

RFP Responses to Questions

PROJECT: MCWD 2025 Urban Water Management Plan

FROM: Katie Lampkin
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TO: **Prospective Respondents**

QUESTIONS RECEIVED

- Q1 Could MCWD please clarify whether the proposal should be submitted via email, as a hard copy, or both?
- A1 The proposal can be submitted either via email or as a hard copy by the deadline of October 7th at 5PM. If submitting a hard copy, the date and time the document is received by District staff will be considered the submittal date and time. If submitting via email, the latest email containing the proposal from the Consultant will be considered the submittal date and time.
- Q2 Our firm has an existing signed contract with MCWD from February 2025. We understand that a new contract will be executed for the UWMP work. Can MCWD confirm if the new contract can be based on the same terms as our existing February 2025 contract?
- A2 MCWD may consider previously used agreement terms if in the best interest of the District. Before an Agreement is executed, the District and Consultant must reach mutual agreement on all terms and conditions.
- Q3 “Section V, page 7 of the RFP h. Could you please clarify if both ink-signed copies of the agreement must be submitted as part of our proposal package, or if these are only required upon contract award? Additionally, should these be included with the initial proposal submission, or provided at a later stage?”
- A3 MCWD is rescinding the requirement for ink-signed copies of the agreement as part of the proposal package. Only after a selection has been made, will the selected Consultant provide two ink-signed copies of the Agreement.
- Q4 Could you please clarify whether the following language in ARTICLE III – GENERAL PROVISIONS, Section A can be removed or revised?

ARTICLE III – GENERAL PROVISIONS

A. The CONSULTANT hereby represents that all work described herein shall be performed ~~only by persons under the supervision of a person who is currently licensed to perform such work and that to the best of its professional ability in a manner consistent with the level of care, diligence, and skill ordinarily exercised by professional consultants performing the same or similar services under the same or similar circumstances and locality; all~~ All work shall be performed in accordance with applicable Federal, State, and local laws and regulations.

- We are concerned that the phrase “to the best of its professional ability” may introduce insurability issues due to its superlative nature. Would MCWD be open to modifying or removing this language to avoid potential conflicts with professional liability coverage?
- A4 Proposed amendments to the Agreement included within the proposal will be reviewed during the selection process. The District will review the Consultant’s proposed amendments and consider the changes after the proposal has been selected, consistent with the best interests of the District.

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