



GOBIERNO DE PUERTO RICO
DEPARTAMENTO DE RECREACIÓN Y DEPORTES

A&E Services
Sports and Recreation Department
RFP-003-2022

date issued:
August 12, 2022

Proposal submission deadline:
September 12, 2022

Need for the services

The Puerto Rico Sports and Recreation Department, known for its acronym DRD in Spanish, was created under the provisions of Organic Law Num 8, as amended. The DRD is the executive agency responsible for the sports and recreation activities in Puerto Rico. The Agency oversees its facilities across the Island and is accountable for its maintenance and reconstruction. Sports and recreation facilities must be renewed and maintained according to the standards of the specific sports in a given facility.

In September 2017, Puerto Rico experienced the effects and devastation of Hurricane María. As a result, the Federal Emergency Management Agency (FEMA) assigned Public Assistance Funding to the Government of Puerto Rico so that communities could recover from the disaster. The Department, as a sub-recipient, is reconstructing facilities that experienced damage caused by Hurricane María, disaster 4339. The DRD has an urgency to reconstruct its sports and recreational facilities.

At present, the DRD has over 100 facilities that are still pending for validation, design and construction documents, and bid documents. Therefore, we are seeking qualified A&E firms to advance the reconstruction of these facilities. Priority will be given to proposals with a shorter timeline or streamlined processes.

Purpose

The purpose of this RFP is to solicit proposals from qualified Engineering firms to conduct preliminary engineering analysis, necessary surveys, studies, and reports, preliminary and final designs, bid documents, and other required tasks. Interested firm must explain in detail how will they be able to provide the services and achieving the expected results, while in compliance with FEMA PA and CDBGDR requirements.

Definitions

For the purpose of this RFP, the following definitions apply:

A proposal is a formal written request in response to this RFP.

A proponent is a qualified individual, partnership, corporation, or business not currently debarred in federal, state, and/or Local jurisdictions.

An RFP or solicitation is the document published by the Agency, that establishes the requirements and solicits proposals to meet the needs of the Agency.

Eligible applicants

The Sports and Recreation Department is seeking A&E firms to conduct design and engineering services. The applicant must be familiar with FEMA and CDBGDR requirements. In addition, the applicant must be able to document EHP requirements.

Qualified firms

Design architectural and engineering (A&E) services firms must have experience complying with federal projects. Proponents must be registered in the RUP, must have an up to date registration in SAM (<https://sam.gov>) and have a valid Unique Entity Identifier (UEI) number. Proponent shall comply with contracting requirements in accordance with PR Law 173, August 12, 1988, as amended.

Number of contracts

The DRD will grant as many contracts as needed to expedite an agile process. The DRD has the authority to select proponents whose proposal, in accordance with this RFP, is the most advantageous to the Government. Likewise, the DRD reserves the right to modify the contract(s) of the selected respondent(s) to extend the original duration, as further explained in this RFP, or to extend the scale of the scope to include work under subsequent plans, as long as it is related to the services requested herein. Priority will be given to respondents that have the capacity to develop projects with a shorter timeline or streamlined processes. **No obligation to contract / rejection of proposals /cancellation of RFP**

DRD reserves the right to accept or reject, in whole or in part, all proposals submitted and/or cancel this RFP and/or reissue this RFP or another version of this RFP at any time prior to the execution of a contract if it determines, in its absolute discretion, that doing so is in the best interests of the impacted communities or the Government of Puerto Rico. If any proposals are rejected, DRD reserves the right to re-solicit proposals.

RFP and proposal as part of agreement

This RFP, as well as any related solicitation documents such as addendum, and the selected respondent's proposal will become part of any contract between DRD and the respondent. If the terms of the RFP and related documents or proposal are in conflict with the signed contract, the terms of the signed contract will prevail.

The service provider must ensure that all work performed pursuant to this RFP is eligible for United States Department of Housing and Urban Development (HUD) and the United States Federal Emergency Management Agency (FEMA) Public Assistance grant funding and performed in accordance with HUD, FEMA and other applicable Federal and GPR regulations, policies and guidance including, but not limited to, Davis-Bacon Act (40 U.S.C. 276a to 276a-7) and Clean Air Act (42 U.S.C. 1857(h)). Qualified professionals and/or professional firms shall possess all required Federal and Government licensing. This may include, without limitation, the programs known as FEMA Public Assistance, FEMA Hazard Mitigation Grant Program, Private Property Debris Removal (PPDR), HUD Community Development Block Grant Program, HUD Community Development Block Grant Program—Disaster Relief, HHS Social Services Block Grant Program, DOT, FHA, FTA, FAA Grant Programs, Department of the Interior Grant Programs, USDA Emergency Watershed Protection Program, USDA Emergency Forest Restoration Program, among others.

Professional service provider sole registry certificate

The Respondent must be registered within the General Services Administration's Professional Service Provider Sole Registry (RUP). The Respondent must present a Certificate of Registry issued by the General Services Administration. certification required by law. All certifications must be current, that is, issued within thirty (30) days from the date the successful Proponents sign the awarded contract.

Ownership of proposals

All documents, including Proposals submitted to DRD, become the property of DRD. Selection or rejection of a Proposal does not affect this provision.

Waiver of informalities DRD reserves the right to waive any informality and/or irregularity in a proposal or offer if it determines that doing so is in its best interest.

Confidentiality of proposal DRD shall have no obligation to treat any information submitted in connection with a Proposal as proprietary or confidential unless (i) the Respondent so identifies such information in its Proposal as proprietary or confidential, and (ii) DRD determines that the information is proprietary or a trade secret and legitimately requires such treatment or that it must otherwise be protected from publication according to law DRD obligations with respect to protection and disclosure of such information shall always be subject to applicable law.

Scope of the requested services

The purpose of this RFP is to solicit proposals from qualified professionals and/or professional firms to conduct preliminary engineering analysis, surveys, studies and reports, preliminary and final designs, bid documents, and other required tasks. The firm shall evaluate and consider, in accordance with the procedures set forth in the Public Assistance Alternative Procedures (Section 428) Guide for Permanent Work, any special Services required for the Project.

General Description of services:

Phase I – Preliminary Engineering Analysis

- ✓ Perform site visits and detailed inspections to validate DDD damages, record coordinates, and take pictures; Prepare as-built drawings (as constructed, representing the facility without damages) and as-found drawings (identifying the damages caused by Hurricane María).
- ✓ If Applicable, conduct tests or in accordance with the criteria, protocols, and regulations established by the Department of Environmental and Natural Resources (DRNA, for its Spanish Acronym), US Environmental Protection Agency (EPA), and US Department of Housing and Urban Development (HUD). Conduct a survey to determine the presence of Asbestos and Lead Based Paint. The number of tests required shall be determined in accordance with the criteria, protocols, and regulations established by the Department of Environmental and Natural Resources (DRNA, for its Spanish Acronym), US Environmental Protection Agency (EPA), and US Department of Housing and Urban Development (HUD).

Phase II – Preliminary Design

- ✓ Analyze validated project, develop the Scope of Work (SOW) per each item, establish the Method of Repair in accordance with current PRBC (Puerto Rico Building Code), as required by Section 1235(b) of the Disaster Recovery Reform Act of 2018 (DRRA), specifications, and standards, including the Secretary of Interior's Standards for Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (if applicable). Include the references to the applicable code and standard for each damaged item and develop a Preliminary A&E Assessment Report based on all findings, validation, DDD analysis, and recommendations.
- ✓ Prepare Preliminary Professional Opinion of Costs with the aid of the most recent version of RS Means while applying the corresponding City Cost Index (CCI) factor. All items shall be described in the same order of the validated DDD and according to FEMA Cost Estimate format, see Appendix C.

- ✓ Develop a preliminary design plan set up to approximately 30% development, with an updated project SOW, updated project schedule and updated project budget for the consideration of the DRD.
- ✓ Identify additional hazard mitigation activities that may benefit the intended facilities to be rehabilitated and its surrounding community.
- ✓ If needed, the DRD will request improved an project, following FEMA terms and conditions

Phase III – Final Design

- ✓ Upon DRD’s concurrence and approval of the Preliminary Design, the Consultant shall prepare the Final Design Drawings and deliver Construction Documents Construction Specifications and an updated construction project schedule (including its respective Gantt chart).
- ✓ Upon the DRDs concurrence and approval to proceed, prepare the hazard mitigation
- ✓ Identify additional hazard mitigation activities that may benefit the facilities and are directly related to the FEMA SOW
- ✓ Consider that the facilities may be located in Flood Zones.
- ✓ Refer to Appendix D for the FEMA Environmental and Historic Preservation (EHP) checklist v to help identify SOW elements.
- ✓ Owner’s acceptance and approval.

Phase IV – bid/construction documents

The contracted firm will:

- ✓ Prepare bid/ construction documents, including cost estimates, plans, details, specifications, and bid documents based on the approved schematic design. The consultant will determine and incorporate applicable federal and local requirements into documents. Consultant shall submit the documents to SHPO, and any other agencies, as applicable;
- ✓ Submit construction documents and detailed cost estimate to DRD for review at 50%, 95%, and 100% completion, unless otherwise specified. Submit 5 copies (4 copies plus 1 reproducible unbound copy) for all drafts for review. Consultant’s standard drawing sheets. Draft plans may be submitted for review using either the full-size D (24×36) format or a reduced 11X17 format. Consultant shall ensure that drawings and notes are legible if using the reduced format. The Consultant will provide technical specifications to be approved by DRD. The Specifications shall comply with all Federal and local laws regarding bidding of public projects.
- ✓ Conduct revisions if requested by the Owner.
- ✓ Process all applicable endorsements and permits, including environmental and or historical compliance, and construction permits;

- ✓ Submit final copy-ready construction/bid documents: original plans on D similar sheets and reduced 11×17 sheets. Each plan sheet, including the title page of the specifications, shall be stamped and signed by the Consultant. Consultant shall also submit documents (drawings and specifications) on a pen drive, in a format compatible with AutoCAD 2000 and Microsoft Word.
- ✓ Submit final cost estimate. The estimate shall be broken down into line items and shall identify items of work that can potentially be deductive bid alternates. Use a spreadsheet program compatible with Microsoft Excel.

Key Points:

1. To submit a proposal, you must be registered in the ASG RUP and provide evidence. You must also be registered at SAM (federal government systems award management).
2. The submission deadline is September 12, 2022, not later than 4:00 p.m.
3. The proposal must be delivered in person (or by a designated person) at the DRD Central Office, at 1000 Los Angeles St, San Juan, PR 00902.
4. Submit (3) original copies of the proposal and all documentation. The original copy must have an original signature. Also, include a pen drive containing all the submitted information and documentation.
5. Proposal reviewers will only take into consideration information presented in the proposal.
6. The proposal can be prepared using English or Spanish language.
7. Use double space, Calibri, Arial, or Times Roman fonts, font size must be 12.

Evaluation and selection criteria (100 points)

An evaluation committee, designated by the Department will assess the responses presented on each proposal. The proposals shall be clear, precise, and include sufficient detail to sustain the proposed work. Proponents shall assume that the DRD has no prior knowledge of their experience or best practices and qualifications and past performance. All proponents are required to provide the following information:

Commitment and understanding of project requirements (20%) Include a letter, no more than two pages in length explaining your experience in working with FEMA PA projects and how will your ability to meet the requirements of the FEMA PA Projects. Also state that the firm has the availability to conduct the project in a timely manner. State your capability and experience to conduct HEP compliance. This letter must be signed by a duly authorized official of the appropriate firm. Explain the firm’s experience, organizational and human resource capacity.

Also, academic, professional, certificates, licenses, other qualifications of project personnel conducting A&E study.

Demonstrated experience (20%) include one (1) project sample (with contact information for lead staff of such project) completed over the past two years, that will confirm the proposer’s expertise in A&E studies. Examples must be specific to key staff and completed or near completion at the time of submitting the RFP.

Timeline: (20%) Provide a comprehensive description of proven methods and plans for carrying out the feasibility study in a timely manner, Proposer shall submit a detailed timeline (not more than 30 calendar days), containing dates and schedule for the project including but not limited to, start date, proposed end date, project acceptance.

Budget/rates (20%) The proposer shall submit an estimate of the total fee for the services, tied to the project phases at an hourly rate schedule. Provide a detailed budget that includes professional services to be rendered, by hour and by personnel (if needed). Also include your budget for essential services to be contracted, such as surveys, analysis, etc. We will not reimburse for per diem, or other related expenses.

Minority/wob: (5%) If you are registered minority business or women owned business, please provide your certification.

Additional Items: (5%) Include all other pertinent information regarding this RFP, particularly any information that the proposer feels addresses professional qualifications, organizational capacity, and experience with FEMA A&E studies.

Timeline

Key Activity	Target Date
Publication of RFP	August 12, 2022
Questions	Aug 22 – 26 email: infraestructura@drd.pr.gov
Addendum response to clarify questions	August 30, 2022, by COB
Deadline to Submit Proposals	September 11, 2022 2:00 p.m. – DRD Infrastructure
Notice of Award Expected	September 27, 2022
Execution of contract Expected	September 27, 2022
Begin work	October 5, 2022 (or once contract is registered)

Collection and use of personal information

Respondents are solely responsible for familiarizing and ensuring that complying with applicable laws regarding the collection and dissemination of information, including résumés and other personal information concerning employees and any subcontractors. Suppose this RFP requires Respondents to provide DRD with personal information of employees included as resources in the Proposal to this RFP. In that case, respondents will ensure that they have obtained written consent from each employee before forwarding such personal information to DRD. Such written consents specify that the personal information may be forwarded to DRD to respond to this RFP and used by DRD for the purposes established in the RFP. DRD may, at any time, request the original consents or copies of the original consents from Respondents. Upon the such request being made, Respondents will immediately supply such originals or copies to DRD.

Conflict of interest

Respondents must ensure that all actions related to their response are consistent with the Authority's Guidelines for the Evaluation of Conflicts of Interest and Unfair Advantages in the Procurement of Public-Private Partnership Contracts (the "Ethics Guidelines") and other applicable ethics regulations. Prospective Respondents should review the Ethics Guidelines, available for download on the Authority's website: <http://www.p3.pr.gov>. The Respondent shall notify DRD as soon as possible if this contract or any aspect related to the anticipated work under this contract raises an actual or potential conflict of interest (as defined in 2 C.F.R. Part 215 and 24 C.F.R. § 85.36 (2013) (or 84.42 (2013), if applicable).

Non-discrimination clause:

The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The contractor will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post notices to be provided in conspicuous places, available to employees and applicants for employment.

Blackout period and prohibited communications:

During a competitive procurement process, any respondent, bidder, or its agent or representative is prohibited from communicating with any DRD employee or DRD contractor involved in any step in the procurement process. The blackout period applies not only to DRD employees but also to any current contractor of DRD. "Involvement" in the procurement process includes but may not be limited to project management, design, development, implementation, procurement management, development of specifications, and evaluation of proposals for a particular procurement. This solicitation designates the contact person (RFP Coordinator). All communications to and from potential Contractors and their representatives during the blackout period must be by this RFP's defined method of communication with the RFP Coordinator. The blackout period begins on the date that DRD first issued a Public Notice of Intent to Issue this RFP. The blackout period will end when both parties sign a contract. If a prospective Contractor may also be a current DRD contractor, DRD employees and the prospective Respondent may contact each other concerning their existing contract and duties only. Under no circumstances can DRD employees or current contractors discuss this RFP or the corresponding procurement process or status. Any bidder, Respondent, or DRD contractor who violates the blackout period may be excluded from the awarding contract and may be liable to DRD in damages and subject to any other remedy allowed under law, including but not limited to a ban in participating in any procurements issued by or for DRD, or any entity of the Government of Puerto Rico, for a period of ten (10) years, if it is determined that such action results in violation of the Anticorruption Code, Puerto Rico Act 2-2018.

Communications with other representatives of the Government of Puerto Rico or relevant entities of the Federal Government regarding any matter related to the contents of this RFP are prohibited during the submission and selection processes. Failure to comply with these communications restrictions will result in the rejection of the Respondent's proposal.

Proposal withdrawal:

A Respondent may withdraw a proposal at any time up to the date and time that the contract is awarded. The withdrawal must be submitted in writing to the RFP Coordinator. Absent a complete withdrawal; the respondent must certify in the transmittal letter that its Proposal, including the submitted cost proposal and pricing, will be valid for one hundred twenty (120) days from DRD's receipt.

Respondent's errors and omissions:

DRD reserves the right to reject a submission that contains an error or omission.

Expenses

Respondents are solely responsible for their expenses in preparing a proposal and subsequent negotiations with DRD if any. DRD will not be liable to any respondent for any claims, costs, or damages incurred by the respondent in preparing the proposal, loss of anticipated profit in connection with any final agreement, or any other matter whatsoever.

System Award Management

A contract or subcontract must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM). SAM Exclusions is the list maintained by the General Services Administration that contains the names of parties debarred, suspended, otherwise excluded, or declared ineligible under a statutory or regulatory authority other than Executive Order 12549.48. SAM Exclusions can be accessed at www.sam.gov.

Invoices

All invoices must contain the following language: “We certify under penalty of nullity that no public servant (of the Government of Puerto Rico or indicate the name of the agency that issues the purchase order) will derive or obtain any benefit or profit of any kind from the contractual relationship based on this invoice. The required waiver has been obtained before entering the Agreement if such benefit or profit exists. The only consideration to be received in exchange for the delivery of goods or services is the agreed-upon price negotiated with an authorized representative of the (agency that issues the purchase order). The total amount shown on this invoice is true and correct. The services have been rendered, and no payment has been received in respect thereof”.

Agreement:

By submitting a Proposal in response to this RFP, the proponent agrees to follow and abide by the procedures, terms, conditions, and instructions. The award of this RFP will be made on a “best value” basis from proposals that comply with all requirements.

The original copy must have an original signature.

Appendix: EHP requirements

A condition of Hazard Mitigation Assistance is the requirement to comply with all applicable environmental and historic preservation laws and regulations. Consequently, the proponent must conduct an environmental planning and historic preservation (EHP) review. Use the FEMA guidelines: <https://www.fema.gov/grants/tools/environmental-historic/preparation-resources> to determine environmental and historic preservation requirements, per regulatory state governmental agencies and Federal Government.

Common environmental and historic preservation laws and executive orders include the Endangered Species Act; Floodplains, Wetlands, and Environmental Justice Executive Orders; The National Historic Preservation Act; Farmland Protection Policy Act; Clean Air Act; Comprehensive Environmental Response, Compensation; and Recovery Act; and Resource Conservation and Recovery Act. EHP applies to repairs to pre-disaster conditions and modification, expansion, and mitigation projects.

Structures typically include:

- Roads and Bridges
- Water Control Facilities
- Utilities
- Parks and Recreational Areas
- Buildings and Equipment

Specific environmental and historic preservation laws and executive orders may apply, including the National Historic Preservation Act, Clean Air Act, and Floodplains Executive Order. Typical concerns may include historical impacts, air pollution, and redevelopment within a floodplain (if applicable).

Modification, Expansion & Mitigation

Projects involving modification or expansion of existing structures can trigger an environmental and historic preservation review. Such activities include projects that improve a facility, repair or expand a facility and implement mitigation measures to reduce damage in future events.

Activities involving demolition also trigger a review for environmental and historic preservation considerations.

Specific environmental and historic preservation laws and executive orders may apply, including the Clean Air Act, Clean Water Act, National Historic Preservation Act, Floodplains, Wetlands, and Seismic Retrofit Executive Orders. Typical concerns may include increased air emissions, historical integrity or function disruption, water discharges, and structural soundness (if in a seismically prone region).

New Construction & Ground Disturbance

Any activities that involve ground disturbance or new construction will trigger a review for environmental and historic preservation considerations. Typical activities usually include:

- Construction of new facilities
- Relocating facilities to a new location
- Mitigation measures such as flood control and vegetation management
- Construction of group temporary housing facilities