

**ENGINEER, BOND COUNSEL AND FINANCIAL ADVISOR  
REQUEST FOR QUALIFICATIONS**

The Brookshire Municipal Water District has been invited to submit an application for funding to the Texas Water Development Board for the 2018 or 2019 Clean Water State Revolving Fund program to design and construct a replacement wastewater collection pipe, manholes, electrical and controls; and for the 2018 or 2019 Drinking Water State Revolving Fund Program for the design and construction of Asbestos Cement Public Water Supply Line replacement with the necessary appurtenances; Water Meter replacement with the necessary appurtenances.

The Brookshire Municipal Water District, "District" requests the submission of qualifications statements, which will lead to the possible award of a contract to provide professional services for a project involving the District's Wastewater Treatment Collection Facilities as well as the District's Public Water Distribution Infrastructure.

Scope of Work

The services to be obtained for the **Engineer** requires a qualified engineer/engineering firm registered to practice in the State of Texas to prepare final design plans and specifications, to assist with bidding and to conduct all necessary interim and final inspections during the construction phase.

The services to be provided by the Bond counsel shall include the following duties, as necessary:

- Assist in preparing legal documents in connection with the financing program
- Render an objective legal opinion with respect to assessing the viability of authorizing and issuing evidence of indebtedness
- Examine applicable law
- Prepare the Resolution and other authorizing documents
- Consult with the parties to the transactions prior to the issuance of the Bonds.
- Secure TWDB and Texas Attorney General approval of the bonds and the registration of the Bonds by the Comptroller of Public Accounts of the State of Texas
- Review certified proceedings
- Undertake such additional duties as deemed necessary to render the opinion with respect to each Bond issue.

The services to be provided by the Financial Analyst shall include, but are not limited to, the following:

- Direction and coordination of all programs of financing including preparation and coordination of filing an application with the TWDB for loan or grant assistance
- Advise the City of current bond market conditions
- Recommend method of sale of debt instruments
- Advise publications of forthcoming sales
- Arrange for reports of independent consultants
- Recommend as to the advisability of obtaining credit ratings and coordinate preparation and submission of information to rating agencies
- Coordinate, prepare and submit required information to recognized bond insurance companies for insurance qualification, including for a TWDB loan
- Coordinate efforts for delivery of debt instruments and preparation and verification of closing figures
- Maintain liaison with Bond Counsel in preparation of all legal documents
- Counsel in selection of paying agent/registrar
- Print all debt instruments
- Deliver schedule of annual debt requirements on debt instruments
- Attend meetings as requested
- Advise of changes in Federal and State laws and regulations
- Advise on investments of funds as requested
- Advise and assist in exercising any call and/or refunding
- Advise and assist in the development of long-range financing plan

- Provide all financing planning services as requested
- Testify in litigation as requested
- Make recommendation on matters of credit enhancement

Guidelines for Content of Qualification Statements

DO NOT INCLUDE COST INFORMATION with the qualification statement. Responses that include cost or pricing information will be rejected and will not be considered by the District.

Detailed instructions on preparation of the qualification statement must be obtained from the District. For more information on preparing and submitting the qualification statement, contact General Manager, Tonya Pierre, at [bmwd@consolidated.net](mailto:bmwd@consolidated.net). This information should be requested as soon as possible in order to allow time to prepare the document and comply with the procedures.

Submittal Deadline

Three copies of the qualifications statement must be filed with the District by noon on Friday February 2, 2018. Brookshire Municipal Water District 4004 Sixth Street Brookshire, TX 77423.

Minimum Qualifications and Selection Criteria

The District will evaluate the qualification statements to determine which firm has the best qualifications. The Brookshire Municipal Water District reserves the right to negotiate with any and all engineers or firms that submit proposals as per the Texas Professional Services Procurement Act and the Texas Development Board’s Disadvantaged Business Enterprise Program.

Contract Terms and Negotiation Schedule

The consultant for *Engineering* services, *Bond Counsel* services and *Financial Advisor* services are expected to negotiate an agreement for services which is acceptable to the District. If an acceptable contract cannot be negotiated, the District may formally end negotiations and begin negotiating with the next highest qualified person or firm.

This contract is contingent upon release of funds from the Texas Water Development Board (TWDB). Any contract or contracts awarded under this Invitation for Bid (IFB) or Request for Qualifications (RFQ) are expected to be funded in part by a loan from the TWDB. Neither the State of Texas nor any of its departments, agencies, or employees are or will be a party to this IFB, RFQ, or any resulting contract. RFQ’s are issued in accordance with Section 2254 of the Texas Government Code (Professional Services Act) and Title 40 Code of Federal Regulations, Part 31 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).

This contract includes goals for Minority and Women’s Business Enterprise participation. The Environmental Protection Agency (EPA) has approved the following Minority Business Enterprise (MBE) & Women Business Enterprise (WBE) “fair share goals” for the TWDB State Revolving Fund programs. EPA policy does NOT mandate that the fair share goals be achieved but does mandate that a documented good faith effort be made toward achieving the goals.

	<u>MBE</u>	<u>WBE</u>
<b>CONSTRUCTION</b>	<b>12.94%</b>	<b>8.72%</b>
<b>SUPPLIES</b>	<b>9.68%</b>	<b>9.34%</b>
<b>EQUIPMENT</b>	<b>7.12%</b>	<b>5.39%</b>
<b>SERVICES</b>	<b>10.84%</b>	<b>5.72%</b>

Prime contractors are required to comply with EPA’s good faith effort policy when awarding sub-agreements for construction, supplies, equipment, and services. A complete version of TWDB document, “*Guidance for Utilization of Small, Minority, and Women-Owned Businesses in Procurement*”, is available at:

[www.twdb.texas.gov/financial/instructions/doc/TWDB-0210.pdf](http://www.twdb.texas.gov/financial/instructions/doc/TWDB-0210.pdf)

The Brookshire Municipal Water District is an affirmative action/equal opportunity employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age, handicap or national origin. Small, minority, and women-owned business enterprises are encouraged to submit proposals.