



**Little Traverse Bay Bands of Odawa Indians**

**REQUEST FOR PROPOSALS**

**for**

**Construction Engineering Services**

**TABLE OF CONTENTS**

**A. INTRODUCTION..... 1**  
**B. SCOPE OF WORK ..... 2**  
**C. INFORMATION TO BE PROVIDED ..... 3**  
**D. CONSULTANT EVALUATION CRITERIA ..... 4**  
**E. SUBMISSION REQUIREMENTS..... 5**  
**F. SELECTION PROCESS ..... 5**  
**G. ADMINISTRATIVE INFORMATION ..... 5**

**ATTACHMENTS:**

- **Proposal Cover Page**
- **W-9**

<b>RFP Issued on:</b>	<b>Proposals Due:</b>
<b>Thursday, June 21, 2012</b>	<b>Friday, June 29, 2012</b>

## LTBB Planning Department

### Request for Proposals

#### Construction Engineering Services

#### **A. INTRODUCTION**

- 1) **General:** The Little Traverse Bay Bands of Odawa Indians (LTBB) is seeking proposals from qualified professionals and/or firms to assist the LTBB Planning Department in Construction Engineering Services for the Kee Wad Noong Extension project.

The purpose of this Request for Proposals (RFP) is to select the most qualified firms for this construction project. Selected firms shall be able to provide the services described in this RFP within a time frame required to facilitate the owner's and contractor's schedule.

- 2) **Obtaining the RFP:** You have been sent this RFP through a pre-selection process conducted by the LTBB Planning Department. Nonetheless, other firms and/or individuals are invited to submit a proposal. Visit our website located at <http://www.ltbodawa-nsn.gov/Departments/Planning/Planning.html> to obtain a copy of the RFP in pdf format. Check this site prior to submission to ensure you have the most recent copy. Any addenda will be clearly noted as such.
- 3) **Submission Deadline:** The selection process conducted is a time-limited process. Therefore, evaluations will be performed according to the schedule provided. Sealed Proposals [one (1) original and four (4) copies] must be received at the address below. Faxed or e-mailed submittals will not be accepted.

Little Traverse Bay Bands of Odawa Indians  
Planning Department  
Attention: Ben Banfield  
7500 Odawa Circle  
Harbor Springs, MI 49740

- 4) **Indian Preference:** Little Traverse Bay Bands of Odawa Indians, a federally reaffirmed Indian Tribe, in accordance with section 703(i) of Title VII of the Civil Rights Act of 1964, and the Waganakising Odawak Statute, will give preference to Native Americans who meet job position minimum qualifications with regard to hiring, promotions and training.
- 5) **Rights Reserved:** LTBB reserves the right to award the contract to the respondent(s) that LTBB deems to offer the best overall proposal(s). LTBB is therefore not bound to accept a proposal on the basis of lowest price. In addition, LTBB at its sole discretion, reserves the right to cancel this RFP, to reject any and all proposals, to waive any and all informalities and/or irregularities, or to re-advertise with either the identical or revised specifications, if it is deemed to be in the best interest of LTBB to do so. LTBB also reserves the right to make multiple awards, based on experience and qualifications if it is deemed to be in LTBB's best interest.

- 6) **Little Traverse Bay Bands of Odawa Indians Background:** On Sept. 21, 1994, the Little Traverse Bay Bands of Odawa Indians (LTBB) was federally reaffirmed with the signing of Public Law 103-324. The Tribe is governed by a nine member Tribal Council who serve staggered terms. The Tribe has over 4,000 members with a large number living within Charlevoix and Emmet Counties. The Little Traverse Bay Bands of Odawa Indians Tribal Government presently employs over 150 full and part-time employees. The historically delineated reservation area, located in the north-western part of Michigan's Lower Peninsula, encompasses approximately 336 square miles of land within the two counties. The largest communities within the reservation boundaries are Petoskey, Harbor Springs, and Charlevoix.

## **B. SCOPE OF WORK**

The selected individual, firm or firms shall provide the following fully qualified staff, as needed, to support operations of the LTBB Planning Department in one or more of the following areas, where appropriate:

- Material Sampling and Testing, per Michigan Department of Transportation (MDOT) specifications.
- Project Engineer/Construction Engineering services
- Quality Control and Inspection

Material Sampling and Testing shall be conducted by staff that are certified and trained in MDOT methods and procedures for testing. All testing shall be in accordance with MDOT specifications unless otherwise called out in the plans and specifications for the project.

The selected firm shall assign an engineer licensed in the State of Michigan to be the Project Engineer for the project. The Project Engineer shall be responsible for certifying all pay applications by the contractor prior to payment by the owner, reviewing and approving shop drawings and coordinating with the owner and contractor to ensure the project proceeds in an expedited manner. Project Engineer shall also serve as the owner's technical advisor with regard to change orders/field orders and make recommendations to the owner as needed to ensure the project is constructed within the intent of the design.

The selected firm shall also provide a qualified individual to perform quality control and inspection on an intermittent basis throughout the term of the project. Inspectors shall be responsible for ensuring quantities submitted by the contractor are installed correctly and completely, as well as notifying the owner of any unacceptable installations performed by the contractor. Inspector must also be capable of checking contractor staking for accuracy.

## C. INFORMATION TO BE PROVIDED

To be considered responsive to this RFP and to facilitate evaluations, submittals should address and be organized in the order of the outline given below and include the following information. Please refer to the section of this RFP on Submission Requirements for information on Required Number of Copies. Submittals should be limited to a total of twenty (20) pages in not less than 11-point type (cover letter, resumes and other required attachments are not included in the page limitation.)

Each proposal must have the completed Cover Page (see attached) and a Cover Letter briefly summarizing the individual and/or firm's qualifications and past experience relevant to the scope. A principal or officer of the firm authorized to execute contracts or other similar documents on the firm's behalf must sign the letter.

Your proposal will be evaluated on the following:

- 1) Firm's and Sub-consultants' Qualifications (relates to Evaluation Criterion 1)
  - a) Outline your firm's experience on the work required for this Contract;
  - b) Identify all Sub-consultants you may use on this Contract, indicate their specific role(s), and outline their experience on similar or related work.
- 2) Assigned Staff – Qualifications and Experience (relates to Evaluation Criterion 2)
  - a) Provide a list of members of the proposed team, indicating the specific role of each member, and clearly identify the Project Engineer;
  - b) Provide a professional resume for each key member of the proposed team, indicating the extent of his/her experience on projects related to this type of work.

*(NOTE: Be sure to include in the above information, the qualifications and resumes of all key Sub-consultant members of the team.)*
- 3) Project Approach (relates to Evaluation Criterion 3)
  - a) Discuss your firm's approach to developing the tasks and work products for these services;
  - b) Suggest specific additions, deletions or alternatives to activities described in the Scope of work that you feel may be in order for these services;
  - c) Provide a typical time schedule for carrying out the various work activities;
  - e) Provide an organization chart, including the Sub-consultants' roles.
- 4) Price (relates to Evaluation Criterion 4)
  - a) Firms must provide pricing as not-to-exceed hourly rates, and per-trip unit prices on the attached form. LTBB shall determine if these policies and rates are fair and reasonable.
- 5) References (not included in Evaluation Criteria)
  - a) Provide two recent references (name and current contact information) who may be contacted concerning your firm's performance on this type of service.

## **D. CONSULTANT EVALUATION CRITERIA**

Consultants' submittals will be evaluated based on the criteria listed in this section. In preparing your proposal to LTBB, it is important to clearly demonstrate expertise in the areas described in this document. Because multiple areas of expertise may be required for successfully performing projects under this Proposal, the Consultant, either through in-house staff or sub-consultants, must demonstrate expertise and have available adequate quantities of experienced personnel in the areas described or in the indicated areas of specialization, i.e. Materials Testing.

Consultants are encouraged to identify and clearly label in their proposal how each criterion is being fully addressed. Evaluation of responses to this RFP will be based only on the information provided in the proposal, and if applicable, interviews, and reference responses. LTBB reserves the right to request additional information or documentation from the firm regarding its submittal documents, personnel, financial viability, or other items in order to complete the selection process. If a responding firm chooses to provide additional materials beyond those requested, those materials should be included in a separate section of the proposal. In submitting a proposal, the Consultant agrees that any costs or prices proposed shall be valid for a minimum of 90 days from the date of the proposal.

### **Minimum Qualifications**

**To be qualified to respond, firms must possess at least three years of experience in providing the service or specialized services indicated in their proposal.**

The following criteria with a point system of relative importance, with an aggregate total of 100 points, will be utilized to evaluate each proposal:

<b>Evaluation Criteria</b>		<b>Weighting (Max. Points)</b>
1	<u>Qualifications and Experience:</u> <ul style="list-style-type: none"> <li>Firm's and Sub-consultants' Qualifications and Experience in Construction Engineering.</li> </ul>	30
2	<u>Assigned Staff - Qualifications and Experience:</u> <ul style="list-style-type: none"> <li>Capability and experience of staff to be assigned to Contract (maximum of 20 points)</li> <li>Relevance of assigned staff's skills and experience to this Contract (maximum of 20 points)</li> </ul>	40
3	<u>Project Approach:</u> <ul style="list-style-type: none"> <li>Tasks and work products (maximum of 10 points)</li> <li>Typical time schedule to perform these services (maximum of 10 points)</li> </ul>	20
4	<u>Price Proposal:</u> see attached Price Proposal Table	10
<b>Maximum Total Points</b>		<b>100</b>

## **E. SUBMISSION REQUIREMENTS**

- 1) **Due Date and Place For Submission of Proposals:** At any time during the term of the RFP, LTBB will accept proposals that will be evaluated based on the evaluation criteria contained herein.

All Proposals should be clearly marked when delivered or mailed to the address indicated on page 2. *NOTE: A faxed or e-mailed Proposal is not acceptable.*

Upon receipt of each proposal, LTBB's Planning Department will date-stamp it to show the exact time and date of receipt. Upon request, Planning will provide the proposer with an acknowledgment of receipt. All proposals received will become the property of the Little Traverse Bay Bands of Odawa Indians and will not be returned to the firm.

- 2) **Required Number of Copies:** Firms responding to this RFP shall submit one (1) original along with four (4) copies to the address indicated on page 2. The original of each of the forms indicated below must also be completed and submitted with the original proposal only. Do not send these forms with the copies.

- Federal IRS Form W-9

## **F. SELECTION PROCESS**

All responses to this RFP that are received will be screened for eligibility. As time permits, an evaluation panel will rate eligible proposals, according to the criteria listed above, and may conduct reference checks as part of the process. If there is insufficient information, LTBB reserves the right to request additional information and to interview firms to discuss their proposal.

Based on its evaluation, the panel will make a recommendation to initiate a contract with the selected firm. LTBB will contact the selected firm and formalize the agreement in a Contract for Engineering Services. If LTBB and the firm are unable to successfully negotiate the terms of a Contract (i.e. the firm is unavailable, etc.), LTBB reserves the right to contact other firms with which to negotiate a Contract.

## **G. ADMINISTRATIVE INFORMATION**

- 1) **Native-owned and Women-owned Business Enterprises:** LTBB strongly encourages Native American-owned, minority-owned and women-owned businesses, socially and economically disadvantaged business enterprises, and small businesses to submit a proposal, to participate as partners, or to participate in other business activity in response to this RFP.
- 2) **Basic Eligibility:** The successful firm must be licensed to do business in the State of Michigan or place of residence and must have a Employer Identification Number or other federal ID number. In addition, the successful firm must not be debarred, suspended, or otherwise ineligible to contract with LTBB, and must not be included on the General Services Administration's "List of Parties Excluded From Federal Procurement and Nonprocurement Programs" or the Department of Housing and Urban Development's "Limited Denial of Participation" list.

- 3) **Payment Requirements:** Firms should be aware that LTBB will only make payments on the Contract issued under this RFP after the work being billed has been completed, and will pay reimbursable expenses to the Consultant only upon receipt of an invoice for the reimbursable expenses. No advance payments will be made to the Consultant, who must have the capacity to meet all project expenses in advance of payments by LTBB.
- 4) **Approval of Sub-Consultants:** LTBB retains the right of final approval of any sub-consultant of the selected firm who must inform all sub-consultants of this provision.
- 5) **Documents Produced:** All construction drawings, reports, specifications, and other documents produced under contract to LTBB, created by the Consultant and their sub-consultants shall become the exclusive property of LTBB.
- 6) **Other Contracts:** During the original term and all subsequent renewal terms of the Contract resulting from this RFP, LTBB expressly reserves the right, through any other sources available, to pursue and implement alternative means of soliciting and awarding similar or related services as described in this RFP.
- 7) **Funding Availability:** By responding to this RFP, your firm acknowledges that for any contract signed as a result of this RFP, the authority to proceed with the work is contingent upon the availability of funding.
- 8) **Contract Requirements:** Firms may review LTBB's standard contract language that will form the basis for any contract executed based on this RFP on request.
- 9) **Insurance:** The following are the insurance requirements that will be included in the On-Call Contracts executed based on this RFP. Proof of insurance will not be required until such time as the contract is signed.

**A. General Requirements:**

Prior to undertaking any work assigned by Work Order under this Contract, the Consultant shall procure and maintain continuously for the duration of this Contract, at no expense to LTBB, insurance coverage as specified, in connection with the performance of the work of this Contract by the Consultant, its agents, representatives, employees and/or subcontractors.

PROPOSAL FORM

TO: Ben Banfield, Transportation Planner, Little Traverse Bay Bands of Odawa Indians  
7500 Odawa Circle, Harbor Springs, MI 49740

The undersigned hereby declares that \_\_\_\_\_  
has carefully examined the Request For Proposal and the General Terms and Conditions  
to furnish CONSTRUCTION ENGINEERING SERVICES for which proposals were  
advertised to be received no later than 5:00 p.m., local time, Friday, June 29, 2012 and  
further declare that \_\_\_\_\_  
will furnish the Construction Engineering Services according to the General Terms and  
Conditions of resulting contract.

**Lump Sum Not-to Exceed Rate for Services Rendered**

Material Sampling and Testing (Soils Density, Concrete, Aggregate) \$ \_\_\_\_\_  
Project Engineer/Construction Engineering Services \$ \_\_\_\_\_  
Quality Control and Inspections \$ \_\_\_\_\_

The above prices are all inclusive; the LTBB shall pay no other forms of compensation. The  
LTBB reserves the right to add additional related services that were not known at the time of  
the publishing of this RFP to any resulting contract, upon negotiations with awarded  
contractors that is mutually agreeable.

Have you supplied the Submittal Requirements as outlined in the RFP?  
\_\_\_\_\_ YES  
\_\_\_\_\_ NO

LTBB reserves the right to reject any or all proposals, to waive informalities, and to accept all  
or any part of any proposal as they may deem to be in the best interest of the LTBB.

I hereby certify that I have read and understand the requirements of this Request For Proposal  
and, that I as the respondent will comply with all requirements, and that I am duly authorized  
to execute this proposal/offer document and any contract(s) and/or other transactions required  
by award of this RFP.

Company \_\_\_\_\_

Per \_\_\_\_\_

(Print name)

\_\_\_\_\_  
(Signature)

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Fax or Email: \_\_\_\_\_

**OFFICERS AND SIGNIFICANT STAKEHOLDERS  
CONFLICT OF INTEREST & DISCLOSURE FORM**

I HEREBY CERTIFY that

**Failure to list all officers and significant stakeholders of the business may prevent the proposal / offer from being considered for award.**

USE ADDITIONAL PAGES TO ADD ALL NAMES AND ADDRESSES.

I (*printed name*) \_\_\_\_\_ am the (*title*) \_\_\_\_\_ and the duly authorized representative of the firm of (*Firm Name*) \_\_\_\_\_ whose address is (*address*) \_\_\_\_\_, (*city*) \_\_\_\_\_ (*state*) \_\_\_\_\_ (*zip*) \_\_\_\_\_.

and I possess the legal authority to make this affidavit on behalf of myself and the firm for which I am acting; and,

Except as listed below, no employee, officer, or agent of the firm have any conflicts of interest, real or apparent, due to ownership, other clients, contracts, or interests associated with this project; and,

Neither the business nor any authorized representative or significant stakeholder of the business has been determined by judicial or administrative board action to be in noncompliance with or in violation of any provision of the Building Code Regulations of LTBB, nor has any outstanding past due debt to LTBB; and,

This proposal is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a proposal for the same services, and is in all respects fair and without collusion or fraud.

EXCEPTIONS (List)

SIGNIFICANT STAKEHOLDERS A significant stakeholder means any person, corporation, partnership, individual, sole proprietorship, joint venture, joint stock company, or any legal entity that has a ten percent (10%) or more equity in the business.

Name:

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Date: \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public - State of \_\_\_\_\_ My Commission expires \_\_\_\_\_

(Printed, typed or stamped commissioned name of Notary Public)