



Addendum No. 2

DATE: 10/18/2022

Reference:	RFP# 1-000-22-0005
Commodity/Title:	General Engineering Services, Passenger Rail Transportation Programs and Projects in Virginia
Issue Date:	9/30/2022
Proposal Due:	<u>10/31/2022 (by 2:00 PM EST)</u>

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,

A handwritten signature in black ink that reads "John Kostyniuk".

John Kostyniuk
804.339.2604

VPRA received the following questions electronically:

- Question #1:** Will there be a preproposal meeting?
- Answer #1:** VPRA will not have a pre-proposal meeting for this RFP.
- Question #2:** Will there only be one \$10M contract or will there be multiple selections?
- Answer #2:** VPRA anticipates making at least two and no more than five awards in connection with this RFP.
- Question #3:** Section 8.2 refers to Small Business Subcontracting Plan (Form PD 61). However, the form included in Attachment C is Form PD 60. Please confirm that Form PD 60 should be used.
- Answer #3:** Correct, please use Form PD 60 for submittal of the Small Business Subcontracting Plan.
- Question #4:** Section 12.2 Item 2 Tab 1 Part C refers to Form PD 24. However, the form included in Appendix 2 is Form PD 25. Please confirm that Form PD 25 should be used.
- Answer #4:** Correct, please use Form PD 25 for disclosure of proprietary/confidential information.
- Question #5:** Section 12.2 Item 2 Tab 2 Part D requests references. Please confirm references are only required for the prime firm.
- Answer #5:** 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 #6:** Section 12.2 Item 2 Tab 2 Part E. Please confirm the disclosures only apply to the prime firm.
- Answer #6:** 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 #7:** 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 #7:** 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 #8:** Attachment C, 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 #8:** 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 #9:** Section 14.0 mentions that informational interviews may be requested. Does VPRA anticipate that the interviews will be held in-person or virtual?
- Answer #9:** Yes, VPRA intends to hold informal interviews in person at our Richmond office.
- Question #10:** Section 15.2 reads as if one contract award will be made to the highest ranked Offeror that VPRA is able to negotiate a fair and reasonable price with. However, Section 15.5 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 Engineering Services contract, or will multiple awards be made?
- Answer #10:** See answer to Question #2.
- Question #11:** Section 15.5 states that "VPRA reserves the right to make multiple awards as a result of this solicitation". How many awards does VPRA anticipate making?
- Answer #11:** See answer to Question #2.
- Question #12:** 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 #12:** Yes, subject to the cost principles set forth in 2 CFR Part 200 and 48 CFR Part 31, the successful offeror will be invoicing for services in accordance with the negotiated rates fixed within the contract.
- Question #13:** Exhibit 1 Section 1.3 mentions "assistance with procurement documents for design and construction services". Can VPRA provide additional detail

on what assistance will be needed (ex. preparation of drawings/specs for bid packages, writing RFPs/scopes, reviewing proposals/bids, etc.)?

Answer #13: Assistance with procurement documents for design and construction services may include the following: development of a scope of work as part of a design or construction procurement, review of the full procurement package prior to advertisement / posting, assistance with responding to questions from offerors, assistance with reviewing proposals and bids, and other activities as necessary to perform and complete a given procurement.

Question #14: Attachment A General Terms and Conditions, Item 6 Insurance references Attachment C in two locations. Please confirm this should be Attachment B.

Answer #14: Correct, please refer to Attachment B for the Insurance Requirements.

Question #15: Attachment B 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 #15: This is not due at time at time of contract award and must only be furnished if requested by the Rail Carriers.

Question #16: The Statement of Work for this General Engineering Services contract includes planning/environmental elements. Does VPRA still intend to issue/award a GPC Bench contract?

Answer #16: Yes, RFP 1-000-22-0006 was posted on 10/7/2022 for GPC services.

Question #17: Based on the information shared during the 9/19/2022 Industry Day, VPRA has several active procurements (Long Bridge PMSS and GES Bench) and procurements on the horizon (TRV Program Management and GPC Bench). 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 #17: 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 \(vapassengerrailauthority.org\)](#). 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 #18: Section 11.1: Would VPRA inform the Offeror that his financial statement was shared per VFOIA? And would VPRA disclose who requested this disclosure?

Answer #18: VPRA will attempt to contact an Offeror only in those instances in which a third party has made a request under VFOIA for a proposal document designated as propriety and confidential (on Form PD 25) by the Offeror. In such circumstances, a copy of the VFOIA request will be furnished to the Offeror.

Question #19: Section 12.TAB 4.a: In reading this section, it is understood that the Offeror does not necessarily need to collocate with VPRA or be in the same city in the State of Virginia where VPRA is carrying this RFP. Please confirm.

Answer #19: Correct, the RFP does not contemplate that the successful Offeror(s) would need to co-locate with VPRA or maintain an office in Richmond, Virginia.

Question #20: Section 15.5: Is VPRA planning to select more than one Offeror with this RFP? And how many contracts is VPRA planning to tender with this RFP? And what are the budgeted value of these contracts?

Answer #20: See answer to Question #2. VPRA has not allocated a budget value for each of the contracts it anticipates awarding in connection with this solicitation. Further, as noted in Section 15.5 of the RFP, the dollar amount of each contract may ultimately vary as between the successful Offerors and an award does not guarantee a successful Offeror a specific quantity or value of work.

Question #21: Section 20: This section provides the duration of the proposal, but it is unclear what is the "duration of the contract" that the Offeror(s) will tender with this RFP. Please provide.

Answer #21: As set forth in the RFP cover page, the initial contract shall be one (1) year or \$10 million, whichever occurs first and is renewable for three (3) successive one (1) year renewals not to exceed \$10 million per year.

Question #22: Exhibit 1, Section 1.5: Per Section 15.5 of the RFP, VPRA may select more than one Offeror. Will VPRA have a Program Manager for each Offeror, or VPRA will select one Program Manager for this RFP. Please clarify.

Answer #22: VPRA plans to assign a project manager for each individual task order that is issued under a contract. The VPRA project manager will manage and facilitate the activity being performed on the VPRA side and will be the consultant's point of contact for the individual task order.

Question #23: Exhibit 1, Section 2.0: Did VPRA identify the "core positions" expected with the Offeror(s)? And is/are the Offeror (s) expected to act as Engineer of

Record (EoR), perform final design or act as a Construction Manager (CM) for VPRA under this contract?

Answer #23: Each Offeror is responsible for including information in their proposal on the positions they believe are required to perform the various types of tasks described in Exhibit 1, Statement of Work of the RFP. Please refer to Section 12 - Proposal Preparation and Submission Requirements of the RFP for more information. Depending on the task order issued, a successful Offeror may be required to serve as engineer of record, perform final design or act as a construction manager.

Question #24: Attachment A, Section 3, First Line: This section states: "*that the Offeror shall have competent staff adequate in number and experience to perform the described services in the prescribed time.*" However, the RFP document does not provide a schedule for this contract or number of core Offeror staff. Please provide both if identified by VPRA.

Answer #24: Section 3 of the General Terms and Conditions is not dependent upon the inclusion of a schedule or designation of core staff within the RFP. Instead, the term speaks broadly about requirements relative to an Offeror's personnel resources and capacity to fulfill the RFP requirements within the applicable contract period. Where applicable, specific timeframes for performance will be established within a task order.

Question #25: Attachment-A, Section 9, Third Line: Please confirm that the "*equitable increase or decrease*" shall be based on the approved Offeror's fee proposal.

Answer #25: Yes, to the extent a contract change involves a modification to services to be furnished by the Offeror, the agreed rates established within the contract will form the basis for such equitable adjustment.

Question #26: Attachment B, Section 3 Please confirm that insurance is per the limits shown in this section and not necessarily per limit required by CSX if CSX is to be names as an additional insured.

Answer #26: The insurance requirements applicable Commercial General Liability coverage is as stated in Section 3 to Attachment B.

Question #27: General: Please confirm that the selected Offeror(s) will be able to provide their fee proposal based on "VPRA-negotiated overhead rates."

Answer #27: Indirect cost rates (overhead rates) must conform with 2 C.F.R. Part 200, "Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards," and 48 C.F.R Part 31, "Contract Cost Principles and Procedures," (FAR Part 31). VPRA will accept FAR indirect cost rates approved by a federal or state cognizant agency provided they not currently under dispute.

Question #28: Will ROW acquisition services be required for the contract?

- Answer #28:** Exhibit 1 to the RFP (Scope of Services) identifies that various right-of-way services (ROW) contemplated by the RFP and at 2.3.1 expressly references “right of way analysis, evaluation, refinement and acquisition activities related to real estate needed for railroad right of way.” Whether these services will ultimately be needed and tasked to a successful Offeror is dependent upon project specific factors which are not known at this time.
- Question #29:** Will specific rail ROW appraisal services be required for the contract?
- Answer #29:** See answer to Question #28.
- Question #30:** Please confirm that it is up to the consultant team to identify key staff required for the contract.
- Answer #30:** Yes, per Section 12.2 Tab 2 it is up to Offeror to identify a list of the key personnel including Subofferors who could be assigned to the various types of tasks described in Exhibit 1, Statement of Work
- Question #31:** Are you able to share a potential breakdown among service areas listed in Exhibit 1, item 2.1 (i.e., design services, construction administration services, asset management services, planning/project feasibility analysis, and environmental analysis)?
- Answer #31:** Given the “as needed” nature of the work to be furnished under this RFP, no breakdown by service category is available at this time.
- Question #32:** Are you able to share how many contracts will be awarded?
- Answer #32:** See answer to Question #2.
- Question #33:** Can you please clarify the form numbers? Pg. 2 of 14: APPENDIX 2 DISCLOSURE OF PROPRIETARY/CONFIDENTIAL INFORMATION (PD25); Pg. 7 of 14: c. Disclosure of Proprietary/Confidential Information (Form PD 24) (if applicable)
- Answer #33:** Page 7 contained a typographical error. The correct form reference is as stated in page 2: Form PD 25.
- Question #34:** Should the Offeror include a cover letter, cover page, and dividers?
- Answer #34:** Cover letters are not required but are commonly used in RFP proposals. Including a cover letter is up to the individual firm. Please note that firms shall fill out the RFP cover page (even if using a cover letter). Dividers are not required but proposals should be organized in the order in which the requirements are presented in the RFP. All pages of the Proposal should be numbered. The Proposal should contain a table of contents which cross-references the RFP requirements.
- Question #35:** Which forms shall subconsultants submit?

- Answer #35:** To the extent a sub-offeror is included within the Offeror's proposal team, a completed Attachment D 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 #36:** Where shall Appendix 1 (Form FD 20) go in the submittal?
- Answer #36:** Form PD 20 (Exceptions to RFP Documents) is not required until ranking is complete and should not be included with an Offeror's RFP submittal. Only top ranked Offerors will be required to provide Form PD 20.
- Question #37:** In what form shall the Offeror disclose their current workload in Virginia? Does a statement meet the requirement?
- Answer #37:** A detailed statement/narrative will meet this requirement, however it must be included in your response to Tab 4 (Organizational Capacity). As a reminder, proposals should be organized in the order in which the requirements are presented in the RFP. All pages of the Proposal should be numbered. The Proposal should contain a table of contents which cross-references the RFP requirements.
- Question #38:** Do all staff and offices need to be registered in Virginia at the time of submittal?
- Answer #38:** Yes.
- Question #39:** May we include people and offices outside Virginia without DPOR licenses?
- Answer #39:** Yes, Offerors may list non-Virginia personnel and offices, however, a foreign license/registration will not be accepted in lieu of licensing/registration with the Department of Professional and Occupational Regulation (DPOR) where required by state law and regulation.
- Question #40:** What licenses are required from subconsultants?
- Answer #40:** 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 see 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