

REQUEST FOR QUALIFICATIONS
Red Lodge Area Flood Repairs
ER STWD(898)
UPN 10322000

I. NOTICE TO CONTRACTORS/CONSULTANTS

The Montana Department of Transportation (MDT) is accepting expedited Statement of Qualifications (SOQs) from entities (Firms) interested in providing design and construction services for the Design-Build project identified below. Firms are encouraged to submit an electronic copy of their Statement of Qualifications (SOQ) no later than **11:00 a.m.**, local time on **July 13, 2022**. Hard copies will not be accepted.

Submit an electronic version of the Statement of Qualifications by uploading the document to the State of Montana File Transfer Service (Okta) site, which can be accessed at the following link: <https://transfer.mt.gov>. Firms must have an Okta account set up to upload information. Uploading instructions can be accessed at <https://transfer.mt.gov/Home/Instructions>. Electronic submittals must be one single PDF file. When the SOQ has been uploaded, the Okta system will prompt the user for a delivery email. Please email the uploaded submittal to the following individuals:

Erik Miller: ewmiller@mt.gov
John Pavsek: jpavsek@mt.gov

Regardless of cause, late proposals will not be accepted and will automatically be disqualified from further consideration. It shall be solely the Firm's responsibility to ensure electronic delivery at the specified time. Firm may request the State delete late proposals. If no request is made, late proposals become the property of the Department. All submitted SOQ's/Technical Proposals become the property of the Montana Department of Transportation. Public agencies in Montana are required by Montana law at Mont. Code Ann. Title 2, Chapter 6, Part 10 to permit the public to examine documents that are kept or maintained by public agencies. All Firms submitting SOQs/Technical Proposals waive any claim for trade secret protection in the event of an open records request from another party and acknowledge the submitted SOQs/Technical Proposals are not subject to redaction by a Firm based on trade secret protection.

The costs for developing and delivering responses to this solicitation are entirely the responsibility of the Proposer. The State is not liable for any expense incurred by the Proposer in the preparation and presentation of this submittal.

The project is designated as an Adjusted Score Design-Build type best value contract. MDT will evaluate the relative ability of each Firm to perform the required services based on SOQ information and past experience (See Attachment A – SOQ/Technical Proposal Evaluation Criteria). The three highest scoring responsive Firms (or all responsive Firms, if two Firms submit SOQs), will be selected for a short list from the received responses. Results of the short-listing process will be posted on the MDT website at: <http://www.mdt.mt.gov/business/contracting/qacurrent.shtml>

Short-listed Firms will be provided a Request for Proposal (RFP) containing a detailed project description and a preliminary scope of work for Preconstruction Services and requested to provide a Technical

Proposal and Price Proposal for the project. The Total Technical Proposal Score prepared by a Technical Review Committee plus the Price Proposal Amount will be used to determine the best value proposal. Firms will be solely responsible for all costs and expenses of any nature associated with responding to the RFQ and RFP, including attending required meeting(s) and providing supplemental information.

II. TECHNICAL QUESTIONS

Commencing with the formal advertisement of this Request for Qualifications, and extending through the final selection, contact between the Firms and the Department (questions and responses to questions) will only be through the following methods:

- The Pre-Proposal Meeting.
- The Department's Question and Answer Forum (linked below).

Any contact outside of these methods determined to be improper, at the sole discretion of the Department, could result in disqualification of the Firm.

Questions are to be posted on MDT's "Question and Answer Forum" found at the website:

<http://www.mdt.mt.gov/business/contracting/qacurrent.shtml>

Questions must be posted at least 48 hours before the SOQ is due to MDT. MDT will provide an Answer posted on the same "Question and Answer Forum". MDT will make every effort to post the answer within 48 hours after the question was posted.

III. PROJECT DESCRIPTION

Project Name: Red Lodge Area Flood Repairs

Project No.: ER STWD(898)

Control No.: 10322000

In Red Lodge, the project will include reconstruction work on Broadway Avenue (US-212, RP 68.50 - 69.30) to repair flood damage from Rock Creek. Work will include bank stabilization activities and restoration of retaining walls, roadways, sidewalks, curb & gutter, guardrail, storm drains, signs and other miscellaneous damaged roadway features. As-built plans and available support documents will be provided to the short-listed firms.

IV. GENERAL SCOPE OF WORK

The scope of this project is to repair facilities within the project limits that were damaged by flooding. With the expedited nature of this project, it is the intent to simply restore the facilities to the pre-flood condition as per the as-built drawings from Project Nos. F.H. 59-2(6) & F-TQF 28-2(3)68.

- A. The project team, as referenced herein, is composed of:
 1. MDT (Owner)
 2. Design-Build Firm

- B. Survey
 1. MDT will provide survey control to all short-listed firms.
 2. The Firm will perform all other survey services, including design surveying, and construction staking necessary to complete the project.

3. Surveying services must be accomplished in accordance with MDT's Surveying Manual and comply with all pertinent Montana Statutes and applicable rules of the Montana Board of Professional Engineers and Professional Land Surveyors.
4. All field survey data will be readily available for input and use in CADD design files.
5. The Firm will be responsible to re-establish any Public Land Survey System corners or references disturbed by construction activities in accordance with Montana statutes.
6. Complete hydraulic surveys in support of hydraulic and hydrologic analyses.
7. Utility Survey
 - a. Set up and conduct initial utility meeting with MDT and all utility companies believed to have facilities within the vicinity of the project. Invite the MDT Project Manager, a representative from the MDT Utilities Section, and the MDT District Utility Engineering Specialist to attend the meeting.
 - b. Complete SUE Phase I investigation.
 - c. Show SUE Phase I information on preliminary plans. Integrate existing facility data from the SUE Phase I investigation with all design activities including: hydraulic, geotechnical, traffic, road alignment, structural, and environmental. Identify crossings and locations where higher quality level data (e.g., test holes) may be needed to further assess and refine designs.
 - d. Set up and conduct individual Utility Coordination office meetings with MDT and each utility company. Invite the MDT Project Manager and a representative from the MDT Utilities Section to attend these meetings. Determine limitations and clearances with utility facilities.

C. Geotechnical

1. MDT will provide available geotechnical data to the short-listed firms.
2. The Firm will be responsible for identifying and performing any geotechnical investigation, analysis, and design dictated by the project needs in accordance with the MDT Geotechnical Manual and applicable AASHTO and FHWA requirements.
3. All geotechnical information included as attachments to the RFP will be for informational purposes only. The Firm is responsible for performing all borings and geotechnical analyses necessary to perform the project design.
4. During the progress of the work, differing site conditions will follow Standard Specification 104.02.1.

D. Design

1. MDT will provide as-built plans for the full length of this project. The Firm will reconstruct the roadway to pre-flood conditions.
2. MDT will provide technical proposal credit for the firm's adding resilience; design and construction of repairs should consider the long-term resilience of the facility.
3. All roadway design plans are to be prepared in accordance with the latest standards adopted by AASHTO and MDT's current Specifications, applicable manuals, all current State and Federal laws and regulations. All plans will be accurate, legible, complete in design, drawn to the appropriate scale indicated in MDT's manuals and furnished in reproducible form.
4. Submit final documents and files that include complete CADD design and coordinate geometry files as described in the MDT CADD Standards.
5. The design notes and computation sheets will be fully titled, numbered, dated, indexed, and signed by the designer and the checker. At project completion, a final set of design notes and

computations for all components of the project, signed by the Firm EOR, will be submitted with the record set (as-built) of plans.

6. Design notes and calculations will include, but not be limited to the following data:
 - a. Geometric design calculations for horizontal alignments
 - b. Vertical geometric calculations
 - c. Structural design calculations
 - d. Hydraulic design calculations
 - e. Geotechnical design calculations
 - f. Documentation of decisions reached resulting from site visits, meetings, or telephone conversations
 - g. Final quantities list

E. Environmental

1. The environmental documentation in the form of a Categorical Exclusion is anticipated for this project.
2. The permanent project features and temporary construction features and activities are regulated by environmental rules and regulations that are administered by federal, state, and local agencies. Environmental permits may be required from one or more regulatory agencies for land alterations such as ground disturbance or impacts to wetlands or aquatic resources. The time required to obtain these permits can vary with the type of project, its potential impacts, and the requirements of a specific regulatory agency. The Firm will be responsible for preparing complete application(s) for all environmental permits required for the project. Some permits may be held solely by the Firm, other permits may be jointly held between the Firm and MDT.
3. Provide draft environmental permit applications to MDT Environmental Services Bureau for all temporary and permanent facilities and construction activities that trigger permit requirements. Impacts to wetlands and/or aquatic resources in the area should be avoided to the greatest extent practicable. Inform MDT if there are changes to the proposed environmental scope of work.
4. The Firm must provide an Environmental Compliance Status Statement that confirms all design and proposed construction will be within the parameters of the CFR and the Environmental Document. An Environmental Compliance Status Statement will be submitted at all 100% Component Plan Submittals.
5. Comply with all applicable environmental laws including but not limited to: the Clean Water Act, the Stream Protection Act, the Endangered Species Act, the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act (MBTA), Section 106 of the National Historic Preservation Act, etc. Typical non-breeding season for migratory birds occurs from mid-August to mid-April.

F. Right-of-Way

1. The Firm is responsible for verifying existing right-of-way at each site.
2. The Firm is responsible for obtaining all construction permits necessary to complete the construction.

G. Utilities

1. The Firm is responsible for proper coordination of all utility relocation or adjustments impacted by the project design.

2. If utility relocation or adjustment is necessary, the Firm will reimburse the utilities in accordance with MCA 60-4-403 and Volume III, MDT Right of Way Operations Manual as applicable.
3. A minimum of 20 working days prior to the start of utility relocation work, provide MDT with utility relocation plans, a relocation timeline for each utility impacted and other information required to obtain Utility Permits in accordance with Volume III, MDT Right of Way Operations Manual.
4. Following receipt of the plans, timeline, and other information, MDT will process and issue utility permits prior to utility relocation.
5. The Firm will notify MDT when utility relocation commences for each utility.
6. The Firm will then coordinate relocation efforts and conduct site inspection for each utility impacted.
7. After completion of utility relocation, the Firm will provide MDT copies of as-built utility relocation plans.
8. All utility information included in this RFP is for informational purposes only. MDT makes no guarantee as to the completeness or accuracy of utility information and the Firm relies on the completeness or accuracy of such information at its own risk.

H. Coordination

The Firm should plan on regularly scheduled coordination meetings, review meetings for milestone deliverables, and any other meetings deemed necessary for completion of the preconstruction phase.

I. Public Involvement

Public involvement is anticipated with the project considering impacts to traffic, resources, and level of planning prior to construction.

J. General

1. MDT will provide construction engineering and inspection services (Quality Assurance and Independent Assurance).
2. Complete the design in U.S. Customary Units (English).
3. Provide all construction staking necessary to construct the project.
4. Provide all road maintenance during construction, including any temporary signing and striping necessary.
5. Provide erosion control required for the project.
6. Submit as-built plans with red-lined corrections of all field changes to the final plans in electronic format.
7. Submit an itemized project-specific list of materials and quantities to be used on the project following the MT-601 format. An updated version of the materials list is required to be submitted on a monthly basis throughout construction.
8. Construction-at-Risk: The firm is not precluded from early construction prior to receiving Release for Construction approval under the following conditions:
 - Traffic control plans have been approved by MDT
 - All environmental documents and permits have been completed and obtained
 - The firm assumes all liability for possible design changes after the work commences

V. SOQ SUBMITTAL REQUIREMENTS

- A. The legal entity (Proposer) desiring consideration for this project must submit an electronic copy of their Statement of Qualifications (SOQ) not to exceed **three (3) 8 ½"** by 11" pages with a

minimum font size of ten. MDT will not allow 11" x 17" sheets. The following are guidelines for preparing the SOQ:

1. Each page that contains text, graphs, drawings, or other illustrations is considered in the page limit.
 2. The transmittal letter, proof of insurance, front cover, back cover, and blank section dividers are not included in the page limit.
 3. Only one SOQ per Proposer is acceptable. Receipt of multiple SOQs from one Proposer will be grounds for disqualification.
- B. The SOQ must, as a minimum, include information on each of the following criteria:
1. Transmittal Letter
Provide a SOQ transmittal letter that identifies the legal entity (business structure) authorized to render the Design-Build services and provide a Letter of Commitment executed by each company (if more than one) of the Proposer's Design-Build team. Include a signed and dated copy of any Addenda issued to the RFQ. The Transmittal Letter criterion will not be counted in the SOQ page limit.
 2. Staffing and Coordination Plan
 - a. Identify participating companies and include business phone numbers, primary contact email addresses, and mailing addresses. This section must identify the key personnel assigned to this project, including:
 - i. Project Manager
 - ii. Construction Superintendent
 - iii. Design Manager
 - iv. Project Estimator
 - b. Provide a logical organizational chart that includes the key personnel identified above and all discipline support staff. The key personnel on a Design-Build team cannot change after submittal of the SOQ without prior written approval of MDT.
 - c. Provide a summary of the project duties and qualifications of the assigned key personnel. This summary should focus on the scope of work items for this specific project, and must include:
 - i. List of anticipated project duties
 - ii. Individual experience
 - d. Resource Availability – provide a summary of your entire team's staff availability. Include a narrative of how you propose to meet the completion date described herein.
Maximum Pages = 2. Scoring weight = 600 points.
 3. Experience
 - a. Provide a list of active and/or recently completed Design-Build projects performed by the Firm.
 - b. For each of the key personnel described herein, provide:
 - i. Two examples of previous and/or current relevant project experience, as it relates to these services
 - ii. A description of their project duties performed in these relevant projects, and the similarities of the work to this project
Maximum pages = 1. Scoring weight = 400 points.

VI. SOQ SCORING

For the SOQ/Technical Proposal Evaluation Criteria, see Attachment A.

VII. GENERAL

A. Request for Proposals Phase - Selection Criteria

The following criteria is provided for informational purposes, and will apply to the short-listed Design-Build Firms:

1. Following receipt of Firm's Technical Proposals, the MDT Technical Review Committee will provide the Technical Proposal scores to the Selection Committee for review and approval. The Selection Committee approval process will be completed and documented prior to opening the Bid Price Proposals. To determine the Best-Value submittals, the Technical Proposal score represents 75% of the maximum score available and the Bid Price Proposal will represent 25% of the maximum score available. The Firm with the highest total points is considered the Best-Value.
2. A Firm's proposal package submitted in response to the RFP replaces and supersedes any prior proposals, documents, agreements, reviews, representations, or understandings with MDT.
3. MDT will consider the following factors in determining whether a Firm's proposal package - consisting of the Technical Proposal and the Bid Price Proposal - is non-responsive, and will be rejected:
 - a. If the Technical Proposal scores less than 60% of the available points, it will be considered non-responsive.
 - b. If the Technical Proposal departs from the scope of work, it will be considered non-responsive.
4. MDT will provide a summary of estimated quantities that the Firm will use to prepare their Lump Sum (LS) bid price proposal. A preliminary design prepared by the Firm will not be included in the technical proposal. At the submittal of the bid price, the Firm will provide a separate schedule of values including the unit prices associated with MDT's bid items and estimated quantities. The approved unit prices will be used to negotiate adjustments to the contract price after final design is complete and final quantities have been determined. Preliminary Engineering (PE) and Construction Engineering (CE) costs will be negotiated after award and should not be included in the LS bid price proposal.

B. Estimated Construction Cost = \$5.0 to \$10.0 Million

C. Stipend: \$20,000.

Only the unsuccessful short-listed Firms will receive the stipend, which is partial compensation for the cost to prepare a proposal. The successful Firm will not receive a stipend payment. The unsuccessful short-listed Firms will only receive the stipend if their proposal is determined to be responsive by MDT.

D. Insurance Requirements

1. Firms must provide insurance certifications, either a certificate of insurance evidencing current policies, or written evidence from an insurance company or broker indicating that the

Proposer is capable of obtaining the following types of insurance: Commercial General Liability, Auto Liability, and Workers' Compensation / Employer's Liability.

2. In addition, the selected Firm will be required to indemnify the Department, Department's Consultants, and Independent Cost Estimator (ICE) with respect to claims arising out of the Construction Contract.

E. Bonding Requirements

1. The selected Firm will be required to submit payment and performance bonds upon execution of a construction contract (the Early Work Package LS price), each in the amount of 100 percent of the contract price. Firms will be required to demonstrate their capacity to obtain the required bonds.
2. Firms must attach a notarized statement from an admitted surety insurer authorized to issue bonds in the State of Montana that states:
 - a. Firm's current bonding capacity is sufficient for the project and referenced payment and performance bonds; and
 - b. Firm's current available bonding capacity.

F. Schedule of Events

The following is the anticipated schedule for the advertisement and award of the project:

<u>DATE</u>	<u>EVENT</u>
7/6/22	RFQ Advertisement Date
7/13/22	SOQ Response Due Date
7/15/22	TRC Finalizes SOQ Scores
7/20/22	RFP Issue Date
7/22/22	Pre-Proposal Meeting (Mandatory Attendance)
7/27/22	Technical Proposal Due Date
8/4/22	Bid Price Proposal Due Date
8/5/22	Final Selection Date
8/9/22	Award Date
8/16/22	Notice to Proceed

G. Disadvantaged Business Enterprises (DBE) Goal

1. In accordance with 49 Code of Federal Regulations Part 26, the proposed overall DBE goal for MDT is 6.5%. MDT encourages the use of DBE-certified companies. To assist contractors in determining their DBE commitment level, the Department has reviewed the estimates for this contract, and has established an aspirational goal of 6.7% DBE usage. Although not a contract requirement, the Department believes that the aspirational goal can realistically be achieved through race neutral measures based on current availability of DBEs and standard competitive procurement processes. While the utilization is not mandatory to be awarded the project, continuing utilization of DBE firms on contracts supports the success of Montana's DBE Program. The Subcontractor Report must be completed and submitted with the Early Work Package GMP and/or GMP and will be included as an attachment to the RFP.

2. MDT will not discriminate based on race, color, national origin or sex in the award, performance or administration of any MDT contract or in the administration of its DBE program (49 CFR Part 26). MDT attempts to provide reasonable accommodations for any known disability that may interfere with a person participating in any service, program, or activity of the department. Alternate accessible formats of this document will be provided upon request. If reasonable accommodation is needed to participate in MDT bid lettings, call the Office of Civil Rights at 444-6331 or TTY 1-800-335-7592 (toll free) or Montana Relay at 711. Accommodation requests must be made at least 48 hours prior to any meeting or deadline.

H. Contractor Registration

Montana law requires all contractors to register with the Montana Department of Labor. On State-funded projects, contractors must be registered prior to submitting a Proposal. For information regarding this requirement, contact the Department of Labor at 1-406-444-7734 or TTY 1-406-444-5549.

Attachments

- A. SOQ Evaluation Criteria

**MONTANA DEPARTMENT OF TRANSPORTATION
HIGHWAYS & ENGINEERING DIVISION**

Loran Frazier, Chair
Montana Transportation Commission

Malcom "Mack" Long
Director of Transportation

SOQ/TECHNICAL PROPOSAL EVALUATION CRITERIA

Each voting member of the Technical Review Committee (TRC) will review and evaluate the SOQ or Technical Proposal received. Individual TRC members will provide a ranking for each criterion based on a 0 to 10 scale, with 10 being best. The Scoring Weight assigned each criterion will be multiplied by the TRC member Ranking and added together providing a maximum possible Total Score of 10,000 points per member per SOQ/Technical Proposal. The SOQ or Technical Proposal will be evaluated based on the following Scoring Guide and SOQ Evaluation Criteria Scoring Table.

SCORING GUIDE

(9.0-10.0): Response will be a highly comprehensive, **excellent** reply that meets all the requirements of the areas within the specific criteria. In addition, the response covers areas not originally addressed in the RFQ evaluation criteria and includes additional information and recommendations that would prove both valuable and beneficial to MDT. This response is an excellent standard, demonstrating the Firm's **superior** knowledge and understanding of the project.

(7.5-8.9): This response demonstrates an **above average** performance with few minor deficiencies noted. Response will provide useful information, while showing experience and knowledge within the evaluation criteria. The response is well thought out and addresses most of the requirements set forth in the RFQ. At the discretion of the reviewers, minor omissions in the requirements may be waived but considered in the assigned scores. The Firm provides insight into their expertise, knowledge and understanding of the subject matter outlined in the criteria.

(6.0-7.4): This response demonstrates an **average** performance, with minor deficiencies noted. Response meets most of the requirements of the RFQ.

(4.0-5.9): This response demonstrates a **below average** performance, with numerous deficiencies noted. Response minimally meets the requirements of the RFQ. This section of the Statement of Qualifications is considered responsive with minor requirements missing.

(0.0-3.9): This response demonstrates an **inadequate** performance, with numerous deficiencies noted. Response does not meet the requirements of the RFQ. The Firm has not demonstrated knowledge of the subject matter outlined in the RFQ, fails to address one or more requirements of the RFQ, or has proposed a deviation from the RFQ requirements.

MDT may waive minor informalities or irregularities in proposals received where such is merely a matter of form and not substance, and the correction or waiver of which is not prejudicial to other Firms. Minor irregularities are defined as those that will not have an adverse effect on MDT's interest and will not affect the price of the proposals by giving a Firm an advantage or benefit not enjoyed by other Firms.