

GOVERNMENT OF
THE VIRGIN ISLANDS OF THE UNITED STATES
Department of Property and Procurement

**REQUEST FOR PROPOSAL – NEGOTIATION
(Construction)**

To: Date: October 17, 2018
..... RFP No. RFP-002-C-2019(C)

Pursuant to 31 V.I.C. Sub Section 239(a) and the Rules and Regulations thereunder issued, the Government of the Virgin Islands, Department of Property and Procurement, will receive proposals for the work described below. Proposals will be received until **10:00 o'clock A.M., Friday, November 16, 2018 at the Department of Property & Procurement St. Croix.**

DESCRIPTION OF WORK AND PROJECT NO.

The Government of the Virgin Islands, Department of Property and Procurement on behalf of the **Department of Public Works** is requesting proposals for the **Construction of a VITRAN Maintenance & Operations Facility in Estate Anna's Hope, St. Croix.**

<u>SCOPE OF WORK:</u>	Specifications
<u>COMPLETION TIME:</u>	18 calendar months
<u>LIQUIDATED DAMAGES:</u>	\$350.00
<u>Cost Per set:</u>	\$100.00
<u>BONDS:</u>	Performance Bond: 100 % of Contract Payment Bond 100 % of Contract Bid Bond 5% of Contract (Required)

PRE-PROPOSAL CONFERENCE: Wednesday, October 31, 2018 at 10:00 a.m. at the Department of Property & Procurement Conference Room, St. Croix.

LAST DAY FOR QUESTIONS: Monday, November 5, 2018 at 4:00 p.m.

SUBMISSION OF ALL PROPOSALS: All interested parties shall submit seven (7) sets of proposal.

INFORMATION REGARDING REQUEST FOR PROPOSAL – NEGOTIATION

All documents in connection with the above must be obtained from the Department of Property and Procurement. The same will consist of Request for Proposal of Construction Contract, Qualification Statement, the Contract, Performance and Payment Bonds, if required, General Provisions, Special Provisions if any, Plans and Performance Specifications.

NEGOTIATED PROCEDURES:

(a) The Government may award a contract ... based upon initial offers ... without discussions of such offers. Accordingly, each initial offer should be submitted on the most favorable terms from a price and technical standpoint that the offeror can submit.

(b) **Discussions With Offerors Within a Competitive Range:** Written or oral discussions will be conducted **only with all responsible offerors who submit proposals with a competitive range**, price, and other factors considered. Whenever negotiations are conducted with several offerors while such negotiations may be conducted successively, all offerors selected to participate in such negotiations will be offered an equitable opportunity to submit such price, technical, or other revisions in their proposals as may result from the negotiations.

(c) Unlike bids on IFB's which are irrevocable for the bid acceptance period stated in the bid, proposals may be withdrawn after submission by written notice received by the government.

(d) **There will be no public opening in negotiated contracts.** The Abstract of Proposals is not a public record, and the identity of offerors and any information concerning their proposal will not be divulged to any offeror prior to award.

(e) **Late Proposals or Modifications:** Late proposals or modifications may be considered if the Commissioner of Property and Procurement determines that the late proposal or modification is of extreme importance to the government, provided, however, that there is a probability of a significant reduction in cost to the Government, or technical improvements, as compared with proposals previously received.

(f) **Factors to be Considered in Negotiated Contracts:**

(1) While the lowest price or lowest cost to the government is properly the deciding factor in source selection in many instances, award of a contract properly maybe influenced by the proposal which is most advantageous to the Government, quality offered, delivery terms, performance and service reputation taken into consideration.

(2) Offers shall be supported by statements and analyses of estimated cost or other evidence of reasonable prices and other matters deemed necessary by the Commissioner of Property and Procurement.

Attention will also be given to ...

(a) comparison of prices quoted and consultation of other prices for the same or similar services;

(b) comparison of the business reputation, capacity and responsibility of the respective persons or firms who submit offers;

(c) consideration of the existing and potential workload of the prospective contractor;
and

(d) consideration of past performance and ability of the proposed contractor

(e) **Method of Conducting Negotiations:**

Generally, the method of conducting negotiations will be quite flexible, the purpose being to obtain the best deal for the Government. Auction techniques will not be used. No offeror will be informed that his price is not low in relation to that of another offeror.

(f) **Offeror Responsibility**

As in formal advertising, a proposer in a negotiated proposal must be responsible in order to qualify for award of the contract. The definition of responsibility in a negotiated proposal is the same as that in a formally advertised bid.

(g) **Selection of Contractor:**

An award based upon technical evaluation of proposals will be made and a contract issued. Unsuccessful offerors will be notified accordingly.

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THE VIRGIN ISLANDS OF THE UNITED STATES
Department of Property and Procurement

**Offer to Negotiate
(CONSTRUCTION)**

October 17, 2018

RFP No. 002-C--2019 (C)

To: The Commissioner
Department of Property and Procurement
Government of the Virgin Islands

Section 1. The undersigned, _____, in compliance with your Request for Proposal – Negotiation, above referenced, **Construction of a VITRAN Maintenance & Operations Facility in Estate Anna's Hope, St. Croix**, hereby offers to perform the above construction work –more particularly described in the Contract documents which accompanied the Request for Proposal – Negotiation – for the total sum of \$ _____

Section 2. The undersigned hereby certifies that he has examined or caused to be examined for and on his behalf the plans and specifications together with related documents and the site of the proposed work and being familiar with all of the conditions surrounding the construction of the proposed project, including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies, and to construct the project in accordance with the Contract Documents, within the time set forth therein of which the proposal is a part.

Section 3. The undersigned agrees that upon written notice of the acceptance of this offer he will execute a formal contract within ten (10) calendar days and deliver to the Contracting Officer such bonds as are required.

Section 4. (a) The undersigned further agrees that if awarded a contract hereunder, he will ... within such time as determined by the Contracting Officer ... before or after the date of commencement of work, prepare and submit to the Contracting Officer for approval a practicable schedule showing the order in which he proposes to carry on the work; the date on which he will start the several salient features ... including procurement of materials and equipment ... and the contemplated dates for completing the same.

(b) The schedule shall be in the form of a Progress Chart of suitable scale to indicate appropriately the percentage of work schedule for completion at any time. The Contractor shall enter in the chart the actual progress at the end of each week or at such intervals as directed by the Contracting Officer, and shall immediately deliver to the Contracting Officer three (3) copies thereof.

(c) If, in the opinion of the Contracting Officer, the undersigned contractor falls behind the progress schedule, the Contractor shall take such steps as may be necessary to improve his progress and the Contracting Officer may, **inter alia**, require him to increase the number of shifts, and/or overtime operations or days of work to submit for approval such supplementary schedule or schedules in chart form as may be deemed necessary to demonstrate the manner in which the agreed rate of progress will be regained **all without additional cost to the Government**.

(d) Failure of the Contractor to comply with the requirements of the Contracting Officer under the provisions hereof shall be grounds for determination by the Contracting Officer that the Contractor is not prosecuting the work with such diligence as will ensure completion within the time specified. Upon such determination, the Contracting Officer may terminate the contractor's right to proceed with the work, or may separable part thereof, in accordance with the delays damages article of the contract.

Section 5. The bid security attached, in the sum of \$ _____ shall become the property of the Government, **as liquidated damages**, in the event the contract is not executed or the bonds furnished within the time set forth.

Respectfully submitted:

(Signature)

(Official designation)

(Name of Firm)

Seal – if by Corporation

ACCEPTANCE AND NOTIFICATION
Government of the Virgin Islands

The above offer is hereby accepted and Offeror is hereby so notified.

Dated: _____

Lloyd T. Bough Jr.
Commissioner
Department of Property and Procurement
Contracting Officer, G.V.I.