



**Solicitation Information**  
January 30, 2015

**RFP # 7549303**

**(MPA # 429)**

**TITLE: On- Call Temporary Transportation Inspection Services**

**Submission Deadline: February 20, 2015 @ 11:30 a.m. (Eastern Time)**

**PRE-BID/ PROPOSAL CONFERENCE: No**

Questions concerning this solicitation may also be e-mailed to the Division of Purchases at [lisa.hill@purchasing.ri.gov](mailto:lisa.hill@purchasing.ri.gov) no later than **February 13, 2015 at 4:00 p.m. (ET)**. Questions should be submitted in a *Microsoft Word attachment*. Please reference the RFP / LOI # on all correspondence. Questions received, if any, will be posted on the Internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information.

**SURETY REQUIRED: No**  
**BOND REQUIRED: No**  
**INSURANCE REQUIRED: Yes**

Handwritten signature of Lisa Hill in cursive.

Lisa Hill  
Chief Buyer

**Vendors must register on-line at the State Purchasing Website at [www.purchasing.ri.gov](http://www.purchasing.ri.gov).**

**NOTE TO VENDORS:**

Offers received without the entire completed three-page RIVP Generated Bidder Certification Form attached may result in disqualification.

**THIS PAGE IS NOT A BIDDER CERTIFICATION FORM**

## **RFP 7549303**

### **MPA 429 - ON-CALL TEMPORARY TRANSPORTATION INSPECTION SERVICES DBE GOAL: NONE**

The Rhode Island Department of Administration / Division of Purchases seek to establish a **THREE (3) YEAR Master Price Agreement** with one or more qualified VENDORS (VENDOR) to provide **On-Call Temporary Transportation Inspection Services**. The State may elect to extend the Price Agreement annually for an additional TWO (2) YEARS. *Should MPA be extended, additional YEARS 4 and 5 hourly rates may be increased a maximum 3% over the previous YEAR'S documented rates.*

Inspection services will include all transportation-related activities - including but not limited to- all active construction, maintenance, and materials projects. Primarily RIDOT anticipates a potential need of a maximum of SIXTY (60) TEMPS PER DAY during the peak construction season, typically between April and December annually. Temporary inspection services will be performed under the direction of the assigned RIDOT Managing Section. The selected VENDOR must fulfill all RFP requirements as detailed herein; the selected VENDOR'S services must be made available to RIDOT at all times during the assigned contract term.

Responses to this solicitation must be in accordance with guidelines outlined in this request and the State's General Conditions of Purchase which can be accessed online through *the Rhode Island Vendor Information Program (RIVIP)* at:

**<http://www.purchasing.ri.gov>**

***All Respondents are advised to review all sections of this request thoroughly and to follow the instructions carefully. Failure to make a complete submission as described elsewhere herein may result in rejection of the proposal.***

**Note:** This solicitation is a Request for Proposals (RFP), not an Invitation for Bid. There will be no public opening of responses received by the Division of Purchases pursuant to this solicitation other than to name those firms who have responded. Per the instructions to follow, Respondents must provide the following to be considered responsive to this solicitation:

1. A fully-completed, signed **RIVIP Certification Cover Sheet**, and
2. A complete **RFP** inclusive of all requested administrative, technical and proposed price information
3. A fully-completed, signed **DEBARMENT FORM**
4. A fully-completed, signed **LOBBYING FORM**
5. A fully-completed, signed **CONFLICT DISCLOSURE STATEMENT**
6. A fully-completed, signed **CERTIFICATION FOR TITLE VI ASSURANCE**
7. A fully-completed **W-9 FORM**
8. As applicable, **FOREIGN CORPORATION** Certificate of Authority - *See General Instructions*

#### **GENERAL INSTRUCTIONS AND NOTIFICATIONS TO RESPONDENTS**

- All Respondents **MUST REGISTER** online at the State Division of Purchases' website @ **<http://www.purchasing.ri.gov>**. This website is the Rhode Island Vendor Information Program (RIVIP).

- A fully completed signed *RIVIP Bidder Certification Cover Sheet* – All three pages **MUST** accompany the response submitted. Failure to make a complete submission inclusive of this three-page document will result in disqualification.
- Should there be a need for assistance in registering and/or downloading any document, call (401) 574-8100 for RIVIP HELP DESK technical assistance. Office Hours: 8:30 AM – 4:00 PM.
- Alternative approaches and/or methodologies to accomplish the desired or intended results of this procurement are solicited. However, proposals which depart from or materially alter the terms, requirement, or Scope of Work defined by this Request will be rejected as being non-responsive.
- All costs associated with developing or submitting documents in response to this Request and/or in providing oral or written clarification of its content shall be borne by the Respondent. The State assumes no responsibility for these costs.
- It is intended that a Master Price Agreement will be established pursuant to this solicitation. Award(s) will be made to prime Respondent(s) who by virtue of participating in this solicitation assume full responsibility for all aspects of the services to be provided under the Scope of Work. Joint venture and cooperative proposals will not be considered. Sub-consultants, however, will be considered provided any proposed sub-consultant(s) are clearly identified along with a full disclosure as to the type of work to be performed within the Scope of Work.
- Submissions in response to this solicitation are considered to be irrevocable for a period of not less than one hundred twenty (120) days following the established due date and may not be withdrawn without the express written permission of the State Purchasing Agent.
- Responses misdirected to other State locations or which otherwise are not received by the Division of Purchases by the established due date for any cause will be determined to be late and will not be considered. The office clock, for the purpose of registering the arrival of a document, is in the reception area of the Department of Administration (DOA), Division of Purchases, One Capitol Hill, Providence, Rhode Island.
- Respondents are advised that all materials submitted to the State for consideration will be considered to be public records as defined in RI Gen Laws 38-2, without exception, and will be released for inspection immediately upon request once an award is made.
- In accordance with RI Gen. Laws 7-1.1-99, no foreign corporation (a corporation established other than in Rhode Island) has the right to transact business in this State until it has procured a Certificate of Authority to do so from the Office of the Secretary of State (401) 222-2357.
- Respondents must possess a working familiarity with the guidelines outlined in the *Rhode Island Standard Specifications for Road and Bridge Construction, 2004*, and subsequent revisions which is currently available on-line @ [www.dot.ri.gov](http://www.dot.ri.gov) .
- Successful Respondent(s) must comply with all federal, state and local licensing/certification requirements to perform requested services.
- Successful Respondent(s) must comply with all necessary insurance protections up to industry standard; - see Scope of Work.

- Although not required, **Disadvantaged Business Enterprise (DBE)** participation is encouraged on all RIDOT projects. A list of current Rhode Island State certified DBE firms may be obtained through the State's MBE Office website @ [www.mbe.ri.gov](http://www.mbe.ri.gov). Any questions should be directed to:

**Office of Business and Community Resources  
Room 109, Two Capitol Hill  
Providence, RI 02903  
(401) 222-3260**

**REQUIRED FORMS:**

Besides the *RIVIP Bidder Certification Cover Sheet* -as required at the State level and obtained through the RIVIP website, RIDOT also requires that the following **FIVE (5) FORMS** be completed and included in your submission package in line with federal regulations and departmental policy. These FORMS will be reviewed for completeness and at the point of award will be made part of contract document.

- **DEBARMENT FORM:** Must be completed and signed by CBO authorized agent.
- **LOBBYING FORM:** Enter known project information on PAGE 1 (DESCRIPTION etc.); CBO must complete FORM and submit signed by an authorized agent of your VENDOR.
- **CONFLICTS DISCLOSURE STATEMENT:** In line with directions stated, completed FORM shall be signed and submitted accordingly.
- **CERTIFICATION FOR TITLE VI ASSURANCE:** Shall be fully-completed and submitted accordingly
- **W-9 FORM:** Must be completed and signed by CBO authorized agent. Form may be downloaded @ [www.purchasing.ri.gov](http://www.purchasing.ri.gov) .

***ALL FORMS (Except W-9) ARE ATTACHED TO SOLICITATION AND MUST BE COMPLETED AND COPIES SUBMITTED ALONG WITH EACH SUBMISSION. ("ORIGINAL" & COPIES). PLEASE NOTE, FOR W-9 FORM ONLY, ONE (1) UNBOUND "ORIGINAL" COPY IS REQUIRED AT TIME OF SUBMISSION. COPIES OF W-9 NEED NOT BE INCLUDED IN INDIVIDUAL SUBMISSION.***

**CONTRACT TERMS AND CONDITIONS**

The Master Price Agreement that will be established as a result of this solicitation will be for **THREE (3) YEARS**. At RIDOT'S discretion, the Price Agreement may be extended annually for an additional TWO (2) YEARS. Should MPA be extended, additional YEARS 4 and 5 hourly rates may be increased a maximum 3% over the previous YEAR'S documented rates.

The State intends to establish a qualified vendor list with multiple service providers. The selected VENDOR(S) will provide qualified temporary personnel to assist RIDOT with inspection services related to all active transportation-related activities. The VENDOR will be required to provide the requested services on an on-call basis at all times during the assigned contract term. **Hours and assignments will be determined by RIDOT.** The VENDOR must demonstrate the capacity to provide the required TEMP personnel to staff multiple projects simultaneously. RIDOT reserves the right to refuse to accept the services of any individual TEMP member assigned under the Master Price Agreement. In addition, RIDOT reserves the right to request the services for any individual TEMP member as deemed appropriate.

Successful Respondents' prices for **fully inclusive hourly rates** to compensate for the productive hours actually worked will form the basis of this Price Agreement. **THERE WILL BE NO OTHER FORM OF COMPENSATION PROVIDED.**

No commitment to a specific level of spending is made by this request. Services will be authorized using individual requests against the Master Price Agreement and will be subject to the State's General Conditions of Purchase which is available through the RIVIP website @ [www.purchasing.ri.gov](http://www.purchasing.ri.gov), and any other specific conditions set forth in the Master Price Agreement.

It is anticipated that payment for services rendered will be monthly for periods when the Master Price Agreement is in active use. Monthly invoices are to be fully itemized for hourly inspection charges, -i.e., productive hours only and submitted to the responsible RIDOT unit for review, acceptance and processing for payment.

RIDOT retains the right to audit all costs charged under this Agreement during the initial and any extended contract term. All supporting documents for costs charged under this Agreement are to be retained THREE (3) years after final payment or until three (3) years after settlement of any disputes or litigation associated with the Contract.

**PROPOSAL FORMAT:**

- ***Proposal Format:*** Proposal submission must be bound or contained in a single volume. All documentation submitted with the proposal must be contained in that single volume. LOI must be prepared on **8 1/2" x 11"** letter sized white paper printed on both sides sequentially numbered and limited in length to a total of **25 PAGES** – exclusive of "exhibits", which must be tabbed and included in the bound submission. Font size shall be a minimum of **12 POINTS** for all submittals. ALL documentation in excess of 25 PAGE MAXIMUM will be removed and discarded. LOI must contain a Table of Contents that cross-references each requirement with specific pages in Proposal.
- ***RIDOT Scope of Work and Addenda:*** Respondents shall include as an exhibit to the Proposal submission a copy of RIDOT'S original RFP and any supplemental Addenda, as applicable.
- ***Supplemental Information:*** Respondents are encouraged to submit any other information deemed useful to provide RIDOT with sufficient relevant information to evaluate the firm's qualifications and technical approach to the project.

**INSTRUCTIONS:**

Upon review of the Scope of Work, "**Original**" and **SIX (6) copies** of a completed **LETTER OF INTEREST** inclusive of all requested information must be submitted to the Division of Purchases by the deadline specified per the detailed instructions to follow.

To be considered responsive - at a minimum - the Letter of Interest must include the following administrative, technical and price information for RIDOT review and subsequent selection recommendation(s):

**BACKGROUND AND PREVIOUS EXPERIENCE:**

- ***Letter of Transmittal:*** A Letter of Transmittal must accompany each response signed by an owner, officer, or other authorized agent of the firm.

- **Company Introduction:** Qualified Respondents must provide evidence of expertise relative to the services requested. Respondents are also required to include a complete description and other relevant information documenting organizational structure, business background and specific office locations.
- **Relevant Experience:** Respondents are to include a comprehensive listing of similar current and past projects and/or clients served providing services related to this Scope of Work.
- **Client References:** Respondents must provide at a minimum **THREE (3) REFERENCES** detailing client name/address, complete contact information, type of project and description of services provided and timeframe completed. By so listing, specific permission is granted to RIDOT to contact said individuals to verify the satisfactory performance of services provided.
- **Proof of Insurance:** Respondents are to provide official certification (ACORD 25 FORM) from their insurance source(s), licensed to do business in Rhode Island, of the detailing policy information relative to current Liability and Worker's Compensation insurance.

**PROOF OF REQUIRED INSURANCE COVERAGE MUST BE INCLUDED AS PART OF PROPOSAL SUBMISSION.**

**ORGANIZATION AND STAFFING:**

- **Staff Qualifications:** Respondents are to include an overview of available **personnel** with minimum experience levels as detailed in the Scope of Work including resumes and required certifications as applicable. Full disclosure of available personnel will include:
  1. **Clarification of Personnel Assignment & Mandatory Qualifications (ATTACHED)** must be completed citing available personnel by NAME and CATEGORY assignment and compliance with all applicable staffing requirements as defined in the attached Scope of Work;
  2. **Resumes** and **required certifications** (as applicable) of individuals to be assigned
- **Sub-Consultant(s):** If applicable, EACH proposed sub-consultant must disclose a company introduction for the firm; this must include each sub-consultant's organizational structure, business background, office location and the type of work they will perform in response to this solicitation. Proof of professional certifications must also be provided. Full disclosure of available personnel for EACH proposed sub-consultant will include:
  1. **Clarification of Personnel Assignment & Mandatory Qualifications (ATTACHED)** must be completed citing available personnel by NAME and CATEGORY assignment and compliance with all applicable staffing requirements as defined in the attached Scope of Work;
  2. **Resumes** and **required certifications** (as applicable) of individuals to be assigned

It is not essential that each Respondent have extensive experience in all types of inspection services noted above. In any response to this RFP, each Respondent shall make clear which types of services your firm is seeking to perform for RIDOT and which types of services your firm is qualified to perform. Your experience and qualifications should be outlined in terms of addressing these areas.

**NOTE: If selected under this MPA, only pricing for submitted personnel categories will be utilized under this Agreement. Additional personnel categories may **not** be added to any MPA award; however, additional personnel may be added to any approved category pending RIDOT review and acceptance.**

Below is a summary of the minimum qualifications required for each temporary inspector category:

TEMP INSPECTION CATEGORY	REQUIRED MINIMUM QUALIFICATIONS
<b>CONSTRUCTION AND MAINTENANCE INSPECTOR - LEVEL 1</b>	<ul style="list-style-type: none"> <li>Minimum 1 YEAR experience involving construction operations and/or inspection, landscape inspection, surveying and drafting</li> </ul>
<b>CONSTRUCTION AND MAINTENANCE INSPECTOR - LEVEL 2*</b>	<p style="text-align: center;"><b>EITHER</b></p> <ul style="list-style-type: none"> <li>Same as LEVEL 1 except minimum 3 YEARS experience required. <b>PLUS</b></li> <li>Proof of current <b>Northeast Transportation Training and Certification Program (NETTCP)</b> certification <b>PLUS</b></li> <li>Proof of current <b>Hot Mix Asphalt (HMA) and/or American Concrete Institute (ACI)</b> certification.</li> </ul> <p style="text-align: center;"><b>OR</b></p> <ul style="list-style-type: none"> <li>RI Electrical License Type B</li> </ul> <p style="text-align: center;"><b>OR</b></p> <ul style="list-style-type: none"> <li>RI Professional Engineer License</li> </ul>
<b>CONSTRUCTION RECORD-KEEPER</b>	<ul style="list-style-type: none"> <li>Employment involving office work requiring application of basic accounting principles, business software applications and report preparation.</li> </ul>
<b>MATERIALS INSPECTOR - LEVEL 1</b>	<ul style="list-style-type: none"> <li>Ability to maneuver around a construction site and to lift and carry up to 50 POUNDS of material test samples such as soil, concrete and asphalt <b>PLUS</b></li> <li>Ability to write daily reports in the area of work specified.</li> </ul>
<b>MATERIALS INSPECTOR - LEVEL 2*</b>	<ul style="list-style-type: none"> <li>Same as Material Inspector LEVEL 1 <b>PLUS</b></li> <li>Proof of NETTCP certification <b>PLUS</b></li> <li>Proof of HMA and/or ACI certification</li> </ul>

**\* Proof of Required Certifications for LEVEL 2 Inspectors as cited above MUST be submitted in each Proposal submission.**

PRICING: Fully Inclusive as Described Below in the Required Format:

	<u>Applicable Certification(s)</u>	<u>YEAR 1</u> <u>X/X/15 – X/X/16</u>	<u>YEAR 2</u> <u>X/X/16 – X/X/17</u>	<u>YEAR 3</u> <u>X/X/17 – X/X/18</u>
<b>Hourly Rates: <i>as applicable</i></b>				
<ul style="list-style-type: none"> <li><b><u>CONSTRUCTION AND MAINTENANCE INSPECTOR – LEVEL 1</u></b></li> </ul> <p><u>Straight Time</u></p> <p><u>Overtime</u> <u>&gt;8 hrs. per day</u></p>				
<ul style="list-style-type: none"> <li><b><u>CONSTRUCTION AND MAINTENANCE INSPECTOR – LEVEL 2</u></b></li> </ul> <p><u>Straight Time</u></p> <p><u>Overtime</u> <u>&gt;8 hrs. per day</u></p>	_____			
<ul style="list-style-type: none"> <li><b><u>CONSTRUCTION RECORD-KEEPER</u></b></li> </ul> <p><u>Straight Time</u></p> <p><u>Overtime</u> <u>&gt;8 hrs. per day</u></p>				
<ul style="list-style-type: none"> <li><b><u>MATERIALS INSPECTOR - LEVEL 1</u></b></li> </ul> <p><u>Straight Time</u></p> <p><u>Overtime</u> <u>&gt;8 hrs. per day</u></p>				
<ul style="list-style-type: none"> <li><b><u>MATERIALS INSPECTOR - LEVEL 2*</u></b></li> </ul> <p><u>Straight Time</u></p> <p><u>Overtime</u> <u>&gt;8 hrs. per day</u></p>	_____			

- **Hourly Rates:** For each proposed category of inspection available to RIDOT, provide detailed profile of their certifications, as applicable, and itemized hourly rates for inspection services in the above format. Rates are requested for straight time and overtime hours. Overtime hours are defined as productive eligible hours worked consecutively beyond a base eight-hour shift excluding lunch applicable 7 DAYS a week - this shall also apply to inspection services requested on weekends or holidays. Authorized overtime hours will be granted at the discretion of RIDOT with prior approval from the Department. These hourly rates are to be **fully inclusive** of all direct charges including wages and fringe benefits, and any and all indirect charges including preparation of reports and administrative expenses. Prices are requested to be fully disclosed for each of the THREE (3) years in the required format above. If one price is offered, that price will remain firm and fixed for the maximum three-year contract term.

**NOTE: Should MPA be extended, at RIDOT'S discretion, additional YEARS 4 and 5 hourly rates may be increased a maximum 3% over the previous YEAR'S documented rates.**

#### **PROPOSAL QUESTIONS AND SUBMISSION REQUIREMENTS**

Any questions concerning this solicitation shall be e-mailed directly to the RIDOA/Division of Purchases c/o [lisa.hill@purchasing.ri.gov](mailto:lisa.hill@purchasing.ri.gov) no later than **Wednesday, February 12, 2015 at 4:00 P.M.**

Responses to questions received will be coordinated with RIDOT and publicly posted via Addendum on the RIVIP website.

Upon review of the Scope of Work (SOW), an **"Original" and SIX (6) copies** of Proposal submissions should be sent to the Division of Purchases by the specified deadline to the address listed below. RIDOT requests that the Proposal submission be submitted not only in hard copy form but also on CD-ROM. Clearly labeled CD ROM should be attached to the **inside cover of each Proposal submission.** RIDOT requests that the electronic version of said Proposals be submitted in Adobe PDF format.

Requested documentation is to be either mailed or hand delivered in a sealed envelope marked: **"RFP 7549303 – MPA 429 – ON-CALL TEMPORARY TRANSPORTATION INSPECTION SERVICES" by FEBRUARY 20, 2015 no later than 11:30 A. M. to:**

**BY COURIER OR MAIL:  
RI Department of Administration  
Division of Purchases (2<sup>nd</sup> FL)  
One Capitol Hill  
Providence, RI 02908**

**NOTE: Proposals received after the above-referenced due date and time will not be considered. Proposals misdirected to other State locations or which are otherwise not presented in the Division of Purchases by the scheduled due date and time will be determined to be late and will not be considered. Proposals faxed to the Division of Purchases will not be considered.**

#### **EVALUATION AND SELECTION:**

Proposals received will be evaluated through a Technical Evaluation Committee comprised of RIDOT personnel responsible for the project under consideration. Proposals received will be evaluated and ranked using the criteria listed below. It is anticipated there will be multiple awards; PRICING must be fully disclosed in the required format. The resulting Price Agreement will reflect accepted prices; RIDOT utilization of any given firm will be dependent upon expertise and price.

<b>SELECTION CRITERIA:</b>	<b>MAXIMUM SCORING</b>
<b>1. Capability and Qualifications of the VENDOR</b> - as evidenced by VENDOR'S apparent ability to supply qualified temporary staff and demonstrate accuracy in reporting documentation for a range of different assignments performed simultaneously	<b>0 - 30 Points</b>
<b>2. Qualifications of Available Temporary Staff</b> - as evidenced by resumes/certifications of staff members- as applicable, each with minimum required qualifications offered to perform inspection services <i>(NOTE: DBE Participation will be taken into consideration as part of the selection process.)</i>	<b>0 - 20 Points</b>
<b>3. Staffing Capacity of VENDOR</b> - as evidenced by the VENDOR'S capacity to provide multiple staffing assignments upon short notice	<b>0 - 20 Points</b>
<b>4. Price</b>	<b>0 - 30 Points</b>
<b>TOTAL:</b>	<b>100 Points</b>

RIDOT will assign scoring for **PRICING** proposed by each VENDOR as follows:

- **CONSTRUCTION INSPECTION** Services may be performed continuously over an anticipated **36-WEEK CONSTRUCTION** Schedule (April- December); each inspector hired may work a **40 HOUR** work week paid at the straight time rate for an estimated total of **1440 HOURS ANNUALLY PER INSPECTOR**.
- **MATERIALS INSPECTION** Services may be made available throughout the entire construction season and utilized on larger projects an average of **10 WEEKS** annually with inspectors hired to perform services over a **40 HOUR** work week paid at the straight time rate for an estimated total of **400 HOURS ANNUALLY PER INSPECTOR**.

<b>INSPECTION CATEGORY</b>	<b>EST.# INSPECTORS</b>	<b>EST. ANNUAL HOURS PER INSPECTOR</b>	<b>PROPOSED MAX HOURLY RATE PER CATEGORY</b>	<b>EST. TOTAL ANNUAL COST PER CATEGORY</b>
CONSTRUCTION AND MAINTENANCE INSPECTOR – LEVEL 1	5	1440 HOURS	\$	\$
CONSTRUCTION AND MAINTENANCE INSPECTOR – LEVEL 2	3	1440 HOURS	\$	\$
CONSTRUCTION RECORD KEEPER	2	1440 HOURS	\$	\$
MATERIALS INSPECTOR LEVEL 1	1	400 HOURS	\$	\$
MATERIALS INSPECTOR LEVEL 2	1	400 HOURS	\$	\$
<b>EST. TOTAL COST ANNUAL INSPECTION SERVICES PER VENDOR</b>				<b>\$</b>

Fully inclusive hourly rates used in each calculation will be the maximum rates assigned each category proposed for **YEAR 1** INSPECTION SERVICES. The **EST. TOTAL COST ANNUAL INSPECTION SERVICES** calculated **PER VENDOR** will be scored with the lowest total receiving the maximum 30 POINT SCORE and the remaining scored apportionately. Individual scores assigned each selection criterion will be added to determine the **FINAL TOTAL SCORE** for each Vendor.

Vendors receiving a **MINIMUM 70 OF THE 100 ELIGIBLE POINTS** will be placed on the approved Master Price Agreement list to provide the requested services for the proposed contract term. Proposals receiving scores of less than 70 POINTS will also be notified by RIDOT that they did not qualify under this project. It shall be noted that placement on the approved MPA list is no guarantee of annual income under this project.

The Technical Evaluation Committee reserves the right to schedule interviews with qualified Respondents if it is deemed in the best interest of the selection process. The results of such interviews will be factored into the final evaluation and ranking of respondents. Other submissions, certifications, or affirmations may also be required if deemed necessary.

Final Selection recommendations will be presented to RIDOT'S Advisory Consultant Selection Panel for Departmental approval. With the support of the Director of Transportation, the approved Final Selection recommendations will be submitted to Purchases in order to establish the Master Price Agreement. The resulting Price Agreement will reflect accepted prices; RIDOT utilization of any given FIRM will be dependent upon expertise and price. Upon completion of formal award process, all Respondents will be formally notified by the RIDOT that a final selection has been made.

At any point during the review process, any proposal found to be substantially non-responsive will be dropped from further consideration.

Notwithstanding the above, the State reserves the right to accept or reject any or all options, bids, proposals, to award on the basis of cost alone, and to act in its best interest.

During the life of this MPA contract, the State reserves the right to solicit separately for selected initiatives within this Scope of Work.

*The State reserves the right to make an award or multiple awards or to reject any or all offers based on what it considers to be in its best interest.*

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**SCOPE OF WORK  
FOR  
MPA 429 - ON-CALL TEMPORARY TRANSPORTATION INSPECTION SERVICES**

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**INTRODUCTION**

The intent of this project is to provide temporary inspection services for assigned transportation-related activities - including but not limited to- all active construction, maintenance, and materials projects. RIDOT anticipates a potential need of a maximum of SIXTY (60) TEMPS PER DAY during the peak construction season, typically between April and December annually. Temporary inspection services will be performed under the direction of the assigned RIDOT Managing Section. The selected VENDOR must fulfill all RFP requirements as detailed herein; the selected VENDOR'S services must be made available to RIDOT at all times during the assigned contract term.

**DESCRIPTION OF SERVICES AND TASKS**

RIDOT is seeking the services of an experienced temporary employment VENDOR (VENDOR) to provide the following services:

1. To provide a suitable pool of temporary inspectors (TEMPS) who will be made available to provide the requested services as required.
2. To screen TEMPS to ensure compliance with the requirements as described later in this request. Screening is to include a check with the State of Rhode Island Department of Attorney General's Bureau of Criminal Identification. In the event the candidate TEMP has a criminal record, RIDOT will determine their suitability to provide the services requested.

3. The TEMP will be required submit a resume.(to be provided by RIDOT) disclosing their education, related skills and work experience in line with the specified requirements outlined for each inspection category. This information will be reviewed by the VENDOR for compliance and to establish qualified staffing assignments
4. To administer and process payroll and other ancillary requirements including insurance, taxes, Worker's Compensation, FICA and benefits.
5. To provide technical training to the qualified pool of TEMPS with regard to the following :
  - a. To provide a working familiarity in reading Plans, Specifications and Standard Details
  - b. To provide a working familiarity with the current RI Standard Specifications for Road and Bridge Construction ("Blue Book"), 2004 and subsequent Revisions
  - c. To provide a working familiarity with the current RI Procedures of Uniformed Record Keeping. ("PURK" Manual)

RIDOT reserves the right to refuse the services of any TEMP at any time during the contract term. RIDOT will utilize temporary inspection services *as needed*; there will be NO MINIMUM HIRING OF TEMPS DETERMINED. Placement on the approved Price Agreement is no guarantee of annual income.

Temporary inspection services may be required at night and on weekends and/or holidays. Overtime hours are defined as productive eligible hours worked consecutively beyond a base eight-hour shift excluding lunch- this shall apply to weekends and/or holidays when needed. Authorized overtime hours will be granted at the discretion of RIDOT with prior approval from RIDOT.

A minimum of FOUR (4) HOURS is guaranteed each temporary inspection assignment commencing upon arrival at the inspection site.

#### **TIME OF PERFORMANCE**

RIDOT anticipates a potential need of a maximum of SIXTY (60) TEMPS PER DAY during the peak construction season, considered to be between April 15<sup>th</sup> and December 15<sup>th</sup> annually.

#### **TEMPORARY EMPLOYEE REQUIREMENTS**

##### **Duties:**

Under RIDOT supervision, the TEMP will be required to perform civil engineering work, at the beginning level, and to do related work as required.

##### **Supervision Received:**

The TEMP will work under the immediate supervision of a Civil Engineer or Engineering Technician in accordance with specific instructions; work will be reviewed in process and upon completion for results obtained.

##### **Transportation:**

The TEMP will be required to provide their own transportation to the job site, around the job site, and if necessary, to other job sites to provide inspection services. **THERE WILL BE NO REIMBURSEMENT FOR MILEAGE UNDER THIS CONTRACT.** RIDOT will make every effort to minimize drive time during the course of inspection services.

##### **Examples Of Inspection Services To Be Performed:**

The TEMP will assist a Civil Engineer or an Engineering Technician in the following inspection activities:

### **CONSTRUCTION OPERATIONS –**

- To assist in the inspection of all materials going into a bridge or road construction or maintenance project;
- To assemble data for weekly estimates of work accomplished under contract item;
- To assist in the preparation of work progress reports.
- To enforce plans, special provision contracts and specifications during the construction and/or repair of a building or other project.
- In accordance with specific instructions, to inspect the workmanship and practices of the CONTRACTOR performing road construction or maintenance work
- To check road construction maintenance work in process and to report immediately any finding contrary to plans and specifications for such work.

### **MATERIALS –**

- To assist in materials testing activities;
- To assist in the taking and testing of samples, e.g. aggregates, concrete mixes, asphalt, steel and other materials used in highway or bridge construction;
- To assist in the preparation of materials reports;
- To assist in materials research.

### **CONSTRUCTION RECORDS –**

- To utilize standardized computer software applications in order to set up, input and maintain all record-keeping documentation for road and/or bridge construction projects;
- To ensure that computerized records are maintained consistent with the *Procedures of Uniform Record Keeping (PURK)*;
- To ensure entry into a personal computer daily item slips and required back-up for work performed by CONTRACTORS;
- To consolidate vital specific project data as it relates to the appropriate category;
- To assist in the preparation of Reports of Change, contract addenda, bi-weekly progress payments, correspondence, updates and other information related to the project
- To maintain accountability of all phases of construction activity through the utilization of a computerized construction record keeping system
- To utilize established practices and procedures resulting in finalization of the record- keeping process for the project upon project completion.

### **REQUIRED QUALIFICATIONS –**

#### **Knowledge and Skills:**

A familiarity with, and the ability to apply the basic principles and practices of civil engineering; a familiarity with the kinds of basic materials, elements or products of highway and bridge construction. Good mathematical skills and knowledge of basic computer operation such as word processing and data entry.

**Education and Experience:**

**Education:** Such as may have been gained through: graduation from a senior high school, including or supplemented by courses such as accounting, mathematics, horticulture, science and mechanical drawing.

**Experience:** Respondents are to include an overview of **inspection personnel** with the following minimum qualifications and experience for the inspection category to be assigned; additionally all key personnel must have a minimum of ONE (1) YEAR gained through; employment involving the performance of construction inspection, landscape inspection, materials testing, surveying, drafting or office work which required the application of some accounting principles, and the presentation of accurate reports.

TEMP INSPECTION CATEGORY	REQUIRED MINIMUM QUALIFICATIONS
<b>CONSTRUCTION AND MAINTENANCE INSPECTOR - LEVEL 1</b>	<ul style="list-style-type: none"> <li>• Minimum 1 YEAR experience involving construction operations and/or inspection, landscape inspection, surveying and drafting</li> </ul>
<b>CONSTRUCTION AND MAINTENANCE INSPECTOR - LEVEL 2*</b>	<p style="text-align: center;"><b>EITHER</b></p> <ul style="list-style-type: none"> <li>• <u>Same as</u> CONSTRUCTION &amp; MAINTENANCE LEVEL 1 <b>PLUS</b></li> <li>• Proof of current Northeast Transportation Training and Certification Program (NETTCP) certification <b>PLUS</b></li> <li>• Proof of current Hot Mix Asphalt (HMA) and/or American Concrete Institute (ACI) certification.</li> </ul> <p style="text-align: center;"><b>OR</b></p> <ul style="list-style-type: none"> <li>• RI Electrical License Type B</li> </ul> <p style="text-align: center;"><b>OR</b></p> <ul style="list-style-type: none"> <li>• RI Professional Engineer License</li> </ul>
<b>CONSTRUCTION RECORD-KEEPER</b>	<ul style="list-style-type: none"> <li>• Employment involving office work requiring application of basic accounting principles, business software applications and report preparation.</li> </ul>
<b>MATERIALS INSPECTOR - LEVEL 1</b>	<ul style="list-style-type: none"> <li>• Ability to maneuver around a construction site and to lift and carry up to 50 POUNDS of material test samples such as soil, concrete and asphalt <b>PLUS</b></li> <li>• Ability to write daily reports in the area of work specified.</li> </ul>
<b>MATERIALS INSPECTOR - LEVEL 2*</b>	<ul style="list-style-type: none"> <li>• <u>Same as</u> Materials Inspector LEVEL 1 <b>PLUS</b></li> <li>• Proof of NETTCP certification <b>PLUS</b></li> <li>• Proof of HMA and/or ACI certification</li> </ul>

**\* Proof of Required Certifications for LEVEL 2 Inspectors as cited above MUST be submitted in each Proposal submission.**

Alternatively, a combination of education and experience that shall be substantially equivalent to the above education and experience.

Successful candidates must maintain valid driver's licenses at the time of employment and throughout service.

#### **REFERENCES**

- The Rhode Island Department of Transportation Standard Specifications for Road and Bridge Construction, 2004 Edition and subsequent revisions
- Procedures of Uniform Record Keeping (PURK) Manual

**-END-**



**CONSULTANTS**

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION  
AND OTHER RESPONSIBILITY MATTERS  
PRIMARY COVERED TRANSACTIONS FOR PRIME CONSULTANTS  
AND LOWER TIER PARTICIPANTS (SUBCONSULTANTS ETC.)**

Appendix B - - certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions

**INSTRUCTIONS FOR CERTIFICATION:**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

#### **Certification Regarding Debarment, Suspension, ineligibility And Voluntary Exclusion - - Lower Tier Covered Participants**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION  
AND OTHER RESPONSIBILITY MATTERS  
PRIMARY COVERED TRANSACTIONS**

In accordance with the code of Federal Regulations, Part 49 CFR Section 29.510, the prospective primary participant \_\_\_\_\_ (name of Authorized Agent), \_\_\_\_\_ (Title), being duly sworn (or under penalty of perjury under the laws of the United States), certifies to the best of his/her knowledge and belief, that its principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
- b. 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;
- c. 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 (1)(b) of this certification;
- d. 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.

Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall list exceptions below.

Exceptions will not necessarily result in denial of award, but, will be considered in determining contractor responsibility. For any exception noted, indicate below to whom it applies, the initiating agency, and the dates of the action. Providing false information may result in criminal prosecution or administrative sanctions. If an exception is noted the contractor must contact the Department to discuss the exception prior to award of the contract.

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\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Date

## **Certification for Federal-Aid Construction/Consultant Contracts**

IN ACCORDANCE WITH PUBLIC LAW 101-1210 SECTION 319 (DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES) THE PROSPECTIVE PARTICIPANT CERTIFIES, BY SIGNING AND SUBMITTING THIS BID OR PROPOSAL, TO THE BEST OF HIS/HER 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 any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of 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 of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal 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.

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 Section 1352, Title 31, U.S. Code. 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 prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.**

**(R.I.D.O.T. APPENDIX C)**

## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to Title 31, U.S.C. Section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence 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 a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number, Invitation for Bid (IFB) number, grant announcement number, the contract, grant, or loan award number, the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (03-48-00-46), Washington, D.C. 20503.

# DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352 - 0348-0046  
(see reverse for public burden disclosure)

<p>1. Type of Federal Action:</p> <p><input type="checkbox"/> a. contract  <input type="checkbox"/> b. grant  <input type="checkbox"/> c. cooperative agreement  <input type="checkbox"/> d. loan  <input type="checkbox"/> e. loan guarantee  <input type="checkbox"/> f. loan insurance</p>	<p>2. Status of Federal Action:</p> <p><input type="checkbox"/> a. bid/offer/application  <input type="checkbox"/> b. initial award  <input type="checkbox"/> c. post-award</p>	<p>3. Report Type:</p> <p><input type="checkbox"/> a. initial filing  <input type="checkbox"/> b. material change</p> <p>For Material Change Only:  year _____ quarter _____  date of last report _____</p>
<p>4. Name and Address of Report Entity:</p> <p><input checked="" type="checkbox"/> Prime                      <input type="checkbox"/> Subawardee  Tier ____, if known:</p> <p>Congressional District, if known: _____</p>	<p>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</p> <p>Congressional District, if known: _____</p>	
<p>6. Federal Department Agency:</p>	<p>7. Federal Program Name/Description:</p> <p>CFDA Number, if applicable: _____</p>	
<p>8. Federal Action Number, if known:</p>	<p>9. Award Amount, if known:</p> <p>\$ _____</p>	
<p>10. a. Name and Address of Lobbying Entity:</p> <p>(if individual, last name, first name, mi): _____</p>	<p>10. b. Individuals Performing Services (including address if different from No. 10a)  (last name, first name, mi): _____</p>	
<p>11. Amount of Payment (check all that apply)</p> <p>\$ _____                      <input type="checkbox"/> actual    <input type="checkbox"/> planned</p>	<p>13. Type of Payment (check all that apply):</p> <p><input type="checkbox"/> a. retainer  <input type="checkbox"/> b. one-time fee  <input type="checkbox"/> c. commission  <input type="checkbox"/> d. contingent fee  <input type="checkbox"/> e. deferred  <input type="checkbox"/> f. other; specify: _____</p>	
<p>12. Form of Payment (check all that apply):</p> <p><input type="checkbox"/> a. cash  <input type="checkbox"/> b. in-kind; specify: nature _____  value _____</p>		
<p>14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contracted, for Payment indicated in Item 11 (Attach Continuation Sheet(s) SF-LLL-A, if necessary):</p> 		
<p>15. Continuation Sheet(s) SF-LLL-A attached:    <input type="checkbox"/> yes    <input checked="" type="checkbox"/> no</p>		
<p>16. Information requested through this form is authorized by title 31 U.S.C. section 1352. this disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</p>	<p>Signature: _____  Print Name: _____  Title: _____  Telephone No: _____ Date: _____</p>	
<p><b>For Federal use Only:</b></p>	<p>Authorized for Local Reproduction Standard Form - LLL-A</p>	

# DISCLOSURE OF LOBBYING ACTIVITIES

## CONTINUATION SHEET

Reporting Entity: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_

## **CONFLICTS DISCLOSURE POLICY**

To ensure that the Rhode Island Department of Transportation (RIDOT) maintains the continued confidence and trust of the people of Rhode Island in carrying out its mission, prospective vendors must disclose any family (or other personal) relationships, associations or connections that the vendor, its affiliates, or employees, may currently have with any RIDOT employee. A Conflicts Disclosure Statement shall be submitted to RIDOT from the following:

- ❖ Owners;
- ❖ Directors;
- ❖ Principals;
- ❖ Officers, board members, or individuals with corporate authority;
- ❖ If the vendor is a partnership, the applicant's partners;
- ❖ If the vendor is a limited liability company, its members and managers;
- ❖ Employees with decision-making authority, including executive directors, managers or individuals in a similar position with corporate authority; and
- ❖ Shareholders with a controlling interest.



Dated: 6/27/2011

## CERTIFICATION FOR TITLE VI ASSURANCE

I, \_\_\_\_\_, \_\_\_\_\_ a duly authorized representative of  
(Name) (Title)  
\_\_\_\_\_ do hereby certify that the organization affirmatively agrees to the provisions  
(Company)

set forth below:

**1. The Certificate.**

For all contracts subject to Title VI of the Civil Rights Act of 1964, 42 U.S.C. part 2000d - 2000d4 (the Act) and 49 C.F.R. Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (the Regulations), prospective bidders shall be required to complete a Certification affirming compliance with the Act and the Regulations.

**2. Certification.**

By submission of a Proposal, each bidder and each person signing a Proposal subject to the Act and the Regulations certifies that the bidder shall affirmatively agree as follows:

**(a) Compliance with Regulations:**

The bidder shall comply with the regulations relative to nondiscrimination in federally-assisted programs of the Department, 49 C.F.R. Part 21, as they may be amended from time to time.

**(b) Nondiscrimination:**

The bidder shall not discriminate on the grounds of race, color, sex, national origin, age, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The bidder shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the Contract covers a program set forth in Appendix B of the Regulations.

**(c) Solicitations for Subcontractors, Including Procurements of Materials and Equipment:**

In all solicitations either by competitive bidding or negotiation made by the bidder for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the bidder of its obligations relative to nondiscrimination on the grounds of race, color, sex, national origin, age, or disability.

**(d) Information and Reports:**

The bidder shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of the bidder is in the exclusive possession of another who fails or refuses to furnish this information, the bidder shall so certify to the Department, or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.

**(e) Sanctions for Noncompliance:**

In the event of the bidder's noncompliance with the nondiscrimination provisions, the Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- (1) withholding of payments under the Contract until the bidder complies, and/or
- (2) cancellation, termination or suspension of the Contract, in whole or in part.

**(f) Incorporation of Provisions:**

The bidder shall include the provisions of paragraphs (a) through (f) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto.

The bidder shall take such action with respect to any subcontract or procurement as the Department or the Federal Highway Administration may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided, however, that in the event the bidder becomes involved in or is threatened with litigation with a subcontractor or supplier as a result of such direction, the bidder may request the Department to enter into such litigation to protect the interests of the Department and, in addition, the bidder may request the United States to enter into such litigation to protect the interests of the United States.