



Downtown Durham Wayfinding - Addendum #1
(Pre-Submittal Meeting information also)

Meeting Location:	Zoom meeting, Durham NC	Agenda Prepared By:	Rod Florence
Registered Firms	Organization	Attendees	
Robby Hoffman, PE	Summit Design and Engineering		
Kelly Marshall, PE	Gannett Fleming		
Christine Goins, Jason Peterson	RK&K		
Reed Smith, PE, CCM	S&ME		
Keith Knuppel	Anser Advisory		
Frank J. Gioscio	Bree & Associates		
Theresa Maples	AMT Engineering		
Davis Diggs, PE	KCA – Kisinger Campo & As.		
Eddie Bishop	Terracon		
Cindy Toal	Michael Baker Engineering		
Ed Evans	Mattern & Craig		
Joseph Threadcraft	TEI Engineering, Inc.		
Meeting Date:	1/15//2021	Time:	2:00pm
Subject:	Addendum #1.		

Overview

1. Then original submission date of January 22, 2021, 4pm will be extended to January 29, 2021 by 4pm.
2. Drawing Files are available on the City of Durham Purchasing Website: <https://durhamnc.gov/bids.aspx?bidID=1142>
3. The RFLOI will reduce the necessary codes to only include: 000195 Roadway Construction Engineering and Inspections and 000233 – Structures Construction Engineering & Inspections. The following codes will be **eliminated** from the submitter requirements:
 - a. 000295 – Structure foundation Investigation and Design
 - b. 000541 – Traffic Management Plan 1&2
 - c. 122/146 – Inspection of Structure Coating
 - d. 000443 – Inspection of structural steel & various other metal products
 - e. 000168 - Project Management



4. The CEI firm will not be responsible for the management of the construction. Under 'Scope of Work' The CEI will be responsibilities have been reduced. Please review the revised RFLOI.

Emailed Questions & Answers

1. Does the City intend for this project to be a Construction Management/Inspection project where we have all related design information and we manage the work including RFI, schedule, payments, etc.? **No, Scope will include inspections, testing and associated NCDOT record keeping.**
2. 270 calendar days with liquidated damages per day if exceeded. **270 calendar days will be the Contractor's construction duration that will be followed with Liquidated Damages**
3. On page 3 of the LOI it says that the drawings and bid manual are available on the purchasing website and we have been unable to find this information. Can you please point me in the right direction? **Please refer to the link above (#2 – overview).**
4. Will the City consider revising the work codes listed? **Yes, please refer to #3 – overview and attached LOI**
5. Typically, firms providing CEI services on NCDOT projects maintain Discipline Codes 195 and 233. Based upon the Scope of Work detailed within the advertisement for CEI services, it is not clear why the following NCDOT Discipline Codes are required for this project: 295 – Structure Foundation Investigation & Design, 541 – Traffic Management Plan 1&2, 168 – Project Management (this is typically only used for firms providing Right of Way services. The revised RFLOI will only include 195 and 233. **Please refer to #3 – overview and attached LOI.**
6. Please clarify the Scope of Work to indicate what is expected of the CEI firms with respect to these three Discipline codes? **The revised codes will include 233 and 195. The Scope of work will include providing inspections, testing and NCDOT record keeping associated with work defined in the construction drawings.**
7. Page 2 of the RFLOI states LOI's shall be received electronically, while page 4 states that six copies of the LOI shall be submitted. Can you confirm if you would prefer electronic or hard copy submittal? **We will receive all submittal digitally only at rod.florence@durhamnc.gov. This addendum #1 and the revised RFLOI will eliminate the requirement to provide 6 copies.**
8. If hard copy submittal is requested, can you confirm the location where these should be delivered? **No hard copy is required.**
9. Would a Title Page (a cover with project images, separate from the requested cover letter) be included in the 15-page count? **No.**
10. Some of the selected work codes do not seem to align with the written scope of work. Code 168 is a Right-of-Way related code but no Right-of-Way work appears to be included in the scope of work. Code 295 is Structure Foundation Investigation and Design; however, the scope of work does not clearly define this. Code 541 – Traffic Management Plan 1 & 2 suggests that the selected firm would be designing traffic control plans but a typical CEI oversight project would only require the firm to oversee traffic management

- based on established plans and standard drawings. **Please refer to #3 – overview and attached LOI.**
11. Additionally, the RFOI indicates that the contract and drawings as well as other appendices are available on the City’s website but we have not been able to find these referenced documents. **Please refer to the link above (#2 – overview).**
 12. Pages 1 & 3, Contract administration – “Submittal teams shall demonstrate previous experience in the planning, administration and inspection...” (pg.1), “The selected firm is to administer the contract...” (pg.3), “The PEF will be responsible for providing engineers...” (pg.3). I believe during the call you stated the selected firm will provide inspectors only and NOT contract administrators. However later in the call you mentioned that the City wanted the selected firm to assist with pre-planning(?) before the bid is awarded. Would you please clarify? Does the City desire assistance from the selected firm’s contract administrators (Resident/assistant resident engineers)? **Please anticipate the Scope of work to include providing inspections, testing and NCDOT record keeping associated with work defined in the construction drawings.**
 13. Page 4, Contract conformance – “Contract conformance will include managing the schedule, budget, risk and Contract Document compliance associated with the selected contractor.” Will this be addressed in the addendum? It is not clear how a team of inspectors (alone) will be able to manage the schedule, budget and risk associated with a contractor. **The Scope of work will include providing inspections, testing and NCDOT record keeping associated with work defined in the construction drawings. The owner will be responsible for managing the schedule budget and risk of the contract document. This addendum will revise the LOI to state this change. (Refer to attached LOI)**
 14. Page 4, Sign Fabrication – “The PEF will also be required to verify compliance of the following: sign fabrication, paint color and application...” Will the City perform these tasks or the PEF? **Yes, this will be the owner’s responsibility.**
 15. Who will be responsible for verifying concrete mix designs? **The CEI will be responsible for concrete mix design compliance.**

Pre-submittal meeting **Questions and Answers**

1. What aspects of safety will the responsibility of the CEI firm? **The CEI’s work (testing & inspections) will be responsible for compliance of the Contractor, City and State regulatory safety standards. (Refer to attached LOI for revision)**
2. Will the submittal date remain January 22, 2021? **This submittal deadline is extended 1-week. The new deadline is January 29, 2021, at 4pm. (digital submission)**
3. When do you anticipate construction to begin? Spring (late April – May)
4. Is funding approved? **Yes**
5. Please provide a sample contract. **A sample contract will be uploaded to our Purchasing website and emailed to the distribution list when available.**
6. What type of fabrication inspections will be required by the CEI firm? **None by the CEI. Codes have been updated to eliminate inspections by the CEI.**

7. Will the record keeping standards be NCDOT or City of Durham Standards?
NCDOT
8. Will the CEI firm need to provide concrete testing? **Yes, some of the footing will require concrete testing**
9. Will the CEI firm be responsible for any surveying or underground utility locations? **No, that will be required by the owner and/or contractor.**
10. Will the CEI firm be responsible for managing the process of utility relocations.
No. It will be a collaborative effort, led by the Contractor and owner with CEI support.

Attachments

1. Sample Contract – Will be distributed to the registered firms and posted on website when available.
2. Revised RFLOI
3. City of Durham Insurance requirements
4. Non-collusion affidavit

Disclosure: The above summarizes the City of Durham's interpretation of items emailed and discussed during Downtown Wayfinding pre-submittal meeting. Additions or corrections must be submitted in writing to the author within three days of receipt; otherwise this Addendum will stand as written.

CITY OF DURHAM

REQUEST for LETTERS of INTEREST (RFLOI)

Downtown Durham Wayfinding TIP C-5605H

TITLE: **Downtown Durham Wayfinding Project, Durham, NC**

ISSUE DATE: **December 23, 2020**

SUBMITTAL DEADLINE: ~~January 22, 2020~~
Rev. January 29, 2021

ISSUING AGENCY: **City of Durham, General Services Department**

SYNOPSIS

The City of Durham desires to engage qualified Private Engineering Firm (PEF) to provide Construction Engineering and Inspection services (CEI) for a contract construction project. **This Request for Letters of Interest (RFLOI) is open only to firms pre-qualified as a Private Consulting Firm with NCDOT.** This project is dually funded with the North Carolina Department of Transportation and City of Durham Capital Improvement Project dollars. This contract shall be partially reimbursed with Federal-aid funding through the North Carolina Department of Transportation (hereinafter referred to as the Department). The solicitation, selection, and negotiation of a contract shall be conducted in accordance with all Department requirements and guidelines.

SUBCONSULTANTS ARE PERMITTED UNDER THIS CONTRACT.

This contract will be partially reimbursed with Federal Highways Administration (FHWA) Federal-aid administered by the North Carolina Department of Transportation (NCDOT). The solicitation, selection, and negotiation of a contract shall be conducted in accordance with all NCDOT requirements and guidelines.

Firms shall demonstrate proficiency in the management of Federally Funded/Locally Managed projects as well as Durham City/County Inspections, Construction Permit approvals. Submittal teams shall demonstrate previous experience in the planning, administration and inspection of similar infrastructure striping projects.

The primary and/or subconsultant firm(s) shall be pre-qualified by the Department to perform the Discipline Codes listed below:

- ~~000295 - Structure foundation Investigation & Design~~
- ~~000195 - Roadway Construction Engineering and Inspection~~
- ~~000233 - Structures Construction Engineering & Inspections~~
- ~~000541 - Traffic Management Plan 1 & 2~~
- ~~122/146 - Inspection of Structure Coating~~
- ~~000443 - Inspection of structural steel & various other metal products~~
- ~~000168 - Project Management~~

- **000195 - Roadway Construction Engineering and Inspection**
- **000233 - Structures Construction Engineering & Inspections**

WORK CODES for each primary and/or subconsultant firm(s) (if Subconsultants are allowed under this RFLOI) SHALL be listed on the respective RS-2 FORMS (see section ‘SUBMISSION ORGANIZATION AND INFORMATION REQUIREMENTS’).

LETTERS ON INTEREST (LOI) SUBMITTALS

This RFLOI is to solicit responses (LETTERS of INTEREST, or LOIs) from qualified firms to provide professional consulting services to:

The City of Durham (City) desires to engage a Private Engineering Firm (PEF) to provide Construction Engineering and Inspection (CEI) services for the Downtown Durham Wayfinding Project (Project). This project will direct users to parking, visitor’s center, major sites, and districts as identified during the design process. The Project scope will include custom fabricated signs with custom finishes placed on new and existing structures (58) with new structural foundations (135 signs). Site conditions occur inside the urban growth district and vary with heavy subsurface infrastructure. The PEF scope will manage the PEF’s safety, ~~contract conformance~~ and materials compliance of the installation of the Downtown Durham wayfinding signage. The General Contractor will have 270 days to complete the Project.

Electronic LOIs should be submitted in .pdf format using software such as Adobe, CutePDF PDF Writer, Docudesk deskPDF, etc.

LOIs SHALL be received **ELECTRONICALLY** no later than ~~4pm, January 22, 2020~~. **Rev. 4pm, January 29, 2021**

Marked prominently on the initial cover page of the document:

Letters of Interest for:
Downtown Durham Wayfinding - C 5605H
ATTN: Rod Florence

NOTE: Electronic LOIs are to be submitted in .pdf format using software such as Adobe, CutePDF, PDF Writer, Docudesk deskPDF, etc.

The address for electronic delivery is: *rod.florence@durhamnc.gov*

LOIs received after this deadline will not be considered.

Except as provided below any firm wishing to be considered must be properly registered with the Office of the Secretary of State and with the North Carolina Board of Examiners for Engineers and Surveyors. Any firm proposing to use corporate subsidiaries or subcontractors must include a statement that these companies are properly registered with the North Carolina Board of Examiners for Engineers and Surveyors and/or the NC Board for Licensing of Geologists. The Engineers performing the work and in responsible charge of the work must be registered Professional Engineers in the State of North Carolina and must have a good ethical and professional standing. It will be the responsibility of the selected private firm to verify the registration of any corporate subsidiary or subcontractor prior to submitting a Letter of Interest. Firms which are not providing engineering services need not be registered with the North Carolina Board of Examiners for Engineers and Surveyors. Some of the services being solicited may not require a license. It is the responsibility of each firm to adhere to all laws of the State of North Carolina.

The firm must have the financial ability to undertake the work and assume the liability. The selected firm(s) will be required to furnish proof of Professional Liability insurance coverage in the minimum amount of \$1,000,000.00. The firm(s) must have an adequate accounting system to identify costs chargeable to the project.

SCOPE OF WORK

The **City of Durham** is soliciting proposals for the services of a firm/team for the following contract scope of work:

The selected firm will report directly to the City of Durham, but shall meet both City/County and NCDOT requirements including all requirements set forth in the municipal agreement between City of Durham and NCDOT. ~~The selected firm is to administer the contract and to ensure that all work is performed in accordance with the contract requirements.~~ This project will involve local and federal CMAQ funding.

The Project will involve the fabrication, construction and installation of pedestrian and vehicular wayfinding signage in Downtown Durham. It will direct users to parking, major sites, and districts as identified during the design process. A complete set of the Construction Drawings and Bid Manual can be downloaded from the City of Durham Purchasing website. <https://durhamnc.gov/bids.aspx?bidID=1142>

The PEF will be responsible for providing engineers and technicians with the appropriate skills and qualifications to ensure contract compliance. The PEF will be directly responsible for oversight of the **PEF's** services ~~the projects~~ for the City. The PEF shall indemnify and save harmless the City for claims and liabilities resulting from negligence, errors or omissions of the PEF; including, but not limited to, the engineers, technicians or subconsultants.

The PEF must demonstrate the ability to provide Construction Technicians with the appropriate skills and qualifications to perform inspection, materials sampling, materials testing, ~~surveying grade verification, documentation of pay quantities, permit compliance, safety compliance and claims avoidance~~ and **NCDOT record keeping**.

The technicians performing the inspection work must be NCDOT certified to perform materials sampling and testing or be able to obtain provisional certifications based on their combination of education, training and experience

The construction contract scope will include custom fabricated signs with custom finishes placed on new and existing structures (58) with new structural foundations (135 signs). Site conditions vary with heavy subsurface infrastructure. The selected PEF will manage the PEF's safety, ~~contract conformance~~ and material compliance of the installation of 193 signs associated with this project. Safety oversight will include: overseeing the maintenance of pedestrian and vehicle traffic, equipment use and installation methodology, and subsurface investigation. ~~Contract conformance will include the managing the schedule, budget, risk and Contract Document compliance associated with the selected contractor.~~ The PEF will also be required to verify compliance of the following: ~~sign fabrication, paint color and application, foundation and structural stability,~~ concrete foundation testing, and [Subsurface compaction](#) material selections.

PROPOSED CONTRACT TIME: Project-Specific Type Contract
Construction Contract - **270 days**
Closeout – **120-day estimate**

PROPOSED CONTRACT PAYMENT TYPE:

After selections are made, the City will negotiate fair and reasonable compensation with the selected Firm. Compensation will include negotiation of profit as a separate element of price as per 2 CFR 200.323(b). If the compensation amount cannot be successfully negotiated, the City will begin compensation negotiations with the next Firm in line, and so on.

The proposed method of payment for this contract is a **Cost-Plus** basis. Progress payments will be made on a monthly or bi-monthly basis.

SUBMITTAL REQUIREMENTS

A Firm wishing to submit an LOI, **MUST** contact a Project Manager and register as an interested CEI. Information, such as Zoom Meeting information for the Pre-Submittal Meeting, will be transmitted to registered Firms only.

All LOIs are limited to fifteen (**15**) pages ([Cover and RS-2](#) forms are not included in the page count) ~~inclusive of the cover sheet~~, and shall be typed on 8-1/2" x 11" sheets, single-spaced, one-sided.

Fold out pages are not allowed. In order to reduce costs and to facilitate recycling; binders, dividers, tabs, etc. are prohibited. One staple in the upper left-hand corner is preferred.

LOIs containing more than fifteen (**15**) pages will not be considered.

~~Six (6) total copies of the LOI should be submitted.~~ [Digital submissions only.](#)

Firms submitting LOIs are encouraged to carefully check them for conformance to the requirements stated above. If LOIs do not meet ALL of these requirements they will be disqualified. No exception will be granted.

SELECTION PROCESS

Following is a general description of the selection process:

Following is a general description of the selection process, see the SUBMISSION SCHEDULE section for key dates.

- Interested Firms are strongly encouraged to participate in the virtual Pre-Submittal Zoom Meeting. Meeting minutes will not be provided.

Meeting Date: **Thursday January 14, 2020,**
Meeting Time: **2:00pm**

The meeting will originate and be broadcast from:

General Services Department
2011 Fay Street
Durham, NC

- The LGA's Selection Committee will review all qualifying LOI submittals.
- For Project-Specific Contracts (non On-Call type contracts), the LGA's Selection Committee MAY, at the LGA's discretion, shortlist a minimum of three (3) Firms to be interviewed. IF APPLICABLE, dates of shortlisting and dates for interviews are shown in the section SUBMISSION SCHEDULE AND KEY DATES at the end of this RFLOI.
- In order to be considered for selection, Firms must submit a complete response to this RFLOI prior to the specified deadlines. Failure to submit all information in a timely manner will result in disqualification.
- The City will select a private engineering firm as Prime to provide the Construction Engineering and Inspection Services.
- All Firms who submitted LOIs will be notified whether or not they were selected. Firms may request a brief feedback phone call.

TITLE VI NONDISCRIMINATION NOTIFICATION

The City of Durham 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 RESPONDENTS 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 LETTERS of INTEREST (LOIs) in response to this ADVERTISEMENT and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

SMALL PROFESSIONAL SERVICE FIRM (SPSF) PARTICIPATION

The Department encourages the use of Small Professional Services Firms (SPSF). Small businesses determined to be eligible for participation in the SPSF program are those meeting size standards defined by Small Business Administration (SBA) regulations, 13 CFR Part 121 in Sector 54 under the North American Industrial Classification System (NAICS). The SPSF program is a race, ethnicity, and gender neutral program designed to increase the availability of contracting opportunities for small businesses on federal, state or locally funded contracts. SPSF participation is not contingent upon the funding source.

The Firm, at the time the Letter of Interest is submitted, shall submit a listing of all known SPSF firms that will participate in the performance of the identified work. The participation shall be submitted on the Department's Subconsultant Form RS-2. RS-2 forms may be accessed on the Department's website at [NCDOT Connect Guidelines & Forms](#).

The SPSF must be qualified with the Department to perform the work for which they are listed.

PREQUALIFICATION

The Department maintains on file the qualifications and key personnel for each approved discipline, as well as any required samples of work. Each year on the anniversary date of the company, the firm shall renew their prequalified disciplines. If your firm has not renewed its application as required by your anniversary date or if your firm is not currently prequalified, please submit an application to the Department **prior to submittal of your LOI**. An application may be accessed on the Department's website at [Prequalifying Private Consulting Firms](#) -- Learn how to become Prequalified as a Private Consulting Firm with NCDOT. Having this data on file with the Department eliminates the need to resubmit this data with each letter of interest.

Professional Services Contracts are race and gender neutral and do not contain goals. However, the Respondent is encouraged to give every opportunity to allow Disadvantaged, Minority-Owned and Women-Owned Business Enterprises (DBE/MBE/WBE) subconsultant utilization on all LOIs, contracts and supplemental agreements. The Firm, subconsultant and subfirm shall not discriminate on the basis of race, religion, color, national origin, age, disability or sex in the performance of this contract.

DIRECTORY OF FIRMS AND DEPARTMENT ENDORSEMENT

Real-time information about firms doing business with the Department, and information regarding their prequalification and certifications is available in the Directory of Transportation Firms. The Directory can be accessed on the Department's website at [Directory of Firms](#) -- Complete listing of certified and prequalified firms.

The listing of an individual firm in the Department's directory shall not be construed as an endorsement of the firm.

SELECTION CRITERIA

All prequalified firms who submit responsive letters of interest will be considered.

In selecting a firm/team, the selection committee will take into consideration qualification information including such factors as:

1. Firm's experience, knowledge, familiarity and past performance with CEI services and NCDOT projects involving FHWA funding - 30%
2. The experience of the firm's proposed staff to perform the type of work required - 40%
3. Firm understands of the project specific issues and their responsibility in delivering services for the advertised project – 30%.

After reviewing qualifications, if firms are equal on the evaluation review, then those qualified firms with proposed SPSF participation will be given priority consideration.

SUBMISSION ORGANIZATION AND INFORMATION REQUIREMENTS

The LOI should be addressed to **Rod Florence, Senior Construction Project Manager**, and must include the name, address, telephone number, and e-mail address of the prime consultant's contact person for this RFLOI.

The LOI must also include the information outlined below:

Chapter 1 - Introduction

The Introduction should demonstrate the consultant's overall qualifications to fulfill the requirements of the scope of work and should contain the following elements of information:

- Expression of firm's interest in the work;
- Statement of whether firm is on register;
- Date of most recent private engineering firm qualification;
- Statement regarding firm's (') possible conflict of interest for the work; and
- Summation of information contained in the letter of interest.

Chapter 2 - Team Qualifications

This chapter should elaborate on the general information presented in the introduction, to establish the credentials and experience of the consultant to undertake this type of effort. The following must be included:

1. Identify recent, similar projects the firm, acting as the prime contractor, has conducted which demonstrates its ability to conduct and manage the project. Provide a synopsis of each project and include the date completed, and contact person.
2. If subconsultants are involved, provide corresponding information describing their qualifications as requested in bullet number 1 above.

Chapter 3 - Team Experience

This chapter must provide the names, classifications, and location of the firm's North Carolina employees and resources to be assigned to the advertised work; and the professional credentials and experience of the persons assigned to the project, along with any unique qualifications of key personnel. Although standard personnel resumes may be included, identify pertinent team experience to be

applied to this project. Specifically, the Department is interested in the experience, expertise, and total quality of the consultant's proposed team. If principals of the firm will not be actively involved in the study/contract/project, do not list them. The submittal shall clearly indicate the Consultant's Project Manager, other key Team Members and his/her qualifications for the proposed work. Also, include the team's organization chart for the Project / Plan. A Capacity Chart / Graph (available work force) should also be included. Any other pertinent information should also be listed in this section.

Note: If a project team or subconsultant encounters personnel changes, or any other changes of significance dealing with the company, NCDOT should be notified immediately.

Chapter 4 - Technical Approach

The consultant shall provide information on its understanding of, and approach to accomplish, this project, including their envisioned scope for the work and any innovative ideas/approaches, and a schedule to achieve the dates outlined in this RFLOI (if any project-specific dates are outlined below).

All submissions, correspondence, and questions concerning this RFLOI should be directed to

City of Durham
General Services Department
2011 Fay Street
Durham, NC 27704
ATTN: Rod Florence
919-560-4197 ext.21233
Rod.Florence@durhamnc.gov

SUBMISSION SCHEDULE AND KEY DATES

RFLOI Release – December 23, 2020

Pre-submittal meeting – January 14, 2021

Deadline for Questions – January 18, 2021

Issue Final Addendum – January 20, 2021

Deadline for LOI Submission – ~~January 22, 2021~~ - Rev. – January 29, 2021

Shortlist Announced * - ~~January 30, 2021~~ – **Rev. – February 5, 2021**

Interviews - the week of ~~February 8, 2021~~ – **Rev. – February 12, 2021**

Firm Selection and Notification ** - ~~February 15, 2021~~ – **Rev. February 22, 2021**

* Notification will **ONLY** be sent to shortlisted firms.

** Notification will **ONLY** be sent to selected firms.

Other anticipated dates:

Contract Negotiation

February 22, 2021 – April 2021

Notice to Proceed

February 15, 2021, April- May 2021

NO CLAIMS AGAINST CITY

No candidate will have any claims or rights against the City arising out of the participation by a candidate in the proposal process. No candidate will have any claims or rights against the City for the City's failure to award a contract to it or for awarding a contract to another person, firm, or corporation, regardless of whether the other person, firm, or corporation participated in the RFLOI process or did not submit a proposal that complied with the RFLOI. A notice of award will not constitute acceptance by the City; the City's only method of acceptance is the City's execution of a formal contract in accordance with law.

STATE TREASURE'S LISTS- IRAN AND BOYCOTT OF ISRAEL

If the value of the contract is \$1,000 or more, the following applies unless the candidate otherwise states in its proposal: the candidate affirms (by submitting a proposal) that (1) its name does not appear on the list of companies that are engaged in a boycott of Israel developed by the N. C. State Treasurer under N.C.G.S. 147-86.81(a)(1) or on a list created by the Treasurer pursuant to N.C.G.S. 147-86.58 as a company engaging in investment activities in Iran, and (2) it has no reason to expect that its name will appear on either of those lists. Take notice that a contract between a company named on either list and the City may be void.

NOTICE UNDER ADA

A person with a disability may receive an auxiliary aid or service to effectively participate in city government activities by contacting the ADA Coordinator, voice (919) 560-4197, fax 560-4196, TTY (919) 560-1200, or ADA@durhamnc.gov, as soon as possible but no later than 48 hours before the event or deadline date.

(Spanish) Una persona con una discapacidad puede recibir asistencia o servicio auxiliar para participar efectivamente en actividades del gobierno de la ciudad con ponerse en contacto con el Coordinador de ADA, buzón de voz (919) 560-4197, fax (919) 560-4196, TTY (919) 560-1200, o ADA@durhamnc.gov, lo más antes posible pero no menos de 48 horas antes del evento o fecha indicada.

VALUES OF CITY OF DURHAM REGARDING TREATMENT OF EMPLOYEES OF FIRMS

- 1) Statement of City EEO Policy. The City of Durham opposes discrimination in employment because of race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. Therefore, it desires that firms doing business with the City:
- 2) not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, political affiliation or belief, age, or handicap.
- 3) take affirmative action to insure that applicants are employed and that employees are treated equally during employment, without regard to race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. This action includes employment,

upgrading, demotion, transfer, recruitment or advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

- 4) state, in solicitations or advertisement for employees, that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, political affiliation or belief, age, or handicap.
- 5) include this Statement of City EEO Policy in every purchase order for goods to be used in performing City contracts and in every subcontract related to City contracts.
- 6) Livable Wage. The City of Durham desires that firms doing business with the City pay their workers a livable wage rate while working on City contracts. The livable wage rate is \$15.46 per hour through June 30, 2020. The City will re-set the rate for the period after June 30, 2020.

QUESTIONS

All questions concerning the RFLOI should be directed to:

- Downtown Durham Wayfinding TIP C-5605H- Rod Florence at rod.florence@durhamnc.gov

Responses will be issued in the form of an addendum available to all interested parties.

Interested parties should send an email request to be placed on a project correspondence list to ensure receipt of RFLOI updates.

Questions must be submitted no later than

~~January 18, 2021, 4:00pm~~, Rev. January 25, 2021.

The final addenda will be issued ~~January 20, 2020~~, Rev. January 27, 2021

This RFLOI and all Addenda will be posted on the NCDOT page for [Consultant Advertisements](#) (Type: LGA) and the City of Durham Purchasing website: <https://durhamnc.gov/bids.aspx?bidID=1142>

*** Notification will ONLY be sent to registered firms.**

APPENDICES-

*Required to be completed, signed, and included in the LOI submittal package.

- 1) *NCDOT Prime Consultant RS-2 Form (rev 1/14/08)
- 2) *NCDOT Prime Sub consultant RS-2 Form (rev 1/15/08, one per each sub)
- 3) Historically Underutilized Business list
- 4) City of Durham Appendix A-Insurance Requirements-Standard
- 5) City of Durham Appendix C-Non-Collusion Affidavit
- 6) City of Durham Appendix D- City Contract for professional design services with FHWA funding

7) City of Durham Appendix E-Trade Secrets and Confidentiality

CONSULTANT CERTIFICATION Form RS-2

Completed Form RS-2 forms SHALL be submitted with the firm's letter of interest. This section is limited to the number of pages required to provide the requested information.

Submit Form RS-2 forms for the following:

- **Prime Consultant firm**
 - Prime Consultant Form RS-2 Rev 1/14/08; and

- **ANY/ALL Subconsultant firms** to be, or anticipated to be, utilized by your firm.
 - Subconsultant Form RS-2 Rev 1/15/08.
 - In the event the firm has no subconsultant, it is required that this be indicated on the Subconsultant Form RS-2 by entering the word "None" or the number "ZERO" and signing the form.

Complete and sign each Form RS-2 (instructions are listed on the form).

The required forms are available on the NCDOT Department's website at:

<https://connect.ncdot.gov/business/consultants/Pages/Guidelines-Forms.aspx>

- [Prime Consultant Form RS-2](#)
- [Subconsultant Form RS-2](#)

City of Durham Insurance Requirements

Contractor agrees to maintain, on a primary basis and at its sole expense, at all times during the life of this Contract the following applicable coverage's and limits. The requirements contained herein, as well as City's review or acceptance of insurance maintained by Contractor is not intended to and shall not in any manner limit or qualify the liabilities or obligations assumed by Contractor under this Contract.

Commercial General Liability – Combined single limit of no less than \$1,000,000 each occurrence and \$2,000,000 aggregate. Coverage shall not contain any endorsement(s) excluding nor limiting Product/Completed Operations, Contractual Liability or Cross Liability.

Automobile Liability – Limits of no less than \$1,000,000 Combined Single Limit. Coverage shall include liability for Owned, Non-Owned and Hired automobiles. In the event Contractor does not own automobiles, Contractor agrees to maintain coverage for Hired and Non-Owned Auto Liability, which may be satisfied by way of endorsement to the Commercial General Liability policy or separate Auto Liability policy. Automobile coverage is only necessary if vehicles are used in the provision of services under this Contract and/or are brought on a City of Durham site.

Umbrella or Excess Liability – Contractor may satisfy the minimum liability limits required above under an Umbrella or Excess Liability policy. There is no minimum Per Occurrence limit of liability under the Umbrella or Excess Liability, however, the Annual Aggregate limits shall not be less than the highest 'Each Occurrence' limit for required policies. Contractor agrees to endorse City of Durham as an 'Additional Insured' on the Umbrella or Excess Liability, unless the Certificate of Insurance states the Umbrella or Excess Liability provides coverage on a 'Follow-Form' basis.

Worker's Compensation & Employers Liability – Contractor agrees to maintain Worker's Compensation Insurance in accordance with North Carolina General Statute Chapter 97 and with Employer Liability limits of no less than \$1,000,000 each accident, each employee and policy limit. This policy must include a Waiver of Subrogation in favor of the City of Durham.

Professional Liability- Contractor agrees to maintain Professional Liability Insurance with limits no less than \$1,000,000, covering claims arising out of professional architect, engineers and surveyors services performed in connection with this contract.

Environmental/Pollution- Contractor agrees to maintain Environmental/Pollution Liability Insurance with limits no less than \$1,000,000 per occurrence and \$2,000,000 aggregate, covering claims arising out of the use or application of chemicals/herbicides as well as the negligent release of hazardous materials. Coverage may also be satisfied by endorsement to the Commercial General Liability policy with minimum limits of \$1,000,000/\$2,000,000.

Builder's Risk- Contractor agrees to provide and maintain insurance at the full value of the construction contract, replacement cost coverage on the work in progress plus materials on and off site and in transit, Contractor is responsible for all uninsured losses.

Additional Insured – Contractor agrees to endorse the City as an Additional Insured on the Commercial General Liability. The Additional Insured shall read 'City of Durham as its interest may appear'.

Certificate of Insurance – Contractor agrees to provide City of Durham a Certificate of Insurance evidencing that all coverage's, limits and endorsements required herein are maintained and in full force and effect, and Certificates of Insurance shall provide a minimum thirty (30) day endeavor to notify, when available, by Contractor's insurer. If Contractor receives a non-renewal or cancellation notice from an insurance carrier affording coverage required herein, or receives notice that coverage no longer complies with the insurance requirements herein, Contractor agrees to notify the City within five (5) business days with a copy of the non-renewal or cancellation notice, or written specifics as to which coverage is no longer in compliance. The Certificate Holder address should read:

City of Durham
Attn: *(Insert Contact Name and Department maintaining the Contract)*
101 City Hall Plaza
Durham, NC 27701

All insurance companies must be authorized to do business in North Carolina and be acceptable to the City of Durham's Risk Manager.

Up-dated 8/6/2019

NON-COLLUSION AFFIDAVIT

By executing this proposal, I certify that this proposal is submitted to the City of Durham competitively and without collusion. I am authorized to represent the candidate or bidder named below both in submitting this proposal and in making this Non-collusion Affidavit. To the best of my knowledge and belief, (1) the candidate or bidder has not violated N. C. General Statute section 133-24 in connection with the proposal, (2) the candidate or bidder has not entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with its proposal, and (3) the candidate or bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding or making a proposal for the benefit of another contractor. The neuter includes the masculine and the feminine. The candidate or bidder to which this Non-Collusion Affidavit refers is:

(insert name of candidate or bidder)

(signature of individual)

ACKNOWLEDGMENT

Type or print name of the individual who signed the affidavit:

Type or print the name of Notary Public signing this acknowledgment:

Place where acknowledgment occurred: County of _____, State of _____

Notary's residence: County of _____, State of _____

I, the Notary Public named above, certify (1) the individual named above personally appeared before me this day, (2) I have personal knowledge, or satisfactory evidence, of the individual's identity; and (3) the individual acknowledged signing the foregoing affidavit.

This the _____ day of _____, 20____. _____
Notary Public

My commission expires:
