



**December 16, 2013**

**Addendum 1**

**RFP 7537383**

**Architectural and Engineering MPA-494**

**Closing Date and Time: December 30, 2013, 10:00 AM ET**

**Answers to Questions submitted by the deadline are included below as Attachment 1 .**

**The following revisions are made to the Solicitation and should be recognized by all Offerors in composing their submissions:**

A new limit for the length of technical proposals is established herein as an Addendum to the solicitation. Note the restrictions below apply to the totals for single-sided pages completing items A through E listed in section 4.1, and **not including**: Form 330, or the pricing proposal, which is two pages long. To clarify, respondents should limit their technical proposals to the following:

Standard form 330

Resumes for all principals and professional license holders - 1 resume per page

Completed list of projects applicable to each discipline - 1 project per page, minimum of 3 projects, maximum of 5 projects

Additional material at the discretion of the respondent may be included – maximum 5 additional pages. On page 13, the references are the last of part to be included in the technical proposal, so remain within the five page limit for this section.

To the extent that individuals' qualifications and a firm's example projects are recorded in form 330, the need not be repeated in the technical proposal, but incorporated by reference to the form 330 item#.

Page limits are per discipline, so on an application for all seven disciplines, the proposals could total approximately 105 pages. Since there are capacity limits on the reviewers to complete timely evaluations, the State requests that instead of repeating, you cross-reference identical information from one discipline proposal to another when there are redundant items.

## Questions and Answers, RFP 7537383 Architectural and Engineering MPA-494

**Topic 1.** (multiple questions) If we are awarded a price agreement, are we required to use consultants from the MPA list? If we are doing, say, an evaluation study of a building, will the State tell us who we must use for our subs, like what MEP to use to do the systems. ? If so, would that sub be from the MPA list? For disciplines not listed, like surveyor, if only one bidder is certified for that capacity, does that vendor get all survey work from any primary MPA engagement? This would also apply to, say, landscape architects and wetlands biologists. If I apply for Architect, but don't apply for, say, structural engineer, will I be limited to only projects that don't require a structural engineer, or do I include my subs? We find that, even for small projects, there may be a small component that requires some engineering services.

**Answer 1.** The purpose of this RFP is to establish a list of vendors to serve as the prime vendor in agreements for professional services between the State and the vendor. Should additional sub-consultant services be required, a vendor may solicit proposals from sub-contractors of their choice for inclusion in their proposal. The State will not require a prime MPA vendor to enter into a sub contract with another MPA vendor. Further, prime vendors may choose to solicit sub-contractor proposals from any qualified firm, and will not be limited to only those vendors identified under MPA 494. Respondents are encouraged to submit responses only for those services which they are qualified to perform.

Please refer to the description of "Civil Engineering Services" on page 9 of 17 of the RFP. For the purposes of this solicitation, Land Surveyor has not been identified as an individual discipline, and has been included in the description of typical Civil Engineering services. Licensed land surveyors interested in submitting a response to this RFP are encouraged to seek engagement by Civil Engineering firms having expressed interest in this RFP on a sub-contract basis. Landscape Architectural and Wetland Biologists are considered part of the Civil Engineering discipline. In the future, the State reserves the right to establish MPAs for Land Surveyors and other disciplines not identified in this RFP, on as an-needed basis.

**Question 2.** Doesn't that defeat the purpose of certifying engineers on the MPA if the architects get to select whoever they want?

**Answer 2.** Perhaps, but it's not just architect's feasibility studies we are anticipating here. There is definitely an identified need for strictly structural engineers, and for civil engineering projects that won't involve architectural participation. Alternately, we can't expect an architect to work with another firm that is also their competitor.

Clarification: Please see response to question # 1 above. Please note, that for the purposes of the MPA, prime vendors could be any of the seven A&E services identified in the RFP. There is

presently a need for each of these services independent of the other 6. The need for sub-contractors in additional professions will be examined on a project by project basis.

**Question 3.** Besides the three mandatory primary roles required for pricing on Attachment A, you don't want pricing for clerical, for drafting, for the typical kinds of support services that typically make up an invoice.

**Answer 3.** Back-office, support and overhead costs should be built in to the quoted prices for the three primary roles. Technical specialties possessed in-house besides the three primary roles, including engineers, and including draftsman when different from the primary role 'engineering technician', should be included as a secondary role.

**Question 4.** The solicitation requires five copies of the cost proposal, signed and sealed, does that mean notarized?

**Answer 4.** No, it just means placed in a separate envelope and sealed, as cost proposals are not unsealed until after the technical evaluations are completed.

**Question 5.** We actually provide two kinds of engineering services, so does that mean we will submit four separate envelopes?

**Answer 5.** Yes, four, one technical and one cost proposal for each of two disciplines.

**Question 6.** Are you looking for teams of firms combining disciplines?

**Answer 6.** Note language on page 6 of 17 : "Joint venture and cooperative proposals **will not be** considered, but subcontracts will be permitted, provided that the identity of any subcontractor(s) is disclosed by the MPA-494 vendor in the proposal submitted **to the user agency**. (Emphasis added.) Respondents are encouraged to submit responses only for those services which they are licensed and insured to perform.

**Question 7.** There is language on page 5 that says if you are selected for the project, you cannot bid on any other state project. Please confirm that ineligibility refers to construction companies only, not consultants as shown in paragraph 1 on page 5 of 17. Regarding follow-on work, does that apply if you do the assessment, and then when the project moves to design?

**Answer 7.** Correct. It means if you design a project, you cannot bid on the construction work for that project. You are not disqualified from other consulting work within the state. If you did a feasibility study, you could also bid on the same project for design.

**Topic 8. (Multiple Questions were received).** Regarding the five page limit, where does that appear in the solicitation? You mentioned in your opening remarks that technical proposals, page 13 were limited to a total of 5 pages. Could you please clarify relative to parts A, B, C, D, and E (background, qualifications, staffing, experience, list of completed projects, and a minimum of 3 reference projects), and Form 330? In Section E, should we submit up to 10 projects? Can these be double sided pages? Is the limit now increased?

**Answer 8.** The five-page limit was inadvertently omitted from the final draft. A new limit is established herein as an Addendum to the solicitation. Note the restrictions below apply to the totals for single-sided pages completing items A through E listed in section 4.1, and **not including:** Form 330, or the pricing proposal, which is two pages long. To clarify, respondents should limit their technical proposals to the following:

Standard form 330

Resumes for all principals and professional license holders - 1 resume per page.

Completed list of projects applicable to each discipline - 1 project per page, minimum of 3 projects, maximum of 5 projects.

Additional material at the discretion of the respondent may be included – maximum 5 additional pages. On page 13, the references are the last of part to be included in the technical proposal, so within the five page limit for this section. To the extent that individuals' qualifications and a firm's example projects are recorded in form 330, the need not be repeated in the technical proposal, but incorporated by reference to the form 330 item #.

Note that for firms applying for multiple disciplines, the limit is per discipline, so if you were applying for all seven disciplines, the proposals could total approximately 105 pages. Since there are capacity limits on the reviewers to complete timely evaluations, the State requests that instead of repeating, you cross-reference identical information from one discipline proposal to another when there are redundant items.

**Question 9.** Will the MPA be available to other state agencies and colleges?

**Answer 9.** Yes, all state agencies, including the colleges.

**Question 10.** The evaluation will consider the use of Sharepoint software. How do the agencies use Sharepoint? Just for the exchange of documents, or for other functions as well?

**Answer 10.** Primarily for filesharing. The solicitation states "web based data sharing filing system or equal product".

**Question 11.** On what grounds would a vendor be considered “unresponsive? If we pass on two projects in a row, are we off the list?

**Answer 11.** Purchase order awards are certified until the MPA expires. Often, firms do not respond at all; if you would at least respond and advise us of your reasons and continued interest, agencies will remain aware of your interest.

**Question 12.** On the cost proposals, could you explain the difference between Primary Roles Project Manager and Project Architect or Project Engineer? These are sometimes used interchangeably.

**Answer 12.** This is your decision, and depends on how your firm is organized. We find that these roles are sometimes combined and sometimes separate.

**Question 13.** Regarding rates, are you looking for direct costs, or should we build in overhead, including profit?

**Answer 13.** Hourly rates for primary and secondary roles should include overhead and profit, and should not include reimbursables State agencies will solicit lump-sum price proposals from qualified vendors for a given project (section 4.0). These proposals shall include a lump-sum price for the requested work, and an estimate of anticipated reimbursable expenses (or an allowance, if provided by the agency). Typically, the agency will specify the amount of reimbursables at the time of solicitation of quotes. Proposals shall also include a matrix of proposed participants, and their total project involvement (in hours). These hours, when multiplied by the hourly rates negotiated by the state with the vendor, shall total the lump-sum price submitted (non-inclusive of reimbursables). Progress billings will include documentation of units of service provided at the agreed rates and reimburseables.

In addition, hourly rates for primary and secondary roles will be utilized by the agencies in establishing appropriate compensation due to the vendor in the event the project is abandoned, or a change order for additional services is required.

**Question 14.** Could you give some examples of the types of agencies and projects that are possible with this MPA?

**Answer 14.** What we are seeking is that for smaller scale projects and in the interest of saving time, avoiding the long-form RFP process, we can create lists of certified vendors that the agencies can readily access to begin their projects. DOA Facilities Management, DOA Capital Projects, DOT, Pastore Campus and other agencies. By type: feasibility studies, roofs, windows, parking lots, regrading, drainage, small building construction, sidewalks, EPA compliance, interior modifications and redesign. Recognizing the \$50,000 limit for fees within this MPA, we wouldn't expect to do large building designs.

**Question 15.** The \$50,000 limit is for the design fees?

**Answer 15.** Yes, for design, not for construction; there is also a second limit up to \$150,000 on page 11, requiring additional authorizations.

**Question 16.** Should an architect include engineering subs as part of a submission?

**Answer 16.** Please see answers to questions # 6 and # 13. Respondents should submit only under the disciplines for which they are licensed and insured to perform in the State of Rhode Island.

**Question 17.** After the Master Price Agreements (MPA) are awarded, are all requirements competed among the MPA awardees? Do you ever sole source requirements? If so, when?

**Answer 17.** Utilization of MPA 494 will be at the sole discretion of user agencies. There is no requirement among agencies to only source proposals from MPA 494 vendors. To that end, there will continue to be RFPs that are publicly advertised and bid. Generally, sole-sourcing is discouraged, as the State requires that A&E services are competitively bid.

**Question 18.** On page 14, the cost criteria scoring states: "Cost calculated as lowest responsive cost proposal divided by this cost proposal) times 30 points\*." Would you please explain what this means? An example would be helpful.

**Answer 18.** An example with composite prices for primary roles only with costs of:

\$150, \$130, \$140, \$190.

\$130 gets all 30 points.

\$150 gets  $130/150 \times 30 = 25.9$  points

\$140 gets  $130/140 \times 30 = 27.8$  points

\$190 gets  $130/190 \times 30 = 20.5$  points

**Topic 19.** On page 12, it says that vendors shall not charge or be paid for revisions if construction bids exceed funds available. That seems like quite a bit of risk for the designers when the prices from the construction companies are since even if you do a good job of cost estimating, you have no control over the bidding market. It's not if the bids exceed the engineer's estimate, it's if the bids exceed the funds for the project.

**Answer 19.** At the outset of the project, after vendor selection, the state will identify the project budget and discuss project scope with the selected vendor, so the construction contract documents are aligned with the project budget. This language is typical for AIA Architect and Owner contracts.

No cost estimate is ever perfect. If the State's budget for the cost of the work at the conclusion of the Construction Documents Phase is exceeded by the lowest bona fide bid or negotiated proposal, the State shall:

1. Approve an increase in the budget for the cost of the work
2. Authorize re-bidding or renegotiating of the Project within a reasonable time
3. Terminate the contract with the vendor
4. In consultation with the vendor, revise the project program, scope, or quality as required to reduce the cost of the work.
5. Implement any other mutually acceptable alternative

If the State chooses option # 4, the vendor, without additional compensation, shall modify the Construction Documents as necessary to comply with the State's budget for the cost of the work.

That being said, in the event of gross negligence of the project budget on behalf of the vendor, the State reserves the right to require the revision of the construction documents at no additional cost. If the cost of work exceeds the project budget for reasons other than gross negligence on behalf of the vendor, the State may choose to provide compensation to the vendor for required project changes. In the absence of changes, the design vendor shall not be entitled to additional compensation solely because the cost of the project exceeds estimates.

**Question 20.** Is there a percentage over the estimate, or is it the first dollar?

**Answer 20.** We will leave that up to the agencies discretion. There is no set percentage; ultimately it will be the responsibility of the agency to decide what is reasonable and what is not. This language is intended primarily for the occasional instances where budget overages are directly attributable to the negligence of the vendor or significant errors or omissions in construction documents.

**Question 21.** If an architect makes a submission with architecture as his only discipline will that preclude him from being able to bid on projects that require sub consultants?

**Answer 21.** No.

**Topic 22.** (multiple questions) Does the DOA want the consultant's approach to achieve the State's MBE goals in the proposal? How do we fulfill the MBE requirement/ how do we sub that out? Please confirm that the State MBECO can at its discretion waive the MBE requirements. Where are the procedures for obtaining a waiver listed? Regarding the MBE/ WBE requirement, if our firm is not one itself, how do we address that now?

**Answer 22.** MBE certification requests are not required or requested until the agency quote-seeking process is underway, and would only be requested from vendors active in the quote process. MBE plans must be submitted, or reasons that there are no feasible ways to fulfill the requirement, to the MBE Office. A determination, including any waiver, is made by that office, and you must submit your proposal to that office on the prescribed forms, and shall not tell the quoting agency that the requirement does not apply.

**Question 23.** Can we add more than four additional titles with hourly rates on the Cost Proposal spreadsheet?

**Answer 23.** Yes, more than four for secondary roles. Only three primary roles should be priced.

**Topic 24.** Can we include an escalation factor for subsequent years beyond Year One of the MPA? Must an MPA awardee use the labor rates originally proposed in its proposal or can a company propose different rates. Must the MPA awardee bid the same labor rates for all three years. Is there a year to year labor escalation rate?

**Answer 24.** MPA 494 price agreements shall be effective for a 1-year term, with an option to renew (at the State's discretion) for up to 2 additional 1-year terms. Labor rates will not have escalators over the three year period.

**Question 25.** The top of page 7 lists one of the evaluation criteria to be "the submittal of a formal work plan." This is not mentioned anywhere else. Please clarify if this is required at this time, or if the "formal work plan" is a project-specific proposal that will be submitted by selected MPA firms for future projects.

**Answer 25.** Formal work plans are miscategorized in this section. These will be required when proposing a response to a specific agency request for quotes.

**Question 26.** Do the secondary roles figure in the rating of the cost proposals?

**Answer 26.** No, the arithmetic rankings are computed from the primary roles.

**Question 27.** If you score 55 on the technical proposal, you are on the purchase order. Is there a ranking from the cost proposals that require the order that the agencies can approach firms for quotes?

**Answer 27.** The agencies will have access to the pricing structure, and to the scored rankings, but at their discretion, they can solicit quotes from any certified firms in the appropriate discipline.

**Topic 28.** Recognizing that the answers to all these questions may not be published until December 23, and the proposals are due on December 30, would the State consider pushing the deadline in consideration of the holidays? Can the issues on proposal length and contents be resolve in advance of the answers deadline of December 23? That would not allow time to prepare coherent proposals, considering the holiday.

**Answer 28.** We are attempting to issue this new MPA in a timely way because several more restrictive MPAs that it is replacing are expiring. It is the intention of the state to create this more comprehensive array of services to improve the project flow for the many agencies with capital projects. This amendment is issued December 16, one week ahead of the regulatory deadline.

**Question 29.** Is a complete SF330 required, including, for example, resumes (Section E)? Are other formats permitted for resumes, project profiles, work plan/approach, etc.?

**Answer 29.** Yes. Please use section E (page 2) of SF 330 for resumes. Section H (Page 5) of SF330 may be utilized by respondents to include additional information not addressed by the form's typical contents (such as work plan, project approach). Additionally, please see the answer to question # 8 above, which allows utilization of additional pages.

**Question 30.** Please confirm whether submitting firms should include any subconsultants, or submit only for those services performed with in-house personnel. If subconsultants are included in the proposal, are hourly rates required?

**Answer 30.** Please see answers to questions # 6 and # 13.

**Question 31.** Does the DOA want the consultant to include a list or qualifications of subconsultants that are common to a particular discipline in the proposal (e.g. materials testing, survey, landscape architecture, wetland biologist)?

**Answer 31.** Respondents may include additional qualifications at their discretion (in addition to the information requested in SF330) up to a maximum limit of five additional pages. The State is primarily interested in the services for which each respondent is licensed and insured to perform in the State of Rhode Island.

**Question 32.** Please verify that you require only one CD with the technical proposal.

**Answer 32.** That is correct. An additional CD is required to submit the cost proposal in a separate and sealed envelope.