



US 36 MANAGED LANE PROJECT
PARTNERSHIPS FOR MULTI-MODAL SOLUTIONS

**COLORADO
DEPARTMENT OF TRANSPORTATION**

REQUEST FOR QUALIFICATIONS

U.S. 36 MANAGED LANE PROJECT

PROJECT NO. NH 0361-093

MAY 18, 2011

STATEMENTS OF QUALIFICATIONS DUE: JUNE 24, 2011



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FORMS

- FORM A – Submitter Information
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- FORM D – Receipt of Addenda/Clarifications
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1.0 INTRODUCTION

The Colorado Department of Transportation (CDOT) is requesting Statements of Qualifications (“SOQs”) from entities (“Submitters”) interested in submitting proposals for the U.S. 36 Managed Lane Project (the “Project”). The Project has been cleared environmentally via the Record of Decision signed December 2009, and will be funded with local, state, TIFIA loan, and federal-aid dollars, thereby requiring that the Submitters adhere to all pertinent federal, state, and local requirements.

1.1 PROCUREMENT PROCESS

CDOT will use a two-phase procurement process to select a design-build contractor to deliver the Project. This Request for Qualifications (this “RFQ”) is issued as part of the first phase to solicit information, in the form of SOQs, that CDOT will evaluate 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 four most highly qualified Submitters that submit SOQs. In the second phase, CDOT will issue a Request for Proposals (the “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.

1.2 PROJECT GOALS

The following prioritized goals have been established for the Project:

1. Maximize scope and improvements within the project budget.
2. Minimize operating and life cycle maintenance costs and provide a quality product.
3. Meet or beat schedule to be fully operational by July 1, 2015.
4. Minimize inconvenience to the public and maximize safety of workers and traveling public.
5. Maximize engagement of local workers, businesses, and communities in the development, construction, and sustainability of improvements.

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 Director, as described in Section 2.4, has the contact person’s name and e-mail address. 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.



2.0 BACKGROUND INFORMATION; RFQ PROCESS

2.1 PROJECT DESCRIPTION; SCOPE OF WORK

The U.S. 36 Managed Lane Project: Segments 1 & 2 (Project) was developed by the Colorado High Performance Transportation Enterprise (TIFIA sponsor) in partnership with the Colorado Department of Transportation (CDOT) and the Regional Transportation District (RTD). The Colorado High Performance Transportation Enterprise (HPTE) was created on March 1, 2009, by the Colorado General Assembly as a successor to the established Colorado Tolling Enterprise (§ 43-4-806 (1), C.R.S.). The HPTE is a government-owned business that operates as a division of CDOT. The Project is part of RTD's FasTracks Program, a multi-billion dollar comprehensive transit expansion plan, in cooperation with Denver Regional Council of Governments (DRCOG), Colorado Bridge Enterprise (CBE), Broomfield, Westminster, Boulder, Boulder County, Louisville, Superior, Adams County, Jefferson County, and BNSF Railway (BNSF).

CDOT will manage this project.

The Multi-Modal, Toll Integrated Project will include the following elements:

- Reconstruction of the U.S. 36 mainline
- Reconstruct existing pavement, including widening to accommodate a new buffer-separated Managed Lane in each direction of US 36 and 12-foot wide shoulders
- Construction of retaining walls and sound walls.
- Replacement of the Wadsworth Parkway, Wadsworth Boulevard, and Lowell Boulevard bridges
- Reconstruction of portions of the Wadsworth Parkway interchange.
- Installation of Intelligent Transportation Systems for tolling, transit information, and incident management. Toll systems installation and integration will be provided by others.
- Construction of portions of a commuter bikeway along the reconstructed section of the corridor and to provide a continuous commuter bikeway along the reconstructed section of the corridor by connecting to or using existing facilities.
- Traveler information and travel demand management.

2.2 ESTIMATED COST; MAXIMUM TIME ALLOWED

At this time, the estimated design-build contract fixed price amount is approximately \$230 million and the total program budget is \$306 million. All construction activities will be required to be completed by October 31, 2015.

2.3 PROJECT SCHEDULE

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



- Issue RFQ May 18, 2011
- RFQ Question due date June 10, 2011
- RFQ Response to questions due date June 17, 2011
- SOQ due date June 24, 2011
- Evaluation of SOQs complete July 15, 2011
- Notify short listed Submitters July 22, 2011
- Issue RFP September, 2011

2.4 CDOT PROJECT MANAGEMENT; EX PARTE COMMUNICATIONS

John Schwab is the CDOT Project Director. As the Project Director, Mr. Schwab 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, must be made by e-mail or letter. Only written inquiries will be accepted:

Mail: John Schwab, P.E.
Delivery: U.S. 36 Managed Lane, Project Director
Colorado Department of Transportation
Region Six, North Engineering Section
2000 South Holly Street
Denver, Colorado 80222
E-mail: John.Schwab@dot.state.co.us

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, HPTE, RTD, DRCOG, Federal Transit Administration (FTA), or the Federal Highway Administration (FHWA), 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 Director.

2.5 QUESTIONS AND CLARIFICATIONS; ADDENDA

Questions and requests for clarification regarding this RFQ must be submitted in writing to CDOT's Project Director, as described in Section 2.4. To be considered, all questions and requests must be **received by 10:00 am, Mountain Daylight Time**, on the date indicated in Section 2.3.

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.



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

- Questions and requests for clarification will be posted to CDOT’s project website at www.coloradodot.info/projects/US36ManagedLanes as soon as they are received. Submitter’s names will not be identified.
- CDOT will answer questions and requests for clarification by posting responses on its project website at www.coloradodot.info/projects/US36ManagedLanes.
- CDOT will send an e-mail notification to the contact person and alternate for every Submitter and post on project website as soon as each addendum or clarification is issued. The notification will include an electronic copy of the addendum or clarification, when possible.

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 15% or greater interest in the Submitter; any subcontractor(s) that will perform work valued at 10% or more of the overall contract amount; the lead engineering/design firm(s); and each engineering/design sub-consultant that will perform 20% or more of the design work.

2.7 INELIGIBLE FIRMS

CDOT has retained the consulting firms of Jacobs Engineering, Apex Design PC, Hartwig & Associates Inc, Yeh and Associates Inc, to provide guidance in preparing and evaluating this RFQ and the RFP, and advice on related contractual and technical matters. Jacobs Engineering, Apex Design PC, Hartwig & Associates Inc, Yeh and Associates Inc, are thus not eligible to submit a proposal or to act as a member of any Submitter’s team. In addition, a firm is ineligible, in either a prime or subconsultant role, if it performs 20% or more of the Preliminary Engineering on the Project, or develops the scope of work, RFQ, or RFP.

Requests for determination regarding this eligibility requirement may be submitted in writing to the Project Director as identified in Section 2.4 of this RFQ.

2.8 ORGANIZATIONAL CONFLICTS OF INTEREST

The Submitter’s attention is directed to 23 CFR Section 636 Subpart A, and in particular to Subsection 636.116 regarding organizational conflicts of interest. Section 636.103 defines “organizational conflict of interest” as follows:



Organizational conflict of interest means that because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to the owner, or the person's objectivity in performing the contract work is or might be otherwise impaired, or a person has an unfair competitive advantage.

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, Jacobs Engineering, Apex Design PC, Hartwig & Associates Inc, Yeh and Associates Inc, 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.

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

2.9 CHANGES TO ORGANIZATIONAL STRUCTURE

Key Personnel or Major Participants identified in the SOQ may 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 qualification submitted by the Submitter 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 2.4.

2.10 PAST PERFORMANCE 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 on any 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.

2.12 SMALL AND DISADVANTAGED BUSINESS ENTERPRISES

It is the policy of CDOT that Disadvantaged Business Enterprises (DBEs), as defined in 49 CFR Part 26, and other small businesses shall have the opportunity to compete fairly in contracts financed in whole or in part with public funds. Consistent with this policy, CDOT will not allow any person or business to be excluded from participation in, denied the benefits of, or otherwise be discriminated against in connection with the award and performance of any U.S. Department of Transportation (DOT) assisted contract because of sex, race, religion, or national origin. CDOT has established a DBE program in accordance with regulations of the DOT, 49 CFR Part 26. In this regard, the contractor will take all necessary and reasonable steps in accordance with 49 CFR Part 26 to ensure that DBEs have the maximum opportunity to compete for and perform the contract. Additional DBE requirements will be set forth in the RFP.

CDOT encourages each Submitter to consider means for increasing participation by firms certified as Disadvantaged Business Enterprises (USDOT), Small Business Enterprises (RTD), and/or Emerging Small Business (CDOT) when developing its team and articulating its approach for the Project. The RFP will contain requirements for such participation, and creativity and innovation in this area will be considered in the scoring of the SOQ and SOI. CDOT expects to establish an overall DBE/ESB goal for this project within the range of 15-20%.

CDOT's updated directory of DBE firms can be viewed at the following website:

<http://apps.coloradodot.info/ucp/>

CDOT's updated directory of ESB firms can be viewed at the following website:

<http://www.coloradodot.info/content/business/eo/ESBDirectory.pdf>

RTD's updated directory of SBE firms can be viewed at the following website.

http://www.rtd-denver.com/PDF_Files/BusinessCenter/SBE_Directory.xls



2.13 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.

2.14 WORKFORCE INITIATIVE NOW PROGRAM

CDOT has determined that the Project shall participate in RTD's Workforce Initiative Now (WIN) program. The Regional Workforce Initiative Now is a collaborative workforce partnership led by RTD that seeks to leverage existing training resources to identify, assess, train, and place community members into careers on transportation projects. At its core it is about:

- People—Helping businesses, including CDOT and RTD, attain qualified local workers by providing streamlined access to highly motivated entry-level employees
- Projects—Supporting regional job creation by connecting Colorado contractors with federally funded transit infrastructure projects and providing a trained local workforce
- Pathways—Providing local residents with skills development training, jobs, and career pathways related to occupations within transportation and transit-construction

To this end, CDOT and RTD will measure success by how well the successful bidder of the Project delivers partnerships with the regional communities to support, encourage, strengthen, and provide opportunities to the regional workforce base to address long-term business and community needs. Details on the specific elements of the WIN program to be included in the Project scope will be provided in the RFP.

There may be opportunities for a combination of RTD's WIN program and the CDOT OJT program. However, RTD's WIN program cannot replace the OJT program or diminish the OJT program requirements.

3.0 CONTENT OF SOQS AND CONFIDENTIALITY

This section describes specific information that must be included in the SOQ. SOQs must follow the outline of [Section 3.0](#). 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, financial,



geological, or geophysical 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 Submitted to be confidential and proprietary.

3.1 INTRODUCTION

Provide a letter stating the business name, address, business type (e.g., corporation, partnership, joint venture), business information, and roles of the Submitter and each Major Participant in Form A. Identify one contact person and his or her address, telephone and fax numbers, and e-mail address. CDOT will send all Project-related communications to this contact person on behalf of the Submitter 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 of the SOQ must include a “Title Page” and “Table of Contents.”

3.2 SUBMITTER EXPERIENCE

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

3.2.1 Submitter Experience

Describe the experience, up to a maximum of four design-build or major highway projects that the Submitter (if the Submitter is not yet existing or is newly formed, please explain) and each Major Participant has managed, designed, and/or constructed by completing Form C. 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 the Project that the Submitter/Major Participants have gained in the last ten years. Cite projects of similar size and scope to that anticipated for the Project. Describe the experiences that could apply to the Project. In particular, demonstrate experiences in each of the following areas:

1. Design-Build;
2. Heavy highway and highway structure construction;
3. Urban freeway reconstruction under traffic;
4. Familiarity with CDOT/RTD and procedures;
5. Construction/reconstruction using innovative designs, methods, and materials;



6. Installation of ITS infrastructure;
7. Construction in environmentally sensitive areas;
8. Design and construction teaming, and activity integration.
9. Public information.
10. Approach to Quality Management.
11. Approach to and accomplishment of DBE/ESB goals.

Each project description must include the following information:

1. Name of the project and either the owner's contract number or state project number;
2. Owner's name, address, contact person, and current telephone and fax numbers;
3. Description of original project schedule milestones and project completion schedule milestones for design and construction;
4. Description of the work or services provided and percentage of the overall project actually performed;
5. Description of Quality Management Plans provided for the projects, and how they were implemented;
6. Description of original project budget and final project cost at completion.

3.2.2 Current and Projected Workload

In addition to the Submitter Experience requirements listed above, also provide a brief statement of current and projected workloads awarded by CDOT and RTD.

3.2.3 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.

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 anticipated percent of each Key Personnel's time that would be committed to the Project and location of each Key Personnel from which they will work. 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, public information, 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.

3.3.2 Resumes of Key Personnel

Resumes of Key Personnel shall be provided as *Appendix A – Resumes of Key Personnel* to the SOQ. Resumes of Key Personnel shall be limited to one page each and will not be counted towards the overall SOQ page limit. 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. Personnel who staff these key functions listed below shall be identified in the required organizational chart(s) (as described in Section 3.3.1).

- Project Manager
- Quality Manager
- Construction Manager
- Design Manager
- ITS/Tolling Manager
- Safety Manager
- Public Information Officer
- Environmental Manager

Include the following items on each resume:

1. Relevant licensing and registration.
2. Years of experience performing similar work.
3. Length of employment with current employer.
4. Title, roles, and responsibilities on any of the Projects listed in Section 3.2.1 above.

3.3.3 Minimum Requirements of Key Personnel

Key Personnel will be evaluated, in part, based on demonstrated experience and expertise in and a record of producing work of a similar nature to this Project. All



Key Personnel will be required to co-locate at a facility with the selected contractor's staff, and with CDOT personnel and various consultants for the duration of the Project ("on site") during activities that involve their areas of responsibility. Any licenses or certifications that are required to meet the requirements of the RFP shall be in place by the time the first Notice to Proceed is issued.

3.4 PROJECT UNDERSTANDING AND APPROACH

Provide, at a conceptual level, your understanding of and your approach to successfully delivering 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:

- Budget Management.
- Quality Management.
- Schedule Management.
- Design and Construction Management.
- Stakeholder involvement including CDOT, RTD, HPTE, DRCOG, CBE, Broomfield, Westminster, Boulder, Boulder County, Louisville, Superior, Adams County, Jefferson County and BNSF.
- Public Involvement.
- Safety Management.
- 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.

3.6 LEGAL AND FINANCIAL

The information required in response to Section 3.6 shall be submitted as Appendix B – Legal and Financial. Information provided in response to this section will not count towards the overall page limitation defined in Section 4.2.

3.6.1 Acknowledgment of Clarifications and Addenda

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



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 project personnel) which may result, or could be viewed as, an organizational conflict of interest in connection with this RFQ. See Section 2.7 and Section 2.8.

Disclose: (a) any current contractual relationships with CDOT (by identifying the CDOT contract number and project manager); (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 for the Project by any current CDOT employee, if the Submitter is awarded the contract. The Submitter must also disclose any current contractual relationships where the Submitter is a joint venture or partner with Jacobs Engineering, Apex Design PC, Hartwig & Associates Inc, Yeh and Associates Inc, 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 3.6.2, 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.

3.6.3 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.

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 \$230 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.



3.6.5 Submitter Information

For the Submitter (if the Submitter 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. 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.
3. Each Major Participant must be prequalified to perform work in the State of Colorado. Each Major Participant must complete Form E.

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 **received by 10:00 a.m., Mountain Daylight Time**, on the SOQ due date indicated in Section 2.3, and must be **delivered by U.S. mail or hand or overnight courier** to:

Mail: Mr. John Schwab, P.E.
Delivery: U.S. 36 Managed Lane Project Director
Colorado Department of Transportation
Region Six, North Engineering Section
2000 South Holly Street
Denver, Colorado 80222

CDOT will not accept SOQs by facsimile or electronic transmission. Any SOQ that fails to meet the deadline or delivery requirement will be rejected without opening, consideration, or evaluation.



4.2 FORMAT

The SOQ must not exceed 40 single-sided pages (including the “Title Page” and “Table of Contents” but not including section dividers and appendices). 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 8 sheets. All printing, except for the front cover of the SOQ and resumes, 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 “U.S. 36 Managed Lane Project” and “Statement of Qualifications” along with the date of submittal.

4.3 QUANTITIES

Each Submitter must provide CDOT with 7 bound copies of the SOQ. Each copy must be identified on its front cover, in the upper right-hand corner, as “Copy ___ of 7 Copies.”

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, contact person’s name, mailing address;
2. Date of submittal;
3. Contents labeled as “U.S. 36 Managed Lane Project” and “Statement of Qualifications”; and
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:

- A. Submitter Experience (25 Points):
 - Owner/client references.
 - Experience on projects of similar scope and complexity.
 - Experience with timely completion of comparable projects.
 - Experience with on-budget completion of comparable projects.
 - Experience with integrating design and construction activities.
 - Experience of design-build team members working together.
 - Current and projected workloads, including work previously awarded by CDOT & RTD.
 - Contractor safety statistics.
- B. Organization and Key Personnel (15 Points):
 - Team members' relevant experience and qualifications.
- C. Project Understanding and Approach (35 Points):
 - Understanding and approach to meeting or exceeding Project Goals.
- D. Project Management Approach (25 Points):
 - Budget management approach.
 - Quality management approach.
 - Schedule management approach.
 - Design and construction management approach.
 - Stakeholder involvement including CDOT, RTD, HPTE, DRCOG, CBE, Broomfield, Westminster, Boulder, Boulder County, Louisville, Superior, Adams County, Jefferson County, and BNSF
 - Safety management approach.
 - Partnering approach.
 - UDBE/EEO approach.
- E. Legal and Financial (pass/fail).



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 at least three (if any) but not more than four most highly qualified Submitters.** If more than one of the lowest ranked Submitters receives the same score, CDOT will make the decision, in its sole discretion, whether or not to short list those Submitters.

CDOT reserves the right, in its sole discretion, to cancel this RFQ, issue a new request for qualifications, 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 its project website at www.coloradodot.info/projects/US36ManagedLanes.

5.6 DEBRIEFING MEETINGS

After CDOT announces the short list, the Submitters may request a meeting with CDOT after one week following the announcement. These debriefing meetings are intended to allow submitters and CDOT to informally 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 the RFP with the short listed Submitters before it issues the Conformed 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. 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)
- C. 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 final cost estimate 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, jointly and severally liable for performance of the design-build contractor's obligations under the contract.

6.3 ALTERNATIVE TECHNICAL CONCEPTS MEETING

CDOT will offer each short listed Proposer the opportunity to meet before the proposal due date to discuss Alternative Technical Concepts (ATCs). The meeting(s) will be held for Proposers to present ATCs 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. 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 Proposer that provides a responsive but unsuccessful proposal. The amount of such stipends, and their terms and conditions, will be stated in the RFP. The stipend is not intended to compensate Proposers for costs incurred in proposal preparation.

No stipends will be paid for submitting SOQs.

The submission of a proposal to an RFP shall constitute the firm’s acceptance of the stipend as full payment for all technical solutions and design concepts contained in the proposal. This is an irrevocable transfer to CDOT. The Firm shall not have the option of refusing the stipend and not transferring ownership of all technical solutions and design concepts contained in the proposal.

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 2.4 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 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.



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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 or his/her designee's decision is final and protestor has no right of appeal. No stay of procurement will become effective.

FORM A

SUBMITTER INFORMATION

Submitter: _____

Name of Company: _____

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: _____

FORM A (cont.) SUBMITTER 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: _____ 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
2010							
2009							
2008							

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

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

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

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

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: _____

TITLE: _____ DATE: _____

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

FORM C

SUMMARY OF COMPARABLE CONTRACTS IN PAST TEN (10) YEARS (Provide a Maximum of Four (4) Projects per Submitter and Major Participant)

1. Submitter/Company Name:	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): _____ 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 Performed by Your Company:	

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

FORM D

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: _____

TITLE: _____ DATE: _____

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: _____

PRINT NAME: _____

TITLE: _____

DATE: _____