



Colorado Department of Transportation
Engineering Contract Services
2829 West Howard Place, 3rd Floor
Denver, Colorado 80204

Request for Proposals - Professional Services

Date: **DATE**

Project: Region **X** PS/PGS (**Project Name/Work Type**) Services

Estimated Contract Value: **\$X**

Thank you for your interest and response in performing engineering services for the above-captioned project of the Colorado Department of Transportation (CDOT). By submitting a proposal on this project, the proposer agrees to the process described herein. CDOT reserves the right to cancel the solicitation or reject any proposals if doing so is in the best interest of CDOT.

1. Description:

CDOT will be selecting **number (X)** consultant(s) for this project to provide **Region X Project Specific/Program Specific (Project Name/Work Type)** engineering services.

Please see the Scope of Work for a detailed description of the services solicited.

2. Submittal Deadline and Key Events Schedule:

Proposal submittals must be received no later than **12:00 PM** Mountain Time (Noon) on **Month XX, 20XX** ("Proposal Submittal Deadline"). **All proposals submitted after the Proposal Submittal Deadline will be rejected.** Please submit your proposal electronically through BidNet Direct at

<https://www.bidnetdirect.com/colorado/cdotconstructionengineeringservices>.

Please contact BidNet Direct support for help at (800) 835-4603 with any issues submitting electronically.

Key Events Schedule

Public Notice Phase

Advertisement
Questions Due*
Question Responses Published
Proposal Submittal Deadline

Date

XX/XX/20XX
XX/XX/20XX
XX/XX/20XX
XX/XX/20XX



Selection Phase

Panel Meeting**
Interviews (if applicable)
Chief Engineer Selection/Approval
Notification

Date

XX/XX/20XX
XX/XX/20XX
XX/XX/20XX
XX/XX/20XX

Contracting Phase

Fee Negotiation
Submit Contract Compliance Package
Audit Completed
Contract Award/Execution

Date

XX/XX/20XX
XX/XX/20XX
XX/XX/20XX
XX/XX/20XX

*See Special Requirements for additional information on submitting questions.

**If CDOT exercises the option to interview, interviews will be scheduled approximately 2 weeks after the panel meeting, and all dates subsequent to the panel meeting date listed above in the Key Events Schedule will be extended by 2 weeks. If a proposer fails to appear at the scheduled interview date and time, the interview will be cancelled and will not be rescheduled.

3. Special Requirements:

This solicitation includes the following conditions for all proposers:

- a. Master Pricing Agreement: All consultants and subconsultants must have a valid Master Pricing Agreement (MPA) with CDOT prior to the date the contract is awarded and fully executed.
- b. Consultant Costs: CDOT will not reimburse any costs related to the preparation of a proposal, required documentation, interviews, presentations, discussions, and/or any related activities. All such costs are the sole responsibility of the proposer. CDOT shall not be liable for any costs incurred by proposers in the preparation of submittals and proposals, nor in costs related to any element of the selection and contract negotiation process.
- c. Self-Performed Work: The prime consultant is required to self-perform at least 30% of the work.
- d. Chief Engineer's Memo 2024-02: Consultant may be prohibited from participating in a solicitation pursuant to the Utilization for Final Design Services and Construction Management Services Chief Engineer Memorandum dated July 1, 2024. According to this Memorandum, a consultant who has performed final design services and any consultants (prime or sub) team members who have performed more than 20% of the work will not be allowed to submit a proposal for construction management services unless the Chief Engineer or the responsible Region Transportation



Director has formally waived the prohibition in writing for the project. This memorandum is available upon request.

- e. Questions and Answers: All questions regarding this solicitation process must be submitted on BidNet Direct by the deadline detailed in the Key Events Schedule. All answers will be posted on BidNet Direct by the deadline detailed in the Key Events Schedule.

4. Minimum Proposal Requirements

As indicated in the RFP, notice is hereby given to all interested parties that all proposers will be required to meet minimum requirements to be considered for this project. Failure to meet all the items below will result in a proposal being rejected as non-responsive. To be considered as qualified and responsive, interested firms shall meet the following minimum requirements:

- a. Submitted their proposal by 12:00 PM Mountain Time (Noon) on the Proposal Submittal Deadline listed above in **Section 2**. Any proposal received by CDOT after the Proposal Submittal Deadline will be rejected.
- b. All proposals must meet the following PDF, font and text requirements:
 - i. The following dynamic PDF elements are allowed:
 - 1. Bookmarks
 - 2. Page transitions
 - ii. The following dynamic PDF elements are prohibited:
 - 1. Hyperlinks
 - 2. Buttons
 - 3. Movie/Sound Clips
 - iii. Title/section pages - Cover or title page is allowed. A back page, and section title pages are not allowed. No evaluation points are assigned to these pages and will not count against allowable page limits.
 - iv. All text should be between 10-12 point font. Fonts for graphics can be 8-10 point font. There are no restrictions on font type, but Trebuchet MS is preferred.
- c. Certify that the information and data submitted in the proposal is true and complete to the best knowledge of the individual signing the cover letter.
- d. Include all of the proposal requirements and adhere to all page and font size limits listed in **Section 4**.



- e. Include a completed *Affidavit of Small Business Participation* form (even if 0% DBE goal) as detailed below in **Section 5(f)**.

5. Proposal Requirements Instructions:

- a. Cover or introductory Letter (1-page limit - 8 1/2 x 11 paper)
 - i. Address the cover or introductory letter to the Contracting Officer:

Tracy L. Johnson, Contracting Officer
tracy.l.johnson@state.co.us
2829 West Howard Place, 3rd Floor
Denver, Colorado 80204
 - ii. Include all of the following elements of information in the letter as a minimum and highlight all such elements of information in **bold letters**:
 1. The name of the contract opportunity/RFP to which you are responding;
 2. Project number and project location, if applicable;
 3. Certification that the information and data submitted is true and complete to the best knowledge of the individual signing the letter;
 4. Name, telephone number, physical address and e-mail address of the individual to contact regarding the submittal and a secondary email address as well; and
 5. CDOT requires signature by an authorized principal, partner, or officer of the firm.
 - iii. No substantive information shall be included in the cover or introductory letter. Information provided in cover or introductory letters will be used for responsiveness review only and will not be scored by the evaluation panel.
 - iv. The proposer shall include a full and complete disclosure of all potential organizational conflicts of interest in the proposal. By submitting its proposal, each proposer agrees that, if an organizational conflict of interest is thereafter discovered, the proposer shall immediately make a full written disclosure to CDOT that includes a full and complete description of the conflict and any action that the proposer has taken or proposes to take to avoid or mitigate such conflicts.
- b. Project Team Composition & Capability Section (3-page limit, 8 1/2 x 11 paper)
 - i. Identify your:



1. Project Principal and/or Manager;
 2. Other Key Staff;
 3. Sub-consultants; and
 4. Vendors/Suppliers
 - ii. Provide a brief summary regarding how the team's qualifications and experience relate to the Scope of Work.
 - iii. Include the following:
 1. Project Manager level of involvement in the project(s);
 2. Qualifications and relevant individual experience of prime and sub-consultant firms; and
 3. Unique knowledge of team members related to the Scope of Work.
 - iv. Include the following:
 1. Provide a detailed description of sub-consultant(s)' roles and responsibilities;
 2. Discuss the sub-consultants integration into the team;
 3. Succession planning (detailed explanation of who specifically will fill a role OR a general description of who will fill in); and
 4. Add an organizational chart detailing key personnel only (current state and succession plan).
 - v. Include resumes for **X** number key personnel (1-page per person) in addition to the 2-page limit.
 - vi. Address the project team's size and the disciplines of technical staff of each consultant
 - vii. Indicate the project team's current contractual project workloads, not just CDOT workload.
- c. Past Experience Section (**2**-page limit, 8 1/2 x 11 paper)
 - i. Detail the project team's experience on similar projects.
 - ii. Detail the project team's experience.
 - iii. Include any individual firm's relevant experience and accomplishments that were not included in the project team experience.
- d. Approach Section (**2**-page limit - 8 1/2 x 11 paper)



- i. Address the team's approach to the type(s) of services as described in the attached Scope of Work.
- e. Prequalification Letter (1-page limit - 8 1/2 x 11 paper)
- i. All parties (prime and sub consultants) submitting as a team member on a proposal must be prequalified on or before the proposal submittal date. To obtain or renew a prequalification, all parties you must apply for prequalification at least seven calendar days prior to the Proposal Submittal Deadline. Approval of an application is not guaranteed. Prequalification must be renewed annually. The recommended disciplines based on the scope of work: List Work Types (with Prequalification Codes).
 - ii. Proposers must submit CDOT's prequalification letter for the prime consultant that contains the expiration date of prequalification as part of the RFP submittal.
- f. Small Business Participation Plan Section (3-page limit - 8 1/2 x 11 paper - 1 page narrative for scoring purposes and 2-page affidavit form).
- i. The fully completed [Affidavit of Small Business Participation](#) form must be included (even when the DBE goal is 0%). The Affidavit must show that the proposer will meet the goal when the DBE goal is greater than 0% or may need to go through a good faith effort review.
 - ii. The [EJE scoring rubric and contract forms](#) are hereby incorporated into this RFP. For the scoring rubric, please click on the link at this page under the header "Project Specific/Program Specific" forms, titled "2025 PS/PGS EJE and DBE Contract Requirements". Forms included on this page are the Affidavit of Small Business Participation and the Professional Services Good Faith Effort Form.
 - iii. Proposals must include the following to allow for The Office of Environmental Justice & Equity Branch (EJE) scoring:
 - 1. Include detailed narrative of items for scoring criteria on one page limit. For more information, see the above link to contract requirements.
 - 2. Include two-page [Affidavit of Small Business Participation](#) form: For more information, see the above link. Information on the *Affidavit of Small Business Participation* form is not used for scoring criteria.



- iv. Letters of intent and/or proof of certification are no longer required to be submitted with the proposal. Letters of intent and PCWs will be required at task order level.
- v. The Professional Services Good Faith Efforts Report, if applicable, will not count against the page limit.
- vi. This contract **is or is not** a federally assisted contract. The DBE program is applicable to FHWA-assisted contracts. No DBE goal will be set if the contract is entirely state funded or is funded by non-FHWA federal funding.
- vii. The DBE Goal for this project is: **X**%.
- viii. Additional professional services contract documents and instructions can be found at: <http://codot.gov/business/civilrights/compliance/prof-services>

6. CDOT's Selection Process:

- a. The Contracting Officer transmits the proposal package to each panel member through the BidNet platform. The package includes the following items:
 - i. Proposal Scoring Guidelines as detailed in the RFP, Section B;
 - ii. Draft Scope of Work; and
 - iii. Proposal for each consultant.
- b. Proposal Scoring Activity
 - i. Prior to the selection panel meeting the following occurs:
 - 1. Every panel member scores every proposal independently and each criteria section (90 Points). The scoring is based on the information submitted on or before Proposal Submittal Deadline.
 - 2. Proposals are scored based on the following weighted criteria:
 - a. Project Team Composition & Capability - **40** Points
 - b. Past Experience - **20** Points
 - c. Approach - **30** Points
 - d. Small Business Participation - 10 Points



- ii. Scoring is based on the following scale (quarter point increments are permitted):

Points	Description
1.00	Minimum Score = Unsatisfactory
2.00	Satisfactory Minus
3.00	Meets Requirements = Satisfactory
4.00	Satisfactory Plus
5.00	Maximum Score = Superior

- iii. The EJE Branch scores the small business participation section in the proposal during the short list phase (10 Points). This scoring is considered non-qualification based and comprises 10% of the total points in the shortlist phase.
1. Points will be based on the certification status of the ESB and/or DBE firm as of Proposal Submittal Deadline. Points awarded will not be modified based upon a change in the firm's ESB or DBE certification status after the Proposal Submittal Deadline.
 2. The EJE scores the proposal based on a variety of factors pertaining to small business participation and contract compliance oversight. This is a project specific contract and the EJE will score the proposal according to the scoring rubric outlined in the scoring section of the EJE and DBE contract requirements in the link in Section 7.

c. Selection or Short-list Panel Meeting

- i. A selection panel meeting is held to compile scores and discuss the panel member's evaluations.

d. Interview

- i. In case of an interview, 20 Points will be added to the possible overall total. BidNet Direct evaluation module will add a point to transition the proposal to the interview phase and does not have any bearing on the outcome of the proposal evaluation. Proposal score + interview score + BidNet Direct automatic point = total consultant score



- ii. No interview will be conducted for this solicitation. The selection panel will reach a consensus ranking of submitted firm(s) and will select the top ranked firm as the anticipated successful proposer(s).

or

An interview will be optional for this solicitation. The selection panel will reach a consensus ranking of the submitted firm(s) and decide at the conclusion of the selection meeting whether or not the presentation and interview option will be exercised. If the panel opts for an interview the short list of firms (minimum of the top 3 qualified consultants if 3 are received) will move to the presentation and interview phase of the solicitation. All firms to be invited to interview will receive the short-list proposal scores of all potential interview candidates. A firm has forty-eight (48) hours to notify CDOT whether or not the firm will participate in the interview process.

or

An interview will be mandatory for this selection. The only exception is if only one proposal is received. The selection panel will reach a consensus ranking of the short list of firms (minimum of the top 3 qualified consultants if 3 are received) and move to the presentation and interview phase of the solicitation. All firms to be invited to interview will receive the short-list proposal scores of all potential interview candidates. A firm has forty-eight (48) hours to notify CDOT whether or not the firm will participate in the interview process.

e. Presentation and Interview Selection Panel Meeting

- i. Short-listed firms will have approximately two weeks to prepare their presentation for their interview with the selection panel.
- ii. The purpose of this interview is to allow consultants time to present their analysis of the project and to allow the panel time to clarify the consultant's qualifications in a question and answer session. Additional details related to the interview will be emailed to the shortlisted teams in advance of the interview.

- iii. In selections including an interview phase, the interview scores count for 20 Points of the overall score and will be added to the overall total.

- f. Good Faith Effort Review

For FHWA-assisted contracts, the proposal with the highest final proposal score will be evaluated to determine whether it demonstrates a good faith effort to meet the contract DBE goal in accordance with the DBE & ESB requirements incorporated by reference in Section 7. The proposal with the highest final proposal score will not be selected if it is determined that the proposer did not demonstrate a good faith effort to meet the contract DBE goal.

- g. Final Selection

In making the final selection recommendation to the Chief Engineer, the panel reaches consensus on the ranking of the selected firm(s). The panel provides its recommendation to the Contracting Officer. The Contracting Officer provides selection documentation, including the board's ranking, to the Chief Engineer for review and concurrence. The Chief Engineer's concurrence on the selection recommendation is necessary before proceeding with selection notification of the apparent selected proposer(s).

- h. Notification of Apparent Selected Proposer(s)

The Contracting Officer shall notify all proposers of the apparent selected proposer(s) via email which shall include comments and scores.

This notification does not imply that the apparent selected proposer(s) will be awarded a contract. Rather, this designation allows CDOT to perform further analysis and ask for additional documentation, i.e. the contract compliance package.

- i. Debriefs

All proposers are entitled to a debrief. The debrief will be a maximum of sixty minutes and the Contracting Officer and a member of the panel will be in attendance (maybe in person or remote). A request for a debrief must be made in writing to [insert CDOT contact] within thirty (30) days of the receipt of the notification of the apparent selected proposer.

- j. Contract Award

An awarded contract is established by formal contract execution by both of the parties.

7. Consultant Selection Protest Rules

Protests will be handled as follows:

- a. Criteria for protest: A protest may be based only on one or more of the following:
 - i. Alleged bias, discrimination, or conflict of interest on the part of a panelist(s);
 - ii. Alleged error in computing evaluation scores; and/or
 - iii. Alleged non-compliance with any procedures described in the Request for Proposal.
- b. Any proposer who believes to be aggrieved in connection with this solicitation may submit a written protest to the Chief Engineer. The written protest shall be submitted within five working days after the notification has been delivered as defined in the Key Events Schedule to the apparent successful proposers and unsuccessful proposers. No further protests will be accepted or considered after the above-mentioned five working days protest period has ended. A written protest shall include the following:
 - i. A specific and complete statement of facts forming the basis of the protest; and
 - ii. A description of the relief or corrective action requested.
 - iii. The written protest shall be email to the Chief Engineer at:
keith.stefanik@state.co.us
- c. A written decision regarding the protest shall be rendered within seven business days after the protest is filed, unless additional time is needed to complete the investigation of the protest.
- d. The decision by the Chief Engineer will constitute the final agency action of the Colorado Department of Transportation and is not subject to administrative appeal.

8. Doing Business with CDOT

Standard contract requirements for the project include, but are not limited to the following:

- a. Method of Payment: Cost Plus Fixed Fee (CPFF) method of payment shall be used for all task order work **unless** (1) the nature of the work directed is appropriate to



- Specific Rate of Pay (SROP) payment method (such as construction management services, research & development, and staffing support services); (2) SROP payment method is approved by the CDOT Project Manager and Contracting Officer; and (3) SROP payment method is reflected in the task order proposal at the time of main contract execution.
- b. Software Requirements: All consultants are required (where applicable) to use the following software packages used by CDOT:
 - a) Open Roads Design (ORD)/INROADS Drainage & Utilities module
 - b) MicroStation SS4 and ORD for project drafting
 - c) GIS file development software (e.g. shapefiles)
 - d) Adobe Acrobat DC (PDF files)
 - e) Microsoft Office Suite, including Word, Excel, and Project
 - f) B2GNow System for DBE/ESB tracking and prompt payment
 - c. Non-discrimination: The consultant, with regard to the work performed by it during the contract term, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subconsultants, including procurement of materials and leases of equipment. The consultant must meet the non-discrimination requirements provided in 49 CFR Part 21 - Nondiscrimination in Federally-Assisted Programs with respect to the award and performance of any agreement, management contract or subcontract, purchase or lease agreement, or other agreement covered by this subpart. The consultant must never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by this part on the basis of race, color, or national origin (§ 49 CFR Part 26.7). The consultant shall not, directly or through contractual or other arrangements, subject a person to discrimination on the grounds of race, color, or national origin in its employment practices under such program, including employment practices when the contract covers any activity, project, or program set forth in 49 CFR Part 21.5 (c) or Appendix B of 49 CFR Part 21.
 - d. Consultant Assurance: By submitting a proposal for this contract, the consultant agrees to the following assurance: The consultant, sub recipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this Contract. The consultant shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the consultant to carry out these requirements renders them ineligible for award. If such failure is determined after contract award, it is a material breach of this contract, which may result in the termination of this contract or such other remedy as CDOT deems appropriate, which may include, but is not limited to: withholding monthly progress payments; assessing sanctions; liquidated damages; and/or disqualifying the consultant from participating in future proposals.
 - e. Civil Rights Act of 1964 Title VI: CDOT upholds and assures full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 and



related Nondiscrimination authorities. CDOT, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) Title VI, 42 U.S.C. § 2000d et seq., was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. CDOT, in accordance with the provisions of Title VI and the associated regulations, hereby notifies all proposers that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be assured afforded full and fair opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award. If a recipient of federal assistance is found to have discriminated and voluntary compliance cannot be achieved, the federal agency providing the assistance should either initiate fund termination proceedings or refer the matter to the Department of Justice for appropriate legal action. Aggrieved individuals may file administrative complaints with the federal agency that provides funds to a recipient.

- f. Open Records Act Notice: Except for consultant audit and Master Pricing Agreement information, all records, documents, drawings, plans, specifications, and other materials relating to the conduct of CDOT business, including materials submitted by proposers in response to this solicitation, are subject to the provisions of the Colorado Open Records Act (C.R.S. 24-72-201, *et seq.*) and any other laws and regulations applicable to the disclosure of documents submitted under this RFP. Such laws govern CDOT's use and disclosure of records. Please see CDOT Policy Directive 508.2 for guidance (available upon request).

Each Proposer is advised to contact its own legal counsel concerning the Colorado Open Records Act, other applicable laws, and their application to the proposer's own circumstances. CDOT cannot provide legal advice.

In the event of litigation concerning the disclosure of any materials submitted by the proposer, CDOT's sole involvement will be as a record manager, retaining the state records pending direction from the Court upon resolution of the litigation. Proposer shall be responsible for prosecuting or defending any action concerning the legal treatment of the proposal materials at its sole expense and risk.

All submittals will become the property of CDOT, will not be returned, and will be disposed of according to Department policies. Successful proposals will be considered part of the contract document upon contract execution.

While CORA permits redactions for sensitive and confidential materials, this CORA exception is not applicable to any of the materials included in the proposal.

- g. Prompt Payment: Payments to all subconsultants shall be made within seven (7) days of receipt of payment from CDOT or no later than thirty (30) days from the date of the submission of a complete invoice from the subconsultant, whichever occurs first. If the consultant has good cause to dispute an amount invoiced by a



subconsultant, the consultant shall notify CDOT in writing no later than the required date for payment. Such notification shall include the amount disputed and justification for the withholding. The consultant shall maintain records of payment that show amounts paid to all subconsultants. Good cause does not include failure to timely submit an invoice to CDOT or to deposit payments made. The consultant shall electronically submit prompt payment audit reports to CDOT by the fifteenth (15th) of each month through the B2GNow software. If no payment has been made, the consultant shall document this in the prompt payment audit report.

- h. Subcontract Terms: The assurance provided in Section d and the prompt payment terms outlined in Section g shall be included in all subcontracts or other agreements for the performance of work on the contract.
- i. Electronic Signatures: CDOT utilizes DocuSign for contract execution and all subsequent contracting documents. For additional guidance, please see: <https://www.colorado.gov/pacific/osc/electronic-signature-contracts-and-grants>.