



**REQUEST FOR PROPOSALS  
WATER SHARES AUDIT  
FOR SYRACUSE CITY, UTAH**

SUBMISSIONS ARE DUE AT THE ADDRESS SHOWN BELOW  
NO LATER THAN

**TUESDAY, JANUARY 31, 2016 AT NOON, MDT**

AT

SYRACUSE CITY HALL  
ATTN: BRODY BOVERO  
1979 W 1900 S  
SYRACUSE, UT 84075

OR

VIA EMAIL: [BBOVERO@SYRACUSEUT.COM](mailto:BBOVERO@SYRACUSEUT.COM)

THE RESPONSIBILITY FOR SUBMITTING A RESPONSE TO THIS PROPOSAL AT THE CITY ON OR BEFORE THE STATED TIME AND DATE WILL BE SOLELY AND STRICTLY THE RESPONSIBILITY OF THE PROPOSER. THE CITY WILL NOT BE RESPONSIBLE FOR DELAYS CAUSED BY THE UNITED STATES POSTAL SERVICE OR CAUSED BY ANY OTHER OCCURANCE OUTSIDE OF THE CITY'S CONTROL. A LATE SUBMISSION OF THIS PROPOSAL WILL NOT BE CONSIDERED.

## **AUDIT OF WATER SHARES**

### **I. PURPOSE & BACKGROUND**

Syracuse City (the “City”), seeks proposals in response to this Request for Proposals (“RFP”) from firms specializing in Utah water rights law, public and private water supply and distribution entities, and Utah local governments.

The City requires, by ordinance, that all land development needing pressure irrigation service (secondary water) from the City-owned system must turn over to the City a certain number of water shares per acre of land. Under the ordinance, different land uses require a different number of shares per acre.

During a cursory internal review of the City’s existing inventory of water shares received over the previous 40 years, it has been revealed that certain water shares are not attributed to land developments within the City, and there is a potential the City did not receive all the water shares owed to it by ordinance from land developers.

An in-depth audit is needed to identify:

- (1) the source of the City’s water shares,
- (2) from which land development/subdivision it was derived, and
- (3) whether any land developments/subdivisions occurred without transferring water share ownership to the City.

### **II. SCOPE OF PROJECT**

- A. The proposer will examine the current inventory of water shares owned by the City; and, in conjunction with City staff, gain an understanding of the history of the City’s pressure irrigation system, along with current and historical ordinance requirements.
- B. The proposer will research water shares owned by the City whose source has not been identified, and identify the land developments/subdivisions that provided these shares to the City. This task may involve examination of the City’s land development/subdivision files. This task also may involve contacting and coordinating with representatives of various water companies and purveyors from which the City’s secondary water is obtained, and examining their files. Currently, the City owns shares from the following companies:
  - a) Davis & Weber Canal Company (with shares from Clearfield Irrigation Company, and West Branch Irrigation, which convey water from Davis & Weber).
  - b) Layton Canal Company.
  - c) Hooper Irrigation Company.
  - d) Weber Basin Water Conservancy District.
- C. Identify land developments/subdivisions from which insufficient shares were surrendered to the City, if any.

- D. Based on results of the Audit, provide general legal counsel to, and answer questions from representatives of the City regarding any issues derived from the audit.

III. PRELIMINARY WORK ALREADY COMPLETED BY THE CITY

The attached exhibits demonstrate the work already completed by the City. The Water Shares spreadsheet provides a listing of all the water shares currently owned by the City. The color-coded map identifies the subdivisions within the city that have surrendered water shares to the City, per City records. It also identifies certificate numbers within the Davis & Weber system that have been combined.

IV. RESPONSE FORMAT

Responsive proposals shall organize the response in the following manner:

A. TECHNICAL PROPOSAL RESPONSE FORMAT

- 1. Transmittal letter - This letter shall be no longer than one page in length, addressed to the City Manager, and signed by the representative of the proposer authorized to represent the firm contractually.
- 2. Personnel - Identify all key personnel who will be involved in the project, and include resumes. List only those persons who will be directly involved.
- 3. Implementation Plan - Define your understanding of the scope of work in this RFP. Outline your approach to accomplishing the tasks. Include your proposed timeline for completing the task.
- 4. Authorized Negotiator - Include the name and title of the individual within the company who is authorized to negotiate contract terms and render binding decisions of contract matters.
- 5. Price Format – Outline the payment terms for the scope of service with the following components:
  - (1) Hourly rates for each project team member
  - (2) With an understanding that all variables are not known in the service, provide a good faith estimate of the total cost to perform the tasks in the scope of work.
  - (3) (Optional, but recommended): Provide a not-to-exceed price for completion of the tasks in the scope of work.

V. PROPOSAL EVALUATION - This procurement will comply with the applicable City policies.

- A. This evaluation shall include all pertinent matters contained within this RFP. Award of a contract may be made without discussions with firms after Proposals are received. The City reserves the right to accept or reject any recommendations made and/or solutions proposed, or reject all Proposals and to resolicit for Proposals, in such an event. Proposals should therefore be submitted on the most favorable terms.
- B. The City intends to receive, review, and evaluate Proposals according to the general procedures as outlined in this RFP. The evaluation will determine if

proposer has met the criteria of the RFP to be considered as “qualified to perform the work”. The items to be considered are not limited to, but include the following:

1. Proposed Timeline and Implementation plan - The grasp of the issues and their solutions, responsiveness to terms and conditions, timeliness of completing the tasks.
2. Price Proposal – Evaluation of hourly rates and expected overall cost.
3. Demonstrated Applicable Experience
4. Personnel Qualifications.
5. Evidence of good organization and management practices.

VI. PROPOSAL SUBMISSION PROCEDURE – The proposer may choose between a hard-copy or electronic submission. Complete proposals must be received by Tuesday, January 31, 2017 at 12:00 PM Noon MDT, in the following manner depending on the submission method selected by the proposer.

A. Hard Copy Submissions:

1. If the hard copy method is selected by the proposer, one (1) original and two (2) copies must be submitted in a sealed envelope or container stating on the outside: proposer’s name, address, telephone number, due date, due time, the RFP title (*Water Shares Audit*). The sealed package containing the Proposal shall be submitted to:

Syracuse City  
Attn: Brody Bovero  
1979 W 1900 S  
Syracuse, UT 84075

2. Hand-carried proposals may be delivered **ONLY** between the hours of 8:30 AM and 4:30 PM, Monday through Friday, excluding holidays observed by the City.
3. Proposers are responsible for informing any commercial delivery service, if used, of all delivery requirements and for insuring that the required address information appears on the outer container used by such service.
4. The Proposal must be signed by an officer of the company, who is legally authorized to enter into a contractual relationship in the name of the proposer.
5. The submission of a proposal by a proposer will be considered by the City as constituting an offer by the Proposer to perform the required services at the stated fees.
6. Any Proposal received after the RFP closing date will be considered non-responsive and will be disqualified.

B. Electronic Submissions:

1. If the electronic method is selected by the proposer, the proposal must be submitted in PDF format and emailed with the subject line entitled ‘Water Shares Audit’ to: [bbovero@syracuseut.com](mailto:bbovero@syracuseut.com) with read receipt requested.

VII. SELECTION PROCEDURE - All proposals will be subject to the following:

- A. Each Proposal will be reviewed to determine if it is responsive to the submission requirements outlined in the RFP. A responsive Proposal is one which follows the requirements of the RFP, includes all required documentation, is of timely submission, and has the appropriate signatures required. Failure to comply with these requirements may deem your proposal non-responsive.
- B. An Evaluation Committee will review and evaluate the Proposals received to determine that each proposer has met the qualifications of this RFP.
- C. Upon completion of the Proposal evaluation, the Committee may choose to conduct oral presentation(s), from any proposer warranting further consideration. Upon completion of any oral presentation, the Committee may re-evaluate the Proposal based upon the written combined with the oral input.
- D. **AWARD OF CONTRACT** - The City shall award a contract to the Proposer who offers the best overall plan for the City, factoring in ability, cost, timeliness, and the most favorable plan for the City to address the issues outlined in the RFP.

VIII. ADDITIONAL REQUIREMENTS

- A. **CONTACT PERSON** - The contact person for this RFP is (**Brody Bovero, (801) 614-9622, [bbovero@syracuseut.com](mailto:bbovero@syracuseut.com)**). Any requests for additional information or clarification regarding this RFP should directed to the contact person. Information provided to any potential proposer shall also be shared with other known, proposers.
- B. **INSURANCE** - The successful proposer shall be required to provide by the date of the City's Notice to Proceed adequate liability and worker's compensation insurance policies, with liability and automobile policies naming the City as an additional insured on policies equal to or exceeding \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate. Worker's compensation coverage shall meet or exceed statutory minimum coverage amounts. Insurance companies shall be rated at least A- or better by A.M. Best Insurance. The successful applicant will be required to indemnify the City and hold it harmless for any injuries or claims arising out of the proposer's actions in fulfilling the project.
- C. **CONTRACT INCORPORATION** - Proposer should be aware that the contents of the successful Proposal will become a part of the subsequent contractual documents. Failure of the proposer to accept this obligation may result in the cancellation of any award.
- D. **FAILURE TO COMPLY** - Failure to comply with the Proposal Response Format detailed in this RFP may result in the proposal being rejected as non-responsive.
- E. **PROPOSAL ACCEPTANCE PERIOD** - All Proposals must include a statement that they are valid for a minimum period of ninety (90) days subsequent to the RFP closing date.

- F. **RELEASE OF INFORMATION** - Submission of information received by the City from proposers relative to this RFP shall not be released by the City during the Proposal evaluation process or prior to contract award. At the conclusion of the process, all information provided to the City shall be designated as public record, pursuant to the Utah Government Records Access and Management Act, except as otherwise provided in that Act.
- G. **COST INCURRED IN RESPONDING** - All costs directly or indirectly related to the response by a proposer to this RFP shall be the sole responsibility of and shall be borne by the proposer. This includes any cost associated with any oral presentation required by the City during the qualification process or fees incurred during contract negotiation with the City after award.

IX. EXHIBITS (Attached)

- A. Color-Coded map of Syracuse City outlining previously-identified water shares.
- B. Excel Workbook containing documented water share listing by water company, including a list of subdivisions for which no water shares are identified.