

**GOVERNMENT OF
THE VIRGIN ISLANDS OF THE UNITED STATES**

**Request for Proposal – Negotiation
Professional Services**

To: Date: November 15, 2021
..... RFP No. 007-T-2022 (P)

Pursuant to 31 V.I.C. 236 (i) and Rules and Regulations thereunder issued, the Government of the Virgin Islands, hereinafter referred to as “GVI”, Department of Property and Procurement, shall receive proposals for the work described below. Proposals shall be received no later than **Thursday, December 16, 2021 at 4:30 p.m.** Atlantic Standard Time.

DESCRIPTION OF WORK:

This Scope of Services (SOS) under this contract will include providing personnel and equipment for land survey, environmental, and design services to improve drainage and mitigate erosion and flooding along Fish Fry Drive on the island of St. John. Design shall include a technical feasibility study and the preparation of detailed PS&E (plans, specifications, and estimate). Payment for these services will be based on a negotiated Lump Sum amount for each itemized task.

Payment by Deliverables

The CONTRATOR shall be paid by the deliverables established in the Proposed Scope of Services and listed in COST PROPOSAL FORM – SUMMARY - TABLE OF PROFESSIONAL SERVICES Appendix B. The CONTRATOR should submit the deliverables in accordance with the approved progress schedule.

DPW shall make payments to the CONTRATOR in an amount equal to the ninety percent (90%) of the fee corresponding to each phase of the project.

DWP shall retain the remaining (10%) of the CONTRATOR’S fee for each phase of the project and it shall be released at the preliminary phase when the Preliminary Plans, 60% are approved, and on the final phase when the Final Plans, Specifications, and Estimate are approved, subjected to an examination made by DPW for each corresponding phase.

The before mentioned examination shall be carried out within the following thirty (30) calendar days after all deliverables are completed.

NEGOTIATED PROCEDURES:

The Commissioner of the Department of Property and Procurement will appoint a Selection Committee to assist in the evaluation and selection of the Contractor. Accordingly, proposals shall be reviewed and rated on the selection criteria outlined in the “**Factors for Discussions.**” After reviewing and rating the proposals, the Committee may select for discussions from the firm/s or person/s **deemed to be the most highly qualified to provide the services herein required.** Discussions will be conducted with the firm/s or person/s so selected, not less than two (2), deemed to be the most highly qualified.

FACTORS FOR DISCUSSIONS

Selection criteria shall include **(i)** Professional qualification, registration and general reputation of principals of the firm or person; **(ii)** the extent to which the firm or person specializes in or has provided services of a type and scope similar to the services hereunder; **(iii)** familiarity with the location (s) in which services shall be performed; **(iv)** capability of meeting schedules; and **(v)** quality of performance on other similar projects. **Proposals will be evaluated according to the following criteria in descending order: (a) Project Approach-38pts, (b) Qualifications-29pts (c) Experience-20pts (d) Cost-10pts and (e) References-3pts.** The Selection Committee may, at its option, request any or all proposers to participate in virtual interviews.

NEGOTIATION:

The Selection Committee shall recommend to the Commissioner **the highest qualified firm or person with whom a contract shall be negotiated as a result of the Committee’s scores from the written proposals or discussions-oral presentations if conducted.** The Commissioner, with the assistance of the Selection Committee, shall attempt to negotiate a contract with such firm or person.

Should the Commissioner be unable to negotiate a satisfactory contract with the firm considered to be the most qualified, at a price, he determines to be fair and reasonable to the Government, negotiations with that firm will be formally terminated. Negotiations will then commence with the second most qualified, the third most qualified, or additional firms, in order of preference, and shall continue until an agreement is reached.

Anthony D. Thomas
Commissioner
Property and Procurement

INSTRUCTION TO PROPOSERS

A. NOTICE

RFP-007-T-2022 (P) Qualified Firms for A/E Design Services for Fish Fry Drive Drainage and Stabilization Improvements - Phase 1 – HMPG Project #4340-0077, St. John, U.S. Virgin Islands

Information provided in the scope of work is to be used only for purposes of preparing a proposal. It is further expected that each bidder will read the scope of work thoroughly, for failure to meet certain specified conditions may invalidate the proposal.

The Government of the Virgin Islands herein after referred to as GVI, reserves the right to reject any or all proposals or any portion thereof and to accept the proposal deemed most advantageous to GVI. The **price** shall not be the sole criterion of awarding this project. Scope and quality of work proposed and the ability of the bidder to complete this type of project shall also be considered.

Applicants are requested to submit proposals on the basis of the scope of work. Alternative proposals recommending new features and technology other than that requested in the scope of work will receive consideration providing such new features and/or technology is clearly explained. Any exceptions to the requirements requested herein must be clearly noted in writing and be included as part of the proposal.

The information contained herein is believed to be accurate but is not to be considered in any way as a warranty. Request for additional information clarifying the Scope of Work should be directed in writing to **Assistant Commissioner of Procurement, Lisa M. Alejandro** at lisa.alejandro@dpp.vi.gov.

B. FUNDING:

Funding Agency: Federal Emergency Management Agency (FEMA)
Funding Source: FEMA 404 Hazard Mitigation Grant Program (HMGP)

C. STATEMENT OF PURPOSE

To assist the Government of the Virgin Islands in meeting the requirement for the following service: **RFP-007-T-2022 (P) Qualified Firms for A/E Design Services for Fish Fry Drive Drainage and Stabilization Improvements - Phase 1 – HMPG Project #4340-0077, St. John, U.S. Virgin Islands.**

D. PROPOSED SCOPE OF SERVICES

OVERVIEW:

This project involves the construction of a seawall, bulkhead, or some form of revetment along Fish Fry Drive, which will protect the coastline and roadway from coastal flooding and erosion. Additional features will include measures such as swales and culverts to mitigate against rainfall flooding. Other consideration should include erosion control and pedestrian & safety enhancements.

The Phase I scope of work includes the following but is not limited to: Engineering Analysis and Design Feasibility, H&H Study, Land Surveying and EHP Review (performed by FEMA), Engineering Design, and Permitting and Regulatory Compliance. A detailed construction scope of work and project design drawings, including a detailed cost estimate, will be produced by Phase I. Phase I work will include a technical feasibility study, cost effectiveness analysis, and environmental reviews of the preferred mitigation alternatives.

TYPE OF AGREEMENT:

The Government anticipates that the resulting contract will be a firm fixed price contract. The GVI reserves the right to modify and/or terminate the contract if the successful firm fails to perform in a manner consistent with the terms of the contract. In addition, the GVI reserves the right to modify and/or terminate the contract if funding becomes unavailable.

CONTRACT TERM:

The Period of Performance (POP) is a 1-year base award with a 1-year renewal option. Time is of the essence. Favorable consideration with regard to project approach will be given to offerors that demonstrate the ability to accelerate project delivery.

PHASE I

The Phase I scope of work includes all design and engineering required for the preparation plans, specification, and estimate related to the drainage improvement at the La Reine Intersection as described above in the Description of Work and Overview and in accordance with the Standards and Guidelines listed below. See the attached conceptual scope for additional information.

DESIGN STANDARDS AND GUIDELINES

- Perform hydrologic analyses in accordance with Chapter 7, Section 7.3 A. of the *Federal Lands Highway Project Development and Design Manual*.

- Design storms for culverts, curb and gutter, inlet design and erosion control shall be in accordance with the *Federal Lands Highway Project Development and Design Manual*, Chapter 7.
- National Environmental Policy Act (NEPA)
- Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects (FP-14) or latest edition.
- “AASHTO - Policy on Geometric Design of Highways and Streets” 2018 or latest edition.
- “Manual on Uniform Traffic Control Devices” (MUTCD) 2009 or latest edition.
Level of Protection: One Hundred (100) year storm

TASKS TO BE ACCOMPLISHED

- A. Provide complete existing conditions analysis, Topographic Survey, Land/Parcel Survey and establish the public Right-Of-Way. All Survey, Right of Way and final design plans are established using the NAD83 Datum. Two permanent control points shall be established.
- B. Locate all existing utilities to quality level A utilizing ASCE SUE techniques including but not limited to GPR and daylighting as required.
- C. Perform a geotechnical investigation as required to design the preferred improvements.
- D. Identify required permits, prepare applications, and follow through to issuance of permits. Required permits may include building, earth change, floodplain, CZM, SWPPP, and ACOE. Provide support to DPW during the permitting process including preparation of reports, presentations, and attending meetings and hearings.
- E. Coordinate with all local utility agencies and prepare draft utility agreements as required.
- F. Preliminary engineering should include some form of public involvement. Possible methods may include virtual public meeting and / or development of informational content to be distributed through DPW online and social media outlets.
- G. Preliminary engineering should include the evaluation of two alternative coastal barrier systems along with a no build alternative.
- H. Develop Right-Of-Way plans to establish proposed new Right of Way.
- I. Prepare Cadastral Plans for all required easements and acquisitions.
- J. Provide Finalized Project scope of work description and detailed schedule including dates with project milestones. A brief narrative shall be included with each PS&E submittal summarizing the work.
- K. Finalize design and prepare final PS&E package, including all bid documents for submittal to DPW.

L. A/E firm shall provide 10 sets of final plans and specifications to DPW upon final review and approval by DPW.

M. A/E firm also shall submit final Plans, Specifications and Engineers Estimate on electronic file. (AutoCAD and PDF format)

D. TIMETABLE

1. **Pre-Proposal Conference**: Tuesday, November 30, 2021 at 10:30 a.m. via Microsoft Teams.

Microsoft Teams meeting
[Click here to join the meeting](#)

2. Last Day for Written Clarification is **Friday, December 3, 2021 at 12:00 noon** Atlantic Standard Time.

E. SUBMISSION OF PROPOSAL

All interested parties shall submit **one (1)** electronic copy of proposals in **PDF format**, which are to be delivered to the Department of Property and Procurement no later than **Thursday, December 16, 2021 at 4:30 p.m.** Atlantic Standard Time.

Electronic submissions must include the Company's Name – Solicitation Number and Due Date in the Subject Line of the email. For Example, ABC Company, Inc. – RFP No. 007-T-2022 (P) – December 16, 2021.

The First Page of each electronic submission must also include Company's Name – Solicitation Number and Due Date. The second page of each electronic submission must only contain the following words in red font: **"CONFIDENTIAL BID SUBMISSION"**

Send	To	ebids_proposals@dpp.vi.gov
	Cc	
	Bcc	
Subject ABC Company, Inc.-RFP-033-T-2020 (P)- May 22, 2020		

All electronic submissions must be received at ebids_proposals@dpp.vi.gov no later than the date and time listed in each advertisement. There will be no exceptions.

F. WITHDRAWALS OF PROPOSAL

A proposal may be withdrawn at any time prior to the time specified as the closing time for acceptance of proposals. However, no proposal shall be withdrawn or canceled for a period of thirty (30) days after said closing time for acceptance of proposals, nor shall the successful provider withdraw, cancel or modify the proposal, except at the request of GVI after having been notified that GVI has accepted proposal.

G. INTERPRETATION OF SPECIFICATIONS

If any person contemplating submitting a proposal requires clarification of any part of the scope of work, he/she may submit to the GVI a written request for an interpretation thereof to the **Assistant Commissioner of Procurement, Lisa M. Alejandro at lisa.alejandro@dpp.vi**. GVI will not respond to questions received after the above established date. The person submitting the request will be responsible for its prompt delivery. Any interpretation of the scope of work will be made in writing to all prospective providers. Oral explanations will not be binding.

H. CONSIDERATION OF PROPOSAL

The Commissioner of Property and Procurement shall represent and act for GVI in all matters pertaining to the scope of work and contract in conjunction therewith. **This RFP does not commit GVI to the award of a contract or pay of any cost incurred in preparing and submitting proposals in anticipation of a contract. GVI reserves the right to reject any or all proposals and to disregard any informality and/or irregularity in the proposal when, in its opinion, the best interest of GVI will be served by such action.** Proposals failing to provide some of the items in the scope of work shall not be rejected per se, but any deviations from the scope must be clearly noted.

I. ACCEPTANCE OF PROPOSALS

GVI will notify in writing acceptance of one of the proposals. Failure to provide any supplementary documentation to comply with the respondent's proposal may be grounds for disqualification.

J. CONTENTS OF PROPOSAL

The following is a list of information to be included in the written proposal. The documents listed under this section are required for submission of a proposal in response

to this RFP, and failure to comply with any requirement as outlined may disqualify the respondent.

1. **Cover Letter:** The Respondent shall submit a cover letter that is signed and dated by an individual authorized to enter into a contract with the respective facility, and shall acknowledge receipt of all addenda, if applicable.
2. **Title Page:** The title page should include the proposal title, the RFP No., name, address, tax ID number, and phone number of the Respondent and its principal contact.
3. **Executive Summary:** The 1-2-page summary should encapsulate the plan of action or approach to meet the requirements of this RFP, deliverables, if appropriate, and a summary of the cost information.
4. **Table of Contents:** The table of contents should facilitate locating all key points in the proposal.
5. **Organization:**
 - a. Current Business License or state register for the services being advertised. All bidders bidding as a Joint Venture must be licensed as a Joint Venture in the US Virgin Islands
 - b. Current trade name registration certification; if applicable
 - c. Certificate of Good Standing dated July 1, 2021, or later
 - d. Articles of Incorporation (For Corporations) or Articles of Organization for (LLC's) or Statement of Qualification (Limited Partnerships), if applicable.
 - e. Corporate Resolution or equivalent identifying the person who is authorized to act for the respondent with respect to this RFP.
 - f. Copy of SAM.Gov registration / DUNS number registration

6. **Key Personnel:**

Each proposal shall describe the organizational structure of the proposed team. At a minimum each proposal shall include:

- a) An organization chart showing the reporting responsibilities and organization of all Key Personnel, other staff to be assigned and sub-contractors.
- b) Key Personnel job descriptions and reporting responsibilities, an identification of all individuals performing functions of Key Personnel who meet the minimum qualifications of each key role.
- c) Roles, responsibilities, minimum qualifications and experience of Key Personnel are included in appendix C. The Proposal narrative must include an

overall staffing approach, including Key Personnel and other staff or subcontractors to be assigned. It is expected that the Respondent will provide Key Personnel for project lead / manager, hydrology, and hydraulics leads, and environmental lead; however, if the Respondent feels additional Key Personnel are needed for the services, or the roles provided are not applicable, please include the roles, with description and qualifications for each role and why the position is needed.

KEY PERSONNEL REPLACEMENT

Key Personnel are those Contractor personnel considered to be essential to the performance of the contract. No changes in Key Personnel will be made unless the Contractor can demonstrate that the qualifications of prospective replacement personnel are equal to or better than the qualifications of the Key Personnel being replaced. All proposed substitutes shall have qualifications equal to or higher than the qualifications of the person to be replaced. DPW reserves the right to re-evaluate the selection of any respondent if one or more key personnel are replaced within the first six months of contract performance. DPW shall be notified in writing of any proposed substitution at least thirty (30) days in advance.

Such notification shall include:

- a) An explanation of the circumstances necessitating the substitution;
- b) A complete resume of the proposed substitute;

And any other information requested by DPP to facilitate evaluation of Contractor's substitution request. DPP reserves the option of reviewing, re-evaluating and rescoring Contractor's response to this solicitation and further reserves the option of invalidating the Contractors' response to this solicitation due to excessive substitutions.

7. **Sub-Contractors:**

- a. Provide listing of Sub-contractors that shall be retained for this project including email address, phone number.
- b. Provide what percentage of work will be sub-contracted.
- c. Any subcontractor included in the Proposal must have agreed in writing to being included in the Respondent's proposed project staff or team. Any such written agreement must be produced to GVI upon request.

PLEASE NOTE: A company cannot submit a bid proposal and at the same time be listed as a subcontractor on another company's proposal for the same project.

8. **Firm Background and Experience:** A brief history of the Respondent, including a description of the company's experience in the last five years, and any relevant licenses.

- a. Provide an organizational chart of the firm; include the names, background, education, and experience of all principals. Indicate number and specialty of all technical employees in your firm. Include any subconsultants in the organizational chart.
- b. Indicate the number and value of active projects now being handled by your firm.
- c. Please state if your firm is currently or has been involved in any litigation and reasons for said involvement.
- d. Complete the Minimum Qualifications Questionnaire (Appendix C)

9. **Project Approach:**

- a. Present a detailed work plan for all tasks outlined in the RFP. This section of the proposal shall establish that the Respondent understands GVI's objectives and work requirements and Respondent's ability to satisfy those objectives and requirements. Describe the proposed approach and outline the firm's ability for addressing the required services to meet GVI's requirements.
- b. Does the project plan address the criteria identified in the RFP Scope? Is there a project plan against which to measure progress?
- c. Quality of proposal presented.

10. **Acknowledgment of any Addenda:** Respondent shall acknowledge in the transmittal letter the number of addenda issued. (Appendix H)

11. **Exceptions to the General Contract Terms and Conditions:** Exceptions to the General Contract Provisions, set forth in Appendix I should be stated in this section.

1. Submission of a proposal signifies to GVI the Respondent's intention to compete for the award of a contract to provide Disaster Marketing Plan services and that the Respondent understands and accepts that the terms and conditions as specified in this RFP and in the General Contract Provisions (Appendix I) shall become part of the final contract.
2. Respondents shall specifically include in their RFP response a section titled "Exceptions to Terms and Conditions Specified in the RFP and Appendix I, General Contract Provisions," in which the company shall explicitly indicate all terms and conditions specified Appendix I, General Contract Provisions, to which the company takes exception. This section shall be listed in the Table of Contents.

12. **Insurance Requirements:** The cost of which shall be borne by the Contractor and maintained fully during the term of the contract. Upon award, contract valued in excess of \$1,000,000.00 will require additional coverage subject to DPP's approval.

- a. **Certificate of Government Insurance (Workmen's Compensation):**

i. Respondent will provide a Certificate of Insurance reflecting the required coverage by Virgin Islands law.

b. Comprehensive General Liability Insurance:

i. Respondent shall carry comprehensive general liability on an occurrence form with no “x, c, or u” exclusions with the following minimum limits:

1. Each occurrence- \$1,000,000.00
2. Damaged to rented premises-\$50,000.00
3. Medical Expenses- \$5,000.00
4. Personal & Adv Injury-\$1,000,000.00
5. General Aggregate-\$2,000,000.00
6. Products-Completed Ops. Aggregate- \$2,000,000.00

iii. General Aggregate shall apply on a policy basis.

iv. Respondent shall provide a Certificate of Insurance reflecting required coverage.

v. If awarded, the Contractor shall provide proof of adding the Government as an additional insured.

c. Commercial Automobile Liability:

vi. Respondent shall carry automobile liability insurance, including all owned, non-owned, scheduled, and hired vehicles with the following minimum limits and coverage:

1. Combined Single Limit - \$1,000,000.00

vii. Respondent shall provide a Certificate of Insurance reflecting required coverage.

13. **References Letters:** 3 letters minimum related to the projected being solicited. To obtain maximum allotted points, each letter must:

- a. Include information about past performance on similar project from authorized representative;
- b. Include a working telephone number; and email address to be contacted; and
- c. Notarized.

14. **Cost Proposal *must* be submitted in a separate file.**

- a. The Contractor will provide cost estimates for the following outlined services utilizing the cost proposal form attached in Appendix B.

K. CONFLICT OF INTEREST

A proposer filing a proposal hereby certifies that no officer, agent, or employee of GVI has a pecuniary interest in this proposal or has participated in contract negotiations on behalf of GVI; that the proposal is made in good faith without fraud, collusion, or

connection of any kind with any other Bidder for the same request for proposals; the respondent, is competing solely on its own behalf without connection with, or obligation to, any undisclosed person or firm.

Because the contract is being funded with federal funds, the contract shall be governed by certain federal terms and conditions for federal grants, such as 2 CFR 200 and other applicable OMB circulars. Respondent shall provide a description of experience with such grant requirements and affirmatively represent and certify that the respondent shall adhere to any requirements of applicable federal requirements. In addition, this RFP is intended to be conducted in accordance with 2 CFR 200 and the resulting contract will contain the required contract provisions:

<https://www.fema.gov/media-library-data/1444220925938-b1dbb4d55dbd50388e12d38e187775fa/200CFRAppendix508.pdf>

L. DEBARMENT CERTIFICATION

Because the contract is being funded with federal funds, the Respondent certifies that it is eligible to receive contract awards using federally appropriated funds and that it has not been suspended or debarred from entering into contracts with any federal agency. The Respondent shall include this provision in each of its subcontracts hereunder and shall furnish its subcontractors with the current "LIST OF PARTIES EXCLUDED FROM FEDERAL PROCUREMENT OR NONPROCUREMENT." In the event the Respondent or any subcontractor misrepresents its eligibility to receive contract awards using federal funds, the Respondent or subcontractor agrees that it shall not be entitled to payment for any work performed under this contract or any subcontract and that the Respondent or subcontractor shall promptly reimburse the Government of the Virgin Islands for any progress payments heretofore made.

M. MINORITY & WOMEN-OWNED BUSINESS ENTERPRISE (M/WBE)

In accordance with the Virgin Islands law, service contracts awarded with fees in excess of twenty-five thousand dollars (\$25,000) must comply with equal employment opportunity requirements. Respondents that are not M/WBEs are strongly encouraged to consider partnering, or other joint venture arrangements, with local certified M/WBE companies to achieve the prescribed goals and to give M/WBE companies the opportunity to participate. Respondents must document good faith efforts to provide meaningful participation by M/WBE companies.

N. LICENSE REQUIREMENT

An award will not be made to any firm or individual doing business in the Virgin Islands with the Government of the Virgin Islands until evidence is submitted that said firm or individual has a valid Virgin Islands Business License. A current hard copy of a valid Virgin Islands Business License must be submitted within ten (10) business days after award. All Bidders bidding as Joint Ventures must be licensed as a Joint Venture in the Virgin Islands.

O. HUD GENERAL PROVISIONS



HUD Rider
4.21.2021.pdf

P. ACCEPTANCE OF CONTRACT TEMPLATE AND OTHER TERMS AND CONDITIONS

By submitting a proposal in response to this RFP, the respondent agrees to accept the boilerplate terms and conditions of the Government's standard Professional Services Contract, a copy of which is attached to this RFP, if the respondent is selected for award.

Q. MANDATORY LIST OF REQUIRED SUPPORTING DOCUMENTS TO CONTRACT WITH GOVERNMENT OF THE VIRGIN ISLANDS

1. See Attached.

THE DOCUMENTS IN THE ATTACHMENT WILL BE REQUIRED FOR APPROVAL OF THE CONTRACT WITH THE SUCCESSFUL RESPONDENT.

[MANDATORY LIST OF REQUIRED SUPPORTING DOCUMENTS TO CONTRACT WITH GOVERNMENT OF THE VIRGIN ISLANDS.pdf](#)