



Washington State
Department of Transportation

SR 520 Bridge Replacement and HOV Program

I-5 to Medina: Bridge Replacement and HOV Project



Request for Qualifications

SR 520 Evergreen Point Floating Bridge and Landings Project

ISSUE DATE: August 16, 2010

STATEMENTS OF QUALIFICATIONS

DUE DATE: September 30, 2010



Washington State
Department of Transportation

Contents

1.0	Introduction.....	1
2.0	Procurement Process.....	1
2.1	Procurement Schedule.....	1
2.2	Contact Information.....	2
2.2.1	. Submittal Information Point of Contact.....	2
2.2.2	. WSDOT Technical Point of Contact	3
2.3	Questions, Clarifications and Addenda.....	3
2.4	Ex Parte Communications	3
2.5	Voluntary Meeting for Potential Submitters.....	4
2.6	WSDOT’s Rights.....	4
2.7	WSDOT Core Values and Project Goals	5
2.8	Status of NEPA Review	5
3.0	Project Scope of Work	6
3.1	Estimated Cost	7
3.2	Estimated Time for Completion	7
4.0	Teaming Parameters	7
4.1	Major Participant	7
4.2	WSDOT Consultant/Technical Support.....	8
4.3	Organizational Conflicts of Interest	8
4.4	Team Continuity and Changes to Organizational Structure	9
4.5	Equal Employment Opportunity	9
4.6	Persons with Disabilities or Hearing Impairment.....	9
4.7	Disadvantaged, Minority and Women-Owned Business Enterprise Participation.....	9
4.8	Training	9
4.9	Apprentice Utilization.....	10
5.0	SOQ Submittal Instructions and Format.....	10
5.1	Due Date, Time, and Location	10
5.2	SOQ Organization	10
5.3	SOQ Format.....	12
5.4	SOQ Submittal Quantities	12
6.0	SOQ Content	13
6.1	SOQ Section 1: Letter of Interest.....	13
6.2	SOQ Section 2: Project Team Organization	13

6.3 SOQ Section 3: Project Manager 14

6.4 SOQ Section 4: Construction Management Team 14

6.5 SOQ Section 5: Project Development Management Team 14

6.6 SOQ Appendix A: Forms..... 15

6.7 SOQ Appendix B: Financial Information..... 15

6.8 SOQ Appendix C: Conflict of Interest Forms..... 16

6.9 SOQ Appendix D: Legal Information 16

6.10SOQ Appendix E: Reference Information..... 16

7.0 Evaluation Process 16

7.1 Evaluation of the SOQ..... 16

7.2 Pass/Fail Evaluation Factors 18

7.2.1 .SOQ Section 1. Letter of Interest (Pass/Fail) 18

7.2.2 .SOQ Appendix A. Forms (Pass/Fail) 19

7.2.3 .SOQ Appendix B. Financial Information (Pass/Fail) 19

7.2.4 .SOQ Appendix C. Conflict of Interest Forms (Pass/Fail) 19

7.2.5 .SOQ Appendix D. Legal Information (Pass/Fail) 19

7.3 Qualifications Category and Scoring Element Evaluation 19

7.3.1 .Qualifications Categories 20

7.3.2 .Scoring Elements..... 20

8.0 Protest Procedures 21

8.1 Protests Regarding RFQ 21

8.2 Protests Regarding Responsiveness and Short-listing 22

8.3 Costs and Damages 23

Tables

Table 1– Procurement Schedule..... 2
Table 2– Substantial Completion Dates 7
Table 3– SOQ Organization 10
Table 4– Proposal, Performance and Payment Bond Requirements 15
Table 5– Qualifications Scoring Element Evaluation 19

Appendices

- Appendix A: Acknowledgment of Receipt of Addenda
- Appendix B1: Organizational Conflicts of Interest Disclosure and Avoidance/Neutralization Plan
- Appendix B2: Organizational Conflicts of Interest Certification

1 **Washington State**
2 **Department of Transportation**

3
4 **Request for Qualifications for**
5 **SR 520 Evergreen Point**
6 **Floating Bridge and Landings Project**
7

8 **1.0 Introduction**

9 The Washington State Department of Transportation (WSDOT) is soliciting Statements of
10 Qualifications (SOQ) from entities (“Submitters”) interested in submitting Proposals for the SR
11 520 Evergreen Point Floating Bridge and Landings Project.

12 The estimated value of the Project is approximately \$700,000,000 to \$900,000,000, and it is
13 being funded by the Federal Highway Administration (FHWA) and the State of Washington.

14 By submitting an SOQ, Submitters agree to be bound by the requirements outlined in this
15 Request for Qualifications (RFQ).

16 Persons with disabilities may request information contained within this RFQ to be prepared and
17 supplied in alternate formats by calling collect 206-389-2839. Persons with hearing
18 impairments may call 1-800-833-6388 (Washington State Telecommunications Relay Service)
19 and ask for 206-515-3683.

20 **2.0 Procurement Process**

21 WSDOT will use a two-step procurement process to select a Submitter to deliver the Project. The
22 issuance of this RFQ is part of the first step to solicit information from interested Submitters in
23 the form of an SOQ. WSDOT will evaluate and score submitted SOQs to determine the most
24 highly qualified Submitters to successfully deliver the Project. The evaluation and scoring
25 process to be used for this Project is detailed in Section 7 of this RFQ. It is WSDOT’s goal to
26 short-list the three (3) most highly qualified Submitters to continue to the second step of the
27 process.

28 In the second step, WSDOT will issue a Request for Proposal (RFP) for the Project to the short-
29 listed Submitters. Only short-listed Submitters will be eligible to submit proposals for the
30 Project. Each short-listed Submitter that submits a proposal in response to the RFP is referred
31 to herein as a “Proposer.” WSDOT will pay a stipend to all non-successful Proposers that submit
32 a responsive proposal. The stipend for this project will be \$2,500,000.

33 WSDOT may cancel or re-advertise this procurement, including rejecting any submitted
34 statements or proposals, at its discretion at any time in the process.

35 **2.1 Procurement Schedule**

36 WSDOT anticipates the following procurement milestone dates. This schedule is subject to
37 revision by addenda to this RFQ, by the RFP or by addenda to the RFP.

Table 1– Procurement Schedule

Action	Dates
Step 1 – SOQ Phase	
RFQ issued	August 16, 2010
Voluntary meeting for Submitters	August 25, 2010
Deadline for submitting RFQ questions	September 9, 2010
Deadline for WSDOT response to RFQ questions	September 16, 2010
SOQ due	September 30, 2010
Short-listed Submitters' teams notified	October 15, 2010
Step 2 – Proposal Phase	
RFP issued*	October 18, 2010**
Voluntary RFP meeting*	October 27, 2010**
Deadline for submitting Proposers' questions*	January 26, 2011**
Deadline for submitting Proposers' ATC's*	January 26, 2011**
Deadline for WSDOT response to Proposers' questions*	February 9, 2011**
Proposals due*	February 16, 2011**
Best Value Proposer announced *	March 16, 2011**
Contract awarded	March 28, 2011**

*Short-listed teams only

**Dates may change

2.2 Contact Information

2.2.1 Submittal Information Point of Contact

Submitters shall provide the WSDOT Contract Ad & Award Office with the name, address, phone number, fax number and e-mail address of its Single Point of Contact (Contact Person). WSDOT will distribute addenda and other communications directly to the Submitter's identified Contact Person. This information will also be posted on the WSDOT website. The Submitter Contact Person is responsible for distributing copies of addenda and other RFQ-related communications within their team. Any questions regarding non-technical information shall be submitted to Mr. Dave Mariman at WSDOT using the following address:

Dave Mariman
 Contract Ad & Award Office
 Washington State Department of Transportation
 P.O. Box 47360
 Olympia, WA 98504-7360

1 Phone: (360) 705-7017
2 MarimaD@wsdot.wa.gov

3 All technical clarifications or questions shall be addressed as designated in Section 2.2.2 below.

4 **2.2.2 WSDOT Technical Point of Contact**

5 Submitters who have questions or need further clarification or information regarding the
6 technical aspects of the Project only should contact the following designated WSDOT Project
7 Engineer by letter, phone or e-mail as follows:

8 Alan Chan, P.E.
9 Washington State Department of Transportation
10 600 Stewart Street, Suite 520
11 Seattle, WA 98101
12 Phone: (206) 770-3586 (through August 20, 2010)
13 Phone: (206) 521-5564 (beginning August 23, 2010)
14 chana@wsdot.wa.gov

15 All non-technical clarifications or questions shall be addressed as designated in Section 2.2.1
16 above.

17 **2.3 Questions, Clarifications and Addenda**

18 Questions and requests for clarification regarding this RFQ shall be submitted in writing to the
19 WSDOT contact person as described above in Section 2.2. To be considered, all questions and
20 requests must be received by **4:00 p.m., Pacific Time**, on the date indicated on Table 1 in
21 Section 2.1.

22 WSDOT reserves the right to revise this RFQ at any time before the SOQ due date. Such
23 revisions, if any, will be announced by addenda to this RFQ.

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

- 26 • WSDOT will answer questions and requests for clarification by posting a response on its
27 Contract Ad & Award Office website at <http://www.wsdot.wa.gov/biz/contaa/> no later
28 than the date shown in Table 1.
- 29 • WSDOT will send an e-mail notification to the Contact Person for each Submitter as
30 soon as each addendum, response, or group of responses is issued. The notification will
31 include an electronic copy of the addendum or clarification whenever possible.

32 The Submitters shall acknowledge receipt of all addenda and question responses by completing
33 Form A, Acknowledgment of Receipt of Addenda, which is included as Appendix A of this RFQ,
34 and submitting the completed Form A as Appendix A within the SOQ submittal package.

35 **2.4 Ex Parte Communications**

36 Submitters are expected to conduct themselves with professional integrity and to refrain from
37 lobbying activities. Commencing with the issuance of this RFQ and continuing until award of a
38 contract for the Project (or cancellation of the procurement), no employee, member, agent or
39 advisor of any Submitter shall have any ex parte communications, directly or indirectly,
40 regarding this procurement with any representative of WSDOT, including their staff, advisors,
41 contractors or consultants (as noted in Section 4.2) involved with the procurement, except for
42 communications expressly permitted by this RFQ (or, subsequent to issuance of the RFP, except
43 for communications expressly permitted by the RFP).

1 Any verified allegation that a Submitter, Submitter team member, an employee, agent, advisor
2 or consultant of a Submitter or Submitter team member has engaged in such prohibited
3 communications or attempted to unduly influence the selection process may be cause for
4 WSDOT to disqualify the Submitter or to disqualify the Submitter team member from
5 participating with the Submitter team, all at the sole discretion of WSDOT's contact person.

6 **2.5 Voluntary Meeting for Potential Submitters**

7 WSDOT will hold an informational meeting for Submitters interested in responding to this RFQ.
8 Attendance at this meeting is not mandatory and is not a prerequisite to being a Submitter for
9 this Project. The meeting will be held on the date specified in Table 1 in Section 2.1, from **1:00**
10 **p.m. to 3:00 p.m., Pacific Time**, at the following location:

11 University of Washington
12 Warren G. Magnuson Health Sciences Center
13 D-Wing, Room 209
14 1075 NE Pacific Street
15 Seattle, WA 98195

16 **2.6 WSDOT's Rights**

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

- 18 • Appoint evaluation committees to review SOQs and Proposals;
- 19 • Investigate the qualifications of any Submitter or Proposer;
- 20 • Seek or obtain data from any source related to the SOQs or Proposals;
- 21 • Require confirmation of information furnished by a Submitter or Proposer;
- 22 • Hold meetings and conduct discussions and correspondence with the Submitters
23 and Proposers to seek an improved understanding and evaluation of the SOQs or
24 Proposals;
- 25 • Require additional information from a Submitter or Proposer concerning its SOQ
26 or Proposal;
- 27 • Seek and receive clarifications to an SOQ or Proposal;
- 28 • Require additional evidence of qualifications to perform the work;
- 29 • Modify the procurement process;
- 30 • Waive minor deficiencies and irregularities in an SOQ or Proposal;
- 31 • Reject any or all of the SOQs or Proposals;
- 32 • Issue a new RFQ or RFP;
- 33 • Issue a request for Best and Final Offers;
- 34 • Conduct negotiations with the Apparent Best Value Proposer prior to award of the
35 Contract;
- 36 • Cancel a Contract signed by the selected Design-Builder but not yet executed by
37 WSDOT; and
- 38 • Not issue a Notice to Proceed after execution of the Contract.

2.7 WSDOT Core Values and Project Goals

It is WSDOT's expectation that the Design-Builder will design and construct the Project in consideration of WSDOT's Core Values and Project Goals.

WSDOT's Core Values are as follows:

- Safety;
- Accountability (on time, on budget, quality products and services);
- Effective and Transparent Communication; and
- Disadvantaged Business Enterprise (DBE) Contractor Participation.

With the above Core Values in mind, WSDOT has established the following Project Goals for the successful Design-Builder:

- **Project Infrastructure** – Integrate components from multiple sources to provide a durable floating bridge structure that may be modified in the future to accommodate additional capacity. All new infrastructure should seamlessly connect at project limits and allow maximum capacity improvements.
- **On Time & Within Budget** – Achieve schedule milestones and leverage opportunities for schedule enhancement to support the goal of opening the new facilities to traffic in 2014 within the available budget.
- **Environmental Stewardship** – Meet or exceed all Project requirements related to the protection and enhancement of the environment. This goal includes effective reductions in temporary and permanent aquatic impacts, minimize construction impacts and delays to the traveling public, and provide an aesthetically acceptable facility to the local communities.
- **Maximize Opportunities for Positive Community Involvement and Interaction** – Work with WSDOT to engage in effective communications, public outreach and community involvement to address Project impacts on, and opportunities for: individuals, businesses, neighborhoods and other stakeholders.

2.8 Status of NEPA Review

WSDOT is preparing an Environmental Impact Statement for the project in compliance with the State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA). The WSDOT project team is engaged in early coordination with all Federal, State, tribal, regional and local agencies that have permitting authority, special expertise or interest in transportation projects. WSDOT issued the Supplemental Draft Environmental Impact Statement for public comment in January 2010. The issuance of the Final Environmental Impact Statement and Record of Decision, which completes the NEPA process, is scheduled for spring 2011. Therefore, the NEPA documentation and environmental permits for the project will not be completed prior to the award of the contract. In light of that, WSDOT anticipates issuing two phases of Notice to Proceed (NTP) for this Project. This is to ensure that no commitments are made to any alternative being evaluated in the NEPA process and that the comparative merits of all alternatives presented in the NEPA document, including the no-build alternative, will be evaluated and fairly considered. Immediately following the award of the contract, the Design-Build team will receive phase one NTP to perform the following activities:

- 1 • Preliminary design (as defined in 23 CFR 636.109 and SAFETEA-LU 1503) – which
2 generally consists of those activities necessary for the analysis of project alternatives,
3 including environmental impacts, as necessary to complete the NEPA process.
- 4 • Design supporting environmental regulatory compliance and early permit coordination.
- 5 • Design supporting the development of environmental mitigation plans.
- 6 • Per 23 CFR 636.109.6.b, the Design-Builder must not prepare the NEPA document or
7 have any decision-making responsibility with respect to the NEPA process. WSDOT will
8 be responsible for completing and obtaining FHWA's approval of the NEPA
9 documentation.

10 The Design-Build contract will include termination provisions in the event the no-build
11 alternative is selected.

12 After the issuance of the Record of Decision (ROD), if a build option is selected, the Design-
13 Build team will receive phase two NTP to perform the following activities:

- 14 • Final Design
- 15 • Construction

16 **3.0 Project Scope of Work**

17 The following Project scope is provided to Submitters to assist in developing a team with the
18 expertise that is required for the Project. The Submitter shall be responsible for management,
19 design and construction of the Project. The design and construction by the Submitter shall be in
20 accordance with applicable guidelines and standards as required by the RFP. It is WSDOT's
21 intent to allow flexibility in design and construction to accommodate processes, procedures and
22 innovative techniques that are preferred by the Submitter as long as they are consistent with site
23 conditions; good engineering practices; the environmental decisions documents and permits;
24 other standards, guidelines and procedures identified in the RFP; and WSDOT's Project Goals.
25 The scope of work for the Project as presented in this RFQ may or may not be the final scope of
26 work for the Project.

27 The Submitter shall consider WSDOT's desire for key members of the Project to co-locate, with
28 enough space for WSDOT representatives to work and attend Project meetings. Specifics of
29 these requirements will be further identified during the RFP phase.

30 The Project requires design and construction of improvements to approximately 3.0 miles of SR
31 520, including the following major elements:

- 32 • Construct a new 6-lane floating bridge structure to the north of the existing 4-lane
33 Evergreen Point Bridge, including anchorages, utilizing pontoons constructed under a
34 separate contract.
- 35 • Construct approach structures at each end of the new bridge, including a temporary 4-
36 lane transitional segment on the west end and a permanent 6-lane connection on the
37 east end of the project.
- 38 • The construction of an additional 40+ supplemental stability pontoons, including any
39 necessary site development of casting and launch facilities.
- 40 • Towing and temporary moorage of pontoons including those constructed by others.
- 41 • Construction of a multi-use Maintenance Facility and Pier at the east end of the project.

- 1 • Reconstruct a Median transit stop near Evergreen Point Road (vicinity MP 4.25).
- 2 • Shared-use bicycle/pedestrian trails.
- 3 • Storm water treatment and detention facilities to meet current standards.
- 4 • Demolition of existing structures.

5 In addition, the Project may require the Design-Build team to provide other project
6 development tasks such as acquiring additional Right-of-Way, obtaining any and all remaining
7 permits and other functions necessary to complete the Project.

8 WSDOT intends to select a single Design-Build team to complete this work. The successful team
9 shall demonstrate the ability and capacity to deliver the Project.

10 **3.1 Estimated Cost**

11 The estimated contract price is approximately \$700,000,000 to 900,000,000. Project funding
12 is anticipated to be a combination of federal and state funds. Given the revenue sources, the
13 Project may be subjected to a maximum rate of payment provision.

14 **3.2 Estimated Time for Completion**

15 The Project Components shall have different milestones for Substantial Completion, as shown in
16 the table below. All work for a component shall be substantially complete by the date indicated.

17

18

Table 2– Substantial Completion Dates

Component	Work Substantially Complete
Substantial Completion	December 2014

19

20 **4.0 Teaming Parameters**

21 Submitters shall satisfy all requirements specified in this RFQ. Failure of the Submitter to meet
22 these requirements may result in rejection of the SOQ.

23 **4.1 Major Participant**

24 As used herein, the term “Major Participant” means any of the following entities:

- 25 a. The Submitter, or if the Submitter is a partnership, joint-venture, limited liability
26 company or other form of association, any general partners, joint-venture members
27 or members of the Submitter team;
- 28 b. Any architectural or engineering firm(s) or individual(s) identified in the SOQ
29 designated to perform design work or other work in a professional capacity;
- 30 c. Any construction/subcontractor firm(s) or individual(s) identified in the SOQ to
31 perform contract work; and
- 32 d. Any lower-tier subcontractor identified in the SOQ to perform construction work.

4.2 WSDOT Consultant/Technical Support

WSDOT has retained the consulting firms of HDR Inc., Parsons Brinkerhoff, SC Solutions, The Glosen Associates, Parametrix Inc., Shannon & Wilson Inc., Cherry Creek Environmental Inc., VIA Architecture, Hardesty & Hanover, Concorr Inc., William P. Ott, TES Enterprises, Daubersmith Inc., Hales CES and EnviroIssues to provide assistance in developing the Project Conceptual Plans, Cost Estimate, Request for Qualifications and Request for Proposals. Each of these firms is prohibited from joining any Design-Build team or otherwise assisting any Design-Build team in connection with the procurement process.

4.3 Organizational Conflicts of Interest

Organizational conflict of interest means that because of other activities or relationships with other persons or entities, a person or entity:

1. Is unable or potentially unable to render impartial assistance or advice to WSDOT; or
2. Is or might be otherwise impaired in its objectivity in performing the contract work; or
3. Has an unfair competitive advantage.

The integrated nature of the Design-Build project delivery method creates the potential for organizational conflicts of interest. Disclosure, evaluation, neutralization and management of these conflicts and of the appearance of conflicts is in the interests of the public, WSDOT, and the consulting and construction communities.

WSDOT will take steps to ensure that individuals involved in the preparation of the NEPA documentation, procurement package, evaluation of SOQs and Proposals, and Design-Builder selection are not influenced by organizational conflicts of interest, and that no Submitter is given an unfair competitive advantage over another.

Attention is directed to the requirement for disclosure of organizational conflicts of interest set forth in 23 CFR Section 636.116(a)(2), WSDOT Secretary's Executive Order E-1059.00, and WSDOT Organizational Conflicts of Interest Manual 3043.

Submitters are required to disclose all relevant facts concerning any past, present or currently planned interests, activities or relationships which may present an organizational conflict of interest. Submitters shall state how their interests, activities or relationships, or those of the chief executives, directors, key project personnel or any proposed Consultant, Sub-Consultant at any tier, contractor or subcontractor at any tier may result, or could be viewed as, an organizational conflict of interest prior to or in the SOQ, in accordance with Secretary's Executive Order E-1059.00 and WSDOT Organizational Conflicts of Interest Manual (M 3043). Submitters shall submit the Organizational Conflicts of Interest Certification and Organizational Conflicts of Interest Disclosure and Avoidance/Neutralization Plans (forms contained in Appendix B1 and B2) as described elsewhere in this RFQ.

If an Organizational Conflict of Interest is determined to exist, WSDOT may, at its sole discretion: offer the Submitter the opportunity to avoid or neutralize the Organizational Conflict of Interest; disqualify the Submitter from further participation in the procurement; cancel this procurement; or, if award has already occurred, declare the proposal non-responsive and award the contract to the next responsive best value Proposer, or cancel the Contract. If the Submitter was aware of an Organizational Conflict of Interest prior to award of a Contract and did not disclose the conflict to WSDOT, WSDOT may terminate the Contract for default.

4.4 Team Continuity and Changes to Organizational Structure

Following submittal of the SOQ, any Major Participants identified in the SOQ may not at any time be removed, replaced, have a change in equity position, a modified level of authority, or be added without the written approval of WSDOT's Technical Point of Contact. A Submitter may be released from the short list if any change of Major Participant status occurs without prior written WSDOT approval. To qualify for said approval, the written request shall document that the proposed removal, replacement, change in equity position or addition will be equal to or better qualified than proposed in the SOQ.

4.5 Equal Employment Opportunity

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

4.6 Persons with Disabilities or Hearing Impairment

Persons with disabilities may request information contained within this RFQ to be prepared and supplied in alternate formats by calling collect 206-389-2839. Persons with hearing impairments may call 1-800-833-6388 (Washington State Telecommunications Relay Service) and ask for 206-515-3683.

4.7 Disadvantaged, Minority and Women-Owned Business Enterprise Participation

WSDOT encourages participation in all of its contracts by Disadvantaged, Minority and Women-Owned Business Enterprises (D/M/WBE) as certified by the WSDOT Office of Minority and Women's Business Enterprises (OMWBE) and defined in WAC 326-02-030. Details of the D/M/WBE program will be provided in the RFP.

The Disadvantaged Business Enterprise (DBE) requirements of 49 CFR Part 26 apply to this contract. The DBE goal will be provided in the RFP. This goal will be a condition of award, and the successful Submitter will need to meet or provide documentation of a good faith effort to meet the DBE requirements.

Proposers may contact OMWBE to obtain information on certified D/M/WBE firms at (360) 753-9693.

4.8 Training

The successful Submitter shall provide on-the-job training aimed at developing trainees to journeyman status in the trades involved. Details of the training program and the required number of training hours will be provided in the RFP.

4.9 Apprentice Utilization

The Design-Builder shall comply with an apprentice utilization requirement. It is anticipated that no less than 15.0% of project labor hours shall be performed by apprentices. Details of the apprentice utilization program will be provided in the RFP.

5.0 SOQ Submittal Instructions and Format

This section describes requirements that all Submitters must satisfy in submitting SOQs. Failure of any Submitter to follow these requirements may result in rejection of its SOQ.

5.1 Due Date, Time, and Location

Sealed SOQs are to be received at one of the following locations prior to **4:00 p.m., Pacific Time**, on the date identified as the SOQ due date in the procurement schedule shown on Table 1 in Section 2.1 of this RFQ:

- **Via U.S. Mail:** WSDOT will consider notification of bid receipt by the Mail Room as the actual receipt of the SOQ:

Mr. Dave Mariman
Washington State Department of Transportation
P. O. Box 47360
Olympia, WA 98504-7360

- **Via Courier or Hand-Delivered:** SOQs delivered in person will be received only in the Contract Ad & Award Office, Room SA19.

Washington State Department of Transportation
Contract Ad & Award Office
Transportation Building, Room SA19
310 Maple Park Ave. SE
Olympia, WA 98504-7360

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

5.2 SOQ Organization

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

Table 3– SOQ Organization

Section	Section Title and Required Information	Maximum Pages
1	Letter of Interest	
	Address the requirements of Section 6.1.	3
2	Project Team Organization	

Section	Section Title and Required Information	Maximum Pages
	Address the requirements of Section 6.2 and each of the Qualifications Categories as described in Sections 7.3.1.1 through 7.3.1.3.	10
3	Project Manager	
	Address the requirements of Section 6.3 and each of the Qualifications Categories as described in Sections 7.3.1.1 through 7.3.1.3.	6
4	Construction Management Team	
	Address the requirements of Section 6.4 and each of the Qualifications Categories as described in Sections 7.3.1.1 through 7.3.1.3.	10
5	Project Development Management Team	
	Address the requirements of Section 6.5 and each of the Qualifications Categories as described in Sections 7.3.1.1 through 7.3.1.3.	10
	Total maximum number of pages	39
	Appendices	
Appendix A	Form A, Acknowledgment of Receipt of Addenda.	1
Appendix B	Financial information: Include surety letters.	As required
Appendix C	Conflicts of Interest Forms.	As required
Appendix D	Legal structure and supporting documents. If a joint-venture, include statement of joint and severable liability.	As required
Appendix E	Photos (limit 2 pages per referenced project). Resumes (limit 2 pages per person). Project Reference Information.	As required

5.3 SOQ Format

- **Language:** All information shall be in English.
- **Type Font:** All narrative text shall be in a regular Arial style font at a minimum of 12 points in size and single-spaced. The type style and size of headings and figures are not prescribed.
- **Page Size:** Except for charts, exhibits and other illustrative and graphical information, all information shall be printed on 8.5-inch x 11-inch recycled or recyclable paper. Charts, exhibits and other illustrative and graphical information may be on 11-inch x 17-inch paper, but shall be folded to 8.5-inches x 11-inches and will be counted as one sheet.
- **Page Margins:** No text, tables, figures or other substantive content shall be printed within 0.75 inch of any page edge.
- **Page Limit:** Page limits are described in Section 5.2 of this RFQ. The submittal shall only include information required by this RFQ. No other information will be considered in the evaluation of the SOQs.
- **Dividers:** Section dividers shall contain the section number and/or section title. No other text is permitted on the dividers. The dividers will not be counted toward the allowable page total.
- **Binding:** Each copy of the SOQ shall be bound separately.
- **Front Cover:** The front cover of each SOQ shall be labeled with the Submitter's name, address and phone number, along with the following language: "Statement of Qualifications, SR 520 Evergreen Point Floating Bridge and Landings Project, [date of submittal]" and SOQ due date.

Failure to comply with these requirements may result in rejection of the SOQ.

5.4 SOQ Submittal Quantities

Each Submitter must provide WSDOT with:

- **One (1) original unbound SOQ** bearing original signatures;
- **One electronic copy of the SOQ in PDF (Adobe Acrobat Version 8 or higher) format on a CD-ROM** with the sections and subsections bookmarked; and
- **Ten (10) bound hard copies** of the SOQ.

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

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

- **Return address:** Submitter's name, Contact Person's name, mailing address and phone number;
- **Date of submittal** and SOQ due date;
- **Contents labeled** as "Statement of Qualifications, *SR 520 Evergreen Point Floating Bridge and Landings Project*," and
- **Addressed to WSDOT's Contract Ad & Award Office**, as identified in Section 5.1.

1 **6.0 SOQ Content**

2 The SOQ shall include the information specified below.

3 **6.1 SOQ Section 1: Letter of Interest**

4 The SOQ shall include a Letter of Interest that includes the business name, address, business
5 type (e.g. corporation, partnership, joint-venture), or anticipated business type of the Submitter.
6 The Letter of Interest shall identify the Submitter's single Point of Contact, along with the other
7 information identified in Section 2.2.1. The Letter of Interest should provide an overview of SOQ
8 Sections 2 through 5.

9 The Letter of Interest shall be signed by an authorized representative(s) of the Submitter. The
10 letter shall certify the truth and correctness of the contents of the SOQ. This information will be
11 used to identify the Submitter and its designated contact, and will be evaluated on a pass/fail
12 basis only; however, information may be used to support the evaluation of other sections.

13 In addition to the contact information above, the Letter of Interest shall contain the following
14 information:

- 15 • The Submitter's expression of interest in being selected for the Project;
- 16 • A statement that the Submitter shall comply with all applicable federal, state and local
17 laws and regulations; and
- 18 • A summary of the Submitter's qualifications, why its team should be selected, and why it
19 is the best qualified to meet the Project Goals.

20 The Letter of Interest shall be addressed to the WSDOT Point of Contact identified in Section
21 2.2.1 of this RFQ.

22 **6.2 SOQ Section 2: Project Team Organization**

23 The Submitter shall provide a narrative that describes the legal structure of the team as
24 proposed, including which firms are equity members and their percentage of equity; the
25 proposed team's collective and individual experience in similar projects; and how the teaming
26 structure would benefit the owner. The Submitter shall explain the team's structure and show
27 clear organizational channels of control, communication and decision making. This section
28 should include the names, titles and roles of Major Participants for the Project.

29 The narrative should also describe how the team, as proposed, has been successful on past
30 projects involving multiple equity members. Include examples of how individual equity
31 members have demonstrated success delivering projects to the owner's satisfaction. Indicate
32 any experiences that the collective team or individual team members have had managing
33 changes to equity positions during a contract.

34 Based upon the team as proposed, the Submitter shall provide examples and project references
35 of demonstrated success with Design-Build projects, Complex Transportation Structures, and
36 production casting and facility development.

37 Project reference information shall include starting date and completion date or anticipated
38 completion date; contractor or design firm being referenced; budget; type of contract (Design-
39 Build or Design-Bid-Build); and references (project owner name, e-mail address and phone
40 number). All references for the personnel and projects should identify the owner representative
41 who is familiar with the project and personnel that could best answer project- specific questions.
42 Project reference information shall be attached to the SOQ as Appendix E.

1 **6.3 SOQ Section 3: Project Manager**

2 The Submitter shall provide a narrative that describes the level of authority the proposed Project
3 Manager will have to make decisions on contract issues and selection of subcontractors and
4 consultants. Include in the narrative the name of the proposed Project Manager and provide a
5 brief narrative that describes the individual's experience and how that experience will benefit
6 the owner and ultimately lead to the success of this Project.

7 The Submitter shall provide examples and project references of demonstrated success the
8 Project Manager has had with Design Build projects, Complex Transportation Structures, and
9 production casting and facility development. Resumes shall be attached as Appendix E to the
10 SOQ.

11 Project reference information shall include starting date and completion date or anticipated
12 completion date; contractor or design firm being referenced; budget; type of contract (Design-
13 Build or Design-Bid-Build); and references (project owner name, e-mail address and phone
14 number). All references for the personnel and projects should identify the owner representative
15 who is familiar with the project and personnel that could best answer project- specific questions.
16 Project reference information shall be attached to the SOQ as Appendix E.

17 **6.4 SOQ Section 4: Construction Management Team**

18 The Submitter shall provide a narrative that describes the Construction Management Team in
19 terms of individuals or positions, and the reporting structure necessary to be successful in the
20 construction of this Project to the satisfaction of the owner. Include the experiences of
21 individuals in similar projects, operating under similar organizational structure, including the
22 integration of self-perform work by multiple equity members. Also include relevant experience
23 on the development and implementation of a comprehensive self-administered QA/QC program
24 and how changes and non-conforming conditions were coordinated with the Engineer of
25 Record; experience integrating precast and fabricated elements from various sources into a
26 complete transportation system; and experience integrating recycled materials and sustainable
27 construction practices.

28 The Submitter shall provide examples and project references of demonstrated success the
29 Construction Management Team, either collectively or individually, under similar
30 organizational structure, has had on Design-Build projects, Complex Transportation Structures,
31 and production casting and facility development. Resumes shall be attached to the SOQ as
32 Appendix E.

33 Project reference information shall include starting date and completion date or anticipated
34 completion date; contractor or design firm being referenced; budget; type of contract (Design-
35 Build or Design-Bid-Build); and references (project owner name, e-mail address and phone
36 number). All references for the personnel and projects should identify the owner representative
37 who is familiar with the project and personnel that could best answer project- specific questions.
38 Project reference information shall be attached to the SOQ as Appendix E.

39 **6.5 SOQ Section 5: Project Development Management Team**

40 The Submitter shall provide a narrative that describes the Project Development Management
41 Team in terms of individuals or positions, and the reporting structure necessary to be successful
42 in the delivery of professional services required on this project to the satisfaction of the owner.
43 Include the Multi-disciplinary experiences of the collective team or individuals in similar
44 projects, operating under similar organizational structure, including management of the
45 implementation of a comprehensive self-administered QA/QC program and how changes and

1 non-conforming construction activities were coordinated with the Plan of Record. Also include
 2 relevant experiences of design efforts that promote sustainable use of materials and
 3 accommodate low-impact construction practices.

4 The Submitter shall provide examples and project references of demonstrated success the
 5 Project Development Management Team, either collectively or individually, under similar
 6 organizational structure, has had on Design Build projects, Complex Transportation Structures,
 7 and production casting and facility development. Resumes shall be attached to the SOQ as
 8 Appendix E.

9 Project reference information shall include starting date and completion date or anticipated
 10 completion date; contractor or design firm being referenced; budget; type of contract (Design-
 11 Build or Design-Bid-Build); and references (project owner name, e-mail address and phone
 12 number). All references for the personnel and projects should identify the owner representative
 13 who is familiar with the project and personnel that could best answer project- specific questions.
 14 Project reference information shall be attached to the SOQ as Appendix E.

15 **6.6 SOQ Appendix A: Forms**

16 Include Form A, Acknowledgement of Receipt of Addenda, included in this RFQ in Appendix A.

17 **6.7 SOQ Appendix B: Financial Information**

18 The Submitter shall provide a letter from a surety or insurance company stating whether or not
 19 the Submitter is capable of obtaining a Proposal bond and a Performance and Payment bond as
 20 indicated in Table 4 below:

21 **Table 4– Proposal, Performance and Payment Bond Requirements**

Proposal Bond	Performance Bond	Payment Bond
5% of contract amount	**750,000,000	**750,000,000
**The identified amount is for RFQ purposes only, based on the current engineer’s estimate. The actual amount of the performance and payment bond required by the Contract will be established in the RFP.		

22
 23 A Performance and Payment bond is a surety bond furnished by the Design-Builder and Design-
 24 Builder’s surety that guarantees performance of the work and payment to laborers, mechanics,
 25 subcontractors and materials suppliers in accordance with Washington law. Letters indicating
 26 “unlimited” bonding capability are not acceptable. The surety or insurance company providing
 27 such letter must have a Best’s rating of “A” or better, and Financial Size Category of VIII or
 28 better by A.M. Best Co. The surety shall be registered with the Washington State Insurance
 29 Commissioner and appear on the current Authorized Insurance List in the State of Washington
 30 published by the Office of the Insurance Commissioner.

31 The process used by WSDOT to determine the amount of the performance bond and the amount
 32 of the payment bond have not been approved by the Office of Financial Management (OFM) as
 33 of the publication date of this RFQ. Therefore, the amounts shown for the Performance Bond
 34 and Payment Bond in Table 4 are subject to change pending approval by OFM and the Secretary
 35 of Transportation.

1 The Design-Builder will be required to provide a separate performance bond and a payment
2 bond as approved forms of security in accordance with Washington State Law (RCW
3 39.08.030). The bonds furnished by the Design-Builder and the Design-Builder's surety
4 guarantees performance of the work and payment to those who provide supplies or labor for the
5 performance of the work.

6 **6.8 SOQ Appendix C: Conflict of Interest Forms**

7 The Submitter shall include any organizational conflict of interest information required by
8 Section 4.3.

9 **6.9 SOQ Appendix D: Legal Information**

10 The Submitter shall describe how it is organized as a legal entity. If the Submitter's legal entity
11 has already been formed, the Submitter shall provide complete copies of the organizational
12 documents along with those documents that allow, or would allow by the Proposal due date, the
13 Submitter and its team members to conduct business in the state of Washington as a legal
14 entity. If the Submitter's legal entity has not yet been formed, the Submitter shall provide a brief
15 description of the proposed legal structure and provide draft/final copies of the underlying
16 agreements. Once the legal entity is finalized, the Submitter shall either supplement its SOQ
17 with copies of the final organizational documents or submit such documents with the Proposal.
18 Failure to submit such final organizational documents to WSDOT either prior to the Proposal
19 due date or with the Proposal shall render the Proposal non-responsive.

20 If the Submitter is a joint-venture, limited liability company, partnership or other association,
21 the Submitter shall provide an express statement from each of the partners/members as to their
22 joint and severable liability on the Project.

23 **6.10 SOQ Appendix E: Reference Information**

24 The Submitter shall include any reference information as required or allowed as specified in
25 Section 6 of this RFQ. Photos will be limited to no more than two pages per referenced project.
26 Any page containing a photo will count toward the limit. Resumes included shall be limited to
27 no more than two pages per individual.

28 **7.0 Evaluation Process**

29 This section outlines the scoring WSDOT will use for the RFQ phase of the procurement. If the
30 information provided for an evaluation factor is not complete, then the Submitter may be
31 eliminated from further consideration.

32 **7.1 Evaluation of the SOQ**

33 WSDOT will evaluate each SOQ submitted by the individual Submitters as described in Sections
34 5 and 6 of this RFQ, in conjunction with the WSDOT Core Values and Project Goals as described
35 in Section 2.7, all together representing the Project needs, and scoring criteria as listed in
36 Section 7.3 for determining the SOQ total score.

37 The qualitative evaluation score will be determined as follows:

- 38 • The WSDOT evaluation committee will review each SOQ and identify significant and
39 minor strengths, and significant and minor weaknesses of the Submittals. If no or
40 insufficient information is provided on any scored element, the element will not receive a
41 score and will be determined to have a value of zero.

- 1 • If, during the evaluation process, the WSDOT evaluation committee concludes that the
2 information in all of the SOQs meets expectations, without identifying strengths or
3 weaknesses, WSDOT may determine all Submitters to be qualified without providing a
4 score.

5 Strengths and weaknesses are defined as follows:

- 6 • Strengths – That part of the SOQ which ultimately represents a benefit to the Project and
7 is expected to increase the Submitter’s ability to meet or exceed the Project needs. A
8 minor strength has a slight positive influence on the Submitter’s ability, while a
9 significant strength has a considerable positive influence on the Submitter’s ability to
10 exceed the Project needs.
- 11 • Weaknesses – That part of the SOQ which detracts from the Submitter’s ability to meet
12 the Project requirements or may result in an inefficient or ineffective performance. A
13 minor weakness has a slight negative influence, while a significant weakness has a
14 considerable negative influence on the Submitter’s ability to meet the Project
15 requirements.

16 Based on the identified strengths and weaknesses, the evaluation team will select an adjectival
17 rating and select a percent of maximum score in the identified range.

18 The following **adjectival rating system** will be used in determining the value for each Scoring
19 Element of the SOQ:

- 20 • **Excellent (81-100 % of points possible):** The SOQ submitted by the proposed team
21 is considered to significantly exceed the RFQ requirements/objectives in a beneficial way
22 (providing advantages, benefits or added value to the Project) and provides a
23 consistently outstanding level of competency. In order for the SOQ submitted by the
24 proposed team to meet the minimum criteria to be scored as Excellent, it must be
25 determined to have more than one significant strength, additional minor strengths and
26 no appreciable weaknesses. The minimum score for Excellent is 81 percent of points
27 possible. The greater the significance of the strengths and/or the number of strengths,
28 the higher the resulting score will be, up to a maximum of 100 percent of points
29 possible. There is virtually no risk that the team, as proposed, would be unsuccessful in
30 delivering the Project to the owner’s satisfaction, and would most likely exceed all
31 Project Goals.
- 32 • **Very Good (61-80 % of points possible):** The SOQ submitted by the proposed team
33 is considered to exceed the RFQ requirements/objectives in a beneficial way (providing
34 advantages, benefits or added value to the Project) and offers a generally better than
35 acceptable competency. In order for the SOQ submitted by the proposed team to meet
36 the minimum criteria for consideration to be scored as Very Good, it must be determined
37 to have at least one significant strength, additional minor strengths and no significant
38 weaknesses. The minimum score for Very Good is 61 percent of points possible. The
39 greater the significance of the strengths and/or the number of strengths, and the fewer
40 the minor weaknesses, the higher the resulting score, up to a maximum of 80 percent of
41 points possible. There is little risk that the team, as proposed, would be unsuccessful in
42 delivering the Project to the owner’s satisfaction, and will most likely meet and/or exceed
43 all Project Goals.
- 44 • **Good (41-60 % of points possible):** The SOQ submitted by the proposed team is
45 considered to meet the RFQ requirements/objectives and offers an acceptable level of
46 competency. In order for the SOQ submitted by the proposed team to meet the minimum
47 criteria for consideration to be scored as Good, it must be determined to have several

1 strengths, even though minor and/or significant weaknesses exist. The minimum score
2 for Good is 41 percent of points possible. The greater the significance of the strengths
3 and/or the number of strengths, and the fewer the minor or significant weakness, the
4 higher the resulting score, up to a maximum of 60 percent of points possible. It is
5 expected that the team as proposed will be able to deliver the Project and meet the
6 Project Goals.

- 7 • **Fair (21-40 % of points possible):** The SOQ submitted by the proposed team is
8 considered to contain several minor and/or significant weaknesses, some minor
9 strengths and no significant strengths. The minimum score for Fair is 21 percent of
10 points possible. The greater the strengths and the fewer the minor or significant
11 weaknesses, the higher the resulting score, up to a maximum of 40 percent of points
12 possible. It is expected that the team as proposed should be able to deliver the Project
13 but may not be able to meet some of the Project Goals.
- 14 • **Poor (0-20 % of points possible):** The SOQ submitted by the proposed team is
15 considered to contain significant weaknesses and no appreciable strengths. The SOQ
16 submitted by the proposed team demonstrates a doubtful probability of meeting the RFQ
17 requirements and may be determined to be non-responsive. The minimum score for
18 Poor is 0 percent of points possible. The fewer the minor or significant weaknesses, the
19 higher the resulting score, up to a maximum of 20 percent of points possible. It is
20 unlikely that the team as proposed would be able to deliver the Project to the owner's
21 satisfaction.

22 After selecting a percent of maximum score for SOQ Sections 2 through 5, the SOQ score will be
23 calculated by multiplying the percent of maximum score by the points available listed in Table 5
24 in Section 7.3 and then summing the calculated scores.

25 **7.2 Pass/Fail Evaluation Factors**

26 If a Submitter receives a "pass" on all pass/fail evaluation factors, its SOQ will be further
27 evaluated using the ranked criteria. If a Submitter fails on any single pass/fail requirement, the
28 SOQ may be rated as unacceptable, the ranked evaluation factors may not be scored, and the
29 Submitter may not be included on the short list.

30 **7.2.1 SOQ Section 1. Letter of Interest (Pass/Fail)**

- 31 • Submitter's name, address and business type (e.g. corporation, partnership, joint-
32 venture);
- 33 • Name, address, business type and roles of each Major Participant on the Submitter's
34 team;
- 35 • Single Point of Contact, address, telephone and fax numbers, and e-mail;
- 36 • Overview of SOQ Section 2 through Section 5;
- 37 • Signature of an authorized representative(s);
- 38 • Certification of the truth and correctness of the SOQ;
- 39 • Statement of Submitter's expression of interest in being selected for the Project;
- 40 • Statement that the Submitter shall comply with all applicable federal, state and local
41 laws and regulations; and
- 42 • Summary of the Submitter's qualifications.

1 **7.2.2 SOQ Appendix A. Forms (Pass/Fail)**

- 2 • Form A, Acknowledgement of Receipt of Addenda.

3 **7.2.3 SOQ Appendix B. Financial Information (Pass/Fail)**

- 4 • Surety (bonding) letter(s) that meet requirements.

5 **7.2.4 SOQ Appendix C. Conflict of Interest Forms (Pass/Fail)**

- 6 • Organizational conflicts of interest information.

7 **7.2.5 SOQ Appendix D. Legal Information (Pass/Fail)**

- 8 • Legal structure documentation.
9 • Statement addressing joint and several liability.

10 **7.3 Qualifications Category and Scoring Element Evaluation**

11 Numerical scores will be assigned by a WSDOT Evaluation Committee to the three
12 Qualifications Categories below (Sections 7.3.1.1 through 7.3.1.3) and for each of the Scoring
13 Elements (Sections 7.3.2.1 to 7.3.2.4) as shown in Table 5 below.

14

15 A summary of the points for the sections is as follows:

16

17

Table 5– Qualifications Scoring Element Evaluation

Scoring Element	Qualifications Category			Total Score
	Design-Build Experience	Complex Structural Transportation Projects	Production Casting and Facility Development	
Project Team Organization	0-100	0-100	0-75	0-275
Project Manager	0-100	0-100	0-50	0-250
Construction Management Team	0-50	0-125	0-75	0-250
Project Development Management Team	0-75	0-75	0-75	0-225
Total Score	0-325	0-400	0-275	0-1000

18

1 **7.3.1 Qualifications Categories**

2 In the following sections, the bulleted items are listed in descending order of importance where
3 scoring is applicable.

4 **7.3.1.1 Design-Build Experience**

- 5 • Demonstrated experience constructing complex transportation structures in an urban
6 environment, including the integration and assembly of large components from multiple
7 sources.
- 8 • Demonstrated ability to limit environmental impacts through proactive use of best
9 management practices and commitment to adhere to environmental regulations.
- 10 • Management and mitigation of identified project risks, including working with the
11 Owner in a collaborative fashion to resolve issues in a timely manner.
- 12 • Demonstrated ability to successfully manage a self-directed QA/QC program to the
13 owner's satisfaction.

14 **7.3.1.2 Complex Structural Transportation Projects**

- 15 • Demonstrated experience assembling bridge structures from large prefabricated sections
16 in an aquatic environment.
- 17 • Demonstrated project experience moving and assembling large prefabricated structural
18 members in close proximity to other critical infrastructure.
- 19 • Demonstrated ability to successfully implement an effective quality control program that
20 limits design and construction errors and minimizes schedule impacts.
- 21 Demonstrated experience protecting environmentally sensitive resources in the work
22 zone, including collaborative change management associated with resource agencies,
23 local jurisdictions and other 3rd party members.

24 **7.3.1.3 Production Casting and Facility Development**

- 25 • Demonstrated experience with high production of precision large scale concrete casting,
26 including Segmental and long line systems.
- 27 • Development and operation of efficient production casting facilities with low
28 environmental impacts.
- 29 • Cost efficiency and schedule enhancement and/or recovery by use of innovation/project
30 staging.

31 **7.3.2 Scoring Elements**

32 In the following sections, the bulleted items are listed in descending order of importance where
33 scoring is applicable.

34 **7.3.2.1 Project Team Organization**

- 35 • Team experience with the successful integration of multiple equity members.
- 36 • Individual experience of each equity member in a similar organizational role.
- 37 • Experience of effectively managing changes in Team Organization during the progress of
38 the project.

1 **7.3.2.2 Project Manager**

- 2 • The level of authority to make decisions on contract issues, selection of subcontractors
- 3 and consultants.
- 4 • Experience in a similar role of authority.
- 5 • Experience as a Project Manager throughout the entire duration of a similar project.

6 **7.3.2.3 Construction Management Team**

- 7 • Experience of the Construction Management Team operating under similar Project
- 8 Team Organization completing major urban infrastructure, in an aquatic environment,
- 9 to the owner's satisfaction.
- 10 • Experience of the Construction Management Team in the successful delivery of a project
- 11 utilizing a self-directed QC/QA program including integrating the Engineer of Record in
- 12 field changes and non-conforming conditions.
- 13 • Experience of the Construction Management Team integrating precast and fabricated
- 14 elements from various sources into a complete transportation system.
- 15 • Experience of the Construction Management Team integrating recycled materials and
- 16 sustainable construction practices.

17 **7.3.2.4 Project Development Management Team**

- 18 • Experience of the Project Development Management Team operating under similar
- 19 Project Team Organization completing projects, including those in an aquatic
- 20 environment, to the owner's satisfaction.
- 21 • Experience of the Project Development Management Team in developing a
- 22 comprehensive self-directed QC/QA program, including changes based upon field
- 23 conditions and non-conforming conditions during construction.
- 24 • Multi-disciplinary experience of the Project Development Management Team developing
- 25 designs that promote sustainable use of materials and accommodate low-impact
- 26 construction practices.

27 **8.0 Protest Procedures**

28 This section sets forth the exclusive protest remedies available with respect to this RFQ. Each
29 Submitter, by submitting its SOQ, expressly recognizes the limitation on its rights to protest
30 contained herein, expressly waives all other rights and remedies and agrees that the decision on
31 any protest, as provided herein, shall be final and conclusive unless arbitrary and capricious.
32 These provisions are included in this RFQ expressly in consideration for such waiver and
33 agreement by the Submitter. Such waiver and agreement by each Submitter are also
34 consideration to each of the other Submitters for making the same waiver and agreement.

35 **8.1 Protests Regarding RFQ**

36 Submitter may protest the terms of this RFQ prior to the time for submission of SOQs on the
37 grounds that (a) a material provision in this RFQ is ambiguous, (b) any aspect of the
38 procurement process described herein is contrary to legal requirements applicable to this
39 procurement, or (c) this RFQ in whole or in part exceeds the authority of WSDOT. Protests
40 regarding this RFQ shall be filed only after the Submitter has informally discussed the nature

1 and basis of the protest with the WSDOT Project Engineer in an effort to remove the grounds for
2 protest.

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

6 Protests regarding this RFQ shall be filed as soon as the basis for protest is known to the
7 Submitter, but in any event it must be actually received no later than 10 Calendar Days before
8 the SOQ due date, provided that protests regarding an addendum to this RFQ shall be filed and
9 actually received by WSDOT no later than 5 Calendar Days after the addendum to this RFQ is
10 issued (or no later than the SOQ due date, if earlier).

11 Protests regarding this RFQ shall be filed in writing by hand delivery or courier to the Protest
12 Official with a copy to the WSDOT Project Engineer. The Protest Official is identified as:

13 Dave Mariman
14 Contract Ad & Award Office
15 Washington State Department of Transportation
16 P.O. Box 47360
17 Olympia, WA 98504-7360
18 MarimaD@wsdot.wa.gov

19 WSDOT will distribute copies of the protest to the other Submitters and may, but need not,
20 request other Submitters to submit statements or arguments regarding the protest and may, in
21 its sole discretion, discuss the protest with the protesting Submitter. If other Submitters are
22 requested to submit statements or arguments, they may file a statement in support of or in
23 opposition to the protest within 7 Calendar Days of the request.

24 The protesting Submitter shall have the burden of proving its protest by clear and convincing
25 evidence. No hearing will be held on the protest. The Protest Official or their designee will
26 decide the protest on the basis of the written submissions. WSDOT will furnish copies of the
27 decision in writing to each Submitter. The decision shall be final and conclusive. If necessary, to
28 address the issues raised in the protest, WSDOT will make appropriate revisions to this RFQ by
29 issuing addenda. If necessary, WSDOT may at its sole discretion extend the SOQ due date to
30 address any protest issues. Each party shall bear its own attorney fees and legal costs that may
31 result from the protest.

32 The failure of a Submitter to raise the grounds for a protest regarding this RFQ within the
33 applicable period shall constitute an unconditional waiver of the right to protest the terms of
34 this RFQ and shall preclude consideration of that ground in any protest of qualification of a
35 Submitter, unless such ground was not, and could not, have been known to the Submitter in
36 time to protest prior to the final date for such protests.

37 **8.2 Protests Regarding Responsiveness and Short-listing**

38 A Submitter may protest the results of the above-described evaluation and qualification process
39 by filing a notice of protest by hand delivery or courier to the Protest Official. The protesting
40 Submitter shall concurrently file a copy of its notice of protest with the other Submitters. The
41 notice of protest shall specifically state the grounds of the protest.

42 Notice of protest of any decision to accept or disqualify an SOQ on responsiveness grounds must
43 be filed within 14 Calendar Days after the earliest to occur of:

- 44 (a) notification of non-responsiveness,
45 (b) the public announcement of short-listed Submitters.

1

2 Notice of protest of the decision on short-listed Submitters must be filed and actually received
3 by the Protest Official within 14 Calendar Days after the public announcement of the short-listed
4 Submitters.

5 Within 7 Calendar Days of the notice of protest, the protesting Submitter must file with the
6 Protest Official a detailed statement of the grounds, facts and legal authorities, including all
7 documents and evidentiary statements, in support of the protest. The protesting Submitter shall
8 concurrently deliver a copy of the detailed statement to all other Submitters. Evidentiary
9 statements, if any, shall be submitted under penalty of perjury. The protesting Submitter shall
10 have the burden of proving its protest by clear and convincing evidence.

11 Failure to file a notice of protest or a detailed statement within the applicable period shall
12 constitute an unconditional waiver of the right to protest the evaluation or short-listing process
13 and decisions hereunder, other than any protest based on facts not reasonably ascertainable as
14 of such date.

15 Other Submitters may file by hand delivery to the Protest Official a statement in support of or in
16 opposition to the protest. Such statement must be filed within 7 Calendar Days after the
17 protesting Submitter files its detailed statement of protest. WSDOT will promptly forward
18 copies of any such statements to the protesting Submitter.

19 Unless otherwise required by law, no evidentiary hearing or oral argument shall be provided,
20 except in the sole and absolute discretion of the Protest Official, or their designee, a hearing or
21 argument may be permitted, if necessary, for protection of the public interest or an expressed,
22 legally recognized interest of a Submitter or WSDOT. The Protest Official, or their designee,
23 shall issue a written decision regarding the protest within 14 Calendar Days after the Protest
24 Official receives the detailed statement of protest. Such decision shall be final and conclusive.
25 The Protest Official, or their designee, shall deliver the written decision to the protesting
26 Submitter and copies to the other Submitters.

27 If the Protest Official, or his designee, concludes that the Submitter filing the protest has
28 established a basis for protest, the Protest Official, or his designee, will determine what remedial
29 steps, if any, are necessary or appropriate to address the issue raised in the protest. Such steps
30 may include, without limitation, submitting the issue to WSDOT's selection committee to
31 determine whether the list of Submitters selected to submit proposals should be revised,
32 withdrawing or revising the decisions, cancelling this RFQ and issuing a new RFQ, or taking
33 other appropriate actions.

34 If the protest is denied, the protesting Submitter may seek judicial review of WSDOT's decision
35 in Thurston County Superior Court within 7 Calendar Days of receiving WSDOT's decision
36 denying the protest. Each party shall bear its own attorney fees, expert witness fees and all other
37 legal costs.

38 **8.3 Costs and Damages**

39 WSDOT will not be liable for damages to the Submitter filing the protest or to any participant in
40 the protest, on any basis, express or implied.

41

Appendix A

FORM A

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

(To be included in Appendix A of the SOQ)

(Name of Submitter _____)

We hereby acknowledge receipt of the “SR 520 Evergreen Point Floating Bridge and Landings Project” RFQ dated August 16, 2010, and subsequent addenda and responses to questions by the Washington State Department of Transportation as follows:

ADDENDUM No.

Date Issued:

_____	_____
_____	_____
_____	_____

**Response to
Question Set No.**

Date Issued:

_____	_____
_____	_____
_____	_____

(Signed-Printed or Typed Name)

(Date)

(Title)

Appendix B1 – OCOI Disclosure Form

**Organizational Conflicts of Interest
Disclosure and Avoidance/Neutralization Plan**

This disclosure statement outlines potential organizational conflicts of interest, either real or apparent, which as a result of activities or relationships with other persons or entities, such person or entity:

1. Is unable or potentially unable to render impartial assistance or advice to WSDOT; or
2. Is or might be otherwise impaired in its objectivity in performing the contract work; or
3. Has an unfair competitive advantage.

SECTION I of this disclosure statement describes the potential Organizational Conflicts of Interest, as defined in Secretary’s Executive Order E-1059.00. SECTION II of this disclosure statement describes the management plan for avoiding or neutralizing the potential Organizational Conflicts of Interest as described in SECTION I of this disclosure statement. I acknowledge that the Washington State Department of Transportation (WSDOT) may require revisions to the management plan described in SECTION II of this disclosure statement prior to approving it, and that WSDOT has the right, in its sole discretion, to limit or prohibit my involvement in the Project as a result of the potential conflicts of interest described in SECTION I of this disclosure statement.

SECTION Ia – Name of Person or Firm Potentially Conflicted

SECTION Ib – Current Project Name and Scope of Work

SECTION Ic – Future Project Name and Description of Potential Conflicts Of Interest

SECTION II - Plan for Managing Potential Conflicts Of Interest

Signed _____ Date _____

Printed Name and Title _____

Appendix B2 – OCOI Certification Form

Organizational Conflicts of Interest Certification

(Name of Submitter _____)

My signature below certifies that, prior to submitting this SOQ, I have conducted an internal review of Submitter’s current affiliations and have required Submitter’s team members to identify potential, real or perceived Organizational Conflicts of Interest relative to the anticipated procurement, in accordance with the Secretary’s Executive Order E-1059.00 and the WSDOT *Organizational Conflicts of Interest Manual M-3043*.

I further certify that “*Organizational Conflicts of Interest Disclosure and Avoidance/Neutralization Plan*” forms are attached, as listed below, for all real or potential organizational conflicts of interest as defined in the WSDOT *Organizational Conflicts of Interest Manual M-3043* for all Submitter team members.

Signed _____ Date _____

Printed Name and Title _____

List Attachments by name of person or firm potentially conflicted:

