Professional Engineering Procurement Services (PEPS) Division
Solicitation Number: 12-5SDP5101

February 23, 2015 – This solicitation has been changed.

The following forms have been updated:

- **Attachment 2**, **Questions & Responses (Q&R) Template** has been deleted and replaced in its entirety.
- **Attachment 5: Project Team Composition Form (Parts 1, 2 and 3)** has been deleted and replaced in its entirety.
- **ATTACHMENT 6**, **Non-Listed Categories (NLC) Template** has been deleted and replaced in its entirety.

Original Posting Date: February 10, 2015
Posting Period: 21 Days

REQUEST FOR QUALIFICATIONS (RFQ) TO CONTRACT FOR SPECIFIC DELIVERABLE CONTRACTS FEDERAL PROCESS - WITH DBE GOAL

The Texas Department of Transportation (TxDOT) intends to enter into a specific deliverable contract with a prime provider pursuant to Texas Government Code, Chapter 2254, Subchapter A, and 43 Texas Administrative Code (TAC) §§9.30-9.42, to provide the following services described below.

Description of Services to be Provided:

The PEPS Division is advertising for Construction Engineering Inspection (CEI) services, located in Houston District for the following projects.

A) On US 290 from west of West 34th Street to IH 610 and on IH 610 from TC Jester to north of IH 10 (Design Segments 1 and 3); Harris County; and

B) US 290, from east of West Little York to west of Mason road (Design

Segments 6, 7, 8, 9 and 10A), Harris County;

The Texas Department of Transportation (State) requires a consulting firm (Engineer) to provide Construction Engineering Inspection services including Engineer Led Inspection Teams (ELIT), to perform CEI services and to manage construction of specific operations as defined below:

1. Structure Inspection (bridges, retaining walls, and storm sewers) – includes drill shafts, foundations, substructure and superstructure
2. Concrete Paving Inspection – includes the subgrade up to the pavement.
3. Hot Mix Asphalt Paving Inspection – includes the subgrade up to the pavement
4. Storm Water Pollution Plan Inspection.

Additionally, the Engineer shall provide the types of services as listed below at the direction of the State:

1. Change Orders (Engineer to provide their estimate of cost of the change order to the State and assist the State with negotiations if they desire.)
2. Track all shop drawing submittals, reviews and approvals.
3. Perform a liquidated damages assessment.
4. Review Traffic Control Plans.
5. Verify ramp & lane closures are in accordance with State guidelines.
6. Review work schedule, plan changes, construction issues, traffic changes, public information topics to include review and approval of the contractor's baseline schedule as well as monitoring the schedule.
7. Perform time impact analysis should contractor request more time.
8. Develop plans to address design needs due to field changes (inspection of this work shall be done by a firm other than the one providing the design). This work shall not address errors and omissions.
9. If requested by the State, identify and make recommendations to the State for the corrections of plan errors and omissions, substitutions, defects and deficiencies in the work of the contractor, subs, vendors, etc.
10. Provide as-built plans if requested.
11. Critical Path Methodology (CPM).
12. Inspection to include daily diaries, weekly Storm Water Pollution Prevention Plan (SW3P) inspections, testing (function code 320), Barricade Inspections.
13. Utilization of the tool Site Manager to perform recordkeeping tasks.
14. Review and approve shop drawings listed for review and approval by the West Central Houston Area Office (WCHAO).

For additional information, the following files are attached to this solicitation:

- TxDOT Contract Template

- Draft - Services to be Provided by the State
- Draft - Services to be Provided by the Engineer

Statement Of Qualifications (SOQ) Deadline and Submittal Information:

SOQs must be received prior to **12:00 p.m. CT, on Tuesday, March 3, 2015**. Any SOQs received after the deadline date and time shown above will not be considered.

SOQs will be accepted by hand delivery to TxDOT, 7600 Washington Avenue, Houston Tx 77007 Attention: Tiffany Nguyen, or by mail addressed to P.O. Box 1386 Houston, Texas 77251-1386.

SOQs will not be accepted by fax or electronic mail.

To verify that the SOQ was received, the provider may contact the managing office by email, at Tiffany.Nguyen@txdot.gov, using the standard subject line "Verification of SOQ Receipt, Solicitation # 12-5SDP5101.

Conflict of Interest:

TxDOT requires that its consultants and subconsultants be able to work solely in TxDOT's interest, without conflicting financial or personal incentives. TxDOT reserves the right to disqualify any prime provider or subprovider, or to place contractual limits on work or on personnel, if there is a conflict of interest that might affect or might be seen to affect the prime provider's or subproviders' duty to act solely in the interest of TxDOT.

A conflict of interest may involve conflicting incentives with regard to the firm as a whole, or any employee. The conflict may arise between the provider's work under a contract entered as a result of this solicitation and a relationship involving TxDOT, a construction contractor, another engineering firm, a materials testing firm, a third party affected by the project, a subprovider for any other consultant or contractor, or any other entity with an interest in a project on which work is performed under a contract entered as a result of this solicitation.

Preclusion of Work on Related Contracts

An entity (prime provider and subproviders, their subsidiaries and affiliates) that participated in the program management of the US 290 corridor, design, including preparation of the plans, specifications and estimates (PS&E), as well as services directly supporting the PS&E, including contract numbers 12-648P5013, 12-748P5042, 12-748P5044, 12-848P5007, 12-848P5008, and 12-848P5010 will not be considered for an award and shall not be eligible to participate in this contract.

Evaluation Criteria:

SOQs submitted in response to this Solicitation will be evaluated according to the criteria provided in the *Attachment 2: Questions and Responses Template*.

Questions and Responses (Q&R):

Firms must respond to the questions stated in *Attachment 2: Q&R Template*. Responses must be submitted on the *Q&R Template*. No other format will be accepted.

Responses are limited to space allotted in the *Q&R Template*. Content outside the space allotted in the *Q&R Template* will not be evaluated. Additional pages will not be accepted, except for the attachments listed under the section **SOQ Submittal Format**.

Any false statement provided by a firm may void the submitted response. TxDOT may take any additional action provided by law regarding false statements submitted as part of the solicitation.

Work Categories and the % of Work Per Category:

Attachment 5 – Project Team Composition (Part 3 of 3) form indicates the categories that are engineering and design related services. Refer to the **Administrative Qualification Requirements** section to ensure that all requirements are met for applicable firms.

Standard Work Categories:

10.2.1 Basic Hydraulic Design (2%)

11.1.1 Roadway Construction Management and Inspection (26%)

11.2.1 Major Bridge Construction, Management and Inspection (25%)

12.1.1 Asphaltic Concrete (1%)

12.1.2 Portland Cement Concrete (7%)

14.1.1 Soil Exploration (3%)

14.2.1 Geotechnical Testing (3%)

18.2.1 Subsurface Utility Engineering (2%)

Non-Listed Work Categories (NLC/s):

NLC-1 **Utility Adjustment Coordination** (7%)

Description: This category involves holding utility coordination meetings with individual utility companies, coordination and communication with utilities, and utility agreement preparation.

Minimum Requirements: The team must include one (1) individual, as task leader, with two (2) years demonstrated experience in utility coordination and agreement preparation as a Lead Worker.

NLC-2 **Environmental Inspection** (10%)

Description: Conduct environmental inspections at roadway construction project site for Storm Water Pollution Prevention Plan (SW3P), the Environmental Permits Issues and Commitments (EPIC) Sheet, Construction General Permit (CGP), and District Standard Operating Procedures (SOP).

Minimum Requirements: The firm must include:

- One (1) inspection team leader with a minimum of five (5) years of demonstrated construction storm water inspection experience. The person must have a working knowledge of the Texas Commission on Environmental Quality's development and storm water quality Best Management Practices.

- At a minimum of 5 inspection individuals with construction storm water inspection experience to perform these activities.

NLC-3 **Utility Construction Management and Verification** (0.5%)

Description: This category involves utility adjustment monitoring, including utility installation verification, records management and status reporting.

Minimum Requirements: The team must include one professional engineer, as task leader, with at least two years of experience in utility construction management and verification.

NLC-4 **Construction Scheduling Support – General** (13%)

Description: Construction Project Scheduling, Analysis and Review. This category includes the performance of scheduling, analyzing, monitoring and evaluating highway construction project progress using the critical path method technique for project scheduling.

Minimum Requirements: The team must include one (1) Professional Engineer with a minimum of three (3) years of responsible charge experience in scheduling, analyzing, monitoring and evaluating a construction project progress using the critical path method technique. This employee must be knowledgeable in techniques used in highway construction and have experience in using SureTrack, Microsoft Project, Primavera P3 or P6 Project Management and Claim Digger software performing the following:

- Scheduling and tracking a project's progress.
- Identifying the schedule activities that control the overall construction time or the critical path.
- Identifying and measuring the impact any change has on a project schedule.
- Providing recommendations to resolve the time, scope, and cost aspects of project changes or delays.

NLC-5 **Utility Engineering** (0.5%)

Description: This category involves utility conflict identification as determined from utility engineering investigations, roadway design plans, and coordination with TxDOT engineers and utility companies. Also includes the evaluation of alternatives, in addition to review of utility plans for compatibility of proposed utility adjustments and installations with the highway design features, compliance with utility accommodation rules, and reasonableness of cost. May include public meetings for involvement of utility companies in the cooperative process and conflict resolution.

Minimum Requirements: The team must include one (1) professional engineer, as task leader, with at least two (2) years of experience in utility engineering.

<u>Major Work Categories:</u>

11.1.1 Roadway Construction Management and Inspection

11.2.1 Major Bridge Construction, Management and Inspection

12.1.2 Portland Cement Concrete

NLC-2 Environmental Inspection

NLC-4 Construction Scheduling Support

Precertification Requirements:

Standard Work Categories:

Task leaders, must be precertified by the SOQ deadline date and time specified in this Solicitation, for each of the advertised work categories they are identified to lead. Precertification status of subprovider task leaders, by individual, can be verified through the CCIS database using the *Employee Precertification Categories* query tool with a CCIS employee sequence number.

Non-Listed Work Categories

Precertification is not applicable to non-listed categories (NLCs). Each proposed task leader of a NLC must show their qualifications to meet the minimum requirements on *Attachment 6: NLC Template* (if applicable). This attachment will only be used to determine if minimum requirements are met. The content of the attachment will not be evaluated.

Annual Firm Renewal Requirement:

Annual renewal is governed by Section 9.33(i) of Title 43 in the Texas Administrative Code (TAC). The following is a summary of that requirement.

All precertified firms must complete the annual renewal process between January 1 and March 31 each year to maintain Active status for the firm. Active status is required for prime providers and subproviders with task leaders identified for standard work categories. As applicable, firms must obtain Active status by the SOQ deadline date and time specified in this Solicitation. Active status is not required for firms proposing to perform only NLC services.

Additional information on annual renewal for precertified firms is available on TxDOT's internet web site at: Annual Renewal for Precertified Firms

A list of Active precertified firms is available at: Active TxDOT Precertified Firms

Administrative Qualification Requirements:

Administrative Qualification is governed by Section 9.35(b) of Title 43 in the Texas Administrative Code (TAC).

All firms providing engineering and design-related services must be administratively qualified with an effective rate by the SOQ deadline specified in this Solicitation; or be determined eligible by the TxDOT Audit Office, to use the federal safe harbor rate, by the SOQ deadline specified in this solicitation.

Requirements are summarized on TxDOT's website, which includes a list of firms and their administrative qualification status. The website is found at the following location: Administrative Qualification

Administrative qualification information is for TxDOT use only. This information will only be released with the approval of the provider or as required by state or federal statute.

Prime Provider Certification Statements:

See *Attachment 1: Cover Page* for certification information. The prime provider must certify that they meet the following requirements:

- The prime firm is registered or licensed with the Texas Board of Professional Engineers. If proposing as a joint venture, the requirement applies to each joint venture member.
- Individuals on the project team must be currently employed by either the prime provider or a subprovider firm that has been identified on the team.
- A professional engineer registered or licensed in Texas will sign and seal the work to be performed on the contract.
- The prime provider shall perform at least 30 percent of the contracted work with its own work force.

Project Manager Requirement:

The prime provider's project manager, as proposed in the SOQ, is required to be a registered Professional Engineer licensed in Texas by the SOQ deadline specified in this Solicitation.

Project Manager Commitment:

TxDOT expects the prime provider to commit its project manager, as proposed in the SOQ, to the duration of the contract. TxDOT further expects the project manager's commitment to the contract to include commitment as project manager to each work authorization without further delegation or substitution over the course of the contract. In selecting a provider, TxDOT evaluates the project manager's qualifications and skills against the specific requirements and unique demands of the contract. The project manager's commitment to the duration of the contract, therefore, is of key importance to TxDOT. Project manager replacement on an active contract, while not strictly prohibited, will require TxDOT's prior consent. Any such replacements will be subject to the terms of the agreement.

Joint Venture Requirements:

TxDOT allows joint ventures. Submittal of a joint venture proposal is at the discretion of the provider. A joint venture is considered the prime. All joint venture parties must be clearly identified.

A single project manager must be identified on *Attachment 4: Organization Chart* to represent the joint venture.

All joint venture parties will be required to sign the contract and take equal 100% responsibility for the contract. Refer to **Prime Provider Certification Statements** section for additional requirements.

Employment Law:

A prime provider or subprovider currently employing former TxDOT employees must be aware of the revolving door employment laws and rules, including Government Code, Chapters §572.054 and §2252.901 and Texas Administrative Code, Rules §10.6, §10.101, and §10.102. The firm and former TxDOT employees are responsible for understanding and adhering to these rules and laws.

E-Verify Certification

In order to comply with Executive Order RP-80, the provider must certify that for all contracts for services, the provider will, to the extent permitted by law, utilize the U.S. Department of Homeland Security's E-verify system to determine the eligibility of:

1. All persons employed by provider during the term of the contract to perform duties within the State of Texas; and
2. All persons, including subcontractors, assigned by provider to perform work pursuant to the contract.

The attached TxDOT Contract Template reflects this certification.

Information on E-Verify can be found at the following link: http://www.uscis.gov/e-verify

Disadvantaged Business Enterprise (DBE) Goal:

It is anticipated this contract will include federal funds. The assigned DBE goal for participation in the work to be performed under this contract is **11.7%** of the contract amount.

The provider shall furnish evidence of compliance with the assigned DBE goal, or evidence of a good faith effort acceptable to TxDOT to meet the assigned goal on *Attachment 5: Project Team Composition* (Part 1 of 3). TxDOT maintains the Texas Unified Certification Program Disadvantaged Business Enterprise (TUCP DBE) Directory, which lists businesses alphabetically and by work category.

The DBE goal can be achieved using the prime provider, the subproviders, or both.

Each subprovider listed to meet the assigned DBE subcontracting goal must be DBE-certified in the Subsector 541 NAICS Code applicable to the type of service being offered by that firm. A firm not DBE-certified in the Subsector 541 NAICS Code applicable to the type of service being offered will not be counted toward the assigned DBE subcontracting goal. For example:

- A firm offering architecture services must be DBE-certified in 541310 Architectural Services.
- A firm offering engineering services must be DBE-certified in 541330 Engineering Services.
- A firm offering surveying services must be DBE-certified in 541370 Surveying and Mapping (except Geophysical) Services.
- A firm offering environmental services must be DBE-certified in either 541330 Engineering Services or 541620 Environmental Consulting Services.
- A firm offering materials testing services must be DBE-certified in either 541330 Engineering Services or 541380 Testing Laboratories.

Additional information on the NAICS Codes can be found at the following link, under the heading for Sector 541 – Professional Scientific and Technical Services:

http://www.sba.gov/content/small-business-size-standards

Statement of Qualifications (SOQ) Submittal Format:

The prime provider must submit **four (4)** duplicate original SOQs. Each SOQ must be submitted with a single staple in the upper left-hand corner. No other binding will be accepted.

The SOQ submittal must consist of and is limited to the following attachments in numerical order:

Attachment 1: SOQ Cover Page – See the fillable file attached to this Solicitation.

Attachment 2: Questions & Responses (Q&R) Template – See the fillable file attached to this Solicitation.

Attachment 3: Graphics Page - A graphics page may be submitted to support the responses in the *Attachment 2 - Q&R Template*. The graphics page may include drawings, diagrams, charts, tables, or other visual aids. This attachment is limited to one (1) 11" x 17" page, single-sided. For scanning and legibility, a minimum font size of 10 point must be used, and Arial font is preferred.

(Label "*Graphics Page*". If a graphics page will not be included, insert a single page titled "*Graphics Page* - Intentionally Left Blank".)

Attachment 4: Organization Chart - The task leaders shown on the org chart, as well as subprovider team members shown on the org chart, must be consistent with those identified on *Attachment 5: Project Team Composition Form* (Parts 1, 2, and 3). Personnel other than task leaders may be identified at the prime provider's discretion. This attachment is limited to one (1) 8 ½" x 11" page, single-sided. For scanning and legibility, a minimum font size of 10 point must be used, and Arial font is preferred. The organization (org) chart must contain the following:

- Project manager's and task leaders' name, and contract responsibilities by work category.
- The prime provider's and subproviders' name, address, email, and telephone number, by each firm. The abbreviation of firm names is acceptable.

(Label "*Organization Chart*".)

Attachment 5: Project Team Composition Form (Parts 1, 2 and 3) – See the fillable file attached to this Solicitation. Prime provider and subprovider names listed in the Project Team Composition (PTC) form should be the legal firm names as registered with the Texas Comptroller of Public Accounts. For precertified firms, the firm name in the TxDOT CCIS database should also be the legal firm names as registered with the Texas Comptroller of Public Accounts. (When complete, three parts will be available to print. Instructions for completing and printing Parts 1, 2, and 3 are included on Part 1, under the button labeled "Instructions".)

Attachment 6: Non-Listed Categories (NLC) Template - See the fillable file attached to this Solicitation. Complete for each NLC shown under the section for **Work Categories and the % of Work Per Category.** Detail how the proposed task leader for the NLC meets the minimum qualifications to perform the work.

Attachment 7: Non-TxDOT Client Verification Form - This form must list the contract numbers for any non-TxDOT work referenced in the *Attachment 2: Q&R Template*.

Project Manager or Task Leader Replacement during Selection:

Prior to short list notification, the prime provider's project manager may be replaced only by another prime provider staff person proposed in the SOQ, as approved in writing by the consultant selection team (CST).

Prior to short list notification, a task leader may be replaced by another precertified person proposed in the SOQ from the team, as approved in writing by the CST.

Selection Procedure:

Providers will be short-listed based on their SOQ scores.

A short list meeting with providers advancing to the short list will not be held.

Providers advancing to the short list will participate in an interview. These providers will be issued an *Interview and Contract Guide (ICG*) containing instructions for the interview. The prime provider's project manager must be present for and participate in the interview or the provider will be removed from further consideration. The project manager may attend only one interview.

Attendance is limited to the following individuals: The task leaders of the major work categories listed in this Solicitation must attend the interview with the project manager. Each attendee must be identified in *Attachment 4: Organization Chart*.

Interviews will be evaluated, and the interview score will be the basis for the selection. Interviews will be scheduled the week of March 30, 2015.

Contract Information:

Contract execution is expected by June, 2015.

Contract duration is expected through June 2018.

The proposed contract payment type is cost plus fixed fee / specified rate / unit cost.

Debriefs:

Debriefs may be conducted to discuss the provider's SOQ or interview. Note that no debriefs will be held prior to provider selection. Debriefs for shortlisted providers will be held after contract execution. Requests for debriefs will be accommodated up to four months after contract execution.

Special Accommodations:

To request special accommodations pursuant to the Americans with Disabilities Act (ADA), please notify the contact shown below, a minimum of 48 hours prior to a scheduled meeting.
Tiffany Nguyen at Tiffany.Nguyen@txdot.gov, using the standard subject line:

Special Accommodations, Solicitation # 12-5SDP5101

To request special accommodations pursuant to the Language Assistance Plan (LAP) for those with limited English proficiency who need the RFQ or other information translated into another language please notify the contact shown below.
Tiffany Nguyen at Tiffany.Nguyen@txdot.gov, using the standard subject line: Language Assistance Request, Solicitation # 12-5SDP5101

Questions about this Solicitation:

Questions regarding this Solicitation must be submitted in writing (via email) to Sargon Youhannazad, P.E. at Sargon.Youhannazad@txdot.gov to be considered. Submit questions using the standard subject line: Questions & Answers, Solicitation # 12-5SDP5101.

The deadline for submitting questions regarding this Solicitation is **11:00 a.m. CT, on Wednesday, February 18, 2015**.

Significant and relevant *Solicitation Questions and Answers* will be posted on TxDOT's website by **Monday, February 23, 2015**. They will be posted under this Solicitation Number, at the following location under the button label **"***Solicitation Questions and Answers***"**: Contract Solicitation Documents and Information