**REQUEST FOR PROPOSAL**

**August 4,2022**

**TO PERFORM**

**PRELIMINARY ENGINEERING SERVICES**

**FOR PROJECT:**

**PROJECT 5-200(035)102, PCN 23388**

**ND 200, DUNN CENTER TO DODGE**

**SURVEY ONLY – Mobile LiDAR**

**William T. Panos**

**DIRECTOR**

**NORTH DAKOTA DEPARTMENT OF TRANSPORTATION**

**PROPOSALS MUST BE DELIVERED TO**

**RON PECK**

**ENVIRONMENTAL AND TRANSPORTATION SERVICES DIVISION**

**By**

**12:00 PM Central Time August 11, 2022**

**REQUEST FOR PROPOSAL**

**PROJECT OVERVIEW**

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

**PROJECT 5-200(035)102, PCN 23388**

**ND 200**

**SCOPE OF SERVICES**

NDDOT intends to execute one cost plus fixed fee contract requiring monthly billings with the chosen consultant to complete Phase I. NDDOT reserves the right to assign work in phases and have the consultant selected perform any additional work not currently assigned. Project work items may be added or removed from the contract by work authorization or supplementary agreement.

Services include a Mobile LiDAR survey only. The survey will be used in the design of a structural overlay project including full depth reclamation, HMA overlay and structural replacement. The services shall not exceed $300,000 in accordance with a seven-day advertisement, due on August 11, 2022.

**PROJECT PHASING AND DELIVERABLES:**

Phase I:

These services shall include all necessary tasks associated with delivering a final survey product utilizing a mobile LiDAR technique. Tasks may include LiDAR data collection, control surveying, ground targeting, data processing, and final deliverables.

The project limits extend along ND 200 from approximately RP 102 to 124, the exact limits will be refined after the consultant is selected. The entire roadway surface will be required for the LiDAR survey. Additional surface data may be required such as the vegetated roadway foreslope. All existing primary control shall be verified, and secondary control shall be set in a manner to meet required accuracies.

NDDOT Survey and Photogrammetry Manual Chapter 19 and NDDOT CADD Editing Manual Chapter 21 shall be utilized for applicable standards and deliverables along with the following additions:

A minimum vertical accuracy of +/- 0.06 feet over 95% of the entire roadway surface. Any vegetated areas will require a minimum vertical accuracy of 0.3 feet for project area. An independent check comparison is required for the final product to be conducted by the consultant. Independent checks shall be conducted with a total station.

The consultant shall provide the calibration report and/or manufacture’s recommended equivalent procedure for LiDAR data collection equipment. If a manufacturer recommended procedure is provided, a Statement of Compliance will be submitted.

A written Quality Management Plan (QMP) will be required prior to start of survey. The QMP should address all phases of the work including safety, data acquisition, data processing, and final deliverables.

LiDAR data shall be delivered in a LAS format on a consultant furnished portable hard drive or uploaded to the ND MFT site mft.nd.gov. Data sets shall include the raw data collected and the final processed data used for the final product. All other deliverables may follow NDDOT Survey and Photogrammetry Manual Chapter 19.

LiDAR processing report and vertical accuracy report.

Microstation and ORD files as described in NDDOT Survey and Photogrammetry Manual Chapter 19 that are applicable for this survey include: EFB (folder), AAreadme.doc, Topog.dgn, DTM.dgn, \*\*\*\*\*.tin, and Terrain. NDDOT CADD Editing Manual Chapter 21 shall be followed for applicable CADD Editing.

Firms interested in performing the work must be qualified to perform preliminary survey.

Interviews will be conducted tentatively 30 days from the due date of this proposal.

Attached with the RFP is the Risk Management Appendix.

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

1. MS Word and MS Excel
2. OpenRoads Designer CE (10.08.01.33)
3. Microsoft “Project”
4. NDDOT Consultant Services Manual Chapter 19
5. NDDOT Procedure for Creating Right of Way Plats Manual Chapter 20
6. NDDOT CADD Editing Manual Chapter 21
7. NDDOT Data Collection Codes and Procedures
8. NDDOT Design Manual and Plan Preparation Guide Website
9. NDDOT Right of Way Manual
10. Adobe Acrobat (standard or compatible)

**PROJECT SCHEDULE:** Mobile LiDAR survey completion date for 5-200(035)102, PCN 23388 is 11/1/2022.

**PROPOSED SUBCONSULTANT REQUEST**

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

**PRIME CONSULTANT REQUEST TO SUBLET**

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

If the Prime consultant has a DBE as a subconsultant then they will also be required to submit SFN 61412-DBE Consultant-Commercially Useful Function (CUF) <https://www.dot.nd.gov/forms/sfn61412.pdf>

**CIVIL RIGHTS**

The North Dakota Department of Transportation, in accordance  with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US.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.

**Disadvantaged Business Enterprise (DBE)**

49 Code of Federal Regulations Part 26 (CFR) states that the consultant, subrecipient, or subconsultant shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. Consultants shall carry out applicable requirements of 49 CFR Part 26 in the solicitation, award, and administration of USDOT-assisted contracts.  Failure by the consultant, to carry out these requirements is a material breach of the contract, which may result in the termination of the contract or such other remedy as the recipient deems appropriate. **For information regarding the DBE Program, see the DBE Program Manual at** <http://www.dot.nd.gov/divisions/civilrights/docs/dbe/dbe-program-admin-manual.pdf>

**Title VI/Nondiscrimination and ADA**

Title VI assures that no person or group of persons may, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs or activities administered by the Department.  For information regarding Title VI, see the **Title VI/Nondiscrimination and ADA Program at** <https://www.dot.nd.gov/divisions/civilrights/docs/titlevi/Title-VI-Nondiscrimination-ADA-Program-Implementation-Plan.pdf>

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

**RIGHT OF WAY COORDINATION (as needed)**

Project Coordination

1. Prior to commencing valuation work, a preliminary meeting will be held with the consultant and the NDDOT Review Appraiser.  A Preliminary Valuation Review form must be completed for every project requiring an Appraisal, Waiver Valuation, Short Form Report and/or Basic Data Book.

<http://www.dot.nd.gov/forms/sfn61346.pdf>

1. Prior to commencing initial right of way work, a preliminary meeting will be held with the consultant, subconsultant (negotiator), NDDOT ROW tech support, NDDOT Design tech support, NDDOT Designer and any additional participants as needed.  This will include reviewing forms, package submission, process review and reporting requirements.

**Consultant proposal**

Appendix

Any consultant or subconsultant performing right of way acquisition negotiations must submit a biography, including a certificate of completion for the following class:

FHWI – NHI Course # 141045, Real Estate Acquisition under the Uniform Act: An Overview

(<https://www.nhi.fhwa.dot.gov/training/course_search.aspx?sf=0&course_no=141045>)

Please refer to the attached biography as a referenced example.

<https://www.dot.nd.gov/divisions/environmental/docs/RFP%20Biography.pdf>

**EVALUATION AND SELECTION PROCESS**

Consultants interested in performing the work must submit one electronic copy in PDF format. The electronic copy must be submitted prior to the date and time listed on the cover of this RFP to be considered. Late proposals will not be considered.

**Proposals shall be submitted by email to:**

Andy Ayash [aayash@nd.gov](mailto:aayash@nd.gov) with copies to Ron Peck at [rjpeck@nd.gov](mailto:rjpeck@nd.gov) and Joy Glasoe [jglasoe@nd.gov](mailto:jglasoe@nd.gov)

* Each proposal shall contain a cover letter signed by an authorized officer who can sign contracts for the consultant. The pages of the cover letter will not be counted as a part of the pages. Also include the individuals email address below each signature on the cover letter.
* The proposal pages shall be numbered and must be limited to 5 pages in length. Proposals that exceed the page length requirement will not be considered. This section should contain your approach and project specific plan.
* The consultant’s proposal shall include an appendix. The appendix may include updated Federal form 330 if you do not have one on file with CAS. The pages in the appendix will not be counted as a part of the pages. The appendix shall include the following in this order:

**Appendix A**

* + A schedule/milestone for the project. The schedule will be included as part of the contract.

**Appendix B**

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

**Appendix C**

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

**Appendix D**

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

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

Selection will be on the basis of the following weighted criteria:

Weight

* \_\_10%\_\_ i. Past performance
* \_\_10%\_\_ ii. Ability of professional personnel
* \_\_15%\_\_ iii. Willingness to meet time and budget requirements
* \_\_\_5%\_\_ iv. Location
* \_\_10%\_\_ v. Recent, current, and projected workloads of the persons/consultants
* \_\_10%\_\_ vi. Related experience on similar projects
* \_\_10%\_\_ vii. Recent and current work for the agency
* \_\_30%\_\_ viii. Project understanding, issues, and approach
* \_\_\_5%\_\_ ix. DBE: Up to 5 points for utilizing DBE’s in case of tied scores

Weights for each criterion are assigned independently for each specific project by CAS and the

Project Technical Representative. Maximum total weight is 100 points. 5 additional points

may be awarded for good faith efforts to utilize DBE’s in the event of a tie.

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

**PROMPT PAYMENT**

Consultants will be required to make prompt payment to subconsultants as required by 49 CFR 26.29. The Consultant shall make payment to all subconsultants within thirty (30) calendar days from receipt of payment from the State. Such payment shall be certified by the Consultant by submittal of the subsequent Consultant Contract Billing Form to the State. The State may withhold subsequent payment(s) to the Consultant if any subconsultants have not been paid for work satisfactorily completed.

**RIGHT OF REJECTION**

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

**DISCLOSURE OF PROPOSAL**

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

**RISK MANAGEMENT FOR PROFESSIONAL SERVICES**

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

**AUDIT**

Consulting firms proposing to do work for the NDDOT must have a current audit rate no older than 12 months from the close of the consultant’s Fiscal Year. Consultants that do not meet this requirement will not qualify to propose or contract for NDDOT projects until the requirement is met. Consultants that have submitted all the necessary information to the NDDOT and are waiting for the completion of the audit will be qualified to submit proposals for work. Information submitted by a consultant that is incomplete will not qualify. Out of state consultants can submit a current accepted FARS audit rate from a cognizant agency. Under certain conditions NDDOT may offer a Safe Harbor Rate of 110% to consultants that do not have a compliant rate.

**CONSULTANT EMAIL CONTACTS**

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