2 have been met.

Please complete the following by checking the appropriate line that applies and providing the requested information. **PLEASE NOTE: The SCC number is NOT your federal ID number or business license number.**

A.\_\_\_\_ Offeror/Bidder is a Virginia business entity organized and authorized to transact business in Virginia by the SCC and such vendor's Identification Number issued to it by the SCC is \_\_\_\_\_.

B.\_\_\_\_ Offeror/Bidder is an out-of-state (foreign) business entity that is authorized to transact business in Virginia by the SCC and such vendor's Identification Number issued to it by the SCC is \_\_\_\_\_.

C.\_\_\_\_ Offeror/Bidder does not have an Identification Number issued to it by the SCC and such vendor is not required to be authorized to transact business in Virginia by the SCC for the following reason(s):

**Please attach additional sheets if you need to explain why such Offeror/Bidder is not required to be authorized to transact business in Virginia.**

Legal Name of Company (as listed on W-9) \_\_\_\_\_

Legal Name of Offeror/Bidder \_\_\_\_\_

Date \_\_\_\_\_

Authorized Signature \_\_\_\_\_

Print or Type Name and Title \_\_\_\_\_

**PLEASE RETURN THIS PAGE WITH BID SUBMISSION – [REQUIRED]**

## CERTIFICATION OF NO COLLUSION

The undersigned, acting on behalf of \_\_\_\_\_, does hereby certify in connection with the procurement and proposal to which this Certificate of No Collusion is attached that:

This bid is not the result of, or affected by, any act of collusion with another person engaged in the same line of business or commerce; nor is this bid the result of, or affected by, any act of fraud punishable under Article 1.1 of Chapter 12 of Title 18.1 of the Code of Virginia, 1950, as amended (18.2-498.1 et seq.).

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**Complete if Bidder is an Entity:**

WITNESS the following duly authorized signature and seal:

Name of Entity: \_\_\_\_\_

By: \_\_\_\_\_ (SEAL)

Signature

Print Name: \_\_\_\_\_

Print Title: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY/CITY OF \_\_\_\_\_, to-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ (month),  
\_\_\_\_\_(year) by \_\_\_\_\_ (Print Name),  
\_\_\_\_\_(Print Title) on behalf of \_\_\_\_\_ (Name of  
Entity).

\_\_\_\_\_  
[SEAL]

Notary Public

My commission expires: \_\_\_\_\_

Notary registration number: \_\_\_\_\_

**Complete if Bidder is a Sole Proprietor:**

Witness the following signature and seal:

\_\_\_\_\_  
(SEAL)

Signature

Print Name: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY/CITY OF \_\_\_\_\_, to-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ (month),  
\_\_\_\_\_(year) by \_\_\_\_\_ (Print Name), a sole proprietor.

\_\_\_\_\_  
[SEAL]

Notary Public

My commission expires: \_\_\_\_\_

Notary registration number: \_\_\_\_\_

**PLEASE RETURN THIS PAGE WITH BID SUBMISSION - [REQUIRED]**



### OFFEROR STATEMENT

The undersigned Bidder/Offeror (hereinafter "Bidder") hereby certifies that the Bidder has carefully examined all instructions, plans, conditions, specifications and other documents or items of this Invitation for Bid or Request for Proposals and hereby submits this bid/proposal pursuant to such instructions, plans, conditions, specifications and other documents or items. By submitting a bid/proposal, the Bidder covenants and agrees that he has satisfied himself, from his own investigation of conditions to be met, that he fully understands his obligation and that he will not make any claim for, or have right to cancellation or relief from the resulting contract because of any misunderstanding or lack of information; Certifies and warrants that the Bidder is properly licensed to provide the goods/services specified in the Request for Proposal and has the appropriate License or Certificate and classification(s) required to perform the work included in the scope of the proposal documents, prior to submitting the proposal, in accordance with Title 54.1, Chapter 11 of the Code of Virginia. If an Bidder shall fail to obtain the required license prior to submission of his proposal, he shall be deemed to be in violation of § 54.1-1115 of the Code of Virginia (1950), as amended, and his proposal will not be considered; Bidder further agrees that conditions herein have been carefully read and this proposal is submitted subject to all requirements stated herein. The undersigned hereby acknowledges and agrees, if this proposal is accepted, to furnish all services agreed upon in strict accordance with the contract.

**Complete if Bidder is an Entity:** WITNESS the following duly authorized signature and seal:

Name of Entity: \_\_\_\_\_

By: \_\_\_\_\_ (SEAL)

Signature

Print Name: \_\_\_\_\_ Print

Title: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY/CITY OF \_\_\_\_\_, to-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ (month),  
\_\_\_\_\_(year) by \_\_\_\_\_ (Print Name),  
\_\_\_\_\_(Print Title) on behalf of \_\_\_\_\_ (Name of  
Entity).

\_\_\_\_\_[SEAL]

Notary Public

My commission expires: \_\_\_\_\_ Notary registration number: \_\_\_\_\_

**Complete if Bidder is a Sole Proprietor:** Witness the following signature and seal:

\_\_\_\_\_(SEAL)

Signature

Print Name: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY/CITY OF \_\_\_\_\_, to-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ (month),  
\_\_\_\_\_(year) by \_\_\_\_\_ (Print Name), a sole proprietor.

\_\_\_\_\_[SEAL]

Notary Public

My commission expires: \_\_\_\_\_ Notary registration number: \_\_\_\_\_

**PLEASE RETURN THIS PAGE WITH BID SUBMISSION - [REQUIRED]**