

AT-THE-READY CONSULTANT SERVICES PROCESS

Introduction

Consultant contracts for work described in the At-the-Ready Consultant Categories are eligible for the At-the-Ready Consultant Services process. The Municipalities have two options, they can choose to go through the standard RFQ/RFP procurement process or through the At-the-Ready process using a pre-selected, prequalified at-the-ready consultant from a Qualified Roster prepared and maintained by VTrans. This Roster was created through a qualifications based selection process.

At-the-Ready Consultant Categories

At-the-Ready consultants are broken out into three categories of work.

- **Design** – Services under this category include but are not limited to: Scoping studies; engineering investigation; survey; hydraulic analysis; environmental permitting; right-of-way (ROW) identification and acquisition; utility relocation; development of construction plans, specifications, and estimates; construction bid services; and design engineering services during construction. Services could include design of highways, rail-trails, pedestrian and bicycle facilities, structures, and other design-related work.
- **Municipal Project Management** – Services under this category include but are not limited to: Project coordination for all aspects of project development, permits, utilities and right of way; RFQ/RFP and SOW preparation; responsibility for all contract documentation; invoice review; progress reports, meetings documentation; plans review; project construction administration; construction bid package and contract preparation; project document and file security; project closeout; coordination with VTrans, municipal officials, general public, property owners, design consultant(s), construction contractor(s), construction inspection consultant, and other appropriate parties; and other work related to municipal project management.
- **Construction Inspection** – Services under this category include but are not limited to: Inspection; record keeping; preparation of reports, participation in construction meetings; calculation and verification of quantities; review of invoices and pay requests; review of traffic control; development of as-built plans; inspection and approval of materials; review and recording of reports for materials and equipment inspection and testing; and, work related to construction inspection.

The current At-the-Ready Qualified Roster with the consultants' statement of qualifications can be found on the MAB SharePoint Site at this link:

<https://outside.vermont.gov/agency/vtrans/external/MAB-LP>

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Selection of a Consultant

When adhering to the At-the-Ready Consultant Process, the municipalities through a consultant selection committee with a minimum of two members, should review the information and qualifications of at least three of the firms in the At-the-Ready Qualified Roster and select the firm that best represents the needs of the municipality. The Municipal Representative in Responsible Charge is required to be a member of the committee. Other members could be the Municipal Project Manager or other town representatives. In most cases Vtrans will not need to participate in the selection as a member of the committee. Next, the municipality develops an independent estimate of the consultant fee and estimate of the duration of the contract. The total estimated value of the contract and contract duration, together with the selected consultant shall be sent to the VTrans project supervisor for review prior to beginning negotiation with the selected consultant. Municipalities should use the 2020 VTrans Report on Shared Use Path and Sidewalk Unit Costs or information used in their grant applications to estimate the consultant fees. The maximum length of contract period including any possible contract extensions shall not exceed 5 years.

Upon approval by the Project Supervisor, the municipality sends the selected firm a Request for Proposal that includes a detailed scope of work. Then they negotiate the terms and conditions including the fee, and if successful, enter into a contract. If negotiations are not successful, the municipality may formally terminate negotiations and can then select the next most qualified firm from their initial review of three and start negotiations with that firm. If negotiations are successful, the municipality can initiate a contract with the selected firm. Negotiations cannot resume with a firm after having been concluded at some point in the process. A sample consultant contract can be found in the MAB SharePoint Site. The committee will submit to VTrans a form summarizing the consultant selection. Any substitutions to the personnel proposed by the consultants must be submitted to VTrans for approval, and to VTrans and the Municipality if the project has already been awarded.

Prior to entering into a contract, the consultant is required to be registered with the Secretary of State, be clear for debarment when verified against the State Debarment List and for debarment and suspension against the federal System for Award Management (SAM). The consultant is required to submit a Conflict of Interest Disclosure Form and a Debarment and Non-Collusion Form. Copies of the two forms should accompany the contract when submitted to Vtrans for review. The consultant is required to have Workers Compensation Insurance, General Liability and Property Damage Insurance, Automotive Liability Insurance, Professional Liability Insurance, and Railroad Protective Liability if applicable. Insurance requirements shall be in accordance with the MAB Local Projects Guidebook Appendix E "Specifications for Contractor Services".

The municipality is required to submit a Consultant Performance Evaluation Form when the project is completed. The forms can be found at the MAB SharePoint Site.

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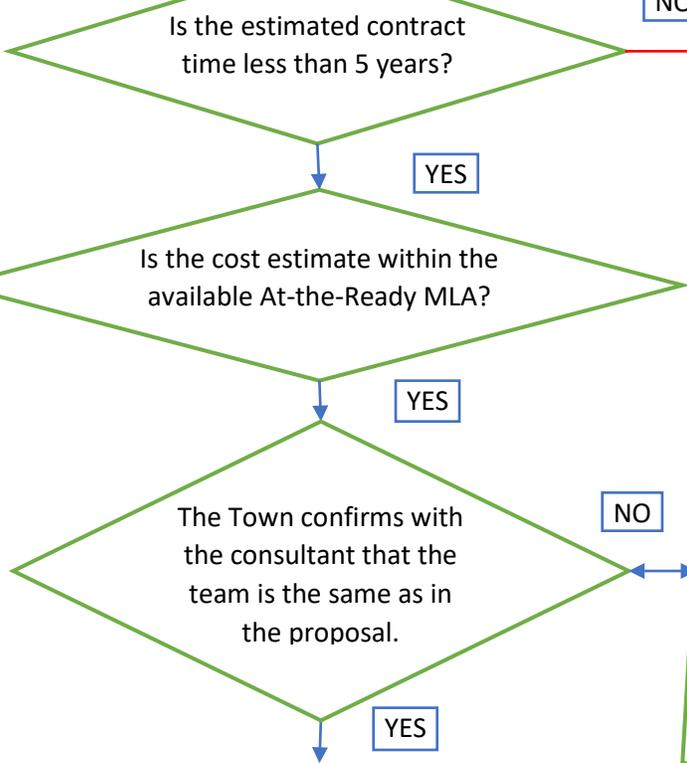
Town needs procurement for a project and wishes to use the At-the-Ready (ATR) Process.

A municipal consultant selection committee with a minimum of two members, reviews the statement of qualifications of at least three consultants in the At-the-Ready Qualified Roster and selects one. A firm chosen to perform in one of the three categories will not be eligible to provide services on any of the other two categories for the same project, whether as a prime consultant or as a firm subcontracted. This applies to any services for the same project even if the consultant is not selected as a result of the At-the-Ready process. The names of the three firms with their qualifications reviewed should be listed in the Consultant Selection Form.
 (Links: [ATR Roster MPM](#), [ATR Roster Design](#), [ATR Roster Inspection](#), [Consultant Selection Form](#))

Town develops independent estimates of consultant fees and contract duration and sends the total amounts to the Project Supervisor along with their consultant of choice.
 (Link: [VTrans Report on Shared Use Path and Sidewalk Unit Costs](#))

Consultant Project MLAs will vary per individual contracts with various municipalities but the At-the-Ready MLA or maximum total amount for each consultant in contracts awarded using this process will be up to \$700,000 for Municipal Project Management, \$1,500,000 for Design and \$2,500,000 for Construction Inspection. The maximum length of contract period including any possible contract extensions shall not exceed 5 years. The Project Supervisor verifies that the cost estimate is less than the available At-the-Ready MLA and that the estimated time of contract is less than five years.

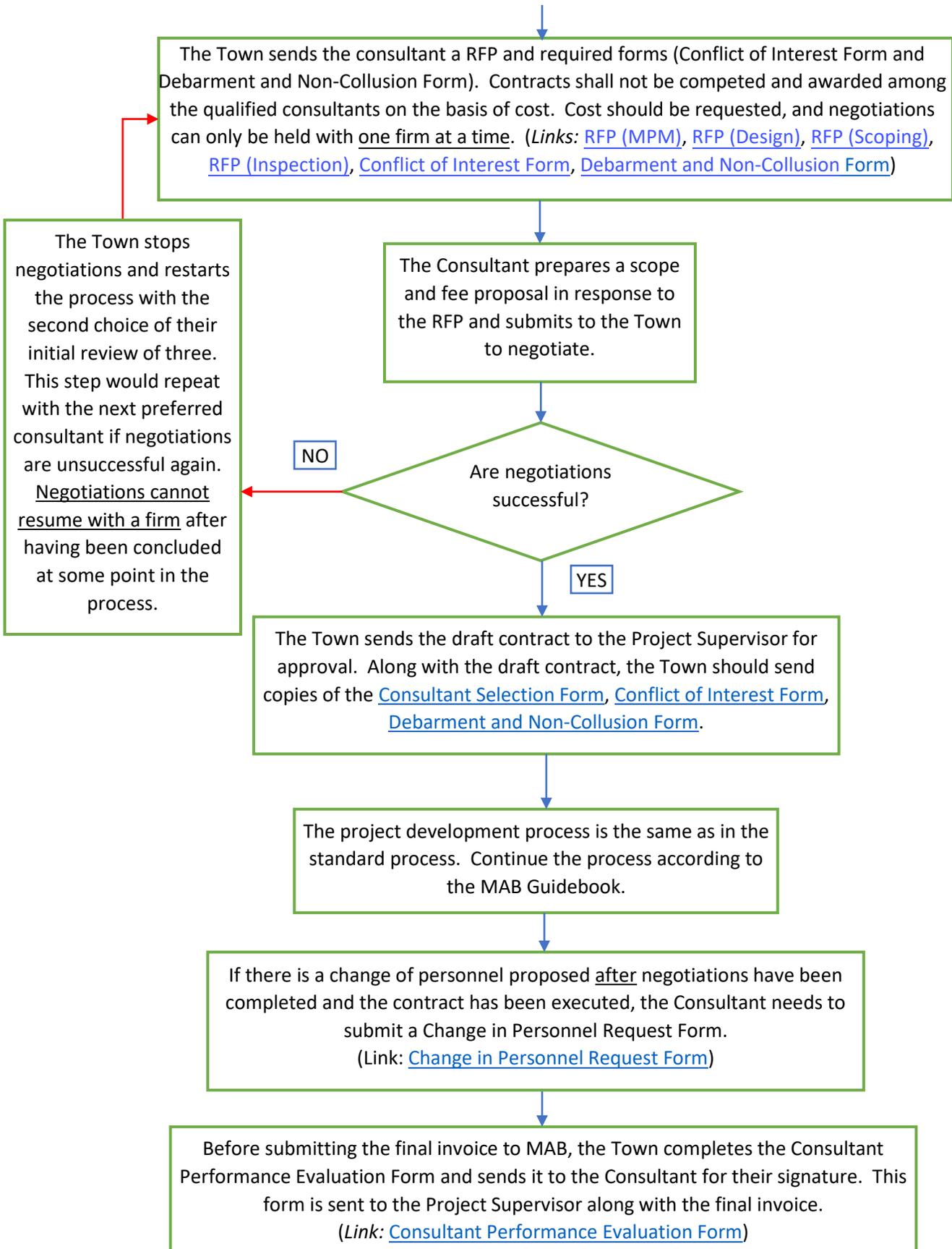
Town selects another firm. This step repeats with the next preferred consultant. If the available At-the-Ready MLA is not enough, the town needs to use a standard procurement method that includes a Qualifications Based Selection.



The Town needs to use the standard procurement method that includes a Qualifications Based Selection.

The Consultant submits the proposed change to VTrans for approval. This applies to any change of personnel proposed before negotiations have been completed and the contract has been executed (Email: nydia.lugo@vermont.gov)

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Questions and Answers

1. How many members are required in the consultant selection committee?

A minimum of two (2) members are required.

2. Who can be a member of the consultant selection committee?

The Municipal Representative in Responsible Charge is required to be a member of the committee. Other members could be the Municipal Project Manager or other town representatives. In most cases, VTrans will not need to participate in the selection as a member of the committee.

3. Can the municipalities choose one consultant from the At-the-Ready Roster without reviewing the statement of qualifications of other consultants?

The municipality will review the qualifications of at least three (3) of the firms in the Roster and select one. The names of the three firms with their qualifications reviewed should be listed in the Consultant Selection Form.

4. Can the municipalities send the RFP to more than one firm to compare cost?

No. Contracts shall not be competed and awarded among the selected qualified consultants on the basis of cost. Cost should be requested, and negotiations can only be held with one firm at a time. If the scope and fee are not agreed on with the municipality's first choice, negotiations with that firm must be formally terminated and the town can then undertake negotiations with their next preferred firm. This process will continue until a satisfactory contract is negotiated.

5. Can I restart negotiations or choose a consultant I already negotiated with and didn't select on a first attempt?

No. Negotiations cannot resume with a firm after having been concluded at some point in the process.

6. When should consultants submit the Change in Personnel Form?

The Change in Personnel Form should be submitted when a change occurs after the project started (after negotiations have been completed and the contract has been executed). This form requires the approval of the municipality and VTrans.

Any change to the statement of qualifications submitted for the At-the-Ready solicitation (new employees, employees in new positions, no longer with the company, etc.) should be submitted to VTrans for approval at any time and as soon as the change occurs.