

# A REQUEST FOR PROPOSAL FOR PROFESSIONAL SERVICES CONTRACT

## Department of Highways Professional Services Procurement Bulletin 2024-05 Statewide Outdoor Advertisement Services

This document constitutes a Request for Proposals for a Professional Service Contract from qualified individuals and organizations to furnish those services as described herein for the Commonwealth of Kentucky, Department of Highways.

### **I. PROJECT DESCRIPTION**

This statewide contract is to provide necessary Outdoor Advertisement Services. One (1) consultant will be selected to provide these services on an as-needed basis for two years.

### **II. PROJECT INFORMATION**

Project Manager - Bob Salyers, P.E.  
User Division - Maintenance  
Approximate Fee - \$2,000,000 per contract (Upset Limit)  
Work will be assigned via Letter Agreement, not to exceed \$100,000  
Project Funding - State Funds  
Contract Term - Two Years

### **III. PURPOSE AND NEED**

The purpose is to provide support to the KYTC Permits Branch Engineer offices administering the Outdoor Advertising Program to ensure compliance with KRS § 177.571 – 177.576, KRS § 177.830- 177.890, and KRS § 177.990; 603 KAR 10:040. The Contractor will assist the User Division in monitoring, and inspecting, and reviewing permit applications, permit application renewals, outdoor advertising violations and, when requested, conduct inventories, and assist in legal proceedings.

### **IV. DBE GOAL**

The Consultant team may include a DBE Participation Plan with their Response to Announcement to help the Department meet the 11.95% DBE goal established by FHWA. The plan would demonstrate how DBE companies will be mentored or used to assist in the area(s) pertaining to this contract. If included, an additional page will be allowed in the Project Approach (Section 7) to exhibit this plan. No additional points will be provided in the Evaluation Factors for the DBE Participation Plan.

## **V. SCOPE OF WORK**

The selected Consultants will be responsible for coordinating with the Kentucky Transportation Cabinet, Permits Branch to provide permit inspection and other services, as needed, for various Outdoor Advertising Program administrative tasks. The selected Consultant's work may include any/all of the inspection services defined by the Permits Branch to facilitate the Outdoor Advertising permit process.

### **1. Conduct a review of new permit applications**

Absent an amendment to Kentucky Regulations allowing for an increase in electronic sign devices, the User Division anticipates receiving approximately 15-20 new applications in 2024. Each of those permits must be reviewed, and if appropriate, a field inspection must be completed.

### **2. Review of Permit Renewals**

The User Division currently has approximately 2,300 permitted devices that will come up for renewal in 2024 and expects that most, but not all of them will review. Permit renewal information must be reviewed for completeness and for accuracy. Accuracy may be confirmed by either online sources or by field review.

### **3. Identify potential outdoor advertising violations** and provide data for User Division actions. All decisions for sign compliance with the requirements of the Outdoor Advertising program must be made by the User Division. If at any time while conducting field activities the Contractor identifies suspected violations or possible illegal vegetation cuttings at outdoor advertising signs which have not previously been identified, the User Division shall be notified within five working days.

The Contractor is required to support and authenticate such violations, which may require presence at a deposition and/or hearing, all field information, measurements, and photographs secured during its field work and office analysis.

During all field activities, the Contractor shall identify all possible violation items. The User Division shall determine when a violation has occurred and will issue a Notice based upon the field information provided by the Contractor.

### **4. Litigation Support**

Historically the User Division has received approximately three (3) requests annually for administrative hearings related to permit application denials and notices of violations. Each of these typically results in an administrative hearing. Litigation support from the Contractor may be needed to verify authenticity of photographs and other related details. Due to recent changes in regulations, the number of requested administrative hearings is likely to increase.

### **5. Submittals/Deliverables from Contractor**

Reporting: The Contractor shall maintain all books, photographs, documents, records, and other evidence pertaining to the field reviews performed for the Department. These documents shall be subject to inspection by any authorized representative of the Department for appropriate purposes. At the request of the Department, the Contractor shall provide information or reports regarding work performed under this Contract.

## 6. Optional Services

The User Division, at its discretion, may determine that the following services may need to be added to the contract. Under this category, work orders will be made verbally and followed-up by e-mail transmittal.

A. Conduct an inventory of new signs, and/or roadways carrying active state outdoor advertising permits on roads controlled by the Department for outdoor advertising control purposes. If requested, Contract Manager will specify the roadway segments to inventory. Conduct periodic inspections of existing signs as specified by the department to fulfill federal and state requirements.

### B. Administrative Support

The Contractor may be requested to provide an administrative support employee position. The position will be an employee of the contractor and the wages, benefits and employee costs will be the direct responsibility of the contractor. The person selected to fulfill the position must be approved by the User Division. The person assigned to this position will report to the Contract Manager for assignments. The position will provide office clerical support to the User Division with regard to administrative duties, and other duties that are related to functions of the contractor's Field Team. This position may, when requested, be asked to perform the following duties:

Conduct research for public records requests and ongoing case work.

Prepare letters for the Contract Manager's signature to communicate issues with permit applicants and permittees. Prepare other correspondence for the Contract Manager and the KYTC ODA team. The incumbent must work with others in the Outdoor Advertising program area to ensure that correspondence is timely and accurately prepared.

Assist with preparing Notices of Noncompliance and Notices of Violation for permitted and signs without a legal permit for management approval.

Assist in preparing various reports using Word, Excel, and PowerPoint.

Assist with the processing of permit applications and issuance of new permit in accordance with statutory requirements.

Assist in performing quality control reviews of program functions. Assist in the scanning of files housed in the file room.

Perform computer data entry for the Outdoor Advertising program and generate reports that are needed for the administration of the Outdoor Advertising program.

Prepare, send, and track certified mailings.

### C. Other Optional Field Reviews

Follow-up violations

All signs issued notices must be inspected to determine if the violation has been

corrected in a timely manner. The Contractor will be provided a request for field review of sign sites requiring a violation follow-up.

## **VI. SPECIAL INSTRUCTIONS**

One (1) consultant will be selected to provide these services for a period of two (2) years with no new work assigned after two years from the Notice to Proceed, although the contract may be extended for time to complete work already assigned. Contracts will have an upset limit of \$2,000,000. Once the upset limit is reached or the two year term has expired, services may be re-advertised and no additional Letter Agreements will be executed under the contract. Contracts will not be modified to increase the upset limit or extended for time to assign new work. No Letter Agreement shall exceed \$100,000 without written approval from the State Highway Engineer.

*\* Note – Selected Contractor must have the capability to collect and analyze the data as well as the capability to work with the Department’s Highway Information System (HIS) database KEPT database, and GIS database. In general, the data may be transmitted electronically in standard KYTC formats. It is expected that frequent coordination between the Contractor and the User Division will be necessary for each specific task.*

Instructions for Response to Announcement can be found at:

<https://transportation.ky.gov/ProfessionalServices/Pages/Respond-to-an-Announcement.aspx>

## **VII. PREQUALIFICATION REQUIREMENTS**

To respond to this project, the Consultant must be prequalified in the following areas by the response due date of this advertisement.

### ROADWAY DESIGN

- Surveying

## **VIII. PROCUREMENT SCHEDULE**

Dates other than Response Date are tentative and provided for information only.

- Advertisement Date: November 14, 2023
- Response Date: December 6, 2023 by 4:30 PM ET (Frankfort Time)
- First Selection Meeting: December 8, 2023
- Final Selection: December 20, 2023
- Pre-Design Conference: January 3, 2024
- Notice to Proceed: January 24, 2024

## **IX. PROJECT SCHEDULE**

Individual project schedules will be defined by Letter Agreement on a project-by-project basis.

- Assignment of All Projects – Within two (2) years from Notice to Proceed
- Completion of All Services – Within initial contract term or by time extension

## **X. EVALUATION FACTORS**

Consultants will be evaluated by the selection committee based on the following, weighted factors:

1. Past record of performance on projects similar in type and complexity. (30 Points)
2. Project approach and proposed procedures to accomplish the services for the project. (25 Points)
3. In-house capabilities to perform the required services. (20 Points)
4. Available team workload capacity to comply with project schedule. (20 Points)
5. Knowledge of the locality and familiarity of the general geographic area. (5 Points)

## **XI. SELECTION COMMITTEE MEMBERS**

1. Bob Salyers, P.E., User Division
2. Josh Rogers, P.E., User Division
3. Emily Deason, P.E., Secretary's Pool
4. Amanda Desmond, P.E., Secretary's Pool
5. Brian Wood, P.E., Governor's Pool