



# Request for Qualifications

## SR 99 Bored Tunnel Design-Build Project

**ISSUE DATE: September XX, 2009**

**STATEMENTS OF QUALIFICATIONS**

**DUE DATE: October XX, 2009**

**WORKING DRAFT 8-06-09**



**Washington State  
Department of Transportation**

Comment [d1]: This Table of Contents needs to be updated to the new Section numbers below.

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***State of Washington  
Department of Transportation***

***Request For Qualifications for  
SR 99 Bored Tunnel  
Design-Build Project***

## **1.0 Introduction**

The Washington State Department of Transportation (WSDOT) is soliciting Statement of Qualifications (SOQ) from entities (“Submitters”) interested in submitting proposals to design and construct the SR 99 Bored Tunnel Project., located in the downtown Seattle area.

The estimated value of the Project is approximately \$1,000,000,000 and is being funded by the State of Washington.

By submitting an SOQ, Submitters agree to be bound by the requirements outlined in this Request for Qualifications (RFQ). Submitters shall satisfy all requirements specified in this RFQ. Failure of the Submitter to meet these requirements may result in rejection of the SOQ.

Persons with disabilities may request information contained within this RFQ to be prepared and supplied in alternate formats by calling collect 206-389-2839. Persons with hearing impairments may call 1-800- 833-6388 (Washington State Telecommunications Relay Service) and ask for 206-515-3683.

## **2.0 Background**

The main purpose of the SR 99 Bored Tunnel Design-Build Project is to expedite the construction of an alternate traffic route sufficient to replace the existing through capacity of the Alaskan Way Viaduct Facility.

The Federal Highway Administration (FHWA), the Washington State Department of Transportation (WSDOT), and the City of Seattle are proposing to replace the Alaskan Way Viaduct, located in downtown Seattle, King County, Washington.

The Alaskan Way Viaduct (part of SR 99) and Interstate 5 (I-5) are the two primary north-south routes to and through downtown Seattle. The Alaskan Way Viaduct along the central waterfront currently carries about 110,000 vehicles a day and provides a convenient route through downtown Seattle. The viaduct also plays an important role in

freight mobility, providing a major truck route through downtown, and providing access to the Ballard-Interbay and greater Duwamish manufacturing and industrial centers.

WSDOT studies in 1995 and 1996 concluded that the soils on which the Alaskan Way Viaduct is constructed are vulnerable to soil liquefaction and may lose their ability to support the structure during an earthquake. The February 28, 2001 Nisqually earthquake (magnitude 6.8, located 35 miles from Seattle and deep below the surface) caused moderate damage to the Alaskan Way Viaduct. The structure was closed for inspection and repairs intermittently for several days over a period of several months. The extent of damage and loss of the heavily traveled corridor heightened awareness of the need for immediate improvements. A Structural Sufficiency Report was prepared after the earthquake and it concluded that continued reliance on the existing viaduct is not prudent. Recent studies in 2007 have concluded there is a 1-in-10 chance during the next 10 years of an earthquake that would render the Alaskan Way Viaduct unusable or even cause collapse.

A Notice of Intent to prepare an environmental impact statement (EIS) was published in July 2001 by FHWA, with co-lead agencies WSDOT and City of Seattle. A draft EIS was published in 2004, followed by a supplemental draft EIS in 2006. Both documents evaluated alternatives replacing the Viaduct's transportation functions in the existing corridor. None of the alternatives garnered sufficient support to move forward. In an advisory vote in March 2007 Seattle voters rejected both cut and cover tunnel and new elevated structure alternatives.

Because no consensus was reached and this seismically vulnerable section of SR 99 is critical to local and regional transportation, in 2008 WSDOT, City of Seattle and King County, with support from FHWA, undertook a scoping process to identify potential project alternatives through a broader evaluation of the entire transportation system. The evaluation included streets, transit service, and freeways from Lake Washington to Elliott Bay and from NE 85th Street in the north to Seattle's city limits in the south. This evaluation was assisted by a Stakeholders Advisory Committee was formed to solicit views and opinions from communities, businesses, and cause-driven organizations. The lead agencies also held public scoping workshops throughout the evaluation period to inform and gather comments from the public.

During this scoping process, combinations of improvements to SR 99, Interstate 5 (I 5), surface streets, transit, and transportation demand management were identified to create multiple scenarios that explored whether a system-level approach to transportation improvements could adequately replace the existing viaduct's transportation function. The scenarios used different levels of investment for each component (SR 99, I 5, surface streets, transit, and transportation demand management) of the transportation system. The idea was to learn how each component contributed to the system, and how they worked together. The scenarios were evaluated for their effectiveness in moving people and goods and how different improvements might affect Seattle and the surrounding region. At the conclusion of this process the Mayor, County Executive, and Governor endorsed a bored tunnel as their recommended alternative to replace the viaduct.

Currently a supplemental draft EIS is being prepared by FHWA, WSDOT, and the City of Seattle. This document will address the bored tunnel and update the overall NEPA process. After public comments are received on this supplement draft EIS, a final EIS will be prepared, followed by a Record of Decision.

## **2.1 Status of NEPA Review**

WSDOT is preparing an Environmental Impact Statement for the project in compliance with the State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA). The WSDOT project team is engaged in early coordination with all Federal, State, tribal, regional, and local agencies that have permitting authority, special expertise, or interest in transportation projects. WSDOT anticipates issuing a Supplemental Draft Environmental Impact Statement for public comment in February 2010. The issuance of the Final Environmental Impact Statement is scheduled for January 2011, and the issuance of the Record of Decision, which completes the NEPA process, is scheduled for March 2011. Therefore, the NEPA/SEPA documentation, Section 106 and Endangered Species Act consultations, and environmental permits for the project will not be completed prior to the award of the contract. In light of that, WSDOT anticipates issuing two phases of Notice To Proceed (NTP) for this Project as further defined in Section 4.1. This is to ensure that no commitments are made to any alternative being evaluated in the NEPA process and that the comparative merits of all alternatives presented in the NEPA document, including the no-build alternative, will be evaluated and fairly considered.

## **3.0 Procurement Process**

WSDOT will use a two-step procurement process to select a Design-Builder to deliver the Project. The issuance of this RFQ is part of the first step to solicit information from interested Submitters in the form of an SOQ. WSDOT will evaluate and score submitted SOQs to determine the most highly qualified Submitter to successfully deliver the Project. The evaluation and scoring process to be used for this Project is detailed in Section 8 of this RFQ. It is WSDOT's goal to short-list the three (3) to four (4) most highly qualified Submitters to continue to the second step of the process.

In the second step, WSDOT will issue a Request for Proposal for the Project to the short-listed Submitters. Only short-listed Submitters, referred to as a "Proposer," will be eligible to submit proposals for the Project. WSDOT will pay a stipend to all non-successful Proposers that submit a responsive RFP proposal. The stipend for this Project will be **\$2,000,000**.

WSDOT may cancel or re-advertise this procurement at its discretion at any time in the process.

### 3.1 Procurement Schedule

WSDOT anticipates the following procurement milestone dates. This schedule is subject to revision by addenda to this RFQ, by the RFP, or by addenda to the RFP.

**Table 1. Procurement Schedule**

Action	Dates
<b>Step 1 – SOQ Phase</b>	
Issue RFQ	September 15, 2009
Voluntary meeting for Submitters	September 29, 2009
Deadline for submitting RFQ questions	November 3, 2009
Deadline for WSDOT response to RFQ questions	November 9, 2009
SOQ due date	November 16, 2009
Notify short-listed Submitters	December 30, 2009
<b>Step 2 – Proposal Phase</b>	
Issue Draft RFP	January 4, 2010
Issue Final RFP	March 8, 2010
Mandatory RFP meeting	March 29, 2010
Deadline for submitting Alternate Technical Concepts	July 15, 2010
Deadline for submitting Proposers' questions	July 15, 2010
Proposal Due Date	September 15, 2010
Announce Apparent Best Value Proposal	December 23, 2010

### 3.2 Contact Information

#### 3.2.1 Submittal Information Point of Contact

Each Submitter shall provide the WSDOT Contract Ad & Award Office with the name, address, phone number, fax number, and e-mail address of its Single Point of Contact (Contact Person). WSDOT will distribute addenda and other communications directly to the Submitter's identified Contact Person. This information will also be posted on the WSDOT website. The Submitter Contact Person is responsible for distributing copies of addenda and other RFQ related communications within their team. The SOQ shall be submitted to WSDOT's Ad and Award Office using the following address:

Ken Walker  
Contract Ad & Award Office  
Washington State Department of Transportation  
P.O. Box 47360  
Olympia, WA 98504-7360  
Email: [walkeke@wsdot.wa.gov](mailto:walkeke@wsdot.wa.gov)

Submitters should not contact the Contract Ad and Award Office for technical clarifications of the RFQ or related project specifics. The WSDOT Technical point of Contact designated in Section 3.2.2 will address Project-specific questions and technical clarifications.

### **3.2.2 WSDOT Technical Point of Contact**

Submitters who have questions or need further clarification or information regarding the technical aspects of the Project only should contact the following designated WSDOT Technical Point of Contact by letter, phone, or e-mail as follows:

Brian Nielsen, P.E.  
Alaskan Way Viaduct and Seawall Replacement Office  
Washington State Department of Transportation  
999 Third Avenue, Suite 2424  
Seattle, WA 98104-4019  
Phone: (206) XXX-XXXX  
Email: [nielsenb@wsdot.wa.gov](mailto:nielsenb@wsdot.wa.gov)

All non-technical clarifications or questions shall be addressed as designated in Section 3.2.1 above.

### **3.3 Questions, Clarifications and Addenda**

Questions and requests for clarification regarding this RFQ shall be submitted in writing to the WSDOT Technical Point of Contact, as described above in Sections 3.2.2. To be considered, all questions and requests must be received by **4:00 P.M., Pacific Time**, on the date indicated in Table 1 in Section 3.1.

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

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

1. Questions and requests for clarification will be posted by the close of business on the day after they are received on the WSDOT Contract Ad & Award Office website at: <http://www.wsdot.wa.gov/biz/contaa/>



2. WSDOT will answer questions and requests for clarification by posting a response on its Contract Ad & Award Office website no later than the date shown in Table 1 in Section 3.1.
3. WSDOT will send an e-mail notification to the Contact Person for each Submitter as soon as each addendum, response, or group of responses is issued. The notification will include an electronic copy of the addendum or clarification whenever possible.

The Submitters shall acknowledge receipt of all addenda and question responses by completing Form A, Acknowledgment of Receipt of Addenda, which is included as Appendix A of this RFQ, and submitting the completed Form A as Appendix A within the SOQ submittal package.

### **3.4 Ex Parte Communications**

Submitters are expected to conduct themselves with professional integrity and to refrain from lobbying activities. Commencing with the issuance of this RFQ and continuing until award of a contract for the Project (or cancellation of the procurement), no employee, member, agent, or advisor of any Submitter shall have any ex parte communications, directly or indirectly, regarding this procurement with any representative of WSDOT, including their staff, advisors, contractors or consultants (as noted in Section 5.2) involved with the procurement, except for communications expressly permitted by this RFQ (or, subsequent to issuance of the RFP, except for communications expressly permitted by the RFP).

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

### **3.5 Voluntary Meetings for Potential Submitters**

WSDOT will hold an informational meeting for Submitters interested in responding to this RFQ. Attendance at this meeting is not mandatory and is not a prerequisite to being a Submitter for this Project. The meeting will be held on the date specified in Table 1 in Section 3.1 from 1:00 p.m. to 3:00 p.m., Pacific Time, at the following location: (May need a different site that is larger?)

Alaskan Way Viaduct & Seawall Replacement Program Office  
Washington State Department of Transportation  
999 Third Avenue, Suite 2424  
Seattle, WA 98104-4019

WSDOT also anticipates that it may be advantageous to hold confidential one-on-one meetings with Submitters. The intent of these meetings is to clarify specific questions that Submitters may have concerning the RFQ process. These meetings if necessary will be scheduled on an as needed basis after the informational meeting for Submitters but prior to the deadline for submitting RFQ questions as noted in Table 1 in Section 3.1.

### **3.6 WSDOT Core Values and Project Goals**

WSDOT is focused on safeguarding the reliability of the State's transportation system in the event of catastrophic failure, including construction of a bored tunnel to replace the aging Alaskan Way Viaduct. The SR 99 Bored Tunnel Design-Build Project is intended to expedite the construction of an alternate 4 lane tunnel facility as part of an integrated program consisting of a number of projects to replace the Alaskan Way Viaduct ("Program"). Having the tunnel ready and available for use is key to maintaining a safe regional transportation system in a timely manner. It is WSDOT's expectation that the Design-Builder will design and construct the Project in consideration of WSDOT's values and project goals. Accordingly, the process of evaluating and scoring the Requests for Proposals will incorporate these values and goals.

WSDOT has established the following Project-specific goals for the successful Design-Builder:

- **Maintain worker and public safety** – Provide a safety program that encourages and supports safety as a core value, and promotes a goal of zero accidents for the public and workers.
- **On Time & Within Budget** - Achieve schedule milestones and leverage opportunities for schedule enhancement to support the goal of opening the tunnel to traffic in late 2015 within the available budget.
- **Proactive Planning and Execution** - Achieve well-planned Project development, start-up, and execution through efficient collaboration and proactive coordination with adjacent projects and contractors.
- **Meet or Exceed Environmental Commitments** - ensure compliance with all Project requirements related to protection of natural, historic, and archaeological resources and the public.
- **Quality** - Meet or exceed technical and operating quality requirements through development and implementation of a clear, comprehensive quality management plan.
- **Minimize Ground Deformation/Settlement** – Minimize public inconvenience and protect adjacent properties, utilities and buildings through proactive management of construction operations and monitoring systems that result in and maintain public confidence.

- **Maximize Opportunities for Positive Community Involvement and Interaction** – Work with WSDOT to engage in effective communications, public outreach and community involvement to address project impacts on, and opportunities for, individuals, businesses, neighborhoods and other stakeholders.

## **4.0 Project Scope of Work**

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

The Submitter shall consider WSDOT's desire for key members of the Project to co-locate, with enough space for WSDOT representatives to work and attend Project meetings. Specifics of these requirements will be further identified during the RFP phase.

WSDOT recognizes that the schedule is aggressive and for that reason the road decks and tunnel systems are included in the design build contract. This will allow the selected contractor to maximize both innovation in their selected means and methods and concurrent working during the installation operations. WSDOT is also committed to minimizing submittal review times and assisting the selected contractor with 3<sup>rd</sup> Party approvals.

Separate contracts will be issued for the design and construction of facilities at the North and South Portals of the tunnel including roadway utilities and other infrastructure to support the Program's temporary and permanent works. The design builder will be required to integrate and manage work activities to allow adjacent contractors access to complete their construction in time for a December 2015 opening.

While WSDOT expects the final project scope of work and project limits to be further refined over the next several months, the scope of work is currently defined to provide a complete transportation system for The SR 99 Bored Tunnel Design-Build Project ("Project") consists of the following components:

- Design and construction of a large-diameter bored tunnel approximately fifty four foot (54') inside diameter and 9200 lineal feet long. The south portal structure is expected to be located in the vicinity of First Avenue South

between Charles and Dearborn Streets. The current proposed tunnel alignment will then extend along First Avenue South, passing under sewer and rail tunnels, to the intersection of Pike Street where it will make a sweeping turn to the east and end at the north portal in the vicinity of John Street. . The tunnel will be constructed using a pressurized face Tunnel Boring Machine (TBM) and supported with a bolted, gasketed, pre-cast concrete lining. The ground conditions will consist of glacial tills below the water table. Adjacent contracts for South and North Cut and Cover work to complete the roadway system will be underway by other Contractors during the life of this contract. Close coordination and scheduling will be needed to minimize work impacts and maximize schedule opportunities. As an integral part of the tunneling operation ground movement and building settlement monitoring and migration action plans will be required. Currently building surveys are being undertaken and it is anticipated that building protective measures will be required.

- Design and Construction of (? feet length) a portion of permanent retaining walls, connecting roadway structures, building foundations, and cut and cover work at both the North and South ends of the tunnel are also included in this scope of work.
- The 51' inside diameter bored tunnel and connecting roadway structures will be configured with two separate two lane roadway systems. The Southbound roadway lanes are stacked above the Northbound lanes to meet adjacent roadway configurations. The design and construction of the stacked interior concrete highway roadway structures will provide a highway system that will manage approximately 85,000 vehicles per day and include appropriate vehicle and pedestrian escape safety features as required in a tunnel environment. In the event of a tunnel emergency motorists will be able to enter the enclosed walkway via emergency exits spaced at 500' intervals to meet minimum NFPA 502 requirements. This work includes providing a continuous enclosed walkway along one side of the tunnel's roadways that will allow pedestrians a safe area of refuge and the ability to walk the length of the tunnel to exits at the North and South Portals. The enclosed walkway will include lighting, ventilation, sprinkler and communication systems including emergency telephones. The roadway cross sections are expected to be a minimum of thirty two feet in length, and provide for two roadway lanes, an eight foot and a two foot shoulder. The minimum vertical clearance excluding signs shall be approximately seventeen feet.
- The design builder will also be responsible for design, fabrication, installation, and complete commissioning of tunnel ventilation, communication and fire/life safety systems that extend beyond the limits of the tunnel through the North and South Cut and Cover areas. This work will require close coordination with WSDOT designers, adjacent contractors and their work schedules. Ventilation structures will be located at the South and North ends of the tunnel, and the design builder will be responsible for installing required

equipment and systems into the buildings and interfacing with the design of these facilities to ensure appropriate accommodation, connectivity, and commissioning of systems.

- The SR 99 Bored Tunnel Project will include a local Tunnel Control Center (TCC) to be incorporated with the south portal vent building. This local facility will serve as the back-up TCC in the event the main WSDOT TSMC facility is inoperative and will also serve as the local incident command center in the event of a major tunnel incident. The tunnel fire alarms for the local TCC will comply with NFPA 72, the National Fire Alarm Code.
- In addition to the local TCC at the south portal building, emergency management panels will be located at key locations including the North Portal building and the WSDOT Mt. Baker Tunnel Control Center. These emergency management panels will allow for the monitor and control of the tunnel fire and life safety systems. In essence, the emergency management panels function as remote operator interfaces to the tunnel supervisory control and data acquisition (SCADA) systems.
- The Project will include a local maintenance facility to be constructed by others that may also be incorporated with one of the Portal Ventilation Facilities. This facility will be used to stock spare parts for the tunnel systems and will be used by WSDOT maintenance staff to perform such duties as routine maintenance and equipment testing and calibration.

#### **4.1 Phased Notice to Proceed**

WSDOT has not yet completed the Environmental Impact Statement for the project in compliance with the State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA). It is anticipated this process will be completed when a Record of Decision (ROD) is issued in early 2011. Without an approved ROD in place at NTP, WSDOT is required to limit the Contractors work. This is to ensure that no commitments are made to any of the alternatives being evaluated in the NEPA process so that the comparative merits of all alternatives presented in the NEPA document, including the no-build alternative, can be evaluated and fairly considered. With this restriction in mind, WSDOT anticipates using two phases of Notice to proceed.

Immediately following the award of the contract (January 2011), the design-build team will receive Phase I NTP to perform the following activities:

- Preliminary design Activities (as defined in 23 CFR 636.109 and SAFETEA-LU 1503) – which generally consists of those early design activities necessary for the analysis of project work, including environmental impacts and permits.

- Project specific design supporting environmental regulatory compliance and early permit coordination. The RFP will provide further details regarding the allocation of responsibility for obtaining the required permits.
- Design supporting the development of environmental mitigation plans.

Per 23 CFR 636.109.6.b, the Design-Builder must not prepare the NEPA document or have any decision-making responsibility with respect to the NEPA process. WSDOT will be responsible for completing and obtaining FHWA's approval of the NEPA documentation.

The Design-Build contract will include termination for convenience provisions in the event the no-build alternative is selected. In this event the Design Builder will receive **full compensation** for work performed during Phase I NTP.

After the issuance of Record of Decision (ROD), if a build option is selected, the design-build team will receive a Phase II NTP to perform the following activities:

- Final Design
- Construction

## **4.2 Estimated Time for Completion**

The Project Components shall have different milestones for substantial completion, as shown in the table below. All work for a component shall be substantially complete by the date indicated.

**Table 2. Operationally Complete Dates**

<b>Component</b>	<b>Work Operationally Complete</b>
Tunnel Excavation	November 2013
Tunnel Interior Roadway	December 2014
Systems Commissioned	November 2015
Substantial Completion	December 2015

## **5.0 Teaming Parameters**

### **5.1 Major Participant**

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

- The Submitter, or if the Submitter is a partnership, joint-venture, limited liability company or other form of association, any general partners, joint-venture members or members of the Submitter team;
- The lead engineering/design firm(s) such as the designer of record for the tunnel, the designer of record for systems, and the designer of record for interior structures;
- Each engineering/design subconsultant who may perform 30% or more of the design work; and/or
- Each subcontractor who may perform 20% or more of the construction work.

The tunnel supplier is not considered to be a Major Participant.

### **5.2 WSDOT Consultant/Technical Support**

WSDOT has retained the consulting firms of Hatch Mott MacDonald, Parsons Brinckerhoff, Jacobs Engineering, Shannon and Wilson, Parametrix, HDR, Magnusson & Klemencic Associates, KPFF, Coughlin Porter Lundeen, Nossaman LLP, Project Strategic Advisory members - Brenda Bohlke, John Reilly, Greg Korbin, Harvey Parker, Dewayne Sangrey, Bill Mergelsberg, Jan Keiser, to provide guidance in preparing and evaluating the RFQ, and/or the RFP, and/or to provide advice on related financial, contractual, and technical matters. Each of these firms is prohibited from joining any Submitter’s or Proposer’s team or otherwise assisting any Submitter or Proposer in connection with the procurement process.

### **5.3 Organizational Conflicts of Interest**

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

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

The integrated nature of the design-build project delivery method creates the potential for Organizational Conflicts of Interest. Disclosure, evaluation, neutralization, and management of these conflicts and of the appearance of conflicts, is in the interests of the public, WSDOT, and the consulting and construction communities.

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

Attention is directed to the requirement for disclosure of organizational conflicts of interest set forth in 23 CFR Section 636.116(a)(2), WSDOT Secretary's Executive Order E-1059.00, and WSDOT Organizational Conflicts of Interest Manual 3043.

Submitters are required to disclose all relevant facts concerning any past, present or currently planned interests, activities, or relationships which may present an organizational conflict of interest. Submitters shall state how their interests, activities, or relationships, or those of the chief executives, directors, key project personnel, or any proposed Consultant, Sub-Consultant at any tier, Contractor, or Subcontractor at any tier may result, or could be viewed as, an organizational conflicts of interest prior to or in the SOQ, in accordance with Secretary's Executive Order E-1059.00 and WSDOT Organizational Conflicts of Interest Manual (M 3043). Submit the Organizational Conflict of Interest Certification and Organizational Conflict of Interest Disclosure and Avoidance/Neutralization Plans (forms contained in Appendix C) as described elsewhere in this RFQ.

If an Organizational Conflict of Interest is determined to exist, WSDOT may, at its sole discretion: offer the Submitter the opportunity to avoid or neutralize the Organizational Conflict of Interest; disqualify the Submitter from further participation in the procurement; cancel this procurement; or, if award has already occurred, declare the proposal non-responsive and award the contract to the next responsive best value Proposer, or cancel the Contract. If the Submitter was aware of an Organizational Conflict of Interest prior to award of a Contract and did not disclose the conflict to WSDOT, WSDOT may terminate the Contract for default.

#### **5.4 Team Continuity and Changes to Organizational Structure**

Following submittal of the SOQ, Management Team personnel and Major Participants identified in the SOQ may not at any time be removed, replaced or added without the written approval of WSDOT's Technical Point of Contact. WSDOT may revoke the short-list status of a Submitter if any Management Team personnel or Major Participant identified in the SOQ is removed, replaced or added without written approval. To qualify for said approval, the written request shall document that the proposed removal, replacement or addition will be equal to or better qualified than the Management Team Personnel or Major Participant provided in the SOQ.



## **5.5 Equal Employment Opportunity**

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

## **5.6 Minority and Women's Business Enterprises Participation**

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

Information about certification as a MWBE may be obtained by contacting OMWBE at (360) 753-9693.

## **5.7 Apprentice Utilization**

The Design-Builder shall comply with state law (RCW 39.04.320) regarding Washington State labor apprentice utilization requirements. As of July 2009, No less than 15 % of all project labor hours shall be performed by apprentices unless good faith documentation is provided. Details of the apprentice utilization program and appropriate good faith documentation requirements will be provided in the RFP.

## **6.0 SOQ Submittal Instructions and Format**

This section describes requirements that all Submitters must satisfy in submitting SOQs. Failure of any Submitter to follow these requirements may result in rejection of its SOQ.

## 6.1 Due Date, Time, and Location

Sealed SOQs are to be received at one of the following locations prior to 4:00 P.M., Pacific Time, on the date identified as the “SOQ due date” in the Procurement Schedule shown in Table 1 in Section 3.1 of this RFQ:

- **Via U.S. Mail:** WSDOT will consider notification of bid receipt by the Mail Room as the actual receipt of the SOQ:

Mr. Ken Walker  
 Washington State Department of Transportation  
 P. O. Box 47360  
 Olympia, WA 98504-7360

- **Via Courier or Hand-Delivered:** SOQs delivered in person will be received only in the Contract Ad & Award Office, Room 1A23.

Washington State Department of Transportation  
 Contract Ad & Award Office  
 Transportation Building, Room 1A23  
 310 Maple Park Ave. SE  
 Olympia, WA 98504-7360

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

## 6.2 SOQ Organization

The Submitter shall organize the SOQ using the section headings, order of documents, and maximum number of pages as indicated in Table 3 below:

**Table 3 - SOQ Organization**

Section	Section Title and Required Information	Maximum Pages
1	Letter of Interest	3
2	Performance History (8 pages per project) <i>(consider developing a form)</i>	As required
3	Management Plan	12

<b>Section</b>	<b>Section Title and Required Information</b>	<b>Maximum Pages</b>
4	Summary of Key Personnel	4 pages
	<b>Total Maximum Number of Pages</b>	<b>n/a</b>
Appendix A	Acknowledgment of Receipt of Addenda	1
Appendix B	Financial Information	As required
Appendix C	Conflict of Interest Forms	As required
Appendix D	Legal Information	As required
Appendix E	Resumes Key Personnel (limit 2 pages per person) Resumes of other personnel shown on organization chart (limit 2 page per person)	As required

### 6.3 SOQ Format

- **Language:** All information shall be in English.
- **Type Font:** All narrative text shall be in a regular Arial style font at a minimum of 12 points in size, and single-spaced. The type style and size of headings and figures are not prescribed.
- **Photos:** No photos will be allowed except on the cover of the submittal.
- **Page Size:** Except for charts, exhibits and other illustrative and graphical information, all information shall be printed on 8.5-inch x 11-inch recycled or recyclable paper. Charts, exhibits and other illustrative and graphical information may be on 11-inch x 17-inch paper, but shall be folded to 8.5 inches x 11 inches and will be counted as one sheet.
- **Page Margins:** No text, tables, figures or other substantive content shall be printed within 0.75 inches of any page edge.
- **Page Limit:** Page limits are described in Table 3 in Section 6.2 of this RFQ. The submittal shall only include information required by this RFQ. No other information will be considered in the evaluation of the SOQs.

- **Dividers:** Section dividers shall contain the section number and/or section title. No other text is permitted on the dividers. The dividers will not be counted toward the allowable page total.
- **Binding:** Each copy of the SOQ shall be bound separately.
- **Front Cover:** The front cover of each SOQ shall be labeled with the Submitter's name, address, and phone number, along with the following language: "Statement of Qualifications, SR 99 Bored Tunnel Design-Build Project, [date of submittal]" and SOQ due date.

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

## **6.4 SOQ Submittal Quantities**

Each Submitter must provide WSDOT with:

- **One (1) original unbound SOQ** bearing original signatures;
- **One (1) electronic copy of the SOQ in PDF (Adobe Acrobat version 8) format on a CD** with the sections and subsections bookmarked; and
- **Fifteen (15) bound hard copies** of the SOQ.

The original shall be identified as "Original" on its front cover in colored ink. Each copy shall be identified on its front cover, in the upper right-hand corner, as "Copy X of 15 Copies."

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

- **Return address:** Submitter's name, contact person's name, mailing address, and phone number;
- **Date of submittal and SOQ due date;**
- **Contents labeled** as "Statement of Qualifications, SR 99 Bored Tunnel Design-Build Project;" and
- **Addressed to WSDOT's Contract Ad & Award Office**, as identified in Section 6.1.

## **7.0 SOQ Content**

The SOQ shall include the information specified below.

## **7.1 Section 1: Letter of Interest**

The SOQ shall include a Letter of Interest that includes the business name, address, business type (e.g. corporation, partnership, joint-venture), or anticipated business type of the Submitter. It shall also include the business name, address, business type and roles of each Major Participant. The Letter of Interest shall identify the Submitter's single Point of Contact, along with the other information identified in Section 3.2.1.

In addition to contact information, the Letter of Interest shall contain the following information:

- The Submitter's expression of interest in being selected for the Project;
- A statement that the Submitter shall comply with all applicable federal, state, and local laws and regulations;
- An overview of SOQ Sections 2 through 6; and
- A summary of the Submitter's qualifications, why its team should be selected, and why it is the best qualified to meet the Project goals.

The Letter of Interest shall be signed by an authorized representative(s) of the Submitter. This information will be used to identify the Submitter and its designated contact.

The Letter of Interest shall be addressed to the WSDOT Point of Contact identified in Section 3.2.1 of this RFQ.

## **7.2 Performance History**

The Project is comprised of a stacked, 2-lane highway in a large bore tunnel (estimated interior diameter of 51feet) and approximately 9200 feet long in a complex geologic environment, comprised of a heterogeneous mixture of glacial deposits, including a full spectrum of clays, sand, silts, cobbles and boulders, with high ground water. The tunnel alignment impacts a large number of existing buildings and utilities, including historic structures and fragile pipelines. Accordingly, exercising ground control, minimizing settlements and mitigating adverse impacts to the community are of paramount importance. WSDOT is seeking a Design-builder, which has the expertise and experience in managing these issues and to this end, is interested in reviewing information about other projects the Major Participants have worked on, which are of similar size and complexity of the SR 99 Bored Tunnel Project.

The Statement of Qualifications shall contain the following information to demonstrate performance history:

Descriptions of large bore (30' or larger) tunnel projects (minimum of three projects) in soft ground completed or undertaken within the last ten (10) years, by the members of the design-build team that most closely relate to the Project.

The project descriptions should describe the following details:

- Identification of project name, location and client/owner.
- Name and contact information of a person representing the client/owner who was in responsible charge of the project.
- Identification of project's original construction cost and schedule, and final completed cost and duration.
- Identification of the name of the project designer.
- Identification of delivery method (design-bid-build, CM at risk, design-build, etc.) under which the project was designed and constructed.
- Narrative description of project background: purpose (highway, rail, or other), environment (e.g., urban) tunnel diameter and length.
- Narrative description of systems installed for the project, including drainage, ventilation, electrical, illumination, signing, fire/safety, ADA (Americans with Disabilities Act of 1990), and ITS (intelligent transportation), etc. including a description of efforts relating to design, integration and commissioning of systems.
- Narrative summary of means and methods used to perform the work, including, but not limited to discussion of: description of pressure face TBM, approach to ground control, grouting, final lining/water proofing system, and internal structures.
- Narrative of significant challenges encountered during design and construction of the project and/or innovations employed and if available, information to illustrate the challenges such as the following:
  - i. Plan and profile illustrating ground and groundwater conditions and means used to mitigate groundwater influence
  - ii. Depth of cover and means used to protect buildings within zone of influence
  - iii. Ground settlement data including settlement profiles (surface and/or at depth) and means used to mitigate damage to, or otherwise protect, utilities, buildings and street surfaces.

- Narrative identifying the nature of claims or disputes, in excess of \$10,000,000, and a description of how those claims or disputes were resolved.
- Identify the role any of the Key Personnel who are identified in response to the requirements of Section 7.4 of this RFQ, performed on the projects listed in the project histories.
- Identify the role any of the Major Participants listed for the SR 99 Bored Tunnel Project performed on the projects listed in the project histories.
- Narrative summarizing the safety experience on the project

### **7.3 Management Plan**

The Statement of Qualifications shall contain a Management Plan, which shall contain the following information, to demonstrate how the Submitter intends to meet WSDOT's Core Values and Project Goals.

a. **Organization Chart.** The Submitter will submit an Organization Chart which shall include the names, titles, and roles of Major Participants for the Project. The Organization Chart shall demonstrate how the team is structured and show clear organizational channels of control, communication, and decision making.

Resumes for any individuals shown on the organizational chart, whether or not they are Key Personnel, shall be attached as Appendix E to the SOQ.

b. **Narrative.** The Submitter shall submit a description of the design-build team's approach for the following topics:

- Management team and structure, which has the capacity to react responsively to risks and challenges in an expedient, effective and collaborative manner.
- A discussion of the most significant risks inherent in the Project (both design and construction) and how the team plans to manage the work to mitigate these risks. This discussion should include an understanding of the technical complexity of the project, identifies the technical problems and challenges and suggests innovative solutions to these problems and challenges. This discussion should include such risks as: third party impacts, technical advances and use of large bore TBMs, mitigating settlement and ground control, etc.

- Demonstrated understanding and experience developing and implementing an effective QA/QC Program. Include the intended approach or plan for establishing and maintaining quality assurance and quality control programs in prosecuting the work.
- Demonstrate that the Submitter's experience will ensure successful compliance with all Project environmental commitments, including those related to NEPA/SEPA, Section 106, Section 4(f), Endangered Species Act, and permits. Further, demonstrate the Submitter's innovative approaches for on-site compliance related to work activities such as mining, muck disposal, water treatment and disposal.
- Your approach to developing and implementing an effective tunnel construction safety program and include a representative tunnel construction safety plan, which was developed and executed by a Major Participant of the Design-builder's team.
- Your approach to integrating the various components of the work including the tunnel, highway, and systems, into an effective transportation facility.
- Demonstrate the Submitter's experience developing and implementing a strong communication and outreach plan by working with the local jurisdictions, community organization, businesses, and the general public. Further, demonstrate the Submitter's experience working with project owners to maintain strong relationships with project stakeholders, through clear and consistent communications and outreach activities

## **7.4 Key Personnel Requirements**

The Statement of Qualifications shall contain information about the Submitter's following Key Personnel.

For each Key Personnel, the Submitter shall list three references from different projects. The owner representative may be a consultant who acted on behalf of the owner for the project. All references should identify the owner representative who is most familiar with the Key Personnel, and who could best answer Project-specific questions. *(consider a form for references.)* Provide the owner representative's name, e-mail address, phone number, and the best times and days to reach them. WSDOT will attempt to reach the references during those times, if possible. The references must not work for the same company of the person they are referencing. The projects



corresponding to each individual should be complete. Resumes for Key Personal only shall be provided in Appendix E, and shall be limited to a maximum of two pages each.

Specific requirements for particular Key Personnel positions are listed below:

1. **Project Manager.** The Project Manager serves as the Chief Executive Office for the Project and shall be responsible for the overall design, construction, schedule, budget, quality management, environmental compliance, safety management, and Contract administration for the Project as well as ensuring WSDOT goals and values are maintained. This person shall be assigned to the Project full-time. The individual proposed for this position must have no less than twenty (20) years project management experience in tunnel construction, with at least one project constructed within an urban environment, each of which must have a construction value of more than \$200 million;
2. **Project Engineer.** The Project Engineer serves as the Chief Operating Officer for the Project. This person shall be assigned to the Project full-time. The Project Engineer shall be responsible for the overall design, construction, schedule, budget, quality management, environmental compliance, safety management, and Contract administration for the Project as well as ensuring WSDOT goals and values are maintained. This person shall be assigned to the Project full-time. The individual proposed for this position must have no less than fifteen (15) years experience on tunnel projects, including experience with at least three large-bore (at least one of the projects must have been a 35' or larger tunnel diameter) soft ground tunnel projects using a pressure face TBM. The Project Engineer must be experienced in working with various soil and structure stabilization techniques as required for working within an urban environment
3. **Design Engineering Manger.** The Design Manager shall be responsible for ensuring that the overall Project design is completed and design criteria are met. The Design Manager shall be assigned to the Project full-time whenever design activities are being performed, and shall be available as needed during construction activities. The Design Manager be a registered Professional Engineer in the State of Washington prior to award of the Contract. This person shall have no less than fifteen (15) years of design and engineering experience involving tunnels, including at least two (2) soft ground bored tunnel projects using segmental gasketed lining, each with a diameter in excess of twenty (25) feet, and a construction value of more than \$50 million.
4. **Tunnel Lining Design Manager.** . The individual proposed for this position may be an employee or a sub consultant of the Lead Design Managers Engineering Firm and must have no less than fifteen (15) years design and engineering experience involving tunnels and experience with at least two (2) soft ground bored tunnel projects using segmental gasketed lining, each with a diameter in excess of twenty (20) feet, and a construction value of more than \$100 million

5. **Tunnel Interior Road Structures Manager.** The individual proposed for this position may be an employee or a sub consultant of the Lead Design Managers Engineering Firm and must have no less than five (5) years experience in the design of transportation structures including experience in the design and engineering of no less than two (2) double deck interior tunnel roadway structures
6. **The Geotechnical Manager.** The individual proposed for this position must be licensed in the State of Washington, and have ten (10) years experience with soft ground large bore soft ground tunnel projects using pressure-faced TBMs. They shall be responsible for evaluating soil conditions, monitoring settlement, evaluating appropriate mitigation and soil additives to maintain appropriate production which minimizing settlement risk. This individual must have direct knowledge of underground construction and ground behavior and have demonstrated experience in large diameter bored tunnel design and construction means and methods in an urban environment. The person must have knowledge of the local geologic regime and a good understanding of instrumentation systems as well as the means and methods to monitor and minimize settlements.
7. **Tunnel Systems Manager.** The Tunnel Systems Manager shall be responsible for leading the design, installation and integration of the tunnel and internal highway systems. This individual must be experienced in the design and integration of complete highway tunnel systems, including but not limited to drainage, ventilation, electrical, illumination, signing, fire/safety, ADA (Americans with Disabilities Act of 1990), and ITS (intelligent transportation systems);
8. **Tunnel Superintendent.** The Tunnel Superintendent shall be responsible for successful implementation and integration of all tunneling activities. This person shall be assigned to the Project full-time during tunneling and available as needed during other times to ensure integration. The Tunnel Superintendent shall be responsible for the management of the schedule, budget, quality management, environmental compliance, and safety for all activities associated with construction of the tunnel. Must have ten (10) years experience with soft ground large bore soft ground tunnel projects using pressure-faced TBMs.
9. **TBM and Equipment Superintendent.** The TBM and Equipment Superintendent shall be responsible for the operation and maintenance of the tunnel boring machine and related equipment and shall be assigned to the project full-time. The individuals proposed for this position must be experienced with soft ground tunneling projects using a pressure face TBM. Must have ten (10) years experience on soft ground large bore tunnel projects using pressure-faced TBMs.
10. **Safety Manager.** The Safety Manager is responsible for developing and executing a comprehensive safety program and assuring compliance at all levels of project team. Must have a minimum of ten (10) years experience developing

and executing safety programs on large bore tunnel projects in urban environments.

11. **Project Quality Manager.** The Project Quality Manager is responsible for developing and executing a comprehensive quality assurance and quality control program to assure the quality of the Design-Builder's work. It will include monitoring, and real-time reporting, of the impacts of the work on settlement, noise and other performance constraints. Must have experience developing and implementing QA/QC programs for large bore tunnel projects.
12. **Environmental Manager.** The Environmental Manager serves as the Design-builder's point of contact for assuring compliance with all environmental commitments related to the protection of natural, historic, and archaeological resources and the public. Must have experience managing environmental permitting and compliance with large, complex public works projects requiring compliance with federal, state and local regulations, as well as tribal interests.
13. The Environmental Manager serves as the Design-builder's point of contact for assuring compliance with all environmental permitting commitments related to the protection of natural, historic, and archaeological resources. Must have experience managing environmental permitting and compliance with large, complex public works projects requiring compliance with federal, state and local regulations, as well as tribal interests.
14. **Community Liaison.** The Community Liaison works with WSDOT to respond to the concerns of third party individuals, businesses and stakeholders expressed through a systemized complaint process, public outreach and community involvement and other means of effective public communication. Must have experience developing and implementing community outreach and public involvement programs for large public works projects in urban areas, including addressing economic impact issues.

## **7.5 Not applicable**

## **7.6 Appendices**

### **7.6.1 Appendix A: Forms**

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

**7.6.2 Appendix B: Financial Information**

The Submitter shall provide a letter from a surety or insurance company stating whether or not the Submitter is capable of obtaining proposal and contract bonds as indicated in Table 4 below:

**Table 4. Proposal, Contract and Warranty Bond Requirements**

<b>Proposal Bond/Security</b>	<b>Performance Bond</b>	<b>Payment Bond</b>
\$25,000,000	\$500,000,000	\$500,000,000

The Submitter will be required to provide a separate performance bond and a payment bond as approved forms of security in accordance with Washington State Law (RCW 39.08.030). The bonds furnished by the Submitter and the Submitter’s surety guarantees performance of the work and payment to those who provide supplies or labor for the performance of the work.

The letter shall also specifically state that the surety/insurance company has evaluated the backlog and work-in-progress of the Submitter and its Major Participants as described in Section 5.1 in determining the Submitter’s capability to obtain bonds. Letters indicating “unlimited” bonding capability are not acceptable. The surety or insurance company providing such letter must be registered with the Washington State Insurance Commissioner and appear on the current Authorized Insurance List in the State of Washington published by the Office of the Insurance Commissioner.

**7.6.3 Appendix C: Conflict of Interest Forms**

The Submitter shall provide as required by Section 5.3

**7.6.4 Appendix D: Legal Information,**

The Submitter shall describe how it is organized as a legal entity. If the Submitter’s legal entity has already been formed, the Submitter shall provide complete copies of the organizational documents along with those documents that allow, or would allow by the Proposal due date, the Submitter and its team members to conduct business in the state of Washington as a legal entity. If the Submitter’s legal entity has not yet formed, the Submitter shall provide a brief description of the proposed legal structure and provide draft/final copies of the underlying agreements. Once the legal entity is finalized, the Submitter shall either supplement its SOQ with copies of the final organizational documents or submit such documents with the Proposal. Failure to submit such final organizational documents to WSDOT either prior to the Proposal due date or with the Proposal shall render the Proposal non-responsive.

In the case where the Submitter is a joint-venture, limited liability company, partnership, or other association, the Submitter shall provide an express statement from each of the partners/members as to their joint and severable liability on the Project.

### **7.6.5 Appendix E: Resumes**

Provide in an Appendix E, resumes for all individuals identified on the Organization Chart described in Section 7.3.

Resumes shall be limited to a maximum of two pages each and should highlight the following information:

- Relevant education, training, licensing and registration/certification;
- Years of experience performing similar work; and
- Actual work examples relevant to the Project, including projects, duties performed, and percent of time on the job. Include the owner representative's name, e-mail address, phone number, and the best days and times to reach them.

## **8.0 Evaluation Process**

This section outlines the scoring WSDOT will use for the RFQ phase of the procurement. If the information provided for an evaluation factor is not complete, then the Submitter may be eliminated from further consideration.

### **8.1 Evaluation of the SOQ**

SOQs will initially be evaluated and deemed to have either demonstrated or not demonstrated that the design-build team has met the minimum requirements required by law. These factors will be evaluated on the basis of "Pass" or "Fail."

If a Submitter receives a "Pass" on all pass/fail evaluation factors, its SOQ will be further evaluated using the ranked criteria. If a Submitter receives a "Fail" on any single pass/fail requirement, the SOQ may be rated as unacceptable, the ranked evaluation factors may not be scored, and the Submitter may not be included on the shortlist.

Once an SOQ has been deemed to meet the minimum Pass/Fail criteria, WSDOT will move on to evaluate each SOQ submitted by the individual Submitters in conjunction with the WSDOT Core Values and Project Goals as described in this RFQ, and scoring criteria as listed herein to determine the SOQ total score.

The qualitative evaluation score will be determined as follows:

- The WSDOT evaluation committee will review each SOQ identifying significant and minor strengths, and significant and minor weaknesses of the Submittals.

Strengths and weaknesses are defined as follows:

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

Based on the identified strengths and weaknesses, the evaluation team will select an adjectival rating and select a percent of maximum score in the identified range.

The following adjectival rating system will be used in determining the value for each Scoring Element of the SOQ:

- **Excellent (81-100 % of points possible):** The SOQ submitted by the proposed team is considered to significantly exceed the RFQ requirements/objectives in a beneficial way (providing advantages, benefits, or added value to the project) and provides a consistently outstanding level of competency. In order for the SOQ submitted by the proposed team to meet the minimum criteria to be scored as Excellent, it must be determined to have more than one significant strength, additional minor strengths and no appreciable weaknesses. The minimum score for Excellent is 81 points. The greater the significance of the strengths and/or the number of strengths will result in a higher score, up to a maximum of 100 points. There is virtually no risk that the team, as proposed, would be unsuccessful in delivering the project to the owner’s satisfaction, and would most likely exceed all Project Goals.
- **Very Good (61-80 % of points possible):** The SOQ submitted by the proposed team is considered to exceed the RFQ requirements/objectives in a beneficial way (providing advantages, benefits, or added value to the project) and offers a generally better than acceptable competency. In order for the SOQ submitted by the proposed team to meet the minimum criteria for consideration to be scored as Very Good, it must be determined to have at least one significant strength, additional minor strengths and no significant weaknesses. The minimum score for Very Good is 61 points. The greater the significance of the strengths and/or the number of strengths, and the fewer the minor weakness will result in a higher score, up to a maximum of 80 points. There is little risk that the team, as proposed, would be unsuccessful

in delivering the project to the owner's satisfaction, and will most likely meet and/or exceed all Project Goals.

- **Good (41-60 % of points possible):** The SOQ submitted by the proposed team is considered to meet the RFQ requirements/objectives and offers an acceptable level of competency. In order for the SOQ submitted by the proposed team to meet the minimum criteria for consideration to be scored as Good, it must be determined to have several strength(s), even though minor and/or significant weaknesses exist. The minimum score for Good is 41 points. The greater the significance of the strengths and/or the number of strengths, and the fewer the minor or significant weakness will result in a higher score, up to a maximum of 60 points. It is expected that the team as proposed, will be able to deliver the project and meet the Project Goals.
- **Fair (21-40 % of points possible):** The SOQ submitted by the proposed team is considered to contain several minor and/or significant weaknesses, some minor strengths and no significant strengths. The minimum score for fair is 21 points. The greater the strengths and fewer the minor or significant weakness will result in a higher score, up to a maximum of 40 points. It is expected that the team as proposed, should be able to deliver the project but may not be able to meet some of the Project Goals.
- **Poor (0-20 % of points possible):** The SOQ submitted by the proposed team is considered to contain significant weaknesses and no appreciable strengths. The SOQ submitted by the proposed team demonstrates a doubtful probability of meeting the RFQ requirements and may be determined to be non responsive. The minimum score for Poor is 0 points. The fewer the minor or significant weakness will result in a higher score, up to a maximum of 20 points. It is unlikely that the team as proposed would be able to deliver the project to the owner's satisfaction.

After selecting a percent of maximum score for SOQ Sections 2 through 5 the SOQ score will be calculated by multiplying the percent of maximum score by the points available listed in Table 5 below and then summing the calculated scores.

WSDOT reserves the right to conduct an independent investigation of any information, including prior experience, identified in an SOQ by contacting project references, accessing public information, contacting independent parties or other means. WSDOT further reserves the right to request additional information from a Submitter during the evaluation of the Submitter's SOQ.

## **8.2 Pass/Fail Evaluation Factors**

**8.2.1 SOQ Section 1: Letter of Interest (Pass/Fail)**

- The Letter of Interest shall include the information requested in Section 7.1.

**8.2.2 Appendix A. Forms (Pass/Fail)**

- Appendix A shall include the information requested in Section 7.6.1.

**8.2.3 Appendix B. Financial Information (Pass/Fail)**

- Appendix B shall include the information requested in Section 7.6.2

**8.2.4 Appendix C. Conflict of Interest Forms (Pass/Fail)**

- Appendix C shall include the information requested in Section 7.6.3

**8.2.5 Appendix D - Legal Information (Pass/Fail)**

- Appendix D shall include the information requested in Section 7.6.4

**8.3 Qualitative Evaluation Scoring System**

The SOQs from teams that meet the minimum eligibility requirements from the Pass/Fail Evaluation will then be evaluated and ranked based on the teams' qualifications in the categories described below. A summary of points for each section of the SOQ is as follows:

**Table 5. Qualifications Scoring Element Evaluation**

<b>Scoring Element</b>	<b>Points Possible</b>	<b>Points Awarded</b>
Performance History	400	
Management Plan	300	
Key Personnel	300	
<b>Total Score</b>	<b>1000</b>	



## 8.4 Scoring Element Evaluation

### 8.4.1 Performance History (400)

Project Histories will be evaluated and scored in accordance with the extent the Submitter demonstrates experience in the following areas:

- Successfully constructing large bore tunnels within a complex geologic environment, similar to that expected here, using pressure-face TBMs and segmental lining. (100)
- Successfully achieved ground control during tunneling to minimize settlements and impacts to streets, utilities and structures. (100)
- Successfully employed methods to overcome challenges and equitable resolution of claims or disputes. (50)
- Successfully achieved project schedule and budget goals. (50)
- The Key Personnel identified in Part 7.4 performed in similar roles to that indicated on past projects of similar size and complexity. (100)

### 8.4.2 Management Plan (300 points total)

The Management Plan will be evaluated and scored in accordance with the following criteria:

- The extent to which the Management Plan and Organization Chart demonstrates the capacity of the Design-builder's ability to react responsively to risks and challenges in an expedient, effective and collaborative manner. (60)
- The extent to which the Management Plan identifies the most significant risks inherent in the Project (both design and construction) and demonstrates how the Design-builder plans to manage the work to mitigate these risks. (60)
- The extent to which the Management Plan demonstrates an effective approach to developing and implementing an effective QA/QC Program. (40)

- The extent to which the Management Plan demonstrates an effective approach to developing and complying with environmental commitments, working with regulatory agencies and tribes to resolve issues, and mitigating violations should they occur. (40)
- The extent to which the Management plan demonstrates an effective approach to working with the owner in developing and implementing a strong communication and outreach plan that includes working with the local jurisdictions, community organization, businesses, and the general public to maintain strong relationships with project stakeholders. (30)
- Your approach for developing and implementing an effective tunnel construction safety program, the extent to which the representative tunnel construction safety plan, demonstrates an understanding of the need to instill safety throughout the project culture, and the record for safety on the referenced projects listed in response to Section 7.2. (30)
- Your approach for integrating the various components of the work including the tunnel, highway, and systems, into an effective transportation facility. (40)

### **8.4.3 Key Personnel (300 points total)**

The resumes of the Key Personnel will be evaluated to ascertain the extent to which the Key Personnel possess relevant experience on projects of similar size and complexity to the SR 99 Bored Tunnel Project.

- a. Project Manager 40
- b. Project Engineer 40
- c. Design Manager 30
- d. Tunnel Systems Design Manager 30
- e. Tunnel Lining Design Manager 30
- f. Tunnel Interior Structures Design Manager 30
- g. Geotechnical Manager 20
- h. Tunnel Systems Manager 20

- i. Tunnel Superintendent 30
- j. TBM and Equipment Superintendent 30
- k. Safety Manager 10
- l. Quality Assurance/Quality Control Manager 10
- m. Environmental Manager 10
- n. Community Liaison 10

## **9.0 Protest Procedures**

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

### **9.1 Protests Regarding the RFQ**

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

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

Protests regarding this RFQ shall be filed as soon as the basis for protest is known to the Submitter, but in any event it must be actually received no later than ten (10) calendar days before the SOQ due date, provided that protests regarding an addendum to this RFQ shall be filed and actually received by WSDOT no later than five (5) calendar days after the addendum to this RFQ is issued (or no later than the SOQ due date, if earlier).

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

Ken Walker  
Contract Ad & Award Office  
Washington State Department of Transportation  
P.O. Box 47360  
Olympia, WA 98504-7360  
E-mail: walkeke@wsdot.wa.gov

WSDOT will distribute copies of the protest to the other Submitters and may, but need not, request other Submitters to submit statements or arguments regarding the protest and may, in its sole discretion, discuss the protest with the protesting Submitter. If other Submitters are requested to submit statements or arguments, they may file a statement in support of or in opposition to the protest within seven calendar days of the request.

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

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

## **9.2 Protests Regarding Responsiveness and Short-Listing**

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

Notice of protest of any decision to accept or disqualify an SOQ on responsiveness grounds must be filed within fourteen (14) business days after the earliest to occur of:

- (a) notification of non-responsiveness,
- (b) the scheduled date for oral meetings and presentations (if any), or
- (c) the public announcement of short-listed Submitters.

Notice of protest of the decision on short-listed Submitters must be filed and actually received by the Protest Official within Fourteen (14) business days after the public announcement of the short-listed Submitters.

Within seven (7) calendar days of the notice of protest, the protesting Submitter must file with the Protest Official a detailed statement of the grounds, facts, and legal authorities, including all documents and evidentiary statements, in support of the protest. The protesting Submitter shall concurrently deliver a copy of the detailed statement to all other Submitters. Evidentiary statements, if any, shall be submitted under penalty of perjury. The protesting Submitter shall have the burden of proving its protest by clear and convincing evidence.

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

Other Submitters may file by hand delivery to the Protest Official a statement in support of or in opposition to the protest. Such statement must be filed within seven (7) calendar days after the protesting Submitter files its detailed statement of protest. WSDOT will promptly forward copies of any such statements to the protesting Submitter.

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

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

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

If the protest is denied, the protesting Submitter may seek judicial review of WSDOT's decision in Thurston County Superior Court within five (5) days of receiving WSDOT's decision denying the protest. Each party shall bear its own attorney fees, expert witness fees, and all other legal costs.

### **9.3 Costs and Damages**

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

#### **10.0 MISC**

1.  **CONTRACT** Information Sheet?

#### **[END OF RFQ BODY. ADD APPENDICES HERE]**

Appendix A – Form A, Acknowledgment of Receipt of Addenda

Appendix B – Financial Information, Performance and Payment Bond information

Appendix C - Organizational Conflict of Interest Certification, may also include Organizational Conflict of Interest Disclosure and Avoidance/Neutralization Plans

Appendix D – Legal Information

APPENDIX A

**FORM A**

***ACKNOWLEDGMENT OF RECEIPT OF ADDENDA***

(To be included in Appendix A of the SOQ)

(Name of Submitter \_\_\_\_\_)

We hereby acknowledge receipt of the “SR 520 Pontoon Construction Design-Build Project” RFQ dated \_\_\_\_\_, and subsequent addenda and responses to questions by the Washington State Department of Transportation as follows:

**ADDENDUM No.**

**Date Issued:**

_____	_____
_____	_____
_____	_____

**Response to  
Question Set No.**

**Date Issued:**

_____	_____
_____	_____
_____	_____

\_\_\_\_\_  
(Signed-Printed or Typed Name)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title)

Appendix C – OCOI Disclosure Form

**Organizational Conflicts of Interest  
Disclosure and Avoidance/Neutralization Plan**

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

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

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

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

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_



Signed \_\_\_\_\_ Date \_\_\_\_\_

Printed Name and Title \_\_\_\_\_

OCOI Certification Form

**Organizational Conflict of Interest Certification**

**(Name of Submitter \_\_\_\_\_)**

My signature below certifies that, prior to submitting this SOQ, I have conducted an internal review of Submitter’s current affiliations and have required Submitter’s team members to identify potential, real, or perceived Organizational Conflicts of Interest relative to the anticipated procurement, in accordance with the Secretary’s Executive Order E-1059.00 and WSDOT *Organizational Conflict of Interest Manual M-3043*.

I further certify that “*Organizational Conflict of Interest Disclosure and Avoidance/Neutralization Plan*” forms are attached, as listed below, for all real or potential organizational conflicts of interest as defined in WSDOT Organization Conflict of Interest Manual M-3043 for all Submitter team members.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Printed Name and Title \_\_\_\_\_

List Attachments by name of person or firm potentially conflicted:

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