

(Rev. 2/4/2016)

Standard Right of Way (ROW) Request for Proposals

(Electronic Submission Required)

ROW Lead Agent Services



Project No. F-0010(75)66
Location SR-10; MP 65.60 – 67.20

October ~~18~~²⁷, 2016
Re-Advertisement
[Addendum 1](#)

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

Summary Sheet

1. **Project Number:** F-0010(75)66
2. **Location:** SR-10; MP 65.60 – 67.20
3. **ePM PIN No.:** 13664
4. **Requested Services:** ROW Lead Agent Services
5. **Source(s) of Funding:** Federal
6. **UDOT Contract Administrator:** Ms. Cali Bastow
Contract Administrator
Utah Department of Transportation
Consultant Services Division
Box 148490
4501 South 2700 West
Salt Lake City, Utah 84129-5998
801-965-4274
cbastow@utah.gov
Send Proposals to: CSSOQ@utah.gov
7. **UDOT Project Management:** James Olschewski
Project Manager
Utah Department of Transportation
8. **Communications:** Based on revisions to Utah Code 63G-6a-1503(3), UDOT has an official process for communication regarding RFPs after advertisement or posting of RFPs. Consultants may not contact or communicate regarding this RFP with any member or potential member of a Selection Team except through the following official RFP communication process.

Consultants may contact the UDOT Contract Administrator to schedule appointments for project or scope of work discussions with the UDOT Project Manager (and Local Government Project Manager) regarding this project. Consultants may only communicate through these official designated appointments. A date has been designated for appointments for these discussions, see the Selection Schedule below.

UDOT desires to make the most efficient use of resources for all parties involved with the established communication process. The one-on-one meeting with UDOT should not be viewed as a marketing tool and is not part of the Consultant Selection process. These meetings are intended for Consultants who have not visited with the UDOT PM about project specifics or who have new issues or concerns not previously discussed with the UDOT PM.

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

Consultants desiring to meet with the UDOT PM for a formal communication meeting should contact the UDOT Contract Administrator via email to request an appointment PRIOR to the deadline identified in the selection schedule table on Page 4. The UDOT Contract Administrator will schedule appointments based on the number of firms requesting appointments. Include the name and contact information of the primary individual for your appointment.

Consultants may still contact the UDOT Contract Administrator or other Consultant Services staff with any questions.

9. Standard ROW Proposal Deadline: See the Selection Schedule on Page 4

Submit one electronic PDF file of the Proposal (unless directed otherwise in Appendix A *Guidelines for Preparing Standard ROW Proposals*) to CSSOQ@utah.gov prior to 11:00 AM on the submission date found in the Selection Schedule on Page 4. **If Proposals are sent to Selection Team members there will be a two-point deduction.** You will receive an email acknowledgment of receipt.

Proposals will not be accepted after the 11:00 AM deadline

10. Type of Proposal Required: Prepare Proposals in accordance with Appendix A *Guidelines for Preparing Standard ROW Proposals*, see Page 11.

If there are any changes affecting the RFP, notice will be sent out via an e-mail through the Consultant Services update service.

11. Optional Oral Interviews: RFP selections may be based on the Proposal scores. However, the RFP Selection Team may determine it is necessary to have interviews in order to make a selection. **Refer to the Selection Schedule on Page 4 for potential interview date.**

12. Notice to Proceed: To be issued by Consultant Services after contract execution. Direction to begin work from any other source is invalid and will result in non-payment for services provided without authorized notification to begin work.

13. Project Construction Completion: Approximately **18** months from Notice to Proceed.

14. Forms: Examples of UDOT Consultant Services forms referred to throughout this RFP are available on the UDOT Web site www.udot.utah.gov/go/csforms.

15. RFP Note: Please be aware that this document is an RFP, not an RFQ, and therefore deviates from Consultant Services' typical RFQ processes. Read and review each section of this RFP carefully to ensure Proposals meet the requirements.

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

Consultant Selection Schedule

Date	Day	Action
Oct 18	Tuesday	Posting of Standard ROW RFP on UDOT Consultant Services Project Advertisement website
Oct 21	Friday	Deadline to request a one-on-one discussion meeting
Oct 25	Tuesday	Appointments to discuss the project
Nov 9	Wednesday	Proposals are due electronically by 11:00 AM.
Nov 16	Wednesday	RFP Selection Team Meeting
Dec 1	Thursday	Consultant Selection Interviews
Dec 1	Thursday	Consultant Selection
Dec 6	Tuesday	Pre-Negotiation Meeting with Selected Consultant

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

TABLE OF CONTENTS

Title Sheet	1
Summary Sheet.....	2
Consultant Selection Schedule	4
Table of Contents	5
<i>Acceptance and Completion Criteria</i>	
Overview.....	7
Project Dates	7
Required Completion and Acceptance Criteria	7
Applicable Federal and State Regulations	7
Debarment Certification	7
Authorization to Begin Work	7
Required Key Personnel Qualification	8
Required Availability of Key Personnel	8
Change in Project Team During Negotiations.....	8
Required Standard ROW Proposal Contents.....	9
Standard ROW Proposal Evaluation Procedures.....	9
Conditions of Proposal.....	9
Disposition of Standard ROW Proposals	9
Ownership of Documents	9
Financial Screening	9
Audits	10
Insurance Certificates	10
Health Reform – Health Insurance Coverage in State Contract Requirements.....	10
Subscription to the UDOT Consultant Services Update Service	10
Consultant and/or Corporate Logos or Branding.....	10
Right to Cancel	11
Protests	11
Conflict of Interest.....	11
Appendix A: Guidelines for Preparing Standard ROW Statement of Qualifications	
• Introduction.....	12
• Electronic Submission	12
• Standard ROW Proposal Sections.....	12
• Standard ROW Proposal Evaluation Criteria	12

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

- Cover Page 13
- **Standard ROW Proposal Format Requirements 16**
 - **Criteria for Point Deductions and Disqualification**
- Standard ROW RFP Selection Team 18
- Selection Interviews..... 19
- “Selecting by Consent” Process20
- Consultant Debriefing21
- Summary21

Appendix B: *Proposed Key Personnel to Be Used on UDOT Project*.....22

Appendix C: *Scope of Work*

- Contract Goals23
- Scope of Work (Objectives & Tasks).....23

Appendix D: *Additional Information*

- QC/QA Plan Requirements25
- UDOT Reference Items.....25

Appendix E: *Right of Way Price Proposal*

- Price Proposal.....26

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

Acceptance and Completion Criteria

Overview:

UDOT Consultant Services staff facilitates Proposal Selection Teams through the ranking and selection of consultants to provide ROW services for transportation related projects.

The RFP Selection Team will review and evaluate submitted Proposals. Proposals are ranked based on pre-determined criteria. If the RFP Selection Team determines Consultant Selection Interviews are needed in order to determine final ranking, then interviews will be included in the process. Final ranking will be determined by the average of the RFP Selection Team members' scores from Technical Proposals, incorporating the scores from the Price Proposal, and adding Consultant Selection Interviews, if necessary (see Selecting by Consent on Page 20).

Cost is **NOT** a factor in the Technical Proposal evaluation scoring of a Consultant to provide ROW services. All evaluation on cost takes place in the Price Proposal evaluation. All price/cost related items which include, but are not limited to direct salaries / wage rates, indirect cost rates, and other direct costs are prohibited from being used in the Technical section of the proposal.

DO NOT include any reference to Consultant costs in the Technical Proposal. Any Technical Proposal submitted with ANY discussion of cost (other than process-related cost control measures) **WILL BE DISQUALIFIED.**

Project Dates:

Consultants are required to meet the dates set for the **optional** oral interviews and negotiation meetings. Consultants are also advised to meet other dates outlined in the Selection Schedule on Page 4. If a consultant fails to meet these dates the consultant will be considered non-responsive.

Required Completion and Acceptance Criteria:

Progress payments will be made for work in progress. Final invoice payments shall be made after all of the work has been completed and the final estimate, project records, and documentation have been received and accepted by UDOT as accurate and complete.

Applicable Federal and State Requirements:

The Consultant shall conform to all applicable state and federal regulations.

Debarment Certification:

Federal regulations require certification by prospective participants (including contractors, sub-contractors and principals) as to current history regarding debarment, eligibility, indictments, convictions, or civil judgments. The selected Consultant will be required to certify in accordance with contract Standard Terms and Conditions.

Authorization to Begin Work:

Notice to proceed will be given by Consultant Services as soon as the contract is approved and signed by all parties and returned to Consultant Services.

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

Required Key Personnel Qualifications:

The Consultant shall be responsible to ensure that all personnel proposed under this RFP are qualified through training, experience and appropriate certification for the tasks assigned and shall have a working knowledge of UDOT standard processes.

Prime Consultants cannot propose employees who are employed by another Consultant firm. **If such employees are listed in two Proposals, both Consultants' Proposals will be disqualified and will not be evaluated by the UDOT Selection Team.** This requirement applies to the use of individual employees and not to sub-consultant firms/employees. Sub-consultant firms/employees may be included on more than one proposing team, however individuals may only interview with one team.

The Consultant is expected to complete the form Appendix B *Proposed Key Personnel to be Used on UDOT Project*. Completed forms in Proposals should state the certification and education levels of the individuals proposed for use on this contract including sub-consultants' personnel. **The completed form must be included in the Technical Proposal, but will not count as one of the allowed pages.**

UDOT's requirements for listing current or former UDOT employees as key personnel in Proposal's are as follows:

- If a firm lists a former UDOT employee on the Proposal who officially left UDOT employment prior to the date of submittal of the Proposal, the firm will not be disqualified.
- If the firm lists someone who has not yet left UDOT employment, even if the employee plans to retire or quit soon, **the firm will be disqualified.**
- In addition, if a firm lists a UDOT employee who was involved in the development of the RFP for this project, whether they are a current employee of UDOT or not, **the firm will be disqualified.**
- These requirements apply to prime and sub-consultants.

Required Availability of Key Personnel:

When Consultants list personnel on Appendix B *Proposed Key Personnel to be Used on UDOT Project* form, the Consultant is agreeing to make the personnel available to complete the work on the contract at whatever level the project requires.

Change in Project Team During Negotiations:

If after entering negotiations with the first-ranked Consultant, the Consultant is unable to provide the key personnel (prime or sub-consultant) proposed in the SOQ at the levels required for the project, the Consultant will be offered the opportunity to propose a revised Project Team. UDOT will review the revised Project Team to determine if it offers an "equal to or better than" team. If UDOT determines the revised Team is "equal to or better than", negotiations will continue. If UDOT determines the revised Team is not "equal to or better than", negotiations will be discontinued and UDOT will move on to the second-ranked firm.

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

Required Standard ROW Proposal Contents:

The Proposal from the Consultant should contain the information identified in Appendix A *Guidelines for Preparing Standard ROW Proposals*.

Standard ROW Proposal Evaluation Procedures:

The RFP Selection Team will evaluate the Proposal in accordance with the criteria described in Appendix A *Guidelines for Preparing Standard ROW Proposals*.

Conditions of Proposal:

All costs related to the preparation of the Proposal and any related activities, such as interviews, are the sole responsibility of the Consultant. UDOT assumes no liability for any costs incurred by Consultants throughout the entire selection process.

Disposition of Standard ROW Proposals:

Proposals and their content become the property of UDOT and are treated as protected documents, and are disposed of according to UDOT policies. UDOT reserves the right to reject all Proposals. The Technical Proposal of the successful Consultant will be open to public inspection for a period of one year after award of the contract. Price Proposals will not be open to public inspection. Proposals of Consultants who are not awarded a contract will not be open to public inspection and will be destroyed once the contract is executed with another consultant.

If the Consultant selected for award has required in writing the nondisclosure of trade secrets and other proprietary data so identified, the Consultant Services Manager will examine the request in the Proposal to determine its validity prior to award of the contract. If the parties do not agree as to the disclosure of data in the contract, the Consultant Services Manager will inform the Consultant in writing what portion of the Proposal will be disclosed and that, unless the Consultant withdraws the Proposal, the information will be disclosed. If the Consultant withdraws their Proposal, the Consultant will not be awarded the contract.

Ownership of Documents:

All tracings, plans, manuscripts, specifications, data, maps, etc., prepared or obtained by the Consultant as a result of working on this contract, shall be delivered to and become the property of UDOT.

Financial Screening:

UDOT requires consultants to be Financially Screened prior to performing work for UDOT. The selected Consultant has two weeks after selection to complete the financial screening process. **Consultants are not required to have an independent audit by a CPA firm for this RFP. Inability to complete the financial screening process will disqualify the Consultant's Proposal, unless the delay is due to problems or delays by UDOT.**

The time it takes a Consultant to complete the Financial Screening process varies and therefore UDOT encourages Consultants to submit their *Financial Screening Application* as soon as possible.

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

Consultants may obtain the *Financial Screening Application* from the UDOT Web site www.udot.utah.gov/go/csforms. For questions, contact the Consultant Services Financial Screener at 801/965-4138. A Consultant's Financial Screening status is effective for the period of one year from the time the Consultant is approved.

Audits:

Prior to final contract award, an audit may be conducted by UDOT of the selected Consultant. This audit will be for the purpose of ensuring the selected firm is financially capable of performing the contract, the cost information and prices quoted are reasonable, and the selected Consultant has adequate accounting practices to ensure accurate tracking of contract costs. UDOT reserves the right to inspect Consultant records associated with this project, including financial records, as deemed necessary during the term of the contract.

Prior to final acceptance of the contract work, UDOT may conduct a closing audit of the Consultant. This closeout audit will be performed upon completion of the contract to verify the accuracy of all billings and compliance with the contract provisions.

In the event that a proposing Consultant has failed to pay UDOT monies due to UDOT for over payment on past projects, UDOT has the right to reject and/or disqualify the firm's Proposal. Disqualification will be based on audit findings, determinations, and recommendations made by the UDOT Fiscal Audit Division.

Insurance Certificates:

The Consultant is required to provide UDOT with Certificates of Insurance meeting the current guidelines. Locate current insurance requirements within the Consultant Services Manual of Instructions from the UDOT website www.udot.utah.gov/go/csmanuals.

Health Reform – Requirement for Health Insurance Coverage in State Contracts:

As required by UCA 72-6-107.5, effective March 17, 2016, UDOT will not enter into a contract of \$2,000,000 or more with a prime Consultant or \$1,000,000 or more with a sub-consultant without demonstration of compliance regarding the offering of "Qualified Health Insurance Coverage" to their employees. Prior to issuing a Notice to Proceed, the Consultant must demonstrate compliance with the provisions of Administrative Rule R-916-5. A Consultant's inability to adequately demonstrate compliance may be grounds for determining a Proposal non-responsive and UDOT moving on to negotiate with the new first-ranked responsive firm.

Subscription to the UDOT Consultant Services Update Service:

UDOT recommends Consultants interested in proposing a Proposal subscribe to the UDOT Consultant Services Update Service on the UDOT web site www.udot.utah.gov/go/subscriptionlist.

If there are any changes affecting this RFP, notice will be sent out via an email through the Update Service.

Consultant and/or Corporate Logos or Branding:

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

Consultant and/or corporate logos or branding identification may no longer be displayed in **public** documents or products produced for UDOT beginning July 1, 2005. It is UDOT's intent that consultants should place identifying information, in text format, in appropriate places in documents. **This requirement does not apply to Standard ROW Proposal's.** For specific questions or further guidance, please contact Gaye Hettrick, Consultant Services Manager, 801/965-4639 or ghettrick@utah.gov.

Consultants and/or corporations are specifically restricted from placing logos or branding in the following items:

- Plan Sheets or Title Blocks
- Environmental Documents
- Standard UDOT Forms
- Project Websites
- Cover Pages
- Headers/Footers, and
- Information and Display Boards for Public Meetings

Consultants are encouraged to place their company logos or brandings in their Proposals.

Right to Cancel:

UDOT reserves the right to cancel the RFP at any time when it is in UDOT's best interest. UDOT also reserves the right to accept or reject any and all Proposals submitted in response to the RFP.

Protests:

All protests with respect to this RFP must be in writing, and will follow the requirements in Utah Code Sections §63G-6a-1602 et seq. Deliver a copy of any protest to:

Executive Director
Utah Department of Transportation
4501 South 2700 West, 1st Floor
P O Box 141245
Salt Lake City, UT 84114-1245

Any protest not set forth in writing within the time limits specified in §63G-6a-1602 is null and void and will not be considered.

Conflict of Interest:

UDOT expects consultants to act with integrity and professional ethics. When there is a potential conflict of interest, consultants are required to either not submit for the project or disclose the potential conflict to the Consultant Services Manager prior to submitting a Proposal. The Consultant Services Manager will coordinate with the UDOT Conflict of Interest Review Team for a determination by UDOT. For additional information, please reference the UDOT Consultant Services Manual of Instruction (MOI). Download the MOI from www.udot.utah.gov/go/csmanuals.

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

Appendix A

Guidelines for Preparing a Standard ROW Statement of Qualifications

Introduction:

These guidelines were developed to standardize the preparation of Proposals by Consultants for Right of Way services on a UDOT project. Submitting a Proposal is the beginning of the selection process and is used as the basis for selecting or for short-listing Consultants. If the RFP Selection Team determines interviews are necessary prior to selection, a minimum of at least two Consultants will be short-listed and invited to an interview by the RFP Selection Team.

The purpose for these guidelines is to assure consistency in format and content in the Proposal prepared by Consultants and submitted to UDOT.

Electronic Submission:

UDOT's goal is to migrate to electronic processes wherever possible. Consultant Services requires all Proposal submissions for this RFP to be received solely by electronic means.

Standard ROW Proposal Sections:

The Proposal should contain the following sections in the order listed.

First PDF – Technical Proposal

1. Cover Page
2. Project Team
3. Capability of the Consultant
4. Approach to the Project
5. Appendix B *Proposed Key Personnel to be Used on UDOT Project*

Second PDF – Price Proposal

1. ROW Price Proposal

Standard Proposal Evaluation Criteria:

The Proposal evaluation criteria are listed below in red.

TECHNICAL PROPOSAL

1. **Cover Page**

The Cover Page is one page. It may be on the Prime Consultant's letterhead and consist of the following with no additional information:

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

Cover Page	
Date	
PIN No, Project Name and Description	
Prime Firm	
Prime Firm's Federal ID#	
Sub-consultants (if any)	
Primary Contact	
Primary Contact Name (Prime)	
Address	
City, State, Zip	
Email	
Office Phone	
Cell Phone	
Secondary Contact	
Secondary Contact Name (Prime)	
Address	
City, State, Zip	
Email	
Office Phone	
Cell Phone	
Acknowledgement	
<p><i>I understand the acceptance and completion criteria, submittal, financial screening requirements, contract selection types and contract caps. My firm shall comply with all state and federal contracting requirements applicable to the project. I understand UDOT policies, procedures and processes may change during the duration of the project and shall comply with any changes required by UDOT. I have fully and accurately disclosed any debarment, license issues, and/or investigations being performed by any governmental entity. Employees listed on the staffing plan are current bona fide employees of the firm.</i></p> <p><i>As authorized to sign for my organization, I certify the content of this Proposal to be true, accurate and all matters fully disclosed as requested in the Request for Proposals. I understand any misrepresentations or failure to disclose matters in the Proposal is grounds for immediate disqualification.</i></p>	
Signature	
Name	
Title	

The information is not required to be in this exact format, as long as each item of requested information is presented, **with no additional information.** **Proposals will**

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

be considered non-responsive and will be disqualified if the Cover Page is not attached to the Proposal; if the Acknowledgement is not included on the Cover Page; and/or if there is additional information included on the Cover Page.

No evaluation points are assigned to this section and the Cover Page will not count as one of the allowed pages.

2. **Project Team** – The RFP Selection Team will consider how well the qualifications and experience of the proposed project team members relate to the specific project. The RFP Selection Team recommends the following information be provided.
- Project Team organizational charts including sub-consultants (see sample *Project Organization and Related Experience Chart* available on the UDOT web site www.udot.utah.gov/go/csforms). Identify firms and individuals that will be providing key services on the project (including all technical expertise necessary to perform the Scope of Work identified in Appendix C Scope of Work).
 - Describe the qualifications, experience, and percentages of availability of key personnel throughout the ROW process on your proposed project team. Correlate the qualifications and past experience with the Contract Goals and Scope of Work identified in Appendix C *Scope of Work*.
 - Provide a table of projects **completed** by key team members during the last ten years. The table column headings should include the following items. (See sample *Project Organization and Related Experience Chart* available on the UDOT web site www.udot.utah.gov/go/csforms.) Note: Columns may be combined in order to meet the font size and margin requirements under *Standard ROW Proposal Format Requirements* on Page 16.
 - Name of Project Manager / Key Team member(s) involved
 - Year
 - Type of Project
 - Project Name
 - Project Location
 - Project Description
 - Services Performed / Specific Project Role
 - Client
 - Reference Contact and Telephone Number

A maximum of 35 points is available for this section.

3. **Capability of the Consultant** – The RFP Selection Team will evaluate the Consultant's capability to perform the work.
- Describe your project team firms' capability, experience and unique qualifications to perform the specific type of work identified in Appendix C *Scope of Work*.
 - Describe your project team firms' internal quality and cost control procedures.

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

- Discuss the logistics relating to how the project team will provide the services requested.
- Discuss your team's collaboration efforts and how you plan to work together for a successful project.
- Choose a similar project identified in the Project Team section and discuss in detail what your firm did to make that project a success and how any lessons learned on that project can be applied to this project.

A maximum of 10 points is available for this section.

4. **Approach to the Project** – The RFP Selection Team will evaluate how well you have planned a basic course of action, what alternatives and/or preliminary approaches are proposed, and what provisions are identified for dealing with potential impacts:
- Describe the course of action proposed to meet the Contract Goals and Scope of Work identified in Appendix C *Scope of Work*. Be realistic, clear and concise.
 - Identify a schedule of key project milestones and discuss the rationale behind this schedule.
 - Identify risks, challenges, conflicts and potential mitigation.

A maximum of 20 points is available for this section.

5. **Appendix B Proposed Key Personnel to be Used on UDOT Project** – The Consultant is expected to complete the Appendix B *Proposed Key Personnel to be Used on UDOT Project* (see example in this RFP). Firms are not required to use this example form, as long as all necessary information is included in a form presented in the Proposal. The form must state the certification and education levels of the individuals proposed for use on this contract, including sub-consultants' personnel.

When Consultants list personnel on Appendix B *Proposed Key Personnel to be Used on UDOT Project* form, the Consultant is agreeing to make the personnel available to complete the services in the contract at whatever level the project requires.

The completed form must be included in the Proposal, but will not count as one of the allowed pages. No other information is allowed on these pages. If additional information is included, the SOQ will be considered non-responsive and will be disqualified by Consultant Services. No evaluation points are assigned to this section.

PRICE PROPOSAL

Price Proposal – Appendix E – Cost will be evaluated independently from the Technical Proposal. Follow the Price Proposal instructions as outlined in Appendix E – *Right of Way (ROW) Price Proposal*.

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

Appendix E - *Right of Way (ROW) Price Proposal* is to have no other information on the form other than the requested information. **If any other information is located on the form, all other information will be removed and not considered. Limit of one page.**

A maximum of 35 points is available for this section.

Standard ROW Proposal Format Requirements:

It is very important that Proposals be clear, concise, and in the recommended format so they may be evaluated in an objective manner by the RFP Selection Team.

A maximum total of 100 points is available for the Standard ROW Proposal (65 points for the Technical Proposal and 35 points for the Price Proposal.)

One-point penalty deductions:

1. **One (1") Margins** – Exceptions: Consultant Name/Logo and Page Headers/Footers may be within the margin.
2. **Font and Spacing Requirement** – The body of the Proposal and the Project Experience Table are required to be written with a 10-point [or greater] standard Arial or Times New Roman font, excluding the Cover Page and Appendix B *Proposed Key Personnel to be Used on UDOT Project*. Exceptions will be made for section headings, paragraph headings, graphics, headers and footers. Excepted text may be any other font and size as long as the text is reasonable and can be easily read by reviewers without the need of magnification in order to understand what is being presented. The minimum line spacing is 12-point. The font will be checked in the:
 - a. Body of the Proposal; and the,
 - b. Project Experience Table.
3. **Charts, Graphs, and Pictures** – Optional and counted as page(s). If the graphic is a duplicate from another source, it must be referenced. Charts, graphs, headings, and headers/footers are excepted from the font requirements, see font requirement above.
4. **Page Headers/Footers are required** – May be within the one-inch margins; and must include Project Number, Project Location/Description, and Current Date.
5. **Related Experience Chart and Project Organization Chart are required** – Sample charts are available on the UDOT web site www.udot.utah.gov/go/csforms.
6. **Appendix B *Proposed Key Personnel to be Used on UDOT Project*** – The completed form is required and will not count towards the page maximum if no additional information is included.

A one-point penalty will be assessed by Consultant Services for each applicable violation of the above format requirements for a maximum six-point penalty per Proposal.

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

Two-point penalty deductions:

7. **PDF Submission** – Proposals are required to be submitted in two PDF files. Unless specifically addressed in the RFP, only two PDFs will be accepted (one for the Technical Proposal and the second for the Price Proposal).

A two-point penalty will be assessed by Consultant Services for each applicable violation of the above format requirement(s) for a maximum two-point penalty per Proposal.

Three-point penalty deductions:

8. **Page Limit** – The Technical Proposal has a maximum page limit of **Five (5)** pages. The Price Proposal has a maximum page limit of **One (1)** page.

A page is defined as a single-sided 8-1/2" X 11" sheet that contains text, pictures, tables, graphs, charts, plan sheets or any other graphic. **11" X 17" sheets are NOT allowed.**

Do not include any reference(s) or link(s) to additional information. If Proposals contain references or links, UDOT Consultant Services will assume additional pages are used and will assess penalty points.

Any Standard ROW Proposal that exceeds the page limits will receive a three-point penalty per page over the limit.

Disqualification:

9. **Late Submission** – Any Proposal received by Consultant Services after the deadline identified in the Consultant Selection Schedule.
10. **Electronic PDF Submission** – Any Proposal not received in the appropriate PDF format via email (containing all of the sections in the order presented in Standard ROW Proposal Sections on Page 12).
11. **Send Proposals to Consultant Services only** – Any Proposal that is sent to anyone besides Consultant Services. **Do not** send Proposals directly or indirectly to any known or presumed RFP Selection Team members or other UDOT personnel, see instructions on Page 3.
12. **Cost Discussion** – Any Proposal that includes any reference to consultant costs in the Technical Proposal. Consultant cost discussions are not allowed in the Technical Proposal (other than cost control measures). Cost control measures should not be quantified in dollar amounts, but rather in how the process improved the project.

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

- 13. Cover Page** – Any Proposal received without a Cover Page, without the Acknowledgement on the Cover Page, and/or with additional information. No additional back page is allowed. Refer to Page 13 for further details.
- 14. Use of employees employed by another consultant** – Any Proposal received using employees currently employed by another consultant or presented as staff on two Proposals for the same advertisement. (This does not apply to a sub-consultant firm competing on one or more project teams.) Refer to Required Key Personnel Qualification on Page 9 for more information.
- 15. Use of UDOT staff** – Any Proposal received with current or former UDOT employees as part of the proposed Project Team who were involved in the development of the RFP. Refer to Required Key Personnel Qualification on Page 8 for more information.
- 16. Financial Screening** – Any Proposal received from Consultants who are unable to complete the UDOT Financial Screening process within two weeks of selection. Refer to Financial Screening discussion on Page 9 for further details.
- 17. Other** – UDOT reserves the right to disqualify a Proposal when the intent of the RFP process is violated.

Any Proposals committing violations to the above format requirements will be disqualified by Consultant Services.

Standard ROW RFP Selection Team:

The RFP Selection Team members will receive copies of each responsive Technical Proposal submitted. They will review and score the Technical Proposals individually based on the evaluation criteria and submit their scores and comments to the Contract Administrator. The Contract Administrator will tally and compile the scores and comments.

The RFP Selection Team will then meet to discuss the Technical Proposals and comments from individual RFP Selection Team members. After the scores for the Technical Proposals have been locked in by the Contract Administrator, the Price Proposals will then be opened.

Only those teams who receive **at least 33 points** for the Technical Proposal (including the Project Team, Capability of the Consultant, and Approach to the Project sections) will be included in the Price Proposal point distribution. Any Proposal receiving less than 33 points for the Technical Proposal will NOT receive any points for their Price Proposal.

The Price Proposals will be evaluated using the following criteria:

The Price Proposal category points are based on the submitted Total Unit Price (Line Item 8 from the *Right-of-Way (ROW) Price Proposal* – Appendix E). The Proposer with the lowest Total of Unit Prices will receive 100% of the Price Proposal points. Proposals with a Total of Unit Prices within 10% of the lowest Total of Unit Prices will receive 100% of the Price Proposal Points. All other Proposers will receive a portion of the Price Proposal points

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

according to what percentage higher their Total of Unit Prices is from the lowest proposed Total of Unit Prices plus 10%.

The formula to calculate points is: $S = Rmax (2 - (B / BL))$

The definitions for the formula are:

Rmax = maximum points allowed for the Price Proposal

B = proposed Total of Unit Prices

BL = lowest proposed Total of Unit Prices + 10%

S = score

An **example** of how the Price Proposal category Total Unit Price point structure works is as follows:

Firm	Example Submitted Total of Unit Prices	Percent Above Lowest Total of Unit Prices	Points Awarded
Firm A	\$12,000	--	35
Firm B	\$12,720	6%	35
Firm C	\$13,560	13%	34
Firm D	\$16,560	38%	26.1
Firm E	\$18,720	56%	20.4

The Contract Administrator will then combine the scores for the Technical Proposals and the Price Proposal.

The RFP Selection Team will determine whether interviews are necessary or whether the selection may be made based on the averaged scores from the Proposals. Final Proposal score results are determined from the average of voting RFP Selection Team members' scores. Interviews occur when final averaged scores of the top-ranked firms have a small enough point deviation to continue a competitive selection process. If one or more Proposals are within 3 points (or less) of the first-ranked Proposal, the Selection Team will invite those teams to interviews. If one or more Proposals are greater than 3 points, but not more than 5 points, from the first-ranked Proposal the Selection Team may determine, at their discretion, if interviews will be conducted with those teams. If there are greater than 5 points separating the first ranked Proposal from the second ranked Proposal, the Selection Team will not conduct interviews and will award the selection to the first ranked team.

If the RFP Selection Team determines it is necessary to have interviews in order to make a selection, the Selection Team will develop the format of the interviews in the RFP Selection Team Meeting by completing the *Consultant Selection – Interview Format Worksheet* (an example can be found on the web site www.udot.utah.gov/go/csforms.)

Selection Interviews:

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

If the RFP Selection Team determines interviews are necessary, the following project-specific topics may be some of the issues discussed.

- Understanding of the Work
- Approach to the Project
- Schedule Control
- Management of the Project

“Selecting by Consent” Process:

The final selection process during interviews will be performed using the “Selecting by Consent” (SBC) process developed by the Consultant Selection Interview Process Quality Improvement Team officially implemented August 12, 2004.

The SBC process is a scoring process that aids the RFP Selection Team in developing final ranking through a collaborative process. In this process each segment and question of the interview is weighted in advance during the RFP Selection Team Meeting. After the interviews are conducted, the RFP Selection Team scores each segment and question by “consent”. Consent is defined as the willingness of all RFP Selection Team members to accept a decision reached by a collaborative process. The final ranking is based on the final scores developed by the RFP Selection Team using the *Consultant Selection - Interview Scores Example* found on the UDOT web site www.udot.utah.gov/go/csforms. See the form for more information regarding this process.

Qualitative Assessment Guidelines:

Throughout the scoring process (for Proposals and interviews) the Selection Team will use the following Qualitative Assessment Guidelines when scoring. These guidelines are used to help ensure consistency in scoring.

Qualitative Assessment Guidelines	
8 – 10	The Proposal is exceptional. The Proposer demonstrates a complete understanding of the subject and qualifications that significantly exceed expectations and the stated requirements of this project. Proposal contains many strengths and few minor weaknesses, if any.
5 – 7	The Proposal is above average. The Proposer demonstrates a strong understanding of the subject and qualifications that exceed expectations and the stated requirements of this project. Weaknesses, if any, are minor. Proposal contains strengths that outweigh the weaknesses.
3 – 4	The Proposal is adequate. The Proposer demonstrates a general understanding of the project and qualifications that meet expectations and the stated requirements of this project. Weaknesses are minor. Proposal contains weaknesses that are offset by the strengths.

**UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road**

1 – 2	The Proposal raises questions about the Proposer's ability to successfully complete the work. The Proposer demonstrates a vague understanding of the project and qualifications containing significant weaknesses/deficiencies regarding expectations and the stated requirements of this project. Proposal contains weaknesses that are not offset by the strengths.
0	The Proposal is unacceptable. The Proposal fails to meet expectations and the stated requirements of this project. Weaknesses and deficiencies are so major and/or extensive that major revision(s) to the Proposal would be required to make it acceptable. Proposal contains many weaknesses and only minor strengths, if any.

Consultant Debriefing:

UDOT has a consultant debriefing process. As part of the Proposal evaluation, RFP Selection Teams may provide constructive criticism of the Proposals submitted for this project. Debriefing information will be distributed after the execution of the contract resulting from this selection.

Debriefing information consists of scores of the first-ranked firm's Proposal/interview and the scores, strengths and weaknesses of the consultant's own Proposal/interview.

The strengths identified in the highest-ranked firm's proposal/interview will be available for review in-person at the Consultant Services division, along with the selected firm's proposal, after the contract has been executed.

Consultants are offered the opportunity to meet with the Contract Administrator for a formal debriefing after distribution of the above information.

Summary:

The Proposal should be clear, concise, and it should provide the RFP Selection Team Members with an understanding of the proposed Consultant Team's ability to undertake and complete the proposed project successfully in a thorough, efficient and timely manner.

Appendix C

Contract Goals

The goals of this RFP are to complete the Right-Of-Way Process in a timely and efficient manner. Organization and communication is a critical part of this process.

Scope of Work

This project will require the services of a ROW Lead agent to conduct and/or manage the activities below from Cradle to Grave and will follow the UDOT ROW Lead Agent, team duties and responsibilities as outlined in the UDOT ROW Services Pool 2015 - 2018. This team will also need a ROW Coordinator to help process documents into UDOT's ProjectWise and ePM systems.

This project consists of approximately 90 impacted owners. At this time, it is anticipated the Department will be acquiring from each owner a fee acquisition, a perpetual easement and a temporary easement. There are potentially 20 residential relocations and up to 5 commercial relocations. This project will need approximately 80 appraisals and reviews along with 10 compensation estimates depending on the final design impacts. The Department will perform the title services separately from this Contract.

The project will be further refined as the Contractor is hired through the CMGC process and the volume of the ROW Services may change. Communication with the Contractor and the Department will be negotiated in the final contract.

The Department will expect the ROW Lead Agent and key team members, to coordinate with the UDOT ROW Lead on a weekly basis and provide continuous updates on each parcel throughout the entire Right Of Way process. The use of all Department software (ePM and ProjectWise) is defined in the activities outlined below and is expected to be used.

The schedule of each of the activities listed below will be a major component to ensure that all tasks and activities will be followed. The consultant is expected to begin and complete each activity within the

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

deadlines to be negotiated in the contract. This will require the consultant to initiate each task and ensure that they are completed as outlined.

The Consultant will perform work described in the following activities:

- 4J1.3 Lead Agent Complex Master 07R
- 4J13A Lead Agent Complex 05E
- 4J13B Lead Agent Complex 07R
- 4J14A Lead Agent Non-Complex 05E
- 4J14B Lead Agent Non-Complex 07R
- 4L1.1 - Appraisal Residential
- 4L1.2 - Appraisal Complex
- 4L2.1 - Appraisal Review
- 4L3.0 - Acquisition Services
- 4L3.1 - Relocation Residential
- 4L3.2 - Relocation Non-Residential

The details for the activities above can be found at the following link:
<http://www.udot.utah.gov/main/f?p=100:pg:0:::1:T,V:4592>,

The Department expects properties to be cleared for construction within 6-9 months of Contract Notice to Proceed.

Assume no incentive programs will be used on this project.

UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road

Appendix D

Additional Information

Document Control Requirements:

- Document Control: All documents will be maintained in both an electronic and hard copy form. Each document will have a uniquely specific location in both electronic and hard copy formats.

UDOT Reference Items:

- UDOT Right of Way Design and Operations Manuals are available on-line from the UDOT Web site at www.udot.utah.gov/go/Manuals.

**UTAH DEPARTMENT OF TRANSPORTATION
Standard Right of Way Request for Proposals
Project No. F-0010(75)66 / SR-10; South Price to Ridge Road**

**Appendix E
Right of Way (ROW) Price Proposal**

Price Proposal – Cost will be evaluated independently from the Technical Proposal. The Price Proposal will consist of providing unit prices (per ownership parcel). This will include all ROW services excluding title services and cost of land and improvements.

Unit Prices in Lines 1-7:

- All Costs per ownership parcel for ROW services must be included.
- Direct costs must be included in the Unit Prices. Examples of direct costs are mileage, printing, room rental, postage, per diem, etc. This is not an all-inclusive list of potential direct costs.
- Costs for Lead Agent, project coordinator, and management services must be included in Unit Prices 1 – 7. This includes all costs (direct costs, actual salary, fringe benefits, profit, overhead, etc.).

If this ROW Price Proposal is sent to anyone other than Consultant Services staff, the consultant’s proposal will be considered non-responsive and will be disqualified.

Proposer:	Date:
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Costs Per Ownership Parcel		
1.	Unit Price for Acquisition:	\$
2.	Unit Price for Residential Relocation:	\$
3.	Unit Price for Non-Residential Relocation:	\$
4.	Unit Price for Complex Appraisal:	\$
5.	Unit Price for Non-Complex Appraisal:	\$
6.	Unit Price for Appraisal Review:	\$
7.	Unit Price for Administrative Compensation Estimate:	\$
8.	TOTAL OF UNIT PRICES (Total of Lines 1 – 7)	\$
<p><i>1 Each Unit Price is per ownership parcel.</i></p> <p><i>2 The Unit Prices of Lines 1 – 7 will establish the maximum Unit Prices for the negotiated Contract. <u>Do not multiply the Unit Price by any assumed number of units. The number of units associated with each Unit Price will be negotiated after selection.</u></i></p> <p><i>3 The total number of acquisitions is yet to be determined.</i></p> <p><i><u>4 Line Item 8 will be used to evaluate the Price Proposal only, not to establish a Contract cost.</u></i></p>		