

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

**Request for Proposal – Negotiation
Professional Services**

To:

Date: June 29, 2020

.....

RFP No. RFP-046-T-2020 (P)

Pursuant to 31 V.I.C. 239 (a) (4) 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 on behalf of the Department of Public Works. Proposals shall be received no later than **Tuesday July 28, 2020 at 4:30 p.m.** Atlantic Standard Time.

DESCRIPTION OF WORK:

The Scope of Services (SOS) under this contract will include providing personnel and equipment for land survey, environmental, and design services to improve drainage in the area of Smith Bay on St. Thomas, U.S.V.I. Design should include a technical feasibility study, evaluation of alternatives, cost effectiveness analysis, environmental review, and the preparation of detailed PS&E (plans, specifications, and estimate) of the preferred alternative. Payment for these services will be based on a negotiated Lump Sum amount for each itemized task.

OVERVIEW:

This project proposes to add several drainage improvements along Smith Bay Road. The current project scope is conceptual. The concept is to capture the stormwater runoff that currently runs down the road and use a closed pipe system to convey it. At the upstream end of the project, a small retention basin will be constructed to act as a sediment trap. Downstream along Smith Bay Road, a system of inlets and pipes will be constructed to capture and convey stormwater down the hill to a diversion structure near the ballfield. The diversion structure, under low flow conditions will direct the runoff to a system of pipes and filters to improve water quality. Under high flow conditions, the runoff bypasses the water quality to discharge into an improved swale to an existing mangrove stand. In addition, another retention area will be construction in Pineapple Village and piped to meet the same improved outlet.

The Phase I scope of work includes contract procurement, preliminary engineering, public comment, and a finalized plan. Phase I work will include a technical feasibility study, cost effectiveness analysis, and environmental reviews of the preferred mitigation alternatives. This scope also includes conducting a public meeting to gain the input of local residents and stakeholders.

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 organization 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.

PERIOD OF PERFORMANCE:

The Period of Performance (POP) is a one hundred eighty (180) day base award with no renewal options.

NEGOTIATED PROCEDURES:

The Commissioner of the Department of Property and Procurement shall appoint a Selection Committee to assist in the evaluation and selection of at least one Contractor. Accordingly, current data on qualifications and performance should be submitted with proposals. After reviewing the qualifications and proposals the Committee shall select for discussions from the firms or persons, in order of preference, those firms or persons **deemed to be most responsive, responsible, and highly qualified to provide the services herein required.** Discussions shall be conducted successively and severally with the firms or persons so selected on the anticipated concepts for furnishing the services hereunder.

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 on-site interviews.**

NEGOTIATION:

The Selection Committee shall recommend to the Commissioner **the highest qualified firms or persons with whom contracts shall be negotiated.** The Commissioner of DPP, with the assistance of the Selection Committee, shall attempt to negotiate contracts with such firms or persons.

Should the Commissioner be unable to negotiate a satisfactory contract with the firm(s) considered to be the most qualified, at a price the Commissioner determines to be fair and reasonable to the Government, negotiations with those firm(s) shall be formally terminated. Negotiations shall continue with other the selected firm(s) until an agreement is reached.

Anthony D. Thomas
Commissioner
Property and Procurement

INSTRUCTION TO PROPOSERS

A. NOTICE

RFP-046-T-2020 (P)- Qualified Firms for A/E Design Services for Phase 1 Drainage Improvements to Smith Bay, Project No. 4340-0040, St. Thomas, U.S.V.I.

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

The Government of the Virgin Islands reserves the right to reject any or all proposals or any portion thereof and to accept the proposal deemed most advantageous to GVI. An award will be made to the most **responsive and responsible** bidder whose offer, conforms to the solicitation. **The order of importance for this bid is: (a) Project Approach (b) Qualifications (c) Experience (d) Cost and (e) References.**

Applicants are requested to submit proposals on the basis of the scope of services. Alternative proposals recommending new features and technology other than that requested in the scope of services shall receive consideration provided 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 Services should be directed in writing to **Assistant Commissioner of Procurement, Mrs. 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 supply/service: **RFP-046-T-2020 (P)- Qualified Firms for A/E Design Services for Phase 1 Drainage Improvements to Smith Bay, Project No. 4340-0040, St. Thomas, U.S.V.I.**

D. PROPOSED SCOPE OF SERVICES:

The Phase I scope of work includes the Design & Engineering Analysis sufficient to support the development of a full scope of work for Phase II (Construction) and provide enough detail to meet FEMA’s programmatic review requirements. This Phase I scope of work includes hydrological analysis of the watershed which is necessary to develop engineered mitigation measures. This scope is based on the H&H study performed in 2017. See attachment 1 for the conceptual scope and summary of the 2017 report. The scope also includes a technical feasibility study, cost effectiveness analysis, and environmental reviews of the preferred mitigation alternatives.

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.
- “AASHTO – Guidelines for Geometric Design of Low-Volume Roads” 2019 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. Perform an Environmental and Historic Preservation (EHP) review as required for FEMA HMGP.
- C. Conduct a public meeting.
- D. Provide Finalized Project scope of work description and detailed schedule including dates with project milestones.
- E. Final Benefit Cost Analysis as required for FEMA HMGP
- F. Identify required permits, prepare applications, and follow through to issuance of permits.
- G. Coordinate with all local utility agencies and prepare draft utility agreements.

- H. Develop Right-Of-Way plans to establish proposed new Right of Way.
- I. Prepare Cadastral Plans for all required acquisitions.
- J. Finalize design and prepare final PS&E package, including all bid documents for submittal to DPW.
- K. A/E firm shall provide 10 sets of final plans and specifications to DPW upon final review and approval by DPW.
- L. A/E firm also shall submit final Plans, Specifications and Engineers Estimate on electronic file. (AutoCAD and PDF format)

E. TIMETABLE

1. **Pre-Proposal Conference: Tuesday, July 7, 2020 at 10:00 a.m.** via conference call. **Conference Call 717-275-8940 Access Code: 4119582**
2. Last day for request for written clarification will be **Tuesday, July 14, 2020 at 12:00 noon** Atlantic Standard Time.
3. Proposals shall be accepted at Department of Property & Procurement, no later than **Tuesday, July 28, 2020 at 4:30 p.m.** Atlantic Standard Time.

F. SUBMISSION OF PROPOSAL

All interested parties shall submit their electronic submissions to ebids_proposals@dpp.vi.gov. no later than **Tuesday, July 28, 2020 at 4:30 p.m.** Atlantic Standard Time.

Electronic submissions 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**"

THE ELECTRONIC SUBMISSION OF BIDS AND PROPOSALS MUST HAVE THE FOLLOWING INFORMATION TYPED INTO THE SUBJECT LINE OF EMAIL:

Send	To	ebids_proposals@dpp.vi.gov
	Cc	
	Bcc	

Subject ABC Company, Inc.-RFP-033-T-2020 (P)- May 22, 2020

Where proposals are sent by email, the bidder shall be responsible for their email to Department of Property & Procurement before the date and time set for the closing of acceptance of proposals. Proposals received after the official deadline will be considered **LATE** and will **NOT** be considered for evaluation.

G. 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 said proposal has been accepted by GVI

H. INTERPRETATION OF SPECIFICATIONS

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

I. CONSIDERATION OF PROPOSAL

The Commissioner of Property and Procurement shall represent and act for GVI in all matters pertaining to the scope of services and contract in conjunction therewith. **This RFP does not commit GVI to the award of a contract, nor pay of any cost incurred in the preparation and submission of 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 shall 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.

J. ACCEPTANCE OF PROPOSALS

GVI shall 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.

K. CONTENTS OF PROPOSAL

The following is a list of information to be included in the written proposal. Failure to provide any supplementary documentation to comply with the respondent's proposal may be grounds for disqualification. Each Respondent must adhere to the requirements of each project relative to the proposal package content and format in order to simplify the review process and facilitate the maximum degree of comparison. Respondents should ensure that their proposal package closely follows the sequence and organizational outline described in this section.

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 for services being advertised.
 - b. Current trade name registration certificate, if applicable
 - c. Certificate of Good Standing dated July 1, 2019 or later
 - d. Articles of Incorporation (for Corporations) or Articles of Organization (for LLCs) or qualification (Limited Partnerships), if applicable.
 - e. Certificate of Resolution/Memorandum Authorizing Signatory on Company letterhead
 - f. Copy of Sam.Gov registration
 - g. Proof of 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 the table below. 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 the following roles; 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 phone numbers.
- b. Provide what percentage of work will be sub-contracted.
- c. Provide a copy of written statements of agreement from subcontractors.

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 sub-consultants 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 Qualification Statement & Minimum Qualifications Questionnaire (Appendix C)

9. **Project Approach:**
 - a. Narrative description of your approach to this project and any unusual aspects or challenges you foresee with this project.
 - 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 J) 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 J, General Contract Provisions,” in which the company shall explicitly indicate all terms and conditions specified Appendix J, 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.

- 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:**
 - ii. 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 via a scheduled/individual endorsement.
- c. **Commercial Automobile Liability (when applicable):**
 - vi. Respondent shall carry automobile liability insurance, including all owned, non-owned, scheduled, and hired autos 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:**

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

L. 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 proposer for the same request for proposals; the proposer is competing solely in its own behalf without connection with, or obligation to, any undisclosed person (s) or firm (s).

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 to 2 CFR 200 and the resulting contract will contain the required contract provisions:

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

M. 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 NON-PROCUREMENT." 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.

N. 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.

O. 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.

FAILURE TO PROVIDE THE CERTIFICATES WITHIN THE STATED TIME PERIOD MAY RESULT IN THE PROPOSAL DEEMED NON-RESPONSIVE AND MAY BE IMMEDIATELY DISQUALIFIED WITH NO FURTHER CONSIDERATION GIVEN FOR POTENTIAL AWARDING OF THE CONTRACT.

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

a. See attached and see link below:

<https://dpp.vi.gov/sites/default/files/forms/New%20-%20List%20of%20Required%20Docs.09.17.2018.pdf>

b. THESE WILL BE REQUIRED PRIOR TO AWARD OF CONTRACT.

Appendices & Attachment

1. Appendix A- Proposal Package Checklist
2. Appendix B- Cost Proposal Form
3. Appendix C: Respondent's Qualification Statement & Minimum Qualification Questionnaire
4. Appendix D- Certification of Information
5. Appendix E- Women & Minority Owned Business Enterprise Participation Plan
 - a. E.1- Subcontractor Participation Plan
 - b. Subcontractor Information
 - c. E.2- Intent to Perform as Subcontractor
 - d. E.3- Self-Perform Statement
6. Appendix F- GVI Non-Collusion Affidavit
7. Appendix G- Debarment Certification Form
8. Appendix H- Acknowledgment of any Addenda
9. Appendix I - General Contract Terms and Provisions
10. Attachment 1- Additional Project Information