



**COLORADO DEPARTMENT OF
TRANSPORTATION**

OFFICE OF MAJOR PROJECTS & DEVELOPMENT (OMPD)

REQUEST FOR PROPOSAL

RFP# 14 HAA 1213DW

**OFFICE OF MAJOR PROJECT & DEVELOPMENT
PROGRAM MANAGEMENT & SUPPORT
INNOVATIVE PROJECT DELIVERY PLANNING
ASSISTANCE**

RFP RELEASE DATE:

DECEMBER 19, 2013

**COLORADO DEPARTMENT OF TRANSPORTATION
OFFICE OF MAJOR PROJECTS AND DEVELOPMENT
REQUEST FOR PROPOSAL - RFP #14 HAA 1213DW**

**BRIDGE ENTERPRISE PROGRAM MANAGEMENT AND SUPPORT CONSULTANT
SUBMISSION DEADLINE: JANUARY 16, 2013**

Proposals submitted to:

David Wells, Contracting Officer
Colorado Department of Transportation
4201 E. Arkansas Avenue Suite 200
Denver, CO 80222

The CDOT Office of Major Projects & Development (OMPD) supporting the Colorado Bridge Enterprise (CBE), and the High Performance Transportation Enterprise (HPTE), with both entities being a government-owned business within the Colorado Department of Transportation (CDOT), is requesting proposals from consultant firms or teams to provide Program Management and Support Services consultant to OMPD.

CDOT reserves the right to reject any and all proposals or parts thereof, and to waive informalities or irregularities.

By submission of a bid, bidder agrees to the State of Colorado terms and conditions.

By submission of a proposal Proposer agrees as follows:

- Except as replaced, modified, or supplemented by CDOT for this solicitation, all items in the State of Colorado Solicitation Instructions / Terms and Conditions are considered part of, and are incorporated by reference into this document.
- The Proposer guarantees to the State that they understand and agree to the terms and conditions of this RFP and that they will not default from performance by virtue of a mistake or misunderstanding. Proposers shall seek clarification from CDOT of any specifications, terms and/or conditions that they determine to be unclear. The failure of a Proposer to seek clarification may be deemed a waiver of any such clarification.

Pursuant to C.R.S. Section 43-4-809, CBE and HPTE are not subject to the provisions of the State Procurement Code. However, for this solicitation, CDOT will follow guidelines established in C.R.S. Section 24-30 Part 14 for competitive proposals.

This RFP does not commit CDOT to enter into a contract or proceed with the procurement of the Program Management and Support Services Consultant. CDOT assumes no obligations, responsibilities and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred by the parties responding to this RFP. All such costs shall be borne solely by each Submitter.

The form of contract will be Project Specific with Specific Rate of Pay & Cost Plus Fixed Fee methods of compensation.

RFP CDOT OMPD Program Management and Support Consultant

Table of Contents

1.1 ISSUING OFFICE 1

1.2 PURPOSE..... 1

1.3 SCHEDULE OF ACTIVITIES 1

1.4 PROPOSAL SUBMISSION 2

1.5 INQUIRIES..... 2

1.6 RESPONSE MATERIAL OWNERSHIP 2

1.7 PROPRIETARY INFORMATION..... 2

1.8 REJECTION OF PROPOSALS 3

1.9 ORAL PRESENTATION..... 3

1.10 EVALUATION CRITERIA..... 3

1.11 PROPOSAL CONTENT / ACCEPTANCE OF RFP TERMS 4

1.12 PROVISION FOR REQUIRED INSURANCE..... 4

1.13 CONFLICT OF INTEREST..... 4

1.14 AUDIT OF THE SELECTED VENDOR 4

1.15 BUDGETED FUNDS..... 5

1.16 SELECTED AND NON-SELECTED FIRM NOTIFICATION..... 5

1.17 PROTESTED SOLICITATIONS AND AWARDS..... 5

1.18 STANDARD CONTRACT..... 6

1.19 AWARD OF CONTRACT – QUALIFICATION BASED SELECTION 6

1.20 AWARD OF CONTRACT 6

1.21 NEWS RELEASES 6

1.22 TAXES 6

1.23 PROJECT SERVICES AND FUNDING AVAILABILITY 6

1.24 INTELLECTUAL PROPERTY AND OWNERSHIP RIGHTS 6

1.25 ASSIGNMENT AND DELEGATION..... 7

1.26 VENUE..... 7

2.0 SCOPE OF WORK (SOW)..... 7

3.0 GENERAL SUBMISSION GUIDELINES 20

3.1 PROPOSAL REQUIREMENTS..... 21

3.2 ADMINISTRATIVE INFORMATION 21

3.3 CONFLICT IDENTIFICATION 21

3.4 UNDERUTILIZED DISADVANTAGED BUSINESS (UBDE) PARTICIPATION 22

3.5 EMERGING SMALL BUSINESS (ESB) PARTICIPATION 22

3.6 UBDE Goal..... 22

4.1 AWARD OF CONTRACT 23

4.2 EVALUATION PROCESS 24

4.3 EVALUATION CRITERIA..... 25

Attachments

ATTACHMENT I- ANTICIPATED PROJECTS25

**REQUEST FOR PROPOSAL CDOT Office of Major Projects & Development (OMPD)
SECTION 1
ADMINISTRATIVE INFORMATION**

1.1 ISSUING OFFICE

This RFP is issued for the State of Colorado by the Colorado Department of Transportation on behalf of the OMPD. All contact regarding this RFP is to be directed to:

David Wells, Contracting Officer
CDOT RFP - OMPD Program Management and Support Services
Colorado Department of Transportation
4201 East Arkansas Avenue Suite 200
Denver, CO 80222
david.wells@state.co.us

1.2 PURPOSE

The purpose of this RFP is to obtain competitive proposals and select a Program Management and Support Services consultant for CDOT. This RFP represents a new approach for CDOT via OMPD.

This RFP is intended to provide Proposers with the opportunity to demonstrate their understanding of the Program issues and propose their approach to deliver the Program.

1.3 SCHEDULE OF ACTIVITIES

The deadline for submitting RFP questions and the proposal due date stated below apply to this RFP. CDOT anticipates the following additional milestone dates. This schedule is subject to revision by addenda to this RFP.

- | | |
|---|--------------------------|
| • Issue RFP | December 19, 2013 |
| • Deadline for submitting written RFP questions | January 7, 2014 3:00 pm |
| • Answers to questions | January 9, 2014 |
| • Proposals due | January 16, 2014 |
| • Short-Listing Selection Meeting | January 28, 2014 |
| • Presentation and oral interviews | February 12, 2014 |
| • Notice of Award to Most Qualified Proposer | February 14, 2014 |
| • Contract Negotiation / Audit | February 18, 2014 |
| • Anticipated date of executed contract | March 31, 2014 |

The oral presentation stage of the RFP selection process is an important component of the evaluation process. Details of the oral presentation are presented later in this RFP.

1.4 PROPOSAL SUBMISSION

All proposals must be received by 12:00 noon, MDT Thursday January 16, 2014 and must be delivered by US Mail, overnight delivery service or hand delivered to:

David Wells, Contracting Officer
RFP # 14 HAA 1213DW OMPD Program Management and Support Services
CDOT
4201 East Arkansas Avenue Suite 200
Denver, CO 80222

Each proposal shall consist of one original (identified as such) and seven bound copies of the Proposer's complete proposal. Proposals received after the above date and time will not be considered. Proposals must be clearly identified as a proposal for the CDOT RFP # 14 HAA 1213DW and shall show such information on the outside of the proposal packet. Proposals will not be accepted by facsimile or electronic mail transmittal.

Proposals shall include a 2 page introductory letter and the RFP shall not exceed 20 pages. The 2 page introduction letter will not count against the 20 page limit of the RFP. Proposals submitted in loose-leaf binders or three-ring binders will not be accepted. Font shall be 11.0 point at minimum and 12.0 point at maximum

1.5 INQUIRIES

Proposers may make inquiries concerning this RFP to obtain clarification of requirements. No inquiries will be accepted after 3:00PM MDT, January 7, 2014. Questions must be submitted via e-mail correspondence, preferably on the Proposer's letterhead to:

David Wells, CDOT Contracting Officer Subject: RFP Inquiry OMPD
david.wells@state.co.us

All e-mail communications containing questions for this RFP shall reference "**Inquiry**" **Questions for OMPD RFP # 14 HAA 1213DW** in the subject line. Telephone inquiries will not be accepted. CDOT will reply to inquiries by January 9, 2014 2:00 pm MST.

1.6 RESPONSE MATERIAL OWNERSHIP

All material submitted regarding this RFP becomes the property of the State of Colorado. Proposals may be reviewed by any person after the "Notice of Intent to Make an Award" letter has been issued, subject to the terms of Section 24-72-201 et. seq., C.R.S. as amended, including applicable CORA requirements.

1.7 PROPRIETARY INFORMATION

All material submitted in response to this RFP will become public record and will be subject to inspection after the Notice of Intent to Award is issued. Any material requested for treatment as proprietary and/or confidential must be clearly identified and easily separable from the rest of the proposal. Such request must include justification for the request.

The request will be reviewed and either approved or denied by the CDOT Agreements Branch Director. If denied, the Proposer will have the opportunity to withdraw its entire proposal, or to remove the proprietary restrictions.

1.8 REJECTION OF PROPOSALS

Pursuant to Procurement Rule 24-103-301, the State of Colorado reserves the right to reject any or all proposals received in response to this RFP, or to cancel this RFP if it is in the best interest of the State to do so. Failure to furnish all information or to follow the proposal format, requested in this RFP may disqualify the proposal. Any exceptions to the Scope of Work must be clearly identified and supported in the proposal. Inclusion of such exceptions does not guarantee acceptance by the State of such variation, and may instead lead to rejection of the proposal as non-responsive.

In the event that award is not made to any Proposer, or the CDOT Engineering Contracts Branch cancels the RFP solicitation, all received proposals will remain confidential and not open for public inspection. The purpose for this condition is to prevent any future potential Proposers from reviewing other Proposers proposals and thereby gain any unfair advantage in submitting future proposals.

If the RFP is cancelled before the submittal due date all received proposals will be returned unopened to the appropriate Proposer with a notice of cancellation letter.

1.9 ORAL PRESENTATION

CDOT intends to short-list up to three 3 Proposing Firms from an evaluation meeting based on responses to the RFP. The 3 top ranked and scored Proposers will be invited to an Interview Phase for oral presentation and participation in a question and answer session conducted by the evaluation committee. The oral presentation stage of the RFP selection process is designed solely for the benefit of the evaluation committee to assist them in making a final Proposer selection.

The Proposer should be prepared to answer questions or provide clarification related to the RFP requirements or their proposal. The Proposer must ensure attendance by those primary staff members anticipated to provide services under any resulting contract, and any other personnel identified by CDOT at the time of invitation.

The oral presentation will be one hour in duration. The first 30 minutes is for a presentation by the Proposer and the next 30 minutes is for questions and answers.

1.10 EVALUATION CRITERIA

An evaluation committee will evaluate the technical merit of proposals received in accordance with the evaluation criteria defined herein. The recommendations of this committee will be forwarded to the CDOT Executive Director for approval.

1.11 PROPOSAL CONTENT / ACCEPTANCE OF RFP TERMS

A proposal submitted in response to the RFP shall constitute a binding offer. Acknowledgment of this condition shall be indicated by the autographic signature of the Proposer on the two page introduction letter, by an officer of the Proposer legally authorized to execute contractual obligations.

A submission in response to the RFP acknowledges acceptance by the Proposer of all terms and conditions including compensation, as set forth herein. Proposer shall identify clearly and thoroughly any variations between its proposal and CDOT's RFP. Failure to do so shall be deemed a waiver of any rights to subsequently request modification of the terms of performance, except as outlined or specified in the RFP.

1.12 PROVISION FOR REQUIRED INSURANCE

Award of a contract will be contingent upon the successful Proposer submitting certificates of insurance in accordance with the Provision for Required Insurance that will be provided to the selected firm in the form of a Sample Contract.

1.13 CONFLICT OF INTEREST

By submission of a proposal Proposer agrees that, at the time of contracting, the Proposer has no interest, direct or indirect, that would conflict in any manner or degree with the performance of the required services. The Proposer shall further covenant that, in the performance of the contract, they shall not employ any person having any such known interest.

1.14 AUDIT OF THE SELECTED VENDOR

Prior to final contract award CDOT Audit will review the Consultant's financial information presented during contract negotiations. The entire purpose of the review of the financial information is for Audit to express an opinion as to the fairness and reasonableness of the Consultant's Cost Proposal taken as a whole. There are many factors involved and this guideline is an indication of the approach used to arrive at an Audit Conclusion. Initially, the Consultant's wage rates are verified using current payroll registers, or a certified employee listing. The cost proposal is sorted by labor classification and a Firm Average is determined for each classification and that average is compared with the most current ACEC Colorado Salary Survey.

Audit utilizes the Consultants year-end financial information, which includes the Trial Balance and "cross walks" that information to the Indirect Cost Worksheet (Overhead Statement) prepared using FAR guidelines, which are in accordance with the guidelines of the AASHTO Uniform Audit and Accounting Guide, prepared with the assistance of FHWA and ACEC Transportation Committee. The Overhead Statement is examined in numerous areas, including but not limited to, Incentive Compensation, Rent (any related party transactions), Liability Insurance (any E&O proceeds to the insured) Legal Fees, Officer's Life Insurance, etc.

Audit will also determine the Consultant's Labor Utilization Rate (Chargeability). This is done by taking Direct Labor Dollars (those charged to projects) divided by total labor dollars (direct & indirect salaries, including sick, vacation, and holiday)—this calculation excludes incentive/bonus payments.

Audit will perform a financial review of the Indirect Rate for the firm's Executive Compensation. Audit will request an Executive Compensation Worksheet where audit determines the average base compensation for the owner/director/officer group, the average bonus for that same group, the bonus percentage to base pay for that group and the same number for the rank and file.

CDOT Audit has an obligation to insure that Consultant Contracts, taken as a whole, have a fair and reasonable pricing structure.

1.15 BUDGETED FUNDS

This is a five-year contract and is budgeted by CDOT on a fiscal year basis beginning July 1 of each year. The initial contract year is anticipated to cover the period from award through June 30, 2019.

An annual work plan will be negotiated and budgeted for each subsequent year of the contract.

The State of Colorado is not liable for any cost incurred by Proposers prior to issuance of a legally executed contract or procurement document. No property interest of any nature shall occur until a contract is awarded and signed by all concerned parties.

1.16 SELECTED AND NON-SELECTED FIRM NOTIFICATION

After a Proposer is selected, a Selected Firm or Non-Selected Firm Notification will be sent to all firms who submitted a proposal. After the Notification has been issued, interested parties may request a debriefing on the selection from:

David Wells, Contracting Officer
Colorado Department of Transportation
david.wells@state.co.us

1.17 PROTESTED SOLICITATIONS AND AWARDS

Any actual or prospective Proposer who believes it is aggrieved in connection with the solicitation or award of a contract may protest to the CDOT Chief Engineer. The protest shall be submitted in writing within seven working days after such alleged aggrieved person knows, or should have known, of the facts giving rise thereto. Ref. Section 24-109-101 et seq., C.R.S., as amended; Section 24-109-201 et. seq., C.R.S. as amended; Section R-24-109-101 through R-24-109206, Colorado Procurement Rules. Protests received after the seven-working-day period shall not be considered.

The written protest shall include, as a minimum, the following:

1. The name and address of the protestor;
2. Appropriate identification of the procurement by RFP number;
3. A statement of the reasons for the protest; and
4. Any available exhibits, evidence or documents substantiating the protest.

When a protest is sustained by the CDOT Chief Engineer, or upon administrative or judicial review, and the protestor should have been awarded the contract under the solicitation but was not, the protestor shall be entitled to reasonable costs incurred in connection with the solicitation, including proposal preparation costs, but no other costs or fees will be permitted, and reasonable costs and fees shall not include attorney fees.

1.18 STANDARD CONTRACT

The State of Colorado will incorporate standard State and Federal contract provisions into any contract resulting from this RFP

1.19 AWARD OF CONTRACT – QUALIFICATION BASED SELECTION

The award will be made to that Proposer whose proposal conforms to the RFP terms and conditions and is judged by the committee to be the most advantageous to the State of Colorado and CDOT subject to negotiation, successful discussion, and final execution of an acceptable contract.

1.20 AWARD OF CONTRACT

Proposals must be firm and valid for award for at least 60 days after the deadline for receipt of proposals.

1.21 NEWS RELEASES

News releases pertaining to this RFP shall not be made prior to execution of a contract, and then are to be made only with the approval of CDOT. The selected Proposer will not be allowed to discuss this information or to copy records to third parties per State regulation.

1.22 TAXES

The State of Colorado, as purchaser, is exempt from all Federal taxes under Chapter 32 of the Internal Revenue Code (Registration No. 84-730123K) and from all State and Local Government Use Taxes (Ref. Colorado Revised Statutes Chapter 39-26.114[a]). Proposer is hereby notified that when materials are purchased in certain political subdivisions the Proposer may be required to pay sales tax even though the ultimate product or service is provided to the State of Colorado. This sales tax will not be reimbursed by the State.

1.23 PROJECT SERVICES AND FUNDING AVAILABILITY

Financial obligations of the State payable are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available. In the event funds are not appropriated, any resulting contract will become null and void, without penalty to the State of Colorado.

1.24 INTELLECTUAL PROPERTY AND OWNERSHIP RIGHTS

All original materials, including any reports, studies, designs, drawings, specifications, notes, documents, software and documentation, computer-based training modules, electronically or magnetically recorded material and related intellectual property developed or created by the successful Proposer ("Contractor / Consultant") pursuant to the services sought by this RFP, and subsequently provided and integrated by contract between CDOT and the successful Proposer, shall become the sole property of the State.

The successful Proposer will license any commercial off-the-shelf software, required by successful Proposer to complete the works described for this Contract, to CDOT at CDOT's expense either directly by CDOT, or on behalf of CDOT.

1.25 ASSIGNMENT AND DELEGATION

Except for assignment of antitrust claims, neither party to any resulting contract stemming from this RFP, may assign nor delegate any portion of the Contract without the prior written consent of the other party.

1.26 VENUE

The laws of the State of Colorado shall govern in connection with the formation, performance and the legal enforcement of any resulting contract. Further, Title 24, C.R.S. as amended, Article 101 through 112 and Rules adopted to implement the statutes govern this procurement.

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Scope of Work
General Program Support and
Planning Assistance for
CDOT Office of Major Project Development
& Innovative Project Delivery

The Colorado Department of Transportation (CDOT) seeks proposals from qualified engineering services firms interested in assisting its Office of Major Project Development (OMPD) with program delivery. Although the final award will be to a single firm, CDOT will accept proposals presented by a collaboration of firms. In such cases, the submitted proposal must specify which firm is lead and will act as the contractor and which firms are the subcontractors for whose performance the contractor will take responsibility. Therefore for the remainder of this document this potential grouping is collectively referenced as Consultant.

The selected Consultant will assist the OMPD in its efforts to create a comprehensive and integrated major project development program on behalf of the Department, the High Performance Transportation Enterprise (HPTE), and the Colorado Bridge Enterprise (CBE). In addition to this programmatic support, the selected Consultant will assist the OMPD in the development of specifically identified projects from conception to procurement for construction. The projects the selected Consultant will assist with generally involve some manner of innovative project delivery and/or finance methodology. All services will be performed on an individual Task Order basis under this agreement.

For the purposes of this solicitation, innovative project delivery is defined herein as those programs or projects which utilize the use of alternative delivery and/or alternative finance mechanisms and/or accelerate project delivery through the use of alternative sources of finance and funding such as toll revenues, value capture, revenue supported debt, and concessions, or the use of alternative construction and operations and maintenance. Contracting methods such as design build, construction manager / general contractor, concession agreements are examples of methods to accelerate project delivery or improve project operations and maintenance.

Background

The Colorado Department of Transportation

The vision of the Department is to enhance the quality of life and the environment of the citizens of Colorado by creating an integrated transportation system that focuses on safely moving people, goods and information and by offering convenient linkages among modal choices.

It accomplishes this by relying on its core values of safety, people, respect, integrity, customer service, and excellence.

CDOT's mission is to provide the best multi-modal transportation system for Colorado that most effectively and safely moves people, goods, and information. The Department endeavors to accomplish this mission through customer focus, leadership, partnership, integrated regional and statewide priorities, financial responsibilities, balanced quality of life, environment, accessible connectivity and modal choices, and social responsibility.

High Performance Transportation Enterprise

In 2009 the Colorado General Assembly enacted Senate Bill 2009-108, commonly referred to as the "FASTER" bill. A key element of that bill was the creation of the High Performance Transportation Enterprise (HPTE) as a Division of the Colorado Department of Transportation (CDOT) but with its own board of directors and a separate Director. The pertinent sections of the Colorado Statutes are CRS 43-4-806 through 810. Most notably the HPTE is charged with seeking innovative financing solutions to accelerate the completion of much needed surface transportation projects. To accomplish this charge, within certain parameters set forth in the statute, the HPTE is authorized to impose and collect tolls, to issue revenue bonds or other forms of debt, and to enter into public private partnerships. Although the HPTE, not CDOT has the authority to toll, any project the HPTE may deliver requires close collaboration and coordination with CDOT. To facilitate such collaboration and coordination, CDOT has recently created the Office of Major Project Development to work with the HPTE and to serve as the single point of contact for the HPTE as project development proceeds.

Colorado Bridge Enterprise

S.B. 09-108 created a new Enterprise tasked with the repair, rehabilitation and replacement of those bridges identified as "poor" per federal guidelines and either structurally deficient or functionally obsolete. The Board of the Enterprise consists of the members of the Transportation Commission. The Enterprise is authorized to issue revenue bonds backed by its revenues. To accelerate the replacement of Colorado's poor bridges, the Bridge Enterprise issued \$300.0 million of federally subsidized Build America Bonds (see <http://1.usa.gov/BuildAmericaBonds>) in December 2010 and may issue additional revenue bonds in the future as deemed appropriate.

The CBE has in the past and may well again in the future work in conjunction with the HPTE and CDOT to finance a project(s) which include managed lanes/tolling and the replacement of one or more bridges eligible for CBE funding. On such a combined project the CBE may participate in the aggregate project funding while OMPD may provide General Program Support and Planning Assistance. For more information, see <http://www.coloradodot.info/programs/BridgeEnterprise>

Statement of Work

CDOT seeks to implement an innovative project delivery and/or finance program as expeditiously as possible. In accord with this intent, an aggressive implementation schedule, close coordination and expertise in program implementation of multiple projects across multiple corridors is required. This significant undertaking requires expert consultant assistance to serve as advisors, managers and extensions of CDOT technical and management staff. The goal is to leverage the use of the consultants working under this contract for programmatic support of all major project development activities and, as needed, to move specific projects from conception to procurement for construction. As the Department already has a number of major projects in varying degrees of development, the selected Consultant will have differing roles on a case by case basis in project development for those projects. This is discussed in more detail in a subsequent section of this solicitation.

These services may include any and all activities related to the development, review and/or implementation of innovative projects and shall include, but is not limited to:

I. General Support

Upon request, the Consultant shall provide a wide range of administrative and technical support services associated with projects the OMPD will advance through the use of innovative project delivery or finance methods. These support activities may include, but are not limited to:

- Program/project management and oversight activities related to: Public-Private Partnership (P3) projects, design-build projects, construction manager / general contractor, concession projects, toll road projects, and other projects using innovative or alternative funding. The consultant may be responsible for the development and implementation of comprehensive program/project controls systems and reporting tools such as:
 - i. Master Program and Project Scheduling
 - ii. Program and Project Budgeting, Cost Controls
 - iii. Project Identification and Selection Analysis
 - iv. Project Selection
 - v. Quality Management Processes
 1. Database development and administration (if appropriate)
 2. Assessment/Audit process
 - vi. Document Control
 - vii. Staffing and Resourcing
 - viii. Risk Management

- ix. Communications, Industry Based and Community Outreach
 - x. Program and Project Management Control Systems or Tools
 - xi. Education, Training and other support (as applicable)
 - xii. Strategic planning
- Meeting (internal, external, stakeholder) attendance, presentations, exhibits and facilitation as necessary
 - Preparation and/or review of meeting agendas, materials, slides, exhibits, media, minutes, and sign-in sheets
 - Preparation and/or review of project and program related letters, documents and correspondence and/or other miscellaneous reports or applications
 - Preparation and/or review of program/project Document Control
 - Preparation and/or review of program/project management systems.
 - Preparation and/or review of program/project Quality Management Systems
 - Preparation of monthly Task Order status reports and invoices for payment.
 - Track and assist with development of Task Order scoping activities
 - Preparation and/or review of Project Management Plans (PMP), Project Quality Management Plans (QMP), Owner Verification Program, and Project Document Control Plans (DCP)
 - Provide CDOT, HPTE and CBE, with assistance as necessary in the development of construction bulletin guidelines, General Guidelines, Policies
 - Provide CDOT, HPTE and CBE, with assistance as necessary in the development of applicable Design Guidelines and Policies
 - Interagency and stakeholder coordination
 - Coordination and negotiation support with concessionaires, contractors, engineers, , materials testing entities and other relevant private sector partners instrumental in the successful delivery of projects as applicable
 - Coordination with CDOT, HPTE, and CBE advisory teams
 - Coordination with appropriate CDOT, HPTE, and CBE staff offices.
 - Administration and support of CDOT, HPTE, and CBE obligations under project concession documents (Sub-Lease Agreement) and/or Pre-Development Agreements
 - Assist with routine interagency and stakeholder communications and updates and support Government Relations Office activities in support of major projects as requested Monitor and report on the progress of the program

II. Technical Services – Planning

Upon request, the consultant shall support transportation planning services associated with projects implemented through the use of innovative project delivery or finance methods. These transportation planning-related activities may include, but are not limited to:

- State wide systems
- Urban area and regional transportation
- Bus and Rail Transit
- Aviation systems including master plans
- Alternate system and corridor location
- Assess impacts of Developments of Regional Impact (DRI)
- Major Investment Studies
- Feasibility studies including, but not limited to, revenue calculations and capital cost estimates
- Studies related to various types and configurations of Tolloed Lanes
- Technical Engineering input and support to Tolloed Facilities
- Access control studies
- Vehicle eligibility studies (occupancy, vehicle type)
- Planning activities associated with the CDOT’s design-build program and individual design-build projects
- Planning activities necessary to screen and validate candidate projects in the Unsolicited P3 submittals
- Planning associated with truck, rail, air and other freight and commodity movement
- Planning studies and technical support related to any social infrastructure initiatives in which the CDOT, HPTE and CBE, are involved
- Assess and plan additional innovative transportation infrastructure & technologies
- Provide review and editing of any documents that will be published or made available to the public by a technical writer.

III. NEPA Studies and Activities

Upon request, the consultant shall provide environmental services associated with projects implemented through the use of innovative project delivery or finance methods. These environmental-related activities may include, but are not limited to:

- Technical services related to the National Environmental Policy Act (NEPA) purpose and need development, alternatives development and screening.
- Environmental studies, documentation preparation and reviews
- Preparation and/or review of environmental resource documentation and studies including: cultural, air, noise, wildlife and habitat, threatened and endangered species, wetlands, water, noxious weeds, aesthetics, socio-economic, land-use, climate change, parks and recreation, Section 4(f), Section 6(f), hazardous materials environmental justice, energy, climate change, paleontological, ROW, protected farmland and Wild and Scenic Rivers resources.
- Public involvement participation and support documentation, activities and deliverables
- Preparation and/or review of attitude, opinion and community value studies including support related to environmental justice issues as well as assistance in preparing materials for specialized outreach to low-income, minority and non-English speaking people.
- Public information support, broadcast media, website design creation and support, computer-based models, renderings, drive-thru simulations, press releases, toll education associated with a particular project's planning and environmental development phases
- Preparation and/or review of context sensitive design materials
- Environmental policy, legal sufficiency, and strategy
- Support of re-evaluations, legal challenges, and assistance with the implementation of any environmental commitments within approved documents

IV. Traffic Related Services

Upon request provide traffic related services either on a standalone basis to support traffic modeling efforts associated with an environmental clearance effort, or to provide inputs for a Traffic and Revenue Study performed by a Traffic and Revenue consultant separately engaged by the Department. These traffic-related activities may pertain to any type of facility and/or vehicle and may include, but are not limited to:

- Traffic data gathering
- Origin and destination (O/D) studies
- Stated preference studies
- Travel demand modeling and traffic forecasts
- System level models and simulations
- Traffic operations studies including micro-simulations
- Traffic safety reports and assessments

- Traffic operations design
- Interchange Justification Reports (IJR), Interstate Access Requests (IAR), CDOT's interchange approval Process (PD 1601) and Interchange Modification Reports (IMR)
- Miscellaneous traffic reports
- Traffic control systems, analysis, design, and implementation

V. Technical Services – Studies & Design

Upon request, the consultant shall provide technical design services associated with projects implemented through the use of innovative project delivery or finance methods. These transportation design-related activities may include, but are not limited to:

- Plan and other deliverable reviews
- Preparation of preliminary design concepts and concept-level construction phasing including the preparation of preliminary-level costing estimates as necessary to facilitate procurement and/or negotiations
- Technical reports, studies and plan preparation including technical requirements, specifications
- Value engineering activities
- Pavement Design, Pavement Life Cycle Analyses, etc.
- Project cost estimates including construction, design, right-of-way, utilities, and contingencies
- Integrated cost and schedule risk analysis with resource loaded schedules
- Support of CDOT, HPTE and CBE in FWHA cost estimate, or value engineering workshops
- Preliminary design of roadways and structural components of those roadways including rural, urban, commercial, industrial, residential, multi-lane, urban expressway, interstate, limited access facilities, and managed lane systems.
- Preliminary mass transit studies related to feasibility, technical studies, controls, communications and information systems, and ridership, cost/benefit studies, headways, operations, etc.
- Preliminary design of transit-related infrastructure including, but not limited to: Bus Rapid Transit, Light rail, Heavy Rail, Commuter Rail, intermodal facilities, trolleys, station designs, platforms, maintenance yards, etc.

- Architecture, landscape architecture, and architectural engineering associated with transportation facilities including highways, rest areas, welcome centers, truck facilities, mass transit stations, ports, airports or any other structure included by the CDOT, HPTE and CBE, in a P3, design-build, or construction manager / general contractor project
- Hydraulic and hydrologic studies related to highway, aviation, transit or waterway design
- Erosion and Sedimentation control activities
- Flood Plane management activities
- Facilities for bicycles and pedestrians
- ITS technical support for plan development and deployment
- Traffic management, construction staging, maintenance of traffic support
- Review and processing of Alternative Technical Concepts (ATC) during proposal
- Review and processing of Design Exception and/or Design Variance requests
- Develop mitigation strategies for proposed Design Exception and/or Design Variance requests
- Operations and Maintenance (O&M) Lifecycle Rehabilitation budget and scope forecasting
- Right-of-Way appraisal, acquisition and relocation support
- Utility relocation support including railroad and utility providers
- Railroad coordination support to CDOT in processing any Public Utilities Commission Applications, Construction and Maintenance Agreements, and facilitate plan reviews with the Railroad.
- Highway lighting
- Conceptual layouts and preliminary engineering as required within a transportation corridor.
- Survey and database related activities including: land surveying, engineering surveying, geodetic surveying, aerial photography, aerial photogrammetry, topographic remote sensing, cartography and subsurface utility engineering
- Geotechnical related studies including: soil surveys, geological and geophysical studies, bridge foundations studies, existing pavement evaluations, hydraulic and hydrologic studies related to soils and foundations, materials testing, hazardous waste site assessment studies
- Development of applications to USDOT on behalf of the projects and the development of any relevant data necessary to support such applications including if required, the major project management plan

VI. Negotiations and Procurement Support

Upon request, the consultant may assist in negotiations and procurement support associated with projects being implemented through the use of innovative project delivery or finance methods. These negotiation-related activities may include, but are not limited to:

- Support in the development and review of P3/DB or related Request for Qualifications (RFQ), RFQ Evaluation procedures, Request for Proposals (RFP's), Instruction to Proposers, addendum and/or any procurement documentation including technical schedules
- Coordination with CDOT, HPTE and CBE Divisions, Offices, other stakeholders, advisors as necessary to include assistance in the development and prioritization of possible Alternative Configuration Concepts (ACC), and or Additional Requested Elements (AREs) when and if ACC's/ARE's are incorporated within the solicitation.
- Negotiations pertaining to Solicited and Competing P3 developers
- Discussions related to management, technical, design, planning, legal, financial, construction, operations, maintenance, public involvement, risk, insurance, warranties, contractual terms or any other contractual aspects
- Preparation, review and/or validation of independent cost estimates
- Participation in "open-book" negotiations with developer during P3 negotiations in order to verify quantities, unit prices, margins, and actual developer costs
- Assist the CDOT, HPTE and CBE, in negotiations with developer to establish design fees associated with the Development Phase Service Orders and the design fee associated with the P3 design-build contract
- Administration and technical support of an Alternative Configuration Concept (ACC) and or an Alternative Technical Concept (ATC) process
- Participation in meetings with prospective proposers
- Provide CDOT, HPTE, and CBE, with technical, management, policy, procurement and strategic advisory services
- Finalize RFP documents and subsequent addendum
- Provide support in development of an Instruction to proposers and RFP evaluation procedure.
- Provide support in the review and evaluation of RFP Submissions, proposals and other prospective bidder information
- Provide support in development of a Statement of Qualification evaluation procedure.
- Provide support in the review and evaluation of SOQ's, proposals and other prospective bidder information

- Review and evaluation of SOQ's, proposals and other prospective bidder information
- Participate in any Best and Final Offer (BAFO) discussions or negotiations.
- Coordinate with CDOT, HPTE and CBE, owner advisors and other stakeholders as necessary

VII. Developer/Contractor Oversight

Upon request, the Consultant shall provide limited developer/contractor oversight services associated with projects being implemented through the use of innovative project delivery or finance methods. These oversight activities are generally but not exclusively outside of the actual construction project. They include but are not limited to:

- Review and/or approve developer P3 submittals
- Review and/or approve design-build submittals
- Attend meetings
- Prepare and/or Review project control procedures
- Oversee and monitor developer progress during all phases of P3 projects including the development, construction and operations/maintenance/collections phases
- Monitor/oversee all aspects of developer/contractor progress, assist in development of management reports and recommendations to CDOT, HPTE and CBE, as warranted

VIII. Innovative Project Finance

Upon request, the consultant shall provide limited financial-related services associated with projects implemented through the use of innovative project delivery or finance methods. These financial-related activities may include, but are not limited to:

- Assist the CDOT, HPTE and CBE, in the development and/or review of project and corridor cost estimates including project development, construction, lifecycle maintenance, and routine operations and maintenance costs
- Assist the CDOT, HPTE and BE, in developing priority analysis for current and potential major projects as a part of OMPD programmatic support
- Assist with technical/cost and phasing inputs for a major project financial plan or plan supplement

IX. Construction Services

Upon request, the Consultant shall provide the OMPD with assistance in the oversight of construction-related activities associated with projects implemented through the use of innovative project delivery or finance methods.

On a programmatic basis, the consultant is expected to support the OMPD in the development of standardized construction management tools specific to the monitoring, management, and reporting of projects delivered through the use of innovative project delivery techniques for use by the Regions.

These construction-related activities may include, but are not limited to:

- Preparation, maintenance and review of Critical Path Method (CPM) schedules
- Oversight of environmental monitoring and administration of environmental commitments
- Review of Design submittals
- Cost estimating and evaluation of Change orders.
- Progress reporting
- Oversee and administer Assessment/Audit program
- Support processes pertaining to warrantees, guarantees, claims, liquidated damages, incentive/disincentive clauses, road-user cost calculations, project punch list, arbitration, litigation

X. Early ROW Acquisition Support

Under direction of a CDOT Right of Way (ROW) Manager provide early ROW acquisition support prior to the commencement of construction. Those providing such support will be fully knowledgeable of CDOT procedures. These early ROW acquisition activities may include, but not limited to:

- Developing strategies, schedules and budgets for all ROW acquisition and relocation (both early acquisition and later acquisition of all remaining parcels needed for construction), implementing acquisition and relocation plans, solving problems as they arise, modifying the plan and estimate as needed and tracking performance.
- Coordinating with the NEPA clearance and design team(s) on ROW impacts analysis and mitigation and public relations
- ROW services including of survey, ownership mapping, development of ROW plans for partial acquisitions, appraisal/appraisal
- Access to a pool of CDOT approved appraisers who can prepare the highest quality appraisals on a timely basis.
- Support CDOT staff with the acquisition, negotiation and relocation of parcels
- Maintain a ROW tracking system that meets the needs of CDOT for monitoring the status of the ROW acquisitions throughout the process.

- Prepare separate Categorical Exclusion documentation for each residential or commercial property taking.
- Provide access to hazardous material inspectors and testers CDOT Staff Property Management will manage these inspectors and testers.
- Support local agency effort with the acquisition, negotiation and relocation

XI. Operations and Maintenance Phase Services

Upon request, the Consultant shall provide operations and maintenance (O&M)-over sight and monitoring related activities associated with projects implemented through the use of innovative project delivery or finance methods.

Typically these tasks are associated with ensuring the O&M, both routine and lifecycle are executed in accordance with debt indentures or concession contracts. These O&M-related activities may include, but are not limited to:

- Testing and Monitoring of toll systems on the roadway and if necessary
- Prepare and/or Review Business Rules
- Prepare and/or Review Business Policies
- Asset management oversight duties
- Oversight of regular, routine and renewal maintenance activities
- Concession compliance oversight
- Progress reporting
- Testing, technical services, management and coordination
- Oversee and administer non-compliance point program
- Support processes pertaining to warrantees, guarantees, change orders, claims, liquidated damages, incentive/disincentive clauses, road-user cost calculations, arbitration, and litigation

XII. Miscellaneous Services

Upon request, the Consultant shall provide any miscellaneous and necessary technical or program/project management services related to the major project development program or for the advancement of a specific major project sponsored by the OMPD implemented through the use of innovative project delivery or finance methods.

XIII. Conflicts of Interest:

OMPD recognizes there are active corridors that have procured engineering consulting services as part of the pre-construction development phase. OMPD also recognizes that some of these firms may have an interest in submitting a proposal for consideration for this OMPD solicitation.

It is OMPD's position that any consultant firm, or its affiliate, that developed the scope of services, the Request for Proposal, or other solicitation documents for a particular project phase or otherwise assisted in the selection process, or has had access to information for a solicitation that is not available to all bidders **is ineligible** to compete for that phase of the project for which they developed the documents.

Therefore as the purpose of this solicitation is to provide General Program Support and Planning Assistance for CDOT Innovative Project Delivery on a statewide basis; the successful proposer **is ineligible** to compete for any phases of projects for which they have had reviewed, managed, or developed selection recommendations for CDOT / OMPD / HPTE or CBE.

The selected consultant for OMPD General Program Support and Planning Assistance for CDOT Innovative Project Delivery **is ineligible** to participate as a member of the construction team for a CDOT / OMPD concessionaire project as they will have played a role in the Concessionaire selection process.

OMPD is procuring general tolling advisory services through a separate solicitation; there is not a conflict for a single firm to bid on both tolling services and engineering services. The solicitations, services and Statement of Work are distinct and separate with no involvement of either firm in the selection for the other work. Therefore OMPD is not precluded from selecting the same firm to provide both sets of services.

**SECTION 3
INFORMATION REQUIRED FROM PROPOSERS
GENERAL OFFEROR RESPONSE WORK PLAN FORMAT/ SUBMISSION GUIDELINES**

3.0 GENERAL SUBMISSION GUIDELINES

A proposal is a responsive, conforming, unconditional, complete, legible and properly executed offer from a qualified, responsible party interested in providing the services called for and solicited by this RFP. It shall be the sole responsibility of the Proposer to ensure that the proposal is in the proper form and in CDOT's possession at the designated location before the scheduled time on the due date of receipt. Proposals will not be returned unless the RFP solicitation is cancelled prior to the submittal due date, in which case such proposals will be returned unopened, or opened for identification purposes only. Any proposal received after the submittal due date and time will be returned unopened or opened for identification purposes only.

3.1 PROPOSAL REQUIREMENTS

Proposals shall provide the information required in an organized manner must provide details of how the Proposer anticipates providing the services required. Proposals must detail the Proposer's understanding of, and approach to each element of the Scope of Work to be accomplished, identification of any work anticipated to be performed by subcontractors. The Proposer should demonstrate an understanding of the OMPD's needs and objectives.

The Qualification phase of this procurement evaluated the Proposer qualifications and experience and the qualifications and experience of the Core staff. These issues should not be highlighted further. The proposal should be organized and address the issues as noted below:

- Overall management approach and philosophy
 - Program management approach
 - OMPD Consultant PM organization chart
 - Mobilization plan
 - Proposed support services approach and criteria
 - Approach to Budget / Financial Innovation
 - Project Delivery Innovation and value added
- Task I *Review & Assess the 2014+ OMPD Program*
 - Approach to coordination with Regions
 - Regional Work-Plan and schedule
- Task II *Review & Assess the 2014+ OMPD Coordination with Region & HQ*
 - Approach to coordinate work with Regions and Headquarters staff
 - Proposals for efficient and cost effective delivery
 - Approach to refining existing processes and procedures
 - Work-Plan and schedule
- Task III *Development of the 2014+ OMPD Individual Project and Financial Plan*
 - Approach to work with Regions and Headquarters staff
 - Proposals for efficient and cost effective Program delivery
 - Proposed approach to evaluating support services role
 - Approach to refining existing processes and procedures
 - PMP Work-Plan and schedule

3.2 ADMINISTRATIVE INFORMATION

Proposal must include a brief statement of the Proposer's understanding and compliance with the Administrative terms and conditions set forth in Section 1 of this RFP.

3.3 CONFLICT IDENTIFICATION

Proposals must identify all current and former contract activity with any existing State agency or transportation authority, reasonably related to the work described in this RFP. Indicate when involvement occurred and length such involvement, the specific type of activity with identified agency and/or transportation authority, and indicate the extent of involvement with such entities.

3.4 UNDERUTILIZED DISADVANTAGED BUSINESS (UBDE) PARTICIPATION

UBDE factors will be scored separately by CDOT's EEO Office. For each UBDE you are using to meet the project's UBDE goal, include as an Appendix (not included in the page count) the following:

- Appropriate CDOT DBE commitment form:
 - Certificate of Proposed DBE participation for Project Specific (PS) Consultant Contracts (Form 1331)
 - DBE Bid Conditions Assurance for Non-Project Specific (NPS) Consultant Contracts (Form 1330)
 - A letter of acceptance from each DBE listed on the Form 1330 or 1331.
 - A copy of each DBE's certificate or a letter of certification from the Colorado Department of Transportation's Certification Office or from the City of Denver's Certification Office.

Also provide:

- The items of work committed to each UBDE
- The percentage of the project your firm is committing to each UBDE
- Your firm's total percentage commitment to UBDEs
- Which, if any, of the UBDE Firms have received fewer than 5 CDOT contracts and subcontracts in the past 3 years

The document entitled "UBDE Definitions and Requirements" describes the UBDE commitment and other requirements associated with the consultant's UBDE participation. Consultants are expected to commit "meaningful work" to UBDE sub-consultants.

3.5 EMERGING SMALL BUSINESS (ESB) PARTICIPATION

Include "letters of acceptance" from ESB firms and a copy of their notice of eligibility from CDOT in an Appendix (not included in the page count). If their notice of eligibility is **not** included, their ESB participation **may not** be included in your score.

Provide:

- The items of work committed to each ESB
- The percentage of the project your firm is committing to each ESB
- Your firm's total percentage commitment to ESBs
- Which, if any, of the ESB firms have never had CDOT contracts.

Consultants are expected to commit "meaningful work" to ESB sub-consultants.

3.6 UBDE Goal

The UBDE goal for this project is **12% Twelve Percent**.

CCOT has determined the contract goal for UBDE participation in this contract will be met with certified DBE's who have been determined to be underutilized on professional services contracts. At this time, *all DBE's including ESBs* will be considered to be UBDE's.

SECTION 4 EVALUATION CRITERIA

4.1 AWARD OF CONTRACT

CDOT intends to short-list up to three 3 Proposing Firms from an evaluation meeting based on responses to the RFP. The 3 top ranked and scored Proposers will be invited to an Interview Phase for oral presentation and participation in a question and answer session conducted by the evaluation committee.

This section outlines the specific evaluation criteria to be used by the evaluation committee in the review and selection of submitted proposals. At the conclusion of the evaluation, there will be an oral presentation by each Proposer. The interview of those proposals will be held at CDOT Headquarters.

Based on final review and discussion of the proposals, and interview evaluations, the evaluation committee will recommend a Proposer to enter into contract negotiations with the State.

Upon review and approval by the CDOT Chief Engineer of the evaluation committee's recommendation for award, the CDOT Agreements Office will issue a "Notice of Award" letter to the apparent successful Proposer. It is the intent of CDOT to award a contract to that Proposer whose proposal is deemed to be most advantageous to the State of Colorado.

4.2 EVALUATION PROCESS

An evaluation committee will independently evaluate the merit of proposals received in accordance with the evaluation factors defined in the RFP. The committee chair will forward the recommendations to the CDOT Chief Engineer or Executive Director as appropriate for review and approval.

Failure of the Proposer to provide any information requested in the RFP may result in disqualification of the proposal as non-responsive. It is the responsibility of the Proposer to provide all information required by this RFP.

The sole objective of the evaluation committee will be to recommend the proposal most advantageous to the State of Colorado's needs within the available resources. The specifications detailed in this RFP represent the minimum performance necessary for such response.

The proposal deemed most advantageous for CBE will be recommended for award.

4.3 EVALUATION CRITERIA

The evaluation criteria listed below for this selection shall be subject to final adjustments as deemed appropriate by the CBE. It is anticipated that the evaluation criteria generally will be weighted and scored from your proposal as follows:

Technical Proposal (70%)

- Overall management approach and philosophy (35 pts)
 - Program management approach
 - OMPD Consultant PM organization
 - Mobilization plan
 - Proposed support services approach and criteria
 - Approach to Budget / Financial Innovations
 - Project Delivery Innovation and value added
- Task I (10 pts)
 - Approach to coordinate with Regions
 - Regional Work-Plan and schedule
- Task II (20 pts)
 - Approach to work with Regions and Headquarters
 - Approach for efficient and cost effective delivery
 - Approach to refining existing processes and procedures
 - Work-Plan and schedule
- Task III (35 pts)
 - Approach to work with Regions and Headquarters
 - Proposals for efficient and cost effective delivery
 - Proposed approach to evaluating support services role
 - Approach to refining existing processes and procedures
 - Work-Plan and schedule

Oral Interview (30%)

During the evaluation phase, the committee will independently review each proposal and assign a total maximum score within each category, determined solely through the Proposer's response to the criteria detailed in the above sections.

ATTACHMENT I - FY2014 FY15 OMPD PROGRAM ANTICIPATED PROJECTS

- C-470 Express Lanes, I-25 to Kipling
- I-25 North Express Lanes, 120th to SH 7
- I-70 West Mountain Corridor