

LEWIS AND CLARK COUNTY

Public Works Department

REQUEST FOR PROPOSALS LAKE HELENA DRIVE IMPROVEMENTS

Lewis and Clark County is soliciting proposals to hire a consultant to provide professional engineering services needed for the Lake Helena Drive Improvements Project. The details of agreements and payment terms will be negotiated with the selected consultant.

The County will review proposals according to the criteria contained within this request. Consultants will be ranked by a selection committee. Up to three consultants will then be scheduled for interviews with the selection committee.

Unsuccessful consultants will be notified as soon as possible. Proposals that are deemed incomplete by the selection committee will not be processed.

I. SCOPE

Project scope is to improve Lake Helena Drive from a gravel surface to a paved surface between Deal Lane and the Causeway and evaluation and possible improvement of the paved surface from the Causeway to approximately Lincoln Road. Final extents of the project will be defined during the consultant scoping and contracting phase. The deliverable will be a full Plans, Specifications, and Estimate (PS&E) package compliant with county standards. Services will include the evaluation and design of roadway geometrics; roadside drainage; road surface drainage; irrigation structure crossings; signage; roadside safety features, such as guardrail; and geotechnical evaluation of the suitability of both slopes and roadway sections.

Funding availability will require a phased approach to the project, and therefore the PS&E package will need to reflect the recommended construction phases. The County anticipates Phase 1 to include preliminary engineering that will include a corridor survey, evaluate alignment and grade, determine right-of-way adequacy, evaluate hydrology and existing drainage, evaluate existing geotechnical conditions, and evaluate roadside safety features. Phase 2 would include a 50 percent design review meeting, a 95 percent design review meeting, and delivering the final PS&E package. Subsequent phases will include bidding assistance and construction engineering.

The contract will be awarded as a master professional services contract with each phase awarded under a task order.

II. PROPOSAL SUBMITTAL CONTENT AND EVALUATION:

Offerors will submit five copies of their proposals to the Lewis and Clark County Public Works Department. The Proposal shall be limited to ten single-sided pages with 12 point font. Cover letter, corporate brochures, and personnel resumes will be excluded from the Proposal page limit. Resumes will be subject to the limits stated below in section II.B. The Firm's legal name, point of contact, address, telephone number and federal tax ID # shall be included in the cover letter.

The factors listed below will be considered in the evaluation of the Offerors' Proposal. The Proposal should give clear, concise information in sufficient detail to allow evaluation based on these factors. Although some of the factors listed below will be weighted more heavily than others, all factors are considered necessary for evaluation of technical acceptability and competence. An Offeror must, therefore, be technically acceptable in all areas to be eligible for award of a contract. Based upon the initial evaluation, Offerors considered technically acceptable may be invited to make an oral presentation to the County prior to selection of an Offeror for award. The Proposal shall include the following information:

A. Related Experience and Technical Competence (30 Points)

The County is looking for a firm with a proven track record of successfully completing projects of similar size and scope. Consultant demonstrates recent experience (within five years) with road survey, geometric design, geotechnical evaluation, roadside safety design, road and roadside drainage, irrigation crossing design, and road reconstruction. The breadth and depth of the Consultants' experience in the performance of comparable projects will be evaluated.

B. Qualifications and Certifications (25 Points)

Provide the qualifications of staff tasked with this work, including sub-consultants. Limit individual resumes to one double-sided page and include in an appendix to the proposal. Identify the point-of-contact for each of the services if different.

C. Ability to Meet Budget and Schedule (15 Points)

Provide information demonstrating the offeror's ability to meet an individual project timeline and budget of projects of similar size and scope to this project by provide information on the total construction cost, budgeted cost vs. actual cost, and contact information of a local official knowledgeable regarding the firm's performance.

D. Recent and Current Work for Lewis and Clark County or Other Local Government (10 Points)

Recent work and client satisfaction will factor into the evaluation process. This section should provide a list, including contact information, of projects completed with Lewis and Clark County and other local government clients in Montana.

E. Quality of Submittal (10 Points)

Legibility, clarity, grammar, accurate spelling and completeness of the proposals will be evaluated. Unnecessary elaborate proposals beyond that which is sufficient to present a complete and responsive proposal are not desired and may be construed as an indication of the Consultants' lack of cost consciousness as well as a disregard for the County's review time. Elaborate artwork and expensive paper, expensive visual or other presentations are neither necessary nor desired. Visual appearance of the

proposal will not contribute toward the evaluation of the submission.

F. Interview (10)

The purpose of the interview is to ensure a full understanding of the Proposal responses and to introduce key staff that will be tasked with this work. Interviews will be limited to 45 minutes.

All costs associated with the preparation of these proposals and any subsequent presentations are borne by the consultant. All proposals, reports, information, data, and other materials prepared by the consultant pursuant to this request are the property of the County which has the exclusive and unrestricted authority to release, publish or otherwise use, in whole or part, information relating thereto. Any reuse without written verification or adaptation by the Offeror for the specific purpose intended will be at the County's sole risk and without liability or legal exposure to the consultant. No material produced in whole or in part under this request may be copyrighted or patented in the United States or in any other country without the prior written approval of the County.

Before submitting a Proposal, consultant shall carefully read all sections of this Request for Proposal and shall fully inform themselves as to the existing conditions and limitations, which may impact their ability to perform. Consultants may submit questions via email to Audra Zacherl, Assistant Public Works Director at azacherl@lccountymt.gov until 5:00 p.m. on December 29, 2023. Questions will be answered by email to all firms by 5:00 p.m. January 5, 2024. Firms interested in submitting a proposal should notify Ms. Zacherl of their interest to ensure all clarifications reach them. Any questions received after the exact time specified for receipt will not be answered.

The Proposal must be submitted by 4:00 p.m. (Mountain Time) on Tuesday, January 16, 2024. The proposal must be in a sealed envelope, and marked on the outside of the envelope "Proposal for Lake Helena". Submit five complete proposals to:

Lewis and Clark County Public Works Department
3402 Cooney Drive
Helena, MT 59602

The County will review each proposal and reserves the right to accept or reject any or all proposals, wholly or in part, in a manner deemed in the best interest of the County. The County will follow up with each Offeror after the proposals have been ranked and may request an interview to make a final determination of which Offeror will be selected.

III. SELECTION FOR AWARD

Any proposal which does not comply with the requirements of this Request for Proposal may be considered non-conforming and ineligible for consideration. Failure to submit the required information will be cause for finding a proposal to be non-conforming.

Questions may be directed to:

Audra Zacherl, Assistant Public Works Director
Lewis and Clark County Public Works Department
3402 Cooney Drive, Helena, MT 59602
azacherl@lccountymt.gov.

IV. TIMELINE FOR REVIEW AND SELECTION

Advertising Dates: December 9 & December 23
Questions Due: December 29, 2023
Answers/Responses Returned: January 5, 2024
Proposal Due Date: January 16, 2024
RFP Review Date: February 1, 2024
Interview Date: February 21, 2024

Standard Terms and Conditions

By submitting a response to this Request for Proposal, the offeror agrees to acceptance of the following Standard Terms and Conditions and any other provisions that are specific to this solicitation.

1. Authority

This Request for Proposals (RFP) is issued under the authority of the Lewis and Clark County Purchasing Policy. The RFP process is a procurement option which allows the award to be based on evaluation criteria. The relative importance of all evaluation criteria is found herein and only the evaluation criteria outlined in the RFP will be used. Lewis and Clark County (herein, the "County") reserves the right to accept or reject any or all proposals, wholly or in part, and to make awards in any manner deemed in the best interest of the County.

2. Competition

Lewis and Clark County encourages free and open competition among offerors to obtain quality, cost-effective services and products. Whenever possible, specifications, invitations, and conditions are designed to accomplish this objective, consistent with the necessity to satisfy the County's needs and accomplishment of a sound economical operation.

Prior to the award of a contract, proposals may be held by Lewis and Clark County for a period not to exceed 90 days from the date of the opening of proposals for the purpose of reviewing proposals and investigating the qualifications of the offerors.

3. Public Inspection of Proposals

All information received in response to this RFP, including copyrighted material, is deemed public information and with one exception will be available for public viewing and copying after the proposal deadline.

The public will not be able to view bona fide trade secrets meeting the requirements of the Uniform Trade Secrets Act, Title 30, Chapter 14, Part 4, MCA. The purchasing officer will remove any such trade secrets from the RFP prior to public viewing.

4. Bona Fide Trade Secrets

Confidential information meeting the requirements of Title 30, Chapter 14, Part 4, MCA will be available for review only by the purchasing officer, the evaluation committee members, and limited other designees. Before the RFP is made available to the public, the purchasing officer will remove the confidential information if the following conditions are met:

- Confidential information is clearly marked and separated from the rest of the proposal;
- No confidential material is contained in the cost section; and
- An affidavit from the offeror's legal counsel attesting to and explaining the validity of the trade secret claim is attached to the proposal.

The offeror shall pay all legal costs and fees associated with defending a claim for confidentiality if a “right to know” request is received from another party.

In order for an offeror to request that material be kept confidential, a notarized Affidavit for Trade Secret Confidentiality shall be provided by the offeror’s attorney acknowledging that material included in a proposal is open to public inspection except for information that meets the provisions of Montana’s Uniform Trade Secrets Act.

5. Classification of Proposals as Responsive or Non-responsive

All proposals will be classified as either “responsive” or “non-responsive.” A proposal is considered “responsive” if it conforms in all material respects to the requirements of the RFP. A proposal may be found non-responsive if:

- Required information is not provided;
- The proposal does not conform to the specifications described and required in the RFP.

If a proposal is found to be non-responsive, it will receive no further consideration.

6. Determination of Offeror Responsibility

The purchasing officer and/or the selection committee will decide whether an offeror has met the standards of responsibility based on the requirements of the RFP. Factors used to determine the responsibility may include whether the offeror has:

- The appropriate financial, material, equipment, or human resources to meet all contractual requirements;
- A satisfactory record of integrity;
- The legal ability to contract with the County;
- Provided all information requested for use in the determination of responsibility; and
- A satisfactory record of past performance.

An offeror may be deemed “non-responsible” at any time during the procurement process if information surfaces to support such a determination.

7. Evaluation of Proposals and Offeror Interviews/Product Demonstration

The remaining proposals will be scored according to the evaluation criteria stated herein. The selection committee may ask finalists to appear for interviews or product demonstrations or to provide written responses to items requiring clarification. Any costs associated with interviews or product demonstrations are the sole responsibility of the offeror.

8. Offeror Selection and Contract Execution

After an evaluation of the offeror interviews and/or product demonstrations, the selection committee will recommend a contract award. If the offeror does not accept all material terms of the County contract, the County may move to next ranked offeror or cancel the RFP. The work described in the RFP may begin only after the contract is signed by all parties.

9. County’s Rights Reserved

Submission of a proposal confers no rights upon any vendor and shall not obligate the County in any manner whatsoever. Lewis and Clark County reserves the right to make no award and to solicit additional proposals at a later date.

The RFP in no way constitutes a commitment by the County to award and execute a contract. If such actions are deemed in its best interests, the County, in its sole discretion, reserves the right to:

- Cancel or terminate this RFP;
- Reject any or all proposals received in response to this RFP;
- Waive any undesirable, inconsequential, or inconsistent provisions of this RFP; and/or
- If awarded, suspend contract execution or terminate the resulting contract if the County determines adequate funds are not available.

10. Nondiscrimination

In accordance with federal and state laws, the offeror agrees not to discriminate against any client, employee, or applicant for employment of for services because of race, creed, color, national origin, sex, or age with regard to, but not limited to, the following:

- Employment upgrading;
- Demotion or transfer;
- Recruitment or recruitment advertising;
- Lay-offs or terminations;
- Rates of pay or other forms of compensation;
- Selection for training; or
- Rendition of services.

Offerors and the awardee shall comply with all federal, state, and local laws, rules and regulations. Offerors and the awardee and any of the offerors' and the awardee's sub-grantees, contractors, subcontractors, successors, transferees, and assignees shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract or agreement.

It is further understood that any vendor who is in violation of this clause shall be barred forthwith from receiving awards of any purchase from Lewis and Clark County unless a satisfactory showing is made that discriminatory practices have ceased, and the recurrence of such acts is unlikely.

11. Cone of Silence

A cone of silence shall be established on all Lewis and Clark County competitive selection processes. The cone of silence prohibits any communication regarding a competitive solicitation between any bidder (or its agents or representatives) or other entity with the potential for a financial interest in the award (or their respective agents or representatives) regarding such competitive solicitation, and any Elected Official or County employee, selection committee member, or other persons authorized to act on behalf of the County.

The cone of silence shall be in effect from the time of advertisement until contract award. Violations of the cone of silence may be grounds for disqualification from the selection process. The cone of silence shall not apply to communications at any public proceeding or meeting.

The cone of silence shall terminate when the Board or a County employee authorized to act on behalf of the Board awards or approves the Contract, rejects all Bids or responses, or otherwise takes action to end the selection process.

12. Protest Procedure

An offeror aggrieved in connection with the solicitation or award may protest in accordance with the procedure outlined in the Lewis and Clark County purchasing policy.

End of this Request for Proposal