

**PUBLIC  
NOTICE**

**MARYLAND DEPARTMENT OF TRANSPORTATION**

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NOTICE

TO

**SMALL BUSINESS RESERVE PROCUREMENT  
ARCHITECTS & ENGINEERS**

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**TRANSPORTATION PROFESSIONAL SERVICES SELECTION  
BOARD**

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**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).

This procurement is a Small Business Reserve procurement, only certified Small Business firms may apply. **Small Business** 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.

**CERTIFIED SMALL BUSINESSES ARE STRONGLY ENCOURAGED TO RESPOND.**

Of all the **Small Business** 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 firm that submits the highest rated Technical Proposal will be requested to submit Price Proposals. When Price Proposals are prepared, cost limitations such as, but not limited to, a payroll burden and overhead limitation of 160% shall apply. 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. All firms represented in the Joint Venture must be a Certified Small Business for this contract. 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 will 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 [twilson@marylandports.com](mailto:twilson@marylandports.com) no later than 4:00 pm one (1) week prior to the due date.** The contract number must be referenced in the email subject line. Problems submitting emails shall be reported to the Procurement Division telephone number 410-385-4835. Questions concerning submissions and procedures may be addressed to the Maryland Port Administration, The World Trade Center Baltimore, Procurement Division, 401 East Pratt Street, 11<sup>th</sup> Floor, Baltimore,

Maryland 21202, telephone number **(410) 385-4835**.

No response received after 4:00 P.M. on the date specified for a Project will be accepted, no matter how transmitted.

RESPOND TO:

ERIC T. LOMBOY, DIRECTOR

**OFFICE OF PROCUREMENT AND CONTRACT MANAGEMENT**

**Fourth Floor, C-405  
707 North Calvert Street  
Baltimore, Maryland 21202**

I. **Maryland Port Administration**

A. **Contract Number: 518803**

1. **Project Description: "Environmental Engineering Consulting Services"**

The purpose of this contract is to establish a contract agreement for environmental engineering services for the Maryland Port Administration (MPA) to pursue feasibility, engineering and design for multiple placement options for dredged material from the Baltimore Inner Harbor and Chesapeake Bay Channels serving the Port of Baltimore. **The MPA intends to award one (1) consultant services contract for a total amount of \$5 million for a period of five (5) years.** The award will be made to the firm with the highest ranked technical evaluation. All project services are to be funded with 100% State funds. **This contract will only be awarded to businesses that meet the criteria for the Small Business Reserve Program.**

2. **Consultant Services Required:**

The MPA is seeking Consultants for environmental engineering consulting services. The Consultants selected shall furnish all necessary labor, supervision, materials and equipment to provide the MPA with consulting services which shall be requested and performed on an as needed basis. Consultant services required may include, but not necessarily be limited to: Environmental engineering aspects of comprehensive planning studies for new dredged material management options or channels with detailed reports, charts and technical data; investigative surveys, technical studies, and feasibility studies for new dredged material management options, existing options and channels; designs, including design criteria, for new dredged material management options and channels or modification of existing dredged material management options and channels and maintenance of existing dredged material management options and channels; preparation of contract documents which shall include detailed drawings, technical specifications and addendums to specifications (materials and workmanship) for new or existing dredged material management options and channels; preparation and/or review of cost estimates and schedules for planning studies, investigative surveys, technical studies, feasibility studies, designs and construction contracts, operation and maintenance, and claims analysis; furnish post-award construction services, including, but not limited to, review and approval of

shop drawings, catalog cuts and other submittals for construction contractors for compliance with contract documents; responses to request for information, attend progress meetings, site visits, inspections, etc.; research data, attend public and private meetings as required for approval and development of dredged material management options and channels, provide consultation and guidance in technical matters; expert witness testimony; obtain information by review of available data and documents that the MPA has in its files and survey facilities and dredged material management options and channels and/or research as required. Consultant services shall also include, but not be limited to environmental (remediation, environmental assessment, groundwater assessment and hydrogeologic modeling, water and wastewater treatment), civil (geotechnical, storm water drainage, grading and earthwork), mechanical/electrical (pumps, utilities, water and sanitary); other general engineering services upon request by the MPA for additional work tasks related to the environmental aspects of dredging and the Dredged Material Management Program; provide land surveys by either photogrammetric or ground method as specified; provide drilling services to obtain borings for the purposes of physical and chemical characterization or groundwater monitoring and characterization; provide environmental evaluations, including, but not limited to, chemical testing and evaluation of soil and sediment borings or other samples taken from land and sea/bay locations, determining suitability for various dredged material management options and innovative or beneficial reuses, etc.; environmental characterization of borrow sources; technical writing, review and comprehensive report development; laboratory analytical services; regulatory and permit support services; technical and administrative support necessary to produce the complete National Environmental Policy Act (NEPA) documentation for a project's Environmental Impact Statement (EIS).

3. **Specific Type Firm Solicited:**

The Consultant must have experienced personnel who are capable and have experience in dredging and coastal engineering, design, construction and operation of dredged material placement sites, and in making evaluations that will include traditional, beneficial use and innovative methods of site construction, operation and use of dredged materials. The Consultants

should have experience in the development of plans and specifications for the construction and operation of new placement facilities and/or improvements to existing facilities. The Consultant's conclusions will assist the MPA in determining which of the dredged material placement sites should be considered as the most viable options for inclusion in the Maryland's Dredged Material Management Program. Additionally, the Consultant(s) will be required to provide services for projects including, without limitation, existing, new or modified navigation channel geometries such as deeper or wider channels, new or modified anchorages or turning basins (collectively, channels). The Consultant's evaluation of potential projects will include, but not be limited to, reconnaissance-level site identification and evaluation, feasibility assessments, environmental impact assessments and permitting, site characterization and remediation requirements, designs and alternative design analyses, operations analyses, constructability, and cost effectiveness recommendations.

4. **Required Information:** The Consultant shall submit **one (1) unbound original and six (6) bound copies of an Expression of Interest**, which shall include the following:
- a. One (1) Letter of Interest - Limited to five (5) pages.
  - b. One (1) US Government Form SF 255.
  - c. One (1) US Government Form SF 254 for each firm, including each subcontractor, proposed.
  - d. One (1) Small Business Contract Affidavit
  - e. The Consultant shall comply with the "Requirements" and "Special Requirements" set forth hereinafter when completing the aforesaid documentation.

**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 254 and 255.

Additionally, the following shall be submitted:

- a. One (1) additional and unbound copy of the Letter of Interest.
- b. One (1) additional and unbound SF 254 Form, for those firms, including subcontractors, who are not currently on file

with the Consultant Services Division.

5. **Requirements - Documentation:** In completing the **SF 255 Form, 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 information required for **Item #7, Key Staff**, is to be limited to twelve (12) individuals who are proposed for performing significant productive time on the project. The Consultant must document in writing in Item #7 that two (2) of their own employees proposed as Key Staff individuals are Professional Engineers Registered in the State of Maryland with expertise in environmental engineering aspects of planning, design, construction and operation of dredged material placement sites and navigation channels. The remaining ten (10) Key Staff individuals proposed shall have a minimum of four (4) years' experience and/or comprehensive knowledge of environmental engineering. 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.

The information required for **Item #8, Similar Projects**, shall be limited to five (5) similar projects including value and description of actual work performed by the Consultant and shall not exceed one (1) page in total length. Firms must contain their Similar Projects documentation to the given column widths set forth in Item #8 of the SF 255 Form. The vertical space used for each of the five (5) projects cited is at the discretion of the Consultant. Both the Key Staff individual experience and the similar projects set forth shall be recent experiences performed within the past ten (10) years. **Item #9** is non-applicable.

**Item #10, Specialized Expertise**, shall be limited to five (5) pages.

6. **Special Requirements – Minority Business Enterprise (“MBE”)**

**Provisions:**

**MDOT hereby notifies all proposers** that in regard to any contract entered into pursuant to this advertisement, MBE firms will be afforded full opportunity to submit bids in response to this notice and will not be subjected to discrimination on the basis of race, color, religion, sex, creed, age, marital status, sexual orientation, sexual identity, ancestry, disability of a qualified individual with a disability or national origin (23 CFR § 200, 49 CFR § 21 and 26). MBE firms are encouraged to respond to this solicitation notice.

It is the goal of MDOT that certified businesses participate in all contracts. Each contract will contain a goal for MBE 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” as modified June 8, 2000, which is obtainable from the Office of Consultant Services at the address or phone number noted herein. To comply with the aforesaid SPECIAL PROVISIONS, Consultants who submit Expressions of Interest must clearly set forth the MBE Prime firm(s) or MBE subcontractor(s) proposed for goal attainment including the following information:

- 1) the proposed work for the MBE,
- 2) the percentage of total work, and
- 3) the MDOT certification number for the MBE.

**This information shall be shown in Item #6 of the Federal Government SF 255 Form.** If the proposed MBE firm is not certified by MDOT, the Consultant shall indicate the certification status of the proposed MBE firm in lieu of the certification number.

**Consultants shall also set forth in the letter portion of the Expression of Interest their “Consultant Liaison Officer for Minority Affairs”. The Consultant’s failure to submit all of the required MBE information, in the specified areas, shall affect the Consultant’s rating,**



**and may 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 FIFTEEN (15%) PERCENT HAS BEEN ESTABLISHED FOR MBEs.** The MPA has further established that sub-goals are not required for this contract. It is the goal of the Maryland Department of Transportation that MBE's participate in all contracts, and the Consultant is encouraged to utilize MBE subconsultants where there is the opportunity to do so. **All MBE proposers have to meet the established goals by certified MBE subcontractor(s).**

This contract requires the Contractor to make good faith efforts to comply with the MBE Program and contract provisions. Bidders shall carefully review all instructions related to Minority Business Enterprise (MBE) subcontracting requirements. The Certified MBE Utilization and Fair Solicitation Affidavit and the MBE Participation Schedules for the MBE goal must accompany the bid. Be advised that the documents must be completed in their entirety with accurate information. **If a bidder fails to submit these documents, the MPA shall deem the bid as non-responsive.**

**\*\*\*\*ALL MBE FIRMS UTILIZED IN THIS CONTRACT MUST BE MDOT MBE CERTIFIED.** You can access the MBE Directory at <https://mbe.mdot.maryland.gov/directory/>. **\*\*\*\***

**MBE Prime Self Performance.** When a certified MBE firm participates as a prime (independently or as part of a joint venture) on a contract, a procurement agency may count the distinct, clearly defined portion of the work of the contract that the certified MBE firm performs with its own forces toward fulfilling **up to fifty percent (50%) of the MBE overall participation goal** and up to **one hundred percent (100%) of not more**

**than one of the MBE participation subgoals, if any, established for the contract.**

An MBE prime must be (a) a certified MBE and (b) listed in the Part 2 – MBE Participation Schedule with its certification number, the certification classification under which it will self-perform, and the percentage of the contract that can be counted as MBE self-performance. For the remaining portion of the overall goal and any subgoals, the MBE prime must also list, in the Part 2 – MBE Participation Schedule, other certified MBE firms used to meet those goals, or, after making good faith efforts to obtain the participation of additional MBE firms, request a waiver.

Effective on October 1, 2009, Minority Business Enterprise (MBE) firms may elect to be dually certified as woman-owned businesses and as members of an ethnic or racial category. For purposes of achieving any gender or ethnic/racial MBE participation subgoals in a particular contract, an MBE firm that has dual certification may participate in the contract either as a woman-owned business or as a business owned by a member of a racial or ethnic minority group, **but not both**.

**WARNING – PLEASE READ:**

- ◆ **A firm must be listed in the MDOT MBE/DBE Directory with the gender category in order to be used to meet the gender subgoal.**
- ◆ **A firm must be listed in the MDOT MBE/DBE Directory with an ethnic/racial category in order to be used to meet the ethnic/racial subgoal.**
- ◆ **A firm must be listed in the MDOT MBE/DBE Directory with both the gender and ethnic/racial categories in order for a contractor to have the option of selecting which of those categories it will use for the firm on a State contract.**
- ◆ **Contractors should designate whether the MBE firm will be used as a woman-owned business or as a business owned by a member of a**

**racial/ethnic group before calculating the percentage of MBE participation goals and subgoals they intend to meet.**

Maryland's MBE/DBE Directory will reflect the dual certification status beginning October 1, 2009. You can access the MBE/DBE Directory at <https://mbe.mdot.maryland.gov/directory/>. Firms with dual certification will now be listed as follows:

Example:       ABC Corporation, Inc.  
                  123 Corporate Circle  
                  Hanover, MD 21076  
                  **Female/African American**  
                  00-000

This contract requires the Contractor to make good faith efforts to comply with the MBE Program and contract provisions. The State and the Contractor acknowledge and agree that the State will incur damages, including but not limited to loss of goodwill, detrimental impact on economic development, and diversion of internal staff resources, if the Contractor does not make good faith efforts to comply with the requirements of the MBE Program and MBE contract provisions. The parties further acknowledge and agree that the damages the State might reasonably be anticipated to accrue as a result of such lack of compliance are difficult to ascertain with precision.

Therefore, upon a determination by the State that the Contractor failed to make good faith efforts to comply with one or more of the specified MBE Program requirements or contract provisions, the Contractor agrees to pay liquidated damages to the State at the rates set forth below. The Contractor expressly agrees that the State may withhold payment on any invoices as a set-off against liquidated damages owed. The Contractor further agrees that for each specified violation, the agreed upon liquidated damages are reasonably proximate to the loss the State is anticipated to incur as a result of such violation.

- a. Failure to submit each monthly payment report in full compliance with COMAR 21.11.03.13B (3): \$23.00 per day until the monthly report is submitted as required.

- b. Failure to include in its agreements with MBE subcontractors a provision requiring submission of payment reports in full compliance with COMAR 21.11.03.13B (4): \$82.00 per MBE subcontractor.
- c. Failure to comply with COMAR 21.11.03.12 in terminating, canceling, or changing the scope of work/value of a contract with an MBE subcontractor and/or amendment of the MBE participation schedule: the difference between the dollar value of the MBE participation commitment on the MBE participation schedule for that specific MBE firm and the dollar value of the work performed by that MBE firm for the contract.
- d. Failure to meet the Contractor's total MBE participation goal and subgoal commitments: the difference between the dollar value of the total MBE participation commitment on the MBE participation schedule and the MBE participation actually achieved.
- e. Failure to promptly pay all undisputed amounts to a subcontractor in full compliance with the prompt payment provisions of this contract: \$90.00 per day until the undisputed amount due to the subcontractor is paid.

Notwithstanding the use of liquidated damages, the State reserves the right to terminate the contract and exercise all other rights and remedies provided in the contract or by law.

- 7. **Project Representative:** No additional information available.
- 8. **Additional Information:** The Maryland Port Administration 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.
- 9. **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. Qualification and experience of Key Staff
  - b. Experience of firm in the environmental engineering aspects of

development and evaluation of new facilities, particularly dredged material placement facilities, ecosystem restoration projects, navigation channels, and improvements to such infrastructure.

- c. Experience of firm in the evaluation of environmental remediation required for land, groundwater and surface water environments and remedial designs for same.
- d. Past Performance on similar work.
- e. Capability to accomplish proposed work in required time.
- f. Compatibility of firm with size of project.
- g. Firm's location
- h. General competence
- i. Financial responsibility
- j. Measures of protection for the State against errors and omissions

10. **Electronic Transfer:**  
**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.

11. **Respond by: March 8, 2017 prior to 12:00 P.M. (NOON)**

RESPOND TO:

**OFFICE OF PROCUREMENT AND CONTRACT MANAGEMENT**

**Fourth Floor, C-405**

**707 North Calvert Street**

**Baltimore, Maryland 21202**