

## CHECKLIST TO DESIGNATE AREAS OF EVALUATION FOR REQUESTS FOR PROPOSAL (RFP)

MDOT PROJECT MANAGER			JOB NUMBER (JN)	CONTROL SECTION (CS)
DESCRIPTION				
<b>MDOT PROJECT MANAGER:</b> Check all items to be included in RFP  WHITE = REQUIRED GRAY SHADING = OPTIONAL			<b>CONSULTANT:</b> Provide only checked items below in proposal	
Check the appropriate Tier in the box below				
<b>TIER I</b> <b>(\$25,000-\$99,999)</b>	<b>TIER II</b> <b>(\$100,000-\$250,000)</b>	<b>TIER III</b> <b>(&gt;\$250,000)</b>		
			Understanding of Service	
			<i>Innovations</i>	
			<i>Safety Program</i>	
N/A			Organizational Chart	
			Qualifications of Team	
			Past Performance	
Not required As part of Official RFP	Not required As part of Official RFP		Quality Assurance/Quality Control	
			<b>Location:</b> The percentage of work performed in Michigan will be used for all selections unless the project is for on-site inspection or survey activities, then location should be scored using the distance from the consultant office to the on-site inspection or survey activity.	
N/A	N/A		Presentation	
N/A	N/A		Technical Proposal (if Presentation is required)	
3 pages (MDOT Forms not counted) <b>(No Resumes)</b>	7 pages (MDOT Forms not counted)	19 pages (MDOT Forms not counted)	<b>Total maximum pages for RFP not including key personnel resumes</b>	

The Michigan Department of Transportation (MDOT) is seeking professional services for the project contained in the attached scope of services.

If your firm is interested in providing services, please indicate your interest by submitting a Proposal, Proposal/Bid Sheet or Bid Sheet as indicated below. The documents must be submitted in accordance with the latest "Consultant/Vendor Selection Guidelines for Service Contracts" and "Guideline for Completing a Low Bid Sheet(s)", if a low bid is involved as part of the selection process. **Referenced Guidelines are available on MDOT's website under Doing Business > Vendor/Consultant Services > Vendor/Consultant Selections.**

## RFP SPECIFIC INFORMATION

BUREAU OF HIGHWAYS

BUREAU OF TRANSPORTATION PLANNING \*\*

OTHER

THE SERVICE WAS POSTED ON THE ANTICIPATED QUARTERLY REQUESTS FOR PROPOSALS

NO

YES

DATED \_\_\_\_\_

THROUGH \_\_\_\_\_

**Prequalified Services** – See page \_\_\_ of the attached Scope of Services for required Prequalification Classifications.

**Non-Prequalified Services** - If selected, the vendor must make sure that current financial information, including labor rates, overhead computations, and financial statements, if overhead is not audited, is on file with MDOT's Office of Commission Audits. This information must be on file for the prime vendor and all sub vendors so that the contract will not be delayed. **Form 5100J is required with Proposal for firms not currently prequalified with MDOT**

**Qualifications Based Selection** – Use Consultant/Vendor Selection Guidelines

**For all Qualifications Based Selections**, the section team will review the information submitted and will select the firm considered most qualified to perform the services based on the proposals. The selected vendor will be contacted to confirm capacity. Upon confirmation, that firm will be asked to prepare a priced proposal. Negotiations will be conducted with the firm selected.

**\*\*For RFP's that originate in Bureau of Transportation Planning only**, a priced proposal must be submitted at the same time as, but separate from, the proposal. Submit directly to the Contract Administrator/Selection Specialist, Bureau of Transportation Planning (see address list, page 2). The priced proposal must be submitted in a sealed envelope, clearly marked "**PRICE PROPOSAL.**" The vendor's name and return address MUST be on the front of the envelope. The priced proposal will only be opened for the highest scoring proposal. Unopened priced proposals will be returned to the unselected vendor(s). Failure to comply with this procedure may result in your priced proposal being opened erroneously by the mail room.

**For a cost plus fixed fee contract**, the selected vendor must have a cost accounting system to support a cost plus fixed fee contract. This type of system has a job-order cost accounting system for the recording and accumulation of costs incurred under its contracts. Each project is assigned a job number so that costs may be segregated and accumulated in the vendor's job-order accounting system.

**Qualifications Review / Low Bid** - Use Consultant/Vendor Selection Guidelines. See Bid Sheet Instructions for additional information.

For Qualification Review/Low Bid selections, the selection team will review the proposals submitted and post the date of the bid opening on the MDOT website. The notification will be posted at least two business days prior to the bid opening. Only bids from vendors that meet proposal requirements will be opened. The vendor with the lowest bid will be selected. The selected vendor may be contacted to confirm capacity.

**Best Value** - Use Consultant/Vendor Selection Guidelines. See Bid Sheet Instructions below for additional information. The bid amount is a component of the total proposal score, not the determining factor of the selection.

**Low Bid** (no qualifications review required - no proposal required.) See Bid Sheet Instructions below for additional instructions.

## BID SHEET INSTRUCTIONS

A bid sheet(s) must be submitted in accordance with the "Guideline for Completing a Low Bid Sheet(s)" (available on MDOT's website). The Bid Sheet(s) is located at the end of the Scope of Services. Submit bid sheet(s) separate from the proposal, to the address indicated below. The bid sheet(s) must be submitted in a sealed manila envelope, clearly marked "**SEALED BID.**" The vendor's name and return address MUST be on the front of the envelope. Failure to comply with this procedure may result in your bid being opened erroneously by the mail room and the bid being rejected from consideration.

**PROPOSAL SUBMITTAL INFORMATION**

REQUIRED NUMBER OF COPIES FOR PROJECT MANAGER	PROPOSAL/BID DUE DATE	TIME DUE
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**PROPOSAL AND BID SHEET MAILING ADDRESSES**

Mail the multiple proposal bundle to the MDOT Project Manager or Other indicated below.

MDOT Project Manager

MDOT Other

Mail one additional stapled copy of the proposal to the Lansing Office indicated below.

<b>Lansing Regular Mail</b>	<b>OR</b>	<b>Lansing Overnight Mail</b>
Secretary, Contract Services Div - B470 Michigan Department of Transportation PO Box 30050 Lansing, MI 48909		Secretary, Contract Services Div - B470 Michigan Department of Transportation 425 W. Ottawa Lansing, MI 48933
Contract Administrator/Selection Specialist Bureau of Transportation Planning B470 Michigan Department of Transportation PO Box 30050 Lansing, MI 48909		Contract Administrator/Selection Specialist Bureau of Transportation Planning B470 Michigan Department of Transportation 425 W. Ottawa Lansing, MI 48933

**GENERAL INFORMATION**

Any questions relative to the scope of services must be submitted by e-mail to the MDOT Project Manager. Questions must be received by the Project Manager at least four (4) working days prior to the due date and time specified above. All questions and answers will be placed on the MDOT website as soon as possible after receipt of the questions, and at least three (3) days prior to the RFP due date deadline. The names of vendors submitting questions will not be disclosed.

MDOT is an equal opportunity employer and MDOT DBE firms are encouraged to apply. The participating DBE firm, as currently certified by MDOT's Office of Equal Opportunity, shall be listed in the Proposal

**MDOT FORMS REQUIRED AS PART OF PROPOSAL SUBMISSION**

**5100D** – Request for Proposal Cover Sheet

**5100J** – Consultant Data and Signature Sheet (Required only for firms not currently prequalified with MDOT)

**(These forms are not included in the proposal maximum page count.)**

**Michigan Department of Transportation**

**SCOPE OF SERVICE  
FOR  
AS-NEEDED RAILROAD CONSTRUCTION SERVICES**

**CONTROL SECTION(S):** 84900

**JOB NUMBER(S):** 115511

**PROJECT LOCATION:** Pontiac/Detroit - Chicago HSR Corridor

**PROJECT DESCRIPTION:**

The Michigan Department of Transportation (MDOT) is seeking qualified firms to perform various as-needed construction services to support MDOT's efforts on tasks related to the improvement and implementation of accelerated rail services along the high speed rail corridor between Pontiac/Detroit and Chicago. MDOT expects the tasks will be focused on the portion of the corridor within Michigan but there may be work assigned at other locations on the corridor. The Consultant will be expected to provide experienced personnel for various services, when requested by MDOT, in order to support MDOT's efforts.

Full time services will not be required at all times. This scope is for "as needed" services, based on the intermittent needs of MDOT. It must be noted that this is not a guarantee that MDOT will use the Consultant's services.

**ANTICIPATED START DATE:** March, 2012

**ANTICIPATED COMPLETION DATE:** December 31, 2016

**PRIMARY PREQUALIFICATION CLASSIFICATION(S):**

N/A

**SECONDARY PREQUALIFICATION CLASSIFICATION(S):**

Road Construction Engineering  
Bridge Construction Engineering  
Density Inspection and Testing  
Technical Assistance

**DBE PARTICIPATION:**

DBE requirements will be identified in each Work Order, if applicable.

**MDOT PROJECT MANAGER:**

Chris Youngs  
Michigan Department of Transportation  
425 West Ottawa Street  
P.O. Box 30050  
Lansing, Michigan 48909  
Email: [YoungsC1@michigan.gov](mailto:YoungsC1@michigan.gov)

**SCOPE OF WORK:**

These services would include work at both the program and project levels. Work throughout the life of the Contract may include as-needed construction engineering and inspection, office technician work, and general project management services. MDOT may also request assistance with evaluating and implementing other items of work related to the corridor as requested by MDOT.

MDOT will notify the Consultant when a task is needed to be performed under a separate Work Order (MDOT Form 5186). Each Work Order will have a detailed scope and define which secondary prequalification classifications, if any, are needed. MDOT and the consultant will agree to the level of effort and staff required prior to issuing a notice to proceed on for each Work Order.

The Consultant will be expected to work cooperatively with other railroads, consultants, and contractors that may be under contract or working with MDOT.

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

Services:

1. The majority of the services provided under this contract will consist of overseeing rail construction work performed by contractors or railroad companies. The rail construction work includes, but is not limited to the following:
  - Track Upgrading and Replacement
  - Construction of New Sidings and Segments of Track
  - Surfacing
  - Tie Replacement
  - Station Construction
  - Installation of Railroad Signals and Communication Infrastructure
  - Upgrading Grade Crossings and Warning Devices
  - Constructability Reviews of Railroad Infrastructure Plans

The prime Consultant is expected to have experience working on railroad construction projects and have a detailed understanding of oversight responsibilities associated with this work.

2. Other construction services may include, but are not limited to:
  - As-needed Construction Engineering Services
  - As-needed Construction Inspection
  - Writing and Tracking Reports
  - Construction Documentation
  - Project Management Activities

The prime Consultant must have experienced personnel. The Consultant must demonstrate, at a minimum, the ability to maintain sufficient staff resources to maintain the services of this project. A list of all key staff and their roles shall be provided, as well as key staff and any subconsultant(s) being used by the Consultant.

MDOT reserves the right to request services related to work for the HSR corridor that are not listed above, under the conditions of this “as needed” scope of services.

Work will be performed under the direction and supervision of the MDOT Project Manager (PM), or a person designated by the PM. Work will be authorized in phases to properly identify tasks associated with each phase of the project.

Any questions arising from this RFP must be submitted in writing, via e-mail to the MDOT Project Manager. In order for questions to be answered in a timely manner, all questions must be received no later than 1:00 pm EST on **February 10, 2012**. MDOT will not respond to telephone inquiries or visitation by bidders or their representatives. Answers to questions will be prepared and made available to the list of bidders contacted and posted on MDOT’s website at [http://www.michigan.gov/mdot/0,1607,7-151-9625\\_21540---,00.html](http://www.michigan.gov/mdot/0,1607,7-151-9625_21540---,00.html). The answers to the question(s) will supersede the original issue pertaining to the question(s) of the RFP.

**GENERAL INFORMATION AND REQUIREMENTS:**

Full time services may not be required on all projects at all times. This contract is for “as needed” services, based on the intermittent needs of MDOT. It must be noted that a consultant award under this contract is not a guarantee of work being issued to that consultant.

The Consultant is expected to have experience in railroad construction activities, and knowledge of federal requirements for documenting the activities.

The Consultant shall furnish all services and labor necessary to conduct and complete the services described herein. The Consultant shall also furnish all materials, equipment, supplies, and incidentals necessary to perform the services (other than those designated in writing to be furnished by MDOT), and check and/or test the materials, equipment, supplies, and incidentals as necessary in carrying out this work. The services shall be performed to the satisfaction of MDOT, consistent with applicable professional standards.

The services described herein are financed with public funds. The Consultant shall comply with all applicable Federal and State laws, rules, and regulations. The Consultant shall perform field activities as needed in accordance with MIOSHA regulation and accepted safety practices. The consultant staff shall conduct themselves with professionalism in carrying out their duties.

Work shall conform to the applicable current State and Federal practices, guidelines, policies, and standards. This Scope of Services consists of performing to the satisfaction of the Department engineering and inspection services necessary to accomplish the work described herein consistent with applicable professional standards. The Consultant agrees to demonstrate knowledge of, and performance in compliance with the standard construction practices of the Department; the construction contract, proposal, and plans; the Standard Specifications for Construction and applicable publications referenced within; the Michigan Construction Manual; the Density Control Handbook, the Materials Sampling Guide; the Materials Source Guide, the Materials Quality Assurance Procedures Manual; and all other references, guidelines, and procedures manuals needed to carry out the work described herein in an appropriate manner.

The Consultant will notify the PM, in writing, prior to any personnel changes from those specified in the Consultant's original approved proposal. Any personnel substitutions are subject to review and approval of the PM.

The Consultant shall withdraw any personnel or halt any services no longer required, at the request of the Department, or within a reasonable amount of time after the lack of need becomes apparent to the Consultant or Project Manager.

At the request of MDOT, the Consultant shall furnish information or data relating to the Services described herein that may be required by MDOT to enable it to carry out or to proceed with related phases of the Project not described herein.

All materials submitted in response to this RFP become the property of MDOT, proposals and supporting materials will not be returned to the consultants. MDOT reserves the right to reject any or all proposals.

The Project Manager will contact the Consultant by providing a draft Work Order and scope of work. The Work Order and scope will state the MDOT Job Number and Control Section, location, the project description, the services needed, and the timeframe in which the work shall be required for completion. It will also state the required secondary classifications, if applicable. It is expected that the HSR projects will be on an expedited procurement schedule and the Consultant is required to provide adequate staffing to meet or exceed the required schedule.

The Consultant will respond to the draft Work Order with a Statement of Work (SOW), usually within one or two business days, as defined in the request. MDOT will review the SOW and work with the Consultant to determine the level of effort and staff required to complete the work on each Work Order.

The SOW will provide the following to the Project Manager:

1. The names of all Consultants' personnel, including Key Staff, chosen and available to provide the defined service.
2. The names of the subconsultants and their personnel.
3. Provide which firms are performing which prequalification classifications.
4. A plan detailing how the service will be delivered and kept on schedule. Include level of MDOT involvement and estimated date for milestone events.
5. A priced proposal in accordance with current requirements.
6. A conflict of interest statement covering the prime and subconsultant for the project.
7. Define what is needed from MDOT and when it is needed to meet the schedule.

Every attempt will be made to submit requests as early as possible prior to the start of service. If requested by MDOT or the Consultant, a meeting can be set up between MDOT and the Consultant to review the information in the Work Order and the Consultant's proposal.

MDOT reserves the right to grant the final Work Order based on the Consultant's understanding of the specific project tasks and personnel. If the Consultant is unable to fulfill a request, or if an agreement on price cannot be reached, MDOT may utilize a different Consultant.

The specific projects to be worked on will be at the direction of the MDOT PM. All invoices submitted by the Consultant will be detailed to show: project control section, job number, dates, and hours for each employee. Employee hours are to be broken down on a weekly basis indicating regular and overtime hours, if applicable, for each employee.

The Consultant shall furnish all services and labor necessary to conduct and complete the as-needed construction engineering services described herein.

The Consultant shall be responsible for all decisions made by their employees, or any subconsultant, on this project. If the Consultant, or any subconsultant, makes an error or judgment, which results in increased project costs to the Department, the Consultant may be back charged for this cost to the project. Contact between the Department and the Consultant shall be made as soon as an error has been discovered, and a meeting shall be scheduled to discuss the error.

#### **CONSULTANT RESPONSIBILITIES:**

- A. **Inspectors:** Provide full and part time inspectors for the projects consistent with the FRA, FHWA, and the Department's applicable practices. The inspectors shall

be technically qualified and experienced personnel to perform the services required under the Agreement. MDOT may have Consultant and MDOT staff working on the same project.

B. **Concrete Testing:** Inspectors may be required to perform concrete quality assurance testing and/or verification testing on any project they are performing inspection duties. An available Consultant employee shall be certified as a Concrete Technician Michigan Level I through a program certified by Michigan Concrete Association Board of Examiners or the Michigan Concrete Paving Association.

C. **Environmental Issues:**

**1. Soil Erosion and Sedimentation Control:** Have a thorough working knowledge of the Department's SESC Manual and other contract documents regarding soil erosion and sedimentation control. Assign personnel that possess a current SESC training certificate and NPDES construction stormwater operator certification to perform inspection on areas where soil erosion and sedimentation controls are needed. Ensure that a person in possession of a current SESC training certificate is onsite at all times during normal working hours and available to meet with MDEQ personnel who may visit the site. Request that the MDEQ personnel provide a copy of any inspection report that may be generated as a result of the visit to the Project Manager.

Perform inspection of the construction site to assure that specified soil erosion and sedimentation controls are installed correctly, performing as intended, and maintained daily. Provide recommendations to the Project Manager for modification of the control measures shown on the plans as may be required to improve their effectiveness. Immediately report to the Project Manager any deficiencies in the soil erosion and sedimentation control measures or non-compliance by the Contractor with the specifications governing soil erosion and sedimentation control. If corrective action is necessary, document the action and the required timeframe for completion. Follow up to document that the action is completed within the statutory and/or MDOT-specified timeframes. Report the Contractor's failure to complete the corrective actions within the required timeframe to the Project Manager.

**2. Storm Water Management:** Have a thorough working knowledge of the Department's Storm Water Management Plan. Perform inspection of the construction site to ensure that the Contractor's operation is following pollution prevention and good housekeeping best management practices conforming to the Department's Storm Water Management Plan. Notify the Project Manager immediately of the occurrence of, or potential for, release of polluting material to the ground, groundwater, surface water, or storm water drainage system including open ditches, culverts, and enclosed storm sewers.

- 3. Environmental Permits:** Have a thorough working knowledge of the construction requirements of all project specific environmental permits issued to MDOT by the MDEQ Land & Water Management Division, US Corp of Engineers, or other permitting agency. Inspect project areas covered by these permits and assure that the Contractor complies with the permit requirements. Report to the Project Manager any potential for or occurrence of violation of these permits. Fully document all site conditions and actions taken regarding potential or actual violations of the permit requirements.
- 4. Inspection Reports:** Complete inspection reports, including but not limited to, Inspector's Daily Report (Form 1122 or equivalent) and NPDES/SESC Inspection Report (Form 1126), as necessary to fully document all site conditions and any corrective action required and completed related to environmental issues. Provide digital photos as necessary to document conditions and all corrective actions.
- D. **Coordination:** Provide appropriate coordination and contact, public relations, and cooperation with affected local, state, and/or federal agencies including the Department personnel, FRA, FHWA, FTA; other Consultants, and other Contractors; the general public; utilities and railroad companies; and local police, fire, and emergency services which may be affected by the project as required by the PM. The Consultant will be expected to arrange and conduct various meetings and prepare and distribute the meeting minutes.
- E. **Special Inspection:** Perform special inspections within the influence areas of construction projects as requested by the PM. Any deficiencies shall be reported to the PM with recommendations of any resolution.
- F. **Progress:** Keep daily diaries, sketches, logs, photographs, and records consistent with Department practice as may be needed to record the Contractor's progress. Notify the PM of any anticipated Contractor's claim proposals or requests for extensions of time. Notify the PM upon receipt of any issues, claim proposals, or requests for extensions of time.
- G. **Changes/Extras/Adjustments:** Notify the PM immediately of any unanticipated project conditions and any changes, extras, or adjustments to the contract and assist in developing Work Orders and/or Contract Modifications for signature by the PM. Technicians shall be prepared to provide forms of written documentation to Contractors on site to document changes within the authority of an inspector.
- H. **Contentious Issues:** Communicate with the PM or designated MDOT employees and document any problems, issues, discrepancies, or other items brought to the attention of the Consultant by the Contractor. Provide written recommendations to the PM for the resolution of these issues.
- I. **Consultant Deliverables:** Collect, properly label or identify, and deliver to the Department any original diaries, logs, notebooks, accounts, records, reports, as

constructed plans, photographs, other documents, and project files prepared by the Consultant in the performance of the Agreement, upon completion or termination of the Agreement. Upon completion or termination of the Agreement, return Specifications, Manuals, guides, written instructions, construction contracts and plans, unused forms, and any other documents and materials furnished by the Department. The Consultant may be responsible for replacing lost documents or materials at a fair and reasonable price.

- J. **Equipment:** The Consultant shall be required to furnish laptop computers for employees as deemed necessary by the PM, to perform the services as listed above. The Consultant is expected to provide their personnel with cellular phones.
- K. **Quality Assurance/Quality Control Reviews:** The Consultant shall be expected to collect copies of tests or reports and conduct random quality reviews of documents generated by the Consultant team. All original tests and reports shall be provided directly to the Department. This work requires part-time review by the project engineer or experienced technician. The Prime Consultant shall coordinate and obtain the approval of the PM on the type and amount of tests or reports to be reviewed.

#### **PROJECT INSPECTION:**

- A. **Ongoing Inspection:** Provide as-needed inspection of construction work, provide quality control, and confirm substantial conformance with the Specifications, Plans, and Proposal. Arrange with the PM for non-compliance work to be made whole by the Contractor or to find the non-compliance work acceptable to the Consultant. Inform the PM of non-compliance work and trends toward borderline compliance.
- B. **Final Inspection:** Make a final inspection of work in conjunction with Department personnel or such portions thereof eligible for acceptance, as soon as possible after notification by the Contractor that the work is completed or after the Consultant's records show the work is completed. Notify the PM in writing of particular defects to be remedied, if work is not acceptable to the Consultant. Invite the PM and other department personnel, as directed by current Department policy, to participate in the final inspection.
- C. **Final Acceptance:** Ascertain that the projects have been performed in accordance with the plans and specifications, or such modifications thereof as may have been approved. Invite the PM and other Department personnel, as directed by current Department policy, to participate in the final acceptance.

#### **TESTING AND REPORTING:**

- A. **Material Testing and Density Control:** When applicable, sample and/or test materials as described in the 2012 Specifications for Construction, or per other

railroad standards and specifications. Immediately notify the PM of materials found to be in non-compliance, and work with the PM to determine corrective measures.

- B. **Material Certification:** When applicable, make certain that acceptable test reports and/or material certifications from the supplier have been received, prior to the incorporation of materials in the work, for materials tested off the project site.
- C. **Material Reports:** When applicable, submit material test reports, including but not limited to, the Inspector's Report of Concrete Placed 1174A, Aggregate Inspection Reports 1900 & 1901, Bituminous QA reports, Concrete QA reports, and the "Moisture and Density Determination, Nuclear Method", Form 582B, etc. to the distribution list within one day of the testing. The efficiency of the consultant in getting the "Moisture and Density Determination, Nuclear Method", Form 582B, copy to the Lansing, Density Technology Unit, 8885 Ricks Road, Lansing, MI 48909 will be measured by that unit and reflected on the consultant's evaluation.

The Consultant and any subconsultants contracted by the Michigan Department of Transportation (MDOT) to perform density testing services that use equipment regulated by the Nuclear Regulatory Commission (NRC) shall:

1. Possess a valid license issued by the NRC, or recognized Agreement State, for ownership and use of sealed sources contained within portable nuclear density gauges.
2. Provide the Radiation Safety Office (RSO) of MDOT with a copy of the aforementioned license.
3. Comply with all rules and regulations set forth by Title 10 (Energy) and 49 (Transportation).

Failure of any of the above will be found in noncompliance with the contract.

#### **MEASUREMENT, COMPUTATION, DOCUMENTATION OF QUANTITIES:**

- A. **Documentation:** Measure and compute quantities, and provide appropriate documentation of all materials incorporated in the work and items of work completed, and maintain an item record account using FieldManager software. The Consultant must obtain and be able to use the FieldManager Suite of Software for this project. Contact Info Tech, Inc. at (352) 381-4400 or fax (352) 381-4444 or ([www.fieldmanager.com](http://www.fieldmanager.com)) to obtain software and information on training. Since this software will be used on all MDOT projects in the future, the cost of this software cannot be charged as a direct expense for this project. Consultants must keep their version of the FieldManager Suite of software current with the version being used by MDOT. The Consultant may be required to utilize FieldBuilder to document and track construction activities.

- B. Insufficient Tested Materials:** Track insufficient tested materials and notify the PM on a bi-weekly basis.
- C. Maintain As-Constructed Plans:** Update plans for the projects, showing any field changes, final utility locations, substantial quantity changes, etc. The Consultant may be required to develop and/or review As-Constructed Plan information. The PM shall be contacted to determine which projects require the as-constructed plans and to coordinate the level of work required for each project.

**REPORTING AND RECORD KEEPING:**

- A. Reports-Consultant Generated:** Prepare such periodic, intermediate, and final reports and records as may be required by the Department and as are applicable to the project.
- B. Reports-Contractor Generated:** Provide the PM and assist in the review, process, and/or approve Construction Contractor submittal of records and reports required by the Department as applicable to the project.
- C. Project Files:** Project files shall be maintained in accordance with applicable procedures. Project files may be maintained by MDOT or the Consultant, as determined by the PM. The Consultant will provide all necessary files to the Department personnel if the Department will maintain project files.

**CLOSING/FINALING ALL PROJECT DOCUMENTATION:**

- A. Final Measure and Summarize:** Final field measure applicable items of work. Prepare final summaries for applicable items of work.
- B. Project Review/Certification:** Participate in and make recommendation to resolve items determined to be insufficient during the Department's review(s) of project records prior to submittal of the Final Estimate.
- C. Final Documents:** Assist the Department in preparing the Final Estimate, Final Quantity Sheets, and Final As-Constructed Plans.

**CONFIDENTIAL INFORMATION:**

Consultant's reports and conclusions are for the confidential information of the State of Michigan and you will not disclose these conclusions, in whole or in part, to any unauthorized person without the prior written consent of the PM. Confidential information shall not include information (a) already lawfully known to or independently developed by you, (b) disclosed in published materials, (c) generally known to the public, (d) lawfully obtained from any third party, or (e) required to be disclosed by law.

**CONFLICT OF INTEREST AND OTHER CONDITIONS OF THE CONSULTANT CONTRACT:**

The Consultant agrees that it and its affiliates will not have and will not acquire, either directly or indirectly, any public or private interest in connection with this project that would conflict or appear to conflict in any manner with the performance of the services under this contract. "Affiliate" means a corporate entity linked to the Consultant through common ownership. The Consultant agrees that it and its affiliates will not provide any services to a contractor or any entity that may have an adversarial interest in a project for which it has provided services to MDOT. In all situations, MDOT will determine if a conflict of interest exists. If MDOT determines that a conflict of interest exists, it will inform the Consultant (and its affiliates). If the Consultant and its affiliates choose to retain the interest constituting the conflict, MDOT may terminate the contract for cause.

In addition to work products described in the RFP, all reports prepared by the Consultant, including all graphics and texts, as instruments of service, and all data collected as part of this project or furnished by MDOT, together with all computer generated disks, tapes, summaries, and charts derived there from, are all property of MDOT. All materials will be delivered in an electronic format that is useful to all parties.

**DELIVERABLES:**

Deliverables will be defined in each Work Order.

**PROJECT MANAGEMENT:**

This project will require close interaction and good communication between the Consultant and MDOT. If there are any major deviations from the original scope of this assignment, those changes must be documented and jointly approved by the Consultant and MDOT. Project management documentation and meetings will be held with MDOT leadership to assure the on-time creation of the deliverables.

The Consultant shall provide all necessary project management services, including progress reports, developing and maintaining a project schedule, and providing invoices in a timely manner.

**MEETINGS:**

The Consultant shall arrange and conduct conferences and meetings requested by the PM. The Consultant shall record and submit type-written minutes for all project-related meetings to the PM within two weeks of the meeting. The Consultant shall also distribute the minutes to all meeting attendees and any other individuals identified by the PM.

There will be periodic, regular meetings between MDOT and the Consultant to assure the on-time creation of the deliverables. These meetings will provide for the review of the work product and to communicate progress, real or anticipated issues, ideas, and expectations.

## **REPORTS:**

The Consultant must submit written monthly summaries or progress reports that outline: work accomplished during the reporting period; work to be accomplished during the subsequent reporting period; problems, real or anticipated, which should be brought to the attention of the PM; and any significant deviation from the previously agreed upon work plans. All areas requiring a decision that pertain to this contract must be reviewed in detail with the PM prior to any final decision. Each monthly progress report will contain the following:

1. **Project schedule status:** Identify if the project is on schedule or if there is any deviation from the previously agreed upon schedule. If the project has deviated from the previously agreed upon schedule, identify the reason for deviation and areas affected by the deviation. Identify in detail the steps that will be taken to resolve the deviation. Also specify any schedule adjustments that have resulted from the deviation.
2. **Activities of the past month:** Summarize the actions taken and progress made on the project during the past month.
3. **Activities of the following month:** Summarize the actions planned for the following month in order to meet the project delivery and performance schedule requirements.
4. **Issues:** Identify problems, difficulties, either anticipated or encountered, and suggested solutions.
5. **Resolution of prior issues:** Identify resolutions to issues identified in previous progress reports.
6. **Additional Summaries and Conclusions:** The Consultant will provide an evaluation of the services performed

## **PROJECT DOCUMENTATION:**

This project is critical to MDOT, and as such, the results, conclusions, and lessons learned from this project may need to be documented and disseminated. The selected Consultant may be required to prepare a significant amount of documentation for each task as well as maintain close coordination with the Director's Leadership Team. The selected firm shall provide general descriptions of work completed, findings, conclusions, recommendations, and lessons learned for each project task/phase.

In addition to the requirements above, final project documentation will include an executive summary, description of work, specific findings, and recommendations for any future efforts' regarding MDOT's transportation services provided.

All documentation and reports shall be delivered in Microsoft Word. All documentation delivered shall be clear, concise, complete, and in compliance with standards required by the PM.

**MDOT RESPONSIBILITIES:**

- A. The Project Manager will assign and coordinate work for each Work Order.
- B. The Project Manager shall furnish to the Consultant the available project-specific contracts, proposals, plans, plan revisions, written instructions, and other information and/or data as deemed necessary by the Project Manager for the services required herein.
- C. The Project Manager shall provide general monitoring and quality auditing inspection of the project to assure that the project has been completed in reasonable conformance with the Work Order.

**ANTICIPATED WORK HOURS:**

The total anticipated hours for this contract is 8,000 over the life of the contract.

**CONSULTANT PAYMENT – Actual Cost Plus Fixed Fee:**

Compensation for this project shall be on an **actual cost plus fixed fee** basis. This basis of payment typically includes an estimate of labor hours by classification or employee, hourly labor rates, applied overhead, other direct costs, subconsultant costs, and applied fixed fee.

All billings for services must be directed to the Department and follow the current guidelines. The latest copy of the "Professional Engineering Service Reimbursement Guidelines for Bureau of Highways" is available on MDOT's website. This document contains instructions and forms that must be followed and used for billing. Payment may be delayed or decreased if the instructions are not followed.

Payment to the Consultant for services rendered shall not exceed the maximum amount unless an increase is approved in accordance with the contract with the Consultant. Typically, billings must be submitted within 60 days after the completion of services for the current billing. The final billing must be received within 60 days of the completion of services. Refer to your contract for your specific contract terms.

Direct expenses, if applicable, will not be paid in excess of that allowed by the Department for its own employees in accordance with the State of Michigan's Standardized Travel Regulations. Supporting documentation must be submitted with the billing for all eligible expenses on the project in accordance with the Reimbursement Guidelines. The only hours that will be considered allowable charges for this contract are those that are directly attributable to the activities of this project.

The use of overtime hours is not acceptable unless prior written approval is granted by the MDOT Region Engineer/Bureau Director and the MDOT Project Manager. Reimbursement for overtime hours that are allowed will be limited to time spent on this project in excess of forty hours per person per week. Any variations to this rule should be included in the priced proposal submitted by the Consultant and must have prior written approval by the MDOT Region Engineer/Bureau Director and the MDOT Project Manager.

The fixed fee for profit allowed for this project is 11.0% of the cost of direct labor and overhead.

This scope is for “as needed” services. As such, the hours provided are only an estimate. The Consultant will be reimbursed a proportionate share of the fixed fee based on the portion of the authorized total hours in which services have been provided to the Department. The fixed fee allowed for this project will be 11.0%. Fixed fee on “as needed” projects is computed by taking the percent of actual labor hours invoiced to labor hours authorized, then applying that percentage to the total fixed fee authorized.