



***City of Marion, NC***

**REQUEST FOR QUALIFICATION  
STATEMENTS/PROPOSALS**

**Engineering Design Services**

**Lady Marian Dam Decommissioning Project**

**Issue Date: July 12, 2021**

**Due Date: August 20, 2021**

Submit to:

[Dewayne Riddle](#)

City of Marion, NC

[driddle@marionnc.org](mailto:driddle@marionnc.org)



**Request for Qualifications  
City of Marion, NC  
Lady Marian Dam Decommissioning Project**

In this Request for Qualification Statements/Proposals (RFQ/P) the City of Marion, NC (“City”) requests qualification statements and proposals (“Proposals”) from qualified firms (“Proposers”) interested in providing professional dam engineering design services for the repair/removal of the Lady Marian Dam. Services should include everything required to submit a final design to the State for approval to begin construction as well as an estimate of construction. All engineering services for this project shall be performed in compliance with all Federal Emergency Management Agency (FEMA) requirements, including federal procurement requirements, as the City has obtained a FEMA reimbursement grant through a contract with the State of North Carolina for the services. All final contracts/agreements must include federal contract provisions.

NC Department of Energy, Mineral, and Land Resources Dam Safety has issued a Dam Safety Order (DSO) for the repair or removal of the Lady Marian Dam under DSO-019-002. The DSO was addressed to the four parties that the State has identified as “responsible” for the repair or breaching of the dam. That assertion was based on the premise that the spillway includes all the culvert from the riser to where the culvert “daylighted” downstream of the Lady Marian shopping center. The City maintains its ownership interest is limited to the Right of Way for Westwood Chateau Drive and has been awarded a Federal Emergency Management Agency (FEMA) Rehabilitation of High Hazard Potential Dams (HHPD) program grant through the State of North Carolina for final design and approval of the repair or breaching of the dam.

A preliminary study has been performed (and attached) which addresses the decommissioning of the dam by permanently draining the lake and converting the failing spillway to a spur of the Garden Creek drainage network. The State has indicated, preliminarily, that we can limit the dam “spillway” to the roughly 250 LF box culvert section between the riser and the City of Marion right of way for Westwood Chateau Drive, if we can “daylight” the culvert at the Westwood Chateau Drive right of way.

Westwood Chateau condominiums are located on the earthen dam. Because it is not possible to physically breach the dam due to the surrounding development, the NC DEMLR has established criteria for the decommissioning of the dam which requires the removal of the current downstream “high-hazard” potential designation by ensuring that the dam will no longer impound water. The plan will utilize the storage in the existing lake to offset the attenuation effects of the current impoundment and will require a recorded 100-yr flood easement on parts of the land owned by Great Meadows (another property owner) to ensure that the flood retention capacity is not lost to future development.



If successful, the State has indicated that the dam would be considered “breached” at which point it would no longer be “jurisdictional” under the NC Dam Safety Law.

## **Selection Process**

Firms shall submit five (5) bound paper copies or an electronic (PDF) version (15-page maximum) to [driddle@marionnc.org](mailto:driddle@marionnc.org) with their Qualification Statements/Proposals (RFQ/P) of both the firm and person(s) directly responsible for the work, including a list of similar projects completed in North Carolina by this firm and by said responsible person(s). The qualifications/proposal should also clearly identify staff members that would be assigned to this project with expertise in High Hazard Potential Dam (HHPD) project expectations and grant writing skills, experience working on projects under a (DSO), experience with current alternative engineering construction methods, environmental permitting and a track record of permit approvals for the different phases of this project. The criteria by which the packages will be evaluated include:

1. Experience with similar projects comparable in type, size, and complexity. Include examples of three (3) past HHPD projects the firm has completed (preferred if possible) or high hazard dam projects in NC (with references). Include amount of time to complete projects and get final approval. Qualifications of the staff assigned to perform the work with this project.
2. Firm’s understanding of the specific project objectives including the required tasks and needs and any experience working on projects under a DSO.
3. Firm’s ability to provide turnkey, comprehensive solutions in modern construction practices. Please provide an example of two (2) projects that were completed using these approaches (with references).
4. Firm’s ability to complete design, obtain permits, etc. and provide construction estimates within the time allowed. Under the grant agreement, the performance period ends September 30, 2022.



**Please submit all questions regarding this Request for Qualifications via email to Dewayne Riddle, Assistant Public Works Director for the City of Marion, at [driddle@marionnc.org](mailto:driddle@marionnc.org) by 4:00 pm, Monday, July 26, 2021. The deadline for receipt of Qualification Statements/Proposals is 4:00 p.m. on Friday, August 20, 2021.**

## **Contents**

Firms interested in performing these services must exhibit relevant experience with this type of work, as outlined below, and should emphasize both the experience and capability of the particular personnel who will actually perform the work. The firm shall have comprehensive experience and have the ability to respond to requests in a timely manner. Communication is critical to any successful project, and the selected firm will be expected to communicate regularly with City staff as needed. The firm will keep current all required insurance coverage sufficient to cover the projected liability. As part of the agreement, the firm will be required to provide evidence of coverage of professional liability insurance, and indemnify and hold harmless the City from any and all claims and/or liability which may arise as a result of the engineering firm's negligence, errors, and/or omissions.

Qualification statements shall include:

1. Firm name, address, telephone number, fax number, email address, and contact person(s).
2. Brief history of the firm to include current size/staff, years in business, and organizational chart of proposed team.
3. Location of office performing the work.
4. Names of all personnel who will be assigned to this project. Names of key personnel who will be available to work on the project. List the following team members, at a minimum:
  - a. Principal-in-Charge
  - b. Project Manager
  - c. Site/Civil Engineer
5. Brief summary of how your firm can provide the requested services to the City. Please be clear as to how much of the work your firm is capable of performing in-house and how much of the work would have to be subcontracted. List specialty consultants (if any) and identify their location and



background.

6. An estimate of the time required to complete the project from the time that written authorization to begin has been given by the City.

7. List any current or pending legal proceedings (litigation, mediation, or court action) filed by an owner or contractor against your firm in the last five (5) years. List any failure to complete a contract for services and state reasons.

### **Selection Process**

Qualifications received by the deadline and prepared in accordance with RFQ instructions will be reviewed to determine the level of service and experience considered most advantageous to the City. The City will select the firm considered most qualified to provide the desired level of service, with consideration for the long-term interest of the City's needs.

Depending on the number of packages received, the City of Marion may choose a single firm from the information submitted; or, several firms may be selected to a "short list" and invited to make an oral presentation, at the City of Marion's sole discretion. Professional services fees are not to be submitted at this time and will be negotiated with the firm ranked first by the City of Marion according to the selection criteria. If an acceptable fee cannot be negotiated, the next ranked team will be contacted, continuing until an agreement can be reached. It is anticipated that a recommendation for approval will be made to City Council at the September 21, 2021 Council meeting.

The City of Marion reserves the right to: reject any and all qualification statements, select the firm most qualified for the referenced work, waive technical errors and informalities, and to accept the qualification statement which, in its sole judgment, best serves the public interest. All original documents, reports, studies and other data produced as a direct result of the services performed under the contract shall become the property of the City of Marion. It is the practice of the City to provide minorities an equal opportunity to participate in all aspects of its contracting and procurement programs and to prohibit any and all discrimination against persons or businesses in pursuit of these opportunities. The City of Marion is an Equal Employment Opportunity Employer. Firms and subs must be licensed to work in the State of North Carolina. The City of Marion encourages proposals from qualified minority and women owned businesses.



## Timeline

<b>Advertisement date</b>	<b>July 12, 2021</b>
<b>Questions deadline date</b>	<b>July 26, 2021</b>
<b>All questions posted by date</b>	<b>August 13, 2021</b>
<b>Deadline for receipt of Qualification Statements/Proposals</b>	<b>August 20, 2021</b>
<b>Review Committee Award Recommendation Presented to City Council</b>	<b>September 21, 2021</b>

## Submittals

<b>The address to submit paper copies by USPS:</b>	P.O Drawer 700 Marion, NC 28752  In Care of: Dewayne Riddle, Assistant Public Works Director
<b>The physical address for hand/FedEx/etc. delivery:</b>	194 North Main Street Marion, NC 28752  In Care of: Dewayne Riddle, Assistant Public Works Director
<b>In lieu of a paper copy a PDF may be emailed to:</b>	<a href="mailto:driddle@marionnc.org">driddle@marionnc.org</a>