

**NOTICE TO CONSULTANT ENGINEERS  
REGARDING A REQUEST FOR PROPOSAL**

**February 29, 2024  
(Alternative Delivery Division)**

The Tennessee Department of Transportation (TDOT), an Equal Opportunity, Affirmative Action Employer, seeks to retain the services of professional engineering consulting firms for services to provide **Owner's Representative services** for a Design-Build project at Interchange at Epps Mill Road/Buchanan Road, Epps Mill Road, from west of Capital Way to SR-2 (US-41) (IA) (TMA) in Rutherford County.

The method of payment shall be cost plus fixed fee. Fixed fee is calculated using the following formula: Fixed fee = (Direct salary + Overhead based on the most recently approved field and/or office indirect cost rate) x (fixed fee rate as determined by Attachment D, Net Fee Calculator). Payment of the fixed fee will be based on the actual labor costs rather than the estimated labor costs used for the basis of the agreement. The overhead rate this work will be the awarded firm's most recent audited and approved federal rate. The net fee percentage will be as calculated using the most recent Fixed Fee Worksheet.

**PROJECT DESCRIPTION**

Epps Mill Road in Rutherford County will be widened to a three (3) lane road to include a two-way left-turn lane (TWLTL) from L.M. 0.00 to approximate L.M. 0.84. Improvements will be made to the interchange ramps located at Exit 89 (Epps Mill Road) along Interstate 24 (I-24) and the Epps Mill Road bridge over I-24 will be replaced with a new bridge.

**SCOPE OF SERVICES**

Consultants will need to have a team with the knowledge, education, experience, and capability to direct, complete, and oversee all related tasks identified below and other services as required as the **Owner's Representative** for the Design-Build project.

The scope of services of the Owner's Representative includes, but may not be limited to, the following services: Survey, Preliminary Engineering, Geotechnical Engineering, Design-Builder Procurement, Project Management, Environmental, Utility Coordination, Right-of-Way Acquisition Documentation, Roadway Design, Traffic Engineering, Structural Design, Hydraulic Design, Public Involvement, and all other necessary services, **on behalf of TDOT**, to fully complete the Design-Build Project.

The Consultant will begin work immediately after receiving authorization to proceed in accordance with the Department's project schedule, which is anticipated to include releasing the final RFP on or before October 31, 2025.

## GENERAL REQUIREMENTS

### Prequalification:

All firms must be pre-qualified or have a completed prequalification form filed with the Department by the proposal deadline.

Interested firms must be listed as prequalified by 2:00 PM, Central Time on the due date for the letter of interest. Additional information, including an example proposal (DT-0330, Part II (Contract Specific Qualifications)) can be found at: [Prequalified Consultant Form \(tn.gov\)](#) or by calling Ms. Chris Smotherman at (615)741-4460 or [Christine.Smotherman@tn.gov](mailto:Christine.Smotherman@tn.gov). Any sub-consultant shall be one that is prequalified by TDOT to perform the specific tasks required. A pending prequalification status will be acceptable. Please note: New or updated prequalification forms must be received before the deadline. **Please include a valid email address and phone number for the point-of-contact in your letter of interest.**

### Subcontracting:

Services assigned to subconsultants must be approved in advance by the Department in accordance with the Conflict of Interest section below. All subconsultants must be prequalified by the Department to perform all work assigned to them.

In the event services of a subconsultant are authorized, the Consultant shall obtain a schedule of rates, and the Department shall review and must approve any rates to be paid to the subconsultant. The Consultant shall not have a subconsultant render services until such time as the Department establishes the subconsultant as an authorized subconsultant in the Agreement with the rates to be paid.

### Conflict of Interest:

In accordance with TDOT Policy 101-05, the Consultant and its subconsultants shall not enter into any other contract or work order with the Department during the term of this Agreement which would create or involve a conflict of interest with the services provided without first submitting a Conflict of Interest letter to the Assistant Chief Engineer of Program Delivery or his/her designee for review; any conflict that cannot be mitigated or waived may render the Consultant ineligible for the contract or work order. The Consultant shall not have, directly or indirectly, a financial or other personal interest, other than the Consultant's employment or retention by the State, in any contract or subcontract in connection with any work performed under this Agreement.

Any person, firm, or entity as part of the **Owner's Representative Team** that will receive compensation for services under this contract will be **precluded** from:

- proposing to provide design or construction services as part of the Design-Build team for this project,
- participating as a sub-consultant proposing in pursuit of the Design-Build project,
- providing technical, legal, or financial advice or directly discussing any aspect of the Design-Build RFQ or RFP with firms or contractors considering proposing in pursuit of the Design-Build project, and

- proposing to provide construction inspection services as part of the Department team for this project.

If an organizational conflict of interest is determined to exist, TDOT may, at its discretion reject the Proposal or cancel a contract affected by the conflict of interest.

### **Technical Requirements**

Technical requirements in applicable standards, specifications, and policies must be satisfied in the performance of this contract. These include but are not limited to: TDOT's Standard Specifications; TDOT's Roadway Design Guidelines; TDOT's Standard Drawings; TDOT's Instructional Bulletins; TDOT's Standard Design-Build Guidance; TDOT Structure's Division Standard Guidance Documents; and TDOT's Right-of-Way Manual.

### **SUBMISSION OF PROPOSALS:**

Firms may request consideration by submitting a letter of interest to:

**Ms. Kimberly Welch, PE**

TDOT Manager

Region 3 Alternative Delivery

Bld A, 3<sup>rd</sup> Floor, 6601 Centennial Blvd

Nashville, Tennessee 3729

Or electronically by email to:

[kimberly.welch@tn.gov](mailto:kimberly.welch@tn.gov)

("Owner's Rep Letter of Interest" in subject line)

All letters of interest must be received by the Alternative Delivery Division on or before **4:00 p.m. (Central Time) Thursday, March 21, 2024**. The letter of interest shall indicate the scope of services anticipated to be completed by any sub-consultants. The sub-consultant shall be prequalified by TDOT to perform the specific tasks required.

### **EVALUATION PROCESS:**

#### **Phase I Evaluation**

The Department will evaluate the current prequalification statements on file for those submitting letters of interest and choose several firms who would make viable candidates from which to invite proposals. Please note: New or updated prequalification forms must be received before the deadline for letters of interest. The criteria that will be considered in phase I are:

- i. Work experience in the required disciplines: Profile of firm's experience in relevant profile codes.
- ii. Staff capabilities of prime consultant: Employees by Disciplines.
- iii. Qualification Type: UNLIMITED

\* Local office will be determined by company letterhead from Letter of Interest. Only staff from this office will be considered in Phase I scoring.

## Phase II Evaluation

For firms submitting proposals (Part II of the DT-0330 form), the criteria that will be considered are:

Criteria and Relative Weights	
1. Team Capability and Work Experience (Sections C, D, & E of Part II of DT-0330 form) i. Engineering Software Capabilities and Experience; ii. Project Coordination Experience.	30%
2. Past Experience in Required Disciplines (Sections F & G of Part II of DT-0330 form)	25%
3. Staffing Qualifications & Availability (Sections E, H, & I of Part II of DT-0330 form) i. Staffing/Certification Matrix;	25%
4. Technical Approach (Section I of Part II of DT-0330 form)	15%
5. Dollar amount of Work Under Contract with TDOT; if available (Section I of Part II of DT-0330 form)	5%

Section E shall be no more than 10 pages. Section F shall include no more than 5 projects. The SOQ package shall contain no more than 35 pages including front and back cover. Section H will not count towards the 35-page limit.

Following Phase II evaluation, the three\* firms deemed most qualified by the Consultant Evaluation Committee (CEC) will be recommended to the Commissioner in alphabetical order for Phase III evaluation.

\* In instances where only two qualified consultants respond with proposals, the Department may proceed with evaluation and selection if it is determined that the solicitation did not contain conditions or requirements that arbitrarily limited competition.

## Phase III Evaluation

From the list of firms determined by the CEC to be the most highly qualified firms to perform the solicited services, the Commissioner will rank the firms in order of preference.

### Post Selection

TDOT's office of the Alternative Delivery Division or its designee will then negotiate with the firm(s) deemed to be most highly qualified in rank order. Before the invitation of a cost proposal is made, a mutual understanding of the scope of work and all technical and administrative requirements of the proposed undertaking will be established with the prospective consultant. This may be done by conference, phone, or correspondence as determined by the Engineering Bureau. Instructions will be given regarding the method of compensation and the documentation needed to justify the proposed compensation.

Evaluation proceedings will be conducted within the established guidelines regarding equal employment opportunity and nondiscriminatory action based upon the grounds of race, color, religion, national origin, sex, creed, age, and disability. Interested certified Disadvantaged Business Enterprise (DBE) firms as well as other minority- and/or women-owned firms are encouraged to respond to all advertisements by TDOT. For more information on DBE certification, please contact the Civil Rights Office Small Business Development Program at (615) 741-3681. Details and instructions for DBE certification can be found at the following website: [Small Business Development Program \(tn.gov\)](http://www.tn.gov).

Butch Eley  
Commissioner

HHE/WR/JD/CM/KW