

CSJ 0902-90-144

Request for Qualifications

FOR

Professional Engineering Consultant Services

FOR

FAIRWAY DRIVE IMPROVEMENTS

Between SH 26 and Marina Drive

CITY OF GRAPEVINE

TEXAS

Bryan Beck, P.E.

Director of Public Works

Prepared by:

The City of Grapevine

Department of Public Works

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REQUEST FOR QUALIFICATIONS (RFQ) TO CONTRACT FOR SPECIFIC DELIVERABLE CONTRACTS FEDERAL PROCESS - WITH DBE GOAL

The City Grapevine (City) intends to enter into a specific deliverable contract with a prime provider pursuant to Texas Government Code, Chapter 2254, Subchapter A, and 43 Texas Administrative Code (TAC) §§9.30-9.42, to provide the following services described below.

Description of Services to be Provided:

The City of Grapevine's Department of Public Works is advertising for the following project:

Professional Services relating to the design and construction to widen Fairway Drive from SH 26 to Marina Drive from two lanes to three lanes with a new minimum ten (10) foot wide shared use path. This project is federally funded and is subject to the TxDOT review and approval process. The anticipated scope of services for this project shall include (but not be limited to) roadway alignment design, traffic signal design, on-street and off-street bicycle and pedestrian facility design, storm water analysis and design, boundary and topographic surveys, environmental analysis and design, geotechnical exploration and design, public input meetings (per TxDOT procedures: <https://www.txdot.gov/inside-txdot/division/environmental/compliance-toolkits/public-involvement.html>), pavement design, construction phase assistance, and federal and/or state environmental permitting including USCOE permitting approval and USCOE Real Estate licensing. The design portion of this contract is anticipated to be completed within twenty-five (25) months of the execution of a contract for professional services and includes services through the TxDOT letting process. The construction assistance services are expected to last twelve (12) months and will commence following the assumed three (3) month TxDOT letting and award period.

For the purpose of this RFQ, the City will provide additional project information that will be available through the City of Grapevine's Public Works Department.

Statement of Qualifications (SOQ) Deadline and Submittal Information:

SOQs must be received prior to **2:00 p.m. CT, on Monday June 21, 2021.**

Any SOQs received after the deadline date and time shown above will not be considered.

SOQs will be accepted by one of the following methods:

Hand Delivery:

City of Grapevine
Public Works Department
Attention: Bryan Beck, P.E.
City Hall
200 S. Main St.
Grapevine, TX 76051

Mail:

City of Grapevine
Public Works Department
Attention: Bryan Beck, P.E.
P.O. Box 95104
Grapevine, TX 76099

SOQs will not be accepted by fax or electronic mail.

To verify that the SOQ was received, the provider may contact the following person by phone or email:

Carol Marchant
817-410-3134
cmarchant@grapevintexas.gov

Questions/Answers:

All questions shall be submitted in writing to Paul Lee, P.E., Grapevine Public Works Department by email at plee@grapevintexas.gov. The subject line shall include the project name and the words "Question submittal". **The deadline for questions is June 14, 2021 by 5:00PM, CT.**

Questions will be answered by June 16, 2021 at 5:00PM, CT, and posted at:

[www.grapevintexas.gov/City of Grapevine Public Works](http://www.grapevintexas.gov/City%20of%20Grapevine%20Public%20Works)

General Information:

There is no expressed or implied obligations for the City to reimburse responding firms for any expenses incurred in preparing responses to this request.

The City reserves the right to retain all responses and to use any ideas included in a response regardless of whether that response is selected. Submission of a response indicates acceptance by the firm of the conditions contained in this request for qualifications (RFQ), unless clearly and specifically noted in the response and confirmed in the contract between the City and the firm selected.

Debarment and Certification:

Each responding firm certifies by submission of their qualifications that neither it nor its principals are presently debarred, suspended, proposed of debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal, state or local department or agency.

Conflict of Interest:

The contract in this solicitation is subject to Texas Govt Code Sec. 2261.252(b), which prohibits the City from entering into contracts with certain private vendors in which certain City officers and employees have a financial interest. Each respondent shall include in its proposal a statement that it is not prohibited from entering into a contract with the City as a result of a financial interest as defined under Texas Govt Code Sec. 2261.252(b). (Reference the **Prime Provider Certification Statement** section of this RFQ for additional information, and for inclusion of the statement on the Statement of Qualifications (SOQ) - *Cover Page*. The City requires that its consultants and subconsultants be able to work solely in the City's interest, without conflicting financial or personal incentives. The City reserves the right to disqualify any prime provider or subprovider, or to place contractual limits on work or on personnel, if there is a conflict of interest that might affect or might be seen to affect the prime provider's or subproviders' duty to act solely in the interest of the City.

Proemployee. The conflict may arise between the provider's work under a contract entered as a result of this solicitation and a relationship involving the City, a construction contractor, another engineering firm, a materials testing firm, a third party affected by the project, a subprovider for any other consultant or contractor, or any other entity with an interest in a project on which work is performed under a contract entered as a result of this solicitation.

Texas Ethics Commission Requirement Notification:

In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a

governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

A signed and notarized Form 1295 shall be tendered to City by providers selected to receive a contract prior to contract execution. City will not evaluate the information provided, or respond to any questions on how to interpret the Texas Ethics Commission's rules.

For the purposes of complete the Form 1295, the entity's name is "The City of Grapevine": the contract Name and the description of goods and services is "City of Grapevine, Fairway Drive Improvements between SH 26 and Marina Drive".

For additional information, please reference the Texas Ethics Commission webpage at: <https://www.ethics.state.tx.us/tec/1295-Info.htm>

Senate Bill 252 and House Bill 89 Verification:

In compliance with Section 2270.002, Texas Government Code, and Chapter 2252, Subchapter F, Texas Government Code, the City may not award this contract to a bidder unless the bidder has provided to the City a completed, signed, and notarized "Verification of Compliance with Government Code Chapters 2252 and 2270" Form. The City shall provide said form to the apparent low bidder.

Evaluation Criteria:

SOQs submitted in response to this RFQ will be evaluated according to the criteria provided in the *Statement of Qualifications (SOQ) Submittal Format* of this document. Submittals that do not meet the requirements outlined in this RFQ, at the City's discretion, be deemed non-responsive.

Questions and Responses (Q&R):

Firms must respond to the questions stated in *Part 2: Questions & Responses (Q&R)*. Responses must be submitted on no more than ten (10) single sided pages. All other attachments do not count toward the ten (10) page limit. Formatting is left to the submitter's discretion, but all questions or parts of a question must be answered.

Responses are limited to the limits stated above. Responses to *Part 2: Questions & Responses (Q&R)* outside the limits stated above will not be evaluated. Additional pages will not be accepted, except for the parts 1, 3, and 4 listed under the section **SOQ Submittal Format**.

Any false statement provided by a firm may void the submitted response. The City may take any additional action provided by law regarding false statements submitted as part of the solicitation.

Precertification Requirements:

Task leaders must be precertified by TxDOT by the SOQ deadline date and time specified in this Solicitation. Precertification status of subprovider task leaders, by individual, can be verified through the CCIS database using the *Employee Precertification Categories* query tool with a CCIS employee sequence number.

https://www.dot.state.tx.us/des/ccis/Sign_On.htm

Annual Firm Renewal Requirement:

Annual renewal is governed by Section 9.33(i) of Title 43 in the Texas Administrative Code (TAC). The following is a summary of that requirement.

All precertified firms must complete the annual renewal process between January 1 and March 31 each year to maintain Active status for the firm. Active status is required for prime providers and subproviders with task leaders identified for standard work categories.

As applicable, firms must obtain Active status by the SOQ deadline date and time specified in this Solicitation.

Additional information on annual renewal for precertified firms is available on TxDOT's internet web site at:

<https://www.txdot.gov/business/consultants/architectural-engineering-surveying/precertification-renewal.html>

Administrative Qualification Requirements:

Administrative Qualification is governed by Section 9.35(b) of Title 43 in the Texas Administrative Code (TAC).

All firms providing engineering and design-related services must be administratively qualified with an effective rate by the SOQ deadline specified in this Solicitation; or be determined eligible by TxDOT's PEPS Division, Business Operations Center - Administrative Qualification Group to use the federal safe harbor rate, by the SOQ deadline specified in this solicitation.

Requirements are summarized on TxDOT's website, which includes a list of firms and their administrative qualification status. The website is found at the following location:

<http://www.txdot.gov/business/consultants/architectural-engineering-surveying/getting-started/administrative-qualification.html>

Administrative qualification information is for TxDOT use only. This information will only be released with the approval of the provider or as required by state or federal statute.

Prime Provider Certification Statements:

See the *Statement of Qualifications (SOQ) Cover Page* for certification information. The prime provider must certify that they meet the following requirements:

- The prime firm is registered or licensed with the Texas Board of Professional Engineers. If proposing as a joint venture, the requirement applies to each joint venture member and maintain status.
- The prime provider firm certifies that it is registered with the Texas Secretary of State office to do business in the State of Texas with the legal firm name as indicated on this form. If proposing as a joint venture, the requirement applies to each joint venture member.
- Individuals on the project team must be currently employed by either the prime provider or a subprovider firm that has been identified on the team.
- A Professional Engineer registered or licensed in Texas will sign and seal the work to be performed on the contract.
- The prime provider shall perform at least 30 percent of the contracted work with its own work force.
- Individuals on the team are not prohibited from entering into a contract with the City as a result of a financial interest as defined under Texas Govt Code Sec, 2261.252(b). (Reference the **Conflict of Interest** section of this RFQ for additional information.)

Project Manager Requirement:

The prime provider's project manager, as proposed in the SOQ, is required to be a registered Professional Engineer licensed in Texas by the SOQ deadline specified in this Solicitation. The project manager must be an employee of the prime provider.

Project Manager Commitment:

The City expects the prime provider to commit its project manager, as proposed in the SOQ, to the duration of the contract. The City further expects the project manager's commitment to the contract to include commitment as project manager to each work authorization without further delegation or substitution over the course of the contract.

In selecting a provider, the City evaluates the project manager's qualifications and skills against the specific requirements and unique demands of the contract. The project manager's commitment to the duration of the contract, therefore, is of key importance to the City. Project manager replacement on an active contract, while not strictly prohibited, will require the City's prior consent. Any such replacements will be subject to the terms of the agreement.

Joint Venture Requirements:

City allows joint ventures. Submittal of a joint venture proposal is at the discretion of the providers. A joint venture is considered the prime provider. All joint venture parties must be clearly identified. A single project manager must be identified on the *Project Team Composition (PTC)* form to represent the joint venture. The project manager must be an employee of one of the joint venture firms (the prime provider).

All joint venture parties will be required to sign the contract and take equal 100% responsibility for the contract. Refer to **Prime Provider Certification Statements** section for additional requirements.

E-Verify Certification:

In order to comply with Executive Order RP-80, the provider must certify that for all contracts for services, the provider will, to the extent permitted by law, utilize the U.S. Department of Homeland Security's E-verify system to determine the eligibility of:

1. All persons employed by provider during the term of the contract to perform duties within the State of Texas; and
2. All persons, including subcontractors, assigned by provider to perform work pursuant to the contract.

The attached City Contract Template reflects this certification.

Information on E-Verify can be found at the following link: <http://www.uscis.gov/e-verify>

Title VI Assurance:

The City, in agreement with the Texas Department of Transportation, and 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 providers 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 *Statements of Qualifications* 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.

Disadvantaged Business Enterprise (DBE) Goal:

It is anticipated this contract will include federal funds. The assigned DBE goal for participation in the work to be performed under this contract is estimated to be 5% of the contract amount.

The provider shall furnish evidence of compliance with the assigned DBE goal, or evidence of a good faith effort acceptable to the City to meet the assigned goal on the *Project Team Composition (PTC)* form. Firms listed in the PTC as DBE must be certified by the SOQ deadline specified in this solicitation. TxDOT maintains the Texas Unified Certification Program Disadvantaged Business Enterprise (TUCP DBE) Directory, which lists businesses alphabetically and by work category.

The DBE goal can be achieved through a DBE prime provider, or DBE subproviders.

Each subprovider listed to meet the assigned DBE subcontracting goal must be DBE-certified in North American Industry Classification System (NAICS) Code applicable to the type of service being offered by that firm. A subprovider not DBE-certified in the NAICS Code applicable to the type of service being offered will not be counted toward the assigned DBE subcontracting goal.

A DBE subprovider offering services included in this solicitation must be certified in the NAICS Code for the particular service(s) as shown below:

- Engineering: 541330
- Environmental: 541330 for Engineering Services or 541620 for Environmental Consulting Services
- Surveying: 541370 for Surveying and Mapping (except Geophysical)
- Subsurface Utility Engineering (SUE): 541330

Additional information on the NAICS Codes can be found at the following link, under the heading for Sector 541 – Professional Scientific and Technical Services:

<http://www.sba.gov/content/small-business-size-standards>

Federal Acquisition Regulation (FAR) Compliance:

All federally funded projects must comply with the Federal Acquisition Regulation standards. Since this project will be funded through federal and state funds compliance with FAR standards will be required. In order to be awarded this contract under this RFQ, the responding firm must have an indirect cost rate that has been updated on an annual basis in accordance with the consulting firm's annual accounting period and in compliance with Federal cost principals as outlined in 23 CFR Section 172.

Statement of Qualifications (SOQ) Submittal Format:

The prime provider must submit **six (6)** duplicate original SOQs. Each SOQ must be submitted with a binder. **One (1)** electronic copy of a PDF file shall also be submitted on a USB Flash Drive.

The SOQ submittal must consist of and is limited to the following parts in numerical order:

Part 1: SOQ Cover Page (*formatting is left up to the submitter*)

Part 2: Questions & Responses (Q&R) (*formatting is left up to the submitter, but must answer the questions below and is limited to no more than 10 pages*)

- **Project Manager and Project Team Capability and Experience (40 percent).** Are the skills, capabilities, and experience of the proposed project manager and key project team members sufficient to ensure success of the work? Was this information presented in the context of the team members' roles and responsibilities on the proposed project team? Does the firm exhibit its commitment to meeting or exceeding the DBE goal for this contract? A critical component of this project is understanding of TxDOT requirements for PS&E development and associated environmental review process for ensuring compliance with NEPA. What is the firm's TxDOT experience on similar Active Transportation projects that have been subject to this process? What is the firm's experience in roadway schematic design, traffic signal design, on-street and off-street bicycle and pedestrian facility design, storm water analysis and design, boundary and topographic surveys, environmental analysis and design, geotechnical exploration and design, public input meetings (per TxDOT procedures: <https://www.txdot.gov/inside-txdot/division/environmental/compliance-toolkits/public-involvement.html>), pavement design, construction phase assistance, and federal and/or state environmental permitting including USCOE permitting approval and USCOE Real Estate licensing. What is the firm's experience designing bicycle and pedestrian facilities, to include on-road bicycle routes? What is the firm's experience with developing construction budgets/costs according to TxDOT guidelines.

The scope of work will include, but is not limited, to the following items

- 1) Preliminary design and engineering work,
- 2) Construction documents development work, including providing stamp/sealed set of plans and specifications,
- 3) Preparing and updating of cost estimates
- 4) Acquiring environmental clearance- preparation of documents for environmental clearance, coordination with the City for environmental clearance work
- 5) Hydrological studies and work associated with No Rise certifications, that may be required towards floodplain permit

- 6) Any coordination work with associated utilities
- 7) Bid phase and bid analysis services to satisfy TxDOT's bidding prerequisites and bid award requirements
- 8) Pre-construction meeting attendance
- 9) Attending any coordination meetings, site meetings as required during the design, environmental clearance and construction phase.

The project is funded through City of Grapevine funds and Transportation Alternative Set-Aside (TA Set-Aside) Program Agreement between TxDOT and the City of Grapevine.

- **Project Technical Approach:**

Please provide general technical project approach, project management, studies that may be required to accomplish the project design and development Please include communication procedures, quality control and other similar factors.

- **Consultant Ratings and/or Past Performance on City Projects (30 percent).** The City will consider the past performance of consultants on City of Grapevine projects and/or other municipalities' projects in Tarrant County in awarding this work.
- **Ability to Meet Schedule and Current Capacity (30 percent).** Was the availability of key staff sufficiently demonstrated (if the period of performance is known)? Was a schedule submitted and description of how the firm will meet the schedule?

Part 3: Organization Chart - The task leaders shown on the org chart, as well as subprovider team members shown on the org chart, must be consistent with those identified on *Part 2 (Questions and Responses)*. Personnel other than task leaders may be identified at the prime provider's discretion. This attachment is limited to one (1) 11" x 17" page, single-sided. For scanning and legibility, a minimum font size of 10 point must be used, and Arial font is preferred. The organization (org) chart must contain the following:

- Project manager's and task leaders' name, and contract responsibilities.
- The prime provider's and subproviders' name, address, email, and telephone number, by each firm. The abbreviation of firm names is acceptable.

Project Manager or Task Leader Replacement during Selection:

Prior to short list notification, the prime provider's project manager may be replaced only by another

prime provider staff person proposed in the SOQ, as approved in writing by the consultant selection team (CST).

Prior to short list notification, a task leader may be replaced by another precertified person proposed in the SOQ from the team, as approved in writing by the CST.

It is in the City's desire that the consultant team included in the submittal be use for the project for which they are selected. Prior to negotiating the contract, the City will verify that the original team is intact and that the consultant had available resources for the project. If any member of the original team are not available for the contract, the City will request a revised organizational chart and qualifications or the new team members. The City reserves the right to approve the revised team, request medications to the revised team, or reject the team and move to negotiations with the next qualified consultant.

Selection Procedure:

A staff committee will evaluate the responses. During the evaluation process, the committee reserves the right, where it may serve the City's best interest, to request additional information or clarification responders, or to allow corrections of errors or omissions.

The staff selection committee (4) will evaluate and select a firm best qualified for this project. The City will then work in good faith with the successful, highest scored consultant to negotiation an appropriate scope of work and fee for this project.

Lobbying of the selection committee members, City staff of City Council members will not be permitted or tolerated during the RFQ process.

Providers will be short-listed based on their SOQ scores.

Providers advancing to the short list will be required to submit a written proposal and may be required to participate in an interview. Interviews will only be conducted if the selection committee needs additional information or clarification to the proposal. These providers will be issued a *Request for Proposal/Interview and Contract Guide (RFP/ICG)* containing instructions for the proposal and interview. The prime provider's project manager must be present for and participate in the interview or the provider will be removed from further consideration. The project manager may attend only one interview.

The interview will be limited to the prime provider's project manager. Subproviders and task leaders will not be included.

Proposals and Interviews will be evaluated, and the combined score will be the basis for the selection. Interviews will be scheduled week of May 17, 2021.

RFQ Schedule:

RFQ First Advertisement	May 19, 2021
RFQ Second Advertisement	June 2, 2021
Question Response Deadline	June 14, 2021
Deadline for SOQ submittal	June 21, 2021
Notify finalists of Interviews (if needed)	July 2, 2021
Interviews (if needed)	July 12, 2021
Begin Contract negotiations with selected prime provider	July 21, 2021

Contract Information:

Contract execution is expected by August of 2021.

Contract duration is expected through October of 2024.

The proposed contract payment type is hourly not to exceed.

Negotiation process:

Highest scoring firm will be selected for negotiating a professional services contract. Timing of contract negotiations will be dependent upon project schedule. If a satisfactory fee cannot be negotiated with the highest scoring firm within twenty-one (21) calendar days of notice of selection, The City has the choice to move to next (highest scored) consultant on the short list after the City has communicated in writing the desire to break negotiations with the previous firm.

Consultant Services Contract:

If selected, the consultant shall agree with the terms set forth in in the City's Consultant Service Contract which is appended at the end of this RFQ for reference. The consultant will need to take special note of the Insurance Requirement in the Consultant Service Contract. It is highly recommended that the consultant reviews the Consultant Service Contract prior to submittal of the RFQ. Revisions or deviations from the City's Engineering Services Contract may not be entertained after selection

Right to Terminate

The City of Grapevine reserves the right to terminate this process at time. No Guarantees is expressed or implied that obligates the City to contract the consultant services for the proposed projects. They City will not be liable for any costs associated with responding to this RFQ, for the firm's participation in the presentation or any costs associated with negotiations.

Debriefs:

Requests for debriefs will be accommodated up to two months after contract execution. Debriefs will not be conducted prior to provider selection.

Special Accommodations:

To request special accommodations pursuant to the Americans with Disabilities Act (ADA), please notify the contact shown below, a minimum of 48 hours prior to a scheduled meeting.

Paul Lee, P.E. at plee@grapevintexas.gov or 817-410-3144

To request special accommodations pursuant to the Language Assistance Plan (LAP) for those with limited English proficiency who need the RFQ or other information translated into another language please notify the contact shown below.

Paul Lee, P.E. at plee@grapevintexas.gov or 817-410-3144

Selection Team:

The selection team will be comprised of at least four employees of the City of Grapevine.

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