

**STATE OF OHIO
DEPARTMENT OF TRANSPORTATION**

**CUY IR 490/SR 010
02.09/19.28**

PID 96833

**DESIGN BUILD
(Value-Based)**

Instructions to Offerors for a
Request for Proposals (RFP) and
Selection Criteria

11/14/2017

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Opportunity Corridor-Project 3 Design Build Project

Ohio Department of Transportation



PROJECT EXPECTATIONS

This document describes the Statement of Qualifications requirements for Opportunity Corridor-Project 3 Design-Build Project. The Opportunity Corridor Project, CUY IR 490/SR 010 02.09/19.28 (PID 96833) (“OC3”) is the third major project to be constructed from CUY-Opportunity Corridor (PID 77333) planning efforts that have spanned the last decade. OC3 primarily involves the construction of a new roadway from I-490 to E. 93rd Street and reconstruction of portions of the following streets:

- I-490 approach to E. 55th Street
- E. 55th Street
- Kinsman Road
- E. 75th Street
- E 79th Street
- Rawlings Avenue
- Buckeye Road
- Woodland Avenue
- Removal of various local streets
- Resurfacing and sidewalk improvements along various local streets

The project also involves the following bridges:

- E. 55th Street over OC Boulevard (new structure)
- Pedestrian Bridge over OC Boulevard at E. 59th Street (new structure)
- OC Boulevard over Kingsbury Run ravine (new structure)
- Kinsman Road Bridge over GCRTA (minor deck and parapet work)
- OC Boulevard over the Greater Cleveland Regional Transit Authority (GCRTA) Blue and Green Lines (new structure)
- NS Railroad over OC Boulevard (new structure)
- NS Railroad over vacated Grand Avenue (remove structure)
- E. 89th Street Pedestrian Bridge (remove existing and replace with new pedestrian structure)

In addition, the project includes NS track phasing and permanent track relocation, building demolitions, storm sewers and retention basins, sanitary sewers, combined sewer regulators, waterlines, power distribution systems, roadway lighting, traffic signals, traffic control and other miscellaneous work items, all within the City of Cleveland. The substantial completion date for this highly complex project is November 1, 2021. The substantial completion milestone will generally require the main and side roadways to be open and functional, with allowable ancillary work remaining (e.g. non-safety related work on side roads, mainline, punch list items, landscaping, and final pavement course). The Project completion date will be June 30, 2022.

OC3 will be awarded by the Department through a Value Based/ Design-Build Contract. The award will be to a "Design-Build Team" or "DBT". Value based awards allow the Department to select a DBT that not only has the requisite skill to perform the work, but who best represents the community and those impacted by the project.

With OC3, strategies for inclusion, diversity, New/Small/Local/EDGE (NSLE) business development is being facilitated through the Value Based/ Design-Build Contract. Department staff, with feedback from the community, reviewed the then available project documents, evaluated the proposed work types, reconciled with known NSLE businesses in the area. The Department will implement the following requirements for a combined 20% sub-contractor goal on this project:

- 2% new (established within 5 years of performing work or has never worked on a project for the Department)
- 2% small (Small Business Enterprise Program)
- 6% local (Cuyahoga County and Lorain County)
- 10% socially and economically disadvantaged (EDGE)

The DBT will be required pursuant to the contract documents for this project to not only employ an Independent Diversity, Inclusion & Outreach Consultant, but to also identify a "DB Diversity/Outreach Lead Manager" in a Key Personnel role for the DBT. The Consultant along with the DBT Members will perform outreach efforts to the disparately impacted disadvantaged community and to assist the DBT in reaching their goals. Past experience shows that when such a consultant is engaged, the outreach and inclusion programs and goals at all levels have a much greater chance at success.

The Department will continue to employ its own diversity and inclusion outreach consultants who will facilitate the DBT's efforts and continue to make opportunities for NSLE businesses a priority for the DBT and the Department.

The Department's unprecedented outreach efforts and goals set in OC1 and OC2 have already begun laying the groundwork for both the DBT and the Department to achieve success in diversity and inclusion goals. The Department has also engaged community leaders through the Opportunity Corridor Inclusion Advisory Committee, which will be engaging the community and DBTs as they proceed with this project. The project will have a 10,000 hour on-the-job training (OJT) requirement for professional service positions for residents of City of Cleveland's Wards 4, 5 and 6. In addition, the project will have a 20,000 hour OJT requirement without residence requirements. Finally, the project requires 20% of all construction worker hours to be performed by City of Cleveland residents. With all these in place, the Department is confident that the goals of diversity, inclusion, and NSLE business development will be accomplished to the benefit of the local community and the project.

The Offeror shall employ an Independent Quality Firm (IQF) responsible for verifying and documenting all quality related data involving the design. The IQF will be

responsible for providing qualified personnel and verifying that Project quality requirements are met. The IQF will:

- Be an independent entity and must not be owned or affiliated with other entities of the Offeror
- Directly report to the DBT Project Manager. The IQF will have the authority required and responsibility to stop any and all design work if quality requirements are not being met.

1 GENERAL

1.1 IDENTIFICATION OF SHORT-LISTED OFFERORS

The Department issued a Request for Qualifications (RFQ) soliciting Statements of Qualification (SOQ) from interested firms. The SOQ presents, in general terms, the Offeror's qualifications, capabilities, understanding and approach to the Project. An entity interested in being an Offeror, seeking to be selected as a Shortlisted Offeror, must have submitted a Statement of Qualifications (SOQ) responding to the Project's Request for Qualifications (RFQ).

Based on the Department's evaluation of the SOQs, the Department is issuing this Request for Proposals (RFP) to the following Short-listed Offerors:

- Walsh Construction
- Kokosing
- TGR Joint Venture

1.2 PROCUREMENT SCHEDULE

The Department currently anticipates conducting this procurement in accordance with the following list of milestones. This schedule is subject to revision and the Department reserves the right to modify this schedule as it finds necessary, at its sole discretion.

Milestone	Date
Advertise RFQ	Wednesday, July 27, 2016
Industry Open House	Tuesday, August 2, 2016 – 10:00 am
Deadline to submit questions	Monday, August 15, 2016 – 5:00 pm
Deadline for Department response to questions	Monday, August 22, 2016
Last recommended day for RFQ Addendum	Tuesday, August 23, 2016
SOQ submission	Tuesday, August 30, 2016 – 12:00 pm (noon)

Milestone	Date
Notification to Offerors of short-listing	Thursda, September 29, 2016
Short-listed Teams must respond to advancing	Tuesday, October 4, 2016
Begin Advertise (RFP Issued)	Thursday, October 20, 2016
Mandatory Matchmaker Event	Tuesday, October 18, 2016
One-on-One ATC Meeting (if applicable)	Thursday, November 3, 2016
2nd One-on-One ATC Meeting (if applicable)	Thursday, November 17, 2016
3rd One-on-One ATC Meeting (if applicable)	Thursday, December 8, 2016
Deadline for submittal of ATCs	Thursday, February 16, 2017 – 12:00 pm (noon)
Last recommended day for the Department to respond to ATC	Thursday, March 02, 2017
Last day to submit questions/comments on Scope	Wednesday, November 22, 2017– 5:00 pm
Last recommended day for RFP Addendum	Thursday, November 30, 2017
Tech and Price Proposals Due	Thursday, December 21, 2017 - 2:00 pm
Scores Announced	Friday, February 16, 2018
Anticipated Award Date	Tuesday, February 27, 2018

1.3 PREQUALIFICATION

In order to submit a Technical Proposal and Price Proposal, interested Short-listed Offerors shall be prequalified with the Department in accordance with ORC 5525 and 5526 for the performance of the Work. Prequalification requirements pertaining to licensure in the State of Ohio will not be required until one week just prior to Anticipated Award. All other prequalification requirements will apply throughout the procurement process.

Short-listed Offerors are directed toward ORC Chapters 5525.01 et seq. including but not limited to 5525.13 regarding surety limits and 5525.05 regarding Short-listed Offeror prequalifications.

Upon request, the Department will provide a prequalification application, applicable rules and regulations, and other relevant information. For Short-listed Offerors that are not yet prequalified, furnish the Department with a properly completed prequalification application at least thirty (30) days before the due date specified for the Price Proposals as noted in Section 1.2. The prequalification certificate is the Short-listed Offeror's license to submit a Technical Proposal and Price Proposal and perform construction for the Department.

If the Lead Contractor or Lead Designer is a joint venture, the joint venture shall be pre-qualified with ODOT in accordance with Rule 5501:2-3 of the Ohio Administrative Code.

For foreign Short-listed Offerors, refer to ORC 5525.18 and Ohio Administrative Rule 5501:2-3-07.

The DBT's Lead Designer must be prequalified in at least one of the Ohio Department of Transportation consultant prequalification categories and the DBT must include at least one design consultant firm that meets each category (if applicable) as follows:

- ROADWAY
 - Bicycle Facilities and Enhancement Design
 - Complex Roadway Design
- SUBSURFACE UTILITY ENGINEERING
- BRIDGE DESIGN
 - Level 2 Bridge Design
 - Bridge Design Sub-factors: Complex geometry
- SOILS/GEOTECHNICAL SERVICES
 - Geotechnical Engineering Services
 - Geotechnical Testing Laboratory
 - Geotechnical Field Exploration Services
 - Geotechnical Drilling Inspection Services
- TRAFFIC SIGNAL DESIGN
 - Traffic Signal System Design
- HIGHWAY LIGHTING DESIGN
 - Complex Lighting Design
- ENVIRONMENTAL DOCUMENTATION
 - Environmental Site Assessment Phase II

Design services that require prequalification may only be performed by firms that are prequalified for those services at the time of performance of the services. Consultants and Subconsultants that will perform design work must be listed in the appropriate prequalification category on the following website:

<http://www.dot.state.oh.us/Divisions/Engineering/Consultant/Pages/default.aspx>

All Consultant names and addresses must be the same as those on file with the Department.

All engineering services must comply with Section 4733.16 of the Ohio Revised Code.

The Department recommends that DBTs who submit Technical Proposals and Price Proposals register their company or fictitious name with the Ohio Secretary of State.

1.4 RIGHTS OF THE DEPARTMENT

The Department reserves the right to reject any and all Technical Proposals and Price Proposals.

The Department reserves the right, at its sole discretion, to ask written questions of the Short-listed Offerors and to request clarification of any submittal. The Short-listed Offerors agree to respond to the Department's requests with the appropriate personnel to answer questions necessary to provide clarification of any areas where the intent or meaning of the submittal is in doubt. Such requests will be for purposes of clarification only. Changes or modifications to the Technical Proposal or Price Proposal will not be permitted.

Offerors shall be aware that the Department reserves the right to conduct an independent investigation of any information, including prior experience, by contacting project references, accessing public information, contacting independent parties, or any other means. The Department reserves the right to acknowledge this information and include this information within the evaluation.

1.5 ADVERTISEMENT

Initial advertisement of this Project's Request for Qualifications (RFQ) included a draft version of the Document Inventory. The draft Document Inventory listed documents that described preliminary elements of the Basic Configuration developed for the Request for Qualifications (RFQ).

Short-listed Offerors must evaluate all final documents provided in the Document Inventory and cannot rely on any information or draft document released previously. These documents can be found at the following link:

<ftp://ftp.dot.state.oh.us/pub/Contracts/Attach/CUY-96833/Attachments>

Any Short-listed Offeror initiated questions must be issued and answered through the Department's Pre-Bid Website as described in Section 1.8.

1.6 CONFLICT OF INTEREST

Any Technical Proposal or Price Proposal received in violation of this section's requirements may be rejected.

The Short-listed Offerors' attention is directed to 23 CFR Part 636 Subpart A and in particular Section 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.”

Short-listed Offerors are prohibited from receiving any advice or discussing any aspect relating to the Project or procurement of the Project with any person or entity with an organizational conflict of interest. The Department may disqualify a Short-listed Offeror if an organizational conflict of interest exists.

The Short-listed Offeror agrees that, if after award, an organizational conflict of interest is discovered, the Short-listed Offeror must make an immediate and full written disclosure to the Department that includes a description of the action that the Short-listed Offeror has taken or proposes to take to avoid or mitigate such conflicts. If an organizational conflict of interest is determined to exist, the Department may, at its discretion, cancel the contract for this project.

The Short-listed Offerors' attention is further directed to Ohio Administrative Code Section 4733-35-05 (C) and the requirements regarding organizational conflicts of interest.

Each Short-listed Offeror shall require its proposed team members to identify potential conflicts of interest or a real or perceived competitive advantage relative to this procurement. Short-listed Offerors are notified that prior or existing contractual obligations between a company and a federal or state agency relative to the Project or ODOT's Design-Build program may present a conflict of interest or a competitive advantage. If a potential conflict of interest or competitive advantage is identified, the Short-listed Offeror shall submit in writing the pertinent information to ODOT's Point Of Contact prior to the submittal of the Technical Proposal. The Short-listed Offeror may request a waiver of the conflict of interest for the Department's consideration.

ODOT's Point of Contact: Eric Kahlig, P.E., Alternative Project Delivery-Division of Construction Management, Mail Stop 5100, 1980 W Broad St, Columbus OH, 43223. Ph. 614-387-2406, email: eric.kahlig@dot.ohio.gov)

The Department, in its sole discretion, will make a determination relative to potential organizational conflicts of interest or a real or perceived competitive advantage, and its ability to mitigate such a conflict. An organization determined to have a conflict of interest or competitive advantage relative to this procurement that cannot be mitigated, shall not be allowed to participate as a DBT member for the Project. The Department will attempt to make all reasonable efforts to respond to a waiver request timely. The firms listed below will not be allowed to participate as an Offeror or a Design-Build team member due to a conflict of interest:

- Burgess & Niple, Inc.

- C&K Industrial Services, Inc.
- CT Consultants
- HNTB Ohio, Inc.
- HzW Environmental Consultants, LLC
- Jacobs
- O.R. Colan Associates, Inc.
- Pipeline Inspection Partners Corp
- Pro Geotech, Inc.
- So-Deep US, P.C.
- Wade Trim

1.7 EX PARTE COMMUNICATIONS

Short-listed Offerors are expected to conduct themselves with professional integrity and to refrain from lobbying activities. No employee, member, agent, or advisor of any potential or submitting Short-listed Offeror shall have any direct or indirect ex parte communications regarding this Project with any representative of the Department, staff or advisors or representatives of the City of Cleveland or its departments or agencies, Short-listed Offerors or consultants involved with the procurement, except for communications expressly permitted by the Bid Documents.

Any verified allegation that a Short-listed Offeror, Short-listed Offeror member, an employee, agent, advisor or consultant of the Short-listed Offeror has engaged in such prohibited communications or attempted to unduly influence the selection process may be cause for the Department to disqualify the Short-listed Offeror or to disqualify the Short-listed Offeror member from participating with the Short-listed Offeror; all at the sole discretion of the Department.

1.8 EXAMINATION OF BID DOCUMENTS AND PROJECT SITE AND SUBMISSION OF PRE-BID QUESTIONS

Each Short-listed Offeror shall be solely responsible for (a) examining, with appropriate care and diligence, the Bid Documents, including the RFP, Document Inventory and any other documents or information provided by ODOT, prior to submitting the Technical Proposal and Price Proposal, (b) requesting written clarification or interpretation of any perceived discrepancy, deficiency, ambiguity, error or omission contained in the RFP, or of any provision that such Short-listed Offeror fails to understand and (c) informing itself with respect to any and all circumstances which may in any way affect the nature of its Technical Proposal or the performance of its obligations if such Short-listed Offeror enters into a Contract with ODOT.

Upon written request to ODOT and subsequent approval, the Short-listed Offerors may obtain test borings during the development of Technical Proposals. The Short-listed Offerors shall secure access permits from the appropriate agencies, if required, for all

additional geotechnical explorations, which may require the preparation of an equipment access plan, description of equipment types, a plan of the test locations, and other items. The Short-listed Offerors shall not enter any private property without permission from the private property owner.

Short-listed Offerors are hereby made aware that the buildings slated for demolition may still be occupied. Short-listed Offerors are not to disturb the occupants and shall make their estimate of demolition costs, for these occupied buildings, from the provided parcel descriptions and off-premise inspection only.

Failure of a Proposer to examine and inform itself shall be at its sole risk, and ODOT will provide no relief for any error or omission. The submission of a Technical Proposal and Price Proposal shall be considered prima facie evidence that the Short-listed Offeror has investigated the Project site and is satisfied as to the character, quality, quantities, and the conditions to be encountered in performing the Work. A reasonable site investigation includes investigating the documents provided by ODOT, the Project site, borrow sites, hauling routes, and all other locations related to the performance of the Work.

Should a question arise at any time during the reasonable site investigation the Short-listed Offeror may seek clarification by submitting a Pre-bid Question. All questions prior to submission of the Price Proposals or Technical Proposals shall be directed to the Department's Pre-Bid website:

<http://www.dot.state.oh.us/Divisions/ContractAdmin/Contracts/Pages/PBQs.aspx>

The Department will post a response on its website to all Pre-bid Questions submitted before the deadline for Pre-bid Questions provided in Section 1.2. Responses to Pre-bid Questions posted on the Department's website are not revisions to the Bid Documents and are not binding. The Department is not obligated to respond to, or otherwise act upon, a Pre-bid Question submitted after this deadline, but reserves the right to act upon any information received.

1.9 PAYMENT FOR PREPARATION OF RESPONSIVE PRELIMINARY DESIGN CONCEPT

The cost of preparing a Technical Proposal, a Price Proposal and any and all other costs incurred by a Short-listed Offeror at any time during the RFP Process shall be borne solely by such Short-listed Offeror. However, subject to the conditions listed in this note, the Department will provide a payment of \$1,000,000 or the Short-listed Offeror's actual costs of preparing the responsive preliminary design concept, whichever is less, to each non-winning Short-listed Offeror. The successful Short-listed Offeror will not receive a separate payment. The term "payment" as used in this section shall mean \$1,000,000 or the Short-listed Offeror's actual costs of preparing the preliminary design concept, whichever is less.

After Award, each non-winning Short-listed Offeror shall submit complete documentation of all actual costs of preparing the preliminary design concept. The Department will initiate payment after validation of the actual costs submitted and approval of the Controlling Board.

By submitting its Technical Proposal for this Project, the Short-listed Offeror acknowledges that it is eligible for payment if the Short-listed Offeror's Technical Proposal and Price Proposal are not selected as providing the best value. The payment will be payable by the Department to the Short-listed Offeror within 90 days of Execution of the Contract, unless payment is waived by the unsuccessful Short-listed Offeror.

The payment shall be due only if the Short-listed Offeror submits a Technical Proposal that is responsive to the RFP as defined in Section 2.2. However, upon Execution of the Contract or after 10 days days of Contract Award, at the Department's discretion, all information provided to the Department that was used in the evaluation of the Technical Proposals and Price Proposals will be considered a public record.

Unsuccessful Short-listed Offerors who otherwise qualify for the payment may elect to refuse payment within 10 days of the Contract Award and retain any available rights to its Technical Proposal and ATCs.

The payment shall be full and final consideration for all documents submitted in the Technical Proposal. Except for that intellectual property developed apart from or prior to Short-listed Offeror's commencing work on the Technical Proposal for this Project, the Department shall retain an undivided joint interest in all rights and intellectual property submitted with the Technical Proposal.

If Technical Proposals have been submitted, but the Department does not execute the Contract, the two Short-listed Offerors with the highest scored Technical Proposal shall receive a payment, unless payment is waived by a Short-listed Offeror. If the Department withdraws the RFP prior to Technical Proposal submission, no payment will be made.

In order to receive a payment, the Short-listed Offeror will be required to have a State of Ohio Vendor's Code number. Information on Vendor Codes may be obtained from the Ohio Department of Transportation's Office of Accounting. The unsuccessful Short-listed Offerors must submit an invoice and all supporting documentation within 30 days of Contract Execution.

The Short-listed Offeror's actual costs of preparing the preliminary design concept shall be calculated as described below. Eligible costs must have been incurred between the advertised Request for Qualifications and the date the Technical Proposal and Price Proposal is submitted to ODOT. The Short-listed Offeror bears the burden to document and support claimed costs.

Consultants

Actual costs shall be determined in conformance with applicable provisions of the Department's policies and directives, the FHWA's Federal-Aid Policy Guide, and the principles and procedures set forth in FAR Part 31. When specific Department and FHWA policies differ from FAR Part 31, the Department and FHWA policy shall prevail. Direct costs must be properly supported by time records and/or copies of receipts or other acceptable evidence of expenditures.

No mark-up of actual costs is permitted to compensate the consultant for profit.

Contractors

Actual costs shall be determined in accordance with sections 109.05.C.1, 109.05.C.2 and 109.05.C.3 of ODOT's *Construction and Materials Specification* (CMS) manual (Dated 1/1/2013), with the following modifications –

109.05.C.1:

1. Completion of a Daily Force Account Record is not required. However, labor documentation requirements set forth in section 109.05.C.2 apply. Allowable mark-ups for Labor shall be modified to 35%.
2. Equipment costs are not allowable or reimbursable.
3. Actual subcontractor costs are reimbursable, without mark-up, if required for this project, The Contractor must provide copies of paid invoices from the subcontractors and consultants demonstrating the actual costs incurred and paid by the Contractor for this project.

109.05.C.2:

4. Costs associated with profit sharing, bonuses (in any form), and incentives are not reimbursable.
5. Workers' Compensation Premiums for other states, if incurred for this project, are reimbursable.
6. Restriction on personnel categories shall not apply.
7. Travel costs shall be calculated in accordance with the State of Ohio's most current travel reimbursement policy in effect at the time travel was incurred.

109.05.C.3:

8. Actual material costs are allowable, with no additional mark-up. The Contractor must provide paid invoices from the vendor demonstrating the actual material costs incurred and paid by the Contractor for this project.

1.10 PARTICIPATION ON MORE THAN ONE PROPOSER TEAM

The Lead Contractor and Lead Designer shall not, directly or indirectly, participate in any capacity on more than one Short-listed Offeror's team. This prohibition includes the participation on different teams by a Lead Contractor or Lead Designer through related corporate entities, such as an entity that directly or indirectly controls another entity, or two entities that are under common control. If any Lead Contractor or Lead Designer fail to comply with this prohibition, all Offeror teams on which it is participating may be considered non-responsive and the Technical Proposal and Price Proposal may be rejected.

1.11 DISCLOSURE

All documents received by the Department are subject to Section 149.43 of the Ohio Revised Code, also known as The Public Records Act, and are subject to release unless a statutory exception exists that exempts the documents from public release.

If any information in a Technical Proposal is to be treated as a "trade secret," the Short-listed Offeror must identify each and every occurrence of the information within the Technical Proposal by:

1. Listing the page numbers of every occurrence of the "trade secret" on the cover sheet submitted with the Technical Proposal.
2. Placing an asterisk before and after each line of the Technical Proposal which contains "trade secret" information.

Ohio Revised Code Section 1333.61(D) defines "trade secret" as "information, including the whole or any portion or phase of any scientific or technical information, design, process, procedure, formula, pattern, compilation, program, device, method, technique, or improvement, or any business information or plans, financial information, or listing of names, addresses, or telephone numbers, that satisfies both of the following:

1. It derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and
2. It is the subject of efforts that are reasonable under the circumstances to maintain its secrecy."

During the RFP process, the Department does not intend to share with, or convey to, any person the information provided by the Short-listed Offeror, unless disclosure is

required by law or the Short-listed Offeror gives prior written approval for such disclosure.

In the event the Department is required to disclose any information the Short-listed Offeror considers a trade secret pursuant to applicable law, prior to disclosing such information, the Department intends to notify the Short-listed Offeror in writing. The Department intends to use reasonable efforts to give notice of disclosure at least three days in advance of release. However, upon Award, all information provided to the Department that was used in the evaluation of the bids will be considered a public record.

The Department shall not be obligated to maintain in confidence any information that is not a trade secret including information that (1) is already known by the state, or (2) is or comes into the public domain through no fault of the state, or (3) is independently developed by the state, or (4) comes to the state from a third party in a manner not in violation of any obligation of confidentiality by such third party to the Short-listed Offeror.

State law generally requires that documents which contain both confidential/trade secret and non-confidential information be disclosed with confidential information redacted.

2 VALUE BASED SELECTION

2.1 SELECTION PROCEDURE

The Short-listed Offerors are to prepare and submit a Technical Proposal and a Price Proposal. The final selection of a DBT from the Short-listed Offerors will be based upon the quality of its Technical Proposal as well as the price contained in its Price Proposal. The Price Proposal will include the cost of all Work proposed to be completed in accordance with the Contract Documents and Technical Proposal.

After submittal, the Technical Proposals will be evaluated by the Technical Proposal Advisory Group. Price Proposals will be retained, unopened, until the public opening addressed in Section 2.3.

The Technical Proposal Advisory Group consists of a Technical Evaluation Team and an Executive Level Evaluation Team. The Technical Evaluation Team is anticipated to consist of Department representatives in the following areas:

- District 12
- Division of Construction Management
- Division of Engineering
- Division of Opportunity, Diversity & Inclusion

The Technical Evaluation Team will present the findings, scoring, and shall make a recommendation to the Executive Level Evaluation Team. The Executive Level Evaluation Team will consist of representatives from the following areas:

- ODOT District 12 Deputy Director
- ODOT Deputy Director of Construction Management
- ODOT Deputy Director of Engineering
- ODOT Chief Engineer
- ODOT Deputy Director of Opportunity, Diversity, & Inclusion

The Technical Proposal Evaluation Team will determine if the Technical Proposals are responsive to the requirements of the RFP as further described in Section 2.2.

Technical Proposals that are determined to be non-responsive will not be reviewed. The Department may, at its own discretion, request clarification or revisions from the DBT.

Technical Proposals will be further evaluated by the members of the Technical Proposal Evaluation Team based on the Short-listed Offeror's ability to meet and exceed the requirements and objectives established in the RFP in a beneficial way that provides a consistently outstanding level of quality. The extent to which the Short-listed Offeror meets or exceeds the evaluation criteria in Section 4 will be determined by the Technical Evaluation Team in its sole discretion and will be reflected in the rating of each Technical Proposal.

The Technical Evaluation Team will present their findings and recommended scoring information to the Executive Level Evaluation Team for consideration. The Executive Level Evaluation Team will examine the Technical Evaluation Team's findings and ratings. The Executive Level Evaluation Team will establish final Technical Proposal scores with concurrence from the Technical Level Evaluation Team based on the Scoring guidelines within the ITO/RFP.

The Technical Proposal Advisory Group may be assisted by any number of subgroups and/or subject matter experts within the Department, City of Cleveland, other involved agencies, and/or contracted by the Department.

2.2 RESPONSIVENESS

The Department may declare a Technical Proposal or Price Proposal non-responsive and ineligible for Award when any of the following occur:

1. The Short-listed Offeror lacks sufficient prequalification work types or dollars to be eligible for Award.
2. The Short-listed Offeror fails to furnish the required Proposal Guaranty in the proper form or amount.
3. The Short-listed Offeror contains unauthorized alterations or omissions.
4. The Technical Proposal or Price Proposal contains conditions or qualifications not provided for in the Bid Documents.
5. The Technical Proposal or Price Proposal is incomplete or not prepared as specified.
6. A single entity, under the same name or different names, or affiliated entities submits more than one Technical Proposal or Price Proposal for the same Project.
7. The Short-listed Offeror is debarred from submitting Bids.
8. The Short-listed Offeror has defaulted, has had a Contract terminated for cause by the Department, has either agreed not to Bid or has had debarment proceedings initiated against the Short-listed Offeror's company and/or its Key Personnel.
9. The Short-listed Offeror submits its Price Proposal on a form other than that provided by the Department.
10. The Short-listed Offeror fails to acknowledge addenda.
11. The Department finds evidence of collusion.
12. Any other omission, error, or act that, in the judgment of the Department, renders the Short-listed Offeror's Technical Proposal or Price Proposal non-responsive.

Additionally, a Technical Proposal may be deemed non-responsive at the sole discretion of the Department if any of the following apply:

1. The Technical Proposal fails to achieve a total score of at least 60 points; not including bonus points.
2. Any “pass/fail” element does not receive a “pass”.
3. The Technical Proposal receives less than 60 percent of the overall available points in the major categories of Evaluation Criteria in Section 4.1 (A through C) and Evaluation Criteria sub-categories D.1 and D.2 in Section 4.6.2. Total available points for these items is 85 points (scoring less than 51 points out of the available 85 points would be non-responsive).
4. The Technical Proposal receives less than 50 percent of the available points in any of the sub-categories of Evaluation Criteria (Excludes D.2 and Bonus Points).
5. The Technical Proposal does not include a statement that the Short-listed Offer is committed to meeting the Project goals for NSLE businesses.
6. The Technical Proposal does not respond to the Bid Documents in a material respect.

Short-listed Offerors will be advised in writing by the Department if their Technical Proposal is considered non-responsive.

2.3 PUBLIC OPENING AND SCORING

The Technical Proposal Scores related to the responsive Price Proposals and Technical Proposals will be publicly announced at a time and location that will be provided to the Short-listed Offerors by the Department. Short-listed Offerors or their authorized agent and other interested persons are invited to the opening.

The Technical Proposal score will be announced prior to revealing the price contained in the Price Proposals.

Scoring of responsive Technical and Price Proposals will be determined using a normalized weighted formula as follows:

Proposal Score =

$40 \times \text{Shortlisted Offeror's Technical Proposal Score} / 100 +$
$60 \times \text{Low est Price Proposal} / \text{Shortlisted Offeror's Price Proposal}$

The Technical Proposal score and Price Proposal score will be rounded to a tenth of a point. Rounding of scores to the nearest tenth of a point will be accomplished by the

roundup method: e.g. - 75.45, 75.46, 75.47, 75.48, and 75.49 would be rounded up to 75.5; and 75.41, 75.42, 75.43, and 75.44 will be rounded to 75.4.

Prior to making the final pass/fail determination or scoring determination on any Technical Proposal or Price Proposal, the Department may, in its sole discretion, waive mistakes, offer a DBT the opportunity to clarify its Technical Proposal, or request revisions to all Technical or Price Proposals. The Department may reject any or all Technical Proposals and Price Proposals, waive technicalities, or advertise for new proposals without liability to the Department.

The Department will award the Project to the DBT with the highest overall Proposal Score. The DBT with the highest overall Proposal Score shall be considered the successful Shortlisted Offeror.

If two or more Short-listed Offerors receive the same Proposal Score and are determined to be responsive and responsible, the Department will identify the Short-listed Offeror with the lowest submitted price as the apparent successful Short-listed Offeror.

The Director has final authority to determine the best interests of the Department and may reject any or all Technical Proposals and Price Proposals or advertise for new Bids without liability to the Department.

2.4 PRE-AWARD MEETING

Within ten days after the Technical Proposal Scores are announced, the apparent successful Short-listed Offeror will attend a mandatory pre-award meeting. This confidential meeting will be held with the Office of Estimating in the Division of Construction Management to discuss the Lump Sum estimated items with the Office of Estimating and Department project personnel, as needed.

At the meeting, the apparent successful Short-listed Offeror shall furnish a schedule of values showing the breakdown (approximate cost and approximate work) of the Lump Sum bid items. The breakdown shall be in sufficient detail to depict reasonable elements of physical work items and in sufficient detail to enable the Office of Estimating to understand the apparent successful Short-listed Offeror's cost breakdown of the Lump Sum items. The Office of Estimating may retain this information and perform a cursory review of the information to assist in developing its final recommendation for Award to the Director. The cursory review does not indicate the Department's acceptance of any assumptions made by the apparent successful Short-listed Offeror. The Department retains the right to waive deficiencies, informalities and irregularities and seek clarifications during the meeting or after the meeting.

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Information provided and any subsequent discussions shall be held in confidence. Information provided will not be used for any other purpose except to assist the Office of Estimating to understand the successful Short-listed Offeror's bid.

3 GENERAL SUBMITTAL REQUIREMENTS

3.1 DATE AND LOCATION OF SUBMITTALS

Each Short-listed Offeror shall submit the Technical Proposal and a sealed Price Proposal to the address provided below. The Technical Proposal shall be submitted on or before Thursday, December 21, 2017 at 2:00 pm to:

Ohio Department of Transportation
Division of Construction Management, First Floor
Mail Stop 5100
1980 W. Broad St.
Columbus, OH 43223
Attention: Letting Manager

The outside cover of each submittal must include the full name and address of the Short-listed Offeror and the following information:

Attention: Letting Manager
Project 3000 (17)
Project: CUY IR 490/SR 010 02.09/19.28
PID 96833
Price Proposal or Technical Proposal, as applicable

The Department assumes no responsibility for delays caused by any delivery service. Postmarking by the applicable Proposal Due Date will not substitute for ODOT's actual receipt of a Technical Proposal or Price Proposal.

Each Short-listed Offeror shall electronically submit the Price Proposal in accordance with Section 3.3.

The sealed Price Proposal of a Short-listed Offeror with a responsive Technical Proposal will only be opened if one or more of the Technical Proposals of the other Short-listed Offerors is deemed non-responsive or the Short-listed Offeror is deemed non-responsive. The Price Proposal for non-responsive or non-responsive Short-listed Offerors will not be opened. Unopened Price Proposal submittals will be returned following Award.

3.2 REQUIRED SIGNATURES

A Proposal Letter must be submitted by each Short-listed Offeror. One original letter shall be signed in blue ink by an individual with signature authority for the contracting firm. In the case of a joint venture, a blue ink signature will be required from an individual with signature authority of each member of the joint venture. The letter shall be accompanied by evidence of signatory authorization. Form A-1 shall be accompanied by a certification from the Short-listed Offeror (i.e. corporate resolution or

other customary certification) establishing the following: The signatory for the Short-listed Offeror identified in the Proposal Letter (Form A-1) has been duly authorized to execute the Contract on behalf of the Design-Build Team and has obtained all necessary or applicable approvals to make the Contract fully binding upon the Design-Build Team when his/her signature is affixed, and accepted by the Department.

3.3 CONTENT, FORMAT, AND ORGANIZATION

GENERAL

Each Technical Proposal shall include all items identified in the RFP. Each Technical Proposal component shall be clearly titled and identified. All blank spaces in forms must be filled in, as appropriate, and no substantive change shall be made to any form. Submittals must be bound with all pages in sequentially numbered binders.

TECHNICAL PROPOSALS

In the manner described in Section 3.1, submit one (1) paper copy of the Technical Proposal and (1) CD/DVD or (1) USB “thumb” drive containing two electronic files of the Technical Proposal as follows:

- a) One electronic searchable single file PDF format which does not restrict printing or copying text, images and other content.
- b) One electronic password protected single file PDF format which restricts copying of text, images and other content

Multiple electronic files may be submitted, but no file shall exceed 50 MB. All information shall be identical in all copies.

The paper copy shall be provided in a three ring binder or other appropriate binding, and each binder of the Technical Proposal shall be labeled to indicate its contents and shall include tabs and dividers as appropriate to facilitate the Department’s review of its contents. Multiple binders may be submitted as necessary.

Any portion of the Technical Proposal considered confidential shall be clearly noted within the Technical Proposal. Each Technical Proposal shall contain concise written material and drawings, enabling a clear understanding and evaluation of the capabilities of Short-listed Offeror and the characteristics and benefits of the Technical Proposal. Legibility, clarity, and completeness of each portion of a Technical Proposal are essential.

The Technical Proposal narrative shall be limited to 30 pages organized as follows:

Part	Description	Max No. of Pages
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Part	Description	Max No. of Pages
ES	Executive Summary	30
A	Project Management	
B	Design	
C	Construction	
D	Community Involvement and Diversity & Inclusion	
E	Prequalification	As needed
F	Appendices	
F.1	Appendix 1 – Administrative Submittal (Forms A-1 and C-1)	As needed
F.2	Appendix 2 – Project Management Key Personnel Resumes	1 per person
F.3	Appendix 3 – Design and IQF Key Personnel Resumes	1 per person
F.4	Appendix 4 – Construction Key Personnel Resumes	1 per person
F.5	Appendix 5 – Community Involvement and Diversity & Inclusion Key Personnel Resumes	1 per person
F.6	Appendix 6 – Preliminary CPM Schedule & Narrative	As needed
F.7	Appendix 7 – Conceptual Plans	As needed
F.8	Appendix 8 – Work History Form	As needed
F.9	Appendix 9 – Documentation of Commitment from NSLE Businesses	As needed
F.10	Appendix 10 – Draft Diversity, Inclusion and Outreach Plan (DIOP)	As needed
F.11	Approved ATCs	As needed
F.12	Draft Design Quality Management components of the Project Management Plan (PMP)	As needed

Each page shall be 11" x 17" printed on one side only. Font should be single spaced and use at least 12 point in Times New Roman font. Margins should be at least 1" all around.

The DBT shall number each page in each part consecutively (i.e. EX-1, EX-2; A-1, A-2; B-1, B-2) within the lower margins. Headers and Footers depicting the Short-listed Offeror and which do not expound upon information are permitted in the margins. If dividers are used and contain project information, they will be counted towards the maximum number of pages. Foldout pages are not allowed.

Submissions exceeding the page limitations or failing to follow the section format instructions outlined above may be rejected. Graphics, tables and figures which include text may use a smaller font size but shall remain legible. The abuse and excessive use

of text in graphics, tables and figures to unreasonably expand the content of the Technical Proposal may be grounds for rejection or scoring reductions of the Technical Proposal in the sole discretion of the Technical Proposal Advisory Group.

PRICE PROPOSALS

The Price Proposal will be submitted using the Bid Express website in accordance with the process described in PN 019 and PN 097 (102.06 – Preparation of Bids) on or before 10:00 am on Thursday, December 21, 2017.

In addition to the requirements of PN 019 and PN 097, the Short-listed Offeror shall also submit, in accordance with Section 3.1, one CD, DVD or USB drive containing the Price Proposal in PDF format and a copy of the Expedite file used to create the PDF version (Sealed Version). The Price Proposal shall be in a sealed envelope, enclosed separately from the Technical Proposal. The Technical Proposal and Price Proposal may not both be on the same electronic device. The delivery of the Sealed Version of the Price may be provided to the Department by 2:00 pm, although a Short-listed Offeror shall only be considered responsive if a Price Proposal is submitted via Bid Express by the 10:00 am deadline.

The price reflected in the Price Proposal will include the cost for performing all work specified in the Contract Documents and the Short-listed Offeror's Technical Proposal.

All required enhancement elements in the Project Scope must be designed and constructed as part of this Project. Additional enhancements may also be proposed by the Short-listed Offeror as part of their Technical Proposal, and included in their Price Proposal.

The Department will only view the Price Proposals after the completion of the evaluation of the Technical Proposals.

If all Technical Proposals are deemed responsive, the Department will view Price Proposals utilizing Bid Express.

After determining the apparent successful Shortlisted Offeror, the Department will compare the apparent successful Shortlisted Offeror's Price Proposal submitted utilizing Bid Express to the successful Shortlisted Offeror's sealed Price Proposal. The Department may deem the apparent successful Shortlisted Offeror non-responsive if a material discrepancy is found. The Department reserves the right to determine a material discrepancy.

If the Department has determined that any Short-listed Offeror is non-responsive or non-responsible, the Sealed Version of the EBS file will be the opened Price Proposal. In this scenario, no EBS files submitted via Bid Express will be opened.

If the Department has determined that a Short-listed Offeror's is non-responsible or the Technical Proposal is non-responsive, the Department will not view the corresponding Price Proposal in Bid Express or open the sealed version of the Price Proposal provided to the Department.

Unopened Price Proposal submittals will be returned following Award.

3.4 MODIFICATIONS, WITHDRAWALS, AND LATE SUBMITTALS

Modifications to a Technical Proposal and Price Proposal

Modifications to a Technical Proposal or Price Proposal will not be accepted in any form after submittal to the Department.

Late Technical Proposals and Price Proposals

The Department may consider any late Technical Proposal and Price Proposal in its sole discretion. Technical Proposals, Price Proposals, modifications and withdrawal requests received after the time due indicated in Section 3.1 may be rejected without consideration or evaluation, in the Department's discretion.

4 TECHNICAL PROPOSALS

4.1 TECHNICAL PROPOSAL EVALUATION

The Department's goal is to create a fair and uniform basis for the evaluation of the Technical Proposals in compliance with all applicable legal requirements governing this procurement. The evaluation of Technical Proposals will be conducted using a value-based selection process described below.

The Department's Technical Proposal Advisory Group will evaluate each Technical Proposal. Technical Proposals that are not responsive as described in Section 2.2 may not be eligible for Award. Failure to identify commitments in accordance with Part D will not be considered a non-responsive submission.

Each Technical Proposal will be evaluated by the Department on the basis of the evaluation criteria described in this RFP. Elements that are identified as "Pass/Fail" must receive a "Pass" from the Technical Proposal Advisory Group to be considered Responsive. To receive a "Pass", the element must be complete and include all documents and information required in the RFP using the format and structure specified.

The scored portions of the Technical Proposal, as identified in the below table, will be evaluated based on the Short-listed Offeror's ability to demonstrate that they will meet and exceed the RFP requirements and objectives in a beneficial way that provides a consistently outstanding level of quality.

Part / Major Categories	Evaluation Criteria	Maximum Points
ES	Executive Summary	Pass/Fail
A	Project Management (including Part F.2 and F.6)	30
B	Design and IQF (including Part F.3, F.7, and relevant portions of F.8)	20
C	Construction (including Part F.4 and relevant portions of F.8)	20
D	Community Involvement and Diversity, Inclusion and Outreach (including Part F.5, relevant portions of F.8, F.9, and F.10)	30
E	Prequalification	Pass/Fail
TOTAL – Technical Proposal		100
Bonus	EDGE Commitments	5
Bonus	Firm Utilization Commitments	5

Technical Proposal content requirements are found in the following sections as well as within components of the Bid Documents.

In Appendices 2, 3, 4 and 5, provide a resume for Key Personnel requested. Duties may be performed by more than one person. If this is the case, provide information for each person and clarify individual duties. Any person proposed for a Key Personnel position requiring a Professional Engineering license who is not currently an Ohio P.E. may be proposed if 1) the person is licensed in another state and 2) submits a commitment in the RFP to becoming licensed in Ohio prior to submittal of a Price Proposal.

The Key Personnel for the Project include the following positions:

KEY PERSONNEL	DUTIES
DB Project Manager	Ultimately responsible for the Offeror's performance. Ensures that personnel and other resources are made available. Responsible for contractual matters. The DB Project Manager shall be co-located on a full-time basis for the duration of the Project unless modification to the commitment is requested by the DBT and approved by ODOT in its sole discretion.
DB Utilities/Rail/City Coordinator	Responsible for coordination with utilities, railroads, city/local representatives and other third parties with authority to make commitments on behalf of the DBT. Role may be held by more than one person. Must be an Ohio P.E. at the time of Award or have seven (7) years of verifiable experience applicable to the position. The DB Rail/Utilities/City Coordinator shall be co-located on a full-time basis for the duration of the Project unless modification to the commitment is requested by the DBT and approved by ODOT in its sole discretion.

KEY PERSONNEL	DUTIES
DB Design Project Manager	Actively manages the overall design of the project. Must be an employee of the Lead Designer. Responsible for overall design of the project inclusive of all structures and structural elements (bridge substructures and superstructures, retaining walls, noise walls) and roadway items (alignment, drainage, pavement, lighting, traffic signals, maintenance of traffic, etc.) Must be an Ohio P.E. at the time of Award. The DB Design Project Manager shall be co-located on a full-time basis for the duration of design activities unless modification to the commitment is requested by the DBT and approved by ODOT in its sole discretion.
DB Lead Structural Engineer	Actively manages and serves as point of contact for all structural designs. Responsible to ensure that all requirements of the design for all structural elements on the Project, including bridges, box culverts, walls, and foundations are met. Must be an employee of the Lead Designer. Must be an Ohio P.E. at the time of Award.
DB Lead Roadway Engineer	Actively manages and serves as point of contact for all roadway and drainage designs. Responsible to ensure that all requirements of the design for all roadway and drainage elements on the Project are met. Must be an employee of the Lead Designer. Must be an Ohio P.E. at the time of Award.
DB Construction Project Manager	Actively manages the overall construction of the project. Must be an employee of the Lead Contractor. Responsible for overall construction inclusive of all structures and structural elements (bridge substructure and superstructure, retaining walls, noise walls) and roadway items (alignment, drainage, pavement, lighting, traffic signals, maintenance of traffic, etc). The DB Construction Project Manager shall be co-located on a full-time basis for the duration of the Project unless modification to the commitment is requested by the DBT and approved by ODOT in its sole discretion.
DB Diversity/Outreach Lead Manager	Actively manages the project specific Diversity and Outreach program. Must be an employee of the Diversity, Inclusion & Outreach Consultant. Acts, in conjunction with the Department, as the Project's lead contact in regards to local community outreach efforts.

KEY PERSONNEL	DUTIES
Contractor Diversity/Outreach Lead Manager	In conjunction with the DB Diversity/Outreach Lead Manager and the Department, provides outreach efforts to the local community and assists the DBT in reaching their goals. Responsible for the Short-listed Offeror's internal Diversity and Inclusion Efforts and monitoring. Must be an employee of the Lead Contractor.
Design IQF Project Manager	Actively manages the Design Quality Assurance. Must be an employee of the IQF. Responsible for ensuring that the requirements of the Design Quality portions of the Project Management Plan are being met and to manage any other matters related to design quality. Must be an Ohio P.E. at the time of Award. The Design IQF Project Manager shall be co-located on a full-time basis for the duration of design activities unless modification to the commitment is requested by the DBT and approved by ODOT in its sole discretion.

4.2 EXECUTIVE SUMMARY (PART ES)

The Short-listed Offeror shall submit an executive summary that summarizes all significant aspects of the Technical Proposal and benefits of the Technical Proposal relative to the Project. The executive summary shall contain sufficient information to familiarize ODOT with the Proposer's approach and its ability to satisfy the requirements of the Agreement. The executive summary shall be no longer than one (1) 11" x 17" size page. As the Executive Summary is part of the Technical Proposal, it must exclude all information regarding price.

The executive summary shall summarize the other sections of the Technical Proposal, including:

1. Project Management
2. Design and IQF
3. Construction
4. Diversity and Inclusion

The Executive Summary will be evaluated on a pass/fail basis.

4.3 PROJECT MANAGEMENT (PART A)

4.3.1 PROJECT MANAGEMENT (PART A) CONTENT

Describe the overall managerial approach and strategy for designing and constructing the Project while meeting the requirements of the Contract Documents.

Include the following components as a minimum:

1. Description of the overall management approach to the Project, including the following considerations:
 - i. Interface among the various major design/construction disciplines, the IQF, and the Diversity and Inclusion Consultant;
 - ii. Interface among the design, construction, the IQF, Diversity and Inclusion Consultant and Department personnel
 - iii. Approach to ensuring design and construction quality
 - iv. Submit an overall organizational chart indicating the responsibilities and structure of the Short-listed Offeror's management organization, including design, construction, and diversity & inclusion. The organizational chart shall include the following:
 - a.) Contracting relationship between members of the DBT
 - b.) Contracting relationship between the DBT and known major subcontractors / subconsultants with leads for each firm identified. Including all NSLE firms is not required.
 - c.) Relationships and responsibilities between Key Personnel and other known project roles
 - d.) Relationships among the design team and construction team in the relevant design disciplines, including known subconsultants
 - e.) Bridge, roadway, and drainage design/construction leads
 - f.) Known staff positions proposed in lead roles for other disciplines
2. Describe the DBT's methodology to ensure design and IQF staffing will be adequate to meet the proposed schedule milestones during each major phase of the Project
3. Describe the DBT's approach to coordination and interfacing with the City of Cleveland, railroads, GCRTA, utilities, other third party entities, and various other stakeholders that will minimize or avoid delays related to scheduling difficulties or unanticipated utilities/railroad issues
4. Describe the role and responsibilities for the DB Project Manager and Utilities/Rail/City Coordinator. Address their approach to managing this Project along with experience related to management of similar projects, preferably Design-Build project of similar or greater size, scope and complexity. Provide resumes in Appendix 2 that address the qualifications and experiences of the individuals proposed for the roles. Individuals must be currently employed by a member of the DBT.

5. Submit a preliminary Critical Path Method (CPM) Schedule for the Project including both design and construction activities. The preliminary CPM Schedule will be submitted in Appendix 6 of the Technical Proposal. Submit the CPM Schedule as a PDF and include the Primavera P6 file electronically using a .XER file type. The preliminary CPM Schedule shall show the sequence and continuity of operations, as well as delivery of anticipated buildable units. Buildable units should be defined clearly in design phases as well as construction phases. The preliminary CPM Schedule should be detailed sufficiently to convey the intent of the Short-listed Offeror by noting major design phases and major construction work items. The preliminary CPM Schedule shall calculate the proposed final completion date of the Project. The longest path to Project completion shall be clearly defined. Demonstrate that the Short-listed Offeror has considered safety, document review time, utilities, permitting, constructability, anticipated fabrication durations, and maintenance of traffic activities in determining the preliminary CPM Schedule.
6. Submit an overall preliminary CPM Schedule narrative that accompanies the preliminary CPM Schedule describing the planned sequence of work. This narrative shall correspond to the submitted preliminary CPM Schedule in Appendix 6. It shall also be able to stand as a separate document describing the conceptual planned working sequence, how project risks that could impact the schedule are incorporated, and the logic in how tasks are connected.

4.3.2 PROJECT MANAGEMENT (PART A) EVALUATION CRITERIA

The Department will use the following evaluation criteria for Project Management:

1. Effectiveness of the overall project management approach
2. Effectiveness of the proposed methodology to ensure appropriate design staffing
3. Effectiveness of the proposed approach to interfacing with third parties and stakeholders
4. Applicability of the qualifications and experience of the DB Project Manager and Utilities/Rail/City Coordinator and the potential that their management approach will result in a successful Project
5. Effectiveness and clarity of the sequencing of the Project and managing any potential impacts to Project risk areas, as evidenced by the Preliminary Baseline Schedule and schedule narrative

The Department will use the following distribution for Project Management points:

	Major Category: Project Management	Project Management Points
Sub-categories		
A.1	Management Approach	11

	Major Category: Project Management	Project Management Points
A.2	Coordination with Third Parties and Stakeholders	6
A.3	DB Project Manager and Utilities/Rail/City Coordinator qualifications	5
A.4	Schedule Effectiveness and Clarity	8
A	Total Project Management Points	30

4.4 DESIGN AND IQF (PART B)

4.4.1 DESIGN AND IQF (PART B) CONTENT

Provide the Short-listed Offeror's approach to design including the following minimum requirements:

1. Describe the proposed role and responsibilities for the DB Design Project Manager, DB Lead Structural Engineer, and DB Lead Roadway Engineer. Address their approach to managing this Project along with experience related to design of similar projects, preferably projects of similar or greater size, scope and complexity. Provide resumes in Appendix 3 to the Technical Proposal that address the qualifications and experiences of the individuals proposed for the roles. Individuals must be currently employed by a member of the DBT.
2. Describe the roles, responsibilities, and experiences of IQF personnel and how these will ensure a high quality design during each phase of the Project.

Provide a draft of the key Design Quality Management components of the Project Management Plan (PMP) the DBT will use to provide design quality for the Project in Appendix F.12.

3. Submit a conceptual design narrative specifically addressing the following:
 - i. Description of the overall surface water collection system identifying the proposed location of major drainage trunk lines and outfall locations to accommodate the Project
 - ii. Approach to identifying, verifying and documenting the presence and locations of subsurface utilities that may impact or be impacted by the Work.
 - iii. The anticipated design approach and relevant details of the design of the Norfolk Southern Mainline Grade Separation including: (a) track relocation, phasing and tie-ins, (b) multi-phase bridge construction, (c) utility coordination / relocation, (d) drainage, and (e) other potential risks.

- iv. The anticipated design approach and relevant details of the proposed design of the E. 55th Street grade separation including: (a) regulator coordination, (b) utility relocation / coordination, (c) maintenance of traffic on E. 55th Street and to E. 55th GCRTA Station, (d) drainage of the intersection, (e) bridge design, and (f) other potential risks.
4. Submit Conceptual Plans. The Conceptual Plans will be provided as Appendix 7 to the Technical Proposal. The Conceptual Plans shall contain the following:
- i. Project Title Sheet
 - ii. Project Schematic Plan
 - iii. Project vertical profiles and geometry coordinated with the horizontal alignments (preliminary plan and profile sheets for OH-10 and intersecting roadways including horizontal and vertical alignment and curve data)
 - iv. Site plan, transverse section, and pier/abutment details for each bridge per the BDM requirements
 - v. Retaining wall locations and wall types
 - vi. Preliminary drawings of roadway drainage trunklines, outfalls and connects to existing systems
 - vii. Section details for maintaining traffic, showing: existing pavement widths, pavement for maintaining traffic widths (including guardrail offset and grading), lateral construction limits, placement of channeling devices (barriers, drums, etc.) and work zone lane widths
 - viii. Detour routes for any total closures

4.4.2 DESIGN AND IQF (PART B) EVALUATION CRITERIA

The Department will use the following evaluation criteria for Design:

1. Applicability of the qualifications and experience of the DB Design Project Manager, DB Lead Roadway Engineer, and the DB Lead Structural Engineer and the potential that their management approach will result in a successful Project
2. Applicability of the qualifications and experience of IQF personnel and the potential effectiveness of the key components of the Project Management Plan related to design quality.
3. Effectiveness of the approach to the design described in the conceptual design narrative for each of the elements described in Section 4.4.1 and consistency with the requirements of Section 4.4.1.
4. Quality, clarity, and effectiveness of the Concept Plans based on the following:
 - i. Understanding and application of ODOT design standards

- ii. Effectiveness of design in accommodating utilities, railroad and maintenance of traffic issues, where applicable
- iii. Use of design features that reduce maintenance or improve inspection access or maintenance activities
- iv. Effectiveness of the approach to providing durable and maintainable structural components

The Department will use the following distribution for Design points:

	Major Category: Design and IQF	Design Points
Sub-Categories		
B.1	Design Organizational Roles and Responsibilities of Design Key Personnel	5
B.2	IQF Role/Responsibility and PMP Design Quality (Including Appendix F.12)	5
B.3	Conceptual Design Narrative	6
B.4	Conceptual Plan	4
B	Total Design Points	20

4.5 CONSTRUCTION (PART C)

4.5.1 CONSTRUCTION (PART C) CONTENT

Provide the Short-listed Offeror's approach to construction including the following minimum requirements:

1. Describe the role and responsibilities for the DB Construction Project Manager. Address their approach to managing this Project along with experience related to construction of similar projects, preferably projects of similar or greater size, scope and complexity. Provide a resume in Appendix 4 of the Technical Proposal that addresses the qualifications and experiences of the individual(s) proposed for the role. Individual(s) must be currently employed by a member of the Short-listed Offeror.
2. Provide a brief construction narrative of the Proposer's plan for constructing the project and how the approach to be used by the DBT and Lead Contractor will ensure construction quality and sufficient resources. Describe, in general, the anticipated major construction work for each major phase and the risks and risk mitigation approach for the phase.
3. Describe the safety considerations specific to this project. Discuss the Proposer's overall approach to safety.

4. Describe the DBT's approach for identifying, removing, handling and processing unknown regulated materials. Address coordination between the DBT, ODOT and other involved stakeholders when unknown regulated materials are encountered.

4.5.2 CONSTRUCTION (PART C) EVALUATION CRITERIA

The Department will use the following evaluation criteria for Construction:

1. Applicability of the qualifications and experience of the construction organization and Key Personnel related to Construction and the potential that their management approach will result in a successful Project.
2. Effectiveness of the approach to constructing the major project phases, and the methods used to ensure successes within the phases to avoid or mitigate risks related to delays or schedule impacts.
3. Effectiveness of the proposed safety approach.
4. Effectiveness of the proposed approach to identifying, removing, handling and processing unknown regulated materials and associated coordination efforts.

The Department will use the following distribution for Construction points:

	Major Category: Construction	Construction Points
Sub-Categories		
C.1	Construction Organizational Roles and Responsibilities of Construction Key Personnel	6
C.2	Construction Approach & Risk Avoidance / Mitigation	7
C.3	Safety	3
C.4	Unknown Regulated Materials	4
C	Total Construction Points	20

4.6 COMMUNITY INVOLVEMENT AND DIVERSITY, INCLUSION AND OUTREACH (PART D)

4.6.1 COMMUNITY INVOLVEMENT AND DIVERSITY, INCLUSION AND OUTREACH (PART D) CONTENT

The Department's goals for this Project include an approach that will ensure Work (design and construction) is performed by subcontractors and subsconsultants who are NSLE businesses (as further described below). The Department's goal is that these subcontractors will perform Work for at least 20% of the total Contract Price for the Project.

Provide the Short-listed Offeror's approach to Community Involvement and Diversity & Inclusion including the following minimum requirements:

1. Identify and describe qualifications and experience of the Diversity, Inclusion and Outreach Consultant(s) (DIOC). Address the specific knowledge and experience of the DIOC, specifically focused on adjacent wards and the local community.
2. Identify and describe the role and responsibilities for the DB Diversity/Outreach Lead Manager and the Contractor Diversity/Outreach Lead Manager. Address the experience of these Key Personnel staff with coordination on projects of similar size, scope and complexity and their specific knowledge and experience within the adjacent wards and the local community. Provide resumes in Appendix 5 to the Technical Proposal that address the qualifications and experiences of the individuals proposed for these roles. These Key Personnel staff must be currently employed by a member of the DIOC and Lead Contractor, respectively.
3. The Short-listed Offeror's Technical Proposal shall also include a draft Diversity, Inclusion and Outreach Plan (DIOP). For each element, the DIOP shall describe the Short-listed Offeror's approach as well as the methods proposed to execute the approach. The DIOP shall address the following:
 - i. Business Development - the DIOP shall address outreach strategies to the disparaged business community (based on results summarized in the 2015-2016 ODOT Disparity Study, plan to mentor NSLE businesses, expand these businesses exposure, ensure progress payments are made to these businesses, provide developmental workshops, and present a plan to engage in ongoing efforts with businesses throughout the life of the Project.
 - ii. Workforce Development - the DIOP shall present the planned efforts to engage community agencies (i.e. OhioMeans Jobs) and NSLE Business with employment opportunities, the plan to provide 20,000 hours of Type 1 OJT and 10,000 hours of Type 2 OJT, the plan to ensure 20% of construction hours are performed by City of Cleveland residents, and the plan for continuing workforce development throughout the duration of the Project.
 - iii. Community Outreach - the DIOP shall describe efforts to engage local youth and students, present a clear approach to community engagement, and describe the approach to address language barriers for community and business development events and discussions.

The draft Diversity, Inclusion, and Outreach Plan (DIOP) shall be included in Appendix 10.

4. NSLE commitments

Short-listed Offeror's shall name the businesses committed to meet the NSLE businesses goals (NSLE Goals):

- i. 2% New Business;
- ii. 2% Small Business;
- iii. 6% Local Businesses
- iv. 10% for all other socially and economically disadvantaged businesses as defined under R.C. 123.152 (aka, the EDGE program).

With the exception of suppliers, commitments to firms performing a commercially useful function and that meet the goal requirements will count 100% toward attaining the goals. Commitments to suppliers performing a commercially useful function and that meet the goal requirements will be based on the value of the material provided and will count 60% toward attaining the goals.

Short-listed Offerors shall provide confirmation of participation in the project from NSLE firms in Appendix 9 to the Technical Proposals. The documentation of communication between Short-listed Offerors and NSLE firms may be in the form of emails, faxes or letters. Commitment letters signed by both an authority of the Short-listed Offeror and an authority of the representative business shall be required prior to Approval of the DIOP.

The documentation shall provide sufficient verifiable evidence to clearly demonstrate how the committed business meets the intent and requirement of the representative Goal. The documentation shall contain all the required information to verify the firms (Company name, address, phone number(s), State of Incorporation, Tax ID, and the Statutory Agent of the company). The documentation shall describe the general work to be performed by the Company and percentage of the overall Contract value to be performed by the Company. The documentation shall specify if the firm is a supplier. The Department will determine, in its sole discretion, if the information sufficiently demonstrates that the Goal's intent is being met.

Vendors and suppliers do not count towards the SBE goal, but are eligible for the other NSLE goals at the 60% rate described above.

EDGE businesses must be certified as an EDGE business at the time of Price Proposal submission for firms disclosed by Short-listed Offerors at submittal of the Technical Proposal. For firms disclosed after Technical Proposal submittal (for example, in the event that there is a termination/replacement of firms), the firm must be EDGE certified at the time of the submission of the C-92.

The Lead Contractor, Lead Designer, Diversity and Inclusion Consultant, IQF, and Joint Venture Partners cannot be included in the commitments for meeting the Goals.

Commitments towards the NSLE Goals shall only count for Tier 1 and Tier 2 subcontractors/subconsultants. Tier 1 is defined as the first subcontractor/subconsultant to the DBT. Tier 2 is defined as the first subcontractor/subconsultant to the Tier 1 firm.

Commitments shall not apply to more than one Goal. The Work performed or committed to a subcontractor shall only apply to one category of the Goals (Example: Firm A is a subcontractor to the DBT that meets criteria for both New Business and Small Business Goals. If the DBT commits 2% of the project to Firm A, two points have been earned towards either the New Business or Small Business Goals. However, these points cannot be applied to both categories or split between the Goals in such a way that the sum is more than two points.).

Additionally, Appendix 9 shall include a summary identifying the committed firms, function of the firms (i.e. designer, supplier, etc.), the adjusted committed percentage of the Contract Price for each firm (the percentage must be adjusted to reflect that only 60% of the value of materials provided by suppliers will be considered toward meeting the goals) and a summation of the total adjusted committed percentage of the Contract Price that has been committed to NSLE firms.

Reference to dollar amounts associated with the commitments shall be omitted from the documentation. The percentages shall not be shown in any way that suggests, attempts to lead the Department to a conclusion, or reasonably causes the Department to reach any conclusion on the price, whether such conclusion is correct or incorrect.

4.6.2 COMMUNITY INVOLVEMENT AND DIVERSITY, INCLUSION AND OUTREACH (PART D) EVALUATION CRITERIA

The Department will use the following evaluation criteria for Community Involvement and Diversity & Inclusion:

1. Effectiveness of the DIOC and the qualifications and experience of DB Diversity/Outreach Lead Manager and Contractor Diversity/Outreach Lead Manager related to local (adjacent wards) knowledge, Community Involvement and Diversity & Inclusion as demonstrated by the content of the Technical Proposal and the Appendices.
2. Method and execution described in the DIOP to meet the Department's goals regarding business development with consideration given to outreach efforts to

the disparaged business community (based on results summarized in the 2015-2016 ODOT Disparity Study), workforce development, and community outreach.

3. The adjusted percentage total of verifiable and valid committed businesses to be used to meet the New Business and Small Business Goals shall each be assigned scoring points as below (the percentage must be adjusted to reflect that only 60% of the value of materials provided by suppliers will be considered toward meeting the goals):

0% -0.99% of total Contract Price:	0 points
1%-1.99% of total Contract Price:	3/4 point
2% or more of total Contract Price:	1 1/2 points

Notes: No points will be given for the New Business goal if the number of committed business is less than two (2), regardless of the percentage committed.

No points will be given for the Small Business goal if the number of committed business is less than two (2), regardless of the percentage committed.

The adjusted percentage total of verifiable and valid committed businesses to be used to meet the Local Business Goals shall each be assigned scoring points as below (the percentage must be adjusted to reflect that only 60% of the value of materials provided by suppliers will be considered toward meeting the goals):

0% -0.99% of total Contract Price:	0	points
1%-1.99% of total Contract Price:	3/4	point
2.00%-2.99% of total Contract Price:	1 1/2	points
3.00%-3.99% of total Contract Price:	2 1/4	points
4.00%-4.99% of total Contract Price:	3	points
5.00%-5.99% of total Contract Price:	3 3/4	points
6.00% or more of total Contract Price:	4 1/2	points

Note: No points will be given for this goal if the number of committed verifiable businesses for Local Business Goals is less than three (3) regardless of the percentage committed.

The adjusted percentage total of verifiable and valid committed businesses to be used to meet the EDGE Goals shall each be assigned scoring points as below

(the percentage must be adjusted to reflect that only 60% of the value of materials provided by suppliers will be considered toward meeting the goals):

0% -0.99% of total Contract Price:	0	points
1%-1.99% of total Contract Price:	3/4	point
2.00%-2.99% of total Contract Price:	1 1/2	points
3.00%-3.99% of total Contract Price:	2 1/4	points
4.00%-4.99% of total Contract Price:	3	points
5.00%-5.99% of total Contract Price:	3 3/4	points
6.00%-6.99% of total Contract Price:	4 1/2	points
7.00%-7.99% of total Contract Price:	5 1/4	points
8.00%-8.99% of total Contract Price:	6	points
9.00%-9.99% of total Contract Price:	6 3/4	points
10.00% or more of total Contract Price:	7 1/2	points

Note: No points will be given for this goal if the number of committed verifiable businesses for EDGE Goals is less than five (5) regardless of the percentage committed.

Note: Percentage of Contract commitment for New, Small, Local, & EDGE Goals shall be summarized in Appendix 9.

The Department will use the following distribution of points for Community Involvement and Diversity & Inclusion:

Major Category: Community Involvement and Diversity & Inclusion		Community Involvement and Diversity & Inclusion Points
Sub-Categories		
D.1	Organizational Roles, Responsibilities, and qualifications/experience of the DIOC and Key Personnel	6
D.2	Draft DIOP Methods and Execution	9
D.3	Diversity, Inclusion, & Outreach Commitments (Appendix 9)	15
D	Total	30

NOTE: Within 14 days following the Anticipated Award Date, the Short-listed Offeror shall submit an updated Draft DIOP in accordance with PN 099. The commitments

supplied with the Technical Proposal must also be included within the updated Draft DIOP. The Department will review the updated draft DIOP as described in PN 099. The Department will not execute the Contract until the Department, in its sole discretion, accepts that the updated draft DIOP generally meets the goals and requirements as further described in PN 099.

4.7 PREQUALIFICATION (PART E)

A forty percent (40%) minimum self-performance requirement applies to this Project for the Lead Contractor of each Short-listed Offeror, as is further described in the Project Proposal. Where the Lead Contractor of a Short-listed Offeror is a joint venture, the joint venture may satisfy the minimum self-performance requirement by performing the work itself, by having one or more of the members of the joint venture perform the work, or through any combination of performance by the joint venture or any or all of its members, provided that in all such cases the joint venture or member performing the work meets all applicable licensing and qualification requirements applicable to the performance of such work.

The Short-listed Offeror shall provide the following information in Part E for all work types listed in the Project Proposal (Proposal Note 090):

Work Type Code	Work Type Description	Contractor/Subcontractor(s) to Perform the Work

Provide the following information in Part E for all designer prequalification categories listed in Section 1.3:

Prequalification Category	Consultant/Subconsultant to Perform the Design Work

Allowable options in the Project Scope may eliminate the need for an individual work type and/or prequalification category. In that case, the Short-listed Offeror shall either have the necessary prequalification for that work type or be able to subcontract the work without failing any other requirement in the Contract Documents, such as the minimum percentage of work by the Short-listed Offeror.

4.8 BONUS CRITERIA

4.8.1 BONUS – EDGE COMMITMENTS

Short-listed Offeror’s that demonstrate a commitment to the use of socially and economically disadvantaged businesses as defined under R.C. 123.152 (aka, the EDGE program) businesses above the 10% total project value for socially and

economically disadvantaged businesses as defined under R.C. 123.152 (aka, the EDGE program) will receive bonus points based on the following:

11.50%-13.99% of total Contract Price:	1 point
14.00%-16.49% of total Contract Price:	2 points
16.50%-18.99% of total Contract Price:	3 points
19.00%-21.49% of total Contract Price:	4 points
21.50% or more of total Contract Price:	5 points

Bonus determination will be determined by the adjusted committed percentage of the Contract Price from the summary of verifiable and valid committed businesses listed in Appendix 9 identified in the summary table as socially and economically disadvantaged businesses as defined under R.C. 123.152 (aka, the EDGE program). Bonus EDGE Commitments points will only be allocated if each category of the Goals is demonstrated to exceed their respective Goals with verifiable and valid committed businesses. A separate submission from Section 4.6 is not required.

4.8.2 BONUS – FIRM UTILIZATION

Short-listed Offerors that demonstrate substantial inclusion efforts based on the quantity of committed firms meeting the requirements of a New, Small, or Local will receive bonus firm utilization points based on the following formula (rounded to the nearest tenth of a point accomplished by the roundup method as described in section 2.3, with a maximum of 5 bonus points):

20 to 29 firms:	1 point
30 to 39 firms:	2 points
40 to 49 firms:	3 points
50 to 59 firms:	4 points
60 or more firms:	5 points

4.9 ADMINISTRATIVE SUBMITTAL

The Administrative Submittal shall be submitted as Appendix 1 of the Technical Proposal. The Administrative Submittal shall include a signed Proposal Letter, using Form A-1, which shall be executed by all persons constituting the Short-listed Offeror. If a Short-listed Offeror is a joint venture or a partnership, the letter must be executed by all joint venture members or all general partners of the Short-listed Offeror.

4.10 ADDENDA

Acknowledge receipt of all Project Addenda as required in the Appendix 1 – Administrative Submittal.

4.11 TECHNICAL PROPOSAL SCORING

The following table provides a general indication of anticipated scoring of each evaluation sub-criteria; not including 4.6.2(4) (Diversity, Inclusion, & Outreach Commitments) and 4.8 (Bonus Criteria).

Definition	Scoring Range (percentage)
<p>The Technical Proposal demonstrates an approach that is considered to significantly exceed the RFP requirements / objectives in a beneficial way (providing advantages, benefits, or added value to the Project) and that provides a consistently outstanding level of quality. In order to meet the criteria for this scoring range the Technical Proposal must be determined to have the following:</p> <ul style="list-style-type: none"> - The number and/or significance of strengths demonstrate an outstanding level of quality. - Weaknesses, if any, are very minor 	90-100
<p>The Technical Proposal demonstrates an approach that is considered to exceed the RFP requirements/objectives in a beneficial way (providing advantages, benefits, or added value to the Project) and offers a generally better than acceptable quality. In order to meet the criteria for this scoring range, the Technical Proposal must be determined to have the following:</p> <ul style="list-style-type: none"> - Number and/or significance of strengths substantially outweighs weaknesses. 	80-89
<p>The Technical Proposal demonstrates an approach that is considered to meet the RFP requirements/objectives and offers an acceptable level of quality. In order to meet the criteria for this scoring range the Technical Proposal must be determined to have one of the following:</p> <ul style="list-style-type: none"> - Number and/or significance of strengths and weaknesses are approximately balanced. <p>Technical Proposals with no strengths and no weaknesses also fall into this category and receive a score of 70.</p>	70-79
<p>The Technical Proposal demonstrates an approach that is marginally acceptable. In order to meet the criteria for this scoring range the Technical Proposal must be determined to have the following:</p> <ul style="list-style-type: none"> - Number and/or significance of weaknesses substantially outweighs strengths. 	50-69
<p>The Technical Proposal demonstrates an approach with an unacceptable level of quality. In order to meet the criteria for the scoring range, the Technical Proposal must be determined to have no strengths and a one or more significant weaknesses or multiple minor weaknesses.</p>	0-49

The following definitions will be used by the Technical Proposal Advisory Group when reviewing Technical Proposals:

Strengths — That part of the Technical Proposal that ultimately represents a benefit to the project and is expected to increase the proposer's ability to advance the project goals and values, and exceed requirements.

- Significant Strength has a considerable positive influence on the proposer's ability to advance the project goals and values or exceed requirements.
- Strength has a slight positive influence on the proposer's ability to advance the project goals and values or exceed requirements.

Weaknesses — that part of the Technical Proposal that detracts from the proposer's ability to advance the project goals and values, meet requirements or that may result in inefficient or ineffective performance.

- Weakness has a considerable negative influence on the proposer's ability to advance the project goals and values, meet requirements or provide efficient or effective performance.
- Minor weakness has a slight negative influence on the proposer's ability to advance the project goals and values, meet requirements or provide efficient or effective performance.

Within each scoring range, points will be based on a balance of the relative significance of the strengths and weaknesses.

5 ALTERNATIVE TECHNICAL CONCEPTS (ATC)

5.1 GENERAL

An Alternative Technical Concept (ATC) is a change to the Project Scope which provides a solution that is equal to or better than what is required by the Project Scope as determined by the Department in its sole discretion.

The Short-listed Offeror may submit an ATC for approval of an alternative material, article, product, process, design, or item that meets or exceeds the requirements and intent of the Contract Documents, provided that the material, article, product, or item is equal or better in quality, performance, and function, based upon a submitted and referenced documented engineering analysis and as determined by the Department.

ATCs are not intended to replace pre-bid questions.

5.2 SUBMISSION REQUIREMENTS

Short-listed Offerors may submit ATC documents for consideration by the Department in accordance with the submittal requirements addressed in Section 3.1. Shortlisted Offerors may submit ATC documents for consideration by the Department at any time prior to the deadline for submittal of ATCs set forth in the procurement schedule in Section 1.2. Each ATC may include multiple issues to be considered by the Department.

The Shortlisted Offeror shall clearly identify each individual portion of the ATC proposal that is a proposed change to the Scope of Services. Submit one (1) copy of each ATC and an electronic copy (TIF or PDF format).

ATC proposals can be submitted on 8.5" x 11" or 11" x 17" paper. Mixing of paper sizes is discouraged.

Each ATC submittal must contain and clearly depict the following information:

- A. Description: Provide a detailed description of the ATC including specifications and conceptual drawings.
- B. Deviation: Reference the specific section(s) in the Bid Documents which is inconsistent with the proposed ATC, provide an explanation of the nature of these deviations from the referenced section, and a request for approval of such deviations. Provide proposed language for the referenced section that is in keeping with the ATC.
- C. Usage: A description of where and how the ATC would be used on the project.
- D. Compatibility: An indication of how the ATC would impact future known upcoming work.

- E. Traffic and Safety Impacts: A discussion of the impacts the ATC will have on vehicular traffic and safety, including an operational analysis, if relevant.
- F. Maintenance of Traffic Impacts: A discussion of the impacts the ATC will have on maintenance of traffic during construction.
- G. Environmental Impacts: A discussion of how the ATC is in accordance with the approved project Environmental Document and will meet environmental commitments and not cause increased community impacts.
- H. Utilities: A discussion of utility (public and private) impacts.
- I. Maintenance: A discussion of the long term maintenance impacts and maintenance costs of the proposed ATC.
- J. History: A detailed description of other projects on which the proposed ATC has been used; including contact information (name, title, phone number, address and email) for project owners that can confirm ATC implementation.
- K. Inspection: Any additional testing and inspection requirements during construction and during the expected life of the installation.
- L. Schedule: A discussion of project time impacts; including design, construction, utility relocation and permitting issues.
- M. Public Record: A specific notation designating (where applicable and at the discretion of the Shortlisted Offeror) that some or all of the ATC is a Trade Secret or otherwise not subject to public record disclosure.

Incomplete ATC submittal packages may be returned by the Department without review or comment..

5.3 EVALUATION OF ATCS

ATCs are accepted by the Department in its sole discretion and the Department reserves the right to reject any ATC submitted.

The Department will attempt to evaluate all ATCs within 14 calendar days of receipt. However, this timeframe cannot be guaranteed, particularly for complex or unusual concepts. The Department will not consider any change that would require excessive time or cost for review, evaluation or investigation.

5.4 DEPARTMENT RESPONSE

The Department will review all ATCs and respond with one of the following determinations:

1. The ATC is approved and may be included in the Short-listed Offeror's Technical Proposal.

2. The ATC is approved subject to conditions. The ATC may be included in the Short-listed Offeror's Technical Proposal provided that all approval conditions have been met. Failure to clearly demonstrate that all conditions have been met may render the Short-listed Offeror's Technical Proposal non-responsive.
3. The ATC is not approved in its present form, but may be resubmitted for reconsideration. The reconsideration request must address all comments, questions and concerns stated by the Department. Reconsideration requests must meet all ATC submission and content requirements.
4. The ATC is not approved. Inclusion of the ATC in the Technical Proposal may render the Technical Proposal non-responsive.
5. The proposal is not an ATC.

The Department may, at its discretion, request additional information/clarification regarding a proposed ATC. Verbal communications regarding ATC proposals will be considered non-binding.

Approval of an ATC is an approval of the deviation language, or approval with conditions, and only at the specified locations, as described in Section 5.2. Approval of an ATC does not constitute the Department's acceptance of design liability or final viability. ATC approval is specific to the Short-listed Offeror.

5.5 ATC ONE-ON-ONE MEETINGS

The Department will conduct bilateral one-on-one ATC meeting(s) with each Short-listed Offeror, and their respective representatives, regarding potential and existing ATCs. ATC meetings will be held at the ODOT District 12 Office on the dates identified in Section 1.2. The time of the ATC Meetings will be provided by the Department prior to the meetings.

Each Short-listed Offeror shall submit an agenda with a short description of the items the Short-listed Offeror wishes to discuss seven (7) days prior to each ATC meeting to the Point of Contact identified in Section 1.6 via email. The Short-listed Offeror's agenda will determine the subject matter experts the Department will attempt to have in attendance, either in person or via teleconference or video conference.

The Short-listed Offeror are encouraged to bring appropriate materials on a CD, DVD, or USB flash drive to explain the ATC concept using Department owned computers. Electronic files should be in a widely readable format such as PDF, JPG, TIF, DOC, DOCX, XLS, XLSX, PPT, or PPTX. All materials, handouts, CDs, DVDs, or USB flash drive will be returned to the Short-listed Offeror at the conclusion of the meeting. Only materials formally submitted and identified as the ATC, or part of the ATC, shall be retained by the Department and considered. Department computers will be available for each Short-listed Offeror to display materials related to the ATC concept.

No decisions regarding the ATC will be made by the Department in a ATC meetings and no statement by the Department at any ATC meetings or included in a written record or summary of any such meeting will provide, or may be construed as, a waiver to or modification of the Scope of Services and may not be relied on by any Short-listed Offeror unless it is incorporated through an Addendum or is part of an approved ATC.

Any statement made at an ATC meeting by the Department, or its representatives or advisors, may not and shall not be deemed or considered to be an indication of a preference, acceptance or a rejection by the Department of anything said or done or any information presented by a Short-listed Offeror.

Information presented by a Short-listed Offeror during an ATC meeting shall be treated as confidential information by the Department. The Department will not discuss with any Short-listed Offeror any comments on any design concept or ATC other than its own. However, notwithstanding the foregoing, the Department reserves the right to disclose to all Short-listed Offerors any issues of general applicability raised during any ATC meeting.

Short-listed Offeror are allowed, but not required, to formally submit ATCs during, before, or after completion of the ATC meeting.

The Department will not provide written summary of ATC meetings.

5.6 INCORPORATION INTO TECHNICAL PROPOSAL

The Short-listed Offeror may incorporate zero, one or more approved ATCs (or conditionally approved ATCs, if all conditions are met) into their Technical Proposal. The Technical Proposal must clearly state which ATCs have been incorporated and indicate what, if any, conditions are met.

Copies of submitted ATCs which were *Approved ATCs* or *Approved Subject to Conditions* shall be included in F.11.

The Price Proposal shall reflect all incorporated ATCs.

5.7 DISCLOSURE

The Department may, at its discretion, issue an addenda to correct a deficiency if, during evaluation of an ATC, the Department becomes aware of a deficiency in the Scope of Services that would have an impact on the ability of Short-listed Offerors to make a best value offer.

Other than as listed in the above paragraph, all conversations related to ATC proposals between the Department and Short-listed Offerors will be kept confidential during the bidding process.

Once a project is awarded, ATC proposals may be made public. All documents, including ATCs, received by the Department are subject to Section 149.43 of the Ohio Revised Code, also known as The Public Records Act, and are subject to release unless a statutory exception exists that exempts the documents from public release. See RFP, Section 1.11 for additional information.

6 INCORPORATION OF TECHNICAL PROPOSAL

6.1 TECHNICAL PROPOSAL

All Technical Proposal elements that exceed the requirements of the Bid Documents (i.e., can reasonably be interpreted as offers to provide higher quality items or additional services) shall be incorporated by reference into the Contract Documents.

6.2 ORGANIZATIONAL STRUCTURE/PERSONNEL

The Short-listed Offeror shall not make changes within their Technical Proposal (prior to submittal or after submittal) to the Key Personnel and other individuals included in the Shortlisted Offeror's SOQ submittal. If extraordinary circumstances prohibit the personnel included in the Shortlisted Offeror's SOQ submittal, to be carried forward and included in the Technical Proposal, the requested change must be submitted in writing to ODOT's Division of Construction Management (contact: Alternative Project Delivery, 1980 W Broad St, Mail Stop 5100, Columbus OH 43223), who, with consensus of the Evaluation Team, will determine whether to authorize a change. Any proposed changes shall only be approved if the proposed replacement meets or exceeds the qualifications of the originally submitted member as determined by the Department. Unauthorized changes to the Offeror's team at any time during the procurement process may result in the elimination of the Offeror from further consideration or potential rejection of the Bid.

The Department may revoke, suspend or withhold payment on an awarded contract if any of the personnel listed are removed, replaced or added to without the written approval of the Department.

If exceptional circumstances require changes to personnel, the Short-listed Offeror shall submit a written request to the Department. This request shall indicate why personnel changes are necessary and demonstrate the revised staffing plan will be equal to or better than the plan listed in the SOQ or Technical Proposal, as applicable.

Similarly, the Short-listed Offeror shall use the Lead Contractor, Lead Designer, IQF, Diversity, Inclusion and Outreach Consultant, and other named subcontractors and subconsultants specifically identified in the Statement of Qualifications or the Technical Proposal. The Shortlisted Offeror may change those organizations or firms named in the Statement of Qualifications and the Technical Proposal only with the prior approval of the Department, which approval shall not be provided if in the Department's opinion, the primary purpose of that replacement is for the Short-listed Offeror to benefit from more competitive pricing. The Department may request such information as it deems necessary, including a written acknowledgment from the firm and organization being replaced that such replacement is not solely because another contractor has offered a lower price for substantially the same services or supplies. The proposed replacement must possess the requisite prequalifications to perform all Work the Short-listed Offeror proposes for it.

APPENDIX

FORM A-1 PROPOSAL LETTER

Name of Short-listed Offeror: _____

Date: _____, 2017

Ohio Department of Transportation
Office of Contracts, First Floor
1980 W. Broad Street
Columbus, OH 43223

On behalf of the Short-listed Offeror, the undersigned submit the documents described in paragraph 1 of this Proposal Letter in response to the Request for Proposals for the Opportunity Corridor Section 3 Project (the “RFP”) issued by the Ohio Department of Transportation (the “Department”).

The Short-listed Offeror hereby acknowledges delivery by Short-listed Offeror to the Department of the enclosed Price Proposal. Together with the Technical Proposal, the submittal by the DBT shall collectively constitute the “Proposal” for the purposes of this letter.

If this Proposal is accepted by the Department, the Short-listed Offeror is prepared to enter this agreement without varying or amending its terms (except for modifications agreed to by the Department in its sole discretion), and to satisfy all other conditions to the award of the contract, including compliance with all commitments contained in this Proposal.

1. Enclosed with this Proposal Letter is the Technical Proposal and Price Proposal of the Short-listed Offeror consisting of all documents and information required by the RFP.
2. The following individual(s) is/are authorized to enter into negotiations with the Department on behalf of the Short-listed Offeror in connection with this RFP:

_____.

3. The Short-listed Offeror acknowledges receipt of following Addenda:
[List all Addenda]
4. The Short-listed Offeror hereby certifies that:

- a) its Proposal is submitted without reservation, qualification, assumptions, deviations or conditions;
 - b) it has carefully examined and is fully familiar with all of the provisions of the RFP, has reviewed all materials provided, the Addenda and the Department's responses to questions, and is satisfied that the RFP provides sufficient detail regarding the obligations to be performed by the Short-listed Offeror and does not contain internal inconsistencies;
 - c) it has conducted such other field investigations and additional design development as is prudent and reasonable in preparing this Proposal;
 - d) it has carefully checked all the words, figures and statements in the Proposal;
 - e) it has notified the Department of any deficiencies or omissions in the RFP or other documents provided by the Department;
 - f) the Lead Contractor has been prequalified for such work by the Department in accordance with the terms of the RFP;
 - g) neither the Proposer nor its employees, members, agents, consultants or advisors have entered either directly or indirectly into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive selection in connection with its Proposal
5. The Short-listed Offeror represents that all statements made and information provided in the SOQ (except as amended, resubmitted and/or updated by the enclosed Technical Proposal) are true, correct and accurate as of the date of submission of this Technical Proposal.
6. The Short-listed Offeror further understands that all costs and expenses incurred in preparing the Technical Proposal and participating in the RFP Process will be borne solely by the Short-listed Offeror, except any stipend that may be paid in accordance with the RFP.
7. The Short-listed Offeror consents to the Department's disclosure of its Technical Proposal pursuant to the Department's public records policy to any persons as required by law after Award. The Short-listed Offeror acknowledges and agrees to the disclosure terms described in the RFP and expressly waives any right to contest such disclosures.
8. The Short-listed Offeror agrees that:
- a) The Department will not be responsible for any errors, omissions, inaccuracies or incomplete statements in the Proposal;
 - b) The Department's acceptance of the Proposal does not constitute any statement or determination as to its completeness, responsiveness or compliance with the requirements of the RFP;

- c) If the Short-listed Offeror has the best value proposal, the Short-listed Offeror is committed to meeting the goals for New Business, Small Business, Local Business and EDGE Business involvement;
 - d) If the Short-listed Offeror has the best value proposal, the individuals identified as Key Personnel will be available on a full-time basis for the periods necessary to fulfill their Project-related responsibilities; and
 - e) in the event a substantive difference is identified before or after Award, between the terms for the Project offered by the Short-listed Offeror in its Proposal and any provision in the RFP, the provisions of the relevant Contract Document will prevail and the Short-listed Offeror will not be entitled to alter its Proposal, as applicable.
9. The Proposal shall be governed by and construed in all respects according to the law of the State of Ohio.
10. The Short-listed Offeror's business address:

(No.)	(Street)	(Floor or Suite)
-------	----------	------------------

(City)	(State or Province)	(ZIP or Postal Code)	(Country)
--------	---------------------	----------------------	-----------

State/Country of Organization (if applicable): _____
[Balance of page intentionally left blank]

[ENTITY NAME]
By: _____
Name: _____
Title: _____

[ENTITY NAME]
By: _____
Name: _____
Title: _____

[ENTITY NAME]
By: _____
Name: _____
Title: _____

[Update and add additional signature blocks as necessary]

FORM C-1 DBT INFORMATION

DBT:	
Contact Person:	
Address:	
Telephone Number:	
Email Address:	

DB Contractor:	
Contact Person:	
Address:	
Telephone Number:	
Email Address:	

DB Designer:	
Contact Person:	
Address:	
Telephone Number:	
Email Address:	
Ohio Registration Number:	

IQF:	
Contact Person:	
Address:	
Telephone Number:	
Email Address:	

FORM D-1: WORK HISTORY FORM

(Form Revised 11/10/2016)

List three projects completed by the Lead Contractor, three projects completed by the Lead Designer, two projects completed by the IQF, and two projects completed by the Diversity, Inclusion & Outreach Consultant with a brief description of each project. Include work by firms or joint-venture members which best illustrates current qualifications relevant to this project. Projects listed must be completed or substantially completed. Specify if noted Cost of Project is Design Cost or Construction Cost. List not more than 10 projects.

PROJECT NAME, LOCATION, AND DESCRIPTION	NAME OF FIRM AND NATURE OF FIRM'S RESPONSIBILITY	FIRM'S PROJECT MANAGER	PROJECT OWNER'S NAME AND ADDRESS; OWNER'S PROJECT MANAGER'S NAME, PHONE NUMBER AND EMAIL	ACTUAL OR ESTIMATED COMPLETION DATE	COST OF PROJECT	COST OF WORK FOR WHICH FIRM WAS RESPONSIBLE

FORM D-1

PROJECT NAME, LOCATION, AND DESCRIPTION	NAME OF FIRM AND NATURE OF FIRM'S RESPONSIBILITY	FIRM'S PROJECT MANAGER	PROJECT OWNER'S NAME AND ADDRESS; OWNER'S PROJECT MANAGER'S NAME, PHONE NUMBER AND EMAIL	ACTUAL OR ESTIMATED COMPLETION DATE	COST OF PROJECT	COST OF WORK FOR WHICH FIRM WAS RESPONSIBLE

APPENDIX A: PASS/FAIL CHECKLIST

The Department will evaluate the following items at receipt of the Technical and Price Proposal for general responsiveness to the RFP. This is being provided for informational purposes to the Shortlisted Offerors to assist in preparation of the Technical and Price Proposals.

General	
Were the Technical Proposal and Price Proposal received by the required deadline as stated in the RFP?	
Has the DBT engaged in any Ex Parte Communications, attempted to unduly influence the selection process, or otherwise behaved in a manner lacking professional integrity?	
Is there a Conflict of Interest that would prevent a DBT member from participating in the project?	
Has the DBT furnished the required Proposal Guaranty?	
Is the DBT one of the 3 Shortlisted Offerors?	
Did the DBT acknowledge receipt of all Addenda?	
Are there letters accompanying the Technical and Price Proposals, signed by all persons constituting the DBT in blue ink?	
Technical Proposal	
Are the general formatting requirements met? For example: page, font, and margin size, 1 physical copy, and 1 CD/DVD/USB Drive.	
Is the format corresponding to the required Technical Proposal organization and maximum page requirements?	
Is the DBT prequalified for all categories listed in the RFP? Is the Lead Contractor or Joint Venture prequalified?	
Does the Technical Proposal include a statement that the DBT is committed to meeting the Project goals for Diversity & Inclusion?	
Is the Lead Designer and Lead Contractor exclusive to this DBT?	
Has the DBT identified any information as a "trade secret"? (not a Pass/Fail requirement)	
Is an Executive Summary included?	
Price Proposal	
Was the Price Proposal submitted both electronically using Bid Express and on a CD, DVD, or USB drive containing the Price Proposal in PDF format?	