



## NOTICE TO ALL CONSULTING ENGINEERING FIRMS

### **Solicitation Number S-145-14**

I-526 Corridor Improvement Project including Widening Termini From: Approximately I-26 including Termini To: Approximately Leeds Ave.; and interchange improvements at Rivers Avenue (US 52), I-26, International Blvd, West Montague, and Leeds Ave.

The **SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION (SCDOT)** requests a letter of interest and a current resume of qualifications from all interested consulting firms experienced in providing engineering services necessary for the preparation of an environmental impact statement, preliminary road and bridge plans, right of way plans, and final construction plans for roadways and bridges, traffic studies including interchange modification reports for improvements to the I-26, I-526 corridor in Charleston County.

Requested services include but are not limited to: notice of intent, project scoping (surveying and mapping, public involvement, purpose and need, traffic studies and analysis, and alternatives analysis), preparation of draft environmental impact statements, modeling and interchange modification reports, preparation of final environmental impact statement, technical memorandums, assistance with record of decision, administrative record, project management., financial planning, pipe inspection, railroad coordination, bridge design, roadway design, hydrology/hydraulic design, geotechnical services, hazardous materials survey, subsurface utility engineering, utility coordination, right of way coordination, development of right-of-way and/or construction plans, support during the development of RFQ & RFP for design build contractor, support during procurement phase of design build contractor, design plan review and administration during design build contract, and other related duties deemed necessary. The recently developed I-526 Corridor Study will be incorporated into the alternative analysis. This study is located at [http://www.scdot.org/doing/constructionLetting\\_DesignBuild.aspx](http://www.scdot.org/doing/constructionLetting_DesignBuild.aspx). Due to the unknown impacts of the corridor improvement, it is anticipated that this project will be divided into multiple phases, with notice of intent and project scoping being the first phase contracted. Subsequent phases of development will be at the discretion of SCDOT based on the results of the first phase. The project team should be capable of providing all services outlined above.

RFP information associated with this solicitation is located at the following link: [http://www.scdot.org/doing/constructionLetting\\_Services.aspx](http://www.scdot.org/doing/constructionLetting_Services.aspx).

For questions, please contact the SCDOT Contracting Officer (CO), Wendy Hollingsworth, at (803) 737-0746 or via email at [Hollingswg@scdot.org](mailto:Hollingswg@scdot.org). Electronic Submissions are due no later than 2:00 PM, October 28, 2014.

## PROFESSIONAL CONSULTANT SERVICES REQUEST FOR QUALIFICATION

AGENCY	South Carolina Department Of Transportation (SCDOT)
DESCRIPTION:	Preliminary Design Engineering Services for the I-526 Corridor Improvement Project in Charleston County, South Carolina
SOLICITATION NUMBER	S-145-14
ADVERTISEMENT DATE	October 28, 2014
CONTRACTS OFFICER (CO)	Wendy Hollingsworth (803) 737-0746 or Roberta Mack (803) 737-1256
SUBMIT YOUR RFP TO:	All electronic proposal submissions and the letter of interest should be submitted via ProjectWise electronic submittal system no later than <b>2:00 PM (EST), <u>October 28, 2014</u></b> . No proposals shall be accepted after the date and time specified.

### TABLE OF CONTENTS:

- A. PURPOSE OF REQUEST
- B. SCOPE OF SERVICE
- C. METHOD OF PROCUREMENT
- D. SUBMITTAL FORMAT
- E. PROPOSAL CONTENT
- F. SELECTION CRITERIA AND EVALUATION PROCESS
- G. PROJECT TEAM MEETING RULES & GUIDELINES
- H. FINAL SELECTION AND NOTIFICATION
- I. TIE BREAKER
- J. INSTRUCTIONS TO CONSULTANTS

### A. PURPOSE OF REQUEST:

The **SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION (SCDOT)** requests a letter of interest and a current resume of qualifications from all interested consulting firms experienced in providing engineering services necessary for the preparation of an environmental impact statement, preliminary road and bridge plans, right of way plans, and final construction plans for roadways and bridges, traffic studies including interchange modification reports for improvements to the I-26, I-526 corridor in Charleston County.

Requested services include but are not limited to: notice of intent, project scoping (surveying and mapping, public involvement, purpose and need, traffic studies and analysis, and alternatives analysis), preparation of draft environmental impact statements, modeling and interchange modification reports, preparation of final environmental impact statement, technical memorandums, assistance with record of decision, administrative record, project management., financial planning, pipe inspection, railroad coordination, bridge design, roadway design, hydrology/hydraulic design, geotechnical services, hazardous materials survey, subsurface utility engineering, utility coordination, right of way coordination, development of right-of-way and/or construction plans, support during the

development of RFQ & RFP for design build contractor, support during procurement phase of design build contractor, design plan review and administration during design build contract, and other related duties deemed necessary. Due to the unknown impacts of the corridor improvement, it is anticipated that this project will be divided into multiple phases, with notice of intent and project scoping being the first phase contracted. Subsequent phases of development will be at the discretion of SCDOT based on the results of the first phase. The project team should be capable of providing all services outlined above.

SCDOT will use a one-step evaluation process to select a consultant which to execute a contract for this Project. After evaluating the submitted RFP, the Selection Committee identify the top three most highly qualified firms, and enter into contract negotiations with the top ranked firm. The Deputy Secretary for Engineering will have final approval. Cost is NOT a factor in the ranking of consultants to provide services herein. DO NOT include any reference to consultant costs in the RFP response. Any RFP response with any discussion of cost will be disqualified. Consultants are advised that this evaluation and selection process is a competition and not simply a prequalification. Note that the contract will be a cost plus fixed fee with a contract maximum.

## **B. SCOPE OF SERVICE:**

### **PHASE 1 – Summary of Anticipated Services**

#### **Task 1 - Project Management**

- Project organization, management, scoping and coordination with the SCDOT Program Manager, Federal Highway Administration, municipalities, and attend resource agency coordination, partnering, and public involvement meetings
- Provide frequent budget, schedule, and cost estimate and expenditure reports
- Other duties as deemed necessary by the Program Manager

#### **Task 2 – Letter of Intent**

- Prepare letter of intent

#### **Task 3 – Project Scoping**

- Additional Surveys & Mapping
  - In 2011, SCDOT obtained high-level aerial photography with ground control for the entire corridor (1"=200') and aerial mapping (1"=200' horizontal and 2' vertical) will be performed only for the part of the project at the system-to-system interchange of I-526 and I-26 (see Figure 1 for mapping limits) using low altitude fixed wing aircraft. The limits for the high level photograph are shown in Figure 2.

Figure 1: Limits of Aerial Mapping

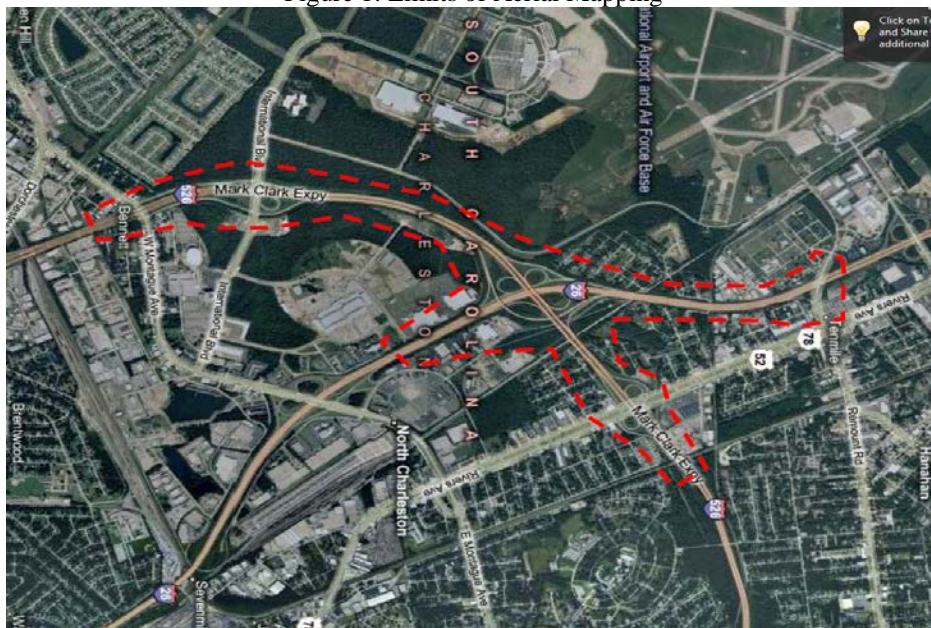
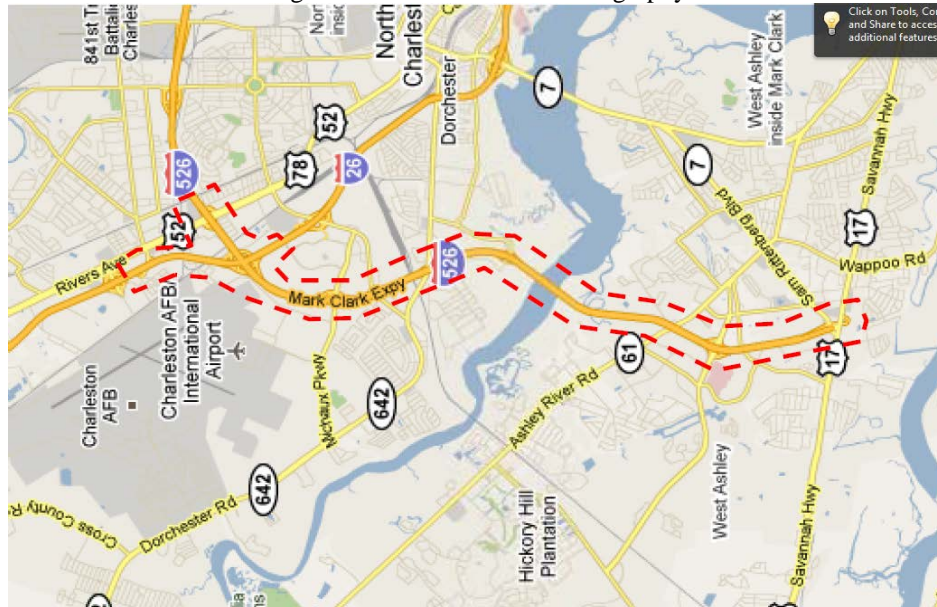


Figure 2: Limits of Aerial Photography



- The project will include any necessary additional surveys, of the project area needed for use during the environmental studies and preparation of the alternatives.
- Complete the Environmental Service Office’s PPR report; which will act as the projects preliminary environmental screening report.
- Public Involvement & Outreach
  - In accordance with SAFETEA-LU 6002, develop a public involvement plan to effectively communicate with stakeholders, the general public, and resource agencies throughout the development of the NEPA document.
  - Media Campaign/PR
    - ❖ Develop a project logo.
    - ❖ Develop and maintain in coordination with SCDOT a website to keep public informed of upcoming meetings or study events, provide project information (i.e., background and contact information, published reports, etc.) and methods to communicate with the study team. The website will be linked through SCDOT’s website.
    - ❖ Schedule, secure sites, and prepare necessary drawings, handouts, and mailings for public meetings, hearings, or workshops necessary for the project. Record meetings/hearings to satisfy NEPA requirements. Coordinate with SCDOT to publish required notices including local advertisement and Federal Register notices.
    - ❖ Develop a Public Information Video
    - ❖ Develop newsletters
    - ❖ Billboards.
    - ❖ Stakeholder Working Group
    - ❖ Meetings with Elected Officials
    - ❖ Press Packets
    - ❖ Newspaper Article Synthesis
    - ❖ Tools necessary to effectively communicate with all the stakeholders on this large project
  - Visualization - Develop visualizations and animated virtual tours to assist the public in understanding the various alternatives and the impacts to the community.
- Resource Agency Coordination
  - The public involvement plan will include methods of effective communication with resource agencies through the development of the NEPA document.
- Purpose & Need

- Assist with the development of a purpose and need statement for the project
- The purpose and need statement will include measurable goals for the project
- Each alternative will be evaluated on how well it meets these goals of the project

- Traffic Analysis

The traffic analysis will include a thorough review of existing conditions and planned improvements in the area. The traffic analysis will incorporate data obtained during the development of the I-526 Corridor Analysis Project. This data is available and may be obtained through the CO. Traffic analysis is anticipated to include the following:

- Defining the study area
- Identifying the objectives of the traffic analysis
- Confirming the freeway segments and interchange ramps to be evaluated
- Establishing base, design and intermediate traffic analysis forecast years
- Determination of need to collect additional traffic data
- Determination of BCDCOG/CHATS model updating/calibration needs
- Origin and destination studies
- Data collection and field observations
- Analysis and reporting

- Jurisdictional Determination of Wetlands/ Streams/ Critical Areas

The **CONSULTANT** will provide an assessment and documentation of site conditions as to the presence and/or absence of wetland (Tidal and Freshwater) areas and include jurisdictional streams within the corridor.

- Obtain a critical area plat from OCRM to be included in jurisdictional determination (licensed surveyor required)
- Obtain a jurisdictional determination from the US ACE (including Critical Areas if necessary)

- Alternatives Analysis

The alternative evaluation process will include the exploration and objective evaluation of a reasonable range of alternatives. The alternatives evaluated during the development of the I-526 Corridor Analysis Project will be taken into consideration. The data used to determine these alternatives is available and may be obtained through the CO. The alternatives analysis will be conducted on an increasing level of detail. Alternatives will address:

- Purpose and need for the project
- Public comments and input
- Existing and future development
- Current and future land use
- Environmental impacts
- Socioeconomic issues
- Geographic features
- Political issues
- Traffic volumes
- Traffic service
- Utility impacts
- Transportation infrastructure
- Cost
- Alignment criteria

**The comprehensive list of alternatives will be narrowed down to a short list of “Reasonable Alternatives” to carry forward for a more detailed analysis.**

- Development of Design Criteria for the project including roadway, hydrology, structural and geotechnical disciplines.

- Development of alternative designs including conceptual plans to identify and quantify impacts
- Determination of appropriate level of NEPA document (EA or EIS)
  - Based on the outcomes of Phase 1, the project team will determine the appropriate level of NEPA documentation required for the project. At this point, a decision will be made to pursue an EA or EIS and a subsequent scope and fee will be developed.

## **PHASE 2 - Summary of Anticipated Services**

The services outlined below are those anticipated after the completion of Phase 1 of the project, and at the discretion of SCDOT, may be included in modifications to the basic agreement

### **Task 1 – EA or Draft EIS**

- EA or Draft EIS
  - Based on the information from the Resource Agencies and public involvement meetings, finalize and reduce the alternatives to a Preferred Alternative
  - Prepare a draft Alternatives Analysis Tech Memo, if applicable
  - Prepare EA or draft EIS
  - Prepare preliminary engineering and plans as necessary on principal alternatives to assist in selection of preferred alternative
  - Prepare detailed cost estimates for alternatives
  - Evaluate effectiveness of alternatives
  - Prepare detailed analysis of impacts of alternatives
  - Prepared detailed documentation of decisions
  - Prepare conceptual mitigation measures
  - Assistance as required for a Value Engineering Study (VE) prior to selection of preferred alternative including presenting project to VE Study Team and addressing approved changes that result from VE study
  
- Final EIS
  - After approval and circulation of draft EIS, prepare a final EIS
  - Identify the preferred alternative and evaluate all reasonable alternatives considered
  - Discussion of substantive comments received on draft EIS and responses
  - Summarize the public involvement and outreach
  - Describe mitigation measures that are to be incorporated
  - Assist in resolution of interagency disagreements
  - Identify any unresolved issues and the efforts made to resolve the issues
  - Assist as necessary in the legal sufficiency review
  - Development of a Draft Interchange Modification Report (IMR) (one IMR is anticipated to cover all the affected interchanges in this project)
  - Preparation of conceptual roadway plans and detailed cost estimate on preferred alternative
  
- Traffic Studies, Modeling and Interchange Modification Reports
  - Perform traffic counts
  - Preliminary work zone traffic control recommendations/plans/specs
  - Provide Transportation Management Plan
  - Preliminary traffic signal recommendations/plans/specs.
  - Perform traffic studies at all interchanges
  - Perform traffic models for existing and future conditions
  - Provide Interchange Modifications Reports (IMR) on interchanges requiring new design.
  
- Technical Memoranda to support the EA or EIS
  - Prepare technical memorandums as necessary to support EA or EIS
  
- Finding of No Significant Impact or Record of Decision
  - Assist as necessary with preparation of finding of no significant impact or the record of decision

- Administrative Record
  - Maintain a spreadsheet and copies of all documentation required for administrative record including, but not limited to, EA or draft EIS, final EIS, comment letters, scientific/technical reports, studies considered, computer modeling, contracts, and all relevant correspondence including e-mails
  - After signing of the finding of no significant impact or record of decision, submit complete administrative record to SCDOT
  
- Project Management and Financial Plan
  - Project Management Plan shall define roles, responsibilities, procedures, and processes needed for the successful management and completion of the project.
  - Develop a construction sequencing plan that outlines a feasible approach to constructing the preferred alternative
  - Construction sequencing plan shall identify individual project segments with independent utility
  - Develop and maintain a financial plan for the overall project based on detailed annual estimates of the cost to complete the project and reasonable assumptions of future increases in the cost to complete the project
  - Financial plan will provide information on the immediate and long term financial implications resulting from the project initiation
  - Financial plan will evaluate the impact on the state's transportation capital improvement program
  - Assistance shall be provided to update the financial plan on an annual basis

### **PHASE 3A -- Summary of Anticipated Services**

If the project is procured using the Design Bid Build delivery method, the services outlined below are those anticipated after the completion of Phase 2 of the project, and at the discretion of SCDOT, may be included in modifications to the basic agreement.

#### **Task 1 - Project Management**

- Project organization, management, scoping and coordination with the SCDOT Program Manager, Federal Highway Administration, municipalities, and attend resource agency coordination, partnering, and public involvement meetings
- Provide frequent budget, schedule, and cost estimate and expenditure reports
- Other duties as deemed necessary by the Program Development Engineer

#### **Task 2 – Field Surveys**

- Perform Field topographic and property surveys
- Establish a control baseline
- Perform plat and deed research of all parcels affected within project limits
- Field locate property monuments for impacted parcels
- Perform detailed planimetric and topographic surveys within the project limits
- Perform surveys of existing drainage structure
- Process acquired survey data and prepare base mapping to include break-lines that reflect field conditions. Available aerial photography will be incorporated into the baseline map
- Perform centerline and control staking
- Perform Geotechnical investigation testing location surveys
- Provide supplemental surveys as needed
- Pay all fees associated with securing a right-of-entry from Railroad, including flagging and insurance, prior to entry onto railroad right-of-way for the purpose of surveying or geotechnical borings

#### **Task 3 – Railroad Coordination**

- Perform coordination with RR on the replacement of bridge over RR.

#### **Task 4 – Traffic Studies, Modeling and Interchange Modification Reports**

- Perform traffic counts
- Preliminary work zone traffic control recommendations/plans/specs
- Provide Transportation Management Plan

- Preliminary traffic signal recommendations/plans/specs.
- Perform traffic studies at all interchanges
- Perform traffic models for existing and future conditions
- Provide Interchange Modifications Reports (IMR) on interchanges requiring new design.

#### **Task 5 – Road Design**

- Further develop concept plans into preliminary roadway plans (Design Field Review DFR) for project
- Respond to DFR comments and begin development of Right-of-Way plans
- Identify preliminary right of way requirements and environmental impacts
- Develop final Right-of-way plans
- Complete design exception documentation, if needed
- Develop Construction Plans
- Develop estimated quantities
- Provide roadway cost estimates
- Prepare roadway special provisions, if necessary

#### **Task 6 – Bridge Design**

- Develop preliminary bridge plans from the bridge replacement preferred alternative
- Provide preliminary bridge cost estimates
- Respond to comments and finalization of preliminary bridge plans
- (developed in previous phase) Complete design exception documentation, if needed
- Develop Final Bridge construction plans
- Develop final quantities
- Provide final bridge cost estimate
- Prepare structural special provisions, if necessary

#### **Task 7 – Roadway Structure Design (Earth retaining structures and/or noise walls)**

- Develop plans for any non-standard roadway structures
- Develop retaining wall plans
- Develop noise abatement wall plans
- Develop cost estimates for Roadway Structures
- Develop special provision, if necessary

#### **Task 8 – Hydraulic Design**

- Provide preliminary hydraulic analysis on existing drainage structures based on the preliminary designs
- Provide recommendations for retaining, replacing, or other drainage alternatives for each existing drainage structures
- Provide identification of drainage structures in FEMA Zone A Special Flood Hazard Areas
- Provide recommendation on the ability to obtain a “No-Rise” certification if drainage structures are in Zone A Special Flood Hazard Area

#### **Task 9 – Geotechnical Services**

- Perform preliminary field investigations
- Perform preliminary field engineering
- Perform preliminary laboratory testing
- Perform preliminary engineering analysis for bridge and roadway
- Provide Geotechnical Base Line Report for bridge and roadway
- Perform a site-specific seismic response analysis
- Perform final engineering analysis for bridge, roadway and other structures
- Provide final geotechnical report(s)

#### **Task 10 – Overhead Lighting Design**

- Provide roadway lighting plans at scale of 1”= 100’ for the I-26/I-526 Interchange area based on new roadway design.



- Consult with District 6 Traffic Engineer to obtain design of electrical systems for existing roadway lighting.
- Provide photometric analysis for the area to receive roadway lighting using fixtures noted in the 2009 SC Specifications for Roadway Lighting (available from Traffic Engineering) or an acceptable substitute. LED fixtures should be considered.
- All roadway lighting design should be in accordance with the latest edition of the AASHTO Roadway Lighting Design Guide and the 2009 SC Supplemental Specifications for Roadway Lighting.

**Task 11 – Hazardous Materials**

- Provide an asbestos survey of potential effected structures within the project limits
- Provide an lead-based paint survey of potential effected structures within the project limits

**Task 12 – Pipe/Culvert Inspection**

- Perform pipe inspection in accordance with SCDOT Supplemental Technical Specification for Permanent Pipe Culverts: SC-M-714 (08-09) and provide conclusions and recommendation regarding data obtained during the inspections.

**Task 13 – Utility Report**

- Provide identification of major utilities and utility easements within the project limits
- Prepare Preliminary Utility Report with recommendations to the extent of prior rights
- Preliminary assessment of utility impacts and costs associated with those impacts
- Determine feasibility of early utility relocations that may begin prior to the start of construction, as well as any recommendations for relocations that can and should be included in the construction contract
- Consideration of the major utilities will be used in development of the preliminary road and bridge plans

**Task 14 – Subsurface Utility Engineering (SUE)**

- Provide a recommendation as to the level of SUE to be performed and define limits.
- Complete SUE upon SCDOT approval to complete SUE work

**Task 15 – Right Of Way**

- Coordinate with SCDOT Right of way office to secure permissions from property owners for any geotechnical work necessary to be performed outside of SCDOT right of way.
- Acquire ROW

**Task 16 – Environmental Permitting**

- Obtain permits from US ACE and OCRM as needed for the project or project phases
  - Develop appropriate mitigation plan for impacts to include in the permits
  - Obtain DHEC 401 water quality certifications as needed
    - Includes 15 day public notice, newspaper advertisement, and fee
  - Obtain DHEC-OCRM Coastal Zone Consistency Certifications as needed
    - May include 10 day public notice
  - Coordinate site visits and respond to agency comments
- Perform borrow pit location screening to include: initial screening for potential upland borrow pit sources and coordinate with SCDOT, OCRM, and DHEC

**Task 17 – Sediment and Erosion Control / NPDES Permitting**

- Obtain NPDES land disturbance permit from DHEC
  - Perform all hydrologic/hydraulic calculations necessary to meet SC Stormwater Management Regulations 72-400
  - Develop storm water management plans meeting SCDOT NPDES permitting requirements
  - Develop SWPPP in accordance with SCDOT NPDES permitting requirements
  - Complete NOI to submit with NPDES package
- Obtain DHEC-OCRM Coastal Zone Consistency Certification
  - Allow for 10 day public notice

**Task 18 – Pavement Marking and Signing Plans**

- **Markings**
  - Provide pavement marking plans at scale of 1"= 100'.
  - Provide for durable pavement markings and surface mounted raised pavement markers throughout the limits of the project including interstate mainline and crossing routes.
  - All pavement marking line widths and patterns shall be in accordance with the latest version of the MUTCD and current SCDOT Standard Drawings.
  - Coordinate with Traffic Engineering to determine the type of striping materials will be used on the different types of roadway surfaces.
- **Signs**
  - Provide signing plans at a scale of 1"=100'. Provide for permanent signing within project limits for both interstate mainline and crossing routes.
  - Include advanced signs for interchanges within the project even though they may be located beyond the official project limits.
  - Identify any existing sign structures that will be removed.
  - Provide sign layouts for SCDOT review and approval. All sign layouts should be designed using SignCAD software.
  - All signing plans shall be in accordance with the latest version of the MUTCD and current SCDOT Standard Drawings.
- **ITS**
  - Identify all existing locations of ITS and provide recommendations for system upgrades or component relocations based on new roadway design. Coordinate with the ITS unit of Traffic Engineering during all phases of the review and design processes.

#### **Task 19 – Constructability Review**

- Perform constructability review of roadway and bridge plans
- Incorporate comments into final roadway and bridge plans

#### **Task 20 – Construction Phase Design Services**

- Provide construction plans changes as required
- Review Shop Drawings and other construction submittals
- Attend preconstruction and construction meeting as required
- Make site visits as necessary to aid in resolving construction issues

### **PHASE 3B -- Summary of Anticipated Services**

If the project is procured using the Design Build delivery method, the services outlined below are those anticipated after the completion of Phase 2 of the project, and at the discretion of SCDOT, may be included in modifications to the basic agreement.

- **Design Build Preparation and Support**  
The consultant shall provide assistance in the preparation of the procurement documents, procurement support, and design review and administration during construction. Design-Build preparation and support may also include the following:
  - **Project management**
    - Project organization, management, scoping and coordination with the SCDOT Program Manager, Federal Highway Administration, municipalities, and attend resource agency coordination, partnering, and public involvement meetings
    - Provide frequent budget, schedule, cost estimate and expenditure reports
    - Provide eTEAMS support
    - Other duties as deemed necessary by the Program Manager
  - **Field Surveys**
    - Perform Field topographic and property surveys

- Establish a control baseline
  - Perform plat and deed research of all parcels affected within project limits
  - Field locate property monuments for impacted parcels
  - Perform detailed planimetric and topographic surveys within the project limits
  - Perform surveys of existing drainage structure
  - Process acquired survey data and prepare base mapping to include break-lines that reflect field conditions. Available aerial photography will be incorporated into the baseline map
  - Perform centerline and control staking
  - Perform Geotechnical investigation testing location surveys
  - Perform wetland boundary survey to include wetlands map
  - Provide supplemental surveys as needed
- **Geotechnical Services**
    - Perform preliminary field investigations
    - Perform a deep, seismic test hole with suspension logging
    - Perform preliminary field engineering
    - Perform preliminary laboratory testing
    - Perform preliminary engineering analysis for bridge and roadway
    - Provide Geotechnical Base Line Report for bridge and roadway
    - Perform a site-specific seismic response analysis
    - Construct drill shaft and perform Drill Shaft Load Test
  - **Conceptual Bridge and Roadway Plans**
    - Develop conceptual bridge and roadway plans for preferred alternative
    - Provide conceptual bridge and roadway cost estimates (for preferred alternative)
    - Respond to comments and finalization of conceptual bridge and roadway plans
    - Identify preliminary right of way requirements and environmental impacts
    - Develop design criteria for roadway, bridge, hydrology and geotechnical
  - **Hazardous Materials**
    - Provide an asbestos survey of potential effected structures within the project limits
    - Provide an lead-based paint survey of potential effected structures within the project limits
  - **Preliminary Utility Report**
    - Prepare Preliminary Utility Report with recommendations to the extent of prior rights
    - Preliminary assessment of utility impacts and costs associated with those impacts
    - Determine feasibility of early utility relocations that may begin prior to the start of construction, as well as any recommendations for relocations that can and should be included in the construction contract
- **Design Build Document Preparation and Support**
    - Support during the development of the Request for Qualifications (RFQ)
      - Review the Draft RFQ and provide feedback on qualification requirements including experience, technical competency, key personnel requirements, relevant construction experience, and other unique requirements for consideration.
    - Support during the development of the Request for Proposals (RFP)
      - Project Design Criteria – Develop design criteria consistent with the approved Environmental Document and Interchange Modification Report. The criteria will include roadway, bridges, structures, traffic control, signing, and other major design features. The criteria will be realistically developed based on site constraints, approved documents, and approved design exceptions.
      - Scope of Work – Develop a scope of work for inclusion in the RFP consistent with the approved Environmental Document and Interchange Modification Report. The scope of work will include a “minimum scope” that is consistent with the approved documents in addition to several additional scope items that may be addressed if funds are available. An evaluation will be made on the order in which the additional items are incorporated in order to ensure compatibility with the minimum scope of work and the ultimate design that needs to be accommodated.

- Coordinate with the Department concerning design elements that need to have specific requirements in the scope of work in order to protect the interest of the Department regarding future expansion of I-526 within the limits of the interchange. These items include, but are not limited to placement of drainage structures, location of bridge substructures, and barrier wall placement.
    - In order to best determine the scope of work relative to existing storm drainage infrastructure, the Consultant will perform an assessment of drainage outfalls and oversee the performance of Video Pipe Inspection or storm drain pipe culverts applicable.
  - Special Provisions – Consultant will assist in the development of project-specific special provisions that are required for the project. In addition, a list of standard special provisions and supplemental specification that are required for the project.
  - Design Exceptions – Consultant will thoroughly document all necessary design exceptions and provide a full design exception report for approval and incorporation in the RFP. A summary of the design exceptions will be developed that includes specific locations for design exceptions and/or specific rationale for which design exceptions are approved.
  - Environmental Commitments – Consultant will thoroughly document all environmental commitments made in the Environmental Document for incorporation in the RFP.
  - Industry Draft RFP Review – Consultant will review the Industry Draft RFP prior to distribution to the Proposers to find discrepancies, necessary clarifications, and overall compliance with approved Federal documents.
- Support During the Procurement Phase of Design Build
  - Industry Draft RFP Questions and Clarifications – Consultant will assist DEPARTMENT personnel as necessary in revising or clarifying the RFP based on questions or clarification requests received during the review of the Industry Draft RFP by the candidate design-build teams.
  - Confidential Questions Responses - Consultant will assist Department personnel as necessary in responding to confidential questions asked by the proposers. Responses will need to consider project scope, criteria, commitments, and overall traffic operations.
  - Confidential Meetings -While it is not anticipated that the Consultant will attend the confidential meetings with the proposers, the Consultant will assist Department personnel as necessary in responding to confidential discussions. The Consultant will assist Department personnel with determining if any addenda to the RFP are required based on the outcome of the confidential meetings.
  - Alternative Technical Concepts - Consultant will assist Department personnel as necessary in evaluating Alternative Technical Concepts (ATCs) presented by the proposers. The evaluation of the ATCs will include consideration of the operational characteristics of the proposed ATC compared to the intent of the RFP requirements and approved documents. The Consultant will assist Department personnel with determining if any addenda to the RFP are required based on the proposed ATCs.
  - Proposal Review- Consultant will assist Department personnel as necessary in reviewing the Technical Proposals presented by the proposers. The Department may call on the Consultant to provide an evaluation of two or more proposals in order to provide comparisons of design and construction features such as: operational characteristics, long term maintenance, environmental impacts, utility impacts, additional enhancements, approach to design and construction, or other qualitative or quantitative comparisons.
- Design and Plan Review and Administration

After award of the Design-Build contract, the Consultant will be responsible for the review of all design submittals made by the Design-Build Team (DBT). This task will encompass full administration of the review of design plans and reports, as well as shop drawings and other design-related contractor submittals during construction.

- Attend Project Partnering Meetings -The Consultant will provide adequate representation at project partnering meetings in order to gain insight and provide feedback regarding the design review process.

- Review of Design Submittals -The Consultant will perform detailed reviews of each design submittal made by the DBT. The reviews will be limited to verifying compliance with the requirements of the Design-Build contract. The Consultant will prepare a matrix of comments for each design submittal and will provide the comments to the DBT.
- Review of Design-Related Contractor Submittals -The Consultant will perform detailed reviews of each design-related contractor submittal by the DBT. The anticipated submittals include, but are not limited to; shop drawings, working drawings, foundation installation plans, and permits and associated mitigation plan(s). The reviews will be limited to verifying compliance with the requirements of the Design-Build contract. The Consultant will prepare a matrix of comments for each submittal and will provide the comments to the DBT.
- Administration of the Review Process - The Consultant will accept all design submittals from the DBT and will log the submittal date, assign a submittal tracking number, and distribute the submitted materials to the appropriate personnel to perform the reviews along with a schedule for the review of that item. The Consultant will utilize qualified, experienced personnel with knowledge of the project and contract requirements for these reviews. In addition to the reviews by the Consultant's personnel, the Consultant will also coordinate with the Department as necessary to incorporate comments from the Department or FHWA.

The comments will be compiled into a matrix and the comments will be reviewed to ensure that there are no contradictory comments and that comments are limited to issues relating to contract compliance. After compilation and review of the comments, the comment matrix will be provided to the DBT.

Upon receipt of the DBT's responses to the comments, the Consultant will review the responses along with any updated plans and/or reports and will either close out the comments based on the DBT response and revisions or will provide further comment(s) as necessary. The Consultant will coordinate with the Department as necessary during the disposition of the comments.

In order to facilitate the review process and the interaction between the Consultant, the Department, and the DBT a web-based file hosting site (SharePoint or similar) will be utilized to share the files. The Consultant will develop and host this site in order to provide an efficient and accessible tool for management of the submittal process.

- Design Review Meetings -The Consultant will attend design review meetings in order to enhance the lines of communication with the DBT and the Department personnel. It is anticipated that meetings will be held bi-weekly during the assumed 18 month design period. Consultant will send personnel to each meeting who are engaged in the ongoing and upcoming items under review.
- Project Progress Meetings -The Consultant will attend project progress meetings held at the jobsite to discuss the progress and schedule of the design and design-related contractor submittals. These meetings are assumed to occur monthly for the anticipated 36-month project duration.
- Contract Change Verification/Confirmation - The Consultant will assist the Department in the review of any changes proposed by the Department or DBT during construction. The Consultant will perform independent designs and analyses to confirm DBT's estimated cost of the project or portions of the project. The Consultant will review revised drawings and evaluate design modifications including cost ramifications necessitated by the changes.
- Public Meetings -The Consultant will attend public meetings that might be necessary if the DBT changes the design to the point that additional public involvement is required.

**Task 15 – Support during Development of RFQ**

- Review Draft RFQ and coordinate with staff to set qualification requirements relevant to project.
- Develop Project Design Criteria
- Develop Scope of Work
- Provide assistance with Development of project-specific special provisions
- Provide documentation of design exceptions and provide full report for approval and incorporation in RFQ
- Provide documentation of all environmental commitments made in the environmental document.
- Provide industry draft RFQ review prior to distribution to proposers.

**Task 16 – Support during Procurement Phase**

- Provide assistance industry draft RFP questions and clarifications.
- Provide assistance with confidential question responses
- Provide assistance with evaluating Alternative Technical Concepts presented by proposers
- Provide assistance with reviewing the Technical Proposals presented by proposers

**Task 17 – Design Plan Review and Administration**

- Attendance at project partnering meeting
- Perform detailed reviews of each design submittal made by the selected design build team
- Perform detailed reviews of each design related contractor submittal by the selected design build team
- Provide administration of the design review process
- Attendance at design review meetings and project process meetings
- Provide assistance in review of any changes proposed by the Department or selected design build team during construction
- Attendance at public meetings that may result from design changes

**C. METHOD OF PROCUREMENT:**

This contract shall be procured using the competitive negotiation method and shall use qualification –based selection requirements. Award will be given to the responsible, responsive and most highly qualified consultant firm. Procedures for this procurement are identified in Section H, INSTRUCTIONS TO CONSULTANTS. This qualification based selection is based on the Brooks Act (40 U.S.C. 11).

**D. SUBMITTAL FORMAT:**

All responding firms must utilize ProjectWise, SCDOT’s electronic proposal submission process. Information regarding ProjectWise can be found @ [http://www.scdot.org/doing/constructionLetting\\_ProjectWise.aspx](http://www.scdot.org/doing/constructionLetting_ProjectWise.aspx). Please contact Eric Stuckey at 803-737-1003 or [StuckeyEC@scdot.org](mailto:StuckeyEC@scdot.org) to set up an account to begin utilizing the electronic submittal process. Consultants are REQUIRED to upload their submittals online through ProjectWise. Only one completed submittal per team will be accepted and shall be uploaded by lead consulting firm. Please be advised of the time required to set up new account. All requests for new accounts must be received 72 business hours prior to the proposal deadline indicated in the milestone schedule. More information is available at [http://www.scdot.org/doing/constructionletting\\_projectwise.aspx](http://www.scdot.org/doing/constructionletting_projectwise.aspx). In the event that a consultant is unable to submit its RFP response through ProjectWise, consultant shall contact the SCDOT Contracting Officer (CO) to request authorization to submit the RFP response in another format. RFP responses which do not have prior SCDOT authorization to deviate from the ProjectWise format may be considered non-responsive.

All questions regarding the scope of work in the RFP must be submitted by e-mail to the CO or as directed in the RFP. Questions shall be received a minimum of five (5) business days prior to the date and time that the proposal is due unless otherwise stated in RFP. No further questions shall be accepted after that time specified. SCDOT will strive to place all questions and their answers as an amendment to the RFP on the SCDOT website within 48 hours of receipt of the questions. The names of the consultant/vendors submitting questions will not be disclosed. Oral explanations or instructions will not be binding.

The RFP response must be submitted by the date and time listed in this RFP. The response shall contain no more than thirty (30) double spaced pages, typed on one side only, excluding appendices. Minimum font size shall be 12-point. Responses should address each of the following proposal content requirements in the same order as listed below. The consultant may wish to include additional information. If a consultant does not submit responses to these items, their submittal may be considered non-responsive and returned without further review/evaluation. Consultants are advised that SCDOT reserves the right to conduct an independent investigation of any information, including prior experiences, identified in the responses. Consultants are responsible for effecting delivery by the deadline date and time; late submissions will be rejected without opening. SCDOT accepts no responsibility for misdirected or lost proposals. Responses shall be explained and identified within the thirty (30) pages. Appendices may only be used to support or supplement the detailed answers, but cannot be used as a substitute for the required narrative response.

#### **E. PROPOSAL CONTENT:**

The following is included in the 30-page RFP response:

1. **Letter of Interest:** The Letter of Interest should be no longer than one (1) page and shall contain the following items:
  - a. An expression of the Prime Consultant's interest in being selected for the project.
  - b. A statement confirming the commitment of key personnel identified in the submittal to the extent necessary to meet SCDOT's quality and schedule expectations.
  - c. Provide the name of the Prime Consultant Principal, Officer of the Firm or Project Manager responsible for this contract and has authority to sign the contract for consultant.
  - d. A summary of key points regarding the Prime Consultant's qualifications.
  - e. Signing the letter of interest constitutes authorization of consultant to submit qualification for the purpose of negotiating and entering a contract with SCDOT.
  - f. Certification of authorized submitter that information contained within is correct by including: "I certify that the information included within this document, is to the best of my knowledge, correct as of the date indicated".
2. **Project Organization Chart:** - Limited to one (1) side of one sheet of paper. This chart must include the names of the key individuals selected for this project, their roles on the project, the names of the consultant by which they are employed, and the lines of communication, to include functional structure, levels of management and reporting relationships for Key Individuals, and major functions to be performed in managing and designing the project. It shall also indicate the people who will be points of contact with the SCDOT Project Manager.
3. **Qualifications for key individuals.**
4. **Names and qualifications for other key individuals** that are considered critical to the success of this project in addition to those identified above. Qualifications should include information on experience related to similar projects and previous project work.
5. **A direct response to each of the selection criteria** identified below.
6. The consultant must provide a **chart indicating the present workload of all key personnel** to include all active projects (concurrent projects with other entities such as cities, other state agencies, counties, COGs MPOs, private sector) and their percentage availability for this project. Additionally, all proposals must clearly list the percentage of work for prime consultant and sub-consultant(s) that will be performing work as part of the project.

#### **APPENDICES**

1. Standard Form 330 (SF 330) as required by the Federal Acquisitions Regulations. All parts of the SF 330 must be completed in its entirety for the prime consultant, any sub-consultants and any sub-contractors. Also, indicate if the prime consultant has previously worked with the proposed sub-consultant and give a brief example of the previous relationship(s). The Form 330s will not count against the maximum page limit and can be included in the appendices.

2. Provide a list of References who have personal knowledge of the prime consultant's and the sub-consultant's previous performance. Provide three (3) client references each for both the prime and the sub-consultant(s). The references must include verified addresses, email addresses and telephone numbers, contact persons, and a brief description of services that have been provided similar to those described by SCDOT for this project. References shall be shown on separate sheets (limited to one (1) single-sided sheet; one sheet for the prime and one sheet for each sub proposed).
3. Size and description of firm. Identify the needed resources specific to this project and how those resources will be secured for the project.

#### **F. SELECTION CRITERIA AND EVALUATION PROCESS:**

A selection committee comprised of 3-6 subject matter experts will be established by SCDOT to review the RFP responses and rank the firms. The selection committee will receive copies of each responsive RFP response submitted, review, and individually score based on the selection criteria. Following this initial independent evaluation, each consultant team will be provided an opportunity to meet with the selection committee for a Project Team Meeting. The purpose of the Project Team Meeting is for the consultant to introduce their key team members, verbally discuss their proposal, ask SCDOT any questions they have regarding the project, and for SCDOT to seek clarification from the proposing team on any response they provided to the RFP. Information provided during this meeting will be used to assist in the final scoring of the criteria.

The selection committee will then meet to discuss the RFPs and determine if further interviews are necessary. The SCDOT selection will be based on information submitted; however, additional information and/or another interview may be required. If the selection committee determines further interviews are necessary prior to selection, a minimum of three (3) consultants will be short-listed and invited by the selection committee. The selection committee will develop the format for the interviews. If additional interviews are determined not to be required, the selection committee members submit their final scores to the Contract Selection Manager who will compile the scores, rank the firms, and send the top three highest ranked firms to the DSE for approval. The DSE may approve entering into contract negotiations with the top ranked firm, or reject the selection altogether (in which case the project may be re-solicited).

Consultants are advised that the SCDOT may use all information provided by the consultant and information obtained from other sources in the assessment of past performance. Past performance information on contracts not listed by the consultant, or that of named subcontractors, may also be evaluated. SCDOT may contact references other than those identified by the consultant and information received may be used in the evaluation of the consultant's past performance. While SCDOT may elect to consider information obtained from other sources, the burden of providing current, accurate, and complete past performance information rests with the consultant. The criteria shown below will determine the consultant's qualification score.

#### **G. PROJECT TEAM MEETING RULES & GUIDELINES**

- 1) The CO shall compile a list of questions from the selection committee and send them to each Project Team with a scheduled time for each individual Project Team Meeting.
- 2) Each Project Team will be given no less than ten (10) days to prepare for this meeting.
- 3) The Project Team Meetings will be held at SCDOT Headquarters.
- 4) All proposing firms will be invited to attend an individual Project Team Meeting.
- 5) The Project Team Meeting is non-mandatory.
- 6) The Project Team Meeting will not be scored.
- 7) The meeting will be a maximum of one hour.
- 8) If the proposing firm chooses to attend, it is recommended that the Project Manager, key NEPA, and key Traffic individuals be present to answer questions.
- 9) A maximum of 8 team members are allowed to attend.



- 10) The proposing firm will have 30 minutes to introduce key team members, explain the members' role in the project, verbally discuss their proposal, and ask any questions they may have for SCDOT.
- 11) PowerPoints or uses of any visual aids are NOT allowed.
- 12) Handouts or hard copies are NOT allowed.
- 13) The Project Team's proposal will be provided by SCDOT as a visual reference during the meeting.
- 14) SCDOT may ask questions to seek clarification from the proposing team on any response they provided to the RFP or information discussed during the Project Team Meeting.

The relative point value and selection criteria follow:

15%	Specific experience of the proposed project manager in managing major interstate corridor improvement projects that involve widening and interchange improvements*
15%	Specific experience of key team members in preparing NEPA EA / EIS documents for interstate widening projects*
15%	Familiarity of the firm/team with state transportation agency practices, procedures, and the firm/team's past performance on similar type projects
10%	Availability of the proposed staff and ability to be responsive to SCDOT requirements
20%	Description of the consultant's understanding of the project, including the major environmental and engineering challenges and consultant's technical approach in the following key areas: Public involvement and outreach, traffic analysis, alternatives analysis, development of draft/final EA or EIS, development of right of way and construction plans, Design Build, permitting, maintenance of administrative record, and development of construction sequencing and financial plan. Also demonstrate that the team has the personnel and experience to provide all services for the development of plans and documents for any improvements that may be identified.
10%	Specific experience of key team members in preparing traffic and alternative analysis of interstate corridors including the development of interchange modification reports.
10%	Consistent and dedicated DBE utilization plan including a percentage of work to be assigned to DBE firms.
5%	Specific experience of key team members with Design Build Preparation and Support.

**Table 1**

\* Note: In each criterion above where special experience is evaluated, each project listed should include the client name, specific role of the team member for the consultant, and a point of contact for the client with telephone number and email address.

**H. FINAL SELECTION AND NOTIFICATION:**

At the conclusion of these selection discussions, each committee member will finalize his/her scores. During evaluation, any proposal determined by the CO with input from the Selection Committee to be non-responsive will not be scored. Once the selection of the top three (3) ranking firms is approved by the appropriate Deputy Secretary, the CO will send notification letters to all firms indicating selection status. The intent is to enter into a contract with the top firm pending successful negotiations. All awards will be posted on the SCDOT website.

## **I. TIE BREAKER:**

Final evaluation scores are determined from the average of the voting selection committee member's scores. If consultants have equal final scores, the following methodology will be used to break the tie: Final scores will be rounded to the nearest whole number. In the event of a tie, the order of negotiation among the tied firms will be determined based on the value of contracts awarded during the previous 24-month period. The firm with the lowest dollar value of actual projects/tasks awarded during the period will be designated as number one in the order of negotiation. The firm with the next lowest dollar value of contracts will be deemed as number two in the order and so forth.

## **J. INSTRUCTIONS TO CONSULTANTS:**

**ADDITIONAL INFORMATION:** SCDOT reserves the right to request or obtain additional information about any and all responses to the RFP.

**AMENDMENT:** Any amendment will be posted at the SCDOT website. The RFP may be amended at any time prior to the RFP response submittal date. All actual or prospective consultants should monitor the SCDOT website for issuance of amendments. Consultants shall acknowledge receipt of any amendment to this RFP (1) by signing and returning the amendment, (2) by letter; or (3) by submitting a RFP response that indicates in some way that the consultant received the amendment. If this RFP is amended, then all terms and conditions which are not modified remain unchanged. It is the consultant's responsibility to check the website regularly for updates and modifications.

**AUDITS:** Prior to contract award, an audit may be conducted by SCDOT of the selected consultant. This audit will be for the purpose of ensuring the selected firm is financially capable of performing the contract, the cost information and prices quoted are reasonable and the selected consultant had adequate accounting practices to ensure accurate tracking of contract costs.

**AUTHORIZATION TO BEGIN WORK:** No work shall commence until after contract execution and issuance of a Notice to Proceed (NTP). Violations of NTP may result in non-payment of work performed, termination of an impending contract, or loss of federal funds, if applicable. Consultant billing shall not date prior to contract and/or modification of execution date.

**AWARD:** Contract award will occur after successful negotiations with the selected firm are reached. All selected firms and awards will be posted on SCDOT website. Award will be made to the top ranked firm that has successfully negotiated a contract.

**CEI CONFLICT:** No member of the consulting firm, its subsidiaries and/or affiliates, shall be selected for CEI services on a design build project if they are part of the design build team. If a sub-consultant is on the design build team, the CEI consultant candidate shall request approval from SCDOT to replace the conflicting sub-consultant prior to CEI contracting.

**CERTIFICATION FORMS:** Submission forms located in 'Appendix A' of this document must be completed, signed, and notarized and submitted with the RFP response. Failure to submit these forms may result in the RFP response being deemed nonresponsive.

**CLARIFICATIONS:** SCDOT, at its sole discretion, shall have the right to seek clarifications from any consultant to fully understand information contained in their responses to the RFP.

**COMMUNICATION:** Effective the date of the advertisement of this contract, no further contact is allowed with any SCDOT personnel concerning this project except for questions of an administrative or contractual nature that shall be submitted in writing to the attention of the CO. This restriction is in effect until the selection has been announced. The employees of the proposing consultant may not contact any SCDOT staff including members of the Selection Committee, other than the CO to obtain information on the RFP. Such contact may result in disqualification.

**CONFLICT OF INTEREST:** By submitting a proposal, proposer agrees that, if an organizational conflict of interest is discovered after the proposal is submitted, the proposer must make an immediate and full disclosure to SCDOT that includes a description of the action that the proposer has taken or proposes to take to avoid or mitigate such conflict. SCDOT considers it a conflict of interest for a consultant to represent more than one party in relation to any

given project regardless of which phases of the service are involved. If after award of the contract an organizational conflict of interest is determined to exist, SCDOT may, at its discretion, cancel the contract. If the proposer was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to SCDOT, then SCDOT may terminate the contract for default. Consultant must complete and submit a DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST CERTIFICATION certifying it does not have any financial or other interest in the outcome of the project, that it has no agreement, enforceable promise, or guarantee with any individual or company to provide any work on the project, that it does not have any association or professional or business relationships with anyone who has a financial interest in the outcome of the project, nor does anyone with a financial interest in the outcome of the project, exercise any control over the consultant's pay, employment, bonuses, or other area subject to external influence.

**CONFLICT OF INTEREST (NEPA):** For all Environmental Impact Statement (EIS) and Environmental Assessment (EA) consultant selections, a DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST CERTIFICATION WILL be required from each firm of the project team (prime and all sub-consultants). Consultants will be required to disclose any financial or other interest they may have in the outcome of the environmental document, in accordance with Council on Environmental Quality Regulation, 40 C.F.R. §1506.5(c) (1999). The DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST CERTIFICATION is included in the Appendix to this RFP.

**COST RATE:** Consultants and sub-consultants must have an SCDOT approved indirect cost rate prior to contract execution. Please refer to the following link for additional information: [http://www.scdot.org/doing/contractor Audit.aspx](http://www.scdot.org/doing/contractor%20Audit.aspx).

**DBE QUALIFICATION:** To qualify as a DBE on this project, the firm must be listed as approved for the type of work to be performed in the South Carolina Unified DBE Directory at the time of the bid submittal. Consultants shall comply with Title VI of the Civil Rights Act of 1964. The SCDOT strongly encourages the use of and involvement of Disadvantaged Business Enterprises (DBE) on this project. The directory can be found at the following link: [http://www.scdot.org/doing/doingPDFs/businessDevelop/UCP DBE Directory.pdf](http://www.scdot.org/doing/doingPDFs/businessDevelop/UCP%20DBE%20Directory.pdf).

**DEBARMENT CERTIFICATION:** Federal regulations require certification by prospective consultants as to current history regarding debarment, eligibility, indictments, convictions, or civil judgments. Consultant is required to submit the Debarment certification with its RFP response. Any individual, business, organization, corporation, consortium, partnership, joint venture, or any other entity including sub-consultants currently debarred or suspended is ineligible to participate as a candidate for this process. Any entity ineligible to conduct business in the State of South Carolina for any reason is ineligible to respond to the RFP. A CERTIFICATION OF PRIMARY PARTICIPANT REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS is included in the Appendix to this RFP.

**DEBRIEFING:** If a non-selected consultant would like to schedule a debriefing, consultant will have three (3) working days from the date of notification of non-selection. Only written requests (emails are acceptable) for a debriefing will be scheduled. If a consultant chooses to schedule a debriefing prior to contract signature, they can no longer be considered for award of this contract. However, the option exists to schedule a post-award debrief which will not jeopardize their opportunity for contract award should negotiations with the selected firm(s) prove unsuccessful.

**DRUG FREE WORK PLACE CERTIFICATION** – by submitting an RFP response, consultant certifies that, if awarded a contract, consultant will comply with all applicable provisions of the Drug-free Workplace Act, Title 44, Chapter 107 of the South Carolina Code of Laws, as amended.

**ETHICS CERTIFICATION:** By submitting this RFP, the consultant certifies that the consultant has and will comply with South Carolina's Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended. The following statutes require special attention: (a) Offering, giving, soliciting, or receiving anything of value to influence action of public employee - §8-13-790, 8-13-705, 8-13-720; (b) Recovery of kickbacks - §8-13-790, (c) Offering, soliciting, or receiving money for advice or assistance of public official - §8-13-720, (d) Use or disclosure of confidential information - §8-13-725, (e) Persons hired to assist in the preparation of specifications or evaluation of bids - §8-13-1150, (f) Solicitation of state employees - §8-13-755, §8-13-760 and §8-13-725. The state may rescind any contract and recover all amounts expended as a result of any action taken in violation of this provision.

**FORMER SCDOT EMPLOYEES:** If a firm lists someone who has not yet left SCDOT's employment, even if the employee plans to retire or quit soon, the RFP response will be disqualified. If a firm lists a former SCDOT employee on an RFP response who officially left SCDOT employment prior to the date of submittal of the RFP response, the firm will not be disqualified provided there are no ethical violation or conflict of interest.

**INSURANCE and BONDS:** Consultant is responsible to obtain all required statutory and contractual insurance and bonds, including but not limited to Professional liability insurance and Error and Omissions insurance, and shall be submitted to the SCDOT prior to execution of contract.

**JOINT VENTURES:** If consultant is a partnership, limited partnership, joint venture or other association (hereinafter joint venture), provide a copy of the organizational document or agreement committing to form the organization. Provide documentation from its surety company acknowledging the formation of a joint venture for the purpose of completing the project and that the joint venture is capable of obtaining a performance bond and payment bond in the estimated amount of the contract. Provide a statement executed by all general partners, joint venture members, or other association members, as applicable, evidencing agreement to be fully liable for the performance under the contract. Provide documentation evidencing the person signing the contract has authority to sign the contract on behalf of the joint venture. This information may be included in the appendices and will not be counted against the maximum page limitation. **PROPOSERS** are reminded that each individual joint venture partner must be prequalified with SCDOT prior to submission of the RFP response.

**KEY INDIVIDUALS:** Consultant cannot propose key individuals who are employed by another consultant firm. If such key individuals employees are listed in two (2) RFP responses, both consultants' RFP responses will be disqualified and will not be evaluated by SCDOT selection committee . This requirement applies to the use of key individuals and not to sub-consultant firms/employees. Sub-consultant firms/employees may be included on more than one proposal.

**KEY INDIVIDUAL CHANGES:** If during the selection process, the CO is notified by the consultant that key individuals are not available, action must be taken as follows: (1) if notified before scoring is complete, but after deadline for submittal, the consultant can submit the resume of the person who would be replacing the key individual. The selection committee will score using the new key individual; (2) if notified after the scoring is complete, but prior to final approval, and the change involves the top scoring consultant, the consultant can submit the resume of the person who will replace the key individual. The selection committee must then determine if the new person would affect the selection results. If not, the CO will notate the change and the justification for keeping the selection results. If it does, the selection committee will re-score the top consultant and change the selection; or (3) if a consultant notifies the CO of a key individual change any time after the final approval, the SCDOT must determine if the new key individual is acceptable. If not, the consultant will be rejected and the next highest qualified consultant selected. To qualify for SCDOT's authorization to replace a key individual, the firm must submit a written request explaining the reason for the change and must document that the proposed removal and replacement will provide services and/or management of the Project equal to or better than that submitted with the proposal. SCDOT will use the criteria specified in the advertisement and the qualification submitted by the firm to evaluate all requests. SCDOT reserves the right to reject the firm from further consideration if the new member is not approved. Firms that are found to consistently propose personnel who are not available are subject to temporary or permanent loss of their prequalification in that category, and may lose the right to submit proposals to SCDOT. SCDOT acknowledges that there are times where key individuals have to be changed due to change in employment or unanticipated work load shifts or schedule changes. All changes in key individuals must be approved by SCDOT in writing.

**LAWS AND REGULATIONS:** It is the responsibility of consultant to know and understand state and federal contracting and project regulations, rules, policies and procedures. Consultants shall conform to all state and federal requirements.

**MULTIPLE PROPOSALS:** Consultants are prohibited from submitting on multiple proposals as the prime consultant in response to this advertisement.

**OWNERSHIP:** All materials and written qualifications submitted pursuant to this RFP shall become the property of SCDOT and will not be returned. All responders must visibly mark as "CONFIDENTIAL" each part of their submission that they consider to contain proprietary information the release of which would constitute an unreasonable invasion of privacy. All unmarked pages will be subject to release in accordance with law. Proposer

should be prepared, upon request, to provide justification of why such materials should not be disclosed under the South Carolina Freedom of Information Act, S.C. Code Section 30-4-10, et seq.

**REQUIRED PERCENTAGE OF WORK FOR PRIME CONSULTANTS:** Consultant must perform work valued at not less than 30% of the total work with its own staff as determined in the negotiation (cost estimating) phase through use of the appropriate fee template.

**RESPONSIBLE:** Award of the contract will be to firms who have the capability in all respects to perform fully the contract requirements and the integrity and reliability which will assure good faith performance which may be substantiated by past performance.

**RESPONSIVENESS:** Any RFP response which fails to conform to the material requirements of the RFP may be rejected as nonresponsive. Reasons for determining a proposal to be non-responsive may result from, but are not limited to, the following: failure to provide all information requested in RFP, conflict of interests, conditional proposals, and failure to provide complete and honest information. Proposers will not be given an opportunity to correct any material nonconformity. Any deficiency resulting from a minor informality may be clarified or waived at the sole discretion of the SCDOT.

**RFP PREPARATION COSTS:** SCDOT assumes no liability and will not reimburse costs incurred by firms (whether selected or not) in developing responses to this RFP or participating in interviews.

**RIGHT TO MODIFY and AMEND RFP:** SCDOT reserves the right to modify or amend any provision of this RFP, including the determination of its intent to award a contract pursuant to this RFP. Interested engineering consultants are cautioned to rely solely on the contents of this RFP and subsequent written amendments in preparing any list of qualifications. SCDOT shall not be bound by any oral instructions, comments, or recommendations of any kind.

**RIGHT TO REJECT:** SCDOT reserves the right, in its sole discretion, to reject any and all RFP responses if it determines that such rejection is in the best interest of the State

**RIGHT TO CANCEL:** SCDOT reserves the right to cancel the advertisement, negotiations, or contract at any time in the best interest of the State.

**TERMS OF CONTRACT:** The boilerplates terms for all SCDOT contracts are non-negotiable.

**VALIDITY OF INFORMATION:** Consultant shall be held responsible for the validity of all information supplied in its proposal, including that provided by potential subcontractors. Should subsequent investigation disclose that the facts and conditions were not as stated, the proposal may be rejected or contract terminated for default if after award, in addition to any other remedy available under the contract or by law.

## APPENDIX A - REQUIRED FORMS

The following completed forms are required to be returned with each proposal:

- Certificate Of Non-Collusion
- Certification Of Primary Participant Regarding Debarment, Suspension, And Other Responsibility Matters
- Certification Of Restrictions On Lobbying
- Certification Of Consultant
- Disclosure Of Potential Conflict Of Interest Certification

**CERTIFICATE OF NON-COLLUSION**

By submission of proposal, each person signing on behalf of any consultant certifies, and in the case of a joint proposal, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- 1) The proposal are submitted without collusion, consultation, communication, or agreement for the purpose of restricting competition, with any other bidder or with any competitor;
- 2) No attempt has been made or will be made by the proposer to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

SWORN AND SUBSCRIBED before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

My commission expires \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**CERTIFICATION OF PRIMARY PARTICIPANT REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS**

The prime consultant, \_\_\_\_\_ certifies to the best of its knowledge and belief, that it and its principals:

- 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- 2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- 3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
- 4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or Local) terminated for cause or default.

If the prime consultant is unable to certify to any of the statements in this certification, the consultant shall attach an explanation to this certification.

The primary consultant , \_\_\_\_\_ certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. Sections 3801 et seq, are applicable thereto.

\_\_\_\_\_  
Signature and Title of Authorized Official

\_\_\_\_\_  
Date



**CERTIFICATION OF RESTRICTIONS ON LOBBYING**

The consultant certifies, to the best of its knowledge and belief, that:

1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of a Federal department or agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification thereof.

2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form--LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions (as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, et seq.)).

3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

THE CONSULTANT, \_\_\_\_\_, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF EACH STATEMENT OF ITS CERTIFICATION AND DISCLOSURE, IF ANY. IN ADDITION, THE CONSULANT UNDERSTANDS AND AGREES THAT THE PROVISIONS OF 31 U.S.C. §§ 3801 ET SEQ. APPLY TO THIS CERTIFICATION AND DISCLOSURE, IF ANY.

\_\_\_\_\_ Signature of the consultant’s Authorized Official

\_\_\_\_\_ Name and Title of the consultant’s Authorized Official

\_\_\_\_\_ Date

**CERTIFICATION OF CONSULTANT**

I hereby certify that I am the duly authorized representative of CONSULTANT and that neither I nor the above CONSULTANT I here represent has:

- a) employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above CONSULTANT) to solicit or secure this contract;
- b) agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the contract, or
- c) paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above CONSULTANT) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the contract except as here expressly stated (if any);
- d) either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action, in restraint of free competitive bidding in connection with the submitted proposal.

By execution of this Agreement, CONSULTANT certifies CONSULTANT and all sub-consultants, contractors, employees and agents will comply with South Carolina’s Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended. The following statutes require special attention: (a) Offering, giving, soliciting, or receiving anything of value to influence action of public employee - §8-13-790, 8-13-705, 8-13-720; (b) Recovery of kickbacks - §8-13-790, (c) Offering, soliciting, or receiving money for advice or assistance of public official - §8-13-720, (d) Use or disclosure of confidential information - §8-13-725, (e) Persons hired to assist in the preparation of specifications or evaluation of bids - §8-13-1150, (f) Solicitation of state employees - §8-13-755, §8-13-760 and §8-13-725. The state may rescind any contract and recover all amounts expended as a result of any action taken in violation of this provision.

I acknowledge that this certificate is to be furnished to the Department, the Federal Highway Administration, and the U. S. Department of Transportation, and is subject to applicable State and Federal laws, both criminal and civil.

CONSULTANT

\_\_\_\_\_  
Name of Consultant

By: \_\_\_\_\_

Date: \_\_\_\_\_

Its: \_\_\_\_\_

**DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST CERTIFICATION**

Consultant hereby indicates that it has, to the best of its knowledge and belief has:

\_\_\_\_\_ Determined that no potential organizational conflict of interest exists.

\_\_\_\_\_ Determined a potential organizational conflict of interest as follows:

Attach additional sheets as necessary.

1. Describe nature of the potential conflict(s):

2. Describe measures proposed to mitigate the potential conflict(s):

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Company

If a potential conflict has been identified, please provide name and phone number for a contact person authorized to discuss this disclosure certification with Department of Transportation contract personnel.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Company