

Central Shenandoah Planning District Commission 112 MacTanly Place, Staunton, VA 24401 Phone: (540) 885-5174 Fax: (540) 885-2687

https://www.cspdc.org/2022/09/16/rfp-for-lewis-street-hub-project-staunton/

Central Shenandoah Planning District Commission

Request for Proposal #2022-001

Title:	Architectural and Engineering Design Services for Lewis Street Transit Hub Project
Issue Date:	September 19, 2022
Pre-Proposal Conference:	October 3, 2022
Due Date:	October 21, 2022
Submit:	Electronic submission via DemandStar
Inquiries:	Questions related to this project should be directed to Paula Melester, <u>paula@cspdc.org</u> in writing via email. The deadline for submission of written questions is October 12, 2022. All questions that are pertinent to the RFP will be answered in the form of an addendum, which will be uploaded to the CSPDC website: <u>https://www.cspdc.org/2022/09/16/rfp-for-lewis-street-hub-project-staunton/</u>

The Central Shenandoah Planning District Commission does not discriminate in the solicitation or awarding of contracts on the basis of race, religion, faith-based organizations, color, national origin, age, disability or any other basis prohibited by State or Federal law.

COVER SHEET

In compliance with this Request for Proposal and subject to all the conditions thereof, the undersigned offers to furnish the goods/services requested and certifies he/she has read, understands, and agrees to all terms, conditions and requirements of this bid and is authorized to contract on behalf of the firm named below.

My signature on this solicitation constitutes certification that I or my designated representative have inspected the job site and am aware of the conditions under which the work must be accomplished. Claims, as a result of failure to inspect the job site, will not be considered by CSPDC. By my signature on this solicitation, I certify that this firm/individual is properly licensed for providing the goods/services specified.

The Undersigned certifies that he (they) is the only person (persons) interested in said project and that it is made without connection with other persons submitting a proposal on the same scope of services; that the proposal is made without collusion, fraud, or reservation; that no official or employee of the Owner is directly or indirectly interested in said proposal, or any portion thereof.

PROPRIETARY INFORMATION YES () NO ()

Trade secrets or proprietary information is hereby submitted and identified. Reasons for protection and exclusion from the Virginia Freedom of Information Act (2.1-340 et seq.) are set forth below. (Additional sheet may be added if necessary.)

Offerors should indicate on the line above or attached document the portions of their proposal that are proprietary. Please list the page numbers and the reason(s). **Do not mark the whole proposal proprietary. If Proprietary information is stated, Offerors shall**

submit One (1) Original and One (1) Redacted copy (removing any proprietary data or material. Clearly identify on the Cover Sheet the "Original" and "Redacted" copy, as "*Redacted Copy of Original Proposal*" RFP# 20221290

Official Name of Company:	
Federal Unique Entity ID #:	Type of Business:
*VA State Corporation Commission ID#:	
Address:	
City/State/Zip:	
Telephone: FAX:	
Email Address:	
Federal Tax ID:	
Signature of Authorized Representative for Firm, cert Terms and Conditions as set forth in RFP #2022-001	tifying that the proposal as submitted complies with all
Print Name:	Title:
Signature:	Date:
ACKNOWLEDGE RECEIPT OF ADDENDUM: #1	_ #2 #3 #4 (Please Initial)

<u>*Virginia State Corporation Commission (SCC) Registration Information Requirement per the Virginia</u> <u>Public Procurement Act, VPPA:</u>

§ 2.2-4311.2. Compliance with state law; foreign and domestic businesses authorized to transact business in the Commonwealth. -

A. All public bodies shall include in every written contract a provision that a contractor organized as a stock or nonstock corporation, limited liability company, business trust, or limited partnership or registered as a registered limited liability partnership shall be authorized to transact business in the Commonwealth as a domestic or foreign business entity if so required by Title 13.1 or Title 50 or as otherwise required by law.

B. Pursuant to competitive sealed bidding or competitive negotiation, all public bodies shall include in the solicitation a provision that requires a bidder or offeror organized or authorized to transact business in the Commonwealth pursuant to Title 13.1 or Title 50 to include in its bid or proposal the identification number issued to it by the State Corporation Commission. Any bidder or offeror that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 or as otherwise required by law shall include in its bid or proposal a statement describing why the bidder or offeror is not required to be so authorized.

C. Any bidder or offeror described in subsection B that fails to provide the required information shall not receive an award unless a waiver of this requirement and the administrative policies and procedures established to implement this section is granted by the Director of the Department of General Services or his designee or by the chief executive of a local governing body.

D. Any business entity described in subsection A that enters into a contract with a public body pursuant to this chapter shall not allow its existence to lapse or its certificate of authority or registration to transact business in the Commonwealth, if so required under Title 13.1 or Title 50, to be revoked or cancelled at any time during the term of the contract.

E. A public body may void any contract with a business entity if the business entity fails to remain in compliance with the provisions of this section.

*Virgir	ia State Corporation Commission ("SCC") registration information: The undersigned Offeror:
	is a corporation or other business entity with the following SCC identification number:
	is not a corporation, limited liability company, limited partnership, registered limited liability partnership, or business trust -OR-
	is an out-of-state business entity that does not regularly and continuously maintain as part of its ordinary and customary business any employees, agents, offices, facilities, or inventories in Virginia (not counting any employees or agents in Virginia who merely solicit orders that require acceptance outside Virginia before they become contracts, and not counting any incidental presence of the Offeror in Virginia that is needed in order to assemble, maintain, and repair goods in accordance with the contracts by which such goods were sold and shipped into Virginia from bidder's out-of-state location) -OR-
	is an out-of-state business entity that is including with this bid an opinion of legal counsel which accurately and completely discloses the undersigned Offeror's current contracts with Virginia and describes why those contacts do not constitute the transaction of business in Virginia within the meaning of § 13.1-757 or other similar provisions in Titles 13.1 or 50 of the Code of Virginia.
NOT	E >> Check the following how if you have not completed any of the foregoing entions but summertly have nonding before the

NOTE >> Check the following box if you have not completed any of the foregoing options but currently have pending before the SCC an application for authority to transact business in the Commonwealth of Virginia and wish to be considered for a waiver to allow you to submit the SCC identification number after the due date for proposals (the Commonwealth reserves the right to determine in its sole discretion whether to allow such waiver):

CERTIFICATION OF COMPLIANCE WITH IMMIGRATION LAWS AND REGULATIONS

This sworn certification of compliance with all Federal immigration laws and regulations is provided by

(Name of Firm). These laws include the Federal Immigration Reform and Control Act, which makes it unlawful for a person or other entity to hire, recruit or refer for a fee for employment in the Uniter States, an alien knowing the alien is unauthorized, and Section 40.1-11.1 the Code of Virginia, which makes it unlawful for any employer to knowingly employ an alien who cannot provide documents indicating that he or she is legally eligible for employment in the United States. The state law, in particular, places an affirmative duty on employers to ensure that aliens have proof of eligibility for employment. Accordingly, this certification shall be completed and attached to all contracts and agreements for goods and services made by the Central Shenandoah Planning District Commission or any of its boards and commissions. Failure to attach a completed certification shall render the contract or agreement void.

Type or print legibly when completing this form.

 Legal Name of Contractor: (Note: this is your name as reported to the IRS. This should match your Social Security card or Federal ID Number)

2) <u>Type of Business Entity:</u>

- Sole proprietorship (*Provide full name and address of owner*):
- Limited Partnership (*Provide full name and address of all partners*):
- General Partnership (*Provide full name and address of all partners*):
- Limited Liability Company (*Provide full name and address of all managing members*):
- Corporation (*Provide full name and address of all officers*):
- 3) **Doing Business As:** (If applicable *Note: This is the name that appears on your invoice but is not used as your reporting name*).

4) <u>Name and Position of Person Completing this Certificate:</u>

5) Physical Business Address:

6) Primary Correspondence Address (if different from physical address):

7) Number of Employees:

8) Are all Employees Who Work in the Uniter States Eligible for Employment in the United States?

Under penalties of perjury, I declare on behalf of the Contractor listed above that to the best of my knowledge and based upon reasonable inquiry, each and every one of the Contractor's employees who work in the United States are eligible for employment in the United States as required by the Federal Immigration Reform and Control Act of 1986, and Section 40.1-1-11.1 of the Code of Virginia. I further declare on behalf of the Contractor that it shall use due care and diligence to ensure that all employees hired in the future who will work in the United States will be eligible for employment in the United States. I affirm that the information provided herein is true, correct, and complete.

Sworn this	day of	, 20 on behalf of		as evidenced by the following
signature and	seal:			
Na	me of Contracto	r:		
Pri	nted Name of Si	gnatory:		
Sig	nature:			
Dat	te:			
The foregoing	g instrument wa	s acknowledged before me on this	day, 20	, by
		Notary Public:		
Registration 1	No:			
My Commiss	ion Expires:			



NON-COLLUSION STATEMENT

(To be submitted with each bid or offer)

"...or otherwise take any action in the restraint of free competition in violation with the Sherman Antitrust Act, 15 USCS Sections 1 et seq., the Virginia Antitrust Act, Virginia Code Sections 59.1-9.1 through 59.1-9.19 or the Conspiracy to Rig Bids to Government Statutes, Virginia Code Sections 59.1-69.6 through 59.1-69.9."

By:	Sign	ature
	Prin	ted Name and Title
	Con	npany
	Bus	siness Address
	Da	te
Subscribed and sworn this day of	, 20 in	(City and State)
	Notary Public:	

My Commission Expires: _____



DEBARMENT AND SUSPENSION CERTIFICATION OF PRIMARY PARTICIPANT

To be completed for contracts meeting the definition of "covered transaction" (see 2 CFR 180.220 and 1200.220), which includes contracts that equal or exceed \$25,000 and are funded by an award from the U.S. Department of Transportation or a contract for federally-required audit services.

The Primary Participant, ______, certifies to the best of its knowledge and belief that it and its principals:

- a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or Local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or Local) terminated for cause or default.

The disclosure of unfavorable information will not necessarily lead to denial of participation in the covered transaction. Additional information or explanation may be attached to this certification for consideration.

Failure to disclose information known at the time of entering into the covered transaction may result in termination of the transaction as well as other available remedies such as suspension or debarment. Immediate written notice must be given to CSPDC if it is discovered that the Primary Participant failed to disclose required information earlier or that the Primary Participant or any of its principals now meet any of the criteria above.

CSPDC will use the System for Award Management (SAM) before entering into any contracts and review the Excluded Parties List System in SAM to verify if any third-party contractor is on the excluded list. <u>Registration in SAM is required by a prime</u> <u>Bidder/Offeror prior to submitting a bid or proposal and can be done for free at www.sam.gov.</u>

Name & Title of Authorized Representative (Printe	ed)	
Signature of Authorized Representative		
□ I am unable to certify to the above statem	ent. My explanation is attached.	
Subscribed and sworn this day of	, 20 in	(City and State)
	Notary Public:	
	My Commission Expires:	



DEBARMENT AND SUSPENSION CERTIFICATION OF SUBCONTRACTOR

To be completed for contracts meeting the definition of "covered transaction" (see 2 CFR 180.220 and 1200.220), which includes contracts that equal or exceed \$25,000 and are funded by an award from the U.S. Department of Transportation or a contract for federally-required audit services.

The Subcontractor, _____, certifies to the best of its knowledge and belief that it and its principals:

- e) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- f) Have not within a three-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- g) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or Local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- h) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or Local) terminated for cause or default.

The disclosure of unfavorable information will not necessarily lead to denial of participation in the covered transaction. Additional information or explanation may be attached to this certification for consideration.

Failure to disclose information known at the time of entering into the covered transaction may result in termination of the transaction as well as other available remedies such as suspension or debarment. Immediate written notice must be given to CSPDC if it is discovered that the Subcontractor failed to disclose required information earlier or that the Subcontractor or any of its principals now meet any of the criteria above.

CSPDC will use the System for Award Management (SAM) before entering into any contracts and review the Excluded Parties List System in SAM to verify if any third-party contractor is on the excluded list. <u>Registration in SAM is required by a prime</u> <u>Bidder/Offeror prior to submitting a bid or proposal and can be done for free at www.sam.gov.</u>

Name & Title of Authorized Re	epresentative (Prin	nted)	
Signature of Authorized Repres	sentative		
□ I am unable to certify	to the above state	ment. My explanation is attached.	
Subscribed and sworn this	day of	, 20 in	(City and State)
		Notary Public:	
		My Commission Expires:	



CERTIFICATION REGARDING LOBBYING

To be submitted with each bid or offer exceeding \$100,000 - 49 CFR. Part 20

The undersigned, ______, certifies, to the best of his or her knowledge and belief, that:

- 1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any persons for influencing or attempting to influence an officer or employee of any agency or Federal department, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- 2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, Disclosure of Lobbying Activities, in accordance with its instructions.
- 3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. \$1352. Any person who makes a prohibited expenditure or fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure [31 U.S.C. \$1352 (c)(1)-(2)(A)].

_____, certifies or affirms the truthfulness and accuracy of each statement of its The Consultant. certification and disclosure, if any. In addition, the Consultant understands and agrees that the provisions of 31 U.S.C. Section A 3801, et seq., apply to this certification and disclosure, if any.

Name & Title of Authorized Representative (Printed)

Signature of Authorized Representative Date

□ I am unable to certify to the above statements. My explanation is attached.

Subscribed and sworn this _____ day of _____, 20__ in _____ (City and State)

Notary Public: _____

My Commission Expires: _____



CERTIFICATION REGARDING FEDERAL TAX LIABILITY

AND RECENT FELONY CONVICTIONS

Must be completed for any third-party agreement with a private corporation, partnership, trust, joint-stock company, sole

proprietorship, or other business association.

The Offeror ______ certifies, and in the case of a joint offer, each party thereto certifies as to its own organization, that it:

- a) Does not have any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and
- b) Was not convicted of a felony criminal violation under any Federal law within the preceding 24 months.
- c) It further agrees that, in connection with this procurement, it will:
 - i. Obtain identical certifications from proposed subcontractors before the award of subcontracts at any value;
 - ii. Retain such certifications in its files; and
 - iii. Flow this requirement down to subcontractors at all lower tiers, without regard to the value of any subcontract

The Undersigned certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification.

Name and Title of Authorized Representative

Signature of Authorized Representative

Name of Company

Date

□ I am unable to certify to the above statements. My explanation is attached.

DISADVANTAGED BUSINESS ENTERPRISES (DBE) PARTICIPATION - CONTRACT GOAL

It is the policy of the Central Shenandoah Planning District Commission (CSPDC) that Disadvantaged Business Enterprises ("DBE's") as defined in 49 CFR Part 26 shall have the maximum opportunity to participate in the performance of federally funded contracts.

CSPDC has established a contract goal of 3% DBE Participation for this procurement.

Bidders/offerors are required to document sufficient DBE participation to meet this goal or, alternatively, document adequate good faith efforts to do so, as provided for in 49 CFR 26.53. Award of this contract is conditioned on submission of the following information with the Offeror's proposal (appropriate forms noted in parentheses and attached hereto):

- 1) The names and addresses of DBE firms that will participate in the contract (Form A);
- 2) A description of the work that each DBE will perform (Form A);
- 3) The dollar amount of the participation of each DBE firm participating (Form A);
- 4) Written and signed documentation of the bidder's/offeror's commitment to use a DBE subcontractor whose participation it submits to meet a contract goal (Form A);
- 5) Written and signed confirmation from the DBE that it is participating in the kind and amount of work provided in the prime contractor's commitment (Form B); and
- 6) If the contract goal is not met, there must be written evidence of good faith efforts provided (Form C).

CSPDC is required to capture DBE payment information on contracts. If work is subcontracted to a DBE firm, the successful prime contractor will be responsible for providing prompt payment verification and a monthly report of DBE participation.

The Contractor must promptly notify CSPDC whenever a DBE subcontractor performing work related to this contract is terminated or fails to complete its work and must make good faith efforts to engage another DBE subcontractor to perform at least the same amount of work. The contractor may not terminate any DBE subcontractor and perform that work through its own forces or those of an affiliate without prior written consent of CSPDC.

Any firm claiming DBE status must become certified with the Virginia Department of Small Business and Supplier Diversity –or other agency authorized to certify DBE status and approved by CSPDC --prior to the bid/proposal being submitted to be listed as a DBE on Form A – Schedule of DBE Participation.

If DBE firm is the prime contractor, the firm will receive full credit for planned involvement of their own forces as well as the work that they commit to be performed by DBE sub-contractors. DBE prime contractors are encouraged to make the same outreach efforts as other contractors. DBE credit will be awarded only for work actually being performed by the DBE itself. When a DBE prime contractor sub-contacts work to another firm, the work counts toward DBE goals only if the other firm is itself a DBE.

DBE certification entitles contractors to meet CSPDC's DBE requirements. However, this certification does not guarantee that the firm will obtain CSPDC work, nor does it attest to the firm's abilities to perform any particular work.



FORM A – Schedule of DBE Participation

Project Title: Architectural & Engineering Design Services for Staunton Lewis Street Transit Hub

Project Number: RFP# 2022-001

DBE Firm Name and Address		DBE Certification #	Work/Supplies Committed	Estimated Start Date	Percent of Total Project	Dollar Value of Subcontracts
Totals (Dollar Value; Percent Total of Project)						

The undersigned, as a duly authorized representative of the prime contractor, agrees to enter into a formal subcontract agreement with the above-named DBE firm(s) within thirty (30) days of a contract award between the prime contractor and the CSPDC.

Prime Contractor: ______

Name/Title: _____

Signature: _____

<u>DBE Participation – Form B</u>

Intent to Perform as a Subcontractor

Project Title: Architectural & Engineering Design Services for Staunton Lewis Street Transit Hub project	
Project Number: RFP# 2022-001	
Is intended Subcontractor a Certified DBE? (Yes) (No) DBE Certification #:	
Statement of Intent:	
1. The undersigned certified DBE intends to enter into a formal agreement with	
(Name of prime offeror/bidder) to perform work on this project.	
2. The undersigned certified DBE is prepared to perform the following work (specify particular work to be	
performed):	
3. At the following price:	_
4. Of the above price, \$%) will be further sublet and/or awarded to non-DBE contract	ctors
or suppliers.	
The DBE status of the undersigned is confirmed on the attached DBE identification. (DBE shall provide documentatio its DBE status).	n of
DBE Name:	
DBE Firm:	
Address:	
Contact Person: Title:	
Signature: Date:	

FORM C

DBE GOOD FAITH EFFORT DOCUMENT

All information submitted on this form is subject to review/audit by the CSPDC

Date Submitted:
Contractor Name:
Address:
Contact Person: Phone:
Email Address:
I certify that the information contained in this good faith effort document form is true and correct to the best of my
knowledge. I further understand that any willful falsification, fraudulent statement or misrepresentation will result in
appropriate sanctions which may involve debarment and/or prosecution under applicable State and Federal laws.
Authorized Representative Signature:
Title:

Date: _____

Form C – Page 1 of 2

FORM C – DBE GOOD FAITH EFFORT DOCUMENTATION

Work Type Number:	Description of work, service, or material:			
DBE Firm Name:	SWaM/DMBE Certification # (Virginia):			
Contact Name (First and Last)	Contact Date Contact Method Contact Results Bid Amount			
1.				
2.				
3.				
Comments:				
Work Type Number:	Description of work, service, or material:			
DBE Firm Name:	SWaM/DMBE Certification # (Virginia):			
Contact Name (First and Last)	Contact Date	Contact Method	Contact Results	Bid Amount
1.				
2.				
3.				
Comments:				

EXAMPLES OF GOOD FAITH EFFORT DOCUMENTATION

The following is a list of types of actions a bidder should take when documenting good faith efforts. This list is not intended to be exclusive or exhaustive, nor are all the actions mandatory. Other factors or types of efforts may be relevant in appropriate cases.

SOLICITATION/ADVERTISEMENT EFFORTS – should include your efforts to solicit quotes, through all reasonable and available means, the interest of all certified firms who have the capability to perform the work of the contract. The contractor should ensure that the requests are made within sufficient time to allow DBE firms to respond. The Contractor should take the initiative to contact firms which have indicated an interest in participating as a subcontractor/supplier.

NEGOTIATION EFFORTS – should include your efforts to make a portion of the project work available consistent with the availability and capabilities of DBE firms in order to facilitate DBE participation. You are encouraged to break out contract work items into smaller economically feasible subcontracts to ensure DBE participation. As part of your negotiations, you should make plans/specifications available to the DBE firms which have shown an interest in participating. When negotiating with DBE firms a contractor should use good business judgement by considering price and capability, as well as project goals. A contractor is not expected to accept a price that is not reasonable and is excessive. Comparison figures should accompany your good faith effort submittal which supports the price differential.

ASSISTANCE EFFORTS – should include your efforts to assist DBE firms in obtaining bonding, lines of credit, insurance, equipment, materials, supplies or other project related assistance. Contractors are encouraged to assist firms with independently securing/obtaining these resources. A contractor may <u>not</u> provide these resources to the DBE firm. The level of assistance should be limited to referral sources, introductions, and making initial contacts with industry representatives on the firm's behalf.

ADDITIONAL EFFORTS – could include any additional efforts to utilize the services of minority/women organizations, groups; local, state, and federal business offices which provides assistance in the recruitment and placement of DBE firms. Contractors are encouraged to undertake and document any other efforts taken in their attempt to fulfill the project goal.

RETURN SIGNED COVER SHEET AND REQUIRED CERTIFICATIONS WITH PROPOSAL