



## Addendum No. 2

DATE: 10/27/2022

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| Reference:       | RFP# 1-000-22-0006  |
| Commodity/Title: | General Planning Consultant, Passenger Rail<br>Transportation Programs and Projects Support |
| Issue Date:      | 10/7/2022   |
| Proposal Due:    | <b><u>11/14/2022 (by 2:00 PM EST)</u></b>   |

TO ALL OFFERORS:

This Addendum No. 2 informs Offerors as to the questions/answers that were submitted to VPRA in regard to the open RFP.

**NOTE: Offerors must acknowledge receipt of this Addendum in writing within the RFP Cover Page (FORM PD 07) at time of proposal submittal.**

Very truly yours,

*John Kostyniuk*

John Kostyniuk  
804.339.2604

**VPRA received the following questions electronically:**

**Question #1:** Section 12.2 Item 2 Tab 2 Part D requests references. Please confirm references are only required for the prime firm.

**Answer #1:** The references are for the prime firm unless you intend to include Sub-offerors as part of your proposal team. If the latter, you must also include references for any Sub-offerors

**Question #2:** Section 12.2 Item 2 Tab 2 Part E. Please confirm the disclosures only required for the prime firm.

**Answer #2:** No, if Sub-offerors are part of your proposal team you must disclose any professional disciplinary judgements or actions taken against the Sub-offeror.

**Question #3:** Section 12.2 Item 2 Tab 4 Part B requests "disclosure of Offeror's current workload in Virginia". Can VPRA clarify what is required? For example, all work for all offices and all disciplines, or current transportation work, or current rail work, or current VRPA work?

**Answer #3:** VPRA is primarily interested assessing the current workload of the offices that Offeror will use to fulfill the RFP requirements. All work, regardless of discipline, should be disclosed.

**Question #4:** Section 12.2 Item 2 Tab 6 requests "...all proposed staff positions by person Hourly Wage Rate...". Please confirm VPRA would like individual names, positions, and rates, and not rates for a labor category (ex. Senior Planner, Planner, etc.).

**Answer #4:** No, Section 12.2, Item 2, Tab 6 contained a typographical error. Offeror's should submit hourly rates for the personnel classifications identified in Section 1.6 of Exhibit 1 and not individual employees.

**Question #5:** Will VPRA consider extending the proposal due date by 2 weeks to allow time for Offerors to account for Q&A responses?

**Answer #5:** Addendum No 1 (posted October 19, 2022) extended the due date for proposals. Proposals are now due on Monday 11/14/2022 by 2:00 PM EST.

**Question #6:** Attachment D, under the Point Allocation section, states "Offerors which are not certified small businesses will be assigned points based on proposed expenditures with DSBSD-certified small businesses for the initial contract period in relation to the overall contract budget. Points will be assigned based on each offeror's proposed subcontracting expenditures with DSBSD-certified small businesses in relation to the contract budget." Additionally, under RFP Section 13.0 Evaluation Criteria, 5 points are available for the Small Business Utilization. Please confirm that

if the Offeror meets the 10% goal they will receive the full 5 points, and that if they exceed the 10% goal, the maximum number of points available is still 5.

**Answer #6:** Yes, Offerors that submit a Small Business Subcontracting Plan (Form PD 60) that meets or exceeds the 10% contract goal will receive the maximum available points (5) for this scoring criterion. Further, Offerors which are themselves certified as a small business by DSBSD will receive the maximum available points (5) for this scoring criterion, and do not have any further subcontracting requirements.

**Question #7:** Section 14.0 mentions that informational interviews may be requested. Does VPRA anticipate that the interviews will be held in-person or virtual?

**Answer #7:** Yes, VPRA intends to hold informal interviews in person at our Richmond office.

**Question #8:** Section 15.1 reads as if one contract award will be made to the Offeror that provides the Best Value as determined by VPRA. However, Section 15.4 states that "VPRA reserves the right to make multiple awards as a result of this solicitation". Does VPRA intend to make one award for the General Planning Consultant contract, or will multiple awards be made?

**Answer #8:** VPRA anticipates making at least two and no more than five awards in connection with this RFP.

**Question #9:** Section 15.4 states that "VPRA reserves the right to make multiple awards as a result of this solicitation". How many awards does VPRA anticipate making?

**Answer #9:** See answer to Question #8.

**Question #10:** Section 17.2 states "It shall summarize all work efforts in the reporting period including personnel and hourly utilization." Based on this statement, does VPRA anticipate that all task orders will be issued as cost plus fixed fee?

**Answer #10:** Yes, subject to the cost principles set forth in 2 CFR Part 200, the successful offeror will be invoicing for services in accordance with the negotiated rates fixed within the contract.

**Question #11:** Exhibit 1 Section 1.6 states that "The Offeror should identify all proposed staff positions and hourly rates." Should the hourly rates be for the individual employee, or should they be a maximum hourly rate for the labor categories listed?

**Answer #11:** The hourly rates are for the personnel classifications identified in Section 1.6 of Exhibit 1 and are not specific to an individual employee.

**Question #12:** Exhibit 1 Section 1.6 lists general staff positions. Is the Offeror allowed to add additional staff positions to account for varying levels of experience among individual employees (for example, Senior Planner and Planner)?

**Answer #12:** Yes, VPRA will entertain additional staff positions.

**Question #13:** Attachment C Item 7 states that "Railroad Protective Liability Insurance will be maintained on behalf of owners/operators of railway service within the Project limits (the "Rail Carriers") whenever requested by the Rail Carriers." Is RPLI required upon contract award, or will it only be needed when required for a specific task order?

**Answer #13:** This is not due at time at time of contract award and must only be furnished if requested by the Rail Carriers.

**Question #14:** Based on the information shared during the 9/19/2022 Industry Day, VPRA has several active procurements (Long Bridge PMSS, GES Bench, and GPC Bench) and a procurement on the horizon (TRV Program Management). Does VPRA see a conflict if Consultants perform on more than one of these contracts? For example, could a Consultant be a prime on one contract and a prime on another, or a prime on one and a sub on another? If VPRA sees a conflict, can you provide detail on which contracts and which roles would create a conflict?

**Answer #14:** Organizational Conflict of Interest (OCI) determinations are dependent upon the facts of each situation. VPRA will assess whether significant potential OCI exists in accordance with its OCI Policy, which is available at [VPRA-Organizational-Conflict-of-Interest-Policy\\_Executed-FINAL\\_Effective-08\\_24\\_2022\\_V1.pdf](#) ([vapassengerrailauthority.org](http://vapassengerrailauthority.org)). In instances where a firm is determined to have significant potential OCI that cannot be neutralized, mitigated or otherwise waived (when in the public interest), that firm will be precluded from participation in the procurement and they will be identified in the solicitation documents. Per the OCI Policy, firms are required to disclose an OCI to VPRA or seek a request for determination if they are unclear as to whether a circumstance may give rise to an OCI.

**Question #15:** The spreadsheet for Attachment G has 10.0% listed of for the Annual Percentage Rate Increase (cell F11). Please confirm that this % can be modified by the Offeror.

**Answer #15:** Yes, the 10% figure included within Attachment G (Form PD 70) is merely an example and Offeror's may propose an alternative annual escalator.

**Question #16:** The spreadsheet for Attachment G goes out to 2025 (year 3). However, on the RFP cover page (Form PD 07) there are two one-year renewals. Please confirm that the two renewal years (2026 and 2027) don't need to be included in Attachment G.

**Answer #16:** Correct, the proposed rates for the optional renewal terms do not need to be included within Attachment G (Form PD 70).

**Question #17:** Can you please verify which forms will need to be submitted for subconsultants?

**Answer #17:** To the extent a Sub-offeror is included within the Offeror's proposal team, a completed Attachment E (Form PD 44) should be provided for the Sub-offeror within Tab 1. Where applicable, a Sub-offeror may also designate information it believes to be confidential and proprietary using Form PD 25.

**Question #18:** Which forms are subconsultants required to submit?

**Answer #18:** See answer to Question #17.

**Question #19:** Are we to provide copies of all registrations and licenses for main and branch offices for just the prime or do we include the information for subconsultants?

**Answer #19:** License and registration information should be provided for the prime and, where applicable, the subconsultant.

**Question #20:** Are we limited to only key personnel resumes.

**Answer #20:** No, at their election, Offeror's can include resumes for other staff positions. However, as set forth in Section 12.1.4. of the RFP: "Information which the Offeror desires to present that does not fall within any of the requirements of the RFP should be inserted at an appropriate place or be attached at the end of the Proposal and designated as additional material."

**Question #21:** Are projects limited to 5, or do 5 of the projects need to have references.

**Answer #21:** Offeror's should submit a total a total of five (5) project references.

**Question #22:** Tab 1, Item E asks for licenses and registrations for offices and project staff. Is VPRA looking for key personnel licensure, or licensure for all staff presented on the organizational chart.

**Answer #22:** Proof of licensure is not limited to key personnel and should be furnished for all personnel who are required to be licensed by DPOR for the work to be performed under the RFP.

**Question #23:** One of our subconsultants is a commercial items vendor and provides commercial items as defined in FAR part 2.101. These are items, other than real property, that are customarily used by the general public or by non-governmental entities for purposes other than governmental. Certified cost or pricing data is not required in accordance with Federal Acquisition Regulations (FAR) 15.403-1 pursuant to FAR 15.403-1(b)(3) and FAR.15.403-1(c)(3) Commercial items. **Can the RFP requirements please be updated to allow for pricing using commercial pricing practices based on commercial services that are offered and sold competitively in substantial quantities in the commercial marketplace?** The offer would be based on "data other than certified cost

or pricing data" in accordance with FAR 15.403-3, requiring data other than certified cost or pricing data. Reasonableness of the rates can be established through the competitive bid process by comparing to other bidders' proposed rates. Similar to many other comparable professional service firms, our subconsultant doesn't have the accounting systems in place to provide for overhead-based pricing approaches.

**Answer #23:** This procurement is not subject to the FAR. As set forth in Section 18.1 of the RFP, This Contract will be performed and audited in accordance with 2 C.F.R. Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards.

**Question #24:** Are references for subconsultants required in addition to the five references for the offeror?

**Answer #24:** See answer to Question #1.

**Question #25:** Are all subs required to be registered to do business with the state of Virginia?

**Answer #25:** Yes, to the extent Sub-offerors are part of your proposal team, they must be registered to do business in Virginia and a completed Form PD 44 for each Sub-Offeree should be included with the proposal submittal at Tab 1.

**Question #26:** Must all subs have DPORs with the state of Virginia?

**Answer #26:** Not necessarily. Licensing requirements are established by state law and regulation and will vary based on the type of work being performed under the contract. Offerors should seek their own independent legal advice as to specific licensing requirements associated with this RFP. Offerors may also obtain guidance from DPOR by calling (804) 367-8500.

\*\*\*END OF QUESTIONS\*\*\*