

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

MDOT PROJECT MANAGER Brenda O'Brien			JOB NUMBER (JN) Various	CONTROL SECTION (CS) Various
DESCRIPTION IF NO JN/CS Engineering Assistance in the area of construction administration and documentation policies, procedures, and practices.				
<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				
<input type="checkbox"/> <b>TIER I</b> (\$25,000-\$99,999)	<input checked="" type="checkbox"/> <b>TIER II</b> (\$100,000-\$250,000)	<input type="checkbox"/> <b>TIER III</b> (>\$250,000)		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Understanding of Service	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Innovations</i>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Safety Program</i>	
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Organization Chart	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Qualifications of Team	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Past Performance	
Not required as part of official RFP	Not required as part of official RFP	<input type="checkbox"/>	Quality Assurance/Quality Control	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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	<input type="checkbox"/>	Presentation	
N/A	N/A	<input type="checkbox"/>	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)	Total maximum pages for RFP <b>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 9/30/09      THROUGH 12/31/09

**Prequalified Services** – See page 1 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 Required with Proposal)**

**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 4	PROPOSAL/BID DUE DATE 12/18/09	TIME DUE 2:00pm
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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

Brenda J. O'Brien, P.E.  
Engineer of Construction & Technology  
P.O. Box 30049  
Lansing, MI

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

Lansing Regular Mail	OR	Lansing Overnight Mail
<input checked="" type="checkbox"/> 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
<input type="checkbox"/> 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
- 5100G** – Certification of Availability of Key Personnel
- 5100I** – Conflict of Interest Statement
- 5100J** - Consultant Data and Signature Sheet (Required only for Non-Prequalified Work)

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

## **Notification**

### **ARRA MONTHLY EMPLOYMENT REPORTS**

**Note: This Notification is only applicable for those projects/contracts funded with ARRA funds. If you have questions, please contact MDOT Contract Services Division at (517) 335-0071.**

The American Recovery and Reinvestment Act of 2009 (ARRA), requires states receiving stimulus funds for highway projects to provide monthly reports to the Federal Highway Administration (FHWA) regarding the number of employees of prime contractors, all-tier subcontractors and consultants on ARRA funded projects.

The cost for complying with this Notification must be borne by the prime contractor, and all-tiers of subcontractors and consultants, as part of their overhead and is deemed to be included in the payments made under this contract.

Within 10 days after the end of each month in which work is performed on this contract, all prime contractors, and all-tier subcontractors and consultants, must provide the Engineer a monthly report on form FHWA-1589 (<http://www.fhwa.dot.gov/economicrecovery/reportingforms.htm>) providing employment information on each ARRA project, which will include, for work performed in that preceding month:

- The total number of employees who performed work on this contract
- The total number of hours worked by employees who performed work on this contract
- The total wages of employees who performed work on this contract

In addition, the prime contractor must provide a total payment amount made to any subcontractor who is a certified DBE in that preceding month.

This Notification shall be included as a part of each subcontract executed by the prime contractor, and all-tiers of subcontractors and consultants.

If necessary to conform to guidance provided by FHWA concerning the ARRA reporting requirements, the prime contractor, and all-tiers of subcontractors and consultants will revise their reporting as directed by the Engineer.

**Failure to comply with the reporting requirements under ARRA would jeopardize the Department's continued receipt of ARRA funding.**

**Accordingly, if a contractor or any-tier of subcontractor or consultant fails to comply with this Notification, the Department may withhold contract payments until compliance is achieved. If the Department is compelled to incur costs because of such a breach, the amount of those costs may be deducted from payments otherwise to be made under this contract. Additional sanctions may include reduction or elimination of prequalification ratings and removal of bidding privileges.**

**NOTIFICATION**  
**REQUIRED CONTRACT PROVISIONS TO IMPLEMENT AMERICAN**  
**RECOVERY AND REINVESTMENT ACT (ARRA) SECTIONS 902 AND 1515**

**Note: This Notification is only applicable for those projects/contracts funded with ARRA funds. If you have questions, please contact MDOT Contract Services Division at (517) 335-0071.**

In accordance with requirements under section 902 of the American Recovery and Reinvestment Act of 2009 (ARRA), the following language is made a part of this contract and is to be made a part of all tier subcontracts or consultant contracts:

The U.S. Comptroller General and his 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 pertain 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.

The Comptroller General and his representatives have the authority and rights provided under Section 902 of the ARRA with respect to this contract. As provided in section 902, nothing in section 902 shall be interpreted to limit or restrict in any way any existing authority of the Comptroller General.

In accordance with the requirements of section 1515(a) of the ARRA any representatives of the Inspector General have the authority:

- (1) to examine any records of the contractor or grantee, any of its subcontractors or subgrantees, or any State or local agency administering such contract, that pertain to, and involve transactions relating to the contract, subcontract, grant, or subgrant; and
- (2) to interview any officer or employee of the contractor, grantee, subgrantee or agency regarding such transactions.

Nothing set forth in section 1515 of the ARRA shall be interpreted to limit or restrict in any way any existing authority of an inspector general.

**Michigan Department of Transportation**  
**SCOPE OF SERVICE**  
**FOR**  
**“AS NEEDED” CONSTRUCTION SERVICES**  
Engineering and Technical Assistance

**CONTROL SECTION:**     Various

**JOB NUMBER:**        Various

**LOCATION:**            The work location for the Consultant’s staff will be in Lansing at the Secondary Complex, Construction & Technology building. MDOT will not pay any mileage for the Consultant to travel to and from work. MDOT will reimburse the Consultant if their staff drives their personal vehicle on specific work assignments. Direct expenses related to travel 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.

**WORK DESCRIPTION:**

Provide experienced personnel for “as needed” Engineering and Technical Assistance expertise for the Construction & Technology Division, Bureau of Highway Delivery.

Provide prevailing wage compliance oversight and investigations support as needed. This may include, but is not limited to conducting project records reviews related to prevailing wage requirements, project site visits, minimum wage rate interviews, contractor site payroll reviews, and preparation of reports for review and approval of the project manager or designated representative. Review prevailing wage laws and regulations and assist in developing procedures for prevailing wage compliance. Coordinate with the Attorney General, the OCA, FHWA, USDOL, and others as necessary. This may include attending meeting of the MDOT CPER Team and presenting investigation findings and recommendations. Duties may involve quality assurance statewide. Attend meetings with project level personnel, region and central office personnel, and others as necessary.

Full-time services will not be required at all times. This service is for “as-needed” engineering services, based on the intermittent needs of the department. The Consultant’s point of contact will be contacted with the requests for staff. Every attempt will be made to submit requests at least one week prior to the need for personnel, however it is expected that any request made will be complied with within a 48 hour period.

The Consultant will provide a registered professional engineer in the State of Michigan and experienced as necessary to perform the engineering services under the direction of the Project Manager or his/her designee.

**This solicitation may result in the selection of engineering services from one or more firms.**

**WORK HOURS:**

Total Anticipated Regular Hours = 1000

This could change depending on unanticipated needs of the Project Manager.

Work hours and assignments will be given to the Consultant staff by the Project Manager or other MDOT personnel from this office.

**BILLING NUMBER:**

Work under the contract will be billed under the Construction and Technology overhead number which will be provided at the award of the contract. Project related work will be billed to the Project.

**PRIMARY PREQUALIFICATION CLASSIFICATIONS:**

Engineering Assistance

Technical Assistance

**SECONDARY PREQUALIFICATION CLASSIFICATIONS:**

None

**ANTICIPATED START DATE:** March 2010

**ANTICIPATED COMPLETION DATE:** March 2012

**DBE REQUIREMENT:** N/A

**MDOT PROJECT MANAGER:**

Brenda O'Brien, P.E.

Engineer of Construction & Technology

P.O. Box 30049

Lansing Michigan, 48909

Phone: 517-322-1085

Fax: 517-322-5664

E-mail: obrienbj@michigan.gov

**GENERAL REQUIREMENTS:**

- A. The Consultant shall furnish all services and labor necessary to conduct and complete the work for the Services described herein. The Consultant will also furnish materials, equipment, supplies, and incidentals necessary to perform the Services (other than those designated in writing to be furnished by the Department). The Services will be performed to the satisfaction of the Department consistent with applicable professional standards.
- B. The Consultant's principal contact with the Department will be through the designated Project Manager, or her designee.

- C. The Services described herein are financed with public funds. The Consultant will comply with applicable Federal and State laws, rules, and regulations. The Consultant will perform field operations in accordance with MIOSHA regulations and accepted safety practices and will provide and wear personal safety equipment in accordance with MDOT policy while on any work site.
- D. The Consultant agrees to demonstrate knowledge of, and performance in compliance with, the standard construction practices of the Department; the project construction contract, proposal, and plans; the Standard Specifications for Construction and applicable publications referenced within; the Michigan Construction Manual; applicable Special Provisions; and all other references, guidelines, and procedures manuals needed to carry out the work described herein in an appropriate manner.
- E. The Consultant will notify the Project Manager, 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 Project Manager.
- F. The Consultant will provide the necessary personnel to adequately perform the requirements of this contract.
- G. At the request of the Department the CONSULTANT shall furnish any and all information or data relating to the services described herein. All work materials or products generated by the Consultant's staff while working for MDOT under this contract are the sole property of the Michigan Department of Transportation and must remain with the MDOT Construction and Technology upon termination of the contract.
- H. The Consultant must demonstrate extensive knowledge and experience with MDOT construction administration processes, procedures and systems. The Consultant must provide personnel assigned to the contract with lap top computers (or equivalent) with the most current Read Only Field Manager software.
- I. MDOT will not pay any mileage for the CONSULTANT to travel to and from work. MDOT will reimburse the CONSULTANT if their staff drives their personal vehicle on a specific work assignment during regular business hours. Direct expenses related to travel 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.

#### **CONSULTANT RESPONSIBILITIES:**

Provide as needed engineering assistance and technical expertise in the area of construction administration and documentation policies, procedures, and practices. This includes but is not limited to prevailing wage compliance, prompt payment, interpretation of federal and state regulations, construction contract administration processes and procedures, and construction administration resource materials including plans, proposals, specifications, and manuals.

1. Assist with the resolution of prompt payment issues by working with the Bureau of Finance, TSC's, Regions, CPER Team and others as needed; this may involve projects with consultant oversight and local agency projects.
2. Provide interpretation and analysis of federal and state regulations as they relate to construction administration practices.

3. Provide support and technical expertise in the area of construction contract administration. This may include, but is not limited to the analysis of construction related issues such as claims, the development of Bureau of Highway Instructional Memorandums, Construction Advisories, specifications, policies and procedures, and the development and delivery of training in areas of construction administration.
4. Provide support and technical expertise in the area of construction administration resource materials, including the plans, proposals, specifications, materials manuals and resource guides, and quality assurance manuals. Coordinate as needed with the appropriate department personnel.

### **MDOT RESPONSIBILITIES:**

- A. The Project Manager will furnish to the Consultant Project-specific construction contracts, proposals, plans, plan revisions, written instructions, manuals, procedures, Guidance Documents, and other information and/or data as deemed necessary for the Services required herein.
- B. The MDOT Project Manager shall provide leadership and guidance for the project to assure that all tasks have been completed in conformance with all MDOT requirements and applicable standards.
- C. The Project Manager shall also determine that the work performed to date by the Consultant for services rendered is reasonable and appropriate before approving the Consultant's requests for progress payments.
- D. Provide an MDOT workstation in the Construction & Technology building and access to the MDOT Construction Administration System or any other system required to perform the scope of services.

### **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.

**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. Fixed fee on “as needed” projects is computed by taking the percent of actual labor hours billed to labor hours authorized, then applying that percentage to the total fixed fee authorized.**

**The hours billed for inspectors will not begin until the inspectors report to the project site or to the project office.**