

**REQUEST FOR PROPOSALS
FOR PROFESSIONAL
ENGINEERING SERVICES
ASSOCIATED WITH COMMUNITY
DEVELOPMENT BLOCK GRANT
ACTIVITIES DURING CALENDAR YEARS
2021, 2022, 2023**



Proposals Solicited by:

Fulton County
116 West Market Street
McConnellsburg, PA 17233

Contact: Patti Hess (717)485-6864

**REQUEST FOR PROPOSALS FOR
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Fulton County proposes to use an estimated \$110,000 in Community Development Entitlement Block Grants to undertake infrastructure projects during calendar years 2021, 2022, and 2023. Other funding sources may be sought for selected projects. The County is hereby requesting proposals for professional Engineering services for design, bidding, and supervision of these projects.

The following narrative outlines the major responsibilities of the proposers. These responsibilities will include the entire project from design to construction management and may include grant writing assistance and residential inspection. It should be recognized by all proposers that the Scope of Services included herewith might exclude some minor, incidental Engineering responsibilities not currently identifiable.

Proposals shall include the attached "Standard Engineering Estimate" and be submitted to Patti Hess, CDBG Coordinator, 116 West Market Street, Suite 205, McConnellsburg, PA 17233. All proposals shall be sealed and clearly marked on the outside, "2021, 2022, 2023 Engineering Services Proposal," and must be received by 10:00 AM, prevailing time, August 17, 2021, at which time they will be publicly opened at the Fulton County CDBG Office.

Questions regarding this proposal should be directed to:

Patti Hess, CDBG Coordinator
Fulton County
116 West Market Street, Suite 205
McConnellsburg, PA 17233
717-485-6864
phess@co.fulton.pa.us

Proposals that are e-mailed or faxed cannot be accepted.

PROJECT DESCRIPTION

Fulton County is a Community Development Block Grant Entitlement community under PA Act 179. As such, it anticipates receiving \$600,000 in CDBG funding during the next three years for community development projects. The County also has approximately \$500,000 in previously awarded CDBG contracts that is yet to be expended. The County may also apply for other grant sources during this time period to undertake several pending projects in the County. As projects are selected and funded by the County, the Engineer will be expected to furnish the services herein specified.

The provision of these services by the Engineer shall be based on the rates provided on the Standard Engineering Estimate form, attached.

PROJECT DESIGN

The Engineer shall prepare all necessary design plans, drawings and specifications to be used for the construction of the improvements and should therefore be complete in detail and contain all necessary information. Drawings shall conform with standard professional practice and consist of all architectural and engineering drawings, including profiles and sections, plot, and site plans, and all else necessary to illustrate the interest and scope of the work. Working drawings shall be prepared for structural, hydraulic, mechanical, electrical, and all other branches of the construction work.

Survey work and/or mapping necessary to define the scope of work or required for easements/rights-of-way may also be required and shall be provided by the Engineer.

The Engineer shall provide Opinions of Probable Cost for each project.

The Engineer shall investigate any existing systems affected by each proposed project, identifying options, and advising the County in the most appropriate method of modifying the systems as part of the design of this project. Plans and specifications shall be developed in such a manner to delete and add segments should the project costs be over or under budget.

All permits, plans, or surveys which may be necessary to define the scope of the work or for the performance of each project shall be the responsibility of the Engineer. The proposal shall include a list of those permits currently anticipated as necessary, identifying actual permit fees which shall be paid by the Engineer as a component of their project proposal. Federal Environmental Reviews, State Historic Preservation Office Review, and Archaeological Reviews are not a part of this proposal.

Assistance from the Engineer is necessary for Fulton County to fully understand the project, and therefore, meeting attendance is of high importance. Accordingly, this proposal shall specify a cost for the Engineer's attendance at design phase meetings, a preconstruction meeting, and an optional pre-bid meeting for each project. These meetings shall be conducted during the design and construction specifications phase at the convenience of Fulton County. The Engineer will attend the bid opening, prepare a certified bid tabulation form, and make the formal recommendation to award. The County may request, and the Engineer may suggest, additional meetings.

All final plans and specifications must be submitted for approval by the County. In addition, the Engineer must provide a list of sub consultants, if applicable, for approval by the County.

PREPARATION OF DOCUMENTS AND COORDINATION OF BIDDING

The Engineer shall prepare all construction contract documents, including but not limited to bid schedule, bond forms (bid, performance, and payment), construction specifications, notices and agreements and compliance forms. The Engineer shall be responsible for coordinating the bidding process, including printing, and distributing up to ten (10) sets of bid documents, publishing the required advertisements, issuing notices and management of any required deposits or payments. Costs for this portion of the work shall be borne by the Engineer except that the actual costs for legal advertisements will be reimbursed by the County. Insofar as federal CDBG monies are being used in the project, forms and procedures meeting the requirements of the PA Department of Community and Economic Development shall be used in the contracting documents. The County shall facilitate this process by providing model bidding documents for use by the Engineer.

In addition, the Engineer will assist the solicitor throughout each project including, but not limited to, the preparation of documents involving engineering matters and preparation of contract documents for the solicitor's opinion, a review of the bid documents, conformity with the specifications, and requirements, as well as a formal recommendation of bid award. The Engineer is also responsible to manage the construction contract award process, including issuance of the Notice of Intent to Award, execution of the agreements, Award, Notice of Start of Construction, Substantial Completion, Final Inspection, and Completion.

CONSTRUCTION SUPERVISION

The Engineer shall provide Construction Management and Supervision and inspection services to ensure compliance with the contract documents, technical specifications, and regulations. The Engineer shall furnish necessary plans and specifications, assist the County in securing proposals or bids from contractors and generally assist with the review and awarding of the construction contracts, as detailed above. The Engineer shall also visit the construction site to observe progress and quality of work, to determine if work is proceeding in accordance with contract documents, to keep the County informed of progress, to guard against defects and deficiencies and to disapprove work not in conformance with contract documents. The Engineer shall serve as the County's representative at the project site, issue all instructions to the

contractors and prepare any change orders. The Engineer shall conduct job site visits and job conferences at a level of frequency agreeable to the County and in line with the nature and duration of the project.

The Engineer will also check and approve samples, schedules, shop drawings, catalogue data, laboratory, shop and mill tests of materials and equipment, and other data which the contractors are required to submit to ensure conformity with project design concept and requirements. The Engineer, in accordance with accepted professional standards and practice, shall review contractor's payment requests and approve, in writing, payment to the contractors in such amounts. The Engineer will also conduct, in the company of the owner and the contractor, a final inspection of the project for conformity with design, concept, and contract documents. When the project is complete, the Engineer will correct all drawings to show construction and installation as actually accomplished and will furnish one set of full size "As Built" prints and one electronic copy to the County.

Where participating state and federal agencies require reports relating to construction, the Engineer shall prepare and submit such reports and shall assist in any negotiations with these agencies or other agencies as is necessary for approvals of projects.

ADDITIONAL SERVICES OF ENGINEER

Where participating state and/or federal agencies require reports relating to construction, the Engineer shall prepare and submit such reports and shall assist in any negotiations with these or other agencies as is necessary for final approval.

TERMS OF PAYMENT

The Engineer will be required to enter into a written Professional Engineering Services Agreement with the County which will incorporate much of the information contained in this RFP. Through this RFP process, the Engineer will agree to hourly rates as reflected by the Standard Engineering Estimate, which shall include all costs associated with the services outlined herein. Before the start of each project, the Engineer shall prepare and issue to the County an estimate of the cost for engineering services for the project. The County will then authorize the work. Costs sometimes separately billed as reimbursable costs shall be declared in this proposal. Payment shall be made to the Engineer on a monthly basis. Invoices shall be provided setting forth the project, hours worked, date and establishing the amount due based on the hourly rate as of the date of the invoice. Payment shall be expressly contingent upon receipt of funds from the Department of Community and Economic Development.

MBE/WBE GOALS

It is the public policy of Fulton County to promote the opportunity for full participation by minority and women's business enterprises ("MBE's" and "WBE's") and Section 3 business concerns in all projects receiving federal funds from the United States Department of Housing and Urban

Development which are administered by the Pennsylvania Department of Community and Economic Development.

The County has established a Minimum Participation Level (MPL) of five percent (5%) for Minority Business Enterprises and three percent (3%) for Women Business Enterprises participation on projects with CDBG, ESG, and/or HOME funding.

SECTION 3 GOALS

The County has adopted a Section 3 Action Plan in accordance with Title 24 Part 135 Code of Federal Regulations. As such, at least three percent (3%) of the total dollar amount of all non-construction Section 3 covered contracts shall, to the greatest extent feasible, be awarded to Section 3 business concerns.

The purpose of Section 3 of the Housing and Urban Development (HUD) Act of 1968, as amended, is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing federal, state, and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing; and to business concerns which provide employment opportunities to low- and very low-income persons, as summarized in the "Section 3 Clause", herein incorporated. The "Section 3 Clause", in its entirety, can be located in the Federal Code of Regulations 24 CFR Part 135.

The parties, if awarded this contract, agree to comply with HUD's regulations in 24 CFR Part 135, which implement Section 3. The parties certify that they are under no contractual or other impediment that would prevent them from complying with the Part 135 regulations.

If awarded the contract, the proposer, agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR Part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR Part 135. The proposer will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 135.

The proposer will certify that any vacant employment positions, including training positions, that are filled were not filled to circumvent the contractor's obligations under 24 CFR Part 135.

Noncompliance with HUD's regulations in 24 CFR Part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

PROPOSAL SUBMISSION AND EVALUATION

Three (3) copies of the proposal must be submitted to:

Patti Hess, CDBG Coordinator
Fulton County
116 West Market Street, Suite 205
McConnellsburg, PA 17233

Proposals must be received no later than 10:00 AM, August 17, 2021.

Proposals that are faxed or e-mailed to Fulton County cannot be accepted.

Proposals will be reviewed and evaluated by Fulton County. The evaluation will include the following areas in order of relative importance:

- Adequacy of proposal in the terms of addressing the needs that are set forth in the Request for Proposals.
- Relevant experience and past performance.
- Quality of previous work.
- Adequacy of resources/record of completing projects on time.
- Cost.
- Proposer's commitment to the obligations of the County's Minority Owned Business Enterprises and Women Owned Business Enterprises Action Plan.
- Proposer's commitment to the obligations of the County's Section 3 Business Action Plan.

Note: Cost is only one of several criteria to be considered in evaluating proposals. Accordingly, Fulton County will not publish proposal cost summaries. Proposers are, however, invited to attend the opening.

REQUIRED INFORMATION

Each proposer shall provide all information herein requested. Further, no proposal will be considered unless the attached Standard Form is completed in its entirety.

Each proposer shall provide a minimum of two references where similar engineering services have been performed during the past three years. These projects should be similar in design and scope. If the proposer is an MBE/WBE or Section 3 business concern, a certification form shall be submitted with the bid attesting to the firms' status as such. Firms may be requested to sit for interviews and/or negotiation of contract terms and fees prior to contract award.

If any part of the project is subcontracted, requires purchases for services, or requires hiring of additional employees, the proposers must submit documentary evidence of MBE/WBE and Section 3 business concerns who have been contacted and/or to whom commitments have been made. If no solicitation was made to MBE/WBE's or Section 3 business concerns or residents, please indicate the reason(s). If there is no need for additional employees or trainees, or no need to contract for work, then the Section 3 and MBE/WBE requirements are not triggered.

Fulton County reserves the right to accept or reject any and all proposals or to waive any irregularities.

Professional Liability Insurance is required for this project. Please indicate the level of coverage provided.

STANDARD ENGINEERING ESTIMATE

FIRM NAME: _____

ADDRESS: _____

TELEPHONE: _____

REPRESENTATIVE: _____

The following rates shall be in effect beginning August 24, 2021, through August 23, 2024, for CDBG projects undertaken with Fulton County.

**PLEASE SUBMIT ONLY ONE HOURLY RATE.
THAT RATE SHOULD APPLY TO ONLY ONE EMPLOYEE**

ACTIVITIES

Field Survey Work and Mapping..... _____ per hour

Engineering Advice and Guidance to County Staff, including meeting attendance
..... _____ per hour

Design, Development of Plans, Specifications, Bid Documents, Permit
Applications, and other Written Documents _____ per hour

Other Technical Engineering Services _____ per hour

Construction Management and Supervision, including inspection to ensure compliance with
technical specifications and regulatory requirements _____ per hour

Resident Inspection Services _____ per hour

I, _____, a licensed professional Engineer in the Commonwealth of Pennsylvania and an authorized representative of the above-indicated firm, have reviewed and understand the Fulton County Request for Proposals, and I/we am/are prepared to provide the required services for the above rates of reimbursement.

Signature _____

**MBE/WBE CONTRACT SOLICITATION AND COMMITMENT STATEMENT
TO BE SUBMITTED WITH THE BID**

Goals of **5%** for minority business enterprise and **3%** for women business enterprise participation have been established.

| | |
|-------------------|-------------------|
| Name of Bidder: | Project Name: |
| Address: | Bid Opening Date: |
| Email Address: | |
| Telephone Number: | Contact Person: |

List those minority/women owned businesses from which you solicited quotes and/or received quotes in regard to this invitation for bid.

| Company Name & Telephone Number | MBE* (enter code from below) | WBE (X) | Type of Construction, Equipment, Services, and/or Supplies to be provided to the Project | Total Dollar Amount of Quote Received (Please mark NR If no response was received) | Total Dollar Amount Awarded (If not awarded indicate reason) |
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| Prepared By: | | | Title: | | |

*Ethnic Code: A- Asian-Pacific Americans; B-African Americans; H-Hispanic Americans; N- Native Americans

MINORITY AND WOMEN BUSINESS ENTERPRISE BIDDER CERTIFICATION

The submittals of each bidder are subject to review to determine whether the bidder has discriminated in the selection of manufacturers, subcontractors and suppliers. If a bidder has met the goals for MBE/WBE participation, the bidder will be presumed not to have discriminated in their selections.

Where the goals are not met, the below statements, if accurate, shall be certified by the bidder:

1. The limited number or no commitment to MBEs/WBEs was not motivated by consideration of race or gender.
2. MBEs/WBEs were not treated less favorably than other businesses in the contract solicitation and commitment process.
3. Solicitation and commitment decisions were not based upon policies which disparately affect MBEs/WBEs.

By signing below, I certify that the above statements are true and accurate.

Company Name

Signature

Date

**SECTION 3 CONTRACT SOLICITATION AND COMMITMENT STATEMENT
TO BE SUBMITTED WITH THE BID**

Minimum Participation Levels (MPL): Section 3 - 10% construction & 3% non-construction
Section 3 - 30% aggregate new hires

| | |
|-------------------|-------------------|
| Name of Bidder: | Project Name: |
| Address: | Bid Opening Date: |
| Email Address: | |
| Telephone Number: | Contact Person: |

List those Section 3 business concerns from which you solicited quotes or which contacted you and gave you quotes in regard to this invitation for bid.

| Company Name & Telephone Number | Type of Construction, Equipment, Services, and/or Supplies to be provided to the Project | Total Dollar Amount of Quote Received <small>(Please mark NR if no response was received)</small> | Total Dollar Amount Awarded <small>(If not awarded indicate the reason)</small> | IF NO COMMITMENT WAS MADE TO A SECTION 3 BUSINESS- EXPLAIN |
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| Preparers Signature: | | | Title | |

- (1) Indicate whether Section 3 Business Concerns were solicited for each type of work the bidder expects to subcontract for and for all materials which the bidder expects to procure and, if not, the reason(s) why no such solicitation was made;
- (2) Indicate the reason why a Section 3 Business Concern has not been committed to for a type of subcontract work or materials in any area where a quote was received from a Section 3 Business Concern, and;
- (3) In any case where no quotations are received or commitments made to a Section 3 Business Concern, indicate that no quotes were received, and if there is another reason for no commitments being made, the reason for the lack of commitments.

SECTION 3 BUSINESS CERTIFICATION

As principal owner of _____, I certify that this
(Section 3 Business Concern Name)

firm is a bona fide Section 3 owned business.

I further certify that this firm was subcontracted by _____
for work on the _____ Project in the amount of \$_____.

Date

Signature/Title