

REQUEST FOR PROPOSALS

Issue Date: December 19, 2013

RFP#14AML22

Title: *A/E SERVICES FOR* DAVIS WETLAND SITE

Commodity Code: PROFESSIONAL SERVICES

Issuing Agency & Address: Commonwealth of Virginia
Department of Mines, Minerals & Energy
Office of General Services
P.O. Drawer 900
3405 Mountain Empire Road
Big Stone Gap, VA 24219

Location of Work: on Puckett Creek off Route 765 southwest of the Town of St. Charles in Lee County, Virginia

Period Of Contract: Single project services

All inquiries for information should be directed to:
Ann Smith, Contracting Coordinator Phone #: (276) 523 - 8211

IF PROPOSALS ARE MAILED, SEND DIRECTLY TO ISSUING AGENCY SHOWN ABOVE. IF PROPOSALS ARE HAND DELIVERED, DELIVER TO:
Department of Mines, Minerals & Energy, Office of General Services, 3405 Mountain Empire Road, Big Stone Gap, VA 24219

Sealed proposals for furnishing the services described herein will be received until **4:00 p.m. local time on January 21, 2014** Proposals must reach the above address by the deadline stated.

In compliance with this Request For Proposals, which includes the attached Table of Contents and all provisions and appendices attached and referenced therein, and subject to all the terms and conditions set forth herein, the undersigned offers and agrees to furnish the services described in the RFP cited above and submit this signed proposal which includes this completed and signed page, the completed and signed Forms AE-1, AE-2, AE-3, AE-4, AE-5 and AE-6 and other data as required by the RFP. It is understood that this proposal and the scope of services may be modified, by mutual agreement in subsequent negotiations.

Name And Address Of Proposer: _____ Date: _____

By _____

(Signature in Ink)
Typed Name: _____

Zip: _____ Title: _____
FEIN/SSN # _____ Telephone No.() _____

PRE-PROPOSAL CONFERENCE: A pre-proposal conference will be held on January 6, 2014 at 10:00 a.m. EST. Meet at the Leeman Field Fairgrounds off U.S. Route 421 in Pennington Gap, Virginia.

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NOTE: Electronic copies of A/E Data Forms (AE-1 through AE-6) and of the "Small Businesses and Businesses Owned by Women & Minorities" forms are available for download at the following website: <http://forms.dgs.virginia.gov/>

eVA Vendor Registration: The offeror shall be a registered vendor in eVA. See the attached **eVA Vendor Registration Requirements**.

I. APPLICABILITY OF THE A/E MANUAL

The **A/E Manual** as defined in the **Commonwealth of Virginia Construction and Professional Services Manual**, as amended, shall apply to the contract awarded pursuant to this RFP and is incorporated by reference herein in its entirety.

Proposer's attention is directed to Chapter 2, Definitions, for definitions of terms used in this RFP. The terms "Agency" and "Owner" are used interchangeably in the material referenced in this RFP and mean the public body issuing this solicitation for services and with whom the successful A/E Proposer will enter into an agreement. For purposes of clarity and uniformity in this RFP, only the term "Agency" will be used herein.

Proposer's attention is also directed to the Terms and Conditions of the A/E Contract (CO-3a).

II. PURPOSE

The purpose of this RFP is to solicit proposals for the purposes of entering into a contract through competitive negotiations for the professional services of an Architectural/Engineering firm, authorized to do business in the Commonwealth of Virginia, with experience acid mine drainage treatment, hydrology, and wetland design.

The A/E shall provide professional services for the project described in Part V of this RFP consistent with the A/E Manual, as revised, and latest directives issued by the Division of Engineering and Buildings concerning construction and professional services for new and renovated State buildings.

III. BACKGROUND

The Davis Wetland Site is located on Puckett Creek off Route 765 southwest of the Town of St. Charles in Lee County, Virginia. The project coordinates are approximate N36° 47' 33" and W83° 04' 27" NAD83. Currently an acid mine drainage (AMD) discharge emanates from a small partially sealed underground mine portal positioned along the western descending slope facing Big Branch. The AMD discharge flows a short distance in a road side ditch and then discharges into Big Branch via an existing cross pipe underneath Route 804. Big Branch parallels Route 804 (Cooper Hollow) and flows underneath Route 765 and discharges into Puckett Creek.

The Davis Wetland Site is part of the North Fork Powell River Watershed (PL-566) Project. An Environmental Assessment (EA) for the North Fork Powell River Watershed was completed in February 2008. The EA is being made available as part of this RFP. The Davis Wetland Site is identified in the EA as PCAMD2. Immediately adjacent to the Davis Wetland Site is another site known as the Lanningham Site which is identified as PCAMD3 in the EA. Since it is believed that the Lanningham Site discharges to the Davis Wetland Site, both sites are being combined to make up the Davis Wetland Site under this RFP.

Originally participating in the project were the Natural Resources Conservation Service (NRCS), the Virginia Department of Mines, Minerals and Energy (DMME), the Daniel Boone Soil & Water Conservation District (DBSWCD), and Lee County. However, the NRCS has withdrawn as a partner. Since the withdrawal of the NRCS, a grant (WQIF-

2012-P01-PT) has been secured through the Virginia Department of Conservation and Recreation (DCR) to fund the construction of the Davis Wetland Site. During the time in which the NRCS was a partner, a design was started by Potesta & Associates, Inc., 7012 MacCorkle Avenue, SE, Charleston, WV 25304-1099 under contract with the DMME, but was never completed. The design started by Potesta & Associates, Inc., is being made available under this RFP.

With the DCR grant in place along with recent right of entry developments, a new design targeting the long-term treatment of the AMD discharge known as the Davis Wetland Site is needed. The Scope under this RFP shall include **all** necessary work for the design of a long-term treatment facility to attain a Total Dissolved Solid (TDS) loading reduction. The goal is to reduce the TDS loading by 48% for the Davis Wetland AMD discharge. This reduction is consistent with the Total Maximum Daily Load (TMDL) Implementation Plan (*Implementation Plan for the Straight Fork and Tributaries Total Maximum Daily Load Study; Revised March/April 2009*) for Straight Creek and tributaries. Due to the DCR grant for construction expiring at the end of December 2014, it is critical that a design, which fully meets the scope of work described above, be developed and ready for bid on or before **June 1, 2014**.

IV. INFORMATION AVAILABLE

The following documents are available: 1) The Final Plan and Environmental Assessment for the North Fork Powell River Watershed (PL-566); 2) water quality data; 3) general location map PDF; 4) original drawings prepared by Potesta & Associates, Inc.; 5) the Implementation Plan for the Straight Fork and Tributaries Total Maximum Daily Load Study, revised March/April 2009; 6) property deeds; and 7) property maps.

This information is available for examination in the Agency's office located at 3405 Mountain Empire Road, Big Stone Gap, VA 24219. Information is also available at the below link:

<ftp://mail.dmme.virginia.gov/DMLR/AML/Davis%20Wetland/>

V. **SCOPE OF SERVICES:**

The Agency's documents indicated in Section IV above describe the program, siting, appearance, aesthetics, functional arrangement, and level of quality desired by the Agency.

The selected A/E shall furnish all expertise, labor and resources for complete design and construction period services for the project in accordance with the requirements of the A/E Manual. The following generally highlights the services that the A/E will be required to perform:

A.

1. Perform additional water sampling, groundwater hydrology analysis, surface water hydrology analysis, field surveys, and geotechnical investigations **only as minimally necessary** to meet the scope of work;
2. Develop an AMD treatment plan which may include but is not limited to the following: Anaerobic Treatment for AMD remediation (Successive Alkaline Producing Systems (SAPS));

- Open Limestone Channels (OLC); Aerobic treatment for AMD (wetlands) or a Systematic approach to AMD treatment using combinations of passive treatment technologies.
3. Develop a safety conditions and ground control plan (Red Zone) for construction;
 4. Develop a plan for construction access improvements and maintenance;
 5. Develop a plan for traffic control for all construction equipment entering/exiting project site from State Route 765;
 6. Coordinate with the Virginia Department of Transportation (VDOT) and include in the plans and specifications any and all requirements for work within VDOT right of way (with exception to the required VDOT Land Use Permit);
 7. Develop a revegetation plan for all disturbed areas (must use species listed on the March 2005 DMLR Revegetation Species List);
 8. Develop a final grading plan;
 9. Develop a strict erosion and sediment control plan for all land disturbing activities adequate to prevent impacts to receiving waters, wetlands and adjacent properties that complies with all applicable State and local erosion and sediment control laws and regulations;
 10. Include a minimum reference to ASTM or AASHTO. State a minimum material specification. Nationally accepted standards are to be referenced when it is necessary to use an existing standard to describe the material to be used or work performed during construction;
 11. Identify and describe procedures for surface and subsurface utilities including electric, telephone, cables, guide wires and drainage, water, sewer, culverts and bridge structures, buildings or other structures;
 12. Provide sketches and quantities for Clean Water Act Section 404/401 permitting;
 13. Develop an Engineering Report, Construction Plans and Specifications, bid schedule, engineer estimate, and a materials schedule for the Davis Wetland Site. Plans and Specifications shall be in detail, including but not limited to plan views, cross sections, maps, and drawings; and
 14. Development of an Operation and Maintenance Plan
 15. Perform investigations to adequately determine if a mine pools exists and the extent of the mine pool. Develop a mine pool dewatering plan to ensure the safety of contactors and the protection of receiving waters and environmental resources. Develop a mine closure plan to prevent future blowouts and to allow for the collection and routing of the discharge into the proposed AMD treatment facilities.
 16. Perform all field surveying and use any available mapping from DMME and develop any additional necessary mapping to relate to existing USGS Datum and Benchmarks or established project monuments. Construction plans which require horizontal and/or vertical control to establish baselines and construction stake-out shall have sufficient references in the field and on the drawings to allow the construction contractor to perform the necessary surveying and staking without leaving the construction area. Cross sections shall be on no more than 30-foot intervals.
 17. Show all areas which will be disturbed or entered by project personnel on the plans including the actual reclamation and access areas.
- B. Provide complete construction contract documents with professional seals and signatures in accord with the procedures of the A/E Manual. Documents must be complete and ready for bidding not later than **June 1, 2014**.
- C. Assure that the construction contract documents are in conformance with generally accepted architectural and engineering practices and comply fully with all applicable codes and regulations.
- D. Provide specifications which reflect current requirements, standards and product availability.
- E. Coordinate the design of any necessary utility re-locations with local utility provider(s) and obtain necessary approvals.

- F. Prepare A/E cost estimates for the project per the A/E Manual.
- G. Represent the Agency by presenting necessary oral and/or graphic presentations as warranted by the Agency.
- H. Provide services to assist the Agency in the bidding and award of the construction contract.
- I. Conduct site inspections or attend meetings during construction when directed by the Agency. The Contractor's project engineer or project manager shall be responsible for performing the inspections or attending of meetings.. A minimum of six (6) inspections are planned. Upon completion of each inspection, the Contractor shall prepare and submit a detailed inspection report.
- J. Work closely with the Agency during the design process and keep the Agency advised on alternatives so as not to develop plans that are not suitable for the Agency.
- K. The Division of Mined Land Reclamation assumes that all work will be done within the normal 5 day, 8 hour per day week (40 hour week). All work performed by the Contractor that requires the presence of an Abandoned Mine Land Inspector or other Division of Mined Land Reclamation personnel should be executed within the normal 5 day, 8 hour per day week. Any exceptions to this must be by written permission from the Agency with at least 48 hours prior notification by the Contractor to the Agency.
- L. The Contractor shall be responsible for the encasement/capping or sealing of all drill holes, filling of any test pits, and revegetating all areas disturbed for exploration or investigative purposes using DMLR approved species necessary for the preparation of the plans and specifications. The Contractor shall be responsible for dust control and any repair or cleaning necessary as a result of the Contractor's activities.
- M. The Engineering Report shall provide the Agency with applicable copies of field survey notes, drill and borehole logs, stability analyses, hydraulic calculations, volume calculations and other pertinent data to the project. The material shall be clear and complete enough to allow the Agency to check the calculations and to provide reference materials if questions arise during or after construction for subjects including but not limited to areas requiring special compaction levels critical to achieving design stability, unusual or problematic soil conditions, areas of geologic instability or barriers to construction, hazardous site conditions, critical materials for which substitution is not permitted, design assumptions for construction such as buttressing, shoring, etc.
- N. The drawings shall be complete with all construction notes and references. Specifications shall also be complete and site specific. The Contractor shall meet in the field with the review team to discuss the plans and specifications, if required.
- O. The Contractor shall provide, at minimum, the following to the Agency within the time schedule outlined in the contractor's proposal or as negotiated in the final contract:
 - 1. The Technical Proposal in electronic format
 - 2. The conceptual design in electronic format and three hard copies. A conceptual design meeting will be scheduled by the Agency after the hard copies have been submitted.
 - 3. The Draft Construction Plans and Specifications in electronic format
 - 4. The Final Engineering Report in electronic format and two hard copies
 - 5. Three copies of the Bid Documents with Final Construction Plans and Specifications
 - 6. One set of drawings on computer diskette in the AutoCAD format Version 13 or older
 - 7. One set of PDF drawings on computer diskette

8. One copy of specifications on computer diskette in Word format.
- P. The Agency will provide the Contractor comments from State and Federal agencies in the project grant application. The Contractor will provide designs and specifications that are in compliance with the directives and/or constraints of those comments.
- Q. The Contractor shall submit a concept plan within 30 days and a draft plan within 50 days after issuance on the Notice to Proceed unless otherwise allowed by the Agency. Delays in the Agency response which occur while awaiting consulting agencies response or due to unforeseen circumstances or circumstances beyond the control of the Agency shall result in an adjustment of the Contractor's schedule by the number of days delayed. The Contractor shall then make the necessary changes and finalize the plan so that the project is ready for bid by **June 2, 2014** unless otherwise allowed by the Agency.
- R. The Contractor shall attend the pre-bid conference to discuss the project design and bid items. The Contractor shall respond to questions and prepare any addenda that may be required. This shall involve preparation of drawings and specifications required to clarify last minute changes in site conditions and/or questions that are raised during or following the pre-bid conference and until the bid closing date.

VI. POLICY ON SMALL BUSINESSES AND BUSINESSES OWNED BY WOMEN AND MINORITIES:

It is the policy of the Commonwealth of Virginia to contribute to the establishment, preservation and strengthening of small businesses and businesses owned by women and minorities and to encourage their participation in state procurement activities. The Commonwealth encourages contractors to provide for the participation of small businesses and businesses owned by women and minorities through partnerships, joint ventures, subcontracts, or other contractual opportunities. Submission of a report of past efforts to utilize the goods and services of such businesses required with any proposal for A/E services where the total A/E contract amount may exceed \$100,000. Proposer must provide information on its past utilization of Small, Women, and Minority Owned disadvantaged businesses, and must also state any plans to utilize such businesses and the manner in which they may be utilized under this Contract. Electronic copies of the "Small Businesses and Businesses Owned by Women & Minorities" Data Forms are available for download at the <http://forms.dgs.virginia.gov> website.

VII. PROPOSAL REQUIREMENTS:

- A. Proposals shall be signed by an authorized representative of the A/E. By submitting a proposal, the proposer certifies that all information provided in response to this RFP is true and accurate. Failure to provide information required by this RFP will ultimately result in rejection of the proposal.
- B. Proposals should be prepared simply and economically, providing a straightforward, concise description of the A/E's capabilities for satisfying the requirements of the RFP. Emphasis should be on completeness and clarity of content.
- C. The Respondent's proposal shall include: the completed and signed RFP cover page 1; the completed and signed Forms AE-1, AE-2, AE-3, AE-4, AE-5 and AE-6; and the completed "Small Businesses and Businesses Owned by Women & Minorities" Data. One (1) manually signed original and two (2) copies of the proposal shall be submitted to the Agency. Each

copy of the proposal shall be bound in a single volume where practical.

- D. All documentation submitted with the proposal shall be included in that single bound volume. Elaborate brochures and other representations beyond those sufficient for presenting a complete and effective proposal are neither required nor desired.
- E. Any information thought to be relevant, but not specifically applicable to the enumerated scope of Work, may be provided as an appendix to the proposal. If publications are supplied by the proposer to respond to a requirement, the response should include reference to the document number and page number. Publications provided without such reference will not be considered relevant to the RFP.
- F. To reduce the effort and expense of responding to RFP's, provide uniformity in the type information requested, and enhance the review and evaluation process, the **standard Forms AE-1 through AE-6, ARCHITECTURAL/ENGINEERING FIRM DATA, shall be used by A/E's responding to State agency RFP's.**
- G. Descriptions of these forms and instructions for completing the forms are included in the A/E Manual. Forms AE-1, AE-2, AE-3, AE-4, AE-5 and AE-6 and the "Small Businesses and Businesses Owned by Women & Minorities" Data Forms are available for download at the <http://forms.dgs.virginia.gov> website

VIII. EVALUATION AND AWARD OF CONTRACTS:

- A. Evaluation Criteria: Proposals shall be evaluated by the Agency using the following criteria:
 - 1. Expertise, experience, and qualifications of the A/E's primary designer in each relative discipline for providing the services described in Section IV, Scope of Services.
 - 2. Geographic location of the A/E's office where work will be performed in relation to the project location(s).
 - 3. Current and projected work load, plan to complete the work and ability to complete the work in a timely manner.
 - 4. Expertise and past experience of the A/E in providing services on projects of similar size, scope and features as those required on this project.
 - 5. Qualifications and experience of the A/E's project manager to be assigned to this project.
 - 6. Financial Responsibility as evidenced by the A/E's carrying Professional Liability Insurance.

Generally, the selection committee will consider the A/E's overall suitability to provide the required services within the project's time, budget and operational constraints, and it will consider the comments and/or recommendations of the A/E's previous clients, as well as other references.

B. **AWARD OF CONTRACT:** After evaluation of the Proposals received in response to the RFP, the Agency shall engage in individual discussions and interviews with three or more proposers deemed fully qualified, responsible and suitable on the basis of initial responses, and with professional competence to provide the required services. Repetitive informal interviews are permitted. Proposers shall be encouraged to elaborate on their qualifications, performance data, and staff expertise relevant to the proposed contract. Proposers may also propose alternate concepts or methodology. Proprietary information from competing proposers (including any data on estimated manhours or rates and the plan for accomplishing the scope of work) will not be disclosed to the public or to competitors, provided such information is duly marked as "Proprietary Information" by the Proposer and the designation is justified as required by Section 2.2-4342, Code of Virginia, as revised. At the conclusion of the informal interviews and on the basis of evaluation factors set forth in Section VIII and the information provided and developed in the selection process to this point, the Agency shall rank, in the order of preference, the interviewed proposers whose professional qualifications and proposed services are deemed most meritorious. Negotiations shall then be conducted with the Proposer ranked first. If a contract satisfactory and advantageous to the Agency can be negotiated at a fee considered fair and reasonable, the award shall be made to that Proposer. Otherwise, negotiations with the Proposer ranked first shall be formally terminated and negotiations conducted with the Proposer ranked second, and so on, until such a contract can be negotiated at a fair and reasonable fee. Should the Agency determine in writing and in its sole discretion that only one Proposer is fully qualified, or that one offer is clearly more highly qualified and suitable than the others under consideration, a contract may be negotiated and awarded to that Proposer.

IX. FEES:

The fee for services shall be negotiated on a lump sum basis considering the Scope of Services required, the estimated manhours required for each level/discipline and the typical labor rates for the various skill levels required for the work. The Memorandum of Understanding prepared by the Agency will document the negotiated acceptable labor rates for the various levels/disciplines and these rates will be used for any hourly rate work of the A/E that is authorized by the Agency.

Payments shall be as follows:

a) **Design Services**

- 1) A sum that equals to twenty percent (20%) of the total design services compensation payable at the submission to and acceptance by the Agency for site reconnaissance/surveying/testing/drilling.
- 2) A sum that equals to fifty percent (50%) of the total design services compensation payable at the submission to and acceptance by the Agency of the first draft plans and specifications.
- 3) A sum that equals ninety percent (90%) of the total design services compensation payable upon approval by the Agency of the final plans and specifications.
- 4) A sum that equals to one hundred percent (100%) of the total design services compensation payable after the project's construction contract(s) is awarded and the Agency has determined that all services required by the contract have been completed.

b) **Inspection Services**

- 1.) Upon receipt and acceptance by the Agency of each project site inspection report, a sum equal to the inspection cost per site visit as set out in the Cost Proposal and accepted by the Agency.

X. ATTACHMENTS

- A. Attachment A: eVA Vendor Registration Requirements
- B. AML Contractor Information Form

Vendor eVA Registration Requirements

eVA Vendor Registration: *The eVA Internet electronic procurement solution, www.eVA.virginia.gov, streamlines and automates government purchasing activities for the Commonwealth. The eVA portal is the gateway for vendors to conduct business with state agencies and public bodies. All vendors desiring to provide construction and/or professional services to the Commonwealth shall participate in the eVA electronic procurement solution whether through the eVA Basic Vendor Registration Service or through the eVA Premium Vendor Registration Service. All bidders or offerors must register in eVA; failure to register will result in their bid/proposal being rejected.*

- a. *eVA Basic Vendor Registration Service: \$0.00 annual registration fee* plus the appropriate order Transaction Fee specified below.*
- b. *eVA Premium Vendor Registration Service: \$0.00 annual registration fee* plus the appropriate order Transaction Fee specified below. eVA Premium Vendor Registration Service includes all benefits of the eVA Basic Vendor Registration Service plus electronic notification of business opportunities that match the vendor's registered commodities.*
- c. *For orders issued August 16, 2006 and after, the Vendor Transaction Fee shall be:*
 - (i) *DMBE-certified Small Businesses: 1%, capped at \$500 per order.*
 - (ii) *Businesses that are not DMBE-certified Small Businesses: 1%, capped at \$1,500 per order.*

eVA Contracts and Orders: *The solicitation/contract will result in (one) purchase order(s) with the eVA transaction fee specified below assessed for each order.*

- a. *For orders issued August 16, 2006 and after the Vendor Transaction Fee shall be:*
 - (i) *DMBE-certified Small Businesses: 1%, capped at \$500 per order.*
 - (ii) *Businesses that are not DMBE-certified Small Businesses: 1%, capped at \$1,500 per order.*

The eVA transaction fee will be assessed approximately 30 days after each purchase order is issued. Any adjustments (increases/decreases) will be handled through eVA change orders.

** Per eVA Fee Schedule, revised 7/1/2009.*

Part D.

Contractor's Business Name: _____

If the current Entity OFT information for your business is incomplete or incorrect in AVS, or if there is no information in AVS for your business, you must provide all of the following information as it applies to your business. Please make as many copies of this page as you require.

- Every officer (President, Vice President, Secretary, Treasurer, etc.);
- All Directors;
- All persons performing a function similar to a Director;
- Every person or business that owns 10% or more of the voting stock in your business;
- Every partner, if your business is a partnership;
- Every member and manager, if your business is a limited liability company; and
- Any other person(s) who has the ability to determine the manner in which the AML reclamation project is being conducted.

Name	_____	Position/Title	_____
Address	_____	Telephone #	_____
	_____	% of Ownership	_____
Begin Date:	_____	Ending Date:	_____

Name	_____	Position/Title	_____
Address	_____	Telephone #	_____
	_____	% of Ownership	_____
Begin Date:	_____	Ending Date:	_____

Name	_____	Position/Title	_____
Address	_____	Telephone #	_____
	_____	% of Ownership	_____
Begin Date:	_____	Ending Date:	_____

Name	_____	Position/Title	_____
Address	_____	Telephone #	_____
	_____	% of Ownership	_____
Begin Date:	_____	Ending Date:	_____

PAPERWORK REDUCTION STATEMENT

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501) requires us to inform you that: Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. This information is necessary for all successful bidders prior to the distribution of AML funds, and is required to obtain a benefit.

Public reporting burden for this form is estimated to range from 15 minutes to 1 hour, with an average of 22 minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement, Room 202 SIB, Constitution Ave., NW, Washington, D.C. 20240.