

## MEMORANDUM

**To:** Programs, Projects and Operations Subcommittee

**Re:** Missouri River Trail – Phase 2 – CE Selection

**Date:** November 5, 2010

**From:** Jim Becic

The NRD Board at the 14 October, 2010 meeting approved an additional \$49,962.00 for HGM Associates Inc. to provide Construction Engineering (CE) work for the MR Trail Phase 2.

It has since been determined by the Nebraska Department of Roads (NDOR) and Federal Highways Administration (FHWA) that HGM Associates, Inc. (HGM) will not be allowed to provide the CE services on the Missouri River Trail, Phase 2 as they were contracted to do so by the District in 2005. Their ruling specifies that the Design Engineer cannot, at this time, be the Construction Engineer – responsible for the construction inspection and reporting.

This determination allows little leeway for the District, other than to follow the NDOR's guidelines and prioritize three of the twelve preselected and approved CE consultants (listed below) and submit these to the NDOR.

### **NDOR's Preapproved CE consultants:**

|                                    |                                  |
|------------------------------------|----------------------------------|
| Baker and Associates, Inc.         | M.C. Schaff and Associates, Inc. |
| HDR                                | Miller & Associates              |
| HWS (benesch)                      | Olsson Associates                |
| JEO                                | Schemmer                         |
| Kirkham Michael                    | Speece-Lewis Engineers           |
| Mainelli Wagner & Associates, Inc. | W Design Associates              |

Following the District's submittal of our three, prioritized CE choices, the NDOR maintains the discretion to either use one of these choices or any of the other nine from their list.

To add to the complexity, the NDOR has indicated that if the District, instead of making a selection from their preapproved list, chooses to issue a formal RFP for a CE (utilizing NDOR's guidelines and not the NRDs), then HGM may respond. However, this "option" would cause a significant delay to the project even if HGM was selected.

Therefore, in an attempt to streamline the process, maintain the current construction schedule and address as many contingencies as reasonable, management is selecting the following three firms: **1) Schemmer 2) HWS (benesch) and 3) Speece-Lewis Engineers** in order of preference to submit to the NDOR and recommending approval of any of the NDOR's twelve preselected companies for selection as CE if the NDOR does not select one of our prioritized companies.

**Management recommends that the Program, Projects and Operations Subcommittee recommend to the Board that the General Manager be authorized to negotiate a Professional Services Agreement for Construction Engineering on the Missouri River Trail Phase 2 Project with a consultant approved by the Nebraska Department of Roads and bring the Agreement to the Board for approval.**

File Memo:

Subject: Missouri River Trail Phase 2 (Project # 28(89) C.N. 22252) – CE Selection

Date: 11-1-10

By Gerry Bowen

The following firms were ranked to provide CE services for the Missouri River Trail – Phase 2: Project 28(89), C.N. 22252. The ranking forms from Jim Becic (Project Manager), Marlin Petermann (Asst. General Manager), and Gerry Bowen (R.C.) are attached.

| Firm Ranked:    | Becic     | Petermann | Bowen     | Total |
|-----------------|-----------|-----------|-----------|-------|
| Baker           | Not rated | Not rated | Not rated | 0     |
| HDR             | 11        | 11        | 11        | 33    |
| HWS (benesch)   | 13        | 12        | 14        | 39    |
| JEO             | 9         | 10        | 10        | 29    |
| Kirkham Michael | 10        | 10        | 10        | 30    |
| Mainelli        | 9         | 9         | 9         | 27    |
| Schaff          | 9         | 9         | 9         | 27    |
| Miller          | Not rated | Not rated | Not rated | 0     |
| Olsson          | 9         | 10        | 10        | 29    |
| Schemmer        | 14        | 13        | 14        | 40    |
| Speece-Lewis    | 12        | 12        | 12        | 36    |
| W Design        | 9         | 9         | 9         | 27    |

<http://www.transportation.nebraska.gov/gov-aff/pdfs-docs/consultants/CE%20Services/consult-sel-proc-oces.pdf>

The consultant list is found at the bottom of page 2 of the memo.

**LPA Final Selection Criteria Form**  
**Prepared by the Responsible Charge**

On-Call Construction Engineering Services covered under NDOR's Master IDIQ agreement

**Project:** Project Number 28(89), C.N. 22252

**LPA Evaluator:** Jim Becic, Project Manager

**Date:** 11-5-10

**Final Selection Criteria:**

- |                                                                                 |               |
|---------------------------------------------------------------------------------|---------------|
| 1. Professional qualifications necessary for satisfactory performance           | 0 to 5 points |
| 2. Specialized experience and technical competence in the type of work required | 0 to 5 points |
| 3. Past performance on contracts with government agencies and private industry  | 0 to 5 points |
| 4. The capacity to accomplish the work in the required time                     | 0 to 5 points |
| 5. Location of the project and knowledge of the area                            | 0 to 2 points |

\* Note: LPA needs only to rank those firms that indicated a preference to work in this geographic area. Indicate in the remarks those firms that were not ranked.

| Firm Criteria                      | 1 | 2 | 3 | 4 | 5 | Total | Remarks   |
|------------------------------------|---|---|---|---|---|-------|-----------|
| Baker & Associates, Inc.           |   |   |   |   |   | 0     | not rated |
| HDR                                | 3 | 3 | 2 | 2 | 1 | 11    |           |
| HWS                                | 3 | 3 | 3 | 3 | 1 | 13    | #2        |
| JEO                                | 2 | 2 | 2 | 2 | 1 | 9     |           |
| Kirkham Michael                    | 2 | 2 | 2 | 3 | 1 | 10    |           |
| Mainelli Wagner & Associates, Inc. | 2 | 2 | 2 | 2 | 1 | 9     |           |
| M. C. Schaff and Associates, Inc.  | 2 | 2 | 2 | 2 | 1 | 9     |           |
| Miller & Associates                |   |   |   |   |   | 0     | not rated |
| Olsson Associates                  | 2 | 2 | 2 | 2 | 1 | 9     |           |
| Schemmer                           | 3 | 4 | 3 | 3 | 1 | 14    | #1        |
| Speece-Lewis Engineers             | 2 | 3 | 3 | 3 | 1 | 12    | #3        |
| W Design Associates                | 2 | 2 | 2 | 2 | 1 | 9     |           |

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LPA Evaluator Signature

# LPA Final Selection Criteria Form

## Prepared by the Responsible Charge

On-Call Construction Engineering Services covered under NDOR's Master IDIQ agreement

**Project:** Project Number 28(89), C.N. 22252

**LPA Evaluator:** Gerry Bowen, R.C.

**Date:** 11-5-10

### Final Selection Criteria:

- |                                                                                 |               |
|---------------------------------------------------------------------------------|---------------|
| 1. Professional qualifications necessary for satisfactory performance           | 0 to 5 points |
| 2. Specialized experience and technical competence in the type of work required | 0 to 5 points |
| 3. Past performance on contracts with government agencies and private industry  | 0 to 5 points |
| 4. The capacity to accomplish the work in the required time                     | 0 to 5 points |
| 5. Location of the project and knowledge of the area                            | 0 to 2 points |

\* Note: LPA needs only to rank those firms that indicated a preference to work in this geographic area. Indicate in the remarks those firms that were not ranked.

| Firm Criteria                      | 1 | 2 | 3 | 4 | 5 | Total | Remarks   |
|------------------------------------|---|---|---|---|---|-------|-----------|
| Baker & Associates, Inc.           |   |   |   |   |   | 0     | not rated |
| HDR                                | 3 | 3 | 2 | 2 | 1 | 11    |           |
| HWS                                | 3 | 3 | 3 | 3 | 2 | 14    | #1        |
| JEO                                | 2 | 2 | 2 | 3 | 1 | 10    |           |
| Kirkham Michael                    | 2 | 2 | 2 | 3 | 1 | 10    |           |
| Mainelli Wagner & Associates, Inc. | 2 | 2 | 2 | 2 | 1 | 9     |           |
| M. C. Schaff and Associates, Inc.  | 2 | 2 | 2 | 2 | 1 | 9     |           |
| Miller & Associates                |   |   |   |   |   | 0     | not rated |
| Olsson Associates                  | 3 | 2 | 2 | 2 | 1 | 10    |           |
| Schemmer                           | 3 | 3 | 3 | 3 | 2 | 14    | #2        |
| Speece-Lewis Engineers             | 3 | 2 | 2 | 3 | 1 | 11    | #3        |
| W Design Associates                | 2 | 2 | 2 | 2 | 1 | 9     |           |

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LPA Evaluator Signature

**LPA Final Selection Criteria Form**  
**Prepared by the Responsible Charge**

On-Call Construction Engineering Services covered under NDOR's Master IDIQ agreement

**Project:** Project Number 28(89), C.N. 22252

**LPA Evaluator:** Marlin Petermann, Assistant General Manager.

**Date:** 11-5-10

**Final Selection Criteria:**

- |                                                                                 |               |
|---------------------------------------------------------------------------------|---------------|
| 1. Professional qualifications necessary for satisfactory performance           | 0 to 5 points |
| 2. Specialized experience and technical competence in the type of work required | 0 to 5 points |
| 3. Past performance on contracts with government agencies and private industry  | 0 to 5 points |
| 4. The capacity to accomplish the work in the required time                     | 0 to 5 points |
| 5. Location of the project and knowledge of the area                            | 0 to 2 points |

\* Note: LPA needs only to rank those firms that indicated a preference to work in this geographic area. Indicate in the remarks those firms that were not ranked.

| Firm Criteria                      | 1 | 2 | 3 | 4 | 5 | Total | Remarks   |
|------------------------------------|---|---|---|---|---|-------|-----------|
| Baker & Associates, Inc.           |   |   |   |   |   | 0     | not rated |
| HDR                                | 3 | 3 | 2 | 2 | 1 | 11    |           |
| HWS                                | 3 | 2 | 3 | 2 | 2 | 12    | #3        |
| JEO                                | 2 | 2 | 2 | 3 | 1 | 10    |           |
| Kirkham Michael                    | 2 | 2 | 2 | 3 | 1 | 10    |           |
| Mainelli Wagner & Associates, Inc. | 2 | 2 | 2 | 2 | 1 | 9     |           |
| M. C. Schaff and Associates, Inc.  | 2 | 2 | 2 | 2 | 1 | 9     |           |
| Miller & Associates                |   |   |   |   |   | 0     | not rated |
| Olsson Associates                  | 3 | 2 | 2 | 2 | 1 | 10    |           |
| Schemmer                           | 3 | 3 | 3 | 3 | 1 | 13    | #1        |
| Speece-Lewis Engineers             | 3 | 2 | 3 | 3 | 1 | 12    | #2        |
| W Design Associates                | 2 | 2 | 2 | 2 | 1 | 9     |           |

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LPA Evaluator Signature