

**REQUEST FOR QUALIFICATIONS (RFQ)
SPECIAL PROVISIONS**

For The

**BUNDLE 414
US395: McKAY CREEK – SILVIES SLOUGH
(MSS)
DESIGN-BUILD PROJECT**

Comply with the RFQ supplemented and/or modified as follows:

RFQ SP1.1 – Acronyms - Add the following acronyms:

BOLI Oregon Bureau of Labor and Industries
PWR Prevailing Wage Rates

RFQ SP1.2 – Definitions - Add the following definition:

Wild and Scenic River – A river or sections of a river, preserved for possessing outstandingly, remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values. A river or sections of a river, so designated are preserved in their free-flowing condition and are not dammed or otherwise improved.

RFQ SP1.3 – Project Description – Replace this Subsection with the following Subsection:

1.3 – Project Description - The Bundle 414, US395: McKay Creek – Silvies Slough (MSS) Design-Build Project combines or bundles several projects located on US395, US26, OR19, and OR78 into a single Project. The goals of the single Project approach include design, construction, quality management, environmental management, and cost efficiencies. The individual components listed below have been combined by the Agency into a single Project and placed in the Statewide Transportation Improvement Plan (STIP).

Project Component Name / ODOT Bridge #	Mile Point	Construction Work Classification
McKay Creek, Hwy 28 (US395) / #08050	5.77	Replace
East Fork Birch Creek, Hwy 28 (Pilot Rock) (US395) / #02561	15.27	Repair
Camas Creek, Hwy 28 (US395) / #04728	60.93	Replace
North Fork John Day River, Hwy 28 (Dale) (US395) / #04729	63.81	Replace
John Day River, Hwy 5 (Goose Rock) (OR19) / #02655	119.46	Replace
John Day River, Hwy 5 (Coles) (US26) / #07696	155.75	Replace
Trout Creek, Hwy 48 (US395) / #03596	42.95	Replace
Silvies Slough, Hwy 442 (OR78) / #03522A	0.69	Replace

A Documented Categorical Exclusion (DCE) for the Project will be prepared by the Agency and will be completed prior to Design-Builder NTP. The Design-Builder shall review the design approved through the DCE. Proposals shall contain no elements that would require development of a new DCE. The final Project scope will include environmental permitting, environmental clearances, and any mitigation that is required by the environmental process which will be completed by the Design-Builder.

If additional project information is available, it will be located on the ODOT Major Projects Branch website: <http://www.oregon.gov/ODOT/HWY/OPD/DBprocurement.shtml>

RFQ SP1.4 Project Goals –

Replace bullet (g) with the following:

(g) Promote and entertain innovative approaches to rapid initiation and timely completion of construction.

Replace bullet (l) with the following:

(l) Additional Project Goals:

- Maximize the use of Native American workers and business enterprises associated with the Confederated Tribes of Umatilla Indian Reservation.
- Minimize construction impacts to wetlands and Wild and Scenic River areas.
- Minimize use of retaining walls but where necessary, design and apply aesthetic treatments to make them blend into the landscape.

RFQ SP1.5.3 Proposal Stipend –Add the following sentence to the end of this Subsection.

The Proposal stipend amount established for this Project is \$ 125,000.00.

RFQ SP1.6 Letter of Interest – Add the following sentence to the end of this Subsection.

Proposers shall submit Letters of Interest to the Agency's Single Point of Contact identified as follows:

Russell Swearingen
Design-Build Project Manager
ODOT Major Projects Branch
Advance Contracting Unit
680 Cottage St., NE
Salem, OR 97301-2412

RFQ SP1.8 Procurement Schedule – Replace this Subsection with the following Subsection:

RFQ SP1.8 Procurement Schedule - The current schedule for the Project is as follows:

Activity	Due Date
Issue Request for Qualifications	August 10, 2007
Mandatory Letter of Interest due date	August 20, 2007
Final date for receipt of Proposers' questions and RFQ Requests for Change and Protests	August 27, 2007
Final date for Issuance of Addenda	Seven (7) Calendar Days prior to SOQ due date
Statement of Qualifications due date	September 7, 2007
Short-List announced	September 24, 2007
Deadline for Submittal of Short-List Protests	Five (5) Business Days following transmittal of Evaluation Worksheets
Issue Request for Proposals	October 2, 2007
Proposal due date	December 20, 2007
Selection/Notice of Intent to Award	March 27, 2008
Contract execution/Award	May 15, 2008
Notice to Proceed	May 15, 2008

RFQ SP1.9 Design-Builder Responsibilities in Design, Construction, and Quality Management – Add the following bullet to the end of this Subsection:

- (v) Implementation, Administration, and Compliance with TERO requirements and Confederated Tribes of Umatilla Indian Reservation compliance agreement(s). TERO requirements and compliance agreement(s) will be provided in the Request for Proposal (RFP).

RFQ SP2.2 Proposer Questions – Replace the first (1st) paragraph of this Subsection with the following:

2.2 Proposer Questions - The Agency will consider questions submitted in writing by Proposers regarding the RFQ, including requests for clarification of RFQ provisions and

clarifications to either reference data or technical data, which is available on the Agency web site. All such requests must be submitted in writing in the format shown on Form RFQ-C (Appendix A) to the Agency PM at the address shown in the **RFQ Special Provisions**, Section 2.2.

Replace the last paragraph of this Subsection with the following:

Responses to questions and requests for clarification will be issued without attribution and will be posted on the Project Web site. The technical data available from the Agency website is preliminary and subject to change by the Agency. The accuracy of this data is not guaranteed and may not warrant clarification by the Agency. Technical data provided with the RFP is subject to change but will be deemed final unless modified by Addendum. An e-mail notification closing out the question and answer period will be sent to all known recipients of this RFQ not later than ten Calendar Days prior to the SOQ due date specified in the **RFQ Special Provisions**, Section 1.8.

Add the following to the end of this Subsection:

All requests for clarification of RFQ provisions must be submitted to the Agency PM at the address below:

Russell Swearingen
Design-Build Project Manager
ODOT Major Projects Branch
Advance Contracting Unit
680 Cottage St., NE
Salem, OR 97301-2412
Russell.swearingen@odot.state.or.us

RFQ SP3.2 Submittal Address – Replace the first (1st) sentence in this Subsection with the following:

SOQ's shall be delivered to the Agency at the address specified in the **RFQ Special Provisions**, Section 2.2.

RFQ SP3.4.3 (b) (1) Financial – Replace the last sentence in this Subsection with the following:

The Contract Amount for this Project is not anticipated to exceed \$ 35 million.

RFQ SP3.4.4 Experience – Replace this Subsection in its entirety and replace with the following:

RFQ SP3.4.4 Experience - The total points available for this evaluation factor are **30 Points**.

(a) Objectives:

- (1) To identify and Short-List the best qualified Proposers, based on demonstrated experience, expertise, and capacity to complete projects similar in nature to this Project, and with a record of producing quality work and superior safety.

- (2) To identify Proposer teams that have the following:
 - a. Experience in:
 1. Managing construction projects of comparable size and complexity with a preference for transportation projects; there is a preference for experience on Design-Build projects (regardless of size, complexity or type of work).
 2. Design and construction of multi-disciplinary highway bridge projects with similar complexity to the bridge replacement and repair work on this Project.
 3. Managing construction projects with multiple work locations; projects adjacent to other active work zones; projects involving complex staging and phasing; and projects requiring repair and replacement of Bridge Structures under tight schedules and other constraints.
 4. Successfully managing the flow of traffic and minimizing traffic delays. Emphasize projects with similar traffic management challenges as this Project.
 5. Providing public information on projects of comparable size, type of work, and complexity as this Project.
 - b. Superior record of completing contracts on time and within budget. There is a preference for a history of projects either completed ahead of schedule or performed under compressed timelines and under budget.
 - c. Demonstrated experience with environmental issues in successfully:
 1. Addressing environmental issues encountered in project permitting and implementing permit requirements;
 2. Planning and working within Environmentally Sensitive Waterways or Wild and Scenic Rivers;
 3. Maintaining environmental compliance during design and construction; and
 4. Implementing environmental protection and mitigation measures.
 - d. Record of managing contracts to minimize delays, claims, dispute proceedings, litigation, and arbitration.

- (3) To identify Proposers that have performed work on Tribal Lands and/or understand TERO requirements.

(b) Requirements and information to be submitted:

- (1)** Using Form E-1, Past Project Description, provide no more than ten (10) past project descriptions, with a minimum of two (2) past projects per each Principal Participant, and the Designer, and additional past project descriptions from the Project Quality Manager, highlighting experience in the last five (5) years relevant to the objectives stated in subsection (a) above. Describe those projects having scope, size, schedule, and/or challenges similar to those that the Proposer foresees for this Project.
- (2)** Using Form E-2, Subcontractor Information, except for the designated Designer and Project Quality Manager (which have already been included in Forms L-1 and E-1), identify Subcontractors the Proposer plans to use, to the extent they are known, indicating what portion of the Work each identified Subcontractor is anticipated to undertake. Submit a maximum one-page summary of experience for each listed Subcontractor. Emphasize experience on projects relevant to the objectives stated in subsection (a) above.
- (3)** Company brochures may be included in Appendix B, but will not count towards the page limit and will not be scored.
- (4)** Using Form E-3, "Proposed Key Personnel Information," provide requested information on Key Personnel. If more than one key position is filled by the same person, so indicate. Provide two references for the Project Manager nominee and at least one reference for all other Key Personnel. Indicate the name, position, company or agency and current phone and fax numbers for each reference. References shall be owners or clients for whom the Key Personnel have worked within the past five (5) years and shall not be current or past employers of the Key Personnel. Project Key Personnel are preferred to have experience on projects of a similar size, type of work, and complexity as this Project and shall meet the following qualifications:

 - a. Project Manager:** Shall have demonstrated experience in construction and management of construction on highway projects and on projects with similar size and complexity as this Project, including projects with compressed timelines, bridges over Environmentally Sensitive Waterways(s), and public information management issues. The Project Manager can only hold this Key Personnel position. Emphasize Design-Build experience and extensive project management experience.
 - b. Design Manager:** Shall be an Oregon-registered professional engineer who is an employee of the Designer. Shall have demonstrated experience in managing design for multi-disciplinary highway bridge projects with similar complexity of the bridgework on this Project. Emphasize experience with repair and replacement of bridges of similar size and type, including bridges over Environmentally Sensitive Waterways.
 - c. Construction Manager:** Shall have demonstrated experience in construction and management for multi-disciplinary highway bridge projects with similar complexity of the bridgework on this Project. Emphasize experience with repair

and replacement of bridges of similar size and type, including bridges over Environmentally Sensitive Waterways.

- d. Project Quality Manager:** Shall be an Oregon-registered professional engineer and have demonstrated experience in highway design and/or construction with at least five (5) years experience in quality assurance/quality control activities, including preparation and implementation of Quality Plans and procedures for design and/or construction. The Project Quality Manager can only hold this Key Personnel position. Emphasize experience with the Agency's quality assurance system and documentation, bridge construction and highway paving.
 - e. Traffic Control Design Engineer:** Shall have demonstrated experience in traffic control design and management of traffic control work on Highway projects. Traffic control experience on Highway systems involving complex construction staging and phasing, and temporary traffic signals are required.
 - f. Environmental Manager:** Shall have at least a B.S. or B.A. degree and demonstrated experience in managing others in environmental activities and experience with major Highway projects. Should have experience in reviewing Highway engineering drawings, concepts drawings, and Specifications for compliance with regulatory permits and approvals, and in monitoring construction activities for adherence to regulations, approvals, and Environmental Performance Specifications. Should have demonstrated experience in working cooperatively and effectively with design engineers and construction staff.
- (5) Submit resumes following Form E-3 outlining Key Personnel experience and qualifications. Additional resumes for a substitute for each Key Personnel position may be submitted in the event the designated Key Personnel is unable to fill the position intended. Resumes shall be a maximum of one page each. Resumes should highlight the following information:
- a.** Proposed role on Project and experience in area of responsibility;
 - b.** History of employment, preferably with Principal Participant;
 - c.** Experience in the management, design and/or construction of projects, preferably Design-Build projects, whether or not relating to highway construction; and
 - d.** Role, if any, on projects included in Proposer's list of experience.

RFQ SP3.4.5 Past Performance - Replace the first paragraph in this Subsection with the following:

RFQ SP3.4.5 Past Performance - The total points available for this evaluation factor are **20 Points**.

RFQ SP3.4.5 (b)(1) d. Termination or Stop-Work Orders for Cause or Default - In the first (1st) sentence of this Subsection., replace “Major Contractor” with “Major Subcontractor”.

RFQ SP3.4.6 Backlog / Capacity – Replace the first paragraph of this Subsection with the following:

RFQ SP3.4.6 Backlog/Capacity - The total points available for this evaluation factor are **15 Points**.

RFQ SP3.4.7 Project Understanding - Replace the first paragraph of this Subsection with the following:

RFQ SP3.4.7 Project Understanding - The total points available for this evaluation factor are **30 Points**.

RFQ SP3.4.8 Overall Statement of Qualifications (SOQ) – Replace the first paragraph of this Subsection with the following:

RFQ SP3.4.8 Overall Statement of Qualifications (SOQ) - The total points available for this evaluation factor are **5 Points**.

RFQ SP5.2.1 Requests for Change to RFQ Terms - Replace the third (3rd) sentence of this Subsection with the following:

The Request for Changes shall include the reason for requested changes, supported by factual documentation and any proposed changes, including issues or changes related to technical data posted at Agency website.

RFQ SP7.5 Exemption from Competitive Bidding – Add the following sentence to the end of this Subsection:

“If for any reason the exemption cannot be obtained, the procurement for this Project may be terminated pursuant to the Agency’s rights in Section 6.1(c).”

RFQ SP8.2 Disadvantaged Business Enterprise Utilization Goal and Aspirational Target - Replace this Subsection in its entirety and replace with the following:

RFQ SP8.2 Disadvantaged Business Enterprise Utilization Goal and Aspirational Target - A Disadvantaged Business Enterprise (DBE) utilization goal of zero percent (0%) and an aspirational target of five percent (5%) of the total design and construction Contract Amount has been established as of the date of the release of the RFQ for this Project. The final aspirational target percentage will be identified in the RFP.

RFQ FORMS – Replace each of the following Base Document Forms with each of the Project specific Forms attached to these **RFQ Special Provisions**.

RFQ SP-Form B – Backlog Information

RFQ SP-Form E-3 – Proposed Key Personnel Information

RFQ SP-Form R – Past Revenue

RFQ SP-Form S – Safety Questionnaire

RFQ SP-Form WD – Workforce Diversity