



**COLORADO
DEPARTMENT OF TRANSPORTATION
REGION 1**

REQUEST FOR QUALIFICATIONS

**C-470 Tolled Express Lanes Segment 1
Design-Build Project**

**PROJECT NO.: NHPP 4701-124
SUBACCOUNT NO.: 18999**

February 26, 2015

STATEMENTS OF QUALIFICATIONS DUE: April 23, 2015



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1.0 INTRODUCTION

The Colorado Department of Transportation (CDOT), Region 1 in partnership with the C-470 Corridor Coalition is requesting Statements of Qualifications (SOQs) from entities (Submitters) that previously submitted Letters of Interest for the C-470 Tolled Express Lanes Segment 1 Design-Build Project (the Project). The Project will be funded with Federal, State, and Local dollars. Submitters must comply with all applicable Federal, State, and Local requirements.

1.1 Procurement Process

CDOT will use a two-phase value based procurement process to select a Design-Build contractor to deliver the Project. This Request for Qualifications (RFQ) is issued as part of the first phase to solicit information in the form of SOQs. CDOT will evaluate received SOQs to determine which Submitters are the most highly qualified to successfully deliver the Project. CDOT will short-list not more than three (3) most highly qualified Submitters.

In the second phase, CDOT will issue a Request for Proposals (RFP) for the Project to the short-listed Submitters. Only the short-listed Submitters will be eligible to submit Proposals for the Project. Each short-listed Submitter that submits a Proposal in response to the RFP (if any) is referred to herein as a “Proposer.” CDOT will award a Design-Build Contract for the Project (if any) to the Proposer offering the best value, as determined by CDOT at its sole discretion.

1.2 Submitter Information

To allow receipt of any addenda or other information regarding this RFQ, each Submitter is solely responsible for ensuring that CDOT’s Project Director as described in Section 2.5 has the contact person’s name and email address. The contact person shall be the Submitter’s single point of contact. If an entity intends to submit a Proposal as part of a team, the entire team is required to submit a single SOQ as a single Submitter and shall have a single point of contact.

1.3 Project Information

The CDOT Project website is the official location for all Project information. Additional Project information is listed on the website at: <https://www.codot.gov/projects/c470ExpressLanes>

2.0 BACKGROUND INFORMATION: RFQ PROCESS

2.1 Project Description, Scope of Work

The Project generally consists of adding two tolled express lanes westbound from I-25 to Colorado Boulevard; one tolled express lane westbound from Colorado Boulevard to Wadsworth Boulevard; one tolled express lane eastbound from just west of the Platte River to I-25; safety and operational improvements between I-25 and Quebec Street via adding direct-connect ramps from I-25 to the C-470 tolled express lanes; full reconstruction of a portion of the existing pavement; adding auxiliary lanes at select locations; improving portions of on-ramps and off-ramps to current standards (including ramp metering where appropriate); realigning substandard curves; widening existing structures throughout the corridor; replacing the bridges over the South Platte River; installing water-quality features where required; installing noise barriers where required; adding grade separations for the multi-use trail at Quebec Street and Colorado



Boulevard; and installing tolling/Intelligent Transportation Systems (ITS) elements. This Project will participate in CDOT's owner-controlled insurance program (OCIP).

The Federal Highway Administration (FHWA) and CDOT are in the process of completing a revised Environmental Assessment (EA) for ultimate improvements to C-470 between I-25 and Kipling Boulevard. The revised EA is studying the environmental consequences associated with the Proposed Action, which includes the addition of tolled express lanes on the C-470 Corridor. The Proposed Action is the recommended solution developed by the C-470 Corridor Coalition, approved by the Coalition in February 2013, and is intended to address congestion, reduce traveler delay, and improve trip reliability along the corridor.

This Project and Work is provided for under the National Environmental Policy Act (NEPA) and as such shall not preclude anything required as part of the revised EA. Mitigation measures needed in response to Project impacts shall be implemented with the Work, consistent with the revised EA. No Project mitigation measure resultant of the Work shall be deferred to a future project.

It is currently anticipated that the revised EA, including a signed decision document, will be complete at the time the Final RFP is released.

The design-build proposers will be encouraged to design and construct Additional Requested Elements (AREs) that will extend the scope of work for the Project beyond the Basic Configuration to address the Project Goals.

The successful Proposer will be responsible for the survey, design, construction, and warranty of the Project generally including utility coordination/relocations, earthwork, final roadway alignments, pavements, drainage and water-quality, lighting, traffic operations, maintenance of traffic, bridge/retaining wall structures, environmental compliance and permitting, public information support, and quality management. The design and construction by the successful Proposer shall be completed in accordance with applicable CDOT guidelines and standards as specifically modified in the RFP for this Project.

2.2 Project Goals

The following non-prioritized Goals have been established for the Project:

A. Optimize traffic operations on C-470 within the project budget.

- a. Once operational, optimize trip reliability in the tolled express lanes by maintaining a 45 mph minimum operating speed.
- b. Preserve the existing general purpose lanes by providing improvements that enable them to operate at levels better than the no-action condition.

B. Optimize scope of improvements within the project budget.

C. Optimize operating and life-cycle maintenance costs.



D. Minimize impacts to the traveling public during project construction and future construction.

E. Achieve the following project schedule milestones.

- a. Expenditure of RAMP funding by December 31, 2017.

2.3 Estimated Cost/Maximum Time Allowed

The design-build contract Guaranteed Maximum Price (GMP) for the Project is estimated to be from \$180 to \$212 million. The anticipated completion deadline for the Project will be the end of the summer of 2018 with an additional requirement that the expenditure of \$100M RAMP funding is complete by December 31, 2017.

2.4 Project RFQ Schedule

The deadline for submitting written RFQ inquiries and the SOQ due date are stated below. One project briefing will be provided to interested Proposers and will be scheduled on a first come basis between March 16, 2015 to March 27, 2015. Requests for project briefings shall be made to Jerome Estes at Jerome.Estes@state.co.us and shall include the wording “**18999 Project Briefing Request**” in the subject line.

All inquiries must be submitted as identified in [Section 2.5](#) and [Section 2.6](#). RFQ inquiries, and all information submitted as part of the inquiry shall be considered non-confidential and non-proprietary. Inquiries received which follow the prescribed process will be assigned a unique SOQ identification number, converted to PDF format, and posted on the Project website for viewing. Identification of the Submitter shall not be disclosed. Responses by CDOT to these inquiries shall be posted electronically on the Project website for viewing; CDOT will not respond verbally to any response. CDOT will not respond to inquiries which fail to follow this process. Verbal inquiries will not be accepted or responded to.

CDOT anticipates the following procurement milestone dates. This schedule is subject to revisions by addenda to this RFQ and subsequent RFPs.

- | | |
|--|----------------------------|
| ➤ Issue RFQ | February 26, 2015 |
| ➤ Project briefing meetings | March 16 – March 27, 2015 |
| ➤ Deadline for industry inquiries to RFQ | March 31, 2015 |
| ➤ CDOT responses to industry RFQ inquiries | April 3, 2015 |
| ➤ Final RFQ addendum issued | April 9, 2015 |
| ➤ SOQ due date | April 23, 2015 |
| ➤ Notify short-listed submitters | June 4, 2015 |
| ➤ Debrief RFQ submitters | By request and appointment |
| ➤ Issue Draft RFP | June, 2015 |



2.5 CDOT Project Management: Ex Parte Communications

Jerome Estes is the CDOT Project Director. As the Project Director, Mr. Estes is CDOT’s sole contact person and addressee for receiving all communications regarding the Project. All inquiries and comments regarding the Project, and the procurement thereof, shall be sent by e-mail.

E-mail inquiries shall be sent to: Jerome.Estes@state.co.us and shall include the wording “**18999 Inquiry Request**” in the subject line.

During the Project procurement process, commencing with issuance of this RFQ and continuing until award of a Contract for the Project (or cancellation of the procurement), no employee, member, or agent of any Submitter shall have ex parte communications regarding the procurement process for this Project with any member of CDOT, HPTE, E-470, USDOT, the FHWA or their advisors, members and representatives of the C-470 Corridor Coalition, or any of their contractors or consultants involved with the procurement, except for communications expressly permitted by this RFQ or the CDOT Project Director (or subsequent to issuance of the RFP, except for communications expressly permitted by the RFP). Any Submitter engaging in such prohibited communications may be disqualified at the sole discretion of CDOT’s Project Director.

CDOT will meet one time with each submitter, if desired, to provide a project briefing and answer questions on a one-on-one basis. Meetings will be scheduled on a first come first serve basis within the time period noted in the procurement milestone dates.

2.6 Inquiries and Clarifications: Addenda

Questions and requests for clarification regarding this RFQ must be submitted to CDOT’s Project Director, as described in Section 2.5. To be considered, all questions and requests must be **received by 4:00 pm, Mountain Standard Time**, on the date indicated in Section 2.4.

CDOT reserves the right to revise this RFQ at any time before the SOQ due date. Such revisions, if any, will be announced by addenda to this RFQ and posted on CDOT’s Project website.

CDOT will use the following guidelines when responding to questions, requests for clarification, and issuing addenda:

- All questions and requests for clarification received via e-mail will be converted to a PDF format and posted on the Project website. Identification of the Submitter shall not be disclosed.
- CDOT will prepare a written response for each question and request for clarification received via e-mail. The response will be posted on the Project website in PDF format. The Submitter’s name and contact information will not be disclosed.
- Inquiries not following the prescribed format will not be accepted or responded to.



2.7 Major Participant

As used herein, the term “Major Participant” means any of the following entities: all general partners or joint venture members of the Submitter; all individuals, persons, proprietorships, partnerships, limited liability partnerships, corporations, professional corporations, limited liability companies, business associations, or other legal entity, however organized, holding (directly or indirectly) a 25% or greater interest in the Submitter; any subcontractor(s) that will perform Work valued at 30% or more of the overall contract amount; the lead engineering/design firm(s); and each engineering/design subconsultant that will perform 30% or more of the design Work.

CDOT may disqualify a Submitter if any of the Submitter’s Major Participants belong to more than one Submitter organization.

2.8 Ineligible Firms

CDOT has retained the consulting firms of Wilson & Company, Inc., Engineers & Architects; Parsons Brinckerhoff, Inc.; Apex Design, PC; LS Gallegos & Associates; Yeh and Associates, Inc.; Louis Berger Group, Inc.; and Caliper Corporation to provide guidance in preparing and evaluating this RFQ and the RFP, and advice on related contractual and technical matters. As such, the consulting firms listed are not eligible to submit an SOQ or to act as a member of any Submitter’s team.

Requests for determination regarding this eligibility requirement may be submitted in writing to the CDOT Project Director identified in [Section 2.5](#) of this RFQ.

2.9 Organizational Conflicts of Interest

The Submitter’s attention is directed to the following section of CDOT’s Design-Build Rules:

2 CCR 601-15 SECTION 7 - CONFLICT OF INTEREST

1. CDOT will award a Design-Build Contract only to a Firm that does not have impaired objectivity or an unfair competitive advantage, due to any interest of the Firm that creates an actual conflict or a significant potential conflict with the proposed contract.
2. Except as provided below, any consultant shall be disqualified from submitting a proposal on a Project, or from acting as a subconsultant or subcontractor on a Project, if CDOT determines that the consultant has such a conflict, including in the following situations:
 - a. it develops the Scope of Work for a Design-Build Project; or,
 - b. it develops the RFQ or RFP for the Project; or,
 - c. it performs 20% or more of the Preliminary Engineering on the Project.
3. Any consultant that is so disqualified may still be part of any CDOT oversight team for the Project if CDOT deems it appropriate.



23 CFR § 636.116 What organizational conflict of interest requirements apply to Design-Build projects?

(a) State statutes or policies concerning organizational conflict of interest should be specified or referenced in the Design-Build RFQ or RFP document as well as any contract for engineering services, inspection or technical support in the administration of the Design-Build contract. All Design-Build solicitations should address the following situations as appropriate:

(1) Consultants and/or subconsultants who assist the owner in the preparation of a RFP document will not be allowed to participate as an offeror or join a team submitting a proposal in response to the RFP. However, a contracting agency may determine there is not an organizational conflict of interest for a consultant or sub-consultant where:

(i) The role of the consultant or subconsultant was limited to providing preliminary design, reports, or similar “low-level” documents that will be incorporated into the RFP, and did not include assistance in development of instructions to offerors or evaluation criteria, or

(ii) Where all documents and reports delivered to the agency by the consultant or subconsultant are made available to all offerors.

(2) All solicitations for Design-Build contracts, including related contracts for inspection, administration or auditing services, must include a provision which:

(i) Directs offerors attention to this subpart;

(ii) States the nature of the potential conflict as seen by the owner;

(iii) States the nature of the proposed restraint or restrictions (and duration) upon future contracting activities, if appropriate;

(iv) Depending on the nature of the acquisition, states whether or not the terms of any proposed clause and the application of this subpart to the contract are subject to negotiation; and

(v) Requires offerors to provide information concerning potential organizational conflicts of interest in their proposals. The apparent successful offerors must disclose all relevant facts concerning any past, present or currently planned interests which may present an organizational conflict of interest. Such firms must state how their interests, or those of their chief executives, directors, key project personnel, or any proposed consultant, contractor or subcontractor may result, or could be viewed as, an organizational conflict of interest. The information may be in the form of a disclosure statement or a certification.

(3) Based upon a review of the information submitted, the owner should make a written



determination of whether the offeror's interests create an actual or potential organizational conflict of interest and identify any actions that must be taken to avoid, neutralize, or mitigate such conflict. The owner should award the contract to the apparent successful offeror unless an organizational conflict of interest is determined to exist that cannot be avoided, neutralized, or mitigated.

(b) The organizational conflict of interest provisions in this subpart provide minimum standards for State Transportation Departments (STDs) to identify mitigate or eliminate apparent or actual organizational conflicts of interest. To the extent that State developed organizational conflict of interest standards are more stringent than that contained in this subpart, the State standards prevail.

The Submitter is prohibited from receiving any advice or discussing any aspect relating to the Project or the procurement of the Project with any person or entity with an organizational conflict of interest, including, but not limited to those firms identified in [Section 2.8](#). Such persons and entities are prohibited from participating in any Submitter organization relating to the Project.

The Submitter agrees that if, after award, an organizational conflict of interest is discovered, the Submitter must make an immediate and full written disclosure to CDOT that includes a description of the action the Submitter has taken or proposes to take to avoid or mitigate such conflicts. If an organizational conflict of interest is determined to exist, CDOT may, at its discretion, cancel the Design-Build Contract for the Project. If the Submitter was aware of an organizational conflict of interest prior to the award of the Contract and did not disclose the conflict to CDOT, CDOT may terminate the Contract for default.

2.10 Changes to Organizational Structure

Key Personnel or Major Participants identified in the SOQ shall not be removed, replaced, or added without the written Approval of CDOT. CDOT may revoke an awarded Contract if any Key Personnel or Major Participant identified in the SOQ is removed, replaced, or added without CDOT's written Approval. To qualify for CDOT's Approval, the written request must document that the proposed removal, replacement, or addition will be equal to or better than the Key Personnel or Major Participant provided in the SOQ. CDOT will use the criteria specified in this RFQ, and the qualifications submitted in the SOQ, to evaluate all requests. Requests for removals, replacements, and additions must be submitted in writing to CDOT's Project Director as described in [Section 2.5](#).

2.11 Past Performance or Experience

Past performance or experience does not include the exercise or assertion of a person's legal rights.

2.12 Equal Employment Opportunity

The Submitter will be required to follow Federal Equal Employment Opportunity (EEO) policies.



CDOT will affirmatively assure that for the Project constructed pursuant to this advertisement, equal employment opportunity will be offered to all persons without regard to race, color, creed, religion, national origin, sex, and marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age.

2.13 Disadvantaged Business Enterprises

All Proposers are required to provide Colorado Disadvantaged Business Enterprises (DBEs) the opportunity to compete fairly for contracting opportunities on this Project. Proposers shall not discriminate on the basis of race, color, national origin, or sex and shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of the contract.

In accordance with 49 CFR Part 26 and the CDOT DBE Program Plan, CDOT will establish a goal for DBE participation on the contract. A proposer will not be eligible for contract award unless such proposer demonstrates good faith efforts to meet the goal. CDOT encourages the contractor to consider opportunities for DBEs at this preliminary stage. A list of current DBEs and their certified Work areas can be found on the Colorado UCP DBE Directory at <http://coloradodbe.org>.

CDOT will monitor the efforts of the winning contractor throughout the duration of the contract. The contractor will be required to make ongoing good faith efforts to meet the goal throughout the performance of the contract and failure to do so will result in sanctions being assessed against the contractor.

The construction and design DBE goals will be provided in the Request for Proposals.2.14

2.14 Emerging Small Business Program

CDOT's Emerging Small Business (ESB) Program is an incentive based program. The details of the ESB incentives for this Project will be provided in the RFP and contract.

CDOT encourages the contractor to consider opportunities for ESBs at this preliminary stage. A list of current ESBs and their certified work areas can be found on the CDOT website at <https://www.codot.gov/business/civilrights/esb/emerging-small-business-program>.

2.15 CDOT On the Job Training (OJT) Program

Construction contracts awarded by CDOT require prime contractors to offer on the job training (OJT) aimed at developing full journey workers in a trade or job classification on the awarded Project. Though the program is open to all, trainees are to be recruited among women and minorities as available according to census data. OJT participation is mandatory under 23 Code of Federal Regulations 230. The specific requirements of the OJT program will be provided in the RFP.



3.0 CONTENT OF SOQS AND CONFIDENTIALITY

This section describes specific information that must be included in the SOQ. SOQs must follow the submittal format and outline provided in [Section 4.2](#). Submitters shall provide brief, concise information that addresses the requirements of the Project consistent with the evaluation criteria described in this RFQ.

Documents submitted pursuant to this RFQ will be subject to the Colorado Open Records Act, C.R.S. §§ 24-72-201, *et. seq.* Information clearly marked as confidential and proprietary will be kept confidential by CDOT, unless otherwise provided by law. The Colorado Open Records Act provides that “Trade secrets, privileged information, and confidential commercial, and financial, data furnished by any person” to a state agency will not be produced in response to an open records request. CDOT will notify the Submitter if a request is made for such information, and the denial is challenged, so that the Submitter may take any action it deems necessary to defend the challenge. The Submitter, not CDOT, shall be the entity responsible for defending against Colorado Open Records Act disclosures for any records claimed by the Submitter to be confidential and proprietary.

3.1 Introduction

Provide a letter stating the business name, address, business type (e.g., corporation, partnership, joint venture, etc.), business information, and roles of the Submitter and each Major Participant listed in Form A (attached). Identify a single point of contact with his or her address, telephone number, a fax number, and e-mail address. CDOT will send all Project-related communications to this contact person during the procurement process. Authorized representatives of the Submitter and Major Participant organization must sign Form A.

If the Submitter is or will become a joint venture, all joint venture members must sign Form A. Each joint venture member must certify the truth and correctness of the contents of the SOQ. The Introduction shall include a “Title Page” and “Table of Contents.” Information provided in response to [Section 3.1](#) shall not count towards the overall page limitation defined in [Section 4.2](#).

3.2 Submitter Experience

3.2.1 Submitter Experience

Information provided in response to [Section 3.2.1](#), shall include submittal of Form Cs (attached) in Appendix C, which will not count towards the overall page limitation defined in [Section 4.2](#). Use the Form Cs to describe the experience, up to a maximum of ten projects that the Submitter, its Lead Engineering/Design Firm(s), its other Major Participants, and other team members have managed, designed, and/or constructed. Form Cs shall include a design-build project that the Submitter has completed and a design-build project that its Lead Engineering/Design Firm has completed. Highlight experience relevant to the Project that the Submitter/Major Participants have gained in the last ten years. Cite and describe experiences that could apply to this Project demonstrating successful design and construction experiences in each of the following areas:

1. Installation of Tolling and ITS infrastructure



2. Major highway and interchange reconstruction under traffic in urban areas
3. Bridge structure construction under traffic in urban areas
4. Construction/reconstruction using innovative designs, methods, and materials
5. Accelerated construction schedules
6. Design-Build delivery
7. Quality Management
8. Public Information

Each project description must include the following information:

1. Identify the involvements of any proposed Key Personnel
2. Name of the project and either the owner's contract number or project number
3. Owner's name, Owner's Project Manager's name, address, and current e-mail, telephone and fax numbers
4. Description of original and final project schedule milestones including milestones for design and construction
5. Description of the Work or services provided and percentage of the Work actually performed
6. Description of original and final completed project contract amount
7. Description of all project claims, dispute proceedings, litigation and arbitration proceedings
8. Description of the assessment of any liquidated damages including the causes of the delays and the amounts assessed

3.2.2 Contractor Safety Statistics

CDOT has determined it will provide an Owner Controlled Insurance Program (OCIP) for the Project. In part, the OCIP costs to CDOT would be based upon the prime contractor safety statistics.

Provide the general partners or joint venture members (contractors only) safety statistics for the last three years by completing Form B (attached) in Appendix C. Information provided in response to Section 3.2.2 shall not count towards the overall page limitation defined in Section 4.2.

3.3 Organization and Key Personnel

3.3.1 Organizational Chart(s)

Provide organizational chart(s) showing the structure of the organization with lines identifying participants who are responsible for major functions to be performed and their reporting relationships in managing, designing, and building the Project. The chart(s) must show the



functional structure of the organization down to the design discipline leader or construction superintendent level, and must identify Key Personnel by name. Indicate the percent of each Key Personnel's time that would be committed to the Project. Identify the Submitter and all Major Participants in the chart(s). Identify the critical support elements and relationships of project management, design management, construction management, quality management, safety, environmental compliance, and subcontractor and subconsultant involvement. Information provided in response to Section 3.3.1 shall count towards the overall page limitation defined in Section 4.2.

3.3.2 Resumes of Key Personnel

Resumes of Key Personnel shall be submitted as Appendix A and titled Resumes of Key Personnel in response to Section 3.3.2 and will not count towards the overall page limitations defined in Section 4.2. Resumes of Key Personnel shall be limited to one page each. If an individual fills more than one position, only one resume is required. The listing below describes the minimum qualifications for Key Personnel of the Project.

- A. Design-Build Project Manager
- B. Design Manager
- C. Construction Manager
- D. Design-Build Quality Manager

Include the following items on each resume:

1. Relevant licensing and registration, including registration as required in the State of Colorado.
2. Years of experience performing similar Work.
3. Title, roles, and responsibilities on any of the Projects listed in response to Section 3.2.1.
4. List a minimum of two personal professional references for each Key Personnel.

3.3.3 Minimum Requirements of Key Personnel

The following provides a brief job description and minimum requirements of the Key Personnel assigned to the Project. Key Personnel will be evaluated, in part, based on the extent they meet and/or exceed such requirements. Any licenses or certifications that are required to meet the conditions of the RFQ shall be in place prior to the submittal of the final Proposal. The Submitter shall identify, from amongst the Key Personnel, who will serve as the Colorado licensed Professional Engineer in responsible charge for the duration of the construction of the Project.

A. Design-Build Project Manager

- The Design-Build Project Manager shall be a licensed Professional Engineer and registered in the State of Colorado prior to the commencement of the Work, shall be in direct charge of the Work, and is responsible for the administration and satisfactory



completion of the Project under the contract. This person shall be assigned to the Project full time and will be required to be onsite for the duration of the Project.

- Shall have recent Design-Build experience managing major projects involving major highway reconstruction and bridge structure construction under traffic in urban areas.
- Shall not be assigned any other duties or responsibilities on the Project.
- Must Work under the direct supervision of the Design-Builder's Executive Management Team (EMT). The Design-Build Project Manager will report to the EMT.

B. Design Manager

- The Design Manager will be responsible for ensuring that the overall Project design is completed and design criteria requirements are met.
- The Design Manager shall Work under the direct supervision of the Design-Build Project Manager.
- Shall be a registered Professional Engineer and registered in the State of Colorado prior to the commencement of any design work on the Project.
- Shall have a minimum of ten years of recent experience in managing the design of projects involving major highway reconstruction and bridge structure construction under traffic in urban areas.
- Shall have the authority to stop construction Work if and when he/she knows or has reason to believe that any Work does not meet the standards, specification, or criteria established for the Project.
- Shall have Design-Build experience.
- Shall not be assigned any other duties or responsibilities on the Project.

C. Construction Manager

- The Construction Manager shall be onsite during all construction activities.
- Shall have a minimum of ten years of recent experience in managing the construction of projects involving major highway reconstruction and bridge structure construction under traffic in urban areas.
- The Construction Manager shall Work under the direct supervision of the Design-Build Project Manager.
- Shall not be assigned any other duties or responsibilities on the Project.
- Shall have the authority to stop construction Work if and when he/she knows or has reason to believe that any Work does not meet the standards, specification, or criteria established for the Project.



D. Design-Build Quality Manager

- Shall Work under the direct supervision of the Design-Builder’s Executive Management Team (to whom the Design-Build Project Manager reports to).
- Responsible for the Design-Builder’s quality program.
- The Design-Build Quality Manager shall be responsible for certifying on the monthly invoice that the construction has been completed in conformance to the stamped/sealed drawings, including stamped field revisions.
- Shall have the authority to stop any and all Work that does not meet the standards, specifications, or criteria established for the Project.
- Shall have recent experience developing, implementing, and overseeing quality programs on Design-Build projects.
- Shall be a registered Professional Engineer in the State of Colorado.

E. Additional Key Personnel

The Submitter is encouraged to add, in its sole discretion, additional Key Personnel in its SOQ. Additional Key Personnel that are proposed should provide added value to CDOT to meet and exceed the established Project Goals. The Proposer should identify the key strengths, relevant experience, and any certifications or professional registration that are associated with the position and this Project. For any Key Personnel added by the Submitter, the Submitter must include a resume and indicate the percent of each Key Personnel’s time that would be committed to the Project. Additional Key Personnel are subject to the substitution Approval requirements in Section 2.10. CDOT may add additional Key Personnel with minimum requirements in the RFP.

3.4 Project Understanding and Approach

Present your understanding of, and approach to providing a high quality, best value Project by meeting and exceeding the established Project Goals.

3.4.1 Project Technical Approach

Identify and describe, at a conceptual level, your understanding of Project’s critical technical issues and demonstrate your team’s approach to successful resolution of them.

3.4.2 Project Management Approach

Provide your understanding and management approach to successfully delivering the Project for the following items:

- Budget
- Schedule
- Design and Construction
- Quality



- Safety
- Approach to Resolving Project Disputes and Partnering
- Approach to Coordinating with E-470 for Installation of Tolling and ITS Equipment
- Public Information
- Disadvantaged Business Enterprise/Equal Employment Opportunity (DBE/EEO)

3.5 Legal and Financial

The information required in response to Section 3.5 shall be submitted as Appendix B and titled *Legal and Financial*. Information provided in response to Section 3.5 shall not count towards the overall page limitation defined in Section 4.2.

3.5.1 Acknowledgment of Clarifications and Addenda

Identify all clarifications and addenda received by number and date by completing Form D (attached).

3.5.2 Organizational Conflicts of Interest

Identify all relevant facts relating to past, present, or planned interest(s) of the Submitter's team (including the Submitter, Major Participants, proposed consultants, contractors and subcontractors, and their respective chief executives, directors, and key project personnel) which may result, or could be viewed as, an organizational conflict of interest in connection with this RFQ. See Section 2.8 and Section 2.9.

Disclose: (a) any current contractual relationships with CDOT (by identifying the CDOT contract number and the CDOT Project Engineer); (b) present or planned contractual or employment relationships with any current CDOT employee; and (c) any other circumstances that might be considered to create a financial interest in the Contract by any current CDOT employee, if the Submitter is awarded the Contract. The Submitter must also disclose any current contractual relationships with those firms listed in Section 2.8. The foregoing is provided by way of example, and shall not constitute a limitation on the disclosure obligations.

For any fact, relationship, or circumstance disclosed in response to this Section 3.5.2, identify steps that have been or will be taken to avoid, neutralize, or mitigate any organizational conflicts of interest.

In cases where Major Participants on different Submitter organizations belong to the same parent company, each Submitter must describe how the participants would avoid conflicts of interest through the qualification and Proposal phases of the Project.

3.5.3 Legal Structure

If the Submitter organization has already been formed, provide complete copies of the organizational documents that allow, or would allow by the time of Contract award, the



Submitter and Major Participants to conduct business in the State of Colorado. If the Submitter organization has not yet been formed, provide a brief description of the proposed legal structure or draft copies of the underlying agreements if available.

3.5.4 Bonding Capability

Provide a letter from a surety or insurance company stating that the Submitter is capable of obtaining a Performance Bond and Payment Bond covering the Project in the amount of \$212 million each. Letters indicating “unlimited” bonding capability are not acceptable. The surety or insurance company providing such letter must be licensed as surety and qualified to do business in the State of Colorado.

3.5.5 Submitter Information

For the Submitter (if the Submitter organization is not yet existing or newly formed, please explain), each Major Participant, and any affiliate of the Submitter or a Major Participant (including the company’s parent company, subsidiary companies, and any other subsidiary or affiliate of the company’s parent company), whose experience is cited as the basis for the company’s qualifications shall:

1. Describe the conditions surrounding any contract (or portion thereof) entered into by the company that has been terminated for cause, or which required completion by another party, within the last five years. Describe the reasons for termination and the amounts involved.
2. Describe any debarment or suspension from performing Work for the federal government, any state or local government, or any foreign governmental entity against the company.
3. For each description (1. and 2. above), identify the project owner’s representative and current phone number. Indicate “None” to any subsection above that does not apply.
4. Each Major Participant must be prequalified to perform Work in the State of Colorado. Each Major Participant must complete Form E (attached).

3.5.6 SOQ Forms

The information required in response to Section 3.5.6 shall be submitted as Appendix C and titled Forms A-C. Information provided in response to Section 3.5.6 shall not count towards the overall page limitation defined in Section 4.2.

4.0 SOQ SUBMITTAL REQUIREMENTS

The following section describes requirements that all Submitters must satisfy in submitting SOQs. Failure of any Submitter to submit their SOQ as required in this RFQ, may result in rejection of its SOQ.



4.1 Due Date, Time, and Location

All SOQs must be sent by registered mail, Federal Express, UPS or a similar delivery method that furnishes proof of having been **received by CDOT no later than 4:00 p.m., Mountain Standard Time**, on the SOQ due date indicated in Section 2.4. Faxed or e-mailed SOQs will not be accepted or considered for this Project. **SOQs must be delivered to:**

Mr. Jerome Estes, PE
C-470 Express Lanes Project Director
CDOT Region 1, South Engineering Section
2000 South Holly Street
Denver, CO 80222

Proposals will be received at the South Holly reception desk and a receipt will be issued acknowledging delivery.

Any SOQ that fails to meet the deadline or delivery requirement will be rejected without opening, consideration, or evaluation.

4.2 Format

The SOQ shall not exceed 30 single-sided pages, or 15 double-sided pages. Confidential information pursuant to Section 3.0 shall be clearly marked as CONFIDENTIAL INFORMATION. Except for charts, exhibits, and other illustrative and graphical information, all information must be printed on 8.5” by 11” paper. Charts, exhibits, and other illustrative and graphical information may be on 11” by 17” paper, but must be folded to 8.5” by 11”, which will be counted as one sheet and must be limited to eight (8) sheets. All printing, except for the front cover of the SOQ and resumes, must be Arial 11-point or Times New Roman 12-point font. A 10-point font may be utilized on graphical presentations. All dimensional information must be shown in English units.

The front cover of each SOQ must be labeled with “C-470 Tolled Express Lanes Segment 1 Design-Build Project” and “Statement of Qualifications” along with the date of the submittal.

The following outline provides the organization of the submittal requirements and whether they are included or not included in the total submittal page limits as identified in Section 4.2:

- Introduction (is not included in page limit)
- Submitter Experience (any submitter experience information provided in addition to the Form Cs is included in the page count)
- Organization and Key Personnel (is included in page limit)
- Project Understanding and Approach (is included in page limit)
- Appendix A – Resumes of Key Personnel (is not included in page limit)
- Appendix B – Legal and Financial (is not included in page limit)
- Appendix C – Forms A, B and C (is not included in page limit)



4.3 Submittal Quantities

Each Submitter must provide CDOT with twelve (12) bound copies of the SOQ information. Each copy must be identified on its front cover, in the upper right-hand corner, as “Copy_of 12 Copies”. In addition to the twelve (12) bound copies, each Submitter shall provide one (1) signed and dated “original” bound copy of the SOQ information. The “original” designation with a signature and date shall be identified on the front cover, in the upper right-hand corner.

All binders must be packed together in one sealed package for delivery to CDOT. The outside of the sealed package must be clearly identified, labeled, and addressed as follows:

1. Return address: Submitter’s name, single point of contact person’s name, mailing address
2. Date of submittal
3. Contents labeled as “C-470 Tolloed Express Lanes Segment 1 Design-Build” and “Statement of Qualifications”
4. Recipient (CDOT) as specified in Section 4.1



5.0 EVALUATION PROCESS

5.1 SOQ Evaluation

CDOT will initially review the SOQs for responsiveness to the requirements of this RFQ. The information in the SOQ will then be measured against the evaluation criteria stated in Section 5.3.

5.2 Interview

CDOT reserves the right to conduct interviews with all potential Submitters prior to development of a short-list. CDOT may conduct these interviews during its evaluation of the overall SOQ submittal process and scoring. If elected by CDOT, CDOT will determine the schedule for interviews following receipt of the SOQs.

5.3 SOQ Evaluation and Scoring

CDOT will evaluate all responsive SOQs and measure each Submitter's response against the criteria set forth in this RFQ, resulting in a numerical score for each SOQ. CDOT will use the following criteria and weightings; totaling 100 points:

5.3.1 Submitter Experience (35 Points):

The potential for the Submitter to provide a high quality, best value Project by meeting and exceeding the established Project Goals, as demonstrated by its experience and qualifications.

- Experience with Tolling and ITS infrastructure
- Experience on major highway and interchange reconstruction under traffic in urban areas
- Experience in bridge structure construction under traffic in urban areas
- Experience with construction/reconstruction using innovative designs, methods, and materials
- Experience with accelerated construction schedules
- Experience with Design-Build delivery
- Experience with Quality Management
- Experience with Public Information
- Involvement of proposed Key Personnel in listed project experience
- Owner/client references
- Contractor Safety Statistics

5.3.2 Organization and Key Personnel (25 Points):

The potential for the Submitter to provide a high quality, best value Project by meeting and exceeding the established Project Goals, as demonstrated by its Organization and Key Personnel.

- Functional structure of the organization
- Team members relevant experience, qualifications, and commitment to the Project



- Commitment and conformance to registration requirements

5.3.3 Project Understanding and Approach (40 Points):

The potential for the Submitter to provide a high quality, best value project by meeting and exceeding the established Project Goals, as demonstrated by its Project Understanding and Approach.

5.3.3.1 Project Technical Approach (25 Points):

Identification and description, at a conceptual level, of understanding of the Project and its critical technical issues, and demonstration of an approach to the successful resolution of them.

5.3.3.2 Project Management Approach (15 Points):

Understanding of, and the management approach to, successfully deliver the Project for the following items:

- Budget
- Schedule
- Design and Construction
- Quality
- Safety
- Approach to Resolving Project Disputes and Partnering
- Approach to Coordinating with E-470 for Installation of Tolling and ITS Equipment
- Public Information
- Underutilized Disadvantaged Business Enterprise/Equal Employment Opportunity (UDBE/EEO)

5.4 Determining Short-Listed Submitters

CDOT will total the scores for each responsive SOQ and prepare a ranked list of Submitters. **CDOT will short-list not more than three (3) most highly qualified Submitters.** In the event two or more Submitters are tied for the ranking of three (3), oral interviews shall be held to distinguish between the tied Submitters and determine the third most highly qualified Submitter.

CDOT reserves the right, in its sole discretion, to cancel this RFQ, issue a new RFQ, reject any or all SOQs, seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to this RFQ, seek and receive clarifications to a SOQ and waive any deficiencies, irregularities, or technicalities in considering and evaluating the SOQs.

This RFQ does not commit CDOT to enter into a Contract or proceed with the procurement of the Project. 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 RFQ. All such costs shall be borne solely by each Submitter.



5.5 Notification of Short-Listing

Upon completion of the evaluation, scoring, and short-listing process, CDOT will send the record of short-listed Submitters (if any) to all Submitters. CDOT will also publish the list on its project website at <https://www.codot.gov/projects/c470ExpressLanes>

5.6 Debriefing Meetings

Once CDOT announces the short-list (if any), CDOT will meet with any of the Submitter organizations requesting to be debriefed. These debriefing meetings would give Submitters and CDOT an informal setting to discuss this RFQ and the short-listing process.



6.0 PROCUREMENT PHASE 2

This Section 6.0 is provided for informational purposes only so that each Submitter has information that describes the second phase of the project procurement process, including a summary of certain anticipated RFP requirements. CDOT reserves the right to make changes to the following, and the short-listed Submitters must only rely on the actual RFP when and if it is issued. This Section 6.0 does not contain requirements related to the SOQ. CDOT expects to conduct an industry review of a draft RFP with the short-listed Submitters before it issues the RFP.

6.1 Requests for Proposals

The Submitters remaining on the short-list following Phase 1 of the procurement process will be eligible to move to Phase 2 and receive an RFP. While CDOT may make the RFP available to the public for informational purposes, only short-listed submitters will be allowed to submit a response to the RFP.

6.2 RFP Content

6.2.1 RFP Structure

The RFP will be structured as follows:

- A. Instructions to Proposers
- B. Contract Documents
 - Book 1 (Contract Terms and Conditions)
 - Book 2 (Technical Requirements)
 - Book 3 (Applicable Standards)
 - Book 4 (Contract Drawings)
 - Reference Documents (For information only)

6.2.2 RFP Information

The RFP will include the following information:

- A. Maximum time allowable for design and construction
- B. CDOT's GMP for the Project
- C. Requirements for a proposed schedule of Work
- D. Requirements for submitting Alternative Technical Concepts (ATCs)
- E. A requirement that if the Proposer is a joint venture, each of the joint venture members will be, if awarded the Design-Build Contract for the Project, be jointly and severally liable for performance of the Contractor's obligations under the contract
- F. Additional Requested Elements (ARE's) – to be determined



6.3 Alternative Technical Concept Meetings

CDOT will encourage the Proposers to recommend alternatives to the requirements that are equal to or better in quality or effect (as determined by CDOT in its sole discretion). CDOT will offer each short-listed Proposer the opportunity to meet before the Proposal due date to discuss Alternative Technical Concepts (ATCs). Proposers will not be required to accept the meeting(s) offered.

6.4 Proposals Submitted in Response to the RFP

Short-listed Proposers that choose to continue in the procurement process must submit a two-part Proposal. One part is the technical proposal. The second part is the price proposal. The RFP will specifically define formats and page limits for the Proposal packaging and all Proposal contents.

6.5 Proposal Evaluations

CDOT has determined that award of the Project will be based on a “best value” determination under C.R.S. Sections 43-1-1401 through 43-1-1412.

6.6 Stipends

CDOT will award a stipend to each short-listed, responsible Proposers that provides a responsive but unsuccessful Proposal. The amount of such stipends, and their terms and conditions, will be stated in the RFP.

No stipends will be paid for submitting SOQs.

In consideration for paying the stipend, CDOT may use any ideas or information contained in the Proposals in connection with any Contract Awarded for the Project, or in connection with a subsequent procurement, without any obligation to pay any additional compensation to the unsuccessful short-listed Proposers.

CDOT will pay the stipend to each eligible Proposer within 90 days after the award of the Contract or the decision not to award a Contract.

7.0 PROTEST PROCEDURES

7.1 Protests Regarding RFQ

Any protests regarding the SOQ shall be hand delivered to the Project Director identified in Section 2.5 of this RFQ within seven (7) Working days after the Submitter knows or should have known of the facts giving rise to the basis for the protest. The Submitter is responsible for obtaining proof of delivery.

No hearing will be held on the protest, but the CDOT Chief Engineer or his/her designee shall decide it on the basis of the written submissions. Any additional information regarding the protest should be submitted within the time period requested in order to expedite resolution of the protest. If any party fails to comply expeditiously with any request for information by the CDOT Chief Engineer or his/her designee, the protest may be resolved without such information.



The CDOT Chief Engineer or his/her designee will issue a written decision regarding the protest within seven (7) Working days after the protest is filed. The decision shall be based on and limited to a review of the issues raised by the aggrieved Submitter(s) and shall set forth each factor taken into account in reaching the decision. The CDOT Chief Engineer's decision is final and the protestor has no right of appeal. No stay of procurement will become effective.

FORM A

SUBMITTER and MAJOR PARTICIPANT INFORMATION

Submitter: or Major Participant: (check appropriate box)

Company Name of Submitter/Major Participant (as indicated above):

Year Established: _____ Federal Tax ID No.: _____

Name of Official Representative: _____

Contact Person: _____

Address: _____

Telephone No.: _____ Fax No.: _____

E-mail address: _____

Business Organization (check one):

Corporation (If yes, indicate the State and Year of Incorporation):

Partnership

Joint Venture

Other (describe): _____

A. Business Name: _____

B. Business Address: _____

Headquarters: _____

Office Performing Work: _____

Contact Telephone Number: _____

C. Bonding Capacity:

Total: _____ Available: _____

[Note: Bonding Capacity does not apply to Major Participants that are Designers.]

FORM A (cont.)
SUBMITTER and MAJOR PARTICIPANT INFORMATION

D. If the entity is a Joint Venture or Partnership, indicate the name and role of each member company in the space below. Complete a separate Contractor Information form for each member company and attach it to the SOQ. Also indicate the name and role of each other financially liable party and attach a separate form.

| Name of Member Company | Role | Financial Liability |
|------------------------|------|---------------------|
|------------------------|------|---------------------|

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

UNDER PENALTY OF PERJURY, I CERTIFY THAT I AM THE COMPANY'S OFFICIAL REPRESENTATIVE AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, FOLLOWING REASONABLE INQUIRY; THE FOREGOING IS TRUE AND CORRECT.

BY: _____
(SIGNATURE)

PRINT NAME: _____

TITLE: _____

DATE: _____

[Please make additional copies of this form as needed].

FORM B

CONTRACTOR SAFETY STATISTICS

Contractor's Name: _____

| Year | Incident Rate | Lost Work Day Index | Cost of Accident per Employee | Experience Modification Rating | No. of Fatalities | No. of Lost Work Days | No. of Recordable Injuries |
|------|---------------|---------------------|-------------------------------|--------------------------------|-------------------|-----------------------|----------------------------|
| 2014 | | | | | | | |
| 2013 | | | | | | | |
| 2012 | | | | | | | |

$$\text{Incident Rate} = \frac{(\text{Number of Injuries and Illnesses}) \times 200,000}{\text{Total Hours Worked}}$$

$$\text{Lost Work Day Index} = \frac{(\text{Number of Lost Work Days}) \times 200,000}{\text{Total Hours Worked}}$$

$$\text{Cost of Accident per Employee} = \frac{\text{Total Cost of Accidents}}{\text{Average Number of Employees}}$$

$$\text{Experience Modification Rating} = \frac{\text{Actual Claims per Year}}{\text{Expected Claims Based on Past 3 Year Trending}}$$

UNDER PENALTY OF PERJURY, I CERTIFY THAT I AM THE COMPANY'S OFFICIAL REPRESENTATIVE AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, FOLLOWING REASONABLE INQUIRY; THE FOREGOING IS TRUE AND CORRECT.

BY: _____ PRINT NAME: _____
(SIGNATURE)

TITLE: _____ DATE: _____

[Please make additional copies of this form and additional sheets as needed].

FORM C

SUMMARY OF COMPARABLE CONTRACTS IN PAST TEN (10) YEARS

| | |
|---|--|
| 1. Company Name: Submitter: <input type="checkbox"/> or Major Participant: <input type="checkbox"/> (check appropriate box) | 2. Name of Project: |
| 3. Owner Contract No. or State Project No. | 4. Type: <input type="checkbox"/> Construction <input type="checkbox"/> Design-Build <input type="checkbox"/> Design |
| 5. Name of Prime Designer/Contractor: | 6. Company Role: (Joint venture partner, subcontractor, etc.) |
| 7. Owner (Name): _____ Project Manager (Name) _____ : _____ Provide the following information for the Project Manager listed above: Address: _____ Phone: _____ Fax: _____ Email: _____ | 8. Original Project Contract Amount: \$ _____ Final Project Contract Amount: \$ _____ Percent of Work Performed by Own Forces (%): _____ |
| 9. Original Project Schedule Milestones: _____ Final Project Schedule Milestones: _____ | |
| 10. Description of any project claims, dispute proceedings, litigation and arbitration proceedings: | |
| 11. Description of the assessment of any liquidated damages including the causes of the delays and the amounts assessed: | |
| 10. Project Description and Nature of Work Performed by Submitter/Major Participant: | |

[Please make additional copies of this form as needed.]
[Form C may continue onto a page 2.]

FORM D

SUBMITTER'S RECEIPT OF ADDENDA/CLARIFICATIONS

Submitter's Name: _____

The undersigned acknowledges receipt of the addenda to the RFQ as indicated below.

ADDENDA

| | | | |
|----------------------------|-------|-------|-------|
| Addendum/Clarification No. | _____ | Dated | _____ |
| Addendum/Clarification No. | _____ | Dated | _____ |
| Addendum/Clarification No. | _____ | Dated | _____ |
| Addendum/Clarification No. | _____ | Dated | _____ |
| Addendum/Clarification No. | _____ | Dated | _____ |

FAILURE TO ACKNOWLEDGE RECEIPT OF ALL ADDENDA MAY CAUSE THE SOQ TO BE CONSIDERED NON-RESPONSIVE TO THE SOLICITATION. ACKNOWLEDGED RECEIPT OF EACH ADDENDUM MUST BE CLEARLY ESTABLISHED AND INCLUDED WITH RESPONSE TO THE RFQ.

*BY: _____ PRINT NAME: _____
(SIGNATURE)

TITLE: _____ DATE: _____

*Authorized representative of Submitter or Joint Venture members. If Submitter is not yet a legal authority, the Major Participants must sign Form D.

[Please make additional copies of this form as needed].

FORM E

CERTIFICATE OF PREQUALIFICATION

UNDER PENALTY OF PERJURY, I CERTIFY THAT I AM THE OFFICIAL REPRESENTATIVE OF

_____ [COMPANY NAME], AND THAT

_____ [COMPANY NAME] IS CURRENTLY
PREQUALIFIED TO PERFORM WORK FOR CDOT.

BY: _____
(SIGNATURE)

PRINT NAME: _____

TITLE: _____

DATE: _____

[Please make additional copies of this form as needed].