

Request for Proposals

**Cleveland-Cuyahoga County Port Authority
Cleveland, Ohio**

NOTICE IS HERBY GIVEN by the Board of Directors that Letters of Interest (LOI) from qualified inspection and construction contract administration consultants will be received by the Cleveland-Cuyahoga County Port Authority for the:

**General Cargo Terminal
Dock 24 & 26 Master Modernization & Rehabilitation Project
Daily Inspection & Compliance Monitoring**

The selected consultant will perform the scope of services outlined in the Project documents which includes material testing, quantity verification, daily reporting, compliance monitoring, quality assurance testing/inspection, and other designated project management tasks.

Letter's of Interest (LOI) will be received at the office of the Cleveland-Cuyahoga County Port Authority, Attention: Mr. Nicholas A. LaPointe, 1100 West Ninth Street, Suite 300, Cleveland, Ohio 44113 until 2:00 p.m. local time on June 23, 2021.

Project documents will be available and may be obtained at the office of the Cleveland-Cuyahoga County Port Authority ("Port Authority") at 1100 West Ninth Street, Suite 300, Cleveland, Ohio 44113 during regular business hours of 9:00 a.m. through 4:00 p.m. or on the Port Authority website: <https://portofcleveland.com/doing-business/>.

LOI must be submitted in accordance with the format outlined in the Project documents.

THE PORT AUTHORITY RESERVES THE RIGHT TO REJECT ANY AND ALL PROPOSALS, TO WAIVE ANY TECHNICALITIES, TO REQUEST ADDITIONAL PROPOSALS AND TO OTHERWISE PROCEED IN ACCORDANCE WITH THE BEST INTERESTS OF THE PORT AUTHORITY.

Any LOI may be withdrawn or amended prior to the closing time for the receipt of Proposals. If any Consultant has questions, they should contact Nicholas LaPointe, of the Port Authority at 216-377-1342, or email Nicholas.LaPointe@portofcleveland.com.

UNDER NO CIRCUMSTANCE WILL THE PORT AUTHORITY BE RESPONSIBLE FOR ANY COSTS INCURRED BY ANY CONSULTANT IN RESPONDING TO THIS REQUEST FOR LETTERS OF INTEREST.

The successful Consultant will be required to enter into a contract with the Port Authority based upon the materials submitted and any mutually agreeable negotiations completed between the parties.

Cleveland-Cuyahoga County Port Authority

William D. Friedman
President/CEO

06-01-2021

Dock 24 & 26 Master Modernization & Rehabilitation Project

PID No.: 113698

Cleveland-Cuyahoga County Port Authority

Responses Due: 06-23-2021

Communications Restrictions:

Please note the following policy concerning communication between Consultants and the Cleveland-Cuyahoga County Port Authority during the announcement and selection process:

During the time period between advertisement and the announcement of final consultant selection, communication with consultants (or their agents) shall be limited as follows:

Communications which are strictly prohibited:

Any discussions or marketing activities related to this specific Project.

Allowable communications include:

Technical or scope of services questions specific to the project or RFP requirements.

Project Description

The services include construction inspection/administration services on this Project that consists of reconstruction of 1098' of bulkhead on Dock 26W. The work also includes the rehabilitation and reconstruction of the marine fenders and bollards on Docks 24 and 26. The elevations of docks 24 and 26 will be increased and include new concrete pile caps and pavement. Drainage improvements include rerouting/consolidation of stormwater collection infrastructure, outfalls and the installation of water quality and subsurface water storage devices.

Estimated Construction Cost: \$17.9M - \$18.8M

Prequalification Requirements

Prequalification requirements for this agreement are listed below. For all prequalification categories, the requirement may be met by the prime consultant or a subconsultant.

Also, please note that only individuals (not firms) are prequalified for construction inspection activities. In instances where prequalification for these services is required, a prequalified individual, either employed by the prime consultant or a subconsultant, must be named to meet the requirement.

For agreements that require prequalification in Cost Accounting - Unlimited, the prime consultant and **all subconsultants that provide engineering and design related services** must be prequalified in this category.

Engineering and Design Related Services are defined as follows:

Program management, construction management, feasibility studies, preliminary engineering, design engineering, surveying, mapping, or architectural related services with respect to a highway construction project subject to 23 U.S.C. 112(a) as defined in 23 U.S.C 112(b)(2)(A); and

Professional services of an architectural or engineering nature, as defined by State law (ORC 5526), which are required to or may logically or justifiably be performed or approved by a person licensed, registered, or certified to provide the services with respect to a highway construction project to 23 U.S.C. 112(a) and defined in 40 U.S.C. 1102(2).

CONSTRUCTION INSPECTION AND ADMINISTRATION:

Project Inspector or Construction Engineer Level 1 (Full Time);
Soils and Aggregate Inspector (As Needed);
ACI Concrete Field Testing Technician Grade 1 (As Needed)
Construction Management Firm

Selection Subfactors

For this agreement, prequalification of individuals in construction inspection/administration categories is not required, but actual prequalification of individuals and partial completion of the requirements will be considered in the selection rating. Refer to the Scope of Services document for the approximate number of personnel required for the various categories. Provide resumes for proposed staff including prequalification status, and if not prequalified, a summary of requirements partially or completely met. The Construction Management Firm will remain where applicable.

Contract Type and Payment Method

See attached example of Cleveland-Cuyahoga County Port Authority's standard Professional Services Agreement containing payment method.

Estimated Date of Authorization

It is anticipated that the selected Consultant will be authorized to proceed in July 2021.

Project Schedule

It is anticipated that pre-construction services will commence immediacy following Authorization. Construction activity will start in late summer 2021 and it is anticipated the Project will be substantially complete in late 2022. A final completion deadline of December 31st, 2022 been established for this Project.

Note, the Port Authority values engineering firms/inspectors that have the ability to phase in and out of Project roles on a part time basis.

Cleveland-Cuyahoga County Port Authority's MBE/FBE Participation Goal

It is the policy of the Cleveland-Cuyahoga County Port Authority that MBE/FBE certified firms shall have equal opportunity to compete for and participate in agreements included in this request for Letters of Interest, either as a prime consultant or subconsultant. The Consultant

must use good faith efforts to include MBE/FBE participation. The Consultant must ensure that the MBE/FBE firms participating in the agreement are performing a "commercially useful function".

This agreement includes a MBE/FBE Goal of **20%**. At least this percent of the agreement shall be subcontracted to certified MBE/FBE firms.

The letter of interest **must show** that the consultant has made good faith efforts to meet the goal. Good faith efforts may include: (1) Documentation that the consultant has obtained enough MBE/FBE participation to meet the goal; or (2) Documentation that it made adequate good faith efforts, even though it did not succeed in obtaining enough MBE/FBE participation to do so.

If the consultant fails in obtaining enough MBE/FBE participation to meet the Goal, the Cleveland-Cuyahoga County Port Authority will determine whether the Consultant has made a good faith effort to meet the goal. Consultants that do not show good faith efforts to meet the Goal will not be eligible for selection.

Suspended or Debarred Firms

Firms included on the current Federal list of firms suspended or debarred are not eligible for selection.

Compliance with Title VI of the Civil Rights Act of 1964

The Cleveland-Cuyahoga County Port Authority, in accordance with Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, all bidders including disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, sex, age, disability, low-income status, or limited English proficiency in consideration for an award.

Selection Procedures

The Cleveland-Cuyahoga County Port Authority will directly select a consultant based on the Letter of Interest (LoI). The requirements for the LoI and the Consultant Selection Rating Form that will be used to select the consultant are shown below.

Firms interested in being considered for selection should respond by submitting 3 hard copies and an electronic copy of the Letter of Interest to the following address **by 2:00 PM on the response due date** listed above.

Cleveland-Cuyahoga County Port Authority
Attn: Nicholas A. LaPointe, P.E.
1100 W. 9th Street, Suite 300
Cleveland, OH 44107

Responses received after 2:00 PM on the response due date will not be considered.

Scope of Services

The Scope of Services document is included below.

Requirements for Letters of Interest & Selection Process

A. Instructions for Preparing and Submitting a Letter of Interest

1. Provide the information requested in the Letter of Interest Content (Item B below), in the same order listed, in a letter signed by an officer of the firm. Do not send additional forms, resumes, brochures, or other material.
2. Letters of Interest shall be limited to ten (10) 8½" x 11" single sided pages plus two (2) pages for the Project Approach (Item B.5 below).

B. Letter of Interest Content

1. List the types of services for which your firm is currently prequalified by the Ohio Department of Transportation.
2. List significant subconsultants, their current prequalification categories and MBE/FBE status, and the percentage of work to be performed by each subconsultant. Assigned Project Inspector/Project Manager will be expected to ensure subconsultants are fulfilling scope.
3. List the Project Manager and other key staff members, including key subconsultant staff. Include project engineers for important disciplines and staff members that will be responsible for the work, and the project responsibility of each.

Address the experience of the key staff members on similar projects, and the staff qualifications relative to the selection subfactors noted.

4. Describe the capacity of your staff and their ability to perform the work in a timely manner, relative to present workload, and the availability of the assigned staff.
5. Provide a description of your Project Approach, not to exceed two pages. Confirm that the firm has visited the site and address your firm's: 1) Technical approach; 2) Understanding of the project; 3) Qualifications for the project; 4) Knowledge and experience concerning relevant ODOT and local standards, procedures and guidance documents; 5) Innovative ideas; 6) Project specific plan for ensuring increased quality, reduced project delivery time and reduced project costs.

For projects with MBE/FBE goals in which the consultant did not succeed in obtaining enough MBE/FBE participation to meet the goal, provide documentation that it made adequate good faith efforts, to meet the goal.

Items 1 thru 4 must be included within the 10-page body of the Lol. Remaining space within the ten (10) pages may be utilized to provide personnel resumes or additional information concerning general qualifications.

Consultant Selection Rating Form
for
Programmatic Selections

Project: CUY – Dock 24 & 26W
PID: 113698

Firm Name:

Category	Total Value	Scoring Criteria	Score
Management & Team			
Project Manager	5	See Note 1, Exhibit 1	
Strength/Experience of Assigned Staff including Subconsultants	35	See Note 2, Exhibit 1	
Firm's Current Workload/ Availability of Personnel	5	See Note 4, Exhibit 1	
Consultant's Past Performance	20	See Note 3, Exhibit 1	
Project Approach	35		
Total	100		

If Applicable: Adequate good faith efforts made to meet MBE/FBE goal

Y/N

Exhibit 1 - Consultant Selection Rating Form Notes

1. The proposed project manager for each consultant shall be ranked, with the highest ranked project manager receiving the greatest number of points, and lower ranked project managers receiving commensurately lower scores. The rankings and scores should be based on each project manager's experience on similar projects and past performance for the CCCPA and other agencies.

Differential scoring should consider the relative importance of the project manager's role in the success of a given project. The project manager's role in a simple project may be less important than for a complex project, and differential scoring should reflect this, with higher differentials assigned to projects that require a larger role for the project manager.

2. The experience and strength of the assigned staff, including subconsultant staff, should be ranked and scored as noted for Number 1 above, with higher differential scores assigned on more difficult projects. Any subfactors identified in the project notification should be weighed heavily in the differential scoring.

Firms shall demonstrate that the Project Inspector they have identified for the Project has experience/familiarity with the scope of work and more importantly has a strong ability to multitask to assist the Port Authority with in the field compliance monitoring

(CUF Interviews & Prevailing Wage Interviews), document control, PBOM development and tracking, documentation filing, development of checklist for tracking of work, and Buy American monitoring.

3. The consultants' past performance on similar projects shall be ranked and scored on a relative, differential scoring type basis, with the highest ranked consultant receiving a commensurately greater number of points. The selection team will consider Port Authority past performance and consult other agencies (ODOT) as appropriate.

The differential scoring should consider the complexity of the project and any subfactors identified in the project notification.

4. The consultant's workload and availability of qualified personnel, equipment and facilities shall be ranked and scored on a relative, differential scoring type basis. The scoring shall consider quantifiable concerns regarding the ability of a firm (or firms) rated higher in other categories to complete the work with staff members named in the letter of interest.

**CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY
CONSTRUCTION ADMINISTRATION, INSPECTION, AND MATERIALS
MANAGEMENT SCOPE OF SERVICES**

Project Specific Services

Project Name	Dock 24 & 26 Master Modernization & Rehabilitation Project
PID	113698
Project Description	The Project consists or rehabilitation to Dock 24 and 26W at the Port Authority's General Cargo Terminal
Work Description	The work specifically includes the reconstruction of 1098' of bulkhead on Dock 26W. The work also includes the rehabilitation and reconstruction of the marine fenders and bollards on Docks 24 and 26. The elevations of docks 24 and 26 will be increased and include new concrete pile caps and pavement. Drainage improvements include rerouting/consolidation of stormwater collection infrastructure, outfalls and the installation of water quality and subsurface water storage devices.
Scope of Services Meeting Date	N/A

I. GENERAL REQUIREMENTS & SPECIAL NOTES:

Provide services in accordance with developed scope of services included in the Cleveland-Cuyahoga County Port Authority's Professional Services Agreement and ODOT's Construction Administration Manual of Procedures, 2017 or latest revision.

The Cleveland-Cuyahoga County Port Authority is a local government agency that employs a small staff of high caliber, highly capable people. Port Authority staff members carry significant workloads and place high expectations on performance and quality. We anticipate the same from our business partners. The Consultant shall augment and provide resources to complement CCCPA staff to successfully complete this Project. Highly experienced, committed, organized, detailed, self-motivated, technologically capable personnel who require limited daily interaction with the Port Authority are preferred on this Project.

Additionally, please note Federal/State aid will not be used as part of the compensation package of the Consultant. Local funds will be used to compensate the Consultant for services rendered.

II. SCOPE OF WORK

Provide a project team including personnel that meet the following prequalification categories:

ODOT Prequalification Category	Approximate Number Required	Notes
Project Inspector or Construction Engineer Level 1	1	Full Time

ACI Concrete Field-Testing Technician Grade 1	As Needed	Part Time
Soils & Aggregate Inspector	As Needed	Part Time
Non-Prequalified Personnel	Approximate Number Required	Notes
Compliance: EEO/DBE/Prevailing Wage	As Needed	Part Time

The services may include:

A. Construction Contract Administration Duties

The performance of engineering and supervisory duties, administration, inspection and materials management required in the administration of a Federal Aid construction contract, as defined in the Ohio Department of Transportation (ODOT) Construction Inspection Manual of Procedures, and in accordance with the Construction and Materials Specifications (CMS), and construction contract specific requirements.

The table below includes the specific services required for this agreement.

		Responsibility		
PRIMARY TASK	MARAD/ODOT Oversight	CCCPA	CONSULTANT	NOTES
POST AWARD				
Preconstruction Conference	X	X	X	All Parties Attend
ACTIVE PROJECT ADMINISTRATION				
Daily Field Engineering and Inspection			X	CCCPA To Review/Audit
MATERIALS MANAGEMENT, TESTING AND CERTIFICATION				
Asphalt, Concrete & Aggregate Producer/Supplier Monitoring			X	
Asphalt, Concrete & Aggregate Field Testing			X	
Field Inspection of Materials from ODOT Certified Sources			X	
Monitoring and Documentation of Materials Management Process	X	X		ODOT/CCCPA To Review/Audit
PROJECT DOCUMENTATION				
PBOM Development, Tracking, & Daily Diaries			X	CCCPA To Review/Audit

Documentation of Quantities, Completed & Accepted			X	CCCPA To Review/Audit
Monitoring of Project Documentation	X	X		ODOT/CCCPA To Review/Audit
ACTIVE PROJECT MANAGEMENT				
Progress Meetings		X		Consultant To Attend
Schedule Tracking and Updates		X		
PAYMENT & REIMBURSEMENTS				
Contractor Payment		X		
Summary of Progressive Payment		X		
Invoice and Reimbursement Preparation		X		
Review and Approval of Reimbursement Request	X	X		
CONTRACT CHANGES				
Negotiation and Preparation of Change Orders		X		
Concurrence on significant Change Orders for Reimbursement	X	X		
CLAIMS MANAGEMENT				
Claims Negotiation and Approval of Resolution		X		
Approval of Funding for Resolution	X			
Monitoring and Documentation of Claims Management Process	X	X		
PREVAILING WAGE COMPLIANCE				
Wage Interviews, Payroll Reviews			X	
Resolution of Underpaid Wages		X	X	
Monitoring and Documentation of Prevailing Wage Compliance Process		X	X	
EEO AND DBE CONTRACT COMPLIANCE				
EEO/DBE Contract Requirements		X	X	
Bulletin Board Monitoring		X	X	

Review and Approval of Contractor DBE Waivers		X	X	
Commercially Useful Function Reviews		X	X	
Monitoring and Documentation of LPA's EEO and DBE Compliance Process	X	X	X	
PROJECT FINALIZATION				
Final Inspection and Acceptance	X	X		
Resolution of Punch list Items		X	X	
Agreement of Final Quantities, Payment		X	X	
Final Payment to Contractor, Release of Responsibility		X		
Preparation of Project Closeout Documents		X		
Review and Approval of Finalization Documents		X		
Completion of LPA Contract Administration Evaluation	X			

B. Inspection/Testing Equipment as listed below:

Inspection/Testing Equipment	Approximate Number Required	Notes
Nuclear Density Gauge and related tools.	1	
Concrete Control Kit to perform tests ASTM C-231, ASTM C-173, ASTM C-138 and ASTM C-143.	1	
Paint Inspection Kit in accordance with CMS 514.05.	N/A	
The type and number of vehicles, either cars or trucks, for use on-site.	N/A	

III. COMPENSATION

- A. The Cleveland-Cuyahoga County Port Authority shall make payment based on actual hours worked by the Consultant's employees, excluding sick leave, personal leave, and vacation. Payment for holidays will not be made unless the Consultant is required to work; in such case, the holiday will be considered a regular work day and will be paid at the regular hourly rate, unless the forty (40) hour work week requirement has been met as described in the following Paragraph (B). Work in excess of forty (40) hour work week must be approved by the Cleveland-Cuyahoga County Port Authority prior to being incurred.
- B. If applicable, overtime will be paid for all hours worked over a total of forty (40) on a

weekly basis, including core working hours and eligible driving time. Payment for eligible overtime shall be commensurate with the Consultant's personnel policies. Specifically, companies that treat overtime premium as a direct cost may bill directly for overtime plus any applicable premium rate (e.g., time and a half for each hour of overtime worked). Conversely, companies that treat overtime premium as an indirect cost (overhead) must bill/invoice overtime hours at the straight-time pay rate.

IV. INVOICING

The Consultant shall submit an invoice each month per the terms of the Port Authority's standard Professional Services Agreement.

V. CONSULTANT STAFF REQUIREMENTS

The Consultant shall assign only qualified personnel to the project. The Consultant shall remove any employee who, in the determination of the Cleveland-Cuyahoga County Port Authority does not perform the work in accordance with the Manual of Procedures, the Construction and Materials Specifications (CMS), and construction contract specific requirements.

Should the Consultant fail to remove the employee or employees as required, or fail to furnish suitable and sufficient personnel for proper performance of the work, the Cleveland-Cuyahoga County Port Authority may withhold payment of invoices submitted by the Consultant until corrective measures are taken. If the Consultant fails to comply, the Cleveland-Cuyahoga County Port Authority may make a finding to that effect and so notify the Consultant in writing that the Agreement is terminated in accordance with the Professional Services Agreement.

VI. REPORT-IN LOCATIONS AND TRAVEL REGULATIONS

The report-in location for Consultant personnel shall be the office space designated for the inspector on the Project. No compensation will be provided for commuting to and from the report-in location. Consultants that provide leased or company owned vehicles for use on site shall be compensated on a daily rate basis. If company owned vehicles are provided, the Consultant's indirect cost pool shall be credited for the daily rate reimbursement.

VII. SERVICES BY THE CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY

- A. The CCCPA will make available to the Consultant the necessary plans, specifications, copy of the proposal and other documents as required.
- B. The CCCPA will provide the Consultant with documentation requirements including inspection report forms needed for computation, reporting, record keeping and field testing, if available.