

REQUEST FOR PROPOSALS

**STATE OF NEW HAMPSHIRE
DEPARTMENT OF NATURAL AND CULTURAL RESOURCES**

SEAWALL RECONSTRUCTION

Wentworth Coolidge Mansion State Historic Site

RFP 2021-01

Section 1 – Overview and Schedule

A. Executive Summary

The NH Department of Natural and Cultural Resources through its Division of Parks and Recreation is seeking proposals from site work contractors for the reconstruction of a portion of a stone masonry retaining wall at the Wentworth Coolidge Mansion State Historic Site in Portsmouth, NH. The retaining wall supports a strip of lawn area on the northeast side of the Wentworth Coolidge Mansion along the shore of the back channel of the Piscataqua River in Portsmouth Harbor. The retaining wall is a seawall in the sense that the Piscataqua River is a tidal estuary. At high tide, the water level typically reaches the bottom of the retaining wall, while at low tide, mud flats are exposed in front of the wall.

The wall is considered to be a character-defining element in the historic landscape around the Wentworth Coolidge Mansion. The Division of Parks and Recreation is asking for proposals to reconstruct the wall in order to find the best way to create a structurally functional retaining wall with the least change to the historically significant visual character of the existing wall.

The successful proposal will be implemented by means of a standard state construction contract (Form P-37). Coordination with the NH Division of Historic Resources will be required for archaeological monitoring of excavations. Permitting from the NH Department of Environmental Services will be required to comply with Wetlands and Shoreline Protection regulations.

Construction is scheduled to take place from September through November of 2021.

B. Schedule

The following table provides a Schedule of Events for this RFP through contract finalization and approval. The Agency reserves the right to amend this Schedule at its sole discretion and at any time through a published Addendum.

EVENT	DATE	LOCAL TIME
RFP Released to Proposers (Advertisement)	4/28/2021/2021	
Proposer Inquiry Period Ends	6/4/2021	12:00 noon
Final Agency Responses to Proposer Inquiries	6/9/2021	4:00 PM
Proposers Submit Proposals	6/16/2021	2:00 PM
Estimate Timeframe for Proposer Oral Presentations and Interviews (if applicable)	6/29 and 6/30 2021	TBD
Estimated Notification of Selection and Begin Contract Negotiations	7/7/2021	

Section 2 - Description of Agency/Program Issuing the Request for Proposals

The NH Department of Natural and Cultural Resources, through its Division of Parks and Recreation, will contract for repair of the seawall at the Wentworth Coolidge Mansion Historic Site. Within the Division of Parks and Recreation, the Bureau of Historic Sites manages and oversees the Wentworth Coolidge Mansion. The head of the Bureau of Historic Sites, the Supervisor of Park Operations, and the DNCR Department Architect will participate in evaluating proposals for this project. Once a contract for construction is approved, the head of the Bureau of Historic Sites and the Department Architect will administer and oversee the construction process.

Section 3 – Proposed Scope of Work

- Permitting: obtain permits as may be required from NH, Department of Environmental Services to comply with wetlands and shoreline protection regulations
- Coordinate with the NH Division of Historical Resources to accommodate archaeological monitoring of excavation work.
- Organize the construction logistics so that all excavation work is done from the landside. Operate no motorized equipment on the tidal mud flats adjacent to the seawall.
- Reconstruct approximately 140 linear feet of dry stone masonry retaining wall between the Wentworth Coolidge Mansion’s northeast lawn and the back channel of the Piscataqua River. (See attached site plan for location and extent of portion to be reconstructed.)

- Re-use existing stones from the retaining wall to retain the historic character of the original wall. Re-use of stone may be for achieving the structural purpose of the retaining wall or may be as a facing over a new structural retaining wall for the sake of maintaining the historic character.
- Accommodate existing storm drain outlet piping that penetrates the retaining wall in two places.
- Interconnect the reconstructed stone masonry wall with the existing retaining wall at each end to achieve a visually continuous wall surface that maintains the historic character of the original wall.
- Stabilize the stone supporting the foundation of the northeast corner of the Wentworth Coolidge Mansion.
- Repair the cracked stone masonry foundation under the northeast corner of the Wentworth Coolidge Mansion. (See attached photographs.)
- Restore sound bearing for the wood frame structure of the mansion at the northeast corner. Set the bearing to match the original top-of-foundation elevation.
- After retaining wall reconstruction is complete, restore the lawn behind the seawall. Loam and seed as necessary to re-establish a continuous lawn between the upper and lower retaining walls on the northeast side of the mansion.

Section 4 – Process for Submitting a Proposal

A. Proposal Submission, Deadline, and Location Instructions

Proposals submitted in response to this RFP must be received by the NH Division of Parks and Recreation, no later than the time and date specified in the Schedule section, herein. Proposals may be submitted by U.S. Mail, Delivery Service, or may be delivered in person. Electronic versions of the proposal should be sent via Email. Proposals must be addressed to:

**State of New Hampshire, DNCR
Division of Parks and Recreation
172 Pembroke Road, Concord NH 03301
c/o
Thomas Mansfield, Department Architect**

(For Email deliveries send to: thomas.c.mansfield@dncr.nh.gov)

Proposals must be clearly marked as follows:

**STATE OF NEW HAMPSHIRE, DNCR
RESPONSE TO RFP 2021-1
SEAWALL RECONSTRUCTION
Wentworth Coolidge Mansion State Historic Site**

Unless waived as a non-material deviation in accordance with Section 6B, late submissions will not be accepted and will be returned to the proposers unopened. Delivery of the Proposals shall be at the Proposer's expense. The time of receipt shall be considered when a Proposal has been officially documented by the Agency, in accordance with its established policies, as having been received at the location designated above. The Agency accepts no responsibility for mislabeled mail or mail that is not delivered or undeliverable for whatever reason. Any damage that may occur due to shipping shall be the Proposer's responsibility.

All Proposals submitted in response to this RFP must consist of at least:

- a) One (1) original and (3) clearly identified copies of the Proposal, including all required attachments;
- b) One (1) original and clearly identified electronic copy of the Proposal via email in pdf format.

Proposers who are ineligible to bid on proposals, bids or quotes issued by the Department of Administrative Services, Division of Procurement and Support Services pursuant to the provisions of RSA 21-I:11-c shall not be considered eligible for an award under this proposal.

B. Proposal Inquiries

All inquiries concerning this RFP, including but not limited to, requests for clarifications, questions, and any changes to the RFP, shall be submitted via email to the following RFP designated Points of Contact:

TO: Thomas Mansfield, Department Architect thomas.c.mansfield@dncr.nh.gov
CC: Andrew Cushing, Bureau of Historic Sites andrew.h.cushing@dncr.nh.gov

Inquiries must be received by the Agency's RFP Points of Contact no later than the conclusion of the Proposer Inquiry Period (see Schedule of Events section, herein). Inquiries received later than the conclusion of the Proposer Inquiry Period shall not be considered properly submitted and may not be considered.

The Agency intends to issue official responses to properly submitted inquiries on or before the date specified in the Schedule section, herein; however, this date is subject to change at the Agency's discretion. The Agency may consolidate and/or paraphrase questions for sufficiency and clarity. The Agency may, at its discretion, amend this RFP on its own initiative or in response to issues raised by inquiries, as it deems appropriate. Oral statements, representations, clarifications, or modifications concerning the RFP shall not be binding upon the Agency. Official responses by the Agency will be made only in writing by the process described above. Vendors shall be responsible for reviewing the most updated information related to this RFP before submitting a proposal.

C. Restriction of Contact with Agency Employees

From the date of release of this RFP until an award is made and announced regarding the selection of a Proposer, all communication with personnel employed by or under contract with the Agency regarding this RFP is forbidden unless first approved by the RFP Points of Contact listed in the Proposal Inquiries section, herein. Agency employees have been directed not to hold conferences and/or discussions concerning this RFP with any potential contractor during the selection process, unless otherwise authorized by the RFP Points of Contact. Proposers may be disqualified for violating this restriction on communications.

D. Validity of Proposal

Proposals must be valid for one hundred and eighty (180) days following the deadline for submission of Proposals in Schedule of Events, or until the Effective Date of any resulting Contract, whichever is later.

SECTION 5 - Content and Requirements for a Proposal

Proposals shall follow the below format and provide the required information in numbered entries as set forth below:

1. Company profile and background: Provide an overview of the company including:
 - Number of years in business
 - Number of employees
 - Location of business office or shop
 - Types of expertise relevant to this project
 - Any local presence near the Wentworth Coolidge Historic Site relevant to this project .
2. Key personnel that would be assigned to this project: Describe the expertise and qualifications of the project manager, job site superintendent, and other key personnel.
3. References: Provide three references with contact information for whom you have completed projects of similar type and scale as this project.
4. List of projects: Provide a list of similar or relevant projects your company has completed in the last five years. Please note any projects with aspects relating to historic preservation or historic reconstruction you have been involved in.
5. Technical Solution and Project Plan:
 - Describe how you would reconstruct the seawall at the Wentworth Coolidge Historic Site. Explain how your solution would retain the historic character of the seawall
 - Provide an annotated sketch of a section through your proposed seawall with labeled components.
 - Provide descriptions and specifications for materials to be used in your proposed seawall reconstruction.
6. Implementation Plan: Describe the construction sequence for reconstruction of the seawall. Provide estimated lengths of time for each step in the process.
7. Cost Proposal: Fill out the following schedule of values for this project:

General Conditions.....
Permitting.....

Excavation and earthwork.....	
Seawall reconstruction.....	
Foundation stabilization and repair (WC mansion NE corner).....	
Lawn restoration.....	
Allowance for unforeseen conditions.....	<u>\$10,000</u>
Lump Sum Price.....	

8. Provide a letter from your bonding company demonstrating your ability to provide a Performance Bond for 100% of the construction cost if your proposal is accepted.

SECTION 6 – Evaluation of Proposals

A. Criteria for Evaluation and Scoring

Each responsive Proposal will be evaluated and considered with regard to the following criteria:

- Qualifications and experience: 20 points
Experience and qualifications in constructing seawalls and retaining walls, experience building in a marine environment, and experience and qualifications for historic reconstruction
- Technical solution: 20 points
How effective will the seawall be? How long is it likely to last? How well will it stand up to coastal storms? How effective is the repair to the foundation under the northeast corner of the Wentworth Coolidge Mansion likely to be?
- Historic Integrity: 20 points
What level of historic integrity for the reconstructed seawall will the solution provide?
- Cost 40 points

If the Agency, determines to make an award based on these evaluations, the Agency will notify the selected Proposer(s). Should the Agency be unable to reach agreement with the selected Proposer(s) during Contract discussions, the Agency may then undertake Contract discussions with the next preferred Proposer and so on, or the Agency may reject all proposals, cancel this RFP, or solicit new Proposals under a new acquisition process.

The Agency will use a scoring scale of 100 points, a maximum of 40 points awarded based on the Price Proposal, a maximum of 60 points awarded for the Technical Proposal, which will be distributed as set forth in the table below.

CATEGORIES	POINTS
TECHNICAL PROPOSAL with the following potential maximum scores for each Technical Proposal category;	
Qualifications and Experience	20
Technical Solution	20
Historic Integrity	20
PRICE PROPOSAL POTENTIAL MAXIMUM POINTS	40
TOTAL POTENTIAL MAXIMUM POINTS AWARDED	100

The Agency will select a Proposer based upon the criteria and standards contained in this RFP and from applying the weighting in this section. Oral interviews and reference checks, to the extent they are utilized by the Agency, will be used to refine and finalize scores.

B. Planned Evaluations

The Agency plans to use the following process:

- Initial screening to ensure that the Proposals are in compliance with submission requirements;
- Preliminary evaluation of the Proposals;
- Oral interviews and Product Demonstrations (if necessary);
- Final Evaluation of Technical Proposals and scoring;
- Review of Price Proposals and final scoring; and
- Select the highest scoring Proposer (s) and begin contract negotiation.

C. Initial Screening

The Agency will conduct an initial screening step to verify Proposer compliance with the technical submission requirements set forth in the RFP and the minimum content set forth in Section 5 of this RFP. The Agency may waive or offer a limited opportunity to cure immaterial deviations from the RFP requirements if it is determined to be in the best interest of the State.

D. Preliminary Technical Scoring of Proposals

The Agency will establish an evaluation team to initially score the Technical Proposals. This evaluation team will review the technical proposals and give a preliminary score to the technical proposals under the guidelines set forth in Section 6. Should a Proposer fail to achieve 30 Points in the preliminary scoring, it will receive no further consideration from the evaluation team and

the Proposer's Price Proposal will be returned unopened. Price Proposals will remain sealed during the preliminary technical review.

E. Oral Interviews and Product Demonstrations

If the Agency determines that it is appropriate, proposers may be invited to oral interviews and/or product demonstrations including demonstrations of any proposed systems or components. The Agency retains the sole discretion to determine whether to conduct oral interviews, with which proposers; and the number of interviews. Proposers are advised that the Agency may decide to conduct interviews with less than all responsive proposers.

The purpose of oral interviews and product demonstrations is to clarify and expound upon information provided in the written Proposals. Proposers are prohibited from altering the basic substance of their Proposals during the oral interviews and product demonstrations. The Agency may ask the Proposer to provide written clarifications of elements in their Technical Proposal regardless of whether it intends to conduct Oral Interviews.

Information gained from oral interviews and product demonstrations will be used to refine technical review scores assigned from the initial review of the Proposals.

F. Final Technical Scoring of Proposals

Following Oral Interviews, Product Demonstrations, Reference Checks (if appropriate) and/or review of written clarifications of proposals requested by the Agency, the evaluation team will determine a final score for each Technical Proposal.

G. Price Proposal Review

Price proposals will be reviewed upon completion of the final technical scoring of proposals. The Proposer's Price Proposal will be allocated a maximum potential score of 40 points. Proposers are advised that this **is not a low bid award** and that the scoring of the price proposal will be combined with the scoring of the technical proposal to determine the overall highest scoring Proposer.

The following formula will be used to assign points for costs:

$$\text{Proposer's Price Score} = (\text{Lowest Proposed Price} / \text{Proposer's Proposed Price}) \times \text{Number of Points for Score}$$

. For the purpose of use of this formula, the lowest proposed price is defined as the lowest price proposed by a Proposer who has scored above the minimum necessary for consideration on the Technical Score

H. No Best and Final Offer

The Proposal should be submitted initially on the most favorable terms which the proposer can offer. There will be no best and final offer procedure. The Proposer should be prepared to accept this RFP for incorporation into a contract resulting from this RFP. Contract negotiations may incorporate some or all of the Proposal

I. Final Selection

The Agency will conduct a final selection based on the final evaluation of the initial proposals or, if requested, as a result of the Best and Final Offer and begin contract negotiations with the selected Proposer(s).

J. Rights of the Agency in Accepting and Evaluating Proposals

The Agency reserves the right to:

- Make independent investigations in evaluating Proposals;
- Request additional information to clarify elements of a Proposal;
- Waive minor or immaterial deviations from the RFP requirements, if determined to be in the best interest of the State;
- Omit any planned evaluation step if, in the Agency's view, the step is not needed;
- At its sole discretion, reject any and all Proposals at any time; and
- Open contract discussions with the second highest scoring Proposer and so on, if the Agency is unable to reach an agreement on Contract terms with the higher scoring Proposer(s).

A. Non-Collusion

The Proposer's signature on a Proposal submitted in response to this RFP guarantees that the prices, terms and conditions, and Work quoted have been established without collusion with other Proposers and without effort to preclude the Agency from obtaining the best possible competitive Proposal.

B. Property of the Agency

All material received in response to this RFP shall become the property of the State and will not be returned to the proposer. Upon Contract award, the State reserves the right to use any information presented in any Proposal.

C. Confidentiality of a Proposal

Unless necessary for the approval of a contract, the substance of a proposal must remain confidential until the Effective Date of any Contract resulting from this RFP. A Proposer's

disclosure or distribution of Proposals other than to the Agency will be grounds for disqualification.

D. Public Disclosure

Pursuant to RSA 21-G:37, all responses to this RFP shall be considered confidential until the award of a contract. At the time of receipt of proposals, the Agency will post the number of responses received with no further information. No later than five (5) business days prior to submission of a contract to the Department of Administrative Services pursuant to this RFP, the Agency will post the name, rank or score of each proposer. In the event that the contract does not require Governor & Executive Council approval, the Agency shall disclose the rank or score of the Proposals at least 5 business days before final approval of the contract.

The content of each Proposer's Proposal shall become public information upon the award of any resulting Contract. Any information submitted as part of a response to this request for proposal (RFP) may be subject to public disclosure under RSA 91-A. In addition, in accordance with RSA 9-F:1, any contract entered into as a result of this RFP will be made accessible to the public online via the website Transparent NH (<http://www.nh.gov/transparentnh/>). However, business financial information and proprietary information such as trade secrets, business and financials models and forecasts, and proprietary formulas may be exempt from public disclosure under RSA 91-A:5, IV. If you believe any information being submitted in response to this request for proposal, bid or information should be kept confidential as financial or proprietary information; you must specifically identify that information in a letter to the agency, and must mark/stamp each page of the materials that you claim must be exempt from disclosure as "CONFIDENTIAL". A designation by the Proposer of information it believes exempt does not have the effect of making such information exempt. The Agency will determine the information it believes is properly exempted from disclosure. Marking of the entire Proposal or entire sections of the Proposal (e.g. pricing) as confidential will neither be accepted nor honored. Notwithstanding any provision of this RFP to the contrary, Proposer pricing will be subject to disclosure upon approval of the contract. The Agency will endeavor to maintain the confidentiality of portions of the Proposal that are clearly and properly marked confidential.

If a request is made to the Agency to view portions of a Proposal that the Proposer has properly and clearly marked confidential, the Agency will notify the Proposer of the request and of the date the Agency plans to release the records. By submitting a Proposal, Proposers agree that unless the Proposer obtains a court order, at its sole expense, enjoining the release of the requested information, the Agency may release the requested information on the date specified in the Agency's notice without any liability to the Proposers.

E. Non-Commitment

Notwithstanding any other provision of this RFP, this RFP does not commit the Agency to award a Contract. The Agency reserves the right, at its sole discretion, to reject any and all Proposals, or any portions thereof, at any time; to cancel this RFP; and to solicit new Proposals under a new acquisition process.

F. Proposal Preparation Cost

By submitting a Proposal, a Proposer agrees that in no event shall the Agency be either responsible for or held liable for any costs incurred by a Proposer in the preparation of or in connection with the Proposal, or for Work performed prior to the Effective Date of a resulting Contract.

G. Ethical Requirements

From the time this RFP is published until a contract is awarded, no bidder shall offer or give, directly or indirectly, any gift, expense reimbursement, or honorarium, as defined by RSA 15-B, to any elected official, public official, public employee, constitutional official, or family member of any such official or employee who will or has selected, evaluated, or awarded an RFP, or similar submission. Any bidder that violates RSA 21-G:38 shall be subject to prosecution for an offense under RSA 640:2. Any bidder who has been convicted of an offense based on conduct in violation of this section, which has not been annulled, or who is subject to a pending criminal charge for such an offense, shall be disqualified from bidding on the RFP, or similar request for submission and every such bidder shall be disqualified from bidding on any RFP or similar request for submission issued by any state agency. A bidder that was disqualified under this section because of a pending criminal charge which is subsequently dismissed, results in an acquittal, or is annulled, may notify the department of administrative services, which shall note that information on the list maintained on the state's internal intranet system, except in the case of annulment, the information, shall be deleted from the list.

H. Challenges on Form or Process of the RFP

Any challenges regarding the validity or legality of the form and procedures of this RFP, including but not limited to the evaluation and scoring of Proposals, shall be brought to the attention of the Agency at least ten (10) business days prior to the Proposal Submission Deadline. By submitting a proposal, the Proposer is deemed to have waived any challenges to the agency's authority to conduct this procurement and the form and procedures of this RFP.

Section 8 – Contract Terms and Award

A. Award

If the State decides to award a contract as a result of this RFP process, any award is contingent upon approval of the Contract by Governor and Executive Council of the State of New Hampshire and upon continued appropriation of funding for the contract.

B. Standard Contract Terms

The Agency will require the successful bidder to execute a Firm Fixed Price Contract using the Standard Terms and Conditions of the State of New Hampshire which is attached as Appendix A

To the extent that a Proposer believes that exceptions to the standard form contract will be necessary for the Proposer to enter into the Agreement, the Proposer should note those issues during the Proposer Inquiry Period. The Agency will review requested exceptions and accept, reject or note that it is open to negotiation of the proposed exception at its sole discretion. If the Agency accepts a Proposer's exception the Agency will, at the conclusion of the inquiry period, provide notice to all potential proposers of the exceptions which have been accepted and indicate that exception is available to all potential proposers. Any exceptions to the standard form contract that are not raised during the proposer inquiry period are waived. In no event is a Proposer to submit its own standard contract terms and conditions as a replacement for the State's terms in response to this solicitation.

APPENDIX A