

REQUEST FOR PROPOSALS

CONSULTING SERVICES – ENGINEERING AND DESIGN SERVICES



City of Morgantown, West Virginia
389 Spruce Street
Morgantown, WV 26505
304-284-7412
Morgantownwv.gov

RFP issuedAugust 15, 2017

Proposals dueSeptember 5, 2017
2 p.m. EST

RFP can be accessed via:
Gov.findrfp.com/gov/List.aspx?id=36976 or
Sunnysideupwv.org

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Additional information can be obtained through the following website link:

1. Campus Neighborhoods Revitalization Corporation (CNRC) available at Sunnysideupwv.org

PART I – INTRODUCTION

1. Introduction

1.01 The City of Morgantown, West Virginia is requesting qualifications and interest for engineering, design, and architectural services for the design and planning of an infrastructure improvement project for the Sunnyside TIF District-Phase III. Firms interested in participating in this activity will be required to negotiate a contract for services in compliance with Federal and State regulations applicable to architectural and engineering contracts after selection as the best qualified firm. Subcontractor arrangements are acceptable and team efforts will be considered, but a primary consultant must have overall responsibility.

1.02 Professional services will include the following:

- 1) Evaluation and surveying of the areas as they relate to the proposed projects;
- 2) Preparation of a report containing conceptual designs accompanied by design and construction estimates;
- 3) Preparation of all bidding and contract documents for development in accordance with all governmental requirements;
- 4) Participation in the evaluation of all bids;
- 5) Monitoring and inspection of all construction activities to insure compliance with plans and specifications.

1.03 The purpose of this competitive process is to select the firm which will provide the highest quality service at a realistic fee. Accordingly, technical qualifications and experience will be weighed heavily in this objective selection process. The firm determined most qualified will be asked to prepare a final proposal which will include estimated costs plus fixed fees for said services. The selection/rating criteria along with a conceptual background and project description are available upon request. A contract for services will be negotiated after a firm has been selected, based on qualifications.

1.04 All firms making a submission must be prepared to provide a presentation (short list candidates) to a selection committee. Presentations must include personnel which will be assigned to this project. Presentations should also include conceptual design elements and plans of recent similar projects. Submission materials shall not exceed 75 pages.

1.05 The City of Morgantown will afford full opportunity to minority business enterprises who submit a show of interest in response to this invitation and will not discriminate against any interested firm or individual on the basis of race, creed, color, sex, age, disability, or national origin in the contract award.

1.06 Sealed proposals must be delivered to the City of Morgantown Finance Department no later than 2 p.m. EST on Sept. 5, and must be addressed to:

Finance Department
City of Morgantown
389 Spruce Street
Morgantown, WV 26505

Sealed proposal envelopes shall carry a clear notation in the lower left quadrant, **“Consulting Services – Engineering and Design Services”**

Proposals submitted by facsimile or email will not be accepted.

1.07 To ensure a fair and objective RFP process and evaluation, all questions and inquiries related to this RFP shall be addressed in writing to Damien Davis, City Engineer, by email to ddavis@morgantownwv.gov. The deadline for written questions and inquiries is August 25 by 5 p.m. EST. All questions and answers will be posted on Sunnysideupwv.org by August 30.

Contact with any City of Morgantown employee or official is prohibited without prior written consent from the City Engineer or Assistant City Manager. Offerors contacting any other employee(s) or official(s) without prior written consent risk elimination of their proposal from further consideration.

1.08 Procurement of said services will be in accordance with West Virginia State Code 5G 1 and OMB Circular A 102, Attachment 0, Section 11, paragraph C(5).

1.09 The tentative schedule for this Request for Proposals is as follows:

Release RFP to Vendors and Web Site Post Date	Aug. 15, 2017
Second Advertisement	Aug. 21, 2017
Deadline for Written Questions	Aug. 25, 2017
Answers to Questions Posted on Websites	Aug. 30, 2017
Proposal Submission Deadline	Sept. 5, 2017
Short List	Sept. 12, 2017
Presentations	Sept. 25-26, 2017
Selection	Sept. 27, 2017
Council Approval	Oct. 3, 2017

PART II – DEFINITIONS, TERMS, AND CONDITIONS

2. Definitions, Terms, and Conditions

2.01 Definitions: In order to simplify and clarify the language throughout this Request for Proposals, the following definitions shall apply:

2.01.01 CITY – Same as City of Morgantown, West Virginia.

2.01.02 THE BOARD – The Sunnyside TIF district is governed by a board of individuals representing the City of Morgantown, West Virginia, West Virginia University and others key stakeholders who have been given the authority to exercise such powers and jurisdiction as conferred by their bylaws and articles of incorporation documents.

2.01.03 CONTRACT – An agreement between the City of Morgantown and the Offeror to furnish supplies and/or services over a designated period during which repeated purchases are made of the commodity and/or service specified.

2.01.04 RFP – Request for Proposal.

2.01.05 OFFEROR/VENDOR/FIRM – An organization offering a proposal in response to this RFP.

2.02 Terms and Conditions

2.02.01 Proposals

2.02.01.01 The submitted proposal(s) must be received by the Finance Department prior to the time and date specified in Section 1. The mere fact that the proposal was dispatched will not be considered; the Offeror must ensure that the proposal is delivered and received on time.

2.02.01.02 Proposals received after the date and time specified in Section 1 shall be returned unopened and will be considered void and unacceptable. The City is not responsible for lateness of mail carrier, etc., and time/date stamp in the Finance Department shall be the official time of receipt.

2.02.01.03 Proposals cannot be altered or amended after the closing date. Alterations made before closing must be initialed by Offeror guaranteeing authenticity. Proposals may not be withdrawn after proposal closing date and vendors so agree upon submittal of their proposal.

- 2.02.01.04** By submitting a proposal, the vendor certifies that he/she has fully read and understands this RFP and has full knowledge of the scope, quantity, and quality of the services to be furnished and intends to adhere to the provisions described herein. Failure to do so will be at the Offerors own risk, and he/she cannot secure relief on pleas or error. Neither law nor regulations make allowance for error of omission or commission on part of Vendors.
- 2.02.01.05** Any proposal which does not contain all of the information requested in this RFP will be considered incomplete and may be rejected by the City of Morgantown.
- 2.02.01.06** The City of Morgantown is exempt from State Sales Tax and Federal Excise Tax; therefore, the proposal prices shall not include taxes.
- 2.02.01.07** The Offeror shall furnish any additional information as the City of Morgantown may require. The City of Morgantown reserves the right to make investigation of the qualifications of the Offeror(s) as they deem appropriate.
- 2.02.01.08** This proposal, when properly accepted by the City of Morgantown, shall constitute a Contract equally binding between the successful Vendor and the City of Morgantown. No different or additional terms will become part of this Contract with the exception of a Change Order.
- 2.02.01.09** This RFP does not commit the City of Morgantown to award a contract, to pay any cost incurred in the preparation of a proposal, or to procure or contract for services.
- 2.02.01.10** Selected Offeror(s) shall be responsible for all taxes and licenses of the City, State, and Federal authorities.

2.03 Reservations

- 2.03.01** The City of Morgantown reserves the right to accept or reject any or all proposals as a result of this request, to negotiate with all qualified sources, or to cancel, in part or in its entirety, this RFP if found in the best interest of the City of Morgantown. All proposals become the property of the City of Morgantown.
- 2.03.02** The City of Morgantown reserves the right to waive any informalities and technicalities and to accept the offer considered most advantageous in order to obtain the best value for the City. Causes for rejection of a proposal may include but shall not be limited to the Offeror's current violation of any City ordinance, the Offeror's current inability to satisfactorily perform the work or service, or the Offeror's previous failure to properly and

timely perform its obligations under a contract with the City. Offerors may be disqualified and rejection of proposals may be recommended for any (but not limited to) of the following causes: 1) Failure to use the proposal form(s) furnished by the City; 2) Lack of signature by an authorized representative on the Certification form; 3) Failure to properly complete the proposal; 4) Evidence of collusion among Offerors; 5) Any alteration of the language contained within the RFP form(s).

2.03.03 The City reserves the right to retain all proposals submitted and to use any idea in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the terms and conditions contained in this RFP, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the City of Morgantown and the firm selected.

2.03.04 The City of Morgantown may conduct reference checks as needed to evaluate proposals. The City may contact those listed, and inclusion of this listing in your proposal is agreement that the City may contact the named reference. The City reserves the right to contact other companies or individuals that can provide information to the City that will assist in evaluating the capability of the Offeror.

2.04 Reimbursements

There is no expressed or implied obligation for the City of Morgantown to reimburse responding firms for any expenses incurred in preparing proposals in response to this RFP, and the City of Morgantown will not reimburse responding firms for these expenses, nor will it pay any subsequent costs associated with the provision of any additional information or presentation, or to procure a contract for these services.

2.05 Communication

The City of Morgantown shall not be responsible for any verbal communication between any employee of the City and any potential firm. Only written proposals will be considered.

2.06 Negotiations

During the evaluation process, the City of Morgantown reserves the right, where it may serve the City of Morgantown's best interest, to request additional information or clarifications from Offeror(s). At the discretion of the City, all firm(s) subject to being selected based on criteria set forth in this RFP may be requested to make oral presentations. Each proposal must designate the person(s) who will be responsible for answering technical and contractual questions. Preliminary negotiations may be conducted with responsible Offeror(s) who submit proposals that are reasonably susceptible of being selected. At the discretion of the City, all Offeror(s) reasonably

susceptible of being selected based on criteria set forth in this RFP may be given an opportunity to make a presentation and/or interview with the Selection Committee.

2.07 Disclosure

At the public opening, there will be no disclosure of contents to competing firms, and all proposals will be kept confidential during the negotiation process. The City will certify complete applications and make available a listing of same by the end of business on the date specified in Section 1.04. Except for trade secrets and confidential information which the Vendor identifies as proprietary, all proposals will be open for public inspection and subject to the Freedom of Information Act (FOIA).

2.08 If proposal results in a contract(s), the following terms and conditions will apply:

2.08.01 Offerors should be aware that the RFP and the contents of the successful proposal will become a part of any subsequent contractual document that may arise from this RFP. In case of discrepancy between the RFP and the Offeror's proposal, the RFP will rule.

2.08.02 The City of Morgantown will not accept any contract terms that require pre-payment for services, supplies, or equipment. Limited exceptions may be considered for operating leases or software maintenance and support agreements with prior approval of the Finance Director. Software maintenance and support fees may not be assessed for any system that is not installed, operational, and available for use by the City of Morgantown.

2.08.03 No oral statement of any person shall modify or otherwise change, or affect the terms, conditions, or specifications stated in the resulting contract. All Change Orders to a contract awarded under this RFP will be made in writing by the City Manager for the City of Morgantown.

2.08.04 Should there be a change in ownership or management of the Offeror, a Contract awarded in relation to this RFP shall be canceled unless an agreement is reached with the new owner or manager to continue the contract with its present provisions and prices. A Contract awarded in relation to this RFP is nontransferable by either party.

2.08.05 All invoicing shall be submitted to the City of Morgantown Engineering Department and will be paid upon satisfactory delivery of services and billing according to the prevailing laws of the State of West Virginia.

- 2.08.06** Offerors are advised that all contracts are subject to all legal requirements provided in applicable City ordinances and State and Federal Statutes.
- 2.08.07** The Certification / Authorization / Acknowledgement Affidavit in Section VI of this RFP must be properly executed and provided with the sealed proposal. Proposals that do not include an executed affidavit will be considered incomplete and may be rejected by the City of Morgantown.
- 2.08.08** The City of Morgantown operates and is funded on a fiscal year basis; accordingly, the City of Morgantown reserves the right to terminate, without liability, any contract for which funding is not available.

2.09 Insurance and Bonds

- 2.09.01** The Offeror agrees to maintain, on a primary basis, for the duration of a contract awarded in relation to this RFP, the insurance coverage and limits as described below. The Service Provider must deliver to the City a certificate(s) of insurance evidencing that such policies are in full force and effect with verification within five (5) business days of notification of the City's intent to award a contract. Failure to meet the insurance requirements and provide the required certificate(s) and any necessary endorsements within five (5) business days may cause the proposal to be rejected. The City reserves the right to obtain complete, certified copies of all required insurance policies at any time.
- 2.09.02** The Offeror shall maintain and keep in force during the term hereof one or more policies of liability insurance written by one or more responsible insurance carrier(s), which will include protecting and indemnifying the City in the following amounts:
- a) Comprehensive General Liability – \$1,000,000 combined aggregate
 - b) Automobile Liability – \$1,000,000 combined single limit
 - c) Professional Liability (errors and omissions) - \$1,000,000 per claim.
 - d) Workers Compensation

Each liability insurance policy shall name the City as an additional insured. Offeror shall furnish an original counterpart of such insurance policy to the City. Offeror shall furnish to the City appropriate certificates for such insurance which shall include a commitment by each insurance company to notify the City in writing of any material change, expiration or cancellation of the insurance policy required hereunder not less than thirty (30) days prior to such

change, expiration or cancellation becoming effective. In addition to the above, Offeror shall obtain and keep in force during the term hereof such insurance required by any law or regulation or prudent business practices.

2.10 Damage and Indemnity

Offeror assumes full responsibility for any and all damages caused by Provider's exercise of its activities as authorized. Offeror agrees that it will at all times protect, defend, and indemnify and hold harmless the City, its officers, agents, employees, tenants, and their successors and assigns from and against all liabilities, losses, claims, demands, actions, and court costs (including reasonable attorneys' fees), arising from or growing out of loss or damage to property or injury to or death to any persons resulting in any manner from the actions or failure to act of Offeror or any invitees, guests, agents, employees, or subcontractors of Offeror, whether brought by any of such persons or any other person arising from Offeror's activities as authorized. Offeror shall promptly pay to the City, its successors or assigns, the full amount of any such costs, loss or damage which the City, its successors or assigns may sustain or incur, or for which the City, its successors or assigns, may become liable.

2.11 Addenda

2.11.01 In the event of a needed change in the published RFP documents, it is understood that all the foregoing terms and conditions and all performance requirements will apply to any published addendum.

2.11.02 All published addenda shall be signed and included with your response package as acknowledgement of the addendum. Firms are responsible for obtaining all published addenda from the City of Morgantown Engineering Department or by downloading these documents from the City of Morgantown website. The City assumes no responsibility for the Firms failure to obtain and/or properly submit any addendum. Failure to acknowledge and submit any addenda may be cause for the proposal to be rejected. The City's decision to accept or reject any particular proposal due to a failure to acknowledge and submit addenda shall be final.

PART III – SCOPE OF WORK

3. Anticipated Scope of Work

The City of Morgantown is seeking qualified engineering and design services firm to undertake a variety of assignments or sets of assignments in one or more of the following areas where it may serve the City of Morgantown's best interest:

3.01 Development of Engineering and Design Lists

This set of assignments will involve developing engineering and design lists to support the outcomes identified in the Sunnyside TIF District Comprehensive Plan, the Sunnyside Neighborhood Brownfields Area Redevelopment Plan, and Phase III of the Tax Increment Financing application that can be found at Sunnysideupwv.org.

3.02 Project Management Services

This set of assignments will involve managing multiple projects and subcontractors to meet the criteria set forth in Phase III of the Sunnyside TIF district. Five million dollars is anticipated to fund the Phase III projects.

3.03 Development of Public Improvement Projects to Entice Reinvestment

This set of assignments will involve developing, along with the Board of Directors, a list of public improvement projects to entice development and redevelopment in the Sunnyside area. Work related to prioritizing projects and assisting with bids for identified projects will be expected.

PART IV – PROPOSAL FORMAT & CONTENT REQUIREMENTS

4. Proposal Format & Content Requirements

4.01 Requirements

The following instructions describe the form in which proposals must be submitted. Proposal documents should provide a straightforward, concise description of the Offeror's capabilities complete assignments identified in this RFP. Emphasis should be on completeness, clarity of content, and conveyance of the information requested by the City of Morgantown. The requirements stated do not preclude Offerors herein from furnishing additional reports, functions, and costs as deemed appropriate.

One (1) original and five (5) copies of the proposal must be submitted. The original must be unbound. In addition, one electronic version of the proposal must be included in Adobe Acrobat (.pdf) format written to a single CD-ROM. The electronic version of the proposal must be an exact copy of the original hard copy proposal. Failure to submit in the manner prescribed may cause the proposal to be rejected.

4.02 Organization of Proposal

4.02.01 Responses to the following items will be used for proposal evaluation. Proposals which do not contain responses to each of the requirement items will be considered incomplete and may be rejected. To aid in the comparative evaluation of proposals, please include the following in the order in which it appears below:

4.02.01.01 Introduction

- a. Name, address, phone, fax number, and email address.
- b. Brief background history of the firm/consultant.
- c. Principals of firm, number of staff.
- d. Services offered by firm/consultant.

4.02.01.02 Qualifications

- a. Include a description of the firm's background and experience in providing the services offered.
- b. Include proposed key personnel along with brief resumes for each.
- c. Provide brief summaries of projects which the firm has undertaken which are relevant to the services being offered; particularly, those identified in Part III "Anticipated Scope of Work" of this RFP. Include project name, name of client organization, year of completion, services provided, the firm's role, and description of outcomes.

4.02.01.03 Approach and Methodology

- a. Include a narrative describing how the firm typically approaches the type of services being offered and its general understanding regarding the nature and type of services which the City of Morgantown is seeking.
- b. Describe the methodologies and timeframes for which your firm typically uses to carry out these services, including use and/or development of best practices and other innovative tools.

4.02.01.04 References

- a. Provide a minimum of three (3) references where similar work has been performed by the firm.

4.02.01.05 Location of Firm

- a. The City of Morgantown encourages the use of West Virginia labor. Please specify the office location(s) and percentage of the primary and sub-consultant (if applicable) that will be provided by each office.

4.02.01.06 Familiarity with the City of Morgantown and Monongalia County

- a. Please list any active relevant projects in Morgantown and Monongalia County, West Virginia.
- b. Please list any completed relevant projects in Monongalia County, West Virginia within the past five (5) years.

4.02.02 Completed Certification/Authorization/Acknowledgment Affidavit (see Part VI of this RFP).

4.03 Cost Proposal

Firms shall submit a list of hourly labor rates (fully burdened) for all personnel proposed to work on tasks. These rates will be used by successful candidate firms as the basis for developing budgets and detailed scopes of work for assignment(s) once a contract is in place.

PART V – EVALUATION FACTORS

5. Evaluation Factors

The City of Morgantown will review all proposals to determine compliance with required elements listed in this RFP. Proposals may be judged non-responsive and removed from further consideration if any of the following occur:

- 1) The proposal is not received timely in accordance with the terms of this RFP.
- 2) The proposal does not follow the specified format.

5.01 Evaluation Criteria

Submitted proposal will be evaluated on the following criteria. A weighted average formula will be utilized.

CRITERIA	VALUE (%)
Experience and background in areas of expertise stated and generally described in Section 1 of this RFP.	30
Experience and background in performing assignments stated and generally described in Part III “Anticipated Scope of Work” of this RFP.	30
Methodology, approach, and measurable success (references) related to areas of expertise described in Section 1 of this RFP and experience in performing assignments described in Part III “Anticipated Scope of Work” of this RFP.	15
Familiarity working with governmental agencies and TIF Districts.	10
Location of office(s) that will provide consulting services.	5
Distribution of Work <ul style="list-style-type: none"> • Active projects in Monongalia County, West Virginia • Completed projects in Monongalia County, West Virginia in the past five (5) years. 	5
Cost Proposal (Hourly Rates)	5
TOTAL	100

5.02 Evaluation Process

A committee will be selected to evaluate and rank in writing all proposals. The City of Morgantown's City Manager and the Engineering Department shall have the right to negotiate with individual offers after their proposals are ranked. The City Manager will establish procedures and schedules for conducting negotiations. Disclosure of an offeror's price(s) to another and any information derived from competing proposals is prohibited.

5.03 Best and Final Offer

The City Manager will, if one or more proposals are selected, issue a written request for best and final offer. The request shall set forth the date, time, and place for the submission of best and final offer. At any point in the negotiation process, the City Manager and the Engineering Department may, at his/her discretion, terminate negotiations with all offerors.

