



**Bangor Area Comprehensive Transportation System (BACTS)
REQUEST FOR PROPOSALS
Regional Collector Road Assessment and Condition Inventory**

Bangor Area Comprehensive Transportation System (BACTS), the federally designated Metropolitan Planning Organization (MPO) for the Bangor, Maine Urbanized Area, is requesting proposals for qualified consulting teams to perform a comprehensive assessment and report of pavement conditions for the approximate 122 miles of collector roadways in the BACTS region.

Proposals Are to Be Received at BACTS No Later Than

**Date Due: Wednesday, September 7th, 2022
Local Time: 4:00 PM**

Proposals must be received prior to the time and date for which they are due.

Late Proposals - Any proposal, portion of a proposal, or unrequested proposal revision received at BACTS after the time and date specified on the cover page of this RFP will not be accepted.

Communications in Reference To This RFP

Any communication in reference to this RFP shall be in writing by email and directed to the RFP Coordinator listed below.

All correspondence must reference the RFP# and Project name in the subject line.

Name: Evan King
Title: Planner
Office: (207) 974-3111
E-Mail: evan.king@bactsmo.org
RFP#: BACTS-2203
Project Name: BACTS Collector Road Assessment and Condition Inventory

Request for Clarification / RFP Amendments

During the proposal preparation period, all requests for clarification and/or additional information must be submitted via e-mail to the RFP Coordinator referenced in Section 2 of this RFP by no later than 4:00 p.m. on August 26nd, 2022. BACTS reserves the right to answer or not answer any question received. Late requests for clarification will not be accepted. When appropriate, responses to clarification requests will be emailed no later than close of business on August 31st, 2022.

Proposal Overview

Project Background

The BACTS capital funding area consists of urbanized portions of 11 municipalities in the vicinity of Bangor. Currently there are approximately 122 miles of collector road right-of-way in the BACTS urbanized area. Collectors are a type of roadway serving an intermediary function between arterial roads and local streets, often connecting the two. Where arterials serve long trips at high speeds and capacities with little direct access to adjacent land, and where local streets feature low speeds and capacities and provide access to most adjacent parcels, collectors tend to fall somewhere in the middle in these functions.

Collectors also vary as far as maintenance responsibilities, where arterials are more often the purview of state and federal authorities, while local streets tend to be maintained by local governments or even private entities. The condition of collector roadways in urbanized areas is a concern of MPO's such as BACTS, which secure federal funding for maintenance of these routes. As such, it is critical for BACTS to have an up to date, comprehensive regional understanding of collector road pavement conditions in order to prioritize investments and to be competitive for discretionary funding when it becomes available.

Scope of Work

Proposal Requirements

BACTS is seeking a qualified consultant to conduct a pavement condition assessment of our roughly 122 miles of collector roads encompassing 11 communities in the Bangor urbanized area. The assessment shall be conducted using up to date technologies as deemed appropriate by the consultant.

Results, communications and findings from meetings and analysis tasks should be documented during process and in requested products, where appropriate.

Task Breakdown

Respondents are encouraged to incorporate, expand on, or adjust these tasks as necessary.

Task 1 - Meetings

Meet with the Collector Paving Study Team to review the study parameters, proposed schedule, study goals, format of deliverables, and review the expectations of each party. This will also set the protocols for establishing representative sampling points to be used through the study period.

After planning and scoping with the study team, meet with each municipality, MaineDOT, and BACTS to review all maintenance and rehabilitation activities recently conducted to incorporate the history into the new assessment.

- Deliverables
 - Memorandum detailing agreed-upon parameters, schedule, goals, and formatting, including method for establishing representative sampling points
 - Master Schedule of proposed meetings
 - Inventory of pavement maintenance activities in BACTS area over the past 7 years, based on municipal meetings

Task 2 - Pavement Condition Survey

Perform a Pavement Condition Survey of the entire collector roadway network. The survey shall include, but not be limited to, the following:

1. Select representative sampling locations based on: 1 sample per 30,000 sf, minimum of 2 samples unless the segment is less than 5,000 sf. Sample size will be 2,500 sf.
2. Sample locations will be photographed and GPS located in the field.
3. Evaluation of surface condition and identification of surface distresses.
4. Conduct a subjective assessment of frost action during the months of February and March to assist in determining the subsurface or sub-base integrity of the roadway. The level of frost effect will be rated and attached to each section's data.
 - Deliverables
 - List of geolocated sample locations, as determined by methods described in Task 1, with attached condition assessments

Task 3 - Identify and Determine Pavement Preservation Program and Rehabilitation Strategy

Identify the type of preservation (such as shim and overlay depths and milling and paving), rehabilitation, or reconstruction treatment required for each similar and consistent street segment. Include the estimated cost for performing these alternative treatments. Analyze each street segment in a detailed decision tree that provides a cost-benefit analysis of the alternative treatments.

- Deliverables
 - Diagram of pavement rehabilitation strategies and their appropriateness and cost-effectiveness for different pavement stress scenarios
 - Delineation, in GIS/map form with descriptions, of street segments with similar or consistent conditions
 - Table matching consistent street segments to rehabilitation measures, with these potential projects listed in order of urgency

Task 4 - Cost Estimate Development

Work with BACTS Staff and the MaineDOT to establish the unit prices to be used for cost estimates. Develop a format to assess cost estimates based on area extent to be paved.

- Deliverables
 - Memorandum outlining cost estimate units and procedures

Task 5 - Street Maintenance / Rehabilitation Budget Scenarios

Perform an analysis of various street maintenance/rehabilitation budget scenarios and the effect they have on the collector roadway network condition. Budgets at a minimum shall include the following scenarios; unconstrained funding, maintaining roadway network at target PCI within the existing funding, or no changes.

- Deliverables
 - Map and narrative describing results of above described funding scenarios

Task 6 - Prepare a Final Pavement Management Program Report

The report shall include, without limitation, the methods, findings, and recommendations of the Consultant, which shall be presented in a single comprehensive document or database, which should include findings generated as part of other tasks described herein. The final report shall include the entire system within the BACTS region.

As a component of this final report, BACTS is to be provided with data and visualization tools to graphically represent the condition of the collector roadway system in the various condition parameters, which will include the ability to model the various preservation and rehabilitation categories noted in task 3 above. Data should be made easily comprehensible to untrained users, shareable online, and simple to update. Data generated from associated tasks and elsewhere in the project shall be the property of BACTS.

- Deliverables
 - Report documenting agreements, methods, data, and analyses requested in this document as well as the recommendations of the consultant
 - User-friendly visualizations/visualization programs, GIS and any data generated during the project not in a written form, optimized as far as possible to be easily usable by BACTS and other users in future activities

Schedule

The final report including GIS files for this assessment and work related to this study, as described in Tasks 1-6, shall be completed by November 2023.

Proposal Rating and Selection Process

Proposal Rating

Proposals will be reviewed and rated using the responses to criteria outlined in this section.

This is a Qualifications Based Selection (QBS) process, and therefore Technical Proposals alone will be used to select the successful proposer. Once the successful proposer has been selected, the government estimate will be compared against the successful proposer's Price Proposal and contract negotiations will begin.

Proposal Scoring Criteria

- a. Proposer's Qualifications (15) points - Identify the key staff your company will assign to fulfill the contract requirements (Contract Managers, contact people, or assigned technicians). Provide resumes describing the educational and work experiences for those key staff.
- b. Proposer's Experience (20) points - Describe the Proposer's experience and capabilities providing similar services to those required. Identify three (3) projects for which your company has done business similar to that required in this RFP in the last five (5) years. Include points of contact (client's name, contact name, address, and telephone number), a brief description of the project, dates of the project, and results.
- c. Proposer's Ability to Control Schedule and Costs on this Project (15) points -
 - i. Provide a brief description of methods used by the firm to assure the study is completed on time and within budget.

ii. Schedule/Workload/Communication - Provide a brief outline of your firm's methods of schedule control and ability to handle projected workload. Discuss how your firm will conduct project coordination with BACTS. Describe how your firm will manage its role in this project and how it intends to maintain effective communication for the assignment.

d. Proposer's References (15) points - Provide at least 3 work references including points of contact (person's name, company name, address, and telephone number) and a brief description of the projects with dates. If contacted, all references must verify that a high level of satisfaction was provided. BACTS will determine which, if any, references will be contacted. The results of any reference checks will be provided to the scoring committee and used when scoring the Technical Proposal.

e. Project Understanding (35 Points) - Please describe in detail your project understanding; including any observations of current conditions, needs and preliminary thoughts, or recommendations for this study.

f. Contact Information - Provide the name, address, phone number, and e-mail address of Proposer in the proposal.

g. Signature Page - A signature page must be included with the Technical and Price Proposals stating that "I certify that all of the information contained in this Technical/Price Proposal to be true and accurate.

h. Schedule - Include a schedule outlining project deliverables and any other relevant milestones.

i. Acknowledgement of Amendments - The Proposer shall include reference to all amendments in their response to this RFP.

State / Federal RFP Requirements

1. Packaging and Submitting Your Technical and Price Proposals

a. RFP Number & Title - The Proposer's full business name and address, as well as the assigned RFP number and RFP title must be written on your Proposal Package.

b. Technical Proposals - Technical Proposals may be submitted electronically in PDF format and sent via email.

c. Price Proposal - The Price Proposal shall be provided in a **separately sealed envelope and may be delivered in person, by USPS or common carrier either by or postmarked by the proposal deadline in Section 1.** A Price Proposal form can be found on the Maine DOT website at: <https://www.maine.gov/mdot/cpo/doingbusiness/> (Click on Doing Business under Quick Links, Consultant Proposal Instructions PDF, Section B). Prices shall be outlined for all required items. Each proposal will be evaluated for all criteria, and then costs shall be evaluated independently. **NO MENTION OF PRICE SHALL BE INCLUDED IN OTHER SECTIONS OF THE PROPOSAL; OTHERWISE THAT PROPOSAL SHALL BE REJECTED.**

d. Proposal Package Submittal - Proposal packages must be emailed/delivered to:

BACTS
Attn: Evan King
evan.king@bactsmo.org

12 Acme Road, Suite 104
Brewer, ME 04412

2. General Information

The contract resulting from this RFP will be governed by the most recent version of BACTS' Consultant General Conditions. A copy of the Consultant General Conditions is available on MaineDOT website: <https://www.maine.gov/mdot/cpo/doingbusiness/>

This RFP does not commit BACTS to pay any costs incurred in submitting your proposal, making studies or designs for preparing the proposal, or in procuring or sub-contracting for services or supplies related to the proposal.

3. Certified Disadvantaged Business Enterprise

MaineDOT Certified Disadvantaged Business Enterprise (DBE) consultants are encouraged to apply as the prime consultant for this work. It is important the DBE consultants take advantage of this RFP to at least gain entry to the MaineDOT Prequalification List for transportation project related services. Non -DBE consultants shall ensure that DBEs have the maximum opportunity to participate in the performance of any project contract in accordance with MaineDOT current requirements for DBE utilization when utilizing subconsultants. Consultants certified by another state's transportation agency must be certified by MaineDOT.

Current requirements may be found at the MaineDOT website, "Certified Disadvantaged and Women Business Enterprise" directory available at; <http://www.maine.gov/mdot/disadvantaged-business-enterprises/dbe-home.php>, or by contacting:

Maine Department of Transportation
Attn: Sherry Tompkins, Civil Rights Unit
Civil Rights Office
16 State House Station
Augusta, ME 04333
Telephone: (207) 624-3066 Fax:(207) 624-3021

4. Proposal Pricing

- a) **Direct Labor** - Please list all employees, including their classifications, who are expected to perform services on this project. Please provide a breakdown of each employee's salary rate including direct labor, indirect labor, and profit. Please show all calculations in detail, and include payroll records supporting these rates.
- b) **Indirect Labor (Overhead)** - Please provide a copy of your latest audited corporate overhead rate report with supporting documentation.
- c) **Profit** - The percentage of profit is based on criteria specific to a project including degree of risk, relative difficulty of work, size of job, etc.

d) **Direct Expenses** - Please provide a breakdown of direct expenses, including mileage, lodging, photocopying costs, etc. anticipated for this project. Direct expenses shall be reimbursed at cost, and travel expenses shall be reimbursed in accordance with the current per diem/mileage rates located at <http://www.maine.gov/osc/travel/addtltravelinfo.shtml> & <http://www.gsa.gov/portal/category/21287>

e) **Subconsultants** - Please identify each effort to be subcontracted. List the selected sub-consultant's name, location, amount proposed and type of contract. Describe the cost or price estimates for each subcontract. Please note that there is no mark up allowed on subconsultant costs.

5. Contract Term, Type, and Payment Method

The contract term shall be for a period of eight (8) months, commencing upon approval of the contract documentation and BACTS letter of "Authorization to Proceed".

The contract type utilized for this project shall be "Special Services", and the method of payment shall be fixed burdened hourly rate.

6. Confidentiality

The information contained in proposals submitted for BACTS' consideration will be held in confidence until all reviews are concluded and the award notification has been made. At that time, the full content of the proposals becomes public record and is therefore available for public inspection upon request.

According to State procurement law, the content of all proposals, correspondence, addenda, memoranda, working papers, or any other medium which discloses any aspect of the request for proposals process will be considered public information when the award decision is announced. This includes all proposals received in response to this RFP, both the selected proposal and the proposal(s) not selected, and includes information in those proposals which a Proposer may consider to be proprietary in nature.

7. FHWA-1273 Required Contract Provisions for Federal-Aid Contracts

General

These contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

Except as otherwise provided for in each section, the contractor shall insert in each subcontract all of the stipulations contained in these Required Contract Provisions, and further require their inclusion in any lower tier subcontract or purchase order that may in turn be made. The Required Contract Provisions shall not be incorporated by reference in any case. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with these Required Contract Provisions.

A breach of any of the stipulations contained in these Required Contract Provisions shall be sufficient grounds for termination of the contract.

8. Certification Regarding Use of Contract Funds For Lobbying

- A. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of their knowledge and belief, that:
 - a. 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.
 - b. 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.
- B. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. 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.
- C. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

9. Certification Regarding Debarment, Suspension, Ineligibility And Voluntary Exclusion

- A. This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more – as defined in 2 CFR Parts 180 and 1200.
- B. Instructions for Certification – First Tier Participants:
 - a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.
 - b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.

- c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default.
- d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).
- f. The prospective first 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 entering into this transaction.
- g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.
- h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.
- i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- j. Except for transactions authorized under paragraph (f) 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 may terminate this transaction for cause or default.
- C. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:
- a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:
 - I. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 - II. 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;
 - III. 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 (a)(2) of this certification; and
 - IV. 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.
 - b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.
- D. Instructions for Certification - Lower Tier Participants:
- a. (Applicable to all subcontracts, purchase orders and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200)
 - b. By signing and submitting this proposal, the prospective lower tier is providing the certification set out below.
 - c. 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.
 - d. 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 by reason of changed circumstances.
 - e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any

- participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).
- f. 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.
 - g. 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 exceeding the \$25,000 threshold.
 - h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.
 - i. 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 participants is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
 - j. Except for transactions authorized under paragraph e 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, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
- E. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:
- a. 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 participating in covered transactions by any Federal department or agency.
 - b. 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.
 - c. Failure to provide this certification may result in the disqualification of the Bidder's proposal, at the discretion of BACTS.