

## Board of County Commissioners

## Staff Report

### Matters from Staff Agenda item #\_\_\_

**Meeting Date:** December 15, 2015

**Presenter:** Brian Schilling

**Submitting Dept:** Engineering - Pathways

**Subject:** Consideration of the Notice of Award for Civil Engineering Services for the South Park Loop Pathway Connector Project

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#### **Statement / Purpose:**

Approve the Notice of Award for Civil Design Services to Nelson Engineering for the South Park Loop Pathway Connector (3 Creek to Melody) project.

#### **Background / Description (Pros & Cons):**

In 2014, Teton County voters approved \$3.5M SPET funding for the South Park Loop Connector Pathway between the south end of 3 Creek Ranch and the west end of Melody Ranch. This approximately 2.0 mile stretch is the final remaining segment to be completed in the South Park Loop pathway network. Teton County Engineering and Pathways staff have completed preliminary planning work and public outreach, and are moving into the civil design phase of the project. Civil design is expected to take 3-4 months (through at least April 2016), and construction is proposed to begin shortly following completion of civil design (as early as June 2016).

In November 2015, Teton County Engineering issued a Request for Proposals (RFP) for the civil design work for the South Park Loop Connector project. The RFP was advertised for three consecutive weeks on November 11<sup>th</sup>, 18<sup>th</sup>, and 25<sup>th</sup> in the local newspaper. Representatives from five local civil engineering firms attended a pre-submittal meeting held at the Teton County Engineering office on November 24<sup>th</sup>.

On the December 2<sup>nd</sup> submittal due date, proposals were submitted by Harmony Design and Engineering, Jorgensen Associates, Nelson Engineering, Rendezvous Engineering, and Y2 Consultants (five total). The selection committee of Brian Schilling (TC Pathways), Gabe Klamer and Amy Ramage (both TC Engineering) independently reviewed and scored each proposal. On December 8<sup>th</sup> the selection committee met to tabulate the scoring and to discuss each proposal in detail. Based on their review of the proposals, the selection committee recommends Nelson Engineering be retained to provide civil design services.

Nelson's team includes Dave Dufault (NE) as project manager and numerous Nelson staff as supporting team members. Biota Research and Consulting will provide environmental permitting and guidance for any wetlands issues. Alta Planning and Design will add specialized expertise for the at-grade crossings and bicycle/pedestrian design. Todd Fitzgerald of Professional Tree Care is a certified arborist and will provide guidance on tree issues. Teton County has worked with all the team members previously, and staff is highly confident in their ability to provide the required services on time and on budget.

Following approval of the notice of award to the consultant, Teton County Engineering staff will meet with the consultant to finalize the scope of work and to negotiate contract details and terms. The contract, which will include a not-to-exceed fee proposal, will be presented to the County Commission for approval following legal and staff review.

#### **Statement of Strategic Intent addressed by this item (Identify BCC goals accomplished/addressed):**

##### **Environmental Stewardship**

- Support an integrated and efficient multi-modal transportation system
- Partner and collaborate with local, state, federal and other agencies

##### **Economic Sustainability**

- Partner to develop economic vitality consistent with community values as expressed in the Comprehensive Plan
- Deliver efficient government services to ensure the safety and welfare of residents and visitors

#### **Attachments:**

1. Request for Proposals – South Park Loop Pathway Connector Project (and Exhibit A) – 12 pages

#### **Fiscal Impact:**

*Organizational Excellence \* Environmental Stewardship \* Vibrant Community \* Economic Sustainability*

Selection of consultants for professional services is typically done using a qualifications-based process and the selection committee is prohibited from using consultant fees or cost as a factor in reaching a recommendation. Each submitting firm was instructed to provide a cost proposal in a separate sealed envelope. The cost proposals were not opened until after the selection had been made by the committee. Nelson Engineering's proposed fee is \$118,263 per the scope of work they outlined in their proposal. The proposed cost could change if the scope of work were to be revised during the contract negotiation phase, but staff feels that it is unlikely to change by a significant amount. The RFP did not require teams to include significant environmental or geotechnical work, but these items will be revisited if necessary during contract negotiation or later in the project. The final contract, which is expected to be ready for board approval in early January, will reflect the final proposed scope of work and will include a "not-to-exceed" proposed fee.

**Staff Impact:**

The South Park Loop Connector project will be the main focus for pathways staff for planning over the winter and will be one of three major projects under construction in 2016 (the other two are the WY22 Middle Segment Phase 2 and wrapping up the final components of various WY22 East and West phases). This will occupy a significant portion of the Pathways Coordinator's time, likely on the order of 10-15 hours per week. Other Teton County Engineering staff will also be involved in the planning and design process. Mainly Amy Ramage, Gordon Gray and/or Gabe Klamer will be involved in plan review and assisting with design decisions and analysis. Staff from other Teton County departments may be impacted as well—Parks and Recreation, Road and Levee, and Teton County Planning staff will likely be asked to participate in initial planning and subsequent draft plan reviews. Impacts will likely not be significant in terms of total hours, but there may be requests for quick response times on plan reviews in order to keep the project on schedule.

**Legal Review:**

There are no immediate items for legal review at this time. Staff will be submitting the owner/consultant agreement to the legal department for review within the next few weeks.

**Recommendation:**

Staff recommends selecting Nelson Engineering for the civil design work.

**Suggested Motion:**

I move to issue Notice of Award to Nelson Engineering to provide civil engineering design services for the South Park Loop Pathway Connector Project from 3 Creek to Melody.

# REQUEST FOR PROPOSALS

## PREPARE PLANS AND SPECIFICATIONS PROCURE RELATED ENVIRONMENTAL AND PERMITTING DOCUMENTS SOUTH PARK LOOP PATHWAY CONNECTOR PROJECT 3 CREEK RANCH TO MELODY RANCH TETON COUNTY, WY

### SECTION ONE INTRODUCTION

#### General Description and Purpose

In August 2014, Teton County voters approved a Special Purpose Excise Tax (SPET) ballot in the amount of \$3,500,000 for the design and construction of a multi-use pathway along South Park Loop County Road between 3 Creek Ranch and Melody Ranch. Teton County, WY (Owner) is seeking engineering services to prepare Plans, Technical Specifications, and a Bid Schedule for a 10'-wide paved multi-use pathway generally located within the right-of-way corridor on the north/east side of South Park Loop County Road No. 22-1. The westerly terminus of the project is the intersection of South Park Loop and Cody Creek Drive. The easterly terminus is the intersection of South Park Loop County Road No. 22-1 and Cortland Drive (Kestrel Lane). The total length of the project corridor is approximately 2.0 miles.

The final pathway alignment has not been formally approved by the Owner (approval is scheduled for early December), but for purposes of responding to this RFP, consultants shall assume that the pathway will be located on the north/east and include two "at-grade" crossing of South Park Loop near either end of the project to connect to the existing pathways on the south/west side of South Park Loop. Please reference the attached aerial photo Exhibit A for further information.

Teton County will provide survey of the project area including topographic survey and property boundary data. A wetlands delineation has been completed for the project corridor. The survey information and wetlands report will be provided to the Consultant so that these data may be used in the project design process.

#### Proposal Submission

A sealed original proposal and five (5) copies must be received by the Owner at the Teton County Engineering Office, 320 S. King Street, Jackson, WY 83001 no later than **3:00 PM MST, Wednesday, December 2<sup>nd</sup>, 2015**. Proposals must be signed by a duly authorized official of the firm. Proposal terms shall be valid for a period of forty-five (45) days from receipt by the Owner. Proposals received after the date and time specified above shall be considered late and shall not be considered for award. Late proposals shall be returned unopened to the Consultant.

Consortiums, joint ventures, or teams submitting offers will not be considered responsive unless it is established that contractual responsibility rests solely with one individual, firm, or corporation. The Owner will contract with one entity only in conjunction with the professional services solicited in this RFP.

Proposals should be submitted to:

Brian Schilling  
Teton County Pathways Coordinator  
320 S. King St.  
Jackson, WY 83001  
307.732.8573  
[bschilling@tetonwyo.org](mailto:bschilling@tetonwyo.org)

There will be a *pre-proposal submittal meeting* at the Teton County Engineering/Pathways office on Tuesday, November 24 at 1:00 PM. Any questions that potential Consultants may have will be addressed at this meeting and a written amendment will be provided if needed. All parties interested in submitting a proposal are encouraged to attend.

#### **Proposal Postponement or Amendment**

The Owner reserves the right to amend any portion of the RFP. Copies of such amendments shall be furnished to all prospective Consultants. Where such amendments require changes in the scope of services, the final date for submission may be postponed.

#### **Cost of Submittal Preparation**

Any costs incurred by the Consultant responding to this RFP in anticipation of receiving a contract award shall be the responsibility of the Entity submitting the response. The Owner shall not reimburse the Consultant for any such expenses.

## **Schedule of RFP Submission and Review**

The Owner shall adhere to the following schedule in the receipt, review, and evaluation of proposals:

November 12	RFP available for distribution
November 24	Pre-proposal submittal meeting
December 2	Proposal due date
December 9	Completion of proposal evaluations by Selection Committee
December 15	Selection Committee recommendation to the Teton County Board of County Commissioners and Notice of Award
December 29	Consultant contract execution and Notice to Proceed

## **Acceptance**

This RFP provides interested consultants with the necessary information to enable them to prepare and submit proposals for consideration by the Owner. The Owner reserves the right to reject any and all proposals, to waive informalities and irregularities in proposals, and to enter into a contract with any Consultant based solely upon the initial proposal.

Each proposal shall be submitted with the understanding that the acceptance in writing of the Owner of an offer to furnish the services described in the proposal shall constitute a contract between the Consultant and the Owner which shall bind the Consultant on his part to furnish and deliver the services in accordance with the conditions of said accepted proposal and specifications. This shall not negate the option of the Owner to further negotiate with the selected Consultant.

The Owner reserves the right to enter into a contract with any Consultant based solely upon the initial response to the RFP and the right to negotiate the cost with the selected Consultant and to accept the proposal if it is deemed to be in the best interests of Teton County.

## **Fee and Payment**

Because time is of the essence, the proposal shall also be accompanied by a fee proposal, submitted in a **separate sealed envelope**.

Cost proposals shall be submitted per the Required RFP Services as detailed on pages 4-6 inclusive and shall identify the costs associated with each task and be in the form of a Time and Materials/Not to Exceed basis as agreed to by the Consultant and Owner. Total payment will be made based on a negotiated "cost not to exceed" price. Progress payments will be based on a schedule of values determining percentage of work complete at appropriate benchmarks as agreed to by the Owner.

## **SECTION TWO DESCRIPTION OF REQUIRED SERVICES**

The selected Consultant will conduct the project with assistance from the Owner's staff. This assistance will generally consist of site visits with the Consultant to review and approve the proposed alignment of the pathway adjacent to the County Road, identification of any environmental issues or constraints, review of progress design material and participation in project progress meetings, and coordination with the Teton County Planning Office and other agencies, as required, to facilitate final approval of the Contract Documents. The Consultant shall assume all responsibility to conduct the technical portions of the work program.

The project consists of the following scope of services:

- Prepare Project Manual including Advertisement for Bids, Instructions to Bidders, Bid Form and Schedule, General and Supplementary Conditions, Technical Specifications, Construction Plans, and other related items for a 10'-wide paved multi-use pathway and structures generally located within the right-of-way corridor of South Park Loop County Road No. 22-1, as shown on Exhibit A.
- Prepare applications for Teton County Planning Department Grading and Erosion Control permit and other permits for potential wetland disturbance and mitigation as needed.
- Prepare applications for U.S. Army Corps of Engineers Nationwide 14, Wetland Disturbance, Pre-Construction Notification, or other ACOE permits or forms as needed.

The Owner will provide survey and aerial photo data which will be incorporated into the overall project plans. A wetlands delineation report will also be provided by the Owner to the consultant.

The project shall be designed to comply with the following design guidelines to the extent practicable:

- 1) AASHTO Guide for the Development of Bicycle Facilities (2012)
- 2) Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (36 CFR Part 1190 – Docket No. ATBCB 2011-04)

There will be six (6) main components where specific events or milestones will be required.

- 1) After the signing of the Owner-Consultant Contract, a field visit will be conducted with the Consultant and Owner's representatives to review a preliminary centerline for the 10'-wide paved multi-use pathway and proposed locations for pathway crossings of South Park Loop County Road. Following the visit, an aerial photo exhibit will be prepared by the Consultant indicating the location(s) of the centerline along with a field report summarizing the rationale for the proposed alignment, crossing locations, and issues that need to be addressed during the design process.
- 2) A pre-application conference with the Teton County Planning Office to determine what permits will be required and what information will be needed to obtain all applicable Teton County permits.

- 3) At the 50% phase of completion, the Consultant will assess all potential construction issues related to the proposed horizontal and vertical alignment of the pathway segments, “at grade” pathway crossings of South Park Loop, retaining walls, drainage structures, tree removal, and other improvements. These issues will generally include utility conflicts, irrigation ditch crossings (if applicable), environmental constraints including wetlands (if applicable), clearing and grubbing boundaries, typical cross sections, and other items identified by the Consultant. A written draft summary of these issues and constraints, along with preliminary plan information, shall be prepared for review and approval by the Owner. The Consultant will provide electronic copies of all information for public and agency website access.
- For the “at grade” crossings, issues will include a full safety analysis including location of crossings, signage, potential actuated crossing lights, striping, road alignment adjustments, medians, and other safety enhancements.
  - A written draft summary of available options, preliminary “at grade” crossing cost estimates, identification of any agency permitting requirements, and all other miscellaneous costs or issues associated with the construction. At this stage, the Owner will decide what option will be pursued for purposes of preparing the final design and complete bid documents.
- 4) Following Owner’s review and approval of the 50% plan, the Consultant shall prepare the Project Manual and final plans. Six (6) complete sets of the 90% documents will be provided to the Owner for final review and approval. The Consultant shall make any appropriate revisions to the Plans and Project Manual as agreed to by Consultant and Owner. At the 90% phase, the Consultant will provide electronic copies of all information for public and agency website access. The Design shall be substantially complete and will include:
- Complete set of aerial photo plan/profile sheets and typical section(s) for all proposed pathway improvements, including existing and proposed contours, spot elevations, pathway centerline, right-of-way lines, utility locations, finish grading details, geotechnical report for proposed improvements (if required), revegetation details, and other miscellaneous related items or plan details sufficient for review and approval by Teton County and WYDOT personnel.
  - Proposed cross sections at a minimum interval of 25’ and at critical point locations.
  - All proposed safety enhancements and other appropriate details for “at grade” crossings.
  - Tree removal and replacement details.
  - Wetland impacts information.
  - Irrigation ditch crossing(s) information.
  - Water right permit applications for ditch crossings.

- Identification of any temporary and/or permanent easements required to construct the project.
  - Identification of potential construction staging areas.
  - Miscellaneous details including drainage structure information and retaining wall details (if required), signage, fencing, and pathway markings.
  - Final Contract Bid Documents including Invitation for Bids, Instructions to Bidders, Bid Form/Schedule, General Conditions, Supplementary Conditions, Technical Specifications, and standard forms suitable for agency review and approval. The Bid Schedule will generally consist of estimated quantities for excavation and embankment, the structural elements of retaining walls, work items associated with an “at grade” crossing, pit run, base course, and asphalt quantities, drainage structures, and other appropriate unit cost items such as signage, fencing, erosion control devices, tree removal, utility relocation, and revegetation. “Mobilization” and “Traffic Control” lump sum bid items will also be included in the Bid Schedule.
  - Other items identified by the Consultant.
- 5) At 100% completion, ten (10) sets of Final Plans (11” x 17” size) and Contract Documents, with Owner-required revisions and a final construction cost estimate, will be submitted to the Owner. The project will be ready for advertisement and a public bidding process at this stage. The Consultant shall be available during the bidding process to answer any questions related to material prepared by the Consultant, and shall attend the pre-bid conference and provide a tabulation of bid results based on the Bid Schedule.
- 6) After the bid process and Notice of Award is issued to the successful bidder, the Owner and Consultant shall meet to discuss additional Contract Administration services required by the Owner during project construction. These services will generally include consultation with the Consultant as required by the Owner, Payment Application reviews and approvals, and compaction testing. **These post-bid professional services will be negotiated with the Consultant and are not part of this RFP.**

The Consultant shall utilize the 2013 edition of the Engineer Joint Council Document Committee documents, the 2010 Wyoming Department of Transportation Specifications and the 2001 Wyoming Public Works Standard Specifications as the basis for the Contract Documents. In addition to hard copies of all materials, an electronic copy of the Contract Documents (in Microsoft Word) as well as all Final Plans (in a digital format approved by the Owner) shall be provided to the Owner.

### **Schedule of Submittals/Key Project Dates**

The Consultant shall meet the following submittal schedule for the following milestones:

December 15, 2015	Notice of Award
December 21	Consultant contract execution and Notice to Proceed.
February 5, 2016	50% design complete. Draft plans, text summary, and preliminary cost estimate.
February 11	Review of 50% design by Board of County Commissioners (BCC) and public. Owner approval of 50% design.
March 10	90% Construction Documents complete. Final plans, specifications, project manual, and cost estimate.
March 15	BCC/public review of 90% design. Owner approval of 90% design.
March 28	Contract Documents and plans revised to address all final Owner/agency review comments. BCC approval to advertise for construction bids. Permit applications prepared and ready for agency submittal.
April 6	100% Construction Documents complete including final plans, specifications, project manual, and engineer's cost estimate. All permit/approval applications submitted to respective agencies. Project ready for bidding.

**NOTE:** The above schedule may be revised due to unknown circumstances or additional environmental compliance work or other permits required for the project.

## SECTION THREE PROPOSAL CONTENT/QUALIFICATIONS

### **Proposal Contents**

Proposals shall contain a straightforward, concise delineation of the Consultant's capability to satisfy the requirements of the RFP. Each proposal shall be submitted in the requested format and include all pertinent information necessary to evaluate the submission.

Consultants shall adhere to the following format in the development and submission of the proposal:

- 1) **Work Plan and Cost Proposals** – State in detail the proposed methods, which will be undertaken to perform the requested scope of work. Exhibits detailing the schedule of activities in your work plan should be included (5 pages maximum). Note that a cost proposal that specifies personnel hours, applicable hourly rates, and other miscellaneous costs will be submitted in a *separate sealed envelope*.
- 2) **Personnel and Staffing Plan** – Identify and provide resumes for all personnel who will have responsibility for performing the proposed scope of work. Indicate the level of effort each staff person shall have on a task-by-task basis. Indicate the organization of the proposed team, specifically identifying the proposed Project Manager. If the proposal involves a team submission, explain how the team will be organized to ensure adequate communication and performance among the firms in the team arrangement. (5 pages maximum)
- 3) **Statement of Consultant(s) Qualifications** – Provide a brief overview of the firm's qualifications to undertake this assignment. The Owner is expressly interested in the firm's experience and qualifications to provide the professional services for this specific project. Lengthy explanations of other completed, but unrelated, projects are not required. (5 pages maximum)
- 4) **Innovative Ideas** – Provide recommendations regarding procedures, methodology, and other concepts that potentially decrease project costs and expedite the projected schedule shown in the RFP. (2 pages maximum)

**SECTION FOUR  
EVALUATION CRITERIA**

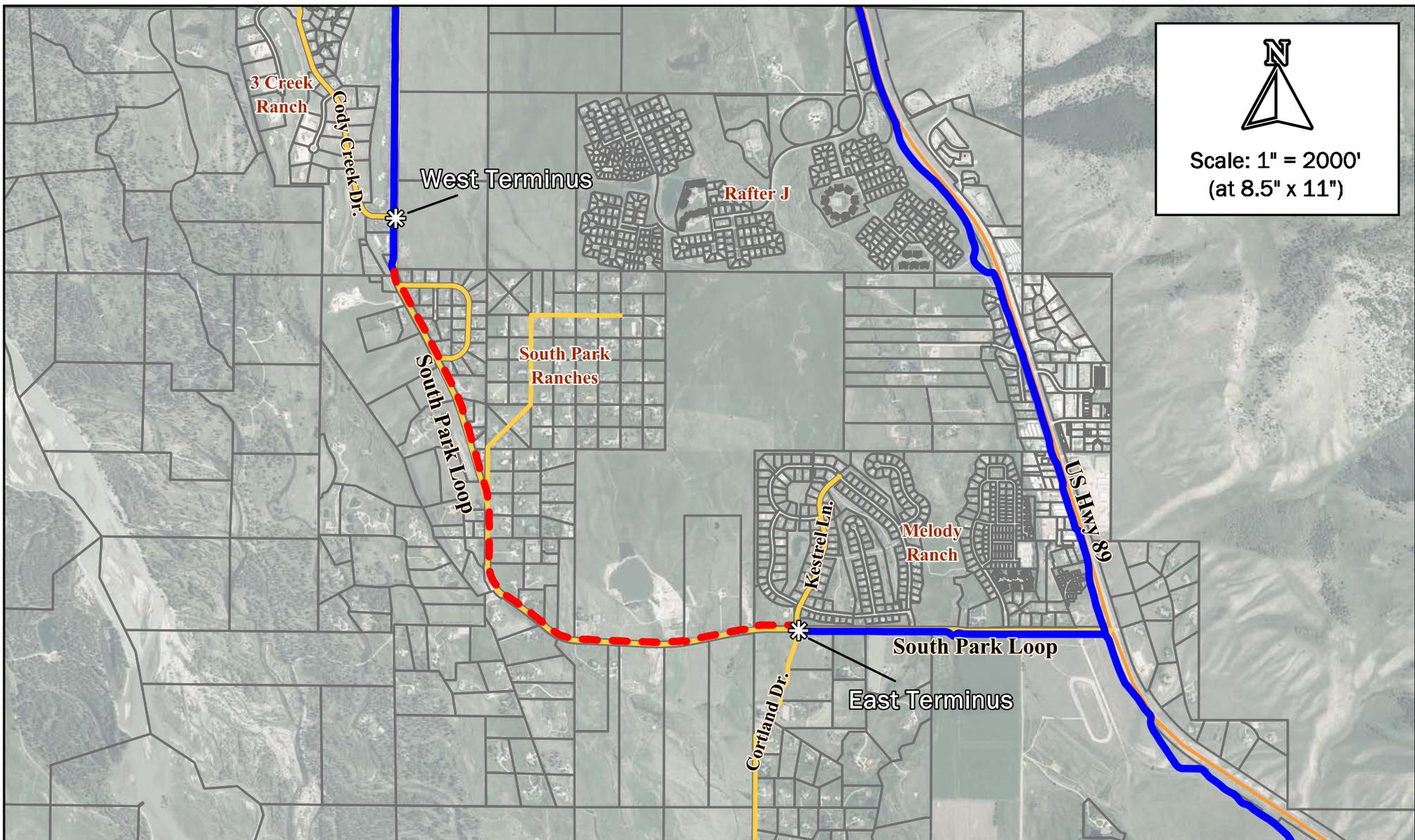
**Evaluation Criteria**

A selection committee consisting of various individuals appointed by the Owner shall evaluate the Proposals based on the following criteria:

	Rating	Weight	Score
1. Proposal Format			
Professional presentation, followed instructions	_____	1.0 _____	_____
2. Work Plan			
Methods employed, understanding what is wanted, methodology, scheduling, time management	_____	5.0 _____	_____
3. Personnel and Staffing Plan			
Experience and qualifications of key personnel assigned to this project	_____	5.0 _____	_____
4. Consultant(s) Qualifications			
Recent experience, company structure	_____	3.0 _____	_____
5. Innovation			
Procedures and methodology that decrease project costs and expedite schedule	_____	3.0 _____	_____
		<b>Total</b>	_____

**Rating Points:**

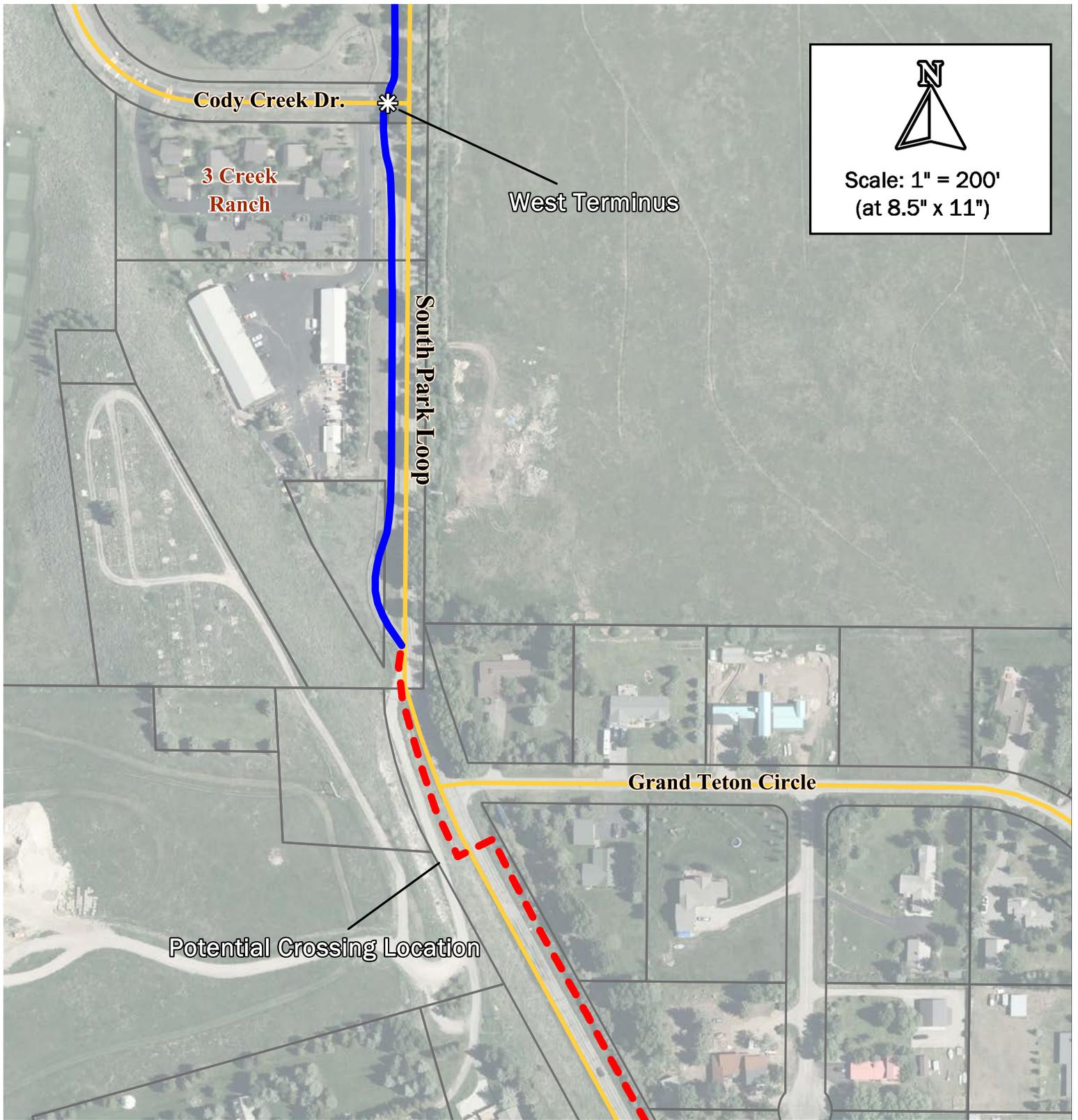
- 10 = Excellent
- 7.5 = Good
- 5.0 = Satisfactory
- 2.5 = Marginal
- 0.0 = Unsatisfactory



  
 Scale: 1" = 2000'  
 (at 8.5" x 11")

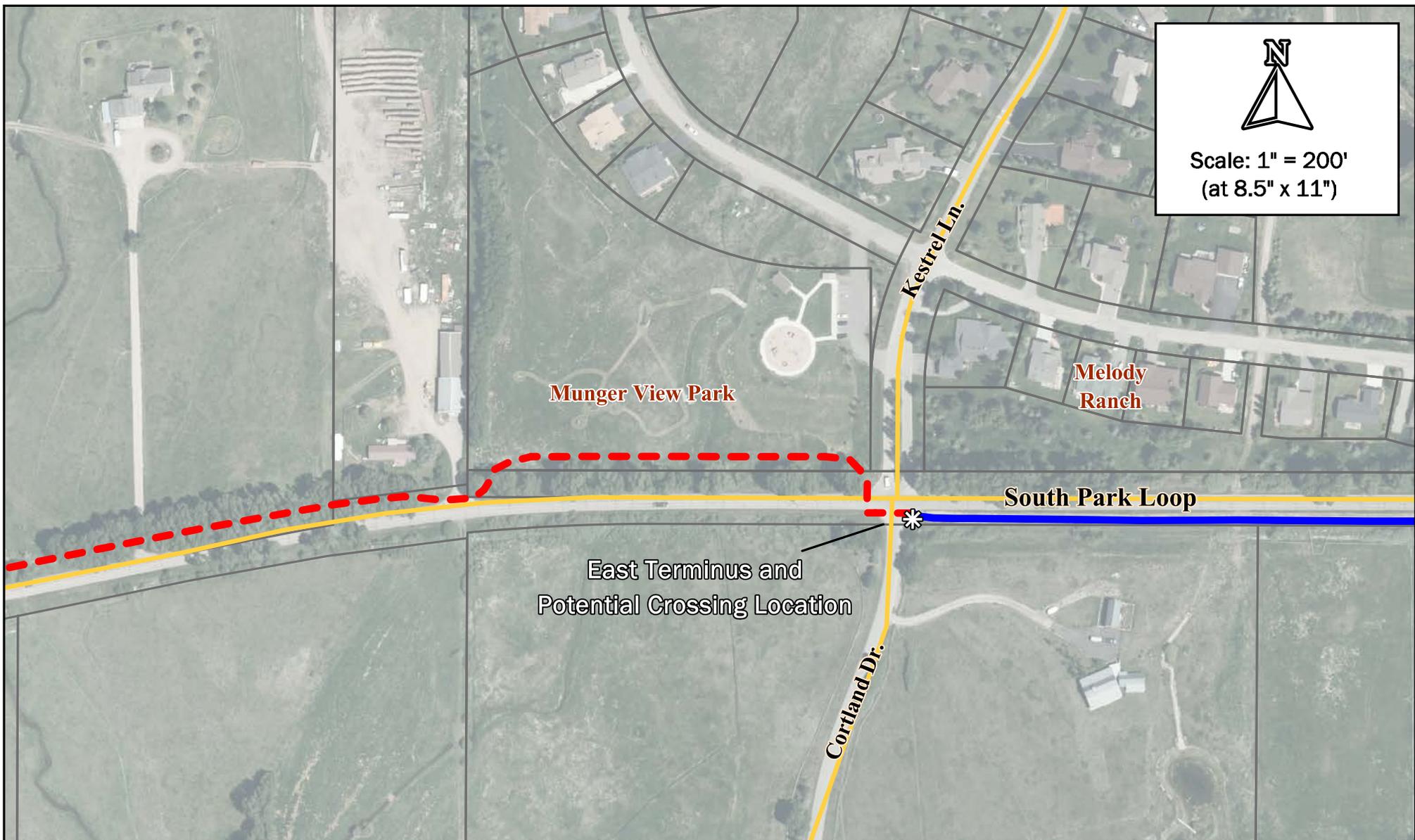
**South Park Loop Pathway Connector Project**  
**3 Creek Ranch to Melody Ranch**  
**Request for Proposals**  
**Exhibit A (p. 1 of 3)**  
**Project Area Overview**

-  Existing Pathway
-  Connector Project
-  Project Terminus



South Park Loop Pathway Connector Project  
 3 Creek Ranch to Melody Ranch  
 Request for Proposals  
 Exhibit A (p. 2 of 3)  
 West Terminus Detail

- Existing Pathway
- - - - - Connector Project
- ✱ Project Terminus



South Park Loop Pathway Connector Project  
 3 Creek Ranch to Melody Ranch  
 Request for Proposals  
 Exhibit A (p. 3 of 3)  
 East Terminus Detail

- Existing Pathway
- - - - Connector Project
- ✱ Project Terminus