

**RUTLAND TOWN
ARRA MCKINLEY BRIDGET PROJECT
ARTB (8)**

**Request for Proposals
Construction Inspection Services
Town of Rutland, Vermont**

Issued: February 15, 2010 Due: March 10, 2010

I. INTRODUCTION

The Town of Rutland, Vermont, herein after referred to as the Municipality, is soliciting Construction Inspection Services for the above referenced project. Construction includes, but is not limited to, the following: Work to be performed under this contract includes bridge deck replacement, guardrail work and associated road approach work.

The municipality has appointed Joseph Zingale Jr. as the Municipal Project Manager (MPM) to act as its representative for project development. VTrans Structures Section will provide design related services during the construction phase.

The project is being developed through the Local Transportation Facilities (LTF) section of the Vermont Agency of Transportation (VTrans). Although the project is managed locally, the use of Federal and State funds requires that permitting, environmental, and right-of-way (ROW) processes follow pertinent Federal and State regulations. One requirement of the LTF program is that the municipality provides the necessary oversight of the construction phase. This oversight includes inspection and sampling/testing of construction materials. This RFP seeks to hire a consultant that can provide these services to the Town of Rutland.

Final plans for this project are available for viewing at the Rutland Town Office, 181 Business Route 4, Center Rutland. The Town Office is open Monday through Friday; 8:00 am to 4:30 pm. call the MPM at (802) 773-8901 Ext 13 to schedule an alternate day if these times are not possible. Final plans may be purchased from Joseph Zingale at a cost of \$50.00 per set. Please call Joseph Zingale at 802 773-8901 Ext 13 to request these plans. The selected Construction Inspection individual or firm will be provided a copy of the Contract Documents and the Construction Plans at no charge.

To become eligible for contract selection, the Construction Inspection Consultant must have a current Vermont Agency of Transportation Form AF38 on file with VTrans. The AF38 form should be completed at a level commensurate with the anticipated magnitude of proposed work. Please note in the Proposal if this information is currently on file with VTrans. Form AF38 can be found on the VTrans website (www.aot.state.vt.us/conadmin/relateddocs.htm).

All Work will be accomplished in accordance with the following:

- Current VTrans Local Transportation Facilities (LTF) Guidebook for Municipally Managed Projects
- Consultant Contract Provisions dated October 1998 (from LTF Guidebook on Agency's web site)
- VTrans Construction Manual
- VTrans Route Survey Manual
- VTrans Quality Assurance Program and the VTrans Materials Sampling Manual
- VTrans Approved Products List
- VTrans List of Materials with Advance Certification
- Manual of Uniform Traffic Control Devices
- VTrans Standard Specifications for Construction 2006
- VTrans General Special Provisions for 2006 Standard Specifications
- VTrans Supplemental Specifications
- Project Special Provisions
- American Recovery & Reinvestment Act (ARRA) Work Order

II. SCOPE OF WORK

The consultant hired is required to follow provisions outlined in the American Recovery & Reinvestment ACT (ARRA) Work Order.

The consultant hired to perform these services should be qualified to perform a variety of inspection, record keeping and construction engineering activities including, but not limited to:

Task 1: Administration

1. Maintain communication with the MPM on a regular basis.
2. Coordinate with the Municipality, VTrans and the Construction Contractor(s).
3. Review and have a thorough understanding of contract plans, specifications, estimates and contract special provisions.
4. Attendance at a pre-bid conference at the Municipalities request, if applicable. Coordinate, schedule and oversee the pre-construction conference. Coordinate, schedule and attend the Final Inspection. Attend all other job related meetings.
5. Make sure contractor contacts Dig-Safe.
6. Preparation of Daily Reports, including quantities.
7. Maintain a photographic record of the progress of construction, annotating such photos to indicate their content and context including date. This photographic record must be available for reference by the MPM, State/VTrans or Federal representatives, and

Municipal representatives.

8. Accompany the MPM, State/VTrans or Federal representatives and Municipal representatives on visits to the project.
9. Participate once every two weeks in regularly scheduled Construction Status meetings with the Contractor, MPM, State/VTrans or Federal representatives and Municipal representatives.
10. Report immediately any unusual occurrences and all accidents occurring within the project limits to the MPM and VTrans.
11. Calculation and verification of the final contract quantities.
12. Review and submit to the Town & VTrans, any suggestions or requests made by the contractor to change or modify any requirements of the Plans or Contract Documents.
13. Receive certificates, computations and reference materials submitted by the Contractor. Maintain files on the project site of all items submitted by the contractor and of work done on behalf of the Municipality.
14. Prepare a Contractors progress payment estimate on a bi-weekly basis.
15. Issue a Certificate of Substantial Completion at the appropriate time.
16. Provide certification to the Municipality and VTrans that this project was constructed as designed, subject to appropriate and necessary revisions during construction, in conformance with all project specifications and that all necessary contract provisions were fully complied with.

Please note that a field office will not be provided.

Task 2: Construction Inspection

1. Maintain a presence on the project during times when contractor and subcontractor activities are underway.
2. Check that the contractor is in compliance with all construction contract requirements, Town of Rutland permits and ordinances; property rights agreements; erosion and sediment control; and stormwater management plan; state permits, regulations and statutes; and federal regulations and statutes; and exercise the engineer's authority as provided in the contract documents and report immediately any deviations to the MPM.
3. Inspect and approve material sources and waste, borrow and staging areas, with due

regard to approval/disapproval from the Vermont Agency of Transportation's Environmental Section.

4. Tracking of utility relocation and plotting of final facility locations on the final as-built plans (if any).
5. Erosion control monitoring in accordance with applicable permits.
6. Review and verify traffic control activities.
7. Development of final as-built plans by marking up a set of contract plans.
8. Check that completed work complies with the plans and specifications and is true to line and grade.
9. Make an inspection of work completed at such time as the contractor may claim substantial completion, with a contractor's representative, and issue a list of items to be corrected or completed.

Task 4: Materials and Equipment Inspection and Testing

1. Check that materials and equipment are fabricated and tested in accordance with contract documents, in advance of installation; ensuring that the independent laboratory is performing preliminary process control tests on material samples in accordance with Inspection Level 2 of VTrans Quality Assurance Program (QAP) and Materials Sampling Manual (MSM) to ensure continued quality in the work. Review the test reports and certificates and forward to the MPM for decision on acceptability.
2. Check that materials submitted as pre-approved are on the current VTrans Pre-approved Material List or on the List of Materials with Advanced Certification.
3. Record materials certifications in accordance with VTrans procedures.
4. The selected Construction Inspection Consultant is responsible for arranging the required testing by an independent qualified laboratory.

The Construction Inspection field personnel will be expected to wear personal protective equipment, including appropriate headgear, footwear and reflectorized vest when on the project site.

The Construction Inspection contractor will be expected to provide and have on the project all

necessary equipment, tools, and supplies needed to carry out the required duties.

It is anticipated that the construction project will be advertised for bids on February 22, 2010. The award of construction contract is anticipated within four to six weeks of advertisement. The construction is scheduled to be completed by on or before September 17, 2010. The Construction Inspection Consultant should plan on being on-site during construction of the project to the extent necessary to certify, on completion of the project, that the project was built as designed, subject to appropriate and necessary revisions during construction, in conformance with all project specifications and that all necessary contract provisions were fully complied with.

The Construction Inspection Consultant will be the primary contact person representing the Town of Rutland on the project. The consultant will be responsible for contacting the MPM and the VTrans Local Transportation Facilities Representative to resolve any design related issues that may arise during construction.

III. RESPONSE FORMAT

Responses to this RFP shall consist of a Technical Proposal and a Cost Proposal being submitted in separate sealed envelopes.

A. A Technical Proposal consisting of:

1. A cover letter expressing the consultant's interest in working with the Town of Rutland including an identification of the principal individuals that will provide the requested services.
2. A description of the general approach to be taken toward completion of the project and an explanation of any variances to the proposed scope of work as outlined in this RFP.
3. A scope of work that includes detailed steps to be taken, any products or deliverables resulting from each task and a summary of estimated labor hours by task.
4. A list of individuals that will be committed to this project and their professional qualifications. The names and qualifications of any sub-consultants shall be included in this list. The individual's names, titles and expected duties should be included. Any personnel not specified in the proposal will require the approval of the MPM prior to utilization or invoicing.
5. Describe experience with federally funded transportation construction projects and familiarity with VTrans Standard Specifications for Construction.
6. A proposed means of providing the equipment and supplies required to carry out the prescribed duties.
7. Demonstration of success on similar projects, including a brief project description and a

contact name and address for reference.

8. The Technical proposal shall be clear and concise, not exceeding twenty-five (25) 8 ½" x 11" pages. Information better suited to a larger paper size should be folded to an 8 ½" x 11" size. Proposals should be double-sided and use recycled paper, if possible.

B. The Cost Proposal shall consist of:

1. A composite schedule by task of direct labor hours, direct labor cost per class of labor, overhead rate, and fee for the project. If the use of sub-consultants is proposed, a separate schedule must be provided for each.

IV. CONTRACT PERIOD, AMOUNT AND PAYMENTS

The Construction Inspection Consultant will be selected on or about March 16, 2010. At that time, a notice of intent to issue the contract will be mailed to all parties who submitted a proposal.

V. CONSULTANT SELECTION

A committee that includes officials from the Town of Rutland, Vermont Agency of Transportation and the MPM will make the consultant selection. The selection committee will review and evaluate all proposals based on the following criteria:

<u>CRITERIA</u>	<u>WEIGHT</u>
1. Understanding the Scope of Work	25%
2. Knowledge of the Project Area	10%
3. Qualification/Experience of Assigned Staff	25%
4. Availability of Technical Resources	15%
5. Reasonableness of Labor Hour Schedule	10%
6. Proven record of successful completion of similar projects	15%

Once the Technical Proposals are discussed and ranked, the cost proposals will then be opened and reviewed for consistency with, and in light of, the evaluation of the Technical Proposals. The selection committee may elect to interview consultants prior to final selection. The Town of Rutland reserves the right to seek clarification of any proposal submitted and to select the proposal considered to best promote the public interest.

If any consultant is aggrieved by the proposed award of the contract, the consultant may appeal in writing to the MPM. The appeal must be postmarked within seven (7) calendar days following the date of the written notice of intent to award the contract.

The Construction Inspection Consultant awarded this contract shall apply for registration with the

Vermont Secretary of State's Office to do business in the State of Vermont within fourteen (14) days of notification of award, if not already so registered. The registration form may be obtained from the Vermont Secretary of State, 26 Terrace Street, Montpelier, VT 05609. The telephone number is (802) 828-2363. The Town of Rutland will NOT execute the contract until the consultant is registered with the Secretary of State's Office.

The Consultant's attention is directed to the VTrans' Disadvantaged Business Enterprise (DBE) Policy Requirements. These requirements outline the State's and the consultant's responsibility with regard to the utilization of DBEs for the work covered in the RFP. It is expected that all consultants will make good faith efforts to solicit DBE sub-consultants.

VI. SUBMISSIONS

Consultants interested in this project should submit seven (7) copies of their Proposals to:

Joseph Zingale Jr., MPM
Town of Rutland
P.O. Box 225
Center Rutland, VT. 05736
(802) 773-8901- 13
Email: rutlandtown@comcast.net

Technical and Cost Proposals must be submitted in sealed separate envelopes with the following information clearly printed on the outside:

Name and address of prime consultant
Due date and time
Envelope contents (Technical or Cost Proposal)
Project name & number

All questions related to this Request for Proposals should be addressed to the MPM. Questions may be submitted in writing or by Email.

All proposals must be received by the MPM by March 10, 2010 no later than 3:00 P.M. Proposals and/or modifications received after this time will not be accepted. No facsimile-machine produced proposals will be accepted. All proposals, upon submission, become the property of the Town of Rutland. The expense of preparing and submitting the proposal is the sole responsibility of the consultant. The Town of Rutland reserves the right to reject any or all proposals received, to negotiate with any qualified source, or to cancel in part or in its entirety this RFP if it is in the best interest of Town of Rutland. This solicitation in no way obligates the Town of Rutland to award a contract.

**AMERICAN RECOVERY & REINVESTMENT ACT (ARRA)
WORK ORDER**

Construction Engineering work on those projects with construction funding in whole or in part with appropriations made available through the American Recovery and Reinvestment Act (ARRA) of 2009 are subject to the following provisions:

The provisions contained herein, as appropriate, shall be incorporated into contracts, subcontracts, agreements and sub-agreements that result from this work order.

A) ARRA Section 902

Under Section 902 of ARRA, the U.S. Comptroller General and U.S. Comptroller representatives have the authority:

(1) to examine any records of the Contractor or any of its subcontractors, or any State or local agency administering such contract, that directly pertains to, and involve transactions relating to, the contract or subcontract; and

(2) to interview any officer or employee of the Contractor or any of its subcontractors, or of any State or local government agency administering the contract, regarding such transactions. Accordingly, the Comptroller General and his representatives shall have the authority and rights as provided under Section 902 of ARRA with respect to this Contract, which is funded with funds made available under ARRA. Section 902 further states that nothing in this section shall be interpreted to limit or restrict in any way any existing authority of the Comptroller General.

B) Notification of Authority of the USDOT Inspector General

Section 1515(a) of ARRA provides authority for any representatives of the USDOT Inspector General to examine any records or interview any employee or officers working on this Contract. The Contractor is advised that representatives of the inspector general have the authority to examine any record and interview any employee or officer of the Contractor, its subcontractors or other firms working on this Contract. Section 1515(b) further provides that nothing in this section shall be interpreted to limit or restrict in any way any existing authority of an inspector general.

C) The Municipality and its Contractors (Consultants) are subject to numerous reporting requirements. All current requirements and those that may be imposed by the Federal Highway Administration (FHWA), the US House Committee on Transportation & Infrastructure (T&I) and the federal Office of Management and Budget (OMB) as reported to the Vermont Office of Economic Stimulus and Recovery (ESR) must be complied with.

To support the reporting requirements noted above the Consultant is directed to provide the following information to VTrans:

Prior to the 10th day of each month a completed 1589 form shall be submitted via email to Lori Valburn, Civil Rights & Labor Compliance Chief. For projects that have already begun

construction all charges to date may be aggregated for the first submission. Subsequent to the first submission the reporting shall be for no later than one calendar month prior to the submission date.

Prior to the 10th day of each month a completed Disadvantaged Business Enterprise (DBE) reporting form shall be submitted to Lori Valburn, Civil Rights & Labor Compliance Chief via email. For projects that have already begun construction all DBE payments to date may be aggregated for the first submission. Subsequent to the first submission the reporting shall be for no later than one calendar month prior to the submission date.

- D) The funds used to support work under contract with the Municipality that are provided through the federal American Recovery & Reinvestment Act (ARRA or the Act) are subject to payment criteria and specific reporting requirements mandated by the Act. A periodic report, certified by an authorized agent of the Party, utilizing the form(s) provided by the State of Vermont, shall be submitted as required. Failure to submit timely, accurate and fully executed reports will result in a mandate to return to the State funds already disbursed under this contract, or the withholding of current and future payments under this contract until such time as the reporting irregularities are resolved to the State's satisfaction.

The parties to this contract are further bound by the Act that they shall promptly refer to an appropriate federal inspector general any credible evidence that a principal, employee, agent, contractor, subrecipient, contractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving the ARRA funds used to support this contract.

- E) The following information is to be filled in and returned with the signed work order:

Legal Name and D-U-N-S[®] Number on File with the federal Central Contractor Registration ⁽¹⁾:

Print Legal CCR Name

D-U-N-S[®] Number ⁽²⁾

(1) The Central Contractor Registration (CCR) is the primary registrant database for the U.S. Federal Government. CCR collects, validates, stores and disseminates data in support of agency acquisition missions. FREE registration is available at: <http://www.ccr.gov/Default.aspx>.

(2) The D-U-N-S Number is a unique nine-digit identification number assigned and maintained solely by Dun & Bradstreet (D&B). D-U-N-S Number assignment is FREE for all businesses required to register with the US Federal government (see # 1 above) for contracts or grants. Created in 1962, the Data Universal Numbering System or D-U-N-S[®] Number is D&B's copyrighted, proprietary means of identifying business entities. Register at: https://eupdate.dnb.com/requestoptions.asp?cm_re=HomepageB*TopNav*DUNSNumberTab