

REQUEST FOR QUALIFICATIONS

Washington State Department of Transportation

SR 530 / Skaglund Hill Vic. To C- Post Road Vic. – Emergency Roadway Reconstruction Project

**ISSUED:
April 21, 2014**

**STATEMENTS OF QUALIFICATIONS DUE:
April 25, 2014**

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1 **1.0 INTRODUCTION**

2 **1.1 REQUEST FOR QUALIFICATIONS**

3 The Washington State Department of Transportation (WSDOT) is requesting Statements of
4 Qualifications (SOQ) from entities (Submitters) interested in submitting Design-Build
5 Proposals for the SR 530 / Skaglund Hill Vic to C-Post Road Vic – Emergency Roadway
6 Reconstruction Project (Project) located in Snohomish County, Washington. By
7 submitting an SOQ, Submitters agree to be bound by the requirements of this Request for
8 Qualifications (RFQ). Submitters shall satisfy all requirements specified in this RFQ.
9 Failure of the Submitter to meet these requirements may result in rejection of its SOQ.

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

14 **2.0 CONTACT INFORMATION**

15 **2.1 SUBMITTAL INFORMATION POINT OF CONTACT**

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

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

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

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

34 **2.2 WSDOT TECHNICAL POINT OF CONTACT**

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

38 Hung Huynh, P.E.
39 WSDOT NW Region
40 15700 Dayton Ave N
41 Shoreline, WA 98133

1 Phone: (206) 440-4311
2 Email: HuynhH@wsdot.wa.gov

3 **3.0 PROCUREMENT PROCESS**

4 **3.1 PROCESS OVERVIEW**

5 WSDOT will use a two-step procurement process to select a design-build contractor
6 (Design-Builder) to deliver the Project. Your firm has been selected in accordance with
7 RCW 47.28.170, to receive an RFQ. The issuance of this RFQ is part of the first step to
8 solicit information from potential design-builders in the form of SOQs. Only those firms
9 selected in accordance with RCW 47.28.170 will be eligible to submit an SOQ. WSDOT
10 will evaluate and score submitted SOQs to determine which Submitters are the most highly
11 qualified to deliver the Project. It is WSDOT’s goal to short-list the three most highly
12 qualified Submitters to continue to the second step of the procurement process.

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

19 WSDOT will pay a stipend of \$100,000 to all non-successful Proposers who submit a
20 responsive Proposal.

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

23 **3.2 PROCUREMENT SCHEDULE**

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

26 **Table 3.2 PROCUREMENT SCHEDULE**

Action	Dates
Step 1 – SOQ Phase	
RFQ Issue Date	April 21, 2014
Voluntary Submitter’s Meeting	April 23, 2014
Deadline for submitting RFQ questions	April 23, 2014
Deadline for WSDOT response to RFQ questions	April 24, 2014
SOQ Due Date	April 25, 2014
Notify short-listed Submitters teams	April 29, 2014
Step 2 – Proposal Phase	
Issue RFP	April 29, 2014
Voluntary Proposer’s Meeting	May 1, 2014
ATC Submittal Deadline	May 20, 2014

Action	Dates
Deadline for Submitting Proposers' questions	May 20, 2014
Deadline for WSDOT response to Proposers' questions	May 23, 2014
Proposals Due	May 27, 2014
Announce Best Value Proposer	May 30, 2014
Estimated Notice to Proceed	June 3, 2014

1

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

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

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

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

- 10 • Questions and requests for clarification will be made available to Submitters.
- 11 • WSDOT will answer questions and requests for clarification.
- 12 • WSDOT will notify the contact person for each Submitter as soon as each
13 addendum, response, or group of responses is issued. When possible, the
14 notification will include an electronic copy of the addendum or clarification.

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

19 **3.4 EX PARTE COMMUNICATIONS**

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

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

1 **3.5 VOLUNTARY MEETING FOR POTENTIAL SUBMITTERS**

2 WSDOT will hold an informational meeting for potential Submitters regarding this RFQ
3 on the date indicated in Table 3.2. Attendance at this meeting is not a prerequisite to being
4 a Submitter. The meeting will be held from 1:30 p.m. to 3:00 p.m. at the following
5 location:

6 WSDOT NW Region Headquarters
7 Cafeteria Conference Room
8 15700 Dayton Ave N
9 Shoreline, WA 98133

10 **3.6 WSDOT’S RIGHTS**

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

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

31 **4.0 SCOPE OF THE PROJECT**

32 **4.1 ESTIMATED COST**

33 The estimated Contract cost of the Project is approximately \$20,000,000 to \$35,000,000.

1 **4.2 TIME FOR COMPLETION**

2 WSDOT anticipates that the Project will be Substantially Complete by October 1, 2014 or
3 sooner, if possible.

4 **4.3 WSDOT'S PROJECT GOALS**

5 It is WSDOT's expectation that the Design-Builder will design and construct the Project in
6 consideration of WSDOT's Project goals.

7 WSDOT has established the following goals for the Project. These goals are considered
8 equal in importance:

- 9 1) Minimize Impacts – Minimize impacts to the traveling public and the local
10 community through use of effective design and construction methods.
- 11 2) Restore Mobility Early – Open two lanes of traffic as soon as possible and not later
12 than October 1, 2014.
- 13 3) Collaboration – A project team that partners effectively with WSDOT to identify
14 issues early in the schedule and efficiently develops positive solutions at the
15 project level.

16 **4.4 PROJECT SCOPE AND STATUS**

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

28 It is expected that this Project will be funded with FHWA emergency funding.

29 The Project shall reconstruct SR 530 from the vicinity of Skaglund Hill to the vicinity of
30 C-Post Road in Snohomish County.

31 The highway improvements shall include, but are not limited to, the following:

- 32 • Reconstruct approximately 1.6 miles of SR 530 within existing ROW, from MP
33 36.8 to MP 38.4, including grading, erosion control, retaining walls, and HMA
34 paving.
- 35 • Raise the roadway profile approximately 10 feet from approximately MP 37.5 to
36 MP 38.4
- 37 • Construct approximately five fish passage culverts and other drainage structures.
- 38 • Maintain one-way public traffic on SR 530 24 hours per day during construction.
- 39 • Slide material may not be used for any part of the Project's construction.

1 **5.0 TEAMING PARAMETERS**

2 **5.1 MAJOR PARTICIPANT**

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

- 4 A. The Submitter, or if the Submitter is a partnership, joint venture, limited liability
5 company, or other form of association, any general partners, joint venture
6 members, or members of the Submitter.
- 7 B. The entity providing WSDOT pre-qualification in accordance with Section 7.4 of
8 this RFQ.
- 9 C. The lead engineering/design firm.
- 10 D. The firm or personnel who will be performing quality assurance inspection and
11 materials quality testing and documentation for the Project.
- 12 E. Each Subcontractor who is expected to perform 20 percent or more of the
13 construction Work.

14 **5.2 WSDOT CONSULTANT/TECHNICAL SUPPORT**

15 This Section has been intentionally omitted.

16 **5.3 ORGANIZATIONAL CONFLICTS OF INTEREST**

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

- 19 1. Is unable or potentially unable to render impartial assistance or advice to WSDOT;
20 or
- 21 2. Is or might be otherwise impaired in its objectivity in performing the Contract
22 Work; or
- 23 3. Has an unfair competitive advantage.

24 The integrated nature of the design-build project delivery method creates the potential for
25 organizational conflicts of interest. Disclosure, evaluation, neutralization, and
26 management of these conflicts and of the appearance of conflicts is in the interest of the
27 public, WSDOT, and the consulting and construction communities.

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

32 Attention is directed to the requirement for disclosure of organizational conflicts of interest
33 set forth in 23 CFR Section 636.116(a) (2), WSDOT Secretary’s Executive Order E-
34 1059.00, and WSDOT Organizational Conflicts of Interest Manual. Submitters are
35 required to identify any potential organizational conflicts of interest in Appendix C of the
36 SOQ.

37 Submitters are required to disclose all relevant facts concerning any past, present, or
38 currently planned interests, activities, or relationships which may present an organizational
39 conflict of interest. Submitters shall state how their interests, activities, or relationships, or
40 those of the chief executives, directors, key project personnel, or any proposed Consultant,

1 Sub-Consultant at any tier, contractor, or subcontractor at any tier may result, or could be
2 viewed as, an organizational conflict of interest prior to or in the SOQ, in accordance with
3 Secretary’s Executive Order E-1059.00 and WSDOT Organizational Conflicts of Interest
4 Manual (M 3043). Submitters shall submit the *Organizational Conflicts of Interest*
5 *Certification* and *Organizational Conflicts of Interest Disclosure and*
6 *Avoidance/Neutralization Plans* (forms contained in Appendix A) as described elsewhere
7 in this RFQ.

8 If an Organizational Conflict of Interest is determined to exist, WSDOT may, at its sole
9 discretion: offer the Submitter the opportunity to avoid or neutralize the Organizational
10 Conflict of Interest; disqualify the Submitter from further participation in the procurement;
11 cancel this procurement; or, if award has already occurred, declare the Proposal non-
12 responsive and award the Contract to the next responsive best value Proposer, or cancel the
13 Contract. If the Submitter was aware of an Organizational Conflict of Interest prior to
14 award of a Contract and did not disclose the conflict to WSDOT, WSDOT may terminate
15 the Contract for default. WSDOT may also disqualify a Submitter if any of its Major
16 Participants listed in Categories A, B, C, or D in Section 5.1 belong to more than one
17 Submitter organization.

18 The Submitters shall complete Form B1, Organizational Conflict of Interest Certification,
19 which is included in Appendix A of this RFQ. If necessary, the Submitters shall also
20 complete Form B2, Organizational Conflicts of Interest Disclosure, which is included in
21 Appendix A of this RFQ. The completed Form B1 (and B2 if necessary) shall be included
22 in the SOQ submittal package as Appendix C to the SOQ.

23 **5.4 TEAM CONTINUITY AND CHANGES TO ORGANIZATIONAL** 24 **STRUCTURE**

25 Following submittal of the SOQ, Key Personnel or Major Participants identified in the
26 SOQ may not at any time be removed, replaced, or added without the written approval of
27 WSDOT’s Technical Point of Contact. WSDOT’s Technical Point of Contact may revoke
28 the short-list status of a Submitter if any Key Personnel or Major Participant identified in
29 the SOQ is removed, replaced, or added without written approval of WSDOT’s Technical
30 Point of Contact. Requests for removal, replacements, and additions shall be submitted in
31 writing. To qualify for approval, the written request shall document that the proposed
32 removal, replacement, or addition will be equal to or better qualified than the Key
33 Personnel or Major Participant provided in the SOQ. WSDOT’s Technical Point of
34 Contact will use the criteria specified in this RFQ to evaluate all requests.

35 **5.5 EQUAL EMPLOYMENT OPPORTUNITY**

36 Discrimination in all phases of contracted employment, consultant activities, contracting
37 activities and training is prohibited by Title VI of the Civil Rights Act of 1964, Section
38 162(a) of the Federal-Aid Highway Act of 1973, Section 504 of the Rehabilitation Act of
39 1973, the Age Discrimination Act of 1975, the Justice System Improvement Act of 1979,
40 the Americans with Disabilities Act of 1990, the Civil Rights Restoration Act of 1987, 49
41 CFR Part 21, the Washington State Law Against Discrimination, RCW 49.60, and other
42 related laws and statutes. The referenced legal citations establish the minimum
43 requirements for affirmative action efforts and define the basic nondiscrimination
44 provisions as required by this RFQ. Further requirements and discussions regarding Equal
45 Employment Opportunity policies at all contracting levels will be set forth in the RFP.

1 **5.6 DISADVANTAGED, MINORITY, AND WOMEN-OWNED BUSINESS**
2 **ENTERPRISES PARTICIPATION**

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

7 The Disadvantaged Business Enterprise (DBE) requirements of 49 CFR Part 26 apply to
8 this Contract. The DBE goal will be provided in the RFP. The successful Proposer will
9 need to meet or provide documentation of good faith effort to meet this goal.

10 Proposers may contact OMWBE to obtain information on certified D/M/WBE firms.
11 Information about certification as a D/M/WBE may be obtained by contacting OMWBE at
12 (360) 753-9693.

13 **5.7 TRAINING**

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

17 **6.0 SUBMITTAL QUANTITIES AND LOGISTICS**

18 **6.1 SOQ SUBMITTAL QUANTITIES**

19 Each Submitter shall provide the following:

- 20 • One original unbound SOQ showing original signatures;
21 • One electronic copy of the SOQ in PDF format on a CD/DVD with the Sections
22 and Subsections bookmarked; and
23 • Five hard copies of the SOQ.

24 The original shall be identified as the original on its front cover in colored ink. Each hard
25 copy shall be identified on its front cover, in the upper right-hand corner, as “Copy X of
26 5 Copies.”

27 The unbound original, hard copies, and CD/DVD shall be packed together in one sealed
28 package for delivery to WSDOT. The outside of the sealed package shall be clearly
29 identified, labeled, and addressed with the following:

- 30 • A return address including the Submitter’s name, contact person’s name, and
31 mailing address;
32 • The address of WSDOT’s Contract Ad & Award Office, as indicated in
33 Section 2.1;
34 • "SR 530 / Skaglund Hill Vic to C-Post Road Vic – Emergency Roadway
35 Reconstruction Project,” “Design-Build Project,” and “Statement of
36 Qualifications”; and
37 • The date of the submittal.

1 **6.2 DUE DATE, TIME, AND LOCATION**

2 All sealed SOQs shall be received at one of the following locations prior to 11:00 a.m.,
3 Pacific Time, on the SOQ Due Date indicated in Table 3.2:

4 **By U.S. mail:**

5 Jenna Fettig
6 WSDOT Contract Ad & Award Office
7 P. O. Box 47360
8 Olympia, WA 98504-7360

9 WSDOT will consider notification of bid receipt by the WSDOT Mail Room as the actual
10 receipt of the SOQ.

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

12 WSDOT Contract Ad & Award Office
13 Transportation Building, Room 2D-20
14 310 Maple Park Avenue SE
15 Olympia, WA 98501-7360

16 SOQs delivered in person will be received only in the WSDOT Contract Ad & Award
17 Office, Room 2D-20.

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

21 **6.3 WITHDRAWAL OF SOQ**

22 After submitting an SOQ to WSDOT, the Submitter may withdraw the SOQ if the
23 following occurs:

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

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

29 **7.0 SOQ CONTENT AND EVALUATION CRITERIA**

30 This Section outlines the requirements of each Section of the SOQ and how each Section
31 will be scored.

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

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

1 The SOQ shall demonstrate, through project experience, the ability of the Key Personnel
 2 and Major Participants to successfully complete the Project and meet the Project goals.
 3 WSDOT reserves the right to contact references for individuals and projects other than
 4 those identified by the Submitters to evaluate past performance.

5 **7.1 QUALITATIVE EVALUATION PROCESS**

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

- 7 • The WSDOT evaluation committee will review each SOQ identifying significant
 8 and minor strengths, and significant and minor weaknesses of the Submittals. The
 9 Evaluation Committee may also use a "high" or "low" prefix to further differentiate
 10 the strengths or weaknesses. When, in the judgment of the evaluation committee,
 11 an SOQ element does not equate to a strength or weakness, but is being
 12 acknowledged, a "Neutral" will be identified.

13 Strengths and weaknesses are defined as follows:

- 14 • Strengths – That part of the SOQ which ultimately represents a benefit to the
 15 Project and is expected to increase the Submitter’s ability to meet or exceed the
 16 Project goals. A minor strength has a slight positive influence on the Submitter’s
 17 ability to meet or exceed the Project goals, while a significant strength has a
 18 considerable positive influence on the Submitter’s ability to meet or exceed the
 19 Project goals.
- 20 • Weaknesses – That part of the SOQ which detracts from the Submitter’s ability to
 21 meet the Project goals or may result in an inefficient or ineffective performance. A
 22 minor weakness has a slight negative influence on the Submitter’s ability to meet
 23 the Project goals, while a significant weakness has a considerable negative
 24 influence on the Submitter’s ability to meet the Project goals.

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

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

31 **Table 7.1 ADJECTIVAL EVALUATION AND SCORING GUIDE**

Adjective	Description	Percent of Max. Score
Excellent (E)	SOQ supports an extremely strong expectation of successful Project performance if ultimately selected as the Design-Builder. SOQ indicates significant strengths and/or a number of minor strengths and no appreciable weaknesses. Submitter provides a consistently outstanding level of quality.	100 - 90 %
Very Good (VG)	SOQ indicates significant strengths and/or a number of minor strengths and no significant weaknesses. Minor weaknesses are offset by strengths. There exists a small possibility that, if ultimately selected as the Design-Builder, the minor weaknesses could slightly adversely affect successful Project performance.	89 - 75 %
Good (G)	SOQ indicates significant strengths and/or a number of minor strengths. Minor and significant weaknesses exist that could detract	74 - 50 %

Adjective	Description	Percent of Max. Score
	from strengths. While the weaknesses could be improved, minimized, or corrected, it is possible that if ultimately selected as the Design-Builder, the weaknesses could adversely affect successful Project performance.	
Fair (F)	SOQ indicates weaknesses, significant and minor, which are not offset by significant strengths. Few minor strengths exist. It is probable that if ultimately selected as the Design-Builder, the weaknesses would adversely affect successful Project performance.	<u>49 - 25 %</u>
Poor (P)	SOQ indicates existence of significant weaknesses and/or minor weaknesses and no appreciable strengths. SOQ indicates a strong expectation that successful performance could not be achieved if Submitter were selected as the Design-Builder.	<u>24 - 0 %</u>

1

2 **7.2 SOQ ORGANIZATION AND SCORING**

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

5 **Table 7.2 SOQ ORGANIZATION AND SCORING**

Section	Section Title and Required Information	Maximum Pages	Points Available
1	Introduction Letter	1	Pass/Fail
2	Key Personnel (600)	4	
	Project Manager		325
	Design Manager		175
	Construction Manager		100
3	Major Participants (400)	4	
	Criteria 1		200
	Criteria 2		100
	Criteria 3		100
Appendix A	Legal	As required	Pass/Fail
Appendix B	Financial	As required	Pass/Fail
Appendix C	Form A: Acknowledgment of Receipt of Addenda	1	Pass/Fail
Appendix C	Form B1: Organizational Conflict of Interest Certification	1	Pass/Fail
Appendix C	Form B2: Organizational Conflict of Interest Disclosure Form	As required	Pass/Fail
Appendix D	Resumes	As required	
	Total		1000

6

7 **7.3 SOQ FORMAT**

8 The SOQ shall be formatted as follows:

- 1 • **Language:** All information shall be in English.
- 2 • **Type Font:** All narrative text shall be single-spaced in a regular style font at a
- 3 minimum of 12 points. The type style and size of headings and figures are not
- 4 prescribed.
- 5 • **Page Size:** Except for charts, exhibits, and other illustrative and graphical
- 6 information, all information shall be printed on 8.5-inch by 11-inch paper. Charts,
- 7 exhibits, and other illustrative and graphical information may be on 11-inch by 17-
- 8 inch paper. The 11-inch by 17-inch paper, if any, shall be folded to 8.5-inch by 11-
- 9 inch and will be counted as one sheet.
- 10 • **Page Margins:** No text, tables, figures, photos, or other substantive content shall
- 11 be printed within 0.75 inch of any page edge.
- 12 • **Page Limit:** Page limits are described in Table 7.2. The SOQ shall include only
- 13 information required by this RFQ. No other information will be considered in the
- 14 evaluation of the SOQ.
- 15 • **Dividers:** Section dividers shall contain the Section number and/or Section title.
- 16 No other text is permitted on the dividers. The dividers will not be counted toward
- 17 the allowable page total.
- 18 • **Binding:** Each copy of the SOQ shall be bound separately.
- 19 • **Front Cover:** The front cover of each SOQ shall be labeled with the name of the
- 20 Submitter, along with the following:
- 21 SR 530 / Skaglund Hill Vic to C-Post Road Vic – Emergency Roadway
- 22 Reconstruction Project
- 23 Design-Build Project
- 24 Statement of Qualifications
- 25 [Date of Submittal]

26 **7.4 INTRODUCTION LETTER (SECTION 1) (PASS/FAIL)**

27 The Introduction Letter shall be addressed to WSDOT’s Technical Point of Contact, and it
28 shall include the following information:

- 29 • Submitter name, address, business type (e.g., corporation, partnership, joint
- 30 venture).
- 31 • Roles of the Submitter and each Major Participant.
- 32 • A statement that the Submitter, or at least one Major Participant who is performing
- 33 construction, is pre-qualified with WSDOT for Work Class 1 in the amount of
- 34 \$10 million or more.
- 35 • Identification of a single contact person, address, telephone and fax numbers, and
- 36 email.
- 37 • Certification of the truth and correctness of the SOQ.
- 38 • Statement that the Submitter shall comply with applicable laws and regulations.
- 39 • Signature of authorized representatives.

1 **7.4.1 EVALUATION CRITERIA**

2 The Introduction Letter will be evaluated on a pass/fail basis. At the discretion of the
3 WSDOT Evaluation Committee, contents of the Introduction Letter may be considered
4 during qualitative assessment of the SOQ.

5 **7.5 KEY PERSONNEL (SECTION 2) (600 POINTS)**

6 The purpose of this Section is to demonstrate the Submitters' understanding of how the
7 experiences and qualifications of the Key Personnel can contribute to the overall success of
8 the Project. The Submitter shall present the Key Personnel (Project Manager, Design
9 Manager, and Construction Manager) and explain how their experiences and past
10 performance make them uniquely qualified to lead the Project.

11 WSDOT seeks Key Personnel who can demonstrate experience on major roadway projects
12 with a similar level of complexity. The Submitter shall relate relevant experience of the
13 Key Personnel to each of the Project goals. This Section shall include experience of the
14 Key Personnel related to design and construction. The Submitter shall also describe how
15 the Project Manager has met Proposal commitments on current and past design-build
16 projects within the last four years. If Proposal commitments were not met, the Submitter
17 shall describe why they were not met.

18 The Key Personnel include the following:

19 **Project Manager**

- 20
 - 21 • The Design-Builder's Project Manager shall be responsible for the overall design,
22 construction, schedule, budget, quality management, and Contract administration
23 for the Project. It is the Project Manager's responsibility to ensure the Project is
24 managed and delivered in accordance with the Contract requirements and to ensure
25 that the Design-Builder meets or exceeds the Project goals. The Project Manager
26 must have a minimum of five years' experience in managing the delivery of
27 transportation projects of similar scope and complexity. This person shall be
28 assigned to the Project full-time from Notice to Proceed to Physical Completion
29 and available to assist in issue resolution from Notice to Proceed through
30 Completion.

31 **Construction Manager**

- 32
 - 33 • The Construction Manager shall be responsible for all Project construction. It is
34 the Construction Manager's responsibility to ensure the construction is managed
35 and delivered in accordance with the Contract requirements and to ensure that the
36 Work meets or exceeds the Project goals. The Construction Manager shall have a
37 minimum of five years' experience managing the construction of transportation
38 projects of similar scope and complexity. The Construction Manager shall have
39 experience with managing a diverse group of subcontractors and coordinating with
40 public project owners to comply with local agency and environmental issues and
41 requirements. This person shall be available for design package review and shall
42 be available to attend Project meetings during construction. This person shall be
43 assigned to the Project full-time during construction activities.

44 **Design Manager**

- 45
 - 46 • The Design Manager shall be responsible for ensuring that the overall Project
47 design is completed, design criteria are met, and the design is managed and
48 delivered to meet or exceed the Project goals. The Design Manager shall have a

1 minimum of five years' experience managing the design of transportation projects
2 of similar scope and complexity. The Design Manager shall be assigned to the
3 Project full-time from Notice to Proceed through substantial completion of the
4 design effort, and shall be available as needed during construction activities.

- 5 • The Design Manager shall be a registered Professional Engineer in the State of
6 Washington prior to execution of the Contract. Unless otherwise stated, WSDOT
7 will not require that the Design Manager's professional engineering license be in
8 place as of the Proposal due date, provided the Proposal includes a commitment
9 that the license will be obtained prior to execution of the Contract, and provided
10 further that WSDOT determines that the designated individual is qualified to
11 obtain a license. If, at WSDOT's discretion, the Design Manager fails to meet the
12 minimum qualifications described in this Section, WSDOT may disqualify the
13 Proposer. If a Proposer is selected and WSDOT then determines that the Design
14 Manager does not meet the minimum qualifications, WSDOT may ask the
15 Proposer to replace the Design Manager with someone who meets them. The
16 Washington State Department of Licensing makes all determinations whether an
17 applicant is qualified for licensure as a Professional Engineer in the State of
18 Washington.
- 19 • The licensure requirements for the Design Manager will be initially evaluated as
20 either "Pass" or "Fail." A "Fail" rating can be considered a basis for rejecting the
21 SOQ.

22 **7.5.1 RESUMES (APPENDIX D)**

23 Resumes for Key Personnel may be provided in Appendix D.

24 Resumes should highlight the following information:

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

29 **7.5.1.1 INTENTIONALLY OMITTED**

30 **7.5.2 EVALUATION CRITERIA**

31 The Key Personnel will be evaluated individually on demonstrated experience to
32 successfully fulfill management roles and to successfully meet the Project goals while
33 managing projects of similar scope and complexity. For each Key Personnel, the
34 Submitter shall relate relevant project experience and performance for each of the Project
35 goals listed in Section 4.3. Demonstrated experience on projects delivered with a design-
36 build contract is preferred.

37 Maximum points available are listed in Table 7.2.

38 **7.6 MAJOR PARTICIPANTS (SECTION 3) (400 POINTS)**

39 WSDOT seeks Submitters who can demonstrate design and construction experience on
40 major transportation projects. This Section shall describe the details and complexity of one
41 or more projects. Major Participants listed in Categories A, B, C, and D in Section 5.1
42 shall have at least one project identified.

1 **7.6.1 INTENTIONALLY OMITTED**

2 **7.6.2 EVALUATION CRITERIA**

3 The Major Participants will be evaluated on demonstrated project experience and
4 performance. For each Major Participant, the Submitter shall relate relevant project
5 experience for each of the applicable criteria:

- 6 1) Experience with the design and construction of roadway projects on an accelerated
7 schedule while maintaining traffic flow 24 hours per day within the Work zone.
- 8 2) Experience designing and constructing fish passable structures utilizing stream
9 simulation criteria.
- 10 3) Experience of the proposed Major Participants, listed in Categories A, B, C, or D
11 in Section 5.1, successfully working together as an integrated team.

12 Submitters will be scored on how their experience on previous projects, related to the
13 bulleted criteria above, prepares their team for success on this Project. Demonstrated
14 experience on projects of similar scope and complexity is preferred. Submitters shall
15 describe how skills and experience gained on listed projects will be translated to the staff
16 committed to delivering this Project.

17 Maximum points available for each criterion are listed in Table 7.2.

18 **7.7 LEGAL (APPENDIX A) (PASS/FAIL)**

19 The Submitter shall provide a description of the legal entity proposed as the Design-
20 Builder, identifying whether or not the legal entity has been formed. If not yet formed,
21 describe how it will be formed prior to the Proposal due date. The final organizational
22 documents shall be submitted not later than the Proposal due date.

23 If the Submitter is a joint venture, limited liability company, partnership, or other
24 association, the Submitter shall provide with the SOQ an express statement from each of
25 the partners/members as to their joint and several liability on the Project. The Submitter
26 shall use WSDOT Standard Form 410-009 *Individual Project Statement of Joint Venture*.
27 This form is available for download at: <http://www.wsdot.wa.gov/biz/contaa/prequal/>.

28 In the instructions to Form 410-009, the requirement for pre-qualification applies to those
29 firms performing construction Work on the Project (e.g., contractors). The pre-
30 qualification requirement does not apply to joint venture members providing design and
31 engineering services only.

32 **7.7.1 EVALUATION CRITERIA**

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

35 **7.8 FINANCIAL (APPENDIX B) (PASS/FAIL)**

36 The Submitter shall provide a letter from a surety or insurance company stating whether or
37 not the Submitter is capable of obtaining Proposal and Contract Bonds as indicated in
38 Table 7.8 below.

1

Table 7.8 FINANCIAL INFORMATION

Proposal Bond/Security Penal Sum	Performance and Payment Bond Penal Sum
5% of contract amount	\$35,000,000
The identified amounts are for RFQ purposes only. Actual amounts of bond/security required by the Contract may vary, and shall be in compliance with applicable Washington law.	

2

3 A performance and payment bond is a surety bond furnished by the Design-Builder and the
4 Design-Builder's surety that guarantees performance of the Work and payment to laborers,
5 mechanics, subcontractors, and materials suppliers in accordance with Washington law.
6 The Contract Bond is intended to provide protection to WSDOT for the Design-Builder's
7 obligations with respect to construction and post construction phases of the Project.

8 The surety letter shall expire no sooner than the Proposal Due Date. Letters indicating
9 "unlimited" bonding capability are not acceptable. The surety or insurance company
10 providing the letter must be authorized to do business in the State of Washington with an
11 A.M. Best Co. "Best's Rating" of A- or better.

12 **7.8.1 EVALUATION CRITERIA**

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

15 **7.9 FORMS (APPENDIX C) (PASS/FAIL)**

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

18 Include Form B1, Organizational Conflict of Interest Certification, and Form B2
19 Organizational Conflict of Interest Disclosure Form (if necessary), included in Appendix A
20 of this RFQ.

21 **7.9.1 EVALUATION CRITERIA**

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

24 **8.0 PROTEST PROCEDURES**

25 This Section sets forth the exclusive protest remedies available with respect to this RFQ.
26 By submitting its SOQ, each Submitter acknowledges the limitation on its rights to protest
27 as set forth in this RFQ; waives all other rights and remedies; and agrees that the decision
28 on any protest, as provided in this RFQ, shall be final and conclusive unless wholly
29 arbitrary and capricious. These provisions are included in this RFQ expressly in
30 consideration for such waiver and agreement by the Submitters. Such waiver and
31 agreement by each Submitter are also consideration to each other Submitter for making the
32 same waiver and agreement.

1 **8.1 PROTESTS REGARDING THE REQUEST FOR QUALIFICATIONS**
2 **(RFQ)**

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

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

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

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

21 Jenna Fettig
22 WSDOT Contract Ad & Award Office
23 Transportation Building, Room 2D-20
24 310 Maple Park Avenue SE
25 Olympia, WA 98501-7360

26 Protests delivered in person will be received only in the WSDOT Contract Ad & Award
27 Office, Room 2D-20.

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

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

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

1 **8.2 PROTESTS REGARDING RESPONSIVENESS AND SHORT-LISTING**

2 A Submitter may protest the results of the above-described evaluation and qualification
3 process by filing a notice of protest by hand delivery or courier to the Protest Official and
4 providing a copy of the notice of protest to WSDOT's Technical Point of Contact.
5 WSDOT will distribute a copy of the notice of protest to the other Submitters. The notice
6 of protest shall specifically state the grounds of the protest.

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

13 Within seven Calendar Days of the notice of protest, the protesting Submitter must file
14 with the Protest Official a detailed statement of the grounds, facts, and legal authorities,
15 including all documents and evidentiary statements, in support of the protest. WSDOT
16 will distribute a copy of the detailed statement to all other Submitters. Evidentiary
17 statements, if any, shall be submitted under penalty of perjury. The protesting Submitter
18 shall have the burden of proving its protest by clear and convincing evidence.

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

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

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

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

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

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

5 **8.3 COSTS AND DAMAGES**

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

8

9

End of Request for Qualifications

10

1

2

Appendix A

3

4

5

FORM A

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

(To be included in Appendix C of the Statement of Qualifications)

(Name of Submitter)

We hereby acknowledge receipt of the SR 530 / Skaglund Hill Vic to C-Post Road Vic –
Emergency Roadway Reconstruction Project Request for Qualifications 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)

1 **FORM B2**

2 **ORGANIZATIONAL CONFLICTS OF INTEREST**
3 **DISCLOSURE AND AVOIDANCE/NEUTRALIZATION/MITIGATION PLAN**

4 To be signed by authorized signatory of Submitter
5 (To be included in Appendix C of the Statement of Qualifications, if needed)

6
7 This disclosure statement outlines potential organizational conflicts of interest, either real
8 or apparent, which as a result of activities or relationships with other persons or entities,
9 such person or entity:

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

13 SECTION I of this disclosure statement describes the potential Organizational Conflict of
14 Interest, as described in Secretary’s Executive Order E-1059.00 and WSDOT
15 *Organizational Conflict of Interest Manual M-3043*. SECTION II of this disclosure
16 statement describes the management plan for avoiding, or neutralizing the potential
17 Organizational Conflicts of Interest as described in SECTION I of this disclosure
18 statement. I acknowledge that the Washington State Department of Transportation
19 (WSDOT) may require revisions to the management plan described in SECTION II of this
20 disclosure statement prior to approving it, and that WSDOT has the right, in its sole
21 discretion, to limit or prohibit my involvement in the Project as a result of the potential
22 conflicts of interest described in SECTION I of this disclosure statement.

23 **SECTION Ia – Name of Person or Firm Potentially Conflicted**

24 _____

25 **SECTION Ib – Current Project Name and Scope of Work**

26 _____
27 _____

28 **SECTION Ic – Future Project Name and Description of Potential Conflict Of Interest**

29 _____

30 **SECTION II - Plan for Managing Potential Conflicts Of Interest**

31 _____
32 _____

33 Signed _____ Date _____

34 Printed Name and Title _____