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DEPARTMENT OF TRANSPORTATION

Request for Qualifications

Professional Services for Independent Cost Estimator (ICE) for Niobrara East & West, S-12-5(1011), CN 31674

August 3, 2022

Statements of Qualifications are due Wednesday, August 24, 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 an Independent Cost Estimator for Niobrara E&W. Qualified 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 consultants interested in providing professional services for NDOT are strongly encouraged to review NDOT's template [Standard Professional Services 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 because 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.

All information related to the creation of the independent cost estimates by the selected ICE will be the property of NDOT and cannot be disclosed by the ICE to any individual or entity but can be disclosed by NDOT to any entity in its sole discretion.

SCOPE OF SERVICES

Independent Cost Estimator (ICE) for a Construction Manager / General Contractor (CM/GC) Delivery Method. The ICE will provide comparative cost, Opinion of Probable Construction Costs (OPCCs), and associated schedule and technical assistance including, but not limited to, providing risk assessment and management strategies and constructability input.

The complete Scope of Services is set forth in Attachment A. The Niobrara E&W concept plans and corresponding quantities are included as Attachment B.

OVERVIEW OF THE WORK

CM/GC is a contracting method that involves NDOT executing an agreement for Pre-Construction Services with a construction firm to provide constructability, estimating, and other services during the Pre-Construction Services of the Project. The selected CM/GC Contractor will work collaboratively with NDOT and the Designer as an Integrated Project Team (IPT) to mitigate risk, improve the construction schedule, streamline the design process, and develop a project that adheres to NDOT's budget.

Provided NDOT and the CM/GC Contractor have successfully collaborated in the pre-construction phase, NDOT will enter negotiation for the Guaranteed Maximum Price (GMP) with the CM/GC Contractor for a scope of Construction Work, with associated commercial/risk allocations, for the Project. Upon successful negotiation of a final GMP, NDOT intends to enter into a contract with the CM/GC Contractor to provide such Construction Work for the Project.

If NDOT and CM/GC Contractor fail to reach agreement on GMP, or any component thereof, or the GMP is not within NDOT's budget, then NDOT may reduce the construction scope and/or terminate the negotiations with the CM/GC Contractor and advertise the Project for public bidding and initiate separate procurement for selection of a general contractor to construct the Project.

The ICE will provide comparative price estimates during the project and at the OPCC milestone submittals. The ICE will use existing market conditions for the OPCCs and to evaluate the GMP proposed by the CM/GC Contractor. The ICE will be involved in project discussions regarding risk and associated cost and schedule impact throughout the development of the Project.

ORGANIZATIONAL CONFLICT OF INTEREST

NDOT has engaged several consultants to assist and participate in the Project development stages, as well as assist NDOT during the procurement process for the Project. Respondents are prohibited from teaming with, receiving any advice or discussion (except discussion in a forum established pursuant to the RFQ) any aspect relating to the Project or the procurement of the Project with any such consultants, including:

- HDR Engineering, Inc.
- Benesch
- Ballard Spahr LLP
- Kiewit (selected CM/GC Contractor)

KEY PERSONNEL

The table below provides a brief job description of the Key Personnel assigned to the Project. The number of years of relevant experience listed for each Key Personnel position represents a target goal for evaluation purposes and is not a mandatory or minimum requirement for that position. Respondents should note that, notwithstanding that a Respondent may be shortlisted, NDOT reserves the right to disapprove a particular Key Personnel individual and require a shortlisted Respondent to replace such individual.

Key Personnel	Job Description/ Relevant Year of Experience
Project Manager	<p>This position is responsible for the ICE's overall management and coordination during the Pre-Construction Services. This person will be the main point of communication.</p> <ul style="list-style-type: none"> • Must have recent experience as a project manager (10 years). • Performed as project manager for a team providing construction estimating, scheduling, and/or constructability reviews on at least two (2) alternative delivery highway construction and/or CM/GC projects. • Demonstrated relevant experience cost estimating, schedule development, and identifying and mitigating risk to a project. • Had direct responsibility for the development of the project plans, specifications, and/or construction cost estimates on at least two (2) projects within the last five (5) years. <p><i>May serve more than one role</i></p>
Cost Estimator	<ul style="list-style-type: none"> • Ten (10) years of recent and relevant contractor style, production-based estimating experience in highway construction. • Had direct responsibility for development of the project plans, specifications, and/or construction cost estimates on at least two (2) highway projects, one (1) of which must be a CM/GC project. <p><i>May serve more than one role</i></p>
Scheduler	<ul style="list-style-type: none"> • Eight (8) years of similar and relevant scheduling experience in highway construction in the last ten (10) years. • Had direct responsibility for development of document control and scheduling work products using Primavera P6 or greater, Microsoft Project, and Microsoft Excel. • Participated in critical path scheduling and analysis efforts on at least two (2) highway projects within the last five (5) years. <p><i>May serve more than one role</i></p>
Constructability Review	<ul style="list-style-type: none"> • Ten (10) years of similar and relevant construction experience in highway projects and maintenance of traffic. • Had direct participation in the development of project plans, specifications, and/or construction cost estimates on at least two (2) projects within the last five (5) years. <p><i>May serve more than one role</i></p>

QUALIFICATIONS, KNOWLEDGE, AND EXPERIENCE

- Experience working with owners, designers, and CM/GCs, serving as an Independent Cost Estimator or Engineer's Estimator on a CM/GC project(s).
- Ten or more years of recent and relevant estimating experience in highway projects with a knowledge of construction means, methods, and equipment.
- Experience conducting contractor-style, production-based cost estimates for highway projects.
- Experience identifying, quantifying, documenting, and implementing project and construction risks and risk avoidance, reduction, and mitigation strategies, as well as monitoring and providing written input into a Risk Register.
- Experience in formal risk analysis workshops that includes, but is not limited to, assisting with or conducting probability calculations, cost, or schedule impacts.
- Experience working with a construction contractor estimating and/or managing highway construction projects.
- Experience developing and reviewing construction critical path schedules for highway projects.

EXPECTATIONS AND DELIVERABLES

Consultant shall perform the services described in this RFQ and the scope of services, Attachment A.

DETAILS

One (1) consultant will be awarded the contract for this work. The payment method for the contract will be Specific Rates of Compensation.

A minimum of three (3) consultants will be short-listed for interviews. The evaluation criteria to be used for the short-listing and final selection is 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 be certified by NDOT or have a completed certification form on file with NDOT prior to the deadline identified in the Schedule of Activities. Instructions for completing the NDOT Annual Consultant Certification form is available at: <https://dot.nebraska.gov/media/6075/cert-instruc-annual-certification.pdf>

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

Please do not call or write NDOT staff for information regarding the services in this RFQ. Email all inquiries/questions to NDOT Procurement Engineer, at: ndot.pdRFQinfo@nebraska.gov or call (402) 479-4778.

EVALUATION CRITERIA

Short List (60 pts)

1. Past Performance and Experience (30 pts)

Discuss the background and experience of the Consultant and its individual team members, in Pre-Construction Services (as applicable) and conducting independent cost estimating on highway projects. Include the following:

- Experience working with owners, designers, and CM/GCs, serving as an Independent Cost Estimator or Engineer's Estimator on a CM/GC project(s).
- Experience in highway projects with a knowledge of construction means, methods, maintenance of traffic, and equipment and conducting contractor-style, production-based cost estimates for highway projects.
- Experience identifying, quantifying, and documenting risk. Experience implementing risk avoidance, reduction, and mitigation strategies. Experience monitoring and providing written input into a Risk Register.
- Experience in formal risk analysis workshops that includes, but is not limited to, assisting with, or conducting probability calculations and assessing cost and schedule impacts.
- Experience developing and reviewing construction critical path schedules for highway projects that supports each estimate.

2. Key Personnel (30 pts)

Discuss the Consultant's Organization and Key Personnel's qualifications to conduct the ICE services. Include the following:

- The length and depth of experience of the Consultant's Key Personnel in successfully managing the ICE process during Pre-Construction Services.

- Discuss past experience working jointly with owners and/or design firms on highway and/or bridge projects, with a particular focus on improving constructability and reducing cost.
- A commitment of time and availability for each of the Key Personnel and identify any other commitments each of the Key Personnel have and how those will be managed to meet the commitments for this project.

Final Selection (40 pts, 100 pts total)**3. Interview (40 Pts)****Consultant's (Independent Cost Estimator's) Approach**

Discuss the Consultant's project approach that illustrates understanding of CM/GC delivery, role of the Independent Cost Estimator, and the Project. Include the following:

- Discuss establishing a collaborative environment with the IPT and working together to resolve challenges. Demonstrate that the Key Personnel proposed for this Project have the ability to work successfully in a collaborative team environment both internally and with the IPT.
- Describe the estimating process that will be used to communicate the cost of each NDOT bid item and the cost of any risk. Discuss the use of NDOT bid items cost data for cost evaluation and comparison. Explain comparison of estimated cost to market conditions, including communicating assumptions, risk, and value engineering. Describe price reconciliation for bid items and estimates out of target range with the CM/GC Contractor.
- Discuss plans to guide the project for consistency and comparability between the Consultant (ICE), CM/GC Contractor, and NDOT's estimates with respect to risks, production rates, bid items, and pricing.
- Discuss how the Respondent's Key Personnel will contribute to building a professional environment but be willing to confront project issues to reconcile items that impact the cost of the project.
- Discuss review and evaluation of the Risk Register and the plan to support discussions about how risk is assigned to NDOT or the CM/GC Contractor.
- Provide a discussion of the Project Baseline Schedule, those things that frequently impact schedules, including but not limited to pre-fabrication of construction components, relocation of utilities, outside constraints, construction phasing, seasonal work, and the availability of materials, equipment, and labor.

SCHEDULE OF ACTIVITIES	Date (2022)	Time (CST)
RFQ posted	August 3, 10,17	
Last day questions will be accepted	August 10	4:00 PM
Last day updates to RFQ may be posted	August 17	4:00 PM
NDOT Form 497 & Drug-Free Workplace Policy on file at NDOT	August 17	4:00 PM
Statement of Qualifications Due	August 24	1:00 PM
Post Short-List Consultants & Interview Schedule	August 31	4:00 PM
Interview	September 12	2 pm – 4 pm
Post Final Selections	September 14	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.

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. Resumes of each Key Personnel with two (2) page maximum for each individual.
5. A narrative responding to the established evaluation factors not to exceed ten (10) pages.
6. A maximum of five (5) pages of additional supportive material such as charts, tables, resumes, or photos.
7. [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.

INTERVIEWS

Interview discussion date and times for short-listed consultants will be posted on NDOT's website. Interview discussions will be capped at 35 minutes, 25 minutes for consultant presentation, followed by up to 10 minutes of Q&A with the selection committee members.

NDOT selection committee will conduct interviews with the short-listed consultants via WebEx. Consultant may contact the Procurement Engineer to make any special arrangements.

Upon completion of 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