



Professional Services Solicitation

(Released: April 20, 2020; Response Deadline: June 4, 2020)

I. How to Respond

Statements of Qualifications (SOQs) will be accepted up to 12:00 pm Hawaii Standard Time on June 4, 2020. SOQs can be mailed to the following address:

Victoria Larson
OahuMPO
707 Richards Street, Suite 200
Honolulu, Hawaii 96813

SOQs can also be emailed to: victoria.larson@oahumpo.org

Because a portion of the funding for this project is being provided by the Federal Highway Administration (FHWA), the selected offeror must comply with all applicable FHWA requirements.

II. General Information

The Oahu Metropolitan Planning Organization (OahuMPO) was established pursuant to Hawaii Revised Statutes 279-D by the *Agreement to Establish a Metropolitan Planning Organization for the Island of Oahu*, effective June 17, 2015. The following public entities participate in the OahuMPO planning process: State of Hawaii, the City and County of Honolulu, and the Honolulu Authority for Rapid Transportation.

A Comprehensive Agreement, effective July 20, 2015, further established the structure and operation of OahuMPO, which includes a Policy Board, Technical Advisory Committee, and Citizen Advisory Committee. Meetings for all Boards and Committees are generally held once per month, but may be held more often or less often, as necessary. Additionally, ten staff members are responsible for the daily conduct and administration of the continuous, comprehensive, and coordinated (3-C) multimodal planning process. Funding for the MPO comes from federal sources and partner dues. OahuMPO is attached to the Hawaii Department of Transportation for administrative purposes only.

The *Agreement to Establish a Metropolitan Planning Organization for the Island of Oahu*, the Comprehensive Agreement, Finance Supplemental Agreement, and other materials are available on the OahuMPO website: <http://www.oahumpo.org/resources/publications-and-reports/>.

III. Types of Professional Services Being Sought

OahuMPO is seeking SOQs for the following Professional Services:

1. **Computer and Network Maintenance (Computer Engineering GS-854 and Computer Science GS-1550)** including, but not limited to, the following:

- a. *Monitoring Network Performance* – monitoring network activity, identifying issues and problems, and successfully correcting problems;

- b. *Monitoring Workstations* – monitoring the individual performance of workstations, correctly identifying issues and barriers to efficient use, and successfully correcting problems;
- c. *Updates* – routinely updating individual workstations, as necessary, with the latest software improvements, drivers, etc.;
- d. *Responsiveness* – accepting requests (e.g., work orders) for various issues, as identified by OahuMPO staff, and completing the request within a reasonable timeframe;
- e. *Making Recommendations* – correctly identifying issues and barriers to efficient computer or network performance and providing OahuMPO staff with professional recommendations to address the problem

IV. Statement of Qualifications Contents and Requirements

SOQs shall include the following information:

- Name and contact information of the offeror;
- Which type of professional service they are offering;
- The year the firm was established under the current name;
- Former firm names (if any) during the last 5 years;
- A resume of all persons who would be assigned to work on a resulting contract, including any relevant experience;
- A description of the services to be provided, including, at a minimum, the sub-tasks shown under each professional service in Section III to which the offeror is responding;
- A brief explanation of the offeror's depth and breadth of relevant knowledge, including examples of experience;
- A list of five references, at least two of which have received similar services;
- A list of recent example projects – not to exceed five (5) – which best illustrate the offeror's relevant qualifications;
- An affirmative statement as to whether the offeror, its principals or key employees presently, or in the past, are, or have been, involved in any debarment or suspension proceedings;
- The hourly rate, inclusive of all fixed fees, overhead rates, and State of Hawaii General Excise Tax and County Surcharge that shall be charged for each staff member who would be assigned to work on a contract in a Price Plan table as shown below:

- **Sample Price Plan**

Task	Professional Staff Available		
	Alex A.	Bill B.	Carrie C.
Hourly Billing Rates	\$255	\$213	\$145

V. Selection Criteria

The selection criteria, in descending order of importance, are:

1. Experience and professional qualifications relevant to the professional services being solicited (up to a maximum of 35 points);
2. Past performance on projects of similar scope for public agencies or non-profits (up to a maximum of 25 points);
3. Capacity to accomplish the work in a timely fashion (up to a maximum of 20 points); and
4. Price Plan (up to a maximum of 20 points)

OahuMPO needs to re-procure a vendor to provide computer and network maintenance services. The Executive Director will designate a selection committee to evaluate the SOQs submitted. The selection committee will evaluate the SOQs against the selection criteria shown above. The selection committee may conduct confidential discussions with any offeror regarding the services which are required and the services they are able to provide. In conducting discussions, there shall be no disclosure of any information derived from the competing professional service offerors. Offerors may, but will not necessarily, be asked to submit more detailed descriptions of how they will address the needed service based on a scope-of-work provided by OahuMPO, the time required to complete the service, and the cost of doing so. The selection committee shall rank the top three SOQs in priority order. The Executive Director shall negotiate a contract with the first ranked person, including a rate of compensation which is fair and reasonable, established in writing, and based upon the estimated value, scope, complexity, and nature of the services to be rendered. If a satisfactory contract cannot be negotiated with the first ranked person, negotiations with that person shall be formally terminated and negotiations with the second ranked person on the list shall commence.

VI. Special Conditions and Other Important Notices

Disadvantaged Business Enterprise

OahuMPO, a subrecipient of the United States Department of Transportation (USDOT) Federal Highway Administration and Federal Transit Administration metropolitan planning funds via Hawaii Department of Transportation (HDOT), has adopted HDOT's Disadvantaged Business Enterprise (DBE) Program in its entirety, and follows HDOT's contract provisions. The U.S. Department of Transportation Regulations entitled "Participation by Disadvantaged Business Enterprise in Department of Transportation Programs", Title 49, Code of Federal Regulations, Part 26 is applicable to this project. Offerors are hereby notified that the Hawaii Department of Transportation will strictly enforce full compliance with all the requirements of the DBE program with respect to this project. A **10%** DBE contract goal has been set for contracts resulting from this solicitation. In accordance with current Federal regulations, DBEs must be certified for eligibility by HDOT. The offeror must be reasonably sure that listed firms claiming DBE status are in fact certified as such by HDOT. OahuMPO encourages prospective Offerors to take all necessary and reasonable steps to ensure that DBEs have an equal opportunity to compete for and perform on this contract, which is financed in whole or in part with Federal funds.

Small Business Participation

As part of OahuMPO's DBE program, we encourage the participation of small local businesses as prime contractors or subcontractors. Large prime contractors are encouraged to provide, where possible, subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform. Also, consortia or joint ventures of small businesses, including DBEs, are encouraged to compete for contracts.

Title VI

OahuMPO hereby notifies all offerors that it will affirmatively ensure that, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252 United States Code (USC) 2000d to 2004d-4 and Title 49 Code of the Federal Regulations (CFR), United States Department of Transportation, Subtitle A, Office 3 of the Secretary Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation, issued pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, color, sex, national origin, age, or handicap/disability in consideration for an award.

The Equal Employment Opportunity Regulations of the U.S. Secretary of Labor Implementing Executive Order 11246, as amended, shall be complied with on this project.

Insurance Requirements

Consultants shall submit a Certificate of Liability Insurance (Attachment D), demonstrating the following minimum coverages:

- General Commercial Liability Insurance (coverage must be based on occurrence)
 - \$1,000,000 per occurrence for bodily injury and property damage;
 - \$2,000,000 aggregate coverage
- Automobile Insurance
 - \$1,000,000 per accident
- Workers Compensation and Employer's Liability
 - \$1,000,000 bodily injury from each accident
 - \$1,000,000 bodily injury from disease per employee
 - \$1,000,000 bodily injury from disease aggregate
 - OahuMPO also requests (but cannot require) waiver of subrogation in favor of the State of Hawaii
- Professional Liability (Errors and Omissions)
 - \$1,000,000 per claim;
 - \$2,000,000 annual aggregate

Policies may have lower limits than those shown above ONLY if there is also an umbrella policy that provides coverages at least up to the limits shown. The umbrella policy should name the State of Hawaii, its elected and appointed officials, officers, employees, and volunteers as Additional Insureds (to be noted in the "Description of operations/locations/vehicles" box of form SPO 150).

Additional optional coverages:

- A Fidelity Bond endorsed to cover third party liability to include property of the State in the care, custody, and control of an outside party, and should include a minimum 12-month discovery period when written on a Loss Sustained basis.

Contact the State Risk Management Office (808-586-0550) for more information.

Other Applicable State Laws and Requirements

The selected offeror shall, within seven (7) business days of receiving notice of award of this contract, furnish proof of compliance with the requirements of HRS Section 103D-31-(c):

- HRS Chapter 237, tax clearance;
- HRS Chapter 383, unemployment insurance;
- HRS Chapter 386, workers compensation;
- HRS Chapter 392, temporary disability insurance;
- HRS Chapter 393, prepaid health care; and

Pursuant to HRS Section 103-53, as a prerequisite to entering into contracts of \$25,000 or more, providers shall be required to submit a tax clearance certificate issued by the Hawaii State Department of Taxation and the Internal Revenue Service (IRS). Respondents are directed to Hawaii Compliance Express (<https://vendors.ehawaii.gov/hce/splash/welcome.html>) which expedites the respondent's ability to furnish proof of compliance with the requirements of 103D-310(c), HRS. The Compliance Express service provides an online "Certificate of Vendor Compliance" for the respondent's business entity. This single certificate eliminates the need to obtain individual copies of clearances with the IRS, Department of Labor, DCCA, and State tax offices. The service includes

real time monitoring of the respondent's status of compliance with each agency and the respondent will be automatically notified by e-mail any time its compliance status is changed.

If applicable, by submitting a SOQ, the offeror certifies that they are in compliance with HRS Section 103-55, wages, hours, and working conditions of employees of contractors performing services. Refer to HRS Section 103-55, at the Hawaii State Legislature Web site (<http://capitol.hawaii.gov/>).

If awarded a contract in response to this solicitation, the offeror agrees to comply with HRS §11-355, which states that campaign contributions are prohibited from a State and county government contractor during the term of the contract if the contractor is paid with funds appropriated by the relevant legislative body.

Lobbying Activities

According to 31 U.S.C. 1352, as implemented at 49 CFR Part 20, all selected offerors and recipients of federally appropriated funds must abide by the following rules with respect to lobbying:

- i. All selected offerors and recipients of a Federal contract, grant, or cooperative agreement in excess of \$100,000 may not use Federal funds to lobby an officer or employee of any Federal agency or Member of Congress;
- ii. Every time a potential recipient applies for or receives such a contract, grant, or cooperative agreement, it must file a written declaration at the time of time of application that states that no federal funds have been paid for lobbying and that, if non-Federal funds are used for lobbying, it will file a lobbying disclosure form.
- iii. If a recipient used non-Federal funds for lobbying, it must submit a disclosure form to report these activities. If the activities change materially, the recipient must file an additional form for that quarter.

Drug Free Workplace

Per 49 CFR §29, selected offerors must sign and submit a Drug Free Workplace Certification. Failure or inability to submit the certification will result in the withdrawal of any contract offer.

Debarment and Suspension

Selected offerors will be asked to sign and submit a Debarment and Suspension Certification. Failure or inability to submit the certification will not necessarily result in the withdrawal of a contract offer, provided that the selected offeror submits a written explanation in lieu of the certification. Failure to submit either a certification or written explanation will result in the withdrawal of any contract offer.

Prompt Payment of Subcontractors

The selected offeror agrees that payment shall be dispersed to all subcontractors within ten (10) calendar days after receipt of payment from the Department, in accordance with the terms of the subcontract. This clause applies to both DBE and non-DBE subcontractors.

False Statements

Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statements, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or whoever knowingly makes any false statements, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be

performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-Aid Roads Act approved July 1, 1916 (39 Stat. 355), as amended and supplanted; shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

Public Records

All SOQs submitted in response to this solicitation become the property of OahuMPO and become public records; as such, they may be subject to public review, with the exception of those portions for which the offeror has made a written request of confidentiality. Note that **the price plan is not considered confidential** and will not be withheld.

Notice of Award and Reservation of Rights

The notice of award, if any, resulting from this solicitation shall be posted on the Procurement Awards, Notices and Solicitations (PANS), which is available on the SPO Web site:

<http://www.hawaii.gov/spo2/source/>.

OahuMPO reserves the right to: (1) reject any or all submissions if such action is in the public interest, and/or (2) waive informalities and minor irregularities in submissions received. This solicitation does not commit OahuMPO to award a contract; to defray any costs incurred in the preparation of a statement of qualifications to this solicitation; or to procure or contract for work. OahuMPO reserves the right to cancel or revise, for any or no reason, in part or in its entirety, this solicitation. If OahuMPO cancels this solicitation prior to the submission deadline or revises the solicitation, notification will be placed on OahuMPO's Web site.

OahuMPO reserves the right to request additional information and/or clarification from any or all respondents on their SOQs, but is under no obligation to do so. OahuMPO also reserves the right to award a contract on the basis of the initial SOQs received, without discussions. Therefore, each SOQ should be the respondent's best effort to provide all the necessary and requested information.

All SOQs submitted in response to the solicitation become the property of OahuMPO and public records; as such, they may be subject to public review.

Protests

Pursuant to HRS §103D-701 and HAR §3-126-3, an actual or prospective offeror who is aggrieved in connection with the solicitation or award of a contract may submit a protest. Any protest shall be submitted in writing to:

Alvin Au
Oahu Metropolitan Planning Organization
707 Richards Street, Suite 200
Honolulu, HI 96813-4623

A protest shall be submitted in writing within five (5) working days after the aggrieved person knows or should have known of the facts giving rise thereto; provided that a protest based upon the content of the solicitation shall be submitted in writing prior to the date set for receipt of offers. Further provided that a protest of an award or proposed award shall be submitted within five (5) working days after the posting of award or if requested, within five (5) working days after the debriefing was completed.