**REQUEST FOR PROPOSAL**

**June 23, 2014**

**TO PERFORM**

**PRELIMINARY ENGINEERING SERVICES**

**FOR PROJECT:**

**9-085(085)075 PCN 20046**

**US Hwy 85 – I-94 TO Watford City ByPASS**

**Project Development**

**for**

**4-Lane Roadway and Structures**

**Grant Levi, P.E.**

**DIRECTOR**

**NORTH DAKOTA DEPARTMENT OF TRANSPORTATION**

**PROPOSALS MUST BE DELIVERED TO**

**STEVE CUNNINGHAM**

**ENVIRONMENTAL AND TRANSPORTATION SERVICES DIVISION**

**By**

**12:00 PM Central Time July 30, 2014**

**REQUEST FOR PROPOSAL (RFP)**

**PROJECT OVERVIEW**

The North Dakota Department of Transportation (NDDOT) is requesting the services of qualified engineering firms to perform engineering and affiliated services to complete the following project:

9-085(085)075 PCN 20046

I-94 TO WATFORD CITY BYPASS

US Hwy 85 is experiencing an increase in traffic as a result of the increase in oil related activities in western North Dakota. The NDDOT is proceeding with preliminary engineering and environmental studies to develop alternatives to 4-lane the roadway and provide structures to meet the needs of the traveling public.

**PRE-PROPOSAL MEETING**

A pre-proposal meeting will be held for all firms interested in responding to the RFP. The meeting will consist of a short presentation to explain scope of the RFP, the NDDOT and Firm’s roles and responsibilities, the critical project components, and a question and answer period. The meeting will be held on July 8, 2014, from 1:00 pm to 3:00 pm in the Brynhild Haugland Room at the State Capitol Building in Bismarck, ND. Firms interested in attending this meeting; please RSVP Wayne Zacher ([wzacher@nd.gov](mailto:wzacher@nd.gov)) with the number of attendees no later than July 6th.

This project will utilize a Questions and Answers (Q&A) website. All questions or inquiries must be submitted to the NDDOT Project Manager through the Q&A website, which can be found at <https://www.dot.nd.gov/dotnet2/projectqna/projectqnaentry.aspx>. Responses to all questions received will also be posted to the website. If the question or request requires an attachment of some sort such as old plans, they will be placed on the public ftp site at <ftp://ftp.state.nd.us/public/US%2085%20Information/> (Username: nddot; Password: Public14). The feasibility study and Long-X Bridge plans have already been placed in this folder and the roadway grading plans will be placed at this location as they are gathered.

**SCOPE OF WORK**

The NDDOT intends to enter into one contract with the chosen firm to complete the environmental and preliminary engineering services. The NDDOT reserves the right to assign work in phases and add or remove project work items. The chosen firm may also provide final design services for critical project segments. Final design services for other project segments may be re-solicited through the RFP process. The NDDOT also reserves the right to perform a portion of, or all of the work activities in-house.

The project shall be developed using the FHWA environmental process. The major project development items are identified below and will be defined in the project phases:

* Environmental Documents and FHWA Clearance
* Public Involvement
* Documented Project Engineering Decisions
* Value Engineering
* Geotechnical Engineering & Analysis (including expertise in badlands geology and slope stability)
* Roadway Design
* Structure Design
* Right of Way Acquisition and Relocation
* Permitting and Mitigation Plans
* Utility Engineering and Relocation

**Phase I - Scoping**

Phase I shall be limited to conducting a scoping meeting; field review; initial field surveys & studies; and developing a NDDOT approved scope of work and hours for Phase II. A preliminary scope of work and hours for Phase II will be provided by the firm within 21 days of signing the contract.

**Phase II – Environmental Document and Preliminary Design**

Phase II shall consist of all activities necessary to complete the environmental document, including FHWA concurrence and approval. It includes, but is not limited to: environmental studies; cultural surveys; preliminary roadway design; structure type studies & preliminary structure design; geotechnical studies & design; public involvement meetings & outreach; utility coordination & conflict plans; and right of way services including titlework, plats, appraisals, and document preparation. Phase II will be considered complete upon receiving environmental clearance from FHWA and NDDOT approval of all deliverables.

**Phase III – Final Design**

Phase III shall consist of remaining activities to provide a bid ready project. It includes, but is not limited to: final roadway & structure design; preparation of final construction plans, specifications, estimates; execute contracts for utility adjustments & relocations; right of way acquisition; permitting and final mitigation plans. Phase III will be considered complete upon NDDOT approval of all deliverables for bid ready project.

**Phase IV – Engineer of Record Services (Post Bid)**

Phase IV, if necessary, shall consist of activities to support project construction. It includes, but is not limited to: consultation and questions; pre-construction meetings; design changes; plan sheet revisions; permit revisions; reviewing shop drawings; and change orders. Phase IV does not include construction engineering or contract administration.

**NDDOT Provided Information and Services**

The NDDOT will provide the following:

* Serve as a lead agency in conjunction with Federal Highway Administration (FHWA)
* Lead the coordination and consultation with state and federal resource agencies, including, but not limited to:
  + US Army Corps of Engineers
  + US Fish & Wildlife Service
  + US Forest Service
  + National Park Service
  + State Historic Preservation Office
  + ND Game & Fish
  + ND State Water Commission
  + ND Department of Health
* A NDDOT Project Manager (Wayne Zacher, [wzacher@nd.gov](mailto:wzacher@nd.gov), (701)328-4828) to manage the preliminary engineering contract and provide direction and guidance to the selected Firm. The Project Manager will function as the NDDOT point of contact, and lead agency project development activities.
* An interdisciplinary team to attend public, agency, and consultant meetings to assist and be responsible to the NDDOT Project Manager. The interdisciplinary team members will be responsible to coordinate with division and district leadership, the NDDOT Project Manager, and staff to provide timely recommendations and/or solutions to advance the project initiatives.
* Tribal Consultation
* Aerial imagery for photogrammetric survey
* Existing data from previous projects
* Right of Way appraisal reviews
* Report, study, and design review and approval
* The NDDOT shall have a review period of 21 days. This review time does not include time necessary for resource agency review and approvals.
* Approval shall be defined as a work product that has been reviewed and accepted in writing by the NDDOT. Resource agency approval may also be required for certain items and approval will not be granted until agency approval is granted.

**Engineering Firm Requirements**

The firm shall demonstrate understanding of the project requirements and provide an approach that will ensure on time delivery of the project. It shall be the responsibility of the firm to create a detailed project development schedule. The schedule shall identify completion dates for all project activities, tasks, services necessary, and deliverables to complete each phase of the project, including proposed construction project limits and bid opening dates. The NDDOT desires to expedite the project development to reduce the time of project delivery.

The Firm shall identify a Consultant Project Manager that is dedicated solely to this project. A support team of subject matter experts shall also be assigned to the project and be available daily. The Consultant Project Manager shall be responsible for the on time delivery of project development activities including but not limited to:

* Project schedule, meeting completion dates, on time delivery of work products
* Quality control and quality assurance reviews
* Coordination with NDDOT and facilitating project communication.
* Scheduling, coordinating, and conducting project development meetings periodically through delivery.
* Setting up meetings, producing agendas, distributing minutes, and developing presentations.

It is the responsibility of the firm to coordinate with other engineering firms (and NDDOT) that are developing other highway improvement projects in the area.

Attached with the RFP is the Risk Management Appendix.

All design and project data will become the property of NDDOT upon completion of the final submittal. All project information will be generated in the following formats and standards:

* Code of Federal Regulations - 23 Highways
* Federal Highway Administration Technical Advisory T 6640.8A
* MS Word and MS Excel
* MicroStation 8.11.07 (V8i)
* GEOPAK 8.11.07 (V8i)
* NDDOT CADD Manual
* Microsoft “Project”
* NDDOT Survey and Photogrammetry Manual Chapter 19
* NDDOT Survey and Photogrammetry Manual Chapter 20
* NDDOT CADD Editing Manual Chapter 21
* NDDOT Data Collection Codes and Procedures
* NDDOT Design Manual and Plan Preparation Guide Website
* NDDOT Right of Way Manual

**PROPOSED SUB CONSULTANT REQUEST**

Sub Consultant firms that have been contacted and agree to be listed on the Prime Consultants Project Proposal for work with NDDOT must submit original form and one copy to be attached to the Prime Consultants Proposal.  This form is used for informational purposes only.  See NDDOT web site for form SFN 60232. (<http://www.dot.nd.gov/dotnet/forms/forms.aspx>).

**PRIME CONSULTANT REQUEST TO SUBLET**

The successful firm will be required to include the attached ‘Prime Consultant Request to Sublet’ form for each Sub consultant listed on the contract prior to execution of the contract.  The form assures that the contract between the Prime consultant and all Sub consultants contains all the pertinent provisions and requirements of the prime contract with the North Dakota Department of Transportation (NDDOT). See NDDOT web site for form SFN 60233.

(<http://www.dot.nd.gov/dotnet/forms/forms.aspx>).

**DISADVANTAGED BUSINESS ENTERPRISE (DBE)**

49 Code of Federal Regulations Part 26 (CFR) states that the consultant, sub recipient, or sub consultant shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. Consultants shall carry out applicable requirements of 49 CFR Part 26 in the solicitation, award, and administration of USDOT-assisted contracts. Failure by the consultant, to carry out these requirements is a material breach of the contract, which may result in the termination of the contract or such other remedy as the recipient deems appropriate.

In addition, Title VI assures that no person or group of persons may, on the grounds of race, color, national origin, sex, age, or handicap or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs or activities administered by the Department. For information regarding Title VI, refer to the External Civil Rights Manual at <https://www.dot.nd.gov/divisions/civilrights/civilrights.htm>

The two paragraphs above apply to every consultant on the project, including every tier of sub‑consultant. It is the consultant’s, or sub-consultant’s responsibility to include the two above paragraphs in every subcontract.

**EVALUATION AND SELECTION PROCESS**

Engineering firms interested in performing the work should submit **five hard copies of their proposal** and **one** **electronic copy in PDF format**.

**Proposals shall be submitted to:**

Steve Cunningham

Environmental and Transportation Services Division

NDDOT

608 East Boulevard Avenue

Bismarck, ND 58505

[scunning@nd.gov](mailto:scunning@nd.gov)

* NDDOT will only consider proposals (hard copies and PDF) received prior to the date and time listed on the cover of this Request for Proposal. Late proposals will not be considered.
* Each proposal shall contain a cover letter signed by an authorized officer who can sign contracts for the firm. The cover letter will not be counted as a part of the page length requirement. Also include the individual’s email address below each signature on the cover letter.
* The proposal pages shall be numbered and must be limited to 7 pages in length. Proposals that exceed the page length requirement will not be considered. This section should contain your approach and project specific plan.

The consultant’s proposal shall include an appendix. The appendix may include updated Federal form 330 if you do not have one on file with CAS. The pages in the appendix will not be counted as a part of the page length requirement. The appendix shall include the following in this order:

**Appendix A**

* + A schedule for the project. If accepted the schedule will be included as part of the contract.

**Appendix B**

* + A staffing plan identifying the key project personnel (including titles, education, and work experience) and the respective roles and responsibilities for the project.

**Appendix C**

* + Project Specific QC/QA Plan including check lists, persons, responsibilities, proposed submittals and reviews, and DOT response timelines. The QC/QA Plan will be reviewed by the NDDOT and, if accepted, become part of the project after the contract has been signed.

**Appendix D**

* + Sub-consultants and associated activities to be completed by the sub-consultants. Attach proposed sublet form SFN 60232 for each sub at the end of this section.

Each proposal will be evaluated by a selection committee consisting of NDDOT staff members and/or representatives. NDDOT reserves the right to limit the interviews to a minimum of three firms whose proposals most clearly meet the RFP requirements. Firms not selected to be interviewed will be notified in writing.

Selection will be on the basis of the following criteria:

* Proposed Project Development Schedule
* Identification of completion dates for all project activities
* Earliest achievable completion date that demonstrates project understanding
* Project understanding, issues, & approach
* Identification of tasks, services necessary, and deliverables
* Work plan to streamline the project development
* Past performance
* Ability of professional personnel
* Willingness to meet time and budget requirements
* Location
* Recent, current, and projected workloads of the persons and/or firms
* Related experience on similar projects
* Recent and current work for the agency

Consultants are strongly encouraged to use DBE sub consultant services where applicable. The proposal must contain a list of any tasks that may be let to sub consultants should the consultant be awarded the contract. It must also contain the specific good faith efforts made by the consultant, to achieve DBE participation, in the areas intended for sub-consulting. Consultant interviews will include questions regarding good faith efforts (see 49 CFR Part 26, Appendix A: Guidance Concerning Good Faith Efforts, Paragraph IV. A-H) to achieve DBE participation. DBE participation will be a consideration during the negotiation stage of each contract.

**RIGHT OF REJECTION**

The North Dakota Department of Transportation reserves the right to reject any or all proposals.

**DISCLOSURE OF PROPOSAL**

At the conclusion of the selection process, the contents of the short-listed proposals will be subject to North Dakota's Open Records Law and may be open to inspection by interested parties. Any information included in the proposal that the proposing party believes to be a trade secret or proprietary information must be clearly identified in the proposal. Any identified information recognized as such and protected by law may be exempt from disclosure.

**RISK MANAGEMENT FOR PROFESSIONAL SERVICES**

The Risk Management Appendix/Addendum will be incorporated into the agreement between NDDOT and the consultant. Firms must be able to provide a proper Certificate of Insurance within 15 days of notification of Selection.

**AUDIT**

Firms must have a current cognizant Federal Acquisition Regulations (FARs) audit of indirect cost rates on file with NDDOT or must provide this audit information at the interview. If an audit has not been completed on the Engineer's prior fiscal year costs, the percentage will be an estimated billing rate, subject to adjustment to a final audited. Under certain conditions NDDOT may offer a Safe Harbor Rate of 110% to firms that do not have a compliant rate.

**CONSULTANT EMAIL CONTACTS**

If necessary, please update contact information for receiving RFP's via email