

COLORADO DEPARTMENT OF TRANSPORTATION REGION 1

REQUEST FOR QUALIFICATIONS

Eisenhower/Johnson Memorial Tunnel Fixed Fire Suppression System Project No. C 0703-360 Subaccount Number 17810 September 19, 2013

STATEMENTS OF QUALIFICATIONS DUE: November 19, 2013

Colorado Department of Transportation – Region 1
REQUEST FOR QUALIFICATIONS
EISENHOWER/JOHNSON MEMORIAL TUNNEL FIXED FIRE SUPPRESSION SYSTEM
PROJECT NO. C 0703-360; SUBACCOUNT 17810
SEPTEMBER 19, 2013



TABLE OF CONTENTS

1.0	Intro	duction	. 1
1.1	Pro	ocurement Process	. 1
1.2	Pro	oject Values and Goals	. 1
1.3	Su	bmitter Information	. 1
2.0	Back	ground Information and the RFQ Process	. 2
2.1	Pro	oject Description; Scope of Work	. 2
2.2	Est	timated Cost/Maximum Time Allowed	. 2
2.3	Pro	oject Schedule	. 2
2.4	CI	OOT Project Management: Ex Parte Communications	. 3
2.5	Qu	nestions and Clarifications: Addenda	. 3
2.6	Ma	ajor Participant	. 4
2.7	Ine	eligible Firms	. 4
2.8	Or	ganizational Conflicts of Interest	. 4
2.9	Ch	nanges to Organizational Structure	. 6
2.10)]	Past Performances or Experience	. 6
2.11	.]	Equal Employment Opportunity	. 6
2.12	2 5	Small and Disadvantaged Business Enterprises	. 6
2.13	3]	Emerging Small Business Program	.7
2.14	. (CDOT On-the-Job Training Program	.7
3.0	Cont	ent of SOQs and Confidentiality	.7
3.1	Int	roduction	.7
3.2	Su	bmitter Experience	. 8
3	.2.1	Submitter Experience	. 8
3	.2.2	Contractor Safety Statistics	. 8
3	.2.3	Contractor Projected Workload	. 8
3.3	Or	ganization of Key Personnel	.9
3	.3.1	Organizational Chart(s)	.9
3	.3.2	Resumés of Key Personnel	.9
3	.3.3	Minimum Requirements of Key Personnel	.9
3.4	Pro	oject Understanding and Approach	12
3.5	Pro	oject Management Approach	12
3.6	Le	gal	12
3	.6.1	Acknowledgement of Clarifications and Addenda	12

Colorado Department of Transportation – Region 1 REQUEST FOR QUALIFICATIONS EISENHOWER/JOHNSON MEMORIAL TUNNEL FIXED FIRE SUPPRESSION SYSTEM PROJECT NO. C 0703-360; SUBACCOUNT 17810 SEPTEMBER 19, 2013



3	.6.2 Organizational Conflicts of Interest	13
3	.6.3 Legal Structure	13
3	.6.4 Bonding Capability	13
3	.6.5 Submitter Information	13
3.7	Background Check	14
4.0	SOQ Submittal Requirements	14
4.1	Due Date, Time and Location	14
4.2	Format/Quantities	14
4.3	Quantity of Submittals	15
5.0	Evaluation Process	15
5.1	SOQ Evaluation	15
5.2	Interview	15
5.3	SOQ Evaluation and Scoring.	15
5.4	Determining Short Listed Submitters	16
5.5	Notification of Short Listing	16
5.6	Debriefing Meetings	16
6.0	Procurement Phase 2	17
6.1	Request for Proposals	17
6.2	RFP Content	17
6	2.1 RFP Structure	17
6	2.2.2 RFP Information	17
6.3	Alternative Configuration Concepts	17
6.4	Alternative Configuration Concepts and Alternative Technical Concept Meetings	17
6.5	Proposals Submitted in Response to the RFP	18
6.6	Proposal Evaluations	18
6.7	Stipends	18
7.0	Protest Procedures	18
7.1	Protests Regarding RFQ	18
Form .	A – Submitter and Major Participant Information	A-1
Form 1	B – Summary of Comparable Contracts in Past Ten (10) Years	B-1
Form	C – Contractor Safety Statistics	C-1
	D – Submitter's Receipt for Addenda/Clarifications	
	E – Certificate of Prequalification	
Form 1	F – Background Check Application	F-1

1.0 Introduction

The Colorado Department of Transportation (CDOT), Region 1, is requesting Statement of Qualifications (SOQ) from entities ("Submitters") interested in submitting Proposals for the Eisenhower/Johnson Memorial Tunnel Fixed Fire Suppression System Design Build Project (the "Project"). The Project will be funded with state and federal-aid dollars, including \$10 million in TIGER V grant funding. Due to the variety of funding sources, Submitters shall adhere to all pertinent 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 at least three (if any) but not more than five most highly qualified Submitters that submit SOQs.

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, to be determined as described in the RFP.

CDOT may, at its election, implement an Owner Controlled Insurance Program (OCIP) for this project. Lines of insurance coverage may include any or all of the following: Workers Compensation, Commercial General and Excess/Umbrella Liability, Contractors Pollution Liability, Builders Risk and/or Professional Liability. CDOT reserves the right to determine who participates in the OCIP.

1.2 Project Values and Goals

The following values have been determined as critical for the successful completion of the Project:

- Safety
- Ouality
- Management/Teamwork

The following goals have been established for the Project:

- Provide a system with the greatest flexibility in suppressing different fires
- Maintain compatibility with existing tunnel operations and minimize complications with future maintenance
- Maximize safety of workers and traveling public
- Minimize project delivery time

1.3 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 Manager, as described in <u>Section 2.4</u>, 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.

2.0 Background Information and the RFQ Process

Motorists driving through the Eisenhower/Johnson Memorial Tunnel (EJMT) see only the finished interior dimensions of 16 feet high by 30 feet wide, but beyond that interior is a rock bore measuring nearly 50 feet high, 40 feet wide and 8,941 feet in length and houses the tunnel operations. The "nerve center" of the tunnel complex is the control room, which is equipped with monitors and can control all the cameras positioned throughout the tunnel. The control room is staffed 24 hours a day, 365 days a year. The complex also contains a state-of-the-art ventilation system. Nearly two-thirds of the total excavated area of the complex is occupied by the ventilation ducts, including 28 massive fans which remove carbon monoxide from the tunnels. The EJMT also has its own fire department (including three fire engines and a 120,000-gallon water supply tank outside the tunnel) to respond to fires and other incidents in the tunnel or on the approaches. The complex is also home to 52 maintenance employees.

2.1 Project Description; Scope of Work

The Colorado Department of Transportation (CDOT), in cooperation with the Federal Highway Administration (FHWA), is seeking a non-programmatic Categorical Exclusion (CE) for this Project.

The purpose of this Project is to install a Fixed Fire Suppression System (FFSS) within the EJMT capable of suppressing a 200 megawatt (MW) fire for one hour. Two distinct fire types of concern in highway tunnels are shielded heavy goods fires and flammable liquid fires. The Project will install the FFSS in both bores of the tunnel, as well as provide a water collection/treatment system to protect water quality in the surrounding area. The system shall be designed to suppress the fire intensity allowing on-site fire crews access to extinguish the fire; the FFSS is not intended to extinguish all fires.

The EJMT provides access for both tourism and commercial products with approximately 30,000 vehicles per day, with no off season. Therefore, in order to provide a safe route for this traffic while the installation is being completed, coordination with the tunnel operators is crucial.

2.2 Estimated Cost/Maximum Time Allowed

The Design Build Contract value is currently estimated between \$20 million and \$25 million. The Project is to be completed by Fall 2016. All work required to construct the Project shall be completed as identified in the Request for Proposals.

2.3 Project Schedule

The deadline for submitting written RFQ inquiries and the SOQ due date are stated below. All inquiries must be submitted as identified in Section 2.5. 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. Identification of the Submitter shall not be disclosed. Responses by CDOT to these inquiries shall be posted electronically on the Project website. CDOT will respond to all inquiries in writing. CDOT will not respond to inquiries which fail to follow this process. Acceptance or response will not be given to any verbal inquiries.

CDOT anticipates the following Project milestone dates. This schedule is subject to revision by the RFP and addenda to this RFQ.

Release Request for Qualifications September 19, 2013 Tunnel Tour Option 1 October 2, 2013 Tunnel Tour Option 2 October 30, 2013 Deadlines for Industry Inquiries to RFQ November 8, 2013 CDOT Response to Industry Inquiries November 15, 2013 Statements of Qualification Deadline November 19,2013 Announce Short List December 9, 2013 Release Draft Request for Proposals December 16, 2013 **Industry Review End** January 31, 2014 Release Final Request for Proposals February 21, 2014 Proposal Deadline April 4, 2014 Recommend Selected Firms May 9, 2014 Award Design Build Contract June 13, 2014 Anticipated Notice to Proceed July 25, 2014 **Project Complete** Fall 2016

2.4 CDOT Project Management: Ex Parte Communications

Raelene Shelly is the CDOT Project Manager, and 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 email on or before the date specified in Section 2.3.

Email inquiries shall be sent to: dot_eisenhowerfiresystem@state.co.us and shall include the wording "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 this procurement with any member of CDOT, the Federal Highway Administration or their advisors, or any of their contractors or consultants involved with the procurement, except for communications expressly permitted by this RFQ (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 Manager.

2.5 Questions and Clarifications: Addenda

Questions and requests for clarification regarding this RFQ must be submitted to CDOT's Project Manager, as described in <u>Section 2.4</u>. To be considered, all questions and requests must be **received by 4:00 pm**, **Mountain Time**, on the date indicated in <u>Section 2.3</u>.

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 and requests for clarification and issuing addenda:

- All questions and requests for clarification received via email 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 email. 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.

2.6 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 sub-consultant 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.

2.7 Ineligible Firms

CDOT has retained Parsons as the consulting firm to provide guidance in preparing and evaluating this RFQ and the RFP, and advice on related contractual and technical matters. As such, Parsons is 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 Manager identified in <u>Section 2.4</u> of this RFQ.

2.8 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

- 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 sub-consultant 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 sub-consultants 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 sub-consultant 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 sub-consultant 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 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.
- (c) If the NEPA process has been completed prior to issuing the RFP, the contracting agency may allow a consultant or sub-consultant who prepared the NEPA document to submit a proposal in response to the RFP.
- (d) If the NEPA process has not been completed prior to issuing the RFP, the contracting agency may allow a sub-consultant to the preparer of the NEPA document to participate as an offeror or join a team submitting a proposal in response to the RFP only if the contracting agency releases such subconsultant from further responsibilities with respect to the preparation of the NEPA document.

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 <u>Section 2.7</u>; the consulting firm Parsons. 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.

2.9 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 to 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 Manager as described in Section 2.4.

2.10 Past Performances or Experience

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

2.11 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, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age. The Submitter will be required to follow Federal Equal Employment Opportunity (EEO) policies.

2.12 Small and Disadvantaged Business Enterprises

All proposers are required to provide Colorado Disadvantaged Business Enterprises (DBE) the opportunity to compete fairly for contracting opportunities on the 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. The goal will be based upon subcontracting opportunities within the Contract and ready, willing and able DBEs to perform such work. The goal will be set forth in the RFP. 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 Unified Certification Program DBE Directory at www.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 specific requirements of the DBE program will be provided in the RFP and Contract.

2.13 Emerging Small Business Program

CDOT encourages the Contractor to consider opportunities for Emerging Small Businesses (ESB) at this preliminary stage. A list of current ESBs and their certified work areas can be found on the CDOT website at www.coloradodot.info/business/equal-opportunity/emerging-small-business-program.

2.14 CDOT On-the-Job Training 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. The SOQ must follow the outline provided in this section. Submitters shall provide 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, fax number, and email address. CDOT will send all Project-related communications to this contact person during the procurement process. Authorized representatives of the Submitter organization must sign Form A. If the Submitter is a joint venture, all joint venture members must sign Form A. If the Submitter is not yet a legal entity, the Major Participants 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 toward the overall page limitation defined in Section 4.2.

3.2 Submitter Experience

CDOT will evaluate the capabilities of the Submitter organization to effectively meet the Project Goals.

3.2.1 Submitter Experience

Describe the experience, up to a maximum of four projects, of which, one shall be a Design Build or other alternative contracting project, that the Submitter and each Major Participant has managed, designed, and/or constructed by completing Form B (attached). For the projects in which several of the proposed Major Participants were involved, the Submitter may provide a single project description. Highlight experience relevant to this Project that the Submitter/Major Participants have gained in the last ten years. Cite projects of similar size and scope to that anticipated for this Project. Describe experiences in each of the following areas that apply to this Project:

- 1. Underground construction and installation of fire suppression systems;
- 2. Construction/reconstruction using innovative designs, methods, and materials;
- 3. Design and construction activity integration under alternative contracting;
- 4. Environmental compliance; and
- 5. Full completion of the project on or ahead of schedule.

Each project description must include the following information:

- o Name of the project and either the Owner's contract number or project number;
- Owner's name, Owner's Project Manager's name, address, and current email, telephone and fax numbers;
- Description of original and final project schedule milestones including milestones for design and construction;
- o Description of the work or services provided and percentage of the work actually performed; and
- o Description of original and final completed project contract amount.

Information provided in response to this section, including submittal of Form B, shall not count toward the overall page limitation defined in <u>Section 4.2</u>.

3.2.2 Contractor Safety Statistics

Provide the general partners or joint venture members (contractors only) safety statistics for the last three years by completing Form C (attached). Information provided in response to this section shall not count toward the overall page limitation defined in <u>Section 4.2</u>.

3.2.3 Contractor Projected Workload

In addition to the Submitter Experience requirements listed above, also provide a brief statement of current and projected workloads, including work previously awarded to the firm.

3.3 Organization of Key Personnel

3.3.1 Organizational Chart(s)

Provide the 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 and/or the construction superintendent level and must identify Key Personnel by name. Indicate the anticipated 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, project administration, construction management, quality control/quality assurance, safety, environmental compliance, and subcontractor administration. For each organizational chart(s), provide a brief, written description of significant functional relationships among participants and how the proposed organization will function as an integrated Design Build team. Information provided in response to this section shall count toward the overall page limitation defined in Section 4.2.

3.3.2 Resumés of Key Personnel

Resumés of Key Personnel shall be submitted as "Appendix A" and titled "<u>Resumés of Key Personnel.</u>" Resumés of Key Personnel shall be limited to one page each. If an individual fills more than one position, only one resumé is required. The listing below describes the minimum qualifications for Key Personnel of the Project. Personnel who staff these key functions listed below shall be identified in the required organizational chart(s) (as described in <u>Section 3.3.1</u>).

- 1. Design Build Project Manager
- 2. Design Manager
- 3. Construction Manager
- 4. Tunnel Design Manager
- 5. Fire Suppression System Design Manager
- 6. Design Build Quality Manager
- 7. Environmental Compliance Manager

Include the following items on each resumé:

- o Relevant licensing and registration, including registration as required in the State of Colorado.
- Years of experience performing similar work.
- o Title, roles, and responsibilities on any of the projects listed in response to Section 3.2.1.
- o List a minimum of three personal or professional references for each Key Personnel.

Information provided in response to this section shall not count toward the overall page limitation defined in Section 4.2.

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 requirements of the RFQ shall be in place by the time of Notice to Proceed (NTP). 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 Project.

1. Design Build Project Manager

- The Design Build Project Manager shall be responsible for overall design, construction, quality control, and 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 on-site for the duration of the Project construction.
- o Shall have at least five years of recent experience managing projects involving interstate highway, or underground, or industrial construction, or rehabilitation.
- o Shall have alternative contracting experience.
- o 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.

2. Design Manager

- o 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.
- The Design 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.
- o Shall be a registered Licensed Professional Engineer in the State of Colorado.
- o Shall have at least five years of recent experience managing the design of projects involving interstate highway, or underground, or industrial construction, or rehabilitation.
- 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.
- o Shall have alternative contracting experience.

3. Construction Manager

- o The Construction Manager shall be on site during all construction activities.
- Shall have a minimum of five years of recent experience in managing the construction of projects involving interstate highway, or underground, or industrial construction, or rehabilitation.
- The Construction Manager shall work under the direct supervision of the Design Build Project Manager.
- o 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.
- o Should have alternative contracting experience.
- Shall ensure all work is constructed in compliance with Project standards, specifications, or criteria established for the Project.

4. Tunnel Design Manager

- The Tunnel Design Manager will be responsible for ensuring that the fixed fire suppression system is properly integrated with the existing tunnel structure and systems and design criteria requirements are met.
- o The Tunnel Design Manager shall work under the direct supervision of the Design Manager.
- o Shall be a registered Licensed Professional Engineer in the State of Colorado.
- O Shall have at least five years of recent experience managing the structural and/or systems design of projects involving interstate highway, or underground construction, or rehabilitation.
- 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.
- o Should have alternative contracting experience.

5. Fire Suppression System Design Manager

- The Fire Suppression System Design Manager will be responsible for ensuring that the overall fixed fire suppression system design is completed and design criteria requirements are met.
- The Fire Suppression System Design Manager shall work under the direct supervision of the Design Manager.
- o Shall be a registered Licensed Professional Engineer in the State of Colorado.
- o Shall be certified with the Colorado Division of Fire Prevention and Control.
- Shall have at least five years of recent experience managing the design of fire suppression systems.
- 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.

6. 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).
- Responsible for the Design Builder's quality program, quality personnel, quality planning, ensuring that quality assurance activities are independent of production, enforcement of quality system procedures, development of the quality program objectives, implementation of the quality program objectives, total system quality and management, quality records, quality documentation, review of the Quality Management Plan, and approval of the Quality Management Plan prior to submittal to CDOT.
- Shall have the authority to stop any and all work that does not meet the standards, specifications, or criteria established for the Project.
- o Should have alternative contracting experience.
- Shall have a minimum of five years of recent experience developing, implementing, and overseeing quality programs.

7. Environmental Compliance Manager

- The Environmental Compliance Manager shall work under the direct supervision of the Design Build Project Manager.
- Shall have at least five years of recent experience in regulatory compliance and environmental documentation.
- o Responsible to ensure the Contractor complies with all mitigation requirements of the Project.
- Responsible to ensure the Contractor develops, implements, maintains, and documents best management practices for the Project and is in compliance with permit application requirements.
- 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.

8. Additional Key Personnel

- o The submitter may, in its sole discretion, add additional Key Personnel in its SOQ.
- For any Key Personnel added by the Submitter, the Submitter must include the minimum qualifications of the individual and a resume. Additional Key personnel are subject to the substitution approval requirements in <u>Section 2.9</u>.
- o CDOT may add additional Key Personnel with minimum requirements in the RFP.

3.4 Project Understanding and Approach

Provide, at a conceptual level, your understanding of, and approach to, successful delivery of the Project by meeting or exceeding the established Project goals (see Section 1.2). The information provided pursuant to this Section 3.4 is considered proprietary and should be marked CONFIDENTIAL by the Submitters.

3.5 Project Management Approach

- Provide your understanding of and approach to the following items:
 - o Meeting or exceeding the established Project goals (see Section 1.2);
 - o Budget Management
 - Quality Management
 - o Schedule Management
 - o Design and Construction Integration Management
 - o Stakeholder Management, including CDOT, FHWA, Department of Labor and Employment
 - o Safety Management
 - o Partnering
 - Underutilized Disadvantaged Business Enterprise/Equal Employment Opportunity (UDBE/EEO)Plan

The information provided pursuant to this Section 3.5 is considered proprietary and should be marked "CONFIDENTIAL" by the Submitters. Information provided in response to Section 3.5 shall count toward the overall page limitation defined in <u>Section 4.2</u>.

3.6 Legal

The information required in response to Section 3.6 shall be submitted as "Appendix B" and titled "*Legal*." Information provided in response to Section 3.6 shall not count toward the overall page limitation defined in Section 4.2.

3.6.1 Acknowledgement of Clarifications and Addenda

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

3.6.2 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 Personnel) which may result, or could be viewed as, an organizational conflict of interest in connection with this RFQ. See <u>Sections 2.7</u> and <u>2.8</u>.

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 the firm listed in <u>Section 2.7</u>. 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, 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.

3.6.3 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.

3.6.4 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 \$25 million each. Letters indicating "unlimited" bonding capability are not acceptable. The surety or insurance company providing such letter must be licensed as a surety and qualified to do business in the State of Colorado. This letter shall not count toward the overall page limitation defined in Section 4.2.

3.6.5 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).

3.7 Background Check

Due to the high security nature of the facility, each Key Personnel is required to submit Form F with an original signature authorizing CDOT to obtain background check information. This information will be required for all employees anticipated to work on this Project from the selected Proposer team.

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 Time**, on the SOQ due date indicated in <u>Section 2.3</u>, Faxed or emailed SOQs will not be accepted or considered for this project. SOQs must be **delivered** to:

Raelene Shelly, Project Manager CDOT Region 1 425A Corporate Circle Golden, CO 80401

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

4.2 Format/Quantities

The SOQ shall not exceed 26 single-sided pages, or 13 double-sided pages. The information submitted in pursuit to Sections 3.4 and 3.5 should be marked "confidential", bound separately, and in a sealed envelope marked "confidential." 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 4 sheets. All printing, except for the front cover of the SOQ and resumés, must be Times New Roman, 12-point font. All dimensional information must be shown in English units.

The front cover of each SOQ must be labeled with "Eisenhower/Johnson Memorial Tunnel Fixed Fire Suppression System Design Build Project" and "Statement of Qualifications" along with the date of submittal.

The following outline summarizes the submittal requirements and whether they are included or not included in the total submittal page limits as identified above:

- Introduction (not included in page limit)
- Submitter Experience (not included in page limit)
- Organizational Chart with description of relationships (included in page limit)
- Project Understanding and Approach (included in page limit)
- Appendix A Resumes of Key Personnel (not included in page limit)
- Appendix B Form A, Form B, and Form C (not included in page limit)
- Appendix C Legal, Form D, Form E, and Form F (not included in page limit)

4.3 Quantity of Submittals

Each Submitter must provide CDOT with 7 bound copies of the SOQ confidential and non-confidential information. Each copy must be identified on its front cover, in the upper right-hand corner, as "Copy of 7 Copies". In addition to the 7 bound copies, each Submitter shall provide 1 signed and dated "original" bound copy of the SOQ confidential and non-confidential 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 "Eisenhower/Johnson Memorial Tunnel Design Build Project" and "Statement of Qualifications";
- 4. Recipient (CDOT) as specified in <u>Section 4.1</u>.

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 <u>Section 5.3</u>.

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:

- Submitter Experience (40 Points):
 - Experience on projects involving interstate highway, or underground, or industrial construction or rehabilitation;
 - Experience on projects involving the installation of fire suppression systems;
 - o Experience with construction/reconstruction using innovative designs, methods, and materials;
 - o Experience with design and construction activity integration under alternative contracting;
 - o Experience with Environmental compliance;
 - o Experience in fully completing projects on schedule;
 - o Owner/client references; and,
 - o Contractor Safety statistics.
- Organization and Key Personnel (25 Points)
 - o Team member relevant experience and qualifications; and
 - o Commitment and conformance to registration/certification requirements.

- Project Understanding and Approach (20 Points)
 - o Identification and description of understanding Project critical issues and demonstration of approach to successful resolution of them.
- Project Management Approach (15 Points)
 - o Understanding of and approach to successfully managing the Project for the following items:
 - Meeting or exceeding the established Project goals (see <u>Section 1.2</u>);
 - Budget Management
 - Quality Management
 - Schedule Management
 - Design and Construction Integration Management
 - Stakeholder Management, including CDOT, FHWA, Department of Labor and Employment
 - Safety Management
 - Partnering
 - Underutilized Disadvantaged Business Enterprise/Equal Employment Opportunity (UDBE/EEO)Plan

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 less than two, and not more than five of the most highly qualified Submitters**. In the event two or more Submitters are tied for the ranking of five, oral interviews shall be held to distinguish between the tied Submitters and determine the fifth 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 an 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 the project website at www.coloradodot.info/projects/Eisenhowerfiresystem.

5.6 Debriefing Meetings

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

6.0 Procurement Phase 2

This section 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 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 Request 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. The RFP is available to the public for informational purposes, however only short listed submitters shall 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:

Instructions to Proposers

- 1. Contract Documents
 - Book 1 (Contract Terms and Conditions)
 - o Book 2 (Technical Requirements)
 - Book 3 (Applicable Standards)
 - o Book 4 (Contract Drawings)
 - o Book 5 (Reference Documents) (For information only)

6.2.2 RFP Information

The RFP will include the following information:

- 1. Maximum time allowable for design and construction
- 2. CDOT's Guaranteed Maximum Price (GMP) for the Project
- 3. Requirements for a proposed schedule of work
- 4. Requirements for submitting Alternative Configuration Concepts (ACCs) and Alternative Technical Concepts (ATCs)
- 5. 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, jointly and severally liable for performance of the Contractor's obligations under the contract.

6.3 Alternative Configuration Concepts

ACCs are alternatives to the Contract requirements that are equal to, or better in, quality or effect – as determined by CDOT in its sole discretion.

6.4 Alternative Configuration Concepts and Alternative Technical Concept Meetings

CDOT will offer each short listed Proposer the opportunity to meet before the Proposal submission date to discuss ACCs and ATCs. The meeting(s) will be held for Proposers to present ACCs that are outside the Basic Configuration, as defined in the RFP, but are determined to be "equal to or better than" the Basic Configuration by CDOT. ATCs will be covered in a similar fashion. Proposers will not be required to accept the meeting(s) offered.

6.5 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.

6.6 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.

6.7 Stipends

CDOT will award a stipend to each short listed, responsible Proposer that provides a responsive but unsuccessful Proposal. The amount of such stipend, and the 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 Manager identified in <u>Section 2.4</u> of this RFQ within 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 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 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 protestor has no right of appeal. No stay of procurement will become effective.

Form ASubmitter and Major Participant Information

Submitter [] or Major Participant [] (check appropriate box): Company Name of Submitter / Major Participant (as indicated above): Years Established: Federal Tax ID No:

Years Esta	ablished:	Federal Tax ID No.:
Name of C	Official Representative:	
	e No.:	
	Organization (check one):	
□ Par □ Join	rporation (If yes, indicate the State and Yestnership nt Venture ner (describe):	
В.	Business Name:Business Address: Headquarters:	
	-	
C.	Bonding Capacity: Total:	Available:

Form A (Cont.) Submitter and Major Participant Information

D.	the space below. Complete a separa	te Submitter Information	ame and role of each member company in form for each member company and n other financially liable party and attach
	Name of Member Company	Role	Financial Liability
E.	Submitter Bonding Capacity:		
	Total Bonding Capacity:	Available Bondin	g Capacity:
	OF MY KNOWLEDGE AND BELIEF, FOL		FFICIAL REPRESENTATIVE AND THAT, TO QUIRY; THE FOREGOING IS TRUE AND
		PRINT NAME:	
(SIGNATU	TRE)		
TITLE:		Date:	
	rticipants must sign Form A.	oint Venture members. If	Submitter is not yet a legal authority, the

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

Form B Summary of Comparable Contracts in Past Ten (10) Years

1.	Submitter/Company Name:	2.	Name of Project:
3.	Owner Contract No. or State Project No.:	4.	Type: Construction Design-Build Design
5.	Name of Prime Designer/Contractor:	6.	Company Role: (joint venture partner, subcontractor, etc.)
7.	Owner (Name): Address: Phone: Contact Person:	8.	Original Project Budget:\$ Final Project Cost:\$ Work Carried by Own Forces (%):
9.	Original Project Schedule Milestones: Project Completion Schedule Milestones:_		
10.	Project Description and Nature of Work Pe	erfori	med by Your Company:

[Please make additional copies of this form as needed]

Form C **Contractor Safety Statistics**

Year	Incident Rate	Last Work Day Index	Cost of Accident per Employee	Experience Modification Rating	No. of Fatalities	No. of Lost Work Days	No. of Recordable Injuries
2012							
2011							
2010							
Cost of	Accident p	er Emplo	yee = Total C	Nork Days × 200,000 Cost of AccidentsAverage Actual Claims per Yeted Claims Based on Past			
	ST OF MY KN			THAT I AM THE COMPANY			
				PRINT NAME:			
BY: (SIGNA	TURE)						

Form D Submitter's Receipt for Addenda/Clarifications

Addendum/Clarification No.:	
Addendum/Clarification No.:	
Addendum/Clarification No.:	Dated:
Addendum/Clarification No.:	Dated:
Addendum/Clarification No.: URE TO ACKNOWLEDGE RECEIPT OF ALL ADDITION. ACKNOWLEDGED RECEIPT OF EACH	Dated: CAUSE THE SOQ TO BE CONSIDERED NON-RESPONSIVE TO THE UM MUST BE CLEARLY ESTABLISHED AND INCLUDED WITH RESPONSIVE.
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Addendum/Clarification No.: URE TO ACKNOWLEDGE RECEIPT OF ALL ADDITION. ACKNOWLEDGED RECEIPT OF EACH	CAUSE THE SOQ TO BE CONSIDERED NON-RESPONSIVE TO TH
Addendum/Clarification No.: LURE TO ACKNOWLEDGE RECEIPT OF ALL ADDITION. ACKNOWLEDGED RECEIPT OF EACH THE RFQ.	CAUSE THE SOQ TO BE CONSIDERED NON-RESPONSIVE TO THE UM MUST BE CLEARLY ESTABLISHED AND INCLUDED WITH RESP

Form E Certificate of Prequalification

UNDER PENALTY OF PERJURY, I CERTIFY THAT I A	M THE OFFICIAL R	EPRESENTATIVE OF
		[COMPANY NAME], AND THAT
		[COMPANY NAME] IS CURRENTLY
PREQUALIFIED TO PERFORM WORK FOR CDOT.		
By:	PRINT NAME:_	
(SIGNATURE)		
Titti E·	DATE:	



Form F

CDOT Eisenhower/Johnson Memorial Tunnels **Background Check Application**



Full Name:	Date of Birth:
Company Name:	Job Title:
Role in Project (i.e. Engineer, Fire Protection Expert, Construction Expert, etc.	c.):
Telephone Number (cell number preferred):	
Provide a copy of one of the following in the space at the bottom of the page:	
• Driver's License	
 Passport 	
Signature: Da	te:
By signing this application, you are agreeing for CDOT to perform a background	und check. Original signatures only will be accepted.
CDOT reserves the right to request additional information as necessary	