

**REQUEST FOR QUALIFICATIONS
FOR
CONSTRUCTION ENGINEERING AND INSPECTION
SERVICES**



THE TOWN OF CORNELIUS DESIRES TO ENGAGE A PRIVATE ENGINEERING FIRM (PEF) TO PROVIDE CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR MCDOWELL CREEK GREENWAY PHASE II AN NCDOT GRANT FUNDED GREENWAY PROJECT (EB-5817)

**Cornelius, North Carolina
February 25, 2019**

**Due Date:
Friday, 12:00 noon, March 29, 2019**

**Acceptance Location:
Cornelius Town Hall
PARC Department
21445 Catawba Avenue, Cornelius, NC 28031**

**Request For Qualifications For Construction Engineering And Inspection Services
For The
McDowell Creek Greenway - An NCDOT Grant Funded Greenway Project
Cornelius, North Carolina (EB-5817)**

1.0 PURPOSE

Cornelius is requesting Letters of Interest (LOI) from Private Engineering Firms (PEF) to provide Construction Engineering and Inspection (CEI) services for the construction of a greenway project. This contract shall be partially reimbursed with Federal-aid funding through 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.

2.0 PROJECT Descriptions

The McDowell Creek Greenway is approximately 1.6 miles in length and located in western Cornelius. It runs between West Catawba Avenue and Westmoreland Road in Cornelius, NC. The project includes a combination of asphalt, concrete and bridges, pipe crossings and pedestrian crossings. 90% level plans and specifications are available upon request.

Note: the Town of Cornelius reserves the right to terminate the professional services contract of the selected consultant based on consultant non-performance (i.e. Schedule, responsiveness, quality of design, accuracy of documents, etc.) and on the consulting firm's workload and availability of the staff included in the design team as described in the firm's LOI. The Town reserves the right to remove any or all work described above in this RFQ and issue a new RFQ for any portion of the work.

3.0 SCOPE OF SERVICES

The PEF shall provide CEI services as required to construct the project as per the construction documents and NCDOT protocol.

At the time of submittal of this LOI, PEF(s) must be prequalified by NCDOT to perform the following services:

- a) 00195 – Roadway Construction Engineering and Inspection
- b) 00233 – Structures Construction Engineering and Inspection

These services shall heretofore be called the “desired services”.

The selected firm will report directly to the Town of Cornelius PARC Department. The selected firm will ensure that all work is performed in accordance with the contract and NCDOT requirements including all documentation required.

The selected 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 project for the Town including preparation of reimbursement requests per NCDOT requirements. The PEF shall indemnify and save harmless the Town for claims and liabilities resulting from negligence, errors or omissions of the PEF; including, but not limited to, the engineers, technicians, architects or subconsultants.

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 Registration for Professional Engineers. Any firm proposing to use corporate subsidiaries or subcontractors must include a statement that those companies are properly registered with the NC 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 each firm to adhere to all laws of the State of North Carolina. It will be the responsibility of the selected private firm(s) to verify the registration of any corporate subsidiary or subcontractor prior to submitting a Letter of Interest. 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. The firm(s) must have an adequate accounting system to identify costs chargeable to the project. The proposed contract period is six (6) months. Payments will be made on a cost-plus basis.

The selection of a PEF to provide the **desired services** will be handled in accordance with the following process:

1. Submission and review of a Letter of Interest (LOI) by the Town selection committee.
2. The selection committee will rank the top three PEFs. If there are not three qualified firms then the Town will rank the number of qualified firms selected.
3. The Town MAY, at its discretion, conduct interviews of the firms selected.
4. The PEFs will be contacted in order of ranking. If the Town and the first ranked PEF cannot agree on a fee then the next ranked firm will be contacted and so on.
5. In order to be considered for selection, consultants must submit a complete response to this Request for Letters of Intent (RFLOI) prior to the specified deadlines. Failure to submit in a timely manner will result in disqualification.

4.0 SMALL PROFESSIONAL SERVICE FIRM (SPSF) PARTICIPATION

NCDOT 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 NCDOT's Prime Form RS-2 and/or Subconsultant Form RS-2.

Form RS-2 forms may be accessed on the NCDOT website at:

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

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

Real-time information about firms doing business with NCDOT and firms that are SPSF certified through North Carolina's Unified Certification Program is available in the Directory of Transportation Firms. The Directory can be accessed by the link on the NCDOT's homepage or by entering <https://www.ebs.nc.gov/VendorDirectory/default.html> in the address bar of your web browser.

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

5.0 PREQUALIFICATION

The NCDOT 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 NCDOT *prior* to submittal of your LOI. An application may be accessed at <https://connect.ncdot.gov/business/Prequal/Pages/Private-Consulting-Firm.aspx>. Having this data on file with NCDOT eliminates the need to resubmit this data with each letter of interest.

Even though specific DBE/MBE/WBE goals are not required for this project NCDOT is committed to providing opportunity for small and disadvantaged businesses to perform on its contracts through established NCDOT goals. 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.

6.0 SELECTION PROCESS / SCHEDULE

Pursuant to North Carolina General Statute 143-64.31, Cornelius utilizes a “qualifications-based” selection process without consideration of fee proposals in the initial stage for selecting landscape architects, architects, and engineers. The selection process and schedule will be as follows:

6.1 Advertisement - An advertisement for the RFQ will be published in the Herald Citizen, and posted on the following websites:

- North Carolina Interactive Purchasing System (IPS)
<https://www.ips.state.nc.us/IPS/Default.aspx>
- <https://connect.ncdot.gov/letting/Pages/Private-Engineering-Firm-Advertisements-.aspx>
- <https://connect.ncdot.gov/letting/Pages/Division10Letting.aspx>
- <http://www.cornelius.org/>

Also, a copy of the RFQ and any addendum may be obtained by sending an e-mail to John DeKemper, Assistant Director, Town of Cornelius PARC Department, PO Box 399 Cornelius, NC 28031 (jdekemper@cornelius.org).

All questions regarding this project should be directed to Mr. DeKemper in writing or by email. In order to maintain equal access to information, firm representatives are not to contact anyone other than the individual named above.

6.2 Notification of Interest, and Inquiries/Questions

6.2.1 Notification of Interest / Addenda - Upon receipt of this RFQ PEFs interested in submitting a PEF must immediately notify Mr. DeKemper by mail or email (see 6.1) in order to place the firm’s name, address and contact information (including e-mail address) on a Notification of Interest list for distribution of possible addenda to this RFQ.

6.2.2 Inquiries/Questions and Deadline - All inquiries/questions regarding this RFQ must be directed to Mr. DeKemper by email (see 6.1) and must reach his office **by Thursday, 12:00 noon, March 15, 2018** [at least fourteen (14) days before the Qualifications submittal due date] in order to be considered for a response. To ensure fair consideration and equal access to information for all Consultants the questions and answers will be sent to all consultants via email to each Consultant who has submitted a “Notification of Interest”. Any other contact in reference to this RFQ prior to the time an award decision has been made will result in disqualification of the firm. Oral answers will not be authoritative

6.3 Qualifications Submittal - Written submittals must be received by the Town of Cornelius PARC Department no later than **Friday 12:00 noon, March 29, 2019**. Submittals received after this deadline will not be considered.

6.3.1 Submittal Material - Consultants interested in providing services as described in this RFQ shall submit three (3) originals of the LOI and one digital copy on a DVD/CD/Flash Drive (please use the firm's name within the file name of the digital copy and compile all files into a single file for the digital submittal) in a sealed container labeled on the outside, "**LOI for CEI Services**," along with the firm name. Send or deliver submittals to:

PARC Department
Town of Cornelius
PO Box 399
Cornelius, NC 28031
Attn: John DeKemper

6.4 Notification - All PEFs selected will be notified via email by April 12, 2018. The selected firms will be notified of their order of ranking.

6.5 Board Approval - The Town Board will consider authorizing the Town Manager to enter in to a limited services agreement with the selected firm.

6.6 Contract Agreements - Limited services agreement with the selected firm.

7.0 EVALUATION

Firms submitting LOIs to perform the **desired services** on this specific project will be evaluated based upon certain considerations. The following considerations, with the weighted importance, will be utilized to select a shortlist of a minimum of three firms from those submitting an LOI:

1. Firm's experience, knowledge, familiarity and past performance with the desired services completed for NCDOT projects – 35%
2. The experience of the firm's proposed staff to perform the type of work required – 40%
3. Firm's understanding of the project specific issues and their responsibility in delivering CEI services for the advertised project(s) – 25%.

North Carolina firms qualified to do the required work will be given priority consideration. A North Carolina firm is a firm that maintains an office in North Carolina staffed with an adequate number of employees with the appropriate expertise judged by the Town to be capable of performing a majority of the work required.

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

8.0 SUBMITTAL DOCUMENT REQUIREMENTS

All LOIs are limited to a maximum of eleven (11) pages (RS-2 forms are not included in the page count) inclusive of the cover sheet, and shall be typed on 8-1/2" by 11" sheets, single spaced. Submittals are encouraged to be compatible with the Town's office paper recycling program. Therefore, they should be printed on recycled paper, copied front and back. Submittals should be limited to 8.5 x 11 sheet size, and be bound with one staple in top left corner within the page limits specified. Fold out pages are not allowed. No three ring notebooks, spiral bindings, plastic covers, and any other materials contributing to the waste stream are permitted. A sheet printed on both sides will count as two pages. Prospective PEF's shall submit (3) hard copies and one digital copy of their LOIs. Each submittal should follow the format, page limit and order listed

below. LOI's containing more than eleven (11) pages will not be considered. Firms submitting LOIs are encouraged to carefully check them for conformance to the requirements above. If LOLs do not meet all of these requirements they will be disqualified.

8.1 Section I - General Information

The General Information section should be a maximum of two pages in length with the following information formatted into bullet points:

- Expression of firm's interest in the work
- Statement of whether the PEF and any subconsultants are on the NCDOT register as being prequalified and the **desired services** for which they are prequalified and which they anticipate performing for this project, including the date of the most recent qualifications submittal.
- Statement regarding firms' possible conflict(s) of interest for the work.
- Identification of the Project Manager and their contact information.
- Describe how the firm communicates to the client and contractor throughout the construction process.
- Describe the requirements of the CEI process for NCDOT projects with FHWA funding including the required reports and observations.

8.2 Section II - Evaluation Factors

- **Firm Information** –Provide an organizational chart of the project team, listing key individuals involved and the role they will perform including any field personnel. Indicate how the work described in this RFQ will fit into the total workload of the firm (maximum one page).
- **Project Understanding and Approach/Similar Project Experience (Graphics & Narrative)** – Submit a maximum of five projects completed during the last five (5) years that demonstrate experience with NCDOT projects with FHWA funding of similar character and scope (maximum six pages).
Include for each project:
 - Specific project name, location and client
 - Description of the project, size, final project cost and services rendered.
 - List the key individuals who were responsible for the construction engineering and inspection. Include the individuals in the field responsible for the daily observation and those responsible for the testing. Include the office location they were located in at the time of the work.
 - Identify all public agencies that reviewed the project
- **Individual Qualifications/Experience** - Provide a description of the qualifications and experience of the key individuals who will be actively involved in the work (including registration numbers of engineers, certifications etc.). Include the office location in which each key individual is located. Clearly identify each key individual's experience with similar type projects, the specific role that individual performed, and the firm they were employed by at the time of the project work (maximum two pages).

8.3 Appendices - Consultant Certification Form RS-2

Submit Form RS-2 forms for the following:

- Prime Consultant firm (Prime Consultant Form RS-2 Rev 1/14/08), and;
- NY/ALL subconsultant firms (Subconsultant Form RS-2 Rev 1/15/08) to be or anticipated to be utilized by your firm.
- 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 at:

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

Prime Consultant RS-2 Form:

<https://connect.ncdot.gov/business/consultants/Roadway/Form%20RS-2%20Prime%20Contractor.pdf>

Subconsultant RS-2 Form:

<https://connect.ncdot.gov/business/consultants/Roadway/Form%20RS-2%20Subcontract.pdf>

9.0 GENERAL PROVISIONS

9.1 Submittal Ownership/Costs - Upon submission, all information becomes the property of the Town of Cornelius which has the right to use any or all ideas presented in any submission in response to this RFQ, whether or not the submittal results in a contract with the submitting Consultant. All costs for development of the written submittal and the oral presentation are entirely the obligation of the Consultant and shall not be remunerated in any manner by the Town of Cornelius.

9.2 Non-Warranty of Request for Qualifications – Due care and diligence has been used in preparing this RFQ. However, the Town shall not be responsible for any error or omission in this RFQ, nor for the failure on the part of the Consultants to ensure that they have all information necessary to affect their submittals.

9.3 Request for Clarification – The Town of Cornelius reserves the right to request clarification of information submitted and to request additional information of one or more Consultants, either orally or in writing.

9.4 Acceptance/Rejection of Submittals – The town of Cornelius reserves the right to accept or reject any or all submittals in whole or in part, with or without cause, to waive technicalities, or to accept submittals or portions thereof which, in the Town’s judgment, best serve the interest of the Town.

The Town of Cornelius reserves the right to allow alterations, modifications, or revisions to individual elements of the Scope of Services any time during the period of contracts which result from this RFQ.

9.5 Collusion – The Consultant, by submitting a Qualifications Statement, declares that the submission is made without any previous understanding, agreement, or connections with any persons, Consultants, or corporations making a competing submission on the same project, and that it is in all respects, fair, and in good faith without any outside control, collusion, or fraud.

9.6 Consideration of Submittals – Proposals will be considered from firms/consultants normally engaged in providing and performing services as specified in this RFQ. The firm must have adequate organization, facilities, equipment and personnel to ensure prompt and efficient service to the Town. The Town reserves the right to inspect the facilities and organization or to take any other action necessary to determine ability to perform in accordance with specifications, terms and conditions before recommending any award.

9.7 Americans with Disabilities Act (ADA) Compliance – The Town of Cornelius will comply with the

Americans with Disabilities Act (ADA) which prohibits discrimination on the basis of a disability. The Town of Cornelius will make reasonable accommodations in all programs to enable participation by an individual with a disability who meets essential eligibility requirements. Town of Cornelius programs will be available in the most integrated setting for each individual. If any accommodations are necessary for participation in any program or services, participants are encouraged to notify Town Staff.

9.8 Minority/Women/Small Business Enterprise - It shall be the policy of Town of Cornelius Government to provide minority-owned, women-owned, and small business enterprises (collectively "M/W/SBE) as well as other responsible vendors with fair and reasonable opportunity to participate in Town business opportunities including but not limited to employment, construction development projects, and materials/services, consistent with the laws of the State of North Carolina. The policy of the Town of Cornelius prohibits discrimination against any person or business in pursuit of these opportunities on the basis of race, color, national origin, religion, sex, age, disability, or veteran's status. It is further the policy of the Town of Cornelius to conduct its contracting and procurement programs so as to prevent such discrimination and to resolve any and all claims of such discrimination.

9.9 Insurance and Indemnity Requirements - To the extent permitted by law the Consultant shall indemnify and save harmless the Town of Cornelius, its agents and employees and assigns from and against all loss, cost damages, expense and liability caused by sickness and disease to any person; or damage or destruction to property, real or personal; arising from the negligent acts, errors, or omissions of the Consultant in the performance of professional services provided to the Town.

The Consultant further agrees to purchase and maintain during the life of any contracts entered into with the Town the following insurance with an insurance company acceptable to the Town of Cornelius and authorized to do business in the State of North Carolina:

Automobile: Bodily injury and property damage liability covering all owned, non-owned, and hired automobiles for limits of not less than \$1,000,000 each person/ \$1,000,000 each occurrence.

Comprehensive General Liability: Bodily injury and property damage liability insurance as shall protect the Consultant from claim of bodily injury or property damage which arises from operations of this contract. The amounts of such insurance shall not be less than \$1,000,000 bodily injury and property damage liability each occurrence/aggregate. This insurance shall include coverage for product/completed operations and contractual liability assumed under the indemnity provision of this contract. The Town of Cornelius shall be listed as an "Additional Insured"

Consultant's Professional Liability: In a limit of not less than \$1,000,000.

Workers' Compensation and Occupational Disease Insurance:

Coverage A - Worker's Compensation: Meeting the statutory requirements of the State of North Carolina.

Coverage B - Employer's Liability: \$100,000 each accident / \$100,000 disease - each employee / \$500,000 disease - policy limits.

Certificates of such insurance will be furnished to the Town of Cornelius and shall contain the provision that the Town of Cornelius be given thirty (30) days written notice of any intent to amend or terminate by either the Consultant or the insuring company.

9.10 E-verify

As part of the limited services agreement the PEF shall meet the requirements of the Reclaim Act (S.L.2013-418: HB786).

END OF REQUEST FOR QUALIFICATIONS