**MUNCIPALITY OF**

 **REQUEST FOR PROPOSALS**

**SERVICES OF A CONSTRUCTION RESIDENT INSPECTOR**

The Municipality of       (Municipality) is soliciting proposals for the services of a Resident Inspector during construction of a federally funded       project located on      , beginning at       and extending       of one mile to      , reference WIN      .

Proposers must provide: a.) a technical proposal; and b.) a price proposal in a separate, sealed package. *Price will not be part of the technical proposal; otherwise, that proposal will be rejected.*

The Municipality is undertaking this locally administered project with funding from the Maine Department of Transportation (MaineDOT). This project is subject to applicable federal and state laws, regulations, policies and procedures.

The Municipality, in accordance with Title VI of the Civil Rights Act of 1964 and all associated regulations, notifies all proposers that it will affirmatively assure that disadvantaged business enterprises will be afforded full opportunity to submit proposals in response to this invitation and that proposers will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

1. **APPENDICES:**

[ ]  Appendix A – Proposer’s Cost Proposal Form

[ ]  Appendix B – Proposer’s General Information Form

[ ]  Appendix C – Project Contract

1. **PROPOSALS ARE TO BE RECEIVED NO LATER THAN:**

Date Due:

Local Time:

*Any proposal, portion of a proposal, or unrequested proposal revision received at the Municipality after the time and date specified above* ***will not*** *be accepted.*

1. **COMMUNICATIONS:**

Communications regarding the RFP must be submitted by email and directed to the RFP Coordinator listed below. The subject line must reference the project name, RFP title and Project WIN.

 Name and Title:

 Office Phone:

 Email:

1. **REQUEST FOR CLARIFICATION/RFP AMENDMENTS.**

Requests for clarification and additional information must be submitted by email to the RFP Coordinator listed above by       on MONTH/DAY/YEAR. Late requests will not be accepted. When appropriate, responses will be placed on the Municipality’s website:       by close of business on MONTH/DAY/YEAR. **It will be the Proposer’s responsibility to check the referenced website for clarifications and amendments to this RFP.** (Note: Proposers must reference all amendments in their responses to this RFP.)

1. **SCOPE OF WORK**

The consultant firm will provide a Resident Inspector to work on a federally funded construction project with an approximate duration of       weeks. Work will be performed in accordance with standard references that include, but are not limited to, the latest versions of the Maine Department of Transportation’s Construction Manual and Project Record Keeping Manual.

1. Responsibilities of the Resident Inspector will include, but not be limited to, the following tasks:
2. Generating written documentation of the contractor’s daily activities;
3. Ensuring that the contractor meets the contract requirements through direct inspections, including measurements;
4. Documenting quantities of materials for payment to the contractor;
5. Conducting progress meetings with the contractor;
6. Checking certified contractor payrolls in the Elation system for Davis-Bacon compliance;
7. Performing payroll interviews as necessary to comply with Davis-Bacon requirements;
8. Coordinating materials testing necessary to meet the Minimum Testing Requirements for the project, in accordance with applicable AASHTO/NETTCP/MaineDOT procedures;
9. Documenting test results;
10. Preparing contract modifications, if necessary; and
11. Preparing all documentation necessary to close out the completed project.
12. **PROPOSAL RATING AND SELECTION PROCESS**
	1. Technical proposals will be reviewed and rated using the responses to the criteria in the “Proposer Information” section below.
	2. This is a qualifications-based selection process, meaning that technical proposals alone will be used to select the successful Proposer. Upon selecting the successful Proposer, the Municipality will open that Proposer’s price proposal and begin negotiations. *Price proposals from all other Proposers will remain sealed during negotiations and returned unopened upon contract award.*
13. **PROPOSER INFORMATION**
14. **Proposer’s Qualifications (****points):** Identify the **key** staff your firm will assign to fulfill the contract requirements. Provide resumes describing their educational and work experiences.
15. **Proposer’s Experience (      points)**: Identify at least 5 projects on which the firm has performed comparable work in the last 5 years. Include contacts (company name, contact name, address, and phone number), a description of the project, dates of the project and results.
16. **Proposer’s ability to control costs and communicate effectively (      points):**
	* 1. Describe the methods used to control and monitor client costs and ensure quality.
		2. Describe your firm’s ability to handle projected workload.
		3. Describe how your firm intends to maintain effective communication with the Municipality.
17. **Proposer’s References (      points)**: Provide at least 3 professional references, including points of contact and a brief description of each project, with dates. The scoring committee will use the results of any reference checks when scoring the technical proposal.
18. **Contact Information:** Provide the name, address, phone number, FAX number, and email address of the Proposer.
19. **Signature Page:** The technical proposal and price proposal each must have a signature page stating, “I certify that all of the information in this technical/price proposal is true and accurate.”
20. **Acknowledgement of Amendments:** The Proposer will refer to all amendments in its response to this RFP.
21. **PACKAGING AND SUBMITTING YOUR TECHNICAL AND PRICE PROPOSALS**
	1. **Organization and Format**. Your technical proposal must be submitted as outlined below.
	2. **RFP Title**. The Proposer’s full business name and address as well as the RFP title must be written on your Proposal Package, with reference to Project WIN      .
	3. **Hard Copy**.      (  ) copies of the technical proposal must be submitted in hard copy format accompanied by       (  ) electronic copies in       format.
	4. **A completed “Proposer’s General Information Form” (Appendix B) must be included.**
	5. **Price proposal**: The price proposal (**Appendix A**) will be provided in a separate, sealed envelope that will be opened only if the initial scoring of technical proposals results in a Consultant being ranked as best qualified. **NO MENTION OF PRICE WILL BE INCLUDED IN THE TECHNICAL PROPOSAL; OTHERWISE THAT PROPOSAL WILL BE REJECTED.**
	6. **Proposal Package Submittal:** Proposal packages must be mailed/delivered as follows:

|  |  |  |
| --- | --- | --- |
| **Regular Mail Delivery** | **Hand Carried Delivery** | **Federal Express/UPS Delivery** |
| Address to:      | Address to:      | Address to:      |

1. **TERMS & CONDITIONS / FUNDING SOURCE / GENERAL INFORMATION**
2. The contract resulting from this RFP will be governed by the terms and conditions found in **Appendix C** to this RFP – Project Contract.
3. This RFP does not commit the Municipality to pay costs incurred in preparing and submitting your proposal or in procuring or subcontracting for services or supplies related to the proposal.
4. **PROPOSAL PRICING**

The price proposal and supporting data must be submitted as outlined on the standard Cost Proposal Form (Appendix A), available on the MaineDOT Local Project Administration website under the heading labeled *Consultants*: <http://www.maine.gov/mdot/lpa/lpadocuments/>.

The Consultant’s price proposal must include the following:

* Project WIN, location, firm name and address, contact name, and email address.
* **Direct Labor Expenses / Employee Classifications:**

The Proposal must include each employee’s respective classification and rate of pay. ***Note: A cap of $50.00 per hour for direct labor will apply to this project.***

* **Overhead Rate:**

The Proposal will reflect the Consultant’s latest Audited Overhead Rate, as approved by the MaineDOT’s Office of Audit.

***Note:*** *A fixed commercial rate will be accepted for firms with no Audited Overhead Report.*

* **Fixed Fee/Profit:**

The proposed fixed fee/profit is based on factors such as degree of risk, relative difficulty of work, and the size of the job. It must fall within the range of 6 percent to 15 percent.

* **Itemized Direct Expenses:**

This will consist of project expenses such as meals and lodging at State of Maine rates, tolls, mileage at 44 cents per mile, postage, and subconsultant costs that are not included in the direct labor, overhead and profit. ***Note: Markup on direct costs is prohibited.***

* **Total Proposed Cost:**

This is the maximum amount proposed.

* **Disadvantaged Business Enterprise (DBE) Form:**

The DBE Form must show all subconsultants, identify if they are DBE, WBE or Non-DBE, and show the subconsultant work as a percentage of the total contract value. The DBE Form should reflect whether the Prime Consultant is a DBE.

* **Insurance Certificates:**

Insurance certificates must be included with the Cost Proposal Form, as follows:

* + Professional Liability;
	+ Commercial General Liability, listing the Municipality as additional insured;
	+ Automobile Liability;
	+ Worker’s Compensation;
	+ Excess/Umbrella Liability (if applicable).

**Section C: Subconsultant Proposal**

If a subconsultant will work on the project, the subconsultant’s proposal must be included as supporting documentation. If a subconsultant will perform 25 percent or more of the value of the contract, the prime consultant also must submit the subconsultant’s Certified Payroll and Audited Overhead Report.

1. **CONTRACT TERM, TYPE AND PAYMENT METHOD.**

The initial contract term will be for a period of      , commencing upon execution of the contract documents. The Municipality reserves the right to modify the initial contract term at its discretion. The method of payment for this contract will be      .

1. **DISADVANTAGED BUSINESS ENTERPRISES**

Certified Disadvantaged Business Enterprise (DBE) consultants are encouraged to apply as the prime consultant for this work. Non-DBE consultants will ensure that DBEs have the maximum opportunity to participate in the performance of any project contract as subconsultants. Consultants certified by another state’s transportation agency must be certified by the MaineDOT.

Requirements may be found on the MaineDOT website for Disadvantaged Business Enterprises, located at <http://www.maine.gov/mdot/civilrights/dbe/>

1. **DEBARMENT CERTIFICATION**

The signature pages required in section 7(f) above must have the following statement:

“By submitting to this RFP, I certify to the best of my knowledge and belief that the organization, its principals, and any subconsultants named in this proposal:

1. Are not debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from bidding or working on contracts issued by any governmental agency.
2. Have not within three (3) years of submitting the proposal for this contract been convicted of or had a civil judgment rendered against them for:
	1. fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state or local government transaction or contract.
	2. violating federal or state antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
	3. are not currently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
	4. have not within a three (3) year period preceding this proposal had one or more federal, state or local government transactions terminated for cause or default.”

*Failure to provide this certification may cause the disqualification of the proposal.*

1. **FREEDOM OF ACCESS ACT: CONFIDENTIALITY.**

Under Maine’s Freedom of Access Act, 1 M.R.S.A. §401, et seq., “public records” are available for public inspection and copying once an award notification has been made.

By law, information submitted in response to this RFP will be considered “public records” available for inspection and copying once an award notification is made. If a Proposer contends that parts of its Proposal fall under an exception set forth in 1 M.R.S.A. §402(3), the Proposer may submit those parts of its Proposal in a separate envelope marked “Confidential,” with each page marked “Confidential.” Included in the envelope should be a non-confidential statement of the basis for the Proposer’s claim that those parts of its Proposal fall within one or more exceptions to the definition of “public records.” Designating parts of a Proposal “Confidential” does not by itself ensure that they will stay confidential.

If the Municipality receives a request to inspect or copy parts of a Proposal marked confidential, the Municipality will notify the Proposer. Within 14 days of receiving the Municipality’s notice, any Proposer claiming documents are confidential must send the Municipality a list identifying each document that it claims is confidential. The Municipality will notify the party requesting disclosure that the documents will be withheld. If the party seeking disclosure files a legal action to gain access to the confidential information, the Proposer must retain counsel and join the legal action to defend its position that the release of information should be denied. Proposer’s failure to join the action and defend its position will constitute a waiver of its claim that the information is confidential. The Municipality will comply with the order issued by the court reviewing the case.