

**WASHINGTON STATE
DEPARTMENT OF
TRANSPORTATION**

**INDEPENDENT COST
ESTIMATING SERVICES**

**OLYMPIC REGION'S
PROGRESSIVE DESIGN BUILD
PROGRAM**



Innovative Contracting & Engineering

**5513 W. 11000 N. #501
HIGHLAND, UT 84003**

Packet B

**Letter of Transmittal &
Criteria 5-6**

September 6, 2023



State of Washington
Department of Transportation

**RE: Statement of Qualifications – Independent Cost Estimate (ICE)
Services for Olympic Region’s Progressive Design Build Program**

Members of the Selection Committee:

WSDOT is using the Progressive Design-Build (PD-B) delivery method to design and build approximately 50 fish barrier replacement locations and multiple PD-B contracts throughout the Olympic region. To help with evaluation of the Progressive Design Builder’s project estimates, WSDOT is seeking a consulting firm to provide Independent Cost Estimating (ICE) Services.

In the PD-B delivery method, the ICE plays a key role. The ICE help find solutions to difficult constructability challenges, they help mitigate risk issues, they help develop an efficient construction schedule, and they provide competitive, fair-market pricing for the project. For the Olympic Region’s Progressive Design Build Program, the ICE will also help WSDOT develop the RFP for selection of the PD-B joint venture team. Innovative Contracting and Engineering (IC&E) focuses exclusively on providing ICE services. We have experience working on projects of comparable size and complexity, and we have performed ICE services on several successful PD-B projects. We are excited to submit our team qualifications!

What sets us apart from the competition?

- Our core team has provided ICE services together for 14 years,
- We successfully completed ICE services on PD-B projects in 7 states,
- We helped UDOT compose RFQs for procurement of DB and CMGC contractors,
- We helped UDOT review and scored approximately \$12 Billion in proposals and made recommendations for award, and
- Our project Manager wrote alternate delivery method policy in multiple states.

In addition, WSDOT selected Innovative Contracting and Engineering to provide ICE services on the US 101/SR 109 Remove Fish Barriers project. That project’s scope of work included the construction of approximately 29 fish passage barriers in Grays Harbor, Clallam, and Jefferson Counties. Work included stream bed grading, restoration of fish habitat, landscaping, retaining walls, maintenance of traffic, right-of-way acquisition, drainage, and traffic safety elements, including guardrail and barrier. Temporary bypass roads had to be constructed because detour routes were scarce. While this was a WSDOT project, some of the construction was in First Nations lands, requiring us to adapt to unique codes and building policies for those structures.

IC&E provided the ICE services on this PD-B project. Our cost-estimating team on that project included Chris Wilson, Abdi Fatemi, Matt Bender, Ben Holland, and Kyle Norseth. Tom Gott was our Lead Scheduler. Dan Bender was our Project Manager. We provided quantity takeoffs and reconciled quantity differences with the Contractor, provided production-based cost estimates using the HCSS Heavy Bid software, developed construction schedules using Primavera P6, provided risk management, and provided constructability reviews and alternative delivery process consulting when requested.

Key Personnel

Principal and Contract Manager – Dan Bender will serve as our team’s Contract Manager. He is a registered Civil Engineer with professional registrations in four states. Dan has over 30 years of experience in design and construction of highway projects. Since 2009, Dan has focused solely on managing ICE services teams on CMGC, Design-Build, and Progressive Design-Build projects. Dan also leads the risk management efforts for our team.

Project Manager – Chris Wilson is a former contractor with over 20 years of experience estimating and building highway and pipeline projects. Chris has been involved in the process development of alternate delivery contracts since 2006. He helped write CMGC manuals and develop policy for UDOT, CDOT, LaDOTD, NDOT, and ArDOT. Chris is a PD-B expert. He has been a longtime industry advocate and regular speaker/trainer at the Transportation Estimators Association (TEA) conferences. Chris lives nearby in Lacey, Washington, and he will be a significant asset to the successful execution of WSDOT’s first PD-B project.

Cost Estimators – Our key team includes two senior cost estimators, Kyle Norseth, and Jeremy Harvey.

- Kyle has 20 years of construction experience and will serve as our team’s Senior Cost Estimator. Kyle is a creative and driven professional with nearly 15 years of heavy civil construction experience and an additional five years in commercial construction. Kyle is experienced in a broad range of challenging construction projects and diverse environments while maintaining overall vision and leadership.
- Jeremy has nearly 20 years of experience within the corporate, subcontractor, leadership, business, and financial aspects of the construction and transportation industry; many of those years were spent serving in estimating, project management, and cost and field engineering roles. Since joining our team, Jeremy has proved to be a well-organized team member and leader.

Scheduler – Tom Gott has over 40 years of construction scheduling experience. He has over 18 years of experience developing CPM schedules using the Primavera software package on highway and transportation projects. He has worked on several complex construction projects that have value over one billion dollars. His scheduling work is extraordinary, and we know his contribution to the success of this project will be significant.

Commitment Statement

IC&E is committed to providing the key personnel identified above for the entire duration of the project. We have read and understand the requirements of the RFP.

Work Breakdown

IC&E has the expertise and availability to provide 100% of the work on this project. We do not have any sub-consultants on our team.

Please examine our qualifications closely. We are certain that our ICE experience and our team's expertise will add value to your project. I will be the primary contact for this SOQ. I can be contacted at DanBender@ICETeams.com or at (702)523-2354.

Sincerely,

Innovative Contracting & Engineering, LLC

Daniel W Bender

Daniel W. Bender
President

Washington State Department of Transportation

Performance Evaluation Completed by Reference

Consultant Name: Innovative Contracting and Engineering
Consultant's Project Manager: Daniel Bender
Project Name to be Evaluated on: (Work must have been completed within the last 3 years or is currently being performed.) Lower Las Vegas Wash Weir No 5

Type of Work:

Roadway Design
 Plans Specs & Estimates
 Transportation Study
 Right-of-Way
 Other

Contract Information: (Work must have been completed within the last 3 years or is currently being performed.)

	Start Date	End Date	Dollar Amount of Services
<input type="checkbox"/> Prime	11/16/2021	On-Going	423,326.96
<input checked="" type="checkbox"/> Sub			

Performance Evaluation

Rating Criteria	Score
Please rate each criteria on a scale of 1 to 10. 1 being low and 10 being high.	1 - Low to 10 - High

1. Was the firm cooperative and responsive during any negotiations whether they were budget related or work element related?	8
2. Did the firm complete the project within the total budgeted amount?	7
3. Did the firm complete the project within the contract schedule(s)?	8
4. Did the firm meet all of your technical standards and quality expectations?	9
5. Was the firm's communication, both oral and written, clear and concise?	9
6. Was the firm's project management system effective?	8

Total Score

(Total the score by adding the scores for criterias 1 through 6.)

	48	0.00
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Average Score

(Average the score by dividing the total score by the total number of criteria that was rated.)

	8	0.00
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Evaluator Information:

Firm/Company Name: Southern Nevada Water Authority		
Evaluator's Name: Anita Marquez	Evaluator's Title: Senior Program Enger	
Firm/Company Address: 100 City Pkwy, Las Vegas, NV 89106		
Phone: 702-340-0431	Fax:	Date:

Distribution: Original: Return to Consultant being evaluated; and

Copy: Fax to WSDOT at 360-705-6838 or email to wsdotcso@wsdot.wa.gov

Washington State Department of Transportation

Performance Evaluation Completed by Reference

Consultant Name: Innovative Contracting and Engineering
Consultant's Project Manager: Daniel W. Bender
Project Name to be Evaluated on: (Work must have been completed within the last 3 years or is currently being performed.) I-25 North Express Landes, Segments 5 & 6

Type of Work:

Roadway Design
 Plans Specs & Estimates
 Transportation Study
 Right-of-Way
 Other

Contract Information: (Work must have been completed within the last 3 years or is currently being performed.)

<input checked="" type="checkbox"/>	Prime	Start Date 12/18/2018	End Date 12/21/2023	Dollar Amount of Services 2,090,798
<input type="checkbox"/>	Sub			

Performance Evaluation

Rating Criteria <small>Please rate each criteria on a scale of 1 to 10. 1 being low and 10 being high.</small>	Score <small>1 - Low to 10 - High</small>
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1. Was the firm cooperative and responsive during any negotiations whether they were budget related or work element related?	10	
2. Did the firm complete the project within the total budgeted amount?	10	
3. Did the firm complete the project within the contract schedule(s)?	10	
4. Did the firm meet all of your technical standards and quality expectations?	9	
5. Was the firm's communication, both oral and written, clear and concise?	10	
6. Was the firm's project management system effective?	10	
Total Score <small>(Total the score by adding the scores for criterias 1 through 6.)</small>	59	0.00
Average Score <small>(Average the score by dividing the total score by the total number of criteria that was rated.)</small>	9.83	0.00

Evaluator Information:		
Firm/Company Name: Colorado Department of Transportation		
Evaluator's Name: Benjamin Rowles	Evaluator's Title: Construction Manager	
Firm/Company Address: 10601 West 10th Street, Greeley, CO 80634		
Phone: 970-405-3502	Fax:	Date:

Distribution: Original: Return to Consultant being evaluated; and
 Copy: Fax to WSDOT at 360-705-6838 or email to wsdotco@wsdot.wa.gov

Washington State Department of Transportation

Performance Evaluation Completed by Reference

Consultant Name: Innovative Contracting and Engineering
Consultant's Project Manager: Daniel Bender
Project Name to be Evaluated on: (Work must have been completed within the last 3 years or is currently being performed.) Fenwick Island Bridge

Type of Work:

Roadway Design
 Plans Specs & Estimates
 Transportation Study
 Right-of-Way
 Other

Contract Information: (Work must have been completed within the last 3 years or is currently being performed.)

<input checked="" type="checkbox"/> Prime <input type="checkbox"/> Sub	Start Date	End Date	Dollar Amount of Services
	3/10/2023	On-going	730,852

Performance Evaluation	
Rating Criteria	Score
Please rate each criteria on a scale of 1 to 10. 1 being low and 10 being high.	1 - Low to 10 - High

1. Was the firm cooperative and responsive during any negotiations whether they were budget related or work element related?	10	
2. Did the firm complete the project within the total budgeted amount?	9	Changes outside ICE's control
3. Did the firm complete the project within the contract schedule(s)?	9	
4. Did the firm meet all of your technical standards and quality expectations?	10	
5. Was the firm's communication, both oral and written, clear and concise?	10	
6. Was the firm's project management system effective?	10	
Total Score (Total the score by adding the scores for criterias 1 through 6.)	58	
Average Score (Average the score by dividing the total score by the total number of criteria that was rated.)	9.67	

Evaluator Information:		
Firm/Company Name: Delaware Department of Transportation		
Evaluator's Name: Jason Hastings	Evaluator's Title: Chief of Bridges & Structures	
Firm/Company Address: 800 Bay Road PO Box 778 Dover, DE 19903		
Phone: 302-760-2321	Fax:	Date:

Distribution: Original: Return to Consultant being evaluated; and
 Copy: Fax to WSDOT at 360-705-6838 or email to wsdotco@wsdot.wa.gov

Washington State Department of Transportation

Performance Evaluation Completed by Reference

Consultant Name: Innovative Contracting and Engineering
Consultant's Project Manager: Daniel Bender
Project Name to be Evaluated on: (Work must have been completed within the last 3 years or is currently being performed.) Peaks to Planes Trail-Multiple Phases

Type of Work:

Roadway Design
 Plans Specs & Estimates
 Transportation Study
 Right-of-Way
 Other

Contract Information: (Work must have been completed within the last 3 years or is currently being performed.)

<input checked="" type="checkbox"/>	Prime	Start Date 03/30/2020	End Date On-Going	Dollar Amount of Services 230,696 +
<input type="checkbox"/>	Sub			

Performance Evaluation	
Rating Criteria	Score
Please rate each criteria on a scale of 1 to 10. 1 being low and 10 being high.	1 - Low to 10 - High

1. Was the firm cooperative and responsive during any negotiations whether they were budget related or work element related?	10
2. Did the firm complete the project within the total budgeted amount?	10
3. Did the firm complete the project within the contract schedule(s)?	10
4. Did the firm meet all of your technical standards and quality expectations?	10
5. Was the firm's communication, both oral and written, clear and concise?	10
6. Was the firm's project management system effective?	10
Total Score (Total the score by adding the scores for criterias 1 through 6.)	60
Average Score (Average the score by dividing the total score by the total number of criteria that was rated.)	10

Evaluator Information:		
Firm/Company Name: Jefferson County Colorado		
Evaluator's Name: Scot Grossman	Evaluator's Title: Projects Team Supervisor	
Firm/Company Address: 700 Jefferson County Pkwy, Suite 100 Golden, CO 80401		
Phone: 303-271-5913	Fax:	Date: September 5, 2023

Distribution: Original: Return to Consultant being evaluated; and
 Copy: Fax to WSDOT at 360-705-6838 or email to wsdotco@wsdot.wa.gov

Washington State Department of Transportation

Performance Evaluation Completed by Reference

Consultant Name: Innovative Contracting and Engineering
Consultant's Project Manager: Daniel Bender
Project Name to be Evaluated on: (Work must have been completed within the last 3 years or is currently being performed.) I-40/I-55/Hwy 77 Interchange

Type of Work:

Roadway Design
 Plans Specs & Estimates
 Transportation Study
 Right-of-Way
 Other

Contract Information: (Work must have been completed within the last 3 years or is currently being performed.)

<input checked="" type="checkbox"/> Prime <input type="checkbox"/> Sub	Start Date	End Date	Dollar Amount of Services
	5/26/2020	12/31/2023	686,432.00

Performance Evaluation

Rating Criteria	Score
Please rate each criteria on a scale of 1 to 10. 1 being low and 10 being high.	1 - Low to 10 - High

1. Was the firm cooperative and responsive during any negotiations whether they were budget related or work element related?	10
2. Did the firm complete the project within the total budgeted amount?	10
3. Did the firm complete the project within the contract schedule(s)?	10
4. Did the firm meet all of your technical standards and quality expectations?	10
5. Was the firm's communication, both oral and written, clear and concise?	10
6. Was the firm's project management system effective?	10

Total Score 60.00

(Total the score by adding the scores for criterias 1 through 6.)

Average Score 10.00

(Average the score by dividing the total score by the total number of criteria that was rated.)

Evaluator Information:

Firm/Company Name: Arkansas Department of Transportation		
Evaluator's Name: Thomas Fisher	Evaluator's Title: Alternative Delivery Project Manager	
Firm/Company Address: 10324 Interstate 30 Little Rock, AR 72209		
Phone: 501-569-2616	Fax:	Date: 9/5/2023

Distribution: Original: Return to Consultant being evaluated; and
 Copy: Fax to WSDOT at 360-705-6838 or email to wsdotcso@wsdot.wa.gov

Consultant Information Form

Firm Name: Innovative Contracting & Engineering		FYE Date: December 31	Number of Employees: 13
Address: 5513 W 11000 N #501			
City: Highland	State: Utah	Zip Code: 84003	County: USA
Phone: 702-523-2354	Fax:	Company Web Site: iceteams.com	
Remit to Address: 5513 W 11000 N #501			
City: Highland	State: Utah	Zip Code: 84003	County: USA
Phone: 702-523-2354	Fax:		
Statewide Vendor Number (SWV) for Remit to Address: SWV0267995		Federal Tax ID Number or Social Security Number: 813412722	
Unified Business Identifier Number (UBI): 604577191		Date Universal Numbering System (DUNS) Number: 080445779	
Year Firm Established: 2016	UDBE/SBE/MSVWBE Certification Number::	NAICS Code & Code Name: 541330	
Proposed Project Manager: Daniel Bender		Email: danbender@iceteams.com	
Financial Contact: Daniel Bender		Email: danbender@iceteams.com	

Firm Type:

- Sole Proprietor
 Partnership
 C – Corp.
 Limited Partnership
 Subchapter S Corp.
 Limited Liability Company

Annual Gross Receipt:

- \$0 to \$1 Million
 \$1 Million to \$5 Million
 \$5 Million to \$10 Million
 \$10 Million to \$15 Million
 Over \$15 Million

Note:

Firm Name: Please *do not* use: dba's – doing business as; combination names when two firms are working together, unless the combination name is the formation of a legally registered new company such as a joint venture; derivatives of your legal name; acronyms; etc. The firm name shown must be your firm's legal name.

Federal Tax ID Number: Your Federal Tax ID number must be that number registered to your legal firm name. If you do not have a Federal Tax ID number, please use your social security number.

Unified Business Identifier (UBI) Number: Your firm will be **REQUIRED** to acquire a UBI Number prior to execution of an agreement and/or being approved as a Sub-consultant to an existing agreement. This is a Washington State Business license and can be acquired by contacting the Washington State Department of Revenue web site at www.dor.wa.gov.

Statewide Vendor (SWV) Number: The Statewide Vendor (SWV) Number is **REQUIRED** for vendors to receive payments. If your firm doesn't already have an SWV number, your firm will be required to acquire a SWV number prior to execution of an agreement. Please contact WSDOT TRAINS Help Desk at 360-705-7514 for assistance.

FYE Date: Your firm's fiscal year end date.

UDBE/SBE/MSVWBE Certification: If your firm is certified as a UDBE/SBE/MSVWBE enter your firm's certification number. Federal Certifications: Underutilized Disadvantaged Business Enterprise (UDBE), Small Business Enterprise (SBE). State Certifications: Minority, Small, Veteran, Women Business Enterprise. For additional information go to the Washington State Office of Minority & Women's Business Enterprises web site at www.omwbe.wa.gov.

It is critical that your firm name is your legal firm name and that it is the same name assigned to your Federal Tax ID number and is the same name utilized for your SWV number.

CONTRACTOR CERTIFICATION
EXECUTIVE ORDER 18-03 – WORKERS’ RIGHTS
WASHINGTON STATE GOODS & SERVICES CONTRACTS

Pursuant to the Washington State Governor’s Executive Order 18-03 (dated June 12, 2018), the Washington State Department of Transportaion is seeking to contract with qualified entities and business owners who certify that their employees are not, as a condition of employment, subject to mandatory individual arbitration clauses and class or collective action waivers.

Solicitation Title: ICE Services for Olympic Region's
Progressive Design Build Program

I hereby certify, on behalf of the firm identified below, as follows (check one):

NO MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES. This firm does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

OR

MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES. This firm requires its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

I hereby certify, under penalty of perjury under the laws of the State of Washington, that the certifications herein are true and correct and that I am authorized to make these certifications on behalf of the firm listed herein.

FIRM NAME: Innovative Contracting & Engineering
Name of Contractor/Bidder – Print full legal entity name of firm

By: Daniel W Bender
Signature of authorized person

Daniel Bender
Print Name of person making certifications for firm

Title: President
Title of person signing certificate

Place: Alpine, Utah
Print city and state where signed

Date: 09/06/2023



ICE

Innovative Contracting & Engineering

5513 W. 11000 N. #501
HIGHLAND, UT 84003

WWW.ICETEAMS.COM