

REQUEST FOR PROPOSALS

Issue Date: December 2, 2013

RFQ# 14AML18

Title: **Small Purchase Procurement - Professional Services
Request for Qualifications**

Commodity Code: **PROFESSIONAL SERVICES**

Issuing Agency & Address: **Commonwealth of Virginia
Department of Mines, Minerals & Energy
P. O. Drawer 900
3405 Mountain Empire Road
Big Stone Gap, Virginia 24219**

Location of Work: **Primarily Southwest Virginia**

Period Of Contract: **Single project services**

All inquiries for information should be directed to:

Ann Smith e-mail: ann.smith@dmme.virginia.gov Phone #: (276) 523 - 8211

**IF PROPOSALS ARE MAILED, SEND DIRECTLY TO ISSUING AGENCY SHOWN ABOVE. IF PROPOSALS ARE HAND DELIVERED, DELIVER TO:
DEPARTMENT OF MINES, MINERALS, AND ENERGY, 1ST FLOOR - RECEPTIONIST,
3405 MOUNTAIN EMPIRE ROAD, BIG STONE GAP, VIRGINIA 24219**

Request for qualifications will be received at anytime during Calendar Year 2014 for consideration leading to small purchase procurement of professional services.

In compliance with this Request For Qualifications, which includes the attached Table of Contents and all provisions and appendices attached and referenced therein, and subject to all the terms and conditions set forth herein, the undersigned offers and agrees to furnish the services described in the RFQ cited above and submit this signed proposal which includes this completed and signed page, the completed and signed Forms AE-1, AE-2, AE-3, AE-4, AE-5 and AE-6 and other data as required by the RFQ. It is understood that this proposal and the scope of services may be modified, by mutual agreement in subsequent negotiations.

Name And Address Of Proposer:

_____ Date: _____

_____ By _____
(Signature in Ink)

_____ Typed Name: _____

_____ Zip: _____ Title: _____

FEIN/SSN # _____ Telephone No.() _____

PRE-PROPOSAL CONFERENCE: *A pre-proposal conference will not be held.*

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NOTE: Electronic copies of A/E Data Forms (AE-1 through AE-6) and of the "Small Businesses and Businesses Owned by Women & Minorities" forms are available for download at the following website: <http://forms.dgs.virginia.gov/>

eVA Vendor Registration: The offeror shall be a registered vendor in eVA. See the attached **eVA Vendor Registration Requirements**.

I. APPLICABILITY OF THE A/E MANUAL

The **A/E Manual** as defined in the **Commonwealth of Virginia Construction and Professional Services Manual**, as amended, shall apply to the contract awarded pursuant to this RFQ and is incorporated by reference herein in its entirety.

Proposer's attention is directed to Chapter 2, Definitions, for definitions of terms used in this RFQ. The terms "Agency" and "Owner" are used interchangeably in the material referenced in this RFQ and mean the public body issuing this solicitation for services and with whom the successful A/E Proposer will enter into an agreement. For purposes of clarity and uniformity in this RFQ, only the term "Agency" will be used herein.

Proposer's attention is also directed to the Terms and Conditions of the A/E Contract (CO-3a).

II. PURPOSE

The purpose of this RFQ is to solicit proposals for the purposes of entering into a contract through competitive negotiations for the professional services of an Architectural/Engineering firm, authorized to do business in the Commonwealth of Virginia, to provide engineering services and construction monitoring work primarily for the Abandoned Mine Land, and Bond Forfeiture Programs and possibly similar services for the Orphan Land Program. From this Request for Qualifications (RFQ), the Agency will maintain a file of all interested firms for possible use during the calendar year. While the work projected under the proposed contracts may be located throughout Virginia, the majority of work will be located in the southwest Virginia coalfield region.

The A/E shall provide professional services for the project described in Part IV of this RFQ consistent with the A/E Manual, as revised, and latest directives issued by the Division of Engineering and Buildings concerning construction and professional services.

III. BACKGROUND

Past mining practices have left numerous problems that threaten the health, safety, or general welfare of the public. Mine related problems include open portals/shafts, voids, unstable land masses, impoundments, hazardous water bodies, abandoned structures/equipment, clogged stream channels, mine fires, burning refuse, subsidence, land erosion, dangerous highwalls, water quality problems, and abandoned refuse piles. The Division of Mined Land Reclamation's Abandoned Mine Land (AML) and Bond Forfeiture Programs provide reclamation for coal-mined lands. The Orphan Land Program provides reclamation for lands mined for minerals other than coal. Reclamation performed by AML is funded by grants on an annual basis.

IV. SCOPE OF SERVICES:

A firm selected under the Agency selection criteria shall be expected to provide required engineering and related services for coal and non-coal mine problems in accordance with recognized professional standards and practices. These services shall include, but not necessarily be limited to the following:

- pre-, during, and post-project studies;
- development of construction bid packages, design specifications and drawings;

- subsurface exploration (including drilling and sampling);
- development of eligibility studies;
- testing and chemical analyses;
- surveying, aerial photography, and mapping; and
- construction inspection / monitoring.

The selected A/E shall furnish all expertise, labor and resources for complete design and construction period services for the project in accordance with the requirements of the A/E Manual. The following generally highlights the services that the A/E will be required to perform:

- A. Refine, clarify, and define the Agency's project description, data, and requirements as necessary to develop a Schematic design of the project which meets the Agency's requirements and is within the stipulated "design-not-to-exceed" construction cost. Respond to all BCOM and other agency review comments and resolve outstanding design issues at the various phases by taking appropriate action in the design of the project.
- B. Provide complete construction contract documents with professional seals and signatures in accord with the procedures of the A/E Manual.
- C. Provide specifications which reflect current requirements, standards and product availability.
- D. *Where applicable*, develop and prepare construction documents for an Erosion and Sediment Control Plan and a Stormwater Management Plan.
- E. Prepare A/E cost estimates for the project per the A/E Manual.
- F. Complete all forms and documents in formats required by the A/E Manual and process in accord with the Agency's instructions.
- G. Provide services to assist the Agency in the bidding and award of the construction contract.
- H. Provide services for the construction phase, as required by the Agency, for the administration of the contract.

V. **POLICY ON SMALL BUSINESSES AND BUSINESSES OWNED BY WOMEN AND MINORITIES:**

It is the policy of the Commonwealth of Virginia to contribute to the establishment, preservation and strengthening of small businesses and businesses owned by women and minorities and to encourage their participation in state procurement activities. The Commonwealth encourages contractors to provide for the participation of small businesses and businesses owned by women and minorities through partnerships, joint ventures, subcontracts, or other contractual opportunities. Submission of a report of past efforts to utilize the goods and services of such businesses required with any proposal for A/E services where the total A/E contract amount may exceed \$100,000. Proposer must provide information on its past utilization of Small, Women, and Minority Owned disadvantaged businesses, and must also state any plans to utilize such businesses and the manner in which they may be utilized under this Contract. Electronic copies of the "Small Businesses and Businesses Owned by Women & Minorities" Data Forms are available for download at the <http://forms.dgs.virginia.gov> website.

VI. PROPOSAL REQUIREMENTS:

- A. Proposals shall be signed by an authorized representative of the A/E. By submitting a proposal, the proposer certifies that all information provided in response to this RFP is true and accurate. Failure to provide information required by this RFP will ultimately result in rejection of the proposal.
- B. Proposals should be prepared simply and economically, providing a straightforward, concise description of the A/E's capabilities for satisfying the requirements of the RFP. Emphasis should be on completeness and clarity of content.
- C. The Respondent's proposal shall include: the completed and signed RFP cover page 1; the completed and signed Forms AE-1, AE-2, AE-3, AE-4, AE-5 and AE-6; and the completed "Small Businesses and Businesses Owned by Women & Minorities" Data. One (1) manually signed original and (2) copies of the proposal shall be submitted to the Agency. Each copy of the proposal shall be bound in a single volume where practical.
- D. All documentation submitted with the proposal shall be included in that single bound volume. Elaborate brochures and other representations beyond those sufficient for presenting a complete and effective proposal are neither required nor desired.
- E. Any information thought to be relevant, but not specifically applicable to the enumerated scope of Work, may be provided as an appendix to the proposal. If publications are supplied by the proposer to respond to a requirement, the response should include reference to the document number and page number. Publications provided without such reference will not be considered relevant to the RFP.
- F. To reduce the effort and expense of responding to RFP's, provide uniformity in the type information requested, and enhance the review and evaluation process, the **standard Forms AE-1 through AE-6, ARCHITECTURAL/ENGINEERING FIRM DATA, shall be used by A/E's responding to State agency RFP's.**
- G. Descriptions of these forms and instructions for completing the forms are included in the A/E Manual. Forms AE-1, AE-2, AE-3, AE-4, AE-5 and AE-6 and the "Small Businesses and Businesses Owned by Women & Minorities" Data Forms are available for download at the <http://forms.dgs.virginia.gov> website.
- H. AVS Form (DMLR-AML-003) (Form may be downloaded from the DMME Web Site – www.dmme.virginia.gov – Under Forms/Guides/Maps for Download click on Mined Land Reclamation)

VII. EVALUATION AND AWARD OF CONTRACTS:**A. EVALUATION OF CONTRACTS:**

The Agency shall utilize qualified offerors to solicit professional services under small purchase procurement procedures (Category B) with a total fee less than \$50,000.

The Agency using Category B procedures will sort RFQ responses, establishing a listing of A/E offerors by qualification or discipline. This listing will be used in selecting A/E's for interviews for procurement

of professional services for individual projects.

The Commonwealth of Virginia Construction and Professional Services Manual for Architect / Engineers (A/E Manual) shall apply to any contract awarded in response to this RFQ and the Category B procurement process and is incorporated by reference in its entirety. The terms and conditions for professional services contracts are provided in Form CO-3.a which may be downloaded from the DGS Forms Center.

When the Agency desires to select an A/E under Category B procedures, the Agency shall:

- (a) Identify from the list of firms which have Forms AE-1 through AE-6 on file with the Agency and which appears to be qualified to render the required services, and select not less than three (3) A/E firms for interviews. See Section 6.0 of the RFQ for Agency review criteria.
- (b) Conduct pre-proposal meetings, telephone, or personal interviews with representatives of the three firms to determine current personnel qualifications, location to the work, expertise, workload, capability to meet the proposed schedule, past performance of similar projects and ability to provide the services within budgeted costs.
- (c) Consideration to the number and value of existing and previous agency or state contracts awarded will be reviewed. Previously unselected and qualified new firms will be given due consideration under each review process.
- (d) Rank A/E firms and negotiate fee services using competitive negotiations, starting with highest ranked firm.
- (e) Award a contract and post notice of contract award.
- (f) Prepare contract using A/E Manual Form CO-3.2 for all parties' signatures and forward a signed copy to the Division of Engineering and Buildings. The terms and conditions for professional services contracts are provided in Form CO-3a and may be viewed at http://www.dgs.virginia.gov/tabid/823/Default.aspx?udt_1673_param_detail=2623.

B. AWARD OF CONTRACT

After evaluation of the Proposals received in response to the RFP, the Agency shall engage in individual discussions and interviews with two or more proposers deemed fully qualified, responsible and suitable on the basis of initial responses, and with professional competence to provide the required services. Repetitive informal interviews are permitted. Proposers shall be encouraged to elaborate on their qualifications, performance data, and staff expertise relevant to the proposed contract. Proposers may also propose alternate concepts or methodology. Proprietary information from competing proposers (including any data on estimated man-hours or rates and the plan for accomplishing the scope of work) will not be disclosed to the public or to competitors, provided such information is duly marked as "Proprietary Information" by the Proposer and the designation is justified as required by Section 2.2-4342, Code of Virginia, as revised. At the conclusion of the informal interviews and on the basis of evaluation factors set forth in Section VIII and the information provided and developed in the selection process to this point, the Agency shall rank, in the order of preference, the interviewed proposers whose professional qualifications and proposed services are deemed most meritorious. Negotiations shall then be conducted with the Proposer ranked first. If a contract satisfactory and advantageous to the Agency can be negotiated at a fee considered fair and reasonable, the award shall be made to that Proposer. Otherwise,

negotiations with the Proposer ranked first shall be formally terminated and negotiations conducted with the Proposer ranked second, and so on, until such a contract can be negotiated at a fair and reasonable fee. Should the Agency determine in writing and in its sole discretion that only one Proposer is fully qualified, or that one offer is clearly more highly qualified and suitable than the others under consideration, a contract may be negotiated and awarded to that Proposer.

VIII. APPLICANT VIOLATOR SYSTEM (AVS)

The Offeror shall provide as a part of his request a list of all principals, officers, and directors who have an ownership or control as defined by Virginia Code 45.1-238(c) and Section 4VAC25-130-700.5 of the Virginia Coal Surface Mining Reclamation Regulations of either the Offeror or of any subcontractor who will be employed by the Offeror to perform work under an awarded contract. The Agency will use the Offeror disclosure to perform AVS searches to ascertain if any Offeror, subcontractor or any person, partnership or corporation in ownership and/or control of the Offeror or subcontractor is classified as blocked from obtaining a coal surface mining permit. In the event an AVS block is determined to exist, the proposal will be ineligible for consideration pursuant to Article 5, Section 2.2-4357 of the Virginia Public Procurement Act. The Offeror shall complete the AVS checklist and return with the data forms.

IX. FEES:

The fee for services shall be negotiated on a lump sum basis considering the Scope of Services required, the estimated man-hours required for each level/discipline and the typical labor rates for the various skill levels required for the work. The Memorandum of Understanding prepared by the Agency will document the negotiated acceptable labor rates for the various levels/disciplines and these rates will be used for any hourly rate work of the A/E that is authorized by the Agency.

X. ATTACHMENTS

1. Attachment A: eVA Vendor Registration Requirements
2. AML Contractor Information Form

DGS-30-384
(Rev. 09/09)

Vendor eVA Registration Requirements

eVA Vendor Registration: *The eVA Internet electronic procurement solution, www.eVA.virginia.gov, streamlines and automates government purchasing activities for the Commonwealth. The eVA portal is the gateway for vendors to conduct business with state agencies and public bodies. All vendors desiring to provide construction and/or professional services to the Commonwealth shall participate in the eVA electronic procurement solution whether through the eVA Basic Vendor Registration Service or through the eVA Premium Vendor Registration Service. All bidders or offerors must register in eVA; failure to register will result in their bid/proposal being rejected.*

- a. *eVA Basic Vendor Registration Service: \$0.00 annual registration fee* plus the appropriate order Transaction Fee specified below.*
- b. *eVA Premium Vendor Registration Service: \$0.00 annual registration fee* plus the appropriate order Transaction Fee specified below. eVA Premium Vendor Registration Service includes all benefits of the eVA Basic Vendor Registration Service plus electronic notification of business opportunities that match the vendor's registered commodities.*
- c. *For orders issued August 16, 2006 and after, the Vendor Transaction Fee shall be:*
 - (i) *DMBE-certified Small Businesses: 1%, capped at \$500 per order.*
 - (ii) *Businesses that are not DMBE-certified Small Businesses: 1%, capped at \$1,500 per order.*

eVA Contracts and Orders: *The solicitation/contract will result in (one) purchase order(s) with the eVA transaction fee specified below assessed for each order.*

- a. *For orders issued August 16, 2006 and after the Vendor Transaction Fee shall be:*
 - (i) *DMBE-certified Small Businesses: 1%, capped at \$500 per order.*
 - (ii) *Businesses that are not DMBE-certified Small Businesses: 1%, capped at \$1,500 per order.*

The eVA transaction fee will be assessed approximately 30 days after each purchase order is issued. Any adjustments (increases/decreases) will be handled through eVA change orders.

* Per eVA Fee Schedule, revised 7/1/2009.

OMB #1029-0119
Expiration Date: 1/31/16

AML CONTRACTOR INFORMATION FORM

You must complete this form for your AML contracting officer to request an eligibility evaluation from the Office of Surface Mining to determine if you are eligible to receive an AML contract. This requirement applies to contractors and their sub-contractors and is found under OSM's regulations at 30 CFR 874.16. When possible, please type your information onto this form to reduce errors on our end. **NOTE: Signature and date this form is signed must be recent (within the last month) to be considered for a current bid**

Part A: General Information

Business _____ Tax Payer ID No.: _
Name: _____
Address: _____
City: _____ State: _____ Zip _____ Phone: _____
Code: _____
Fax No.: _____ E-mail address: _____

Part B: Legal Structure

Corporation Sole Proprietorship Partnership LLC
 Other (please specify) _____

Part C: Certifying and updating information in the Applicant/Violator System (AVS).

Select only one of the following options, follow the instructions for that option, and sign below.

I, _____, *have the express authority to certify that:*
(print name)

1. _____ Information on the **attached** Entity Organizational Family Tree (OFT) from AVS is accurate, complete, and up-to-date. If you select this option, you **must** attach an Entity OFT from AVS to this form. Sign and date below and do not complete Part D.
2. _____ Part of the information on the **attached** Entity OFT from AVS is missing or incorrect and must be updated. If you select this option, you **must** attach an Entity OFT from AVS to this form. Use Part D to provide the missing or corrected information. Sign and date below and complete Part D.
3. _____ Our business currently is not listed in AVS. If you select this option, you must provide all information required in Part D. Sign and date below and complete Part D.

Date

Signature

Title

IMPORTANT! In order to certify in Part C to the accuracy of existing information in AVS, you must obtain a copy of your business' Entity OFT. To obtain an Entity OFT, contact the AVS Office, toll-free, at 800-643-9748 or from the AVS website at <https://avss.osmre.gov>.

Part D.

Contractor's Business Name: _____

If the current Entity OFT information for your business is incomplete or incorrect in AVS, or if there is no information in AVS for your business, you must provide all of the following information as it applies to your business. Please make as many copies of this page as you require.

- Every officer (President, Vice President, Secretary, Treasurer, etc.);
- All Directors;
- All persons performing a function similar to a Director;
- Every person or business that owns 10% or more of the voting stock in your business;
- Every partner, if your business is a partnership;
- Every member and manager, if your business is a limited liability company; and
- Any other person(s) who has the ability to determine the manner in which the AML reclamation project is being conducted.

Name	_____	Position/Title	_____
Address	_____	Telephone #	_____
	_____	% of Ownership	_____
Begin Date:	_____	Ending Date:	_____

Name	_____	Position/Title	_____
Address	_____	Telephone #	_____
	_____	% of Ownership	_____
Begin Date:	_____	Ending Date:	_____

Name	_____	Position/Title	_____
Address	_____	Telephone #	_____
	_____	% of Ownership	_____
Begin Date:	_____	Ending Date:	_____

Name	_____	Position/Title	_____
Address	_____	Telephone #	_____
	_____	% of Ownership	_____
Begin Date:	_____	Ending Date:	_____

PAPERWORK REDUCTION STATEMENT

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501) requires us to inform you that: Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. This information is necessary for all successful bidders prior to the distribution of AML funds, and is required to obtain a benefit.

Public reporting burden for this form is estimated to range from 15 minutes to 1 hour, with an average of 22 minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement, Room 202 SIB, Constitution Ave., NW, Washington, D.C. 20240.