



Wisconsin Department of Transportation

North Central Region

Request for Qualifications

Addendum 1

US 45, County C to Gollnow Road, Shawano and Waupaca

Counties, Design-Build Project

State Construction ID: 1600-15-00/70

November 3, 2021

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1 Introduction

The Wisconsin Department of Transportation (Department), Alternative Contracting Section (ACS), is requesting Statements of Qualifications (SOQs) from entities (Design-Builders) interested in submitting proposals for the US 45, County C to Gollnow Road, Shawano and Waupaca Counties, Design-Build Project 1600-15-00/70 (Project).

The Project will be funded with federal and state dollars, which requires the Design-Builder to adhere to all pertinent federal, state, and local requirements.

1.1 Procurement Process

The Department will use a two-phase procurement process to select a Design-Builder to deliver a Project, as defined in Wisconsin Statute § 84.062. This Request for Qualifications (RFQ) is part of Phase 1 to solicit information in the form of SOQs. The Department will evaluate the submitted SOQs and short-list the Design-Builders that are determined to be the most highly qualified to successfully deliver the Project. The Department anticipates short-listing at least two Design-Builders but not more than four.

In Phase 2, the Department will issue an RFP for the Project to the short-listed Design-Builders. Only the short-listed Design-Builders will be eligible to submit proposals for the Project. Short-listed Design-Builders that submit a proposal in response to the RFP, if any, are referred to in this RFQ as “Qualified responsible bidders.” The Department will award a Design-Build Contract for the Project, if any, to the Qualified responsible bidder offering the low bid, which will be determined as described in the RFP.

The Department does not guarantee that a Request for Proposals (RFP) will be issued for this Project.

1.2 Project Goals

The Project goals are as follows:

- Safety
 - Provide a safe Project area for the traveling public and workers during the execution of the Project.
 - Provide a Project solution that is consistent with current Department, Federal Highway Administration (FHWA), and American Association of State Highway and Transportation Officials safety practices, guidelines, policies, and standards.
- Quality
 - Provide a high-quality product that meets or exceeds Department standards and minimizes future maintenance.
 - Implement and follow the Department’s Performance-Based Practical Design Principles.

- Mobility
 - Minimize impacts to existing traffic.
- Budget
 - Complete the Project within the Department's established budget.
- Public involvement
 - Meet public involvement goals and commitments.
 - Solicit input from Environmental Justice populations as part of public involvement.
- Project schedule
 - Meet or accelerate the Project schedule.

2 Background; RFQ Process

2.1 Project Description; Scope of Work

The Project is located in Shawano and Waupaca counties, Wisconsin, between the cities of Clintonville and Marion.

The Project scope includes replacing approximately 8 miles of deteriorating 4-lane divided asphalt pavement along US 45 from County Road C in Waupaca County just west of the city of Clintonville to approximately 400 feet south of Gollnow Road west of the city of Marion in Shawano County.

Proposed improvements also are anticipated to include replacing structural approach slabs at one structure, making scour repairs at three culverts, repairing or replacing guardrail, and removing curb and gutter along the center two-way-left-turn-lane along with spot upgrades to the median island and making curb, gutter, and inlet repairs. Additional major responsibilities will be safety, quality, and adherence to the Project goals listed in Section 1.2.

Additional information about the Project is available at www.wisconsindot.gov/designbuild.

Completing National Environmental Policy Act (NEPA) requirements is in process. Completion is anticipated prior to the issuance of the RFP.

2.2 Estimated Cost; Anticipated Required Completion Date

The estimated cost of the Project is between \$9 million and \$11 million. The anticipated required completion date of the Project is October 31, 2023.

2.3 Project Schedule

The RFQ schedule is subject to revision by addenda.

RFQ Schedule

October 4, 2021 RFQ issue date
 October 22, 2021 Deadline for submitting RFQ questions and organizational conflicts
 November 19, 2021 SOQ due date
 December 10, 2021 Notification of Qualified responsible bidders

The Department anticipates the following additional Project milestone dates:

Draft RFP Schedule

December 17, 2021 RFP issue date
 December 20, 2021 Disadvantaged Business Enterprise (DBE) meet and greet
 March 15, 2022 Technical and Price Proposals due date
 TBD 2022/2023 Anticipated date of First Notice to Proceed

2.4 Department's Project Management; Ex Parte Communications

Preston Bohn, P.E., is the Department's Project Manager and as such, the Department's sole contact for all communications about the Project. Written inquiries only will be accepted. All inquiries and comments about the Project and its procurement process must be emailed to the Department's Project Manager and carbon copied to the Department's ACS Program Manager:

Preston Bohn, P.E.
Design-Build Project Manager Wisconsin Department of Transportation
1681 Second Ave S
Wisconsin Rapids, WI 54495-4768
Email: Preston.Bohn@dot.wi.gov

For programmatic Design-Build questions, email the Department's ACS Program Manager:

Ben Thompson, P.E.
ACS Program Manager
Wisconsin Department of Transportation
4822 Madison Yards Way, 4th Floor South
P.O. Box 7916
Madison, WI 53707-7916
Email: Benjamin.Thompson@dot.wi.gov

During the Project procurement process, starting with the issuance of this RFQ and continuing until the Project Contract is awarded or the procurement is cancelled, no employee, member, or agent of any Design-Builder is allowed to have any ex parte communications about this procurement with any member of the Department or the FHWA, their advisors (e.g., cities, counties), or any of the contractors or consultants involved with the procurement, except for communications explicitly permitted by the Department's Project Manager and this RFQ (or subsequent to issuance of the RFP). Any Design-Builder engaging in such prohibited communications may be disqualified at the sole discretion of the Department.

2.5 Questions and Requests for Clarifications; Addenda

Questions and requests for clarification regarding this RFQ must be submitted in writing to the Department's Project Manager and carbon copied to the Department's ACS Program Manager as described in Section 2.4. To be considered, all questions and requests for clarification must be received by 4:00 p.m., Central Standard Time, on the date that is provided in Section 2.3.

The Department reserves the right to revise this RFQ at any time before the SOQ due date. The Department will post addenda, answers to questions and requests for clarification on its Design-Build Highway Construction Contract Information (HCCI) website at <https://wisconsindot.gov/Pages/doing-bus/contractors/hcci/design-build/design-build-advertisement.aspx>. The Department reserves the right to issue addenda to the RFQ as a result of questions and requests for clarification.

2.6 Major Participant

“Major Participant” in this RFQ is defined as any of the following entities:

- All general partners or joint venture members of Qualified responsible bidder
- All individuals, persons, proprietorships, partnerships, limited liability partnerships, corporations, professional corporations, limited liability companies, business associations, or other legal entity however organized holding (directly or indirectly) a ~~15%~~ 25% or greater interest in Qualified responsible bidder
- Any Subcontractor that will perform work valued at ~~15%~~ 25% or more of the Contract amount
- Lead engineering/design firm(s)
- Each engineering/design subconsultant that will perform ~~20%~~ 25% or more of the design work

The Design-Builder must self-perform at least 30% of the Project work.

2.7 Department Consultant/Technical Support

The Department has retained consultants AECOM Technical Services and Ayres Associates to provide guidance on preparing this RFQ and the RFP and on Project-related financial, contractual, and technical matters. The consultants are not eligible to participate on any Design-Builder team for this Project.

2.8 Organizational Conflicts of Interest

The Design-Builder’s attention is directed to the following:

- Title 23 Code of Federal Regulations (CFR) Part 636 Subpart A and in particular Section 636.116 on 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.

- The Department’s policy on engineering and design service conflicts of interest is in the Wisconsin Department of Transportation Facilities Development Manual (FDM), Chapter 8, Section 5-3.¹

¹ <https://wisconsindot.gov/rdwy/fdm/fd-08-01.pdf#fd8-1-5.3>

The Design-Builder is prohibited from receiving any advice or discussing any aspect of the Project or procurement of the Project with any person or entity with an organizational conflict of interest, including, but not limited to, the Department Consultant/Technical Support firms listed in Section 2.7. Such persons and entities are prohibited from participating in any Design-Builder organization related to the Project.

The Design-Builder must determine whether a potential conflict(s) of interest or perceived conflict(s) of interest exists. If the Design-Builder makes such a determination, the Design-Builder must disclose it to the Department. The disclosure must state the potential conflict of interest, provide a narrative of the conflict, and how it will be mitigated or resolved. The Design-Builder must submit the information to the Department for review and acceptance by 4:00 p.m., Central Standard Time, by the deadline provided in Section 2.3.

The Design-Builder agrees that if an organizational conflict of interest is discovered after award, the Design-Builder will make an immediate and full written disclosure to the Department that includes a description of the action the Design-Builder has taken or proposes to take to avoid or mitigate such conflicts. If an organizational conflict of interest is determined to exist, the Department may, at its discretion, cancel the Design-Build Contract for the Project. If the Design-Builder was aware of an organizational conflict of interest before the Contract was awarded and did not disclose the conflict to the Department, the Department may terminate the Contract for default.

~~The Department may disqualify a Design-Builder if any of its Major Participants belong to more than one Design-Builder organization.~~ The Department discourages Major Participants from belonging to more than one Design-Builder team. If a Design-Builder wishes to use a Major Participant that belongs to more than one Design-Builder team, the Major Participant must be identified on the Design-Builder Introduction Form as being nonexclusive.

2.9 Changes to Organizational Structure

The Design-Builder, including Key Personnel and Major Participants, identified in the SOQ may not be removed, replaced, or added without the Department's written approval. See Section 3.3 for information on Key Personnel.

The Design-Builder may replace an individual identified in a response to an RFQ or in a technical proposal if the Department determines that the individual meets the qualifications described in the response to the RFQ or in the technical proposal and that the individual's qualifications are at least equal to the qualifications of the individual who is being replaced. The Design-Builder must submit requests for removals, replacements, and additions in writing to the Department's Project Manager as described in Section 2.4.

2.10 Past Performance or Experience

The Department will evaluate the description in the submitted SOQ of the Design-Builder's past performance or experience in managing the design, engineering, and construction aspects of the Project.

The Design-Builder or any member of the Design-Builder's team must have served as a contractor on no fewer than five projects administered by the Department.

2.11 Equal Employment Opportunity and Davis-Bacon and Related Act Provision

The Design-Builder will be required to follow the Wisconsin Fair Employment Law and FHWA-1273, Required Contract Provisions: Federal-Aid Construction Contracts.²

In accordance with Wisconsin Statute Chapter 111, Subchapter II, Fair Employment, the Department will ensure that on any project that is constructed pursuant to this advertisement, equal employment opportunity will be offered to all persons without regard to age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or participate in any communication about religious or political matters.

The required federal contract provisions are contained in FHWA-1273, and the provisions must be included in every Federal-Aid Construction Contract, including Design-Build contracts. The Design-Builder must be familiar with FHWA-1273 and its oversight requirements. FHWA-1273 includes equal employment opportunity requirements, provisions of the Davis-Bacon and Related Acts, and other required federal contract provisions.

2.12 Disadvantaged Business Enterprises

The Department has established a Disadvantaged Business Enterprise (DBE) program that is in accordance with 49 CFR Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs. Under the DBE program and consistent with 49 CFR Part 26, the Department does not allow any person or business to be excluded from participating in, denied the benefits of, or otherwise be discriminated against in connection with the award and performance of any U.S. DOT-assisted contract because of sex, race, religion, or national origin.

If applicable, the Design-Builder will take all necessary and reasonable steps in accordance with 49 CFR Part 26 to ensure that DBEs have the maximum opportunity to compete for and perform the Contract. Additional DBE requirements will be set forth in the RFP.

The anticipated DBE goal for the Project is 8%. The Department's directory of DBE contractors is available at <https://wisconsin.dot.gov/Pages/doing-bus/civil-rights/dbe>.

² <https://www.fhwa.dot.gov/programadmin/contracts/1273/1273.pdf>

2.13 Design-Builder Prequalification

The Design-Builder's required construction prequalification is Work Rating D, Asphaltic Pavement.³ ~~Engineering and design professionals must be on the Department's Roster of Eligible Engineering Consultants.~~⁴ Engineering firms must hold a current Certificate of Authorization through the Wisconsin Department of Safety and Professional Service.

2.14 Design-Builder Suspension or Debarment

The Design-Builder and members of the Design-Builder's team:

- Must not be on a Department-maintained list of persons who are ineligible to bid due to suspension or debarment
- Must not be on the Department of Administration-maintained list of persons who have violated construction-related statutory provisions or administrative rules
- Must not have been debarred from any government contracts
- Must not have been found to have committed tax avoidance or evasion in any jurisdiction in the previous 10 years
- Must not have been disciplined under a professional license in any jurisdiction in the previous 10 years.
- Must not employ or contract with any current or future design professional who has been disciplined in any jurisdiction under a license that is currently in use

³ See <https://wisconsindot.gov/hccidocs/contracting-info/work-rate-descriptions.pdf>.

⁴ See https://wisconsindot.gov/Documents/doing_bus/eng_consultants/enslt_rgiotr/roster.pdf.

3 Content of Statement of Qualifications

SOQs must follow the outline of Sections 3.1 through 3.7. Design-Builders will provide brief, concise information that addresses the requirements of the Project consistent with the evaluation criteria described later in this RFQ.

Documents submitted pursuant to this RFQ will be subject to Wisconsin Public Records law.

The Department will conduct an initial review of SOQs and determine whether they pass or fail as specified in Section 4.3. The purpose of the initial review is to determine whether the SOQ is responsive to the RFQ. A SOQ will be considered responsive if it appears to include all of the required information and meets the submittal requirements defined in this RFQ. The initial pass/fail review does not include a qualitative assessment of the substance of the information in the SOQ. The SOQs that pass the initial review will be reviewed on a qualitative basis according to the criteria specified in Section 4.4.

Sections 3.1 through 3.7 describe the information that is required in the SOQ and how it will be used.

3.1 Introduction

The introduction consists of Design-Builder Introduction Form (see Appendix A) and the SOQ table of contents. The table of contents is limited to one page.

Provide information for the Design-Builder and each Major Participant in Appendix A.

The Design-Builder's point of contact (POC) who is listed on the Design-Builder Introduction Form (Appendix A) will be the single POC on behalf of the submitting Design-Builder and will be responsible for correspondence between the Design-Builder and the Department. The Department will send all Project-related communications to the POC.

3.2 Design-Builder Organization and Experience

The required information in this section will be used in the qualitative assessment of the SOQ. The Department will use the information to evaluate the capabilities of the Design-Builder to effectively deliver the Project.

3.2.1 Organizational Chart(s)

In this section, the Design-Builder must provide an organizational chart(s) that:

- Show the organizational hierarchy and identify participants who will be responsible for the major functions to be performed and their reporting relationships in managing, designing, and building the Project
- Show the functional structure of the organization and identify Key Personnel by name (see Section 3.3)
- Identify the Design-Builder, all Major Participants

- Identify all critical functional relationships between project management, executive oversight, construction management, quality management, and environmental compliance, among others, if not made clear by the Key Personnel reporting structure

3.2.2 Design-Builder Experience

This section must include a description of the experience of the Design-Builder and/or each Major Participant that will manage, design, and/or construct the Project. The entity that meets the construction prequalification classification in Section 2.13 must be identified.

The qualifications of the Design-Builder's team must be provided and must include both construction firm and design firm personnel. The information should address the following:

- Management and staff experience, capabilities, and functions on projects of similar scope
- Effective project management structure and interaction with the Department or other entities
- Effective utilization of personnel and experience of team members in a team setting
- Experience with expedited schedules and timely completion on comparable projects
- Experience with on-budget completion of comparable projects
- Experience with integrating design and construction activities
- Company experience and qualifications that are relevant to the Project scope
- Experience with utility coordination efforts and conflict resolutions
- Experience meeting NEPA requirements and mitigation that is required when environmentally sensitive areas are encountered

The Design-Builder:

- Must describe at least two and a maximum of four projects that the Design-Builder has completed or participated in (if the Design-Builder does not yet exist or is newly formed, please explain) and at least two and a maximum of four projects that each listed Major Participant has managed, designed, and/or constructed.
- May provide a single project description for projects in which several of the proposed Major Participants were involved.
- Should describe experience relevant to the Project that the Design-Builder/Major Participants have gained in the last 5 to 10 years. The Department prefers recent experience.
- Should cite projects with levels of scope that are comparable to the scope that is anticipated for the Project. Also consider citing projects in which construction duration was minimized, design schedules were kept, and original design and construction budgets did not increase.

- Should describe experience that may be applicable to the Project. Each project description should include the following information:
 - Name of the project and the owner’s contract number or the state project number. The Department may use this information as a reference check.
 - Owner’s project manager (owner’s construction manager for construction projects or the owner’s design manager for design projects) and telephone number and email address. If the owner’s project manager is no longer with the owner, provide an alternative contact at the agency who is familiar with the project. The alternative contact must have played a leadership role for the owner during the project.
 - Dates of design, construction, and project management.
 - Detailed description of the work or services that were provided and the percentage of the project that was actually performed.
 - Description of scheduled completion deadlines and actual completion dates. Provide additional information as justification if additional time was needed.
 - Original design or construction budget and final design or construction cost.

3.3 Key Personnel

The required information in this section will be used in the qualitative assessment of the SOQ. Key Personnel resumes will be provided as Appendix B (Resumes of Key Personnel) to the SOQ. Resumes of Level A Key Personnel are limited to two pages each. Resumes from Level B or other value-added personnel will not be submitted (such personnel may be discussed in the body of the SOQ, if desired).

Level A Personnel

- Design-Build Project Manager
- Design-Build Construction Manager
- Design-Build Design Manager
- Construction Quality Manager
- Design Quality Manager
- Roadway Engineer
- Maintenance of Traffic Engineer
- Contract Environmental Compliance Officer

Level B Personnel

- Traffic Engineering Team

- Geotechnical Engineer
- Public Information Coordinator
- Water Resources Team
- Utility Coordination Manager

3.3.1 Resumes of Key Personnel

This section describes the functions of Project Key Personnel. Level A personnel must be identified in the required organizational charts that are described in Section 3.2.1. Level B personnel are not required to be identified in the SOQ; therefore, the Level B personnel descriptions in this section serve primarily to inform the Design-Builder about personnel who will be required in the future. No Key Personnel identified by name in an SOQ, Level A or B, may be changed without completing the procedure described in Section 2.9.

An individual may not fill more than one Level A position unless explicitly allowed in this RFQ. If an individual fills more than one Level A position, only one resume is required. Only one individual may be proposed per position unless allowed in Section 3.3.3, although beneficial support staff are encouraged and may be mentioned in the body of the SOQ. The subsections below describe the minimum Key Personnel for the Project; the Design-Builder may add others.

3.3.2 Key Personnel Information

The following items should be included on each resume:

- Brief narrative describing the individual's recent career.
- Relevant licensing and registration.
- Years of experience performing similar work.
- Length of employment with current employer.
- Actual work examples from similar projects, including duties performed, percentage of time on the job, and dates of work performed. The Department prefers relevant experience. Conceptual design does not qualify as final design experience, and management of designers alone does not qualify as design experience.

In addition to resumes, the following information must be provided for each Level A Key Personnel:

- Brief narrative explaining why the individual is highly qualified for the position.
- Percentage of time to be committed to the relevant phases of the Project, most notably including the design and construction phases.
- Percentage of time committed to other projects with conditional statements as necessary.

3.3.3 Key Personnel: Job Descriptions; Minimum Qualifications for Acceptance; Qualifications Exceeding Minimums

This section consists of a brief job description, minimum requirements, and preferred requirements for each Key Personnel to be assigned to the Project. Key Personnel will be evaluated based on the extent to which they meet and/or exceed the requirements and preferences, including relevant education, training, certification, and experience. Any licenses or certifications that are required to meet the requirements of the RFQ must be in place by the time the first Notice to Proceed is issued.

3.3.3.1 Level A Personnel

Design-Build Project Manager:

- Will be responsible for the design, construction, and contract administration for the Project
- Will have full responsibility for the execution of the work
- Will act as a single POC in all matters
- Will have the authority to represent the Design-Builder on all Project-related matters
- May also serve as the Design-Build Construction Manager
- Must be on-site at least 1 day per week and must be available to be on-site at the Department's request

Required qualifications:

- Five years of recent experience managing the design or construction of projects of similar scope and complexity or has served in the same capacity on two similar, completed projects in the State of Wisconsin

Preferred qualifications:

- Experience with both design and construction
- Record of quality results
- Experience beyond the minimum
- Highly similar experience
- Design-Build experience

Design-Build Construction Manager:

- Will be responsible for ensuring that the Project is constructed in accordance with the Project requirements
- Must be on-site for the duration of the construction of the Project
- Must coordinate with the design team during the design of the Project

- Must either work under the direct supervision of the Design-Build Project Manager or serve as the Design-Build Project Manager

Preferred qualifications:

- Five years of recent experience managing the construction of projects of similar scope and complexity
- Record of quality results
- Experience beyond the minimum
- Highly similar experience
- Design-Build experience
- Record of quality communication with designers (or Design experience)

Design-Build Design Manager:

- Will be responsible for ensuring that the Project design is complete and that design criteria requirements are met
- Will serve as the primary representative for the Project's design
- Will make certain that the functional designs are completed on schedule, collaboratively, and in accordance with Contract requirements
- Must have the authority to be in direct contact with Department staff during all phases of the Project
- Must attend the weekly meetings
- Must work under the direct supervision of the Design-Build Project Manager
- The Design-Build Design Manager may also serve as the Roadway Engineer
- **The Design-Build Design Manager may also serve as the Maintenance of Traffic Engineer**

Required qualifications:

- Registered Professional Engineer in the State of Wisconsin

Preferred qualifications:

- Five years of recent experience managing the design of projects with similar scope and complexity or has served in the same capacity on two similar completed projects
- Record of quality results
- Experience beyond the minimum
- Highly similar experience
- Design-Build experience

Construction Quality Manager:

- Will be responsible for the construction quality of the Project
- Will develop the construction quality program, train the Design-Builder's personnel on their roles, attend the weekly meetings, and manage the construction quality program
- Will be responsible for checking that the requirements of Controlling item(s) of work are satisfied prior to requesting the Department's acceptance
- Must be independent of construction and have the authority to stop work
- Must manage staff required for any applicable testing in accordance with the Highway Technician Certification Program

Required qualifications:

- Recent experience developing, implementing, and managing construction quality programs on similar transportation projects
- Availability on request by the Department

Preferred qualifications:

- Record of quality results
- Experience beyond the minimum
- Highly similar experience
- Design-Build experience
- Experience with Critical Path Method (CPM) scheduling

Design Quality Manager:

- Will be responsible for the design quality of the Project
- Will develop the design quality program, train design personnel on their roles, and manage the design quality program
- Must report directly to the Design-Builder's Executive Committee and be independent of production
- Has the authority to stop the advancement of the Project design

Required qualifications:

- Recent experience developing, implementing, and managing design quality programs on similar transportation projects
- Registered Professional Engineer in the State of Wisconsin

Preferred qualifications:

- Record of quality results

- Experience beyond the minimum
- Highly similar experience

Roadway Engineer:

- Will be responsible for ensuring that the roadway design is completed in accordance with Contract requirements
- Will be the Engineer of Record for the roadway design
- Must either report directly to the Design-Build Design Manager or serve as the Design-Build Design Manager
- The Roadway Engineer may also serve as the Maintenance of Traffic Engineer.

Required qualifications:

- Registered Professional Engineer in the State of Wisconsin

Preferred qualifications:

- Five years of recent experience as a Professional Engineer in final design
- Experience designing highways
- Record of quality results
- Experience beyond the minimum
- Highly similar experience

Maintenance of Traffic Engineer:

- Will be responsible for ensuring that the maintenance of traffic designs are completed in accordance with Contract requirements
- May occasionally be asked to review construction in the field
- Must report directly to the Design-Build Design Manager or serve as the Design-Build Design Manager
- The Maintenance of Traffic Engineer may also serve as the Roadway Engineer.

Required qualifications:

- Registered Professional Engineer in the State of Wisconsin

Preferred qualifications:

- Five years of recent experience designing maintenance of traffic and staging plans on projects of similar scope and complexity preferred or must have designed these plans.
- Record of quality results
- Experience beyond the minimum

- Highly similar experience

Contract Environmental Compliance Officer (CECO):

- Will be responsible for ensuring compliance with all permits and Project environmental requirements
- Must have the authority to stop all work, if necessary, to comply with permits and requirements and therefore must be able to work directly with the Department, independent from design/construction personnel and the Design-Build Project Manager
- Must report directly to the Department
- Must be on-site as necessary during construction to ensure compliance with the Contract (including the Environmental Documentation) and permits
- Must be available to the Project site within 24 hours during all phases of the Project

Required qualifications:

- Must have recent experience in environmental compliance
- Must be familiar with permitting requirements in Wisconsin related to watershed districts, National Pollutant Discharge Elimination System, Section 404 and Section 401 of the Clean Water Act, contaminated materials, groundwater, and similar requirements

Preferred qualifications:

- Record of quality results
- Additional breadth of experience
- Highly similar experience

3.3.3.2 Level B Personnel

Resumes for Level B or other value-added personnel will not be submitted (such personnel may be discussed in the body of the SOQ, if desired).

Traffic Engineering Team:

- May be a person or a team of individuals
- Will be responsible for ensuring that the traffic designs are completed in accordance with Contract requirements (except for the maintenance of traffic requirements)
- May occasionally be asked to review construction in the field
- Will report to the Design-Build Design Manager
- If composed of more than one member, may be led by one Traffic Engineering Manager who reports directly to the Design-Build Design Manager or may report to the Design-Build Design Manager individually

Required qualifications:

- If team is composed of one person, Registered Professional Engineer in the State of Wisconsin now or by the time the first Notice to Proceed is issued
- If the team is composed of more than one person, at least one person must be a Registered Professional Engineer in the State of Wisconsin now or by the time the first Notice to Proceed is issued
- Collective experience in signing design, pavement marking design, lighting design, and signal design

Preferred qualifications:

- Five years of recent experience in their area(s) of specialization
- Record of quality results
- Experience beyond the minimum
- Highly similar experience

Geotechnical Engineer:

- Will be responsible for ensuring that the geotechnical designs are completed in accordance with Contract requirements
- May occasionally be asked to review construction in the field
- Must report directly to the Design-Build Design Manager

Required qualifications:

- Registered Professional Engineer in the State of Wisconsin now or by the time the first Notice to Proceed is issued
- Experience on projects involving ground improvement, reinforcement, and slope stabilization

Preferred qualifications:

- Five years of recent experience in geotechnical design
- Record of quality results
- Experience beyond the minimum
- Highly similar experience

Public Information Coordinator:

- Will be responsible for updating Project stakeholders regarding the Project at regularly scheduled meetings, coordinating with the Region Communications Manager, drafting

press releases, drafting responses to stakeholder questions, and providing information to several parties regarding traffic control changes

- Must attend the weekly Project meetings and be available to attend several other events on-site as necessary
- Must report directly to the Design-Build Project Manager
- May also serve in another Level A Personnel position.

Required qualifications:

- Experience leading a wide range of public information activities for transportation projects
- Experience responding to stakeholder comments and concerns.

Preferred qualifications:

- Record of quality results
- Highly similar experience

Water Resources Team:

- May be a person or a team of individuals
- Will be responsible for ensuring that the water resource designs are completed in accordance with Contract requirements
- Will address Project considerations including temporary erosion control, permanent erosion control, hydrology, hydraulics, surface water, seepage flow, infiltration, ponding, and other related aspects of the work
- Will report to the Design-Build Design Manager
- If composed of more than one member, may be led by one Water Resources Manager who reports directly to the Design-Build Design Manager, or the members may report to the Design-Build Design Manager individually

Required qualifications:

- Collectively experience on all aspects of urban and rural drainage on similar transportation projects, including ponding design, culvert design, open channel design, groundwater flow, erosion control, and water-related permitting
- If team is composed of one person, Registered Professional Engineer in the State of Wisconsin now or by the time the first Notice to Proceed is issued
- If the team is composed of more than one person, at least one person must be a Registered Professional Engineer in the State of Wisconsin now or by the time the first Notice to Proceed is issued

Preferred qualifications:

- Five years of recent experience in their area(s) of specialization
- Record of quality results
- Experience beyond the minimum
- Highly similar experience

Utility Coordination Manager:

- Will be responsible for ensuring that the Project utility coordination is carried out in accordance with Contract requirements
- Must be available to attend meetings on-site as necessary
- Must report directly to the Design-Build Design Manager

Preferred qualifications:

- Five years of recent experience identifying utility impacts and coordinating the relocation of utilities on highway projects preferred
- Record of quality results
- Experience beyond the minimum
- Highly similar experience

3.4 Project Understanding

The required information in this section will be used in the qualitative assessment of the SOQ. To demonstrate the Design-Builder's familiarity with the Project and the Project's requirements, the Design-Builder must:

- Provide a narrative demonstrating the Design-Builder's understanding of the Project, probable impacts of the Project, and potential issues and risks affecting the Project
- Demonstrate an understanding of the Project goals (see Section 1.2) and the following:
 - Project scope
 - Project construction and schedule requirements for the Project
 - Project design requirements
 - Mobility and safety concerns
 - Impacts on the adjacent communities and traveling public
 - Utility coordination efforts and process for resolving conflicts
 - Environmental concerns for the Project

- Potential risks associated with the Project and mitigation efforts that will be needed to remove or reduce the risk to meet the Project goals

3.5 Project Management Approach

The required information in this section will be used in the qualitative assessment of the SOQ. The Design-Builder must provide the planned approach to successfully delivering the Project by meeting or exceeding the Project goals (see Section 1.2) and include the following:

- The unique risks of the Project, approach to managing the risks, and any challenges the Design-Builder believes the Project may face in addressing them
- Plan for seamless transition through all phases of the Project
- Procedures for schedule control that will ensure timely initiation and completion of design and physical project construction.
- Approach to quality management to effectively manage the Project and ensure public safety and public access

3.6 Legal and Financial

The information required in response to Sections 3.6.1 and 3.6.2 will be submitted as Appendix C (Legal and Financial). The information provided in response to these sections will not count toward the allowed total number of pages as defined in Section 5.2. The required information in these sections will be evaluated on a pass/fail basis.

3.6.1 Legal Name and Authority to Transact Business in Wisconsin

The Design-Builder must be registered or authorized to do business in the State of Wisconsin. The Design-Builder or a member must have been in business for at least 12 months as of the SOQ due date in Section 2.3. The following must be provided:

- Full legal name of the Design-Builder.
- State in which the Design-Builder is incorporated or otherwise organized.
- If the Design-Builder organization has not yet been formed, describe the relevant facts and circumstances and provide an assurance that the Design-Builder and each Major Participant will be authorized to conduct business in Wisconsin by the time of Contract award.

3.6.2 Bonding and Financial Capability

The Design-Builder must be able to secure performance and payment bonds for 100% of the Contract value for the entire Contract term. The Design-Builder must provide a letter from the surety or insurance company authorized to do business in the State of Wisconsin with an A.M. Best Co. "Best's Rating" of A- or better stating the Design-Builder is able to obtain the necessary bonds for the project.

The Design-Builder must submit a sworn statement that indicates that it has adequate financial resources to complete the work described in the RFQ, taking into account any other work the Design-Builder is currently under contract to complete. The sworn statement needs to include, at a minimum, the dollar amount according to the engineer's, architect's, or owner's latest estimate, of all incomplete work now under contract for which the Design-Builder is responsible with its own crews and equipment. If the Design-Builder has no incomplete work, state "None." The Design-Builder must provide a list of outstanding contracts. The list must include who the contract is with, project location, the firm's contract dollar amount incomplete per project, and a total incomplete amount.

Updates to the sworn statements and list of outstanding contracts must be submitted to the Department per Section 2.4 according to the following schedule:

- Within 7 calendar days after any increase in the outstanding contract total until release of the RFP
- Within 7 calendar days after any increase in the outstanding contract total during the advertised RFP
- With the Technical and Price Proposal due date, as defined in the RFP

3.7 Organizational Conflicts of Interest

The required information for organizational conflicts of interest will be submitted as Appendix D (Organizational Conflicts of Interest). Information provided in response to this section will not count toward the allowed total number of pages as defined in Section 5.2.

The Design-Builder must provide a sworn statement stating:

- The Design-Builder agrees not to have any public or private interest and will not acquire directly or indirectly any such interest in connection with the Project that would conflict or appear to conflict in any manner with the performance of the services under this contract.
- The Design-Builder is aware of and understands the requirements described in Section 2.8.
- The Design-Builder agrees to not provide any services to a construction contractor or any entity that may have an adversarial interest in the Project for which it has provided services to the Department.
- The Design-Builder agrees to disclose to the Department, in writing, all organizational conflicts of interests that may be contemplated during each phase of the Project including, but not limited to, planning, scoping, early preliminary engineering, design, and construction.
- The Design-Builder certifies that no conflict of interest or perceived conflict of interest exists or that it has been disclosed and mitigated/resolved to the Department's satisfaction.

4 Evaluation Process

4.1 SOQ Evaluation

The Department will initially review the SOQs for responsiveness to the requirements of this RFQ on a pass/fail basis as described in Section 4.3. Following the pass/fail review, responsive SOQs will be measured against the evaluation criteria stated in Section 4.4.

4.2 Interview

The Department reserves the right to conduct interviews with all potential Design-Builders prior to the development of a short-list. The Department may conduct the interviews during its evaluation of the SOQ submittal process and scoring. If the Department elects to conduct interviews, the Department will determine the schedule for the interviews following receipt of the SOQs.

4.3 Pass/Fail Review

Prior to SOQ evaluation and scoring (see Section 4.4), the Department will review the following on a pass/fail basis:

- **Introduction.** Completion and signing of the Design-Builder Introduction Form (see Appendix A) and applicable table of contents.
- **Legal and Financial.** Applicable information as defined in Section 3.6. The information provided in response to this section will be submitted as Appendix C (Legal and Financial). This section will include, at a minimum, the following:
 - Documentation demonstrating the Design-Builder’s legal name and the authority to conduct business in the State of Wisconsin as described in Section 3.6.1
 - Demonstration of the Design-Builder’s ability to secure the performance and payment bonds and sworn statements demonstrating financial viability as described in Section 3.6.2
- **Organizational Conflicts of Interest.** See Section 3.7 for relevant disclosures. Organizational conflicts of interest will be submitted as Appendix D, Organizational Conflicts of Interest.

The Department may request clarifications for any information provided and waive any deficiencies, irregularities, or technicalities.

4.4 SOQ Evaluation and Scoring

Following the pass/fail review, the Department will evaluate all responsive SOQs and measure each Design-Builder’s response against the Project goals and selection criteria set forth in this RFQ, resulting in a numerical score out of 100 for each SOQ. The Department will use the following criteria and weightings:

- **Design-Builder Organization and Experience (30 points)**
- **Key Personnel (30 points)**
- **Project Understanding (30 points)**
- **Project Management Approach (10 points)**

4.5 Determining Qualified Responsible Bidders

The Department will total the scores for each responsive SOQ and prepare a ranked list of Design-Builders.

The Department 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. The Design-Builder must provide information to the technical review committee upon request about ownership, management, and control of the Design-Builder.

This RFQ does not commit the Department to enter into a contract or proceed with the procurement of the Project. The Department 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 will be borne solely by each Design-Builder. In addition, the Department assumes no obligations, responsibilities, or liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred by the parties if the Department elects to not issue an RFP for the Project.

4.6 Notification of Short-listing

Upon completion of the evaluation, scoring, and short-listing process, the Department will publish the list on its Design-Build Highway Construction Contract Information (HCCI) website at <https://wisconsin.gov/Pages/doing-business/contractors/hcci/design-build/design-build-advertisement.aspx>.

4.7 Debriefing Meetings

Once the Department awards the Project (if any), feedback may be provided via face-to-face meeting or virtual meeting or by phone or email at the discretion of the Project Manager. Feedback will not be provided until after the award of the Contract.

5 Procedural Requirements for SOQ Submittal

This section describes requirements that all Design-Builders must satisfy in submitting SOQs. Failure of any Design-Builder to submit an SOQ as required in this RFQ may result in rejection of its SOQ.

5.1 Due Date, Time, and Location

All SOQs must be received by 9:00 a.m., Central Standard Time, on the SOQ due date indicated in Section 2.3 and must be delivered by email in an unencrypted, fully searchable PDF format that is also not password-protected to DOTDesignBuildSubmittals@dot.wi.gov.

The email subject line must be “Project 1600-15-00/70 -[Design-Builder name] SOQ - [Date].”

The maximum size of an email that the Department can receive is 25 MB. If necessary, break the PDF into multiple emails. If multiple emails are used, they must be numbered sequentially in the subject line (e.g., Project 1600-15-00/70 -[Design-Builder name] SOQ - [Date] - Email [#] of [#]).

Any SOQ that fails to meet the deadline or delivery requirement will be rejected without opening, consideration, or evaluation. Design-Builders will receive a confirmation email upon successful delivery to the Department. In the event a confirmation email is not immediately received, please contact Ben Thompson for assistance (see Section 2.4 for contact information).

5.2 Format

The SOQ must not exceed 14 single-sided pages not including the cover letter, table of contents, section dividers, and appendices)

There are no maximum page limit for the appendices (see Section 3.3.1 on page limits per resume), but the appendices must contain only information that is relevant to the requested appendix information in this RFQ. Appendices will not be used to enhance an SOQ beyond these requirements. The SOQ will contain the following appendices:

- Appendix A: Design-Builder Introduction Form
- Appendix B: Resumes of Key Personnel
- Appendix C: Legal and Financial
- Appendix D: Organizational Conflicts of Interest

Section dividers must be used only to convey the heading of a section and must not be used to supplement or enhance any information included in the SOQ (photos, but not photo renderings, on the dividers are acceptable). All information must be designed to print on 8.5 x 11-inch paper. ~~The letters comprising all text, except for the front cover, will not be less than 0.10 inch in maximum height (i.e., the height of a capital letter), which is roughly equivalent to 11-point, Times New Roman font.~~ 11-point Arial font must be used for text. There are no font requirements regarding text on the front cover. Text in charts, exhibits, design plans, and other

illustrative and graphical information must be no smaller than 10-point ~~Arial Times New Roman~~. All dimensional information must be shown in English units.

The front cover of each SOQ must be labeled “WisDOT Design Build Project 1600-15-00/70,” “Statement of Qualifications,” the Design-Builder name, and date of submittal.

6 Procurement Phase 2

This section is provided for informational purposes only so each Design-Builder has a description of the Phase 2 of the Project procurement process, including a summary of certain anticipated RFP requirements. The Department reserves the right to make changes to the following, and Qualified responsible bidders must only rely on the actual RFP when and if it is issued. This section does not contain requirements related to the SOQ.

6.1 Requests for Proposals

Design-Builders on the short-list following Phase 1 of the procurement process will be eligible to move to Phase 2 and receive an RFP. While the Department may make the RFP available to the public for informational purposes, only Qualified responsible bidders will be allowed to submit a response to the RFP.

6.2 RFP Content

In accordance with Wisconsin Statute § 84.062(6), the RFP will include the following:

- Name, title, address, and telephone numbers of persons to whom questions concerning the proposal should be directed
- Procedures to be followed for submitting proposals, including how proposals must be delivered, the date and time by which they must be received, and the name and address of the person who is to receive them
- Date and time of the pre-proposal conference, if any
- Requirement that a technical proposal and cost proposal be submitted
- Clear description of the scope of all design, engineering, and construction work
- Criteria for evaluating proposals and their relative weight, if applicable
- Design criteria package, including a description of drawings, specifications, or other information to be submitted with the proposals that will allow the Design-Builder to use innovative projects to meet the criteria
- Project schedule and budget limits, if any
- Proposed terms and conditions of the Contract
- Requirements relating to performance bonds, payments bonds, and insurance
- Amount of stipend, if any
- Procedures for awarding a contract.
- Process for reviewing and accepting Alternative Technical Concepts (ATCs) and value engineering change proposals

- Any other information the Department determines is necessary

6.2.1 RFP Structure

The RFP will be structured as follows:

- Instructions to Proposers
- Contract Documents
 - Book 1 (Contract Terms and Conditions)
 - Book 2 (Project-Specific Requirements)
 - Book 3 (Standards)
- Reference Information Documents (RID)

6.3 One-on-One Meetings

The Department will offer each Qualified responsible bidder the opportunity to meet before the proposal due date to discuss any ATCs, if applicable, that are being developed. In any such meeting, the Department will meet with only one Qualified responsible bidder at a time. Qualified responsible bidders will not be required to accept the meeting offer.

6.4 Proposals Submitted in Response to the RFP

Qualified responsible bidders that choose to continue in the procurement process must submit a two-part proposal. The first part is the technical proposal, and the second is the price proposal. The RFP will define formats, page limits, and evaluation criteria for the proposal packaging and all proposal contents.

6.5 Stipends

The Department will award a stipend for responsive proposals submitted by unsuccessful Qualified responsible bidders, anticipated to be 0.3% of the Department's estimated cost of design and construction. A stipend will not be paid to the successful Qualified responsible bidder. No stipends will be paid for submitting SOQs.

In consideration for paying the stipend, the Department may use any ideas or 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 unsuccessful Qualified responsible bidders.

The Department will pay the stipend to each eligible Qualified responsible bidder within 90 days after the award of the Contract or the decision not to award a contract. If an unsuccessful Qualified responsible bidder elects to waive the stipend, the Department will not use ideas or information contained in that Qualified responsible bidder's proposal.

Appendix A: Design-Builder Introduction Form

Design-Builder Information

Business name _____

Business address _____

Business type
(e.g., corporation,
partnership, joint venture) _____

Design-Builder's Point of Contact

The Design-Builder's Point of Contact (POC) will be the single POC on behalf of the Design-Builder and will be responsible for correspondence between the Design-Builder and the Department. The Department will send all Project-related communications to the POC.

Name _____

Address _____

Telephone _____

Email _____

Major Participants

Refer to Section 2.13 of the RFQ for the required prequalification's of Major Participants. Add additional rows if necessary.

Major Participant #1 _____

Major Participant Contact _____

Head Office Address _____

Role/Prequalification _____

Is Major Participant exclusive to Design-Builder identified on this form? Yes No

Major Participant #2 _____

Major Participant Contact _____

Head Office Address _____

Role/Prequalification _____

Is Major Participant exclusive to Design-Builder identified on this form? Yes No

Major Participant #3 _____

Major Participant Contact _____

Head Office Address _____

Role/Prequalification _____

Is Major Participant exclusive to Design-Builder identified on this form? Yes No

Major Participant #4 _____

Major Participant Contact _____

Head Office Address _____

Role/Prequalification _____

Is Major Participant exclusive to Design-Builder identified on this form? Yes No**Acknowledgement of RFQ Addenda**

Acknowledge any and all RFQ addenda by number and date. Add additional rows if necessary.

<u>Addendum number</u>	<u>Addendum date</u>	<u>Acknowledgement</u>
_____	_____	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>

Signatures

This form must be signed by authorized representatives of the Design-Builder. If the Design-Builder is a joint venture, the joint venture members must sign the form. Lead Engineering Firms or other consultants providing professional services may not serve as a member of a joint venture. If the Design-Builder is not yet a legal entity, the known Major Participants must sign the form.

By signing below, the Design-Builder certifies the truth and correctness of the contents of the SOQ, including this Design-Builder Introduction Form.

Printed name _____ Organization/Role _____

Signature _____ Date _____

Printed name _____ Organization/Role _____

Signature _____ Date _____

Printed name _____ Organization/Role _____
Signature _____ Date _____

Printed name _____ Organization/Role _____
Signature _____ Date _____