



**COLORADO  
DEPARTMENT OF TRANSPORTATION  
REGION 4  
REQUEST FOR QUALIFICATIONS**

North I-25 Express Lanes,  
Johnstown to Fort Collins  
Design-Build Project

PROJECT NO.: IM 0253-255

SUB ACCOUNT NO.: 21506

November 7, 2016

Addendum 1: December 2, 2016

**STATEMENT OF QUALIFICATIONS DUE: December 19, 2016**

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## 1.0 INTRODUCTION

The Colorado Department of Transportation (CDOT), Region 4, is requesting Statements of Qualifications (SOQs) from entities (Submitters) that previously submitted Letters of Interest and attended the CDOT I-25 Expansion Meet and Greet—Greeley on October 11, 2016, for the North I-25 Express Lanes, Johnstown to Fort Collins Design-Build Project (the Project). The Project will be funded with federal, state, and local dollars. Submitters must comply with all applicable federal, state, and local requirements.

### 1.1 Procurement Process

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

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

### 1.2 Submitter Information

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

### 1.3 Project Information

The CDOT Project website is the official location for all Project information. Additional Project information is listed on the website at: <https://www.codot.gov/projects/north-i-25/north-i-25-express-lanes>

## 2.0 BACKGROUND INFORMATION: RFQ PROCESS

### 2.1 Project Description, Scope of Work

The Project generally consists of the following items:

- Widen and/or reconstruct Interstate 25 (I-25) to add one express lane in each direction from State Highway 402 (SH 402) to State Highway 14 (SH 14). Provide a four-foot painted buffer to separate the express lane from the general-purpose travel lanes.

- Update the horizontal and vertical roadway geometry, widen the inside shoulder from four feet to 12 feet and widen the outside shoulder from 10 feet to 12 feet.
- Install and integrate with the Colorado Transportation Management Center (CTMC) state-of-the-art tolling and Intelligent Transportation Systems (ITS) equipment.
- Rehabilitate or replace existing pavement as necessary to extend its useful life.
- Construct new sound barrier walls where required.
- Replace or rehabilitate bridges:
  - Replace the Cache La Poudre River and Union Pacific Railroad (UPRR) Bridge.
  - Widen the Big Thompson River and Great Western Railroad (GWRR) Bridges.
- Lengthen the new UPRR overpass at I-25 over Kendall Parkway to provide a new local road connection. The overpass will improve vehicle, pedestrian, and bicycle access to a new Park-n-Ride.
- Build a new Park-n-Ride facility at Kendall Parkway with 200 parking spaces for car-poolers that will have bicycle storage and connections to regional and local bus transit.
- Build transit-only bus ramps to connect with the new Kendall Parkway Park-n-Ride.
- Construct a new connection for the Cache la Poudre River Regional Trail under I-25.
- The project has secured \$2M to add Road X elements to the corridor.

The Federal Highway Administration (FHWA) and CDOT are in the process of completing a revised Record of Decision (ROD) for the Phase 1 Preferred Alternative improvements to I-25 between State Highway 392 (SH 392) and SH 14. FHWA and CDOT also are in the process of completing a ROD for work between State Highway 56 (SH 56) and SH 392.

This Project and Work is provided for under the National Environmental Policy Act (NEPA) and, as such, shall not preclude anything required as part of the revised ROD / new ROD. Mitigation measures needed in response to Project impacts shall be implemented with the Work, consistent with the RODs. Project mitigation measures required for the Work shall not be deferred to a future project.

It is currently anticipated that the RODs, including a signed decision document, will be complete before the Final RFP is released.

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

The successful Proposer will be responsible for the survey, design, construction, and warranty of the Project generally including utility coordination/relocations, earthwork, final roadway alignments, pavements, drainage and water quality, lighting, traffic operations, maintenance of traffic, maintenance during construction, bridge/retaining wall structures, environmental

compliance and permitting, public information support, and quality management. The design and construction by the successful Proposer shall be completed in accordance with applicable CDOT guidelines and standards as specifically stated and modified in the RFP for this Project.

## 2.2 Project Goals

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

- A. Improve mobility and traffic operations.
- B. Maximize the scope with the available fiscal resources.
- C. Provide a safe facility for the public, as well as a safe work zone for construction crews and the traveling public.
- D. Increase intermodal connections.
- E. Ensure the longevity of the project (creating the most value out of the investment now, and building a high-quality project).

## 2.3 Estimated Cost/Maximum Time Allowed

The Design-Build contract Guaranteed Maximum Price (GMP) for the Project is estimated to be from \$170 million to \$215 million. The anticipated completion deadline for the Project will be the end of the 2020 calendar year.

## 2.4 Project RFQ Schedule

The deadline for submitting written RFQ inquiries and the SOQ due date are stated below. Each team submitting an SOQ is entitled to one hour long project briefing. Submitters will be scheduled on a first come basis between November 7, 2016, and November 18, 2016. Make requests for project briefings to Scott Rees at [Scott.Rees@state.co.us](mailto:Scott.Rees@state.co.us) and include the wording “**21506 Project Briefing Request**” in the subject line.

All inquiries must be submitted as identified in Section 2.5 and Section 2.6. RFQ inquiries, and all information submitted as part of the inquiry, shall be considered non-confidential and non-proprietary.

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

- Issue RFQ November 7, 2016
- One hour project briefing meetings\* November 7 to November 18, 2016
- Deadline for industry inquiries to RFQ November 23, 2016
- CDOT responses to industry RFQ inquiries November 30, 2016

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- Final RFQ addendum issued December 2, 2016
  - SOQ due date December 19, 2016
  - Notify short-listed Submitters January 27, 2017
  - Issue Draft RFP January 27, 2017
  - Debrief RFQ Submitters By request and appointment

\*Only one project briefing meeting will be granted to each team submitting an SOQ within the dates listed above. Meeting time will be limited to one hour.

## 2.5 CDOT Project Management: Ex Parte Communications

Scott Rees is the CDOT Project Director. As the Project Director, Mr. Rees is CDOT's sole contact person and addressee for receiving all communications regarding the Project. All inquiries and comments regarding the Project, and the procurement thereof, shall be sent by e-mail to: [Scott.Rees@state.co.us](mailto:Scott.Rees@state.co.us) and shall include the wording "**21506 Inquiry Request**" in the subject line.

During the Project procurement process, commencing with issuance of this RFQ and continuing until award of a Contract for the Project (or cancellation of the procurement), no employee, member, or agent of any Submitter shall have ex parte communications regarding the procurement process for this Project with any member of CDOT, the High Performance Transportation Enterprise (HPTE), E-470 Public Highway Authority, Union Pacific Railroad, Great Western Railway of Colorado, LLC, OmniTRAX, the U.S. Department of Transportation (USDOT), the FHWA, or their advisors (see Section 2.8 of this RFQ), except for communications expressly permitted by this RFQ or the CDOT Project Director (or subsequent to issuance of the RFP, except for communications expressly permitted by the RFP). Any Submitter engaging in such prohibited communications may be disqualified at the sole discretion of CDOT's Project Director.

## 2.6 Inquiries and Clarifications: Addenda

Questions and requests for clarification regarding this RFQ must be submitted to CDOT's Project Director, as described in [Section 2.5](#). All questions and requests must be **received by 4:00 p.m., Mountain Standard Time**, on the date indicated in [Section 2.4](#).

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

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

- All questions and requests for clarification received via e-mail will be assigned a unique SOQ identification number, converted to a PDF format and posted on the Project website. The identity of the Submitter shall not be disclosed.

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

CDOT will not respond to inquiries that fail to follow this process. Verbal inquiries will not be accepted or responded to.

## **2.7 Major Participant**

As used herein, the term "Major Participant" means any of the following entities: all general partners or joint venture members of the Submitter; all individuals, persons, proprietorships, partnerships, limited liability partnerships, corporations, professional corporations, limited liability companies, business associations, or other legal entity, however organized, holding (directly or indirectly) a 15 percent or greater interest in the Submitter; any subcontractor(s) that will perform Work valued at 10 percent or more of the overall contract amount; the lead engineering/design firm(s); and each engineering/design subconsultant that will perform 20 percent or more of the design Work.

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

## **2.8 Ineligible Firms**

CDOT has retained the consulting firms of Atkins North America, Inc.; AECOM; Anderson Consulting Engineers, Inc.; Muller Engineering Company, Inc.; and RockSol Consulting, Inc. to provide guidance in preparing and evaluating this RFQ and the RFP, and for advice on related contractual and technical matters. As such, the consulting firms listed are not eligible to submit an SOQ or to act as a member of any Submitter's team.

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

## **2.9 Organizational Conflicts of Interest**

The Submitter's attention is directed to the following section of CDOT's Design-Build Rules: 2 CCR 601-15 SECTION 7—CONFLICT OF INTEREST

- 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.*
- Except as provided below, any consultant shall be disqualified from submitting a proposal on a Project, or from acting as a subconsultant or subcontractor on a Project, if CDOT determines that the consultant has such a conflict, including in the following situations:*



1. *It develops the Scope of Work for a Design-Build Project; or,*
  2. *It develops the RFQ or RFP for the Project; or,*
  3. *It performs 20 percent or more of the Preliminary Engineering on the Project.*
- C. *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?*

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

1. *Consultants and/or subconsultants who assist the owner in the preparation of a RFP document will not be allowed to participate as an offeror or join a team submitting a proposal in response to the RFP. However, a contracting agency may determine there is not an organizational conflict of interest for a consultant or sub-consultant where:*
  - (i) *The role of the consultant or subconsultant was limited to providing preliminary design, reports, or similar “low-level” documents that will be incorporated into the RFP, and did not include assistance in development of instructions to offerors or evaluation criteria, or*
  - (ii) *Where all documents and reports delivered to the agency by the consultant or subconsultant are made available to all offerors.*
2. *All solicitations for Design-Build contracts, including related contracts for inspection, administration or auditing services, must include a provision which:*
  - a. *Directs offerors attention to this subpart;*
  - b. *States the nature of the potential conflict as seen by the owner;*
  - c. *States the nature of the proposed restraint or restrictions (and duration) upon future contracting activities, if appropriate;*
  - d. *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*



replacements, and additions must be submitted in writing to CDOT's Project Director, described in [Section 2.5](#).

### **2.11 Past Performance or Experience**

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

### **2.12 Equal Employment Opportunity**

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

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

### **2.13 Disadvantaged Business Enterprises**

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

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

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

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

### **2.14 Emerging Small Business Program**

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

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

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## 2.15 CDOT On-the-Job Training (OJT) Program

Construction contracts awarded by CDOT require prime contractors to offer On-the-Job Training (OJT) aimed at developing full journey workers in a trade or job classification on the awarded Project. Although 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 CFR 230. The specific requirements of the OJT program will be provided in the RFP.

## 3.0 CONTENT OF SOQS AND CONFIDENTIALITY

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

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

### 3.1 Introduction

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

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

### 3.2 Submitter Experience

#### 3.2.1. Submitter Experience

Information provided in response to [Section 3.2.1](#) shall include submittal of Form Cs (attached) in Appendix C, which will not count toward the overall page limitation defined in [Section 4.2](#). Use

the Form Cs to describe the experience, up to a maximum of 10 projects, that the Submitter, its Lead Engineering/Design Firm(s), its other Major Participants, and other team members have managed, designed, and/or constructed. Form Cs shall include a Design-Build project that the Submitter has completed and a Design-Build project that its Lead Engineering/Design Firm has completed. Highlight experience relevant to the Project that the Submitter/Major Participants have gained in the last 10 years, including information on problems encountered on the identified projects and how those problems were corrected. Cite and describe experiences that could apply to this Project, demonstrating successful design and construction experiences in each of the following areas:

- A. Installation of tolling and ITS infrastructure
- B. Major highway and interchange reconstruction under traffic in areas with similar traffic volumes as will be expected during this project
- C. Bridge structure construction under traffic on interstate highways
- D. Hydraulics/floodplains work in the project area, including CLOMR and LOMR work
- E. Construction/reconstruction using innovative designs, methods, and materials
- F. Coordination with railroads, specifically UPRR and GWRR
- G. Design-build delivery
- H. Quality management
- I. Public information outreach and coordination
- J. National Environmental Policy Act/environmental compliance in design-build

Each project description must include the following information:

- A. Identify the involvement of any proposed Key Personnel
- B. Name of the project and either the owner's contract number or project number
- C. Owner's name, Owner's Project Manager's name, address, and current e-mail, telephone, and fax numbers
- D. Description of original and final project schedule milestones, including milestones for design and construction
- E. Description of the Work or services provided and percentage of the Work actually performed
- F. Description of original and final completed project contract amount

- G. Description of all project claims, dispute proceedings, litigation, and arbitration proceedings
- H. Description of the assessment of any liquidated damages, including the causes of the delays and the amounts assessed

### **3.2.2. Contractor Safety Statistics**

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

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

### **3.3 Organization and Key Personnel**

It is expected that all Key Personnel and their staff shall be co-located with the CDOT project team.

#### **3.3.1. Organizational Chart(s)**

Provide organizational chart(s) showing the structure of the organization with lines identifying participants who are responsible for major functions to be performed and their reporting relationships in managing, designing, and building the Project. The chart(s) must show the functional structure of the organization down to the design discipline leader or construction superintendent level, and must identify Key Personnel by name. Indicate the percent of each Key Personnel's time that would be committed to the Project. Identify the Submitter and all Major Participants in the chart(s). Identify the critical support elements and relationships of project management, design management, construction management, quality management, safety, environmental compliance, and subcontractor and subconsultant involvement. Information provided in response to Section 3.3.1 shall count toward the overall page limitation defined in Section 4.2.

#### **3.3.2. Resumes of Key Personnel**

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

- A. Design-Build Project Manager
- B. Design Manager

- C. Construction Manager
- D. Design-Build Quality Manager
- E. Environmental Manager
- F. ITS/Tolling Manager
- G. Public Communications Manager (PCM)
- H. Additional Key Personnel as Designated by the Contractor

In addition to the information requested in Section 3.3.3 of this RFQ, the following information shall be provided for each Key Personnel member listed on the Submitter's SOQ:

1. Relevant licensing and registration, including registration as required in the State of Colorado
2. Years of experience performing similar Work
3. Title, roles, and responsibilities on any of the Projects listed in response to Section 3.2.1
4. A minimum of three professional references, including current contact information for the references

### **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 to which they meet and/or exceed such requirements. Any licenses or certifications that are required to meet the conditions of the RFQ shall be in place prior to the submittal of the final Proposal. The Submitter shall identify, from among the Key Personnel, who will serve as the Colorado licensed Professional Engineer in responsible charge for the duration of the construction of the Project.

#### **A. Design-Build Project Manager**

- The Design-Build Project Manager shall be in direct charge of the Work, and is responsible for the administration and satisfactory completion of the Project under the contract. This person shall be assigned to the Project full time and will be required to be onsite for the duration of the Project.
- Shall have recent design-build experience managing major projects involving major highway reconstruction, including bridge structure construction under traffic, in areas with similar traffic volumes as will be expected during the construction of this Project.
- Shall not be assigned any other duties or responsibilities on the Project.

- Must work under the direct supervision of the design-builder's Executive Management Team (EMT). The Design-Build Project Manager will report to the EMT.

B. Design Manager

- The Design Manager shall be responsible for ensuring that the overall Project design is completed and design criteria requirements are met. This person shall be assigned to the Project full time and will be required to be onsite for the duration of the Project.
- Shall work under the direct supervision of the Design-Build Project Manager.
- Shall be a registered Professional Engineer and registered in the State of Colorado prior to the commencement of any design work on the Project.
- Shall have a minimum of 10 years of recent experience in managing the design of projects involving major highway reconstruction and bridge structure construction under traffic in urban areas.
- Shall have the authority to stop construction Work if and when he/she knows or has reason to believe that any Work does not meet the standards, specifications, or criteria established for the Project.
- Shall have Design-Build experience.
- Shall not be assigned any other duties or responsibilities on the Project.

C. Construction Manager

- Shall be assigned to the Project full time and will be required to be onsite for the duration of the Project.
- Shall have a minimum of 10 years of recent experience in managing the construction of projects involving major highway reconstruction, including bridge structure construction under traffic, in areas with similar traffic volumes as will be expected during this Project.
- Shall work under the direct supervision of the Design-Build Project Manager.
- Shall not be assigned any other duties or responsibilities on the Project.
- Shall have the authority to stop construction Work if and when he/she knows or has reason to believe that any Work does not meet the standards, specifications, or criteria established for the Project.

D. Design-Build Quality Manager

- Shall Work under the direct supervision of the Design-Builder's Executive Management Team (to whom the Design-Build Project Manager reports). The Design-Build Quality Manager shall be assigned to the Project full time and will be required to be onsite for the duration of the Project.



- Shall be responsible for the Design-Builder's quality program.
- Shall be responsible for certifying on the monthly invoice that the construction has been completed in conformance with the stamped/sealed drawings, including stamped field revisions.
- Shall have the authority to stop any and all Work that does not meet the standards, specifications, or criteria established for the Project.
- Shall have recent experience developing, implementing, and overseeing quality programs on Design-Build projects.
- Shall be a registered Professional Engineer in the State of Colorado.

E. Environmental Manager

- Shall work under the direct supervision of the Design-Build Project Manager.
- Shall have at least 10 years of experience in NPDES/MS4 regulatory requirements and recent experience in NPDES/MS4 compliance.
- Shall have experience with environmental documentation, including Environmental Impact Statements and implementation of resulting requirements.
- Shall ensure the contractor complies with all mitigation requirements of the Project.
- Shall ensure the contractor develops, implements, maintains, and documents best management practices for the Project and is in compliance with permit application requirements.

F. ITS/Tolling Manager

- Shall work under the direct supervision of the Design-Build Project Manager.
- Shall have at least five years of recent experience in coordinating design and construction of a complex ITS/Tolling system.
- Shall ensure the contractor complies with all requirements of the contract and coordination between the project and CDOT ITS staff, including staff at CTMC.
- Shall ensure the contractor complies with all requirements of the contract and coordination between the Project and E-470 Public Highway Authority.
- Public Communications Manager
  - Shall have at least seven years of professional experience in Public/Media Relations, Marketing, or another related field coordinating public information on public projects with similar traffic volumes.
  - Shall have relevant media and governmental experience with large projects.

- Should have a college degree in Communications, Journalism, or other relevant field of study.
- Shall have exceptional writing skills and experience working with both print and broadcast media, as well as relevant transportation communications experience.

G. Additional Key Personnel as Designated by the Contractor

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

### **3.4 Project Understanding and Approach**

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

#### **3.4.1. Project Technical Approach**

Identify and describe, at a conceptual level, your understanding of the Project's critical technical issues and demonstrate your team's approach to successful resolution that meets or exceeds Project Goals.

#### **3.4.2. Project Management Approach**

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

- Budget
- Schedule
- Design and construction
- Quality
- Safety
- Approach to resolving Project disputes and partnering
- Approach to coordinating with E-470 Public Highway Authority for installation of tolling and ITS equipment
- Public information

- Environmental compliance
- Disadvantaged Business Enterprise/Equal Employment Opportunity (DBE/EEO)

### **3.5 Legal and Financial**

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

#### **3.5.1. Acknowledgment of Clarifications and Addenda**

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

#### **3.5.2. Organizational Conflicts of Interest**

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

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

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

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

#### **3.5.3. Legal Structure**

If the Submitter organization has already been formed, provide complete copies of the organizational documents that allow, or would allow by the time of Contract award, the Submitter and Major Participants to conduct business in the State of Colorado. If the Submitter organization has not yet been formed, provide a brief description of the proposed legal structure or draft copies of the underlying agreements, if available.

### 3.5.4. Bonding Capability

Provide a letter from a surety or insurance company stating that the Submitter is capable of obtaining a Performance Bond and Payment Bond covering the Project in the amount of \$215 million each. Letters indicating “unlimited” bonding capability are not acceptable. The surety or insurance company providing such letter must be licensed as surety and qualified to do business in the State of Colorado.

### 3.5.5. Submitter Information

For the Submitter (if the Submitter organization does not yet exist or is 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, the Submitter shall:

- A. 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.
- B. 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.
- C. 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.
- D. Each Major Participant must be prequalified to perform Work in the State of Colorado. Each Major Participant must complete Form E (attached).

### 3.5.6. SOQ Forms

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

## 4.0 SOQ SUBMITTAL REQUIREMENTS

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

### 4.1 Due Date, Time, and Location

All SOQs must be either hand-delivered to the Greeley CDOT Region 4 Headquarters or sent by registered mail, Federal Express, UPS or a similar delivery method that furnishes proof of having been **received by CDOT no later than 4:00 p.m., Mountain Standard Time**, on the SOQ due

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date indicated in Section 2.4. Faxed or e-mailed SOQs will not be accepted or considered for this Project. **SOQs must be delivered to:**

Mr. Scott Rees, PE  
North I-25 Project Director  
CDOT Region 4  
10601 West 10th Street  
Greeley, CO 80634

Proposals that are hand-delivered on the due date will be received at the Greeley reception desk and a receipt will be issued acknowledging delivery.

Any SOQ that fails to meet the deadline or delivery requirement will be rejected without being opened, considered, or evaluated.

#### **4.2 Format**

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

The front cover of each SOQ must be labeled with “North I-25 Express Lanes, Johnstown to Fort Collins Design-Build Project” and “Statement of Qualifications,” along with the date of the submittal.

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

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

### **4.3 Submittal Quantities**

Each Submitter must provide CDOT with 12 bound copies of the SOQ information. Each copy must be identified on its front cover, in the upper right-hand corner, as “Copy X of 12 Copies.” In addition to the 12 bound copies, each Submitter shall provide one signed and dated “original” bound copy of the SOQ. 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:

- A. Return address: Submitter’s name, single point of contact person’s name, mailing address
- B. Date of submittal
- C. Contents labeled as “North I-25 Express Lanes, Johnstown to Fort Collins Design-Build Project” and “Statement of Qualifications”
- D. Recipient (CDOT) as specified in Section 4.1

## **5.0 EVALUATION PROCESS**

### **5.1 SOQ Evaluation**

CDOT will review the SOQs initially for responsiveness to the requirements of this RFQ. The information in the SOQ then will 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 of Proposers. CDOT may conduct these interviews during its evaluation of the overall SOQ submittal process and scoring. If elected by CDOT, CDOT will determine the schedule for interviews following receipt of the SOQs.

### **5.3 SOQ Evaluation and Scoring**

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

#### **5.3.1. Submitter Experience and Past Performance (30 Points):**

The potential for the Submitter to provide a high-quality, best-value Project by meeting and exceeding the established Project Goals, as demonstrated by its experience, performance, and qualifications. In accordance with *23 CFR § 636.206*, CDOT will not evaluate a Submitter without a record of relevant past performance in a particular area, or for whom information is not

available, either favorably or unfavorably with respect to past performance in such particular area.

- Experience and performance on major highway and interchange reconstruction under traffic in areas with similar traffic volumes as will be expected during this project
- Experience and performance in bridge structure construction under traffic in areas with similar traffic volumes as will be expected during this project
- Experience and performance with construction/reconstruction using innovative designs, methods, and materials
- Experience and performance with hydraulics/floodplains work in the project area, including CLOMR and LOMR
- Experience and performance with coordinating with railroads, specifically UPRR and GWRR
- Experience and performance with tolling and ITS infrastructure
- Experience and performance with Design-Build delivery
- Experience and performance with quality management
- Experience and performance with public information
- Experience and performance with National Environmental Policy Act/environmental compliance in Design-Build
- Involvement of proposed Key Personnel in listed project experience
- Owner/client references
- Contractor safety statistics

**5.3.2. Organization Information and Key Personnel (25 Points):**

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

- Functional structure of the organization
- Team members' relevant experience, qualifications, and commitment to the Project
- Commitment and conformance to registration requirements

**5.3.3. Project Understanding and Approach (45 Points):**

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

### **5.3.3.1 Project Technical Approach (25 Points):**

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

### **5.3.3.2 Project Management Approach (20 Points):**

Understanding of what is needed for, and the management approach that supports, successful delivery of the Project for the following items:

- Budget
- Schedule
- Design and construction
- Quality
- Safety
- Approach to resolving project disputes and partnering
- Approach to coordinating with E-470 Public Highway Authority for installation of tolling and ITS equipment and how it fits into the contractor's overall project schedule
- Public information
- Environmental compliance
- Underutilized Disadvantaged Business Enterprise/Equal Employment Opportunity (UDBE/EEO)

## **5.4 Determining Short-Listed Submitters**

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

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

This RFQ does not commit CDOT to enter into a Contract or proceed with the procurement of the Project. CDOT assumes no obligations, responsibilities, and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred by the parties responding to this RFQ. All such costs shall be borne solely by each Submitter.



## **5.5 Notification of Short-Listing**

Upon completion of the evaluation, scoring, and short-listing process, CDOT will send the record of short-listed Submitters (if any) to all Submitters. CDOT also will publish the list on its project website at <https://www.codot.gov/projects/north-i-25/north-i-25-express-lanes>

## **5.6 Debriefing Meetings**

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

## **6.0 PROCUREMENT PHASE 2**

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

### **6.1 Requests for Proposals**

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

### **6.2 RFP Content**

#### **6.2.1. RFP Structure**

The RFP will be structured as follows:

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

### **6.2.2. RFP Information**

The RFP will include the following information:

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

### **6.3 Alternative Technical Concept Meetings**

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

### **6.4 Proposals Submitted in Response to the RFP**

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

### **6.5 Proposal Evaluations**

CDOT has determined that award of the Project will be based on a "best value" determination under CRS 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.

No stipends will be paid for submitting SOQs.

In consideration for paying the stipend, CDOT may use any ideas or information contained in the Proposals in connection with any Contract Awarded for the Project, or in connection with a

subsequent procurement, without any obligation to pay any additional compensation to the unsuccessful short-listed Proposers.

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

## **7.0 PROTEST PROCEDURES**

### **7.1 Protests Regarding RFQ**

Any protests regarding the SOQ shall be hand delivered to the Project Director identified in Section 2.5 of this RFQ within seven 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 to expedite resolution of the protest. If any party fails to comply expeditiously with any request for information by the CDOT Chief Engineer or his/her designee, the protest may be resolved without such information.

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

**FORM A**  
**SUBMITTER and MAJOR PARTICIPANT INFORMATION**

Submitter:  or Major Participant:  (check appropriate box)

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

\_\_\_\_\_  
Year Established: \_\_\_\_\_ Federal Tax ID No.: \_\_\_\_\_

Name of Official Representative: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Business Organization (check one):

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

Partnership

Joint Venture

Other (describe): \_\_\_\_\_

A. Business Name: \_\_\_\_\_

B. Business Address: \_\_\_\_\_

Headquarters: \_\_\_\_\_

\_\_\_\_\_

Office Performing Work: \_\_\_\_\_

\_\_\_\_\_

Contact Telephone Number: \_\_\_\_\_

C. Bonding Capacity: \_\_\_\_\_

Total: \_\_\_\_\_ Available: \_\_\_\_\_

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

**FORM A (cont.)**

**SUBMITTER and MAJOR PARTICIPANT INFORMATION**

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

Name of Member Company	Role	Financial Liability
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Under penalty of perjury, I certify that I am the Company's Official Representative and that, to the best of my knowledge and belief, following reasonable inquiry, the foregoing is true and correct.

BY: \_\_\_\_\_  
(SIGNATURE)

PRINT NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

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

## FORM B

### CONTRACTOR SAFETY STATISTICS

Contractor's Name: \_\_\_\_\_

Year	Incident Rate	Lost Work Day Index	Cost of Accident per Employee	Experience Modification Rating	No. of Fatalities	No. of Lost Work Days	No. of Recordable Injuries
2015							
2014							
2013							

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

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

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

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

Under penalty of perjury, I certify that I am the Company's Official Representative and that, to the best of my knowledge and belief, following reasonable inquiry, the foregoing is true and correct.

BY: \_\_\_\_\_ PRINT NAME: \_\_\_\_\_  
 (SIGNATURE)

TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_

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

## FORM C

### SUMMARY OF COMPARABLE CONTRACTS IN PAST 10 YEARS

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

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

**FORM D**  
**SUBMITTER'S RECEIPT OF ADDENDA/CLARIFICATIONS**

Submitter's Name: \_\_\_\_\_

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

**ADDENDA**

Addendum/Clarification No. \_\_\_\_\_ Dated \_\_\_\_\_

Addendum/Clarification No. \_\_\_\_\_ Dated \_\_\_\_\_

Addendum/Clarification No. \_\_\_\_\_ Dated \_\_\_\_\_

Addendum/Clarification No. \_\_\_\_\_ Dated \_\_\_\_\_

Addendum/Clarification No. \_\_\_\_\_ Dated \_\_\_\_\_

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

\*BY: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

(SIGNATURE)

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

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

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



**FORM E**  
**CERTIFICATE OF PREQUALIFICATION**

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

\_\_\_\_\_ [COMPANY NAME], AND THAT

\_\_\_\_\_ [COMPANY NAME], IS

CURRENTLY PREQUALIFIED TO PERFORM WORK FOR CDOT.

BY: \_\_\_\_\_  
(SIGNATURE)

PRINT NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

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