

REQUEST FOR QUALIFICATIONS

#39127

For

STORM WATER PROGRAM MANAGEMENT

DIVISION OF ENGINEERING

The City of Memphis (hereafter referred to as “City”) is issuing this Request for Qualifications (RFQ) through its Division of Engineering for the solicitation of the services described herein. Inquiries for information related to this RFQ document should be directed in writing to:

Mr. Chee Chew
Administrator of Civil Design
125 North Main, Room 644
Memphis, Tennessee 38103
Email: cheeyen.chew@memphistn.gov

Completed submittals will be accepted at the delivery address shown above only and must be submitted by **12:00 p.m. (CST) on January 16, 2019**. Late submittals will **NOT** be accepted and will therefore be disqualified. In order to be considered for selection, respondents must submit a complete response to the RFQ. Incomplete submittals will not be considered if the omissions are determined to be significant (such determination is at the City’s sole discretion).

The City reserves the right to reject any and/or all submittals and to request additional information from any or all respondents. The contract will be awarded to the respondent who, based upon evaluation, is determined to have the best submittal.

In compliance with this request for submittals and all the conditions imposed herein, the undersigned offers and agrees to furnish the services in accordance with the attached signed submittal.

Name and Address of Firm:

By: _____
Signature in Ink

Please Print Name and Title

Phone: _____

E-mail: _____

Date: _____

I. GENERAL INFORMATION

1.1 Background

The City of Memphis (hereinafter referred to as the “City”), with a total area of 315 square miles, has over 150 drainage sub-basins of which 13 are deemed highly sensitive regarding drainage issues. The relatively flat topography of Memphis combined with an ageing drainage system has and continues to cause localized flooding throughout many areas of the City. The City realized that nothing short of a fully comprehensive study/design/construct strategy would render a long-lasting solution to this City’s drainage issues. To that end, the City established a Storm Water Enterprise fund which provides annual funding for drainage projects. With funding in place, the City started a program of studying the drainage basins utilizing consultants with a high level of hydrology experience. The consultants are tasked with thoroughly investigating their assigned basin, determining the issues that cause flooding, and producing a list of recommended projects focused on correcting the identified drainage issues. To date, the City has 18 such basin studies under contract with additional basins possibly being studied.

1.2 Purpose of the RFQ

The City has chosen to solicit submittals from qualified firms to function as the Storm Water Program Manager (SWPM) and assist the City staff in the overall management of the storm water program. The anticipated contract to be awarded will be an initial four (4) year contract with the option for two (2), two (2) year extensions, subject to the mutual approval of the parties.

1.3 Goals

- Identify by the previously performed drainage basin study all known requirements and locations where storm water issues exist so that adequate resources can be directed to reduce localized flooding and improve infrastructure conditions.
- Prioritize all proposed projects generated from the drainage basin studies based on severity of issue, practicality of project, and cost.
- Provide and implement a comprehensive management plan that addresses both short and long-range strategies targeting storm water issues, mitigation of flooding, erosion, water quality, and encourages implementation of Green Infrastructure.

II. SCOPE OF SERVICES

The final scope of services for the SWPM will be negotiated with the selected respondent. However, for the purposes of providing respondents with the **minimum** anticipated requirements of the project, and identifying the program elements which are of importance to the City, the following service areas should be specifically addressed in response to this RFQ:

2.1 The selected firm will be responsible for developing and submitting a detailed project scope of services based on the final negotiated scope subject to approval by the City to be included in the contract documents.

2.2 Prioritize current and future proposed drainage projects based on agreed to parameters. Provide a uniform set of guidelines so that all projects use the same design methodologies, computer models and modeling assumptions, and the same design storm where applicable.

2.3 Provide construction administration services to include the review of construction bids, review and approval of construction schedules, shop drawing reviews, develop standards for field observation and reporting, perform construction inspections, and the review and approval of construction payments.

2.4 Assist City staff with the integration of storm water projects into the City's GIS data base.

2.5 Track, monitor, and report on project progression and program budget. Include strategies to control costs. **For planning purposes, the anticipated budget for the storm water program is \$10 – \$12 million per year. This budget amount is inclusive of all design, management, and construction costs.**

2.6 Provide design management services to include: consultant selection assistance, scope review, drawing reviews, value engineering, constructability reviews, schedule adherence, and invoice processing.

2.7 Assist with public outreach material and meetings to inform citizens of progress. The SWPM may be required to develop and implement a Public Relations plan to educate internal and external stakeholders on the requirements, goals, construction opportunities, costs and merits of the Storm Water Program.

2.8 Serve as the technical resource to the City and may be called upon to interface with the appropriate regulatory agencies as requested.

2.9 The selected SWPM will not perform any design services and construction services (except for management/administration services) under this agreement. The City reserves the right to hire a third-party consultant to perform the QA/QC on the hydraulic/hydrologic model calibration phase of the basin study projects.

III. SUBMITTAL EVALUATION & SELECTION PROCESS

3.1 SUBMITTAL EVALUATION COMMITTEE

Submittals will be evaluated by an Evaluation Committee to be determined by the City.

3.2 EVALUATION CRITERIA

This is a qualification-based selection. Submittals shall not exceed thirty (30) pages (8-1/2 x 11") in length, excluding the production of forms and other documents which may be required. It is the City's intent to have the technical aspects (which includes Project Cutsheets) of the submittal limited to thirty (30) pages. Detailed resumes of management, supervisor and key

personnel may be included as an appendix to the submittal and not counted against the thirty (30) pages. Each submittal should focus on the experience of the individual SWPM team members and how they will respond to the planning, design, and construction management elements of the project.

At a minimum, the following elements will be considered during the evaluation phase of the review process:

- 1) Background, professional qualifications, skills, and experience of the firm, its staff and proposed joint ventures (if any).
- 2) Degree of expertise of the individuals and firm(s) specifically in the areas outlined in this RFQ.
- 3) Experience with storm water programs for areas of a size and scope similar to the City of Memphis.
- 4) Originality and innovative approaches applicable to the project. Innovative/alternative approaches to project funding and EBO participation should specifically be addressed.
- 5) Proposed technical approach to meet the requirements and objectives of the RFQ.
- 6) Capacity to meet the requirements of the project.
- 7) Responsiveness to the requirements and procedures as set forth within the RFQ.
- 8) Quantity and experience of staff assigned to the project.
- 9) Minority and women owned business participation.
- 10) In the event a number of firms shall propose together, the submittal shall describe the structure of the consultants' arrangement, i.e., Joint Venture, Prime and Sub, or other arrangement.
- 11) Past performance and relevant experience in engaging the community and stakeholders including public outreach involvement.

In addition to the foregoing, each Respondent will also be evaluated on the following:

- 1) Does the Respondent demonstrate an understanding of the City's needs?
- 2) Can the Respondent assist the City in satisfying all the design and construction management requirements of the project?
- 3) Does the Respondent have the reputation, judgment, experience and efficiency required by the Program?

While the City believes all the criteria used by its Evaluation Committee is of importance, the relative weight for such criteria is indicated by the maximum points each evaluation criteria could receive as set forth below. The City reserves the right to change the weight established for the various factors.

- i. The respondent's documentation of the general approach and plans in meeting the requirements of this RFQ including, but not limited to, the integration of the design and construction management teams; (20%)
- ii. The respondent's detailed approach and plans to perform the services and render timely deliverables; (20%)

- iii. The respondent's documented experience in successfully completing projects of a similar size and scope; (25%)
- iv. The background, qualifications, skills, and experience of the respondent's management staff, supervisors and other key personnel assigned to the agreement; (20%)
- v. Minority and women owned business participation; (15%)

3.3 SELECTION PROCESS

The submittal shall be awarded with reasonable promptness and by written notice to the firm selected whose submittal is determined to be most advantageous to the City of Memphis. **Any or all submittals may be rejected if the City determines that it is in the public interest to do so.**

IV. SUBMITTAL PREPARATION AND SUBMISSION REQUIREMENTS

4.1 GENERAL INFORMATION

The respondent must follow the instructions contained in this RFQ in preparing and submitting its submittal. The respondent is advised to thoroughly read and follow all instructions.

4.2 The information required to be submitted in response to this RFQ has been determined to be essential in the response evaluation and award process. Any qualifying statements made by the respondent as to the requirements of the RFQ could result in a determination that the respondent's submittal is materially non-responsive. Each respondent is given wide latitude in the degree of detail it elects to offer or the extent to which plans, processes, and procedures are revealed. However, each respondent is cautioned that insufficient detail may result in a determination that the respondent's submittal is materially non-responsive; or alternatively, may result in a low score being given to the respondent's submittal.

4.3 Submittals shall be signed by an authorized officer of the company, contain all information requested, and meet all submission requirements.

4.4 Submittals shall be prepared simply and economically, providing a straightforward, concise description of capabilities to satisfy the requirements of the RFQ. Emphasis should be placed on completeness and clarity of content.

4.5 All materials submitted pursuant to this RFQ shall become the property of the City. To the extent permitted by law, all documents pertaining to this RFQ shall be kept confidential until the submittal evaluation is complete, and contract is awarded. No information about any submission of submittals shall be released to anyone until the process is complete, except to the members of the "Evaluation Committee", who shall evaluate the submittals. All information provided shall be considered by the Evaluation Committee in making a recommendation to enter into an agreement with the selected respondent.

4.6 Costs incurred by the respondent to prepare a submittal are solely those of the respondent. Nothing contained within this RFQ is indicative of intent by the City to reimburse the respondent, in whole or in part, for any costs associated with the preparation, submission, or presentation of the submittal. Submittals shall become property of the City and not be returned.

4.7 ANTICIPATED SCHEDULE OF EVENTS

The anticipated timetable for this RFQ is presented below:

Request for Qualifications (RFQ) Issue Date	December 4, 2018
Submittal Submission	January 16, 2019
Consultant Selection	March 15, 2019
Award	July 1, 2019

City reserves the right to modify such schedule. However, in the event of such changes, reasonable notice shall be provided by City.

4.8 SUBMITTAL DELIVERY AND IDENTIFICATION

In order to be considered, a vendor's submittal must arrive at the City no later than 12:00 p.m. (CST) on **January 16, 2019**. Submittals must be delivered to the submittal delivery address provided herein. All respondents are advised to allow adequate delivery time to ensure punctual delivery of submittals. Late submittals are ineligible for consideration. The exterior of all submittal packages must be labeled with the title of the RFQ and name of the firm submitting the submittal.

4.9 NUMBER OF SUBMITTAL COPIES

Each respondent must submit one (1) complete original submittal that clearly has been marked as the **"ORIGINAL"** RFQ submittal and one electronic copy of the proposal in PDF format. Each respondent must also submit five (5) full, complete and exact copies of the original. The copies are necessary in the evaluation of the response by the Evaluation Committee. Respondents failing to provide the required number of copies shall be charged the cost incurred by the City in producing the required number of copies. It is suggested that the respondent make and retain a copy of the submittal.

4.10 RESPONSE FORMAT

The information listed below shall be submitted with each submittal in the order shown. Each section should be clearly labeled with pages numbered and separated by tabs. Failure of a respondent to include all listed items may result in the rejection of its submittal.

Section I - Management Summary

In this section, the respondent shall describe in detail its plans and approach for fulfilling the requirements reflected in the RFQ. The RFQ describes the minimal level of services to be provided by the SWPM. The respondent must present its understanding of the requirements

and its ability to fulfill said requirements successfully. However, the respondent is not limited by the services described and is encouraged to expand upon, supplement, or propose additional services in which the respondent has expertise that may benefit the City. The approach proposed by the respondent should demonstrate the respondent's ability to minimize costs, and to integrate design and construction management services in project delivery. The respondent's approach to meeting or exceeding the EBO goals assigned to elements of this project should be well detailed and comprehensive. This section should also set forth a summary of any problems and challenges anticipated during the term of the project. The respondent should identify and submit proposed solutions for each of the anticipated problems and challenges.

Section II – Experience

This section should describe at a minimum the respondent's experience in successfully completing projects of a similar size and scope and shall include the following:

- Identify the key roles, definitions of the identified roles and the personnel proposed for each role of the project team.
- For each proposed key staff member, provide the estimated percentage of that person's time devoted to the project.
- Demonstrate an in-depth understanding of hydrology, solutions to flooding problems, the design and construction of flooding mitigation projects, and the management of a municipal Storm Water Program.
- Demonstrate experience with implementing a SWPM program, including experience with public involvement/engagement activities.
- Include an organizational chart depicting the entire organizational structure. This chart should demonstrate the relationship of the individuals and their respective firms (if a subconsultant) performing work under the agreement to the overall organizational structure.
- Detailed resumes should be submitted for all management, supervisor, and key personnel who will be acting under the agreement. Resumes should be structured to emphasize the relevant qualifications and experience of these individuals in successfully completing projects of similar size and scope.
- List all subconsultants who will be involved with this project.
- Detail which key staff will be stationed on-site or in close proximity to the City of Memphis (COM).
- Provide experience in implementing Green Infrastructure (GI) Best Management Practices (BMPs).

Section III - Background Information

This section shall provide written answers to the following inquiries:

- i. How many years has your organization been in business under its present business name?
- ii. Under what other or former names has your organization operated?
- iii. If your organization is a corporation, provide the following information: date of corporation; State of incorporation; name of president; name of vice president; name of secretary; and name of treasurer.

- iv. If the organization is a partnership or LLC, provide the following information: date of organization; type of partnership/LLC; and name(s) of general partner(s) or members (LLC).
- v. If your organization is individually owned, provide the following information: date of organization and name of owner.
- vi. Has your organization ever failed to complete any contract awarded to it?
- vii. Within the past five (5) years, has any officer or principal of your organization ever served as an officer or principal of another organization when it failed to complete a contract?
- viii. Are there any judgments, claims, arbitration proceedings, or lawsuits pending or outstanding against your organization or its officers?
- ix. Has your organization filed any lawsuits or requested arbitration with regard to any contracts within the last five (5) years?
- x. Has any owner made a claim against you, which has resulted in arbitration or litigation with the past five (5) years?
- xi. Has your organization or any of its officers or owners ever been convicted of a crime within seven (7) years of application, or released from prison after conviction within five (5) years of the date of application?
- xii. Has your organization or any of its officers or owners ever been disqualified, suspended, or debarred from a contract with any Federal, State, or local government entity?

If the answer to any questions “vi” through “xii” is yes, provide details.

Section IV - CORPORATE QUALIFICATIONS AND REFERENCES

This section shall document the firm’s and named subcontractor’s licensing and certifications. Also, provide references for programs of similar scope, size, and complexity, including contact persons’ names, titles, and contact information. Outline the specific part(s) of the project performed by the firm. The respondent shall also certify that it meets the minimum requirements set forth in the RFQ and that the information contained within its response is accurate and correct. The respondent further certifies that it is aware that if the City determines that any of the information is incorrect or false, the City may reject the response as non-responsive.

Section V - MWBE PARTICIPATION

As required in Section 6.10 below, this section shall set forth the respondent's MWBE Participation Plan that must be submitted and include: (1) the level of participation your firm anticipates to achieve in the performance of the contract resulting from this RFQ; (2) the type of work to be performed by the M/WBE; and (3) to the extents known, the names of the M/WBEs your firm plans to utilize in the performance of the SWPM contract resulting from this RFQ.

V. GENERAL PROJECT REQUIREMENTS

5.1 PERSONNEL REQUIREMENTS

The proposed project team shall consist of registered professional engineers in the State of Tennessee and other financial and technical professionals trained in the specific project elements as set forth above under Section II, Scope of Services. A respondent must have a minimum of five (5) years experience as a successful firm that has managed projects of similar in nature, scope and size to the City.

5.2 DEDICATION AND SUBSTITUTION OF KEY PERSONNEL

The City of Memphis expects key personnel designated by the SWPM to be dedicated to the City during the term of the contract. Any substitution of key personnel shall be subject to final approval by City. Additionally, it is anticipated that a City of Memphis employee will be embedded with the SWPM team for the full term of this agreement

5.3 OTHER RESPONSIBILITIES

The selected firm may be required to attend meetings with the City, state and federal regulatory agencies, as well as the public concerning general or specific matters related to the project.

5.4 COMPLIANCE WITH LAWS

The selected SWPM shall be required to comply with all applicable local, state, and federal laws in the performance of the contract. Specifically, the SWPM shall comply with, and ensure that each subconsultant engaged or procured by the SWPM, comply with the City's MWBE and Local Preference Ordinances.

VI. ADDITIONAL TERMS & CONDITIONS

6.1 PRECEDENCE OF AGREEMENT TERMS AND CONDITIONS

In the event of a conflict between the terms of the SWPM Agreement and the selected SWPM's response to the RFQ, the SWPM Agreement and the City's RFQ shall govern.

6.2 REVISIONS TO THE RFQ

An addendum will be prepared and distributed at such a time when a written clarification or revision to this RFQ is necessary. Addendums shall be emailed to each respondent's designated point of contact.

6.3 ADDENDUM AS PART OF THE RFQ

Any addendum to this RFQ shall become part of this RFQ and part of any agreement resulting from this RFQ.

6.4 RESPONDENT'S RESPONSIBILITY

The respondent assumes sole responsibility for the complete effort required by this RFQ. It acknowledges that it is responsible for the information in the RFQ and all subsequent amendments. No special consideration shall be given after response submittals are opened because of a respondent's failure to be knowledgeable of all the requirements of the RFQ. By submitting a response to this RFQ, each respondent represents that it has satisfied itself, from its own investigation, of all the requirements of this RFQ. The respondent further represents that it has made its own calculations, based on the information provided and its own research and experience, of costs, and expenses, for which the City bears no liability.

6.5 CONTENTS OF RFQ RESPONSE - PUBLIC RECORD

The entire content of every submittal will become a public record after the Intent to Award is issued. This is the case, notwithstanding any statement to the contrary made by a respondent in its submittal, unless information included in such submittal includes the respondent's proprietary information as such term is legally acknowledged, which shall be expressly excluded from public disclosure.

6.6 GENERAL QUESTIONS

General questions shall be submitted in writing or via email to Mr. Chee Chew, the Administrator of Civil Design, at the address provided on the cover sheet included herein. The deadline for submitting any questions regarding this RFQ shall be no later than 12:00 pm (CST) on December 28, 2018.

6.7 AMBIGUITY, CONFLICT OR OTHER ERRORS IN THE RFQ

If a respondent discovers any ambiguity, conflict, discrepancy, omission or other in the RFQ, it shall immediately notify the Administrator of Civil Design, Mr. Chee Chew, of such error in writing or by email and request modification or clarification of the document. The City will make modifications by issuing a written revision and will give written notice to all parties who have received this RFQ.

The respondent is responsible for clarifying any ambiguity, conflict, discrepancy, omission, or other error in the RFQ prior to submitting or it shall be waived. Claims of ambiguity after submission of the RFQ shall not serve as grounds for a protest.

6.8 ACCEPTANCE OF SUBMITTALS

The City reserves the right to request clarifications or corrections to submittals and shall accept all submittals that are submitted properly. Such requests for clarification of submittals shall be in writing and shall not alter the vendor's pricing information contained in its cost submittal.

6.9 VALIDITY OF SUBMITTALS

All submittals shall be valid for a period of one-hundred and eighty (180) days from the Closing Date provided on the cover sheet included herein.

6.10 EQUAL BUSINESS OPPORTUNITY PROGRAM

The Agreement is subject to the requirements of the City of Memphis Ordinance #5384 which establishes the Equal Business Opportunity ("EBO") Program. It is up to the Respondent to ensure that all requirements of this ordinance are met. The selected SWPM will also be responsible for ensuring that each subconsultant rendering services under the Agreement complies with the EBO Program. The Ordinance may be accessed on the City's website at www.memphistn.gov in the "Business" tab under "Doing Business with the City". The intent of the EBO Program is to increase the participation of locally owned minority and women owned business enterprises ("M/WBE") in the City's purchasing activities. Toward achieving this objective, the M/WBE participation goal for the SWPM services assigned to this solicitation is **25%**. The percentage of M/WBE participation is defined as the dollar value of subcontracts awarded to certified minority and/or women business enterprises divided by the total proposed negotiated contract amount. This goal only represents a minimum dollar value established by the City and respondents are encouraged to increase such participation to the extent possible. Additional EBO goals will be assigned to both the design and construction projects that are created from this effort and the SWPM will be responsible for insuring that these goals are met.

Participation Plan

Each Respondent must submit as part of its response a Participation Plan that must include: the level of participation your firm anticipates to achieve in the performance of the contract resulting from this RFQ; (2) the type of work to be performed by the M/WBE; and (3) to the extents known, the names of the M/WBEs your firm plans to utilize in the performance of the SWPM contract resulting from this RFQ.

Eligible M/WBE Firms

IT IS THE RESPONSIBILITY OF THE RESPONDANT TO VERIFY WITH THE CITY OF MEMPHIS CONTRACT COMPLIANCE OFFICE (CONTACT INFO BELOW) THAT ANY M/WBE FIRM(S) UTILIZED TO MEET THE PARTICIPATION GOAL ARE CERTIFIED AS AN M/WBE FIRM. A listing of current M/WBE certified firms is located on the City's website at <https://memphis.mwsbe.com/?TN=memphis>. One or a combination of several M/WBEs may be utilized to meet the established goal of **25%.**

Requests for verification must be submitted to the City's Contract Compliance Office listed below:

City of Memphis
Contract Compliance Office
125 North Main Street, Suite 546
Memphis, TN 38103
Phone: (901) 576-6210
Fax: (901) 576-6560

CITY OF MEMPHIS *EQUAL BUSINESS OPPORTUNITY PROGRAM* COMPLIANCE FORM

PROJECT TITLE: CD/Project Management – Storm Water Program Manager

Project M/WBE GOAL: 25%

The following sections must be completed by respondent. A certified subcontractor or supplier is defined as a firm from the list of certified firms provided with this specification.

_____ Respondent's Name

Section A - If the respondent is a certified firm, so indicate here with a check mark.

_____ MBE _____ WBE

Section B - Identify below those certified firms that will be employed as subcontractors or suppliers on this project. By submitting this form, the respondent commits to the use of the firms listed below.

\$ _____ = Show the dollar value of the subcontract to be awarded to this firm

% _____ = Show the percentage this subcontract is of your base proposal

M/WBE = Show by inserting an M or W whether the subcontractor is an MBE or WBE

<u>\$ / %</u>	<u>M/WBE</u>	<u>SERVICE</u>	<u>CERTIFIED SUBCONTR. NAME, ADDRESS, TEL. #</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

\$ _____ % _____ **Total MBE**

\$ _____ % _____ **Total WBE**

THIS FORM and SUPPORTING DOCUMENTATION MUST BE SUBMITTED WITH THE RESPONSE TO THE

RFP OR THE RESPONSE WILL BE CONSIDERED NON-CONFORMING.

Good Faith Efforts Documentation

If a Respondent proposes an M/WBE percentage less than the established goal, the Respondent must, at the time of the response, submit a Good Faith Efforts statement accompanied by the appropriate documentation justifying its submitted M/WBE percentage. The ability of the Respondent to perform the work with its own work force will not in itself excuse the Respondent from making good faith efforts to meet participation goals. The determination of whether a Respondent has made a good faith effort will be made by the City’s Contract Compliance Officer, Director of Finance and the Purchasing Agent, prior to the award of the project. The Good Faith Efforts statement must include the following documentation:

GOOD FAITH EFFORT DOCUMENTATION FORM

To: The Honorable Mayor City of Memphis, Tennessee

From: _____
CONTRACTOR NAME

PROJECT TITLE: _____

Enclosed please find the required documents:

- _____ Copies of all written notification to City of Memphis M/WBE listed firms. (Please attach list of all firms notified, detail how they were notified and when).
- _____ Said Respondent _____ did / or _____ did not select economically feasible portions of the work to be performed by M/WBE firms.
- _____ List all M/WBE firms with which negotiations took place. (Attach list. If no negotiations were held, please state so.) Provide names, addresses, and dates of negotiations.
- _____ Statement of efforts to assist M/WBE firms, with bonding, insurance, financing, or with document review. (Attach list. If no assistance was provided, please state so.)
- _____ The Respondent _____ did / or _____ did not use all M/WBE quotations received. If the Respondent did not use all M/WBE quotations received, list on attached sheets, as required as to the reasons those quotes were not used.
- _____ List (on attached sheets as required) all M/WBE firms contacted that the respondent considered not to be qualified, and a statement of the reasons for the respondent’s conclusions. If no firms were found to be non-qualified, please state so.

THIS SIGNED FORM MUST BE SUBMITTED WITH THE RESPONSE TO THE RFP IF THE RESPONDENT DOES NOT MEET THE REQUIRED M/WBE PROJECT GOAL WITH ITS PROPOSAL. IF NOT SUBMITTED THE RESPONSE WILL BE CONSIDERED NON-CONFORMING.

Contractor’s Name

Signature

Printed or Typed Name and Title

VII. INSURANCE REQUIREMENTS

7.0 The respondent shall upon award of the PM contract satisfy the following requirements:

The PM shall not commence any work under this contract until it has obtained and caused its subcontractors to procure and keep in force all insurance required. The PM shall furnish the Risk Manager a Certificate of Insurance and/or policies attested by a duly authorized representative of the insurance carrier evidencing that the insurance required hereunder is in effect. All insurance companies must be acceptable to the City of Memphis and licensed in the state of Tennessee.

If any of the Insurance Requirements are non-renewed at the expiration dates, payment to the PM may be withheld until those requirements have been met, or at the option of the City. The City may pay the renewal premiums and withhold such payments from any monies due the PM.

Each certificate or policy shall require and state in writing the following clauses:

The PM shall provide notice to the City within three (3) business days following receipt of any notice of cancellation or material change in PM's insurance policy from PM's insurer. Such notice shall be provided to City by registered mail, to the following addresses:

City of Memphis
Attn: Risk Management
170 N. Main St. 5th Floor
Memphis, TN 38103

City of Memphis
Attn: Purchasing Agent
125 North Main, Room 354
Memphis, TN 38103

The Certificate of Insurance shall state the following: "The City of Memphis, its officials, agents, employees and representatives shall be named as additional insured on all liability policies." The additional insured endorsements shall be attached to the Certificate of Insurance and the Certificate of Insurance shall also state: "The additional insured endorsement is attached to the Certificate of Insurance."

WORKERS COMPENSATION:

The ENGINEER shall maintain in force Workers' Compensation coverage in accordance with the Statutory Requirements and Limits of the State of Tennessee and shall require all subcontractors to do likewise with MINIMUM LIMITS OF:

Employers Liability	\$100,000	Each Accident
	\$500,000	Disease – Policy Limit
	\$100,000	Disease – Each Employee

AUTOMOBILE LIABILITY:

Covering owned, non-owned and hired vehicles with MINIMUM LIMITS OF:

\$1,000,000 Each Occurrence – Combined Single Limits

A separate endorsement must also accompany the Certificate of Insurance and should be signed by the agency.

COMMERCIAL GENERAL LIABILITY:

Comprehensive General Liability Insurance, including Premises and Operations, Contractual Liability, Independent Contractor’s Liability, and Broad Form Property Damage Liability coverage with MINIMUM LIMITS OF:

\$2,000,000	General Aggregate
\$2,000,000	Products & Completed Operations
\$1,000,000	Personal & Advertising
\$1,000,000	Each Occurrence (Bodily Injury & Property Damage)
\$ 50,000	Fire Damage any One Fire
\$ 5,000	Medical Expense any One Person

A separate endorsement must also accompany the Certificate of Insurance and should be signed by the agency.

PROFESSIONAL LIABILITY:

The ENGINEER shall maintain such coverage for at least three (3) years from the termination or expiration of this agreement with MINIMUM LIMITS OF:

\$1,000,000 Each Occurrence / Aggregate

The PM shall require all subcontractors to carry insurance as outlined above, in case they are not protected by the policies carried by the PM.

PROPERTY INSURANCE:

The PM shall be responsible for maintaining any and all property insurance on their own equipment and shall require all subcontractors to do likewise.

The PM is required to provide copies of the insurance policies upon request.

[REMAINDER INTENTIONALLY LEFT BLANK]