



COMMONWEALTH of VIRGINIA

Thelma D. Drake
Director

DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION
600 EAST MAIN STREET, SUITE 2102
RICHMOND, VA 23219

(804) 786-4440
FAX (804) 225 3752
VIRGINIA RELAY CENTER
1-800-828-1120 (TDD)

RFP 505-11-RR0002

Pre-Proposal Conference Questions and Answers *Conference held on June 10, 2011*

Pages 9 through 11 of the Request for Proposal refer to DMBE/SWAM requirements – how will the proposals be evaluated for commitment to SWAM utilization?

The evaluation criteria section on Page 10 of the RFP lists a maximum of 20 points available in the scoring for SWAM utilization. A DMBE-certified small business, who serves as the prime contractor, will receive the maximum number of evaluation points for this criteria. Other businesses that are not DMBE-certified small businesses will receive credit based on their Small Business Subcontracting Plan not to exceed 75% of the points assigned to this evaluation criterion i.e. 15 points. Points will be assigned based on each offeror's proposed subcontracting expenditures with DMBE certified small businesses for the initial contract period as indicated in the offeror's submitted subcontracting plan in relation to each offeror's total price.

Since some of the task orders under this GPC may be funded with federal funds, is there a minimum DBE requirement?

Federal disadvantaged business enterprises regulations may affect the contractor only on a case-by-case basis if the given task order is funded with certain types of federal funds. The Federal Railroad Administration encourages grant recipients to utilize small businesses owned by disadvantaged individuals, but the FRA is not covered under the DOT DBE regulations. Therefore, there is no DBE requirement for these funds. Other federal funds could become available in the future that would have a DBE requirement.

Task orders funded with American Recovery and Reinvestment Act of 2009 funds will be subject to other ARRA-specific reporting requirements.

The evaluation criteria lists the maximum of 10 available for price. How will that be weighed?

The proposal price will be evaluated based on the hourly billing rates for offeror's employees submitted in the proposal.

Please elaborate on Item 5 under “Potential Services to be Provided” (page 6 of the RFP), which reads “Assist DRPT in evaluating proposals under the state’s Public-Private Transportation Act (PPTA) program to ensure the proposals provide a clear benefit to the Commonwealth”.

There may be a need for an over-the-shoulder review of a PPTA proposal, assistance in negotiations, etc. to assure that the project will benefit the Commonwealth.

Would you preclude a company from working on the Tier II EIS from Arkendale to Powell’s Creek project (funded under ARRA) if the company is selected as a contractor under this GPC?

An issue may arise if the company is working on developing the I-95 Corridor for the Federal Railroad Administration. In such situation the company would be required to notify FRA in writing and obtain their approval in order to be allowed to participate in the Tier II EIS work on behalf of DRPT.

So, this conflict of interest may exist only on ARRA-funded projects?

Yes.

Please describe the difference between the existing on-call engineering contract and the GPC contract under this Request for Proposal.

The work under the General Planning Contract will involve development of conceptual designs, early initial planning, preliminary studies, etc. A good example would be preliminary engineering and design up to about 30% of completion.

The contractor will not be required to seal any outcome of their work under this GPC contract. Any work that requires a seal will be routed through DRPT’s General Engineering Contract.

Will questions asked before the pre-proposal conference be a part of the questions and answers document?

Yes. Please see below.



AMERICAN COUNCIL OF ENGINEERING COMPANIES
of Virginia

June 6, 2011

Krystyna Hepler
Procurement Analyst
DRPT
600 East Main Street, Suite 2102
Richmond, VA 23219

RE: 505-11-RR0002: Contract for General Planning consultant Services for Rail Transportation Programs and Projects in VA – Competitive Negotiation for Non-Professional Services

Dear Ms. Hepler:

I am writing on behalf of the American Council of Engineering Companies of Virginia (ACEC/VA), a state trade organization representing the Virginia consulting engineering industry. We believe, after reviewing *RFP 505-11-RR0002: Contract for General Planning consultant Services for Rail Transportation Programs and Projects in VA – Competitive Negotiation for Non-Professional Services*, that this request requests non-professionals to perform Professional Services.

A review of the RFP reveals the intent to have a non-professional perform the following services:

- **Planning and Project Feasibility Analysis**

1. Prepare project designs and layouts, design analysis, and cost estimates necessary to support planning studies
2. Conduct rail corridor maintenance assessments, surveys, and lease studies

- **Environmental Analysis**

1. Conduct in whole or in part or provide oversight of environmental studies and analysis as required by the National Environmental Policy Act (NEPA) as amended (42 U.S.C. § *et seq.* and 23 C.F.R. part 771) and other related federal, state, local regulations, and/or agency need, and Prepare all necessary technical reports, appendices, meeting minutes, memoranda, and required environmental permits

Simply stating in the RFP that "DRPT does not require the use of licensed professionals to perform the services required." does not make this a non-professional solicitation when, in fact, professional service firms will be the best qualified respondents and, therefore, likely most seriously considered, if not actually selected.

I respectfully request that you modify the Request for Proposals to request the above services as professional services. If you have any questions, please contact me at (804) 673-1229.

Sincerely,

A handwritten signature in cursive script that reads "Nancy L. Israel".

Nancy L. Israel
Executive Director



COMMONWEALTH of VIRGINIA

Thelma D. Drake
Director

DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION
600 EAST MAIN STREET, SUITE 2102
RICHMOND, VA 23219

(804) 786-4440
FAX (804) 225 3752
VIRGINIA RELAY CENTER
1-800-828-1120 (TDD)

June 9, 2011

Nancy L. Israel
Executive Director
ACEC
5206 Market Road
Richmond, VA 23230


RE: 505-11-RR0002: Contract for General Planning Consultant Services for Rail Transportation Programs and Projects in VA – Competitive Negotiation for Non-Professional Services

Dear Ms. Israel:

We are in receipt of your letter requesting that we modify the above RFP to request the services as professional services. You state that you believe the RFP is requesting non-professionals to perform professional services.

DRPT does not consider the scope in the RFP to include professional services. None of the work requested under this contract will be required to be sealed. Any work that requires a seal will be done under our General Engineering Contract.

Sincerely,


Krystyna Hepler
Procurement Analyst