



Corridor Program

Congestion Relief & Bus Rapid Transit Projects

REQUEST FOR QUALIFICATIONS

Washington State Department of Transportation

I-405/NE 195th St to SR 527 - Northbound Auxiliary Lane

ISSUED:

March 20, 2009

STATEMENTS OF QUALIFICATIONS DUE:

April 16, 2009



**Washington State
Department of Transportation**

Table of Contents

			<u>Page</u>
1	1.0	INTRODUCTION	1
2	1.1	Request for Qualifications	1
3	2.0	CONTACT INFORMATION.....	1
4	2.1	Submittal Information Point of Contact.....	1
5	2.2	WSDOT Technical Point of Contact	1
6	3.0	PROCUREMENT PROCESS	2
7	3.1	Process Overview.....	2
8	3.2	Procurement Schedule	2
9	3.3	Questions, Clarifications, and Addenda.....	3
10	3.4	Ex Parte Communications.....	3
11	3.5	Voluntary Meeting for Potential Submitters.....	4
12	3.6	WSDOT's Rights.....	4
13	4.0	SCOPE OF THE PROJECT	5
14	4.1	Estimated Cost	5
15	4.2	Time for Completion.....	5
16	4.3	WSDOT's Core Values and Project Goals.....	5
17	4.4	Project Scope and Status.....	5
18	5.0	TEAMING PARAMETERS.....	6
19	5.1	Major Participant	6
20	5.2	WSDOT Consultant/Technical Support	7
21	5.3	Organizational Conflicts of Interest.....	7
22	5.4	Team Continuity and Changes to Organizational Structure	7
23	5.5	Equal Employment Opportunity	8
24	5.6	Disadvantaged, Minority, and Women-Owned Business Enterprises Participation	8
25			
26	6.0	SUBMITTAL QUANTITIES AND LOGISTICS.....	8
27	6.1	SOQ Submittal Quantities.....	8
28	6.2	Due Date, Time, and Location.....	9
29	6.3	Withdrawal of SOQ	9
30	7.0	SOQ CONTENT AND EVALUATION CRITERIA.....	10
31	7.1	Qualitative Evaluation Process	10
32	7.2	SOQ Organization and Scoring	11
33	7.3	SOQ Format.....	12
34	7.4	Introduction Letter	12
35	7.4.1	Evaluation Criteria.....	13
36	7.5	Key Personnel	13
37	7.5.1	Resumes	14
38	7.5.1.1	References.....	14
39	7.5.2	Evaluation Criteria.....	15
40	7.6	Major Participants.....	15
41	7.6.1	References.....	15
42	7.6.2	Evaluation Criteria.....	15
43	7.7	Legal	16

Table of Contents

		<u>Page</u>
1	7.7.1 Evaluation Criteria	16
2	7.8 Requirements of Financial Information to be Submitted.....	16
3	7.8.1 Evaluation Criteria	17
4	7.9 Forms	17
5	7.9.1 Evaluation Criteria	17
6	8.0 PROTEST PROCEDURES	17
7	8.1 Protests Regarding the Requests for Qualifications (RFQ)	17
8	8.2 Protests Regarding Responsiveness and Short-Listing.....	18
9	8.3 Costs and Damages	19
10	Form A ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA	A-2
11		
12		

1 **1.0 INTRODUCTION**

2 **1.1 REQUEST FOR QUALIFICATIONS**

3 The Washington State Department of Transportation (WSDOT) is requesting Statements of
4 Qualifications (SOQs) from entities (Submitters) interested in submitting Design-Build
5 Proposals for the I-405/NE 195th St to SR 527 - Northbound Auxiliary Lane Project
6 (Project) located in Unincorporated King County and the City of Bothell, Washington. By
7 submitting a SOQ, Submitters agree to be bound by the requirements of this Request for
8 Qualifications (RFQ). Submitters shall satisfy all requirements specified in this RFQ.
9 Failure of the Submitter to meet these requirements may result in rejection of its SOQ.

10 Persons with disabilities may request information contained within this RFQ in alternate
11 formats by calling collect (206) 389-2839. Persons with hearing impairments may call
12 (800) 833-6388 (Washington State Telecommunications Relay Service) and ask for
13 (206) 515-3683.

14 **2.0 CONTACT INFORMATION**

15 **2.1 SUBMITTAL INFORMATION POINT OF CONTACT**

16 Each Submitter shall provide WSDOT's Contract Ad & Award Office with the name,
17 address, phone number, fax number, and e-mail address of its contact person. WSDOT
18 will distribute addenda and other communications directly to the contact person. The
19 distributed information will also be posted on the WSDOT Web site. The Submitter's
20 contact person is responsible for distributing copies of addenda and other RFQ-related
21 information within their team.

22 The SOQ shall be submitted to WSDOT's Contract Ad & Award Office using the
23 following address:

24 Ken Walker
25 WSDOT Contract Ad & Award Office
26 P.O. Box 47360
27 Olympia, WA 98504-7360
28 Phone: (360) 705-7017
29 Email: walkeke@wsdot.wa.gov

30 Submitters should not contact the Contract Ad & Award Office for technical clarification
31 of the RFQ or related Project specifics. The WSDOT Technical Point of Contact
32 designated in Section 2.2 will address Project-specific questions and technical
33 clarifications.

34 **2.2 WSDOT TECHNICAL POINT OF CONTACT**

35 Submitters who have questions or need further clarification or information regarding the
36 technical aspects of the RFQ or the Project should contact the following designated
37 WSDOT Technical Point of Contact by letter, phone, or e-mail as follows:

38
39
40

1 Brian Nielsen, PE
2 WSDOT, I-405 Team
3 600 – 108th Avenue NE, Suite 405
4 Bellevue, WA 98004
5 Phone: (425) 456-8643
6 E-mail: nielseb@wsdot.wa.gov

7 **3.0 PROCUREMENT PROCESS**

8 **3.1 PROCESS OVERVIEW**

9 WSDOT will use a two-step procurement process to select a design-build contractor
10 (Design-Builder) to deliver the Project. The issuance of this RFQ is part of the first step to
11 solicit information from potential design-builders in the form of SOQs. WSDOT will
12 evaluate and score submitted SOQs to determine which Submitters are the most highly
13 qualified to deliver the Project. WSDOT will short-list the three most highly qualified
14 Submitters to advance to the second step in the procurement.

15 In the second step, WSDOT will issue a Request for Proposal (RFP) for the Project to the
16 short-listed Submitters. Only the short-listed Submitters will be eligible to submit
17 Proposals for the Project. Each short-listed Submitter who submits a Proposal in response
18 to the RFP is referred to herein as a “Proposer.” WSDOT may award a design-build
19 Contract for the Project to the Proposer offering the apparent best value, to be determined
20 as described in the RFP.

21 WSDOT will pay a stipend to all non-successful Proposers who submit a responsive
22 Proposal.

23 WSDOT may cancel or re-advertise this procurement at its discretion. In such a case,
24 WSDOT may offer a stipend to all responsive Proposers.

25 **3.2 PROCUREMENT SCHEDULE**

26 The procurement schedule for this RFQ is shown in Table 3.2 below. This schedule is
27 subject to revision by the RFP and addenda to this RFQ.

28
29

Table 3.2 PROCUREMENT SCHEDULE

Action	Dates
Step 1 – SOQ Phase	
RFQ Issue Date	March 20, 2009
Deadline for submitting written questions for the non-mandatory Submitters meeting	March 26, 2009
Voluntary meeting for Submitters	March 30, 2009
Deadline for submitting RFQ questions	April 2, 2009
Deadline for WSDOT response to RFQ questions	April 8, 2009
SOQ Due Date	April 16, 2009
Notify short-listed Submitters teams	May 8, 2009

Action	Dates
Step 2 – Proposal Phase	
Issue RFP	May 20, 2009
Mandatory RFP meeting	May 28, 2009
Deadline for Submitting Proposers' questions	June 25, 2009
Deadline for WSDOT response to Proposers' questions	July 9, 2009
Proposals Due	July 17, 2009
WSDOT RFIs to Proposers	July 23, 2009
Proposer Responses to RFIs	August 6, 2009
Announce Best Value Proposer	August 20, 2009

1

2 **3.3 QUESTIONS, CLARIFICATIONS, AND ADDENDA**

3 Questions and requests for clarification regarding this RFQ shall be submitted in writing to
4 WSDOT's Technical Point of Contact. To be considered, all questions and requests must
5 be received by 4:00 p.m., Pacific Time, on the date indicated in Table 3.2.

6 WSDOT reserves the right to revise this RFQ at any time before the SOQ Due Date
7 indicated in Table 3.2. Such revisions, if any, will be announced by addenda to this RFQ.

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

- 10 • Questions and requests for clarification will be posted to WSDOT's Contract Ad &
11 Award Web site at <http://www.wsdot.wa.gov/biz/contaa/>.
- 12 • WSDOT will answer questions and requests for clarification by posting a response
13 on its Contract Ad & Award Web site.
- 14 • WSDOT will send an e-mail notification to the contact person for each Submitter
15 as soon as each addendum, response, or group of responses is issued. When
16 possible, the notification will include an electronic copy of the addendum or
17 clarification.

18 The Submitters shall acknowledge receipt of all addenda by completing Form A,
19 Acknowledgment of Receipt of Addenda, which is attached as Appendix A to this RFQ.
20 The completed Form A shall be included in the SOQ submittal package as Appendix C to
21 the SOQ.

22 **3.4 EX PARTE COMMUNICATIONS**

23 Submitters are expected to conduct themselves with professional integrity and to refrain
24 from lobbying activities. During the procurement process (commencing with issuance of
25 this RFQ and continuing until execution of a Contract for the Project or cancellation of the
26 procurement), no employee, member, agent, advisor, or consultant of any Submitter shall
27 have any ex parte communications, directly or indirectly, regarding this procurement with
28 any representative of WSDOT or the Federal Highway Administration (FHWA), including
29 their staff, advisors, contractors, or consultants (as described in Section 5.2) involved with
30 the procurement, except for communications expressly permitted by this RFQ (or,

1 subsequent to issuance of the RFP, except for communications expressly permitted by the
2 RFP).

3 Any verified allegation that a Submitter or an employee, agent, advisor, consultant, or
4 subcontractor of a Submitter has engaged in such prohibited communications or attempted
5 to unduly influence the selection process may be cause for WSDOT to disqualify the
6 Submitter from participating, all at the discretion of WSDOT.

7 **3.5 VOLUNTARY MEETING FOR POTENTIAL SUBMITTERS**

8 WSDOT will hold an informational meeting for potential Submitters regarding this RFQ
9 on the date indicated in Table 3.2. Attendance at this meeting is not a prerequisite to being
10 a Submitter. The meeting will be held from 1:15 p.m. to 3:00 p.m. at the following
11 location:

12 Bellevue City Hall
13 Council Chambers
14 450 - 110th Avenue NE
15 Bellevue, WA 98009

16 Directions to the Bellevue City Hall are available on the Project Web site at:

17 <http://www.wsdot.wa.gov/projects/i405/ne195thtosr527nb/>

18 **3.6 WSDOT'S RIGHTS**

19 Throughout the procurement process, WSDOT reserves the right, at its sole discretion, to:

- 20 • Appoint evaluation committees to review SOQs and Proposals;
- 21 • Investigate the qualifications of any Submitter or Proposer;
- 22 • Seek or obtain data from any source related to the SOQs or Proposals;
- 23 • Require confirmation of information furnished by a Submitter or Proposer;
- 24 • Hold meetings and conduct discussions and correspondence with the Submitters
25 and Proposers to seek an improved understanding and evaluation of the SOQs or
26 Proposals;
- 27 • Require additional information from a Submitter or Proposer concerning its SOQ
28 or Proposal;
- 29 • Seek and receive clarifications to a SOQ or Proposal;
- 30 • Require additional evidence of qualifications to perform the work;
- 31 • Modify the procurement process;
- 32 • Waive minor deficiencies and irregularities in a SOQ or Proposal;
- 33 • Reject any or all of the SOQs or Proposals;
- 34 • Issue a new RFQ or RFP;
- 35 • Issue a request for Best and Final Offers;
- 36 • Conduct negotiations with the Apparent Best Value Proposer prior to award of the
37 Contract;

- 1 • Cancel a Contract signed by the selected Design-Builder but not yet executed by
- 2 WSDOT; and
- 3 • Not issue a Notice to Proceed after execution of the Contract.

4 **4.0 SCOPE OF THE PROJECT**

5 **4.1 ESTIMATED COST**

6 The estimated Contract cost of the Project is approximately \$30 million.

7 **4.2 TIME FOR COMPLETION**

8 WSDOT anticipates that the Project will be substantially complete by December 31, 2010.

9 **4.3 WSDOT'S CORE VALUES AND PROJECT GOALS**

10 It is WSDOT's expectation that the Design-Builder will design and construct the Project in
11 consideration of WSDOT's core values and Project goals.

12 WSDOT's core values are:

- 13 • Safety;
- 14 • Project delivery (on time and on budget with quality products and services);
- 15 • Accountability; and
- 16 • Effective and transparent communication.

17 With the above core values in mind, WSDOT has established the following goals for the
18 Project. These goals are listed in hierarchical order, with the most important goal listed
19 first:

- 20 • Job Creation - Implement a well-planned start-up that maximizes the number of
21 jobs created;
- 22 • Congestion Relief - Open the new northbound auxiliary lane to traffic as soon as
23 possible and no later than December 31, 2010;
- 24 • Excellent Quality - Meet or exceed technical quality requirements for design and
25 construction through implementation of a clear and thorough Quality Management
26 Plan; and
- 27 • Permit Compliance - Meet or exceed environmental requirements with no permit
28 violations by adopting WSDOT's permitting and environmental compliance
29 standards.

30 **4.4 PROJECT SCOPE AND STATUS**

31 The following Project scope is provided to Submitters to assist in developing a team with
32 the expertise that is required for the Project. The Design-Builder shall be responsible for
33 management, design, and construction of the Project. The design and construction by the
34 Design-Builder shall be in accordance with WSDOT's guidelines and standards as required
35 by the RFP. WSDOT's intent is to allow flexibility in design and construction to
36 accommodate processes, procedures, and innovative techniques that are preferred by the
37 Design-Builder, as long as they are consistent with site conditions, good engineering

1 practices, context sensitive solutions, environmental documents and permits, other
2 standards, guidelines, and procedures identified in the RFP, and the Project goals. The
3 scope of work presented in this RFQ for the Project may or may not be the final scope of
4 work presented in the RFP for the Project.

5 The Project is being funded by the State of Washington and FHWA. Applicable Federal
6 provisions will be included in the RFP.

7 WSDOT intends to co-locate its staff and owner representatives with the Design-Builder's
8 staff. Specifics of these co-location requirements will be described further in the RFP.

9 The Project requires design and construction of an auxiliary lane on northbound I-405
10 between NE 195th Street and SR 527 as described below:

- 11 • The northbound on-ramp from NE 195th Street to I-405 will become an add lane
12 and will end as a drop lane to the off-ramp to SR 527. This new lane will provide
13 enough pavement for a future express toll lane to be added by re-striping without
14 requiring additional pavement. The pavement will be hot mixed asphalt.
- 15 • Construction of approximately 62,100 square feet of retaining walls and
16 approximately 27,000 square feet of noise wall.
- 17 • Stream mitigation.
- 18 • Other elements that are typical for interstate widening projects such as signage,
19 sign structures, storm drainage, Intelligent Transportation Systems, and
20 illumination systems.

21 **5.0 TEAMING PARAMETERS**

22 **5.1 MAJOR PARTICIPANT**

23 As used herein, the term "Major Participant" means any of the following entities:

- 24 A. The Submitter, or if the Submitter is a partnership, joint venture, limited liability
25 company, or other form of association, any general partners, joint venture members,
26 or members of the Submitter;
- 27 B. All individuals, persons, proprietorships, partnerships, limited liability partnerships,
28 corporations, professional corporations, limited liability companies, business
29 associations, or any other legal entity however organized holding (directly or
30 indirectly) a 15 percent or greater interest in the Submitter;
- 31 C. The entity providing WSDOT pre-qualification in accordance with Section 7.4 of
32 this RFQ.
- 33 D. The lead engineering/design firms;
- 34 E. Each engineering/design sub-consultant who is expected to perform 30 percent or
35 more of the design work; and/or
- 36 F. Each subcontractor who is expected to perform 20 percent or more of the
37 construction work.

1 **5.2 WSDOT CONSULTANT/TECHNICAL SUPPORT**

2 WSDOT has retained the consulting firms of HNTB Corporation, HDR Engineering, Inc.,
3 Parsons Transportation Group, Inc., PRR Inc., Anchor Environmental, Certified Land
4 Services Corporation, Wilkinson Ferrari & Company, Westby Consulting, and McGowan
5 Environmental, Inc. to provide guidance in preparing this RFQ, the RFP, and advice on
6 related financial, contractual, and technical matters. Each of these firms is prohibited from
7 joining any Submitter's team or otherwise assisting any Submitter in connection with the
8 procurement process.

9 **5.3 ORGANIZATIONAL CONFLICTS OF INTEREST**

10 WSDOT will take steps to ensure that individuals involved in the preparation of the
11 procurement package, evaluation of SOQs and Proposals, and Design-Builder selection are
12 not influenced by organizational conflicts of interest, and that no Submitter is given an
13 unfair competitive advantage over another. FHWA has defined "organizational conflict of
14 interest" in 23 CFR Section 636.116 as follows:

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

20 Attention is directed to the requirement for disclosure of organizational conflicts of interest
21 set forth in 23 CFR Section 636.116(a) (2), applicable to federal-aid procurements.
22 Submitters are required to identify any potential organizational conflicts of interest in
23 Appendix A of the SOQ.

24 If an organizational conflict of interest is determined to exist, WSDOT may, at its
25 discretion, offer the Submitter the opportunity to correct the organizational conflict of
26 interest; disqualify the Submitter from further participation in the procurement; cancel this
27 procurement; or, if award has already occurred, cancel the Contract. If the Submitter was
28 aware of an organizational conflict of interest prior to award of a Contract and did not
29 disclose the conflict to WSDOT, WSDOT may terminate the Contract for default.
30 WSDOT may also disqualify a Submitter if any of its Major Participants listed in
31 Categories A, B, C, or D in Section 5.1 belong to more than one Submitter organization.

32 **5.4 TEAM CONTINUITY AND CHANGES TO ORGANIZATIONAL**
33 **STRUCTURE**

34 Following submittal of the SOQ, Key Personnel or Major Participants identified in the
35 SOQ may not at any time be removed, replaced, or added without the written approval of
36 WSDOT's Technical Point of Contact. WSDOT's Technical Point of Contact may revoke
37 the short-list status of a Submitter if any Key Personnel or Major Participant identified in
38 the SOQ is removed, replaced, or added without written approval of WSDOT's Technical
39 Point of Contact. Requests for removal, replacements, and additions shall be submitted in
40 writing. To qualify for approval, the written request shall document that the proposed
41 removal, replacement, or addition will be equal to or better qualified than the Key
42 Personnel or Major Participant provided in the SOQ. WSDOT's Technical Point of
43 Contact will use the criteria specified in this RFQ to evaluate all requests.

1 **5.5 EQUAL EMPLOYMENT OPPORTUNITY**

2 Discrimination in all phases of contracted employment, consultant activities, contracting
3 activities and training is prohibited by Title VI of the Civil Rights Act of 1964, Section
4 162(a) of the Federal-Aid Highway Act of 1973, Section 504 of the Rehabilitation Act of
5 1973, the Age Discrimination Act of 1975, the Justice System Improvement Act of 1979,
6 the Americans with Disabilities Act of 1990, the Civil Rights Restoration Act of 1987, 49
7 CFR Part 21, the Washington State Law Against Discrimination, RCW 49.60, and other
8 related laws and statutes. The referenced legal citations establish the minimum
9 requirements for affirmative action efforts and define the basic nondiscrimination
10 provisions as required by this RFQ. Further requirements and discussions regarding Equal
11 Employment Opportunity policies at all contracting levels will be set forth in the RFP.

12 **5.6 DISADVANTAGED, MINORITY, AND WOMEN-OWNED BUSINESS**
13 **ENTERPRISES PARTICIPATION**

14 WSDOT encourages participation in all of its contracts by Disadvantaged, Minority and
15 Women-Owned Business Enterprises (D/M/WBE) as certified by the WSDOT Office of
16 Minority and Women's Business Enterprises (OMWBE) and defined in WAC 326-02-030.
17 The Disadvantaged Business Enterprise (DBE) requirements of 49 CFR Part 26 apply to
18 this Contract. A DBE goal in the amount of 6% of the Contract total has been established.
19 This goal is considered a condition of award, and the successful Proposer will need to meet
20 or provide documentation of good faith effort to meet this goal.

21 The successful Design-Builder shall provide on-the-job training aimed at developing
22 trainees to journeyman status in the trades involved. The contracting agency has
23 established the number of training hours to be 1,800.

24 Proposers may contact OMWBE to obtain information on certified D/M/WBE firms.
25 Information about certification as a D/M/WBE may be obtained by contacting OMWBE at
26 (360) 753-9693.

27 Persons with disabilities may request information contained within this RFQ to be prepared
28 and supplied in alternate formats by calling collect (206) 389-2839. Persons with hearing
29 impairments may call (800) 833-6388 (Washington State Telecommunications Relay
30 Service) and ask for (206) 515-3683.

31 **6.0 SUBMITTAL QUANTITIES AND LOGISTICS**

32 **6.1 SOQ SUBMITTAL QUANTITIES**

33 Each Submitter shall provide the following:

- 34 • One original unbound SOQ showing original signatures;
- 35 • One electronic copy of the SOQ in PDF format on a CD with the Sections and
36 Subsections bookmarked; and
- 37 • Ten hard copies of the SOQ.

38 The original shall be identified as the original on its front cover in colored ink. Each hard
39 copy shall be identified on its front cover, in the upper right-hand corner, as "Copy X of 10
40 Copies."

1 The unbound original, hard copies, and CD shall be packed together in one sealed package
2 for delivery to WSDOT. The outside of the sealed package shall be clearly identified,
3 labeled, and addressed with the following:

- 4 • A return address including the Submitter's name, contact person's name, and
5 mailing address;
- 6 • The address of WSDOT's Contract Ad & Award Office, as indicated in
7 Section 2.1;
- 8 • "I-405/NE 195th St to SR 527 - Northbound Auxiliary Lane," "Design-Build
9 Project," and "Statement of Qualifications"; and
- 10 • The date of the submittal.

11 **6.2 DUE DATE, TIME, AND LOCATION**

12 All sealed SOQs shall be received at one of the following locations prior to 4:00 p.m.,
13 Pacific Time, on the SOQ Due Date indicated in Table 3.2:

14 **By U.S. mail:**

15 Ken Walker
16 WSDOT Contract Ad & Award Office
17 P. O. Box 47360
18 Olympia, WA 98504-7360

19 WSDOT will consider notification of bid receipt by the Mail Room as the actual receipt of
20 the SOQ.

21 **By hand (in person or by courier):**

22 WSDOT Contract Ad & Award Office
23 Transportation Building, Room 1A23
24 310 Maple Park Avenue SE
25 Olympia, WA 98501-7360

26 SOQs delivered in person will be received only in the WSDOT Contract Ad & Award
27 Office, Room 1A23.

28 WSDOT will not accept SOQs by facsimile or electronic transmission. Any SOQ that fails
29 to meet the deadline or delivery requirement will be rejected and returned to the Submitter
30 without having been opened, considered, or evaluated.

31 **6.3 WITHDRAWAL OF SOQ**

32 After submitting a SOQ to WSDOT, the Submitter may withdraw the SOQ if the following
33 occurs:

- 34 • The Submitter submits a written request signed by an authorized representative of
35 the Submitter; and
- 36 • WSDOT receives the request before the SOQ due date.

37 The original SOQ may be revised and resubmitted if WSDOT receives the revised SOQ
38 before the SOQ due date.

1 **7.0 SOQ CONTENT AND EVALUATION CRITERIA**

2 This Section outlines the requirements of each Section of the SOQ and how each Section
3 will be scored.

4 The information provided in the SOQ will be scored either pass/fail or qualitatively as
5 shown in Table 7.2. If a Submitter receives a passing score on all pass/fail evaluation
6 factors, its SOQ will be further evaluated using the scoring criteria. If a Submitter fails on
7 any single pass/fail requirement, the SOQ may be rated unacceptable, in which case a
8 qualitative evaluation of the SOQ will not be performed, and the Submitter will not be
9 included on the short-list.

10 A WSDOT Evaluation Committee will perform a qualitative assessment of the information
11 provided in Sections 2 and 3 of the SOQ.

12 The qualitative evaluation will be based on how well the SOQ demonstrates, through
13 project experience, the ability of the Key Personnel and Major Participants to successfully
14 complete the Project while meeting the Project goals. WSDOT reserves the right to contact
15 references on individuals and projects other than those identified by the Submitters to
16 evaluate past performance.

17 **7.1 QUALITATIVE EVALUATION PROCESS**

18 The qualitative evaluation score for Sections 2 and 3 will be determined as follows:

- 19 • The WSDOT evaluation committee will review each SOQ identifying significant
20 and minor strengths, and significant and minor weaknesses of the Submittals.

21 Strengths and weaknesses are defined as follows:

- 22 • Strengths – That part of the SOQ which ultimately represents a benefit to the
23 Project and is expected to increase the Submitter’s ability to meet or exceed the
24 Project goals. A minor strength has a slight positive influence on the Submitter’s
25 ability to meet or exceed the Project goals, while a significant strength has a
26 considerable positive influence on the Submitter’s ability to meet or exceed the
27 Project goals.
- 28 • Weaknesses – That part of the SOQ which detracts from the Submitter’s ability to
29 meet the Project goals or may result in an inefficient or ineffective performance. A
30 minor weakness has a slight negative influence on the Submitter’s ability to meet
31 the Project goals, while a significant weakness has a considerable negative
32 influence on the Submitter’s ability to meet the Project goals.

33 Based on the identified strengths and weaknesses, the evaluation team will select an
34 adjectival rating and select a percent of maximum score in the identified range in
35 accordance with Table 7.1.

36 After selecting a percent of maximum score for Sections 2 and 3, the SOQ score will be
37 calculated by multiplying the percent of maximum score by the points available listed in
38 Table 7.2 and then summing the calculated scores.

1
2

Table 7.1 ADJECTIVAL EVALUATION AND SCORING GUIDE

Adjective	Description	Percent of Max. Score
Excellent (E)	SOQ supports an extremely strong expectation of successful Project performance if ultimately selected as the Design-Builder. SOQ indicates significant strengths and/or a number of minor strengths and no appreciable weaknesses. Submitter provides a consistently outstanding level of quality.	<u>100 - 90 %</u>
Very Good (VG)	SOQ indicates significant strengths and/or a number of minor strengths and no significant weaknesses. Minor weaknesses are offset by strengths. There exists a small possibility that, if ultimately selected as the Design-Builder, the minor weaknesses could slightly adversely affect successful Project performance.	<u>89 - 75 %</u>
Good (G)	SOQ indicates significant strengths and/or a number of minor strengths. Minor and significant weaknesses exist that could detract from strengths. While the weaknesses could be improved, minimized, or corrected, it is possible that if ultimately selected as the Design-Builder, the weaknesses could adversely affect successful Project performance.	<u>74 - 51 %</u>
Fair (F)	SOQ indicates weaknesses, significant and minor, which are not offset by significant strengths. Few minor strengths exist. It is probable that if ultimately selected as the Design-Builder, the weaknesses would adversely affect successful Project performance.	<u>50 - 25 %</u>
Poor (P)	SOQ indicates existence of significant weaknesses and/or minor weaknesses and no appreciable strengths. SOQ indicates a strong expectation that successful performance could not be achieved if Submitter were selected as the Design-Builder.	<u>24 - 0 %</u>

3

4 **7.2 SOQ ORGANIZATION AND SCORING**

5 The Submitter shall organize the SOQ using the following Section headings, order of
 6 documents, and maximum number of pages:

7

Table 7.2 SOQ ORGANIZATION AND SCORING

Section	Section Title and Required Information	Maximum Pages	Points Available
1	Introduction Letter	2	Pass/Fail
2	Key Personnel	10	400
3	Major Participants	10	600
Appendix A	Legal	As required	Pass/Fail
Appendix B	Financial	As required	Pass/Fail

Section	Section Title and Required Information	Maximum Pages	Points Available
Appendix C	Form A: Acknowledgment of Receipt of Addenda	1	Pass/Fail
	Total		1000

1

2 **7.3 SOQ FORMAT**

3 The SOQ shall be formatted as follows:

- 4 • **Language:** All information shall be in English.
- 5 • **Type Font:** All narrative text shall be single-spaced in a regular style font at a
 6 minimum of 12 points. The type style and size of headings and figures are not
 7 prescribed.
- 8 • **Page Size:** Except for charts, exhibits, and other illustrative and graphical
 9 information, all information shall be printed on 8.5-inch by 11-inch paper. Charts,
 10 exhibits, and other illustrative and graphical information may be on 11-inch by 17-
 11 inch paper. The 11-inch by 17-inch paper, if any, shall be folded to 8.5-inch by 11-
 12 inch and will be counted as one sheet.
- 13 • **Page Margins:** No text, tables, figures, photos, or other substantive content shall
 14 be printed within 0.75 inch of any page edge.
- 15 • **Page Limit:** Page limits are described in Table 7.2. The SOQ shall include only
 16 information required by this RFQ. No other information will be considered in the
 17 evaluation of the SOQ.
- 18 • **Dividers:** Section dividers shall contain the Section number and/or Section title.
 19 No other text is permitted on the dividers. The dividers will not be counted toward
 20 the allowable page total.
- 21 • **Binding:** Each copy of the SOQ shall be bound separately.
- 22 • **Front Cover:** The front cover of each SOQ shall be labeled with the name of the
 23 Submitter, along with the following:
 24 I-405/NE 195th St to SR 527 - Northbound Auxiliary Lane
 25 Design-Build Project
 26 Statement of Qualifications
 27 [Date of Submittal]

28 **7.4 INTRODUCTION LETTER (SECTION 1) (PASS/FAIL)**

29 The Introduction Letter shall be addressed to WSDOT's Technical Point of Contact, and it
 30 shall include the following information:

- 31 • Submitter name, address, business type (e.g., corporation, partnership, joint
 32 venture).
- 33 • Roles of the Submitter and each Major Participant.

- 1 • A statement that the Submitter, or at least one Major Participant who is performing
2 construction, is pre-qualified with WSDOT for Work Class 6 or 20 in the amount
3 of \$10 million or more.
- 4 • Identification of a single contact person, address, telephone and fax numbers, and
5 email.
- 6 • Certification of the truth and correctness of the SOQ.
- 7 • Statement that the Submitter shall comply with applicable laws and regulations.
- 8 • Signature of authorized representatives.

9 **7.4.1 EVALUATION CRITERIA**

10 The Introduction Letter will be reviewed on a pass/fail basis only, and not as part of the
11 qualitative assessment of the SOQ.

12 **7.5 KEY PERSONNEL (SECTION 2) (400 POINTS MAXIMUM)**

13 The purpose of this Section is to demonstrate the Submitter's understanding of how the
14 experiences and qualifications of the Key Personnel can contribute to the overall success of
15 the Project. The Submitter shall present the Key Personnel (Project Manager, Design
16 Manager, and Construction Manager) and explain how their experiences make them
17 uniquely qualified to lead the Project.

18 WSDOT seeks Key Personnel who can demonstrate experience on projects at a similar
19 level of complexity on urban interstate or major transportation projects. The Submitter
20 shall relate relevant experience of the Key Personnel to the Project goals. This Section
21 shall include experience of the Key Personnel related to design and construction.

22 For the duration of the Project activities that involve their areas of responsibility, all Key
23 Personnel shall be required to be on or immediately adjacent to the Project site, or at a co-
24 located facility with WSDOT personnel and consultants.

25 The Key Personnel include the following:

26 **Project Manager**

- 27 • It is the Project Manager's responsibility to ensure the Project is managed and
28 delivered in accordance with the Contract requirements and to ensure that the
29 Design-Builder meets or exceeds the Project goals. This person shall be assigned
30 to the Project full-time from Notice To Proceed to Physical Completion and
31 available to assist in issue resolution through Completion.

32 **Construction Manager**

- 33 • The Construction Manager shall be responsible for the overall structure and
34 roadway construction for the Project, including utilities and all other ancillary work
35 to be constructed under the Contract. It is the Construction Manager's
36 responsibility to ensure the construction is managed and delivered in accordance
37 with the Contract requirements and to ensure that the Work meets or exceeds the
38 Project goals. This person shall be assigned to the Project full-time during
39 construction activities.

40

41

1 **Design Manager**

- 2 • The Design Manager shall be responsible for ensuring that the overall Project
3 design is completed, design criteria are met, and the design is managed and
4 delivered to meet or exceed the Project goals. The Design Manager shall be
5 assigned to the Project full-time from Notice To Proceed through substantial
6 completion of the design effort, and shall be available as needed during
7 construction activities.

- 8 • The Design Manager shall be a registered Professional Engineer in the State of
9 Washington prior to execution of the Contract. Unless otherwise stated, WSDOT
10 will not require that the Design Manager's professional engineering license be in
11 place as of the Proposal due date, provided the Proposal includes a commitment
12 that the license will be obtained prior to execution of the Contract, and provided
13 further that WSDOT determines that the designated individual is qualified to obtain
14 a license. If, at WSDOT's discretion, the Design Manager fails to meet the
15 minimum qualifications described in this Section, WSDOT may disqualify the
16 Proposer. If a Proposer is selected and WSDOT then determines that the Design
17 Manager does not meet the minimum qualifications, WSDOT may ask the
18 Proposer to replace the Design Manager with someone who meets them.

- 19 • The licensure requirements for the Design Manager will be initially evaluated as
20 either "Pass" or "Fail." A "Fail" rating can be considered a basis for rejecting the
21 SOQ.

22 **7.5.1 RESUMES**

23 Resumes for Key Personnel shall be provided in this Section.

24 Resumes shall highlight the following information:

- 25 • Relevant education, training, licensing, and registration/certification;
- 26 • Years of experience performing similar work; and
- 27 • Actual work examples relevant to the Project including projects, dates spent on the
28 project, and duties performed.

29 **7.5.1.1 REFERENCES**

30 For each Key Personnel, list three references from different projects that are included on
31 the resume. All references shall be the owner representative who is most familiar with the
32 Key Personnel, and who could best answer project-specific questions. Provide the owner
33 representative's name, email address, and phone number. The owner representative may be
34 a consultant who acted on behalf of the owner for the project. The references must not
35 work for the same company of the person they are referencing. It is important to ensure
36 that the references listed have specific knowledge of the person's experience on the project.
37 Two of the three references for each Key Personnel shall be from projects that are at least
38 75 percent complete.

39 References will be contacted at WSDOT's discretion to verify information provided in the
40 SOQ.

41
42

1 **7.5.2 EVALUATION CRITERIA**

2 The Key Personnel will be evaluated individually and as a management team on
3 demonstrated experience to successfully fulfill management roles and to successfully meet
4 the Project goals while managing urban interstate or major transportation projects.
5 Demonstrated experience with the following attributes is preferred:

- 6 • Projects of similar scope and complexity; and
- 7 • Projects delivered with a design-build contract.

8 Past performance records of Key Personnel may be checked by contacting references.

9 **7.6 MAJOR PARTICIPANTS (SECTION 3) (600 POINTS)**

10 In order to achieve the Project goals, WSDOT seeks Proposers who can demonstrate
11 experience on urban interstate or major transportation projects related to design and
12 construction. This Section shall describe the details and complexity of one or more
13 projects. Each Major Participant shall have at least one project identified. References shall
14 be provided for all projects listed.

15 In addition to the general project information, the Submitter shall relate relevant project
16 experience to the Project goals. For each project, the Submitter should highlight how the
17 actions taken and/or lessons learned demonstrate the ability of the relevant Major
18 Participants to meet one or more of the Project goals.

19 **7.6.1 REFERENCES**

20 Project reference information shall include start date and completion date, or anticipated
21 completion date; contractor or design firms being referenced; contract amount; type of
22 contract (design-build or design-bid-build); and references (owner representative name,
23 email address, and phone number). All references shall identify the owner representative
24 who is most familiar with the project and who could best answer project-specific questions.
25 The owner representative may be a consultant who acted on behalf of the owner for the
26 project. The references must not work for the same company of the person they are
27 referencing.

28 References will be contacted at WSDOT's discretion to verify information provided in the
29 SOQ.

30 **7.6.2 EVALUATION CRITERIA**

31 Each Major Participant will be evaluated individually and as a project team on
32 demonstrated experience to successfully fulfill their production role and to successfully
33 meet the Project goals while delivering urban interstate or major transportation projects.
34 Demonstrated experience with the following attributes is preferred:

- 35 • Projects of similar scope and complexity; and
- 36 • Projects delivered with a design-build contract.

37 Past performance records of Major Participants may be checked by contacting references.

38
39

1 **7.7 LEGAL (APPENDIX A) (PASS/FAIL)**

2 The Submitter shall provide a description of the legal entity proposed as the Design-
3 Builder. If the Submitter’s legal entity has already been formed, the Submitter shall
4 provide complete copies of the organizational documents, along with those documents that
5 allow or would allow by the time of Contract award, the Submitter and its team members
6 to conduct business in the State of Washington. If the Submitter’s legal entity has not yet
7 been formed, then the Submitter shall provide a brief description of the proposed legal
8 structure and provide draft/final copies of the underlying agreements. Once the legal entity
9 is finalized, the Submitter shall supplement its SOQ with copies of the final organizational
10 documents. The final organizational documents shall be submitted no later than 15
11 Calendar Days before the Proposal due date as described in the RFP.

12 If the Submitter is a joint venture, limited liability company, partnership, or other
13 association, the Submitter shall provide an express statement from each of the
14 partners/members as to their joint and severable liability on the Project. The Submitter
15 shall use WSDOT Standard Form 410-009 *Individual Project Statement of Joint Venture*.
16 This form is available for download at:

17 <http://www.wsdot.wa.gov/biz/contaa/prequal/>.

18 In the instructions to Form 410-009, the requirement for pre-qualification applies to those
19 firms performing construction work on the Project (e.g., contractors). The pre-
20 qualification requirement does not apply to joint venture members providing design and
21 engineering services only.

22 Interested Submitters not currently pre-qualified with WSDOT should contact WSDOT’s
23 Contract Ad & Award Office.

24 **7.7.1 EVALUATION CRITERIA**

25 Appendix A will be reviewed on a pass/fail basis only, and not as part of the qualitative
26 assessment of the SOQ.

27 **7.8 REQUIREMENTS OF FINANCIAL INFORMATION TO BE SUBMITTED**
28 **(APPENDIX B) (PASS/FAIL)**

29 The Submitter shall provide a letter from a surety or insurance company stating whether or
30 not the Submitter is capable of obtaining Proposal and Contract bonds as indicated in
31 Table 7.8 below.

32 **Table 7.8 FINANCIAL INFORMATION**

Proposal Bond/Security Penal Sum	Performance and Payment Bond Penal Sum
\$1,500,000	\$30,000,000
The identified amounts are for RFQ purposes only. Actual amounts of bond/security required by the Contract may vary, and shall be in compliance with applicable Washington law.	

33

1 A performance and payment bond is a surety bond furnished by the Design-Builder and the
2 Design-Builder's surety that guarantees performance of the work and payment to laborers,
3 mechanics, subcontractors, and materials suppliers in accordance with Washington law.

4 Letters indicating "unlimited" bonding capability are not acceptable. The surety or
5 insurance company providing the letter must be authorized to do business in the State of
6 Washington with an A.M. Best Co. "Best's Rating" of A- or better.

7 **7.8.1 EVALUATION CRITERIA**

8 Appendix B will be reviewed on a pass/fail basis only, and not as part of the qualitative
9 assessment of the SOQ.

10 **7.9 FORMS (APPENDIX C) (PASS/FAIL)**

11 Include Form A, Acknowledgement of Receipt of Addenda, attached as Appendix A to this
12 RFQ.

13 **7.9.1 EVALUATION CRITERIA**

14 Appendix C will be reviewed on a pass/fail basis only, and not as part of the qualitative
15 assessment of the SOQ.

16 **8.0 PROTEST PROCEDURES**

17 This Section sets forth the exclusive protest remedies available with respect to this RFQ.
18 By submitting its SOQ, each Submitter acknowledges the limitation on its rights to protest
19 as set forth in this RFQ; waives all other rights and remedies; and agrees that the decision
20 on any protest, as provided in this RFQ, shall be final and conclusive unless wholly
21 arbitrary and capricious. These provisions are included in this RFQ expressly in
22 consideration for such waiver and agreement by the Submitters. Such waiver and
23 agreement by each Submitter are also consideration to each other Submitter for making the
24 same waiver and agreement.

25 **8.1 PROTESTS REGARDING THE REQUEST FOR QUALIFICATIONS** 26 **(RFQ)**

27 The Submitter may protest the terms of this RFQ prior to the time for submission of SOQs
28 on the grounds that a material provision in this RFQ is ambiguous; any aspect of the
29 procurement process described herein is contrary to legal requirements applicable to this
30 procurement; or this RFQ in whole or in part exceeds the authority of WSDOT. Protests
31 regarding this RFQ shall be filed only after the Submitter has informally discussed the
32 nature and basis of the protest with WSDOT's Point of Contact in an effort to remove the
33 grounds for protest.

34 Protests regarding this RFQ shall completely and succinctly state the grounds for protest
35 and shall include all factual and legal documentation in sufficient detail to establish the
36 merits of it. Evidentiary statements, if any, shall be submitted under penalty of perjury.

37 Protests regarding this RFQ shall be filed as soon as the basis for protest is known to the
38 Submitter, but in any event it must be actually received no later than ten Calendar Days
39 before the SOQ due date, provided that protests regarding an addendum to this RFQ shall
40 be filed and actually received by WSDOT no later than five Calendar Days after the
41 addendum to this RFQ is issued (or no later than the SOQ due date, if earlier).

1 Protests regarding this RFQ shall be filed in writing by hand delivery or courier to the
2 Protest Official, with a copy to WSDOT's Point of Contact. The Protest Official is
3 identified as:

4 Ken Walker
5 WSDOT Contract Ad & Award Office
6 Transportation Building, Room 1A23
7 310 Maple Park Avenue SE
8 Olympia, WA 98501-7360

9 SOQs delivered in person will be received only in the WSDOT Contract Ad & Award
10 Office, Room 1A23.

11 WSDOT will distribute copies of the protest to the other Submitters and may request the
12 other Submitters to submit statements or arguments regarding the protest. At its discretion,
13 WSDOT may discuss the protest with the protesting Submitter. If other Submitters are
14 requested to submit statements or arguments, they may file a statement in support of or in
15 opposition to the protest within seven Calendar Days of the request.

16 The protesting Submitter shall have the burden of proving its protest by clear and
17 convincing evidence. No hearing will be held on the protest. The Protest Official or its
18 designee will decide the protest on the basis of the written submissions. WSDOT will
19 furnish copies of the decision in writing to each Submitter. The decision shall be final and
20 conclusive. If necessary, to address the issues raised in the protest, WSDOT will make
21 appropriate revisions to this RFQ by issuing addenda. At its discretion and if necessary,
22 WSDOT may extend the SOQ due date to address any protest issues. Each party shall bear
23 its own attorneys fees and legal costs that may result from the protest.

24 The failure of a Submitter to raise the grounds for a protest regarding this RFQ within the
25 applicable time period shall constitute an unconditional waiver of the right to protest the
26 terms of this RFQ and shall preclude consideration of that ground in any protest of
27 qualification of a Submitter.

28 **8.2 PROTESTS REGARDING RESPONSIVENESS AND SHORT-LISTING**

29 A Submitter may protest the results of the above-described evaluation and qualification
30 process by filing a notice of protest by hand delivery or courier to the Protest Official and
31 providing a copy of the notice of protest to WSDOT's Point of Contact. The protesting
32 Submitter shall concurrently file a copy of its notice of protest with the other Submitters.
33 The notice of protest shall specifically state the grounds of the protest.

34 Notice of protest of any decision to accept or disqualify a SOQ on responsiveness grounds
35 must be filed within seven Calendar Days after the earliest to occur of notification of non-
36 responsiveness; the scheduled date for oral meetings and presentations (if any); or the
37 public announcement of short-listed Submitters. Notice of protest of the decision on short-
38 listed Submitters must be filed and received by the Protest Official within seven Calendar
39 Days after the public announcement of the short-listed Submitters.

40 Within seven Calendar Days of the notice of protest, the protesting Submitter must file
41 with the Protest Official a detailed statement of the grounds, facts, and legal authorities,
42 including all documents and evidentiary statements, in support of the protest. The
43 protesting Submitter shall concurrently deliver a copy of the detailed statement to all other
44 Submitters. Evidentiary statements, if any, shall be submitted under penalty of perjury.

1 The protesting Submitter shall have the burden of proving its protest by clear and
2 convincing evidence.

3 Failure to file a notice of protest or a detailed statement within the applicable time period
4 shall constitute an unconditional waiver of the right to protest the evaluation or short-
5 listing process and decisions.

6 Other Submitters may file a statement with the Protest Official by hand delivery in support
7 of or in opposition to the protest. The statement must be filed within seven Calendar Days
8 after the protesting Submitter files its detailed statement of protest. WSDOT will promptly
9 forward copies of any statements to the protesting Submitter.

10 Unless otherwise required by law, no evidentiary hearing or oral argument shall be
11 provided. At the discretion of the Protest Official or its designee, a hearing or argument
12 may be permitted, if necessary, for protection of the public interest or an expressed, legally
13 recognized interest of a Submitter or WSDOT. The Protest Official or its designee shall
14 issue a written decision regarding the protest within 15 Calendar Days after the Protest
15 Official receives the detailed statement of protest. The decision shall be final and
16 conclusive. The Protest Official or its designee shall deliver the written decision to the
17 protesting Submitter and copies to the other Submitters.

18 If a notice of protest regarding responsiveness is filed prior to the oral presentation process
19 (if any), WSDOT may proceed with the oral presentation process and may short-list
20 Submitters before the protest is withdrawn or decided, unless the Protest Official or its
21 designee determines, at their discretion, that it is in the public interest to postpone the
22 qualification prior to a decision. Such a determination shall be in writing and shall state
23 the facts on which it is based.

24 If the Protest Official or its designee concludes that the Submitter filing the protest has
25 established a basis for protest, the Protest Official or its designee will determine what
26 remedial steps, if any, are necessary or appropriate to address the issue raised in the protest.
27 The steps may include, but are not limited to, submitting the issue to WSDOT's Evaluation
28 Committee to determine whether the list of Submitters selected to submit Proposals should
29 be revised; withdrawing or revising the decisions; issuing a new RFQ; or taking other
30 appropriate actions.

31 If the protest is denied, the protesting Submitter may seek judicial review of WSDOT's
32 decision in Thurston County Superior Court within five Calendar Days of receiving
33 WSDOT's decision denying the protest. Each party shall bear its own attorney fees, expert
34 witness fees, and all other legal costs.

35 **8.3 COSTS AND DAMAGES**

36 WSDOT shall not be liable for damages to the Submitter filing the protest or to any
37 participant in the protest, on any basis, express or implied.

38

39 **End of Request for Qualifications**

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Appendix A

1 **FORM A**

2
3 **ACKNOWLEDGMENT OF RECEIPT OF ADDENDA**
4 (To be included in Appendix C of the Statement of Qualifications)
5
6

7 _____
(Name of Submitter)

8
9
10 We hereby acknowledge receipt of the I-405/NE 195th St to SR 527 - Northbound
11 Auxiliary Lane Design-Build Project Request for Qualifications dated
12 _____, and subsequent addenda and responses to questions by the
13 Washington State Department of Transportation as follows:

14
15
16 **ADDENDUM No.**

17 _____
18 _____
19 _____
20 _____
21 _____
22 _____

23
24 **Response to Questions No.**

Date Issued

25 _____
26 _____
27 _____
28 _____
29 _____
30 _____
31 _____
32 _____

33
34 _____
35 (Signed)

_____ Date

36
37
38 _____
39 (Printed or Typed Name)

40
41
42 _____
43 (Title)
44