



# *120th Avenue Connection*



## Colorado Department of Transportation Region 6

### **REQUEST FOR QUALIFICATIONS**

120<sup>th</sup> Avenue Connection  
Design-Build Project  
Project No. STA 1281 - 011  
15782 (PE) 16501 (CN)

Final Version, October 23, 2008

Addendum 1 October 17, 2008

Addendum 2 October 23, 2008

**STATEMENTS OF QUALIFICATIONS DUE: October 30, 2008**



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## FORMS

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# 120th Avenue Connection



## 1.0 INTRODUCTION

The Colorado Department of Transportation is requesting Statements of Qualifications (“SOQs”) from entities (“Submitters”) interested in submitting proposals for the 120<sup>th</sup> Avenue Connection project in Broomfield, Colorado (“120<sup>th</sup> Ave. Connection” or “Project”). The Project, if conditionally and finally approved, will be funded totally with local dollars, state dollars and federal dollars. Submitters must comply with all applicable federal, state, and local requirements.

## 1.1 PROCUREMENT PROCESS

CDOT will use a two-phase procurement process to select a design-build contractor to deliver the Project. Submitters responding to this Request for Qualifications (“RFQ”) must first provide SOQs. CDOT will evaluate the SOQs to determine which Submitters are the most qualified to successfully deliver the Project. CDOT will short list up to four of the most qualified Submitters. After short listing the most qualified submitters, CDOT will issue a Request for Proposals (“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 (if any) is referred to herein as a “Proposer.” CDOT will award a design-build contract for the Project (if any) to the Proposer offering the best value, to be determined by CDOT at its sole discretion.

## 1.2 PROJECT GOALS

The following goals have been established in priority for the Project:

- Maximize improvements within the program budget.
- Provide a quality product.
- Minimize inconvenience to the traveling public and affected residents and businesses.
- Provide a visually-pleasing finished product.
- Meet or beat the contract schedule.

## 1.3 SUBMITTER INFORMATION

Each Submitter is solely responsible for ensuring that CDOT’s Project Manager, as described in [Section 2.4](#), has the contact person’s name and e-mail address. If an entity intends to submit a proposal as part of a team, the entire team is required to submit a single SOQ as a single Submitter. The Submitter must keep its contact information current. CDOT is not responsible for forwarding addenda or other information to incorrect or non-current addresses.



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## 2.0 BACKGROUND INFORMATION, RFQ PROCESS

### 2.1 PROJECT DESCRIPTION, SCOPE OF WORK

CDOT in partnership with the City and County of Broomfield proposes to provide a direct connection across US 36 between the intersection of SH 128 and Wadsworth Parkway (SH 121) on the west and 120<sup>th</sup> Avenue (SH 128/US 287) on the east. An Environmental Assessment (EA) was completed in March 2005 and Finding of No Significant Impact (FONSI) was issued by FHWA in January 2006.

The current roadway network consists of discontinuous routes, generally in the east-west direction. Two primary corridors, SH 128 and 120<sup>th</sup> Avenue do not have a direct connection across US 36, requiring out-of-direction travel. SH 128 is discontinuous at Wadsworth Parkway where it jogs to the north about 0.62 miles to its intersection with the diagonal segment of US 287, and then follows the diagonal segment southeast to 120<sup>th</sup>.

Currently, the only two crossings of US 36 for east-west travel are Midway Boulevard (approximately two miles north) and the Wadsworth/US 36 Interchange. This lack of continuity in the roadway network and the convergence of traffic at the Wadsworth/US 36 Interchange have led to increased congestion and travel delays on surrounding roadways, as well as safety concerns.

The interchange currently serves three major regional corridors: US 36, the east-west 120th Avenue corridor (SH 128/US 287), and the north/south Wadsworth Parkway corridor (SH 121/US 287). Both east-west and north-south travel in the area have become increasingly more difficult with the merging of through traffic and the interchange traffic on the Wadsworth Parkway Bridge. All east-west through traffic on SH 128 and 120<sup>th</sup> Avenue must use the heavily-congested Wadsworth/US 36 Interchange to cross US 36, which results in congestion for those wishing to travel north/south through the interchange.

The purpose of the 120<sup>th</sup> Avenue connection project is to accommodate existing and forecasted traffic, reduce out-of-direction travel, and alleviate congestion along area roadways, including the Wadsworth/US 36 interchange. Specifically, the improvements are intended to:

- Eliminate the discontinuity of both the SH 128 and 120th Avenue corridors for through-traffic crossing US 36 and reduce out-of-direction travel. Those desiring to travel east-west on SH 128 / 120th Avenue must now travel through the heavily congested Wadsworth / US 36 Interchange
- Relieve peak hour congestion along 120th Avenue, SH 128, and through the interchange. Both SH 128 and 120th Avenue are operating at capacity in the peak hours, and will be above their functional capacity during peak hours in the future without the 120th Avenue Connection. Traffic forecasts indicate at least a doubling in traffic over the next 20 years. Traffic volumes continue to increase due to regional and local growth in development in the vicinity, resulting in congested conditions and greater traffic delays.



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- Provide improved access to proposed RTD park-n-Ride facilities. RTD is planning to relocate the existing Broomfield park-n-Ride to a new location in the vicinity of this project.
- Provide congestion relief in the Wadsworth/US 36 interchange by removing most east-west through-traffic, thereby improving north-south traffic on both sides of US 36 in the vicinity of this project.
- Reduce accident rates within the interchange area, which are currently above the statewide average for both US 287 and the SH 121 / Wadsworth Parkway.
- Provide improved access and safety for pedestrians and bicycles.

The conceptual design is based on the final environmental decision document and will be included in the RFP.

The successful proposer will be responsible for design, construction and warranty of the project. Final alignments, grades, horizontal and vertical clearances, foundation locations, final structure-type selection and design, final drainage design, geotechnical design, and all other final design features will be the responsibility of the successful proposer. The final design documents shall be completed in English units of measure and language. The design and construction by the successful proposer shall be completed in accordance with applicable CDOT guidelines and standards as specifically modified in the RFP for this project. The intent is to permit flexibility in design (and subsequent construction) to accommodate processes, procedures, and innovative techniques preferred by the successful proposer, as long as they are consistent with site conditions, good engineering practice, context-sensitive solutions, and other standards, guidelines, and procedures identified in the RFP.

## 2.2 ESTIMATED COST - MAXIMUM TIME ALLOWED

The estimated design-build contract fixed price amount is \$32 Million. All work shall be completed by June 14, 2010.

## 2.3 PROJECT SCHEDULE

The deadline for submitting RFQ questions, and the SOQ due-date stated below, apply to this RFQ. CDOT also anticipates the following additional project milestone dates. This schedule is subject to revision by the RFP and addenda to this RFQ.

|   |                          |
|---|--------------------------|
| Issue RFQ                                     | October 9, 2008          |
| Industry Review Activities:                   |                          |
| Deadline for submitting written RFQ questions | October 16, 2008         |
| CDOT response to all questions                | October 23, 2008         |
| Final RFQ Addendum issued                     | October 23, 2008         |
| SOQ due date                                  | October 30, 2008         |
| Notify short-listed Submitters                | <b>November 21, 2008</b> |



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Debrief Submitters  
Issue Draft RFP for Industry Review

by appointment  
December 11, 2008

## 2.4 CDOT PROJECT MANAGEMENT - EX PARTE COMMUNICATIONS

Moe Awaznezhad is the CDOT Project Manager. As the Project Manager, Mr. Awaznezhad is CDOT's sole contact person and addressee for all communications regarding the Project. All inquiries and comments regarding the Project, and the procurement thereof, must be sent in writing by e-mail or letter with pre-paid postage to:

Moe Awaznezhad, P.E.  
120th Avenue Connection Project Manager  
Colorado Department of Transportation  
Region Six North Section  
2000 South Holly Street  
Denver, Colorado 80222  
E-mail: Moe.Awaznezhad@dot.state.co.us

During the Project procurement process, commencing with issuance of this RFQ and continuing until award of a contract for the Project or cancellation of procurement, no employee, member, or agent of any Submitter shall have ex parte communications regarding this procurement with any member of CDOT, the City and County of Broomfield, advisors, or any contractors or consultants 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 Submitter engaging in such prohibited communications may be disqualified at the sole discretion of CDOT's Project Manager.

## 2.5 QUESTIONS AND CLARIFICATIONS - ADDENDA

Questions and requests for clarification regarding this RFQ must be submitted in writing to CDOT's Project Manager, as described in Section 2.4. To be considered, all questions and requests must be **received by 3:00 pm, Mountain Daylight Time**, on the date indicated in Section 2.3.

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

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

- Questions and requests for clarification will be posted to CDOT's project website at <http://www.dot.state.co.us/120AvenueConnection/> as soon as they are received. Submitter's names will not be identified.



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- CDOT will answer questions and requests for clarification by posting responses on its project website at <http://www.dot.state.co.us/120AvenueConnection/>
- CDOT will send an e-mail notification to the contact person for every Submitter as soon as each addendum or clarification is issued. The notification will include an electronic copy of the addendum or clarification, when possible.

## 2.6 MAJOR PARTICIPANT

As used herein, the term “Major Participant” means any of the following entities: all general partners or joint-venture members of the Submitter; all individual(s), person(s), proprietorship(s), partnership(s), limited-liability partnership(s), corporation(s), professional corporation(s), limited-liability company(ies), business association(s), or other legal entity, however organized, holding (directly or indirectly) a 15% or greater interest in the Submitter; any subcontractor(s) that will perform work valued at 10% or more of the overall contract amount; the lead engineering/design firm(s); and each engineering/design sub-consultant that will perform 20% or more of the design work. Form A is required to be completed by the entity who will perform the design-build work, e.g., whether it is a contractor-subcontractor relationship, joint venture, partnership, etc. Form A is also required to be completed by all Major Participants as defined above.

## 2.7 INELIGIBLE FIRMS

CDOT and the City and County of Broomfield have retained Jacobs Carter Burgess, Inc. to provide guidance in preparing and evaluating this RFQ and the RFP, and advice on related contractual and technical matters. Thus, Jacobs Carter Burgess is not eligible to submit a proposal or to act as a member of any Submitter’s team. A firm is ineligible, in either a prime or subconsultant role, if it performs 20% or more of the Preliminary Engineering on the Project, or develops the scope of work, RFQ, or RFP.

Requests for determination regarding this eligibility requirement may be submitted in writing to the Project Manager identified in Section 2.4 of this RFQ.

## 2.8 ORGANIZATIONAL CONFLICTS OF INTEREST

The Submitter’s attention is directed to 23 CFR Section 636 Subpart A, and in particular to Subsection 636.116 regarding organizational conflicts of interest. Section 636.103 defines “organizational conflict of interest” 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.



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The Submitter is prohibited from receiving any advice or discussing any aspect relating to the Project or the procurement of the Project with any person or entity with an organizational conflict of interest, including, but not limited to, the City and County of Broomfield and Jacobs Carter Burgess. Jacobs Carter Burgess is prohibited from participating in any Submitter organization relating to the Project.

The Submitter agrees that if, after award, an organizational conflict of interest is discovered, the Submitter must make an immediate and full written disclosure to CDOT that includes a description of the action the Submitter has taken or proposes to take to avoid or mitigate such conflicts. If an organizational conflict of interest is determined to exist, CDOT may, at its discretion, cancel the design-build contract for the Project. 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 CDOT, CDOT may terminate the contract for default without liability.

CDOT may disqualify a Submitter if any of its Major Participants belong to more than one Submitter organization, firm, company or business entity.

## **2.9 CHANGES TO ORGANIZATIONAL STRUCTURE**

Major Participants and key personnel identified in the SOQ may not be removed, replaced, or added without the written approval of CDOT. CDOT may revoke an awarded contract if any Major Participant(s) or key personnel identified in the SOQ is removed, replaced, or added to without CDOT's written approval. To qualify for CDOT's approval to remove, add or replace key personnel, the written request must document that the proposed removal, replacement, or addition will be equal to or better than the Major Participant or key personnel provided in the SOQ. CDOT will use the criteria specified in this RFQ, and the qualification submitted by the Submitter in the SOQ, to evaluate all requests. Requests for removals, replacements, and additions must be submitted in writing to CDOT's Project Manager as described in [Section 2.4](#).

## **2.10 PAST PERFORMANCE OR EXPERIENCE**

Past performance or experience does not include the exercise or assertion of a person's legal rights.

## **2.11 EQUAL EMPLOYMENT OPPORTUNITY**

The Submitter is required to follow Federal Equal Employment Opportunity (EEO) policies, laws, rules and regulations.

CDOT will affirmatively assure that on any project constructed pursuant to this advertisement, equal employment opportunity will be offered to all persons without regard to race, color, creed, religion, national origin, sex or marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age.



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### 3.0 CONTENT OF SOQs AND CONFIDENTIALITY

This section describes specific information that must be included in the SOQ. SOQs must follow the terms of this Section 3. Submitters shall provide brief, concise information that addresses the requirements of the Project consistent with the evaluation criteria described in this RFQ.

Documents submitted pursuant to this RFQ will be subject to the Colorado Open Records Act, C.R.S. §§ 24-72-201, *et. seq.*; however, all information submitted as part of the SOQ shall be considered confidential and proprietary. The submitter shall clearly mark the cover page of the SOQ as confidential and proprietary. These documents will be kept confidential by CDOT, unless otherwise provided by law. The Colorado Open Records Act provides that “Trade secrets, privileged information, and confidential commercial, financial, geological, or geophysical data furnished by any person” to CDOT will not be produced in response to an open records request unless ordered by a court of competent jurisdiction. CDOT will notify the Submitter if a request is made for such information, and if the denial is challenged, so that the Submitter may take any action it deems necessary to defend the challenge. The Submitter, not CDOT, shall be the entity responsible for defending against Colorado Open Records Act disclosures for any records claimed by the Submitter to be confidential and proprietary.

### 3.1 INTRODUCTION

Provide the business name, address, business type (e.g., corporation, partnership, joint venture), business information, and roles of the Submitter and each Major Participant. Submitter and Major Participant information must be provided on Form A attached to this RFQ. Separate forms must be provided for each Major Participant. The Submitter must identify one contact person and his or her address, telephone and fax numbers, and e-mail address. CDOT will send all Project-related communications to this contact person on behalf of the Submitter during the procurement process. Authorized representatives of the Submitter organization and Major Participants must sign Form A. If the Submitter is a joint venture, all joint venture members must sign Form A. If the Submitter is not yet a legal entity, the Major Participants must sign Form A. Each joint venture member must certify the truth and correctness of the contents of the SOQ. The introduction of the SOQ must include a “Title Page” and “Table of Contents.”

### 3.2 SUBMITTER EXPERIENCE

CDOT will evaluate at its sole discretion the capabilities of the Submitter to effectively deliver the Project.

#### 3.2.1 Submitter Experience

Describe the experience (up to a maximum of four representative urban arterial or design-build projects) that the Submitter (if the Submitter is not yet existing or is newly formed, please explain) and each Major Participant has in managing, designing, and/or constructing similar projects. This information shall be provided on Form C. For projects in which several of the proposed Major Participants were involved, the Submitter may provide a single project description. Highlight experience relevant to the Project that the Submitter / Major Participants have



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gained in the last ten years. Cite projects of similar size and scope to that anticipated for the Project. Describe the experience that could apply to the Project. In particular, describe experience in each of the following:

1. Highway and highway structures;
2. Urban arterial construction;
3. Construction using innovative designs, methods, and materials;
4. Construction in environmentally-sensitive areas;
5. Design and construction activity integration; and,
6. Public information.

Each project description must include the following information:

1. Name of the project and either the owner's contract number or state project number;
2. Owner's name, address, project manager, and current telephone and fax numbers (if the project manager is no longer with CDOT, the current telephone and fax number of the project manager);
3. Description of original project schedule milestones and project completion schedule milestones for design and construction;
4. Description of the work or services provided and percentage of the overall project actually performed; and,
5. Description of original project budget and final project cost at completion.

### **3.2.2 Contractor Safety Statistics**

Provide the general partners' or joint venture members' (contractors only) safety statistics for the last three years by completing Form B.

## **3.3 ORGANIZATION AND KEY PERSONNEL**

### **3.3.1 Organizational Chart(s)**

Provide organizational chart(s) showing the structure of the Submitter's organization with lines identifying participants who are responsible for major functions to be performed and the reporting relationships in managing, designing, and building the Project. The chart(s) must show the functional structure of the organization down to the design discipline leader or construction superintendent level and must identify key personnel by name. Indicate the anticipated percent of each key person's time that would be committed to the Project and location of each key person from which they will work. Identify the Submitter and all Major Participants in the chart(s). Identify the critical support elements and relationships of project management, project administration, construction management, quality



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control / quality assurance, safety, environmental compliance, and subcontractor administration. For each organizational chart, provide a brief, written description of significant functional relationships among participants and how the proposed organization will function as an integrated design-build team. Once designated, the design-build team may not be changed without written authorization from the CDOT in accordance with [Section 2.9](#).

### 3.3.2 Resumes of Key Personnel

Resumes of key personnel shall be provided as *Appendix A – Resumes of Key Personnel* to the SOQ. Resumes of key personnel shall be limited to one page each and will not be counted towards the overall SOQ page limit. Key personnel listed by the contractor for the functions listed below shall not be allowed to fill more than one function. The contractor optionally may identify other key personnel as necessary to satisfy work requirements and functions. For these requirements and functions individuals may fill more than one position, and only one resume is required and will not be counted towards the overall SOQ page limit. The list below describes minimum qualifications for key personnel of the Project. Personnel who perform the key functions listed below shall be identified in the required organizational chart(s) as described in [Section 3.3.1](#).

- Design-Build Project Manager
- Design Manager
- Construction Manager
- Environmental Compliance Manager

Include the following in each resume:

1. Relevant licensing and registration.
2. Years of experience performing similar work.
3. Length of employment with current employer.
4. Title, roles, and responsibilities on any of the projects listed in [Section 3.2.1](#) above.

### 3.3.3 Minimum Requirements of Key Personnel

The following provides a brief job description and minimum requirements of the key personnel assigned to the Project. Key personnel will be evaluated, in part, based on the extent they meet or exceed such requirements. All key personnel will be required to be available on site during activities that involve their areas of responsibility. Any licenses or certifications that are required to meet the requirements of the RFQ shall be in place by the time the first Notice to Proceed is issued.



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### A. Design-Build Project Manager

- The Design-Build Project Manager will be responsible for overall design, construction, quality management, and contract administration for the Project. This person shall be assigned to the Project full-time and will be required to be on site for the duration of the Project.
- **Must have at least five years of recent experience managing major urban arterial projects.**
- Must work under the direct supervision of the Design-Build Contractor's Executive Management Team (CEMT). The Project Manager will report to the CEMT.
- Responsible for the Contractor's quality program, quality personnel, quality planning, assurance activities independent of production, quality system procedures enforcement, development and implementation of the quality program objectives, total system quality and management, quality records and documentation, and review and approval of the Quality Program Manual prior to submittal to CDOT.
- Shall have the authority to stop any work if and when he/she knows or has reason to believe that any work does not meet the standards, specification, or criteria established for the Project.
- **Shall be a registered professional engineer in good standing in the State of Colorado or shall designate a registered professional engineer in good standing in the State of Colorado as the Construction Manager.**
- Must not be assigned any other duties or responsibilities on the Project.

### B. Design Manager

- The Design Manager will be responsible for ensuring that the overall project design is completed and design criteria requirements are met.
- The Design Manager must work under the direct supervision of the Design-Build Project Manager.
- Must be a registered professional engineer in good standing in the State of Colorado.
- Must have at least five years of recent experience in managing the design of major urban arterials with roadway and highway structure elements.
- Shall not be assigned any other duties or responsibilities on the Project.
- Must be available during construction activities.



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- Shall have the authority to stop design work if and when he/she knows or has reason to believe that any work does not meet the standards, specification, or criteria established for the Project.

### C. Construction Manager

- The Construction Manager must be on site during all construction activities.
- Must have at least five years of recent experience in roadway and highway structure construction.
- The Construction Manager must work under the direct supervision of the Design-Build Project Manager.
- Shall not be assigned any other duties or responsibilities on the Project.
- **Shall be a registered professional engineer in good standing in the State of Colorado if the Design-Build Project Manager is not a registered professional engineer in good standing in the State of Colorado.**
- Shall have the authority to stop construction work if and when he/she knows or has reason to believe that any work does not meet the standards, specification, or criteria established for the Project.
- Shall ensure all work is constructed in compliance with Project standards, specifications, or criteria established for the Project.

### D. Environmental Compliance Manager

- Must have at least five years of recent experience in NPDES / MS4 Regulatory requirements.
- The Environmental Compliance Manager shall work under the direct supervision of the Design-Build Project Manager.
- Must have recent experience in NPDES / MS4 compliance in an urban, metropolitan setting.
- Responsible to ensure the Design-Builder complies with all mitigation requirements of the NEPA Decision Document.
- Responsible to ensure the Design-Builder develops, implements, maintains, and documents best management practices for the project design and in compliance with permit-application requirements.
- Responsible to ensure the Design-Builder complies with the CDOT / FHWA Stewardship Guide.



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- Responsible to ensure the Design-Builder identifies, develops, implements and maintains mitigation measures outlined in their final design to gain regulatory approval.
- Responsible to ensure the design-build contractor schedules, coordinates and participates in meetings with regulatory agencies

### 3.4 PROJECT UNDERSTANDING AND APPROACH

Provide, at a conceptual level, your understanding of and your approach to successfully delivering the Project by meeting or exceeding the established Project goals (see Section 1.2). The information provided pursuant to this Section 3.4 is considered proprietary and should be marked CONFIDENTIAL by Submitters.

### 3.5 PROJECT MANAGEMENT APPROACH

Provide your understanding of and approach to the following items:

- Budget Management
- Quality Management
- Schedule Management
- Design and Construction Management
- Stakeholder Management including CDOT, the City and County of Broomfield, RTD and affected utility companies
- Public Involvement
- Safety Management
- Partnering
- Document Control

The information provided pursuant to this Section 3.5 will be treated as proprietary and should be marked CONFIDENTIAL by Submitters.

### 3.6 DBE PARTICIPATION

Provide a description of your approach to utilizing DBE firms for engineering, construction and supplying materials for the project. The Project will have a combined DBE goal of 10%.

### 3.7 LEGAL AND FINANCIAL

The information required in response to Section 3.6 shall be submitted as *Appendix B – Legal and Financial*. Information provided in response to this section will not count toward the overall page limitation defined in Section 4.2.



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### 3.7.1 Acknowledgment of Clarifications and Addenda

Identify all clarifications and addenda received by number and date by completing Form D.

### 3.7.2 Organizational Conflicts of Interest

Identify all relevant facts relating to past, present or planned interest(s) of the Submitter's team (including the Submitter, Major Participants, proposed consultants, contractors and subcontractors, and their respective chief executives, directors, and key project personnel) which may result, or could be viewed as, an organizational conflict of interest in connection with this RFQ. See Section 2.7 and Section 2.8.

The Submitter shall disclose: (a) any current contractual relationships with CDOT and/or the City and County of Broomfield (by identifying the contract number and project manager); (b) present or planned contractual or employment relationships with any current CDOT and/or City and County of Broomfield employee; and, (c) any other circumstances that might be considered to create a financial interest in the contract for the Project by any current CDOT and/or City and County of Broomfield employee if the Submitter is awarded the contract. The Submitter must also disclose any current contractual relationships where the Submitter is a joint venturer or partner with Jacobs Carter Burgess. The foregoing is provided by way of example, and shall not constitute a limitation on the Submitter's disclosure obligations.

For any fact, relationship, or circumstance disclosed in response to this Section 3.7.2, identify steps that have been or will be taken to avoid, neutralize, or mitigate any organizational conflicts of interest.

If Major Participants in different Submitter organizations belong to the same parent company, each Submitter must describe how the participants would avoid conflicts of interest through the qualification and proposal phases of the Project.

### 3.7.3 Legal Structure

If the Submitter organization has already been formed, provide complete copies of the organizational documents that allow, or would allow by the time of contract award, the Submitter and Major Participants to conduct business in the State of Colorado. If the Submitter organization has not yet been formed, provide a brief description of the proposed legal structure or draft copies of the underlying agreements. The information requested in this paragraph refers not only to the registration and/or licenses of the Major Participants to do business in Colorado, but also requests a description of the relationship of the entity that will perform the design-build work, including the equity interest of each owner of a joint venture or partnership, or an estimate if the entity has not yet been formed.



## 120th Avenue Connection



### 3.7.4 Bonding Capability

Provide a letter from a surety or insurance company stating that the Submitter is capable of obtaining a Performance Bond and Payment Bond for the Project in the amount of \$32 Million for each bond. Letters indicating “unlimited” bonding capability are not acceptable. The surety or insurance company providing such letter must be licensed as surety and qualified to do business in the State of Colorado.

### 3.7.5 Submitter Information

For the Submitter (if the Submitter is not yet existing or newly formed, please explain), each Major Participant, and any affiliate of the Submitter or a Major Participant (including the company’s parent company, subsidiary companies, and any other subsidiary or affiliate of the company’s parent company), whose experience is cited as the basis for the company’s qualifications, the SOQ shall:

1. Describe the conditions surrounding any contract (or portion thereof) entered into by the Submitter or any company to be organized with it that has been terminated for cause, or which required completion by another, within the last five years. Describe the reasons for termination and the dollar amounts involved in dispute or settlement.
2. Describe any debarment or suspension from performing work for the federal government, any state or local government, or any foreign governmental entity against the company. For each description, identify the project owner’s representative and current phone number.

Indicate “None” to any subsection above that does not apply.

3. Each Major Participant must be prequalified to perform work with CDOT, and must complete Form E.

## 4.0 SOQ SUBMITTAL REQUIREMENTS

The following section describes requirements that all Submitters must satisfy in submitting SOQs. Failure of any Submitter to submit its SOQ as required in this RFQ may result in rejection of the SOQ.

### 4.1 DUE DATE, TIME AND LOCATION

All SOQs must be **received by 12:00 noon, Mountain Daylight Time**, on the SOQ due date indicated in Section 2.3, and must be **delivered by U.S. mail, hand delivery or overnight courier** to:

Moe Awaznezhad, P.E.  
120th Avenue Connection Project Manager



## 120th Avenue Connection



Colorado Department of Transportation  
Region Six North Section  
2000 South Holly Street  
Denver, Colorado 80222

CDOT will not accept SOQs by email, facsimile or electronic transmission. Any SOQ that fails to meet the deadline or delivery requirement will be rejected without opening, consideration, or evaluation.

### 4.2 FORMAT

The SOQ must not exceed 10 single-sided pages (including the “Title Page” and “Table of Contents” but not including section dividers and appendices). Forms A, B, C, D, and E are not included. Except for charts, exhibits, and other illustrative and graphical information, all information must be printed on 8.5” by 11” paper. Charts, exhibits, and other illustrative and graphical information may be on 11” by 17” paper but must be folded to 8.5” by 11”, which will be counted as one sheet and must be limited to 8 sheets. All printing, except for the front cover of the SOQ and resumes, must be Times New Roman, 12-point font. All dimensional information must be shown in English units of measure.

The front cover of each SOQ must be labeled “120<sup>th</sup> Avenue Connection” and “Statement of Qualifications” along with the date of submittal.

### 4.3 QUANTITIES

Each Submitter must provide CDOT with six bound copies of the SOQ. Each copy must be identified on its front cover, in the upper right-hand corner, as “Copy \_\_ of 6 Copies.”

All binders must be packed together in one sealed package for delivery to CDOT. The outside of the sealed package must be clearly identified, labeled, and addressed as follows:

1. Return address: Submitter’s name, contact person’s name, mailing address;
2. Date of submittal;
3. Contents labeled as “120<sup>th</sup> Avenue Connection” and “Statement of Qualifications”; and
4. Addressee (CDOT) as specified in Section 4.1.



# 120th Avenue Connection



## 5.0 EVALUATION PROCESS

### 5.1 SOQ REVIEW

CDOT will initially review the SOQs for responsiveness to the requirements of this RFQ. The information in the SOQ will then be measured against the evaluation criteria stated in Section 5.3.

### 5.2 INTERVIEW

CDOT reserves the right to conduct interviews with all Submitters prior to development of a short list. CDOT may conduct interviews during its evaluation of the overall SOQ submittal process and scoring. CDOT may determine the schedule for interviews following receipt of the SOQs.

### 5.3 SOQ EVALUATION

CDOT will evaluate all responsive SOQs and measure each Submitter's response against the criteria set forth in this RFQ, resulting in an adjectival score for each SOQ. CDOT will use the following criteria.

#### A. Submitter Experience:

- Owner/client references.
- Experience on projects of similar scope and complexity.
- Experience with timely completion of comparable projects.
- Experience with on-budget completion of comparable projects.
- Experience with integrating design and construction activities.
- Experience of design-build team members working together.
- Current and projected workloads.
- Contractor safety statistics.

#### B. Organization and Key Personnel:

- Team members' relevant experience and qualifications.

#### C. Project Understanding and Approach:

- Understanding of and approach to meeting or exceeding Project Goals.

#### D. Project Management Approach:

- Budget management approach.
- Quality management approach.
- Schedule management approach.



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- Design and construction management approach.
  - Stakeholder management approach, including CDOT, the City and County of Broomfield, RTD and affected utility companies.
  - Public Involvement
  - Safety management approach.
  - Partnering approach.
  - Document control
- E. DBE Participation:
- Understanding of and approach to utilizing DBE firms.
  - Method of monitoring and reporting compliance with DBE requirements
- F. Legal and Financial:
- Completeness of responses
  - Bonding Capability

### 5.4 DETERMINING SHORT LISTED SUBMITTERS

CDOT will evaluate each responsive SOQ and **will short list up to four of the most highly-qualified Submitters.**

CDOT reserves the right, in its sole discretion, to cancel this RFQ, issue a new request for qualifications, reject any or all SOQs, seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to this RFQ, seek and receive clarifications to an SOQ and waive any deficiencies, irregularities, or technicalities in considering and evaluating the SOQs.

**This RFQ does not commit CDOT to enter into a contract or proceed with the procurement of the Project. CDOT assumes no obligations, responsibilities or liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred by the parties responding to this RFQ. All such costs shall be borne solely by each Submitter.**

### 5.5 NOTIFICATION OF SHORT LISTING

Upon completion of the evaluation, scoring, and short-listing process, CDOT will send the record of short-listed Submitters (if any) to all Submitters. CDOT will also publish the list on its design-build website at <http://www.dot.state.co.us/120AvenueConnection/>



# 120th Avenue Connection



## 5.6 DEBRIEFING MEETINGS

After CDOT announces the short list, the Submitters may request a meeting with CDOT after one week following the announcement. These debriefing meetings are intended to allow submitters and CDOT to informally discuss this RFQ and the short-listing process.

## 6.0 PROCUREMENT PHASE 2

This Section 6.0 is provided for informational purposes only, so that each Submitter has information that describes the second phase of the Project Procurement Process, including a summary of certain anticipated RFP requirements. CDOT reserves the right to make changes to the following, and the short-listed Submitters must rely only on the actual RFP when and if it is issued. This Section 6.0 does not contain requirements related to the SOQ. CDOT expects to conduct an Industry Review of a draft RFP with the short-listed Submitters before it issues the RFP.

### 6.1 REQUEST FOR PROPOSALS

The Submitters on the short list will be eligible to receive an RFP. While CDOT may make the RFP available to the public for informational purposes, only short-listed submitters will be allowed to submit a response to the RFP.

### 6.2 RFP CONTENT

#### 6.2.1 RFP Structure

The RFP will be structured as follows:

- A. Instructions to Proposers.
- B. Contract Documents.
  - Book 1 (Contract Terms and Conditions)
  - Book 2 (Technical Requirements)
  - Book 3 (Applicable Standards)
  - Book 4 (Contract Drawings)
- C. Reference Documents (For information only).

#### 6.2.2 RFP Information

The RFP will include the following information:

- A. Maximum time allowable for design and construction.
- B. CDOT's final cost estimate for the Project.
- C. Requirements for a proposed schedule of work.
- D. Requirements for proposed Additional Requested Elements (AREs).



## 120th Avenue Connection



- E. Requirements for submitting Alternative Configuration Concepts (ACCs).
- F. A requirement that if the Proposer is a joint venture, each of the joint venture members will be, if awarded the design-build contract for the Project, jointly and severally liable for performance of the design-build contractor's obligations under the contract.

### **6.3 ALTERNATIVE CONFIGURATION CONCEPTS MEETING**

CDOT will offer each short-listed Proposer the opportunity to meet before the proposal due date to discuss Alternative Configuration Concepts (ACCs). The meeting(s) will be held for Proposers to present ACCs that are outside the Basic Configuration, as defined in the RFP, but are determined to be "equal to or better than" the Basic Configuration by CDOT. Proposers will not be required to accept the meeting(s) offered.

### **6.4 PROPOSALS SUBMITTED IN RESPONSE TO THE RFP**

Short-listed Proposers that choose to continue in the procurement process must submit a two-part proposal. The first part is the technical proposal. The second part is the price proposal. The RFP will specifically define formats and page limits for the proposal packaging and all proposal contents.

### **6.5 PROPOSAL EVALUATIONS**

CDOT has determined that award of the Project will be based on a "best value" determination under local policies, rules and regulations.

### **6.6 STIPENDS**

CDOT will award a \$50,000 stipend to each short-listed, responsible Proposer that provides a responsive, but unsuccessful proposal. The terms and conditions of the Stipend will be stated in the RFP. No stipends will be paid for submitting SOQs.

The submission of a proposal to an RFP shall constitute the firm's acceptance of the stipend as full payment for all technical solutions and design concepts contained in the proposal. This is an irrevocable transfer to CDOT. The Firm shall not have the option of refusing the stipend and not transferring ownership of all technical solutions and design concepts contained in the proposal.

In consideration for paying the stipend, CDOT may use any ideas and information contained in the proposals in connection with any contract awarded for the Project, or in connection with a subsequent procurement, without any obligation to pay any additional compensation to the unsuccessful short-listed Proposer(s).

CDOT will pay the stipend to each eligible Proposer within 90 days after the award of the contract or the decision not to award a contract. CDOT shall own and have the unlimited right to use on any Transportation Project all or part of the technical solutions and design concepts contained in the proposal.



## 120th Avenue Connection



### 7.0 PROTEST PROCEDURES

#### 7.1 PROTESTS REGARDING RFQ

Any protests regarding the SOQ shall be filed with the Project Manager identified in Section 2.4 of this RFQ in accordance with the procedures set forth in C.R.S. 24-109-101 through 24-109-404, as amended by the Design-Build Regulations, 2 CCR 601-15 Section 22. If CDOT prevails after completion of administrative protest procedures and any appellate court proceedings, CDOT shall be entitled to recover all reasonable costs and charges it incurred and that are included in the final order or judgment, excluding attorney fees. If a protesting Submitter prevails after completion of administrative protest procedures and any appellate court proceedings, the protesting Submitter's sole remedy shall be recovery of all reasonable costs and charges it incurred in connection with preparation of the SOQ (excluding any costs incurred in preliminary preparation of a proposal or design) and the costs and charges that are included in the final order or judgment, excluding attorney fees.

References to the State and/or CDOT in the Colorado Revised Statutes and/or the Colorado Code of Regulations shall be replaced as the context requires with reference to CDOT. All references to the Chief Engineer shall mean the CDOT Project Manager or his designee. CDOT reserves the right to modify or amend the procurement and/or protest procedures that are made applicable by those references.

# FORM A

## SUBMITTER AND MAJOR PARTICIPANT INFORMATION

Submitter/Major Participant: \_\_\_\_\_

Name of Company: \_\_\_\_\_

Year Established: \_\_\_\_\_ Federal Tax ID No.: \_\_\_\_\_

Name of Official Representative (for Submitter): \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Business Organization (check one):

Corporation (If yes, indicate the State and Year of Incorporation): \_\_\_\_\_

Partnership

Joint Venture

Other (describe): \_\_\_\_\_

A. Business Name: \_\_\_\_\_

B. Business Address: \_\_\_\_\_

Headquarters: \_\_\_\_\_

\_\_\_\_\_

Office Performing Work: \_\_\_\_\_

\_\_\_\_\_

Contact Telephone Number: \_\_\_\_\_

C. Bonding Capability (for Submitter only):

Total: \_\_\_\_\_ Available: \_\_\_\_\_

**FORM A (continued)**  
**SUBMITTER AND MAJOR PARTICIPANT INFORMATION**

D. If the entity is a Joint Venture or Partnership, indicate the name and role of each member company in the space below. Complete a separate Contractor Information form for each member company and attach it to the SOQ. Also indicate the name and role of each other financially-liable party and attach a separate form.

| Name of Member Company | Role | Financial Liability |
|------------------------|------|---------------------|
| _____                  |      |                     |
| _____                  |      |                     |
| _____                  |      |                     |
| _____                  |      |                     |

**Under penalty of perjury, I certify that I am the Official Representative authorized to sign and that, to the best of my knowledge and belief, following reasonable inquiry; the foregoing is true, correct, complete and accurate.**

BY: \_\_\_\_\_ PRINT NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_

*[Please make additional copies of this form as needed.]*

# FORM B

## CONTRACTOR SAFETY STATISTICS

Contractor's Name: \_\_\_\_\_

| Year | Incident Rate | Lost Work Day Index | Cost of Accident per Employee | Experience Modification Rating | Number of Fatalities | Lost Work Days | Number of Recordable Injuries |
|------|---------------|---------------------|-------------------------------|--------------------------------|----------------------|----------------|-------------------------------|
| 2007 |               |                     |                               |                                |                      |                |                               |
| 2006 |               |                     |                               |                                |                      |                |                               |
| 2005 |               |                     |                               |                                |                      |                |                               |

$$\text{Incident Rate} = \frac{(\text{Number of Injuries and Illnesses}) \times 200,000}{\text{Total Hours Worked}}$$

$$\text{Lost Work Day Index} = \frac{(\text{Number of Lost Work Days}) \times 200,000}{\text{Total Hours Worked}}$$

$$\text{Cost of Accident per Employee} = \frac{\text{Total Cost of Accidents}}{\text{Average Number of Employees}}$$

$$\text{Experience Modification Rating} = \frac{\text{Actual Claims per Year}}{\text{Expected Claims Based on Past 3 Year Trending}}$$

**Under penalty of perjury, I certify that I am the Official Representative authorized to sign and that, to the best of my knowledge and belief, following reasonable inquiry, the foregoing is true, correct, complete, and accurate.**

BY: \_\_\_\_\_ PRINT NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_

*[Please make additional copies of this form and attach additional sheets as needed.]*

# FORM C

## SUMMARY OF COMPARABLE CONTRACTS IN PAST TEN YEARS

(Provide a Maximum of Four Projects per Submitter and Major Participant)

|   |   |
|---|---|
| 1. Submitter/Company Name:  | 2. Name of Project:   |
| 3. Owner Contract No. or State Project No.:   | 4. Type:<br><input type="checkbox"/> Construction <input type="checkbox"/> Design-Build <input type="checkbox"/> Design     |
| 5. Name of Prime Designer/Contractor:   | 6. Company Role:<br>(joint venture partner, subcontractor, etc.)  |
| 7. Owner (Name): _____<br>Address: _____<br>Phone: _____<br>Contact Person: _____               | 8. Original Project Budget:    \$ _____<br>Final Project Cost:            \$ _____<br>Work Carried by Own Forces (%): _____ |
| 9. Original Project Schedule Milestones: _____<br>Project Completion Schedule Milestones: _____ |   |
| 10. Project Description and Nature of Work Performed by Your Company:                           |   |

*[Please make additional copies of this form as needed.]*

**FORM D**  
**RECEIPT OF ADDENDA/CLARIFICATIONS**

Submitter's Name: \_\_\_\_\_

The undersigned acknowledges receipt of the addenda to the RFQ as indicated below.

**ADDENDA**

|                            |       |       |       |
|----------------------------|-------|-------|-------|
| Addendum/Clarification No. | _____ | Dated | _____ |
| Addendum/Clarification No. | _____ | Dated | _____ |
| Addendum/Clarification No. | _____ | Dated | _____ |
| Addendum/Clarification No. | _____ | Dated | _____ |
| Addendum/Clarification No. | _____ | Dated | _____ |

**Failure to acknowledge receipt of all addenda may cause the SOQ to be considered non-responsive to the solicitation. Acknowledged receipt of each addendum must be clearly established and included with response to the RFQ.**

BY: \_\_\_\_\_ PRINT NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_

# FORM E

## CERTIFICATE OF PREQUALIFICATION

UNDER PENALTY OF PERJURY, I CERTIFY THAT I AM THE OFFICIAL REPRESENTATIVE OF

\_\_\_\_\_ [COMPANY NAME], AND THAT

\_\_\_\_\_ [COMPANY NAME] IS CURRENTLY  
PREQUALIFIED TO PERFORM WORK FOR CDOT.

BY: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_