



**Kent County Levy Court  
Department of Public Safety  
Division of Emergency Management**

**Request for Proposal  
Project Number 20-EM-02**

**For**

**Kent County, Delaware  
All Hazards Mitigations Plan Update**

**KENT COUNTY LEVY COURT  
DEPARTMENT OF PUBLIC SAFETY  
911 Public Safety Blvd.  
Dover, De 19901**

Original Publication Date: 06/03/2020  
Mandatory Pre-Proposal Conference Date: 06/15/2020  
Proposal Submission Due Date: 06/23/2020

Kent County Levy Court, Department of Public Safety  
Request for Proposal – Project Number 20-EM-02  
Kent County, Delaware All Hazards Mitigation Plan Update

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## **Request for Proposals**

Kent County Levy Court, Department of Public Safety, will receive sealed proposals from qualified firms to update the Kent County All Hazards Mitigation Plan (HMP). The update will include all elements required by the Federal Emergency Management Agency (FEMA) and the Delaware Emergency Management Agency (DEMA).

Established in 1683, Kent County is the central of three counties within the State of Delaware. Comprised of just over 586 square miles of land, Kent County is bordered on the north by New Castle County and on the south by Sussex County, Delaware, on the west by the State of Maryland, and on the east by the Delaware Bay. In 2018, the U.S. Census Bureau estimated the population of Kent County to be 178,550, with a population density of 305 persons per square mile.

**A Mandatory Pre-Proposal Conference will be held on June 15, 2020 at 10:00 am** at the Public Safety Administration Building, 911 Public Safety Blvd., Conference Room, Dover, Delaware, 19901.

**Sealed proposals will be accepted until 2:00 pm on Tuesday, June 23, 2020** by the Department of Public Safety located at the Public Safety Administration Building, 911 Public Safety Blvd., Dover, Delaware 19901. Envelopes shall be clearly labeled “Proposal for Kent County, Delaware All Hazards Mitigation Plan Update RFP 20-EM-02”. No faxed or e-mailed proposals will be accepted. Proposals will be publicly opened on the same day in the conference room of the Public Safety Administration Building at approximately 2:01pm or as soon thereafter as possible, at which time the names of the respondents will be read and recorded.

Interested parties may obtain copies of the proposal specifications at the Public Safety Administration Building, 911 Public Safety Blvd., Dover, Delaware, 19901 or on the County website [www.co.kent.de.us](http://www.co.kent.de.us).

Kent County reserves the right to reject any and all proposals, and award contract(s) in the best interest of the County.

Kent County is an Equal Opportunity Employer.

## 1. Introduction

### 1.1 Purpose

Kent County Levy Court, Department of Public Safety, is requesting proposals from qualified firms (hereinafter referred to interchangeably as “respondent” or “firm”), having sufficient experience, for the purpose of updating the Kent County, Delaware All Hazards Mitigation Plan (HMP). The update will include all elements required by the Federal Emergency Management Agency (FEMA) and the Delaware Emergency Management Agency (DEMA).

### 1.2 Issuing Office and RFP Contact

This Request for Proposal (RFP) is issued for Kent County Levy Court (hereinafter referred to as the “County”) through the Department of Public Safety, which shall be referred to as the “Issuing Office”. The issuing office, identified below, is the sole point of contact regarding the RFP from the date of issuance until selection of the successful respondent.

Kent County Levy Court  
Department of Public Safety  
Attn: Brandon Olenik  
911 Public Safety Blvd.  
Dover, Delaware 19901

Phone – 302-735-2200

Email – [Brandon.olenik@co.kent.de.us](mailto:Brandon.olenik@co.kent.de.us) with subject line “Kent County, Delaware All Hazards Mitigation Plan Update RFP 20-EM-02”

This request for proposals document is available at the Public Safety Administration Building, 911 Public Safety Blvd., Dover, Delaware, 19901. It is also available on the County website [www.co.kent.de.us](http://www.co.kent.de.us).

### 1.3. Mandatory Pre-Proposal Conference

1.3.1 **There will be a Mandatory Pre-Proposal Conference at 10:00 am on Monday, June 15, 2020** held at the Public Safety Administration Building, 911 Public Safety Blvd., Conference Room, Dover, Delaware 19901.

1.4. Proposals

1.4.1 **Proposals will be received until 2:00 pm on Tuesday, June 23, 2020** by the Public Safety Administration Building, 911 Public Safety Blvd., Dover Delaware, 19901. All proposals must be submitted in sealed envelopes, clearly marked with the label “Proposal for Kent County, Delaware All Hazards Mitigation Plan Update RFP 20-EM-02.” Proposals received after the time and date indicated above will not be considered. Respondents are responsible for ensuring their proposals are received on time and bear the risk of late delivery. No faxed or e-mailed proposals will be accepted.

1.5. Questions

1.5.1 Please direct all questions in writing to the Issuing Office, identified in Section 1.2, on or before June 17, 2020 by 3:00 p.m. When the answer to a question regarding the RFP may clarify the intent of any aspect of the RFP, or may result in a material change to the RFP, the RFP Contact will issue a written response no later than June 19, 2020 by 4:00 p.m., first stating the question followed by the answer to the question. Written responses to questions will be sent to all known prospective respondents. Questions received by the RFP Contact after 3:00 pm on June 17, 2020 may or may not be responded to at the discretion of the County.

1.5.2 The County will assume no responsibility for oral instruction or suggestion. Only written answers to questions will be binding on the County.

1.6 Schedule of Events

Listed below are important dates by which actions must be taken or completed. Times noted are Eastern Standard Time.

| Action  | Completion / Due Date      | Time     |
|---|----------------------------|----------|
| Publish Request for Proposal                  | 06/03/20,06/10/20          |          |
| Mandatory Pre-Proposal Conference             | 06/15/20                   | 10:00 am |
| Deadline to Submit Questions                  | 06/17/20                   | 3:00 pm  |
| Written Response Deadline                     | 06/19/20                   | 4:00 pm  |
| Proposal Submissions Due                      | 06/23/20                   | 2:00 pm  |
| Proposal Opening (Public)                     | 06/23/20                   | 2:01 pm  |
| Proposal review, verification, and evaluation | Approximately 1 to 2 weeks |          |
| Projected Contract Award, not later than      | July 2020                  |          |

## 2. Specifications

### 2.1 Scope of Work

- 2.1.1 The firm will prepare an updated All Hazards Mitigation Plan for Kent County and all incorporated municipalities within Kent County in accordance with the standards outlined by DEMA policies and CFR 44 §201.6 requirements. The goal is to identify all hazards and their associated risks in Kent County as well as actions to reduce these risks.
- 2.1.2 The firm will use a regional, integrated framework that is consistent with the latest State of Delaware All Hazards Mitigation Plan, while reflecting the risks and mitigation actions within Kent County. All portions of the plan will address the needs of the population within the jurisdictions of this plan, including persons with disabilities access and functional needs.
- 2.1.3 The selected firm will coordinate a project kick-off meeting with Kent County and municipalities within Kent County to begin the appropriate planning. The selected firm will attend and lead meetings, clarify any outstanding issues and respond to any comments from the County.
- 2.1.4 The planning process for the All Hazards Mitigation Plan will include:
  - i. Documentation of the process, including how it was prepared and who was involved in the process for each jurisdiction.
  - ii. Documentation of an opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, agencies that have the authority to regulate development as well as other interests to be involved in the planning process.
  - iii. Documentation of how the public was involved in the planning process during the drafting stage.
  - iv. Review and incorporation of existing plans, studies, reports, and technical information.
  - v. Development of a specific engagement strategy for participating communities, leading to more customized involvement informing the Hazard Identification & Risk Assessment and Mitigation Strategies sections.
  - vi. Discussion of how the communities will continue public participation in the plan maintenance process.
  - vii. Description of the method and schedule for keeping the plan current (monitoring, evaluating and updating the mitigation plan within a 5-year cycle).
  - viii. Facilitate Steering Committee meetings, municipal meeting, and a public meeting and incorporate recommendations into the plan update.

- 2.1.5 The firm will develop and prepare a Hazard Identification and Risk Assessment that will include the following:
- i. Description of the type, location, and extent of all natural hazards that can affect each jurisdiction.
  - ii. Information on previous occurrences of hazard events and on the probability of future hazard events for each jurisdiction.
  - iii. Description of each identified hazard’s impact on the community as well as an overall summary of the community’s vulnerability for each jurisdiction.
  - iv. NFIP insured structures within the jurisdiction that have been repetitively damaged by floods.
- 2.1.6 The firm will develop an effective mitigation strategy that will include:
- i. Documentation of each jurisdiction’s existing authorities, policies, programs and resources and its ability to expand on and improve these existing policies and programs.
  - ii. Documentation of the jurisdiction’s participation in the NFIP and continued compliance with NFIP requirements, as appropriate.
  - iii. Describe goals to reduce/avoid long-term vulnerabilities to the identified hazards.
  - iv. Identify a comprehensive range of specific mitigation actions and projects for each jurisdiction being considered to reduce the effects of hazards, with emphasis on new and existing buildings and infrastructure.
  - v. Action plan that describes how the actions identified will be prioritized implemented, and administered by each jurisdiction.
  - vi. Description of how local governments will integrate the requirements of the mitigation plan into other planning mechanisms.
- 2.1.7 The firm will conduct a review, evaluation, and implementation that will include:
- i. Information to reflect changes in development.
  - ii. Information to reflect progress in local mitigation efforts.
  - iii. Information to reflect changes in priorities.
- 2.1.8 The firm will submit the All Hazards Mitigation Plan Update to DEMA and to FEMA region III for final review and approval. Final FEMA approved plan will be submitted to Levy Court for approval and adoption.

## 2.2 Deliverables

- 2.2.1 Kent County Levy Court requires project completion within 7 months of contract acceptance.
- 2.2.2 Draft updated HMP within five (5) months of contract start date, with the final plan by seven (7) months of the contract start date

2.2.3 Throughout the project and as deemed necessary by the County, additional deliverables will include but are not limited to: meeting agendas and minutes, progress reports, project schedules for each component, and responses to review comments provided by the County.

2.2.4 The final All Hazards Mitigation Plan will be provided to the County via digital format (MS Word format) and five (5) complete bound paper copies in full color.

2.3 Evaluation of Proposals

2.3.1 Proposal submissions shall respond to all RFP requirements.

2.3.2 Each respondent’s proposal will be evaluated to determine the firm’s qualifications, responsibility, and ability to provide requisite services for Kent County. During the evaluation, validation, and selection process, the County may, at its sole discretion, choose to conduct interviews with one, some or all of the qualified respondents. The County may request additional information if deemed necessary or desirable to assist in its evaluations.

2.3.3 The following weighted criteria will be considered when evaluating proposal submissions, along with such other information as the County deems necessary in order to complete its evaluation of the proposals.

| <b>Criteria</b>  | <b>Weight</b> |
|--|---------------|
| Expertise, experience, qualifications, reputation, and location of the vendor in each discipline that may provide services relevant to the RFP. Expertise, past experience, and length of time the firm has providing services in defining Hazard Mitigation Plans for county, state, or local government or on projects of similar size, scope, and features as those required in the Scope of Work section 2.1 of this RFP | 40 %          |
| Capacity to meet requirements and distribution of work   | 25 %          |
| Ability to work during hours conducive to County personnel and other agency resources necessary to complete the HMP projects   | 10 %          |
| Proposed payment structure and fees  | 25 %          |
| <b>TOTAL</b>   | <b>100%</b>   |

Based upon the proposal submission, interview and any supplementary information submitted in response to the County’s request, and such independent investigation as the County determines necessary or desirable to assist in its evaluation, a



recommendation for award will be made to the Kent County Levy Court. Final selection shall be at the discretion of Kent County Levy Court.

## 2.4 Submission Requirements

- 2.4.1 All submissions must be delivered in sealed envelopes or containers to the Public Safety Administration Building, 911 Public Safety Blvd., Dover, Delaware 19901 no later than **2:00 pm on June 23, 2020**. Envelopes shall be clearly addressed to the RFP Contact and labeled “Proposal for Kent County, Delaware All Hazards Mitigation Plan Update RFP 20-EM-02.”
- 2.4.2 Submissions must include a total of one (1) original signed and three (3) copied submissions presented on 8½” x 11” paper in a 3-ring loose leaf style binder or folder.
- 2.4.3 The respondent shall furnish a statement, on company letterhead, giving a complete description of all exceptions to the terms, conditions, and specifications of the RFP. Failure to furnish the statement will mean that the respondent agrees to meet all requirements of the Request for Proposal.
- 2.4.4 All Proposals must be signed by an officer or agent of the company submitting the proposal who is authorized to bind the company contractually.
- 2.4.5 All costs associated with the submission preparation shall be the sole responsibility of the firm and no reimbursements will be provided by Kent County.
- 2.4.6 To achieve a uniform review process and obtain the maximum degree of comparability, it is required that the proposals be organized and submitted in the following manner:

### 2.4.6.1 Firm:

Name and address of the firm;

Phone number, fax number, and website (if applicable);

Years of experience the firm has in providing services;

Name, phone number, fax number, and email address of the contact person;

List of corporate officers and titles;

Evidence of a valid business license, and any other licensing or certifications valid to the scope of the project;

Complete disclosure of any alleged significant prior or ongoing contract failures, any civil or criminal litigation or investigation pending which involves the firm or a verification of no responsive incidents

2.4.6.2 Personnel:

Name, qualifications, and experience of principals;

Names, qualifications, and experience of the personnel who will be working on the HMP;

Provide information regarding specific qualifications and experience from projects similar to this for the key team members

2.4.6.3 Proposed Work Plan:

Propose a specific work plan reflecting dates on which key milestones will be met for each task of the project and identification of deliverables.

2.4.6.4 Recent Government Work:

Provide a list of current and past contracts with governmental entities including municipal, County, and state governments your firm has performed.

2.4.6.5 References:

Provide a list of three (3) professional references. Provide the name, address, telephone number, contact person, and description of services provided for each reference. The County may contact these persons for information relating to the firm's technical knowledge and abilities, quality of services and work product, ease of operation, efficiency, and positive working relationships.

2.5 Payment of Fees

2.5.1 The firm shall propose a detailed payment structure for the County to make progress payments for percent of work completed.

2.6 Proposal Validation Period

2.6.1 Proposals are binding for a period of sixty (60) days. Unless otherwise specified, all proposals submitted shall be valid for sixty (60) calendar days following the proposal opening date, unless the respondent, upon request of the County, agrees to an extension.

### 3 Terms and Conditions

#### 3.1 Applicable Law

3.1.1 This professional services agreement is administered under the provisions of the Delaware Code, Title 9, Chapter 3, County Governments Generally §314, Award of contracts for public work or goods, (d).....professional skills requiring special skills..... Selection will not be based solely on the basis of lowest cost. The County further reserves the right to seek “a best and final” offer from any or all of the respondents before making an award.

3.1.2 Interpretation and enforcement of any contract(s) resulting from this RFP shall be under the laws of the State of Delaware.

#### 3.2 Complete Information

3.2.1 This Request for Proposal document and the firm’s response to this solicitation contain the entire understanding between the parties, and any additions or modifications hereto may only be made in writing executed by both parties.

#### 3.3 County’s Rights and Responsibilities

3.3.1 The County reserves the right to modify this RFP as it deems necessary. If such modifications are made, the County will notify all known prospective respondents by facsimile and e-mail no later than 24 hours prior to the proposal opening. The County reserves the right to extend the proposal opening and contract award dates if it deems such extensions are necessary.

3.3.2 The County may extend the time and place for opening of proposals from that described in the advertisement with not less than two days’ notice. Notice will be given to all firms that attend the Mandatory Pre-Proposal Conference and firms from which proposals have been received.

3.3.3 The County reserves the right to request additional information from all respondents and the right to waive technicalities.

3.3.4 The County reserves the right to award a contract in the best interest of the County. The County may reject any or all proposals, when in the County’s reasoned judgement, the public interest will be served thereby. The County may choose to issue a new RFP.

3.3.5 The County may award a contract(s) to the responsible firm whose proposal best complies with the specifications set forth in this Request for Proposals, as determined by the County, not later than sixty (60) days after the due date of the proposals.

- 3.3.6 The County may terminate the contract(s), in whole or in part, whenever the County determines that such termination is in the best interest of the County, without showing cause, upon giving written notice to the firm. The County shall pay all reasonable costs incurred by the firm up to the date of termination. However, in no event shall the firm be paid an amount which exceeds the price proposed for the work performed. The firm shall not be reimbursed for any profits which may have been anticipated but which have not been earned up to the date of termination.
- 3.3.7 When the firm has not performed, or has not performed to the satisfaction of County, the County may terminate the contract(s) for default due to lack of performance. Upon termination for default, payment will be withheld at the discretion of the County. Failure on the part of a firm to fulfill the contractual obligations shall be considered just cause for termination of the contract(s). The firm will be paid for work satisfactorily performed prior to termination, less any excess costs incurred by the County in re-procuring and completing the work.
- 3.3.8 The County shall make progress payments for the work completed by the firm as defined in the proposed payment structure. Upon approval and verification of work completion, the progress payments will be made within thirty (30) days of receipt of invoice. Final payment will be made upon acceptance of the final project submission and approval by Kent County Levy Court.
- 3.4 Responding Firm's Rights and Responsibilities
- 3.4.1 The respondent shall be required to comply with all federal, state and local laws, rules and regulations applicable to the performance of its services.
- 3.4.2 Firms shall guarantee delivery in accordance with such delivery schedule as may be provided in the proposal schedules stated in this RFP. Failure to perform the work within the stated schedule may result in County terminating the contract for default as described in Section 3.3.7 of the RFP.
- 3.4.3 The firm shall not sub-contract any portion of the work or contract, except upon the written approval of the County.
- 3.4.4 Replacement of key team members shall not be permitted without prior consultation with and approval by the County.
- 3.4.5 Personnel qualifications, as defined in Section 2.4.6.2, must be submitted to the County prior to the replacement of key team members taking effect.
- 3.4.6 **Except for communications specifically authorized herein pertaining to the preparation and submittal of a Proposal, Respondents to this Request for**

**Proposal or their representatives shall not (separately or independently of their own accord) discuss, negotiate, promote, market, lobby or solicit with any County Employee or any County Official, verbally or in writing, during the Request for Proposal advertisement period and Proposal Review and Selection Process as indicated in this Request for Proposal. Failure of a Respondent to adhere to this provision may result in the Respondents disqualification from further consideration.**

### 3.5 Liability, Indemnity, Hold Harmless Requirements

- 3.5.1 If a contract is awarded, the successful firm will be required to indemnify and hold the County harmless from and against all liability and expenses, including attorney's fees, howsoever arising or incurred, alleging damage to property or injury to, or death of, any person, arising out of or attributable to the firm's performance of the contract awarded.
- 3.5.2 Any property or work to be provided by the firm under this contract will remain at the firm's risk until written acceptance by the County; and the firm will replace, at firm's expense, all property or work damaged or destroyed by any cause whatsoever.
- 3.5.3 Monies to become due to the firm under the contract, as may be considered necessary by the County, shall be retained by the County until such suits or claims for damages shall have been settled or until the firm furnishes to the County, satisfactory evidence of insurance coverage with respect to such suits or claims.
- 3.5.4 The firm will not hold the County liable for any injuries to the employees, servants, agents, subcontractors or assignees of the contract arising out of or during the course of services relating to this agreement.
- 3.5.5 The firm shall provide the County with Certificates of Insurance within ten (10) days of proposal award notification, evidencing the coverage required above. Such certificates shall provide that the County be given at least thirty (30) days prior written notice of any cancellation of, intention to not renew, or material change in coverage as well as ten (10) days' notice for cancellation for non-payment of premium. The firm shall provide Certificates of Insurance before commencing work in connection with the contract.
- 3.5.6 The providing of any insurance required herein does not relieve the firm of any of the responsibilities or obligations assumed by the firm in the contract awarded or for which the firm may be liable by law or otherwise.
- 3.5.7 Failure to provide and continue in force such insurance as required above shall be deemed a material breach of the contract and County may terminate the contract in accordance with Section 3.3.6 of this RFP.