MONTANA
Department of Transportation

**PROGRESSIVE DESIGN-BUILD REQUEST FOR QUALIFICATIONS**
Montana Department of Transportation

**DAR STRUCTURES – LEWISTOWN AREA**
Fergus, Wheatland, Judith Basin Counties
Project Number: STPB STWD(944)
Control Number: 10276000
March 20, 2024

# 1 INTRODUCTION

The Montana Department of Transportation (MDT) is accepting Statement of Qualifications (SOQs) from entities (Proposers) interested in providing Progressive Design-Build (PDB) services for the DAR Structures – Lewistown Area project (the Project).

## 1.1 PDB OVERVIEW

PDB is a delivery method in which design and construction are delivered under a single, two-phase contract between the Department and a PDB Firm. The two-phase contract consists of a Preconstruction Phase and a Construction Phase. The purpose of the Preconstruction Phase is to develop the design and agree upon cost and other requirements for the Construction Phase. Payment for Preconstruction phase activities is made on a time and materials basis. The Preconstruction Phase will include participation of an Independent Cost Estimator (ICE) engaged by MDT to develop estimates for the Construction Phase to use as a comparison against the Firm's cost estimates. The Construction Phase includes the actual construction of a project based on a project design and other requirements agreed to during the Preconstruction Phase. The Construction Phase may involve construction work that is authorized by one or more Construction Packages. Each Construction Package will have a Construction Package Price. The Construction Package Price will be comprised of a lump sum price for completing the design and construction of the Project and a risk reserve which will be paid as described in the Risk Register, which can include unit costs, lump sum, and other methods based on the specific Risk Register Event. Payment for Construction Phase activities will be paid according to a Schedule of Values. The Schedule of Values will also include an item for payments described in the Risk Register. The Construction Package Price will be developed on an open book basis. This will include agreeing to raw costs without overhead and profit and then applying the Construction Phase Multiplier to arrive at the Construction Package Price. The Construction Phase Multiplier is submitted with the Price Proposal and is part of the basis of award.

## 1.2 GENERAL SCOPE OF WORK

The Project will replace 11 aging and deteriorating bridges in fair/poor condition with new bridges or culverts. The majority of the structures (8) were identified as needing replacement in the Malmstrom AFB timber bridges scoping report. The remaining bridges were nominated to be complete replacements along the MT-81 corridor. Some roadway and approach work will be necessary to tie the new structures into existing alignments. See Table 1 for information regarding the structures, and Figures 1 and 2 for maps depicting the locations of the bridges.

Additional Project information is provided as Reference Information Documents (RID). The RID is a collection of information, data, documents, and other materials that MDT has provided for general or reference information only and do not dictate Project requirements. See Appendix A for available RID.

Table 1: Structure Information

| Structure ID | Bridge # (*load posted) | Feature Intersection | APX Location | DPT Route | County | Existing Structure Length |
|---|---|---|---|---|---|---|
| P00081006+00921 | 06206* | Coffee Creek | Coffee Creek | P-81 | Fergus | 38', 2 span |
| P00081006+05001 | 06207 | Unnamed Tributary to Coffee Creek | Coffee Creek | P-81 | Fergus | 21', 1 span |
| P00081019+09951 | 06209 | Dry Wolf Creek | 6M SE Denton | P-81 | Fergus | 57', 3 span |
| P00081030+06301 | 06212 | Drainage | 11M W Brooks | P-81 | Fergus | 11.5', 1 span |
| P00081034+09001 | 06216 | Drainage | 6M W Brooks | P-81 | Fergus | 11.5', 1 span |
| P00081035+03701 | 06217 | Drainage | 5M W Brooks | P-81 | Fergus | 10.5', 1 span |
| P00081036+06001 | 06219 | Drainage | 4M W Brooks | P-81 | Fergus | 10.5', 1 span |
| P00081039+02391 | 06220 | Warm Spring Creek | 7M SW HILGER | P-81 | Fergus | 38', 2 span |
| S00238010+06001 | 06436 | E Fork Big Spring Creek | 9M SE LEWISTOWN | S-238 | Fergus | 21', 1 span |
| S00297000+09001 | 06606 | Deadman's Basin Canal | 1M N SHAWMUT | S-297 | Wheatland | 58', 3 span |
| S00400005+08001 | 06754 | Tributary to Hauck coulee near Auckley | 6M SW HOBSON | S-400 | Judith Basin | 15.6', 1 span |

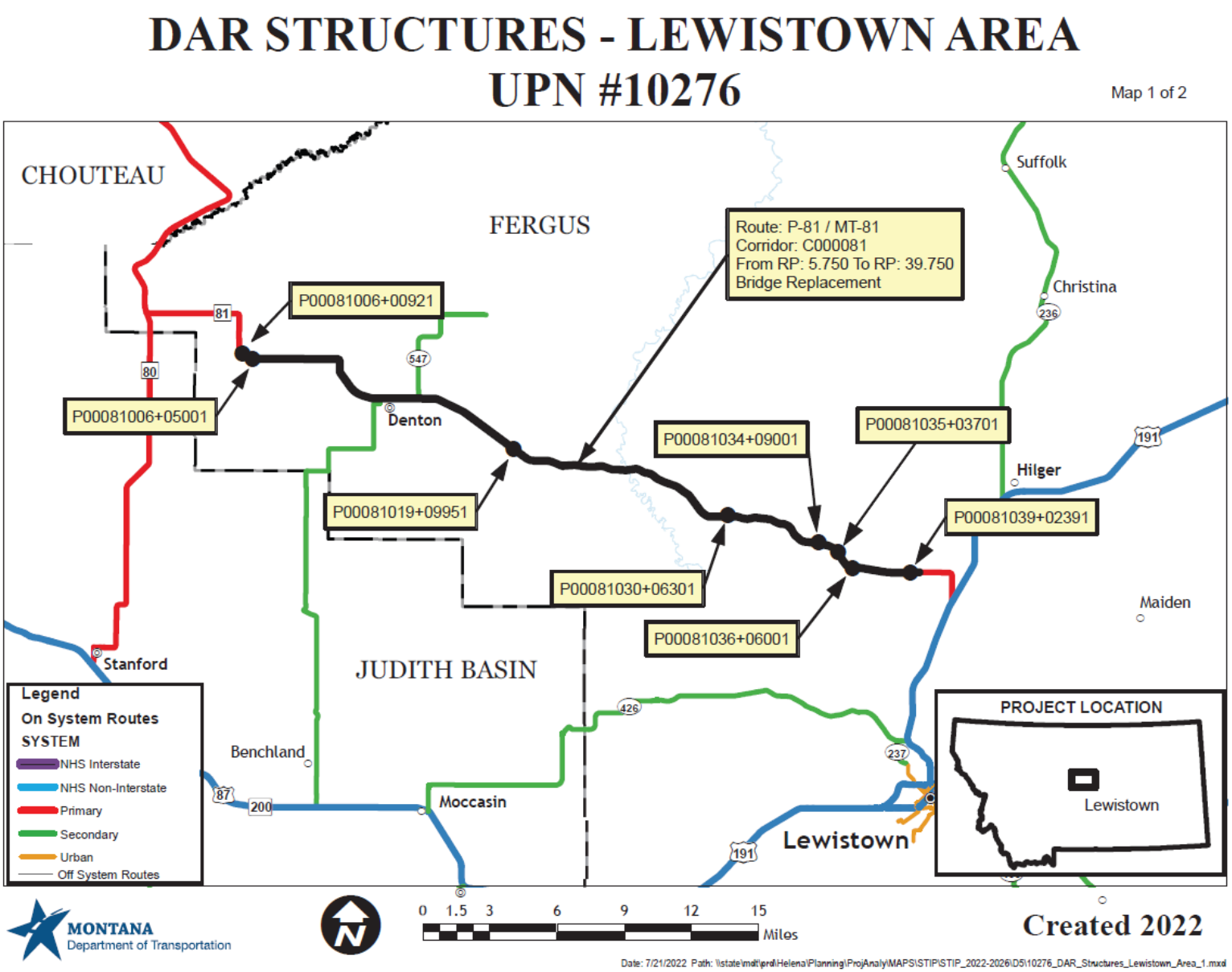


Figure 1: Map of Structures (1 of 2)

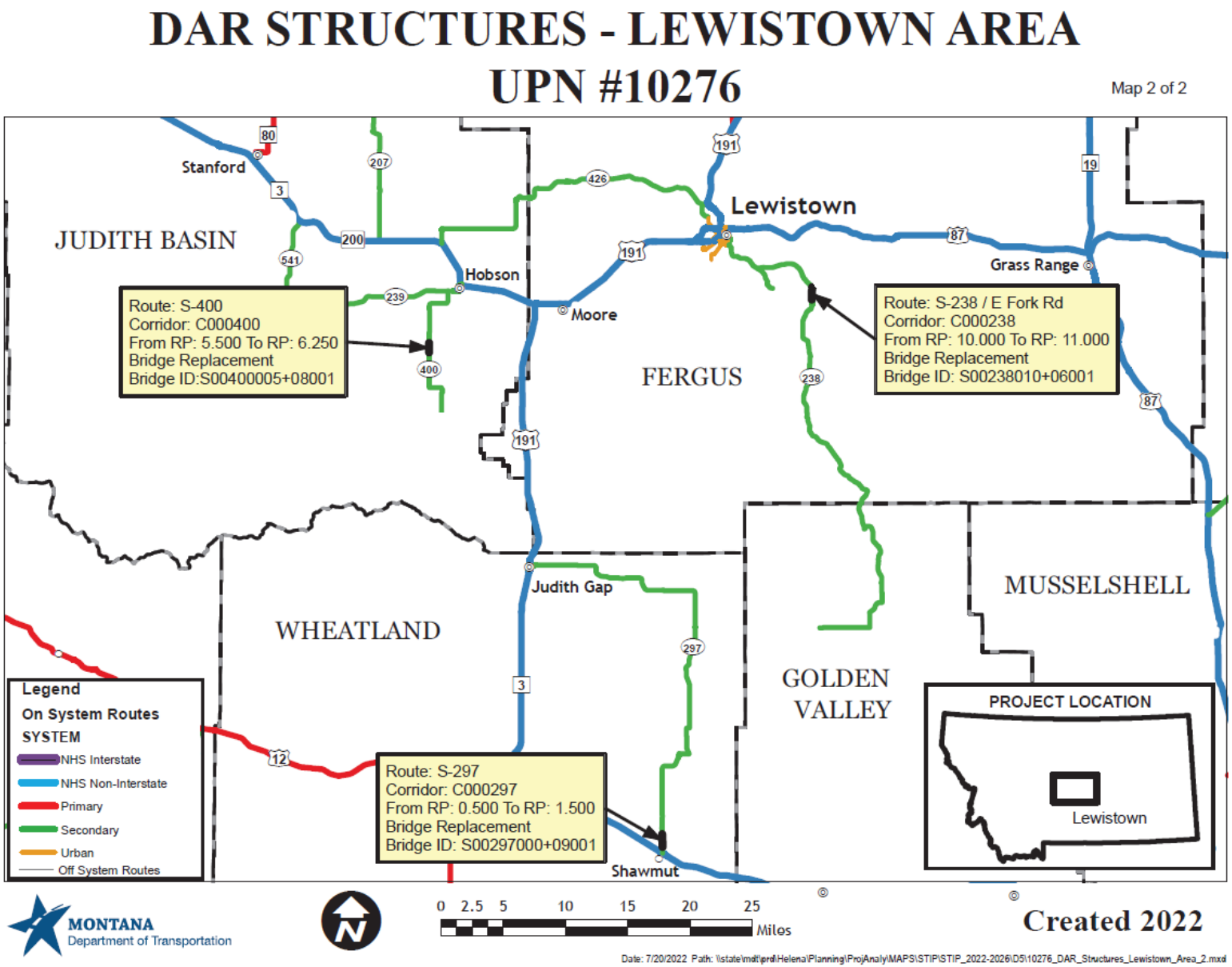


Figure 2: Map of Structures (2 of 2)

The Firm, in addition to performing all other requirements described in the Request for Proposal (RFP), shall:

1. Provide all design and other services, as well as all goods, materials, and labor, and undertake all efforts necessary or appropriate (excluding only those services, materials, and efforts which the RFP specifies will be undertaken by other persons) to construct the Project and maintain it during construction in accordance with the requirements of the Contract. The word "provide" includes and requires the Firm to design, furnish, install, construct, and perform all work necessary for a final, complete, in-place, and fully functional Project which meets all the requirements of the Contract.
2. At all times provide a Project Manager, who shall:
   a. have full responsibility for the prosecution of the work;
   b. act as agent and be a single point of contact in all matters on behalf of the Firm;
   c. be present (or have an approved present) at the site at all times that work is performed; and
   d. have authority to make binding decisions for the Firm on all matters relating to the Project.
3. Obtain all governmental approvals other than those to be provided by MDT.
4. Comply with all conditions imposed by and undertake all actions required by and necessary to maintain in full force and effect, all governmental approvals, including implementation of all environmental mitigation measures required by the Contract, except to the extent that such responsibility is expressly assigned in the Contract to another person.
5. Coordinate with third parties regarding the work and assist MDT in any coordination efforts it undertakes.
6. Provide such assistance as is reasonably requested by MDT in dealing with any person and/or in prosecuting and defending claims or lawsuits in any and all matters against MDT by third parties relating to the Project, which may include providing information and reports regarding the Project, executing declarations and attending meetings and hearings, but which shall in no event be deemed to require the Firm to provide legal services. If the amount of time required to provide assistance becomes unreasonable, MDT may request such assistance at its cost. This obligation is not intended to address and shall not limit the Firm's indemnification obligation.
7. Comply with all requirements of all applicable laws.
8. Cooperate with MDT and other governmental persons in the review and oversight of the Project and other matters relating to the work.
9. Make payments to third parties required by the Contract, if any.
10. Supervise and be responsible to MDT for acts and omissions of all subcontractors and subconsultants as though the Firm directly employed all such persons.
11. Take prompt action and measures to effectively mitigate potential loss or damage, including mitigation of delay to the Project and damages due to delay in all circumstances, to the extent reasonably possible, including by re-sequencing, reallocating, or redeploying, as appropriate.
12. Pay all applicable federal, state, and local sales, consumer, use, and similar taxes, property taxes, and any other taxes, fees, charges, or levies imposed under federal, state, or local law, whether direct or indirect, relating to, or incurred in connection with the performance of the work.
13. Coordinate with MDT and be responsible for all public involvement for the Project.

## 1.3 Project Overview and Status

Project summary, status of key activities, and other information is provided below.

1. Budget: $20-$25 million.
2. Project Team: The Project will be managed by the Billings District, with construction administration out of the Lewistown Office. MDT has contracted with DOWL to provide Alternative Contracting General Engineer Consulting (AC-GEC) services. Doug Fischer (DOWL) will be the Project Leader for the Project. The

Department of Defense and United States Air Force will also remain involved in the development of the Project.

3. Project Goals:
   - Replace all structures.
   - Maintain wildlife connectivity.
   - Minimize roadwork for approach sections.
   - Achieve final completion by 2028.
4. Stakeholders: Fergus, Wheatland, Judith Gap Counties, MDT Maintenance, traveling public.
5. Known Major Risks: Material availability and procurement, expedited design timeframe to meet funding obligations.
6. Environmental: The environmental documentation has not been prepared for this project. It will be prepared and submitted to FHWA for approval during the Preconstruction Phase. Referencing MDT's Consultant Design Activities, the RFP will require the Firm to provide environmental support activities to MDT Environmental Services. Activities may include, but are not limited to, cultural resources survey, biological resources report (BRR) and wetlands delineation, and an initial site assessment (ISA). MDT will use the data to develop the environmental documentation for the Project.
7. Hydraulics: The RFP will require the Firm to perform 2D and 1D modeling and hydrology and meet MDT hydraulics requirements.
8. Utilities: Utility coordination has not been performed. Utilities coordination will be performed during the Preconstruction Phase. The RFP will require the Firm to provide significant utility support.
9. Right-of-Way: ROW acquisition activities have not begun. ROW will be acquired during the Preconstruction Phase. The RFP will require the Firm to develop ROW plans. MDT, Billings district will perform ROW valuations and acquisitions.
10. Design: Design requirements will be developed through the PDB process after project Award. All standard MDT Design criteria are to be met.
11. Project Schedule: MDT will obligate the Project in multiple phases in 2025 and 2026. Construction is anticipated begin in 2026. Final completion and all structures open to the public is anticipated to be achieved by 2028.
12. Additional Project requirements: The Project will be subject to additional requirements that will be coordinated with and approved by FHWA, the United States Air Force, and any other applicable federal oversight agency. These requirements will be developed during the Preconstruction Phase.

# 2 General Procurement Process

## 2.1 Procurement Schedule

Below is the current schedule of events that will take place in the selection process. MDT reserves the right to make changes or alterations to the schedule as MDT determines is in the best interest of the public. Proposers will be notified sufficiently in advance of any changes or alterations in the schedule. Unless otherwise notified in writing by MDT, the dates indicated below for submission of items or for other actions on the part of a Proposer, will constitute absolute deadlines for those activities and failure to fully comply by the time stated will cause a Proposer to be disqualified.

| Date | Event |
|---|---|
| 3/20/2024 | RFQ Advertisement Date |
| 4/15/2024 | Q&A Forum Closes for SOQ Questions |
| 4/17/2024 | SOQ Response Due Date |
| 5/8/2024 | Short List Date |

| | |
|---|---|
| 5/8/2024 | RFP Issue Date |
| 5/22/2024 | Pre-Proposal Meeting |
| 6/12/2024 | Q&A Forum Closes for Technical Proposal Questions |
| 6/19/2024 | Technical Proposal Due Date |
| 7/10-7/11 2024 | Interviews |
| 7/15/2024 | Q&A Forum Closes for Price Proposal Questions |
| 7/17/2024 | Price Proposal Due Date by 11:00 a.m. local time |
| 7/17/2024 | Price Proposal Opening |
| 7/30/2024 | Award Date |
| 8/13/2024 | Initial Preconstruction Phase Notice to Proceed (anticipated) |

## 2.2 Procurement Communication

Information regarding this RFQ, including addenda to the RFQ, questions and answers, and project specific information, will be posted at the following website: https://www.mdt.mt.gov/business/contracting/qacurrent.aspx. The Proposer is responsible for checking the MDT website regularly for updates concerning the procurement.

MDT has designated the following individual as MDT Project Monitor for the Project:

Ellen Hinshaw, PE - Project Monitor
Alternative Contracting Engineer
ehinshaw@mt.gov

Commencing with the formal advertisement of this RFQ, and extending through the final selection, communication between the Proposer and MDT is prohibited except through the following venues:

- The Pre-Proposal Meeting.
- The Department's Question and Answer Forum.

To facilitate receipt, processing, and response, all questions regarding the Project shall be submitted via the Q&A Forum by the date indicated in Section 2.1 (Procurement Schedule). All communication between the Proposer and MDT shall occur only as set forth in Section 2.2 (Procurement Communication) until the date the Contract is executed.

MDT may make edits in addenda to this RFQ in response to clarification requests. Alternatively, MDT may respond to those questions that MDT deems to be material and not adequately addressed through potential addenda to the RFQ. MDT will post any such responses and/or addenda to this RFQ on the website shown above.

The Proposer shall comply with all applicable Laws and refrain from lobbying any Governmental Authority in connection with the procurement. During the procurement, no employee, member, agent, advisor, or consultant of the Proposer may undertake any ex-parte communications, directly or indirectly, regarding this procurement with any representative of MDT staff, advisors, contractors, or consultants, except for communications permitted by this RFQ. Such contact may result in disqualification.

The Proposer may not communicate with another Proposer regarding the Project, the SOQ, or any other Proposer's SOQ, except that a Proposer may communicate with an individual that is included in more than one Proposer organization, so long as those Proposers have an established, documented protocol to ensure that such individual person or firm will not act as a conduit of information between the respective Proposer organizations.

## 2.3 ADDENDA

The RFQ will only be modified in writing by MDT. If necessary, MDT will issue Addenda to modify conditions or requirements of the RFQ. The Proposer is responsible for checking the Project website as described in Section 2.2 (Procurement Communication).

## 2.4 SOQ SUBMITTAL

Proposers shall submit an electronic copy of their SOQ no later than 11:00 a.m., local time on the date described in Section 2.1 (Procurement Schedule) as the SOQ Response Due Date. Late SOQs will not be accepted.

Proposer shall submit an electronic version of the SOQ 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. Proposer shall have an OKTA account set up to upload information. Uploading instructions can be accessed at https://transfer.mt.gov/Home/Instructions. Electronic submittals shall be one single PDF file. When the SOQ has been uploaded, the OKTA system will prompt the user for a delivery email. Proposer shall email the uploaded submittal to the following individuals:

Ellen Hinshaw: ehinshaw@mt.gov
John Pavsek: jpavsek@mt.gov

Late SOQs will not be accepted and will automatically be disqualified from further consideration. It shall be solely the Proposer's responsibility to ensure electronic delivery at the specified time. Proposer may request that MDT delete late SOQs. If no request is made, late SOQs become the property of the MDT. All SOQs submitted on time become the property of the MDT.

## 2.5 CHANGES TO SOQS

Proposer may modify or withdraw previously submitted SOQs at any time prior to the SOQ due date. Requests for modification or withdrawal of a submitted SOQ shall be in writing and shall be signed in the same manner as the original SOQ. Upon receipt and acceptance of such a request, the entire SOQ will be returned to the Proposer and not considered unless resubmitted in compliance with this RFQ. A Proposer that withdraws its SOQ will be considered non-responsive.

## 2.6 DOCUMENT OWNERSHIP/CONFIDENTIAL AND PROPRIETARY INFORMATION

All information provided in response to this RFQ, as well as all tracings, bids, plans, manuscripts, specifications, data, maps, etc. prepared or obtained by the Firm as a result of working on the Project, are required to be delivered to and become property of the Montana Department of Transportation. To the extent permitted by law, SOQs will be treated as confidential until the time when a Firm is selected for Preconstruction Services, or cessation of this procurement. All submitted SOQs 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 Proposers submitting SOQs waive any claim for trade secret protection in the event of an open records request from another party and acknowledge the submitted SOQs are not subject to redaction based on trade secret protection.

## 2.7 SOQ IRREGULARITIES

MDT may waive minor informalities or irregularities in SOQs. Minor irregularities are defined as those that will not have an adverse effect on MDT's interest and will not affect selection of the short-list by giving a Proposer an advantage or benefit not enjoyed by other Proposers.

## 2.8 SHORT-LISTING

MDT will short-list no more than three Proposers on the Project based on the evaluation criteria described in this RFQ unless the fourth place Proposer's SOQ score is within 6% of the average of the top three Proposers, in which case MDT will shortlist four Proposers. Short listed Proposers will be eligible to submit Proposals. Results of the short-listing process will be posted in alphabetical order on the MDT website at: http://www.mdt.mt.gov/business/contracting/qacurrent.shtml.

## 2.9 REQUEST FOR PROPOSALS

The shortlisted Proposers will each receive an RFP. The RFP will provide specific instructions to the Proposers on what to submit, evaluation factors, the objectives and requirements for evaluation, and Proposal scoring approach.

Proposers will be required to submit a Technical Proposal and a Price Proposal. The Technical Proposal is anticipated to include a description of the Proposer's: 1) approach to the Preconstruction Phase and 2) approach to the Construction Phase. The SOQ score for Key Personnel will be brought forward as part of the award determination. The Price Proposal will include the Construction Phase Multiplier described in Section 1.1 (PDB Overview).

The RFP process will include interviews between each Proposer and MDT which will be scored. Further details regarding interviews and any associated scoring will be set forth in the RFP.

The Technical Proposal will be worth 1/3 of the total Technical Score, and the Interview will be worth 2/3 of the total Technical Score. The Technical Score will be weighted at 80% of the Best Value Score, and the Price Proposal will be weighted at 20% of the Best Value Score. Detailed requirements related to award will be described in the RFP.

## 2.10 MDT COMMITMENT

This RFQ does not commit MDT to make studies or designs for the preparation of any proposal, nor to procure or contract for any articles or services.

## 2.11 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.

## 2.12 SOQ DEVELOPMENT COSTS

All costs incurred by the Proposer because of the Proposer's efforts to participate in this selection process are the sole risk and obligation of the Proposer. MDT will not provide a stipend or any other compensation to a Proposer for any expenses incurred for SOQ preparation.

## 2.13 MDT RIGHTS AND DISCLAIMERS

MDT reserves the right, in its sole and absolute discretion, to do the following:

1. develop the Project in any manner that it deems necessary or desirable, including modifying the scope of the Project;
2. modify or rephrase questions submitted on the Q&A Forum;
3. exclude from consideration any Proposer whose SOQ contains a material misrepresentation or omission;
4. reject any or all of the SOQs or other submittals or responses;
5. terminate evaluation of any and all submittals, responses, and SOQs;

6. cancel, modify, or withdraw the entire RFQ;
7. issue a new RFQ;
8. consider information related to experience and qualifications of the Proposer that is known to members of the TRC and relevant to the Proposers ability to successfully deliver the Project;
9. exercise any other right reserved or afforded to MDT under this RFQ, or applicable law or in equity.

The execution and performance of a Contract pursuant to this RFQ and any subsequent RFP is contingent on sufficient appropriations and authorizations being made by the Legislature of Montana for performance of a Contract between the successful Proposer and MDT.

In no event shall MDT be bound by, or liable for, any obligations with respect to the Project until such time (if at all) as the Contract, in form and substance satisfactory to MDT, has been executed and authorized by MDT and approved by all required parties, and then only to the extent set forth therein.

# 3 SOQ Content Requirements

## 3.1 General Submittal and Format Requirements

The following sections describe specific information that shall be included in the SOQ. SOQs shall follow the outline of this Section 3. Proposers must comply with the following requirements:

- The SOQ written text shall have a minimum font size of ten.
- The SOQ written content shall be set up for 8½" x 11" printing parameters except where alternative requirements have been provided. Any oversized sheets shall not be used to facilitate text writeups.

## 3.2 Administrative Information

### 3.2.1 Transmittal Letter

The SOQ shall include a transmittal letter that identifies the legal entity (business structure – see Section 5.2 if Joint Venture) authorized to render the PDB services and provide a letter of commitment executed by each company (if more than one) of the Proposer's team. The transmittal letter shall acknowledge receipt of all Addenda issued to the RFQ. SOQs shall clearly indicate the following information in their transmittal letter:

- Name, address, phone number, and e-mail address for a contact person.
- Key companies and personnel proposed as participating in the project.

**The transmittal letter is not included in the page limit. No score - Pass/Fail evaluation.**

### 3.2.2 Insurance Requirements

The SOQ shall include evidence of insurability. This may be satisfied by providing either a certificate of insurance evidencing current policies, or written evidence from an insurance company or broker indicating that the Proposer can obtain the following types of insurance: Commercial General Liability, Auto Liability, and Workers' Compensation / Employer's Liability

The Proposer shall also provide evidence in the SOQ of their ability to obtain Professional Liability Insurance covering errors and omissions in the amount of $1,000,000.00. Evidence will be in the form of a letter from an insurer, or a Montana Resident Agent for an insurer, indicating ability to provide such insurance. The insurer must be licensed to do business in the State of Montana. Project specific insurance is insurance covering only this Project. The Proposer may satisfy this requirement through the insurance of the designer.

**The evidence of insurability is not included in the page limit. No score - Pass/Fail evaluation.**

### 3.2.3 Bonding Requirements

The selected Firm shall submit payment and performance bonds upon issuance of NTP for each Construction Package in the amount of 100 percent of the Construction Package Price. Proposers shall demonstrate their capacity to obtain the required bonds.

The SOQ shall include evidence of bonding capacity in the form of a notarized statement from an admitted surety insurer authorized to issue bonds in the State of Montana that includes:

1. Proposer's current bonding capacity is sufficient for the Project and referenced payment and performance bonds; and
2. Proposer's current available bonding capacity.

**The evidence of bonding capacity is not included in the page limit. No score - Pass/Fail evaluation.**

## 3.3 Firm Qualifications

The SOQ shall include a description of the Proposer's qualification, experience, and capacity to deliver the Project, including past and current project experiences (identify project name, owner, and role on the project). The information required by this RFQ will be considered in the evaluation of the Proposer's ability to perform the pre-construction and construction for this project. MDT will not consider the Proposer's past performance on the identified Projects, i.e., reference checks will not be performed. In evaluating Firm Qualifications MDT will consider the following:

- The extent to which the Proposer demonstrated the ability work as a team and collaborate across all phase of past projects.
- The extent to which the Proposer demonstrated the ability to collaborate and partner with project stakeholders to successfully integrate design and construction activities.
- The extent to which the demonstrated knowledge of necessary preconstruction delivery activities associated with MDT's consultant design process.
- The extent to which the Proposer demonstrated the ability to implement effective value engineering concepts or alternative technical concepts on projects.
- The extent to which the Proposer demonstrated the ability related to successful maintenance of traffic operations on comparable projects.
- The extent to which the Proposer demonstrated the ability to identify, mitigate, and resolve project risks in an efficient, cost-effective manner.
- The extent to which the Proposer demonstrated the ability to expedite schedules on comparable projects.
- The extent to which the Proposer demonstrated the ability to deliver comparable projects on-budget.

**The narrative shall not exceed five 8.5"x11" pages. Scored element – scoring weight 100.**

## 3.4 Organization Chart and Staffing Plan

The SOQ shall include an Organizational Chart(s) for the Preconstruction Phase and Construction Phase showing:

1. Organization of the Proposer's team
2. The flow of the "chain of command" with lines identifying participants who are responsible for major functions to be performed and their reporting relationships, in managing and building the Project.
3. The functional structure of the organization down to the construction supervisor level with identification of Key Personnel by name.

It is expected that Proposer's staff that will be active during the Construction Phase are also active during the Preconstruction Phase.

The SOQ shall include a Staffing Plan narrative regarding the organization that describes the Proposer's teaming arrangements, its management structure, and approach. The narrative shall include, at a minimum, a discussion of the following:

1. How the Proposer team organization will integrate into the Project Team and promote collaboration during the Preconstruction Phase and Construction Phase.
2. The experience of the team members working together on other comparable projects and the results of that experience.
3. How the Proposer team will operate, in light of the complexity and sequencing of the Project.
4. The Proposer's approach to forecasting, providing, and maintaining necessary project resources (labor, equipment, materials) through each phase of the Project, and Proposer's additional capacity that can be leveraged as needed to deliver the Project.
5. The Proposer's approach to facilitating communication among internal staff, subcontractors, MDT, MDT's consultants, as well as their anticipated communication and involvement with the public; and
6. How the management structure will facilitate the management of the Project risks.
7. Describe your approach to notifying Small Business Enterprises (SBEs) including Disadvantaged Business Enterprises (DBEs) of opportunities to join your team and how you will assess their availability and interest.

**The Organizational Chart(s) shall be depicted on no more than two 11"x17" pages. The Staffing Plan shall not exceed two 8.5"x11" pages. Scored element – scoring weight 400.**

## 3.5 Key Personnel Qualifications

The SOQ shall include resumes for each Key Personnel identified in the table below. Resumes of each Key Personnel shall be limited to one page for each Key Personnel. Resumes shall describe the experience and capacity of the Key Personnel to perform the role on the Project. As part of the resume, provide three to five project references with contact information, including phone number and e-mail. If an individual fills more than one position, only one resume is required. Include the following items on each resume:

- Relevant licensing and registration.
- Office location of Key Personnel at the time of SOQ submittal.
- Years of experience performing similar work.
- Actual work examples on similar projects, including projects, project dates, duties performed and their percentage of time on the project.

The following table provides required and preferred qualifications of the Key Personnel assigned to the Project. Any certifications required to meet the requirements of the RFP shall be in place by the Technical Proposal Due Date indicated in Section 2.1 (Procurement Schedule). Key Personnel identified in the submitted SOQ cannot change without prior written approval of MDT.

**Key Personnel resumes shall not exceed 8, 8.5"x11" pages (one for each Key Personnel). Scored element – scoring weight 500.**

| Key Personnel Position | Preferred Requirements |
|---|---|
| Project Manager | The Project Manager shall have experience managing the design and construction of highway construction projects with a similar scope of work and must have design-build experience. A minimum of 10 years of experience is required for this position. |

| Key Personnel Position | Preferred Requirements |
|---|---|
| | The Project Manager shall be responsible for the overall design, construction, quality management and contract administration for the Project and shall:<br>1. Have full responsibility for the prosecution of the Work.<br>2. Act as agent and be a single point of contact in all matters on behalf of the Firm.<br>3. Be available (or the approved designee will be available) at all times that work is performed.<br>4. Have authority to bind the Firm on all matters relating to the Project. |
| Construction Manager | The Construction Manager shall have experience managing field operations on highway construction projects of similar scope. A minimum of 10 years of experience is required for this position.<br>The Construction Manager shall:<br>1. Be on site during all construction activities (or the approved designee must be on site).<br>2. Provide monthly progress reports on environmental items.<br>3. Work under the direct supervision of the Project Manager.<br>4. Be responsible for ensuring that the Project is constructed in accordance with the Project requirements.<br>5. Be responsible for managing the Firm's construction personnel, scheduling of the construction activities, and administering all construction requirements.<br>6. Be responsible for assuring and reporting compliance of all on-site activities with the requirements of all permits and regulatory requirements.<br>7. Have the authority to stop work that is not in compliance with environmental requirements. |
| Design Manager | The Design Manager shall have experience in managing the design of highway construction projects, be a licensed Professional Engineer in the State of Montana now or by the Technical Proposal Due Date, and be familiar with MDT's design development process and applicable standards. The Design Manager is expected to have recent relevant project experience managing similar types of projects and must have design-build experience. A minimum of 10 years of total experience is required for this position. MDT prefers MDT preconstruction process development experience.<br>The Design Manager will be responsible for ensuring that the overall Project design is completed, and design criteria requirements are met.<br>The Design Manager shall:<br>1. Be responsible for managing the Firm's design personnel and administering all design requirements.<br>2. Be available whenever design activities are being performed.<br>3. Work under the direct supervision of the Project Manager.<br>4. Regularly attend design and construction progress meetings. |
| Lead Structures Engineer | The Lead Structures Engineer shall be experienced in structure design of the size required to accomplish the scope of work for structures on this Project. The Lead Structures Engineer shall be a licensed Professional Engineer in the State of Montana now or by the Technical Proposal Due Date. Five years or more of experience is preferred for this position. |
| Lead Hydraulics Engineer | The Lead Hydraulic Engineer shall be experienced in hydraulic engineering as required for this Project. This experience should be focused on bridge opening hydraulics, 2D and 1D modeling, scour analysis, FEMA floodplain requirements, and ditch, irrigation, and culvert design. The |

| Key Personnel Position | Preferred Requirements |
|---|---|
| | Lead Hydraulics Engineer shall be a registered Professional Engineer in the State of Montana now or by the Technical Proposal Due Date. Five years or more of experience in Hydraulics is preferred for this position. |
| Environmental Manager | The Environmental Manager shall be employed by the Lead Designer or a subconsultant providing professional services and must have experience on projects with similar environmental conditions including, at a minimum, cultural impacts, wetland impacts, regulated stream impacts, threatened and endangered species restrictions, and potentially contaminated materials handling and disposal. Five years or more of experience is preferred for this position.<br>The Environmental Manager shall:<br>1. Report directly to MDT and the Firm's Project Manager simultaneously.<br>2. Provide NEPA/MEPA compliance.<br>3. Provide understanding of local, state, and federal requirements.<br>4. Provide evidence of familiarity with the Wildlife Accommodation Process. |
| Lead Cost Estimator | The Lead Cost Estimator is preferred to have relevant experience on projects preparing production-based cost estimates for projects of similar scope. The Cost Estimator must work under the direct supervision of the Project Manager.<br>The Lead Cost Estimator is responsible for ensuring that the milestone estimates and Construction Package Prices are developed in accordance with Project requirements and reflect discussion and correspondence with the Project Team. The Cost Estimator shall:<br>1. Provide understanding of Estimate Reconciliation Process.<br>2. Clearly communicate the basis of the estimate to MDT and ICE.<br>3. Identify missing or incomplete information needed for current or future estimates.<br>4. Collaborate with the Project Team to reach a common understanding of Project costs. |
| Traffic Control Manager * | The Traffic Control Manager shall be experienced in work zone safety, work zone traffic control, and have significant recent experience in maintenance of traffic and traffic management on similar projects. This experience should be focused on rural highways and bridges and maintaining traffic concepts in narrow corridors. |

* Does not need to be exclusive to the Firm.

# 4 SOQ EVALUATION

## 4.1 RESPONSIVENESS DETERMINATION

SOQs found to be non-responsive by the TRC or Selection Committee will not be considered. SOQs may be rejected if found to be irregular or not in conformance with the requirements and instructions contained in this RFQ by the TRC or Selection Committee.

An SOQ may be found to be irregular or non-responsive by reasons, including, but not limited to:

1. Conditional SOQs.
2. Incomplete SOQs.
3. Improper or undated signatures.

Other conditions that may cause rejection of SOQs include:

1. Evidence of collusion among Firms.
2. Obvious lack of experience or expertise to perform the required work.
3. Submission of more than one SOQ for the same work from an individual, company, joint venture, or corporation under the same or a different name.
4. Failure to perform or meet financial obligations on previous contracts.
5. Employment of unauthorized aliens in violation of Section 274A (e) of the Immigration and Nationalization Act.
6. An individual, company, partnership, or corporation being on the United States Comptroller General's List of Ineligible Design-Build Firms for Federally Financed or Assisted Projects.

SOQs will be rejected if not received on or before the due date for submission.

## 4.2 EVALUATION OF SOQS

The TRC will review and evaluate the SOQs. The TRC will determine a 0 to 10 ranking for each scored element as described below. The scoring weight assigned to each scored element in this RFQ will be multiplied by the TRC ranking, creating the score for the scored element.

### 4.2.1 Scoring Guide

In selecting the 0-10 ranking, the TRC will consider the following:

- (9.0-10.0): Response is highly comprehensive/excellent and meets all requirements. In addition, the response includes relevant information or recommendations that were not specifically requested and would prove both valuable and beneficial to MDT. The response is an excellent standard, demonstrating the Proposer's superior knowledge and understanding of the project.
- (7.5-8.9): Response above average with few/minor deficiencies noted. Response provides useful information, while showing relevant experience and knowledge. The response is well thought out and addresses most requirements.
- (6.0-7.4): Response is average, with minor deficiencies noted. Response meets most of the requirements.
- (4.0-5.9): Response is below average, with numerous deficiencies noted. Response minimally meets the requirements. Although meeting responsiveness requirements, minor requirements missing.
- (0.0-3.9): Response is inadequate, with numerous deficiencies noted. Response does not meet requirements, does not demonstrated knowledge of the subject matter, fails to address requirements, or proposes a deviation from the requirements.

### 4.3 Scoring Table

| Number | Reference Section | Scored Element | Max Pages | Scoring Weight |
|---|---|---|---|---|
| 1 | 3.2.1 | Transmittal Letter | N/A | Pass/Fail |
| 2 | 3.2.2 | Insurance Requirements | N/A | Pass/Fail |
| 3 | 3.2.3 | Bonding Requirements | N/A | Pass/Fail |
| 4 | 3.3 | Firm Qualifications | 5 | 100 |
| 5 | 3.4 | Organization Chart and Staffing Plan | 4 | 400 |
| 6 | 3.5 | Key Personnel Qualifications | 8 | 500 |

# 5 Additional Requirements

## 5.1 Disadvantaged Business Enterprise (DBE) Goal

1. In accordance with 49 Code of Federal Regulations Part 26, the proposed overall DBE goal for MDT is 6.3%. 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 3.9% 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 bid price and/or bid price.
2. The Department's DBE directory may be found at the following website: https://app.mdt.mt.gov/dbe/dbe/search
3. The Department has a quick and easy way for you to request quotes from Montana DBE-certified companies. The information goes to the DBE companies that same day. The on-line form is located at the following website: https://app.mdt.mt.gov/dbeqt/.

## 5.2 Joint Venture

Firms desiring to qualify and propose on this PDB project as a joint venture must declare their intention in a letter of commitment, included as part of the transmittal letter. Short-listed Firms must include an executed "Declaration of Joint Venture and Power of Attorney" affidavit with their Proposal. Firms desiring to qualify and propose on this PDB project are not required to form a Joint Venture.

## 5.3 Non-Collusion Requirements

By submitting an SOQ, the Proposer acknowledges it has not by or through any of its officers, partners, owners, or any other person associated with the Proposer, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive proposals in connection with this Project, and is not financially interested in or otherwise affiliated in a business way with any other Proposer on this Project.

## 5.4 Debarment

By submitting an SOQ, the Proposer acknowledges that it is in compliance with MDT's debarment policies and procedures, found at Mont. Admin. R. 18.3.101, and that neither it nor its principals are presently debarred or suspended by the state, or any of its departments, commissions, agencies, or political subdivisions.

Federal funds will be used (or may potentially be used) to pay for all or part of the work under this Contract. Therefore, the Proposer additionally certifies that it is in compliance with federal requirements on debarment, suspension, ineligibility, and voluntary exclusion implementing Executive Order 12549.

The Proposer's certification is a material representation upon which the contract award is based. The Proposer shall provide written notice to MDT if at any time it learns this certification was erroneous or has become inaccurate.

# APPENDIX A – REFERENCE INFORMATION DOCUMENTS

The following are provided as reference only and shall not be construed as Project requirements.

- RPA Report