

# A REQUEST FOR PROPOSAL FOR PROFESSIONAL SERVICES CONTRACT

## Department of Highways Professional Services Procurement Bulletin 2022-06 Statewide Alternative Delivery GEC

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**

Two (2) consultant firms will be selected to provide General Engineering Consultant (GEC) services to supplement KYTC staff for alternative delivery projects on an as-needed basis.

### **II. PROJECT INFORMATION**

Project Manager - Erika Drury, P.E.  
User Division - Construction  
Approximate Fee - \$4,000,000 per contract (Upset Limit)  
Work will be assigned via Letter Agreement, not to exceed \$1,000,000  
Project Funding - State and Federal Funds  
Contract Term - Two Years

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

As the Cabinet expands our usage of alternative delivery projects (i.e. CM/GC or progressive design-build) the need for additional support in the procurement and full development of these projects has become apparent. Additional staff and expertise in specific types of alternative delivery is needed to procure these projects in a timely manner.

### **IV. DBE REQUIREMENT**

The Consultant team shall 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 needs to demonstrate how DBE companies will be mentored or used to assist in the area(s) pertaining to this contract. An additional page will be allowed in the Project Approach (**Page Section 7**) to demonstrate this plan. A maximum of 5 points will be considered in the Evaluation Factors for the DBE Participation Plan.

### **V. CONFLICT OF INTEREST**

Consultants are advised that the GEC providing services for a letter agreement will not be allowed to participate or join any contracting team on projects they are assigned under this contract. The

GEC not providing services for a project may participate on a contracting team. Sub-consultants will not be allowed to participate or join a contracting team for an individual project they have or will provide services on under this contract.

Consultants are advised that KYTC will evaluate on a project by project basis on whether the GEC will be allowed to pursue a separately solicited Construction Engineering Service Contract for projects for which they receive an assignment under this contract.

Additional conflicts of interest may be identified on a letter agreement basis.

## **VI. SCOPE OF WORK**

The selected GEC will provide KYTC's Project Managers Procurement Support and Design Assistance during full development for alternative delivery projects. These services would include work at both the program and project levels. Work throughout the life of the Contract may include assisting with program updates and improvements, assisting with pre- award activities such as procurement support (preparation of RFQ, RFP, evaluation criteria, Alternative Technical Concept evaluation, etc.) and post award services including design review assistance during construction. KYTC may request assistance with evaluating and implementing alternative contracting approaches new to KYTC.

It is KYTC's intention to have the GECs provide services on its alternative delivery projects. However, KYTC, at its sole discretion, may exclude projects from this contract and issue separate solicitations.

The GEC will be expected to work cooperatively with other consultants and contractors that may be under contract with KYTC.

The scope of work for Letter Agreements to be issued under this agreement could include specific tasks within any or all of these broad categories:

### **Primary Tasks**

- 1) Procurement Assistance. Contract documents and procurement process for alternative delivery projects. This includes assistance with, but is not limited to:
  - Preparation and facilitation of industry events such as forums and/or workshops
  - Preparation of any or all stages of Request for Qualifications (RFQ)
  - Preparation of any or all stages of Requests for Proposals (RFP)
  - Preparation of Statement of Qualification and Proposal evaluation manuals
  - Support for procurement processes, including assisting with RFP and RFQ evaluation processes, establishing evaluation criteria, and procurement record management
  - Preparation of contract documents
  - Preparation of addenda
  - Support of Negotiations in Engineering and Contracting
  - Development of the procurement of Independent Cost Estimating (ICE) services.
  - Support of Alternative Technical Concepts (ATC)
  - Public involvement activities
  - Risk assessments
    - Such activities may include:

- Project risk management plan
    - Preliminary project risk analysis and assignment
    - Facilitate risk workshop(s)
    - Develop and maintain project risk register
  - Federal compliance
  - Strategic advice on determining the appropriate Alternative Delivery Method for specific projects.
- 2) Post-Award contract administration of alternative delivery projects. This includes, but is not limited to:
- Design Review Assistance During Construction
  - Design verification/oversight support
- 3) Support of KYTC's Alternative Delivery program manager. This includes, but is not limited to:
- Updates to alternative delivery contract document templates
  - Provide strategic advice for the evaluation of potential projects for alternative delivery
  - Updates/developments to KYTC Manuals and Standards regarding alternative delivery
  - Process improvements
  - Development of Training processes

## **VII. SPECIAL INSTRUCTIONS**

The Department reserves the option to modify the selected Consultants' agreement to include any necessary engineering and/or related services for this project. The firm(s) or one of their subconsultants must at that time be prequalified by the Department in the required area(s).

Two (2) firms 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 \$4,000,000 with Letter Agreements not exceeding \$1,000,000 each. 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 \$1,000,000 without written approval from the State Highway Engineer.

The Selection Committee will randomly draw from the pool of selected Consultants and list in consecutive order to determine the initial order for which projects will be assigned. Projects will generally be assigned on a rotational basis. The Department reserves the right to select one of the firms outside of the assignment order for a particular project if it is to the benefit of the Department. That firm, if selected out of order, will be skipped in the rotation when their turn comes and the regular order will be followed thereafter. The Department reserves the right to group multiple projects together as one offering if it is advantageous to the Department. The Department may also add additional work to an existing Letter Agreement, if needed. A firm will not be offered an additional project until the remaining firms on the list have been offered a project. If a firm declines to accept a project, that firm will not be eligible to accept another project until the remaining firms on the list have been offered a project. If a firm declines a project or does not respond to an invitation to perform services for a project within five (5) business days,

documentation shall be provided in the project files and the next firm on the rotating list shall be offered the project.

Instructions for Response to Announcement can be found at:

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

- Section 6 (A-E): Project Experience may be expanded, not to exceed 7 pages total (A-G).
- Section 6: Provide Contact Information for a Project Manager where the firm provided GEC services for a CM/GC or Progressive Design Build project.

## **VIII. AVAILABLE INFORMATION**

The Department will furnish any plans, specifications, reports, or other information in the possession of the Department needed for providing the services desired.

## **IX. PREQUALIFICATION REQUIREMENTS**

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

### **ENVIRONMENTAL ARCHAEOLOGY & OTHER SERVICES**

- EIS Writing and Coordination

### **GEOTECHNICAL SERVICES**

- Geotechnical Engineering

### **ROADWAY DESIGN**

- Rural Roadway Design
- Urban Roadway Design

### **STRUCTURE DESIGN**

- Spans Under 500 Feet

### **TRAFFIC ENGINEERING**

- Traffic Engineering

### **UTILITY DESIGN**

- Utility Preconstruction Coordination

## **X. PROCUREMENT SCHEDULE**

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

- Advertisement Date: December 14, 2021
- Response Date: January 12, 2022 by 4:30 PM ET (Frankfort Time)
- First Selection Meeting: January 18, 2022
- Shortlist Meeting: January 27, 2022
- Interviews and Final Selection: February 3 & 4, 2022
- Scoping Conference: February 9, 2022
- Notice to Proceed: February 23, 2022

## **XI. INTERVIEW**

The selection committee will identify a shortlist of proposers who submit a responsive proposal to participate in an oral interview. All responding firms should be prepared to present a short presentation and respond to questions. The oral interview will last no more than 60 minutes. Each Proposer will be allowed no more than 30 minutes for a presentation followed by a question and answer session, which should take no longer than 30 minutes.

The presentation shall not be used to fill in missing or incomplete information in the written proposal. KYTC will ask the Proposers specific questions relative to their proposal. Follow-up questions from KYTC will be permitted. The oral interview will not be scored separately.

The interview is used solely for KYTC to seek clarification of the Proposer's proposal. Proposers will not be permitted to ask questions of KYTC.

Persons with a disability may request a reasonable accommodation such as a sign language interpreter. Request for accommodations must be made one week in advance of the meeting, to allow time to arrange the accommodation.

Each firm shall be required to bring the Consultant's Project Manager and may bring up to four other individuals, at least one of which will actively participate at a local level on the team, to the interview.

Members of the KYTC's Selection Committee will attend each oral interview. Additional subject matter experts and FHWA staff may also attend the interviews. Elected officials will not be permitted to attend. KYTC will terminate the interview promptly at the end of the allocated time.

KYTC may videotape to document the oral interviews. These recordings are not intended for public use except for the selected Consultant team, which shall be shared with the Department's project team. All other interviews will be returned to the responding firms but on dispersed by the Department. All interviews are anticipated to be held via videoconference.

## **XII. EVALUATION FACTORS**

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

1. Relative experience of consultant personnel assigned to project team as a GEC specifically for CM/GC and Progressive Design Build with highway project for KYTC and/or federal, local or other state governmental agencies. (20 Points)
2. Past record of performance on projects similar in type and complexity. For each project, clearly identify key team members. (15 Points)
3. Experience of consultant personnel assigned to the project team in Risk Assessment and Management on Alternative Delivery Projects. (15 points)
4. Project approach and proposed procedures to accomplish the services for the project. (10 Points)
5. Availability to comply with project schedule. (5 Points)

6. DBE Participation Plan (5 Points)

**XIII. SELECTION COMMITTEE MEMBERS**

1. Mark Walls, P.E., User Division
2. Brandon Seiter, P.E., User Division
3. Stephen De Witte, P.E., Secretary's Pool
4. Larry Krueger, P.E., Secretary's Pool
5. Bart Bryant, P.E., Governor's Pool