

PUBLIC NOTICE FOR THE
MARYLAND DEPARTMENT OF TRANSPORTATION

BCS 2015-04

Environmental Permit Compliance Services, Statewide

NOTICE TO ARCHITECTS & ENGINEERS

TRANSPORTATION PROFESSIONAL SERVICES SELECTION BOARD

REQUEST FOR PROFESSIONAL SERVICES

The Secretary of the Maryland Department of Transportation (MDOT) has certified to the Transportation Professional Services Selection Board the need to utilize the services of architects or engineers for the following project(s).

Firms interested in being considered for work on any Project must submit an Expression of Interest for that Project as set forth herein. The Expression of Interest shall be in an envelope marked with the specified contract number for the Project. The letter portion of the Expression of Interest shall indicate the firm's desire to perform services and indicate the specific tasks or areas of expertise, which will be subcontracted, and to whom. Interested firms must submit the material required herein or the interested firm will not be considered for the Project.

Of all the firms expressing interest in a Project, those adjudged most qualified shall be requested to submit Technical Proposals. Additional information will be supplied to the selected firms so that they can prepare such proposals for the Project. The firms that submit the highest rated Technical Proposal will be requested to submit Price Proposals. For projects that are 100% State funded, Price Proposal cost limitations such as, but not limited to, a payroll burden and overhead limitation of 130%, may apply. This project will be federally funded and Price Proposal cost limitations on payroll burden and overhead shall not apply. However, MDOT reserves the right to require that split payroll burden and overhead rates be submitted appropriate for the type of services to be provided (example, Office Rate for planning/design activities and Field Rate for construction inspection). If negotiations with the firm are timely and successful, a contract may be awarded to that firm. If an interested firm is requested to submit proposals, their proposals should substantially reflect the same composition and area of involvement as their Expression of Interest.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Expressions of Interest from the Joint Venture constituents. A firm will not be permitted to submit on more than one (1) Joint Venture for the same project advertisement. Also a firm that responds to a project advertisement as a prime or a prime joint venture constituent may not be included as a designated subcontractor to another firm that responds as a prime to the project advertisement. Multiple responses under any of the foregoing situations may cause the rejection of all responses of the firms involved. The above does not

preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

All questions concerning submissions and procedures must be submitted by email to opcm@sha.state.md.us no later than 4:00 pm one (1) week prior to the due date. The BCS number must be referenced in the email subject line. Problems submitting emails shall be reported to the Consultant Services Division (CSD) telephone number 410-545-0434.

All addendums to this advertisement will be posted only on eMaryland Marketplace and on the Consultant Services Center page of the Maryland State Highway Administration's Webpage (www.roads.maryland.gov).

Consultants shall have the ability to provide background investigation results for Consultant personnel assigned to work on Maryland State Highway Administration (SHA) projects.

The Maryland State Highway Administration, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C §§ 200d to 200d-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.

RESPOND TO:

Cheryl R.B. Hill
MARYLAND STATE HIGHWAY ADMINISTRATION
OFFICE OF PROCUREMENT AND CONTRACT MANAGEMENT
Fourth Floor, Mail Stop C-405
707 North Calvert Street
Baltimore, Maryland 21202

1. Project Description:

To provide Environmental Permit Compliance Services, Statewide.

SHA anticipates awarding two (2) contracts for these services, each for five (5) year duration and not to exceed Eight Million Dollars (\$8,000,000). SHA reserves the right to modify the number of contracts and the dollar value of each as deemed appropriate.

This contract will be administered solely by SHA's Office of Environmental Design (OED), located at 707 North Calvert Street, Baltimore, Maryland 21202 to support the Architectural and Engineering needs of SHA, statewide, and will be funded with both State and Federal Funds. Assignments may be made to support other SHA Offices with the prior approval of the SHA Deputy Administrator. In addition, this contract may be used to provide services to the Maryland Department of Transportation's (MDOT) Secretary Office, or any of the MDOT modal administrations, at the direction and with the express prior written authorization of the Secretary of Transportation or the Secretary's designee. Any tasks assigned under this contract must be for services as outlined in the contract scope of work and in conformance with all contract terms and conditions and payment provisions.

2. Consultant Services Required:

Firms with expertise in environmental and highway construction permit compliance to provide, but not limited to, the following Environmental Permit Compliance Services:

- Perform environmental permit compliance activities (ie: inspection, analysis and monitoring) of active SHA projects for State and Federal regulatory requirements;
- Conduct construction site inspections for SHA's Erosion and Sediment Control/Quality Assurance Program;
- Conduct wetland and stream restoration and compensatory mitigation monitoring;
- Conduct storm water management, National Pollutant Discharge Elimination Service (NPDES) and Total Maximum Daily Load (TMDL) Best Management Practices (BMP) site monitoring;
- Consultant may be required to provide environmental compliance services on-site at SHA facilities or project sites;
- Environmental analysis;
- Environmental studies and data collection;
- Independent environmental monitoring;
- Designate wetland and stream specialists for wetland and/or stream mitigation construction;
- Permitting;
- Environmental engineering; and
- All other professional engineering services related to environmental permit compliance.

Some examples of work include, but are not limited to the following:

- Complete inspections, record and document construction site inspections and meetings;
- Complete monitoring data sheets, documentation and reports for wetland and stream, compensatory mitigation, storm water management, NPDES and TMDL site monitoring efforts;
- Prepare Geographical Information Systems (GIS) survey files and wetland delineation reports;
- Perform as an Independent Monitor or Designated Specialist on a wetland mitigation or stream restoration construction projects; and
- All other engineering professional work related to environmental permit compliance services.

3. Potential Restrictions:

The firm(s) selected for a given Contract will be required to provide architectural and/or engineering services for any SHA design and construction project, including Design/Build projects. This may limit the firm's potential for pursuing work with a contractor on the same Design/Build project after advertisement. State Government Article 15-508 of the Annotated Code of Maryland will dictate the Consultant's eligibility to pursue work on Design/Build projects after advertisement.

As per State Finance & Procurement, State Government Article 17-701 – 17-707 of the Annotated Code of Maryland the firm(s) selected for a given Contract will be required to provide "Certification Regarding Investments in Iran". See below 4(f.)

4. Required Information: The Consultant shall submit the following per the specified requirements listed below of:

- A Compact Disc (CD) in a protective case labeled with the BCS number, Project Title and Prime/JV's firm name to include: One (1) full PDF version of the Expression of Interest (EOI) submittal as well as Sub-Folders containing the associated individual PDF files for each Section required herein. Sub-Folders and Sections must be labeled to identify each accordingly. All PDF documents must follow the naming convention of (BCS #-Prime/JV Name-Name Identifying the Document (i.e.: BCS 2015-04-ABC Firm-Letter of Interest);
- One (1) original and three (3) copies of the EOI comprised of:

NOTE: All EOI submittals must be bound with both front and back covers. The front covers must clearly display the BCS Number, Project Service Title, Firm's Name and marked as "**Original**" or "**Copy.**" Sections in the EOI submittals must contain labeled tabs/dividers identifying each section. Graphics and photos on the front and back covers are acceptable but will not be considered in the evaluation process.

- a. One (1) Letter of Interest - Limited to one (1) page which must contain the address of the firm's closest location to 707 North Calvert Street, Baltimore, Maryland 21202; information supporting the assertion that the Consultant has the financial capacity to provide the services requested, has measures in place to protect the State against errors and omissions, and provide the names, contact numbers and email addresses of the Primary Liaison, Disadvantaged Business Enterprise (DBE) Consultant Liaison Officer for Minority Affairs, and your firm's contact person for this procurement process. The Primary Liaison, DBE Liaison Officer, and the firm's procurement contact may be the same or different individuals.

Note: US Government forms are to be completed with standard size typing and are not to be photo reduced. Computer generated forms are acceptable; however, the format and spacing is to be identical to that of the Standard Forms (SF) 254 and 255 unless directed otherwise.

- b. One (1) SF 254 for each firm, including each subcontractor, proposed.
 - i. Item #1, Firm/Business Address, the Consultant must include the DUNS Number
 - ii. Item #4, the Consultant must check all applicable boxes.
- c. One (1) SF 255.

The SF 255 must be completed paying special attention to the following:

- i. Item #4, Personnel by Discipline, the Consultant shall document personnel by discipline presently employed at the work location proposed. If more than one (1) location is being proposed by the Consultant, the Consultant must clearly document all locations proposed and show the total number of personnel by discipline for all locations proposed. Subcontractor personnel are not to be included. The instructions for completing Columns A and B are provided on the form.
- ii. Item #6, Outside Key Consultants (Sub-Consultants): Please follow the directions provided in Step 5. Special Requirements – DBE Provisions to complete Item #6 of the SF 255.
- iii. Item #7, Key Staff. Provide a brief resume for each of the Key Staff individuals outlined below, limited to two (2) Key Staff per page, not to exceed three (3) pages total. The Consultant must document in writing in Item #7 that the Key Staff individuals meet the following requirements:
 1. **Key Staff 1:** Engineer registered as a Professional Engineer (P.E.) in the State of Maryland with expertise and a minimum of ten (10)

years of recent experience in Construction Management or Environmental Permit Compliance, employed by the Prime/JV.

2. **Key Staff 2:** Environmental Scientist with current Maryland Department of Environment (MDE) and SHA Erosion and Sediment Control certifications and the following experience: a minimum of eight (8) years of recent experience performing highway construction or erosion & sediment control inspection; a minimum of four (4) years of recent experience specializing in Environmental Permit Compliance; and a minimum of two (2) years of recent supervisory experience. This individual must be employed by the Prime/JV or any of the Subconsultants.
3. **Key Staff 3:** Environmental Scientist with current MDE and SHA Erosion and Sediment Control certifications and a minimum of six (6) years of recent experience performing highway construction or erosion & sediment control inspection and be employed by the Prime/JV or any of the Subconsultants.
4. **Key Staff 4:** Environmental Scientist with a current MDE and SHA Erosion and Sediment Control certifications with a minimum of six (6) years of recent experience performing highway construction or erosion & sediment control inspection and be employed by the Prime/JV or any of the Subconsultants.
5. **Key Staff 5:** Environmental Scientist with a minimum of five (5) years of recent experience performing wetland and stream monitoring or wetland and stream restoration/mitigation monitoring and be employed by the Prime/JV or any of the Subconsultants.
6. **Key Staff 6:** Environmental Scientist with a minimum of five (5) years of recent experience monitoring storm water management structures such as, but not limited to: wet ponds, dry ponds, infiltration and other Environmental Site Design (ESD) or other best management practices for stormwater management and be employed by the Prime/JV or any of the Subconsultants.

It is anticipated that one or all of the Key Staff may be required to provide environmental compliance services on-site at SHA facilities or project sites.

Where Maryland Registrations are required for the professional Key Staff, the Consultant shall include on line "f" of Item #7 of the SF 255 the words "Maryland Registered" and the Maryland License Registration Certificate Number for the individual. Failure of the Consultant to properly

document Key Staff requirements in writing will result in the firm being precluded from further consideration for the Project.

NOTE: The ½ page resumes in Item #7 are a summary of the resumes required in 4 d. Please refer to 4. d for additional information regarding preparing Key Staff resumes.

- iv. Item #8, Similar Projects: Limited to four (4) similar projects, one (1) similar project per page for a total not to exceed four (4) pages. The columns below the Similar Project Information entered under the Column A-E headers may be removed to create one large block to answer only Column B “Nature of the Firm’s Responsibility.” Photos are acceptable; however, all photos count in the overall space limitations for the page and are considered illustrations and not rated. The Similar Projects set forth shall be recent experience performed within the past ten (10) years. (Information provided in this section shall become part of the rating/evaluation criteria for this project.)
 - v. Items #9 and #10 are not required. Any information presented in Items #9 and #10 will not be reviewed or considered in the evaluation process.
- d. In addition to the Key Staff’s brief resumes required in Item #7 of the SF 255, provide a one (1) page resume for each of the six (6) proposed Key Staff, outlined above in Section 4.c.iii.

It is the firms’/joint ventures’ responsibility to ensure resumes **clearly and accurately** represent all of the Key Staff information such as, but not limited to the following:

- Education;
- Years of Experience, including the total number of years of experience performing the services required for this procurement;
- Licenses/Certifications, e.g., Maryland License Registration Number and the year it was initially issued, etc.;
- Include the role of Key Staff members on the projects listed in the resume, e.g.: MD 404 Project – Project Manager, etc.;
- Include a statement in the resume that certifies the individual meets the experience requirements such as recent years of experience, number of years of supervisory, etc.

Please exclude any confidential personal information. If required, the business address and phone number may be used. The one (1) page resume format is at the firm’s discretion.

- e. A copy of the Prime/JV’s current certificate(s) of insurance which must include a minimum of One Million Dollars (\$1,000,000) per occurrence for Professional Liability

- f. As per State Finance and Procurement, State Government Article 17-701 - 17-707 of the Annotated Code of Maryland, a firm engaging in investment activities with companies appearing on the Investment Activities in Iran list is ineligible for bid/proposal/award. The Investment Activities in Iran list is located at www.bpw.state.md.us of the Maryland Board of Public Works (BPW) web site. As per the BPW Advisory No.: 2013-11, Date Issued January 1, 2013, an officer of the Prime/JV firm shall provide a signed original certification as per language listed on the BPW Advisory page.
- g. The Consultant shall comply with the "Required Information" and "Special Requirements" set forth hereinafter when completing the aforesaid documentation.

5. Special Requirements - DBE Provisions:

The Maryland Department of Transportation (MDOT) hereby notifies all proposers that in regard to any contract entered into pursuant to this advertisement; DBEs will be afforded full opportunity to submit expressions of interest in response to this notice and will not be subject to discrimination on the basis of race, color, national origin, age, sex or disability in consideration for an award (23 CFR § 200, 49 CFR § 21 and 26).

It is the goal of MDOT that certified businesses participate in all contracts. Each contract may contain a goal for DBE participation, on a contract-by-contract basis. Consultants interested in submitting an Expression of Interest must comply with the "SPECIAL PROVISIONS, AFFIRMATIVE ACTION REQUIREMENTS, UTILIZATION OF DISADVANTAGED BUSINESSES, THE SURFACE TRANSPORTATION AND UNIFORM RELOCATION ASSISTANCE ACT OF 1987, ISTEAF OF 1991 AND MAP 21 OF 2012."

To comply with the aforesaid SPECIAL PROVISIONS, Consultants who submit Expressions of Interest must clearly set forth the **DBE Prime firm(s)/JV and DBE subcontractor(s)** proposed for goal attainment indicating:

- a. The proposed work;
- b. Percentage of total work, (no ranges);
- c. MDOT certification number; and
- d. Applicable NAICS Codes

for each DBE. **Said information shall be shown in Item #6 of the SF 255 form.** Proposed DBE firms must be certified by MDOT to participate on federally funded Projects. If the proposed DBE firm is not certified by MDOT, the Consultant shall indicate the certification status of the proposed DBE firm in lieu of the certification number.

The Consultant's failure to submit all of the required DBE information, in the specified areas, will result in the Consultant being disqualified from further consideration for the

Reduced Candidate List on this Project, unless it is in the best interest of the State to seek clarification or additional information from the Consultant.

CONTRACT GOALS

For the purpose of this contract, a goal of **Twenty-Seven percent (27%)** has been established for DBEs. DBE proposers have to meet the established DBE goal by either their own forces or approved DBE Subconsultant(s). Per 49 CFR 26.55 (b), when a DBE performs as a participant in a joint venture, they may count a portion of the total dollar value of the contract equal to the distinct and clearly defined portion of the work that the DBE performs with own forces, toward the DBE goals and the proposed participation must be listed in Item #6 of the SF 255.

In addition to listing the all the DBEs proposed for participation, Consultants must also list the following in Item #6 of the SF 255:

- Each **Non-DBE** firm proposed including the firm name, proposed work, applicable NAICS Codes, and percentage of work;
6. Additional Information: SHA reserves the right to develop multiple Reduced Candidate Lists from those firms responding to this advertisement or to make multiple selections from one (1) Reduced Candidate List.
 7. Electronic Transfer: By submitting a response to this solicitation, the Consultant agrees to accept payments by electronic funds transfer unless the State Comptroller's Office grants an exemption. The selected Consultant shall register with the EFT Registration, General Accounting Division using the COT/GAD X-10 Vendor Electronic Funds (EFT) Registration Request Form, available at <http://compnet.comp.state.md.us/gad/pdf/GADX-10.pdf> . Any request for exemption must be submitted to the State Comptroller's Office for approval at the address specified on the COT/GAD X-10 form and must include the business identification information as stated on the form and include the reasons for the exemption.
 8. Rating Criteria: The major factors/criteria for the establishment of a Reduced Candidate List for this Project, in descending order of importance, will be:
 - a. Key Staff;
 - b. Similar Project Experience;
 - c. Past Performance; (Shall be based on the past two (2) years performance rating for work performed for SHA. Firms with no ratings shall be given an average of all the firms rated.)
 - d. Capacity to accomplish proposed work in required time;
 - e. Compatibility of size of firm with size of proposed project;
 - f. Firm's location;
 - g. Financial Responsibility; and,
 - h. Consultant has measures of protection for the State against errors and omissions
 9. Additional Information: The Key Staff submitted in the Expression of Interest (EOI) will be evaluated to determine if they meet the minimum qualifications set forth in the

Advertisement. If SHA chooses to rate and rank during the EOI phase in order to develop a Reduced Candidate List, SHA will carry forward the scores for the Key Staff and Similar Projects (and Specialized Expertise, if applicable) into the Competitive Technical Proposal evaluation phase.

Requests to replace originally proposed Key Staff is only permitted by those firms requested to submit a Competitive Technical Proposal. In addition, Key Staff replacement requests at the Competitive Technical Proposal phase may only be requested if the originally proposed Key Staff is no longer available to perform on the contract. Replacement requests cannot be made to cure a deficiency in the originally proposed Key Staff or in an attempt to raise the score of the proposal.

If SHA rated and ranked Key Staff at the EOI phase and chooses to carry the scores forward, Key Staff proposed at the Technical phase must meet or exceed the qualifications of the originally proposed Key Staff members. If Key Staff were not rated and ranked at the EOI phase, SHA reserves the right to rate the originally proposed Key Staff in the EOI phase and use that score as the base score of the Key Staff replacement request or may choose to score the replacement Key Staff. All Key Staff replacements must be approved by SHA.

10. Facsimile/e-mail copies of the Expression of Interest are not acceptable. No response received after 12:00 P.M. (NOON) on the date specified for a Project will be accepted, no matter how transmitted.

The outside of the Expression of Interest submittal envelope/package must include the following:

Expression of Interest Submittal for BCS Number
Expression of Interest Service Title
Expression of Interest Due Date and Time
Firm Name
Firm Address

Respond by: APRIL 26, 2016 prior to 12:00 P.M. (NOON)

RESPOND TO:
Cheryl R.B. Hill
MARYLAND STATE HIGHWAY ADMINISTRATION
OFFICE OF PROCUREMENT AND CONTRACT MANAGEMENT
Fourth Floor, Mail Stop C-405
707 North Calvert Street
Baltimore, Maryland 21202