



**Town of Bennington, Vermont  
Pleasant Street and School Street Sidewalk Installation  
STP EH08(11)**

**Request for Qualifications  
Construction Inspection and Testing Services**

**Issued: January 3, 2017**

**Due: January 24, 2017**

**I. INTRODUCTION**

The Town of Bennington, Vermont, herein after referred to as the Town, is soliciting Statements of Qualifications for Construction Inspection Services for the above referenced project. The project consists of the addition of an 8' wide sidewalk, lighting, and landscaping along School Street from Main Street to Pleasant Street; and along the south side of Pleasant Street beginning at Pleasant Street and extending approximately 290 feet to the east. Construction includes new concrete sidewalk and curbing, lighting, landscaping, and other incidental items.

Construction Inspection Services for this project will be procured through a qualifications-based selection process (QBS) as determined by the Brooks Act (Public Law 92-582). This Request for Qualifications (RFQ) is a solicitation for a Statement of Qualifications (SOQ) from qualified firms. The successful Consultant will be selected based upon their demonstrated ability to provide the highest qualified team to achieve the goals of the project through their SOQ and possible interview with the selection committee. **We are not seeking a detailed scope of work or cost proposal at this time.**

The owner of the project is the Town of Bennington and the sole authority for the Consultant during the project rests with the Economic & Community Development Office and the Highway Department for the Town of Bennington.

The Town has chosen to act as their own Municipal Project Manager (MPM) for this project. **All questions related to this RFQ should be directed to the MPM:**

Michael Harrington  
Economic and Community Development Director  
205 South Street  
Bennington, VT 05201  
(802) 442-1037  
[mharrington@benningtonvt.org](mailto:mharrington@benningtonvt.org)

All prospective consultants shall register their intent to respond to the RFQ by notifying the MPM in writing (e-mail is acceptable). Failure of the consultant to notify the MPM of their intent to respond to the RFQ may result in failure of the consultant to receive any addenda.

**Questions may be submitted in writing or by E-mail up until noon on January 19, 2017** after which a compiled list of all questions and answers will be provided to all consultants that have registered their intent to respond to the RFQ. All questions presented will be answered in writing.

## II. PROJECT AREA – LOCATION & DESCRIPTION

School Street is an urban minor collector that operates as a curbed two lane town highway through the project area. This section of School Street serves as a local connector. Pleasant Street is an urban minor collector, also operating as a curbed two lane town highway through the project area. This section of Pleasant Street serves as a local connector.

In the project area, School and Pleasant Streets are Town Highways and are owned and maintained by the Town. The AADT on School Street is 2,200 vehicles per day. The AADT on Pleasant Street is 2,500 vehicles per day.

Stevens & Associates, P.C. is the design engineer for this project. Once the Town has accepted a construction bid for this project, the Construction Inspection Consultant shall take the lead engineering role through the completion of construction. During the construction phase of the project, Stevens & Associates will attend a pre-construction meeting, be available to respond to questions pertaining to the design of the Project, review shop drawings for materials, and make site visits at the request of the Construction Inspection Consultant to address construction issues in the field. Stevens & Associates will attend the final inspection. Stevens & Associates is not responsible for construction stakeout or as-built survey work.

The project is being developed through the Municipal Assistance Bureau (MAB) section of VTrans. Rachel Beauregard is the MAB Project Supervisor for this project. Although the project is managed locally, the use of Federal and State funds requires that permitting, environmental, and right-of-way (ROW) processes follow pertinent Federal and State regulations. One requirement of the MAB program is that the Town provides the necessary oversight of the construction phase. This oversight includes construction engineering, inspection and sampling/testing of construction materials. This RFQ seeks to hire a consultant that can provide these services for the Town.

Final plans for this project are available for viewing at the offices of Stevens & Associates, located at 95 Main Street, Brattleboro, VT. The Stevens & Associates office is open Monday through Friday, 8:30 am to 4:30 pm. A digital PDF copy of the final plans may be obtained from the MPM. These plans are not approved and are subject to change, pending final review by the Town and VTrans. The selected Construction Inspection Consultant will be provided a copy of the Contract Documents and the Construction Plans at no charge.

The Construction Inspection Consultant must comply with the Federal Highway Administration Policy for Contractor Certification of Costs in Accordance with Federal Acquisition Regulations to Establish Indirect Cost Rates on Engineering and Design-related Services Contracts; Classification Code 4470.1A; Dated October 27, 2010; OPI HIPA-20, HCFM-10.

All work will be accomplished in accordance with the following:

- Current VTrans Municipal Assistance Bureau (MAB) Guidebook for Municipally Managed Projects
- Consultant Contract Provisions dated June 2014 (from MAB Guidebook on Agency's web site)
- VTrans Construction Manual
- VTrans Route Survey Manual
- VTrans Quality Assurance Program and the VTrans Materials Sampling Manual
- VTrans Approved Products List
- VTrans List of Materials with Advance Certification
- Manual of Uniform Traffic Control Devices

- VTrans Standard Specifications for Construction 2011
- VTrans General Special Provisions for 2011 Standard Specifications
- VTrans Supplemental Specifications
- Project Special Provisions

### III. SCOPE OF WORK

The Construction Inspection Consultant hired to perform these services should be qualified to perform a variety of inspection, record keeping, construction engineering, and material testing activities including, but not limited to:

#### Task 1: Administration

1. Maintain communication with the MPM or another duly authorized Town representative on a regular basis.
2. Coordinate with the Town, design engineer, VTrans and the construction contractor(s).
3. Review and have a thorough understanding of the contract plans, specifications, estimates and contract special provisions. Provide questions and comments on the final/contract design plans and contract documents to the MPM for resolution by the design engineer.
4. Attend a pre-bid conference at the Town's request, if applicable. Coordinate, schedule and oversee the pre-construction conference. Coordinate, schedule and attend the Final Inspection. Attend all other job related meetings.
5. Verify contractor compliance with Dig-Safe requirements.
6. Maintain a detailed digital photographic record of the progress of construction, annotating such photos to indicate their content location (by station) and context including date. This record shall be indexed in a logical linear progression by street segments. This photographic record must be available for reference by the MPM, design engineer, State or Federal representatives, and Town representatives. Complete project record to be submitted as a deliverable upon completion of project.
7. Accompany the MPM, design engineer, State or Federal representatives and Town representatives on visits to the project.
8. Participate in weekly Construction Status meetings with the contractor, MPM, design engineer, State or Federal representatives and Town representatives. Prepare and distribute meeting notes for all project meetings.
9. Report immediately any unusual occurrences and all accidents occurring within the project limits to the MPM or another duly authorized Town representative, and the design engineer.
10. Calculation and verification of the final contract quantities.
11. Review and submit to the Town, or the design engineer if required by the Town, any suggestions or requests made by the contractor to change or modify any requirements of the Plans or Contract Documents. Review any contractor requests for project change orders and recommend appropriate action by the MPM or authorized Town representative.

12. Request and receive certificates, computations and reference materials as required from the contractor. Review and approve submittals and shop drawings. The design engineer will also review submittals and shop drawings and be available for consultation as necessary. Maintain files on the project site of all items submitted by the contractor and of work done on behalf of the Town.
13. Review with the contractor their proposed progress payment estimate on a bi-weekly basis and provide recommendation for payment according to Town monthly accounts payable processes.
14. Issue a Certificate of Substantial Completion at the appropriate time.
15. Provide certification to the Town and VTrans that this project was constructed as designed, subject to appropriate and necessary revisions during construction, in conformance with project specifications and that necessary contract provisions were fully complied with.

## **Task 2: Construction Inspection**

1. Maintain a presence on the project during times when contractor and subcontractor activities are underway. At this time, it is not anticipated that night work may be involved on this project.
2. Check that the contractor is in compliance with all construction contract requirements, Town permits and ordinances; property rights agreements; erosion and sediment control; and stormwater management plan; state permits, and exercise the engineer's authority as provided in the contract documents and report immediately any deviations to the MPM or another duly authorized Town representative.
3. Inspect and approve material sources and waste, borrow and staging areas, with due regard to approval/disapproval from the VTrans Environmental Section.
4. Prepare daily reports, including quantities.
5. Track utility relocation and red mark final facility locations on the contract plans.
6. Erosion control monitoring in accordance with applicable permits.
7. Review contractor's proposed traffic control plans for compliance with bid documents and specifications with a goal of minimal interruption to traffic flow.
8. Develop final as-built plans by red lining a set of contract plans with ties as appropriate, and providing them to Stevens & Associates to develop the digital as-built plans.
9. Check that completed work complies with the plans and specifications and is true to line and grade.
10. Make an inspection of work completed at such time as the contractor may claim substantial completion, with a Town and a contractor's representative, and issue a "punch list" of items to be corrected or completed. Track contractor progress on completion of punch list items and revise list as necessary.

### Task 3: Materials and Equipment Inspection and Testing

1. The Construction Inspection Consultant shall provide acceptance sampling and testing in accordance with Level 3 of the VTrans Materials Sampling Manual. Sampling and testing shall be performed in accordance with the VTrans Sampling Manual, and all involved personnel and laboratories shall meet the qualification requirements of the VTrans Quality Assurance Program. The Construction Inspection Consultant shall review and certify the independent assurance test reports and certificates for conformance with the contract documents and specifications, noting any deficiencies or deviations. The design engineer will be available for consultation on determining acceptability of test results which do not strictly conform with the requirements of the contract documents.
2. Check that materials submitted as pre-approved are on the current VTrans Pre-Approved Material List or on the List of Materials with Advanced Certification.
3. Record materials certifications in accordance with VTrans procedures.
4. The selected Construction Inspection Consultant is responsible for the required acceptance testing by an independent qualified laboratory. This includes hiring an independent qualified laboratory and/or consultant qualified to perform the testing.

The Construction Inspection field personnel will be expected to wear personal protective equipment, including appropriate headgear, footwear and reflectorized vest when on the project site. The Construction Inspection Consultant will be expected to provide and have on the project all necessary equipment, tools, and supplies needed to carry out the required duties.

An engineering field office will not be provided by the contractor for the Construction Inspection Consultant, but space can be made by the municipality if requested in advance. The Construction Inspection Consultant will be expected to provide their own cell phone while on site. Rental of space will not be allowed as an expense under this project.

It is anticipated that the project will be advertised **by February 4, 2017**. The award of the construction contract is anticipated within about six weeks of advertisement. Work will likely be completed between June 1 and August 18, 2017. The Construction Inspection Consultant should plan on being on-site during construction of the project to the extent necessary to certify, on completion of the project, that the project was built as designed, subject to appropriate and necessary revisions during construction, in conformance with all project specifications and that all necessary contract provisions were fully complied with.

The Construction Inspection Consultant will be the primary contact person representing the Town on the project. The consultant will be responsible for contacting the design engineer, the MPM, or another duly authorized Town representative, and the VTrans MAB representative to resolve any design related issues that may arise during construction.

#### **IV. RESPONSE FORMAT**

In order to be considered responsive to this RFQ, each SOQ shall conform to the following requirements:

1. Submit four (4) copies of the complete SOQ in a sealed envelope marked with the following information clearly printed on the outside:
  - a. Name and address of prime consultant
  - b. Due date and time
  - c. Envelope contents (Statement of Qualifications)
  - d. Project name & number
2. Include a cover letter expressing the consultant's interest in working with the Town including an identification of the principal individuals that will provide the requested services.
3. A description of the general approach to be taken toward completion of the project and an explanation of any variances to the proposed scope of work as outlined in this RFQ.
4. A list of individuals that will be committed to this project and their professional qualifications. The names and qualifications of any sub-consultants shall be included in this list. The individual's names, titles, and expected duties and anticipated hours assigned by task per week should be included, as well as their level of involvement during the preconstruction, construction, and closeout phases of the project. Any personnel not specified in the proposal will require the approval of the MPM or another duly authorized Town representative prior to utilization or invoicing.
5. Describe experience with federally funded transportation construction projects and familiarity with VTrans Standard Specifications for Construction.
6. Demonstration of success on similar projects utilizing the same staff as will be assigned to this project, including a brief project description and a contact name and address for reference.
7. The SOQ shall be clear and concise, not exceeding thirty (30) consecutively numbered 8 ½" x 11" pages (including all attachments). Information better suited to a larger paper size should be folded to an 8 ½" x 11" size. Proposals should be double-sided (15 sheets equals 30 pages) and use recycled paper, if possible. The consultant shall specifically state their receipt of any addenda to the RFQ, if applicable.

If any of the above requirements are not met, the proposal may not be considered.

#### **V. CONTRACT PERIOD, AMOUNT AND PAYMENTS**

The highest ranked Construction Inspection Consultant will be notified within 30 days of the SOQ submittal date, with negotiation of the scope of work and fee to follow. Execution of an Agreement may take up to 90 days following the SOQ submittal date. The contract period shall run with the construction schedule period. Contract payments should be invoiced monthly.

## VI. CONSULTANT SELECTION

The selection committee includes the MPM, the VTrans Project Supervisor, the Bennington Assistant Town Manager, and the Bennington Highway Superintendent. The selection committee will review and evaluate all proposals based on the following criteria:

<u>CRITERIA</u>	<u>WEIGHT</u>
1. Understanding the Scope of Work	25%
2. Knowledge of the Project Area	10%
3. Qualification/Experience of Assigned Staff	25%
4. Availability of Technical Resources	15%
5. Proven record of successful completion of similar projects	25%

The Town reserves the right to seek clarification of any proposal submitted and to select the proposal considered to best promote the public interest. Once the highest qualified firm is selected, this firm will then be expected to submit a detailed scope of work which will be negotiated and finalized prior to the submittal of a cost proposal. With the detailed scope of work in place, the highest qualified firm will submit a cost proposal which will be negotiated and approved by the Town and VTrans. If a scope of work and fee cannot be agreed upon within a reasonable time, negotiations with the top ranked firm will be concluded and negotiations with the second-ranked firm will be initiated. If a satisfactory contract is not worked out with this firm, then this procedure will be continued until a mutually satisfactory contract is negotiated.

The SOQ will be evaluated and awarded based on the personnel presented in the SOQ. Should the awarded consultant propose any substitutions to the project personnel they must submit a letter to the Town requesting approval of such a change. This change will also need to be approved by VTrans.

## VII. CONTRACT REQUIREMENTS

The Construction Inspection Consultant awarded this contract shall apply for registration with the Vermont Secretary of State's Office to do business in the State of Vermont within fourteen (14) days of notification of award, if not already so registered. The registration form may be obtained from the Vermont Secretary of State, 26 Terrace Street, Montpelier, VT 05609. The telephone number is (802) 828-2363. The Town will NOT execute the contract until the consultant is registered with the Secretary of State's Office.

All prospective consultants and sub-consultants shall be on the VTrans prequalified list, or found eligible for addition to that list.

The Construction Inspection Consultant's attention is directed to the VTrans' Disadvantaged Business Enterprise (DBE) Policy Requirements. These requirements outline the State's and the consultant's responsibility with regard to the utilization of DBEs for the work covered in the RFQ. It is expected that all consultants will make good faith efforts to solicit DBE sub-consultants.

The successful consultant will be required to submit the appropriate and required documentation to VTrans to determine compliance with the Federal Highway Administration Policy for Contractor Certification of Costs in Accordance with Federal Acquisition Regulations to Establish Indirect Cost Rates on Engineering and Design-related Services Contracts; Classification Code 4470.1A; Dated October 27, 2010; OPI HIPA-20, HCFM-10 prior to contract signing.

A completed copy of the VTrans Form AF38 will also be required prior to being awarded a contract. One copy of this financial information for the prime consultant is required, as well as one copy of the

financial information for each firm designated as a sub-consultant. The information submitted shall meet the requirements of Form AF38 at a level commensurate with the anticipated magnitude of each sub-consultant's proposed work. Complete audited financial statements, balance sheets, etc. **do not** need to be submitted, if that information is on file with VTrans. Please note in the SOQ if this information is on file with VTrans.

Prior to beginning any work, the Consultant shall obtain Insurance Coverage in accordance with the Consultant Contract Provisions located in the Municipal Assistance Bureau Guidebook. The certificate of insurance coverage shall be documented on forms acceptable to the Town.

## **VIII. SUBMISSIONS**

Consultants interested in this project should submit four (4) copies of their SOQ to:

Michael Harrington  
Economic and Community Development Director  
205 South Street  
Bennington, VT 05201  
(802) 442-1037  
[mharrington@benningtonvt.org](mailto:mharrington@benningtonvt.org)

**All SOQs must be received by the MPM no later than 3:00 PM on January 24, 2017.**

SOQs and/or modifications received after this time will not be accepted. No facsimile-machine produced proposals will be accepted. All proposals, upon submission, become the property of the Town. The expense of preparing and submitting the SOQ is the sole responsibility of the consultant. The Town reserves the right to reject any or all SOQs received, to negotiate with any qualified source, or to cancel in part or in its entirety this RFQ if it is in the best interest of the Town. This solicitation in no way obligates the Town to award a contract.

## **VIX. APPEAL PROCESS**

If the award of the contract aggrieves any firms, they may appeal in writing to the Bennington Town Manager, 205 South Street, Bennington, VT 05201. The appeal must be post-marked within fourteen (14) calendar days following the date of written notice to award the contract. Any decision of the Town Manager is final.