



October 23, 2023

Town of Clayton

RFLOI for On-Call CEI Services  
700-ENG-2024-06

Addendum No. 1

The purpose of this Addendum is to make changes and clarifications to the RFLOI documents dated October 12, 2023, for solicitation referenced above. Firms shall review the Addendum work and requirements in detail and incorporate any effects the Addendum may have in their letter of interest.

The Town of Clayton will not be held liable if a particular Firm doesn't receive this addendum. All requirements of the RFLOI remain unchanged except as cited herein.

**Replace** PROPOSED CONTRACT PAYMENT TYPE: the contract payment type will be Lump Sum  
WITH

**Proposed Contract Payment Type:** The contract payment type will be COST-PLUS

1. **Question:** In looking at the subject RFLOI, there is mention of two Town projects that are contemplated that will require CEI. Do you have any idea which two projects may be involved?

**Answer:** Projects planned for potential delivery correlate with projects for which anticipated LAPP/NCDOT funding will be awarded within the contract timeframe. The letters of interest are not expected to be site/project specific in the detail to be submitted.

2. **Question:** How many firms you plan to select

**Answer:** We are seeking a minimum of one firm/team for up to 2 projects or one firm/team for each project or a combination.

3. **Question:** Can you please share a forecast of anticipated projects within the 12 months and in 24 months.

**Answer:** Projects planned for potential delivery correlate with projects for which anticipated LAPP/NCDOT funding will be awarded within the contract timeframe. The letters of interest are not expected to be site/project specific in the detail to be submitted.

4. **Question:** How many CEI inspectors/technicians, you expect as a minimum for each firm and at what levels (TT-1, TT2, etc.)

**Answer:** See RFLOI Scope of Work Bullet Points. LOI response must demonstrate the ability to provide Engineers and Construction Technicians with the appropriate skills and qualifications to perform the duties listed. Inspector/technician must hold current, applicable NCDOT certifications. Certifications include but are not limited to, NCDOT Concrete Testing, NCDOT QMS, NCDOT ABC Sampling, NCDOT Level II Erosion Control. Typically, a minimum of 1 qualified inspector/technician is sufficient per project.

5. **Question:** Do you have a list of sample projects that were done within the past 24 months, that you can share?

**Answer:** No NCDOT Federally Funded Projects have been completed in the Town of Clayton within the past 24 months

6. **Question:** Is there a minimum font size that we cannot go below? For example, will you accept Arial Narrow 10 font size.

**Answer:** See Submittal Requirements outlined in the RFLOI. There are no font requirements for this RFLOI.

7. **Question:** Are there an incumbent that you can share names with us.

**Answer:** The Town is not currently under contract with firm(s) to perform the work outlined in this RFLOI.

8. **Question:** Since these projects may get Federal funding, do you have any DBE goals to achieve?

**Answer:** See Prequalification section of the RFLOI. Professional Services Contracts are race and gender neutral and do not contain goals.....etc.

Please note: The Town of Clayton invites and encourages participation in this procurement process by minority women business enterprises MWBE in accordance with North Carolina General Statute 143-128.2

9. **Questions:** Under “The LOI must also include the information outlined below”, “Chapter 4 – Technical Approach”, fourth line: “Provide a critical path type project schedule from design Notice to Proceed through bidding. The schedule should take into consideration experience on other federally funded projects managed by an LGA and administer by NCDOT or another government entity.”

Is a sample schedule needed for this in the LOI?

**Answer:** Omit the following sentence: Provide a critical path type project schedule from design Notice to Proceed through bidding. A sample schedule is NOT needed for this LOI.

10. **Question:** Page 2 of the RFQ says hard copy proposals shall be hand-delivered or mailed to the Town. Page 10 of the RFQ states that “all submissions” concerning the RFLOI should be directed to the given email address. Can the Town clarify if this includes proposal submissions, or confirm if email proposal submissions will be accepted?

**Answer:** LOI shall be hand delivered or mailed to the Town. Emailed LOIs will not be accepted.

**This addendum must be acknowledged and signed by an authorized representative of the firm and must be included in the LOI. Does not count towards page count.**

**Failure to do so will cause your bid to be rejected:**

By: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_  
(Printed)

Title: \_\_\_\_\_

Date \_\_\_\_\_

Advertised: **October 12, 2023**



## **Town of Clayton**

### **REQUEST for LETTERS of INTEREST (RFLOI)**

#### **On-Call CEI Services**

**TITLE: On-Call CEI Services**

**ISSUE DATE: October 12, 2023**

**SUBMITTAL DEADLINE: October 31, 2023**

**ISSUING AGENCY: Town of Clayton**

#### **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) shall be pre-qualified by the Department to perform any combination of the Discipline Codes listed below for the Town of Clayton. Discipline Codes required are:

- **195 Roadway Construction Engineering & Inspection**
- **233 Structures Construction Engineering & Inspection**
- **289 Signal Systems 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:

### **PROPOSED CONTRACT SCOPE SUMMARY.**

The Town of Clayton is seeking firm(s) to perform Construction Engineering and Inspection Service on NCDOT Federally Funded Projects. Projects are planned to begin within the next 12 months. We are seeking a minimum of one firm/team for up to 2 projects or one firm/team for each project. This solicitation does not imply or guarantee a work duration, monetary value, or any work. The on-call contract will have a two-year duration with the ability to be extended up to one (1) additional year.

Primary work elements and service include but are not limited to all NCDOT required inspections and materials testing. The Town is seeking firms whose combination of experience and personnel will provide timely, cost-effective, and quality professional services to support the project. Additionally, representation in the submittal shall include the means of the firm to manage construction costs of the firm's service and ability to manage construction cost and time.

The selected firm(s) shall indemnify and save harmless the Town for claims and liabilities resulting from negligence, errors, or omissions of the selected firm(s); including, but not limited to, the selected firm(s) staff.

**LOIs SHALL be received BY MAIL, OR HAND-DELIVERY no later than 4:00pm on October 31, 2023. Emailed LOIs will not be accepted .**

**The address for mailings is:**

**Town of Clayton  
Attention: Shannon Poole  
111 East Second Street  
Clayton, NC 27520**

**The address for hand-deliveries is:**

**Town of Clayton  
Attention: Shannon Poole  
111 East Second Street  
Clayton, NC 27520**

**LOIs received after this deadline will not be considered.**

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 Office of the Secretary of State, 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 Engineer in the State of North Carolina and must have a good ethical and professional standing. It is the responsibility of the selected private firm to verify the registration of any corporate subsidiary or subcontractor prior to submitting a Letter of Interest. Some of the services being solicited may not require a license. It is the responsibility of each firm to adhere to all the 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 Clayton** is soliciting proposals for the services of a firm/team for the following contract scope of work:

The Town of Clayton frequently applies for Federal, State, and County funding to support transportation initiatives and infrastructure improvements related thereto. Many of the on-call projects will be obligated to follow Federal, State, and Town requirements (as applicable). The selected CEI firm will be required to fully ensure that all work is performed in accordance with the Town, Federal, State, and County agencies as well as all applicable Department and Federal Highway Administration (FHWA) contract requirements.

The firm must demonstrate the ability to provide Engineers and Construction Technicians with the appropriate skills and qualifications to perform inspection, materials sampling, materials testing, surveying grade verification, documentation of pay quantities, erosion control and permit compliance, safety compliance, and claims avoidance. The technicians performing the inspection work must hold current certifications by NCDOT.

The desired services include Construction Engineering and Inspection (CEI) and Construction Contract Administration. Tasks to be performed include, but are not necessarily limited to:

- Producing **AND** Maintaining an Inspector's Daily Report giving a detailed account of all activities during the life of the project.
- General project oversight.
- Required Minimum Testing and Frequency of Materials
- Maintaining material quantities for Pay Record verification.
- Attend preconstruction conference and assist Town staff with 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 are in compliance with contract wage rates.
- Performing calendar year quarterly Wage Rate Interviews as required by Davis Bacon Act.
- Ensuring that appropriate federal posters are displayed on the jobsite and accessible to all employees on the jobsite.
- Understanding of Subcontract Agreement Forms (SAF) and how to ensure compliance
- 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 of each pay request includes, 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 all inspections including final inspection
- 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
- Preparing all documentation and reporting for FHWA audits, NCDOT materials and Tests material review and final estimate/reimbursement package
- Ensure Contractor/Subcontractor compliance with approved plans and specifications

Primary work elements and service include but are not limited:

- Certified NCDOT Concrete Testing.
- Certified QMS Asphalt Roadway Inspection.
- Borrow Sampling.
- ABC Sampling.
- NCDOT Level II Erosion Control Certified
- Knowledge of traffic control in accordance with the MUTCD Manual.
- Experience in interpreting plans and specifications.
- Provision of transportation and any tools & testing equipment necessary to perform the inspections.
- Presence on the project at all times that work requiring inspection is being performed.
- Maintenance of records in accordance with NCDOT policies, such as diaries, material received reports, and pay records.
- Management assurance that all projects are staffed and that the personnel are performing the above duties.
- Management evaluation/approval or obtaining appropriate agency approval for all submittals.
- Management evaluation/approval of monthly invoicing by the contractor(s) for payment.

- Management evaluation/approval of change orders; provide basis for approval of prices; and write supplemental agreements to be evaluated/approved by the NCDOT.

For proposed project assignments once contracted with the Town, consultants will be required to submit detailed scope and fee breakdowns subject to approval and negotiation with the Town. Fee proposals shall be provided in the most-current version of the NCDOT Scope and Manday Estimate Form (spreadsheet) and will be subject to NCDOT approval. Scope descriptions shall include detailing of the delivery schedule, deliverable products, and any key assumptions by the Consultant.

**PROPOSED CONTRACT TIME:** The on-call contract will have a two-year duration with the ability to be extended up to one (1) additional year at Town's sole discretion.

**PROPOSED CONTRACT PAYMENT TYPE:** The contract payment type will be Lump Sum.

## **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.

*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.

***One (1) signed original (marked as original) and four (4) copies of the LOI should be submitted along with a digital version in PDF format on a thumb drive.***

**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 Limited Services Contracts (On-Call type contracts), the Town's Selection Committee MAY, at the Town's discretion, choose any number of firms to provide the services being solicited.

- 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 Town 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's 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:

<b>Criteria</b>	<b>Criteria Description</b>	<b>Weight</b>
1. Firm(s) Qualifications	Firm/team's experience, knowledge, familiarity, and past performance with federally funded municipal/public improvement projects.	35%
2. Key Personnel/ Qualifications/Team Experience	Key proposed personnel qualifications, experience, knowledge, familiarity and past performance with the desired services, Similar on-call contract experiences with local government.	25%
3. Relevant Current & Recent Projects	Quantity and relevance of listed projects within the last five (5) years with involvement of the proposed staff, preferably with multiple key members working together. Consideration will be given to relevant project experience applicable to multiple team members within last ten (10) years.	20%
4. Project Approach	Project approach that demonstrates ability to deliver high quality results on projects; use techniques that improve speed of total project delivery and provide reduced total cost.	15%
5. References		5%

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 **Shannon Poole, Engineering Technician** 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 prime firm is prequalified with NCDOT for required work codes;
- Statement of whether subconsultant firm is prequalified with NCDOT for remaining work codes.
- 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 consultant, 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. Highlight projects of previous collaboration with the prime consultant
3. The firm submitting the RFLOI (Primary Consultant) should list all work codes that can be performed by their firm without the use of any subs. Subconsultants to be used for all other work codes NOT performed by the Primary Consultant should be listed along with the work codes they are approved to provide.

### 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 projects funded through the Locally Administered Projects Program (LAPP). 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 encounters personnel changes, or any other changes of significance dealing with the company, the Town 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 to manage time and cost of all related work.

Provide a critical path type project schedule from design Notice to Proceed through bidding. The schedule should take into consideration experience on other federally funded projects managed by an LGA and administered by NCDOT or another government entity.

#### Chapter 5 – References

Provide up to 5 references for similar projects. Included completion month and year, contact information including email and phone. NCDOT Federally Funded projects are preferred but not required.

#### 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

All submissions, correspondence, and questions concerning this RFLOI should be directed to **Shannon Poole** at **[spoole@townofclaytonnc.org](mailto:spoole@townofclaytonnc.org)**.

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 **October 20, 2023**. No questions or requests for clarifications will be accepted after this time. One addendum will be issued on **October 24, 2023**, addressing all questions received. The issuance of such written responses is the only official method by which interpretation, clarification or additional information will be given by the Town.

## **SUBMISSION SCHEDULE AND KEY DATES**

RFLOI Release – **October 12, 2023**

Deadline for Questions – **October 20, 2023**

Issue Final Addendum – **October 24, 2023**

Deadline for LOI Submission – **October 31, 2023**

Firm Selection and Notification **\*\* - No later than December 2023**

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