



Request for Proposal (RFP) # 27-04

for

Architect and Engineering Services for Closed Landfills

Issue Date: August 5, 2026

Proposal Due Date and Hour: September 3, 2026, 3:00 p.m.

Last Day for written questions: August 18, 2026

Montgomery County Purchasing Department
755 Roanoke Street, Suite 2C
Christiansburg, VA 24073-3179

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Architect and Engineering Services for Closed Landfills

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ATTACHMENT A: Terms and Conditions

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COUNTY OF MONTGOMERY, VIRGINIA
RFP # 27-04

ISSUE DATE: AUGUST 5, 2026

Architect and Engineering Services for Closed Landfills

(TO BE COMPLETED AND RETURNED)
GENERAL INFORMATION FORM

QUESTIONS: All inquiries for information regarding this solicitation should be directed to: Jeff Groseclose, CPPB, VCO, VCA, Purchasing Manager, Phone: (540) 382-5784; faxed to (540) 382-5783, or e-mail: mcpurchasing@montgomerycountyva.gov.

DUE DATE: Sealed Proposals will be received until **September 3, 2026** up to and including **3:00PM**. Failure to submit proposals to the correct location by the designated date and hour will result in disqualification.

ADDRESS: Proposals should be mailed or hand delivered to: **Montgomery County Purchasing Department, 755 Roanoke Street, Suite 2C, Christiansburg, Virginia 24073-3179**. Reference the Due Date and Hour, and RFP number in the lower left corner of the return envelope or package.

COMPANY INFORMATION/SIGNATURE: In compliance with this Request for Proposal and to all conditions imposed herein and hereby incorporated by reference, the undersigned offers and agrees to furnish the services and goods in accordance with the attached signed proposal or as mutually agreed upon by subsequent negotiation.

Full Legal Name (print)		Federal Taxpayer Number (ID#)	Contractor's Registration N/A
Business Name / DBA Name / TA Name and Address		Payment Address	Purchase Order Address
Contact Name/Title		Signature (ink)	Date
Telephone Number	Fax Number	Toll Free Number	E-mail Address

COUNTY OF MONTGOMERY

RFP# 27-04

Architect and Engineering Services for Closed Landfills

I. PURPOSE: The intent and purpose of this Request for Proposal (RFP) is to establish one or more terms contracts through competitive negotiation for Architect and Engineering Services, including engineering, geological, groundwater monitoring, landfill gas testing, and consulting required to meet environmental regulations for two closed landfills for Montgomery County, Virginia herein after referred to as “County”. Closed landfill locations and information are in the Specific Background section below.

II. APPLICABILITY OF THE CPSM MANUAL FOR A/E:

The Commonwealth of Virginia Construction and Professional Services Manual (CPSM) for Architect/Engineers shall apply to the contract awarded pursuant to this RFP and is incorporated by reference herein in its entirety. An electronic copy of the CPSM may be found by clicking this link: <https://dgs.virginia.gov/engineering-and-buildings/statewide-constructionproject-management/about-the-cpms>

Offeror’s attention is direction to Chapter 2, Definitions, for the definitions of terms used in this RFP. The terms “Agency” and “Owner” are used interchangeably in the materials referenced in this RFP and mean the public body issuing this solicitation for services and with whom the successful A/E Offeror will enter into an agreement.

Offeror’s attention is also directed to Chapter 3, General Terms and Conditions for Professional Service Contracts.

III. BACKGROUND:

A. General Background

Montgomery County is located in the southwestern part of Virginia in the region known as the New River Valley. This region takes its name from the New River, the nation's oldest and the world's second oldest river, and includes the counties of Floyd, Giles, Montgomery, Pulaski, and the City of Radford. The County has a land area of 393 square miles and lies in the broad picturesque area between the Appalachian Plateau and the Blue Ridge Mountains. Topography varies from gently rolling to steep mountainous terrain, with elevations varying from 1,300 to 3,700 feet above sea level. The majority of the County is at an elevation of 2,000 feet.

Today the Towns of [Blacksburg](#) and [Christiansburg](#), the County seat, are the population centers of the County and are located approximately 35 miles southwest of the City of Roanoke. Blacksburg is home to [Virginia Polytechnic Institute and State University](#) (Virginia Tech). Founded in 1872 as a land-grant college, Virginia Tech is the largest university in Virginia and one of the country's leading research institutions. The County had a 2020 population of 100,839. (This includes two incorporated towns, Blacksburg and Christiansburg, with a combined population of approximately 67,365.)

The County is governed by an elected seven member Board of Supervisors who appoints a County Administrator.

B. Specific Background

Closed Landfill locations:

1. Adjacent to Authority Drive, Christiansburg, VA (SWP #177), commonly referred to as the “Ballfields Landfill”.
2. 2366 Den Hill Road, Christiansburg, VA (SWP #038), commonly referred to as the “Thompson Landfill”.

The County operated the “Ballfields” Landfill, SWP #177 (revoked), as a municipal waste landfill during the 1970s and 1980s with the landfill being closed sometime before 1988. Around 1999 landfill gas was detected in a building on an adjacent property. In December 1999, the County entered into an Agreement and Consent Order with the Waste Management Board to address the migration of the landfill gas. An active air injection pilot system was tested in 2002 and a permanent system completed in 2004. This system is currently running and quarterly testing for landfill gas on the adjacent property is on-going.

The Agreement and Consent Order were amended in 2002 and Assessment groundwater monitoring was required by Appendix A of the amended Consent Order. A Groundwater Monitoring Plan (GMP) was submitted and approved in 2002. Groundwater protection standards (GPS) were approved on July 25, 2002. In July 2004, solid waste constituents were observed in the groundwater at concentrations greater than GPS.

The compliance network includes five groundwater monitoring wells. There are also 15 additional monitoring wells which were installed as part of several nature and extent studies as well as interim measures activities. Groundwater monitoring wells are located on County-owned property as well as on the adjacent Montgomery Regional Solid Waste Authority (MRSWA) property.

In October 2017, the Virginia Department of Environmental Quality (VDEQ) approved the most recent NES submitted on July 23, 2015. The VDEQ requested the County submit an updated ACM and updates and modifications previously discussed be included in the future Corrective Action Plan (CAP) and Corrective Action Monitoring Plan (CAMP).

The County submitted a combined ACM report, CAP, and CAMP on April 1, 2019. The combined ACM, CAP, and CAMP have received approval. The County continues semiannual Assessment monitoring and will implement corrective action measures detailed in the CAP and CAMP. Additionally, The County is responsible for performing an annual sampling event for designated constituents and maintains required reporting for these with DEQ.

The Montgomery County Thompson Closed Landfill is owned and was operated by Montgomery County, Virginia under VDEQ SWP #038. The landfill was previously operated for the disposal of selected wastes including industrial and debris waste from 1986 to 1993 and was closed with a controlled soil cap in 1995. Three other waste disposal cells are located onsite that

were closed prior to 1988 and are not regulated through the Permit. The closed landfill is situated on approximately 174 acres. Groundwater is monitored under a Corrective Action Program, initially implemented February 1, 2010.

The facility has implemented the Corrective Action Plan (CAP) and Monitoring Program (CAMP) following issuance of the final Corrective Action Permit on February 1, 2010. Cobalt, Vinyl Chloride, cis-1,2-dichloroethene, 1,1-Dichloroethane, 1,1-dichloroethene, and trichloroethene are the constituents of concern in the CAP. The Corrective Action Monitoring Program currently involves Monitored Natural Attenuation (MNA) and semiannual monitoring of the compliance network, sentinel well, and performance wells. Additional nature and extent activities were performed in 2012-2014 which included the installation of new monitoring wells, a pilot study for enhanced bioremediation through bio-augmentation, and a geophysical investigation. These activities are described in the updated Assessment of Corrective Measures/ Nature and Extent Study.

An Assessment of Corrective Measures/ Nature and Extent Study Report (ACM/ NES) was submitted to the Virginia of Environmental Quality (VDEQ) on November 7, 2014 to address additional contamination in the deeper aquifer near an old drum disposal cell. Upon completion of the review of the 2014 Nature and Extent Study and Assessment of Corrective Measures by VDEQ, the Corrective Action Plan will need to be prepared within 180 days.

A Variance Petition for the requirement in 9VAC 20-81-250.E.2.b for a facility to submit groundwater monitoring reports to the VDEQ on a semi-annual basis was submitted to the VDEQ on April 25, 2013. On July 8, 2013, a letter from the VDEQ approved the suspension of the requirement for semiannual groundwater monitoring reports while the facility is addressing GWPS exceedance issues.

A Variance Petition for the requirement in 9VAC-81-250.A.3.a and 9VAC 20-81-250.A.3.f for a facility to have a background well was submitted to DEQ on December 19, 2019. On November 20, 2020 a letter from the VDEQ approved the elimination of the background monitoring well from the network.

The county requested on February 5, 2020 some revisions to their monitoring network and sampling frequencies to reduce program costs but still provide enough data to support the Corrective Action Program. The County received temporary approval to revise the network with the plan that the changes will be made permanent when the CAP is revised based on the review/approval of the 2014 NES.

As a result of detections of an analyte in the landfill a corrective action monitoring program (CAMP) has been submitted and approved by DEQ. An additional monitoring well has been installed for baseline measurements and 3 additional injection wells will be installed to inject materials used to isolate/reduce the potential for migrating constituents. The County will be required to implement the plan and provide regular updates to the plan as required by DEQ.

IV. RIGHT TO ISSUE RFP'S AND PROJECT ORDERS:

The County reserves the right, at its sole discretion, to issue RFPs for similar work and other projects as the need may occur. The County also reserves the right, at its sole discretion, to issue project orders to other Architect/Engineering firms based on its evaluation of each A/Es qualifications, expertise, capabilities, performance record, current workload, location or distance to the project, and other factors as may be pertinent to the particular project. The County also reserves the right, at its sole discretion, to issue project orders to the selected firm or firms for Architectural and/or Engineering beyond the scope to expand the renovation activities for either project should the County require such services in the future.

V. STATEMENT OF NEED: The selected A/E firm(s) shall furnish all expertise, labor and resources, in accordance with the requirements of the A/E Manual, to provide complete services necessary for the completion of the following services and for the monitoring networks outlined below:

A. Scope of Services:

“Ballfields” Landfill #177

1. Groundwater Monitoring Program in accordance with Virginia Solid Waste Management Regulations including laboratory testing protocols.
 - a. Two (2) Semiannual groundwater monitoring events with letters and reports for the well network (total 5 wells)
 - b. Two (2) Annual Groundwater sampling events:
 - (1) for select Nature and Extent and Interim Measures wells (total 10 wells, or 14 depending upon year) for VOC compliance.
 - (2) for select NES and IM wells (total 7 wells) for VOC compliance.
 - c. Notifications of constituent exceedances to DEQ
 - d. Annual Reporting, and semi-annual reporting as required to the County and DEQ.
2. Groundwater Other Regulatory Compliance
 - a. Implement CAP and CAMP recommendations including conversion of a monitoring well to an injection well and other supporting infrastructure; coordination of subcontractors to perform the work.
 - b. Preparation of documentation (i.e. Operations and Maintenance Manual) required by DEQ for the corrective action measures being implemented.
 - c. Perform corrective action site evaluation (every 3 years)

- d. Other Regulatory compliance activities as needed including preparation of requisite letters, notifications, reports and other documentation; Interactions and Coordination with DEQ.
 - e. Meetings with the County/DEQ as required and general site assistance as necessary for site maintenance.
3. Gas Monitoring and remediation program
- a. Quarterly monitoring - (4 events/year) of 6 gas probes, 7 injection wells, interior spaces of the Montgomery Regional Solid Waste Authority's facility, and 3 passive gas vents in the ballfields in accordance with the Va. Solid Waste Management Regulations
 - b. Compliance monitoring and implementation of corrective measures if exceedances are recorded.
 - c. County and DEQ Reporting of quarterly findings, system outages, or non-compliance findings,
4. Gas Monitoring Other regulatory Compliance
- a. Engineering related to additional gas monitoring, potential new well installations, testing, and certification.
 - b. Other landfill consulting and engineering to remain in compliance with Consent Order with the DEQ.

Thompson Landfill #038

1. Groundwater Monitoring Program in accordance with Virginia Solid Waste Management Regulations including laboratory testing protocols
 - a. Two (2) Semiannual Assessment and Performance Groundwater Monitoring events of Column B constituents.
Total number of monitoring wells: 10 Wells are sampled semiannually; 2 wells are sampled once/three years
 - b. Notification of GWPS exceedances and Table 3.1 Column B detections
 - c. Annual reporting (Facility has a variance approval to not submit first semiannual reports) and letters of notification as required.
2. Groundwater Other Regulatory Compliance
 - a. Continue implementation of the Corrective Action Monitoring Plan (CAMP) recommendations including the new monitoring well and 3 injection wells and reporting

requirements.

- b. Preparation of documentation required by DEQ for the corrective action measures being implemented.
- c. Perform corrective action site evaluation as required.
- d. Other Regulatory compliance activities as needed including preparation of requisite letters, notifications, reports and other documentation; Interactions and Coordination with DEQ.
- e. Meetings with the County/DEQ as required and general site assistance as necessary for site maintenance.
- f. Other landfill consulting and engineering to remain in compliance with the Corrective Action Plan.

B. Special Qualifications: Offerors should demonstrate an expertise in the following areas:

- 1. Strong knowledge of the Virginia Solid Waste Management Regulations (VSWMR) and the VDEQ agency.
- 2. Expertise with low flow sampling of groundwater wells.
- 3. Expertise in landfill gas remediation.
- 4. Expertise in groundwater contamination remediation.
- 5. Expertise in geology.
- 6. Expertise with bio-augmentation, in-situ chemical oxidation, and other corrective action remedial technologies.
- 7. Ability to economically maintain landfill compliance.

VI. PROPOSAL PREPARATION AND SUBMISSION REQUIREMENTS:

A. GENERAL REQUIREMENTS:

- 1. RFP Response: In order to be considered for selection, Offerors must submit a complete response to this RFP to include:
 - a. **One (1) original and three (3) paper copies of the entire proposal INCLUSIVE OF ALL ATTACHMENTS.** Any proprietary information should be clearly marked.
 - b. **One (1) electronic copy** in WORD format or searchable PDF (USB/Flash Drive) of the entire proposal as one document, **INCLUSIVE OF ALL ATTACHMENTS** mailed along with the hard copy above. Any proprietary information should be clearly marked.

c. Should the proposal contain **proprietary information**, provide:

- i. **One (1) redacted paper copy** of the entire proposal inclusive of all attachments. **All identified proprietary information should be blacked out.** This copy should be marked **“Redacted Copy”**
- ii. **One (1) redacted** electronic copy in WORD format or searchable PDF (USB/Flash Drive) of the entire document **INCLUSIVE OF ALL ATTACHMENTS. All identified proprietary information should be blacked out.** This USB/Flash Drive should be marked **“Redacted Copy”**.

d. Response shall be submitted to:

Jeff Groseclose, CPPB, Purchasing Manager
Montgomery County Purchasing Department
755 Roanoke Street, Suite 2C
Christiansburg, VA 24073

Identify on outside of envelope: **Sealed RFP # 27-04**

RFP Due date and hour: **September 3, 2026, 3:00 P.M.**

- e. Offerors may choose to submit required electronic copies through the eVA Electronic Submission process by the date and time identified herein. Offerors must still submit required paper copies described above. In order to submit an electronic proposal, the offeror **must be properly registered with eVA.** Registration may be accomplished through this site: <https://eva.virginia.gov/register-now.html>. It is strongly encouraged that registration be completed well in advance of the submission deadline to avoid any delays in the process. Montgomery County will not be able to assist offerors with their submissions. Offerors must contact eVA with any questions or needs for assistance with submission. Offerors can find contact information for eVA Customer Care at: <https://eva.virginia.gov/get-help-customer-care.html>. Upon successful submission, the offeror should receive confirmation of the submission through eVA. The County will not confirm receipt of the proposal. For a tutorial on how to view and respond to a solicitation, visit: <https://www.youtube.com/watch?v=KSxcAkOekW0>. Montgomery County is not responsible for delays, miscommunications, or transmission errors that may occur during the electronic submission process. This includes, but is not limited to issues related to internet connectivity, email servers, or other technical malfunctions. It is the sole responsibility of the Offeror to ensure the proposal is submitted on time.

The Offeror shall make no other distribution of the proposal.

2. Proposal Preparations:

- a. Proposal shall be signed by an authorized representative of the Offeror. All information requested should be submitted. The Procurement Manger will review all proposals to ensure

required information is included. Failure to submit all information requested may result in a request to submit the missing information. Proposals which are substantially incomplete or lack key information may be rejected as incomplete. Mandatory requirements are those required by law or regulation or are such that they cannot be waived and are not subject to negotiation.

- b. Proposals will be reviewed and evaluated by a committee as designated by the County.
 - c. Proposal should be prepared simply and economically, providing a straight forward, concise description of capabilities to satisfy the requirements of the RFP. Emphasis should be placed on completeness and clarity of content.
 - d. Proposals should be organized in the order in which the requirements are presented in the RFP. All pages of the proposal should be numbered. Each paragraph in the proposal should reference the paragraph number of the corresponding section of the RFP. It is also helpful to cite the paragraph number, subletter, and repeat the text of the requirements as it appears in the RFP. If a response covers more than one page, the proposal should contain a table of contents which cross references the RFP requirements. Information which the offeror desires to present that does not fall within any of the requirements of the RFP should be inserted at an appropriate place or be attached at the end of the proposal and designated as additional material. Proposals that are not organized in this manner risk elimination from consideration if the evaluators are unable to find where the RFP requirements are specifically addressed.
 - e. Each copy of the proposal should be bound or contained in a single volume where practical. All documentation submitted with the proposal should be contained in that single volume.
 - f. Ownership of all data, materials and documentation originated and prepared for the County pursuant to the RFP shall belong exclusively to the County and be subject to public inspection in accordance with the Virginia Freedom of Information Act. Trade secrets or proprietary information submitted by an Offeror shall not be subject to public disclosure under the Virginia Freedom of Information Act; however, the Offeror must invoke the protections of Section 2.2-4342D of the Code of Virginia, in writing, either before or at the time the data or other materials to be protected and state the reasons why protection is necessary. The proprietary or trade secret material submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific words, figures, or paragraphs that constitute trade secret or proprietary information. The classification of an entire proposal document, line item prices and/or total proposal prices as proprietary or trade secrets is not acceptable and will result in rejection of the proposal.
- B. SPECIFIC REQUIREMENTS:** Proposals should be as thorough and as detailed as possible so that the County may properly evaluate your capabilities to provide the required services. Offerors are required to submit the following information/items as a complete proposal, preferably in tabs as noted below:
- 1. The return of the RFP general information form and addenda, if any, signed and completed as

required.

2. Expertise and experience of the firm relative to the scope of services contained in this RFP. This section should include recent project information of similar type completed by the firm along with the name and telephone number of the point of contact for each project.
3. Financial responsibility of the firm. The firm shall agree to carry professional liability insurance in an amount not less than 5% of the estimated cost of the total contracts that may be awarded, but in no event shall the amount of professional and liability insurance is less than \$5,000,000. The amount of insurance shall remain in effect throughout the period of responsibility of the project involved in accordance with the statute of limitations or for ten (10) years from the issuance of the Certificate of Completion, whichever is shorter. Liability insurance in excess of the minimum requirement shall be a point of consideration in negotiations between the County and the firm.
4. Geographic location of the firm relative to the County's location. The firm should include a street address of the office proposed to handle the work.
5. Number and type of projects within the past five years completed relating to the project as outlined in the scope of services.
6. Number, type, and value of current projects to include point of contact and telephone number for each project.
7. Past cost performance, scheduling performance, and general performance on past projects, to include all public projects in the past (3) years directly related to addressing the scope of service required for the RFP. This information should include the contact name and number for each project.
8. Identification and statement of qualifications of the principal engineers and project team members who will be assigned to the project(s) for actual "hands on" work, as well as the principal assigned the project(s) for oversight responsibilities.
9. Identification and statement of qualifications of all additional associated engineers, if any, to be used on the project(s) along with a description of their role(s) on the project team.
10. Size of the firm relative to the size of the project(s).
11. Site Visits: As requested by the County, the Offeror will arrange site visits to similar sites the firm has completed.
12. Please provide three (3) recent references, similar to Montgomery County, for whom you have provided the type of services described herein. Include the date(s) services were

furnished, the client name, address and the name and phone number of the individual Montgomery County has your permission to contact.

13. Offeror may submit other information believed pertinent for consideration.

VII. EVALUATION AND AWARD OF CONTRACT:

A. Award of Contract: The County shall engage in individual discussions and interviews with two or more offerors deemed fully qualified, responsible and suitable on the basis of initial responses, and with professional competence to provide the required services. Repetitive informal interviews are permitted. Offerors are encouraged to elaborate on their qualifications, performance data, and staff expertise pertinent to the proposed contract as well as alternate concepts. Proprietary information from competing offerors (including any data on estimated man hours or rates and the plan for accomplishing the scope of work) will not be disclosed to the public or to competitors provided such information is duly marked as "Proprietary Information" by the Offeror and the designation is justified as required by §2.2-4342.F., *Code of Virginia*, as amended. At the conclusion of the informal interview, on the basis of evaluation factors published in the RFP and all information developed in the selection process to this point, the County shall rank, in the order of preference, the interviewed offerors whose professional qualifications and proposed services are deemed most meritorious.

Negotiations shall then be conducted with the offeror ranked first. If a contract satisfactory and advantageous to the County can be negotiated at a fee considered fair and reasonable, the award shall be made to that offeror. Otherwise, negotiations with the offeror ranked first shall be formally terminated and negotiations conducted with the offeror ranked second, and so on, until such a contract can be negotiated a fair and reasonable fee. Should the County determine in writing and in its sole discretion that only one offeror is fully qualified, or that one offeror is clearly more highly qualified and suitable than the others under consideration, a contract may be negotiated and awarded to that Offeror.

Montgomery County reserves the right to award in part or in whole, to one or more offerors/vendors, or to reject any or all proposals, whichever is deemed to be in its best interest.

The award document will be a contract incorporating by reference all the requirements, terms, and conditions of the solicitation and the contractor's proposal as negotiated. See Attachment B for sample contract form

B. Evaluation Criteria: Proposals shall be evaluated by the County using the following criteria:

<u>EVALUATION CRITERIA</u>	<u>WEIGHT</u>
1. Expertise, experience, and qualifications of the firm's personnel in providing services as related to the Scope of Services and with respect to Closed Landfills.	30
2. Geographical location of the firm relative to the project location. Current and projected workloads and ability to complete the work in a timely manner.	20
3. Special experience and qualifications of the firm and proposed consultants as related to the Scope of Services in gas remediation, groundwater contamination remediation and working with the Department of Environmental Quality.	30
4. Engineer's overall suitability to provide the services for this project within the time, budget, and operational constraints that may be present, and the comments and/or recommendations for the architect's previous clients, references and others.	10
5. Financial responsibility of the firm as evidenced by the A/E carrying Professional Liability Insurance.	10

VIII. WRITTEN QUESTIONS: Questions regarding the Statement of Need in this RFP must be submitted in writing by email to mcpurchasing@montgomerycountyva.gov no later than close of business on **August 18, 2026**. Responses to written questions will be answered in a written addendum.

IX. CONTRACT ADMINISTRATION:

The County Engineer or their designee, shall be identified as the Contract Administrator and shall use all powers under the contract to enforce its faithful performance. The Contract Administrator, or their designee, shall determine the amount, quantity, acceptability, fitness of all aspects of the services and shall decide all other questions in connection with the services. The Contract Administrator, or their designee, shall not have the authority to approve changes in the services which alter the concept or which call for an extension of time for this contract. Any modifications made must be authorized by the Montgomery County Purchasing Department through a written amendment to the contract.

X. PAYMENT PROCEDURES: The County will authorize payment to the Contractor after receipt of Contractor's correct invoice for goods/services rendered. Invoices shall be sent to:

Montgomery County General Services
Attn: Tabatha Dulaney
755 Roanoke Street, Suite 1C
Christiansburg, VA 24073

- XI. CONTRACT PERIOD:** The initial term of this contract will be from award until June 30, 2027, or as negotiated. There will be an option for four (4) annual twelve (12) month (one-year) renewals, or as negotiated.

ATTACHMENT A TERMS AND CONDITIONS

GENERAL TERMS AND CONDITIONS

RFP General Terms and Conditions can be found by clicking on the link below.

<https://montgomerycountyva.gov/1/departments-services/purchasing>

SPECIAL TERMS AND CONDITIONS

1. ACCESSIBILITY:

A. Compliance Requirement. All information and communications technology (ICT) purchased or upgraded pursuant to this Contract for use by any covered entity of the Montgomery County (County) shall comply with the Information Technology Access Act, §§ 2.2-3500 through § 2.2-3505 of the Code of Virginia.

B. Certification or Documentation. For ICT delivered under this Contract that will be used by a covered entity of the County or made available to the public, Supplier must certify that the ICT conforms with “accessibility,” as that term is defined in Virginia Code § 2.2-3501.

If the supplier cannot certify full conformance of accessibility, the supplier must provide:

1) a Supplier-paid and completed Accessibility Conformance Report (as that term is defined in Virginia Code § 2.2-3501) indicating the level of conformance with accessibility for the ICT being procured; and

2) a Supplier-paid and completed Vendor Accessibility Roadmap (as that term is defined in Virginia Code § 2.2-3501) documenting any areas of nonconformance and including a timeline for each nonconforming area's completion.

C. No Waiver of Supplier Obligations. Consistent with 28 C.F.R. § 35.201 and 36 C.F.R. Part 1194, Appendix A, § E202, the covered entity of the County may, in its sole discretion, procure non-accessible ICT, if such procurement does not result in individuals with disabilities being denied the benefit of any program, service, or activity. This discretion does not waive Supplier's obligations to comply with accessibility requirements and provide required certifications or documentation.

2. AUDIT: The Contractor hereby agrees to retain all books, records, and other documents relative to this contract for five (5) years after final payment, or until audited by the Commonwealth of Virginia, whichever is sooner. Montgomery County, its authorized agents, and/or State auditors shall have full access to and the right to examine any of said materials during said period.

3. CANCELLATION OF CONTRACT: Montgomery County reserves the right to cancel and terminate any resulting contract, in part or in whole, without penalty, upon 60 days written

notice to the Contractor. In the event the initial contract period is for more than 12 months, the resulting contract may be terminated by either party, without penalty, after the initial 12 months of the contract period upon 60 days written notice to the other party. Any contract cancellation notice shall not relieve the Contractor of the obligation to deliver and/or perform on all outstanding orders issued prior to the effective date of cancellation.

4. **IDENTIFICATION OF PROPOSAL ENVELOPE:** The signed proposal should be returned in a separate envelope or package, sealed and addressed as follows:

Montgomery County
Purchasing Department
755 Roanoke Street, Suite 2C
Christiansburg, VA 24073-3179

Reference the opening date and hour, and RFP Number in the lower left corner of the envelope or package.

If a proposal not contained in the special envelope is mailed, the Offeror takes the risk that the envelope, even if marked as described above, may be inadvertently opened and the information compromised which may cause the proposal to be disqualified. No other correspondence or other proposals should be placed in the envelope. Proposals may be hand delivered to the Montgomery County Purchasing Department.

5. **INDEPENDENT CONTRACTOR:** The contractor shall not be an employee of Montgomery County, but shall be an independent contractor.

Nothing in this agreement shall be construed as authority for the contractor to make commitments which shall bind Montgomery County, or to otherwise act on behalf of Montgomery County, except as Montgomery County may expressly authorize in writing.

6. **INSPECTION OF JOB SITE:** My signature on this solicitation constitutes certification that I have inspected the job site and am aware of the conditions under which the work must be accomplished. Claims, as a result of failure to inspect the job site, will not be considered by Montgomery County.

7. **SUBCONTRACTS:** No portion of the work shall be subcontracted without prior written consent of Montgomery County. In the event that the Contractor desires to subcontract some part of the work specified herein, the Contractor shall furnish Montgomery County the names, qualifications and experience of their proposed subcontractors. The Contractor shall, however, remain fully liable and responsible for the work to be done by his subcontractor(s) and shall assure compliance with all requirements of the contract.

8. **COMMONWEALTH OF VIRGINIA CONSTRUCTION AND PROFESSIONAL SERVICES MANUAL FOR ARCHITECT/ENGINEERS (A/E Manual):** This solicitation is subject to the provisions of the Commonwealth of Virginia Construction and Professional Services Manual for Architect/Engineers and any revisions thereto, which are hereby incorporated into this contract in their entirety except as amended or superseded herein.

9. **INSURANCE:**

1. Prior to the start of any work under the contract, the Architect/Engineer shall provide to the County Certificate of Insurance Forms approved by the County and maintain such insurance until the completion of all project orders issued under the contract. The minimum limits of liability shall be:

Workers' Compensation--Standard Virginia Workers Compensation Policy

Broad Form Comprehensive General Liability --\$5,000,000 Combined Single Limit coverage to include:

Premises-Operations; Products/Completed Operations; Contractual; Independent Contractors; County and Contractor's Protective; Personal Injury (Libel, Slander, Defamation of Character, etc.);

Automobile Liability-\$500,000 Combined Single Limit

2. Professional Liability Coverage (errors and omissions), \$5,000,000 minimum
10. **OWNERSHIP OF MATERIALS:** Ownership of all materials and documentation originated and prepared pursuant to the RFP shall belong exclusively to the County and be subject to public inspection in accordance with the Virginia Freedom of Information Act. Trade secrets or proprietary information submitted by an Offeror in connection with a procurement transaction shall not be subject to public disclosure under the Virginia Freedom of Information Act; however, the Offeror must invoke the protections of Section 2.2-4342F of the Code of Virginia, in writing, either before or at the time the data or other materials to be protected and state the reasons why protection is necessary. The proprietary or trade secret material submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific words, figures, or paragraphs that constitute trade secret or proprietary information.
11. **DEBARMENT STATUS:** By submitting their proposals, Offerors certify that they are not currently suspended or debarred by the Commonwealth of Virginia, the Federal Government, or any state or local government, nor are they an agent of any person or entity that is currently so debarred.
12. **SAM.GOV REGISTRATION:** Contractor agrees to register with SAM.gov and obtain a Unique Entity Identifier (UEI) number, and provide the UEI number to the County if requested.

ATTACHMENT B
COUNTY OF MONTGOMERY
SAMPLE STANDARD CONTRACT
****SAMPLE ONLY, DO NOT COMPLETE OR SIGN****

Contract Number:

Contract Title:

This contract entered into this ____ day of, 202__, by _____ hereinafter called the “Contractor” and the County of Montgomery, called the “County”.

WITNESSETH that the Contractor and the County, in consideration of mutual covenants, promises and agreements herein contained, agree as follows:

SCOPE OF SERVICES: The Contractor shall provide the services to the County as set forth in the Contract Documents.

CONTRACT PERIOD: The initial contract period is _____ through _____.

COMPENSATION AND METHOD OF PAYMENT: Payment to the County shall be made in accordance with the Contract Documents.

CONTRACT DOCUMENTS: The Contract Documents shall consist of signed Contract, the statement of need, general terms and conditions, special terms and conditions, specifications, and other data contained in this Request For Proposal Number, dated _____, together with all written modifications thereof, the proposal submitted by the Contractor dated _____ and the Contractor’s letter dated _____, all of which contract documents are incorporated herein.

In **WITNESS WHEREOF**, the parties have caused this Contract to be duly executed intending to be bound thereby.

CONTRACTOR:

COUNTY OF MONTGOMERY:

By: _____

By: _____

Title: _____

Title: _____