

City of Rochester, N.Y.

Request for Proposals

**2023 MILLING AND RESURFACING PROJECT #21116**

**(Brooks Ave, Jefferson Ave, Thurston Rd.)**

**RESIDENT PROJECT REPRESENTATIVE (RPR) /**

**& CONSTRUCTION INSPECTION**

**PROFESSIONAL SERVICES**

Department of Environmental Services

Bureau of Architecture and Engineering

Holly E. Barrett, P.E. / City Engineer

Issued: DECEMBER 1, 2022

**Proposals to be received by 5:00 PM**

**On FRIDAY, DECEMBER 16, 2022**

Submit Electronic Proposals in PDF to:

Andy Wojewodzic, Manager of Construction

[andrew.wojewodzic@cityofrochester.gov](mailto:andrew.wojewodzic@cityofrochester.gov)

# REQUEST FOR PROPOSAL

The City of Rochester is seeking proposals from qualified Consultants (“Consultant(s)”) to provide Resident Project Representation (R.P.R) services for the **2023 Milling and Resurfacing Project (Brooks Avenue, Jefferson Avenue & Thurston Road) #21116**, (the “Project”) as described herein.

## Project Description

**The scope of the project consists of (but is not limited to) milling and resurfacing of the pavement surface, repair of defective sidewalk and curb, curb ramp improvements, adjustment of and repairs to manholes, catch basins, and valve boxes, replacement of traffic signal at Arnett Boulevard & Thurston Road intersection, minor street lighting improvements, speed humps, new pavement markings & signage and addition of on-street bicycle facilities.**

This Project includes City M/WBE and Workforce Goals. Plans for both M/WBE Utilization and Workforce Staffing must be submitted by all Consultants who propose to perform the work in this RFP and approved by the City’s M/WBE Officer prior to an agreement being executed. This project is also funded by a Federal Community Development Block Grant and certain Federal requirements apply.

The Project Representative (R.P.R) will need to closely coordinate and oversee (QA / QC) the work (including work by others) so that it conforms to the drawings and specifications accordingly and perform all other tasks as identified in the professional services agreement. Other tasks as requested by the City’s Construction Project Manager may constitute ‘additional services’ as needed.

**Specifications, contract drawings & estimates are available for review by contacting [andrew.wojewodzic@cityofrochester.gov](mailto:andrew.wojewodzic@cityofrochester.gov) or bid documents will be posted online via <https://www.bidnetdirect.com/new-york/solicitations/open-bids/> starting 12/05/22**

**An online pre-bid meeting will be held on Tuesday, 12/13/22 and interested consultants are welcome to attend.**

**Construction duration is 190 calendar days with anticipated starting in spring 2023 as soon as weather permits.**

The project was designed by Fisher Associates, Peter Wlodarczyk, P.E.

## **Timeline**

<b>Activity</b>	<b>Time</b>	<b>Date</b>
RFP Release		12/01/2022
Deadline for questions	5:00 PM	12/09/2022
Response for questions submitted	5:00 PM	12/14/2022
<b>Proposals due</b>	<b>5:00 PM</b>	<b>12/16/2022</b>
Consultant Selection and Award Notification		January 2023
City Council Approval of agreement with Consultant		February 2023
Agreement Start Date		March / April 2023

*The dates shown above may be subject to change within the City of Rochester's sole discretion and upon written notification as set forth herein.*

## **Communications**

All communications by parties who have indicated an intent to submit or have submitted a proposal in response to this RFP ("Respondents"), including any questions or requests for clarifications, submission of the proposal, requests for status updates about the proposal selection process and any other inquiries whatsoever concerning this RFP shall be sent, in writing, to the following City staff person ("City Contact"):

**Andrew Wojewodzic, Manager of Construction**  
[andrew.wojewodzic@cityofrochester.gov](mailto:andrew.wojewodzic@cityofrochester.gov) (585) 428-6523

No contact is permitted with any other City staff member with regard to this RFP during the RFP process unless specifically authorized in writing. Prohibited contact may be grounds for disqualification.

To ensure that all Respondents have a clear understanding of the scope and requirements of this RFP, the City will respond to all timely questions submitted via e-mail to the City Contact by the question deadline stated above. Questions and the responding answers will be sent via e-mail to all Respondents who have provided an e-mail address to the City Contact and will be posted on the City's web page for this RFP. The City's failure to timely respond or provide responses to any questions shall not delay or invalidate the City's right to make a decision to award an agreement pursuant to this RFP.

The City will make every reasonable effort to keep Respondents informed about the RFP process. Notifications about Timeline date changes, amendments to the RFP and other information about the RFP will be sent by e-mail to Respondents who have provided an e-mail address to the City Contact and will be posted on the City's website for this RFP. The City's failure to provide such information shall not delay or invalidate the City's right to make a decision to award an agreement pursuant to this RFP.

## **SCOPE OF SERVICES**

The City is seeking the services of a Consultant to perform the following services to implement the Project. Respondent's proposal shall address each of the following services, with a separate timeline for each identified task. The proposal shall address each of the requested services, using the same identifying language, including any paragraph or section numbers or letters as used in the RFP.

**Services will involve providing a qualified Project Representative for the duration of project. Staffing typically would include providing a full time NICET III (equivalent) Engineer-In-Charge with NICET level II or III (equivalent) inspector(s) and support staff (Office Engineering (OE) – part time) as needed. Trainees such as (NICET Level I) or Interns / Co-Ops can be proposed as an alternate staffing plan if the budget permits. If project personnel are to serve in multiple roles such as RE / OE be sure to clearly indicate this in your staffing table. Please include a project specific organizational flowchart that clearly indicates assigned project staff and their role(s) with your proposal.**

**Experience in urban roadway rehabilitation projects with multiple shares & funding sources is preferred.**

Key Qualifications Desired:

- Engineer-in-charge should have NICET III certification [or equivalent] and 5+ years of experience in Urban street construction & inspection;
- Lead staff should be highly organized and have experience with projects involving multiple shares and funding from Local, State and Federal (CDBG) sources;
- RE/OE should have project inspection/record keeping experience and familiarity with the City of Rochester street rehabilitation & pedestrian safety projects;
- High visibility, urban project experience including close interaction with small businesses and vehicular & pedestrian traffic on a highly travelled corridor;
- Inspector(s) should have CI experience on projects involving:
  - Urban streets, sidewalk reconstruction with improved ADA and Pedestrian facilities;
  - Heavily traveled urban arterial & collector corridors & work zone traffic control enforcement.

The personnel would work under the supervision of a City project manager and perform technical duties associated with the project. These duties would include but are not limited to observation of the work, quality assurance & control, submission of daily construction reports & progress photographs; review of contractor invoices & change orders; and coordination between the design engineer(s), contractor, and agencies having jurisdiction, utility companies, downtown businesses, the general public and the City project manager. All other duties are as described in the Sample Professional Service Agreement for RPR Services included with this RFP.

The Professional Services Agreement that would be used for services performed under this request is located with this RFP labeled as: **Sample Professional Services Agreement**. The agreement contains a detailed listing of required RPR Services / deliverables.

## **PROPOSAL PREPARATION AND SUBMISSION PROCESS**

**Proposals must be received digitally by the City no later than 5:00PM on Friday, December 16, 2022.**

***Proposals shall be submitted in PDF version to:***

**Andrew Wojewodzic, Manager of Construction**

**[andrew.wojewodzic@cityofrochester.gov](mailto:andrew.wojewodzic@cityofrochester.gov) : (585) 428-6523**

This RFP is designed to facilitate the evaluation and selection of a Consultant that is best able to achieve the City's objectives. The proposal shall contain a table of contents. All pages shall be numbered and major sections and all attachments shall be referenced in the table of contents. In order to enable the City to effectively review the information contained in the proposals, proposals shall reference the numbered and lettered sections of the RFP. The response to each section shall be clearly indicated and addressed or an explanation provided for why the Respondent is not submitting a proposal for a specific section or requirement of the RFP. If desired, the proposal may include an executive summary of no more than two pages.

Each proposal shall be signed by an individual authorized to enter into and execute contracts on the Respondent's behalf. Unless otherwise specified in its proposal, Respondent represents that it is capable of meeting or exceeding all requirements specified in this RFP.

Submission of a proposal shall be deemed authorization for the City to contact Respondent's references. Evaluation of proposals will be conducted by the City based on information provided in the Respondent's proposals and on such other available information that the City determines to be relevant. The evaluation of proposals may include an on-site assessment, meetings with authorized personnel, and may involve the use of a third-party consultant.

The Respondent selected by the City will be required to enter into a Professional Services Agreement (PSA) with the City (see Attachment A, the City's standard PSA form). The establishment of a PSA is contingent upon approval by City Council for all Agreements in excess of \$10,000 or for a period of more than one year and upon the availability of funds for such an agreement. Unless otherwise stated in the proposal, the Respondent's response to this RFP shall be deemed its acceptance of the terms of this PSA.

**Note: Attention is directed to the City's Living Wage requirements and M/WBE and Workforce Utilization Goals. Utilization plans must be submitted and regular online reporting using B2G Now & LCP Tracker is required.**

**Training is available upon request by contacting [compliance@cityofrochester.gov](mailto:compliance@cityofrochester.gov)**

Respondents shall provide sufficient information in their written proposals to enable the City review team to make a recommendation to the Mayor. The City reserves the right to invite any or all Respondents to an interview to discuss their proposal. Any expenses resulting from such an interview will be the sole responsibility of the Respondent. The City is under no obligation to select any of the responding Respondents or to conduct the Project described herein. The City may amend or withdraw the RFP at any time, within its sole discretion. The City shall have no liability for any costs incurred in preparing a proposal or responding to the City's requests with respect to the proposal.

## **PROPOSAL CONTENT**

The proposal should include the following information in the order specified:

- A. Project statement: A Project narrative that describes the Respondent's understanding of the City's needs and the unique value the Respondent will bring to the process including their familiarity with this project and the logistics of projects with similar complexities.
- B. Description of Services: Methodology the Respondent will use to perform the services required in this RFP. The proposal should address, in detail, the tasks as described in the Scope of Services, identified by numbered or lettered sections.
- C. Respondent's Qualifications: Information about the Respondent and its qualifications for this Project. Include information about prior engagements similar to that being solicited herein by the City. Documented evidence of the Respondent's capacity to perform the work, including references, contact names, and phone numbers.
- D. Staffing Schedule: An itemized timeline with staff hours which addresses each of the tasks identified in the Scope of Services. **Clearly indicate the proposed OH&P multiplier & estimated direct reimbursable expenses by item including the cost of any required Special Inspections & Material Testing.** This is a City capital funded project with Federal CDBG funds and does not require use of APPIA and does not reimburse for its use although it is allowed at the Consultant's expense. Staffing schedule needs to clearly show hours for ALL PROPOSED STAFF including any M/WBE personnel. Include a project specific organizational flowchart of proposed personnel and their role including that of any sub-consultants. A not to exceed fee will be negotiated after initial selection of a consultant and will not be considered in the evaluation process.
- E. Project personnel: The name and resume of the Respondent's lead project representative. Also include names & resumes, and identify specific roles of all staff who will be involved in the Project. Provide data on the diversity of Respondent's workforce, including total number of employees, and percentages of minorities and females employed.
- F. Subcontractors: Names & resumes, and roles (construction inspection, office engineering, etc.) of sub-contractors, associates, or any non-employees who will be involved in the Project. Material testing services will be required as a direct reimbursable subcontract. Clearly indicate current M/W/DBE status of subcontractors.
- G. Rochester presence: Information about Respondent's presence in the City of Rochester and/or any collaborative relationships with local firms that are to be formed for this Project. You must identify your local office location within the City of Rochester limits to receive bonus points for this category.
- H. M/WBE: Statement as to whether or not the Respondent is a bona fide MWBE firm, will use bona fide MWBE subcontractors and the percentage of the workforce utilized to perform the work of this contract who will be either Minority (M) or Women (W), including both the Consultant's workforce and that of any subcontractors who will be utilized.

- I. A statement regarding implementation of all required COVID-19 guidelines **(if required)** issued by Federal, State or Local authorities including a provision for mask usage, hygiene and social distancing including limiting in person meetings & firm's ability to provide for video conferencing with use of such programs such as Skype, Microsoft Teams, Zoom, Cisco WebEx, GoToMeeting, etc. The firm should provide for video conferencing equipment in the field office including but not limited to web camera, speaker / microphone(s) and appropriate sized TV/video monitor.
- J.
  - 1) Consultant Information Form (C.I.F);
  - 2) Proposed M/WBE Utilization Plan; (show anticipated contract percentages based on hours in lieu of actual fee) Provide only one form to show both Prime and Sub-Consultants combined.
  - 3) Proposed Workforce Staffing Plan (include both number of employees & associated hours per category) Provide only one form to show both Prime and Sub-Consultants workforce staffing combined.

## **EVALUATION CRITERIA**

The following is a summary of the proposal evaluation criteria. It is within the City's sole discretion to determine the value assigned to each of these criteria.

**Overall Proposal:** The Respondent's comprehension of the needs of the City as demonstrated by its description of its approach to the elements listed in the Scope of Services section of this RFP.

**Experience (Firm & Team):** The Respondent's relevant experience in providing the same or similar services is the key factor in the selection process. The proposed project team & their relevant qualifications weigh heavily on the evaluation process.

**References (Firm & Team):** Evaluation of the Respondent's work for previous clients receiving similar services to those proposed in this RFP.

**Commitment of key principals to the Project:** Demonstration of availability of senior-level staff or associates to be assigned to this Project to ensure depth, accountability, and diversity of the workforce & perspective.

**MWBE and Workforce Goals:** The City of Rochester desires to encourage minority and women owned (M/WBE) businesses to participate in opportunities to enter into PSAs with the City and to encourage minorities and women in the workforce. **Pursuant to Ordinance No. 2018-54, the City has a goal that 30% of the aggregate annual contract awards for professional service contracts over \$10,000 be awarded to minorities (M) (15%) and women (W) (15%). The City has also established minority workforce goals of 20% M and 6.9% W for professional services consulting contracts.** For more information please go to <http://www.cityofrochester.gov/mwbe>.

*Respondents shall be awarded MWBE bonus points as follows:*

- 1. The City will give preference to Consultants who are New York State certified M/WBEs. Consultants who meet this requirement shall receive an **additional 10 percentage points**.

2. The City will give preference to Consultants who utilize state certified M/WBE subcontractors with bona fide offices and operations in the Empire State Development Finger Lakes Region, which includes the following counties: Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming and Yates. State-certified M/WBEs from outside the Region may be counted if there are insufficient businesses in the Region to perform the specialized work or consulting services required. If one or more M/WBE subcontractors will perform 10% to 20% of the work of the contract – measured as either a percent of the total contract amount or as a percent of the total full-time-equivalent labor hours budgeted for this project, the consultant shall receive **an additional 5 percentage points** OR if M/WBE subcontractors will perform more than 20% of the work of the contract, the Consultant shall receive an **additional 10 percentage points**. Required M/WBE goals will be based on final negotiated contract amount.
3. Respondents shall provide sufficient documentation with their proposal to support the additional preference weighting as an M/WBE Consultant or for use of MWBE subcontractors. If one or more MWBE subcontractors are proposed, they must be named and the size of the subcontract identified. If selected, the Respondent shall submit an MWBE Utilization Plan on the City's form for approval by the MWBE Officer. Once approved, the Utilization Plan shall be incorporated into the PSA.
  - a. If the total amount of a PSA is increased by 5% or more at any time during the term of the PSA, the Consultant shall submit a revised M/WBE Utilization Plan for approval by the M/WBE Officer. The M/WBE Officer may also issue a revised MWBE Utilization Plan for unforeseen changes in the availability of M/WBE subcontractors during the term of the PSA.
4. The City will give preference to Consultants who meet or exceed the City's workforce goals, which are: 20% M and 6.9% W. Consultants who demonstrate that their total workforce (including subcontractors) on this Project meets or exceeds these goals shall receive an **additional 10 percentage points**. The Respondent shall submit a Workforce Staffing Plan on the City's Form for review by the M/WBE Officer. Once reviewed, the Workforce Staffing Plan shall be incorporated into the PSA. The calculated percentages of workforce utilization shall be based on actual hours worked and billed over the term of the project. The final determination of a workforce goals accomplished during the contract shall be based on hours reported in the workforce utilization reports. Required M/WBE workforce goals will be based on final negotiated contract amount.
5. If selected, the Respondent shall provide M/WBE utilization and subcontractor/supplier payment certification and/or workforce utilization reports on the City's forms **AND by use of the City's online reporting system B2GNow & LCP Tracker**. These reports shall be submitted with each invoice or as otherwise requested by the M/WBE Officer or Construction Project Manager.
6. A failure to submit the required subcontractor/supplier payment certification and/or workforce utilization reports shall constitute a default in the performance of the Agreement subject to potential termination for default by the City. In addition, if the selected Respondent fails to meet the most recent M/WBE Utilization Plan and/or Workforce Staffing Plan, for which additional weight was awarded by the end of the PSA, such failure may result in disqualification from award of future contracts with the City.



Summary of additional evaluation weighting points for M/WBE and Workforce Goals:

Category of Additional Evaluation Points	Additional Points Awarded
Respondent is New York State Certified M/WBE	+10%
Utilize M/WBE Subcontractors for 10-20% of work	+5%
(OR) Utilize M/WBE Subcontractors for more than 20% of work	+10%
Meet or exceed workforce goals of 20% M and 6.9% W	+10%

**City of Rochester location preference:** The City favors contracting with firms located in the City of Rochester and a preference will be given to Consultants with a significant presence including fully staffed offices in the City limits, through an **additional 10 percentage points**. Non-local firms may wish to consider partnerships or other collaborative arrangements with local firms as a strategy to address this criterion. **Please clearly indicate your local office information in the proposal as well as on the Consultant Information Form (C.I.F) in order to receive these points.**

Other Criteria: Other criteria may be considered and evaluated by the City if it is determined to be in the best interest of the City and the success of the Project to do so.

The selection of a Consultant is within the City's sole discretion and no reasons for rejection or acceptance of a proposal are required to be given. Although costs are an important consideration, the decision will be based on qualifications and compliance with the requirements of this RFP and not solely on cost. The City reserves the right to reject any or all proposals or to accept a proposal that does not conform to the terms set forth herein. The City further reserves the right to waive or modify minor irregularities in the proposals and negotiate with Consultants to serve the City's best interest.

## MISCELLANEOUS

The City reserves the right to amend or withdraw this RFP in the City's sole discretion, including any timeframes herein, upon notification of all Respondents as set forth above, and in such case, the City shall have no liability for any costs incurred by any Respondent.

The City may request additional information from any Respondent to assist the City in making its evaluation.

The proposal and all materials submitted with the proposal shall become property of the City and will be subject to NYS Freedom of Information Law. If any proprietary information is submitted with the proposal, it must be clearly identified and a request to keep such information confidential must be submitted. Submission of a proposal shall constitute a binding offer by Respondent to provide the services at the prices described therein until such time as the parties enter into a PSA.

ATTACHMENTS:

Sample Professional Service Agreement for R.P.R Services  
(for reference only)

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M/WBE Utilization Plan – City Form A  
(must be submitted with proposal)

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Workforce Staffing Utilization Plan  
(must be submitted with proposal)

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Consultant Information Form  
(must be submitted with proposal)

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Project Communications Flowchart  
(for reference only)