REQUEST FOR QUALIFICATIONS

on Behalf of the Southside Network Authority

Prequalification for Construction and Maintenance of Southside Regional Fiber Connectivity Ring

SNA-RFQ-2021-01

April 8, 2021
REQUEST FOR QUALIFICATIONS (RFQ)

Hampton Roads Planning District Commission
on Behalf of the Southside Network Authority

ISSUE DATE:   April 8, 2021   RFQ No: SNA-RFQ-2021-01

TITLE:   Prequalification for Construction and Maintenance  ELEMENT No: 233820
of Southside Regional Fiber Connectivity Ring

ISSUED BY: Hampton Roads Planning District Commission (Organization), Procurement
Office, 723 Woodlake Drive, Chesapeake, VA 23320 on behalf of the Southside Network
Authority (Authority)

Clarifications and Addenda: All questions regarding this RFQ must be received no later
than April 14, 2021, at 10:00 am local time.
An addendum will be posted no later than April 20, 2021, at 2:00 pm local time with the
answers to all questions.

Questions Should be Submitted in Writing to:
    Danetta Jankosky, Procurement Officer
djankosky@hrpdcvagr.gov

Closing Date:
All prequalification submissions must be submitted no later than May 11, 2021, at 2:00 pm
local time. Please include one (1) original and one (1) electronic copy in PDF-format on a flash
drive delivered to:
    Danetta Jankosky, Procurement Officer
    Hampton Roads Planning District Commission
    723 Woodlake Drive
    Chesapeake, VA 23320
INSTRUCTIONS FOR PREQUALIFICATION
Construction of Southside Regional Connectivity Ring

1.0 Purpose

The intent of the prequalification process is for the Southside Network Authority (the “Authority”) to identify the most qualified general contractors with successful experience in the construction of fiber projects similar to the Regional Connectivity Ring (“RCR”). This prequalification is for general contractors only. Prequalification packages will NOT be accepted from subcontractors.

2.0 Competition Intended

The Authority intends this prequalification process to precede and permit a competitive sealed bidding process for the construction of the Authority’s Regional Connectivity Ring. It is the responsibility of the general contractor seeking prequalification (“Applicant”) to advise the Procurement Officer in writing if any language, requirement, specification, etc., or any combination thereof inadvertently restricts or limits the requirements stated in this prequalification solicitation to a sole source. Such notification must be received prior to the deadline for acceptance of applications.

3.0 Description of the Work

The scope of work anticipated for one or more subsequent bid solicitations will encompass the construction and maintenance of the physical conduit and fiber optic infrastructure comprising the RCR. A summary of this work includes, but is not limited to the following:

Construction:
- Initiation of underground utility locate requests through the Virginia 811 system, and strict adherence to all Virginia Underground Utility Damage Prevention laws;
- Sub-surface installation of conduit, primarily through the use of horizontal directional drilling, including utility locating through test pitting, traffic control, and paved surface restoration;
- Installation of underground handholes/vaults and ground rods;
- Attachment of conduit to existing bridge structures;
- Placement of fiber optic cable and/or tracer wire in conduit;
- Installation of fiber splice enclosures and fiber splicing;
- Optical performance testing of fiber optic strands; and
- Provision and storage of all materials related to the above construction.
- Subsurface restoration (i.e., as the conduit is placed, any underground restoration required to restore subsurface: Rock Adder, Wetland Restoration, Railroad Crossing Restoration)

Maintenance:
- Perform emergency repair work to damaged fiber plant and network facilities;
- Provision and storage of all materials related to the above services;
- Perform fiber locate services in response to 811 locate tickets; and
- Collect and maintain a database of fiber infrastructure “As-built” documentation.
4.0 Prequalification Process

4.1 In General

4.1.1 The Applicant must be an individual, partnership, corporation, limited liability company, or other legal entity recognized by Virginia law.

4.1.2 Only Applicants that have been prequalified in accordance with this request for qualifications (RFQ) will be allowed to submit a bid to be the general contractor for the RCR. Bids received from those who have not been prequalified will not be considered.

4.1.3 Applicants agree that once prequalified, all criteria and requirements of this RFQ will be maintained by the Applicant throughout the life of the prequalification and the construction of the RCR, including the Superintendent or Project Manager identified in the prequalification application, unless they are no longer employed by the Applicant or the Authority has approved a substitution. The Authority reserves the right to conduct an independent investigation of any information, including prior experience, identified in a prequalification application by contacting project references, accessing public information, contacting independent parties, or by other means.

4.1.4 All materials submitted by Applicants become the property of the Authority and will not be returned.

4.1.5 Applicants must submit qualification information in accordance with the requirements of this RFQ. The Authority may, in its discretion, contact an Applicant during the evaluation process for clarification of any entries in the Application submitted by the Applicant and may request additional information or verification. Such additional information must be submitted to the Authority no later than five business days after the request. The decision to prequalify an Applicant does not constitute a final determination that the Applicant is responsible. An Applicant may be subsequently rejected as non-responsible on the basis of subsequently discovered information.

4.2 Evaluation Criteria. This prequalification is being conducted pursuant to Section 2.2-4317 of the Code of Virginia, 1950, as amended. The Authority may deny prequalification to any Applicant if it finds any of the following:

4.2.1 The Applicant does not have sufficient financial ability to construct the RCR. Evidence that the Applicant can acquire both performance and payment surety bonds, each in the amount of 100% of the anticipated construction cost, from a corporation included on the United States Treasury list of acceptable surety corporations that is properly licensed in the Commonwealth of Virginia is sufficient to establish the financial ability of the Applicant under this RFQ.
4.2.2 The Applicant does not have the appropriate experience or capabilities to construct the RCR and provide ongoing maintenance services.

4.2.3 The Applicant is unable to demonstrate it has established processes necessary to ensure worker safety and quality control.

4.2.4 The Applicant or any officer, director, or owner of the Applicant has had judgments entered against him or her within the past ten years for breach of contracts for governmental or non-governmental projects, including but not limited to design-build or construction management.

4.2.5 The Applicant has been in substantial non-compliance, as determined by the Authority, with the terms and condition of any prior construction contracts with the Authority, the Hampton Roads Planning District Commission (HRPDC), Hampton Roads Transportation Planning Organization (HRTPO), or on the Authority’s member localities (the Cities of Chesapeake, Norfolk, Portsmouth, Suffolk, and Virginia Beach) without good cause. The Authority may also consider whether the Applicant has been in substantial non-compliance with the terms and conditions of similar construction contracts to the RCR with another public body without good cause.

4.2.6 The Applicant or any officer, director, owner, project manager, procurement manager, or chief financial official has been convicted within the past ten years of a crime related to government or non-governmental construction or contracting, including but not limited to a violation of the HRPDC procurement policies, the provisions of the Virginia Public Procurement Act relating to Ethics in Public Contracting (§ 2.2-4367 et seq.), the Virginia Governmental Frauds Act (§ 18.2-498.1 et seq.), Chapter 4.2 of the Title 59.1 of the Code of Virginia (§ 59.1-68.6 et seq.), or the Virginia Fraud Against Taxpayers Act (§ 8.01-216.1 et seq.), or similar laws of the United States or another state.

4.2.7 The Applicant or any officer, director, or owner of the Applicant is currently debarred pursuant to the established debarment procedure from bidding or contracting by any public body of the Commonwealth of Virginia or agency of another state or the federal government.

4.2.8 The Applicant fails to provide the Authority, within the required timeframe, any information requested related to this solicitation.

4.3 Evaluation Process

4.3.1 Applications will be evaluated under the criteria listed in this RFQ. An unsatisfactory rating in any one category may be sufficient cause to deny prequalification to an Applicant. The Authority will notify all Applicants whether or not they have been determined to be prequalified within 30 days from receipt of the Prequalification Application, unless extended by the Authority in its sole discretion.
4.3.2 Prior to the issuance of a final written determination to deny an Applicant prequalification, the Authority will notify the Applicant in writing of the results of the evaluation and disclose the basis for the denial. The Applicant may inspect public documents relating to the determination if so, requested within five days of receipt of the Authority’s notice. Within 10 business days after receipt of the Authority’s notice concerning the Applicant’s prequalification, the Applicant may submit additional or rebuttal information relative to deficiencies stated in the Authority’s written notice. Within five business days after receipt of the Applicant’s rebuttal information, the Authority will provide a final written determination.

4.3.3 If a final determination is made to deny prequalification, the Applicant may, within 10 days after notification of such determination, notify the Authority in writing and appeal to the Circuit Court for the City of Chesapeake, Virginia, in accordance with the applicable provisions of the Virginia Public Procurement Act. The Authority’s determination may be reversed by the Circuit Court only if the Applicant establishes that the determination was arbitrary and capricious or not in accordance with the Virginia Constitution, statutes, or regulations. In the event the Authority’s determination is reversed by the Circuit Court, the sole relief is a declaration that the Applicant is prequalified to bid. Other than an appeal in accordance with this section, a determination that an Applicant is not qualified to bid does not form a basis for any claim against the Authority, its officers, members, or employees.
Attachment A – Statement of Qualifications

I. General Information on Contractor

Agency: Southside Network Authority
723 Woodlake Road
Chesapeake, Virginia 23320

Name of Project: Prequalification for Construction of Southside Regional Fiber Connectivity Ring

Type of Work: General Contracting—Telecommunications

Contractor’s Name: ____________________________________________________________

Mailing Address: ____________________________________________________________

Street Address: ____________________________________________________________

Same as Mailing: ☐

Website: ________________________________________________________________

Telephone: ___________________________ Fax: ________________________________

Contact Person: __________________________________________________________

Contact’s Direct Telephone Number: _______________________________________

Contact’s Email Address: __________________________________________________

Virginia Contractor’s License Number: _______________________________________

Designated Employee with Virginia Board for Contractors:
________________________________________
II. Contractor Oversight and Control

Provide the name and title, direct telephone number (including extension), pager number, cellular telephone number and direct e-mail address of the highest-ranking individual within the organization that will have oversight responsibility for the organization’s involvement with the Project (if not the designated contact person above):

Name: ___________________________________________________________

Position: _________________________________________________________

Address: _________________________________________________________

Telephone: __________________________________ Fax: ____________________

Email: ___________________________________________________________

III. Regional Office (if applicable)

If different from the location provided above, provide the organization's local or regional office information (including physical address, mailing address, telephone number, facsimile number and main e-mail address) to be used in delivering the requested services to be provided on the Project:

Mailing Address: ___________________________________________________

_____________________________________________________________

Street Address: __________________________________ Same as Mailing: □

_____________________________________________________________

_____________________________________________________________

Telephone: __________________ Fax: __________________________

Email: __________________________
Provide the number of years that the organization has been providing services similar to those requested by this RFQ, including a delineation of this information for both the headquarters location and the local or regional office (as appropriate) that will be used in delivering the requested services on the Project.

IV. Type of Organization

☐ Corporation  ☐ Partnership
☐ Individual  ☐ Joint Venture
☐ Other (describe) ________________________________

If the Proposal is being made by a legal joint venture, the response must include the information required within this section for both organizations that constitute the joint venture and a copy of the joint venture agreement must be attached.

V. Legal Organization Information

If a Corporation:
State of Incorporation: ______________________
Date of Incorporation: ______________________
Federal ID Number: ______________________
Date of Domestication in Virginia: ______________________

<table>
<thead>
<tr>
<th>Officers</th>
<th>Name</th>
<th>Years in Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief Executive Officer:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chief Financial Officer:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>President:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vice President:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Treasurer:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manager of Office:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

S Corp ☐
If a partnership:
Date Organized: __________________________
Type of Partnership: __________________________
General Partners:
Name: ________________ Phone No. ________________ Years as G.P. ________________

If sole proprietorship:
Years in Business: __________________________

Other Names:
List other names under which the firm has done business:

SWaM/DBE: List all Virginia and federal SWaM and DBE categories and certification numbers applicable to the firm.

VI. Financial Responsibility
Provide a letter from your surety company listing your organization’s current single Project and total Projects bonding capacity, including such information for the local or regional office that will be used in delivering the services to be provided on the Project (if the local or regional office is separately bonded); attach this letter to this Application.
Name of Bonding Company: __________________________
Address: __________________________
______________________________
______________________________
______________________________

Information on Attorney-in-Fact:
Telephone: __________________________ Fax: __________________________
Email: __________________________

Is the Bonding Company on the United States Department of the Treasury list of acceptable surety corporations?
☐ Yes
☐ No
Is the Bonding Company licensed to transact surety business in the Commonwealth of Virginia?
☐ Yes
☐ No
Describe the capacity of your organization to meet the project schedule and demands. Include an analysis of your current workload.

VII. Judgments

In the last ten years, has your organization, or any officer, director, partner or owner, had judgments entered against it or them for the breach of contracts for construction?

☐ Yes
☐ No

If yes, on a separate attachment, state the person or entity against whom the judgment was entered, give the location and date of the judgment, describe the project involved, and explain the circumstances relating to the judgment, including the names, addresses and phone numbers of persons who might be contacted for additional information.

VIII. Convictions and Debarment

If you answer yes to any of the following, on a separate attachment, state the person or entity against whom the conviction or debarment was entered, give the location and date of the conviction or debarment, describe the project involved, and explain the circumstances relating to the conviction or debarment, including the names, addresses and phone numbers of persons who might be contacted for additional information.

1. In the last ten years, has your organization or any officer, director, partner, owner, project manager, procurement manager or chief financial officer of your organization:

   a. ever been fined or adjudicated of having failed to abate a citation for building code violations by a court or local building code appeals board?

      ☐ Yes
      ☐ No

   b. ever been found guilty on charges relating to conflicts of interest?

      ☐ Yes
      ☐ No

   c. ever been convicted on criminal charges relating to contracting, construction, bidding, bid rigging or bribery?

      ☐ Yes
      ☐ No

   d. ever been convicted: (i) under Va. Code Section 2.2-4367 et seq. (Ethics in Public Contracting); (ii) under Va. Code Section 18.2-498.1 et seq. (Va. Governmental Frauds Act); (iii) under Va. Code Section 59.1-68.6 et seq. (Conspiracy to Rig Bids); (iv) of a criminal violation of Va. Code Section 40.1-49.4 (enforcement of occupational safety and health standards); or (v) of violating any substantially similar federal law or law of another state?

      ☐ Yes
      ☐ No
e. ever been convicted on charges relating to employment of illegal aliens on construction projects?

☐ Yes
☐ No

2. Is your organization or any officer, director, partner or owner currently debarred or enjoined from doing federal, state or local government work for any reason?

☐ Yes
☐ No

3. Has your organization or any officer, director, partner or owner ever been debarred or enjoined from doing federal, state or local government work for any reason?

☐ Yes
☐ No

IX. Compliance

If you answer yes to any of the following, on a separate attachment give the date of the termination order, or payment, describe the project involved, and explain the circumstances relating to same, including the names, addresses and phone numbers of persons who might be contacted for additional information.

1. Has your organization:

   a. Ever been terminated on a contract for cause?

      ☐ Yes
      ☐ No

   b. within the last five years, made payment of actual and/or liquidated damages for failure to complete a project by the contracted date?

      ☐ Yes
      ☐ No

2. Has your organization, in the last three years, received a final order for willful and/or repeated violation(s) for failure to abate issued by the United States Occupational Safety and Health Administration or by the Virginia Department of Labor and Industry or any other government agency?

      ☐ Yes
      ☐ No

3. Have any Performance or Payment Bond claims ever been paid by any surety on behalf of your organization?

      ☐ Yes
      ☐ No
4. Has your organization been **more than thirty (30) days late**, **without good cause**, in achieving the contracted substantial completion date where there was no liquidated damages provision on more than two (2) projects in the last three (3) years?

☐ Yes
☐ No

5. Has your organization **finally completed a project** more than ninety (90) days after achieving substantial completion on two (2) or more projects in the last three (3) years, for reasons within the contractor’s control? Documented delay of delivery of material necessary to perform remaining work or seasonal conditions that bear on performing the work or operating specific equipment or building systems shall be considered in mitigation.

☐ Yes
☐ No

6. Has your organization **received more than two (2) cure notices** on a single project in the past two (2) years and/or more than one (1) cure notice on five (5) separate projects in the past five (5) years?

☐ Yes
☐ No

7. Has your organization **had repeated instances** on a project of **installation and workmanship deviations which exceed the tolerances of the standards referenced** in the contract documents? Documentation of such instances shall be the written reports and records of the Owner’s representatives on the project.

☐ Yes
☐ No

8. Has your corporation experience a **reportable cyber-related security breach**?

☐ Yes
☐ No

X. **Experience and Capabilities**

If your organization has multiple offices, provide the following information for the office that would handle projects under this prequalification. If that office has limited history, list its experience first.

1. Attach a list of all projects of similar size and scope, giving project name, location, size, dollar value, and completion date for each that your organization has **completed** in the last ten years.

2. Attach a list of your organization's projects in **progress**, if any, at the time of this statement. At a minimum, provide project names and addresses, contract amounts, percentages complete and contact names and numbers for the architects and owners.

3. If this statement is for a particular project, identify three projects from those identified in 1 and 2 above which are most relevant or similar to the project(s) for which you are seeking prequalification; these projects are designated as your “Firm’s Representative Projects” and will also be included on Attachment 3, Crosswalk of Firm and Key Personnel Experience.
4. Attach a narrative and any relevant internal documents demonstrating that your organization has the capabilities, capacity, and established processes necessary to perform the required work in a manner that ensures worker safety and quality control, including:

   a. Technical approach to construction of fiber optic infrastructure detailing, at a minimum, the Applicant’s 1) approach to utility locates and test pitting; 2) methods for protection of fiber optic cable and related materials from damage during installation; 3) equipment to be used; 4) approach to work area protection; 5) approach to material sourcing and warehousing to facilitate timely delivery to meet project timelines; and 6) approach to project status reporting and communications with the Authority.

   b. A proposed Management Plan to include a staffing plan indicating the number and qualifications of in-house personnel; a subcontracting plan indicating the proposed subcontractors to be used; a quality control plan that identifies key roles and responsibilities; and a safety plan demonstrating compliance with OSHA and other applicable requirements.

   c. Quality control and safety policies, processes, and procedures.

   d. An inventory of local staffing and equipment resources available to support construction and maintenance efforts, identifying any subcontractor resources anticipated to be used.

Representative Project 1:

Project Name: 

Project Address:

Owner Name: 

Owner Address:

Owner Phone: Owner Fax: 

Owner Email:

A/E Name:
A/E Address:  


A/E Phone: ________________________  A/E Fax: ________________________
A/E Email: ___________________________________________________________________

Provide additional project data as required in the Crosswalk of Firm and Key Personnel Experience. (See attachment 3.) Provide explanations for any cost or schedule growth greater than 10%.

Describe key lessons learned:

**Representative Project 2:**
Project Name: ________________________

Project Address:  


Owner Name:  

Owner Address:  


Owner Phone: ________________________  Owner Fax: ________________________
Owner Email: ___________________________________________________________________
A/E Name: ____________________________________________
A/E Address: 


A/E Phone: ___________________________  A/E Fax: ___________________________

A/E Email: _____________________________

Provide additional project data as required in the Crosswalk of Firm and Key Personnel Experience. (See attachment 3.) Provide explanations for any cost or schedule growth greater than 10%.

Describe key lessons learned:

Representative Project 3:
Project Name: _______________________________

Project Address: 


Owner Name: 


Owner Phone: ___________________________  Owner Fax: ___________________________

Owner Email: _____________________________

A/E Name: _______________________________
Provide additional project data as required in the Crosswalk of Firm and Key Personnel Experience. (See attachment 3.) Provide explanations for any cost or schedule growth greater than 10%.

Describe key lessons learned:

XI. **Staffing**

Describe how your firm would staff this project. The Proposal must include a description of the duties and responsibilities of all key Project team members and an organizational chart indicating the title or function of each individual and the reporting structure and functional relationships between the team members.

XII. **Personnel Experience**

For all designated key personnel (i.e.: project manager, superintendent, preconstruction manager (CM at Risk only), etc.), describe the background and experience that would qualify him or her to serve successfully on this project. For all key personnel to be assigned to this project, provide as an attachment a resume which includes:

a. **Title** (Principal, Project Manager, Superintendent, etc.)

b. **Number of years of experience** in the construction industry (and in wireline telecommunications specialties).

c. **Summary of education**, including the name(s) of the institution(s) from which the individual graduated and the year(s) of graduation.
d. Listing of professional registrations, including registration numbers and dates that the respective registrations were first obtained, per state, along with any certifications relevant to the individual’s proposed function on this project.

e. List of any professional / trade organization affiliations and associations in which the individual actively participates.

f. Identification of at least three (3) similar or comparable projects on which each proposed key personnel have served in that capacity or positions of similar or comparable responsibility within the last ten years, including at least one of those within the last five years. For these 3 projects, if the project is NOT a “Firm Representative Project” for which this information was previously provided above, then provide the names, addresses, and phone numbers of the Owner’s and Architect’s contact person for each that can be contacted to obtain an assessment of the individual’s competencies and capabilities for the project.

XIII. Signatures

The undersigned certifies under oath that the information contained in this Statement of Qualifications and attachments hereto is complete, true and correct as of the date of this Statement.

Name of Applicant: ______________________________________________________

By: _________________________________________________________________

Name (printed): ______________________________________________________

Title: _______________________________________________________________

Date: ______________________

CITY/COUNTY OF ____________________________,

COMMONWEALTH/STATE OF ______________________, to wit:

Subscribed and sworn before me this ____________, 2021.

My commission expires: ________________

Notary registration number: ________________

____________________________________
Notary Public
Attachments

1. Surety statement of bonding eligibility.
2. Additional information or elaboration, as provided above.
3. Information “Crosswalk of Firm and Key Personnel Experience.”
4. Completed State Corporation Commission forms
5. Non-collusion affidavit
Authorization to Transact Business

Each applicant organized or authorized to transact business in the Commonwealth of Virginia pursuant to Title 13.1 or Title 50 of the Code of Virginia, 1950, as amended, or as otherwise required by law, is required to include in its bid or proposal its Virginia State Corporation Commission (SCC) Identification Number. Any applicant that is not required to be authorized to transact business in the Commonwealth of Virginia as a domestic or 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.

Please complete the following:

☐ Applicant is a Virginia business entity organized and authorized to transact business in Virginia and its SCC Identification Number is ________________________.

☐ Applicant is an out-of-state (foreign) business entity authorized to transact business in Virginia and its SCC Identification Number is ________________________.

☐ Applicant does not have an Identification Number issued to it by the SCC and it is not required to be authorized to transact business in Virginia by the SCC for the following reason(s):

Please attach additional sheets of paper if you need more space to explain why the applicant is not required to be authorized to transact business in Virginia.
PROPOSAL REQUIREMENTS AND NON-COLLUSION STATEMENT

Terms and Conditions: **ALL** enclosed General and Special Terms and Conditions shall apply to this Request for Proposals. Offerors are reminded to read and comply with all requirements of the solicitation.

My signature certifies that the accompanying proposal is not the result of, or affected by, any unlawful act of collusion with another person or company engaged in the same line business or commerce, or any act of fraud punishable under the Virginia Governmental Frauds Act, sections 18.2-498.1 et seq. of the Code of Virginia, 1950, as amended. Furthermore, I understand that fraud and unlawful collusion are crimes under the Virginia Governmental Frauds Act, laws against bid rigging (sections 59.1-68.6 et seq.), the Virginia Antitrust Act (sections 59.1-9.1 et seq.), and Federal laws regarding the same, and can result in fines, prison sentences, and civil damage awards.

I hereby certify that I am authorized to sign, personally or as a Representative for the Firm:

Name of Firm or Individual: ________________________________________

Address: _______________________________________________________

Signature: ______________________________________________________

Name (type/print): _______________________________________________

Title: __________________________________________________________

Telephone: ____________________  Fax: _______________________

FEI/FIN No.____________________  Date: _____________________