

Town of Kensington
Request for Proposals
Engineering Design Services and
Construction Management and Inspection Services for
Rehabilitation of Three Bridges

Issued by
Town of Kensington

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Issue Date

December 28, 2022

ALL SUBMITTALS SHALL BE ELECTRONIC

Requests for Information Due
January 20, 2023, at 4:00 p.m.

Proposal Submissions Due
January 27, 2023, at 2:00 p.m.

I. REQUEST FOR PROPOSALS

A. Request for Proposals (“RFP”)

The Town of Kensington (“Town”) requests proposals to provide the engineering design services and the construction management and inspection services for the rehabilitation of three (3) bridges – Bridge Nos. M-K-02X01, M-K-03001, and Bridge No. M-K-04001 – each crosses over Silver Creek in the Town of Kensington, Montgomery County, Maryland.

The available information for the bridges may be downloaded from the Town’s website: <https://tok.md.gov/procurement/>. Should you be unable to obtain the available information from the website, please contact the Town at 301-949-2424 between 8:00 a.m. and 4:00 p.m., Monday thru Friday except on observed holidays. The Project Manager is Matt Hoffman, Town Manager, mjhoffman@tok.gov, 301-949-2424.

B. Informational Meeting

An informational meeting will be held at 10:00 a.m. on January 6, 2023 in the Map Room at the Kensington Town Hall, 3710 Mitchell Street, Kensington, MD 20895. The Project Manager will be present and available to answer questions regarding this RFP. Attendance is not required but is highly recommended. Meeting minutes will be posted to the Town website following the meeting.

C. Requests for Information

1. All questions about the meanings or intent, discrepancies, or omissions of the Request for Proposals must be submitted by email before 4:00 p.m. on January 20, 2023.
2. Submit requests for information to Matt Hoffman, Project Manager, at mjhoffman@tok.md.gov.
3. Requests for information and their responses will be provided by addenda that are emailed to known Proposers and posted to the Town’s website as soon as reasonably possible.

D. Addenda

1. The Town reserves the right to change the Request for Proposal requirements in the best interests of the Town.
2. Any addenda will be posted to the Town’s website.
3. The Town may email addenda to known Proposers.
4. It shall be the responsibility of the Proposer to ascertain whether any addenda have been issued by checking the Town’s website.
5. Proposer must acknowledge in their Bid Proposal the receipt of any addenda or indicate, “None”, as applicable.

E. Proposal Format

1. Statement of Qualifications

- a. All Proposals shall include a Statement of Qualifications.
- b. The Statement of Qualifications shall indicate the key personnel under whose direction and control the Work shall be performed.
- c. The Town may request additional information regarding the Proposer's Statement of Qualifications as soon as reasonably possible.

2. Compensation

- a. Engineering design and construction management and inspection services shall be provided in accordance with the terms and conditions of the Town of Kensington Consultant Agreement.
- b. Compensation for engineering design and construction management and inspection services will be based upon fully burdened rates according to the Proposal's Summary of Work Hours and identified employee classifications. Use Attachment A, Summary of Work Hours, and Attachment B, Cost and Price Summary format for each bridge.
- c. Compensation for direct expenses will be based upon costs identified in the Proposal.
- d. Full compensation will not exceed the amount identified in the Proposal.
- e. Proposals shall be prepared so the Town may easily adjust the Scope of Services in the best interest of the Town.

F. Proposal Delivery

1. **All Proposals must be received no later than 2:00 p.m. on January 27, 2023. Proposals shall be delivered electronically with the subject line of "RFP Engineering Design Services and Construction Management and Inspection Services for Rehabilitation of Three Bridges" to MJHoffman@tok.md.gov.** Proposals received after the deadline will not be considered. Proposers should submit their proposals with sufficient time to confirm they have been received electronically.
2. **The Proposals will be publicly opened and read aloud at 2:30 p.m. on January 27, 2023, at the Town Hall. Bidders may attend in person.**
3. Documents to be submitted with the Bid Proposal include:
 - Statement of Qualifications
 - Non-Collusion Affidavit
 - Affidavit with Respect to Non-Conviction, Non-Suspension and False Pretenses
 - Tentative schedule of work
 - Attachment A
 - Attachment B

4. A Bidder may submit only one bid proposal. More than one proposal from an individual, firm or partnership, corporation or association under the same or different names will not be considered on any given project, and will be considered grounds for disqualification and/or rejection of the proposals involved, unless prior approval has been granted by the Town.
5. No Bidder may withdraw a bid within 120 days after the opening thereof. Negligence on the part of the Bidder in preparing the Bid confers no right to the withdrawal of the Bid after it has been opened. Any and all costs incurred in the development of Bids, i.e., preparing and submitting, on-site product/service demonstrations, on-site visits, oral presentations, travel and lodging, etc., shall be the sole responsibility of Bidder.
6. The Town reserves the right to amend or cancel the RFP at any time at its sole discretion before the execution of a contract with the selected bidder.
7. Bidders must take into account in their bid that a state of emergency exists in Maryland due to the COVID-19 pandemic and that the Project may be impacted as a result. Expected costs that may be incurred due to the need for social distancing, personal protective equipment, additional sanitary conveniences and cleaning should be included in the bid, as well as any expected delays in delivery of supplies or equipment. To the fullest extent possible, the Town intends to resolve these issues in the bid process, and not as change orders.

G. Modification of Proposal Documents

The right is reserved, as the interests of the Town may require, to revise or amend the Proposal Documents prior to the date set for opening bids and to postpone the date set for opening bids. Such revisions, amendments and/or postponements will be announced by addendum, a copy of which shall be available to all prospective bidders on the Town's website at: <https://tok.md.gov/procurement/>

H. Contract Award

1. The Mayor and Council of the Town of Kensington may award a Contract at a regular Town Council meeting, scheduled for the second Monday of each month.
2. The Town reserves the right to reject any and all proposals in the best interest of the Town.

I. Equal Opportunity Employer

The Town of Kensington is an Equal Opportunity Employer. Discrimination based on race, religion, sex, age, ethnicity, ancestry, or national origin, physical or mental disability, color, marital status, sexual orientation, gender identity, genetic information, political affiliation, or any other factors not related to the ability to perform the work is expressly prohibited.

II. SCOPE OF REQUESTED SERVICES

A. General

1. The Consultant's work shall be under the direction and control of the key personnel submitted in the Statement of Qualifications. Any changes in the indicated personnel shall be subject to review and approval by the Town.
2. The Consultant shall provide the Town with engineering services, as may be required, to prepare the complete Contract Documents for advertisement and permit approval.
3. Consultant shall coordinate the design with and submit all pertinent data to affected public agencies, property owners, private and public utility companies, and developers/engineers.
4. Silver Creek falls under the purview of Maryland-National Capital Park and Planning Commission (M-NCPPC). The Consultant shall coordinate with M-NCPPC to ensure that the proposed Work is in conformance with M-NCPPC requirements.
5. At the Town's request, the Consultant shall be available with no more than five (5) workdays' notice to attend meetings or make presentations. The Consultant shall be responsible for timely preparation and reproduction of minutes and other records of all such meetings. The Proposal shall assume four (4) meetings during the permitting process.
6. Consultant shall provide to the Town copies of all written correspondence between the Consultant and any party pertaining specifically to the work performed for this project within one (1) week of the receipt or sending of such correspondence.
7. A tentative Work schedule shall be included in the Proposal, preferably in a Gantt chart.

Within ten (10) days of the Notice-to-Proceed, the Consultant shall provide a schedule of calendar deadlines for project milestones as follows:

- a. M-NCPPC coordination initiated
 - b. Bridge investigations and assessments complete
 - c. Utility impact assessment complete
 - d. Permits initiated and complete
 - e. Stormwater management waivers submitted and approved
 - f. Final Review Submission including Plans and Special Provisions
 - g. Plans, Specifications and Estimate (PS&E) submission
8. The Consultant's Proposal shall include a man-hour estimate summary of total fees and proposed payment schedule.

B. Structures to be Rehabilitated

1. Bridge No. M-K-02X01 carrying Frederick Avenue over Silver Creek

2. Bridge No. M-K-03001 carrying Kensington Parkway over Silver Creek
3. Bridge No. M-K-04001 carrying Kent Street over Silver Creek

All three (3) bridge are located within the Town of Kensington, Montgomery County, Maryland

C. Requested Engineering Services

The designs and Contract Documents shall use Maryland Department of Transportation State Highway Administration (MDOT SHA) and Montgomery County Department of Transportation (MCDOT) standards and details to the fullest extent practical.

1. Structural Inspection and Design - The Consultant shall inspect each bridge to ensure that all relevant rehabilitation measures are included in the Contract Documents in addition to the rehabilitation measures recommended in the bridge inspection reports. The Consultant shall also develop field sketches to ensure that the final Plan details describe accurately all required repair locations to be made. The Consultant shall design any required modifications to the existing bridge and prepare complete Plans to construct these modifications.

2. Roadway Design – The Consultant shall provide Contract Documents as required to repair and resurface the existing roadway to accommodate any required revisions to the bridge railings including approach guardrail transitions to meet current design standards. The Consultant shall determine the exact length of approach roadway work required and obtain the Project Manager’s approval prior to completing preliminary design. The Consultant shall develop horizontal and vertical alignments to provide the best engineering and environmental solution to a given problem and not merely an adherence to the minimum AASHTO and MSHA DOT Standards.

3. Stream bank stabilization – The Consultant shall investigate and prepare contract documents for the design to stabilize the stream banks of Silver Creek immediately (25 linear feet) upstream and downstream of the bridge to protect the bridge abutments and roadway embankment in conformance with M-NCPPC policies and standard details.

4. Stormwater Management. The Consultant shall submit a waiver request including any pertinent background information to Montgomery County Department of Permitting Services (MCDPS). The Consultant shall respond to MCDPS comments to obtain the waivers.

5. Permits/Approvals – The Consultant shall provide the background data, Plans, and documents and obtain all permits and approvals required for the Work. Permit fees will be paid by the Town. It is contemplated that the following permits and approvals will be required.

- a. Maryland Department of Natural Resources Waterway Construction Permit.
- b. Montgomery County Department of Permitting Services for Stormwater Management, Sediment Control Permit and Floodplain District Permit.
- c. Maryland-National Capital Park and Planning Commission Park Permit

d. All affected utility companies

Permits and approvals may not be limited to the above. The Consultant shall complete and obtain any other required permits if deemed necessary. The Consultant shall make all the permit submissions to the proper agencies and obtain the permits.

6. Traffic Control Plans – The Consultant shall prepare traffic control plans and detour plans and submit to the Project Manager for approval.

7. Landscaping – The Consultant shall prepare landscaping Contract Documents as necessary to establish a stabilized.

8. Test Pit - Upon the Town’s request, the Consultant will perform up to three (3) test pits at each structure to locate underground utilities. The work will include coordination with utility companies.

9. Contract Document Preparation

The Consultant shall provide the Town Contract Documents in a format that would be acceptable to MDOT SHA and MCDOT. The Consultant shall provide the Contract Documents in digital format and shall include:

- a. Complete Contract Plans
- b. Invitation for Bids Book
 - i. Contract Provisions
 - ii. Special Provisions for:
 - All items not covered by the Specifications
 - Any required modifications to standard specifications
- c. Schedule of Prices for all items of work indicated by the Contract Documents including Work Description, Work Unit, and Work Quantity
- d. Engineer’s Cost Estimate providing estimated unit prices for all items in the Schedule of Prices
- e. Engineer’s Construction Schedule, preferably in a Gantt, chart providing an estimate of the construction activities as well as their durations and sequence.

10. Construction Support Services

- a. Requests for Information (RFIs) Responses. The Consultant shall assist the Town in responding to Contractor's RFIs as the work proceeds.
- b. Submittal Reviews. The Consultant shall assist the Town in reviewing the Contractor's submittals for conformance with the RFP.
- c. Redesign Under Construction - At the option of the Town and where deemed necessary, the Consultant may be requested to perform redesign under construction services. These services shall be expeditiously completed to minimize delays in construction.

- d. Materials Clearance. The Consultant shall assist the Town in reviewing Contractor's material submittals and assist the Town with obtaining clearance for the Contractor's materials.
- e. Meetings and Coordination. The Consultant shall attend the Pre-Construction meeting as well as field meetings required during construction.
- f. Project Coordination. The Consultant shall Participate in active coordination with the Town, MCDOT, M-NCPPC, and MDOT SHA as needed during construction.

11. Construction Management and Inspection Services

- a. Resident Construction Manager (RCM). Provide an individual who will serve as a liaison between the Town, Consultant, and the Contractor. Duties will include inspecting all work associated with bridge rehabilitation, assisting with the field interpretation of the Contract Documents, coordinating Contractor RFIs, tracking and reporting on Contractor's submittals, shop drawings, PCOs/COs, and related Contractor submittals.
- b. Construction Management Software. Provide access to web-based construction management software to be utilized for the uploading and distribution of the Contractor's submittals, sharing files, and controlling documentation. Provide the Town and Contractor training for the software as required.
- c. Construction Inspection. Inspect the Contractor's work for compliance with the issued Contract Documents, approved submittals, and other approved changes authorized by the Town or the Consultant, log all deficiencies, and track the Contractor's corrective actions taken to remedy the defective work or deficiency.
- d. Inspector Field Reports (IFRs). Prepare IFRs documenting the Contractor's work activities including Contractor's crews, equipment and completed work as well as noting any issues that may impact the construction schedule or cost. The IFRs shall be uploaded to the construction management software.
- e. Progress Photos. Include with the IFRs a minimum of five (5) daily progress photos of the Contractor's activities that will also be uploaded to the construction management software.
- f. Contractor Payment Requests. Review and make recommendations to the Town for all Contractor Payment Requests.
- g. Final Completion Inspection Report. Prepare a final report documenting the completion of the Contractor's work activities.
- h. Attendance at meetings with Contractor, prepare timely minutes of meetings

D. Contract Time

Work under the Contract shall be completed in accordance with a time schedule mutually agreeable to the parties. Work must begin within ten (10) days of notice to proceed. Any

request for adjustments to the agreed schedule shall be made to the Project Manager when Consultant becomes aware of anticipated delays.

E. Execution Of Contract

The Bidder to whom the Contract has been awarded must execute a Contract substantially similar to the one attached within ten (10) days after the award and submit such other documents as required by the Contract Documents, including a current insurance certificate listing the Town of Kensington as an additional insured with an additional insured endorsement for the duration of this Project. Failure by the Contractor to execute the Contract and submit such other documents as required by the Contract Documents shall be just cause for annulment of the Award.

If the Bidder to whom the award is made shall fail to execute the Contract hereto attached, and as herein provided, the award may be annulled and the Contract awarded to the second lowest responsive and responsible bidder, and such bidder shall fulfill every stipulation embraced herein, as if the bidder were the original party to whom the award was made, or the Town of Kensington may reject all of the bids, as its interest may require.

III. CRITERIA

The Consultant shall use the following criteria when performing the requested Work.

A. General

1. Latest edition at the time of advertisement of MDOT SHA Standard Specifications for Construction and Materials and all applicable Supplemental Specifications and Provisions

B. Structures

1. AASHTO LFRD Bridge Design Specifications (2020), 9th Edition, with all subsequent interims.
2. MDOT SHA Office of Structures (OOS) Structural Design Guidance, <https://www.roads.maryland.gov/mdotsha/pages/Index.aspx?PagelId=150>.
3. MDOT SHA OOS Structural Details and Guidelines, <https://www.roads.maryland.gov/mdotsha/pages/Index.aspx?PagelId=777>
4. MDOT SHA OOS Bridge Railing Manual, <https://www.roads.maryland.gov/OBD/MDOT%20SHA%20OOS%20Bridg e%20Railing%20Manual.pdf>

C. Roadways

1. 2004 AASHTO Policy on Geometric Design of Highways and Streets
2. Applicable Directives and Policies from FHWA
3. Montgomery County Design Standards <https://www.montgomerycountymd.gov/dot-dte/common/standards.html>
4. MDOT SHA Book of Standards for Highway and Incidental Structures

D. Maintenance of Traffic

1. Maryland Manual on Uniform Traffic Control Devices, 2011 Edition
<https://roads.maryland.gov/mdotsha/pages/index.aspx?PagelD=835>
2. Montgomery County Work Zone Temporary Traffic Control Standards, July 2014
https://www.montgomerycountymd.gov/DOT-Traffic/temp_tc_standards.html

E. Erosion and Sediment Control

All erosion and sediment control design shall conform to the Maryland Department of the Environment (WMA new Regulations, COMAR 26.17.01, titled "Erosion and Sediment Control", 2010) and shall conform to the latest MSHA directives concerning Erosion and Sediment Control. Also, it shall conform to the Montgomery County Department of Permitting Services requirements and in accordance with Code of Montgomery County Regulations (COMCOR 19.10.02) "Erosion and Sediment Control Rules and Regulations". Compliance with these regulations will be directed by WMA publications Standards and Specification for Infiltration Practices and 1994 Standards and Specifications for Soil Erosion and Sediment Control and all subsequent revisions.

F. Stormwater Management

All drainage design shall be performed in accordance with the Highway Drainage Manual, Maryland Department of Transportation, Maryland State Highway Administration, dated December 1981 and the Montgomery County Department of Permitting Services requirements in accordance with Code of Montgomery County Regulations (COMCOR 19.00.01) by implementing Environmental Site Design (ESD) to the Maximum Extent Possible. Drainage design shall also adhere to the Maryland Department of Environment (WMA new Regulations COMAR 26.17.02 titled "Stormwater Management", effective August 2010).

G. Computer Aided Design (CAD) Standards

All plan preparation shall follow the MDOT SHA CAD Standards, <https://www.roads.maryland.gov/mdotsha/pages/Index.aspx?PagelD=29>.

Plans prepared using hand drafting will not be permitted.

H. Attached Bridge Inspection Reports:

- M-K-02X01 2022 Bridge Inspection Report
- M-K-03001 2021 Bridge Inspection Report
- M-K-03001 2021 Scour Critical Bridge Plan of Action
- M-K-04001 2021 Bridge Inspection Report

IV. SERVICES AND INFORMATION PROVIDED BY THE TOWN

- A. Provide any existing plans or information for the structures
- B. Provide any Town required provisions or definitions to be incorporated into the Contract Documents
- C. Provide review and approval of the Contract Document preparation submittals
- D. Coordinate any public meetings and hearings
- E. Make final agreements with utility companies and adjacent property owners
- F. Provide Contract for inclusion in Request for Bids.

V. REQUEST FOR PROPOSAL DEFINITIONS

Wherever used in the Request for Proposal, the following terms shall be applicable to both the singular and plural thereof:

Addendum – Written or graphic instruments issued prior to the Proposal deadline which modify or interpret the Request for Proposals

Consultant – the person, firm, or corporation with whom the Town has executed the engineering services and construction management services contract.

Contractor – The person, firm, or corporation with whom the Town has executed the Construction Contract.

County – Montgomery County, Maryland, and any department thereof.

Notice of Award – The written notice of the Proposal acceptance from the Mayor and Council of the Town of Kensington to the successful Proposer.

Notice to Proceed – Written communication issued by the Project Manager authorizing the Consultant to proceed with the work and establishing the dates of commencement and completion of the work.

Proposal – The offer or proposal of the Proposer submitted in the prescribed manner on the prescribed form setting forth the prices for the Work to be performed

Proposal Price – The total monies payable to the Proposer under the terms and conditions of the Request for Proposal.

Proposer – Any person, firm or corporation submitting a Proposal for the Work.

Town – Town of Kensington, Maryland

Work – Any and all obligations, duties, and responsibilities necessary to the successful completion of the Project assigned to or undertaken by the Consultant under the Request for Proposals.