

REQUEST FOR PROPOSAL

Engineering Services for Infrastructure Improvements in the Town of Pulaski

Proposals Due May 26, 2021 at 3:00 pm

Legal Notice for Publication

REQUEST FOR PROPOSALS

Engineering Services for Infrastructure Improvements in the Town of Pulaski

The Town of Pulaski is seeking expressions of interest from consulting engineering firms who wish to be considered to provide professional services for design, bidding and contracting, construction admin, and inspection services. Planned improvements include a pump station, force main, gravity sewer, and related appurtenances. The design will also incorporate a one-million-gallon process wastewater storage tank on the site of a local industrial facility. Wastewater will be stored on site to aid in chemical treatment as well as provide storage capacity.

Proposals are due no later than May 26, 2021 at 3:00 pm.

Any proposals received after this deadline may be returned to the offeror unopened. The Town reserves the right to reject any and all proposals, and/or divide any project into sections.

A non-mandatory pre-proposal conference will be held in the Pulaski Train Depot on May 10, 2021 at 9:00 a.m.

The Town is an equal opportunity/affirmative action employer. The Town does not discriminate on the grounds of race, color, or national origin or against faith-based organizations.

Inquiries and requests for proposal packets should be addressed to:

Bill Pedigo
Town of Pulaski
42 1st Street NW
Pulaski, VA 24301
bpedigo@pulaskitown.org
(540) 994-8616

1. GENERAL

The Town of Pulaski is seeking expressions of interest from consulting engineering firms who wish to be considered to provide professional engineering services for design, bidding and contracting, construction admin, and inspection.

The project includes a pump station, force main, gravity sewer, and related appurtenances. The proposed improvements also include a one-million-gallon process wastewater storage tank, at a local industrial facility, that will allow processed wastewater to be stored on site to aid in chemical treatment as well as provide storage capacity for continued production in the event of problems in the downstream collection system.

The Town of Pulaski reserves the right to award multiple contracts, but may award one contract with multiple task orders for the scope of work, not to exceed two qualified prime consultant firms as a result of this Request for Proposal. The contract(s) will be negotiated and awarded in accordance with the procedure set forth in the current Manual for the Procurement & Management of Professional Services at the time of advertisement.

The Town of Pulaski reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with any qualified firm or to modify or cancel in part or in its entirety the Request for Proposal if it is in the best interest of Town of Pulaski to do so. This Request does not commit the Town of Pulaski to provide any payment for costs associated with the preparation of proposals submitted in response to this Request for Proposal.

The Town of Pulaski reserves the right to alter the project delivery method at any time during the contract period. Town of Pulaski will notify the consultant of such decision, revise the scope of services and respective man-hours. The change will be implemented utilizing an additional task order or supplemental agreement based on the contract type.

2. PROCUREMENT SCHEDULE

- Optional Pre-Proposal Conference – May 10, 2021 at 9:00 am
- Expression of Interest Due Date and Time – May 26, 2021, at 3:00 PM
- Submitting Firms Notified of Short List – June 1, 2021
- Interviews/Technical Presentations – June 8, 2021
- Final Consultant Selection – June 18, 2021

3. SCOPE

The project will consist of designing either alternative 2 or 2a from a preliminary engineering report / supplement dated 8-13-20 prepared by Hurt & Proffitt. Alternative 2 will consist of a pump station and a one-million-gallon storage tank to be constructed on or near the James Hardie Facility. This proposed pump station will convey the wastewater directly into the existing 24-inch force main which flows directly to pump station 4B. The one-million-gallon storage will provide reserve capacity in the event of failure at the station 4B. Other uses of the proposed storage facility will be future chemical treatment and flow equalization and should be designed as such. Alternative 2a is similar to 2, but the pump station/storage tank will be located at the existing Critzer pump station located approximately 3,000 feet to West of Alternative 2. Alternative 2a will still discharge into the same existing 24-inch force main which flows to station 4B. A design/

recommendation of these (2) options should be evaluated thoroughly. The selected firm shall work in conjunction with the established “Sulfate Committee” to evaluate any and all effects the proposed project will have on the formation of hydrogen sulfide in the collection system.

All procurement related questions or information should be directed to Bill Pedigo at (540) 994 - 8616 or email bpedigo@pulaskitown.org.

4. SELECTION CRITERIA

Proposals will be evaluated on the following criteria:

- Method and plan for providing services: 40 points
 - Understanding of Scope
 - Proposed approach
 - Organizational capability and capacity
- Qualifications and experience: 40 points
 - Firm qualifications in similar type of services
 - Team/Personnel’s qualifications in similar type of services
 - Familiarity coordinating design of utilities
- Fee for services and opportunity for business participation 20 points
 - Planned DBE/SWaM Involvement
 - Anticipated cost(s) to provide services

5. EXPRESSION OF INTEREST (EOI)

a. The Expression of Interest shall be organized in the following order:

- Transmittal letter
- Table of Contents
- Understanding of Scope of Work
- Proposed Project Approach with Schedule
- Estimated fee for services
- Resumes of Key Personnel and proposed team, including subconsultants (include an organization chart). All individuals identified as Key Personnel shall remain on the Consultant’s Team for the duration of the procurement process and, if the consultant is awarded a contract, the duration of the contract. If extraordinary circumstances require a proposed change, it must be submitted in writing to Town of Pulaski for approval, who, at its sole discretion, will determine whether to authorize a change. Unauthorized changes to the Consultant’s Team at any time during the procurement process may result in elimination of the Consultant’s Team from further consideration.
- Project Experience – provide not more than 6 comparable projects your firm has worked on in the last 10 years, include construction value, which team member worked on the project and completion dates.
- Full size copies of Commonwealth of Virginia SCC and DPOR supporting registration/licensing documentation for each firm.
- Certification Regarding Debarment form(s)
- Certification Regarding Lobbying, Form CD-511
- DBE Commitment and Confirmation Letter (if applicable)

It is the policy of the Department of Labor and **Town of Pulaski** that Disadvantaged Business Enterprises (DBE) as defined in 41 CFR Part 60-4 shall have the maximum opportunity to participate in the performance of federally funded consultant contracts. Goals for minority participation shall be as prescribed by Appendix B-80 of the Federal Register notice published October 3, 1980 at 45 Fed. Reg. 65984–65991, or any subsequently published amendments. The goals and timetables for minority and female participation may not be less than those published pursuant to 41 C.F.R. § 60-4.6.

A list of Virginia Department of Small Business and Supplier Diversity (DSBSD) certified DBE firms is maintained on their web site (<https://www.sbsd.virginia.gov/directory/>) under the **DBE Vendor Directory of Virginia Unified Certification Program**. Consultants are encouraged to take all necessary and reasonable steps to ensure that DBE firms have the maximum opportunity to compete for and perform services on the contract, including participation in any subsequent supplemental contracts. If the consultant intends to subcontract a portion of the services on the project, the consultant is encouraged to seek out and consider DBE firms as potential subconsultants. The consultant is encouraged to contact DBE firms to solicit their interest, capability and qualifications. Any agreement between a consultant and a DBE firm whereby the DBE firm promises not to provide services to other consultants is prohibited. The DBE goal for this project aligns with the national goal of 10 percent; however, the Town of Pulaski may consider contracts with goals above or below 10 percent, except to the extent the Secretary determines otherwise.

If portions of the services are to be subcontracted to a DBE or SWaM, the following needs to be submitted with your EOI and both must reference the project number(s) for the services:

- Written documentation of the prime’s commitment to the DBE or SWaM firm to subcontract a portion of the services, a description of the services to be performed and the percent of participation.
- Written confirmation from the DBE or SWaM firm that it is participating, including a description of the services to be performed and the percent of participation.

Any DBE or SWaM firm must become certified (with the Virginia Department of Small Business and Supplier Diversity) prior to your response being submitted. If DBE or SWaM firm is the prime consultant, the firm will receive full credit for planned involvement of their own forces, as well as the work that they commit to be performed by DBE or SWaM subconsultants. DBE or SWaM prime consultants are encouraged to make the same outreach efforts as other consultants. DBE or SWaM credit will be awarded only for work actually being performed by them. When a DBE or SWaM prime consultant subcontracts work to another firm, the work counts toward DBE or SWaM goals only if the other firm is itself a DBE or SWaM. A DBE or SWaM prime consultant must perform or exercise responsibility for at least 30% of the total cost of its contract with its own force.

The Town of Pulaski, Virginia, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

- b. Give names and detailed addresses of all affiliated and/or subsidiary companies. Indicate which companies are subsidiaries. If a situation arises in responding to this questionnaire where you are unsure whether another firm is or is not an affiliate, doubt should be resolved in favor of affiliation and the firm should be listed accordingly.

Affiliate - Any business entity which is closely associated to another business entity so that one entity controls or has the power to control the other entity either directly or indirectly; or, when a third party has the power to control or controls both; or where one business entity has been so closely allied with another business entity through an established course of dealings, including but not limited to the lending of financial wherewithal, engaging in joint ventures, etc. as to cause a public perception that the two firms are one entity. Firms which are owned by a holding company or a third party, but otherwise meet the above conditions and do not have interlocking directorships or joint officers serving are not considered affiliates.

A firm (prime) shall not submit more than one Expression of Interest (EOI) in response to this Request for Proposals (RFP). If more than one EOI is submitted by an individual, partnership, Corporation, or any party of a Joint Venture, then all EOIs submitted by that individual, partnership, Corporation, or any party of a Joint Venture shall be disqualified. If more than one EOIs are submitted by an affiliate, or subsidiary company of an individual, partnership, Corporation, or any party of a Joint Venture, then all EOIs submitted by that individual, partnership, Corporation, or Joint Venture shall be disqualified.

- c. Provide information that will indicate your firm's ability to meet the time schedule for this project. Design must be complete within 6 months of contract award.
- d. Provide information on your firm's qualifications in successfully completing other projects of a similar nature.
- e. A project approach discussion is required for this project. Please highlight any challenges or opportunities you foresee in the project design and construction.
- f. Please indicate, by executing and returning the attached Certification Regarding Debarment forms, if your firm, subconsultant, subcontractor, or any person associated therewith in the capacity of owner, partner, director, officer or any position involving the administration of Federal or State funds:
- Is currently under suspension, debarment, voluntary exclusion or determination of ineligibility by any federal agency.
 - Has been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years.
 - Does have a proposed debarment pending; or has been indicted, convicted, or had a civil judgment rendered against it or them by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

Any of the above conditions will not necessarily result in denial of award, but it will be considered in determining offeror responsibility. For any condition noted, indicate to whom it applies, initiating agency, and dates of action. Providing false information may result in Federal criminal prosecution or administrative sanctions.

- g. Each business entity (prime and subconsultants) on the proposed team who is practicing or offering to practice professional services in Virginia, including, but not limited to, those practicing or offering to practice engineering, surveying, hydrologic and hydraulic analysis, geotechnical analysis and landscape architecture, should provide evidence including full size copies of appropriate commercial professional registrations and licenses for all main and branch offices proposed for this Project, as well as providing full size copies of appropriate individual registrations/licenses for those professional occupations per the requirements listed below. The EOI should convey the requested information for each regulant by the use of a concise table or matrix. (All full size copies of the Commonwealth of Virginia State Corporation Commission (SCC) and Department of Professional and Occupational Regulation (DPOR) supporting registration documentations should be included in the EOI and will not be counted towards page restriction):
- The Commonwealth of Virginia SCC registration detailing the name, registration number, type of corporation and status of the business entity.
 - For this Project/Contract, the Commonwealth of Virginia DPOR registration information for each office practicing or offering to practice any professional services in Virginia: Provide the business name, address, registration type, registration number, expiration date.
 - For this Project/Contract, the Commonwealth of Virginia DPOR license information for each of your Key Personnel practicing or offering to practice professional services in Virginia: Provide the name, the address, type, the registration number, and the expiration date. Provide the office location where each of the Key Personnel is offering to practice professional services.
 - For this Project/Contract, the Commonwealth of Virginia DPOR license information for those services not regulated by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects (e.g. real estate appraisal): the business name, the address, the registration type, the registration number, and the expiration date.

Failure to comply with the law with regard to those requirements in Virginia (whether federal or state) at the time of the EOI submittal regarding your organizational structure, any required registration with governmental agencies and/or entities, and any required governmental licensure, whether business, individual, or professional in nature may render your EOI submittal(s), in the sole and reasonable discretion of the Department, non-responsive and in that event your EOI submittal(s) may be returned without any consideration or evaluation.

6. ADMINISTRATIVE NOTES

- a. Prior to the time of submittal of the EOI, all business entities, except for sole proprietorships, are required to register with the Virginia State Corporation Commission. Information about entity formation can be found at <https://www.scc.virginia.gov/default.aspx>. Foreign Professional corporations and Foreign Professional Limited Liability Companies (i.e., organized or existing under the laws of a state or jurisdiction other than Virginia) must possess a Commonwealth of Virginia Certificate of Authority from the State Corporation Commission to render professional

services. Any business entity other than a professional corporation, professional limited liability company or sole proprietorships that do not employ other individuals for which licensing is required must be registered in the Commonwealth of Virginia with the Department of Professional & Occupational Regulation <http://www.dpor.virginia.gov/>, Virginia Board for Architects, Professional Engineers, Land Surveyors and Landscape Architects (Board). Board regulations require that all branch offices of professional corporations and business entities located in Virginia, which offer or render any professional services relating to the professions regulated by the Board shall be registered as separate branch office with the Board. All offices, including branches, which offer or render any professional service, must have at least one full-time resident professional in responsible charge who is licensed in the profession offered or rendered at that office. All firms involved that are to provide professional services must meet these criteria prior to submitting an Expression of Interest to Town of Pulaski. Individual engineers shall meet the requirements of Chapter 4, Title 54.1 of the Code of Virginia.

- b. The Town will not consider for award any cost proposals submitted by any consultants and will not consent to subcontracting any portions of the contract to any subconsultants in violation of the provisions of the Federal Immigration Reform and Control Act of 1986, which prohibits employment of illegal aliens.
- c. The method of payment for this contract will be lump sum or an agreed maximum, and no part of the fees for other services will be based on a cost-plus-a-percentage-of-cost or a cost using a multiplier. For purpose of determining the fee, an overhead rate shall be established in compliance with cost principles contained in the Federal Acquisition Regulations (FAR) of Part 31 of Title 48 of the Code of Federal Regulations. The overhead rate shall be established by an audit by a cognizant government agency or independent CPA firm.
- d. All firms submitting Expressions of Interest (prime consultants, joint ventures and subconsultants) must have internal control systems in place that meet Federal requirements for accounting. These systems must comply with requirements of 48CFR31, "Federal Acquisition Regulations, Contract Cost Principles and Procedures," and 23CFR172, "Administration of Negotiated Contracts."
- e. Records Exclusion from Public Disclosure: Pursuant to the provisions of §2.2-3705.6 (22) of the Code of Virginia, trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), including, but not limited to, financial records, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, and revenue and cost projections supplied by a private or nongovernmental entity to the Inspector General of Town of Pulaski for the purpose of an audit, special investigation, or any study requested by the Inspector General's Office in accordance with law may, subject to a determination by the Inspector General as described herein, be withheld from public disclosure under the Virginia Freedom of Information Act (FOIA).

Notwithstanding the foregoing, Contractor's failure to comply with the requirements stated herein and procedures established by the Inspector General for seeking an exclusion pursuant to §2.2-3705.6 (22) of the Code of Virginia shall result in a denial of the exclusion.

Requests for exclusion that are submitted after data or other materials for which protection is sought have been submitted will be denied.

If litigation directly or indirectly results from or arises out of a granted exemption, the contractor will be responsible for all litigation costs incurred by contractor and/or **Town of Pulaski** associated with such litigation. In no event shall Town of Pulaski or its officers, employees or agents be liable to the contractor as a result of any disclosure of records or data collected by Town of Pulaski, its officers, employees or agents, pursuant to an audit, special investigation, or any study requested by the Inspector General's Office, whether or not the Inspector General has determined that the requested exclusion from disclosure under FOIA is necessary to protect the trade secrets or financial records of the private entity, and in no event shall Town of Pulaski, or its officers, employees, or agents be liable to the contractor for any damages or other claims arising directly or indirectly from a determination that the exclusion from public disclosure will not be granted.

- f. **Electronic EOI submittals are encouraged for this EOI, with the entire submittal in a single cohesive PDF file.** Submittals shall be prepared simply and economically, providing a straightforward, concise description of the firm's capabilities to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of content. Elaborate brochures and other representations beyond that sufficient to present a complete and effective proposal are neither required nor desired. **All information should be submitted electronically [as a PDF] to the Town of Pulaski's Engineer email (bpedigo@pulaskitown.org) and received no later than 3:00 PM (local time prevailing) on May 26, 2021. Responses received after this time will not be considered.** All text in the PDF file shall be searchable using Adobe Acrobat software except within illustrations and scanned registration documents. Submission should not exceed 10 MB's. The firm is responsible to confirm receipt.
- g. Town of Pulaski assures compliance with Title VI of the Civil Rights Act of 1964, as amended. This requirement applies to all consulting firms when the contract amount equals or exceeds \$10,000.
- h. Town of Pulaski does not discriminate against an offeror on the ground of race, color, , or any other basis prohibited by state law relating to discrimination in employment.
- i. Any offeror who desires to protest the award of a contract shall submit such protest in writing to the Town, no later than ten (10) days after the announcement of the award. Public announcement of the award shall be posted on the Town's internet site.
- j. USDOT Order 1052.2 Appendix A - During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:
 1. **Compliance with Regulations:** The contractor shall comply with the Regulation relative tonondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *(Recipient)* or the *(Name of Appropriate Administration)* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the *(Recipient)*, or the *(Name of Appropriate Administration)* as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the *(Recipient)* shall impose such contract sanctions as it or the *(Name of Appropriate Administration)* may determine to be appropriate, including, but not limited to: (a.) withholding of payments to the contractor under the contract until the contractor complies, and/or (b.) cancellation, termination or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such action with respect to any subcontract or procurement as the *(Recipient)* or the *(Name of Appropriate Administration)* may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the *(Recipient)* to enter into such litigation to protect the interests of the *(Recipient)*, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Attachments

Certification Regarding Lobbying, Form CD-511

Certification Regarding Debarment – Primary Covered Transactions

Certification Regarding Debarment – Lower Tier Covered Transactions

Good Faith Effort

Consultant Short List Score Sheet

Project Location Map

Project Design Concepts Map