

July 21, 2017

RETAINER CONTRACT NOS. 40000102 AND 40000103

**RETAINER CONTRACTS FOR RIGHT OF WAY OIL, GAS, AND MINERAL
VALUATION SERVICES FOR PROJECTS STATEWIDE**

**REQUEST FOR QUALIFICATIONS FOR RIGHT OF WAY AND RELATED
SERVICES**

Under authority granted by Title 48 of the Louisiana Revised Statutes, the Louisiana Department of Transportation and Development (DOTD) hereby issues a Request for Qualification Statements (RFQ) on Standard Form 23-116 (SF 23-116), "Professional Right of Way and Related Services", revised May 10, 2013, from Consultants to provide right of way and related services under retainer contracts.

Please Note: Consultants submitting for one these two (2) Retainer Contracts are subject to the following limitations:

- **Two (2)** Consultants will be selected for these Contracts. Each Consultant is limited to one (1) contract.
- The Consultants may submit only one set of SF 23-116 forms, but, will be considered for all contracts they list in Section 3 of the SF 23-116.

Project Manager Mrs. Donna Stinson

All questions regarding this request for qualifications should be submitted in writing to Ms. Radha Kumar, Contracts/Grants Reviewer at email: Radha.Kumar@la.gov no later than 4:00 pm, Friday, September 15, 2017, along with your desired contact email address. Answers to project related questions will be distributed electronically, via DOTD website, no later than 4:00 pm, Wednesday, September 20, 2017.

Project Description

The **two (2)** retainer contracts will include coordination of activities between DOTD and the Consultant. This advertisement is for **two (2)** retainer contracts for right of way **OIL, GAS, AND MINERAL VALUATION SERVICES** for future projects statewide.

Contract time

This contract is for a period of five (5) years.

Scope of Services

The selected Consultant will be required to provide project management and administration services, petroleum engineer services, mineral valuation services, and other right of way related services necessary to acquire and clear the right of way for construction of a project. See Attached Exhibit A (Scope of Services).

Items and services to be provided by DOTD

The DOTD will furnish without charge the following:

1. Identity of the DOTD Regional Manager in responsible charge of the project.
2. Identity of the DOTD Chief Appraiser and a Review Appraiser.
3. Right of Way Maps when available
4. Construction Plans when available.
5. Title Research Reports and Title Research Report Updates when available.
6. A lead Right of Way Agent.
7. Periodic status meetings.
8. Technical assistance for acquisition activities.

The service deliverables are also to include the following:

- A. Development of a Project Delivery Strategy; Consultants will:

Be required to develop an overall strategy for execution and completion of the Project as well as a system for Project prioritization.
- B. Develop the Project Schedule; Consultants will:

Develop a preliminary Project schedule, right of way acquisition plan and establish milestone dates for all events necessary to advance each process to completion.

Deliverables

The Consultants hereby agree to produce deliverables including but not limited to: petroleum engineer services, mineral valuation specialist services, along with other items as might be required. Consultants must adhere to the standards of the DOTD Right of Way Manual.

Compensation

The maximum limiting compensation for each retainer contract is **\$100,000.00**.

References

1. Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 as amended.
2. Uniform Standards of Professional Appraisal Practice.
3. Louisiana Constitution: Article I, Section 4, Article VI, Section 21 and Article VII, Section 14.
4. Louisiana Revised Statutes: Title 9, Title 19, Title 38, Title 48, and Title 70.
5. Louisiana Civil Code.
6. Louisiana Administrative Code: Chapter 70.
7. DOTD Right of Way Manual.
8. DOTD Guide to Title Research.
9. Title VI of the Civil Rights Act of 1964 and Title VII of the Civil Rights Act of 1964.
10. Equal Employment Opportunity Act of 1972.
11. Federal Executive Order 11246 as amended.
12. Rehabilitation Act of 1973.
13. Viet Nam Era Veteran's Readjustment Act of 1973.
14. Title IX of the Education Amendments of 1972.
15. Age Discrimination Act of 1975.
16. Fair Housing Act of 1968.
17. Americans With Disabilities Act of 1990.
18. All other federal and state laws and regulations which may apply to acquisition of right of way and utility relocation for this project.

Minimum Personnel Requirements

Minimum requirements for fee Petroleum Engineer:

- One prime or sub-consultant must be a Professional Petroleum Engineer registered in the State of Louisiana.
- Must have a Baccalaureate Degree in Petroleum Engineering.
- Minimum of three (3) years of full-time professional experience in the oil and gas field.

Minimum requirements for Mineral Valuation Specialist:

- A Baccalaureate Degree in the special subject and/or directly related subject.
- Minimum three (3) years of full-time professional experience in the mineral specialist field.

EVALUATION CRITERIA

An evaluation process will be used in the selection of the Consultants. The criteria to be used by DOTD in evaluating responses for the selection of a consultant to perform these services are:

1. **Consultant's firm experience:**
weighting factor of 3.
2. **Consultant's personnel experience:**
weighting factor of 4.
3. **Consultant's firm size as related to the project magnitude: ***
weighting factor of 3.
4. **Consultant's past performance on DOTD Real Estate Projects:**
weighting factor of 6.
5. **Consultant's current work load with DOTD: ***
weighting factor of 1.
6. **Location where the work will be performed: ***
weighting factor of 4.

*All consultants will be given a score of three (3).

All Consultants will be evaluated as indicated in Items 1-6. The evaluation will be by means of a point-based rating system. Each of the above criteria will receive a rating on a scale of 0-4. The rating will then be multiplied by the corresponding weighting factor.

Evaluation will be based upon the information provided in the Consultant's SF 23-116 submittal. If during the course of the evaluation the Project Evaluation Team has questions or requires clarification of the information provided, the Project Evaluation Team may send request to the Consultant for additional information through the Assistant Real Estate Administrator, Support Services.

The Consultants will receive a rating of 0 on any of the individual evaluation criterion for failing to meet the stated objectives/requirements and demonstrate an understanding of the goals and objectives of the Project. There are excessive and significant weaknesses.

Once each DOTD Project Evaluation Team member completes evaluations for all factors, the scores will be averaged to arrive at a final score. The corresponding value will then be multiplied by the item's weight then totaled for that Project Manager/Team.

Communication Protocol

DOTD's Project Evaluation Team will be responsible for performing the above described evaluation, and will present a short-list of the three (if three are qualified) highest rated Consultants to the Secretary of the DOTD. The Secretary will make the final selection. **Below are the proposed Team members. DOTD may substitute for any reason provided the members meet the requirements of R.S. 48:291.**

1. Chad Winchester, ex-officio
2. Jamie Boullion
3. Gary Evans
4. Ashley Long
5. Donna Stinson
6. Marie Weathersby

Rules of Contact (Title 48 Engineering and Related Services)

These rules are designed to promote a fair, unbiased, legally defensible selection process. The LA DOTD is the single source of information regarding the Contract selection. The following rules of contact will apply during the Contract selection process and will commence on the date of advertisement and cease at the contract execution of the selected firm. Contact includes face-to-face, telephone, facsimile, Electronic-mail (E-mail), or formal written communications. Any contact determined to be improper, at the sole discretion of the LA DOTD, may result in the rejection of the submittal (SF 23-116):

- A. The Consultant shall correspond with the LA DOTD regarding this advertisement only through Radha Kumar via email, Radha.Kumar@la.gov
- B. The Consultant, nor any other party on behalf of the Consultant, shall not contact any LA DOTD employees, including but not limited to, department heads; members of the evaluation teams; and any official who may participate in the decision to award the contract resulting from this advertisement except through the process identified above. Contact between Consultant organizations and LA DOTD employees is allowed during LA DOTD sponsored one-on-one meetings;
- C. Any communication determined to be improper, at the sole discretion of the LA DOTD, may result in the rejection of submittal, at the sole discretion of the LA DOTD;
- D. Any official information regarding the project will be disseminated from the LA DOTD'S designated representative on the LA DOTD website. Any official correspondence will be in writing;
- E. The LA DOTD will not be responsible for any verbal exchange or any other information or exchange that occurs outside the official process specified herein.

By submission of a response to this RFQ, the Consultants agree to the communication protocol herein.

Secondary Selection Process

Description of Secondary Selection Process:

- We have two processes for selecting a consultant to award a task order
 - Task Order Query – consultants are sent a short questionnaire pertaining to a specific project. Consultants’ responses are recorded and scored. The consultants are ranked according to numerical score, then the Right of Way Administrator recommends consultants for selection.
 - Task Order Justification – a memo is prepared explaining why a particular consultant is being selected for a task order rather than sending a query to a group of consultants. The Right of Way Administrator signs, recommending the selection. Common reasons for selecting a consultant instead of sending a query are:
 - Updating their own work on a project
 - Performing additional work on a project
 - Performing new work on an adjacent or related project

Description of Task Order Query Process

- When using the task order query process, all consultants with retainer contracts for the appropriate service in the region where the project is located will be sent a task order query and a description of the work to be performed.
 - We propose to replace the previous process of mapping consultants for every project with awarding regional retainer contracts.
- Consultants are instructed as to when responses to each query are due. Once the responses are returned to Support Services, the responses are recorded and scored.
 - Tier 1 – Consultants are asked Yes/No questions to determine their interest and eligibility for the project. Additional eligibility requirement may be maintained by Support Services. Examples:
 - Are you interested in this assignment?
 - Can you meet our required completion date?
 - Do you and/or your firm meet specific minimum requirements for this assignment which are greater than the minimum requirement to be awarded a retainer contract?Consultants who answer “No” to any of the previous questions are eliminated.
 - Tier 2 – Remaining consultants are scored based on information maintained by Support Services. The categories are:
 - Deliverables Due
 - Amount of Work Issued in the past 12 monthsThe intent of this tier is to distribute work as evenly as possible across the pool of retainer contracts.
The top four consultants advance to Tier 3.
 - Tier 3 – Remaining consultants are scored based on information provided in their task order query.
 - Proposed Delivery Date – consultants are provided the opportunity to propose a delivery date earlier than our required completion date. Not all projects may be accelerated. Support Services may alter this date based on weekends, holidays and/or other factors to best meet the needs of the project.

- Experience – consultants are asked report specific experience relevant to the project. These responses are evaluated and scored.
 - Consultant Past Performance Rating – the consultants’ scores from the CPPR System over the previous five years are averaged.
 - Final Scores – The scores from Tier 2 and Tier 3 are weighted to generate a final score as follows:
 - Deliverables Due – 20%
 - Work Issued in Past 12 Months – 15%
 - Proposed Delivery Date – 20%
 - Experience Relevant to Project – 15%
 - Consultant Past Performance Rating – 30%
- Consultant Ranking and Recommendation for Selection
 - Once the consultants are ranked by final score, the Real Estate Section Task Manager has an opportunity to review the responses and provide comments to the Real Estate Administrator.
 - The Real Estate Administrator reviews the ranking and any comments provided, then recommends a consultant or consultants for selection.
 - Should the Real Estate Administrator wish to recommend a consultant or consultants other the highest ranked, a justification will be provided the Chief, Project Development Division along with the recommendation for selection.

Insurance

During the term of the Contracts the consultants will carry professional liability/errors and omissions insurance in the amount of \$300,000. This insurance will be written on a “claims made” basis.

SUBMITTAL REQUIREMENTS

One original (**stamped “original”**) and **six (6)** copies of the SF 23-116 must be submitted to DOTD. All submittals must be in accordance with the requirements of this advertisement. Any Consultant failing to submit any of the information required on the SF 23-116, or providing inaccurate information on the SF 23-116, will be considered non-responsive.

Any Consultant and sub-consultant to be used, including Disadvantaged Business Enterprises (DBE), in performance of this Contract, must also submit a SF 23-116, which is completely filled out and contains all information pertinent to the work to be performed.

The Sub-Consultant’s SF 23-116 must be firmly bound to the Consultant’s SF 23-116. In Section 9, the Consultant’s SF 23-116 must describe the **work elements** to be performed by the Sub-Consultant(s), and state the approximate **percentage** of each work element to be subcontracted to each Sub-Consultant.

Name of the Consultants listed on the SF 23-116, must precisely match the name filed with the Louisiana Secretary of State, Corporation Division.

The SF 23-116 will be identified with the right of way **OIL, GAS, AND MINERAL VALUATION SERVICES** and will be submitted **prior to 3:00 p.m. CST** on Friday, September 22, 2017. Submittals that are hand delivered must be delivered to Radha Kumar via an appointment. She can be reached at (225)242-4554. Submittals that are mailed are to be addressed to:

Department of Transportation and Development
Attn.: Ms. Radha Kumar
Contracts and Grants Reviewer, Support Services
1201 Capitol Access Road, **Room S-337**
Baton Rouge, LA 70802 or
Telephone: (225)242-4554

It is the proposer's sole responsibility to insure that their proposal submitted has been delivered to the person named immediately above.

REVISIONS TO THE RFQ

DOTD reserves the right to revise any part of the RFQ by issuing an addendum to the RFQ at any time. Issuance of this RFQ in no way constitutes a commitment by DOTD to award a contract. DOTD reserves the right to accept or reject, in whole or part, all Qualification Statements submitted, and/or cancel this announcement if it is determined to be in DOTD's best interest. All materials submitted in response to this announcement become the property of DOTD, and selection or rejection of a submittal does not affect this right. DOTD also reserves the right, at its sole discretion, to waive administrative informalities contained in the RFQ.