



COLORADO HIGH PERFORMANCE TRANSPORTATION ENTERPRISE

REQUEST FOR PROPOSAL SUBMISSION DEADLINE: April 26, 2019

Submit Proposals to: HPTE; 2829 Howard Place, Room 550, Denver, Colorado 80202

NOTE: Vendors delivering their proposal in person must check into the CDOT's Headquarters Building before being allowed to proceed to Room 550 to submit their proposals. Vendors should allow approximately 10 minutes in advance of proposal deadline for the check-in procedure. HPTE reserves the right to reject any and all proposals or parts thereof, and to waive informalities or irregularities. By submission of a proposal, vendor agrees to the State of Colorado terms and conditions.

Tolling Advisory Services Proposal

The Colorado High Performance Transportation Enterprise (HPTE), a division of the Colorado Department of Transportation (CDOT), is requesting proposals from qualified individuals and/or firms interested providing Tolling Advisory Services to the State of Colorado on an as-needed basis. The Firm(s) will be responsible for:

1. Providing advice on various aspects of HPTE's Managed Lane program, including multi-corridor tolling strategies for CDOT and HPTE
2. Program Management
3. Back Office Procurement and Analysis
4. Tolling System Integrator Procurement and Oversight
5. Express Lanes Operations Support
6. Traffic and Environmental Studies Oversight
7. Express Lanes Project Procurement and Delivery Coordination with HPTE
8. And other responsibilities as detailed in this RFP or determined as necessary by HPTE

Read this Request for Proposal (RFP) thoroughly before responding. Telegraphic or electronic bids (Fax, Western Union, Telex, electronic mail, etc.) cannot be accepted as a sealed bid. Illegible responses may be rejected as non-responsive.

HPTE reserves the right to reject any and all bids or parts thereof, and to waive informalities or irregularities. By submission of a bid, Contractor agrees to the State of Colorado terms and conditions.

By submission of a proposal, bid or quote, Contractor agrees as follows:

- Except as replaced, modified, or supplemented by HPTE 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.
- Contractor testifies that bid prices were arrived at independently and there was no collusion involved.
- The Contractor 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. Contractors shall seek clarification from HPTE of any specifications, terms and/or conditions that they determine to be unclear. The failure of a Contractor to seek clarification may be deemed a waiver of any such clarification.
- Low tie bids shall be decided in accordance with the provision of C.R.S. Section 24-103-202.5, as it currently exists or is hereafter amended, which gives a preference to resident Contractors. Any Contractor who wishes to be considered a “resident Contractor” for purposes of the tie bid procedure provided in C.R.S. Section 24-103-202.5 shall include with their bid, proof that they meet the definition of resident Contractor as set forth in either C.R.S. Section 24-103-101(6)(a) or C.R.S. Section 24-103-101(6)(b).
- Pursuant to CRS 24-30-202.4 (as amended), the State controller may withhold debts owed to State agencies under the vendor offset intercept system for: (a) unpaid child support debt or child support arrearages; (b) unpaid balance of tax, accrued interest, or other charges specified in Article 22, Title 39, CRS; (c) unpaid loans due to the student loan division of the department of higher education; (d) owed amounts required to be paid to the unemployment compensation fund; and (e) other unpaid debts owing to the State or any agency thereof, the amount of which is found to be owing as a result of final agency determination or reduced to judgment as certified by the controller.
- **This award shall be available primarily for use by HPTE. Other State Agencies and Institutions, and Local Governments and Political sub-divisions in the State of Colorado may be allowed to access use of this award ONLY if approved by State Purchasing and such use does not conflict with the work required under any contract with HPTE.**

All proposals must be submitted on this form and signed in ink by an authorized officer or agent of the firm.

Vendor Name					
Vendor Address			City, State, Zip		
Vendor Phone			F.E.I.N./SSN		
Name (Print)			Title		
Signature				Date	

NOTE: Results will be posted on the HPTE web site and/or sent via postal system but will not be discussed by phone except as noted in the RFP document.

REQUEST FOR PROPOSAL COLORADO HIGH PERFORMANCE TRANSPORTATION ENTERPRISE

SECTION 1 ADMINISTRATIVE INFORMATION

1.1. ISSUING OFFICE:

This request for proposal is issued for the State of Colorado by the High Performance Transportation Enterprise (HPTE). All contact regarding this Request for Proposal (RFP) is to be directed to:

Ms. Kelly Brown, Tolling Operations Manager
High Performance Transportation Enterprise
2829 Howard Place
Denver, CO 80202
(303) 512-4062
kelly.brown@state.co.us

1.2. PURPOSE:

The purpose of this RFP is to obtain competitive bid proposals from qualified individuals and/or firms interested in providing Tolling Advisory Services as more specifically described below.

This RFP provides prospective proposers (also referred to as “Contractor”) with sufficient information to enable them to prepare and submit proposals for consideration by HPTE to satisfy the needs as outlined in the Scope of Services.

1.3. SCHEDULE OF ACTIVITIES:

	ACTIVITY	DATE	TIME (MST)
A.	RFP Published on HPTE Website	APR. 2	2PM
B.	Prospective Proposers’ Inquiry Deadline	APR. 8	4PM
C.	Response to Proposer Questions	APR. 12	4PM
D.	PROPOSAL SUBMISSION DEADLINE	APR. 26	4PM
E.	Evaluation of Proposals	APR. 26 – MAY 3	N/A
F.	Top Consultants Selected and Notified of Interview (estimate) <i>if determined necessary.</i>	MAY 3	10AM
G.	Interviews with short list of Consultants (estimate), <i>if required.</i>	MAY 9 - 10	9AM
H.	Consultant Selection (estimate)	MAY 10	12PM
I.	Desired date of executed contract	SEPT. 1, 2019	N/A

1.4. PROPOSAL SUBMISSION:

All proposals must be received by the HPTE, 2829 Howard Place, Room 550, Denver, CO 80202, no later than the date and time shown in the Schedule of Activities, Proposal Submission Deadline for receipt of proposals. Each proposal shall consist of **one (1) original** (identified as such) and **five (5) copies** of the proposer's *complete* proposal. In addition, one complete copy of the proposal shall be submitted in electronic format (via protected PDF) via Google Drive shared document. It is the responsibility of the proposer to ensure that their proposal is received by the HPTE prior to the deadline. Proposers mailing their documents should allow ample mail delivery time to ensure timely receipt of their proposals. PROPOSALS RECEIVED AFTER THE ABOVE DATE AND TIME WILL NOT BE CONSIDERED. Proposals must be clearly identified as a proposal for the **Tolling Advisory Services Proposal** 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 not be longer than twenty (20) pages, not including the covers, index, tab sheets, required forms or certifications, resumes and appropriate appendices.

Proposers are advised that HPTE desires that proposals prepared in response to this RFP be submitted on recycled paper, and that all copies be printed on both sides of paper. While the appearance of proposals is important, and professionalism in proposal presentation should not be neglected, non-recyclable, non-recycled glossy materials and clear plastic covers shall not be used. **In addition, proposals should be in flat bound form to facilitate filing.**

PLEASE NOTE: Proposals submitted in loose-leaf binders or 3-ring binders will NOT be accepted.

1.5. INQUIRIES:

Prospective proposers may make written inquiries concerning this RFP to obtain clarification of requirements. No inquiries will be accepted after the date(s) and time(s) specified in the Schedule of Activities, Section 1.3. Questions must be submitted in writing on the proposer's letterhead to:

Ms. Kelly Brown, Tolling Operations Manager
High Performance Transportation Enterprise
2829 Howard Place
Denver, CO 80202
(303) 512-4062
kelly.brown@state.co.us

All envelopes containing questions must be clearly labeled "**Inquiry for Tolling Advisory Services RFP**" to facilitate handling and distribution. Email inquiries must be clearly identified and marked "**Inquiry for Tolling Advisory Services RFP**" in the Subject Line. An addendum will be published onto the HPTE website, at <http://www.coloradodot.info/programs/high-performance-transportation-enterprise-hpte>, responding to questions submitted regarding this RFP.

1.6. AMENDMENTS TO RFP:

In the event it should be necessary to revise any portion of this RFP, addenda will be published on the HPTE website. It is the prospective proposer's sole responsibility to monitor the internet site, at <http://www.coloradodot.info/programs/high-performance-transportation-enterprise-hpte>, and to acknowledge and/or comply with all addenda to this RFP.

1.7. RESPONSE MATERIAL OWNERSHIP:

All material submitted pursuant to 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, Public (open) Records.

1.8. PROPRIETARY INFORMATION:

All material submitted in response to this RFP will become public record and will be subject to inspection after the HPTE executes a contract with the preferred proposer. 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 HPTE Director. If denied, the proposer will have the opportunity to withdraw its entire proposal, or to remove the proprietary restrictions. NEITHER COST NOR PRICING INFORMATION NOR A TOTAL PROPOSAL WILL BE CONSIDERED PROPRIETARY. Refer to Section 1.31 of this RFP for submission of Confidential/Proprietary information.

1.9. REJECTION OF PROPOSALS:

The HPTE 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 Services (see section 1.36) must be clearly identified and supported in the proposal. Inclusion of such exceptions does not guarantee acceptance by the HPTE 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 HPTE cancels the RFP solicitation, all received proposals must remain confidential and not open for public inspection. The purpose for this condition is to prevent any future potential proposers an opportunity to review other bidders’ proposals and thereby gain any unfair advantage in submitting future proposals.

Any cancellations occurring before the submittal due date will be returned unopened to the appropriate bidder with a notice of cancellation letter.

1.10. ORAL PRESENTATION/SITE VISITS:

Proposers *may be* asked to make oral presentations, and participate in a question and answer period conducted by the evaluation committee, to insure that the proposers have the abilities offered in their proposal, to provide the services solicited specifically by the HPTE and, potentially, other State agencies. The oral presentation stage of the RFP selection process is designed solely for the benefit of the evaluation committee towards assisting it in making a final proposal selection. Oral presentations will be conducted at the proposer’s expense. The proposer should be prepared to answer any possible questions of clarification related to the RFP requirements or the proposal submitted in response to this RFP solicitation, the proposer must ensure attendance by those primary staff members anticipated to provide services under any resulting contract, and any other personnel identified by HPTE at the time of invitation.

1.11. PARENT COMPANY:

If the Contractor is owned or controlled by a parent company, the name, main office address and parent company’s tax identification number must be provided in the proposal.

1.12. EVALUATION CRITERIA:

An evaluation will be made by a committee to determine the merit of proposals received in accordance with the evaluation criteria defined herein. The recommendations of this group will be forwarded to the HPTE Director for approval.

1.12.1. Failure of the proposer to provide in their proposal any information requested in this RFP may result in disqualification of the proposal and shall be the responsibility of the proposing individual or firm.

1.12.2. During the evaluation process, discussions may be conducted with proposers who submit proposals determined to be realistic candidates for the award. It will be the recommendation of the evaluation committee if discussions for clarification are needed, based on their experience with application of these services to HPTE specific projects.

1.12.3. The sole responsibility of the committee will be to recommend the bidder whose proposal is most responsive to the State's needs while within the available resources. The specifications within this RFP represent the minimum performance necessary for response.

1.12.4 Specific evaluation criteria are outlined in Section 3 entitled Evaluation Criteria.

1.13. 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, or 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 the 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.

1.14. PROVISION FOR REQUIRED INSURANCE:

Award of a contract will be contingent upon the successful proposer submitting certificates of insurance in accordance with the provisions of the attached Provision for Required Insurance, provided in the Sample Contract, Attachment B to this RFP.

1.15. CONSULTANT CERTIFICATION:

Proposers must submit a signed Consultant Certification Form with their proposal, provided as Attachment A to this RFP.

1.16. 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. Any firm affiliated or related to an employee of Transportation Commission, the HPTE Board, CDOT, or HPTE shall be ineligible to submit a proposal for the required services.

Proposer must disclose any current and ongoing relationships with either CDOT or HPTE and explain why, if chosen as preferred proposer, why this work would not constitute a conflict of interest.

HPTE understands that teams will consist of a broad range of multiple consultants, with a depth of professional resources. Teams shall always act in the best interest of the HPTE, and keep employees who might have a conflict of interest separated from those acting on behalf of the HPTE or CDOT. HPTE reserves the right to use Non-Disclosure Agreements (NDAs) to avoid conflicts of interest and to protect the integrity of the HPTE's operations. In conjunction with the successful proposer, HPTE will develop a procedure for monitoring and identifying any conflicts of interest and in establishing firewalls that will separate people and companies from activities that are identified as a conflict of interest.

1.17. PROPOSAL PRICES:

Proposed cost information must include rates associated with each staff position anticipated to work on this Project and any/all overhead multipliers. HPTE anticipates negotiating with the successful bidder through the task order process. This will result in final details for each task order in areas such as a detailed work plan, a delivery schedule, the specific work product(s) and compensation amounts which may include a success fee component. Proposers are alerted that any revisions, including costs, will be closely evaluated by the committee and /or licensed professional, to insure the elimination of any inequities and unacceptable conditions. In addition, proposers are advised that if, in the course of performance of a contract resulting from this RFP solicitation, any travel or per diem is required, those costs will be reimbursed at the rates outlined in the State of Colorado Fiscal Rules.

1.18. REQUEST FOR PROPOSAL/INVITATION FOR BID:

The Request For Proposal/Invitation for Bid Form - the cover page of this RFP - must be signed, in ink, by a person authorized to bind the proposer, and returned with the proposal. In addition, any subsequent amendments (such as Responses to Inquiries), made to the RFP as per Section 1.6 must be acknowledged with signature by a person authorized to bind the proposer, and returned with the proposal.

1.19. BUDGETED FUNDS:

As the intent is to issue this as a task order contract, overall funds for the contract are not disclosed at this time. Based upon the pricing agreed upon in concluding this contract, task orders will be budgeted and issued as appropriate.

1.20. INCURRED COSTS:

The HPTE 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.

1.21. INTENT TO AWARD:

After a proposer is selected, an "Intent to Award" letter will be emailed to all firms who submitted a proposal. After Intent to Award has been issued, interested parties may review their proposal by making an appointment with:

Ms. Kelly Brown, Tolling Operations Manager
High Performance Transportation Enterprise
2829 Howard Place
Denver, CO 80202
(303) 512-4062
kelly.brown@state.co.us

1.22. PROTESTED SOLICITATIONS AND AWARDS:

Any actual or prospective proposer or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the HPTE Acting Director, Mr. Nicholas Farber. The protest shall be submitted in writing within seven (7) working days after such aggrieved person knows, or should have known, of the facts giving rise thereto. Protests received after the seven-working-day period shall not be considered. The written protest shall include, as a minimum, the following:

- A. The name and address of the protestor.
- B. Appropriate identification of the procurement by bid, RFP, or award number.
- C. A statement of the reasons for the protest.
- D. Any available exhibits, evidence or documents substantiating the protest.

1.23. STANDARD CONTRACT:

The HPTE will incorporate standard State contract provisions into any contract resulting from this RFP (see Attachment B, Sample Contract). The HPTE anticipates issuing a task order contract for a five year term. HPTE will only enter into a contract with a lead Contractor which will be responsible, among other matters, for subcontracting with other firms whose participation is necessary to complete the full scope of work required in the engagement. HPTE will retain the right to approve any such sub-contractor(s), with the understanding that certain sub-contractor(s) may only participate in a specific aspect of the overall work plan.

1.24. SELECTION OF PROPOSAL:

All proposers will be notified in writing (via email) regarding the results of the RFP selection. Upon review and approval of the evaluation committee’s recommendation for award, the HPTE Procurement Office will issue a “Notice of Intent to Make an Award” letter to the apparent successful proposer. Provided, however, that all proposers understand that such letter, by itself, does not grant any property interest or right of any nature in the RFP work/services or to a contract for the performance of such work/services. Contract terms that are consistent with the RFP and that are acceptable to the State must first be discussed, and a contract must then be completed and signed by all parties and the State Controller, before any such right exists. Therefore, the apparent successful proposer receiving a “Notice of Intent to Make an Award” letter shall not rely on that letter to make commitments to third parties, and the apparent successful proposer shall not take any actions(s) to prepare for, or start, the performance of the RFP work/services until a contract is so discussed and executed. If the parties are unable to agree on negotiated terms, for the contract, or if this desired schedule date is not met through no fault of HPTE, HPTE may elect to cancel the “Notice of Intent to Make an Award” letter and make the award to the next most advantageous proposer.

1.25. AWARD OF CONTRACT - MERIT:

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 HPTE, price and other factors considered, subject to negotiation, successful discussion, and final execution of an acceptable contract as described above.

1.26. AWARD OF CONTRACT - TIMELINE:

It is the intent of HPTE to select a preferred proposal within 30 days of the deadline for receipt of proposals. However, as the evaluation process is dependent upon the number of proposals received, their length, and committee member’s schedules, the schedule of activities after the proposal submission

deadline, is strictly estimated and therefore, bid proposals must be firm and valid for award for at least 90 days after the deadline for receipt of proposals.

1.27. 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 HPTE. Selected proposer will not be allowed to discuss this information or to copy records to third parties per State regulation.

1.28. 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]). Seller is hereby notified that when materials are purchased in certain political subdivisions the seller 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.

1.29. PROJECT SERVICES AND FUNDING AVAILABILITY:

Financial obligations of the State payable after the current fiscal year 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.

1.30. 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 Contractor pursuant to the services sought by this RFP, and subsequently provided and integrated by contract between HPTE and the successful proposer, shall become the sole property of the State. Any commercial off-the-shelf software (COTS), required by successful proposer to complete the works described for this Contract, will be licensed to HPTE at HPTE's expense either directly by HPTE, or on behalf of HPTE, by the successful proposer.

1.31. SUBMISSION OF CONFIDENTIAL/PROPRIETARY INFORMATION:

The State neither requests nor encourages the submission of confidential/proprietary information in response to this RFP. Information submitted will be open for public inspection. However, written requests for confidentiality can be submitted to the HPTE Director, provided that the submission must be in STRICT accordance with the following procedures. Adherence to these procedures remains the SOLE RESPONSIBILITY of the proposer.

PROCEDURES FOR SUBMISSION OF CONFIDENTIAL/PROPRIETARY INFORMATION:

- A. Written request for confidentiality shall be submitted, by the proposer, with the proposal documents.
- B. The written request will be enclosed in an envelope marked "REQUEST FOR CONFIDENTIALITY", and attached to the cover of the ORIGINAL copy of the proposer's proposal that contains the HPTE invitation for proposal page with the proposer's ORIGINAL autographic signature.
- C. The written request must state SPECIFICALLY AND IDENTIFY BY PAGE NUMBER, what elements of the proposal are to remain confidential. The request must also IDENTIFY THE BASIS for the claim of confidentiality, OTHER than a recitation of a SPECIFIC State or Federal statute.

- D. Confidential/Proprietary information MUST be readily IDENTIFIED, MARKED and SEPARATED /PACKAGED from the rest of the proposal. Co-mingling of confidential/propriety information and other information is NOT acceptable.
- E. The HPTE Director will make a written determination as to the apparent validity of any request for confidentiality. The written determination of the Director will be sent to the proposer.
- F. Proposals that are determined to be at variance with this procedure may be declared non-responsive by the Director, and not given further consideration.

1.32. ASSIGNMENT AND DELEGATION:

Except for assignment of antitrust claims, neither party to any resulting contract stemming from this RFP, may assign or delegate any portion of the Contract without the prior written consent of the other party. This restriction includes contractor use of “out-of-state” personnel that may not have the ability to comply fully with HPTE Project scheduling constraints.

1.33. VENUE:

The laws of the State of Colorado shall govern in connection with the formation, performance and the legal enforcement of any resulting contract. It is the intent of HPTE that the requirements of Title 24, C.R.S. as amended, Article 101 through 112 and Rules adopted to implement those statutes shall govern this procurement to the extent they may be applicable.

1.34. APPLICABILITY OF THE STATE PROCUREMENT CODE:

HPTE is exempt from the State Procurement Code. Notwithstanding this exemption, specific provisions of the State Procurement Code are incorporated herein.

1.35. BACKGROUND, OVERVIEW AND GOALS:

1.35.1. *Statement of Solicitation Request*

- The HPTE is pleased to request proposals from a qualified individual or firm(s) to offer general Tolling Advisory Services to HPTE.
- HPTE is a government owned business established as a division within CDOT governed by 43-4-806, C.R.S.
- HPTE will only enter into a contract with a lead Contractor which will be responsible, among other matters, for sub-contracting with other firms whose participation is necessary to complete the full scope of work required in the engagement. HPTE will retain the right to approve any such sub-contractor(s), HPTE is not seeking legal counsel as a part of this Request for Proposals.
- Interested parties should review this request for proposals in anticipation of submitting any questions in accordance with the Schedule of Activities presented in Section 1.3.

1.35.2. *Overview*

Colorado’s first Express Lanes, the I-25 Central Lanes, opened in 2006 and since 2013 HPTE has opened three additional Express Lane facilities (US 36, I-25 from U.S. 36 to 120th and the I-70 Eastbound Mountain Express Lane). The US 36 project is already delivering significant benefits to this congested highway. Since the project began in 2011, RTD bus ridership on US 36 has increased 45 percent. Since project completion in 2015, US 36 commuters in all lanes are now experiencing savings in travel times and improved travel speeds—during peak hours speeds have improved up to 20 percent and 29 percent. The I-70 Eastbound Mountain Express Lane (MEXL) opened for tolling in December, 2015. Since opening, MEXL has proven to

be successful in reducing congestion and improving travel times and safety across all travel lanes, even while experiencing record-breaking volumes at the Eisenhower-Johnson Tunnels. The Mountain Express Lane's operational success enables increased vehicle throughput at traffic volumes that would have created stop-and-go conditions in previous years. Based on the demonstrated success of its four existing Express Lane facilities, HPTE will be expanding its network by opening seven more facilities in the next three years, C-470 (Summer/Fall 2019), I-25 North Segment 3 (2020), I-70 Westbound Mountain Express Lane (2020), I-25 North Segments 7 & 8 (2022), I-25 North Segment 6 (2022), I-25 South Gap (2022) and Central 70 (2022).

The primary source of CDOT's revenue, the state gas tax, has not increased since 1991. Coupled with the state's population growth (from 2016 to 2017, Colorado's annual growth rate was 1.4 percent, eighth highest in the nation), traffic congestion will only continue to worsen. Given these realities, it is unrealistic to expect that CDOT will have the ability to address increasing congestion and provide trip reliability solely through traditionally funded capacity improvements anytime in the near future. The demonstrated success of Express Lanes and the use of toll revenue backed project financing ensures that additional Express Lane corridors will open in the future as HPTE secures project financing.

1.36. SCOPE OF SERVICES

The preferred proposer will function in the position of a General Tolling Services Advisor, whose responsibilities under any contract resulting from this RFP solicitation will include work on an "as needed" basis through the issuance of specific task orders on various aspects of CDOT/HPTE's Express Lanes program.

The scope of work is detailed as follows:

- A. Providing advice on various aspects of HPTE's Managed Lane program, including multi-corridor tolling strategies for CDOT and HPTE
- B. Program Management
- C. Back Office Procurement and Analysis
- D. Tolling System Integrator Procurement and Oversight
- E. Express Lanes Operations Support
- F. Traffic and Environmental Studies Oversight
- G. Express Lanes Project Procurement and Delivery Coordination with HPTE
- H. And other responsibilities as detailed in this RFP or determined as necessary by HPTE

- A. Providing advice on various aspects of HPTE’s Managed Lane program, including multi-corridor tolling strategies for CDOT and HPTE:**
- i. Possess experience assisting clients develop effective tolling strategies to optimize the use of tolls to meet client objectives such as traffic management or revenue optimization, cordon pricing, and congestion pricing.
 - ii. Ability to analyze and provide insight and expert opinion on the quality and applicability of tolling strategies proposed by potential concession bidders, unsolicited proposers, or to develop such strategies (ex. zones, time of day/dynamic pricing, ingress/egress alternatives) in support of internally sponsored traffic and revenue study development while ensuring the proposals or internal effort meet the appropriate objectives and are technically feasible.
 - iii. Demonstrate the capability to support the development of a multi-corridor integrated tolling strategy, as opposed to roadway specific ones. Such capability will include expertise and experience with the oversight or development of a “back office” capability and integrating toll operations in multiple corridors. *Note pursuant to section 42-4-1012 (1) (d), the HPTE is statutorily required to ensure transponder interoperability.*
 - iv. Effectively support HPTE in project development activities and coordination including express lanes go-lives.
 - v. Effectively support a tolling strategy decision making process for the HPTE and its board through the development of effective presentations and communications with these entities as well as local governments and the general public.
- B. Program Management:** This task would commence immediately upon receipt of notice-to-proceed (NTP).
- i. **Infrastructure/Interface and Coordination**
 - a) Recommend Toll Operations Plan alternatives: This could include evaluating or providing the pros and cons for a specific proposal or advice for the development and implementation of Express Lanes operations and toll collection policies and procedures.
 - b) Provide updates on best industry and other tolling entity infrastructure practices, such as enforcement, multi state coordination, interoperability and on the implementation of new practices.
 - c) Assist in the identification of appropriate tolling related technologies, such as infrared vehicle occupancy detection systems, POS transponders, mobile phone transponder applications, **Mobile applications. Assist and advise in the procurement process as well as the installation and implementation effort as needed.
 - ii. **Express Lanes Corridor Facilities and Equipment**
 - a) Assist HPTE during the construction and/or implementation phase of an Express Lanes facility in the management of contracts for the installation of toll equipment and toll related equipment and processes in accordance with design requirements, contract, and schedule.
 - b) Assist HPTE in a design build or PPP project with verification that tolling equipment and toll related equipment meet design requirements, contract, and schedule.
 - iii. **Express Lanes Corridor Documentation**
 - a) Assist in the Integration of Emergency Services/Incident Management/Enforcement including, highway patrol, fire and rescue, ambulance and roadway services as services within a tolled facility and their impact on tolling operations.

- b) Assist in the development or review as appropriate the emergency/incident management plan for a tolled corridor including communication plans, appropriate staffing, timelines, and impacts on tolling operations.
- c) Assist in the development or review as appropriate the standard operating procedures for a tolled corridor including appropriate staffing.
- d) Provide preliminary and/or review Toll Facility plans and drawings for use on CDOT/HPTE projects.
- e) Assist in the development and review of FHWA Annual Reports for a Express Lane corridors.
- f) Assist in the development and review of reports due to lenders and the HPTE Board on Express Lane corridors.

C. Back Office Procurement and Analysis:

- i. Advise HPTE on what different Back Office vendors have to offer.
- ii. Assist in the establishment and ongoing functioning of Customer Service Center (CSC) operations, transponder marketing, violations processing, DMV “lookups”, staffing and reciprocity.
- iii. Develop Back Office Integration RFQ/RFP to include:
 - a) Scope of Work development and generating all required attachments/schedules.
 - b) Assist HPTE in the proposal period including: scheduling, organizing and supporting any Pre-bid conferences, drafting responses to proposers’ questions, and preparing updates and addenda to the RFP as required.
 - c) Review proposals for compliance to minimum requirements, review and provide recommendations on any alternate technical proposals, assist in developing Short List, attend interviews with Short List Proposers.
 - d) Assist in Best Value selection and Negotiations with winning Proposer.
 - e) Prepare appropriate language, schedules and attachments for the final contract.
- iv. Develop or review testing plans, processes and/or practices to ensure interfaces between the Tolled Corridor(s) and the tolling back-office services provider work as specified and as per contract, and can meet the stated objectives.
- v. Develop transition plan for wind down and transition period between old and new back office.

D. Tolling System Integrator Procurement and Oversight:

- i. Advise HPTE on what different Tolling System Integrators have to offer.
- ii. Develop toll system design, including electronic toll elements, geometry, traffic operations, signing, lighting, lightning protection, electrical, back-up power, and aesthetics.
- iii. Comprehensive experience with Lane vendors and the ability to bring best practices during the procurement and implementation to HPTE.
- iv. Comprehensive understanding of All Electronic Tolling (AET) or Electronic Toll Collection Systems (ETCS), transponder, RFID, video tolling, violation systems, implementation, staffing, management audit, and maintenance.
- v. Develop or review testing plans, processes and/or practices to ensure a corridor’s tolling infrastructure works as specified, and as per contract, and can meet the stated objectives.
- vi. Develop design standards and specifications for tolling infrastructure for HPTE Express Lane projects for use by Tolling System Integrator.

- vii. Develop design requirements for associated roadway and related peripheral equipment which supports the toll collection function and environment such as lightening protection, the communications system, and tollway signage for use by Tolling System Integrator.
- viii. Perform design reviews for the Automatic Vehicle Identification System/Electronic Toll and Traffic Management System/ Violation Enforcement System and back office/CSC operations on an as needed basis and assist in managing the implementation and/or installation thereof in accordance with design requirements, contract, and schedule.

E. Express Lanes Operations Support:

HPTE will be changing Active Toll Management/Real Time Management models to accommodate the exponential Express Lanes growth that they will be experiencing in the next three years. Express Lanes Operations Support activities include but are not limited to:

- i. Assist in the establishment and ongoing functioning of a Traffic Operations Center including appropriate staffing and timelines.
- ii. Assist in the establishment and ongoing functioning of Tolling Equipment Monitoring and Maintenance Team for the following technical functional areas, (1) Fiber Network, (2) ITS Equipment, and (3) Tolling Equipment including appropriate staffing and timelines.
- iii. Assist the establishment and ongoing functioning of a Data and Reporting Solution including appropriate staffing and timelines.
- iv. Provide staffing to support Express Lanes operations listed above as needed.

F. Traffic and Environmental Studies Oversight:

- i. The ability to review environmental documentation and make recommendations to HPTE.
- ii. The ability to prepare and or review traffic models and reports to support HPTE.

G. Express Lanes Project Procurement and Delivery Coordination with HPTE:

- i. Support HPTE with Express Lanes projects procurement documents sections related to tolling.
- ii. Support HPTE with coordination efforts during design and construction phases of Express Lanes projects.

H. And other responsibilities determined as detailed in this RFP or determined as necessary by HPTE

1.37. PERSONNEL ASSIGNED TO THE ENGAGEMENT

Resumes for the individuals that will be assigned to this engagement should be included with the proposal as an appendix (will not count towards the final page count). For lead members of your team, please identify the past experience on similar projects that involved services similar to those requested in this solicitation.

1.38. COMMUNICATIONS AND INQUIRIES

Any and all inquiries associated with this request for proposals should be directed to:

Ms. Kelly Brown, Tolling Operations Manager
High Performance Transportation Enterprise
2829 Howard Place
Denver, CO 80202
(303) 512-4062
kelly.brown@state.co.us

All communications between a proposer and the HPTE contact person above must be by written or electronic communication. Any firm or person associated with a proposing team is prohibited from contacting any person at HPTE or CDOT on the subject of this RFP. Such communication will be considered as creating an unfair process and any firm violating this prohibition will be subject to disqualification.

REQUEST FOR PROPOSAL COLORADO HIGH PERFORMANCE TRANSPORTATION ENTERPRISE

SECTION 2

INFORMATION REQUIRED FROM PROPOSERS

GENERAL PROPOSER RESPONSE – SUBMISSION FORMAT

- 2.1. 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. It is the primary proposer’s further responsibility to identify any anticipated subcontractors, and their anticipated work responsibilities.

To be considered responsive, proposers must adhere to, and include, the following when preparing their proposal:

- Reference by RFP subsections the information responding to and ***adherence to the page established limitation.***
- ***The basic response may not exceed 20 pages. One page shall equal one side of an 8 ½ X 11 inch sheet of paper, single spaced in 11-point font, one column format.*** Describe in full the subject item. The description may be in narrative or outline format, while remaining as brief and concise as possible.
- The proposer may provide additional material in appendices and refer to material contained in the appendices in the basic proposal.
- Reference to, and attachment of, any supporting documentation assisting in the description of, or contribution to, any identified and addressed item. Additional materials must be referred to in the basic response proposal and Appendices appropriately labeled.
- Complete and return ALL required forms provided in this RFP solicitation.
- The proposer must not simply duplicate or rephrase this RFP, but rather submit a response containing information that demonstrates a good understanding of the HPTE’s needs and objectives.

2.2. **BACKGROUND/APPROACH TO PROJECT: Proposal Section 1**

Submitted proposals must detail the proposer’s understanding of, and approach to delivering the services HPTE to meet its goals. The proposals must specifically address how each element of the Scope of Services will be accomplished. This section of the proposal should include details of at a minimum of the following:

- What is the approach proposed to provide HPTE with Tolling Strategies, alternatives or advice to assist them in meeting their goals as providers of transportation Express Lane services?
- How would the proposer effectively support HPTE in the procurement and oversight of roadside tolling system vendor for greenfield and brownfield projects?
- How would the proposer effectively support HPTE in the procurement and oversight of a back office vendor?

- What is the proposer’s methodology for effectively pricing, managing, operating, or evaluating the quality of back office operations and customer service centers?
- What is the proposers approach to integrating tolling related activities such as incident management and travel time monitoring into a cohesive tolling operation that meets HPTE’s growth needs?
- What is the proposers approach to guiding HPTE through the Express Lane corridor growth that they will experience in the next three to five years? This includes how the proposer would effectively support HPTE’s need for an Operations Center, a Data Solution and the Monitoring and Maintenance of Tolling Equipment. Explain how the proposer will assist HPTE in meeting their goals as industry-leading operators of Express Lanes.

The proposer must not simply duplicate or rephrase this RFP, but rather submit a response containing information that demonstrates a good understanding of the HPTE’s needs, objectives and goals.

2.3. WORK EXPERIENCE AND CAPABILITY: Proposal Section 2

To adequately and objectively evaluate response proposals, proposers should provide information beyond a simple list of all relevant work experience and qualifications related to the services required under this RFP solicitation.

To this end, proposals should address at least the following:

- Identifying experience with single and multi-corridor tolling strategies. When presenting your experience specifically state the role the firm(s) and individuals proposed for this engagement played in the tolling advisory activities being described.
- Discussion of any Toll Highway/ Managed Lane or Toll Bridge/Tunnel experience.
- Demonstrated experience and proficiency in procuring and overseeing roadside tolling system vendors.
- Demonstrated experience and proficiency in procuring and overseeing back office vendors and technologies related to back offices.
- Demonstrated experience in go-live plans for Express Lanes.
- Demonstrated experience and proficiency in Express Lanes Operations Support.

2.4. COST/STAFFING PROPOSAL: Proposal Section 3

This section of the proposal must provide a costs estimate for all elements of the proposed Scope of Work. Prices must be submitted as firm per hour rates (hourly fees). Do not submit in any other format or by task. Proposers are instructed to provide this information in a grid categorizing each hourly rate for each type of service the proposer anticipates providing under the Scope of Work defined in this RFP, over each possible year of the contract. Refer to the example below in preparing a response to this section of the proposal. A separate table also following this format should be provided if proposing for a Tolling Operations and Tolling marketing roles as well:

TOLLING SERVICES ADVISOR FEE TABLE					
Role / Position	Hourly Fee				
	2019 – 2020	2020-2021	2021-2022	2022-2023	2023-2024
Principal Advisor	\$xx.xx				
Junior Advisor					
Administrative Assistant					

No “best and final offer” will be requested or considered for proposal evaluation. Estimates must clearly support all costs as specified in the submitted proposal with the knowledge that the State will make payment per the submitted cost-breakdown as further explained in Section 4.2 of this RFP.

Any changes to staff, either before or during the term of the resulting contract, must be provided in writing, to the State *prior to* their beginning work as part of the proposer’s staff assigned to this project. In addition, all cost adjustments/modifications (if any) resulting from such staff changes must be submitted for approval by the State.

2.5. INCLUDE THE FOLLOWING IN APPENDICES:

- Provide three (3) Express Lane/Tolling Authority references, for each include name, contact information, type of service provided and the category the reference is filling.
- Clearly indicate / state / disclose each of the following :
 - Any delinquent State or local tax or outstanding fee that has occurred in the previous three years.
- Identify all staff anticipated to be involved with this project:
 - Resumes for each individual listed must be provided to include such individual’s qualifications, relevant expertise, and work experience.
 - Any changes to staff, either before or during the term of the resulting contract, must be provided in writing, to the State *prior to* their beginning work as part of the proposer’s staff assigned to this project.
- If proposer’s firm has not been involved with many tolling of highway projects but does have significant experience as a Tolling Services Advisor in some other manner on other large projects or similar projects, such projects and experience should be listed and described in detail as stated above.

The goal of this description is to provide the CDOT evaluation panel enough information in a logical and concise format to properly review and score in accordance with the criteria presented in Sections 3.3.1, 3.3.2, and 3.3.3.

2.6. PROPOSER'S ORGANIZATION:

Proposer is encouraged to provide information regarding its organization which has not been specifically requested, but which the proposer believes relevant and of benefit to the Project.

2.7. MBE/WBE PARTICIPATION:

The State encourages State agencies to utilize minority-owned and women-owned businesses to the greatest extent possible without sacrificing adequate competition. Proposers are reminded of the illegality of discrimination, and the provisions of Procurement Code Section 24-111-02.

REQUEST FOR PROPOSAL COLORADO HIGH PERFORMANCE TRANSPORTATION ENTERPRISE

SECTION 3 EVALUATION CRITERIA

3.1. AWARD OF BID:

This section will outline 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, HPTE will request oral presentations from the top-ranked proposals. The interview of those top ranked proposals will be held at CDOT Headquarters, with each proposer given fair and equal treatment in this second phase of the evaluation.

Based on final review and discussion of the proposals, and interview evaluations, the evaluation committee will recommend proposer to enter into contract discussions with the HPTE. Upon review and approval of the evaluation committee's recommendation for award, the HPTE Project Office will issue a "Notice of Intent to Make an Award" letter to the apparent successful proposer. It is the intent of HPTE to award a contract to that proposer whose proposal is deemed to be most advantageous to the State of Colorado, price and other factors considered.

3.2. EVALUATION PROCESS:

3.2.1. An evaluation committee will independently evaluate the merit of proposals received in accordance with the evaluation factors defined in the RFP. The recommendations of this committee will be forwarded to the HPTE Director for review approval.

3.2.2. 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.

3.2.3. The sole objective of the evaluation committee will be to recommend the proposal most responsive to HPTE and CDOT needs. The specifications detailed in this RFP represent the minimum performance necessary for such response.

3.2.4. The proposal deemed most advantageous for HPTE and CDOT will be recommended for award.

3.2.5 Proposal Scoring:

The sole objective of the evaluation committee will be to score the proposals and recommend the proposer whose response is determined most advantageous to the HPTE and CDOT, taking into consideration the price and all evaluation factors set forth herein.

Oral Presentation:

At the conclusion of evaluation and discussion of the written proposals, HPTE may conduct oral interviews.

The evaluation committee determines oral presentations will assist them in making a final proposal selection, the committee will conduct oral interviews for the purpose of:

- 1) Allowing the proposer an opportunity to verbally present its proposal to the evaluation committee.
- 2) Allowing the committee an opportunity to obtain further definition of proposal aspects and attempt to resolve any uncertainties.
- 3) Resolving suspected mistakes by calling such perceived errors to proposer's attention without disclosing information concerning other proposers' proposals.

- 4) Allowing the committee an opportunity to ask specific questions of the proposer, regarding its proposal offer.

HPTE staff who are not on evaluation committee, including the HTPTE Director or Acting Director, may sit in on the interviews.

3.3. EVALUATION CRITERIA:

The complete proposal package will include, *but not be limited to*, evaluation using the factors listed below. These factors are designed to incorporate specific evaluation of the items presented in Section 1.36 and Sections 2.2 – 2.4 of this RFP.

As stated in Section 2, proposals should not simply repeat what is written in Section 1.36 of this RFP – the Scope of Services, but rather evidence the proposer’s understanding of the State’s requirements and its ability to provide the services needed within a clearly defined and cost-effective budget. (Refer to Section 2 of this RFP).

- What is the approach proposed to provide HPTE with Tolling Strategies, alternatives or advice to assist them in meeting their goals as providers of transportation Express Lane services?
- How would the proposer effectively support HPTE in the procurement and oversight of roadside tolling system vendor?
- How would the proposer effectively support HPTE in the procurement and oversight of a back office vendor?
- What is the vendor’s proposed approach to integrating tolling related services such as incident management and travel time monitoring into a cohesive into an effective and efficient tolled operation?
- What is the vendor’s methodology for effectively pricing, managing, operating, or evaluating the quality of back office operations and customer service centers?
- What is the proposers approach to guiding HPTE through the Express Lane corridor growth that they will experience in the next 3 to 5 years? This includes how the proposer would effectively support HPTE’s need for an Operations Center, a Data Solution and the Monitoring and Maintenance of Tolling Equipment. Explain how the proposer will assist HPTE in meeting their goals as industry-leading operators of Express Lanes?

3.3.1. Capabilities, Qualifications and Experience: 40 points

- Proposal evidences clear expertise and ability in the provision of multi-corridor Tolling Strategies Advisory Services.
- Proposal evidences clear expertise and ability in the provision of general toll and tollway knowledge.
- Proposal evidences clear expertise with roadside toll system vendors.
- Proposal evidences clear expertise and ability in the provision of toll design and standards development.
- Proposal evidences clear expertise and ability in the provision of toll system integration.
- Proposal clearly demonstrates effectiveness of past performance on projects of similar scope, and accomplishment of the proposer in the same, or closely related area.
- Proposal evidences availability, and ability, of each staff member anticipated to participate in this project, to commit the required time.
- Proposal evidences clear expertise and ability to efficiently complete all work assignments.
- Proposal demonstrates effective administrative experience and management efficiency.

- Proposal provided three adequate letters of reference.
- Proposer provides opportunities to qualified companies classified as Disadvantaged Business enterprises and/or Emerging Small Business enterprises. For further details, see Section 2.7.

3.3.2. Project Approach and Proposer Understanding: 35 points

- Proposer demonstrates an understanding of the entity for which it is proposing to be its Tolling Services Advisor.
- Proposer demonstrates an ability to work with governmental entities (State, Federal, and Local) and private partnerships.
- Proposer understands Express Lanes projects intricacies from early stages to Go-live and operations.
- Proposer demonstrates an ability to support HPTE in tolling technology procurement.

3.3.3. Costs, Staffing, Budget: 25 points

- The proposal provides:
 - Is fair, reasonable, efficient and cost-effective.
 - Is clearly linked to project goals and objectives.
 - The proposed costs are fully explained in narrative form, are well organized and are aligned with the pricing provided in a grid format.
 - The proposal inspires confidence that the quality of work and deliverables solicited by the RFP will be provided by the proposer.
 - The proposal includes no unacceptable modifications to the State's contract and special terms and conditions.

REQUEST FOR PROPOSAL COLORADO HIGH PERFORMANCE TRANSPORTATION ENTERPRISE

SECTION 4 TERMS OF CONTRACT

4.1. CONTRACT:

The successful proposer will be required to enter into a formal task order contract with HPTE. The contract will incorporate the RFP, standard contract terms, Colorado State Special Provisions, any published addenda and the response/proposal of the successful proposer. Any contract resulting from this RFP may not be modified, amended, extended or augmented except through an authorized contract modification executed by the parties hereto, and any breach or default by a party shall not be waived or released other than in writing signed by the other party. HPTE reserves the right to eliminate or exclude aspects of the successful proposal which may be determined by HPTE as unnecessary, or those aspects HPTE decides to assume itself, or let out by separate contract.

4.2. CONTRACT TERMS:

Standard State of Colorado contract terms outside of the Scope of Work are not negotiable. Contract terms within the Scope of Work *may be* discussed **only if** the proposal includes specific and express requests for modification, including a detailed description for all such requests. If the proposal fails to raise a modification request for discussion, those non-identified portions of the Scope of Work will be considered acceptable to the proposer, and incorporated into the final contract. Submittal of exceptions does not guarantee their acceptance by the State, however, and may, in fact, result in a lower final score, and the State may, in its *sole discretion*, waive the required application of any such term(s), if the State determines that is in its best interests under the circumstances to do so.

The contract will also stipulate that the HPTE will be provided with monthly invoices of actual hours of service and associated costs, and a monthly work statement providing a brief description of the services invoiced, specifically identifying staff member/positions assigned to the Work. The State may make payment to the successful proposer for monthly work actually and satisfactorily performed, such payments subject to the State's receipt and approval of the above mentioned invoices and work statements.

4.3. LENGTH OF CONTRACT:

The term of this contract shall begin on the date indicating Controller approval, and shall extend no more than five years from that date unless otherwise specified, earlier terminated, or extended pursuant to state fiscal rules provided that the vendor shall remain responsible for contract obligations which necessarily continue beyond such termination date, including final audit.

**REQUEST FOR PROPOSAL
 COLORADO HIGH PERFORMANCE TRANSPORTATION ENTERPRISE
 ATTACHMENT A**

COMPLETE & SIGN TOP PORTION – INCLUDE AS PART OF RFP PROPOSAL

**HIGH PERFORMANCE TRANSPORTATION ENTERPRISE
 CONSULTANT CERTIFICATION**

Consultant firm name	
Consultant firm complete address	
Authorized representative name (print)	Title
<p>I certify that neither I nor the above firm I represent has:</p> <ul style="list-style-type: none"> - employed or retained for a commission, percentage, brokerage, gift, contingent fee or other consideration, any firm or person (other than a bona fide employee working solely for me or the above Consultant) contingent upon or resulting from the award or making of this contract, or to solicit or secure this contract; - agreed as a known or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the contract; or - paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above Consultant) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the contract; <p>I further certify that:</p> <ul style="list-style-type: none"> - any exceptions to the conditions listed above are: <ul style="list-style-type: none"> - wage rates and other factual unit costs supporting the compensation to be paid under this contract are accurate, complete and current. <p>I acknowledge that this certificate is to be furnished to the Colorado Department of Transportation and the Federal Highway Administration, U.S. Department of Transportation, in connection with this contract involving participation of Federal Aid highway funds, and is subject to applicable State and Federal laws, both criminal and civil.</p> <p>I DECLARE UNDER PENALTY OF PERJURY IN THE SECOND DEGREE, AND ANY OTHER APPLICABLE STATE OR FEDERAL LAWS THAT THE STATEMENTS MADE ON THIS DOCUMENT ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.</p>	
Firm Representative Signature	Date

HIGH PERFORMANCE TRANSPORTATION ENTERPRISE

I certify that I am the duly authorized representative of the High Performance Transportation Enterprise and, that the above Consulting firm or its representative has not been required, directly or indirectly as a known or implied condition in connection with obtaining or carrying out this contract to:

- employ or retain, or agree to employ or retain, any firm or person; or
- pay, or agree to pay, any firm, person, or organization, any fee, contribution, donation, or consideration of any kind;

I further certify that:

- any exception to the conditions listed above are:

I acknowledge that this certificate is to be furnished the Federal Highway Administration, U.S. Department of Transportation, in connection with this contract involving participation of Federal Aid highway funds, and is subject to applicable State and Federal laws, both criminal and civil.

HPTE Representative Signature and Title

Date

**REQUEST FOR PROPOSAL
COLORADO HIGH PERFORMANCE TRANSPORTATION ENTERPRISE**

**SECTION ATTACHMENT B
SAMPLE CONTRACT**

Note: Attached is a DRAFT State Contract similar to one which the selected Vendor will be required to enter into. It contains terms and conditions that are typical and/or required on State contracts. The terms and conditions contained in the FINAL contract may deviate from this draft depending on the outcome of the Request for Proposal. The State reserves the right to add or delete terms and conditions in accordance with the needs of the State or as may be mandated by State Statute.