



Request for Proposals (RFP)

**COMPLIANCE ASSISTANCE FOR THE
THE CITY’S PHASE I MUNICIPAL SEPARATE STORM SEWER SYSTEM
(MS4) PERMIT
FOCUSING ON THE ILLICIT DISCHARGE AND ELIMINATION PROGRAM
AND THE AMBIENT MONITORING PROGRAM**

**STORMWATER MANAGEMENT DIVISION
DEPARTMENT OF PUBLIC WORKS
City of Jackson, Mississippi**

RFP # 92688-042826

RFP SUMMARY: The City is seeking proposals to provide compliance assistance for the City of Jackson’s Phase I Municipal Separate Storm Sewer System (MS4) Permit. The focus of the compliance effort will be water quality sampling required by the Illicit Discharge Detection and Elimination Program and water quality sampling required by the Ambient Monitoring Program	
RFP ISSUE DATE	April 2, 2026
PROPOSAL DUE DATE	Proposals will be accepted by the City of Jackson until April 28, 2026, at 3:30 pm. Proposals submitted after deadline will <u>NOT</u> be considered.
PRE-PROPOSAL CONFERENCE	A pre-proposal conference will be held at 10:00 am Central Time on April 14, 2026. It is highly recommended that all offerors attend. The pre-proposal conference will be held in the Andrew Jackson Room on the 1 st Floor of the Warren Hood Building at 200 S. President Street, Jackson, MS 39205
DEADLINE FOR QUESTIONS	The deadline for questions is April 22, 2026, at 5:00 pm. Questions and/or inquiries must be submitted in writing to Andrea Holmes at aholmes@city.jackson.ms.us . The answers to all questions submitted by offerors will be made publicly available by 5:00 pm on April 24, 2026, on the City of Jackson Website and at www.jacksonmsbids.com .

<p>PROPOSAL SUBMISSION PROCESS</p>	<p>You may submit your proposals electronically at www.jacksonmsbids.com or in hardcopy form.</p> <p><u>For electronic submissions</u>, proposals may be submitted through www.jacksonmsbids.com. Electronic submissions shall be the complete original (non-redacted) version of the proposal including all attachments in a searchable format, preferably in Microsoft Word or PDF, and labeled accordingly.</p> <p><u>For hard copies</u>, responses shall be submitted in a sealed envelope or box. The exterior of the sealed envelope or box shall be clearly labelled “<u>MS4 Water Quality Monitoring Services</u>” and include the proposer’s business name. Please submit your signed proposal:</p> <ol style="list-style-type: none"> 1. By <u>mail</u> to Jackson City Clerk’s Office: P. O. Box 17, Jackson, MS 39205 -OR- 2. By hand <u>delivery</u> to Jackson City Clerk’s Office/City Hall located at 219 South President Street, Jackson, MS 39201, (601) 960-1035. <p>For additional instructions and details on the proposal submission process, consult Section 3.2 (“Submission Process”) of the RFP.</p>
<p>RFP WEBSITE</p>	<p>Electronic copies of the RFP may be found at one of the following websites online:</p> <ol style="list-style-type: none"> 1. www.jacksonmsbids.com 2. State of Mississippi: https://www.ms.gov/dfa/contract_bid_search/Bid
<p>OFFICIAL RFP CONTACT</p>	<p>For additional information regarding specifications, contact:</p> <p>Andrea Holmes Stormwater Project Construction Manager Department of Public Works 200 S. President Street -Suite 424 P.O. Box 17, Jackson, MS 39205 Email: aholmes@city.jackson.ms.us Office 601.960.2352</p> <p>For additional questions on the RFP submission process or to request access to the digital proposal templates, please contact:</p> <p>The Purchasing Division Department of Finance & Administration Warren Hood Building 200 S. President St., Room 604 Jackson, MS 39201 (601) 960-1025</p>

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1. The Opportunity

1.1 Summary

The purpose of this project is to assist the City in coming into compliance with the Illicit Discharge Detection and Elimination (IDDE) and Ambient Monitoring requirements of its Phase I Municipal Separate Storm Sewer System (MS4) permit. The IDDE requirements of the permit involve updating the City's current storm sewer system maps, outfall sampling, creation of an industrial site inspection program, and creation of a procedure for keeping the maps updated, and the creation of a program for the outfall sampling. Currently, the Mississippi Department of Environmental Quality (MDEQ) is recommending that the City complete a full cycle of permit sampling of 120 outfalls this calendar year.

With respect to the ambient monitoring required under the MS4 permit, the program must be created. The City would like to complete the first cycle dry weather sampling and the wet weather sampling this calendar year, if at all possible.

1.2 Background

The City is subject to a Phase I MS4 permit issued by the Mississippi Commission on Environment. Quality under the National Pollution Discharge Elimination System. The current permit was issued in 2012 and expired in 2017. The City needs to implement the Illicit Discharge Detection and Elimination ("IDDE") requirements of the permit and complete the ambient monitoring requirements of the permit. With respect to the IDDE requirements, storm sewer maps need to be updated, the procedures for illicit discharge monitoring must be established, and the required outfall monitoring performed. With respect to the ambient monitoring requirements, the permit requires dry weather and wet weather ambient water quality monitoring of all 11 sub-watersheds of the Pearl River. A monitoring plan for the ambient water quality monitoring will need to be developed and submitted to the Mississippi Department of Environmental Quality.

The City has consistently struggled to implement the technical aspects of its Phase I MS4 permit as demonstrated by the date of the current permit—2012, and the current date—2026. The factors that have hampered the City's efforts have been adequate funding for implementation of the IDDE and ambient monitoring requirements of the MS4 permit. In the past, the City has lacked focused leadership on implementing the requirements of the permit. That issue has been resolved through the appointment of Andrea Holmes as the Stormwater Project Construction Manager. The City has also lacked in the technical expertise to create and implement these programs. The Engineering Division is currently without a licensed professional engineer and must rely upon outside consultants to provide the required technical expertise. The City is seeking to resolve the issues of compliance with the IDDE requirements of the MS4 permit and the ambient monitoring requirements of the MS4 permit through consultants with an established record of providing compliance assistance with MS4 permits. The goal of this RFP is to provide the City with a program for the IDDE requirements of the permit, provide the initial outfall sampling required under the permit, create a program for ambient monitoring and provide the water sampling required under that program.

MS4 Compliance Assistance Overview

The City was issued its initial Phase I MS4 permit in 1997 and the City retained the firm of Neel-Schaffer, Inc. to assist the City with the development of the programs to comply with the requirements of that permit. During the 2007 permit cycle, the City failed to meet certain requirements and was issued an administrative order by the Mississippi Commission on Environmental Quality. The City resolved those permit violations and was issued its current permit in 2012. The City has experienced numerous setbacks in complying with all the requirements of the 2012 MS4 permit, particularly, the requirements related to IDDE and ambient monitoring. This has been due primarily to a lack of personnel specifically assigned to ensure compliance with the MS4 permit, sufficient technical expertise for developing the required processes and programs, and a lack of funding to perform the water quality sampling required by both the IDDE and the ambient monitoring.

The City began addressing these issues during 2024. The Storm Water Management Division is now a separate division within the Department of Public Works housed alongside the Engineering Division. Andrea Holmes, who previously worked with on the City’s MS4 permit, when it was a program in the Solid Waste Division, is now the manager of the division. Ms. Holmes provides programmatic knowledge and specific training in Storm Water Management. She is currently limited by having only one inspector who currently is tasked with most of the compliance requirements for construction activities throughout the City.

1.3 Outcome Goals

The Storm Water Management Division has established the following goals for this Request for Proposals:

- 1) Enabling the Storm Water Management Division to perform investigative IDDE testing based on outfall sampling results;
- 2) Compliance with the IDDE and ambient monitoring requirements of the City’s MS4 permit.

1.4 Award Terms

Contract Duration:	Time required to complete the required sampling
Renewal Options & Terms:	At the conclusion of the initial term, renewable from year to year upon the mutual agreement of the parties for up to four additional one-year terms
Contract Type Expected:	Annual Task Order

2. Scope of Work

2.1 Services to be Provided

The successful proposer will be expected to provide the following services:

2.1.1 Illicit Discharge Detection and Elimination

- Develop Procedures for conducting dry weather screenings of the City's storm sewer system. The procedures should include the following and the inspection checklist found in Appendix to the City's 2012 Phase I MS4 permit:
 - Sample runoff according to the following requirements if flow or ponded runoff is observed at a field screening station and there has been at least 144 hours of dry weather:
 - If the discharge cannot be identified and no likely source is determined then water quality sampling can be used to determine whether the flow is likely to have resulted from an illicit discharge. The current minimum requirement is to conduct an analysis for ammonia and detergent-surfactants. Ammonia and detergent-surfactants are the best parameters to detect sewage which in the City of Jackson is documented to be the most numerous illicit discharge.

If the type of discharge still cannot be determined, then at a minimum, the analysis shall include the parameters of fluoride and potassium. This will aid in determining if the discharge is from a potable water source or an industrial or commercial waste source. Samples must be collected and analyzed consistent with the procedures required by 40 CFR Part 136.

- The procedures must also record general information such as time since last rain, quantity of last rain, site descriptions (e.g., conveyance type, dominant watershed land uses), flow estimation (e.g., width of water surface, approximate depth of water, approximate flow velocity, flow rate), and visual observations (e.g., odor, color, clarity, floatables, deposits/stains, vegetation condition, structural condition, and biology).
- The screening procedures should include a prioritization of the currently mapped outfalls (excluding the outfalls into the Hanging Moss Creek Watershed, which will be screen annually) based on criteria that would make outfalls more likely to be the source of illicit discharges, such as, older neighborhoods with deteriorating storm drain systems or which may have a higher likelihood of cross connections with the sanitary sewer.
- Dry weather screening procedures-When dry-weather flow is observed, visual or odor observations (e.g., observation of pieces of toilet paper, strongly colored or very muddy discharge, or the odor of sewage or chemicals) may provide enough information to determine that the discharge is illicit and to identify the likely source. Inspectors will use the inspection form found in Appendix to aid in this determination.

- Procedures for investigating and tracing illicit discharges or other sources of non-storm water including enforcement measures that will be followed in eliminating illicit discharges or other sources of non-storm water should include the following:
 - (i) At a minimum, the procedures must include the requirement to conduct an investigation(s) to identify and locate the source of any continuous or intermittent non-storm water discharge within 48 hours of becoming aware of the illicit discharge.
 - - Illicit discharges suspected of being sanitary sewage and/or significantly contaminated must be investigated first.
 - - Investigations of illicit discharges suspected of being cooling water, wash water, or natural flows may be delayed until after all suspected sanitary sewage and/or significantly contaminated discharges have been investigated, eliminated and/or resolved.
 - - The procedures must include a requirement to report immediately the occurrence of any dry weather flows believed to be an immediate threat to human health or the environment to MDEQ at 601/961-5171.
 - - The procedures must track all investigations to document at a minimum the date(s) the illicit discharge was observed, the results of the investigation, any follow-up of the investigation, and the date the investigation was closed.
 - (ii) At a minimum, the procedures are required to include a requirement to determine and document through investigations the source of all potential illicit discharges. If the source of the illicit discharge is found to be a discharge authorized under an active NPDES permit, no further action is required.
 - (iii) If an illicit discharge is found, but within six (6) months of the beginning of the investigation neither the source nor the same non-storm water discharge has been identified/observed, then the procedure must include a requirement to maintain written documentation for audit review.
 - (iv) If the observed discharge is intermittent, the procedures must include a requirement to document that a minimum of three (3) separate investigations were made to observe the discharge when it was flowing. If these attempts are unsuccessful, the procedure must include a requirement to maintain written documentation for review by the permitting authority. However, since this is an ongoing program, the procedures should include a requirement periodically recheck this suspected intermittent discharge.

- Develop benchmark concentration levels for analytical monitoring results whereby exceedance of the benchmark will require follow-up investigations to be conducted to identify the source causing the exceedance of the benchmark.
- Develop the curriculum and materials for training new City inspectors and for providing refresher training to all inspectors on a five-year cycle to ensure they are knowledgeable on how to identify illicit connections and discharges and the procedures for dry weather sampling.
- Perform dry weather screenings of the 120 outfall locations on the existing storm sewer map during the current year, 2026.
- Thereafter, at the City's request, screen twenty percent (20%) of the one hundred and twenty (120) currently mapped and designated outfalls for illicit discharges and improper disposal annually, such that all outfalls have been screened at the end of five (5) years (excluding the currently mapped and designated outfalls into the Hanging Moss Creek watershed, which will be screened annually).
- Assist the Storm Water Management Division in preparing annual reports documenting efforts and results of the IDDE, including benchmarking, corrective actions, and enforcement activities.

2.1.2 Ambient Monitoring Requirements

- In addition to the monitoring requirements for illicit discharge detection and elimination, the successful proposer will conduct two rounds of ambient monitoring separated by a one-year interval.
- Prior to conducting the first round of ambient monitoring, the successful proposer shall develop a monitoring plan that includes, at a minimum, the following elements:
 - The sampling parameters shall, at a minimum, include turbidity, total phosphorus, total nitrogen, dissolved oxygen, flow, and pH.
 - The frequency shall be, at a minimum, after two (2) storm events in the wet season (November - April) and after two (2) storm events during the dry season (May - October). The storm events should be greater than 0.1 inches in magnitude and occurring at least 72 hours from the previously measurable storm (greater than 0.1 inch of rainfall).
 - In order to ensure the ambient monitoring plan chooses sampling locations that sufficiently represent the MS4 area, the plan shall include all 11 sub-watersheds of the Pearl River (Purple Creek, White Oak Creek, Hanging Moss Creek, Eubanks Creek, Belhaven Creek, Town Creek, Lynch Creek, Three Mile Creek, Hardy Creek, Cany Creek, Trahon Creek). This is intended to represent nearly 100 % of the surface area draining to the Pearl River. The sampling stations must be located near the terminus of the above designated creeks so that it integrates most, if not all discharges upstream of the station or stations, but before mixing with the Pearl River where dilution by such a large water body may make results difficult to interpret.

- In addition, the successful proposer must determine if any similar monitoring is occurring within the MS4 and if it is logical to link efforts. The successful proposer may recommend additional monitoring sites that it believes will result in more accurate or precise data.
- Prepare a report at the conclusion of each monitoring cycle.

The services required by the City include negotiation with the Mississippi Department of Environmental Quality about how to best fulfill the goals of the IDDE requirements in the City's Phase I MS4 permit. The permit, which is included as an appendix to the Request for Proposals, includes minimum requirements set forth in this scope of work. Proposers are encouraged to propose other more efficient and cost-effective processes and procedures to achieve the same results as the permit minimum requirements. Proposers recommending alternative processes and procedures must be willing to meet with and advocate to representatives of the Mississippi Department of Environmental Quality for the adoption of the proposer's recommendations.

2.1.3 General Requirements

The Successful Proposer will be expected to execute an agreement similar in form to the 2014 edition of EJCDC® E-505, Agreement Between Owner and Engineer for Professional Services – Task Order Edition. The final form of the Agreement will be negotiated between the City and the successful proposer.

Proposers should be familiar with the state and federal laws, regulations, guidance documents relating Phase I Municipal Separate Storm Sewer System permits. Proposer should also familiarize themselves with Chapter 122. Article IV. -Stormwater Quality Protection of the Code of Ordinance of the City of Jackson, which is available online at https://library.municode.com/ms/jackson/codes/code_of_ordinances.

Proposers are encouraged to thoroughly review the City's current Phase I MS4 permit, which is attached as an appendix to this Request for Proposals.

Proposer will be required to carry legally required Workers' Compensation insurance, General Commercial Liability Insurance in an amount of at least \$1,000,000.00 coverage, Automobile Liability Insurance in at least the minimum required by law; and Professional Liability Insurance in an amount of at least \$1,000,000.00. The successful proposer will be required to provide a certificate of insurance evidencing the required insurance coverages and naming the City of Jackson as an additional insured.

The successful proposer will be expected to provide hourly rates for each classification of employee involved in providing the scope of work. The successful proposer will be required to provide a monthly bill detailing the work performed, the number of hours worked on each segment of work, and the identity of the employee performing the work, all to provide transparency in billing.

Role of Storm Water Management Division

The Storm Water Management Division will provide necessary information to the successful proposer to perform the scope of work. The Storm Water Management Division will work closely with the successful proposer to implement the various programs to the extent appropriate staff is available.

2.2 Performance Metrics and Contract Management

Performance Metrics

The Storm Water Management Division is interested in identifying metrics to work collaboratively with the awarded offeror(s) to monitor and improve performance during the life of the contract. The Storm Water Management Division has identified initial metrics of interest and looks forward to working with the awarded offeror(s) to add to or refine this list during contract negotiations. The final set of performance metrics and frequency of collection will be negotiated by the successful offeror and the Storm Water Management Division prior to the finalization of an agreement between parties and may be adjusted over time as needed.

Performance Metric	Data Source	Data Collection Frequency	Data Collection Responsibility	Data Review Cadence
Dry Weather Outfall Sampling Program and Samples	Outfall Sampling Program and Samples	Monthly, with a goal for completing program and 20 samples plus Hanging Moss Creek Samples within four months	Contractor	Monthly
Ambient Monitoring Program and Samples	Ambient Monitoring Program and Samples	Monthly, with a goal for completing program and dry weather sampling with four months	Contractor	Monthly

Contract Management

As part of the Storm Water Management Division's commitment to improved outcomes, the Division seeks to actively and regularly collaborate with awarded offeror to enhance contract management, improve results, and adjust service delivery based on learning what works. Reliable and relevant data is necessary to drive service improvements, facilitate compliance, inform trends to be monitored, and evaluate results and performance. As such, the Storm Water Management Division reserves the right to request/collect other key data and metrics from the awarded offeror.

Communication

The successful proposer's project manager will be expected to meet monthly with the City's project manager and, as deemed necessary, with the Director of the Department of Public Works after submitting its monthly invoice. At such meeting, the successful proposer's project manager should be prepared to review the invoice, discuss the progress to date, and respond to any questions from the City.

Deliverables

In addition to the billing detail, the monthly bill should include a narrative describing the work performed during the billing period.

Other deliverables will include the following:

- 1) The Outfall Sampling Program; and
- 2) The Ambient Monitoring Program.

Additionally, the successful proposer will provide one or more outfall sampling reports and ambient monitoring reports for wet weather and dry weather that will be created as part of those two programs.

Payment Terms

The City of Jackson payment process is based on goods or services delivered. After a contract is finalized and work is performed, the contractor should submit an invoice to the City. The City will remit payment within 45 calendar days of being billed.

2.3 Proposal Content

PROPOSAL CHECKLIST	
PROPOSAL SUBMISSION REQUIREMENTS	
PROPOSAL DOCUMENTS	
One-page Cover Letter	
Table of Contents/Proposal Checklist	
Proposal Narrative – Qualifications, Experience, and Capacity	
Proposal Narrative – Service Delivery or Project Approach	
Proposal Narrative – Project Management, Performance Improvement, and Communications	
Proposal Narrative – Cost Proposal and Narrative	
Additional Information	

2.4 Submission Instructions

Offerors responding to this Request for Proposals shall submit their proposals by either physical hardcopy or electronic form. **All proposals (whether electronic or physical hard copies) MUST be received no later than 3:30 pm Central Daylight Time, on April 28, 2026.**

Electronic Submission:

If submitting an electronic copy, submit your documents through www.jacksonmsbids.com. For any questions relating to the electronic bidding process, please call PH Bidding Group at 662-407-0195.

Electronic submissions shall be the complete original (non-redacted) version of the proposal including all attachments in a searchable format, preferably in Microsoft Word® or Portable Document Format (PDF®) labeled accordingly.

If the proposal contains confidential or trade information, one (1) additional confidential or trade electronic copy of the complete proposal including all attachments shall be submitted in a searchable format, preferably in Microsoft Word® or Portable Document Format (PDF), shall be labeled CONFIDENTIAL, and shall redact the confidential or trade information only.

Hardcopy Submission:

If submitting by hardcopy, ensure that three (3) copies of your proposal form and any additional information or appendices that should be included (ex. research data sheet, booklets, pamphlets, etc.). One (1) original and two (2) copies are required of all information being submitted or your proposal will be considered non-responsive.

Section components must be clearly distinguished by indexing with tabs as follows:

- a. Cover Letter (if applicable)
- b. Response Workbook
- c. Additional Supplemental Information Relevant to Proposal (at Proposer’s option)

All Service Provider responses shall be submitted in a sealed envelope or box. The exterior of the sealed envelope or box shall be clearly labelled "MS4 Water Quality Monitoring Services" and include the Proposer's business name.

All physical hard copies shall be submitted to the attention of:

a. If by hand delivery:

City of Jackson
Office of the Municipal Clerk
219 South President St.
Jackson, Mississippi 39201

b. If by mail:

City of Jackson
Office of the Municipal Clerk
P.O. Box 17
Jackson, Mississippi 39205-0017

3. How We Choose

3.1 Minimum Qualifications

Proposers must be able to meet the following minimum qualifications:

- Qualification to conduct business in the jurisdiction.
- Not having been debarred by federal, state, or local government.

Proposers must either meet the following minimum qualification or include a subconsultant/subcontractor who meets this qualification

- Must have experience in providing compliance guidance for Municipal Separate Storm Sewer Systems.

3.2 Evaluation Criteria

EVALUATION CRITERIA	% ALLOCATION
Qualifications, Experience, and Capacity <ul style="list-style-type: none"> • Do key team members have experience in providing compliance guidance for MS4 permits? • Do team members demonstrate the requisite skills to perform the scope of work? • Has the Proposer worked with the Mississippi Department of Environmental Quality on MS4 permit compliance? • Are team members involved with other projects currently? If so, when will they be available for this project? 	35%
Service Delivery or Project Approach; Project Management, Performance Improvement, and Communications: <ul style="list-style-type: none"> • How does the Proposer intend to accomplish the goals of the project? • Is the Proposer recommending an alternative approach to meeting the goals and purposes of the City's Phase I MS4 permit that will result in short-term or long-term cost savings for the City? 	30%
Cost Proposal <ul style="list-style-type: none"> • Is the proposal for Year 1 of the services within the budget? • Does the proposal appear to account for all Year 1 costs? • Is the cost proposal transparent in breaking down the estimated cost for each component of Year 1 work? 	35%

3.3 Selection Process, Award, and Protest Procedures

Selection Schedule

To the extent possible, the following schedule shall govern the review, evaluation, and award of this RFP. The City reserves the right to modify the dates below in accordance with its review process.

Schedule	
Event	Date(s)
Public advertisement:	4/2/26 & 4/9/26
Pre-proposal conference	April 14, 2026
Deadline to submit questions to the City of Jackson.	April 22, 2026
City of Jackson's responses to questions are posted at: www.jacksonmsbids.com and to be provided by addendum	April 24, 2026
Proposals Due	April 28, 2026, at 3:30 pm

Selection and Award Process

An evaluation committee consisting of City employees will review all responsive proposals, rating them according to the criteria provided in this Request for Proposals. The highest rated proposal will be contacted to begin contract negotiations. Upon successful contract negotiations, the proposer will receive the notice of intent to award a contract. In the event the City is unable to reach an agreement with the highest rated proposer, the City may seek to negotiate a contract with the next highest rated proposer or it may reject all proposals. The City expressly reserves the right to reject all proposals at any time prior to entering into a contract.

4. Terms and Conditions

ALL VENDORS ARE URGED TO READ AND UNDERSTAND THESE TERMS AND CONDITIONS PRIOR TO SUBMITTING A PROPOSAL.

4.1 DISCLAIMER

The City and its advisors have, to the best of their knowledge, represented information and data that are current and applicable to this RFP. The City is providing the information contained herein as a courtesy to the Offerors. The City and its advisors neither guarantee nor warranty that the information contained in this RFP or referenced documents is accurate and complete. The City and its advisors are not and will not be liable for omissions or errors contained in this RFP. It is the Service Offeror's responsibility to use this information and verify the same during the proposal, negotiation, and contract implementation periods through its own due diligence.

4.2 CONFIDENTIALITY

The contents of responses/proposals to this RFP shall not be discussed or shared outside the submittal process with any other Offerors and/or potential Offerors regarding the services to be offered or fees associated with the operation or implementation of the services described in this RFP. Any violation of this Section shall result in the immediate disqualification of the offending Offeror's proposal.

4.3 PROPOSAL GUIDELINES AND INSTRUCTIONS

4.3.1 Errors in Proposals

The City will not be liable for any errors in Proposals. Proposals may be rejected as unresponsive if they are incomplete, are missing pages or information, or cannot be opened for any reason. The City may waive minor irregularities and request Offeror(s) cure such irregularity, but such waiver will not modify any remaining RFP requirements. A minor irregularity means that the defect is immaterial or inconsequential as to price, quantity, quality, or delivery when contrasted with the total costs or scope of the services being provided.

4.3.2 Proposal Withdrawal Procedure

Proposals may be withdrawn up until the Submission Date. Any proposal not so withdrawn shall, upon opening, constitute an irrevocable offer for a period of ninety (90) days to provide the services set forth in the proposal or until one of the proposals has been accepted and an agreement has been executed between the City and the successful Offeror.

4.3.3 Proposer Certifications

By submitting a Proposal, each Offeror certifies under penalty of perjury that:

- a. Its submission is not the result of collusion or any other activity that would tend to influence the selection process directly or indirectly; and
- b. The Offeror is able or will be able to comply with all requirements of this solicitation at the time of contract award; and
- c. Offeror certifies all statements in the response are true; and
- d. Neither Offeror, its employees, nor any affiliated firm providing the requested goods and services has any actual or potential conflict of interest with any City officers or employees relating to this solicitation.

4.3.4 Estimated Quantities

If the solicitation results in an indefinite quantity, the goods and services actually requested by the City may be less than the maximum value of the Agreement and there is no guarantee, either expressed or implied, as to the actual quantity of goods and services that will be authorized under the Agreement.

4.3.5 No Commitment

Neither submission of a Proposal nor the City's receipt of Proposal materials confers any right to the Offeror nor any obligation on the City. This RFP does not commit the City to award a contract, nor will the City defray any costs incurred in preparing proposals or participating in any presentations or negotiations.

4.3.6 Reservation of the Rights of the City

The award of this project is subject to the availability of funding. The City reserves the right to request clarification of information submitted and to request additional information of one (1) or more Offerors. The City of Jackson reserves the right to reject all proposals where the Offeror takes exception to the terms and conditions of the RFP and/or fails to meet the terms and conditions and/or in any way attempts to limit the rights of the City of Jackson in any required contractual term(s) and provision(s) set forth in this RFP.

The City of Jackson reserves the right to amend the contents of this RFP by Addendum as it deems necessary. It is the responding Service Provider's/Offeror's sole responsibility to monitor the City of Jackson's website for amendments to this RFP to ensure that their response is pursuant to the amended RFP, if applicable.

The City reserves the right to negotiate the Contract for the project with the next most qualified Offeror if the first choice does not agree to the terms of a Contract after submission of the Contract to the Service Provider. The City reserves the right to negotiate all elements of work that comprise the selected proposal.

The City reserves the right, after opening the proposals, or at any other point during the selection process, to reject any or all proposals, modify or postpone the proposed project, evaluate any alternatives offered, or accept the proposal that, in the City's sole judgment, is in its best interests.

The City reserves the right to terminate the Contract if the selected Offeror fails to begin to perform the work described herein within ten (10) days after the City gives the selected Offeror a written notice to proceed.

4.3.7 Selection

At any time in the evaluation process, the City may request clarifications from Offerors.

4.3.7.1.1 Determination of Responsiveness

A responsive proposal conforms to the instructions set forth in this solicitation and any modifications to it. Non-responsive proposals will be rejected. The City, in its sole discretion, may waive nonconsequential deviations, if the deviations cannot have provided an advantage over other Offerors.

4.3.7.1.2 Determination of Responsibility

The City will make a determination of the responsibility of any Offeror under consideration for award, taking into consideration matters such as the Offeror's compliance with public policy and laws, past performance, fiscal responsibility, financial and technical resources, capacity, and experience to satisfactorily carry out its responsibilities. The City will notify any Offeror in writing what was found non-responsive and allow the finding to be contested.

4.3.8 Contract Award

4.3.8.1.1 Contract Negotiations

Once a decision has been made to award a contract to one or more Offerors, the City will post a Notice of Intent to Award. Contract negotiations are neither an offer nor an implicit guarantee that a contract will be executed. Award, if made, will be to the responsive, responsible Offeror offering the overall best value to the City for the services and goods described in this solicitation, or as applicable, for a specific portion of the services and goods described. Any agreement reached will be memorialized in a formal agreement.

4.3.8.1.2 Work is Not Authorized Until Agreement is Approved

After the Agreement has been approved by the City Council and all parties have signed, the City will notify the Offeror and performance may proceed. Prior to City execution of the Agreement, no City employee may authorize work. Any work performed prior to that time may be uncompensated.

4.3.9 Protests

Protests that do not comply with the protest procedures outlined below will be rejected.

4.3.9.1.1 Protest Format, Eligibility and Address

- a. Protests or objections may be filed regarding the contract award.
- b. The City will only review protests submitted by an interested party, defined as an actual or prospective offeror whose direct economic interest could be affected by the City's conduct of the solicitation.
- c. Submit protests to the City via email to Andrea Holmes, Storm Water Division Construction Project Manager, Department of Public Works at aholmes@city.jacksonms.gov.

- d. Issues related to the protest will be reviewed by the City Legal Department.

4.3.9.1.2 Protest Deadlines

Submit protests of the contract award with any supplemental materials by **5:00 PM CT on the fifth (5th) calendar day following the City's issuance of the Notice of Intent to Award**. The date of filing is the date the City receives the protest, unless received after 5 p.m. CT, or on any day other than a Business Day, in which case, the date of filing will be the next Business Day.

FAILURE TO FILE BY THE RELEVANT DEADLINE CONSTITUTES A WAIVER OF ANY PROTEST ON THOSE GROUNDS. SUPPLEMENTAL MATERIALS FILED AFTER THE RELEVANT DEADLINE SHALL BE REJECTED BY THE CITY.

4.3.9.1.3 Protest Contents

The letter of protest must include all the following elements:

- a. Detailed grounds for the protest, fully supported with technical data, test results, documentary evidence, names of witnesses, and other pertinent information related to the subject being protested; and
- b. The law, rule, regulation, ordinance, provision, or policy upon which the protest is based, with an explanation of the violation.

4.3.9.1.4 Reply to Protest

The City will send a written response to the protesting party and to any other party named in the protest within a reasonable time.

4.3.9.1.5 No Stay of Procurement Action During Protest

Nothing in these protest requirements will prevent the City from proceeding with negotiations or awarding a purchase order or contract while a protest is pending.

4.3.10 Public Records

4.3.10.1.1 General

- a. All proposals, protests, and information submitted in response to this solicitation will become the property of the City and will be considered public records. As such, they may be subject to public review.
- b. Any contract arising from this RFP will be a public record.
- c. Submission of any materials in response to this RFP constitutes:
 - i. Consent to the City's release of such materials under the Public Records Act without notice to the person or entity submitting the materials; and

- ii. Waiver of all claims against the City and/or its officers, agents, or employees that the City has violated a Offeror's right to privacy, disclosed trade secrets, or caused any damage by allowing the proposal or materials to be inspected; and
- iii. Agreement to indemnify and hold harmless the City for release of such information under the Public Records Act; and
- iv. Acknowledgement that the City will not assert any privileges that may exist on behalf of the person or entity submitting the materials.

4.3.10.1.2 Confidential Information

- a. The City is not seeking proprietary information and will not assert any privileges that may exist on behalf of the Offeror. Offerors are responsible for asserting any applicable privileges or reasons why a document should not be produced in response to a public record request.
- b. If submitting information protected from disclosure as a trade secret or any other basis, identify each page of such material subject to protection as "CONFIDENTIAL." If requested material has been designated as confidential, the City will attempt to inform the Offeror of the public records request in a timely manner to permit assertion of any applicable privileges.
- c. Failure to seek a court order protecting information from disclosure within ten days of the City's notice of a request to the Offeror will be deemed agreement to disclosure of the information and the Offeror agrees to indemnify and hold the City harmless for release of such information.
- d. Requests to treat an entire proposal as confidential will be rejected. Any such request will be deemed an agreement to the City for disclosure of the entire proposal. In such an event, the Offeror agrees to indemnify and hold the City harmless for release of any information requested.
- e. Trade secrets will only be considered confidential if claimed to be a trade secret when submitted to the City, marked as confidential, and compliant with state and federal rules and regulations.

5. Appendix

Appendix A: Response Workbook

MS4 Water Quality Monitoring Services

Storm Water Management Division, Department of Public Works

RFP #: 92688-042826

Proposer is to complete this Response Workbook and submit as their response to this RFP.

Proposer General Information:

Legal Company Name:

Proposer Headquarters Address:

Authorized Company Representative:

Proposer Contact Information (Email and Phone):

State of Incorporation (Ex. Mississippi):

Certification Status (if any) (Ex. Minority-owned; woman-owned):

Type of Legal Entity (Ex. Corporation; Limited Liability Company (LLC, etc.):

FEIN:

Company Website:

How did you learn of this opportunity?

Narrative Responses (Scored):

Offeror's answers to the following questions will comprise the offeror's official response to this RFP. Information prepared by the offeror and submitted with their proposal may be incorporated into a final contract.

The responses to the following required questions shall not exceed 40 single-sided pages, which does not include any supplementary attachments. Any attachments provided should be relevant to RFP questions and referenced in the main narrative below.

Category 1: Qualifications, Experience, and Capacity

1. Qualifications and Experience

- a. **Overall qualifications:** Provide a general overview of your organization. What sets your organization apart from your competitors? Why is your organization uniquely qualified to take on this scope of work?

- b. **Experience:** Describe the extent of your organization's experience in conducting similar projects or delivering similar services for public agencies. What has that experience taught you that you would bring to this project?

- c. **References:** Provide contact information and a short description of prior work for references who can speak to your experience on similar projects.

Reference 1	Company	
	Project Manager	
	Phone Number	
	Project Description	
	Project Start and End Dates	
Reference 2	Company	
	Project Manager	
	Phone Number	
	Project Description	
	Project Start and End Dates	
Reference 3	Company	
	Project Manager	
	Phone Number	
	Project Description	
	Project Start and End Dates	

2. Staffing, Capacity, and Oversight

- a. **Team overview:** Describe the team that would work on this project. Include a list of key team members and their general availability while on this project. Make the case for why they would be great partners on this project. Provide bios, resumes, or whatever you think best highlights the strength of this team.

- b. **General capacity:** Describe your organization's capacity to take on additional work if you are awarded this contract. How would you create additional capacity, if needed?

- c. **Management, administrative, and technical capacity:** Describe your organization’s overall management structure and the qualifications of your senior leadership/management team. How does your organization’s leadership support a culture that enables the effective implementation of new techniques, staff retention, and high-quality service delivery? If helpful, you may give specific examples of your past practices.
- d. **Recruitment and retention:** How does your organization recruit, develop, and retain staff to consistently deliver high-quality programs or projects (e.g., training, coaching, and other professional development opportunities)? What specific challenges in recruitment, retention, training, and development do you anticipate?
- e. **Subcontracting experience (if applicable):** Describe your organization’s experience with subcontracting with other service providers. Provide examples of how you have identified high-quality subcontractors and managed the performance of those partners in the past.

Category 2: Service Delivery or Project Approach

1. Service Delivery or Project Approach

- a. **Methodology:** Provide a detailed description of your organization’s ability, approach, and methodology for this project or service in line with the RFP objectives and key elements outlined in the scope of work.
- b. **Implementation timeline:** Provide an implementation timeline for your project or service, including key milestones related to the scope of work. Include estimates of the timeframe needed to complete each task.
- c. **Expectations of government:** What responsibilities or resources do you expect the City of Jackson to provide for this service to be successful?
- d. **Subcontractor utilization:** How will you utilize subcontractors in the delivery of this project or service?

- e. **Partnerships:** In what ways will you partner or coordinate with other entities to best accomplish the goals of this project or service? Give specific examples.

Category 3: Project Management, Performance Improvement, and Communications

1. Project Management & Performance Improvement

- a. **Project management approach:** Describe your proposed method of project management for this project or service.

- b. **Performance improvement approach:** How does your organization incorporate continuous quality improvement and performance measurement into the work you do today? How do you plan to incorporate these into the proposed project or service to improve practice and meet goals?

- c. **Performance improvement examples:** Describe 1-2 times your organization made an operational or programmatic change based on data collected. For each example, briefly describe (a) how the problem was identified, (b) what steps your organization took to make the improvement, and (c) the impact of those changes.

2. Reporting

- a. **Metrics:** In addition to any metrics identified in the RFP, describe the key performance indicators (KPIs), performance metrics, and/or compliance metrics you have used or plan to use to track the delivery and success of this project or service.

- b. **Method:** Describe your ability to track and report on these metrics, including what systems, processes, and/or tools will be used.

- i. How will the data be collected, stored, and shared?
- ii. How frequently will metrics be tabulated?
- iii. Which staff and roles will be responsible for this work?

3. Communications

- a. **Communications approach:** How will you communicate with the City of Jackson in a responsive and proactive manner? Consider being responsive to questions and requests as well as elevating concerns or issues.

- b. **Collaboration:** How will you foster a collaborative relationship with the City of Jackson partners? What do you need from the City of Jackson to do this work successfully?

Category 4: Cost Proposal and Narrative

1. Cost Proposal and Narrative

- a. **Cost proposal:** Complete a price schedule, budget, or cost proposal in its entirety that will enable the effective delivery of the proposed project or services.
- Describe all direct and indirect costs associated with the service or project.
 - Describe any key cost variables for the service or project such as volume, frequency, duration or length, geographic reach, and service level.

- b. **Narrative and justification:** Present a detailed cost narrative that explains the basis and rationale for the costs proposed.
- Why do you consider your costs to be reasonable, given the nature of your proposed project or service?
 - Describe the rationale or benefit of the proposed cost structure.
 - Describe any key budgeting decisions, assumptions, or calculation approaches used to develop the cost proposal.

Additional Information:

Please identify any information in your proposal that you consider to be confidential. This should include any proprietary information, trade secrets, or other information you consider confidential. You can list the information here or, if you prefer, highlight the confidential information.

Please attach your acknowledgement of the receipt of any addenda issued under this section also.