

**HANCOCK COUNTY UTILITY AUTHORITY  
REQUEST FOR PROPOSALS INFORMATION PACKET  
LEGAL SERVICES**

Hancock County Utility Authority ("Owner") will accept sealed proposals from qualified firms for professional legal services in connection with the Bayou LaCroix Wastewater System Upgrades Project ("Project").

The Owner is seeking funding for the Project from the United States Department of the Treasury, through the Mississippi Department of Environmental Quality, as more thoroughly described herein.

If you have any questions concerning the proposal, please contact David Pitalo, Executive Director, Hancock County Utility Authority (228) 467-3702.

The services required for this project are:

**LEGAL SERVICES:** The selected Legal Professional shall complete legal services in accordance with applicable State and Federal laws, regulations, and procedures. The Legal Professional shall provide legal services, including serving as the Owner's professional legal representative for the Project, and providing professional legal consultation and advice. Activities will include legal services for the Project described as follows:

**Project Location:** Bayou LaCroix Road area, Hancock County, Mississippi, located west of Hwy 603/43 and approximately 1-1/4 miles south of Interstate 10 to the intersection of Bayou LaCroix Road.

**General Scope of Work:** The proposed project anticipates the construction and installation of a low-pressure sanitary sewer system with individual grinder pump stations installed at the location of each customer. Pressure force mains are proposed to be installed along Bayou LaCroix Road from the Stennis Space Center Buffer Zone to an existing wastewater pumping station located on Hwy 603 south of Bayou LaCroix Road, and also pressure force mains along side streets to Bayou LaCroix Road (Sones Lane, Oak Drive, Rhonda Lane, Mary Lane, Dawn Lane, and George Lane). All existing septic tanks will be decommissioned and will be cleaned, filled in, and crushed to remove any potential water quality impairments and failures in the future. It is anticipated that approximately 36 service connections will be established with these upgrades.

Legal services will include services associated with obtaining easements and/or right-of-entries from property owners and all legal services components relative to the Sub-Award Agreement with the Mississippi Department of Environmental Quality and the associated requirements of the RESTORE ACT.

Firms proposing to perform services should submit a list of their qualifications, experience, and capacity for performance. Firms must submit the name of the person within the firm who will be the Owner's contact and will be primarily responsible for rendering services if the firm is selected.

Proposals must include the following information:

1. Capabilities, Experience, and Past Performance: Each firm or individual will be evaluated on its demonstrated capabilities and experience to provide the services described to the Owner. Proposers are encouraged to elaborate on their qualifications and performance data or staff pertinent to the proposed project.
2. Key Personnel: Each firm or individual will be evaluated on the experience and education of the key personnel that will be assigned to the Owner's project.
3. Federal Grant Project Experience: The experience of the firm or individual with federal grant programs. The information submitted should, as a minimum, include: (1) type of federal program, (2) the amount of federal funds, and (3) types of project activities undertaken, pertinent to federally-assisted projects.
4. Ability to Accomplish Work: Each firm or individual will be evaluated on its ability to provide required services in a timely manner. Items to be considered include number of qualified staff (emphasis on local staffing), supporting technical staff, availability of equipment and facilities.
5. Cost: Each firm or individual will be evaluated on the proposed cost to complete the required services.
6. Local Experience: Each firm or individual will be evaluated on its familiarity with the state and local regulations and procedures.
7. Other: Each firm or individual will be evaluated on any supportive information that demonstrates their capabilities to best suit the needs of the Owner.

All proposals will be rated on the following system to determine the best qualified proposer:

Maximum Points - Description
30 points - Capabilities, Experience, and Past Performance
20 points - Key Personnel
20 points - Federal Grant Project Experience
10 points - Ability to Accomplish Work
10 points - Cost
5 points - Local Experience
5 points - Other
Total – 100 points

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The Selection Committee will open and review each proposal and select a qualified firm or individual with which to negotiate. Six (6) copies of the proposal should be packaged, sealed, and properly labeled as follows:

**NAME OF FIRM OR INDIVIDUAL  
PROPOSAL FOR LEGAL SERVICES  
BAYOU LACROIX WASTEWATER SYSTEM UPGRADES PROJECT**

and delivered or mailed to the address below no later than 2:00 p.m., March 6, 2020:

Hancock County Utility Authority  
401 Gulfside Street, Waveland, MS 39576

Firms submitting proposals are solely responsible for meeting submittal deadlines. Proposals received after the stated deadline will be deemed non-responsive and will not be considered for any contract awarded as a result of this solicitation.

Proposals may be held by the Owner for a period of not to exceed ninety (90) days from the date of opening for the purpose of reviewing the proposals and investigating qualifications of the applicants prior to awarding. A contract will be awarded to the qualified, responsible firm whose proposal is most advantageous to the Owner, with price and other factors considered. The Owner reserves the right to waive any irregularities or informalities in the proposals submitted, reject any and all proposals, or terminate the solicitation with no contract awarded.

Warranties

By applying to this RFP, firms/individuals submitting Proposals warrant and represent the following:

1. The firm/individual does not have any unpaid Federal tax liability for which all judicial and administrative remedies have been exhausted.
2. The firm/individual has a valid DUNS number and active registration with the General Services Administration's, government-wide System for Award Management Exclusions (SAM exclusions). The SAM Exclusions can be found at <https://www.sam.gov/portal/public/SAM/>.

Proposals are being requested in accordance with Item (d)(5) of 2 C. F. R. §200.320 "Methods of procurement."

The Owner is an equal opportunity employer.

Any contract awarded must comply with the Minority Business Enterprise and Women Business Enterprise contracting requirements outlined in "Attachment B" to this solicitation. MBE and/or WBE individuals/firms are encouraged to respond to this solicitation.

**ATTACHMENT A: ADVERTISEMENT – REQUEST FOR PROPOSALS**

**HANCOCK COUNTY UTILITY AUTHORITY  
ADVERTISEMENT - REQUEST FOR PROPOSALS  
PROFESSIONAL LEGAL SERVICES**

Sealed Proposals will be received by the Hancock County Utility Authority at 401 Gulfside Street, Waveland, MS 39576 until 2:00 p.m., March 6, 2020, for Professional Legal Services, as described below:

Legal services for work related to the Bayou LaCroix Wastewater System Upgrades Project for the Mississippi Gulf Coast Water Quality Improvement Program with funding made available pursuant to the Direct Component of the RESTORE Act. The project will provide for the construction of a central sanitary wastewater collection system, the decommissioning of residential septic systems, and the establishment of connections from the included residences to the newly constructed wastewater collection system. Legal services will include services associated with obtaining easements and/or right-of-entries from property owners and all legal services components relative to the Sub-Award Agreement with the Mississippi Department of Environmental Quality and the associated requirements of the RESTORE ACT.

Information packets will be located at the address listed above, Monday through Friday, 8:00 a.m. to 3:00 p.m. Firms/individuals should submit proposals in accordance with the Information Packet. Firms/Individuals must submit the name of the primary contact person and the person within the firm (if applicable) who shall be the Owner's contact and party primarily responsible for rendering services, if selected.

Additional information regarding the scope of work for this solicitation may also be examined at the following locations:

- A. Mississippi Procurement Technical Assistance Program (MPTAP)  
Mississippi Development Authority, Minority & Small Business Development  
Woolfolk Building  
501 North West Street  
Suite B 01  
Jackson, MS 39201
- B. South MS Contract Procurement Center  
1636 Popps Ferry Road, Suite 203  
Biloxi, MS 39532  
Phone (228) 396-1288

Any contract awarded under this solicitation may be paid for in whole or in part with grant funding from the Department of the Treasury and the Mississippi Department of Environmental Quality under the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE Act). Any contract resulting from this solicitation will be subject to the terms and conditions of said funding award, the RESTORE Act Financial Assistance Standard Terms and Conditions and Program-Specific Terms and Conditions, the Standard Sub-Award Terms and Conditions, the RESTORE Act, 33 U. S. C. 1321(t), Treasury Regulations 31 C. F. R. § 34 et seq., including 31 C. F. R. §§ 34, Subpart D, all applicable terms and conditions in 2 C. F. R. Part 200 (including Appendix II to Part 200), and all other OMB circulars, executive orders or other federal laws or regulations, as applicable. The Mississippi Department of Environmental Quality, the United States, or any of its departments, agencies or employees is not and will not be a party to this solicitation or any resulting contract.

Minority and women's business enterprises are solicited to submit a proposal and are encouraged to make inquiries regarding potential subcontracting opportunities. When subcontracting, all potential contractors must make positive efforts to use small and minority owned business and women business enterprises. See 2. C. F. R. §200.321.

If you have any questions concerning the Request for Proposals, please call Hancock County Utility Authority office at (228) 467-3702.

**ATTACHMENT B: CONTRACTING WITH SMALL AND MINORITY BUSINESSES,  
WOMEN'S BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS**

Documentation of compliance with the following requirements is a matter of contractor responsibility. When subcontracting, the contractor must submit documentation of good faith efforts to meet the project's MBE/WBE requirements before contracted work can commence. (MBE/WBE requirements are outlined below and can be found at 2 C. F. R. §200.321.) Failure on the part of the contractor to submit proper documentation may cause the Owner not to execute or to terminate the contract.

(a) The prime contractor must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

(b) Affirmative steps must include:

- (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; and,
- (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

The prime contractor should note that this requirement mandates two responsibilities. Separate solicitations must be made of minority **and** women's business enterprises.

**SUBMITTAL OF MINORITY BUSINESS ENTERPRISE AND  
WOMEN'S BUSINESS ENTERPRISE (MBE/WBE) DOCUMENTATION**

Prior to contract execution, the prime contractor must submit:

- A written certification that no subcontracts will be issued.
- OR -
- The Subcontractor Listing Form detailing all subcontractors from whom quotes were received including name, contact person, address, phone, and status (MBE, WBE or Non).

If subcontractors will be utilized, the prime contractor must submit the following for subcontracts proposed to be awarded to MBE/WBE enterprises:

- A certification from each MBE and/or WBE firm declaring its status as a MBE or WBE firm. This can be an MDOT, SBA, or MDA certification. A self-certification is acceptable, if the certification specifies the basis for MBE/WBE designation (e.g., the business is 51% owned and daily operation is controlled by one or more women or minority owners).

If subcontractors will be utilized, the prime contractor must submit the following for subcontracts proposed to be awarded to Non-MBE/WBE:

- For all subcontracts for which there are capable certified MBE/WBE firms existing to potentially perform the work, letters transmitted to MBE and WBE firms requesting quotes or proposals for specific subcontracting opportunities and encouraging inquiries for further details. Solicitations should have been sent in a timely manner, including allowed response time. (See "Sample Letter from Contractor to MBE/WBE Firms" below.)
- A listing of certified MBE and WBE firms from whom quotes or proposals were received, if any, who were not awarded subcontracts.
- Evidence that each Non-MBE/WBE subcontractor selected for the scope of work, was lower in price than each MBE/WBE proposal (or that there is some other acceptable reason to select the Non-MBE/WBE) and that the scope of work was the same for both the MBE/WBE and Non-MBE/WBE.

The contractor may utilize the following resources to assist in MBE/WBE affirmative outreach:

-MDOT Disadvantaged Business Entity (DBE) Website:

<http://sp.mdod.ms.gov/Civil%20Rights/Pages/DBE.aspx>

-MDA Minority Business Enterprise/Women Business Enterprise (MBE/WBE) Directory:

<https://minority.mississippi.org/MinorityBusinessDirectory.aspx>

Should the Prime Contractor intend to later issue a subcontract, the above affirmative steps must be followed and documentation of such submitted to the Owner for review as described under this section.