

# **REQUEST FOR PROPOSAL**

**STATEWIDE CONSTRUCTION PROJECT CLOSEOUT**

**RFP NO. CD20180201**



## EXECUTIVE SUMMARY

Virginia Department of Transportation (VDOT) has a requirement for consulting engineering services as described below. Please provide an Expression of Interest (EOI) in accordance with the attached solicitation.

**Service Needed:** **RFP: CD-20180201** – Statewide Construction Project Closeout

**Type of Contract:** Limited Services Term Contract

**Value:** \$2,000,000 per term

**Performance Period:** Two-year limited services term contract with two (2) optional one-year renewable terms

**EOI Requirements / Instruction to Proposer can be found in:** Expression of Interest Volumes I & II Section

**DBE/SWaM Goal:** VDOT believes that these services support a **10%** DBE participation

**Anticipated Procurement Schedule Follows \*:**

- |   |                 |            |
|---|-----------------|------------|
| - Expression of Interest Due Date and Time    | <b>2:00 P.M</b> | 02/22/2018 |
| - Short List Posted on the VDOT Website       |                 | 03/16/2018 |
| - Interviews/Technical Presentations          |                 | 03/28/2018 |
| - Final Consultant Selection                  |                 | 04/13/2018 |
| - Selected Consultant Pre-Award Documents Due |                 | 04/25/2018 |
| - Completed Negotiations Agreement Due        |                 | 05/31/2018 |
| - Consultant Contract(s) Signed               |                 | 06/11/2018 |
| - Anticipated Execution:                      |                 | 06/15/2018 |

**\*The Department reserves the right to adjust procurement schedule as needed.**

**EOI Due Date:** February 22, 2018

**Procurement Point-of-Contact:** All procurement related questions or information should be directed to Nishant Patel at 804-371-0945 or Nishant.Patel@Vdot.Virginia.gov

## GENERAL

The Virginia Department of Transportation is seeking expressions of interest from consulting engineering firms who wish to be considered to provide professional engineering services for:

The Statewide Construction Project Closeout Contract providing services under a Fixed Billable Rate Contract. The services shall require providing for the review, preparation, and submittal of final estimates along with other duties required for construction project closeout and records review and/or the post construction process. The proposed two-year limited services term contract with two (2) optional one-year renewable terms will have maximum values of \$2,000,000.00 per term.

The Department anticipates, but does not guarantee awarding multiple contracts to more than one, but not to exceed two (2) qualified prime consultant firms as a result of this Request for Proposal. The contracts will be negotiated and awarded in accordance with the procedure set forth in the current Manual for the Procurement & Management of Professional Services at the time of advertisement.

The Department reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with any qualified firm or to modify or cancel in part or in its entirety the Request for Proposal if it is in the best interest of the Department to do so. This Request does not commit the Department to provide any payment for costs associated with the preparation of proposals submitted in response to this Request for Proposal.

The Department reserves the right to alter the project delivery method at any time during the contract period. The Department will notify the consultant of such decision, revise the scope of services and respective man-hours. The change will be implemented utilizing an additional task order or supplemental agreement based on the contract type.

In response to this Request for Proposals, firms submitting an Expression of Interest as a Prime Consultant shall not serve as a subconsultant on any other team that includes any of the same team member's firms in which they are the Prime.

## CONFIDENTIALITY

The Consultant and its employees while providing services under the subject contract may have access to sensitive records and/or information, by virtue of working on a project or being co-located with VDOT. These records and/or information are to be considered confidential and proprietary; VDOT is the owner and custodian of this information. Any information and/or records that the Consultant has access to while providing services under this contract, shall be held in confidence and shall not be used other than for the purposes of providing services to VDOT under this Contract. The Consultant and its employees shall not engage in any activities that may give the Consultant any competitive advantage for future contracts or that may cause a real or perceived conflict of interest. All Consultant employees co-located with VDOT at any VDOT offices, or a project office, irrespective of the period of co-location, shall sign the Confidentiality Certification (to be provided by VDOT).

Unless ordered by a court of competent jurisdiction, or demanded by the Virginia Attorney General's Office, or otherwise required by law, the Consultant and its employees shall not divulge any confidential information to any entity or person outside of VDOT, including but not limited to the media, or any member of the public, without the prior permission of VDOT. Confidential information

exchanges may have to be conducted as necessary and appropriate between the project team and VDOT to perform assigned tasks under the subject Contract; provided that the Consultant and its employees shall only communicate such information with individuals who are similarly obligated to VDOT under a confidentiality agreement and/or certification.

In the event of any unauthorized disclosure of such confidential information, VDOT reserves the right to take any necessary actions including but not limited to terminating the subject contract and precluding the Consultant and its employee(s) from working on any existing and/or future contracts with VDOT.

## PROCUREMENT SCHEDULE

- Expression of Interest Due Date and Time – 02/22/2018 at 2:00 PM
- Short List Posted on the VDOT Website – NLT 03/16/2018
- Interviews/Technical Presentations – 03/28/2018
- Final Consultant Selection – NLT 04/13/2018
- Selected Consultant Pre-Award Documents Due – NLT 04/25/2018
- Completed Negotiations Agreement Due – NLT 05/31/2018
- Consultant Contract Signed – NLT 06/11/2018

## CONFLICT OF INTEREST:

The change in a project delivery method for this contract may result in a potential conflict of interests for the consultant and any of its team members. As such, the scope of services and their role may be revised and redefined to meet the project need as identified by the Department. The consultant and its team members may not be allowed to participate in ANY subsequent contracts (design and/or construction) related to this project. The Conflict of Interest determination will be made in accordance with the Department's policy. The policy is available at:

<http://www.virginiadot.org/business/resources/LocDes/IIM-APD-2.pdf>

Each firm responding to a Request for Proposal from the Department for professional engineering services shall disclose if it, or any person or entity affiliated with such firm, or that employs a family member of an owner of such firm, is prequalified to bid on construction or maintenance contracts with the Department. The Department will evaluate whether any disclosure provided reveals actual or potential conflicts of interest or a real or perceived competitive advantage for the firm, and how any such conflicts or competitive advantage that are identified can be mitigated. Should the Department identify an actual conflict of interest, it reserves the right to reject the proposal in its entirety.

## **SCOPE OF WORK**

The scope of work shall consist of providing for the review, preparation, and submittal of final estimates, final reviews of project records, materials notebooks and other duties related to construction engineering and inspection services and/or the post construction process. The following classifications are required:

- 1 (one) Final Records Coordinator\*
- 1 (one) Responsible Charge Engineer\*
- 2 (two) Construction Inspector Senior – Project Records Reviewer\*
- 4 (four) Construction Inspector – Project Records Reviewer
- 2 (two) Construction Inspector Trainee
- 1 (one) Administrative Assistant

### Key Personnel\*

All personnel shall be knowledgeable of the Department's Construction Program, VDOT's Road and Bridge Specifications and Standards, Computer Based Construction Management Systems, Work Area Protection Manual, Materials Manual of Instruction, Construction Manual, Inspector Manual, Manual for Uniform Traffic Control Devices, the Post Construction Manual and all Construction related manuals, IIM, policies and procedures. All personnel shall also possess functional computer usage skills including familiarity with Microsoft Office Suite software.

The Department reserves the right to assign work from one district and/or region to other districts and/or regions, when there is a need for the same services in the second district and/or region.

## **STAFF FUNCTIONS, FEATURES OF WORK & KNOWLEDGE, SKILLS AND ABILITIES**

### **A. Final Records Coordinator**

#### Final Records Coordinator Function:

Manage the overall services and tasks provided under this contract for the scope of services identified above. Serve as the single point of contact to VDOT for communication, development and execution of task orders, quality of all work products, performance evaluations, invoicing and all consultant staff.

#### Final Records Coordinator Features of Work:

- Coordinate statewide consultant staffing assignments with the Department ensuring task assigned is performed by personnel with appropriate knowledge, skills and abilities required to adequately complete the task
- Immediately resolve any VDOT concerns regarding the consultant staff's performance, quality, or behavior
- Complete task orders on schedule and within budget
- Develop, negotiate and execute task orders and contract modifications
- Provide oversight and quality assurance/quality control for all work products and ensure compliance with all applicable VDOT standards, specifications, policies, procedures and contract requirements

- Review and submit accurate invoices in a manner suitable for input into the Cardinal Financial System
- Provide monthly contract status reports in a format prescribed by the Department

Final Records Coordinator Knowledge, Skills and Abilities:

The Final Records Coordinator shall have a minimum of three (3) years of direct experience in the coordination of staff on a statewide, regional or districtwide basis for any transportation agency related to the management of construction projects and/or post construction activities. At least 2 years of this experience should include the management of contracts for the final review of project records. Additionally, the Final Records Coordinator shall have the following knowledge, skills and abilities:

- Comprehensive understanding of:
  - Acceptable material test reports
  - Asphalt and fuel adjustment calculations
  - Monthly and final estimate calculations and required supporting documentation
- Quality assurance and quality control programs and processes
- Construction project records closeout processes
- Transportation engineering construction principles/practices
- Civil engineering and regulatory/legal constraints
- Familiarity with SiteManager
- Comprehensive understanding of the duties and responsibilities of Construction Inspectors and Project Records Reviewers
- Management of multiple concurrent assignments with strict deadlines
- VDOT Materials Notebook requirements
- Executed Work Order requirements
- VDOT materials and testing certification requirements (Certifications identified under the Construction Inspector – Project Records Reviewer classification)

**B. Responsible Charge Engineer**

Responsible Charge Engineer Function:

To lead and guide the review of project records on complex highway construction projects.

Responsible Charge Engineer Features of Work:

- Manage the review of construction projects of varying complexity related to roadways, structures, bridge and drainage.

Responsible Charge Engineer Knowledge, Skill and Abilities:

The Responsible Charge Engineer shall be a Virginia licensed P.E. having ten (10) years of direct experience in managing or reviewing complex construction projects. Additionally, the Responsible Charge Engineer shall have comprehensive knowledge of:

- Transportation engineering construction principles/practices
- Quality assurance and control methods
- Civil engineering and regulatory/legal constraints

- Complex highway/transportation project delivery
- Effective communication both orally and in writing with various stakeholders
- Construction/engineering staff leadership and change management implementation
- Advance engineering principles for a variety of complex projects
- Contracts, plans, specifications, work orders, and timely manner dispute resolution

**C. Construction Inspector Senior – Project Records Reviewer**

Construction Inspector Senior – Project Records Reviewer Function:

Ensure quality control and contract compliance for project records associated with roadway, structure and bridge construction/maintenance projects of moderate to considerable complexity. Process/review construction project records and confirm construction project records are accurate.

Construction Inspector Senior – Project Records Reviewer Features of Work:

In addition to the features noted for Construction Inspector – Project Records Reviewer, the Construction Inspector Senior – Project Records Reviewer:

- Lead project record review meetings
- Provide technical supervision and leadership to other reviewers
- Recommend final estimate amount

Construction Inspector Senior – Project Records Reviewer Knowledge, Skills and Abilities:

The Construction Inspector Senior – Project Records Reviewer is expected to have six (6) years of highway construction inspection experience. It is preferred that this experience include a minimum of two (2) years of field experience and two (2) years of experience reviewing project records. The Construction Inspector Senior – Project Records Reviewer shall be able to perform all of the features of work and meet all the knowledge, skills and abilities requirements listed for the Construction Inspector – Project Records Reviewer.

This classification is subject to the Senior Construction Inspector capped rate.

It is the sole responsibility of the Consultant Engineering Firm to provide qualified personnel that possess all applicable certifications necessary to review project records on tasks assigned by the Department. It is preferred, however not required, that Construction Inspector Senior – Project Records Reviewer position have the certifications associated with any documentation they are reviewing, including VDOT material test reports and inspection diaries.

**D. Construction Inspector – Project Records Reviewer**

Construction Inspector – Project Records Reviewer Function:

Ensure quality control and contract compliance for project records associated with roadway, structure and bridge construction/maintenance projects of moderate complexity during final review.

Construction Inspector – Project Records Reviewer Features of Work:

- Review all project records, including but not limited to, the executed contract, approved change orders, daily work reports, project correspondences, meeting minutes, materials

notebooks, material test reports, as-built plans, pay quantity records, progress schedules, SiteManager reports and monthly/final estimates

- Identify errors and omissions in project records
- Provide reports and recommendations
- Verify Contractor's pay estimates
- Review fuel, asphalt and all other contract adjustments
- Review pavement marking tickets (C-85's) and Guard Rail Reports
- Prepare/review the draft final quantities and Reasons for Differences Report
- Review executed work orders
- Prepare correspondence
- Identify, research and implement solutions for records discrepancies

#### Construction Inspector – Project Records Reviewer Knowledge, Skills and Abilities:

The Construction Inspector – Project Records Reviewer is expected to have three (3) years of highway construction inspection experience. It is preferred that this experience includes a minimum of one (1) year of field experience and one (1) year of experience reviewing project records. Additionally, the Construction Inspector – Project Records Reviewer shall have a working knowledge, skills and abilities of the following:

- Field measurements, calculations and sketches required to validate pay items
- Material testing requirements
- Inspection requirements for highway construction which may include excavation, drainage facilities, road surfaces and structures
- Federal and State Labor Regulations to including the Davis Bacon Act
- Knowledge of construction, maintenance, repair, rehabilitation methods, materials, standards and specifications for roadway, structures and bridges
- State and Federal environmental, safety and Equal Employment Opportunity guidelines and regulations
- Familiarity with the claims process, rideability requirements, asphalt, fuel and other similar contract adjustments and the documentation required for the Use of Domestic Materials (Buy America)
- Construction related documentation including: general correspondence/files, monthly pay estimates, request for information logs, submittal logs, meeting minutes, equal employment opportunity records, daily diaries, daily inspection reports and material notebook
- Roadway and structure & bridge plans, profiles, cross sections, symbols and terminology
- Detailed record management
- Contract management software including SiteManager
- Mathematical formulas to include algebra, geometry and trigonometry and engineering principles to determine appropriate field adjustments

This classification is subject to the Construction Inspector capped rate.

It is the sole responsibility of the Consultant Engineering Firm to provide qualified personnel that possess all applicable certifications necessary to review project records on tasks assigned by the Department. It is preferred, however not required, that Construction Inspector – Project Records Reviewer positions have the certifications associated with any documentation they are reviewing, including VDOT material test reports and inspection diaries.



Certifications may include the following:

<b>Certification</b>	<b>Issuing Agency</b>
Soil and Aggregate Compaction	VDOT or NICET LEVEL II*
Asphalt Field Level I & II	VDOT
Hydraulic Cement Concrete Field	VDOT or NICET LEVEL II*
Pavement Marking	VDOT
Slurry Surfacing	VDOT
Surface Treatment	VDOT
GRIT (Guardrail Certification)	VDOT

\*Beginning in 2013, VDOT Materials Division will no longer be recognizing Mid-Atlantic Regional Technician Certification Program (MARTCP) certifications; current VDOT Letters of Reciprocity will remain valid until the expiration of the MARTCP or state DOT certification that the letter is based on. VDOT Materials Division will start recognizing NICET Level II Certifications in Soils and Concrete.

### **E. Construction Inspector Trainee**

#### Construction Inspector Trainee Function:

To monitor in a training capacity, the review of project records to ensure quality control and contract compliance for roadway, structure and bridge construction projects, under the direction of a Final Records Coordinator or their designee. Construction Inspector Trainees shall be registered through Department of Labor and Industry in the Highway Construction Inspector apprenticeship program. Contact Shannon Crooks at Shannon.Crooks@doli.virginia.gov or (804) 371-3104 extension 126 for additional information.

#### Construction Inspector Trainee Features of Work:

- Inspect/review excavations, drainage structures, traffic control devices, road surfaces and structures by comparing work performed to plans and specifications
- Maintain/review project records including daily inspector report, workbook and materials records
- Assist in preparing/reviewing project records and forming reports
- Receive on-the-job and required classroom training to obtain designated highway material certifications

#### Construction Inspector Trainee Knowledge, Skills and Abilities:

- Mathematics including computation of length, area and volumetric measurements
- Willingness to learn and apply new information and concepts
- Effective communication both orally and in writing

This classification is subject to the Construction Inspector Trainee capped rate.

### **F. Administrative Assistant**

#### Administrative Assistant Functions:

To provide administrative support to construction inspection/reviewer staff assisting in daily office needs and managing general administrative activities.

Administrative Assistant Features of Work (directly related to final reviews):

- Take meeting minutes and distributes them in a timely manner with request for feedback
- Assist project staff with timesheets and construction management computer systems
- Prepare reports and other correspondence in an accurate and timely manner
- Provide general office management including answering and directing phone calls, filing project records utilizing VDOT's SharePoint or other approved methods, collecting and distributing mail and other duties assigned by the Finals Records Coordinator
- Assist with the retention, tracking, preparation, distribution and submission of project related documents, reports and correspondence
- Electronically files final review documents
- Track items requiring action and maintains status logs of these items
- Transport records to include pick-up and delivery

Administrative Assistant Knowledge Skills and Abilities: The Administrative Assistant is expected to have the following knowledge, skills and abilities:

- General administrative practices
- Time management
- Effective communication with the consultant and VDOT staff

All procurement related questions or information should be directed to Nishant Patel at 804-371-0945 or email [Nishant.Patel@VDOT.Virginia.gov](mailto:Nishant.Patel@VDOT.Virginia.gov)

**EXPRESSIONS OF INTEREST; VOLUMES I AND II**

1. The Expression of Interest must be submitted to two separate volumes. Each volume will be submitted by the required due date and time as outlined in this RFP under the Administrative heading, Section 6. Only one cover letter is required to submit both volumes. Each volume must contain the following information as shown in the table below.

(All items shall be on 8 1/2” X 11” and printed on one side with single-spaced type no smaller than 10 point where applicable.)

Volume I - Technical Qualifications Submittal	Volume II - Administrative Requirements Submittal
Table of Contents	Table of Contents
Cover Letter	Firm Data Sheet
Understanding of Scope of Work (2 Pages)	DBE Commitment and Confirmation Letter (if applicable)
Standard Form 330 Part I	Present Workload with Department Form
Standard Form 330 Part II	Names and detailed addresses of all affiliated and/or subsidiary companies
Response to RFP Expression of Interest	Certification Regarding Debarment
Present Workload with Department form	Table Matrix containing the requested information (SCC and DPOR registration and license(s)) and Full size copies of VA. SCC and DPOR (firm and key staff)

2. Furnish current SF 330 Part II for each firm involved, and one (1) combined SF 330 Part I for the project team. Please follow the instructions included on the form, unless indicated otherwise within this RFP. (Vol. I)
3. As referenced in SF 330 Part I, Section D (Organizational Chart of Proposed Team), a one page organizational chart showing all firms involved and key personnel assignments and responsibilities is required to be included. (Vol. I, included in SF330)
4. Indicate KEY PERSONNEL ONLY resumes in SF 330 Part I, Section E (Resumes of Key Personnel Proposed for This Contract). Key personnel are identified by asterisk (\*) as shown next to the classification in the Scope section. Team members who are not currently employed by the firm under which they are proposed shall have a signed commitment letter (See Attachment “A”) attached to their resume, demonstrating their commitment to the firm under which they are proposed should the team be awarded the inspection contract. Each resume shall be limited to one page per person with a font no less than 10 point. (Vol. I, included in SF330)

Furthermore, all individuals identified as Key Personnel in the EOI shall remain on the Consultant’s Team for the duration of the procurement process and, if the consultant is awarded a contract, the duration of the contract. If extraordinary circumstances require a proposed change, it must be submitted in writing to the Department’s Project Manager for approval, who, at his/her sole discretion, will determine whether to authorize a change. Unauthorized changes to

the Consultant's Team at any time during the procurement process may result in elimination of the Consultant's Team from further consideration.

5. In SF 330 Part I, Section F (Example Projects Which Best Illustrate Proposed Team's Qualifications for This Contract), limit example projects to no more than ten (10). Each project example shall not exceed one (1) page. (Vol. I, included in SF330)
6. In SF 330 Part I, Section G (Key Personnel Participation in Example Projects), limit example projects to no more than ten (10). The example projects listed in Section G (#29) should match the example project list provided in Section F. (Vol. I, included in SF330)
7. In SF 330 Part I, Section H (Additional Information), the consultant should detail the plan to assure the Department that the staff submitted for evaluation will be available for the services requested by the RFP. Section H of SF 330 Part I is limited to a maximum of ten (10) pages with a font no less than 10 point. This section should describe the organization of the proposed project staff indicating the role of each by individual. If sub-consultants are proposed, the role of each sub-consultant should be discussed. It should also include statements that are responsive to the attached Consultant Short List Score Sheet that will be used to evaluate your submission. This is the **ONLY** section of the submission which may include pictures or graphics (included in the ten page limit). List any computer and CADD equipment and any specialized computer software packages that you will use on this VDOT project. (Vol. I, included in SF330)
8. It is the policy of the Virginia Department of Transportation that Disadvantaged Business Enterprises (DBE) as defined in 49 CFR Part 26 shall have the maximum opportunity to participate in the performance of federally funded consultant contracts. A list of Virginia Department of Small Business and Supplier Diversity (DSBSD) certified DBE firms is maintained on their web site (<http://www.sbsd.virginia.gov/>) under the **DBE Vendor Directory of Virginia Unified Certification Program**. Consultants are encouraged to take all necessary and reasonable steps to ensure that DBE firms have the maximum opportunity to compete for and perform services on the contract, including participation in any subsequent supplemental contracts. If the consultant intends to subcontract a portion of the services on the project, the consultant is encouraged to seek out and consider DBE firms as potential sub-consultants. The consultant is encouraged to contact DBE firms to solicit their interest, capability and qualifications. Any agreement between a consultant and a DBE firm whereby the DBE firm promises not to provide services to other consultants is prohibited. The Department believes that these services support 10% DBE participation.

In accordance with the Governor's Executive Order No. 20, the Virginia Department of Transportation also requires a utilization of Small, Women and Minority (SWaM) Businesses to participate in the performance of state funded consultant contracts. A list of Virginia Department of Small Business and Supplier Diversity (DSBSD) certified SWaM firms is maintained on the DSBSD web site (<http://www.sbsd.virginia.gov/>) under the **SWaM Vendor Directory** link. Consultants are encouraged to take all necessary and reasonable steps to ensure that SWaM firms have the maximum opportunity to compete for and perform services on the contract, including participation in any subsequent supplemental contracts. If the consultant intends to subcontract a portion of the services on the project, the consultant is encouraged to seek out and consider SWaM firms as potential sub-consultants. The consultant is encouraged to contact SWaM firms to solicit their interest, capability and qualifications. Any agreement between a consultant and a SWaM firm whereby the SWaM firm promises not to provide services to other consultants is

prohibited.

If portions of the services are to be subcontracted to a DBE or SWaM, the following needs to be submitted with your EOI and both must reference the project number(s) for the services:

- Written documentation of the prime's commitment to the DBE or SWaM firm to subcontract a portion of the services, a description of the services to be performed and the percent of participation.
- Written confirmation from the DBE or SWaM firm that it is participating, including a description of the services to be performed and the percent of participation.

49 CFR Part 26 requires VDOT to collect certain data about firms attempting to participate in VDOT contracts. This data must be provided on the enclosed Firm Data Sheet.

VDOT is also required to capture DBE and SWaM payment information on all professional services contracts. The successful prime consultant will be required to complete C- 63 form for both state and federally funded projects on quarterly basis.

Any DBE or SWaM firm must become certified (with the Virginia Department of Small Business and Supplier Diversity) prior to your response being submitted. If DBE or SWaM firm is the prime consultant, the firm will receive full credit for planned involvement of their own forces, as well as the work that they commit to be performed by DBE or SWaM sub-consultants. DBE or SWaM prime consultants are encouraged to make the same outreach efforts as other consultants. DBE or SWaM credit will be awarded only for work actually being performed by them. When a DBE or SWaM prime consultant subcontracts work to another firm, the work counts toward DBE or SWaM goals only if the other firm is itself a DBE or SWaM. A DBE or SWaM prime consultant must perform or exercise responsibility for at least 30% of the total cost of its contract with its own force.

DBE or SWaM certification entitles consultants to participate in VDOT's DBE and SWaM programs. However, this certification does not guarantee that the firm will obtain VDOT work nor does it attest to the firm's abilities to perform any particular work.

Business Opportunity and Workforce Development (BOWD) Center - The BOWD Center is a VDOT developmental supportive services program and partnering initiative funded by FHWA for selected DBE firms of various skill and competence levels interested in entering, enhancing or expanding highway contracting opportunities with prime consultants. The partnering initiative between prime consultants and BOWD DBE firms provides the opportunity for the further development of DBE firms through performance on contracts and guidance from prime consultants. The intent of this partnering initiative is to increase capacity by perfecting existing skills and knowledge, expanding into new work areas, and prime consultant joint venturing with DBE firms.

The prime consultants are encouraged to achieve all or a percentage of the required DBE participation/goals determined for this project by the utilization of BOWD approved firms. To assist consultants in taking advantage of this opportunity for utilization of approved BOWD firms, please contact the BOWD Center for additional information, details, resources and support. The BOWD Center can be contacted at (804) 662-9555 or via email to

9. If any firms involved with this submission currently have work with the Department, indicate the projects, the division managing the projects, the amount of outstanding fee remaining, and the estimated date of completion. For limited services term contracts, include only the amount of all tasks orders executed or under negotiation. Also, include your estimated fees for pending supplemental agreements and any projects for which the firms have been selected, but have not executed an agreement. Work of affiliated and/or subsidiary companies is to be included. The outstanding workload of any Virginia Department of Small Business and Supplier Diversity certified DBE or SWaM prime or sub-consultant may be reduced up to \$4 million and the remainder (>\$0) shall be added to the team's total workload. When a DBE or SWaM firm graduates from the program, their workload incurred while a DBE or SWaM may be reduced up to \$4 million for the next three years. All new work obtained after graduating from the program will be counted. Work being performed under the Public Private Transportation Act (PPTA) shall not be included. Work being performed as a prime, joint venture, or sub-consultant on a VDOT Design-Build project shall be included. The outstanding fee remaining is the maximum total compensation payable less the amount previously paid to date. Only Category [ C work will be counted in the scoring criteria. This information shall be submitted using the attached Present Workload with Department form. Please carefully read the instructions on the Present Workload with Department form. (Vol.I and Vol. II)
10. Give names and detailed addresses of all affiliated and/or subsidiary companies. Indicate which companies are subsidiaries. If a situation arises in responding to this questionnaire where you are unsure whether another firm is or is not an affiliate, doubt should be resolved in favor of affiliation and the firm should be listed accordingly. (Vol.II)

Affiliate - Any business entity which is closely associated to another business entity so that one entity controls or has the power to control the other entity either directly or indirectly; or, when a third party has the power to control or controls both; or where one business entity has been so closely allied with another business entity through an established course of dealings, including but not limited to the lending of financial wherewithal, engaging in joint ventures, etc. as to cause a public perception that the two firms are one entity. Firms which are owned by a holding company or a third party, but otherwise meet the above conditions and do not have interlocking directorships or joint officers serving are not considered affiliates.

A firm (prime) shall not submit more than one Expression of Interest (EOI) in response to this Request for Proposals (RFP). If more than one EOI is submitted by an individual, partnership, Corporation, or any party of a Joint Venture, then all EOIs submitted by that individual, partnership, Corporation, or any party of a Joint Venture shall be disqualified. If more than one EOIs are submitted by an affiliate, or subsidiary company of an individual, partnership, Corporation, or any party of a Joint Venture, then all EOIs submitted by that individual, partnership, Corporation, or Joint Venture shall be disqualified.

11. In 1 page(s) or less, provide information that will indicate your team's ability to fulfill task order requests on an as needed basis beginning at contract execution.
12. In 2 page(s) or less, please address your team's approach on providing quality reviews while adhering to the limited review times within the variability of the construction season.

13. A project approach discussion is neither required nor desired for this project.
14. Omitted
15. Please indicate, by executing and returning the attached Certification Regarding Debarment forms, if your firm, sub-consultant, subcontractor, or any person associated therewith in the capacity of owner, partner, director, officer or any position involving the administration of Federal or State funds:
- Is currently under suspension, debarment, voluntary exclusion or determination of ineligibility by any federal agency.
  - Has been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years.
  - Does have a proposed debarment pending; or has been indicted, convicted, or had a civil judgment rendered against it or them by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

Any of the above conditions will not necessarily result in denial of award, but it will be considered in determining offeror responsibility. For any condition noted, indicate to whom it applies, initiating agency, and dates of action. Providing false information may result in Federal criminal prosecution or administrative sanctions. (Vol. II)

16. If the prime consultant or sub-consultant does not have the in-house capability to provide non-professional services, each with an estimated cost of \$5,000 or greater, such as diving services, soil drilling, sampling services or laboratory testing, these services must be subcontracted in accordance with State procurement procedures once a contract is executed, with no DBE or SWaM credit in the selection of the most qualified firm or team. Clearly indicate these services in the EOI. (Vol. I)
17. Each business entity (prime and sub-consultants) on the proposed team who is practicing or offering to practice professional services in Virginia, including, but not limited to, those practicing or offering to practice engineering, surveying, hydrologic and hydraulic analysis, geotechnical analysis and landscape architecture, should provide evidence including full size copies of appropriate commercial professional registrations and licenses for all main and branch offices proposed for this Project, as well as providing full size copies of appropriate individual registrations/licenses for those professional occupations per the requirements listed below. The EOI should convey the requested information for each regulant by the use of a concise table or matrix. (All full size copies of the Commonwealth of Virginia State Corporation Commission (SCC) and Department of Professional and Occupational Regulation (DPOR) supporting registration documentations should be included in the EOI and will not be counted towards page restriction):
1. The Commonwealth of Virginia SCC registration detailing the name, registration number, type of corporation and status of the business entity.
  2. For this Project/Contract, the Commonwealth of Virginia DPOR registration information for each office practicing or offering to practice any professional

services in Virginia: Provide the business name, address, registration type, registration number, expiration date.

3. For this Project/Contract, the Commonwealth of Virginia DPOR license information for each of your Key Personnel practicing or offering to practice professional services in Virginia: Provide the name, the address, type, the registration number, and the expiration date. Provide the office location where each of the Key Personnel is offering to practice professional services.
4. For this Project/Contract, the Commonwealth of Virginia DPOR license information for those services not regulated by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects (e.g. real estate appraisal): the business name, the address, the registration type, the registration number, and the expiration date.

Failure to comply with the law with regard to those requirements in Virginia (whether federal or state) at the time of the EOI submittal regarding your organizational structure, any required registration with governmental agencies and/or entities, and any required governmental licensure, whether business, individual, or professional in nature may render your EOI submittal(s), in the sole and reasonable discretion of the Department, non-responsive and in that event your EOI submittal(s) may be returned without any consideration or evaluation. (Vol. II)



## **ADMINISTRATIVE**

1. Prior to the time of submittal of the EOI, all business entities, except for sole proprietorships, are required to register with the Virginia State Corporation Commission. Information about entity formation can be found at <https://www.scc.virginia.gov/default.aspx>. Foreign Professional corporations and Foreign Professional Limited Liability Companies (i.e., organized or existing under the laws of a state or jurisdiction other than Virginia) must possess a Commonwealth of Virginia Certificate of Authority from the State Corporation Commission to render professional services. Any business entity other than a professional corporation, professional limited liability company or sole proprietorships that do not employ other individuals for which licensing is required must be registered in the Commonwealth of Virginia with the Department of Professional & Occupational Regulation <http://www.dpor.virginia.gov/>, Virginia Board for Architects, Professional Engineers, Land Surveyors and Landscape Architects (Board). Board regulations require that all branch offices of professional corporations and business entities located in Virginia, which offer or render any professional services relating to the professions regulated by the Board shall be registered as separate branch office with the Board. All offices, including branches, which offer or render any professional service, must have at least one full-time resident professional in responsible charge who is licensed in the profession offered or rendered at that office. All firms involved that are to provide professional services must meet these criteria prior to submitting an Expression of Interest to the Department. Individual engineers shall meet the requirements of Chapter 4, Title 54.1 of the Code of Virginia.
2. The Department will not consider for award any cost proposals submitted by any consultants and will not consent to subcontracting any portions of the contract to any sub-consultants in violation of the provisions of the Federal Immigration Reform and Control Act of 1986, which prohibits employment of illegal aliens.
3. Based upon the procurement and contract schedule, the approved escalation rate for this contract is 1.5%; 0.75% for year 1 and 1.5% for year 2. Any additional terms authorized for renewal will use the prevailing escalation rate at the time of renewal. Payment for work performed beyond the last term of the contract will remain at the rates of the most recent term renewal.

The method of payment will be actual costs for each project assignment based on fixed billable rates. For purpose of determining the fixed billable rates, an overhead rate shall be established in compliance with cost principles contained in the Federal Acquisition Regulations (FAR) of Part 31 of Title 48 of the Code of Federal Regulations. The overhead rate shall be established by an audit by a cognizant government agency or independent CPA firm.

4. All firms submitting Expressions of Interest (prime consultants, joint ventures and sub-consultants) must have internal control systems in place that meet Federal requirements for accounting. These systems must comply with requirements of 48CFR31, "Federal Acquisition Regulations, Contract Cost Principles and Procedures," and 23CFR172, "Administration of Negotiated Contracts." All architectural or engineering firms selected for a project (prime consultants, joint ventures and sub-consultants) must submit their FAR audit data along with a Contractor Cost Certification for indirect cost rates required by FHWA order 4470.1A dated October 27, 2010 to the Department within 10 work days of being notified of their selection, whereby an official of an architectural or engineering firm shall certify that the indirect cost rate submitted does not include any costs which are expressly unallowable and that the indirect cost rate was established only with allowable costs in accordance with the applicable cost principles

contained in the Federal Acquisition Regulations (FAR) of 48CFR31. A sample Contractor Cost Certification is available for architectural or engineering firm's use on VDOT website at <http://www.virginiadot.org/business/gpmps.asp>. Should any firm on the consultant team fail to submit the required audit data and certification within the 10 work days, negotiations may be terminated by the Department and the next most qualified team invited to submit a proposal.

5. Records Exclusion from Public Disclosure: Pursuant to the provisions of §2.2-3705.6 (22) of the Code of Virginia, trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), including, but not limited to, financial records, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, and revenue and cost projections supplied by a private or nongovernmental entity to the Inspector General of the Virginia Department of Transportation for the purpose of an audit, special investigation, or any study requested by the Inspector General's Office in accordance with law may, subject to a determination by the Inspector General as described herein, be withheld from public disclosure under the Virginia Freedom of Information Act (FOIA). To enable the Inspector General to identify data or records that may be subject to this exclusion from disclosure under FOIA the private or nongovernmental entity shall, in accord with procedures adopted by the Inspector General, make a written request to the Inspector General of the Virginia Department of Transportation:

- invoking such exclusion upon submission of the data or other materials for which protection is sought;

- identifying with specificity the data or other materials for which protection is sought; and stating the reasons why protection is necessary.

The Inspector General of the Virginia Department of Transportation shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial records of the private entity. The Virginia Department of Transportation shall make a written determination of the nature and scope of the protection to be afforded by it. Notwithstanding the foregoing, Contractor's failure to comply with the requirements stated herein and procedures established by the Inspector General for seeking an exclusion pursuant to §2.2-3705.6 (22) of the Code of Virginia shall result in a denial of the exclusion. Requests for exclusion that are submitted after data or other materials for which protection is sought have been submitted will be denied.

If litigation directly or indirectly results from or arises out of a granted exemption, the contractor will be responsible for all litigation costs incurred by contractor and/or VDOT associated with such litigation. In no event shall the Virginia Department of Transportation or its officers, employees or agents be liable to the contractor as a result of any disclosure of records or data collected by the Department, its officers, employees or agents, pursuant to an audit, special investigation, or any study requested by the Inspector General's Office, whether or not the Inspector General has determined that the requested exclusion from disclosure under FOIA is necessary to protect the trade secrets or financial records of the private entity, and in no event shall the Virginia Department of Transportation, or its officers, employees, or agents be liable to the contractor for any damages or other claims arising directly or indirectly from a determination that the exclusion from public disclosure will not be granted.

6. **Electronic EOI submittals are required for this EOI.** Submittals shall be prepared simply and economically, providing a straightforward, concise description of the firm's capabilities to

satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of content. Elaborate brochures and other representations beyond that sufficient to present a complete and effective proposal are neither required nor desired. Please do not duplicate information furnished in the SF 330 Part I and Part II elsewhere in the submittal. **All information must be submitted either electronically through VDOT's Falcon system and received no later than 2:00 PM (local time prevailing) on 02/22/2018. Responses received after this time will not be considered. Please note that electronic submittals are time stamped at the moment that a file *completes* uploading. The uploading process is sensitive to connection speed and file size – a 25 MB file may take 15 minutes to load. Please plan accordingly, so that the time stamp occurs prior to 2:00 pm, 02/22/2018.** All text in the PDF file shall be searchable using Adobe Acrobat software except within illustrations and scanned registration documents.

- A. Requests for new logins and passwords to the Falcon system must be submitted to CADD Support at least 5 business days prior to the due date.
  
- B. When submitting the Expression of Interest electronically, upload a test file at least 2 business days prior to the due date to insure that your computer software is compatible and working correctly. Contact the CADD Support Helpdesk to confirm the upload was successful. The test file will be deleted at that time. We recommend using Internet Explorer version **10 or 11**. The Falcon system does not work with Firefox, Chrome, or Safari web browsers.
  
- C. The file name field is limited to a maximum of 80 characters. File names **cannot contain** special characters such as an ampersand (&) or apostrophe (').

File names should follow the format: Vol I\_RFPNo\_Firm Name.pdf.  
For Example: **VOL I\_HRD20170126\_Jones Construction.pdf**  
**VOL II\_HRD20170126\_Jones Construction.pdf**

All Expressions of Interest must be loaded into the "Expression of Interest" subfolder. Expression of Interest loaded into any other folder will not be accepted.

**D. Do not wait until the last minute to upload the EOI.** The time required for the upload to complete has several variables, including the load on the system with multiple concurrent uploads. If steps A and B are completed at least 5 business days and step C is completed at least 2 days prior to the due date, it will help to eliminate any last minute issues.

All electronic deliveries shall be made to the following VDOT Web address:  
<http://falcon.virginiadot.org/falconwebv3/>.

Any offeror needing access to submit an Expression of Interest to the Professional Services Procurement area on the Falcon Web Site must email the VDOT CADD Support Helpdesk at [CADDsupport@VDOT.virginia.gov](mailto:CADDsupport@VDOT.virginia.gov) at least 7 business days prior to the submission date to request a Falcon login and password or to request that an existing Falcon account be given access.

The VDOT CADD Support Helpdesk phone numbers are:  
LOCAL: (804) 786-1280

TOLL FREE: (888) 683-0345

HOURS: 7:30AM – 4:30PM Monday – Friday (Closed on State Holidays)

7. The Department assures compliance with Title VI of the Civil Rights Act of 1964, as amended. The consultant and all sub-consultants selected for this project will be required to submit a Title VI letter of approval within 10 working days of notification of selection when requested by the Department or a Title VI report in the absence of a letter of approval. This requirement applies to all consulting firms when the contract amount equals or exceeds \$10,000.

The Virginia Department of Transportation (VDOT) in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

8. The Offeror shall be in compliance with Commonwealth of Virginia Executive Order 61 Ensuring Equal Opportunity and Access for all Virginians in state contracting and public services. The Offeror shall maintain a non-discrimination policy, which prohibits discrimination by the Offeror on the basis of race, sex, color, national origin, religion, sexual orientation, gender identity, age, political affiliation, disability, or veteran status. This policy shall be followed in all employment practices, subcontracting practices, and delivery of goods or services. The Offeror shall also include this requirement in all subcontracts valued over \$10,000.
9. Any offeror who desires to protest the award of a contract shall submit such protest in writing to the Department no later than ten days after the announcement of the award. Public announcement of the award shall be posted on the Department's Business Center Internet site.
10. eVA Business-to-Government Vendor Registration: The eVA Internet electronic procurement solution, web site portal (<http://www.eva.state.va.us>), streamlines and automates government purchasing activities in the Commonwealth. The portal is the gateway for vendors to conduct business with state agencies and public bodies. All vendors desiring to provide goods and/or services to the Commonwealth shall participate in the eVA Internet e-procurement solution through either eVA Basic Vendor Registration Service or eVA Premium Vendor Registration Service. For more detail information regarding eVA, registrations, fee schedule, and transaction fee, use the website link: <http://www.eva.state.va.us>. All bidders or offerors must register in eVA; failure to register may result in the bid/proposal/expression of interest being rejected.







## FIRM DATA SHEET (Vol. II)

Funding: \_\_\_\_ (S=State F=Federal)

Project No.: \_\_\_\_\_

Division: \_\_\_\_\_

EOI Due Date: \_\_\_\_\_

The prime consultant is responsible for submitting the information requested below on all firms on the project team, both prime and all subconsultants. All firms are to be reported on one combined sheet unless the number of firms requires the use of an additional sheet. Failure to submit all of the required data may result in the Expression of Interest not being considered.

Firm's Name, Address and DBE and/or SWAM Certification Number	Firm's DBE or SWaM Status *	Firm's Age	Firm's Annual Gross Receipts

\* YD = DBE Firm Certified by DMBE

N = DBE or SWaM Firm Not Certified by DMBE

NA = Firm Not Claiming DBE or SWaM Status

YS = SWaM Firm Certified by DMBE. Indicate whether small, woman-owned, or small business.



**CERTIFICATION REGARDING DEBARMENT**  
**PRIMARY COVERED TRANSACTIONS**  
**(To be completed by a Prime Consultant)**  
**Vol. II**

Project: \_\_\_\_\_

- 1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency.
  - b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; and have not been convicted of any violations of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, or receiving stolen property;
  - c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph 1) b) of this certification; and
  - d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- 2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

The undersigned makes the foregoing statements to be filed with the proposal submitted on behalf of the offeror for contracts to be let by the Commonwealth Transportation Board.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Name of Firm

**CERTIFICATION REGARDING DEBARMENT**  
**LOWER TIER COVERED TRANSACTIONS**  
**(To be completed by a Sub-consultant)**  
**Vol. II**

Project: \_\_\_\_\_

- 1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
  
- 2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

The undersigned makes the foregoing statements to be filed with the proposal submitted on behalf of the offeror for contracts to be let by the Commonwealth Transportation Board.

\_\_\_\_\_  
Signature                      Date                      Title

\_\_\_\_\_  
Name of Firm

CONSULTANT SHORT LIST SCORE SHEET – FEDERALLY / STATE FUNDED PROJECT  
(FOR PROFESSIONAL SERVICES)

DIVISION: \_\_\_\_\_

EOI NO.: \_\_\_\_\_

PROJECT: \_\_\_\_\_

FIRM: \_\_\_\_\_

DESCRIPTION: \_\_\_\_\_

SUBS: \_\_\_\_\_

DATE: \_\_\_\_\_

		NUMERICAL VALUE				AVG.	WEIGHT	WEIGHTED EVALUATION
FIRM/TEAM'S EXPERIENCE IN SIMILAR TYPE OF SERVICES (Expertise, experience and qualifications of team in providing services as related to the scope of services) (1=least, 10=most)		1-10					20%	
PERSONNEL'S EXPERIENCE IN SIMILAR TYPE OF SERVICES (Expertise, experience and qualifications of team in providing services as related to the scope of services) (1=least, 10=most)		1-10					25%	
QUALIFICATIONS OF PROJECT MANAGER (Expertise, experience and qualifications in project management as related to the scope of services) (1=least, 10=most)		1-10					25%	
ORGANIZATIONAL CAPABILITY (Ability to complete work in a timely manner, size of firm(s) relative to size of project, proposed project staff resources, proposed use of sub-consultants) (1=least, 10=most)		1-10					20%	
PRESENT WORKLOAD WITH DEPARTMENT (Dollar value of present outstanding fee including estimated pending contracts under negotiation. For limited services term contracts, include the amount of all task orders executed or under negotiation. Work being performed under the Public Private Transportation Act (PPTA) shall not be included. Work being performed as a prime, joint venture or sub-consultant on a Design-Build project shall be included.) † (Only Category C workload is counted on this selection*)	Above \$4,000,000	0					10%	
	3,500,001-4,000,000	1						
	3,000,001-3,500,000	2						
	2,500,001-3,000,000	3						
	2,000,001-2,500,000	4						
	1,500,001-2,000,000	5						
	1,000,001-1,500,000	6						
	750,001-1,000,000	7						
	500,001-750,000	8						
	250,001-500,000	9						
0-250,000	10							
							TOTAL	

\*CATEGORIES OF WORKLOAD:

**A - TERM SURVEYING AND UTILITY DESIGNATION/LOCATION CONTRACTS**

**B - PRELIMINARY ENGINEERING CONTRACTS** - includes transportation planning and environmental studies, utility relocation and design, and roadway and bridge design.

**C - CONSTRUCTION ENGINEERING CONTRACTS** - includes construction inspection, preparation of final estimates..

**D - OPERATION AND MAINTENANCE CONTRACTS** - includes operation and maintenance of traffic management systems.

**E - BRIDGE SAFETY INSPECTION CONTRACTS** - includes bridge and traffic structure safety inspection.

† The outstanding workload of any certified DBE or SWaM prime and sub-consultant may be reduced up to \$4M and the remainder (>\$0) added to the team's total workload. When a DBE or SWaM firm graduates from the program, their workload incurred while a DBE or SWaM may be reduced up to \$4M for the next three years. Any new work obtained after graduating from the program will be counted.

In determining the final short list, the top ranked firms and their sub-consultants will have their VDOT Consultant Performance Reports reviewed and/or references checked.

**ATTACHMENT “A”**  
Employment Commitment Letter  
Vol. I

Date:

To:  
Firm Name:  
Address:

Reference – Employment Commitment For

This letter is my commitment to your firm that should your firm become successful in obtaining a contract for construction inspection with the Virginia Department of Transportation I will be available to begin employment upon execution of the referenced inspection services contract.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

