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June 17, 2021

Official Electronic Mail Sent Via Email. No Hard Copy to Follow.

Fredericksburg Area Metropolitan Planning Organization
406 Princess Anne Street
Fredericksburg, VA 22401
Attn: Ian M. Ollis, Director of Transportation Planning/FAMPO Administrator
Email: ollis@gwregion.org; fampo@gwregion.org

Re: RFP No. 001/2021 – On-Call Professional Transportation Planning Services

Dear Mr. Ollis:

The Virginia Transportation Construction Alliance (VTCA) is dedicated to serving the needs of businesses involved in Virginia's transportation construction industry, which includes both the contractors and the professional consultant engineering community in Virginia.

We believe that the Fredericksburg Area Metropolitan Planning Organization's (FAMPO) RFP for On-Call Professional Transportation Planning Services requests information that is inconsistent with Virginia procurement law. It is clear in the RFP page 8 that offerors are to deliver their cost proposal including labor rates with their proposals. Pages 9, 10 and 19 fully describe the cost proposal requirements, and identify that each respective proposal will be evaluated for costs to procure (30% or 30 points) in the selection process.

Requesting or requiring cost estimates as a condition of the initial RFP solicitation is a direct violation of the Virginia Public Procurement Act (VPPA) for procurement of professional services.

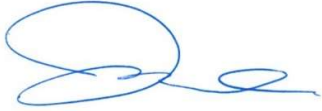
VPPA § 2.2-4302.2 A 4, Process for Competitive Negotiation, defines the selection process for procurement of professional services as follows:

"4. For professional services ... ranking criteria that will be used by the public body in addition to the review of the professional competence of the offeror. The Request for Proposal shall not, however, request that offerors furnish estimates of man-hours or cost for services. At the discussion stage, the public body may discuss nonbinding estimates of total project costs, including, but not limited to, life-cycle costing, and where appropriate, nonbinding estimates of price for services. In accordance with § 2.2-4342, proprietary information from competing offerors shall not be disclosed to the public or to competitors...."

To ensure compliance with the Virginia Public Procurement Act, as well as maintain the integrity of a qualifications-based selection process, we respectfully request that FAMPO remove any requirement to include cost proposals including labor rates, as well as the scoring criteria, from the RFP.

Thank you for your consideration and we look forward to your response to this issue.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeff Bragdon', with a large, stylized initial 'J'.

Jeff Bragdon, P.E., PMP
Program Manager of Engineering Consultants and Associates
Virginia Transportation Construction Alliance