

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

**Request for Proposal – Negotiation
Professional Services**

To:

Date: July 30, 2021

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RFP No. 052-T-2021 (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 **Monday, August 23, 2021 at 4:30 p.m.** Atlantic Standard Time.

DESCRIPTION OF WORK:

The Department of Property of Procurement on behalf of the Department of Public Works (‘DPW’) is requesting proposals from qualified vendors to provide Emergency Territorial and Federal Roadside Clearance in the St. Thomas/St. John/Water Island District.

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 will 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 hereunder; **(iii)** familiarity with the location (s) in which services will be performed; **(iv)** project approach and 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 (b) Qualifications (c) Experience and (d) Cost. The Selection Committee may, at its option, request any or all proposers to participate in on-site or 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-052-T-2021 (P) Emergency Territorial and Federal Roadside Clearance in the St. Thomas/St. John/Water Island District

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. STATEMENT OF PURPOSE

To assist the Government of the Virgin Islands in meeting the requirement for the following services: **RFP-052-T-2021 (P) Emergency Territorial and Federal Roadside Clearance in the St. Thomas/St. John/Water Island District**

C. PROPOSE SCOPE OF SERVICES

1. GENERAL

The purpose of this contract is to provide roadside clearing assistance to the territory of the United States Virgin Islands which has been declared under a state of emergency or declared a disaster area by the Governor of the United States of the Virgin Islands.

The Contractor shall push, pull, or cut debris from roadways and Right-of-Ways (“ROW”) and stockpile the debris in the ROW, unless stockpiling will create a traffic hazard. For the purposes of this contract, the Right-Of-Way (ROW) is defined as the area within ten (10) feet from the edge of the pavement, or the area from the edge of pavement up to a permanent barrier such as a retaining wall – whichever is less. The Contractor shall not remove any debris under this contract unless the ROW does not permit for the stockpiling, the Contractor will be directed by a Public Works Program Manager to a nearby site for temporary stockpiling of debris.

2. SERVICES

The services under this contract shall be for a period of one (1) year with a one (1) year renewal option.

The number of crews provided by the Contractor must be approved by DPW. Each crew shall consist of specified equipment with operators and laborers for debris clearance of roadways and the ROW. The contractor shall provide all equipment, laborers, and materials necessary to fully operate and maintain all equipment (including fuel, oil, grease, and repair). The crew will consist of the following:

- A. One (1) dump truck, minimum 16 cubic yard capacity with an operator
- B. Two (2) front-end loaders with operators, 3 – 5 cubic yard capacity;
- or**
- one (1) backhoe and one (1) Excavator with loaders with operators, 1 ½ (min cap.) cubic yard
- C. Five (5) Laborers with chainsaws (16” minimum bar), traffic flags, and miscellaneous small tools (machetes, shovels, chains, and safety equipment)
- D. One (1) Pickup Truck, 1.5 ton, with crew foreman and radio or cellular phone communication

The Contractor shall provide the crew for the duration specified by DPW. All hourly equipment rates include the cost of the operator, supervision, maintenance, fuel, repairs, overhead, profit, insurance, and any other costs associated with the equipment and personnel. All hourly manpower rates include the cost of protective clothing, fringe benefits, hand tools, supervision, transportation, and any other costs.

The work shall consist of clearing roadways and the ROW of all debris as directed by the Department of Public Works Program Manager.

The Contractor shall not move from one designated work area to another designated work area without prior approval from the Department of Public Works Program Manager. All work shall be performed in compliance with the US Department of Transportation Manual on Uniform Traffic Control Devices for Street and Highways, Part VI (Standards and Guide for Traffic Controls for Streets and Highways Construction, Maintenance, Utility, and Incident Management Operations) (MUTCD), and in accordance with the Virgin Islands OSHA Safety Standards. The Contractor shall ensure that all Contractor personnel is capable of understanding safety concerns expressed in Part VI of MUTCD directly or through an interpreter. All equipment used under this contract must comply with all federal and local rules and regulations. The Contractor must present his equipment for inspection prior to its use by the Contractor. The Contractor shall conduct its operations so as not to interfere with the disaster response and recovery activities of federal and local governments or agencies, or of any public utilities.

3. PERFORMANCE SCHEDULE

The Contractor must be available to commence debris clearance operations immediately after an “all clear” signal is given by the Virgin Islands Territorial Emergency Management Agency or announcement by the Public Works Commissioner over the electronic media (i.e., radio). The Contractor shall commence mobilization within twelve (12) hours to work areas designated by the Department of Public Works Program Manager. The Contractor shall work according to a schedule approved by DPW until designated work areas are cleared or until the Program Manager directs otherwise.

4. EQUIPMENT

All trucks and other equipment must comply with all applicable federal and local rules and regulations. Prior to commencing debris removal operations, the Contractor shall present to the Department of Public Works Program Manager all equipment for approval to use under this contract. Each truck or loader must be numbered (i.e., vehicle tag number) for identification. Trucks or equipment, which are designated for use under this contract, shall not be used for any other work during the working hours of this contract. The Contractor shall not solicit work from private citizens or others to be performed in the designated work areas are cleared.

5. REPORTING

The Contractor shall submit a daily operations report to the Commissioner of Public Works on a weekly or bi-weekly basis, containing at a minimum the following information:

- A. Contractor's name and telephone number
- B. Contract number and the project assigned
- C. Location(s) which may be described using street names, route numbers, GPS coordinates, and/or map(s) showing area of daily operations
- D. Daily hours worked by each employee by name, position title, crew number, and pay rate
- E. Daily hours operated for each equipment identified by vehicle tag number and operator and hourly rate
- F. Estimated number of miles cleared daily
- G. Supervisor's signature
- H. Summary of incidents or critical issues
- I. Confirmation of active Sam.gov registration, DUNS#, and no debarment

6. OTHER CONSIDERATIONS

The Contractor shall supervise and direct the work, using skilled labor and proper equipment for all tasks, as appropriate. The safety of the Contractor's personnel, equipment, and adjacent areas are the responsibility of the Contractor. All equipment used under this contract must comply with all federal and local rules and regulations. Additionally, the Contractor shall pay for all materials, personnel, taxes, and fees necessary to perform under the terms of this contract. The Contractor must be duly licensed to perform the work in the United States Virgin Islands per statutory requirements.

The Contractor shall not clear areas beyond the roadway or the ROW. The Contractor shall be responsible for correcting any notices of violations issued as a result of the Contractor's or any subcontractors' actions or operations during the performance of this contract. Corrections for any such violations shall be at no additional cost to the Government. The Contractor shall be responsible for the control of pedestrian and vehicular traffic in the work area. The Contractor shall provide all flag persons, signs, equipment, and other devices necessary to meet federal and local requirements. At a minimum, one flag person should be posted at each approach to the work area.

7. PAYMENT

Payment for work completed will be based on verified hours worked from the daily operations report certified by the Contractor and approved by the Department of Public Works Program Manager. Equipment downtime resulting from equipment failure, routine maintenance, and fuelling that exceeds thirty (30) minutes of work hour will be considered unacceptable work and non-payment for one-half of that hour.

The contractor is instructed to submit a detailed invoice package on a weekly or bi-weekly basis that must include, but is not limited to:

- A. Contract number.
- B. Amount to be paid to the Contractor;
- C. Period for which services were rendered;
- D. Dates worked;
- E. Area(s) worked,
- F. Number, name, and title of personnel;
- G. Daily Operation Reports covering invoice period. Refer to Section 5. Reporting
- H. All other supporting documentation. Refer to Section 5. Reporting

Sample Invoice:

ABC Construction, Inc
 #123 Estate Anna's Hope
 P.O. Box 987, Kingshill VI 00851
 TEL: (340) 555-0123
 Tax ID: 66-9999999

Contract: SC-0123-DPW 2000
 Period: 07/15/2000 - 07/15/2000

07/15/2000 Frederiksted Town – King Street, from Queen Cross Street o Market Street

1. Dump truck with operator	10 hours @ \$15.00	\$ 150.00
2. Backhoe with operator	10 hours @ \$25.00	\$ 250.00
3. Excavator with operator	10 hours @ \$120.00	\$1,250.00
4. 5 laborers with tools	10 hours @ \$30.00	\$ 300.00

Joe Smith, Laborer	12345
John Smith, Laborer	67890
Jim Smith, Laborer	09876
Jack Smith, Laborer	54321
James Smith, Laborer	11223

5. Foreman with pickup truck	10 hours @ \$45.00	\$ 450.00
Jonathan Smith, Foreman	22334	

TOTAL DUE: \$1,400.00

I certify that the above information is true and correct.

 John Smith, Sr. President

 Date

8. INSURANCE

The Constructor shall maintain on his own, Workmen's Compensation Insurance, and Comprehensive General Liability Insurance against bodily injury with limits of \$100,000.00 the cost of which shall be borne by the Contractor and maintained fully during the term of the contract.

A copy of the insurance listed herein shall be filed with the Department of Property & Procurement, 8201 Subbase, St. Thomas, Us. Virgin Islands.

The Contractor shall be liable for loss or damage to property or persons; however, in no case shall such negligence be presumed or inferred.

9. COMPENSATION

The Government, in consideration of the satisfactory performance of the services described in the Scope of Work, agrees to make payment based on actual invoices submitted by the Contractor. The contractor shall bill the Government for the number of hours per contract line item.

The parties agree that the unit price to be paid under this contract should be outlined in the Compensation Schedule. The parties further agree that payments will be made in accordance with approved invoices submitted to the Department of Public Works.

The final payment is subject to the inspection and acceptance of the project by the Government, and the submission of all pertinent warranties, and Release of Claims. The contractor shall submit a Waiver of Liens or Affidavits of subcontractors who have to release the contractor of its obligations. The contractor shall also submit a Consent of Surety prior to final payment, and upon the Government's request, and other documentation the Government deems necessary.

D. TIMETABLE

Last Day for Written Clarification is Wednesday, August 11, 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 **Monday, August 23, 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. 052-T-2021 (P) – August 23, 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”**

The image shows a screenshot of an email composition interface. On the left, there is a 'Send' button with a right-pointing arrow. To its right are three input fields: 'To' containing 'ebids_proposals@dpp.vi.gov', 'Cc', and 'Bcc'. Below these fields is a 'Subject' field containing the text '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. Organization:
 - a. Introductory letter about the respondent:
 - i. Name, address, email, and telephone numbers.
 - ii. Type of service for which individual/firm is qualified.
 - b. Provide a list of staff available for the project (Local & Off-Territory)
 - c. Current Business License or state register for the services being advertised (See Section 2-Services (9). All bidders bidding as a Joint Venture must be licensed as a Joint Venture in the US Virgin Islands
 - d. Current trade name registration certification; if applicable
 - e. Certificate of Good Standing dated July 1, 2021, or later
 - f. Articles of Incorporation (For Corporations) or Articles of Organization for (LLC's) or Statement of Qualification (Limited Partnerships), if applicable.
 - g. Corporate Resolution or equivalent identifying the person who is authorized to act for the respondent with respect to this RFP.
2. 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.

3. **Project Experience:**
 - a. Provide a list of projects performed within the last three (3) years. Include a brief description of the work performed and cost of each project.
 - b. Provide a list of projects currently being performed. Include a brief description of the project and percentage completed.
4. **Project Approach:**
 - a. The respondent applying to this solicitation will describe how you will approach this project and availability to perform the services requested.
5. **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.
6. **Proof of Sam.Gov registration.**
7. **Cost Proposal (*SEE BID SCHEDULE ROADSIDE CLEARANCE*)**

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.

L. 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.

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

1. See Link Below.

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](#)

ROADSIDE CLEARANCE BID SCHEDULE					
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL AMOUNT
001.	16 cubic yd Dump Truck	36	Hour		
002A.	3-5 cubic yd Front-end Loader	36	Hour		
002B.	1 ½ cubic yd Backhoe	36	Hour		
002C.	2 ½ cubic yd Excavator	36	Hour		
003.	5 laborers with small tools	36	Hour		
004.	Foreman and pickup truck	36	Hour		
TOTAL:					

Company Name: _____

Company Physical Address: _____

Company Mailing Address: _____

Tax Identification Number: _____

Company Telephone: _____

Company Email Address: _____

Authorized
Representative: _____

NOTE: Quantities listed above are for bid evaluation purposes only.

The prices noted above must include the cost for an operator to operate the heavy equipment.

Submit information for either line item 002A OR 002B, not both