

Nebraska Department of Roads

Request for Qualifications (RFQ) for Professional Services for US-275 Scribner to West Point

November 2016

GENERAL

In accordance with Nebraska Consultants' Competitive Negotiation Act (Neb. Rev. Stat. § 81-1712), the Brooks Act (40 USC 544), and 23 CFR 172.5, the State of Nebraska, Department of Roads (NDOR), is issuing a Request for Qualifications (RFQ) for a Consultant who will serve as an "Owner's Representative" to represent the interests of the Department of Roads throughout the planning, preliminary engineering, procurement, construction and closeout of a design-build highway project on US-275 in Nebraska. Consultants will need to have a team with the knowledge, education, experience and capability to direct, complete and oversee all tasks related to the design-build project identified below. As more specifically described below, Consultant's team will need to provide Preliminary Engineering Services, associated Legal Services, Design-Build Procurement Services, Right of Way Acquisition Services, Construction Compliance Overview, Project Closeout Services and other services throughout the project. Further, Consultant is expected to include environmental and engineering analysis of feasible project alternatives, preparation of design requirements, alternative analysis report, environmental documentation, and public involvement in order to determine a Least Environmentally Damaging Practicable Alternative (LEDPA) necessary for Section 404 permit approval by the U.S. Army Corps of Engineers (USACE).

NDOR is seeking statements of qualifications from firms who wish to be considered to provide these services to NDOR as described herein.

All consultants interested in performing work for NDOR are to review NDOR's Standard PE Agreement and Insurance Requirements, and be familiar with NDOR's Standard CE Agreement prior to responding to this RFQ.

This Request for Qualifications does not commit NDOR to award a contract, to pay any costs incurred in the preparation of a Statement of Qualifications, or to procure or contract for services. NDOR reserves the right, if it is in the best interest of NDOR to do so, to accept or reject any or all Statements of Qualifications received as a result of this request, to negotiate with any qualified responding firm or to modify or cancel in part or in its entirety this Request for Qualifications.

PRELIMINARY SCOPE OF SERVICES

Firms interested in this project must be certified in, familiar with, and capable of completing the following Standard Work Categories;

- 101A Environmental Studies (limited to required elements for state funded projects)
- 103 Traffic Operation Studies
- 104 Traffic Operation Design

PROFESSIONAL SERVICES FOR US-275

- 105 Highway Design Major (preliminary design)
- 107A Bridge Design Major (preliminary design)
- 109 Construction Inspection
 - A. Bridge
 - B. Roadway
 - C. Traffic Control Devices
- 200 Aerial Photography
- 201 Aerial Photogrammetry
- 202 Engineering Surveying
- 203 Geodetic Surveying
- 204 Land Surveying
- 205 Materials Testing
- 209 Hydraulic and Hydrologic Studies (including floodplain analysis and permitting)
- 210 ROW Design
 - A. Land Ownership Research
 - B. Right of Way Plans
 - C. Legal Description and/or Plats
 - D. Appraisals, Acquisitions, Negotiations
 - E. Condemnation plats, legal Descriptions, ROW Plans and ROW File.
- 211 Public Involvement

In addition to these standard work categories, the consultant must have the capability to lead the legal review, drafting of contracts, and other legal services necessary for the design-build project.

The Consultant's design must be accomplished using GEOPAK OpenRoads modeling technology version SS4 or later but no later than the version currently in use by NDOR. The consultant's design must follow NDOR's drafting procedures, guidelines, and file naming convention. The consultant's use of an earlier version of GEOPAK OpenRoads may be approved for specific activities with written permission of NDOR and at NDOR's sole discretion. This project will be developed utilizing NDOR's policies and procedures (including drafting standards) and FHWA's guidelines, when applicable. Information on NDOR's design systems can be found on NDOR's website on the Roadway Design page; <http://www.transportation.nebraska.gov/roadway-design/downloads.htm>.

PROJECT DESCRIPTION

US-275, Scribner to West Point – [click here](#) to view project announcement handout on NDOR's website. A location map is provided with the other key documents for this RFQ.

The design-build highway construction project, for which a Consultant will act as the "Owner's Representative," is described as follows: The conversion of approximately 20 miles of Highway US-275 from a two-lane highway to a four-lane divided expressway. The project limits are from about 3 miles southeast of the southeast corporate limits of Scribner, from the point where the existing four lane expressway ends, extending north to approximately 2 miles north of the junction of US-275 and N-9. The concrete pavement segment through West Point is excluded and not part of the project. Construction of a new bypass around Scriber is anticipated.

NDOR plans to construct the majority of this project using a 2+2 approach which involves using the existing two lanes of highway in place and adding two new lanes adjacent to the existing lanes, resulting in a four-lane divided highway. Where practical a 3R strategy will be used to preserve the existing two lanes. Existing bridges will be assessed and used in place, rehabilitated, or replaced as necessary. New structures will be constructed on the additional two lanes. Extensive grading and culvert work will be required.

Limited survey and design work has been previously developed for part of the project area but will require review and either refinement or re-work to complete the necessary alternatives analysis. Some right-of-way has been purchased for construction of a bypass around Scribner, Nebraska. Levee coordination is expected to be needed adjacent to Scribner.

Consultant shall have the necessary knowledge, education, training, and experience to complete the following tasks:

OWNER'S REPRESENTATIVE SERVICES

The Owner's Representative will provide legal review and other legal services and procurement services for the design-build contractor, and also perform oversight and management of final design, pre-construction, construction and project close-out functions for NDOR as defined further within the "Owner's Representative Scope of Services" section below for the purpose of protecting NDOR against defects, deficiencies and delays in the design-builder's work. The Owner's Representative conducts inspections to ensure projects are performed in a manner that conforms to the design requirements.

The scope of services of the Owner's Representative includes, but may not be limited to, the following services:

ASSOCIATED LEGAL REVIEW AND OTHER LEGAL SERVICES

- Research law related to NDOR design-build authority and other Nebraska legal and legal/policy requirements applicable to design-build projects.
- Research and develop the documents needed for the design-build procurement described below.
- Identify and advise NDOR regarding legal issues associated with this design-build project, including but not limited to risk shifting and allocation, drafting of contracts and other legal documents, enforceability of contracts, appropriate processes, insurance issues, default provisions, dispute resolution, conflicts of interest and any other issues that involve legal considerations for the proposed design-build project.

PRELIMINARY SCOPE OF SERVICES

Preliminary Design services, including Environmental Documentation as required by the USACE, must be performed to sufficient detail to achieve an apparent preliminary (and final) LEDPA determination necessary for 404 and 408 permitting.

ENVIRONMENTAL SERVICES

- Prepare necessary environmental documentation, including but not limited to permit applications, Environmental Assessment or Environmental Impact

Statement, and provide other environmental services necessary to support the USACE decision-making process,

- Final wetland delineation services to support the Individual Permit application.
- Wetland mitigation site parameters.
- An example Table of Contents for the environmental document is included with the RFQ supporting documents.

ROADWAY DESIGN SERVICES

- Roadway design services necessary to support environmental documentation required for the USACE decision-making process.
- Design and plan production for wetland mitigation site(s).
- Perform any necessary traffic engineering operational and safety studies to support preliminary engineering and environmental services.
- A preliminary SOS for this work category is included with the RFQ supporting documents.

BRIDGE DESIGN and HYDRAULIC & HYDROLOGIC SERVICES

- Includes performing hydraulic and hydrologic analysis at all stream crossings and floodplain analysis along this project
- Preparation of preliminary bridge hydraulic data sheets
- Preparation of preliminary Type Size and Location (TS&L) bridge plans.
- The project will require re-evaluation of a previously prepared Conditional Letter of Map Revision (CLOMR) and levee certification.
- A preliminary SOS for this work category is included with the RFQ supporting documents.

SURVEY SERVICES

- Aerial photography and photogrammetric survey was completed 10-15 years ago and will be provided to the selected consultant. This project will need to be re-surveyed (either photogrammetrically or conventional ground) due to potential alignment changes, and completion of several maintenance or bridge, and pavement preservation projects in that time frame.
- Horizontal and vertical geodetic control has been completed by NDOR and will be provided.
- Underground utility location services providing XYZ coordinates will be required to verify the potential for conflicts with utilities.
- Right-of-way survey has been completed. Additional right-of-way survey, if necessary, will be performed by NDOR.
- A preliminary SOS for this work category is included with the RFQ supporting documents.

TRAFFIC ENGINEERING SERVICES

- Traffic engineering service to include the review and analysis of various roadway features related to capacity, safety, and design. Typical recommendations can include additional turn lanes, new or updated traffic control devices, or other safety measures.

- Traffic control design services to include design of all pavement markings, signing, traffic control devices and work zone traffic control for the project.
- A preliminary SOS for this work category is included with the RFQ supporting documents.

PUBLIC INVOLVEMENT SERVICES

- Public Involvement services necessary to gather input on project alternatives and for the USACE decision-making process.
- The SOS would establish the project location, to be presented to the Highway Commission (by others) for their recommendation for Governor approval to advance the project.
- Presentation services are anticipated before local boards, chambers of commerce, and citizen groups, and potentially, individual stakeholders and landowners.
- A preliminary SOS for this work category is included with the RFQ supporting documents.

RIGHT-OF-WAY SERVICES

- Preparation of ownership and right-of-way (ROW) design plans will be performed by the selected consultant.
- Creation of legal descriptions and condemnation plats for property rights needed for the project will be performed by the selected consultant.
- Title research services to establish the boundaries and ownership interests in properties along or affected by the project will be performed by the selected consultant. These title research services include the identification of all tracts owned by the United States in vicinity of the project.
- NDOR will perform review and oversight for the ROW design process.
- Appraisals, negotiations, acquisitions, and assistance to owner's attorneys with documents necessary for NDOR to file condemnation actions will be performed by the selected consultant. NDOR will perform reviews and oversight for the appraisal and acquisition process.
- A preliminary SOS for this work category is included with the RFQ supporting documents.

DESIGN-BUILDER PROCUREMENT SERVICES

- Review the project, schedule, and budget to identify risks.
- Assist Owner with evaluation of various potential design-build options and determining best approach for the Project.
- Development and issuance of the RFQ for solicitation of Design-Build teams.
- Evaluation of Statement of Qualifications submittals from Design-Build teams and assisting the Owner in developing short-list of qualified Design-Build teams.
- Assistance with development of an appropriate design-build contract package to be issued to the short-listed Design-Build teams.
- Assistance in the selection of the Design-Build team (Design-Builder).
- Assistance with development of comprehensive contract for completion of final design and construction.
- Assistance in negotiation of comprehensive contract, including guaranteed maximum price (GMP).

- Monitoring design contract including technical design control, cost control, and progress reporting.
- Estimation of construction cost.
- Construction contract monitoring and administration, including the services of a resident project representative and necessary inspections.
- Owners Representative will proactively act and advise in the Owner's best interest.
- Perform all other services on behalf of NDOR necessary to fully procure services of a Design-Builder for the project.

CONSTRUCTION PHASE SERVICES

- Review of project management, information for change orders, project schedule, and project procedures.
- Ensure the work of the Design-Builder is performed in compliance with the contract documents.
- Verify the Design-Builder QA/QC process is being performed as documented in the contract and approved
- Monitor and document the Design-Builder's construction progress
- Review Design-Builder's invoices against the schedule of values for accuracy and completeness, and make recommendations to NDOR on accurate and appropriate payments.
- Perform all other services on behalf of NDOR necessary to fully complete the design-build project.

CLOSE-OUT PHASE SERVICES

- Coordinate or perform close-out activities including the correction of deficiencies, completion of punch list items, submittal of close-out documents, resolution of unresolved claims, and recommendations for final payment.
- Gather, assemble and submit final project documentation including files, records, complete set of as-built drawings, submittals, samples, and other information to NDOR in a specified format.
- Coordinate the warranty work (if any) by Design-Builder to ensure that their obligations are fulfilled in a timely manner.

DETAILS

The "Owner's Representative" team selected for this RFQ will be precluded from: 1) proposing to provide design or construction services as part of the Design-Build team for this project, 2) participating as a subconsultant proposing in pursuit of the design-build project, 3) providing technical, legal, or financial advice or directly discussing any aspect of the design-build RFQ or RFP with firms or contractors considering proposing in pursuit of the design-build project.

Up to three (3) consulting firms will be short-listed for interviews, from which NDOR plans to select one (1) consultant. The evaluation criterion to be used for the short-listing and final selection is outlined below.

NDOR reserves the right to abandon or terminate any contract at any time and either re-advertise services or utilize its own forces. NDOR also reserves the right to accomplish services for future phases with the selected consultant, select another consultant, or utilize its own forces.

EVALUATION CRITERIA

Short List (100 pts)

1. Qualifications (50 pts)

- a. Experience with the environmental process required for review/approval by the USACE.
- b. Consultant's experience on major project corridor and location studies for NDOR and other state DOT's and major cities.
- c. Experience in topographic survey, hydrologic and hydraulic analysis for corridor development, roadway design, bridge design, CLOMR and floodplain certification.
- d. Experience and knowledge on legal issues associated with this design-build projects and associated procurement and contracting.
- e. Qualifications and capability of key subconsultants.
- f. Computer capability of the firm; GEOPAK OpenRoads technology for design, and MicroStation CAD platform, as mentioned above.
- g. Knowledge of NDOR Roadway Design Manual, NDOR Right-of-Way Manual, NDOR Consultant Sample Packet, Nebraska Board of Public Roads Minimum Design Standards, Federal Design Standards, Hydraulic Guidelines, AASHTO's "A Policy on Geometric Design of Highways and Streets", Evidencing Nebraska Land Titles (Nebraska Land Title Association), and the Uniform Relocation Assistance and Real Property Acquisition Act. (the Uniform Act).
- h. Experience/qualifications in property ownership, right-of-way design, land surveying, and legal description writing.
- i. Qualifications and experience of consultant's legal services individual/team.
- j. Qualifications and experience in providing 'Owners Representative' services for design-build projects with state DOT's or major cities.

2. Performance Data (25 pts)

- a. Performance evaluations by NDOR regarding the work of the Consultant.
- b. Adherence to applicable standards and completeness of previous plan submittals to NDOR.
- c. Project schedule adherence on previous projects with NDOR.
- d. Cooperation with NDOR staff on previous projects.
- e. If firm has no experience with NDOR, provide a minimum of three (3) references for Consultant's performance with other state DOT's, local governments, or appropriate clients.

3. Understanding of the Project (25 pts)

- a. Consultant has demonstrated understanding of the key elements of the design and management of new and reconstruction projects.
- b. Consultant has demonstrated they will allocate appropriate and sufficient staff resources or qualified subconsultants to meet project objectives and schedules.

Final Selection (100 pts)

1. Qualifications (25 pts)

- a. Qualifications of the project manager and key team members to perform the work.
- b. Computer capability of the firm; GEOPAK OpenRoads technology for design, and MicroStation CAD platform.
- c. Qualifications and capability of key subconsultants.
- d. Experience in hydrologic and hydraulic analysis for corridor development, bridge design, CLOMR and floodplain certification.
- e. Applicability and relevance of comparable projects provided by the Consultant.
- f. Knowledge of NDOR Roadway Design Manual, NDOR Right-of-Way Manual, NDOR Consultant Sample Packet, Nebraska Board of Public Roads Minimum Design Standards, AASHTO's "A Policy on Geometric Design of Highways and Streets", Evidencing Nebraska Land Titles (Nebraska Land Title Association), and the Uniform Relocation Assistance and Real Property Acquisition Act. (the Uniform Act).
- g. Experience/qualifications in property ownership, right-of-way design, land surveying, and legal description writing.
- h. Qualifications and experience of consultant's legal services individual/team
- i. Qualifications and experience in providing 'Owners Representative' services for design-build projects with State DOT's or major cities.

2. Ability to Perform the Work (25 pts)

- a. Consultant demonstrated they have adequate staff available to complete the work described above in an acceptable time frame.
- b. Consultant demonstrated their subconsultants are available to complete the work in an acceptable time frame.
- c. Consultant has demonstrated how the new work will fit within their existing workload, both with NDOR and other clients.

3. Quality of Interview (25 pts)

- a. Consultant's interview was clear and concise.
- b. Consultant addressed evaluation factors and covered design issues adequately.
- c. Consultant answered committee questions logically and thoroughly.

4. Approach to the Project (25 pts)

- a. Consultant demonstrated they understand nature and scope of the project.
- b. The consultant has recognized and identified special circumstances to be considered for the project.

- c. Consultant provided a logical approach to complete tasks and resolve issues of the project.

SCHEDULE OF ACTIVITIES

Schedule of Activities	Date	Time
RFQ Posted	Nov. 30, Dec. 7 & 14, 2016	
Final Updates to RFQ	December 14, 2016	5:00 PM
DR Form 497 on File at NDOR	December 21, 2016	5:00 PM
Drug-Free Workplace Policy at NDOR*	December 21, 2016	5:00 PM
Statement of Qualifications Due	December 21, 2016	5:00 PM
Short-List Firms	January 6, 2017	5:00 PM
Interview	January 13, 2017	9:00 AM- 1:00 PM
Post Final Selections	January 16, 2017	5:00 PM

* Please submit the Drug-Free Workplace Policy separate from the response to this RFQ.
NOTE: The Drug-Free Workplace Policy is a onetime submittal to NDOR. Please do not re-submit this document unless your Policy has changed or you never have submitted this document with a previous Statement of Qualifications.

INSTRUCTIONS

Please do not call or write NDOR staff for information regarding the services in this RFQ. Email all inquiries/questions to Consultant Procurement Engineer, Randy Eldorado at: randy.eldorado@nebraska.gov.

NDOR will not hold a briefing. All project related information is contained within this RFQ and on NDOR’s website. If additional information is deemed necessary, it will be posted on the same web page as this RFQ and will be labeled as “Update.” Firms interested in this RFQ are responsible for checking for updated information. No updates will be posted after December 16, 2016.

Other relevant information on NDOR’s web site includes the following:

1. [Example Actual Cost Plus Fixed Fee Agreement](#)
2. [Drug Free Workplace Policy Example](#)
3. [DR Form 498, “Architect, Engineer, & Related Services Supplement to Statement of Qualifications”](#)
4. [NDOR Insurance Requirements](#)

Interested firms must have a current DR Form 497, “Architect, Engineer, and Related Services Certification Form” on file with NDOR by the date specified in the Schedule of Activities.

While the “Drug-Free Workplace Policy” is not a submittal requirement, all firms must have an acceptable “Drug-Free Workplace Policy” on file by the date specified in the Schedule of Activities.

SUBMITTAL OF STATEMENT OF QUALIFICATIONS

Submittals are to include the following in the order given below:

1. Front cover to include the Prime Consultant, Sub-Consultants (if applicable), and title of project/service.
2. A letter of interest not to exceed one (1) page.
3. Organizational Chart not to exceed two (2) pages.
4. A narrative responding to the established evaluation factors not to exceed ten (10) pages.
5. A maximum of ten (10) pages of additional supportive material such as charts, tables, or photos.
6. [DR Form 498, "Architect, Engineer, & Related Services Supplement to Statement of Qualifications"](#) not to exceed six (6) pages for the consultant and six (6) pages for each subconsultant. A separate DR Form 498 must be submitted for each subconsultant to be used.

Additional submittal requirements are:

1. All material in the submittal must be on 8½ x 11 paper printed on one (1) side, single or double spaced.
2. Submittal covers and dividers between the sections are allowed and not included in the page limit.
3. Fold-out pages are not allowed.
4. Submittals are to be spiral bound or stapled in the upper left corner. No 3-ring binders.

One hard copy and one electronic copy in PDF format of the submittal must be sent to the following:

Consultant Procurement Engineer
Nebraska Department of Roads
Planning and Project Development Division
1500 Highway 2
PO Box 94759
Lincoln NEPO Box ZIP Code: 68509-4759 Shipping ZIP Code: 68502

All information must be received by 5:00 p.m. on the date specified in the Schedule of Activities. No exceptions to this deadline will be given.

INTERVIEWS

The short-listed firms will be notified by website posting of the interview time and duration. Interviews will be capped at 40 minutes max, please allot at least 15 minutes for questions and answers.

NDOR will make every effort to post the short-listed firms and the interview schedule on NDOR's website by **5:00 p.m. on the date specified in the Schedule of Activities.**

NDOR's selection committees will conduct interviews with the short-listed firms on the date specified in the Schedule of Activities at an offsite location in Lincoln, Nebraska. The location will be announced to the shortlisted firms by website notification.

Upon completion of all the interviews, and the Director's approval, the selected firm will be notified by telephone. NDOR will make every effort to post the final selections on NDOR's website by **5:00 p.m.** by the date specified in the Schedule of Activities.

Kyle Schneweis, P.E., Director
Nebraska Department of Roads

EQUAL OPPORTUNITY EMPLOYER