

REQUEST FOR
QUALIFICATIONS (RFQ)

I-405/I-5 TO SR-169

STAGE 1-WIDENING

DESIGN-BUILD PROJECT

ISSUED: NOVEMBER 8, 2006

STATEMENTS OF QUALIFICATIONS DUE:

DECEMBER 13, 2006



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**WASHINGTON STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR QUALIFICATIONS**

I-405/I-5 to SR-169 Stage 1-Widening

1.0 Introduction

1.1 Request for Qualifications

The Washington State Department of Transportation (WSDOT) is requesting Statements of Qualifications (SOQs) from entities (Submitters) interested in submitting proposals for the I-405, I-5 to SR 169, Stage 1 Design-Build Project (Project) located in Renton and Tukwila, Washington. By submitting an SOQ, Submitters agree to be bound by the requirements of this Request for Qualifications (RFQ).

1.2 Submitter Information

Each Submitter shall provide WSDOT's Contract Ad & Award Office with the name, address, phone number, fax number, and e-mail address of its contact person. WSDOT will distribute addenda and other communications directly to the identified contact person. This information will also be posted on the WSDOT website. The contact person is responsible for distributing copies within their team.

The SOQ shall be submitted to Ken Walker. His contact information is provided below.

Ken Walker
WSDOT Contract Ad and Award Office
P.O. Box 47360
Olympia, WA 98504-7360
Email: walkeke@wsdot.wa.gov

For all other project matters, the WSDOT contact person listed in Section 2.3 will be the single point of contact throughout the RFQ process.

2.0 Procurement Process

2.1 Process Overview

WSDOT will use a two-step procurement process to select a design-build contractor (Design-Builder) to deliver the Project. This RFQ is issued as part of the first step to solicit information in the form of SOQs. WSDOT will evaluate submitted SOQs to determine which Submitters are the most highly qualified to successfully deliver the Project. WSDOT's goal is to short-list to three highly qualified Submitters.

In the second step, WSDOT will issue a Request for Proposal (RFP) for the Project to the short-listed Submitters. Only the short-listed Submitters will be eligible to submit

proposals for the Project. Each short-listed Submitter that submits a proposal in response to the RFP is referred to herein as a “Proposer.” WSDOT may award a design-build contract for the Project to the Proposer offering the best value, to be determined as described in the RFP.

WSDOT will pay a stipend to all non-successful Proposers that submit a responsive RFP proposal.

Timing of this RFQ coincides very closely with the selection of a Design-Builder for the I-405, 112th Ave. SE to SE 8th St. Widening Project (Bellevue Project). See the schedule of dates listed below in Table 2.1. WSDOT expects to announce the apparent best value proposal for the Bellevue Project noted above on February 14, 2007 and the short list of firms on this Project on February 15, 2007. Because of overlapping schedules between the two projects, WSDOT has determined that the Submitters may wish to provide two project management teams with this proposal.

Submitters only interested in this Project are not required to submit two project management teams.

If a Submitter is selected on the Bellevue Project and does not submit an alternative project management team for this RFQ, their SOQ may not be considered for short listing for this Project unless a project management plan clearly demonstrates how the team will be successful as identified in Section 6.3. A Submitter may choose to submit two project management teams if they are interested in being considered during the evaluation of this RFQ and they are proposing on the Bellevue Project. Or, a submitter may choose to submit a combined project management team for both the Bellevue Project and for this Project. If the Submitter chooses to propose a combined project management team, then their submittal should meet the requirements of the primary team submittal (see Section 5.2).

If two separate project management teams are submitted, the Submitter shall indicate which team is the primary team and which team is the secondary team (see Section 5.2). Both project teams will be scored during WSDOT’s SOQ evaluation process. The score for the secondary team will only be used in the event that the Submitter is short listed on this Project and is the apparent best value proposer on the Bellevue Project, and the Submitter states to WSDOT that they are not interested in proposing a combined project management team.

WSDOT may cancel or re-advertise this procurement at its discretion.

2.2 Procurement Schedule

The deadline for submitting RFQ questions and the SOQ are stated below. WSDOT also anticipates the following additional procurement milestone dates. This schedule is subject to revision by the RFP and addenda to this RFQ.

Table 2.1

Action	Dates
Issue RFQ	November 8, 2006
Deadline for submitting written questions for the voluntary Submitters meeting	November 28, 2006
Voluntary meeting for potential Submitters	November 30, 2006
Deadline for submitting RFQ questions	December 6, 2006
SOQ due date	December 13, 2006
Notify short-listed Submitters	February 15, 2007
Issue RFP * **	February 16, 2007
Mandatory RFP meeting* **	March 8, 2007
Proposals due * **	May 14, 2007
Announce Apparent Best Value* **	June 13, 2007

* Short-Listed teams only.

**Dates may change.

2.3 WSDOT Point of Contact

As of the advertisement date for this RFQ, WSDOT has not yet selected a Project Engineer. Until that selection process is complete, WSDOT's Construction Manager for this section of I-405, Philip A. Fordyce, is WSDOT's sole contact person and addressee for receiving all communications from potential Submitters about the Project. Submitters may contact WSDOT's contact person by letter, phone, or e-mail as follows:

Philip A. Fordyce, P.E.
Washington State Department of Transportation
600 – 108th Ave. NE, Suite 405
Bellevue, WA 98004
Phone: (425) 456-8590
E-mail: fordyce@wsdot.wa.gov

2.4 Ex Parte Communications

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

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

2.5 Voluntary Meeting for Potential Submitters

On the date indicated in the schedule in Section 2.2, WSDOT will hold an informational meeting for potential Submitters regarding this RFQ. Attendance at this meeting is not a prerequisite to being a Submitter. The meeting will be held from 8:30 A.M. to 10:30 A.M. at the following location:

Renton City Hall
Council Chambers – 7th Floor Conference Room
1055 South Grady Way
Renton, WA 98055

Directions to the Renton City Hall are available on the Project website at <http://www.wsdot.wa.gov/Projects/i405/I5toSR169/>

2.6 Questions and Clarifications, Addenda

Questions and requests for clarification regarding this RFQ shall be submitted in writing to WSDOT's contact person as described in Section 2.3. To be considered, all questions and requests must be received by 4:00 P.M., Pacific Time, on the date indicated in Section 2.2.

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

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

- Questions and requests for clarification will be posted, as soon as they are received, to WSDOT's Contract Ad and Award website. <http://www.wsdot.wa.gov/biz/contaa/>.

- WSDOT will answer questions and requests for clarification by posting a response on its Contract Ad and Award website.
- WSDOT will send an e-mail notification to the contact person for each Submitter as soon as each addendum, response, or group of responses is issued. The notification will include an electronic copy of the addendum or clarification when possible.

The Submitter shall acknowledge receipt of all addenda by completing and providing Form A in Appendix A of the RFQ.

3.0 Scope of the Project

3.1 Estimated Cost

The estimated design-build cost of the Project is \$80 million to \$90 million.

3.2 Time for Completion

WSDOT anticipates I-405 and SR-167, and the associated ramps will be open to traffic by December 31, 2009. WSDOT also requires that the SB SR-167 High Occupancy Toll/High Occupancy Vehicle work be complete and available to other contractors no later than January 18, 2008. All work shall be substantially complete by June 30, 2010.

3.3 WSDOT Values and Project Goals

WSDOT is focused on providing congestion relief and safety improvements along the I-405 corridor. By continuing to take a comprehensive approach to developing solutions, the I-405 Corridor Program and its specific projects will continue to provide effective solutions to the traveling public.

The following information describes WSDOT's core Values:

- safety;
- project delivery (on time, on budget, quality products and services);
- accountability; and
- effective and transparent communication.

With the above owner values in mind, WSDOT has established the following project specific Goals:

1. Goal 1, Project Schedule - provide capacity improvements as soon as possible;
2. Goal 2, Minimize Impacts - minimize inconvenience to the public and maximize safety during construction;
3. Goal 3, Quality - meet or exceed technical quality requirements for design and construction through implementation of clear and thorough quality assurance and quality control processes; and

4. Goal 4, Permit Compliance - meet or exceed environmental requirements with no permit violations by adopting WSDOT's permitting and environmental compliance standards.

3.4 Project Scope and Status

The following Project scope is provided to Submitters to assist in developing a team with the expertise that is required for the Project. The Design-Builder shall be responsible for management, design, and construction of the Project. The design and construction by the Design-Builder shall be in accordance with applicable WSDOT guidelines and standards as required by the RFP. WSDOT's intent is to allow flexibility in design and construction to accommodate processes, procedures, and innovative techniques that are preferred by the Design-Builder, as long as they are consistent with site conditions, good engineering practices, context sensitive solutions, the environmental decisions documents and permits, other standards, guidelines, procedures identified in the RFP, and WSDOT's project specific goals. The scope of work for the Project, presented in this RFQ, may or may not be the final scope of work as presented in the RFP.

The Submitter shall consider WSDOT's intent to co-locate owner representatives with staff from the Design-Builder. Specifics of these requirements will be further identified during the RFP phase.

The Submitter is also alerted to the fact that there are up to three fish windows permitted in the allocated contract time. There may be schedule benefits to pursue foundation and in water work, for the north side widening of the I-405 structure that crosses Springbrook Creek, during the first permitted fish window.

The Project will add one general-purpose lane in each direction on I-405 and one general-purpose lane southbound (SB) on SR-167. The freeway improvements include:

- adding an I-405 northbound (NB) general-purpose lane from the I-5 on-connection to the SR-167 off-connection;
- adding an I-405 SB general-purpose lane from the SR-167 on-connection to the I-5 off-connection;
- constructing an SR-167 SB auxiliary lane from the I-405 on-connection to the SW 41st St. off-connection; and
- extending the existing SB SR-167 High Occupancy Vehicle lane north to I-405 (from its present starting point near SW 21st St.).

The addition of the new lanes on I-405 includes replacing the existing I-405 crossings with a single structure over Springbrook Creek and Oakesdale Ave. The new crossings will be compatible with the I-405 Corridor Master Plan alignment, north of the current I-405 alignment.

In addition to the added lanes on I-405, the Project rebuilds the on-connection from Tukwila Parkway to NB I-405 to match the widened mainline where it becomes the

beginning of the NB I-405 auxiliary lane. The Project also reconfigures the I-405 on and off connections at SR-167. Project improvements at the SR-167 interchange include:

- modifying the single lane off-connection from NB I-405 to SB SR-167 to a two lane off-connection with a dedicated lane to SB SR-167 and a dedicated lane to NB Rainer Avenue;
- separating the on-connections from SR-167 to NB I-405 from one on-connection to two on-connections, so that the SB SR-167 to NB I-405 loop connection and the NB SR-167 to NB I-405 on-connection merge into the I-405 mainline at separate locations; and
- separating the on-connection from SR-167 to SB I-405 into two on-connections; one with the NB SR-167 to SB I-405 loop connection becoming the SB I-405 auxiliary lane and one with the SB SR-167 to SB I-405 connection merging into the I-405 mainline.

Other Project elements include:

- reinforcing an existing 96-inch water main;
- removing the existing Springbrook Creek box culvert and restoring the stream channel;
- replacing traffic barrier and widening the deck on I-405 structures over the BNSF Railway Company and Union Pacific Railroad Company railroad lines;
- completing SB SR-167 High Occupancy Toll/High Occupancy Vehicle lane, including striping and infrastructure work for others to install operations system components, between I-405 and S. 180th Street; work shall be completed prior to January 18, 2008; and
- other elements that are typical for interstate widening projects, such as: storm drainage, Intelligent Transportation Systems, and illumination systems.

4.0 Teaming Parameters

The following section describes requirements that Submitters shall satisfy in submitting SOQs. Failure of the Submitter to meet these requirements may result in rejection of its SOQ.

4.1 Major Participant

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

- a. the Submitter or, if the Submitter is a partnership, joint venture, limited liability company or other form of association, any general partners, joint venture members or members of the Submitter;
- b. all individuals, persons, proprietorships, partnerships, limited liability partnerships, corporations, professional corporations, limited liability companies,

business associations, or any other legal entity however organized, holding (directly or indirectly) a 15 percent or greater interest in the Submitter;

- c. the lead engineering/design firm(s);
- d. each engineering/design sub-consultant that shall perform 30 percent or more of the design work; and/or
- e. each subcontractor shall perform 20 percent or more of the construction work.

4.2 WSDOT Consultant/Technical Support

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

4.3 Organizational Conflicts of Interest

WSDOT will take steps to ensure that individuals involved in preparation of the 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. The Federal Highway Administration has defined "organizational conflict of interest" in 23 CFR Section 636.116 as follows:

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

Attention is directed to the requirement for disclosure of organizational conflicts of interest set forth in 23 CFR Section 636.116(a) (2), applicable to federal-aid procurements. WSDOT has determined that such disclosure is appropriate for non-federally funded projects as well. Submitters are required to identify any potential organizational conflicts of interest in the SOQs.

If an organizational conflict of interest is determined to exist, WSDOT may, at its discretion, offer the opportunity to correct the organizational conflict of interest, disqualify the Submitter from further participation in the procurement, cancel this procurement or, if award has already occurred, WSDOT may cancel the Contract. If the Submitter was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to WSDOT, WSDOT may terminate the contract for default. WSDOT may also disqualify a Submitter if any of its Major Participants listed in category (a), (b) or (c) of Section 4.1 belong to more than one Submitter organization.

4.4 Team Continuity and Changes to Organizational Structure

Following submittal of the SOQ, Key Personnel or Major Participants identified in the SOQ may not at any time be removed, replaced or added without the written approval of WSDOT's contact person. The WSDOT contact person may revoke the short-list status of a Submitter if any Key Personnel or Major Participant identified in the SOQ is removed, replaced or added to without written approval of WSDOT's contact person. To qualify for said approval, the written request shall document that the proposed removal, replacement or addition will be equal to or better qualified than the Key Personnel or Major Participant provided in the SOQ. The WSDOT contact person will use the criteria specified in this RFQ to evaluate all requests. Requests for removals, replacements and additions shall be submitted in writing as described in Section 2.3.

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 EEO policies at all contracting levels will be set forth in the RFP.

4.6 Minority and Women's Business Enterprises Participation

WSDOT encourages participation in all of its contracts by Minority and Women's Business Enterprises (MWBE) as certified by the Office of Minority and Women's Business Enterprises (OMWBE) and defined in WAC 326-02-030. WSDOT anticipates establishing voluntary goals for MWBE participation for the Project. The participation goals will be set forth in the RFP. Nevertheless, unless required by federal law, no preference will be included for meeting goals in the evaluation of proposals, no minimum level of MWBE participation shall be required as a condition for receiving an award, and proposals will not be rejected or considered non-responsive due to a failure to meet goals. Bidders may contact OMWBE to obtain information on certified MBE/WBE firms.

5.0 Submittal Logistics 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

All 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 Project Schedule shown in Section 2.2 of this RFQ:

- By U.S. mail: Washington State Department of Transportation, Post Office Box 47360, Olympia, WA 98504-7360, Attn: Ken Walker. WSDOT will consider notification of bid receipt by the Mail Room as the actual receipt of the SOQ.
- By hand (in person or by courier) to the WSDOT Contract Ad & Award Office, Room 1A23 located at the Transportation Building, 310 Maple Park Ave. SE, Olympia, WA 98504-7360. SOQs delivered in person will be received only in the Contract Ad & Award Office Room 1A23.

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 5.2 Organization

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

Table 5.1

Section	Section Title and Required Information	Maximum Pages	
		Primary Team	Secondary Team *
	RFQ Project Management Teams (see Section 2.1)		
1	Introduction Letter <ul style="list-style-type: none"> ▪ Introduction Letter 	2	
2	Key Personnel (project, construction, and design managers) <ul style="list-style-type: none"> ▪ Address how the Key Personnel have met or exceeded similar project goals and requirements 	3	3
3	Collective Team as a Whole <ul style="list-style-type: none"> ▪ Demonstrate how the experience of the firms submitted in the RFQ will be combined together to successfully deliver the project 	2	2

Table 5.1

Section	Section Title and Required Information	Maximum Pages	
4	Project Experience (design and construction firms) <ul style="list-style-type: none"> ▪ Address how the firm's collective experiences on previous projects has met or exceeded goals and requirements similar to those identified for this project 	8	
Appendix A	Resumes of Key Personnel <ul style="list-style-type: none"> ▪ Resumes of Key Personnel (limit to 2 pages per person) 	6	6
Appendix B	Legal <ul style="list-style-type: none"> ▪ Legal structure and supporting documents ▪ If JV, statement of joint and severable liability ▪ Conflict of Interest Information 	As required As required As required	
Appendix C	Financial <ul style="list-style-type: none"> ▪ Surety Letters ▪ History of Bonding Companies 	As required	
Appendix D	Forms <ul style="list-style-type: none"> ▪ Form A: Acknowledgment of Receipt of Addenda 	1	

* Secondary Team submittal only required for Submitters who are proposing on the I-405 – 112th Ave SE to SE 8th St. Widening Project and who wish to be considered for the I-405/I-5 to SR-169 Stage 1-Widening Project – see Section 2.1

5.3 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 twelve points in size, and single-spaced. The type style and size of headings and figures are not prescribed.
- **Photos:** No photos will be allowed except for on the cover of the submittal.
- **Page Size:** Except for charts, exhibits and other illustrative and graphical information, all information shall be printed on 8.5-inch x 11-inch 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-inch x 11-inch 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 team name of the Submitter, along with the language:

I-405,I-5 to SR-169 Stage 1
Design-Build Project
Statement of Qualifications
[date of submittal]

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

5.4 Quantities

Each Submitter must provide WSDOT with:

- one original unbound SOQ bearing original signatures;
- one electronic copy of the SOQ in PDF format on a CD with the sections and subsections bookmarked; and
- 15 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 15 Copies.”

The unbound original, the copies, and the CD 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;
- date of submittal;
- contents labeled as “I-405/I-5 to SR-169 Stage 1-Widening,” “Design-Build Project,” and “Statement of Qualifications”; and
- addressed to WSDOT’s Contract Ad and Award Office, as identified in Section 5.1.

6.0 Content Of Statement Of Qualifications

The Statement of Qualifications shall include the following information.

6.1 Section 1. Introduction Letter

The SOQ shall include an Introduction Letter stating, among other things, the business name, address, business type (e.g., corporation, partnership, joint venture), or anticipated business type, and roles of the Submitter and each Major Participant. The Introduction Letter shall identify one contact person along with the other information identified in Section 1.2. This Introduction Letter should help familiarize individuals who will be reviewing the SOQ with the overall layout of the SOQ.

The Introduction Letter shall be signed by an authorized representative(s) of the Submitter. The letter shall certify the truth and correctness of the contents of the SOQ. This information will be used to identify the Submitter and its designated contact, and will be reviewed on, a pass/fail basis only, and not as part of the qualitative assessment of the SOQ.

In addition to the contact information above, the Introduction Letter shall contain the following information:

- the Submitter's expression of interest in being selected for the Project;
- a statement that the Submitter, or at least one Major Participant who is performing construction and is included in category (a) of the definition of Major Participants (Section 4.1a), is pre-qualified with WSDOT for work class 1 or 6 in the amount of \$20 million or more;
- a statement that the Submitter shall comply with all applicable federal, state, and local laws and regulations;
- a brief summary of SOQ Sections 2 and 3; and
- a summary of the Submitter's qualifications and why its team should be selected and why their Design-Build team is the best qualified to meet the Project Goals.

The Introduction Letter shall be addressed to the WSDOT Point of Contact identified in Section 2.3 of this RFQ.

6.2 Section 2. Key Personnel

The purpose of this section is to demonstrate the Submitter's understanding of how the experience of the Key Personnel contributes to the overall success of this Project and meets the Project Goals defined in Sections 3.3 and 6.4. The Submitter shall present the Key Personnel (Project Manager, Design Manager, and Construction Manager) and why their experience makes them uniquely qualified as a team to lead the Project. It is critical for this submitted information to describe how the experience of the Key Personnel demonstrates that they understand WSDOT's value and can successfully deliver the Project Goals stated in Sections 3.3 and 6.4. This Section should include the names, titles, and classifications of Key Personnel for the Project.

Resumes for Key Personnel only shall be provided in Appendix A.

Project Manager -

The Design-Builder's Project Manager shall be responsible for the overall design, construction, schedule, budget, quality management, and contract administration for the Project. This person shall be assigned to the Project full-time.

Construction Manager -

The Construction Manager shall be responsible for the overall structure and roadway construction for the Project. This person shall be assigned to the Project full time during construction activities.

Design Manager -

The Design Manager shall be responsible for ensuring that the overall Project design is completed and design criteria are met. The Design Manager shall be on site whenever design activities are being performed and shall be available as needed during construction activities. The Design Manager shall be a registered professional engineer in the State of Washington prior to award of the Design-Build Contract.

6.3 Section 3. Collective Team as a Whole

WSDOT has determined that it is critical for the Design-Builder to provide strong Project team the can meet or exceed the Project Goals. This section of the submittal shall clearly demonstrate how the following requirements will be met:

- how the Project team is structured to ensure a successful project;
- clear organizational channels of control, communication, and decision making;
- why the submitted design-build Project team is best qualified to ensure that this Project is successfully completed and meets or exceeds WSDOT's Values and Project Goals;
- what organizational controls or processes the Design-Builder intends on using and how have these items been successfully used on past projects;
- a co-location plan with WSDOT staff and to integrate Project administration items with the requirements that WSDOT has for Project controls and accounting; and
- how the Design-Builder intends to integrate the various members of their team.
- if the submitter chooses to submit a combined project management for the Bellevue Project and for this Project, the Submitter shall describe how this proposal provides an effective management structure for both projects, as well as demonstrating how the Values and Project Goals for both projects will be met.

6.4 Section 4. Project Experience

To meet the Project Goals, WSDOT seeks a Design-Builder that can demonstrate involvement at similar levels of complexity on urban interstate or major highway projects within the past seven years. This section shall describe the details and complexity of between five and seven examples of urban interstate or major urban highway projects. This section shall include project experience related to design as well as construction. All Major Participants shall have at least one project identified. Job references¹ shall be provided for all projects listed.

To assist WSDOT in evaluating the Submitter’s references and job experience, a suggested presentation format is provided below.

Project Name	Dollar Value	State	Owner	D-B Team Participants			Criteria			Additional Relevance
				Firm A	Firm B	Firm C	Design Build	Major Interstate	Project Staging and/or Scheduling	Similarities/ Benefits to I-405 Project
Sample Project Name	\$\$\$			X	X	X	X	X	X	Project experience that can be related the I-405 Project

In addition to the general project information, the Submitter shall relate relevant project experience to WSDOT’s Project Goals. For the purpose of comparing this section to WSDOT’s Project Goals expressed in Section 3.3, each goal is identified with the areas of project experience that will be scored:

1. Goal 1, Project Schedule - The Submitter shall demonstrate techniques utilized to meet or exceed project scheduling requirements including: coordination with other projects, meeting critical milestone dates, providing operational segments to highway users as soon as possible, and techniques used to track progress of work and contract payments.
2. Goal 2, Minimize Impacts - The Submitter shall clearly demonstrate that they have experience in implementing means and methods to minimize impacts to the traveling public while providing a safe work zone for the traveling public and for contract work.
3. Goal 3, Quality - The Submitter shall provide evidence, based on past work experience, that technical requirements for design and construction were

¹ Job reference information includes: starting date and completion date or anticipated completion date; contractor or design firm being referenced; budget; type of contract (Design-Build or Design-Bid-Build); and references (project owner name, email address, and phone number). All references for the personnel and projects should identify the owner representative who is familiar with the project and personnel that could best answer project specific questions.

exceeded. The Submitter shall clearly demonstrate the following: the ability to plan, execute, and manage a quality management plan; and the ability to establish and administer a clear process used for approval and certification both during design and construction. .

4. Goal 4, Permit Compliance - The Submitter shall demonstrate the ability to meet or exceed environmental regulations with no permit violations. WSDOT is extremely interested in understanding the Submitter's ability and awareness of the need to manage construction work in order to minimize environmental risks. The Submitter shall clearly demonstrate the ability to actively manage a construction work site to achieve environmental compliance. As an owner, WSDOT will not tolerate construction risks taken in means and methods that could potentially jeopardize permit compliance or does not meet the spirit and intent of the permits obtained for this project.

See Table 5.1 for page limits.

6.5 Appendix A. Resumes

Resumes should highlight the following information:

- relevant licensing, education, training, and registration/certification;
- years of experience performing similar work; and
- actual work examples relevant to this Project, including projects, duties performed, and percent of time on the job.

See Table 5.1 for page limits.

6.6 Appendix B. Legal

The Submitter shall provide a description of the legal entity proposed to be the Design-Builder. If the Submitter's legal entity has already been formed, the Submitter shall provide complete copies of the organizational documents along with those documents that allow, or would allow by the time of contract award, the Submitter and its team members to conduct business in the State of Washington. If the Submitter's legal entity has not yet been formed, the Submitter shall provide a brief description of the proposed legal structure and provide draft/final copies of the underlying agreements. Once the legal entity is finalized, the Submitter shall supplement its SOQ with copies of the final organizational documents. Such organizational documents shall be submitted no later than fifteen calendar days before the Proposal due date as described in the RFP.

In the case where the Submitter is a joint venture, limited liability company, partnership, or other association, the Submitter shall provide an express statement from each of the partners/members as to their joint and severable liability on the Project. WSDOT Standard Form 410-009 *Individual Project Statement of Joint Venture* shall be used. This form is available for download at: <http://www.wsdot.wa.gov/biz/contaa/prequal/>.

In the instructions to Form 410-009, the requirement for prequalification applies to those firms performing construction work on the Project (e.g., contractors). The

prequalification requirement does not apply to joint venture members providing design and engineering services only.

Interested Submitters not currently prequalified with WSDOT should contact:

Ken Walker, WSDOT Prequalification Office, P.O. Box 47360, Olympia, WA 98504-7360. Phone (360) 705-7017.

6.7 Appendix C. Requirements of Financial Information to be Submitted

The Submitter shall provide a letter from a surety or insurance company stating whether or not the Submitter is capable of obtaining proposal, contract, and warranty bonds as indicated in the table below.

Proposal Bond/Security	Contract Bond/Security	Warranty* Bond/Security
\$4,500,000	\$90,000,000	\$7,000,000

*The warranty period is expected to be two years.

A contract bond is an approved form of security furnished by the Design-Builder and the Design-Builder's surety that guarantees performance of the work and payment to anyone who provides supplies or labor for the performance of the work and performance as required under the warranty requirements of the design-build contract.

The letter shall also specifically state that the surety/insurance company has evaluated the backlog and work in progress of the Submitter and its principal members in determining the Submitter's capability to obtain bonds. Letters indicating "unlimited" bonding capability are not acceptable. The surety or insurance company providing such letter must be authorized to do business in the State of Washington with an A.M. Best Co. "Best's Rating" of A- or better.

6.8 Appendix D. Forms

Include Form A, *Acknowledgement of Receipt of Addenda*.

7.0 Evaluation Process

7.1 SOQ Evaluation

This section outlines the general scoring WSDOT will use for the RFQ phase of the procurement. If the information provided for an evaluation factor is not complete, then the Submitter may be eliminated from further consideration. Scoring will be based on how well the SOQ responds to the requirements described in Section 6 of this RFQ, WSDOT's Project goals described in Sections 3.3 and 6.4, and information collected

from references. Past performance track records will be weighted heavily in the scoring. WSDOT reserves the right to contact references on individuals and projects other than those identified by the design-build firms to evaluate past performance.

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

Table 7.1

	Points (Reference)	Points (SOQ)	Subtotal	Section total
Project Manager	90	80	170	380
Construction Manager	60	60	120	
Design Manager	50	40	90	
Collective Team as a Whole	0	100	100	100
Construction Firm	120	200	320	520
Design Firm	80	120	200	
Subtotal	400	600	Grand Total	1000

7.2 Ranked Evaluation Factors

Numerical scores will be assigned by a WSDOT Evaluation Committee to the evaluation categories shown below.

If a Submitter receives a passing score on all pass/fail evaluation factors, its SOQ will be further evaluated using the ranked criteria. If a Submitter fails on any single pass/fail requirement, the SOQ may be rated as unacceptable, the ranked evaluation factors may not be scored, and the Submitter may not be included on the short-list. In the following sections, the bulleted items are listed in descending order of importance where scoring is applicable.

7.2.1 Section 1. Introduction Letter (Pass/Fail)

- submitter name, address, business type (e.g. corporation, partnership, joint venture)

- a statement that the Submitter, or at least one Major Participant who is performing construction, is prequalified with WSDOT for work class 1 or 6 in the amount of \$20 million or more
- roles of Submitter and each Major Participant
- identification of a single point of contact, address, telephone and fax numbers, and email
- letter is signed by an authorized representative(s)
- letter certifies the truth and correctness of the SOQ
- letter includes all information requested in Section 6.1 of this RFQ

7.2.2 Section 2. Key Personnel (380 Points Maximum)

- Key Personnel that are presented should have a track record of demonstrating good leadership skills, ability to work well with all levels on a project, and successful completion on projects as complex as or more complex than this Project. More complex projects will be scored higher. Past performance records of Key Personnel will be checked by contacting references. See Appendix A.
- Evaluation for project management will be reviewed for consistency with WSDOT's Values and Project Goals.
- Evaluation of the design-build firm that can collectively bring forth the best team.
- Responses to requirements identified in Sections 6.2, and 6.4 will be scored on the ability to meet the WSDOT Values and Project Goals listed in Section 3.3.
- WSDOT experience, interstate or major urban highway experience and/or design-build experience is preferred.
- Required licensure or the ability to be licensed prior to award is required for applicable positions.

7.2.3 Section 3. Collective Team as a Whole (100 Points Maximum)

- This section will evaluate the Submitter's proposal to create a team that can work together to meet the Project Goals.
- The Submitter shall clearly state how the experience and background of the Key Personnel support the Project team and how the roles of those individuals are integrated into the team.
- WSDOT will rate higher those proposals that clearly show an organizational structure that is designed to support design-build contracting, project start-up issues, contract administration items, and WSDOT's desire to have a co-located Project team.

- WSDOT will provide added weight to teams that have worked together in the past.
- The Submitter will be evaluated on how well they demonstrate an organizational structure that supports the requirements identified in Sections 3.3, 6.2, 6.3, and 6.4.

7.2.4 Section 4. Project Experience (520 Points Maximum)

- To meet the Project Goals, WSDOT will more highly rank Submitters demonstrating experience with urban interstate or urban major highway design and construction, bridge design and construction, and design-build experience.
- Teams with experience on projects as complex or more complex as this project will be scored highly. References will be contacted.
- Examples will be scored based on the ability to meet the requirements identified in Sections 3.3, 6.2, 6.3, and 6.4.
- The Submitter is encouraged to clearly show how the various firms submitted shall enhance the Project and help ensure that WSDOT Values and Project Goals outlined in Section 3.3 are met.

7.2.5 Appendix A. Resumes of Key Personnel (will be used in scoring Section 2)

- Information to be evaluated on resumes shall be limited to experience relevant to this Project. Reference checks may be done by e-mail and/or a phone call. The Submitter is encouraged to provide WSDOT times and dates that references will be available. WSDOT will try to reach the references during those the times and dates listed. For planning purposes, the Submitter should indicate reference check availability between December 14, 2006 and January 12, 2007. References shall be from at least three different projects. It is important to make sure the appropriate references are listed that have specific knowledge of the person's experience, project, or company. References that are not knowledgeable of the person, project, or company, may be cause for a lower score if they cannot answer the questions asked. References shall not work for the same company of the person they are referencing. Projects that are referred to shall be at least 75 percent complete as measured by payment.

7.2.6 Appendix B. Legal (Pass/Fail)

- Legal structure documentation
- Statement addressing joint and several liability
- Organizational conflicts of interest information

7.2.7 Appendix C. Financial (Pass/Fail)

- Surety (Bonding) letter(s) that meet requirements

7.2.8 Appendix D. Forms (Pass/Fail)

- Form A, Acknowledgement of Receipt of Addenda.

8.0 Protest Procedures

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

8.1 Protests Regarding RFQ

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

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

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

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

Ken Walker
WSDOT Contract Ad and Award Office
P.O. Box 47360
Olympia, WA 98504-7360

WSDOT will distribute copies of the protest to the other Submitters and may, but need not, request other Submitters to submit statements or arguments regarding the protest and may, in its sole discretion, discuss the protest with the protesting Submitter. If other

Submitters are requested to submit statements or arguments, they may file a statement in support of or in opposition to the protest within seven calendar days of the request.

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

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

8.2 Protests Regarding Responsiveness and Short-listing

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

Notice of protest of any decision to accept or disqualify an SOQ on responsiveness grounds must be filed within five business days after the earliest to occur of: (a) notification of non-responsiveness, (b) the scheduled date for oral meetings and presentations (if any), or (c) the public announcement of short-listed Submitters. Notice of protest of the decision on short-listed Submitters must be filed and actually received by the Protest Official within five business days after the public announcement of the short-listed Submitters.

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

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

Other Submitters may file by hand delivery to the Protest Official a statement in support of or in opposition to the protest. Such statement must be filed within seven calendar

days after the protesting Submitter files its detailed statement of protest. WSDOT will promptly forward copies of any such statements to the protesting Submitter.

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

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

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

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

8.3 Costs and Damages

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

FORM A

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA (To be included in Appendix D of the SOQ)

(Name of Submitter)

We hereby acknowledge receipt of the "I-405/I-5 to SR-169 Stage 1-Widening," Design-Build Project RFQ dated _____, and subsequent addenda and responses to questions by the Washington State Department of Transportation as follows:

ADDENDUM No.

Response to Questions No.

Date Issued

(Signed)

Date

(Printed or Typed Name)

(Title)