



## AVISO PÚBLICO

10 de mayo de 2023

El Departamento de Corrección y Rehabilitación (DCR), en cumplimiento con la Orden Ejecutiva OE-2021-029 y la Carta Circular 013-2021 de la Oficina de Gerencia y Presupuesto, sobre las Medidas para asegurar la Transparencia y Responsabilidad Fiscal en la Contratación de Servicios Profesionales, anuncia que está evaluando la contratación de "Arquitectura e Ingeniería", para la creación de diseños y ejecutar los "SOW" para las instalaciones que albergan miembros de la población correccional del DCR.

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TERMINO CONTRATO	HASTA CULMINAR AÑO FISCAL 23-24
INICIO CONTRATO	AL MOMENTO DE FIRMAR
FECHA DE PUBLICACIÓN	10 de mayo de 2023
FECHA LÍMITE PARA SOMETER PROPUESTA	28 de mayo de 2023
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GOBIERNO DE PUERTO RICO  
DEPARTAMENTO DE CORRECCIÓN Y REHABILITACIÓN

## **REQUEST FOR PROPOSALS RFP**

### **Architectural and Engineering Services**

**FEMA PROJECTS CATEGORY E – PERMANENT WORK  
BUILDINGS AND EQUIPMENT  
FEMA DISASTERS 4339DR**

**Issued Date: May 10, 2023**



## **1. Background and Introduction Information**

### **1.1 The Federal Emergency Management Agency (FEMA)**

The services herein requested, and the related FEMA funds are associated to disasters 4339 DR, Correctional Facilities Services will be provided for Category E FEMA projects – Permanent Work-Buildings and Equipment.

This RFP has been prepared in accordance and compliance with 2 CFR Part 200; Regulation 9302, dated August 26, 2021, issued by General Services Administration of the Government of Puerto Rico, Executive Order OE-021-029; Circular Letter of the Puerto Rico Office of Management and Budget No. 013-2021; Law No. 38 of June 30, 2017, as amended, known as the “Government of Puerto Rico Uniform Administrative Procedure Act” (LPAU, for its Spanish acronym); Chapter 7, Article 7.4 of Regulation 9230, dated November 18, 2020, issued by General Services Administration of the Government of Puerto Rico; and Law No. 237 of August 31, 2004, as amended, known as “Contracting Professional or Consulting Services Act.”

This process will be open and competitive. This RFP will be evaluated according to the public assistance program (Section 406 & 428).

Federal Emergency Management Agency (FEMA) Public Assistance grant funding and performed in accordance with HUD, FEMA and other applicable Federal and GPR regulations, policies and guidance including, but not limited to, the Davis-Bacon Act (40 U.S.C. 276a to 276a-7) and the Clean Air Act (42 U.S.C. 1857(h)), when applicable, is also required.

Qualified firms shall possess all licensing required by Federal and State Government. This may include, without limitation, the programs known as FEMA Public Assistance, FEMA Hazard Mitigation Grant Program, Private Property Debris Removal (PPDR), HUD Community Development Block Grant Program, HUD Community Development Block Grant Program—Disaster Relief, HHS Social Services Block Grant Program, DOT, FHA, FTA, FAA Grant Programs, Department of the Interior Grant Programs, USDA Emergency Watershed Protection Program, USDA Emergency Forest Restoration Program, among others.

## **1.2 The Impact of Hurricane Maria on Existing Facilities**

On September 20, 2017, Puerto Rico was impacted by Hurricane Maria, which caused heavy rain, strong winds, mudslides, flooding accumulation of vegetative and other debris, and delivered devastating damages to the infrastructure throughout the Island of Puerto Rico. On September 17, 2017, the then Governor of Puerto Rico, Hon. Ricardo Rosselló Nevares requested a federal declaration of emergency and disaster for Puerto Rico related to the impact of Hurricane Maria. Consequently, on November 1, 2017, the President of the United States approved a Puerto Rico Disaster Declaration (FEMA-4339-DR) associated to the impact of Hurricane Maria.

As a result of the impact of Hurricane Maria, building structures was affected. The buildings is part of the Department of Corrections and Rehabilitation. The buildings are located Rio Grande, Bayamon, Arecibo, Aguadilla, Mayaguez, Ponce, Salinas, and Guayama. It sustained heavy damages to its interior and exterior including the roof, all gypsum board wall partitions, acoustic ceiling, doors, wall paint and others. In summary, a complete renovation of the building it is required to bring the buildings to the condition before the hurricane.

The Department of Corrections and Rehabilitation is soliciting design firms with expertise in appropriate design, for the construction works of the Correctional Facilities.

The Department of Corrections and Rehabilitation, nor its employees, will be responsible for illness, injury, or death of anyone entering this project. Access to the facilities must be coordinated with the Administration during business hours (8:00 am to 4:00 pm, Monday to Friday).

The building structure experienced extensive damage of a complexity that now requires professional assistance of an Architecture/ Engineering Firm (hereinafter “The A/E Firm”), to assess the Existing Facilities, and provide a Scope of Professional Services for the Repairs and Improvements needed as consequence of the Hurricane (hereinafter “The Project”).

The buildings were evaluated by FEMA who provided the funds and approved the scope of work for the design and construction projects. The original constructions plans will be available as reference for

each approved project. The buildings are to be remodeled to the condition before the hurricane event. FEMA documents with FEMA scope of work will be provided for reference. The intent is to rebuild maintaining the original concept with current materials.

### **1.3 Eligibility**

By submitting a Proposal in response to this RFP, all Proponents agree to follow and abide by the procedures, terms, conditions, and instructions set forth herein.

The award of this RFP will be made on a “best value” basis from proposals that comply with all requirements. Department Corrections and Rehabilitation reserves the right to award the contract to other than the lowest priced bided.

### **1.4 Who is Eligible?**

This Request for Proposals (RFP) is issued to qualified Licensed Professionals and Professional Firms, with no legal impediments to contract with the Department of Corrections and Rehabilitation or the Federal Government, to offer professional services. All natural or juridical persons, licensed professionals –Architects and Engineers– authorized to do business within the United States and its territories (including the Commonwealth of Puerto Rico) may participate as proponent in this RFP. Proponents must provide evidence of compliance with all requirements by law to conduct business in Puerto Rico and contract with Puerto Rico Government.

Notwithstanding the above, proponents that are suspended or debarred by the federal government from participation in governmental contracts are ineligible to participate in this RFP, as provided in Executive Orders 12549 and 12689, and 2 CFR part 180.

Additionally, neither the proponent, nor any person or entity associated who is partnering with proponent may have been the subject of any adverse findings that would prevent Agency from selecting proponent. Such adverse findings include, but are not limited to, the following: negative findings from a Federal Inspector General or from the Government of Puerto Rico, or any other state when the proponent is the defendant and is related to his performance under a contract or his business responsibilities; arson conviction or pending case; harassment conviction or pending case; Puerto Rico

and Federal or private mortgage arrears, default, or foreclosure proceedings; In rem foreclosures; sales tax lien or substantial tax arrears; Fair Housing violations or current litigation; defaults under any federal and Puerto Rico-sponsored program; a record of substantial building code violations or litigation against properties owned or managed by the proponent or by any entity or individual that comprises the proponent; past or pending voluntary or involuntary bankruptcy proceeding; federal conviction for fraud, bribery, or grand larceny.

Also, Puerto Rico laws prohibit contracting with persons or with entities whose key personnel, controlling stakeholders, partners, officials, managers, employees, subsidiaries or holding companies have been convicted under Articles 4.2, 4.3 or 5.7 of Act 1-2012, as amended, known as the Organic Act of the Office of Government Ethic of Puerto Rico; any of the crimes listed in Articles 250 through 266 of Act No. 146-2012, as amended, known as the Puerto Rico Penal Code; any of the crimes typified in Act No. 2- 2018, as amended, known as the Anti-Corruption Code for a New Puerto Rico; or any other felony that involves misuse of public funds or property, including but not limited to the crimes mentioned in Articles 6.8 of Act No. 8-2017, as amended, known as the Act for the Administrations and Transformation of Human Resources in the Government of Puerto Rico; or for similar felonies in federal or states' jurisdictions. The public policy adopted by the Government extends these prohibitions to determinations of probable cause for arrest for such crimes. Proponents must fully disclose if such investigations or procedures are initiated against said person at any moment. The Department of Economic Development Commerce may disqualify a proponent for lack of disclosure or misleading information in this regard.

### **1.5 Collusions**

Collusion is strictly forbidden. The Department of Corrections and Rehabilitation shall disqualify any proponent who engages in collusion or other similar misconduct with respect to the RFP process.



## 2.0 Design Phases milestone dates

The proposed professional services must be executed in a **maximum of three months (3 months)** period after award of contract and signing, with the option of additional extensions to guarantee projects completion and closeout; however, execution less than the period of time described above would be well received.

A detailed execution schedule must be provided. Notwithstanding, when the contract is signed and executed by the parties, the time of performance of the contract to be awarded begins when the contract is duly registered at the Comptroller of Puerto Rico's Registry of Contracts. No services shall be provided nor requested before that date.