

**STATE OF OHIO
DEPARTMENT OF TRANSPORTATION**

Part 1

SUM-8/76/77-0.63/9.74/8.42

Part 2

**SUM-8/76/77-
0.00/10.99/11.54**

**PID 102329
Project (21)3000**

**DESIGN-BUILD
(Two Step - Lowest Price &
Technically Acceptable)**

**Instruction to Offerors for
Request for Qualifications**

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1 PROJECT EXPECTATIONS

This document describes the Technical Proposal and Price Proposal requirements for the Akron Highway System improvements (the Project).

The Project is in the City of Akron, Summit County, Ohio. The Project will be split into two parts further described below:

Part 1: SUM-8/76/77-0.63/9.74/8.42

The pavement will be replaced on I-77 from Waterloo Road to Lovers Lane and between Princeton Street on I-76/77 and Vernon Odom Boulevard/SR 261 on I-77. Also in these locations, minor maintenance of various bridges is planned as well as major repairs to three bridges: I-76/77 over Manchester Road, I-76/77 over Bowery Street/Ohio Canal and I-76/77 over Lakeshore Boulevard. To help traffic flow, the project includes adding a lane on I-77 northbound and southbound between the Central Interchange and Waterloo Road and on SR 8 southbound between Carroll Street and the Central Interchange. The Carroll Street exit ramp on SR 8 northbound will be widened from one lane to two lanes to improve traffic flow during and after construction.

Part 2: SUM-8/76/77-0.00/10.99/11.54.

The ramps near the Central Interchange, from I-76 west to I-77 south, I-76 west to SR 8 north and I-76/I-77 east to SR 8 north will be reconfigured using improved geometry to allow higher speeds resulting in less traffic congestion and increased safety. The existing ramps are short with sharp curves and contribute to traffic congestion and crashes. To accommodate the reconfigured ramps, the Lafollette Street bridge over I-77 is to be replaced with a new pedestrian/bicycle bridge over I-77. Coventry Street will be removed between Kipling Street and Lafollette Street and converted to a multipurpose trail. The bridges over Brown Street and Inman Street will be widened and other bridges will be maintained. The I-76 west exit ramp to Inman Street/Johnston Street and the I-77 south Lovers Lane exit ramp are to be closed to improve traffic flow and to construct the proposed improvements.

The Project completion date will be **7/30/2025**.

The Project will be awarded to a Design-Build Team (DBT) by the State of Ohio Department of Transportation (Department) through a Two-Step, Lowest Price and Technically Acceptable Design-Build process.

2 GENERAL

2.1 SELECTION PROCESS OVERVIEW

The Department hereby requests a Statement of Qualification (SOQ) from those entities (Offerors) interested in serving as the DBT on the Design-Build Akron Beltway Major Rehabilitation (Project). The Offeror includes the Lead Contractor (also considered the legal entity contracting with the Department to perform the work), Lead Designer, Sub-Contractors, Sub-Consultants, and any other entities or individuals proposed in the SOQ as required in Section 3.5. The purpose of this Request for Qualifications (RFQ) is to solicit information enabling the Department to determine which Offerors: (a) are best qualified to successfully execute the design and construction of the Project; and (b) may be invited to submit a Technical and Price Proposal.

The SOQ will present, in general terms, the Offeror's qualifications, understanding and approach to the Project. Offerors shall prepare their SOQ in response to this RFQ and Work as set forth in the Draft Scope of Services and its draft attachments and appendices.

The Project will be procured and awarded through a Two-Step Lowest Price & Technically Acceptable Design-Build process. Selection of a DBT for this project will consist of the following two general phases:

Phase I: Issuance of a RFQ to Offerors, evaluation of each Offeror's Statements of Qualifications, and Shortlisting of Offerors by the evaluation of a SOQ, and

Phase II: Issuance of a RFP to Shortlisted Offerors, evaluation of each Shortlisted Offeror's Technical Proposal confirming responsiveness to the requirements of the RFP in the reasonable discretion of the Department, and receipt of a Price Proposal.

This RFQ represents the initiation of Phase I in the selection process.

The SOQ evaluation will be based upon the criteria established in this RFQ. Requirements of this RFQ generally will use the words "shall", "will", or "must" (or equivalent terms) to identify a required item that must be submitted with an Offeror's SOQ.

A SOQ Evaluation Team will evaluate and rank Offerors' SOQ. See Section 3.6.

Offerors' SOQs must meet the requirements established by this RFQ. Failure to meet an RFQ requirement may render an Offeror's SOQ non-responsive. The extent to which an Offeror definitively meets or exceeds the evaluation criteria described in Section 3.2 will be determined by the SOQ Technical Evaluation Team in its sole discretion and will be reflected in the scoring and ranking of Offeror's SOQs. Specific formatting instructions for preparing the SOQ are found in Section 3.3.

In Phase II, the Shortlisted Offerors will be invited to prepare a Technical and Price Proposal. During phase II, Shortlisted Offerors may prepare and present Alternative Technical Concepts to the Department for consideration as described in Section 7. The Shortlisted Offerors will present their preliminary plans in the Technical Proposal as further described in Section 4 of this RFQ. The Technical Proposal will be evaluated on a Pass/Fail basis. The Shortlisted Offerors will submit a Price Proposal that will include the price to complete all work in accordance with the contract documents and any committed betterments within the SOQ and Technical Proposal. Complete requirements for the Technical and Price Proposals will be provided in the RFP.

The Offeror shall be required to comply with the Department’s DBE and OJT goals for this Contract. These goals shall be detailed in the RFP. The Offeror shall also be required to comply with the Department's Nondiscrimination policy. Submission of a SOQ is the Offeror’s affirmation that they will comply with the DBE and OJT goals and the Department’s Nondiscrimination policy. The Offeror will willfully withdraw from consideration if, after RFP release, they cannot comply with the goals and policies.

If it is determined to be in the best interest of the Department, the Technical Proposal Evaluation Team will identify the responsive Offerors to the Executive Level Evaluation Team. Responsive Offerors will be recommended to have respective Price Proposals opened. Upon subsequent responsive Offeror’s Price Proposal evaluation, the responsive Offeror who submitted the lowest Price Proposal will be recommended to the Director for Award.

2.2 PREQUALIFICATION

An Offeror’s Lead Contractor and Lead Designer must be prequalified by the Department for the elements described below according to ORC Chapters 5525 & 5526 and the rules and regulations governing prequalification, or become prequalified prior to the "Announce Shortlist" date (see Section 2.5) unless otherwise noted below.

LEAD DESIGNER AND SUBCONSULTANT PREQUALIFICATION

The Lead Designer must meet the Department’s prequalification requirements listed below.

| |
|--|
| Lead Designer Prequalification Categories @ SOQ |
| Roadway: Complex Roadway Design |
| Bridge Design: Level 2 Bridge Design |

Failure to provide a named Lead Designer who is Prequalified in at least one of **the Lead Designer Prequalification Categories @ SOQ** will be grounds for non-responsiveness. Include a list in Part F of the SOQ identifying all the ODOT prequalification categories which the Lead Designer meets.

For individual prospective Lead Designers that are not yet prequalified in those areas specifically required above, furnish the Department with a properly completed prequalification application within one week after the SOQ Submission date (Section 2.5). Offerors who have not obtained prequalification for the Lead Designer by the “Announce Shortlist” date (see Section 2.5) will not be shortlisted.

If known at the time of SOQ submittal, include the listing of anticipated prequalified firms in Part F of the SOQ for the following:

| Lead Designer or Subconsultant Prequalification |
|--|
| Geotechnical Engineering Services |
| Complex Lighting Design |
| Environmental Services |

Not providing the named prequalified subconsultant(s) in the SOQ for the work types identified as **Lead Designer or Subconsultant Prequalification** will not be grounds for non-responsiveness. Upon award, all work related to design must be performed by a prequalified firm.

CONTRACTOR & SUBCONTRACTOR PREQUALIFICATION

2.2.2

Listed below are anticipated work types for contractors identified for the Project. This is not a comprehensive and final list. The list may be revised in the RFP. A prequalified subcontractor firm or the Lead Contractor shall be prequalified and shall be named to perform the work items noted as **Lead Contractor or Named Subcontractor – Prequalification @ RFQ Required**. The Lead Contractor shall be prequalified and named in a minimum of one of the work items noted as **Lead Contractor or Named Subcontractor – Prequalification @ RFQ Required**. The firm shall be prequalified prior to the “Announce Shortlist” date (see Section 2.5) for the work types identified.

The Offeror shall name the prequalified firms performing the work for the work types listed as **Other Prequalification Categories – Not required @ RFQ** if known at the time of RFQ submittal. For the work types identified within this category, firms shall be prequalified at least one week prior to Anticipated Award. Not providing a named subcontractor in the SOQ for these work types not identified as **Lead Contractor or Named Subcontractor – Prequalification @ RFQ Required** per the RFQ will not be grounds for non-responsiveness.

The Lead Contractor must possess sufficient work type prequalifications and perform work equal to 50% of the total amount of the submitted bid price. The Department may, by insertion of a contract provision, reduce the 50% amount during the RFP.

Include the listing of anticipated prequalified firms and associated work types in Part F of the SOQ.

| Work Type Code | Work Type Description |
|---|---|
| Lead Contractor or Named Subcontractor – Prequalification @ RFQ Required | |
| Work Type Code | Work Type Description |
| 04 | Roadway Excavation and Embankment Construction |
| 22 | Level 3 Bridge |
| 24 | Structural Steel Erection (if applicable to Offeror's anticipated design) |
| 29 | Structure Repairs |
| 31 | Structural Steel Repairs |
| 39 | Maintenance of Traffic |
| Other Prequalification Categories – Not required @ RFQ | |
| *Includes but not limited to: | |
| 5 | Major Roadway Excavations |
| 10 | Flexible Paving |
| 19 | Structure Removal |
| 23 | Reinforcing Steel |
| 26 | Structural Steel Painting |
| 27 | Expansion & Contraction Joints, Joint sealers, Bearing Devices |
| 28 | Caissons / Drilled Shafts (if applicable to Offeror's anticipated design) |
| 34 | Earth Retaining Structures |
| 53 | Piling (if applicable to Offeror's anticipated design) |

For individually-named prospective firms that are not yet prequalified in those areas of **Lead Contractor or Named Subcontractor – Prequalification @ RFQ Required**, furnish the Department with a properly completed prequalification application within one week after the "SOQ Submission" date (Section 2.5). Offerors who have not obtained prequalification by the "Announce Shortlist" date (see Section 2.5) will be deemed non-responsive. Upon request, the Department will provide a prequalification application, applicable rules and regulations, and other relevant information.

Refer to requirements governing changes in the Offeror's team and Key Personnel in Section 4.2.

2.3 RIGHTS OF THE DEPARTMENT

The Department reserves the right to reject any and all SOQs.

The Department reserves the right to cancel, withdraw, postpone, modify, revise or extend any part of procurement process in whole or in part at any time prior to the Director's execution of the Design-Build Contract, without incurring any obligations or liabilities.

The Department reserves the right, at its sole discretion, to ask written questions of the Offerors, to seek written clarifications, and to conduct discussions on the SOQs. Such requests will be for purposes of clarification only. The Offeror agrees 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 uncertain. In response to a requested clarification, changes or modifications to the SOQ will not be permitted.

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

Minimum SOQ Pass/Fail requirements are listed in Appendix A. However, the Department reserves the right to deem a SOQ non-responsive at its sole discretion if found to be materially deficient, as judged by the Department, or by failing to depict a competent potential DBT.

2.4 ADVERTISEMENT

Initial advertisement of this project at the RFQ stage includes a Draft Scope of Services along with other applicable documents to the Project.

Offerors should thoroughly review the information provided at the time of the issuance of this RFQ. These documents can be found at the following FTP Site:

<ftp://ftp.dot.state.oh.us/pub/Districts/D04/102329/>

The Department may clarify, correct, or revise the information provided.

The final Scope of Services and other bid documents will be distributed through the Department's traditional bidding process when the final RFP is released. Offerors shall note that the Draft Scope of Services and its attachments & appendices are being provided for informational purposes only for the development of the SOQ and all documents included therein are subject to change; therefore, these documents shall not be relied upon for the purposes of developing the Technical and Price Proposal.

Any Offeror initiated questions must be issued and answered through the Department's Pre-Bid Website:
<http://www.dot.state.oh.us/Divisions/ContractAdmin/Contracts/Pages/PBQs.aspx>

2.5 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 |
|---|---|
| SOQ Phase | |
| Advertise RFQ | Thursday, August 27, 2020 |
| Pre-SOQ Meeting (Mandatory) | Monday, September 14, 2020 @ 10:00 AM EDT |
| SOQ submission | Thursday, October 1, 2020 |
| Announce Shortlist | Monday, November 2, 2020 |
| RFP/Technical Proposal Phase | |
| Request for Proposal Release | Monday, November 9, 2020 |
| 1st One-on-One ATC Meeting | Tuesday, December 1, 2020 |
| DBE Matchmaker Meeting (Mandatory) | Monday, December 14, 2020 |
| 2nd One-on-One ATC Meeting | Tuesday, December 15, 2020 |
| Deadline for submittal of ATCs | Tuesday, December 22, 2020 |
| Last day for the Department to respond to ATCs | Tuesday, January 12, 2021 |
| PTI Documentation (Intermediate Technical Proposal) Submission Deadline | Tuesday, January 19, 2021 |
| PTI Discussion Meeting Date | Tuesday, January 26, 2021 |
| Last day for submitting Prebid questions | Tuesday, January 26, 2021 |
| Last recommended day for RFP Addendum | Tuesday, February 2, 2021 |
| Technical Proposals Due | Thursday, February 18, 2021 |
| Price Proposals Due | Thursday, March 4, 2021 |
| Anticipated Award Date | Monday, March 15, 2021 |

2.6 Mandatory Meetings

As a condition precedent of responsiveness, Offerors shall be required to attend the mandatory meetings listed in the Schedule. These meetings will be held at the ODOT District 4 Headquarters.

- 2.6.1 Ohio Department of Transportation, District 4
2088 South Arlington Street
Akron, OH 44036

Pre-SOQ Meeting

The Pre-SOQ Meeting will describe expectations in the SOQ process and will provide additional project information. The Offeror shall have, at a minimum, one representative at the meeting. **The Pre-SOQ Meeting shall begin at 10:00 AM on Monday September 14, 2020. The Pre-SOQ Meeting will NOT take place at the ODOT District 4 Office, it will be an online meeting on the Microsoft Teams Platform.** Contact Eric Kahlig (Eric.Kahlig@dot.ohio.gov), Chase Wells

(Chase.Wells@dot.ohio.gov) or Tom Powell (Thomas.Powell2@dot.ohio.gov) by September 10, 2020 via email and they will forward it to you via email.

Matchmaker Meeting

The Matchmaker Meeting will assist shortlisted Offerors to identify potentially interested DBEs for the Project. The Offeror shall have, at a minimum, one representative of the Lead Contractor and one representative of the Lead Designer. Representatives shall understand the DBE requirements and subcontracting requirements. The meeting time will be posted in the RFP.

3 SHORTLISTING BASED ON QUALIFICATIONS

3.1 STATEMENT OF QUALIFICATIONS (SOQ)

The Department will evaluate and rank submitted SOQs to determine which Offerors will be shortlisted to participate in development of Technical and Price Proposals.

3.2 EVALUATION OF QUALIFICATIONS

The Offeror's qualifications will be evaluated based on the following criteria:

| Ranking Topic | Evaluation Criteria | Maximum Points |
|---|---|----------------|
| Project Understanding and Approach (Part B) | <p>How well the Offeror demonstrates knowledge and capabilities specific to the needs of the Project through the following in response to Section 3.5.3:</p> <ul style="list-style-type: none"> • approach to managing design and construction risks during the project duration, approach to ensuring high quality Work, and ensuring project progress with regards to the large project footprint • ability to demonstrate an understanding of critical aspects of MOT as described in Attachment O of the Scope of Services while considering the scheduling and impacts of adjacent major projects • ability to demonstrate a management approach which ensures meeting the DBE requirements, and proposed potential methods used to ensure workforce diversity and diversity reporting | 35 |
| Design-Build Project Team (Part C) | <p>Ability of the Offeror to demonstrate a successful DB Project Team relative to the requirements of the Project as demonstrated by the following in response to Section 3.5.4:</p> | 30 |

| Ranking Topic | Evaluation Criteria | Maximum Points |
|--|---|----------------|
| | <ul style="list-style-type: none"> • integration of the identified firms, Key Personnel and other personnel as demonstrated through the organization chart; • potential effectiveness of the proposed team through a description of firm experience • ability to demonstrate sufficient project resources and the ability to manage labor, materials and equipment relative to design and construction across the large project footprint • Key Personnel based on their qualifications, experience and performance while giving consideration to acceptableness of availability as required in Part C and their resumes (included with Part E). | |
| Project Management and Experience (Part D) | <p>Ability to demonstrate the following in accordance with Section 3.5.5:</p> <ul style="list-style-type: none"> • the establishment of a successful project management methodology focused on coordination with stakeholders, the Department, resolving issues, and ensuring a cost effective approach • successful past experience in design and construction of projects of similar scope and complexity, timely completion of similar projects, and Key Personnel role in highlighted projects as shown based on information provided in the Technical Experience Attachments (included in Part G), Evaluation Forms (Part H), and Liquidated damages and/or penalties (Part I) | 35 |
| Total: | | 100 |

3.3.1

3.3 SOQ FORMAT

GENERAL

The RFQ phase of the procurement process is intended to enable Offerors to demonstrate their qualifications to perform the Project, and to enable the Department to evaluate those qualifications in arriving at a short-list. Offerors are advised that the SOQ should include specific information that will demonstrate the qualifications and experience required by this RFQ. Offerors should note that it is not the intent of the Department to receive Project-specific design or engineering recommendations as part of the SOQ unless specifically requested within the RFQ.

If the Offeror has concerns about information included in its SOQ that may be deemed confidential, trade secret or proprietary, the Offeror shall adhere to the requirements set forth by Section 3.7.1.

3.4 SOQ SUBMISSION REQUIREMENTS

Offerors shall utilize electronic transmittal of the SOQ through the ODOT secured file sharing system "ODOT LiquidFiles." Additional user guide information on ODOT LiquidFiles can be found here:

<https://fileshare.dot.state.oh.us/img/External-Invited-User-Guide-ODOT-LiquidFiles.pdf>

Contact the Department (Chase Wells - 614-466-4789/ Chase.Wells@dot.ohio.gov) to establish an ODOT LiquidFiles account and to submit test submissions for verification.

Submit one electronic searchable single file PDF format which does not restrict printing or copying text, images and other content.

SOQs shall be submitted to the following email addresses by 1:30 pm on the date for SOQ Submission shown in Section 2.5:

- Chase Wells: Chase.Wells@dot.ohio.gov
- Eric Kahlig: Eric.Kahlig@dot.ohio.gov

Submissions will NOT be accepted after the time specified except in extreme and unusual circumstances recognized by the Department.

Submit one (1) CD/DVD or (1) USB "thumb" drive containing two (2) electronic files of the SOQ 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 modification of the file, copying of text, images or other content. The submission must be able to be read by the Department. The Shortlisted Offeror is not required to supply the password.

SOQs shall be submitted to the following address by 1:30 pm on the date for SOQ Submission shown in Section 2.5:

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

The outer wrapping of the submission shall clearly indicate the following information:

Attention: Chase Wells — Alternative Project Delivery

Statement of Qualifications: SUM 76/77 Akron Beltway Major Rehab
 Design-Build Team Name
 Project: (21) 3000
 Project: SUM 76/77/8
 PID 102329

~~All submissions will be received in sealed packages. Submissions will NOT be accepted after the time specified except in extreme and unusual circumstances recognized by the Department.~~

3.5 SOQ CONTENT

SOQs shall contain all information as detailed in this section. To ensure a timely and consistent review, the format of the SOQ must adhere to the requirements of this section.

LAYOUT

3.5.1 The following table lists the maximum number of pages that is allowed to be used by the Offeror in the SOQs. Content should be organized by parts as indicated. To ensure a timely and consistent review, the SOQ response shall be organized in a format corresponding to the requested RFQ organizational structure.

| Part | Content | Maximum Pages |
|------|---|---------------|
| A | Introduction | 2 |
| B | Project Understanding and Approach | 16 |
| C | Design-Build Project Team | |
| D | Project Management and Experience | |
| E | Resumes of Key Personnel | 12 |
| F | Addenda, Prequalification and Approved Conflict of Interest Waivers | X |
| G | Technical Experience Attachments | 20 |
| H | Evaluation Forms | X |
| I | Liquidated Damages and/or Penalties Attachment | X |
| | Total (not including Part F/H/I) | 50 |

All pages shall be 8 ½" x 11". Font shall be at least 11 point in Arial (normal spaced lettering). All pages shall be numbered with a footer depicting, at a minimum, Offeror's name and page number (Offeror name – Page X of XX). Margins shall be at least 1" all around.

SOQ Part divider pages which contain project information will be counted towards the maximum number of pages.

Graphics, tables and figures which include text to describe the graphics, tables, and figures may use a smaller font size but shall remain legible. The abuse and excessive use of graphics, tables, or figures text to unreasonably expand the content of the SOQ (as determined by the Department) may be grounds for rejection.

Submissions exceeding the page limitations, substantial deviations from formatting requirements, or failing to follow the section format instructions outlined above may be rejected.

PART A – INTRODUCTION

Provide introduction pages on the Lead Contractor's letterhead and identify the full legal name and address (font, font size and page margins requirements may be disregarded regarding the Lead Contractor's letterhead if the Lead Contractor's standard blank letterhead would violate the formatting limitations). Offerors who are joint ventures may submit on any letterhead of the joint venture's members or submit on a new letterhead depicting the joint venture. The Introduction shall be signed by an authorized representative of the Offeror's organization.

The introduction shall contain the following information:

1. Name, title, address, phone numbers, and e-mail address of an individual who will serve as the Point of Contact for the Offeror.
2. Full legal name of the Lead Contractor. The Lead Contractor is defined as the prime/general contractor responsible for overall construction of the Project and will serve as the legal entity that will execute the Contract with the Department.

Provide:

- Company address
- Company telephone number
- Contact person name, contact telephone number, and contact email address (if different then Point of Contact for the Offeror)
- Company structure (a corporation, Limited Liability Company, general partnership, joint venture, limited partnership or other form of legal organization)

Note: The Department recommends that Lead Contractors who are joint ventures register their company or fictitious name with the Ohio Secretary of State.

3. Identify the full legal name of the Lead Designer for this Project.

Provide:

- Company address
- The firm's registration number of the Lead Designer with the Ohio State Board of Registration for Professional Engineers and Surveyors at the time of submittal

- Project specific contact person's Name
 - Project specific contact person's email
 - Project specific contact person's telephone number
4. A statement that the Offeror's Lead Contractor and Lead Designer are prequalified with the Department in accordance with the requirements of the Department or a statement that the Lead Contractor and Lead Designer will become prequalified prior to the "Announce Shortlist" date (see Section 2.5).
 5. A statement confirming the commitment of the Key Personnel identified in the submittal to the extent necessary to meet the Department's quality and project duration expectations.
 6. A statement warranting that no members of the Offeror have a personal conflict of interest or an organizational conflict of interest. (See Section 5.1)

PART B – PROJECT UNDERSTANDING AND APPROACH

3.5.3.1 General Project Approach

Describe the Offeror's project understanding and anticipated approach to the project; specifically addressing:

- a. How the Offeror intends to manage design and construction risks throughout the entire Project duration,
- b. How the Offeror will monitor the quality of the Work to ensure high quality for the duration of the Project, and

3.5.3.2 Maintenance of Traffic

Describe the Offeror's approach to the following critical aspects of the Maintenance of Traffic requirements, specifically identifying risk mitigation strategies for the following:

- a. Generally managing the variable aspects of the Maintenance of Traffic requirements across the large geographical footprint while meeting intermediate completion dates and proposed approach for work zone incident management.
- b. Describe the Offeror's approach to mitigate and manage the risks to the significant tasks:
 - 1) Coordination with the adjacent major construction projects (SUM-8-1.75 [PID 91710] and SUM IR 77/277/US 224 Various [PID 106002]) which will be occurring at the same time as this project.
 - 2) Phased construction of the bridges along I-76

3.5.3.3 DBE and Work Force Diversity

Describe the Offeror's approach and strategies to ensure DBE goal attainments and ensuring work force diversity specifically addressing:

- a. DBE Subcontractor management during pre-award and post-award phases of the project to ensure DBE goal attainment and post-award DBE utilization tracking with specific methods on promoting opportunities to disparaged companies (as identified by ownership in the 2015-16 Ohio Public Authorities Disparity Study – Chapter 7).

Note: The 2015-16 Ohio Public Authorities Disparity Study:

<http://www.dot.state.oh.us/groups/DisparityStudies/Documents/Final%20Study%20Documents/Final%202015-16%20Disparity%20Study%20Report.pdf>

- b. Proposed strategies to ensure ethnic and gender workforce diversity, engage nearby regional community workforce agencies, and the methods to monitor, track, and report on ethnic and gender workforce diversity.

PART C – DESIGN-BUILD PROJECT TEAM

3.5.4 The Offeror shall provide sufficient information to enable the Department to understand and evaluate the Offeror's Team. Include the following:

3.5.4.1 Organization Chart and Narrative

The Offeror shall provide an organizational chart showing the "chain of command" of the required Key Personnel roles proposed for the Offeror's organization regarding the Project. Include any other roles critical to the Offeror's approach. The organizational chart shall show Key Personnel, key subconsultants, all named firms that will be performing work (including those firms identified in association with Section 2.2 of the RFQ regarding prequalification), and other anticipated personnel integral to the success of the Project.

The Offeror shall include a narrative to describe the interactions between positions, functions of shown intended roles, and other planned team integration techniques intended.

Note: Font requirements on the Table of Organization will not be enforced, but Offerors are to ensure the Organization Chart is legible and clear.

3.5.4.2 General Offeror Experiences

- a. Describe the general experience of the firms that are part of the Offeror. Focus on specific firm experience that relates to delivering the proposed project and how the experience will ensure success of the Offeror's general approach to the Project.
- b. Describe any notable expertise or other special capabilities of members of DB project team (Persons or Firms) that are critical to your project approach.

Note: Firms shown on the Table of Organization and/or represented in the technical experience attachments (Part G) shall be specifically addressed as to their role on the Offeror's team.

3.5.4.3 Workforce and Resource Management

- a. Describe Offerors approach and capabilities to ensure a sufficiently trained workforce available to design and construct the Project in an accelerated timeframe. Specifically focus on methods proposed to proactively identify needed workforce levels.
- b. Describe the Offerors approach to ensure key resources (material and equipment) will be available. Specifically describe the methods used to coordinate access and ability to deliver to multiple construction areas.

3.5.4.4 Key Personnel

Identify the Key Personnel as described in the subsequent table. Provide information within the SOQ to demonstrate the abilities of all identified Key Personnel through a description of qualifications, experiences, and performance of similar tasks on previous similar recent relevant projects, background, and education. These qualifications and experience should provide confidence to the Department that the Project will be effectively managed through personal competence and accountability. This information shall be expounded through resumes provided in Part E. Resumes for individuals who are not identified in the SOQ as Key Personnel shall not be included.

| KEY PERSONNEL | DUTIES |
|---------------------|--|
| DBT Project Manager | The DBT Project Manager shall be ultimately responsible for the Offeror's performance. Ensures that personnel and other resources are made available. Responsible for contractual matters. This position is required for the duration of all design and construction-related activities on the Project. Must have experience on major highway construction projects. |

| KEY PERSONNEL | DUTIES |
|--|--|
| DBT Design Project Manager | <p>The DBT Design Project Manager shall be responsible for actively managing 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/highway items (alignment, drainage, pavement, lighting, traffic signals, maintenance of traffic, etc.) This position is required for the duration of all design activities and shall be readily available for any and construction-related issues or questions on the Project. Must be an Ohio P.E. at the time of Award. The DBT Design Project Manager shall have experience on major highway projects.</p> |
| DBT Construction Manager | <p>The DBT 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 DBT Construction Manager shall have experience working in a similar capacity on major highway projects. The DBT Construction Project Manager shall be located in the field office on a full-time basis for the construction duration of the Project unless modification is requested by the DBT and approved by ODOT in its sole discretion.</p> |
| DBT Maintenance of Traffic Lead (Design) | <p>The DBT Maintenance of Traffic (MOT) Lead shall be responsible for meeting the design requirements of the Contract Documents for all MOT elements on the Project. The DBT MOT Lead shall have experience working in a similar capacity on major highway projects with complex roadway design. Must be an Ohio P.E. at the time of Award. This position is required for the duration of the design-related activities on the Project.</p> |

| KEY PERSONNEL | DUTIES |
|---|---|
| DBT Structural Lead/Superintendent (Construction) | The DBT Structural Lead shall be responsible for meeting the construction requirements of the Contract Documents for all structural elements on the Project, including bridges, retaining walls, and foundations. The DBT Structural Lead shall have experience working in a similar capacity on major highway projects with complex structures. This position is required for the duration of all structural construction-related activities on the Project and shall be located in the project field office on a full-time basis during the duration of all structural construction-related activities. |
| DBT Coordinator | At a minimum, the DBT Coordinator shall be responsible for all coordination of design submissions and reviews between the DBT and ODOT, monitor required construction submittals to and from ODOT, coordinate and monitor the Project Bill of Materials, and the ensure the incorporation of construction field changes into project as-builts. This position is required throughout the project duration. |

For all Key Personnel, provide the following information:

- a) The individual's position and authority within the Offeror.
- b) Previous projects, similar in nature to the proposed project or other significant efforts for which the individual has performed a similar function.
- c) Identify estimated percentage of their weekly time that the individual will be dedicated to the Project during the following:
 - i Design phase
 - ii Construction phase
- d) Relevant experience, professional registrations, education and other components of qualifications applicable to this project.
- e) Any unique qualifications.
- f) A statement indicating that the individual is currently employed by a member of the Offeror at the time of the SOQ submittal.

Duties may be performed by more than one person. If this is the case, provide information for each person and clarify individual duties. (Note: Part E page count will not be increased.)

Any person proposed as Key Personnel in a Key Personnel position requiring a Professional Engineering license who is not an Ohio P.E. at SOQ submission may be proposed if 1) the person is licensed in another state and 2) submits a commitment in the SOQ to becoming licensed in Ohio prior to Award.

PART D – PROJECT MANAGEMENT AND EXPERIENCE

Provide the requested specific information as it relates to previous project experience and anticipated project management approaches.

3.5.3.5.5.1 Project Management Methodologies

- a) Describe how the Offeror will coordinate with the Department to ensure sharing of information & reporting to ensure a high-quality project
- b) Describe the Offeror's procedures to ensure how a cost-effective design and subsequent cost-effective construction will be performed while meeting or exceeding the project requirements
- c) Describe the Offeror's company culture in working with the Department when significant project issues and/or contract discrepancies are encountered and demonstrate this approach through specific examples using the projects in Part G to substantiate.

3.5.5.2 Past Projects - Shall consider Design and Construction

- a) Complete the technical experience attachments described in Part G (to be included only in Part G).
- b) Provide an attachment (to be included in Part I only) listing all projects designed and/or constructed by the Lead Designer and/or Lead Contractor that have resulted in the assessment of liquidated damages and/or penalties exceeding \$50,000 in the last five years if applicable to the respective role.

PART E – RESUMES OF KEY PERSONNEL

- 3.5.7 This section shall include Resumes of Key Personnel. Resumes shall be limited to no more than two (2) pages per individual. Resumes for individuals shall be on separate and distinct pages.

PART F – ADDENDA, PREQUALIFICATION AND APPROVED CONFLICT OF INTEREST WAIVERS

- 3.5.8 Receipt of Addenda issued prior to submission of the SOQ shall be acknowledged by inserting a copy of the cover sheet of the Addenda in the SOQ. If the Offeror has received approved Conflict of Interest waivers from the Department, a copy of each shall be inserted in this section. Lists addressing prequalification as required in Section 2.2 of the RFQ also shall be included.

PART G – TECHNICAL EXPERIENCE ATTACHMENTS

The section shall include Technical Experience Attachments, which shall not exceed 20 pages total. Provide project information consisting of descriptions of up to five projects completed by the Offeror's Lead Contractor or Sub-Contractors and up to five projects completed by the Offeror's Lead Designer or Sub-Consultants. Include work by firms or joint-venture members which best illustrates current qualifications relevant to this Project. Projects should be completed or substantially completed. Provide no more than 10 projects. Technical experience attachments shall be on distinct pages and not continue across multiple pages, limited to 2 pages per project. Firms listed are subject to Sections 4.2.

The narratives should demonstrate experiences in the following areas:

- a) Construction of projects of similar scope and complexity, as applicable to the Contractor
- b) Design of projects of similar scope and complexity, as applicable to the Designer
- c) Timely completion of projects of similar scope and complexity
- d) Proposed Key Personnel members' roles (if applicable) and/or firms role with the project, and the ability to function in a coordinated high performing team
- e) For Contractor representative technical experience: the ability to coordinate with adjoining projects and ability to mitigate project accessibility difficulties
- f) For Designer representative technical experience: demonstrated design approaches to projects which reduce potential conflict risks with adjacent existing public/private facilities
- g) Mitigation efforts utilized by the Offeror to overcome unexpected project challenges which may translate to the proposed project

Each technical experience attachment must clearly include the following information:

- a) Sponsoring/Owner Agency's Project Name, Project Location, and contract type (e.g. DB, DBB, CMGC). Provide any common known industry-wide name (if applicable) and Owner's project number (If applicable).
- b) Name of the representative Firm (i.e., Offeror's Lead Contractor, Sub-Contractors, Lead Designer or Sub-Consultants) and the firm's responsibility.
- c) Overall Project contract value. Provide represented firms contract value for which firm was directly responsible (excluding subcontracted values).
- d) The sponsor/owner's contact information (project manager name, phone number, e-mail address). If the owner's project manager is no longer with the owner, provide an alternate contact at the agency that is familiar with the project. The alternate contact must have played a leadership role for the owner during the project.
- e) Dates of design (if applicable) and construction (if applicable).
- f) General Description of the Overall Project.
- g) Detailed description of the work or services provided, and percentage of the overall project actually performed (as relative to costs).
- h) Description of original scheduled completion deadlines and actual completion dates, as applicable to the Designer and/or Contractor. Describe reasons for completing the project in advance of the contract completion deadline. Describe reasons for completing the projects later than the contract completion deadline

specified within the original contract. Provide the value of any liquidated damages and/or penalties, and reasons for assessed liquidated damages and/or penalties, if applicable.

PART H – EVALUATION FORMS

Provide evaluation forms for each project, for contractor and consultant similar to ODOT C-95's and CES. Note: C-95 and CES forms for ODOT projects do not need to be provided.

3.5.9

3.5.10 PART I – LIQUIDATED DAMAGES AND/OR PENALTIES

This section shall include an attachment as described in Section 3.5.5.2.b.

3.6 SOQ REVIEW AND SHORT-LISTING PROCESS

SOQs will be evaluated by a SOQ Technical Evaluation Team consisting of Department representatives from ODOT District 4 and ODOT Central Office. The SOQ Evaluation Team will consist of a Technical SOQ Evaluation Team and an Executive Level Evaluation Team. The Technical SOQ Evaluation Team will evaluate the SOQs based on the criteria established in this RFQ.

The Department's SOQ Technical Evaluation Team will comparatively rank (at their sole discretion) the Offerors' SOQs based upon the evaluation criteria found in this RFQ and in accordance with the Department's internal SOQ Evaluation Guidelines.

Failure to meet critical RFQ requirements (as determined by the Department) may render a SOQ non-responsive. The extent to which an Offeror meets or exceeds evaluation criteria will be comparatively ranked by the Department SOQ Technical Evaluation Team and will be reflective of the Department SOQ Technical Evaluation Team's rankings (in their sole discretion) of the SOQs submitted by Offerors. The Department reserves the right to find clerical errors, omissions, or general errors *de minimis*.

The SOQ Technical Evaluation Team may be assisted by any number of Technical subgroups and/or subject matter experts within the Department, FHWA, City, other involved agencies, and/or contracted by the Department.

For each of the ranking topics, the SOQ Technical Evaluation Team will determine the highest ranked Offeror within each ranking topic, with the highest ranked Offeror receiving the maximum number of points. Lower ranked Offerors will receive commensurately lower rankings based on a relative comparison to the highest ranked Offeror. Evaluations and rankings will consider Department identified strengths, weaknesses, and committed betterments found within the SOQ.

The Department ~~may will~~ request the Offeror to affirm ~~an~~ identified committed betterments found within the SOQ ~~if the Department believes there may be multiple interpretations, or the SOQ is unclear~~. This affirmation request will be made in writing to the Offeror prior to ~~final rankings~~ announced shortlist date provided in Section 2.5. #

~~an affirmation request is made by the Department, t~~The Offeror shall respond in writing within 48 hours either confirming the Department's understanding or clarifying the intent. Any response to the affirmation request may not expound upon the information within the SOQ.

The rankings will be based on the information provided by the Offeror within the SOQ, independent investigation of any information, prior experiences with the Offeror by the Department, existing public information, and evaluation information obtained from the owners of previous projects.

The SOQ Technical Evaluation Team will present the findings, rankings, and shall make a recommendation to the Executive Level Evaluation Team. This Executive Level Evaluation Team will consist of designees of:

- ODOT Chief Engineer
- ODOT District Deputy Director
- ODOT Deputy Director of Construction Management
- ODOT Deputy Director of Engineering
- ODOT Deputy Director of Operations

The Executive Level Evaluation Team will examine the Technical Evaluation Team's findings and will render ultimate selection of the Shortlisted Offerors with concurrence from the SOQ Technical Evaluation Team.

Based on the recommendations of the Executive Level Evaluation Team, the Department will short list no more than three (3) of the most highly qualified Offerors.

If three or less responsive SOQs are received, the Department may choose to not rank SOQs.

The Executive Level Evaluation Team with concurrence of the Director may, at their sole discretion, choose to reject all Offerors and reissue a revised RFQ.

The Director has final authority to determine the best interests of the Department in selection of the Shortlisted Offerors.

3.7 THE PUBLIC RECORDS ACT

The Department considers the RFQ/SOQ process as part of a competitive selection thereby subject to Section 9.28 of the Ohio Revised Code (Competitive Solicitation as Public Record).

- 3.7.1 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 eventual release unless a statutory exception exists that exempts the documents from public release.

TRADE SECRETS

If any information in a SOQ is to be treated as a “trade secret” as defined by the Ohio Revised Code Section 1333.61(D), the Offeror must identify each occurrence of the information within the SOQ by:

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

DISCLOSURE

The Department shall not share with, or convey to, any person trade secret information provided by the Offeror, unless disclosure is required by law or the Offeror gives prior written approval for such disclosure. In the event the Department is required to disclose any information the Offeror considers a trade secret pursuant to applicable law, prior to disclosing such information, the Department shall notify the Offeror in writing. The Department shall use reasonable efforts to give notice of disclosure at least three days in advance of release.

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 Offeror.

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

Because of the confidential nature of the competitive selection, and to preserve the propriety of each Offeror’s SOQ, it is the Department’s intention, subject to applicable law, not to consider a request for disclosure until after Award. Submitted SOQs, any clarification requests made by the Department, any clarifications provided by an Offerors, and ranking information shall be held confidential until after Award of the Project. Offerors are on notice that once a Design-Build Contract is executed, some or all of the information submitted in the SOQ may lose its protection under the applicable Ohio law. Upon award, all information provided to the Department that was used in the evaluation of the SOQ will be considered a public record.

4 TECHNICAL PROPOSAL PREPARATION

All Shortlisted Offerors will be notified by the Department. Only Shortlisted Offerors will be invited to prepare a Technical Proposal and Price Proposal. Within 4 Business Days of receiving the invitation, the Shortlisted Offeror shall confirm in writing its intent to proceed with Phase II.

The Department may eliminate a Shortlisted Offeror from the shortlist if the Offeror fails to confirm its intent to proceed in writing or notifies the Department of their intent not to proceed. The Department may modify the shortlist to include the next highest ranked Offeror.

4.1 TECHNICAL PROPOSAL AND PRICE PROPOSAL

Technical Proposal and Price Proposal preparation shall be per the RFP and will only be accepted from notified and confirmed Shortlisted Offerors.

Committed betterments made in the SOQ which can reasonably be interpreted as offers to provide higher quality items or additional services shall be incorporated into the awarded DBT's contract requirements. Shortlisted Offerors will be required to address the Department's identified committed betterments within the Technical Proposals. Committed betterments reasonably made null due to revisions made by the Department occurring between the SOQ documents issuance and the final RFP documents issuance shall not be incorporated, inclusive of all Addenda, as determined by the Department.

4.2 REQUIREMENT TO KEEP TEAM INTACT

The team proposed by Offeror, including but not limited to the Offeror's organizational structure, Lead Contractor, the Lead Designer, Key Personnel, named sub consultant and/or subcontractor, and other individuals identified in accordance with the Offeror's response to Section 3.5, shall remain on the Offeror's team for the duration of the procurement process and, if the Shortlisted Offeror is awarded the Design-Build Contract, the duration of the Design-Build Contract.

4.2.1

PERSONNEL CHANGES PRE-AWARD

If extraordinary circumstances require a proposed change to the Lead Designer, Key Personnel, named subconsultant and/or subcontractor and other individuals identified pursuant to Section 3.5 prior to Award, it 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 they meet or exceed the qualifications of the originally submitted member as determined by the Evaluation Team. 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.

4.2.2

Failure to meet this requirement may result in a non-responsiveness determination.

PERSONNEL CHANGES POST-AWARD

If extraordinary circumstances require a proposed change to the Lead Designer, Key Personnel, named sub consultants and/or subcontractors and other individuals identified in accordance with the Offeror's response to Section 3.5 after award, it must be submitted in writing to the Project Engineer pursuant to the Contract Documents.

The Department, in its sole discretion, will determine whether to authorize a change. The Department shall be cognizant of the circumstances and the stage of the Work when considering the requested change.

5 MISCELLANEOUS

5.1 CONFLICT OF INTEREST

ANY SOQ RECEIVED IN VIOLATION OF THIS SECTION'S REQUIREMENTS MAY BE REJECTED.

1. The Offeror's 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."

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 an Offeror if an organizational conflict of interest exists.

The Offeror agrees that, if after award, an organizational conflict of interest is discovered, the Offeror must make an immediate and full written disclosure to the Department that includes a description of the action that the 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 Offeror's attention is further directed to Ohio Administrative Code Section 4733-35-05 (C) and the requirements regarding organizational conflicts of interest.

2. Each Offeror shall require its proposed team members to identify potential conflicts of interest or a real or perceived competitive advantage relative to this procurement. 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 Offeror shall submit in writing the pertinent information to the Department prior to the submittal of the SOQ. The Offeror may request a waiver of the conflict of interest for the Department's consideration.

ODOT's COI Point of Contact: Susan Stehle of the Office of Consultant Services by email (Susan.Stehle@dot.ohio.gov) or mailed to:

Ohio Department of Transportation, Office of Consultant Services
1980 West Broad Street, Mail Stop 4100
Columbus, Ohio 43223
Attn: Susan Stehle.

And copy:
Eric Kahlig 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 make a timely response to a waiver request. Failure to abide by the Department's determination in this matter may result in a SOQ being declared non-responsive.

Approved conflict of interest waivers shall be included in Part F of the SOQ.

3. Conflicts of interest and a real or perceived competitive advantage are described in state and federal law, and, for example, may include, but are not limited to the following situations:
 - a) An organization or individual hired by the Department to provide assistance in development of instructions to Offerors or evaluation criteria for the Project.
 - b) An organization or individual hired by the Department to provide assistance in development of Instructions to Offerors or evaluation criteria as part of the programmatic guidance or procurement documents for the Department's Design-Build program, and as a result has a unique competitive advantage relative to the Project.
 - c) An organization or individual with a present or former contract with the Department to prepare planning, environmental, engineering, or technical work product for the Project, and has a potential competitive advantage because such work product is not available to all potential Offerors in a timely manner prior to the procurement process.
 - d) An organization or individual with a present contract with the Department to provide assistance in Design-Build contract administration for the Project.
4. The Department may, in its sole discretion, determine that a conflict of interest or a real or perceived competitive advantage may be mitigated by disclosing all

or a portion of the work product produced by the organization or individual subject to review under this section. If documents have been designated as proprietary by Ohio law, the Offeror will be given the opportunity to waive this protection from protection from disclosure. If Offeror elects not to disclose, Offeror may be declared non-responsive.

5. The firms listed below will not be allowed to participate as an Offeror or a DBT member due to a conflict of interest:

| |
|--|
| Barr Engineering, Incorporated |
| Burgess & Niple, Inc. |
| DLZ Ohio, Inc. |
| Eggeman Engineering and Consulting, LLC |
| E. L. Robinson Engineering of Ohio Co. |
| HNTB |
| Gannett Fleming Engineers and Architects, P. C. |
| Glaus, Pyle, Schomer, Burns and DeHaven, Inc. |
| Lawhon & Associates, Inc. |
| Northwest Consultants, Inc. |
| Ohio Valley Archaeology, Inc. |
| Richland Engineering Limited |
| Surveying and Mapping, LLC |
| The Mannik & Smith Group, Inc. |

Offerors are cautioned that this is not an all-inclusive listing and must determine if any potential member has a Conflict of Interest.

6. The Department may request additional information if a potential conflict of interest is found within a SOQ. The Department may reject a SOQ if a conflict of interest is found to exist which has not received a written waiver prior to submittal.

5.2 ESCROWED DOCUMENTS

The Department will include PN110 - Escrow Bid Documents. In this regard, the development of the SOQ will be considered a part of the development of the Bid Documents.

5.3 OBLIGATED FOR COSTS OF PROPOSING

The Department assumes no obligations, responsibilities, and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred or alleged to have been incurred by parties considering a response to and/or responding to this RFQ, or the subsequent Bid. All such costs shall be borne solely by each Offeror and its team members.

The Department intends to provide a payment currently anticipated to be \$375,000 (or the Shortlisted Offeror's actual costs, whichever is less) for preparing a responsive

Technical Proposal to each unsuccessful Shortlisted Offeror. The unsuccessful Shortlisted Offerors shall provide the documentation exhibits as required per the RFP. The Department retains the right to waive deficiencies, informalities and irregularities in the exhibits and seek clarifications prior to releasing payment to the unsuccessful Shortlisted Offeror. The Department shall have sole discretion in determining sufficiency of documentation. The successful Shortlisted Offeror will not receive a separate payment.

The procedure for submitting a request for payment, as well as further terms and conditions related to this payment, will be set forth with greater specificity in the RFP.

6 PROPRIETARY TECHNICAL INFORMATION DISCUSSIONS

Following the identification of the Shortlisted Offerors, the Department intends to conduct a one-on-one Proprietary Technical Information (PTI) discussion with each Shortlisted Offeror on the date set forth in Section 2.5 at the ODOT District 4 Office.

The PTI discussion will be conducted to consider requested elements of the proposed project design and other details of the Scope of Services. Information presented by a Shortlisted Offeror during a PTI discussion shall be treated as confidential information by the Department.

The PTI discussion will enable the Department to identify and discuss elements of a Shortlisted Offeror's technical approach that may not meet the requirements of the Bid Documents or are otherwise unacceptable to the Department. The Department anticipates the Technical Proposal will be submitted in a manner that is consistent with information presented by the Shortlisted Offeror during the Proprietary Technical Information meetings.

Material deviations in the Technical Proposal from the approach presented within submittals required for the PTI discussion without a detailed explanation will be subject to the Department's sole discretionary approval and failure to comply is at the risk of the Shortlisted Offeror. Deviations from the information submitted for the PTI presented information may result in the Technical Proposal being deemed non-responsive if the deviation is material, as determined by the sole discretion of the Department, and does not meet the requirements of the Bid Documents.

Additional information on the PTI discussions will be provided in the RFP.

7 ALTERNATIVE TECHNICAL CONCEPTS

An Alternative Technical Concept (ATC) is a preliminary design concept proposal changing the Bid documents to provide a solution that is equal to or better than what is required by the Bid documents, as determined by the Department.

The Department will consider ATCs in the procurement of the Project. All Shortlisted Offerors will be given the opportunity to submit ATCs for consideration. The complete ATC process will be provided in the RFP.

The Department intends to conduct one-on-one confidential ATC discussions with each Shortlisted Offeror on the dates set forth in Section 2.5 at the ODOT District 4 Office. No binding decisions regarding the ATC will be made by the Department in an ATC meeting. Information presented by a Shortlisted Offeror during an ATC meeting shall be treated as confidential information by the Department.

The ATC process final schedule, meeting times, and meeting locations will be provided to Shortlisted Offerors following identification of Shortlisted Offerors.

The Department estimated review time from receipt to response to ATC is 10 Workdays.

The Department may consider design exceptions at select locations. The Shortlisted Offeror shall complete all necessary proposed design exception paperwork in accordance with the ODOT Location and Design Manual requirements for submission with the ATC for concurrent evaluation by the Department if a design exception is condition precedent to approval of the ATC.

APPENDIX A

PASS/FAIL Checklist

The Department will evaluate the following items at receipt of the SOQ for general responsiveness to the RFQ. This is being provided for informational purposes to the Offerors to assist in preparation of the SOQ.

| Pass / Fail Criteria | Y/N |
|---|-----|
| Statement of Qualifications received by the required deadline as listed in the RFQ documents, or applicable addenda? | |
| Are general formatting requirements (e.g., (1) CD/DVD or one (1) USB “Thumb” drive containing two (2) SOQ files (one in electronic searchable single file PDF format and one in password protected single file PDF format), page numbers, 8.5”x11” sheet size, at least 11 point in Arial font, 1” margins met? | |
| Is the SOQ in a format generally corresponding to the required RFQ organization with content and maximum page requirements met? | |
| Completed an introductory page with a signature of the authorized representative of the Offeror, with the identity of the Point of Contact, with the identity of the business structure of the Offeror, with the identity of the Lead Contractor and Lead Designer (with the Registration number of the Lead Designer)? | |
| Included a certification that the Lead Contractor and Lead Designer are pre-qualified with the Department in accordance with the requirements of this RFQ or a statement that the members will become prequalified prior to the Shortlisting date? | |
| Included a statement confirming the commitment of the key personnel identified in the submittal to the extent necessary to meet the Department’s quality and project duration expectations? | |
| Included a certification that no members of the Offeror have a personal conflict of interest or an organizational conflict of interest as defined in the RFQ? If the Offeror has received approved Conflict of Interest waivers from the Department, a copy of each shall be included in Part F. | |
| Completed an attachment (Part I) listing all projects designed and/or constructed by the Lead Designer and/or Lead Contractor that have resulted in the assessment of liquidated damages and/or penalties exceeding \$50,000 in the last five years if applicable to the respective role. | |
| Is Receipt of Addenda issued prior to submission of the SOQ acknowledged by inserting a copy of the cover sheet of the Addenda(s) in the SOQ? | |