

REQUEST FOR PROPOSAL CONSULTING SERVICES UPDATING STATE HAZARD MITIGATION PLAN

DESCRIPTION OF SERVICES

This Request for Proposals (“RFP”) is issued in accordance with the requirements of Section 41-16-72, Code of Alabama (1975). This RFP is not an offer to contract but seeks the submission of proposals from qualified, professional respondents that may form the basis for negotiation of a contract or agreement. Specific terms and requirements in this RFP may be waived or modified by the State of Alabama as it deems necessary and appropriate. The State has no liability for any costs incurred by a prospective provider for the preparation and production of a proposal or for any work performed prior to the issuance of a contract. ***The Alabama Emergency Management Agency reserves the right to reject any or all proposals and to solicit additional proposals if that is determined to be in the best interests of the State of Alabama.***

The State of Alabama is soliciting proposals from qualified individuals/organizations that have extensive experience in preparing and updating State Standard Hazard Mitigation Plans. Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, enacted under the Disaster Mitigation Act of 2000, (DMA of 2000), provides new and revitalized approaches to mitigation planning. This section continues the requirement for a Standard State Mitigation plan as a condition of disaster assistance.

A Hazard Mitigation Plan (HMP) is created to protect the health, safety and economic interests of residents by reducing the impacts of natural hazards through mitigation planning, awareness and implementation of mitigation alternatives. Hazard mitigation is any action taken to permanently eliminate or reduce the long-term risk to human life and property from natural hazards. It is an essential element of emergency management along with preparedness, response and recovery. The State of Alabama’s State Standard Hazard Mitigation Plan was approved by FEMA on October 2013.

This State of Alabama Standard Mitigation Plan contains geographic and demographic information, together with an assessment of the risk, and an analysis of the vulnerability that natural hazards have on the State. It also addresses the current capability of State and local government to reduce, eliminate, or minimize the vulnerability of our communities to natural hazards. Most importantly, this Plan outlines a coordinated mitigation strategy adopted by the State of Alabama that includes long-term goals, short-term objectives, and an assignment of specific, measurable tasks or actions. Therefore, this plan is designed to be (1) informative, (2) strategic, and (3) functional in nature.

This plan must be reviewed and revised as needed to reflect changes in development, progress in statewide mitigation efforts, and changes in funding priorities. As a minimum, the plan will be updated every three years as required in 44 CFR § 201.4 (d). The purpose of this RFP is to update the State of Alabama’s State Standard Hazard Mitigation Plan as required by 44 CFR § 201.4. Plan updates will be submitted to the FEMA Region IV for approval.

1. Requirements:

1. The hazards to be addressed are as follows: flooding, high winds (hurricanes, tornadoes, and windstorms), winter storms, landslides, sinkholes and land subsidence, earthquakes, drought, hail, wildfire, extreme temperatures, lightning, dam failure, and tsunamis, including impacts from a changing climate. **Man-Made hazards will not be addressed in this update.**
2. The Consultant will assist AEMA in involving the citizens of the State of Alabama in the plan update in accordance with 44 CFR § 201.4. A draft copy will be placed on AEMA's website. Media advisories will be issued. AEMA and the Consultant will facilitate public meetings, others as necessary:
 - Design and conduct 3 planning workshops;
 - Annual Review/Initial Planning SHMC Meeting
 - Mid-Planning SHMC Meeting
 - Final Planning SHMC Meeting
3. AEMA and the Consultant will invite numerous, local, state, and federal agencies and private sector entities to participate in the planning process. Specific examples include all agencies listed in Executive Order 19, Alabama Community College System, Alabama Department of Senior Services, etc. Each agency's participation will be documented in the plan update as required by 44 CFR § 201.4 via sign in sheets, meeting minutes, completed surveys, etc.
4. Executive Order 19 establishes the State Hazard Mitigation Council (SHMC) within the State of Alabama. The Order, while not all-inclusive, names state agencies represented on the council. The SHMC will form a technical advisory committee (TAC), or other committees as deemed appropriate by the SHMC. These committees review and update the Plan as necessary in accordance with 44 CFR § 201.4.
5. The Consultant must use FEMA's current Multi-Hazard Mitigation Planning Guidance. Please review www.fema.gov/hazard-mitigation-planning-process
6. The Plan update will evaluate all Local Hazard Mitigation plans within the State and incorporate revisions and updates as necessary.
7. Other plans/studies will be incorporated into the plan update as deemed necessary by the SHMC.
8. Each Section of the current State Standard Hazard Mitigation Plan will be comprehensively reviewed and updated as necessary. During the previous update, the State of Alabama reviewed and updated the risk and vulnerability assessments. These Sections will be updated as necessary.
9. The Plan update will include the development of an appendix entitled "Policy and Guidance for Implementation of Hazard Mitigation Assistance Strategies."

10. AEMA's mitigation staff will be coordinating, reviewing, and supervising all activities related to the Plan update to ensure that the milestones are met so that final drafts are ready to submit to FEMA by **April 20, 2018**.
11. Milestones of completion of the update are below:
 - a. A final draft must be submitted to AEMA by **April 20, 2018**.
 - b. A final plan must be approved by FEMA by **October 19, 2018**.
12. Update the plans relating new laws, policies or regulations at the State or local level.
13. Update changes in State agencies information and/or their procedures that will affect how mitigation programs or funds are administered.
14. Update significant changes in funding sources or known capabilities throughout the State.
15. The Update must be in accordance with 44 CFR § 201.4 and must result in a FEMA approved plan.
16. The current State Standard Mitigation Plan is located on the Alabama Emergency Management Agency website.
17. The Consultant will facilitate the entire planning process for this plan update.
18. The State of Alabama and the Federal Emergency Management Agency reserve a royalty-free, nonexclusive and irrevocable right to reproduce, publish or otherwise use, and to authorize others to use any work developed in the course of or under this RFP for Government purposes.

QUALIFICATION REQUIREMENTS

The Respondent has a continuing obligation to disclose information throughout the RFP process should any qualifications or situations change that might render the Respondent as an unqualified candidate.

The following are the minimum qualifications:

- (a) The Respondent has been providing similar services as described in this RFP for five years including, but not limited to, conducting loss avoidance studies. The Respondent must provide a comprehensive history of the firm's provision of the desired services.
- (b) The Respondent will be qualified with the Secretary of State to conduct business in the State of Alabama, if selected. For more information, visit the Secretary of State website at www.sos.alabama.gov and click Corporations.
- (c) The Respondent covenants that it will have no interest, direct or indirect, that will conflict in any manner or degree with the performance of its contract services. The

- Respondent further covenants that, in the performance of the contract, the Respondent shall employ no person having any such known interests.
- (d) The Respondent has a policy and practice of equal employment opportunity and non-discrimination based on age, race, creed and/or gender.
 - (e) The Respondent will refrain from unlawful discrimination and discrimination based on citizenship status in employment.
 - (f) In compliance with the Equal Employment Opportunity and Non-Discrimination Practices Act the Respondent will comply with the provisions of the Civil Rights Act of 1964; the nondiscrimination clause contained in Section 202, Executive Order 11246, as amended by Executive Order 11375, relative to Equal Employment Opportunity for all persons with regard to race, color, religion, sex, or national origin, and the implementing rules and regulations prescribed by the Secretary of Labor; and Section 504 of the Federal Rehabilitation Act of 1973 as amended (29 U.S.C. 794) and requirements imposed by the Applicable H.E.W. regulation 45 C.F.R. Part 84), and all guidelines and interpretations issued pursuant thereto.
 - (g) The Respondent attests that all workers providing the services described in this RFP are either citizens of the United States or are in proper and legal immigration status that authorizes them to be employed for pay within the United States.
 - (h) The Respondent's provision of services must comply with the standards of the Fair Labor Standards Act (FLSA).
 - (i) The Respondent will provide a drug free workplace. No individual engaged in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance will be eligible for the contract. False certification or violation of the certification may result in sanctions, including, but not limited to, suspension of contract, termination of the contract, and/or debarment of contracting opportunities with AEMA for at least one year, but not more than five years.
 - (j) Respondent hereby certifies, in compliance with Act 2016-312, that it is not currently engaged in, and will not engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which this State can enjoy open trade. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the contract and shall be responsible for all damages resulting therefrom.

In addition to the Minimum Qualifications, the successful firm must demonstrate knowledge of Mitigation and specialized experience in the field of emergency management. Preference will be given to those firms who have successfully provided similar services to the federal, state, or local governments. **The State of Alabama has the right to exercise any or all options according to its needs and available funding including but not limited to rejecting a bid in excess of its funding for the Project. All proposals received in response to this RFP may be rejected and AEMA may solicit additional proposals.**

Interested firms shall submit a proposal and Statements of Qualifications (SOQ) that include:

- The name of the firm, its principal place of business and office locations.
- General information on the firm and its experience.
- Provide details of any claims, disputes, litigation, SEC or state regulatory action, or other legal proceedings relating to your firm or individual personnel in the three preceding years.

- Provide details of any claims, disputes, litigation or other legal proceedings where your firm is involved with the State of Alabama or any of its agencies, or has been involved, in the three preceding years.
- Describe any activities in which you or your firm is engaged which may constitute a conflict of interest.
- A statement of the firm's qualifications as they apply to this project and including only those projects completed within the past five years. Describe any direct experience with developing FEMA-Approved State Hazard Mitigation Plans in FEMA Region IV within the past 5 years. Describe any experience working with other State of Alabama governmental agencies in developing other plans.
- The names and contact information of five clients who may be contacted, including at least two for whom services were rendered during the proceeding year, at least on projects similar to this project.
- The proposed approach to conduct the work.
- The qualifications of proposed staff, including a description of their role and availability to work on the project. Provide a resume or brief description of each person's background.
- Identify the principal person or team who would be assigned to this project.
- Will the staff initially assigned to this project remain consistent until the project completion? If not, please provide additional information.
- Rates and **total project cost for updating the State Standard Mitigation Plan.**

SELECTION CRITERIA:

All proposals timely received will be reviewed by the Selection Committee. The Committee will recommend proposals to AEMA's Director that most closely meets the requirements of the RFP.

Discussions and/or Presentations. After the review and evaluation of the proposals, AEMA's Director and/or Committee may conduct interviews. Finalists chosen for interviews will be notified, if applicable. AEMA's Director, after consultation with AEMA's General Counsel, reserves the right, in his sole discretion, to award a contract based upon the written proposals received without additional discussion or negotiations.

Selection. AEMA's Director will select the respondent the Director determines, in his sole discretion, to be fully qualified and best suited among those submitting proposals to fulfill the purposes of the RFP in a cost-effective manner. The following will be used in making the selection.

1. Company experience and qualifications
2. Proposed project staff's qualifications and experience including experience coordinating with State of Alabama governmental agencies.
3. Previous relevant experience including developing FEMA-Approved State Hazard Mitigation plans in FEMA Region IV.
4. Rates and total project cost
5. Outline of the project approach
6. References
7. Availability to commit adequate resources to provide timely response
8. Preferences will be given to vendors in accordance to § 41-16-20(b)(3), Code of Alabama 1975, as amended. Ala. Code Section 41-16-20(b)(3) provides a preference

for companies organized for business under the laws of the state as a corporation, partnership or professional association and has maintained at least one retail outlet or service center for the product or service within the state for not less than one year prior to the Submission Deadline.

Pursuant to section 41-16-72(4), the State of Alabama reserves the right to accept or reject any or all proposals to this RFP and will select the winning proposal based on the criteria above.

REQUIRED INFORMATION.

Proposals should be as thorough and detailed as possible so that your capabilities to provide the required services can be properly evaluated.

To be considered, responses to this RFP must include: (1) brief transmittal letter, (2) Section A, Statement of Fees with total project cost; (3) Section B, Certification; and (4) Disclosure Statement. All proposals submitted in response to this RFP must include one original and completed Disclosure Statement as required by Section 41-16-80, et seq., Code of Alabama (1975). Copies of the Disclosure Statement, and information, may be downloaded from the Alabama Attorney General's web site at www.ago.alabama.gov/ag_items.cfm.

The RFP should be limited to 25 pages, not including attachments (resumes, photographs, charts, etc., if desired). Interested parties must submit one original and four copies no later than 4:00 p.m., Central Standard Time, Friday, **August 18, 2017** (the "Submission Deadline") to:

General Counsel
Alabama EMA
janine.speaks@ema.alabama.gov
5898 County Road 41
P. O. Drawer 2160
Clanton, AL 35046-2160

Submission Deadline. It is the responsibility of the Respondent to ensure that its proposal is timely delivered and received in the AEMA's Office on or before the Submission Deadline. AEMA will not consider proposals received after the Submission Deadline. AEMA assumes no responsibility for late delivery by the U.S. Mail, the State's Central Mail Facility, a commercial courier service, or any other method of delivery selected by the Respondent.

All programmatic questions should be directed in writing by or before **Friday, August 18, 2017** to **Janine Speaks, janine.speaks@ema.alabama.gov or by mail to**

Janine Speaks
Alabama Emergency Management Agency
P.O. Drawer 2160
Clanton, Alabama 35046-2160

Any oral communications shall be considered unofficial and nonbinding on AEMA. Written responses to written comments shall be posted on the AEMA's website.

Discussions initiated by the Respondent with AEMA staff other than Janine Speaks concerning this RFP prior to contract award may be grounds for elimination from the selection process.

AGREEMENT.

All duties of the Respondent shall be set forth in a contract agreement between the Respondent and AEMA. **Constraints set by the grant agreement funding the RFP will determine the length of the contract.** The contract will incorporate reference to the requirements of the RFP and the Respondent's proposal as negotiated.

State law prohibits AEMA from agreeing to (1) indemnify the Respondent; (2) waive the right for jury trial; (3) grant a security interest; or (4) binding arbitration. Additionally, it is mandatory that Alabama laws apply to the performance of the contract and that jurisdiction and venue be in Montgomery, Alabama for state and federal courts.

PUBLIC INFORMATION

All responses received will be subject to the Alabama Open Records Act, §36-12-40, Code of Alabama and may be subject to public disclosure upon request. The Open Records Act is remedial and should therefore be liberally construed in favor of the public. The Alabama Trade Secrets Act is §8-27-1 through §8-27-6, Code of Alabama. Responders are cautioned to be familiar with these statutes. The burden is on the one asserting the trade secret to show that the information sought to be protected meets the definition of a Trade Secret as defined in the Act.

Any RFP response submitted that contains confidential, trade secrets or proprietary commercial information must be clearly marked on the outside as containing confidential information, and each page upon which confidential information appears must be clearly marked as such. Identification of the entire bid proposal as confidential is not acceptable unless the Respondent enumerates the specific grounds or applicable laws which support treatment of the entire material as protected from disclosure according to the foregoing statutes or other applicable Alabama law.

The owner of the confidential information shall indemnify and hold the State of Alabama, AEMA, and the AEMA staff harmless from all costs or expenses, including but not limited to attorney fees and expenses related to litigation concerning disclosure of said information and documents.

Section A
Fees

(Include in a separate sealed envelope marked “For Cost Phase Only”)

The Fee Proposal must contain all pricing information relative to performing the services described in this RFP. **The Respondent shall attach a cover sheet that contains a fixed fee for the entire project.** In addition to a fixed fee for the entire project, we request the rates and number of hours be given for informational purposes only. **AEMA shall not be responsible for any expenses of the Respondent. The Respondent must include all expenses, including travel and lodging, in this Fee Proposal.**

The Respondent shall invoice monthly or quarterly, in arrears.

Firm Fixed Fee Proposal:

Description	Hours	Hourly Rate	Sub-Total	Total
Labor:				
Total Staff Charges				
Out-of-Pocket Charges				
Other Charges*				
Total Firm Fixed Fee				

*Please describe Other Charges.

A total fixed fee should be provided for the entire project.

**Section B
Certification**

Firm Name: _____

Contact Person: _____

By signing this Exhibit, I certify that I am authorized to bind the company, and that the following information is correct and true to the best of my knowledge.

Signature _____

Date _____

Item	Yes	No
The Respondent has been providing similar services as described in this RFP for five years, including but not limited to conducting loss avoidance studies.		
The Respondent will be qualified with the Secretary of State to conduct business in the State of Alabama, if selected.		
The Respondent is organized in the State of Alabama as a corporation, partnership, limited liability company or professional association and has maintained at least one retail outlet or service center for the product or service within the state for not less than one year prior to the Submission Deadline		
The Respondent covenants that it will have no interest, direct or indirect, that will conflict in any manner or degree with the performance of its contract services. The Respondent further covenants that, in the performance of the contract, the Respondent shall employ no person having any such known interests.		
The Respondent has a policy and practice of equal employment opportunity and non-discrimination based on age, race, creed, and/or gender.		
The Respondent attests that all workers providing the services described in this RFP are either citizens of the United States or are in proper and legal immigration status that authorizes them to be employed for pay within the United States		