

Advertised: January 5, 2024

TOWN OF WENDELL

REQUEST for LETTERS of INTEREST (RFLOI)

EB-6048 Construction Engineering and Inspection (CEI) Services

TITLE: EB-6048 Construction Engineering and Inspection (CEI) Services

ISSUE DATE: January 5, 2024

SUBMITTAL DEADLINE: February 5, 2024

ISSUING AGENCY: Town of Wendell

SYNOPSIS

SUBCONSULTANTS ARE PERMITTED UNDER THIS CONTRACT.

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.

The primary and/or subconsultant firm(s) (*if Subconsultants are allowed under this RFLOI*) shall be pre-qualified by the Department to perform ALL of the Discipline Codes listed below for the Town of Wendell. Discipline Codes required are:

- 00195 – Roadway Construction Engineering & Inspection
- 00233 – Structures Construction Engineering & inspection

WORK CODES for each primary and/or subconsultant firm(s) **SHALL** be listed on the respective RS-2 FORMS (see section 'SUBMISSION ORGANIZATION AND INFORMATION REQUIREMENTS').

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

The Town of Wendell desires to engage a private engineering consulting firm to provide Construction Engineering and Inspection (CEI) and Construction Contract Administration services for TIP project EB-6048 (WBS CON. 49178.1.1) – connects the existing sidewalks along the eastern side of Wendell Boulevard from Liles Dean Road/Hanor Lane to West Academy Street (approximately half a mile) with new segments of five-foot wide sidewalk. Improvements at the intersection of Wendell Boulevard and Marshburn Road include traffic channelization, addition of a median so Marshburn Road is converted to be right-in/right -out access, and concrete islands to provide pedestrian refuge areas in the crosswalk. The selected firm is to administer the contract and to ensure that all work is performed in accordance with the contract requirements.

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 5:00 pm, February 5, 2024. The address for electronic deliveries is: bcoates@townofwendellnc.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 **Town of Wendell** is soliciting proposals for the services of a firm/team for the following contract scope of work:

The Town of Wendell, in coordination with the North Carolina Department of Transportation, proposes to connect the existing sidewalks along the eastern side of Wendell Boulevard from Liles Dean Road/Hanor Lane to West Academy Street (approximately half a mile) with new segments of five-foot wide sidewalk. Improvements at the intersection of Wendell Boulevard and Marshburn Road include traffic channelization, addition of a median so Marshburn Road is converted to be right-in/right -out access, and concrete islands to provide pedestrian refuge areas in the crosswalk. the construction of sidewalks and pedestrian improvements along US Business

64 between Hanor Lane and W Academy Street. These improvements are funded under the Locally Administered Projects Program (LAPP).

The desired services include Construction Engineering and Inspection (CEI) and Construction Contract Administration for the entire project with the component as described above. Tasks to be performed include, but are not necessarily limited to:

- Producing an Inspector's Daily Report giving a detailed account of all activities during the life of the project.
- General project oversight.
- Required Materials testing
- Maintaining a Project Diary with Inspector's Daily Reports and other required information
- Maintaining Pay Records
- Attend preconstruction conference and assist Town staff in ensuring proper execution of all contract documents.
- Ensuring safety compliance from the Contractor
- Reviewing and verifying contractor pay applications
- Maintaining written correspondence with the Contractor
- Schedule and conduct monthly progress meetings as necessary
- Completing and maintaining minutes of all project monthly meetings
- Ensuring Contractor compliance with Buy America provisions in 23 U.S.C. Sec. 313 and 23 C.F.R. Sec. 635.410
- Ensuring timely Contractor/Subcontractor submission of Certified Payrolls, ensuring Certified Payrolls include all required information, and maintaining Certified Payrolls in the project file
- Verifying certified payrolls to assist Town in making payments to the Contractor
- Performing calendar year quarterly Wage Rate Interviews and other employee interviews as necessary to ensure proper Contractor and-or Subcontractor employee classification and compensation and proper inclusion of employees on Contractor and-or Subcontractor Certified Payrolls; notifying the Town of any and all complaints by Contractor/Subcontractor employees related to payment or employment classification; and coordinating with the Town as needed to investigate and-or report complaints to NCDOT or other applicable agencies
- Ensuring that appropriate federal posters are displayed on the jobsite and accessible to all employees on the jobsite
- Processing all Change Orders and Supplemental Agreements for project construction
- Processing all Requests for Extensions in Contract Time and Additional Compensation claims
- Ensuring prompt payment by the Contractor to any Subcontractors
- Ensuring Contractor submittal, with each pay request, of accounting of payments made to DBE firms, including material suppliers and contractors at all levels (prime, subcontractor or second tier subcontractor); comparing final payments to DBE firms with project commitments (see below); and, as needed, obtaining explanations of DBE payment shortfalls
- Performing final inspection and when work is to contract standards recommending acceptance of the project to the Town
- Working with the NCDOT Materials and Tests Unit in ensuring that all project materials and products meet the required criteria; and providing and/or maintaining

- required materials and testing documentation
- Completing and/or reviewing of Materials Received Reports (MRRs) for any non-exempt materials to be temporarily or permanently incorporated in the construction; and, as needed, assisting the Town in investigating and follow-up action in the event one or more materials fail tests
- Communicating with NCDOT and-or FHWA regarding Independent Assurance testing of materials
- As needed, working with the Town to keep in communication with appropriate staff from the NCDOT regarding project progress
- Submitting original project materials records to the NCDOT Materials and Tests Unit as necessary
- Inspecting erosion control devices to ensure they are properly installed and maintained
- Maintain erosion control Records
- Inspecting Traffic Control for compliance with MUTCD/Traffic Control Plan and maintain documentation
- Coordinating with the Town in arranging reimbursement requests from NCDOT, and ensuring that the Contractor and-or Subcontractors do not engage in any activity in violation of a provision in the Municipal Agreement or Supplemental Agreements. These documents will be provided to the selected firm.
- In general, ensuring Contractor/Subcontractor compliance with approved plans and specifications
- Miscellaneous communication with the Town and NCDOT relating to the tasks listed above or other matters pertinent to the CEI services
- Communicating and coordinating as needed with Brunswick County Utilities for associated water and sewer work and/or issues.
- Assist the Town in the preparation of final closeout with NCDOT

The successful bidder shall procure and maintain during the life of the contract the following insurance coverages:

Worker's Compensation: Coverage to apply for all employees for statutory limits in compliance with the applicable state and federal laws. The policy must include employer's liability with a limit of \$100,000 for each accident, \$100,000 bodily injury by disease each employee, and \$500,000 bodily injury by disease policy limit.

Commercial General Liability: Shall have minimum limits of \$1,000,000 per occurrence combined single limit for bodily injury liability and property damage liability. This shall include premises and/or operations, independent contractors, products and/or completed operations, broad form property damage and explosion, collapse and underground damage coverage, sudden and accidental pollution losses, and a contractual liability endorsement.

Business Auto Policy: Shall have minimum limits of \$1,000,000 per occurrence combined single limit for bodily injury liability and property damage liability. This shall include: owned vehicles, hired and non-owned vehicles and employee non-ownership.

Professional Liability: The selected firm will be required to furnish proof of Professional Liability insurance coverage in the minimum amount of \$1,000,000.

Special Requirements: The Town of Wendell is to be named as an additional insured on the Commercial General Liability policy.

Current, valid insurance policies meeting the above requirements shall be maintained for the duration of the project. Renewal certificates shall be sent to the Town of Wendell thirty (30) days prior to any expiration date. There shall also be a 30-day notification to the Town in the event of cancellation or modification of any stipulated insurance coverage. Certificates of Insurance on an Acord 25 (8/84) or similar form meeting the required insurance provisions shall be forwarded to the Town of Wendell. Wording on the Certificate of Insurance which states that no liability shall be imposed upon the company for failure to provide such notice is not acceptable. Original policies or certified copies of policies may be required by the Town at any time.

Prohibited Contract Terms: In no event shall there be any of the following unless Town's express written agreement is obtained: (1) any limitation on, or disclaimer of, implied or express warranties or the liability of the Contractor; (2) any limitation on damages, including a limitation of consequential damages; (3) any requirement for arbitration or for mandatory mediation; (4) any requirement that Town officials or employees keep information confidential or any requirement that records be kept confidential by the Town, unless the requirement for confidentiality meets the requirements of the Public Records Law.

PROPOSED CONTRACT TIME: 24 months

PROPOSED CONTRACT PAYMENT TYPE: Cost-Plus

SUBMITTAL REQUIREMENTS

All LOIs are limited to **Fifteen (15)** pages (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.

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

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:

- 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, consultants 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.

TITLE VI NONDISCRIMINATION NOTIFICATION

The LGA 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 prequalifications 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. **30%** = Firm's experience, knowledge, familiarity and past performance with similar LAPP and TAP funded municipal CEI projects.
2. **30%** = The experience of the firm's proposed staff to perform the type of work required.
3. **30%**= Firm's understanding of the project specific issues and their responsibility in delivering the services for the advertised project.
4. **10%**= Firm's prior related experience with municipalities within Wake, Durham, and Johnston Counties and NCDOT.

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 **Bryan Coates, Planning Director**, 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).

APPENDICES-

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 Department's website at:
<https://connect.ncdot.gov/business/consultants/Pages/Guidelines-Forms.aspx>

[Prime Consultant Form RS-2](#)

[Subconsultant Form RS-2](#)

All submissions, correspondence, and questions concerning this RFLOI should be directed to **Bryan Coates** at bcoates@townofwendellinc.gov

IF APPLICABLE, questions may be submitted electronically only to the contact above. Responses will be issued in the form of an addendum available to all interested parties. Interested parties should also send a request, by email only, to the person listed above to be placed on a public correspondence list to ensure future updates regarding the RFLOI or other project information can be conveyed. Questions must be submitted to the person listed above no later than **January 18, 2024**. The last addendum will be issued no later than **January 22, 2024**.

SUBMISSION SCHEDULE AND KEY DATES

RFLOI Release – **January 5, 2024**

Deadline for Questions – **January 18, 2024**

Issue Final Addendum – **January 22, 2024**

Deadline for LOI Submission – **February 5, 2024**

Shortlist Announced * - **February 12, 2024**

Interviews - the week of **February 26, 2024**

Firm Selection and Notification ** - **March 4, 2024**

Anticipated Notice to Proceed – **April 5, 2024**

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

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