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DEPARTMENT OF TRANSPORTATION

# Request for Qualifications

## Professional Services for Professional Services for State & LPA On-Call Environmental Services (NEPA)

February 2, 2022

**Statements of Qualifications are due Wednesday, February 23, 2022, 1:00 P.M.**

### GENERAL

In accordance with Nebraska Consultants' Competitive Negotiation Act ([Neb. Rev. Stat. §81-1702](#)), the Brooks Act ([40 USC 1101](#)), and [23 CFR 172.5](#), the State of Nebraska, Department of Transportation (NDOT), is issuing a Request for Qualifications (RFQ) for On-call Environmental Services (NEPA) for State & LPA's. Qualified environmental services consultants are invited to submit a statement of qualifications as outlined below. NDOT's website referred to in this document is located at: <http://www.dot.nebraska.gov/business-center/consultant/>

All qualified consultants interested in providing professional services for NDOT are strongly encouraged to review NDOT's template [IDIQ Master On-Call PE Agreement](#), [IDIQ Task Order Agreement](#), [Sample Fees and Payments Exhibit](#), and [Insurance Requirements for Professional Service Providers](#) prior to responding to this RFQ. By submitting a statement of qualifications in response to this RFQ, Consultant, and all subconsultants, agree to meet the substantive requirements of these documents. These documents can be found on NDOT's website. An agreement will not be executed unless consultant provides a current overhead schedule and proof of meeting the insurance requirements in the form of an [Insurance ACORD](#). Further information regarding insurance, including a [checklist](#) to assist in submitting an acceptable certificate, can be found at <https://dot.nebraska.gov/business-center/consultant/insurance/>.

This RFQ does not commit NDOT to award a contract, to pay any costs incurred in the preparation of a response to this request, or to procure or contract for services. NDOT reserves the right to award contracts to more than one qualified consultant, to accept or reject any or all responses received as a result of this request, to negotiate with any qualified consultant or to modify or cancel in part or in its entirety the RFQ, if it is in the best interest of NDOT to do so.

In accordance with Nebraska Revised Statute [84-712](#) et.seq., Nebraska Public Records Act, documents provided to NDOT are public records subject to disclosure unless consultant requests in writing that documents must be kept confidential and can demonstrate that such records are confidential under federal or state law.

### SCOPE OF SERVICES

Standard Work Categories anticipated on this project are:

- 101A Environmental Services
- 211 Public Involvement

Information regarding the [Standard Work Categories](#) can be found on NDOT's website.

#### **A. OVERVIEW OF THE WORK:**

The Consultant will assist the Nebraska Department of Transportation (NDOT) and Local Public Agencies (LPA) with environmental services to be completed in accordance with NDOT's current Environmental Procedures Manual (EPM) and supplemental guidance documents found at:

<https://dot.nebraska.gov/projects/environment/pubs/docs/>

The consultant shall demonstrate experience and expertise in the following environmental disciplines:

1. Preparation or Re-evaluation of the CE Determination Form for Federal-Aid Projects, to be completed in accordance with the EPM and the Nebraska Categorical Exclusion Guidance or as directed by NDOT.
2. The Consultant shall provide CE documentation by way of the NE-CE "Smart Form", NEDS database or equivalent, Re-Evaluation Guidance, Instruction, and applicable Forms, or as directed by NDOT.
3. Section 4(f) Determinations in accordance with NDOT's Guidance for Completing the Section 4(f) Review Process in Nebraska for Federal-Aid Projects.
4. Hazardous Materials Reviews and Site Assessment in accordance with NDOT's Hazardous Material Review Guidance Manual.
5. Noise Studies, to be completed in accordance with NDOT's Noise Analysis and Abatement Policy and Guidance Manual including field measurement, Traffic noise modeling utilizing the current FHWA Traffic Noise Model, Abatement Analysis and Reporting.
6. Air Quality Analyses to be completed as directed by Nebraska Department of Environment & Energy (NDEE) Air Quality State Implementation Plan (SIP). The qualified consultant shall execute all air quality analysis of the SIP in support of the CE as directed by NDOT. the environmental review regulation issued by FHWA (23 CFR 771) and the current FHWA Mobile Source Air Toxics (MSAT) guidance. Depending on the project, the following topics may be included in the air quality analysis in a NEPA document. Task includes:
  - a. Comparative Analysis of MSAT Emissions
  - b. Comparative emissions analysis for pollutants with national standards (known as criteria pollutants)
  - c. Discussion of construction emissions and mitigation
  - d. Consideration of Green House Gas Emissions
  - e. Discussions of indirect and cumulative impacts on air quality
  - f. Documentation of interagency coordination and public involvement
  - g. Documentation of compliance with conformity requirements, including hot-spot analysis (If any areas of Nebraska are designated as non-attainment).
7. Threatened and Endangered Species Reviews in accordance with the Biological Evaluation Process (Matrix) for Federal-Aid Transportation Program in Nebraska as amended 2018 and other pertinent Biological Surveys and Assessments such as:
  - a. Migratory Bird Treaty Act Evaluation and Field Survey
  - b. Bald and Golden Eagle Protection Act Evaluation and Survey

- c. Nebraska Non-game and Endangered Species Conservation Act Evaluation and Coordination
  - d. Desktop and/or Field Survey for State and Federally listed Threatened and Endangered Species, or other Wildlife Species of Concern as directed by NDOT.
8. Historic Properties Survey and Evaluation in accordance with the Programmatic Agreement among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation, and the Nebraska Department of Transportation to Satisfy the Requirements of Section 106 for the Federal-Aid Highway Program in the State of Nebraska, as amended 2018. This does not include historic bridge recordation services.
  9. Other related environmental services for the assessment of project impacts and appropriate agency coordination including, but not limited to the following: 1) Section 6(f) of the Land and Water Conservation Fund Act; 2) Prime and Unique Farmlands (Farmland Protection Policy Act); 3) Wild and Scenic River Act, 4) Floodplain Permitting, 5) Socioeconomic studies, and 6) Environmental Justice assessments.
  10. Assistance with Public Involvement activities in accordance with the NDOT EPM Chapter 9 – Public Involvement Procedures and Tribal Coordination activities as directed by NDOT. Tasks may include preparation of public involvement materials and facilitation of public meetings.
  11. Waterway Determination/Delineation and Permitting; Wetland Delineation/Determinations to be completed in accordance with NDOT Wetland and Water Resource Procedure Document, and the USACE 1987 Wetland Delineation Manual and appropriate Regional Supplements; USACE 2021 Nebraska Regional Conditions; USACE Nebraska Stream Condition Assessment Procedure; Waterway Permitting to be completed in accordance with Section 401 (State Water Quality Certification) and Section 404 of the Clean Water Act, Nebraska Regional-General Permit 11-02, Nationwide and General (Individual) Permit procedures, and/or NE State Title 117; Waterway Permitting in accordance with Section 9 (U.S. Coast Guard) and Section 10 (US Army Corps of Engineers) of the Rivers and Harbors Act as directed by NDOT. Tasks include the following:
    - a. Preparation of on-site Preliminary Wetland/WOUS Determinations and Preparation of Wetland/WOUS delineations using USACE 1987 Wetland Delineation Manual and appropriate Regional Supplements. Wetland/WOUS delineations shall also follow the NDOT Delineation Practices and Standards set forth by the NDOT Wetland and Water Resource Procedure Document.
    - b. Preparation and acquisition of Preliminary or Final Jurisdictional Determination documentation for USACE review, concurrence, and approval.
    - c. Prepare Nationwide Permit (NWP) Pre-Construction Notification (PCN) utilizing the NDOT PCN Template and acquire project authorizations from the USACE.
    - d. Prepare Individual Permit (IP) applications and acquire 404 permit approvals; Prepare Section 404(b)(1) guideline analysis and reporting; Prepare USACE permits decision documentation if required.
    - e. Coordinate and acquire Section 401 Water Quality Certification and/or State Title 117 (NE Surface Water Quality Standards) signoff/approvals from the Nebraska Department of Environment and Energy (NDEE) as appropriate.
    - f. Coordinate, present and attend pre-application meetings as required.
    - g. Additional Services associated with 404 permit acquisitions that may be required on a limited basis including: USACE Section 10 authorization acquisition, coordination

and acquisition of US Coast Guard permits, floodplain permit acquisition, coordination, and acquisition of Section 401 Water Quality Certifications from the EPA (tribal lands).

12. Wetland and Stream Mitigation Design and Monitoring, to include the following:
  - a. Develop mitigation site suitability reports to identify potential onsite mitigation or mitigation bank site opportunities addressing existing and potential wetland and/or stream channel site characteristics.
  - b. Develop conceptual and/or final mitigation site grading plans and written mitigation site plans in conjunction with NDOT and appropriate resource agencies, NPO's and landowners.
  - c. Perform mitigation site monitoring using approved NDOT/USACE methods to include routine small site methods and large site transect methods.
13. Floodplain Permitting and agency coordination that may include support for the map revision process.
14. Water quality assessment, coordination and permitting associated with the National Pollutant Discharge Elimination System (NPDES) under Section 402 of the Clean Water Acts, and/or NDOT's Municipal Separate Storm Sewer System (MS4) program.
15. Assist, review and/or develop written requests to support coordination of Section 408 (33 USC 408) alterations to US Army Corps of Engineers Civil Works projects.

**B. QUALIFICATIONS, KNOWLEDGE AND EXPERIENCE:**

1. NEPA/CE Documentation
  - a. The Consultant shall demonstrate experience and efficiency in preparation and coordination of CE documentation for the Nebraska Transportation program. The consultant's Principal Author shall demonstrate continued training and education specifically associated with NDOT environmental guidance manuals and programmatic agreements.
  - b. The Consultant team must demonstrate Training and/or Experience with NDOT processes and guidance for the following: Historic Properties Assessment and Section 106 Coordination, Section 4(f) Coordination, Hazardous Materials Evaluation, Threatened and Endangered Species Survey and Evaluation, Public Involvement Plan Development and Coordination, and Social/economic evaluation.
2. Noise and Air
  - a. The Consultant must have experience in preparing noise studies using the latest FHWA-approved version of the Traffic Noise Model (TNM), and in preparing air quality studies using the latest FHWA-approved version of the Mobile Vehicle Emissions Simulator (MOVES). Work experience must be demonstrated for air quality studies in non- attainment areas as it relates to transportation conformity.
  - b. The proposal should reference certificates of training for the latest Traffic Noise Model (TNM) and the latest Mobile Vehicle Emissions Simulator (MOVES) for key project personnel that were included with the NEPA certification submittal.
  - c. The Consultant should also demonstrate knowledge of, or experience and training using current FHWA or EPA approved software for air dispersion and intersection modeling.

3. Wetland and Waterway Permitting
  - a. The Consultant's wetland scientist(s) must meet [NDOT's definition of "Qualified Scientist."](#)
  - b. The Consultant's wetland scientist(s) must also have Nebraska experience with proficiency in wetland delineation/wetland monitoring principals; and Section 404 permitting experience with the USACE Nebraska Regulatory office.
  - c. The Consultant must demonstrate a high level of proficiency in wetland mitigation site planning, design, and development.
4. The Consultant must demonstrate a high-level knowledge of transportation engineering concepts, transportation planning, and technical writing.
5. The Constant must demonstrate an effective Quality Assurance and Quality Control program that has resulted in minimal repeat field work and document resubmittals

**C. SOFTWARE AND EQUIPMENT REQUIREMENTS:**

1. The Consultant must have Google Chrome web browser to complete the CE documentation using NDOT's web-based application ("Smart Form", NEDS database or equivalent).
2. The Consultant must have an ANSI Type 1 or 2 noise meter to obtain accurate field measurements of noise levels. The field equipment must be capable of measuring decibels weighted with the A-level frequency response referred to as dB(A).
3. Consultant may be required to use prepare modeling input files, conduct modeling, and provide results using the latest version of the following software:
  - a. Motor Vehicle Emission Simulator (MOVES), and Traffic Noise model (TNM)
  - b. Current FHWA or EPA approved software for air dispersion and intersection modeling.
4. Consultant shall employ the use of a GPS unit capable of achieving sub-meter accurate data (differentially corrected). All geospatial data shall be post-processed to correct GPS data inaccuracies, compile all required information in the State geodatabase attribute tables, and checked for completeness, accuracy, and conformance to State data standards. Specific post-processing methods are dependent upon the applied software application.

**D. EXPECTATIONS FOR THE DELIVERABLES:**

1. The CE documentation must conclude with a CE Determination Form, complete with required attachments, signed by the Consultant Principal Author. The document submittal must be by way of the NE-CE "Smart Form" application, NEDS database or equivalent, or as directed by NDOT. All technical documents generated by the Consultant must be in Microsoft Office, ESRI (or equivalent .kmz files) and/or Adobe Acrobat formats. The final CE submittal must be accompanied by file data, not included as an attachment, to support the CE document. The Consultant must submit documentation of QA/QC review by a qualified NEPA Principal Author.
2. State funded projects will be supported through generation of technical specialty reports as outlined in Section 1, paragraphs (d) through (p). All technical documents generated by consultant must be in Microsoft Office, ESRI (or equivalent .kmz files) and/or Adobe Acrobat formats. The Consultant must submit documentation of QA/QC review by a qualified technical specialist.
3. All technical specialty reports and studies must conclude with a report and executive summary suitable to support the project environmental document.

4. Consultant will submit all geospatial data in the NDOT Wetland Geodatabase (.gdb). Coordinate system projections for all submittals shall be NAD 1983 State Plane Nebraska FIPS 2600 (Feet). The submittal will include a completed attribute table with relevant information, such as wetland name and type, for each feature. The Consultant must submit documentation of QA/QC review by a qualified Wetland Scientist.
5. The Consultant shall conduct on-site visits required to support all environmental studies, assessments, evaluations and permitting actions. All documents shall be presented to NDOT for review, comment, and approval. NDOT reserves the right to make all decisions concerning the conclusions, findings and recommendations of the documents created by consultant.
6. As applicable, plans, permits, studies and other documents provided by the Consultant will be incorporated into State project plans and/or used to obtain environmental clearances as needed to bid and construct State or Local (LPA) projects.
7. All project deliverables shall be uploaded to NDOT's ShareFile site. Upon upload, Consultant shall email NDOT project delivery team. Consultant shall include NDOT project Control Number and Project Name in email subject line.

### DETAILS

It is anticipated that six (6) consultants will be awarded contracts under the Indefinite Delivery Indefinite Quantity (IDIQ) or "on-call" procurement process. The proposed two-year contract term will have a maximum value of \$1,000,000. The contract term may be extended up to 6 months at the discretion of NDOT. Typical Task Orders that will be awarded under this IDIQ contract will range from \$5,000 to \$300,000. The payment method for the individual Task Order Agreements may be Cost Plus Fixed Fee, Lump Sum, or Specific Rates of Compensation. Eight (8) consultants will be short-listed for interviews. The evaluation criteria to be used for the short-listing and final selection are outlined below.

***NDOT reserves the right to abandon or terminate any contract at any time and either re-advertise services or utilize its own forces. NDOT also reserves the right to accomplish services for future phases on all projects with the selected consultant, select another consultant, or utilize its own forces.***

NDOT will not hold a briefing. All information is contained within this RFQ and on NDOT's website. If additional information is deemed necessary, it will be posted on the same web page as this RFQ and will be labeled as an update. Consultants interested in this RFQ are responsible for checking for updated information.

Interested consultants must have a current [NDOT Form 497, "Architect, Engineer, and Related Services Certification Form"](#) on file with NDOT prior to the deadline identified in the Schedule of Activities. If necessary, a completed NDOT Form 497 should be submitted to: [NDOT.PDAnnualCertification@nebraska.gov](mailto:NDOT.PDAnnualCertification@nebraska.gov).

Interested consultants must currently be certified to provide NEPA services for NDOT.

Please submit your Drug-Free Workplace Policy (DF Policy) separate from the response to this RFQ ([DF Policy Example](#)). The DF Policy is a one-time submittal to NDOT. Please do not re-submit unless your DF Policy has changed, or you never have previously submitted a DF Policy. While the DF Policy is not a submittal requirement, all consultants must have an acceptable DF Policy on file prior to the deadline identified in the Schedule of Activities. If necessary, the consultant's DF Policy may be submitted via email to: [NDOT.PDAnnualCertification@nebraska.gov](mailto:NDOT.PDAnnualCertification@nebraska.gov)

**Please do not call or write NDOT staff for information regarding the services in this RFQ.** Email all inquiries/questions to Randy Eldorado, Procurement Engineer, at: [randy.eldorado@nebraska.gov](mailto:randy.eldorado@nebraska.gov) or call (402) 479-4778.

## EVALUATION CRITERIA

### **Short List (60 pts)**

#### A. QUALIFICATIONS (20 PTS)

1. Qualifications of the project manager and key team members to perform the services described in the Scope of Services. Refer to minimum requirements identified in the [NEPA Studies Qualifications Instructions](#).
2. Consultant's knowledge and understanding of environmental services outlined in this RFQ.
3. Consultant has demonstrated they will allocate appropriate and sufficient staff resources or qualified subconsultants to meet project objectives and schedules.
4. Knowledge of applicable federal regulations, and State and Federal procedures related to providing the environmental services.
5. Qualifications and capability of key subconsultants to perform the services outlined in this RFQ.

#### B. PERFORMANCE DATA (15 PTS)

1. Cooperation, communication, and timeliness of deliverables with NDOT and/or LPA staff on previous projects. If the consultant's team has no experience with NDOT, the consultant should include three (3) references in their response, including contact information, that have directly been involved with similar services.
2. The consultant's team has authored Categorical Exclusion (CE), Wetland/404, and other environmental technical documents with minimal revision.

#### C. UNDERSTANDING OF THE SERVICES TO BE PROVIDED (25 PTS)

1. Consultant has demonstrated understanding of the key elements of the work
2. Consultant's team has authored approved Categorical Exclusion (CE) documentation, Wetland Delineation Reports and Section 404 Permit Applications, and other environmental technical documents. (Consultant should provide a maximum of ten (10) documents in their response)
3. Consultant has provided comparable projects for which they have been involved.

### ***Final Selection (60 pts, 100 pts total)***

The Department will send, via email, three or more questions to each of the short-listed firms, with responses due as shown below in the Schedule of Activities. The scoring of responses will be totaled, with the highest score determining the selected firm(s).

<b>SCHEDULE OF ACTIVITIES</b>	<b>Date (2022)</b>	<b>Time (CST)</b>
RFQ Posted	Feb 2, 9, 16	
Last Day Updates to RFQ may be posted	Feb 16	4:00 PM
NDOT Form 497 & Drug-Free Workplace Policy on File at NDOT	Feb 16	4:00 PM
<b>Statement of Qualifications Due</b>	<b>Feb 23</b>	<b>1:00 PM</b>
Post Short-List Consultants & Send Interview Questions	Mar 10	4:00 PM
<b>Response to Questions Due</b>	<b>Mar 16</b>	<b>1:00 PM</b>
NDOT Response Scoring	Mar 17 – 24	
Post Final Selections	Mar 24	4:00 PM

**NOTE – THE Selected Firm must provide verification that they and all subconsultants have submitted their indirect cost rates and certifications for their latest fiscal year. Latest fiscal year means the last fiscal year with an end date no more than 6 months in the past.**

**IDIQ ORDERING PROCEDURES**

When ordering specific on-call design services NDOT will consider each selected consultant’s statement of qualifications along with any performance data on file with NDOT. The selection of a consultant will be based upon the following criteria:

1. Professional qualifications of the firm
2. Specialized experience and technical competence in the type of work required
3. Past performance of similar type of work
4. Capacity of firm to perform the work in a timely manner

Upon selection, NDOT will prepare a Task Order Agreement that will incorporate the provisions of the Master Agreement by reference and includes some or all the following performance details:

1. Detailed scope of work
2. Detailed description of deliverables
3. Description of performance/quality measures
4. Timeline for delivery of services

**SUBMITTAL OF QUALIFICATIONS**

**All information must be received by the deadline identified in the Schedule of Activities. No exceptions to this deadline will be given.**

One (1) electronic copy (PDF format) of your firm's statement of qualification (SOQ) must be submitted using the Online [“SOQ Submittal Form”](#) link found on the Consultant Services Business Opportunities page. Please “reduce file size” of PDF before submitting.

Submittals are to include the following in the order given below:

1. Front cover to include the consultant, subconsultants (if applicable), and number and title of the RFQ.
2. A letter of interest not to exceed one (1) page.



3. Organizational Chart not to exceed one (1) page.
4. A narrative responding to the established evaluation factors not to exceed five (5) pages.
5. A maximum of five (5) pages of additional supportive material such as charts, tables, resumes, or photos.
6. NDOT Form 498, "Architect, Engineer, & Related Services Supplement to Statement of Qualifications" not to exceed six (6) pages for the consultant and six (6) pages for each subconsultant. A separate NDOT Form 498 must be submitted for each subconsultant to be used.

Additional submittal requirements are:

1. All material in the submittal must be formatted for 8½ x 11 paper, single or double spaced.
2. Submittal covers and dividers between the sections are allowed and not included in the page limit.

## **INTERVIEWS**

NDOT selection committee will conduct discussions with the short-listed consultants via written Questions and Answers, submitted to the shortlisted firms. Answers will be scored by the selection committee. Consultant may contact the Procurement Engineer to make any special arrangements.

NDOT will make every effort to post the short-listed consultants as timely as possible.

Upon completion of all the Q&A scoring and approval of the Deputy Director, NDOT will post the final selections on NDOT's website prior to the deadline identified in the Schedule of Activities, or as soon as possible.

John Selmer, P.E., Director  
Nebraska Department of Transportation

*EQUAL OPPORTUNITY EMPLOYER*