

# **REQUEST FOR PROPOSAL**

## **505-21-CC0002**

### **General Architectural/Engineering Consultant Services Term Contract in Support of Rail and Transit Projects**

**There will be an optional pre-proposal conference for this solicitation. The pre-proposal will be held via teleconference using the GOTOWebinar service. The optional pre-proposal will be March 19, 2021 at 12pm. Step by step instructions on how to attend the meeting will be in an attachment after the RFP.**

**Vendor Registration:** In order to receive an award, the firm must be a registered vendor with eVA before the RFP submission due date and time. See Attachment A - eVA Vendor Registration Requirements.

**Note:** This public body does not discriminate against faith-based organizations in accordance with the Code of Virginia, § 2.2-4343.1 or against an Offeror because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment.



**Virginia Department of Rail and Public Transportation**

## REQUEST FOR PROPOSALS

Issue Date: March 8, 2021

RFP# 505-21-CC0002

Title: General Architectural/Engineering Consultant Services Term Contract in Support of Rail and Transit Projects

Commodity Code: 918-15 Architectural Consulting; 918-42 Engineering Consulting

Issuing Agency and Address: Commonwealth of Virginia  
Department of Rail and Public Transportation  
600 East Main Street, Suite 2102  
Richmond, Virginia 23219  
ATTN: Melissa Myers

Location of Work: Virginia Statewide

Period of Contract: The contract period shall be for a one-year term or until the \$5,000,000 maximum per term limit of Project Orders issued is met. The contract may be renewable for two additional terms, at the Agency's option.

All inquiries for information should be directed in writing to Melissa Myers, Procurement Officer at melissa.myers@drpt.virginia.gov. All questions must be received by March 23, 2021.

Sealed proposals for furnishing the services described herein will be received until **3:00 p.m. Eastern time on March 31, 2021. All proposals must be received via eVA. Instructions on how to do this are included in this RFP.**

In compliance with this Request For Proposal (RFP), which includes the attached Table of Contents and all provisions and appendices attached and referenced therein, and subject to all the terms and conditions set forth herein, the undersigned offers and agrees to furnish the services **described in the RFP cited above and submit this signed proposal which includes this completed and signed page, the completed and signed Forms AE-1, AE-2, AE-3, AE-4, AE-5 and AE-6 and other data as required by the RFP.** It is understood that this proposal and the scope of services may be modified, by mutual agreement in subsequent negotiations.

Name and Address of Offeror:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FEI/FIN Number

E-mail

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature (in Ink)

\_\_\_\_\_  
Printed or Typed Name of Above

\_\_\_\_\_  
Phone

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**Note:** Electronic copies of A/E Data Forms (AE-1 through AE-6) forms are available for download at <https://dgs.virginia.gov/search/documents-and-forms/?filter=DGS-30-004>

## **I. APPLICABILITY OF THE A/E MANUAL:**

The rights and duties of the Owner and Architect/Engineers (A/E) applicable to State projects are set forth in the Terms and Conditions of the A/E Contract (CO-3a) and the A/E Manual as defined in the current edition of the Construction and Professional Services Manual (CPSM), as amended. The Terms and Conditions are available at <https://dgs.virginia.gov/search/documents-and-forms/?filter=DGS-30-018>

Offeror's attention is directed to Chapter 2, Definitions of the CPSM, for definitions of terms used in this RFP. The terms "Agency" and "Owner" are used interchangeably in the material referenced in this RFP and mean the Department of Rail and Public Transportation, the public body issuing this solicitation for services and with whom the successful A/E Offeror will enter into an agreement. For purposes of clarity and uniformity in this RFP, only the term "Agency" will be used.

It should be noted that services awarded from this RFP could be funded utilizing both state and federal funding sources.

## **II. PURPOSE:**

The Agency provides State funds to grantees who develop and implement various types and sizes of rail and transit construction projects throughout the Commonwealth. The Agency often needs professional architectural and/or engineering assistance such as investigations, studies, reports, review of design and engineering documents and related services for these projects. In addition, design services for projects directly managed by the Agency may also be needed. The purpose and intent of this RFP is to solicit proposals for a Term Contract for such professional architectural and/or professional engineering services to be provided on an "as needed" basis pursuant to Project Orders issued during the contract term. The A/E(s) awarded a contract will agree to be available to provide these services in a timely manner, thereby reducing the Agency's cost and time for advertising and developing numerous RFPs, and increasing the Agency's efficiency in obtaining professional services.

It is the intent of the Agency to issue awards to multiple A/E firms. The initial contract period shall be for one year or until the maximum limit of \$5,000,000 per term is met. The contract shall be renewable for two additional terms, at the Agency's option. The additional terms shall each be for one year periods or until the maximum limit is met. See Section X Contract Term for more information.

## **III. AGENCY'S RIGHT TO ISSUE RFPS AND PROJECT ORDERS:**

The Agency reserves the right, at its sole discretion, to issue RFPs for similar work, for other disciplines or types of work, and for other projects as the need may occur. An A/E may have only one A/E Term Contract in effect with an agency or its subsidiaries or branches at any time.

The Agency also reserves the right to issue Project Orders to other A/Es under Term Contracts at its sole discretion, based on its evaluation of each A/E's qualifications, expertise, current workload, capabilities, performance record, location or distance to the project, and other factors as may be pertinent to the particular project. The Agency also reserves the right under the provisions of this Contract to issue a Project Order to the A/E to provide services of a similar type or discipline covered by this RFP to a subsidiary, branch or state agency in the same geographic area.

#### **IV. SCOPE OF SERVICES:**

The selected A/E shall furnish all labor and resources, in accordance with the requirements of the A/E Manual, to provide complete services necessary for Project Order(s) issued during the Contract Term. In conducting these services, the A/E shall ensure all applicable Federal, State and local requirements are being met. The types of services that the A/E may be required to perform include, but are not limited to the following:

**A. Design Services:**

- Rail design review services to include but not limited to conceptual level engineering, alternatives analysis, preliminary engineering, percent submittal and final plans, construction specifications and special provisions on projects involving new track and rehabilitation, signal improvements, speed improvements, tunnel clearances, stations, etc.
- Transit design review services to include but not limited to program review and concept, schematic design, design development, construction documents on buildings including operation, maintenance, administration, multimodal transfer facilities, etc.
- Discrete reviews and studies, such as, but not limited to:
  - Develop independent cost estimates for construction projects.
  - Perform risk assessments and provide risk management services.
  - Perform value engineering studies.
  - Perform constructability reviews.
- Other review services as may be required by DRPT
- Design services (conceptual engineering design, preliminary engineering design, etc.) may be needed on projects that are directly managed by the Agency.
- Design services for rail and transit shall comply with all requirements of the CPSM, as applicable.

**B. Construction Administration Services:**

- Construction administration services as defined in the CPSM, as applicable. Typical administration services include but are not limited to monitoring, observation and site visit reports on tracks, signals, structures, crash walls, civil site, buildings, park-n-ride facilities, etc.
- Provide additional construction administration services as may be defined in the Memorandum of Understanding (MOU).

Any Project Order for a feasibility or other study or review of a schematic or preliminary design issued pursuant to the Term Contract shall not include the right to extend the A/E's scope of services to include full design and construction period services. The A/E shall not, however be prohibited from participating in competitive negotiation procurement for such services.

**V. POLICY ON SMALL BUSINESSES AND BUSINESSES OWNED BY WOMEN AND MINORITIES:**

It is the policy of the Commonwealth of Virginia to contribute to the establishment, preservation and strengthening of small businesses and businesses owned by women and minorities and to encourage their participation in state procurement activities. The Commonwealth encourages contractors to provide for the participation of small businesses and businesses owned by women and minorities through partnerships, joint ventures, subcontracts, or other contractual opportunities. Submission of a report of past efforts to utilize the goods and services of such businesses is required with any proposal for A/E services where the total A/E contract amount may exceed \$100,000. Since the potential for Project Orders under the contract exceeds \$100,000, the Offeror must provide information on its past utilization of Small, Women, and Minority Owned disadvantaged businesses, and must also state any plans to utilize such businesses and the manner in which they may be utilized under this Contract.

A list of Virginia Department of Small Business and Supplier Diversity (DSBSD) certified Small, Women-owned, and Minority-owned Business ("SWAM") firms are maintained at [www.SBSD.virginia.gov](http://www.SBSD.virginia.gov) under the SWAM Vendor Directory link.

**VI. LICENSE AND REGISTRATION:**

All business entities, except for sole proprietorships, are required to register with the State Corporation Commission. Foreign Professional corporations and Foreign Professional Limited Liability Companies (i.e., organized or existing under the laws of a state or jurisdiction other than Virginia) must possess a Commonwealth of Virginia Certificate of Authority from the State Corporation Commission to render professional services. Any business entity other than a professional corporation, professional limited liability company, or sole proprietorship that does not employ other individuals for which licensing is required must be registered in the Commonwealth of Virginia with the Board for Architects, Professional Engineers, Land Surveyors, and Landscape Architects ("Board") of the Department of Professional and Occupational Regulation ("DPOR"). Board regulations require that all branch offices of professional corporations and business entities located in Virginia that offer or render any professional services relating to the professions regulated by the Board be registered as separate branch offices with the Board. All offices, including branches that offer or render any professional service must have at least one full-time resident professional who is responsible and in charge who is licensed in the profession offered or rendered at that office. All firms that are to provide professional services must meet these criteria prior to submitting a Proposal to DRPT. Individual engineers shall meet the requirements of Chapter 4, Title 54.1 of the *Code of Virginia*.

Each business entity (prime and sub-consultants) on the proposed team that is practicing or offering to practice professional services in Virginia, including, but not limited to, those practicing or offering to practice engineering, surveying, hydrologic and hydraulic analysis, geotechnical analysis and landscape architecture, must provide evidence in the Proposal, including full size copies of appropriate commercial professional registrations and licenses for all main and branch offices proposed for this Project, and for appropriate individual registrations/licenses for those professional occupations per the requirements listed below. The Proposal should convey the requested information for each registrant by the use of a concise table or matrix. Full size copies of the State Corporation Commission and DPOR supporting registration will not count towards the page restriction.

- The State Corporation Commission registration detailing the name, registration number, type of corporation and status of the business entity.
- The DPOR registration information for each office practicing or offering to practice any professional services in Virginia, including the business name, address, registration type, registration number, expiration date.
- The DPOR license information for each of the Key Personnel practicing or offering to practice professional services in Virginia, including the name, address, type, registration number, and expiration date. Provide the office location where each of the Key Personnel is offering to practice professional services.
- The DPOR license information for those services not regulated by the Board, such as real estate appraisal, including the business name, address, registration type, registration number, and expiration date.

Failure to comply with either state or federal law with regard to requirements in Virginia regarding the Offeror's organizational structure, any required registration with governmental agencies and/or entities, and any required governmental licensure, whether business, individual, or professional in nature, may render the Proposal submittal, in the sole and reasonable discretion of the Agency, non-responsive. In that event, the Proposal submittal may be returned without any consideration or evaluation.

## **VII. MANDATORY PRE-PROPOSAL CONFERENCE:**

There will be a Mandatory pre-proposal conference for this RFP on March 19 at 12:00pm. The pre proposal will be held via teleconference using the GOTOWebinar service. The Step by step instructions on how to attend the meeting will be in an attachment after the RFP.

DRPT is requesting only two representatives from each firm be on phone/registered. Please register for **GEC Preproposal on March 19, 2021 at 12pm** at:  
<https://attendee.gotowebinar.com/register/5783107219560719888>

After registering, you will receive a confirmation email containing information about joining the webinar

Call in number is 562/247-8381 Attendee Code is 157-440-964

After registering, you will receive a confirmation email containing information about joining the webinar.

Please make sure you are able to log in, register, and are familiar with the gotowebinar service in advance. If you dial in late you will miss important information and DRPT will not go back over what has already gone over.

Any changes resulting from this conference will be issued as a written addendum to the RFP.

## **VIII. PROPOSAL REQUIREMENTS:**

### **A. General Requirements**

- In order to be considered for selection, Offerors must submit a complete sealed electronic response to this RFP. RFP must be submitted electronically using eVA (<https://eva.virginia.gov/index.html>). If you are not registered in eVA, you must do so in order to submit a proposal and have a contract with the state of Virginia.
- Proposals must be received in eVA by March 31, 2021 at 3:00p.m
- In addition, the Offeror may be required to make a subsequent oral presentation detailing how the Offeror would approach the specific elements outlined in the Scope of Work.

### **B. Proposal Preparation**

- Proposals shall be electronically signed by an authorized representative of the A/E. By submitting a proposal, the Offeror certifies that all information provided in response to this RFP is true and accurate. Failure to provide information required by this RFP may ultimately result in rejection of the proposal.
- Proposals should be prepared simply and economically, providing a straightforward, concise description of the A/E's capabilities for satisfying the requirements of the RFP. Emphasis should be on completeness and clarity of content. Proposal content must be submitted as an attachment in eVA, and each attachment can be no more than 60MB. You can submit up to five attachments at a time and as many as necessary. Elaborate brochures and other representations beyond those sufficient for presenting a complete and effective proposal are neither required nor desired.
- To reduce the effort and expense of responding to RFPs, provide uniformity in the



type of information requested, and enhance the review and evaluation process, the standard Forms AE-1 through AE-6 found in Attachment B – A/E Forms and Instructions shall be used by A/Es responding to the RFP.

- Do not duplicate information furnished in Attachment B – A/E Forms and Instructions elsewhere in the submittal. Electronic copies of the forms are available at <https://dgs.virginia.gov/search/documents-and-forms/?filter=DGS-30-004>.
- The maximum number of single-sided pages that may be included in the proposal is 50 pages. Full size registration documents and resumes are excluded from the page number restriction. All pages are to be 8 1/2" x 11" and printed with single-spaced type no smaller than 12 point.
- Proposals shall include the following:
  - The completed and signed RFP cover page
  - License and registration information including:
  - Full size copies of State Corporation Commission (SCC) and Department of Professional and Occupational Regulation (DPOR) supporting registration/licensing documentation for each firm (including that of each pertinent branch office)
  - Full size copies of DPOR registration certificates for the Key Personnel
  - Table or matrix containing the requested information
  - Attachment B – A/E Forms and Instructions
  - Attachment C – Small Businesses and Businesses Owned by Women and Minorities Data Form
- Proprietary information from Offerors will not be disclosed to the public or to the competitors provided such proprietary information is properly identified, as required by § 2.2-4342(F) of the Code of Virginia, as amended, in the proposal.
- If an Offeror wishes to submit a version of the proposal that has proprietary information redacted, the redacted version must be submitted via eVA. Section numbers which are redacted must be identified as follows: Example: Section 3, paragraph B: "Redacted. " The Offeror is responsible for ensuring that the redacted version of the proposal is carefully edited, altered, and refined in order to protect and maintain complete confidentiality of protected information.
- Any information thought to be relevant, but not specifically applicable to the enumerated scope of services, may be provided as an appendix to the proposal. If publications are supplied by the Offeror to respond to a requirement, the response should include reference to the document number and page number. Publications provided without such reference will not be considered relevant to the RFP.

## IX. EVALUATION AND AWARD OF CONTRACTS:

- A. **Evaluation Criteria:** Proposals shall be evaluated by the Agency using the following criteria:
- **A/E's Team: 30 points** - The expertise, experience, and qualifications of the A/E's personnel and proposed subconsultants in each discipline that may provide services relevant to the RFP.
  - **A/E's Capability: 30 points** - The A/E's demonstrated track record in managing projects with delivery on time and on budget, comments provided by references and the following:
    - Expertise and past experience of the A/E in providing services on other Term Contracts or on projects of similar size, scope and features as those required for the scope of services on this RFP.
    - A/E's recent (past five years) experience/history in designing projects within the established "Design-not-to-exceed" budget.
    - A/E's experience in providing services in conformance to the State's Construction and Capital Outlay procedures including Codes, Standards, Accessibility and Building Efficiency, as applicable.
    - Financial Responsibility as evidenced by the A/E carrying Professional Liability Insurance.
  - **A/E's Availability: 20 points** - Availability includes but is not limited to the following:
    - Geographic location of the A/E's office where work will be performed in relation to the project location(s).
    - Size of the firm relative to the size of the project(s).
    - Willingness to provide services on the small projects associated with Term Contracts for a reasonable fee as determined by the agency.
  - **Small Business Utilization: 10 points** - Use of small businesses and businesses owned by women and minorities as consultants, subcontractors, suppliers or support services. The DSBSD / SWAM goal for this contract is 5%.
  - **Quality of Proposal: 10 points** - Clear and concise organization of the proposal including appearance and quality.
- B. **Award of Contract:** The Agency shall engage in individual discussions and interviews with a minimum of three Offerors deemed fully qualified, responsible and suitable on the basis of initial responses, and with professional competence to provide the required services. Repetitive informal interviews are permitted. Offerors shall be encouraged to elaborate on their qualifications, performance data, and staff expertise relevant to the proposed contract. Proprietary information from competing Offerors (including the plan for accomplishing the scope of services) will not be disclosed to the

public or to competitors provided such information is duly marked as "Proprietary Information" by the Offeror and the designation is justified as required by § 2.2-4342 of the *Code of Virginia*, as amended. At the conclusion of the informal interviews, on the basis of evaluation factors published in the RFP and all information developed in the selection process to this point, the Agency shall rank, in the order of preference, the interviewed Offerors whose professional qualifications and proposed services are deemed most meritorious.

Separate negotiations shall then be conducted with the three highest ranked Offerors to establish acceptable MOUs, including marked up hourly rates considered fair and reasonable, and which compare favorably with the typical labor rates for the various A/E skill levels required for the work. Contract awards will be made to the Offerors provided the A/Es accept/agree to the Project Order offered at the time of negotiations. If the Agency and an Offeror cannot come to an agreement, negotiations with the Offeror shall be formally terminated and negotiations conducted with the fourth highest ranked Offeror, and so on, until such a contract can be negotiated at fair and reasonable rates and the Project Order agreed to by the Agency and Offeror. This process will continue until the desired number of A/E contracts is awarded by the Agency for the Term Contract.

**X. FEES:**

- A. The MOU prepared by the Agency will document the negotiated acceptable labor rates for the various A/E classifications/disciplines/skill levels. These rates will be used by the Agency in arriving at lump sum fees and any hourly rate work that is authorized by the Agency for Project Orders issued under the Term Contract resulting from this solicitation.
- B. If a Project Order is to be performed on a lump sum basis, the Agency shall determine a lump sum based on the scope of service required, the estimated man-hours required for each classification/discipline/skill level, and the labor rates agreed upon during the contract negotiations.
- C. The aggregate total of fees for all Project Orders issued during the Contract Term shall not exceed \$5,000,000.

**XI. CONTRACT TERM:**

Under this Contract, Project Orders may be issued during the one year following the date of execution of this Contract. This one year period shall be referred to as the "Contract Term." If a Project Order is issued during the Contract Term which, in the aggregate total of it, all previously issued Project Orders and any Change Orders to the previous Project Orders, reaches the \$5,000,000 limit, then no further Project Orders may be issued during that Contract Term. It is understood that the A/E's work under the Project Orders issued may not be completed during the Contract Term; however, all terms and conditions of this Contract,

including all rights and obligations, shall survive until the work is completed, except the Agency's right to issue, and the A/E's right to accept, additional Project Orders.

The Agency may, at its sole discretion, renew the Contract for additional one-year Contract Terms provided the option to renew was indicated in the RFP. If the Agency exercises its option to renew, the next Contract Term shall begin one year from the date of the execution of this Contract, the previous renewal period, or the date that the Agency notifies the A/E that the option to renew is being exercised, whichever occurs first. A new aggregate limit of \$5,000,000 shall apply to the renewed Contract Term, without regard to the dollar amounts of Project Orders issued during the previous year of the Contract. Any unused amounts from the previous Contract Term are forfeited and shall not carry forward to the renewed Contract Term. The Agency may, at its sole discretion, exercise the one-year renewal a maximum of two times.

## **XII. PROJECT ORDERS:**

The first Project Order will be issued at the same time as the execution of the A/E Term Contract. It will authorize the A/E to perform the work for a lump sum amount or at the marked up hourly rates agreed to and set forth in the MOU attached to the A/E Term Contract. The maximum fee allowed by law for any Project Order is \$5,000,000, which includes all fees and reimbursable expenses and contingencies.

It is understood that more than one Project Order may, at the Agency's sole discretion, be offered to the A/E during the Contract Term. Although the potential exists for multiple project orders during the Contract Term with aggregate fees up to \$5,000,000, the Agency does not represent or guarantee that the A/E will receive more than one Project Order.

## **XIII. CONFLICT OF INTEREST:**

Offerors that are awarded a contract under this RFP may not be eligible for certain Project Orders if they are working on a related contract. This determination will be made at the sole discretion of the Agency. All Offerors that are awarded a contract under this RFP must notify the Agency immediately of any conflicts that exist when they are asked to submit a proposal for a task order.

## **XIV. TIME SCHEDULE:**

The items that are asterisked below are approximate dates and may be changed.

Pre-Proposal: March 19, 2021 at 12p.m.

Questions Due: March 23, 2021

Proposals Due: March 31, 2021 at 3p.m.

Possible interviews with top three Offerors: Week of May 3, 2021\*

Negotiations start: May 10, 2021\*

Awarded by: May 24, 2021\*

## **XV. eVA VENDOR REGISTRATION:**

The eVA Internet electronic procurement solution, web site portal [www.eVA.virginia.gov](http://www.eVA.virginia.gov), streamlines and automates government purchasing activities in the Commonwealth. The eVA portal is the gateway for vendors to conduct business with state agencies and public bodies. All vendors desiring to provide goods and/or services to the Commonwealth shall participate in the eVA Internet e-procurement solution by completing the free eVA Vendor Registration. All bidders or offerors must register in eVA and pay the Vendor Transaction Fees specified below; failure to register will result in the bid/proposal being rejected. Vendor transaction fees are determined by the date the original purchase order is issued and the current fees are as follows:

a. For orders issued July 1, 2014, and after, the Vendor Transaction Fee is:

- (i) DSBSD-certified Small Businesses: 1%, capped at \$500 per order.
- (ii) Businesses that are not DSBSD-certified Small Businesses: 1%, capped at \$1,500 per order.

b. Refer to Special Term and Condition “eVA Orders and Contracts” to identify the number of purchase orders that will be issued as a result of this solicitation/contract with the eVA transaction fee specified above assessed for each order. For orders issued prior to July 1, 2014, the vendor transaction fees can be found at [www.eVA.virginia.gov](http://www.eVA.virginia.gov).

The specified vendor transaction fee will be invoiced, by the Commonwealth of Virginia Department of General Services, typically within 60 days of the order issue date. Any adjustments (increases/decreases) will be handled through purchase order changes

## **XVI. SPECIAL TERMS AND CONDITIONS:**

1. **AUDIT:** The contractor shall retain all books, records, and other documents relative to this contract for five years after final payment, or until audited by the Commonwealth of Virginia, whichever is sooner. The agency, its authorized agents, and/or state auditors shall have full access to and the right to examine any of the materials during this period.
2. **LATE PROPOSALS:** To be considered for selection, the proposal must be received in the issuing office by the designated date and hour. The official time used in the receipt of proposal is the time on the automatic time stamp machine in the issuing office. Proposals received in the issuing office after the date and hour designated are automatically disqualified and will not be considered. The Agency is not responsible for delays in the delivery of mail by the U.S. Postal Service, private couriers, or the intradepartmental Agency mail system. It is the sole responsibility of the Offeror to insure that its bid reaches the issuing office by the designated date and hour.

- 3. CANCELLATION OF CONTRACT:** The Agency reserves the right to cancel and terminate any resulting contract, in part or in whole, without penalty, upon 60 days written notice to the contractor. In the event the initial contract period is for more than 12 months, the resulting contract may be terminated by either party, without penalty, after the initial 12 months of the contract period upon 60 days written notice to the other party. Any contract cancellation notice shall not relieve the contractor of the obligation to deliver and/or perform on all outstanding orders issued prior to the effective date of cancellation.
- 4. SUBCONTRACTS:** No portion of the work shall be subcontracted without prior written consent of the purchasing agency. In the event that the contractor desires to subcontract some part of the work specified herein, the contractor shall furnish the purchasing agency the names, qualifications and experience of their proposed subcontractors. The contractor shall, however, remain fully liable and responsible for the work to be done by its subcontractor(s) and shall assure compliance with all requirements of the contract.
- 5. STATE CORPORATION COMMISSION IDENTIFICATION NUMBER:** Pursuant to Va. Code Ann. § 2.2-4311.2(B), a bidder or offeror organized or authorized to transact business in the Commonwealth pursuant to Title 13.1 or Title 50 is required 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, is required to include in its bid or proposal a statement describing why the bidder or offeror is not required to be so authorized.
- For assistance in complying with the above requirement please read the following:**  
The link below takes you to the State Corporation Commission document which provides information for foreign firms pertaining to exclusions to the requirement to register with the State Corporation Commission. Note that a foreign firm is defined as *“organized or existing under the laws of a state or jurisdiction other than Virginia.”*  
<http://www.scc.virginia.gov/clk/befaq/forinva.aspx#a1>
- 6. INTELLECTUAL PROPERTY RIGHTS:** The Virginia DRPT shall have exclusive rights to all data and intellectual property generated in the course of the project, which includes all inventions subject to the U. S. Patent System. This shall be inclusive but not limited to, new processes, materials, compounds and chemicals, and all creations subject to the U. S. Copyright Act of 1976, as amended, including but not limited to printed material, software, drawings, blueprints, and compilations such as electronic databases. Furthermore, DRPT shall have all rights, title, and interest in or to any invention reduced to practice pursuant to a resulting contract. Proposals should recognize the requirements of public sector agencies and of public policy generally, including the Freedom of Information Act, State statutes and agency rules on release of public records, and data confidentiality.

All copyright material created pursuant to this contract shall be considered work made for hire and shall belong exclusively to DRPT. Neither DRPT nor the contractor intends that any copyright material created pursuant to the contract, together with any other copyright

material with which it may be combined or used, be a “joint work” under the copyright laws. In the case that either whole or part of any such copyright material not be deemed work made for hire, or is deemed a joint work, then contractor agrees to assign and does hereby irrevocably assign its copyright interest therein to DRPT. DRPT may reasonably request documents required for the purpose of acknowledging or implementing such assignment.

The contractor warrants that no individual, other than regular employees and subcontractors of the contractor or DRPT regular employees, agents, or assigns while working within the scope of their employment or contracted duty, shall participate in the creation of any intellectual property pursuant to the contract. If this situation should arise, such individual and his or her employer, if any, must agree in writing to assign the intellectual property rights, as described herein, for work performed under this contract to DRPT either directly or through the contractor.

DRPT shall have all rights, title and interest in or to any invention reduced to practice pursuant to this contract. The contractor shall not patent any invention conceived in the course of performing this contract. The contractor hereby agrees that, notwithstanding anything else in this contract, in the event of any breach of this contract by DRPT, the remedies of the contractor shall not include any right to rescind or otherwise revoke or invalidate the provisions of this section. Similarly, no termination of this contract by DRPT shall have the effect of rescinding the provisions of this section.

DRPT is only entitled to the intellectual property rights for deliverables and associated documentation produced by the contractor for which DRPT has fully paid the contractor as the contract is completed or as the contract is terminated for any reason.

Copyright or pre-existing work of the contractor shall remain the property of the contractor. The contractor grants to DRPT a perpetual, royalty-free, irrevocable, worldwide, non-exclusive license to use such pre-existing work in connection with exercising the rights of ownership granted to DRPT pursuant to this section.

Notwithstanding anything herein to the contrary, DRPT acknowledges that as part of the contractor’s provision of services hereunder, the contractor may license third-party software or acquire proprietary works of authorship (collectively referred to as “products”), which have been developed by third parties. DRPT must approve the third-party license agreements and the acquisition of these third-party products prior to their use by the contractor and DRPT agrees that these products will remain the sole property of the third party.

The contractor shall grant DRPT license to use all software developed by the contractor under this contract in other applications within Virginia as DRPT sees fit. Should the contractor desire to re-use software developed under this contract for other projects (both DRPT contracts and others), DRPT must be notified in writing 60 days prior to such use. Furthermore, DRPT shall be justly compensated for the re-use of such software. Compensation shall be negotiated and agreed upon prior to DRPT releasing software rights. Typically, DRPT prefers increased software capabilities and/or functionality instead of monetary compensation.

7. DRPT reserves the right to approve any personnel or subcontractors proposed for the work described in this RFP and/or any subsequent contract resulting from this RFP. DRPT will provide written justification to the contractor when approval is not granted.
8. **PATENT RIGHTS:** If any invention, improvement or discovery of the Consultant or any of its Sub consultants is conceived or first actually reduced to practice in the course of or under this Project which invention, improvement or discovery may be patentable under the Patent Laws of the United States of America or any foreign country, the Consultant shall immediately notify DRPT and provide a detailed report. The rights and responsibilities of the Consultant, his Sub consultants and the Department with respect to such invention will be determined in accordance with applicable Federal laws, regulations, policies, and waivers thereof.
9. **KEY PERSONNEL:** People identified in terms of this RFP as "key personnel" who will work on the service contract, must continue to work on this contract for its duration so long as they continue to be employed by the Consultant unless removed from work on the Contract with the consent of the purchasing agency.



## **Attachment A –Project Background**

The following is a list of potential pending and anticipated assignments that may be needed under this contract. This is not intended to be an all-inclusive list.

### Rail Facility Projects

1. VRE Broad Run Final Design Review – engineering services to include review of final design plans, cost estimate, and schedule for the expansion of the VRE maintenance and storage facility, station platform, and the installation of a third main track along NS tracks.
2. Commonwealth Railway Marshalling Yard Expansion – engineering services to include review of design plans, cost estimate and schedule for additional on-dock rail capacity at the Virginia International Gateway.
3. Concept design or preliminary engineering design activities for rail siding projects or other projects as required as part of the Transforming Rail in Virginia program of projects.

### Transit Facility Projects

1. WATA Administration and Operations Facility – engineering services to include review of design plans, cost estimate and schedule for a new Williamsburg Area Transit Authority administration and operations facility.
2. East Falls Church Expansion Project – engineering services to include review of design plans, cost estimate and schedule for bus bay expansion at the East Falls Church Metrorail Station
3. Transitway Extension to Pentagon City - engineering services to include review of design plans, cost estimate and schedule for segments of the Crystal City Potomac Yard Transitway extension north and west to Pentagon City

## **Attachment B - A/E Forms and Instructions**

### **General Instructions**

The forms are available on the Virginia Department of General Services (DGS) website at <https://dgs.virginia.gov/search/documents-and-forms/?filter=DGS-30-004>. Do not attempt to fill in these forms online. Download the forms, save a copy, and then fill in the saved copy.

Read the Specific Instructions below to assist in completing the various AE Data forms.

Click on the sheet tabs below to go to the appropriate form.

(If more than one copy of a specific type of form is needed, make a copy of the Excel file.)

Fill in the fields highlighted in yellow. Use the tab key to move easily from field to field. The mouse can be used to select the fields. (On large text fields, the mouse must be used rather than the tab key.)

Some fields contain selection lists. These fields are denoted with an arrow just to the right of the field. To select from the list of choices, click on the arrow, and then select the appropriate choice.

When complete, print the appropriate forms, assemble them in order, and submit them as described in the RFP.

Be factual and concise. Remember that the Selection Committee members will be reviewing numerous responses to an RFP before selecting firms for interviews. Deviation from the prescribed format is **not** encouraged as it makes it more difficult for the Selection Committee to review submittals. Form AE-6 allows other supplemental data which is not covered on Forms AE-1 through AE-5.

### **Specific Instructions**

#### **Form AE-1 & 1A SYNOPSIS OF RESPONDING FIRM**

General:

Insert RFP number to which response is being made.

Insert name of the Offeror.

Insert name of the Project.

- 1) Show name, physical address, and mailing address of the Offeror.  
Provide telephone number and fax number of the Offeror.  
Provide SSN, if sole proprietor, or FEIN for firm.
- 2)(a,b) Provide information requested.
- 3) Provide name and address of the parent company or home office.  
Provide the telephone number and fax number.

- 4) Show type of ownership of the Offeror and disadvantage status. Provide the Offeror's license number from the Commonwealth of Virginia's Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA). Refer to the Department of Professional and Occupational Regulation for additional information.
- 5) Show name of principal(s) to contact concerning this RFP response. Show position title and telephone number.
- 6) Show the name of consultant(s) or other office, and the nature of the consultant or other office's project responsibility/discipline. Answer with a yes or no if proposed consultant has worked with the Offeror.
- 7) Indicate the number of in-house technical person(s) in various disciplines and skills levels. (Attach Form AE-2 for each consultant or other office.)
- 8) Show the name of the professional liability insurance carrier and the policy limits of liability with deductible.
- 9) Describe proposed involvement of disadvantaged businesses.
- 10) List state agencies for whom the Offeror has worked in last five years.
- 11) List three to five recently designed projects that have similar scopes or features. Provide AE-5 -Representative Project Data Form for each.

General: Provide the Offeror's typed name, typed title, signature, and date.

#### **Form AE-2 CONSULTANT / OTHER OFFICE**

General:

Complete and AE-2 form for each consultant firm who will assist the responding (i.e., prime) firm on this project.

If other offices of the responding firm will be employed on this project, complete and AE-2 form for each such office.

Insert RFP number to which response is being made.

Insert name of the Offeror.

Insert name of Project.

- 1) Show subconsultant/other office firm name, physical address, and mailing address.  
Provide telephone number and fax number of the subconsultant/other office.  
Provide SSN or FEIN for the subconsultant/other office.
- 2)(a,b) Provide information requested.
- 3) Provide name and address of the parent company or home office of the subconsultant.  
Provide the telephone number and fax number.

- 4) Show type of ownership of firm and disadvantaged status.  
Provide subconsultant's APELSCIDLA license number.
- 5) Show name, title, and phone number of principal(s) who will be in charge of the subconsultant's work on this Project.
- 6) Indicate number of in-house technical personnel by discipline and skill level in the subconsultant's or other office.
- 7) Describe functions or services to be provided by this subconsultant or other office.
- 8) Indicate how many projects this subconsultant has provided services to the Offeror.
- 9) Show the subconsultant's professional liability limits of insurance with deductible.

General: Provide the Offeror's typed name, typed title, signature, and date.

#### **Form AE-3 PROJECT STAFFING ORGANIZATION**

General:

Insert RFP number to which response is being made.  
Insert name of the Offeror.  
Insert name of Project.

- 1) List the project manager and primary responsible charge designer for each discipline or specialty. Complete a separate Form AE-4 for each person listed.
- 2) Will those listed be available to work on this Project? Does the Offeror have sufficient staff to commit to work on the Project on schedule considering the other work the Offeror and subconsultants may have? Explain.  
  
How does the Offeror propose to assign responsibilities and coordinate the various disciplines?
- 3)
- 4) Explain how the Offeror proposes to assure that the documents clearly and fully describe the work to be done and how the work shown by various disciplines will be coordinated.

General: Provide the Offeror's typed name, typed title, signature, and date.

#### **Form AE-4 PERSONNEL QUALIFICATIONS**

Use a separate AE-4 for **each key person** for this Project.

General:

Insert RFP number to which response is being made.  
Insert name of the Offeror.  
Insert name of Project.

- 1) Name, title, and usual job assignment of key person for this Project.
- 2) This person's job assignment for this Project.
- 3) This person's employer.
- 4) This person's years of experience total and with current employer.
- 5) List college/university attended, degree earned, year completed, and curriculum or area of specialization.
- 6) Provide information on initial professional registration. Provide Virginia six digit registration/license number as it appears on the APELSA certificate.
- 7) Indicate if individual has attended a CPSM training seminar, and if so, enter the date of the last CPSM seminar attended.
- 8) Tell what experience or qualifications this person has which makes her or him especially valuable for this particular Project.

General: Provide Offeror's typed name, typed title, signature, and date.

#### **Form AE-5 REPRESENTATIVE PROJECT DATA**

General:

Insert RFP number to which response is being made.

Insert the name of the Offeror.

Insert name of Project.

Using copies of Form AE-5, provide information on no more than five representative projects which best demonstrate the proposed team's experience and qualifications for this type of project. List projects which have features, functions, types of construction, systems, type of use, or type of occupancy similar to those envisioned for this Project.

- 1) Provide representative project name, type of project, and the project location.
- 2) Provide information concerning the owner or agency for possible reference check.
- 3) Provide information concerning the contractor who built the project (**if applicable**).
- 4) For each discipline shown, list the names of the firms which were responsible for the design in that discipline. Also list the key personnel, still with the firm, for each discipline. Include the most significant special consultant, if any.
- 5) List the applicable codes which applied to this project.
- 6) Briefly describe the project and its features. What is special about this project that would be of interest to the Selection Committee for the proposed Project?
- 7) N/A

- 8) Describe any Small Business, Minority Business, and Women Business participation. Include name of firm(s), their project function, and percent of fee.

General: Provide the Offeror's typed name, typed title, signature, and date.

**Form AE-6 SUPPLEMENTAL INFORMATION**

General:

Insert RFP number to which response is being made.

Insert name of the Offeror.

Insert name of Project.

Provide additional relevant information in brief outline or bullet format.

Questions to consider addressing are as follows:

Why should the Offeror be selected for an interview?

What expertise can the Offeror bring to this Project to ensure its timely and cost effective completion?

Provide the Offeror's typed name, typed title, signature, and date.







<b>DGS-30-004</b> (Rev. 03/19)	<b>ARCHITECTURAL / ENGINEERING FIRM DATA</b> CONSULTANT / OTHER OFFICE	RFP # _____																																																																																														
Submitted By (Firm Name): _____ Submittal For (Project Title): _____ PC # : _____																																																																																																
<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <b>1) FIRM NAME AND ADDRESS: (office where work will be done)</b>          _____          _____          _____          _____          TELEPHONE: _____ FAX: _____          FEIN / SSN: _____          State Corporation Commission ID Number / Partnership Name: _____       </div> <div style="width: 48%;"> <b>2) YEARS IN BUSINESS</b>          a) Years under present name..... _____          b) List other names and years:          _____          _____          _____       </div> </div>																																																																																																
<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <b>3) NAME AND ADDRESS OF PARENT COMPANY / HOME OFFICE:</b>          _____          _____          _____          _____          TELEPHONE: _____ FAX: _____       </div> <div style="width: 48%;"> <b>4) SPECIFIC TYPE OF OWNERSHIP:</b>  <i>Check all that apply:</i>  <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Sole Proprietorship  <input type="checkbox"/> Partnership  <input type="checkbox"/> Limited Liability Co.  <input type="checkbox"/> Professional Corp.           </div> <div style="width: 45%;"> <input type="checkbox"/> Micro Business  <input type="checkbox"/> Small Business  <input type="checkbox"/> Woman Owned Bus.  <input type="checkbox"/> Minority Owned Bus.  <input type="checkbox"/> Svc. Disabled Veteran           </div> </div>           Firm's APELSCIDLA License # _____            Firm's DSBSD Certificate #: _____         </div> </div>																																																																																																
<b>5) NAMES OF NOT MORE THAN TWO PRINCIPALS TO CONTACT: (Title and Phone Number)</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%; text-align: left;">Name</th> <th style="width: 25%; text-align: left;">Title</th> <th style="width: 25%; text-align: left;">Email Address</th> <th style="width: 25%; text-align: left;">Phone Number</th> </tr> </thead> <tbody> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>			Name	Title	Email Address	Phone Number	_____	_____	_____	_____	_____	_____	_____	_____																																																																																		
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<b>DGS-30-004</b> (Rev. 03/19)	<b>ARCHITECTURAL / ENGINEERING FIRM DATA</b> PROJECT STAFFING ORGANIZATION	RFP # _____	
Submitted By (Firm Name): _____			
Submittal For (Project Title): _____		PC # : _____	
<b>1) KEY PERSONNEL DESIGNATED FOR THIS PROJECT: (Include Form AE-4 for Each)</b>			
<u>Function</u>	<u>Name</u>	<u>Title</u>	<u>Firm / Office</u>
Project Manager	_____	_____	_____
Architect	_____	_____	_____
Structural Engineer	_____	_____	_____
Mechanical Engineer	_____	_____	_____
Electrical Engineer	_____	_____	_____
Civil Engineer	_____	_____	_____
_____	_____	_____	_____
<b>2) DESCRIBE AVAILABILITY OF STAFF AND CONSULTANTS TO WORK ON THIS PROJECT:</b> <div style="background-color: #ffffcc; height: 80px; margin-top: 5px;"></div>			
<b>3) DESCRIBE PROJECT METHODOLOGY, I.E., HOW WILL THE WORK FUNCTIONS, RESPONSIBILITIES AND COORDINATION BE PERFORMED?</b> <div style="background-color: #ffffcc; height: 200px; margin-top: 5px;"></div>			
<b>4) DESCRIBE THE METHOD OF QUALITY ASSURANCE YOU WILL USE FOR THE DOCUMENTS FOR THIS PROJECT.</b> <div style="background-color: #ffffcc; height: 150px; margin-top: 5px;"></div>			
<b>The foregoing is a statement of fact.</b>  Typed Name: _____ Signature: _____ Title: _____ Date: _____			



<b>DGS-30-004</b> (Rev. 03/19)	<b>ARCHITECTURAL / ENGINEERING FIRM DATA</b> REPRESENTATIVE PROJECT DATA	RFP # _____	
Submitted By (Firm Name): _____			
Submittal For (Project Title): _____		PC # : _____	
1) PROJECT NAME: _____			
PROJECT TYPE: _____		LOCATION: _____	
2) OWNER: _____			
Project Administrator: _____		Title: _____	
Address: _____		Email Address: _____	
_____		Phone Number: _____	
_____		FAX Number: _____	
3) PRIME CONTRACTOR: _____			
Project Manager: _____		Phone Number: _____	
Superintendent: _____		FAX Number: _____	
4) NAMES OF KEY DESIGNERS/PROJECT MANAGERS STILL WITH THE FIRM AND THEIR SPECIFIC PROJECT RESPONSIBILITIES:			
Discipline	Firm / Employer	Individual	Assignment on Project
Prime A/E	_____	_____	_____
Architectural	_____	_____	_____
Structural	_____	_____	_____
Mechanical	_____	_____	_____
Electrical	_____	_____	_____
Civil	_____	_____	_____
_____	_____	_____	_____
5) NAMES OF APPLICABLE CODES: (Place "X" in all codes that applied to this project)			
<input type="checkbox"/> VUSBC <input type="checkbox"/> IBC <input type="checkbox"/> LIFE SAFETY <input type="checkbox"/> ASAD <input type="checkbox"/> ADAAG            Other (describe): _____			
6) DESCRIPTION OF RELEVANT PROJECT FEATURES:			
_____			
7) CONSTRUCTION DATA:			
		<u>Duration (months)</u>	
Type: _____		<u>PROJECT SCHEDULE:</u>	
Gross Area: _____ sf		Sched	Actual
		Design	_____
		Construction	_____
Number of Floor Levels: _____			
Owner's Budget: _____		Number of Change Orders: _____	
A/E Estimate: _____		Cost of Change Orders: _____	
Low Bid: _____		Substantial Completion Date: _____	
8) DESCRIBE ANY MICRO BUSINESS OR SMALL BUSINESS PARTICIPATION ON THE DESIGN PHASE (Firm, Function, % of Fee):			
Proposed Participation: _____ %    Final (Actual) Participation: _____ %			
_____			
The foregoing is statement of fact.			
Typed Name: _____		Signature: _____	
Title: _____		Date: _____	

DGS-30-004 (Rev. 03/19)	<b>ARCHITECTURAL / ENGINEERING FIRM DATA</b>	RFP #
	SUPPLEMENTAL INFORMATION	
Submitted By (Firm Name):		
Submittal For (Project Title):		
PC # :		
<div></div>		
<p>The foregoing is a statement of fact.</p> <div><div>Typed Name: </div><div>Signature: </div><div>Title: </div><div>Date: </div></div>		

## **Attachment C – Small Businesses and Businesses Owned by Women and Minorities Data Form**

### **Form DGS-30-360 Instructions**

Form DGS-30-360 is a format for use in reporting participation in State procurement transactions by small businesses and businesses owned by women and minorities.

**Note:** An electronic version of this form is available for download on the Virginia DGS website at <https://dgs.virginia.gov/search/documents-and-forms/?filter=DGS-30-360>

"Part I" on page 28: View definitions and other general information before completing the remaining parts of this form.

"Part II" on page 31: Enter data on the firm submitting the proposal.

"Part III" on page 32: Enter data on past utilization of disadvantaged businesses by the Offeror. Submission of Past Utilization Reports for multiple projects is encouraged. Submit separate "Part III" forms for each past project.

"Part IV" on page 33: Enter data on disadvantaged businesses proposed for utilization on this project.

When complete, print out the "Definitions" sheet and "Parts I, II, and III" and submit all sheets as part of the proposal.

**PARTICIPATION IN STATE PROCUREMENT TRANSACTIONS**  
**BY**  
**MICRO BUSINESSES, SMALL BUSINESSES,**  
**AND**  
**BUSINESSES OWNED BY WOMEN, MINORITIES AND SERVICE-DISABLED**  
**VETERANS**

The Proposer is required to provide information concerning utilization of micro businesses, small businesses, women-owned businesses, minority-owned businesses and service-disabled veteran-owned businesses proposed for this project as well as on past projects. Failure to complete and return this form with the response to the RFP will result in the proposing firm being considered “non-responsive”.

**PART I – DEFINITIONS**

The definitions below are applicable to vendors doing business with the Commonwealth of Virginia. Federal definitions shall govern with respect to meeting federally funded highway construction and other federally financed programs.

**DSBSD:** Virginia Department of Small Business and Supplier Diversity

**Micro Business:** A small business certified as such by the Virginia Department of Small Business and Supplier Diversity (DSBSD). For purposes of DSBSD micro certification, the business must have no more than 25 employees and has no more than \$3 million in average annual revenue over the three-year period prior to certification.

**Minority-Owned Business:** A business certified as such by the Virginia Department of Small Business and Supplier Diversity (DSBSD). For purposes of DSBSD certification, the Code of Virginia defines “minority” as an individual who is a citizen of the United States or a legal resident alien and who is African American, Hispanic American, Asian American or Native American.

**Service Disabled Veteran-Owned Business:** A business owned by a veteran who (i) served on active duty in the United States military ground, naval or air service, (ii) was discharged or released under conditions other than dishonorable, and (iii) has a service-connected disability rating fixed by the United States Department of Veterans Affairs.

**Small Business:** A business certified by the Virginia Department of Small Business and Supplier Diversity (DSBSD) as compliant with Code of Virginia, §§ 2.2-1604 and 2.2-4310. The Code of Virginia defines a “small business” as one that is at least 51% independently owned and controlled by one or more individuals who are U.S. citizens or legal resident aliens, and together with affiliates, has 250 or fewer employees or average gross receipts of \$10 million or less averaged over the previous three years.

**Women-Owned Business:** A business certified as such by the Virginia Department of Small Business and Supplier Diversity (DSBSD). The Code of Virginia defines this to include businesses which are at least 51 percent owned by one or more women who are U.S. citizens or legal resident aliens.



## PART II

### DATA ON FIRM SUBMITTING PROPOSAL

**OFFEROR / PROPOSER:**Firm Name: Contact Person: Phone Number: DPOR Registration # : **PROPOSAL FOR:**Agency: Project Title: Project Code No.: **PARTICIPATION STATUS:**

As defined by Part I:

VA Department of  
Small Business and  
Supplier Diversity  
(DSBSD) Certificate #

Is the Proposer a Micro Business?

☐

Is the Proposer a Small Business?

☐

Is the Proposer a Woman-Owned Business?

☐

Is the Proposer a Minority-Owned Business?

☐

Is the Proposer a Service-Disabled Veteran-Owned Small Business?

☐**REMARKS / COMMENTS:**

## PART III

Firm Name: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

Date Form Completed: \_\_\_\_\_

Agency: \_\_\_\_\_  
Project: \_\_\_\_\_  
Project Code No.: \_\_\_\_\_

List Offeror's plans to involve micro businesses, small businesses, businesses owned by women, businesses owned by minorities, and businesses owned by service-disabled veterans in the performance of this contract either as part of a joint venture, as a partnership, as subcontractors, as consultants, or as suppliers. Offerors are encouraged to provide additional information and expand upon the following format.

[illegible]

## PART IV

**Firm Name:** \_\_\_\_\_  
**Contact Person:** \_\_\_\_\_  
**Phone Number:** \_\_\_\_\_

Date Form Completed: \_\_\_\_\_  
Is this the final report? \_\_\_\_\_

Agency:	Proposed small business participation:	%
Project:	Actual small business participation:	%
Project Code No.:	(Include ONLY small and micro business participation)	

List micro businesses, small businesses, businesses owned by women, businesses owned by minorities, and businesses owned by service-disabled veterans with which the offeror has contracted or done business with on the project noted above. Also list the dollar amount spent with each of these businesses. Offerors are encouraged to provide additional information and expand upon the following format.

[illegible]

## Attachment D – SCC Form

### State Corporation Commission Form

*STATE CORPORATION COMMISSION FORM: Required of all bidders pursuant to Title 13.1 or Title 50 (See Appendix B, Section II, 64.). Include SCC Form, Annex 6-J, in Invitation for Bids.*

#### **Virginia State Corporation Commission (SCC) registration information. The bidder:**

☐ is a corporation or other business entity with the following SCC identification number:

**-OR-**

☐ 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 bidder 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 bidder's current contacts 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.

**\*\*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 bids (the Commonwealth reserves the right to determine in its sole discretion whether to allow such waiver): ☐