

**SOUTH CAROLINA  
DEPARTMENT OF TRANSPORTATION**

**REQUEST FOR QUALIFICATIONS**

**INTERSTATE 26 VOLVO INTERCHANGE  
DESIGN-BUILD PROJECT**

Project ID P028843

Berkeley Counties

April 29, 2016

## Table of Contents

<b>1. INTRODUCTION</b>	<b>3</b>
<b>2. PROJECT INFORMATION AND PROCUREMENT OVERVIEW</b>	<b>3</b>
A. PROJECT OVERVIEW	3
B. SCOPE OF WORK	3
C. PROCUREMENT PROCESS	5
D. PROPOSER POINT OF CONTACT	5
E. SCDOT POINT OF CONTACT	5
F. MILESTONE SCHEDULE	6
G. RFQ DOCUMENTS AND ADDENDA	6
<b>3. CONTENTS OF STATEMENTS OF QUALIFICATIONS</b>	<b>7</b>
A. GENERAL	7
B. INTRODUCTION	8
C. TEAM STRUCTURE AND PROJECT APPROACH (26 POINTS)	8
D. EXPERIENCE OF KEY INDIVIDUALS (49 POINTS)	9
E. PAST PERFORMANCE OF TEAM (25 POINTS)	12
F. LEGAL AND FINANCIAL	13
G. ORGANIZATIONAL CONFLICTS OF INTEREST	14
<b>4. EVALUATION PROCESS</b>	<b>15</b>
A. SOQ EVALUATION	15
B. SOQ EVALUATION AND SCORING	15
C. DETERMINING SHORT LISTED PROPOSERS	15
D. NOTIFICATION OF SHORT LISTING	16
E. DEBRIEFING MEETINGS	16
F. PROTEST	16
<b>5. STATEMENT OF QUALIFICATIONS SUBMITTAL REQUIREMENTS</b>	<b>17</b>
A. DUE DATE, TIME AND LOCATION	17
B. FORMAT	18
<b>6. PROCUREMENT PHASE 2</b>	<b>19</b>
A. INDUSTRY REVIEW OF RFP	19
B. FINAL RFP	19
C. ALTERNATIVE TECHNICAL CONCEPTS	19
D. CONFIDENTIAL ONE ON ONE MEETINGS	20
E. SUBMITTAL OF PROPOSAL	20
F. STIPENDS	20
<b>7. CONFLICT OF INTEREST</b>	<b>20</b>
<b>8. MISCELLANEOUS</b>	<b>22</b>
A. CHANGES TO ORGANIZATIONAL STRUCTURE	22

## **1. INTRODUCTION**

The South Carolina Department of Transportation (SCDOT) is issuing this Request for Qualifications (RFQ) to solicit Statements of Qualifications (SOQs) from those entities (Proposers) interested in contracting to serve as the Design-Builder for the design and construction of the proposed interchange for the future Volvo Manufacturing Facility in Berkeley County. The proposed roadway and bridge construction work involved is hereinafter referred to as the “Project”. The term “Proposer” as used herein includes a firm or firms, consortia, partnerships, joint ventures and others with whom SCDOT will be contracting.

## **2. PROJECT INFORMATION AND PROCUREMENT OVERVIEW**

### **A. Project Overview**

The SCDOT proposes to construct a new interchange on I-26 in Berkeley County that will connect I-26 to the future Volvo Cars Boulevard on the north side of I-26. In addition, the project will include the construction of a portion of Volvo Cars Boulevard and resurfacing and cross slope correction of existing mainline I-26 within the project limits.

### **B. Scope of Work**

1. The scope of work to be undertaken by the Proposer under the design-build contract for this Project will be further defined in the Request for Proposals (RFP). The selected Proposer will be responsible for all engineering, design, and construction services, including but not limited to, permitting, utility coordination, railroad coordination, maintenance of traffic, quality control inspection, and testing services, geotechnical exploration, environmental monitoring and compliance, media and community relations, as-built plans, and any other services that may be necessary to complete the Project. Right-of-Way acquisition is not anticipated but SCDOT will make this determination during the next phase of procurement. The Project will be designed in accordance with AASHTO and SCDOT design specifications and criteria and constructed in accordance with SCDOT standards and specifications.
2. The design work will include, but not be limited to:
  - a. Surveys
  - b. Geotechnical exploration and design
  - c. Hydrologic/hydraulic analysis and design
  - d. Roadway design
  - e. Bridge design
  - f. Traffic design
  - g. Seismic design
  - h. Public/Media/Community Relations and Information
  - i. Utility coordination

- j. Transportation Management Plan
  - k. As-Built Plans
  - l. HAZMAT Studies & Compliance
  - m. Any IMRs deemed necessary by SCDOT/FHWA
3. Construction will consist of all necessary roadway and bridge work, including but not limited to:
- a. Construction of a new interchange on I-26 near mile marker 189 and construction of a portion of Volvo Cars Blvd in Berkeley County
  - b. Resurfacing and cross slope correction of existing mainline I-26 within the project limits
  - c. Erosion and sediment control work items
  - d. Maintenance of traffic

Construction engineering and management, including quality control, will be the responsibility of the selected Proposer. The SCDOT will be responsible for the quality acceptance and independent assurance testing portions of the Quality Assurance Program for the Project. If required by design, the selected Proposer will be responsible for dynamic and/or static load testing of drilled shafts and driven piles. Construction will comply with the SCDOT standards and specifications.

4. Construction Engineering and Inspection

Construction Engineering and Inspection (CE&I), including Quality Acceptance and Independent Assurance (QA&IA) testing, for this Project will be performed by SCDOT either through in-house staff or by separate procurement by SCDOT for a third party private engineering firm. The CE&I determination and contracting will be accomplished after the award of this Project to the successful Proposer. If a separate procurement is necessary, no member of the successful Proposer's team, its subsidiaries and/or affiliates, (both design team and construction team) shall be selected for the CE&I Project. If a sub-consultant on the successful Proposer's team (both design team and construction team) is being utilized by a CE&I candidate, the submitting CE&I firm shall request approval from SCDOT to replace the sub-consultant prior to CE&I contracting.

5. National Environmental Policy Act (NEPA)

An Environmental Assessment (EA) was prepared for the Project by the United States Army Corps of Engineers (USACE). A Finding of No Significant Impact (FONSI) will be secured in advance of the Request for Proposals (RFP). The Proposer shall be responsible for complying with the NEPA determinations and all environmental commitments.

6. Permitting

A USACE Individual Permit has been obtained for this project. The preparation of all other necessary permit applications will be the responsibility of the Proposer.

Regarding any permit or license that must be obtained in the name of SCDOT, the Proposer shall perform all functions within its power to obtain the permit or license, and SCDOT shall fully cooperate in this effort and perform any functions that must be performed by SCDOT.

7. Interchange Justification Report (IJR)

A completed and approved Interchange Justification Report (IJR) will be provided for the proposed interchange.

**C. Procurement Process**

1. SCDOT will use a two-step procurement process to select a design-build team with which to execute a contract for this Project. This Request for Qualifications (RFQ) represents the first step in the process to solicit information, in the form of SOQs, that SCDOT will evaluate to determine which Proposers are the most highly qualified to successfully deliver the Project. **Proposers are advised that the evaluation of the SOQs and selection process is a competition and not simply a prequalification for the RFP stage.**

2. Selection of Short List

Selection will be based upon the scoring of the Evaluation Committee as set forth in **Section 4 (Evaluation Process)**. After evaluating the SOQs, the Evaluation Committee will recommend the short-listed firms to the Deputy Secretary for Engineering. The Deputy Secretary for Engineering will have final approval. The determination regarding how many Proposers to short list is not subject to review or protest. SCDOT anticipates short-listing at least three, but not more than five of the most highly qualified Proposers that submit SOQs to respond to the RFQ, unless SCDOT determines that a number greater than five or less than three is in the best interest of the state and is consistent with the purposes and objectives of two-phase design-build contracting.

3. See **Section 6 (Procurement Phase 2)** for information regarding the second phase of the procurement process.

**D. Proposer Point of Contact**

Once a SOQ is submitted by a Proposer, the Proposer Point of Contact as identified in their SOQ shall be the only team member allowed to initiate contact with the SCDOT Point of Contact during the Procurement. This includes all correspondence including but not limited to Confidential Questions, Clarifications, and Alternative Technical Concepts (ATCs). The Proposer Point of Contact can be a member of the Lead Designer or Lead Contractor.

**E. SCDOT Point of Contact**

Ms. Carmen Wright is the SCDOT Point of Contact (POC) for receiving all communications about the Project. Effective the date of the advertisement of this RFQ, no further contact is allowed with any SCDOT personnel concerning this Project except for questions of an administrative or contractual nature that shall be submitted in writing to the attention of the POC (email is acceptable). This restriction is in effect until the

contract has been awarded. Any Proposer engaging in prohibited communications may be disqualified at the sole discretion of SCDOT. Written inquiries should be sent to:

Mail Delivery: Carmen Wright  
 Office of Project Delivery  
 SCDOT  
 955 Park Street, Room 101  
 Columbia, South Carolina 29201

E-mail: wrightcl@scdot.org

**F. Milestone Schedule**

<b>Milestone</b>	<b>Date</b>
Advertise Request for Qualifications (RFQ)	April 29, 2016
Deadline for Submittal of Qualifications	May 27, 2016 @ 12 pm EDT
Selection of Shortlisted Teams	June 24, 2016
Issue RFP for Industry Review	Week of June 27, 2016
Debriefs for non-short-listed Proposers	July 7, 2016
Issue Final RFP	August 2016
Submittal of Technical/Cost Proposals	December 2016
Bid Opening	December 2016

**G. RFQ Documents and Addenda**

1. Electronic copies of the RFQ and a Project Information Package may be downloaded from the SCDOT Design Build website at [http://www.scdot.org/doing/constructionLetting\\_DesignBuild.aspx](http://www.scdot.org/doing/constructionLetting_DesignBuild.aspx).
2. The Project Information Package will include information describing the work which has been performed by SCDOT prior to entering into the contract for the Project. **At the release of this RFQ, limited information is available. If additional information becomes available, it will be added to the Project Information Package.** Data reports and electronic files posted on the SCDOT Design-Build Website are for information only unless otherwise noted in the RFP. SCDOT shall not be liable for the reliability or accuracy of the information contained therein.
3. SCDOT reserves the right to revise or amend the RFQ, specifications and/or drawings including changes to the date the SOQ response is due. Any changes to the documentation provided shall be identified by an addendum to this RFQ. Proposers shall acknowledge receipt of addendums in their response to this RFQ. Any and all modifications to this RFQ will be posted at the web location above. **It is the Proposer’s responsibility to check the Design-Build Website regularly for updates, modifications, and additional documentation pertaining to this procurement.**

4. Receipt of an addendum by the Proposer must be acknowledged in the space provided on the Addendum Notice to Proposer Transmittal Form posted on the SCDOT Design-Build Website for this Project. Proposers shall submit the signed notice with the response to this RFQ. Proposers shall submit the signed Notice with their response to this RFQ in **Appendix H**. Failure to acknowledge an addendum may result in rejection of the proposal. Explanations or instructions given in a form other than an addendum to the RFQ shall not be binding.

### 3. CONTENTS OF STATEMENTS OF QUALIFICATIONS

This Section describes specific information that must be included in the SOQ in order to be responsive. The format for the presentation of such information is described in **Section 5 (Statement of Qualifications Submittal Requirements)**.

#### A. General

1. It is not the intention of SCDOT to receive project specific design or engineering recommendations as part of this RFQ. Proposers shall limit their submittals to the information required by this RFQ and other information regarding qualifications and experience.
2. The information obtained under this RFQ will become the property of SCDOT without restriction or limitation on its use. SCDOT shall have unrestricted authority to publish, disclose, distribute, or otherwise use in whole or in part any reports, data, or other materials prepared under this RFQ that is not marked confidential. SCDOT shall retain ownership of all plans, specifications, and related documents.
3. Proposer shall provide brief, concise information that addresses the requirements of the Project consistent with the evaluation criteria described in this RFQ.
4. Proposer shall be held responsible for the validity of all information supplied in its SOQ, including that provided by potential subcontractors. Should subsequent investigation disclose that the facts and conditions were not as stated, the SOQ or proposal may be rejected or contract terminated for default if after award, in addition to any other remedy available under the contract or by law.
5. Proposer shall specifically mark any elements that are deemed confidential, or proprietary. All markings must be conspicuous; use color, bold, underlining, or some other method in order to conspicuously distinguish the mark from the other text. Do not mark the entire proposal as confidential or proprietary. Provide a summary list in **Appendix G** of pages that contain confidential or proprietary information. In determining whether to release documents, the SCDOT will rely on Proposer's marking of each page or portions of pages of documents, as required by these instructions, as being either "Confidential" or "Trade Secret". Proposer shall be prepared upon request to provide justification of why such materials shall not be disclosed under the South Carolina Freedom of Information Act, Section 30-4-10, et seq., South Carolina Code of Laws (1976) as amended. Proposals will be kept confidential and will not be disclosed, except as may be required by law.

6. The following, **Sections 3B through 3G**, describe the information that is required and how it will be used.

## **B. Introduction**

1. Identify the entity with whom SCDOT will be contracting and if this will be a partnership, corporation, joint venture, etc. If a joint venture, name the person who has authority to sign the contract on behalf of the joint venture. Provide contact name, mailing address, phone numbers, and e-mail address for contracting entity.
2. Identify Proposer's Point of Contact for the procurement for this Project including mailing address, phone number and email address.
3. Identify the full legal name of both the Lead Contractor and Lead Designer for the Project. The Lead Contractor is defined as the Proposer that will serve as the prime/general contractor responsible for construction of the Project. The Lead Designer is defined as the prime design consulting firm responsible for the overall design of the Project.
4. The Introduction shall be limited to one page and counts towards the specified page limit in **Section 5B.2**.
5. A statement confirming the commitment of key personnel identified in the submittal to the extent necessary to meet SCDOT's quality and schedule expectations, and that they are available for the duration of the project.

## **C. Team Structure and Project Approach (26 points)**

The information required by this section will be used in the qualitative assessment of the SOQ. SCDOT will evaluate the capabilities of the Proposer organization to effectively deliver the Project.

1. Organizational Chart and Team Structure (5 points)

Provide an organizational chart showing 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, designing and building the Project. The chart must show the functional structure of the organization down to the design discipline leader or construction superintendent level and must identify Key Individuals by name and firm. Identify the critical support roles and relationships of project management, project administration, executive management, construction management, quality management, safety, environmental compliance and subcontractor administration. Provide a brief, written description of significant functional relationships and past experience working together among participants and how the proposed organization will function as an integrated design-build team. The Organizational Chart shall be limited to one page and counts towards the specified page limit in **Section 5B.2**.

2. Resources and Project Approach (21 points)
  - a. Describe the team's approach to coordinate and deliver all portions of the Project by March 31, 2019 (8 points).

- b. Identify items of work and percentage of work that the lead organization will self-perform. If a joint venture, identify work items each entity will perform. (3 points)
- c. Identify and discuss five critical risks for this Project, focusing on what the Proposer's team considers the most relevant and critical to the success of the Project. Describe why the risk is critical, indicate the impact the risk will have on the Project, and discuss the mitigation strategies the Proposer's team may implement to address the risk. Describe the role that the Proposer expects SCDOT or other agencies to have in addressing these Project risks. (10 points)

**D. Experience of Key Individuals (49 points)**

The information required by this section will be used in the qualitative assessment of the SOQ. SCDOT will evaluate the capabilities of the Proposer's Key Individuals to effectively deliver the Project.

1. Prior to contract execution, all team members shall hold or obtain licenses required for performing work on the Project under state and local laws. Any design reports, plans, and foundation designs shall be signed and sealed by an unrestricted Professional Engineer registered in the State of South Carolina.
2. Team members may perform multiple roles with the exception of the Project Manager, Lead Design Engineer, Construction Manager, and the Quality Control Manager, who shall have singular responsibilities as described below.
3. Resumes of Key Individuals shall be provided on the Key Individual Resume Form. Resumes of Key Individuals shall be limited to two pages each. If an individual fills more than one position, only one resume is required. Resumes for personnel who are not identified as Key Individuals should not be included in the SOQ. SF 330 forms shall not be included and will not be reviewed. The required Key Individual Resume Form may be downloaded from the SCDOT Design Build Website under the SCDOT Design Build Documents and Standard Forms Section at [http://www.scdot.org/doing/constructionLetting\\_DesignBuild.aspx](http://www.scdot.org/doing/constructionLetting_DesignBuild.aspx). This information shall be included in the Appendix A and will not be counted against the specified page limit in Section 5B.2.
4. Project Manager (12 points)
  - a. The Project Manager shall be the primary person in charge of and responsible for delivery of the Project in accordance with the Contract requirements. The Project Manager shall have full authority to make final decisions on behalf of the Proposer and have responsibility for communicating these decisions directly to SCDOT. After award of the Project, the Project Manger shall be the primary contact for communications with SCDOT and is expected to attend all regularly scheduled meetings. The Proposal must identify the Project Manager and the employing firm and clearly define the role and responsibility of the Project Manager relative to the member firms.
  - b. The Proposer's Project Manager shall have at least ten years of progressive experience including management of projects of similar scope, magnitude, and complexity.

- c. This project shall be the Project Manager's sole responsibility which requires him to be dedicated only to this project and have no other project, company, or corporate responsibilities for the duration of this contract.
  - d. The Project Manager shall be on-site during all construction activities and be available for weekly status meetings during the design phase or at the request of the SCDOT.
5. Design Engineering Team (24 points)
- The Proposer's design engineering team shall have experience and expertise in all phases of roadway design, and bridge structure design for the Project. Key individuals of the design team shall have the following minimum qualifications:
- a. Lead Design Engineer (8 points)
    - 1) The Lead Design Engineer shall be in charge of and responsible for all aspects of the design of the Project, subject to the direction of the Project Manager.
    - 2) The Lead Design Engineer shall have a minimum of ten years of progressive experience and expertise in the design of highways and must include experience and expertise in the design of interstate and interstate interchange projects.
    - 3) The Lead Design Engineer shall be a full time employee of the lead design firm, shall be his sole responsibility which requires him to be dedicated only to this project and have no other project, company, or corporate responsibilities for the duration of the design phase.
  - b. Structural Engineer (4 points)
    - 1) The Structural Engineer shall have a minimum of ten years of progressive experience in the design of bridge and roadway structures with particular emphasis on interstate and interchange projects.
  - c. Roadway Engineer (4 points)
    - 1) The Roadway Engineer shall have a minimum of ten years of progressive experience in the design of roadway facilities with particular emphasis on interstate and interchange projects.
  - d. Geotechnical Engineer (4 points)
    - 1) The Geotechnical Engineer shall have a minimum of ten years of progressive experience and expertise in the design of bridge foundations, retaining walls, and ground improvements beneath embankments, as well as seismic design thereof. The Geotechnical Engineer shall have experience with similar subsurface and geologic conditions.
  - e. Hydraulic Engineer (2 points)
    - 1) The Hydraulic Engineer shall have a minimum of ten years of progressive experience including expertise in the design of roadway drainage, design of sediment and erosion control, bridge hydraulic modeling experience and scour computations.

f. Traffic Engineer (2 points)

- 1) The Traffic Engineer shall have a minimum of ten years of progressive experience in traffic design to include operational and capacity analysis, traffic signals, signing and marking, staging, and maintenance of traffic. The Traffic Engineer shall also have experience in the traffic design of interstate and interchange facilities.

6. Construction Management Team (13 points)

The Proposer's construction management team shall have experience and expertise in all phases of roadway and bridge construction. Key individuals of the construction team shall have the following minimum qualifications:

a. Construction Manager (9 points)

- 1) The Construction Manager shall be responsible for all aspects of the construction of the Project, subject to oversight of the Project Manager.
- 2) The Construction Manager shall have ten years of progressive experience including management of projects of similar scope, magnitude, and complexity.
- 3) This project shall be the Construction Manager's sole responsibility which requires him to be dedicated only to this project and have no other project, company, or corporate responsibilities for the duration of this contract.
- 4) The Construction Manager shall be on-site during all construction activities for the Project.

b. Quality Control Team (4 points)

- 1) The Quality Control team (QC) shall meet the following minimum qualifications:
  - The QC team shall have an AASHTO accredited lab for testing purposes.
  - The inspection personnel must obtain appropriate certification as required by SCDOT for each specific test to be performed. All certifications must be reviewed and approved by SCDOT. Inspection personnel shall have a minimum of 3 years of inspection experience.
- 2) The QC Manager shall meet the following minimum qualifications:
  - The Quality Control Manager shall be responsible for ensuring that all workmanship and materials are in compliance with the Contract requirements. The Quality Control Manager shall coordinate with the SCDOT Resident Construction Engineer (RCE) for all Quality Acceptance and Independent Assurance Testing. The Quality Control Manager shall not report directly to the Project Manager or other project personnel, but shall report to a responsible officer of the entity with whom SCDOT has contracted.
  - The QC Manager shall have a minimum of five years of experience on projects of similar scope, magnitude, and complexity.

- The Quality Control Manager shall be dedicated solely to project quality control and this project shall be his sole responsibility which requires him to be dedicated only to this project and have no other project, company or corporate responsibilities for the duration of this contract.
- The Quality Control Manager shall be on-site during all construction activities for the Project.

**E. Past Performance of Team (25 points)**

The information required by this section will be used in the qualitative assessment of the SOQ. SCDOT will evaluate the past experience of the Proposer’s organization to effectively delivery the Project.

The Proposers are advised that the SCDOT may use all information provided by the Proposer and information obtained from other sources in the assessment of past performance. Past performance information on contracts not listed by the Proposer, or that of named subcontractors, may also be evaluated. SCDOT may contact references other than those identified by the Proposer and information received may be used in the evaluation of the Proposer’s past performance. While SCDOT may elect to consider information obtained from other sources, the burden of providing current, accurate, and complete past performance information rests with the Proposer.

1. Experience of Proposer’s Team (10 points):

- a. Provide five projects completed since within the last 10 calendar years that identify the previous work experience by the Lead Contractor and any Major Subcontractors for this Project using the Work History Form – Contractor. The required Work History Form - Contractor may be downloaded from the SCDOT Design-Build Website under the SCDOT Design-Build Documents and Standard Forms Section at [http://www.scdot.org/doing/constructionLetting\\_DesignBuild.aspx](http://www.scdot.org/doing/constructionLetting_DesignBuild.aspx). This information shall be included in the **Appendix B** and will not be counted against the specified page limit in **Section 5B.2**.
  - 1) If work identified on the Work History Form - Contractor was performed by an affiliated or subsidiary company of the contractor, list the full legal name of the affiliated or subsidiary company and describe their role on this Project. Additionally, provide a justification for utilizing an affiliated or subsidiary company to satisfy the relevant experience on this Project and the control the Lead Contractor will exercise over the affiliated or subsidiary company on this Project.
  - 2) If the owner’s project manager is no longer with the owner, provide alternative contact information at the agency that is familiar with the project. The alternative contact must have played a leadership role for the owner during the project.
- b. Provide five projects completed within the last 10 calendar years that identify the previous work experience by the Lead Designer and any Major Design Sub-consultants for this Project on the Work History Form – Designer. The required

Work History Form - Designer may be downloaded from the SCDOT Design-Build Website under the SCDOT Design-Build Documents and Standard Forms Section at [http://www.scdot.org/doing/constructionLetting\\_DesignBuild.aspx](http://www.scdot.org/doing/constructionLetting_DesignBuild.aspx). This information shall be included in the **Appendix C** and will not be counted against the specified page limit in **Section 5B.2**.

- 1) If the owner's project manager is no longer with the owner, provide alternative contact information at the agency that is familiar with the project. The alternative contact must have played a leadership role for the owner during the project.
  - c. The projects listed should be those the Proposer considers most relevant in demonstrating the qualifications of the team to manage, design and construct this Project.
2. Quality of Past Performance (15 points)
- a. Using the Quality of Past Performance Form, provide the information requested for each of the 10 projects for which the Work History Form – Contractor and/or Work History Form – Designer was prepared. The required Quality of Past Performance Form may be downloaded from the SCDOT Design-Build Website under the SCDOT Design-Build Documents and Standard Forms Section at [http://www.scdot.org/doing/constructionLetting\\_DesignBuild.aspx](http://www.scdot.org/doing/constructionLetting_DesignBuild.aspx). The narrative should be a self-assessment of the Proposer's performance on the project to identify Proposers with firms or personnel that have successfully completed projects on time and on or under budget, and to identify Proposers that have records of managing contracts to minimize delays, claims, dispute proceedings, litigation, and arbitration. The narrative should then explain any cost overruns, schedule delays, claims, litigation, and liquidated damages associated with the project. The Quality of Past Performance Form shall not exceed two pages in length per project. This information shall be included in the **Appendix D** and will not be counted against the specified page limit in **Section 5B.2**. (10 points)
  - b. In addition to the required information above, SCDOT will utilize information available on each Proposer through its Contractor Performance Evaluation System and Consultant Performance Evaluation Scores to evaluate past performance. Current as well as past scores may be considered in evaluating past performance. (5 points)

#### F. Legal and Financial

The information required in response to this section shall be submitted as **Appendix E**. Information provided in response to these sections will not count towards the overall page limitation defined in **Section 5B (Format)** and will not be scored.

##### 1. Financial Capacity

Provide a notarized affidavit executed by a principal officer of Proposer that declares Proposer has the financial capacity and the resources necessary to complete the Project as proposed in the RFQ.

## 2. Bonding Capability

Provide written documentation from the Proposer's bonding firm confirming Proposer's capacity to be bonded for the Project as proposed in the RFQ. The bond letter must be issued by a surety company licensed in the State of South Carolina with an "A" minimum rating of performance as stated in the most current publication of "A.M. Best Key Rating Guide, Property Liability" and signed by the surety's agency or attorney-in-fact. Surety must be listed on the current U.S. Department of the Treasury Financial Management Service list of approved bonding companies as approved for an amount equal to or greater than the amount for which it obligates itself in the Bond. If surety qualifies by virtue of its Best's listing, the amount of the Bond may not exceed ten percent of policyholders' surplus as shown in the latest A.M. Best's Key Rating Guide. The bond letter must reflect single bonding capacity of the Proposer, which exceeds the anticipated value of this Project.

## 3. Organizational Agreements

If the Proposer is a partnership, limited partnership, joint venture, or other association (hereinafter joint venture), provide either (1) a notarized letter from the joint venture members indicating that they intend to create a joint venture to perform this Project or (2) a copy of the organizational document or agreement committing to form the organization. In the event a notarized letter is submitted with this RFQ, the shortlisted joint venture shall submit with its response to the RFP, a copy of the joint venture organizational agreement. Provide documentation from its surety company acknowledging the future formation of a joint venture for the purpose of completing the Project and that the joint venture will be capable of obtaining a performance bond and a payment bond in the estimated amount of the contract. Provide a statement executed by all general partners, joint venture members, or other association members, as applicable, evidencing agreement to be fully liable for the performance under the contract. Provide documentation evidencing the person signing the contract has authority to sign the contract on behalf of the joint venture. This information may be included in the appendices and will not be counted against the maximum page limitation. Proposers are reminded that each individual joint venture partner must be prequalified with SCDOT prior to submission of the RFP response.

## G. Organizational Conflicts of Interest

1. See **Section 7 (Conflict of Interest)** for information regarding Organizational Conflicts of Interest.
2. The required information for Conflicts of Interest shall be submitted in **Appendix F**. Information provided in response to this section will not count towards the overall page limitation defined in **Section 5B.2**. The required Disclosure of Potential Conflict of Interest Certification may be downloaded from the SCDOT Design Build website under the SCDOT Design Build Documents and Standard Forms Section at [http://www.scdot.org/doing/constructionLetting\\_DesignBuild.aspx](http://www.scdot.org/doing/constructionLetting_DesignBuild.aspx).

#### 4. EVALUATION PROCESS

##### A. SOQ Evaluation

SCDOT will initially review the SOQs for responsiveness to the requirements of this RFQ. The information in the SOQ will then be measured against the evaluation criteria stated in **Section 4B (SOQ Evaluation and Scoring)**.

##### B. SOQ Evaluation and Scoring

SCDOT will evaluate all responsive SOQs and measure each Proposer's response against the Project goals and selection criteria set forth in this RFQ, resulting in a numerical score for each SOQ. SCDOT will use the following criteria and weightings:

<b>Category</b>	<b>Points</b>
<b>Team Structure and Approach</b>	
<i>Organizational Chart and Team Structure</i>	5
<i>Capacity, Resources and Project Approach</i>	21
<b>Experience of Key Individuals</b>	
<i>Project Manager</i>	12
<i>Design Engineering Team</i>	24
<i>Construction Management Team</i>	13
<b>Past Performance of Team</b>	
<i>Experience of Proposer's Team</i>	10
<i>Quality of Past Performance</i>	15
<b>Total</b>	<b>100</b>

##### C. Determining Short listed Proposers

1. SCDOT will total the scores for each responsive SOQ and prepare a ranked list of Proposer's.
2. SCDOT reserves the right, at its sole discretion, to cancel this RFQ, issue a new RFQ, reject any or all SOQs, seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to this RFQ, seek and receive clarifications to an SOQ and waive any deficiencies, irregularities or technicalities in considering and evaluating the SOQs.
3. This RFQ does not commit SCDOT to enter into a contract or proceed with the procurement of the Project. SCDOT assumes no obligations, responsibilities and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred by the parties responding to this RFQ. All such costs shall be borne solely by each Proposer. In addition, SCDOT assumes no obligations, responsibilities and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred by the parties if SCDOT elects to not issue an RFP for the Project.

#### **D. Notification of Short listing**

Upon completion of the evaluation, scoring and short listing process, SCDOT will post the list of short listed Proposers (if any) on the SCDOT Design-Build Website.

#### **E. Debriefing Meetings**

If a non-short-listed Proposer would like to schedule a debriefing, Proposer will have three working days from the date that the short-listing notification is posted on the SCDOT Design-Build Website for this Project to make a request. Only written requests to the SCDOT POC (emails are acceptable) for a debriefing will be scheduled. Failure to request a debriefing within the three-day period will waive the opportunity for a debriefing. All debriefs will be schedule on the date set forth on the Milestone Schedule.

#### **F. Protest**

##### **1. Grounds for Protest**

- a. Protest of contents of solicitation (Invitation For Bids or Requests for Proposals or other solicitation documents, whichever is applicable, or any amendment to it, if the amendment is at issue): Any Proposer who is aggrieved in connection with a solicitation document shall file a written protest to SCDOT's Chief Procurement Officer (CPO), PO Box 191, Columbia, SC 29202, within five business days of the date of posting of the solicitation, RFQ, RFP, or other solicitation document or any amendments to it on the SCDOT Design-Build Website.
- b. Protest of award: Any Proposer who is aggrieved in connection with the award of the contract shall file a written protest with the CPO within five business days of the date the Request for Concurrence in Award memo is posted on SCDOT Design-Build Website. Any matter that could have been raised pursuant to the Protest of Contents of Solicitation, section above, may not be raised as a protest of award.
- c. Exclusive remedy: The rights and remedies granted in this section to Proposers, either actual or prospective, are to the exclusion of all other rights and remedies of Proposers against the SCDOT.
- d. Failure to file a timely protest: If protestant fails to request a protest within the five business days, the award shall be final.
- e. Protest of shortlist: The number of Proposers shortlisted is not grounds for a protest.

##### **2. SCDOT Procedures for Protest**

- a. Protest: A protest must be in writing, filed with the CPO, and set forth the grounds of the protest and the relief requested with enough specificity to give notice of the issues to be decided. The protest must be received by the CPO within the time provided.
- b. Burden of Proof: The protestant challenging SCDOT's action bears the burden of proving the decision is arbitrary.

- c. **Duty and Authority to Attempt to Settle Protests:** Before commencement of an administrative review, the CPO, or a designee of the CPO, may attempt to settle by mutual agreement a protest of an aggrieved Proposer, actual or prospective, concerning the solicitation or award of the contract. Any settlement reached by mutual agreement shall be approved by the CPO.
- d. **Administrative Review and Decision:** If, after reasonable attempt, a protest cannot be settled by mutual agreement, the CPO, or a designee, shall promptly conduct an administrative review. The CPO shall commence the administrative review no later than five business days after a reasonable settlement attempt and shall issue a decision in writing within five business days of completion of the review. The decision must state the reasons for the action taken. The decision shall include findings of fact and conclusions of law, separately stated. A copy of the decision along with a statement of appeal rights set forth below must be mailed or otherwise furnished immediately to the protestant.
- e. **Finality of Decision and Appeal:** The SCDOT's decision pursuant to the above paragraph is final and conclusive. A person adversely affected by the final decision can appeal to circuit court and hereby waives a trial by jury regarding any protest arising out of this procurement and any such trial will be a non-jury trial before the South Carolina Circuit Court in Richland County.
- f. **Stay of Award:** The contract award is stayed until issuance of a final decision by the SCDOT. Once a final decision is issued, the filing of a petition to appeal that decision does not itself stay enforcement of SCDOT's decision to award the contract. SCDOT may grant or the reviewing court may order, a stay upon appropriate terms.
- g. All Freedom of Information (FOIA) requests will be sent to the FOIA Officer in the SCDOT Office of Chief Counsel.

## **5. STATEMENT OF QUALIFICATIONS SUBMITTAL REQUIREMENTS**

This section describes requirements that all Proposers must satisfy in submitting SOQs. Failure of any Proposer to submit their SOQ as required in this RFQ may result in rejection of its SOQ. Responses shall address each of the categories listed in **Section 3 (Contents of Statements of Qualifications)** and in the same order specified. If a Proposer does not submit responses to those items, their submittal may be considered non-responsive and will not receive further review/evaluation. Any proposal deemed non-responsive shall be retained by SCDOT and subject to FOIA unless clearly marked confidential. Proposers are advised that SCDOT reserves the right to conduct an independent investigation of any information, including prior experiences, identified in the responses. Proposers are responsible for effecting delivery by the deadline date and time; late submissions will be rejected without opening. SCDOT accepts no responsibility for misdirected or lost proposals.

### **A. Due Date, Time and Location**

1. All SOQs, including hand-delivered packages, must be received in accordance with the milestone schedule in **Section 2F (Milestone Schedule)**.

2. Proposers are REQUIRED to upload their completed submittals online through PROJECTWISE in .pdf format. Only one completed submittal per team will be accepted and shall be uploaded by either the lead contracting entity or lead design firm. Please be advised of the time required to set up a new account. All requests for new accounts must be received 3 business days prior to the proposal deadline indicated in the Milestone Schedule. A business day is hereby defined as a day in which SCDOT Headquarters is open for business. More information is available at [http://www.scdot.org/doing/constructionletting\\_Projectwise.aspx](http://www.scdot.org/doing/constructionletting_Projectwise.aspx).
3. Additionally, Proposers are to physically deliver three printed and bound hard copies of the SOQ with original signatures to:

Carmen Wright  
Office of Project Delivery  
SCDOT  
955 Park Street, Room 101  
Columbia, South Carolina 29201  
wrightcl@scdot.org

#### **B. Format**

1. The Statement of Qualifications format is prescribed below. If SCDOT determines that an SOQ does not comply with or satisfy the format in this section, SCDOT may find such SOQs to be non-responsive.
2. The SOQ must not exceed ten pages (not including Section Dividers or Appendices).
3. The Proposer should utilize hyperlinks to connect information in the Appendices that is referenced within the narrative section of the electronic submittal.
4. There are no maximum page limits to the Appendices, but the Appendices shall only contain information relevant to the requested Appendix information in this RFQ. Appendices shall not be used to further enhance an SOQ beyond these requirements. The SOQ shall contain the following Appendices:
  - a. Appendix A –Key Individual Resume Forms
  - b. Appendix B – Work History Form – Contractor
  - c. Appendix C – Work History Form – Designer
  - d. Appendix D – Quality of Past Performance Form
  - e. Appendix E – Legal and Financial
  - f. Appendix F – Organizational Conflict of Interest
  - g. Appendix G – Confidential or Proprietary Information Summary List
  - h. Appendix H – Addendum Receipt Form(s)
5. The SOQ shall be:
  - a. Prepared on 8.5” X 11” white paper (Organizational Chart and Work History Forms may be on an 11” X 17” page folded to 8.5” X 11” size)

- b. Typed on one side only
- c. Use a single column of text per page. Double columns are not allowed.
- d. Double spaced
  - 1) Text contained on the Key Individual Resume Forms, charts, exhibits, or other illustrative information may be single spaced, but text contained on the Work History Forms shall be double spaced
- e. Times New Roman, minimum size 12-point font
  - 1) Text contained on the Key Individual Resume Forms, Work History Forms, charts, exhibits, or other illustrative information shall be no smaller than 10-point Time New Roman.
- f. The format and appearance of the Key Individual Resume Form, the Work History Forms, and the Quality of Past Performance Forms shall not be modified. The Key Individual Resume Form and the Quality of Past Performance Form shall not exceed two pages for each key individual and each project, respectively. The Work History Forms shall not exceed one page per project. The forms may be downloaded from the SCDOT Design-Build Website under the SCDOT Design Build Documents and Standard Forms Section at the following address: [http://www.scdot.org/doing/constructionLetting\\_DesignBuild.aspx](http://www.scdot.org/doing/constructionLetting_DesignBuild.aspx).

## 6. PROCUREMENT PHASE 2

This **Section 6** is provided for informational purposes only so that each Proposer has information that describes the second phase of the Project procurement process, including a summary of certain anticipated RFP requirements. SCDOT reserves the right to make changes to the following, and the short listed Proposers must only rely on the actual RFP when and if it is issued. This **Section 6** does not contain requirements related to the SOQ. A draft of the RFP may be made available for Proposers to review and submit comments to SCDOT. SCDOT will take submitted comments into consideration in finalizing the RFP.

### A. Industry Review of RFP

SCDOT intends to issue an RFP for industry review to the teams that are selected for the short list for the Project and solicit their comments prior to issuing a final RFP to the short listed teams. The intent of the RFP for industry review is to identify those areas of the RFP that may be in conflict with each other and to point out mistakes in the RFP. There may be an opportunity to submit questions. A meeting may be scheduled with the shortlisted teams to facilitate this purpose.

### B. Final RFP

A final RFP with comments from the review by the short-listed teams incorporated will be issued.

### C. Alternative Technical Concepts

SCDOT intends to allow the submittal of Alternative Technical Concepts (ATC) for this Project. A detailed explanation of the ATC process will be included in the RFP.

#### **D. Confidential One on One Meetings**

SCDOT intends to conduct confidential one-on-one meetings so that the short listed teams will be able to confidentially seek clarification and discuss the Project with SCDOT personnel.

#### **E. Submittal of Proposal**

A proposal consisting of separate technical and cost proposals will be submitted after the ATC process has been completed. Discussions may be used to fully understand the proposals. Details regarding the submittal of the proposal including the scoring of the technical proposal will be included in the RFP. Only the short listed teams will be eligible to submit proposals for the Project. Upon evaluation of the proposals submitted, the Evaluation Committee will recommend to the Deputy Secretary for Engineering a Proposer for award and execution of a contract, subject to SCDOT Commission approval.

#### **F. Stipends**

SCDOT intends to award stipends to each responsive and responsible yet unsuccessful short-listed Proposer. The amount of the stipend will be identified with the release of the RFP for Industry Review. Proposers must indicate either his acceptance or rejection of the stipend at the time he submits his technical and cost proposals in the second stage of the procurement.

### **7. CONFLICT OF INTEREST**

- A. The Proposer's attention is directed to 23 CFR Part 636 Subpart A and in particular to Section 636.116 regarding organizational conflicts of interest. Section 636.103 defines "organizational conflict of interest" as follows:
1. Organizational conflict of interest means that because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to the owner, or the person's objectivity in performing the contract work is or might be otherwise impaired, or a person has an unfair competitive advantage.
- B. Consultants and/or sub-consultants who assist the owner in the preparation of a RFP document will not be allowed to participate as a Proposer or join a team submitting a proposal in response to the RFP. However, SCDOT may determine there is not an organizational conflict of interest for a consultant or sub-consultant where:
1. The role of the consultant or sub-consultant was limited to provision of preliminary design, reports, or similar "low-level" documents that will be incorporated into the RFP, and did not include assistance in development of instructions to Proposer or evaluation criteria, or
  2. Where all documents and reports delivered to the agency by the consultant or sub-consultant are made available to all Proposers

- C. Proposers who identify any person or entity who has an organizational conflict and/or has performed, is performing, or will perform certain preliminary engineering for this Project, and wish to identify them to participate on the design build team shall:
1. Disclose all work performed in relation to the Project and describe in detail the organizational conflict on the Disclosure of Potential Conflict of Interest Certification included in this RFQ. Disclosure includes providing all relevant facts concerning any past, present or currently planned interests which may present an organizational conflict of interest. Proposer shall state how its interests or those of its chief executives, directors, key individuals for this Project, or any proposed consultant, contractor or subcontractor may result, or could be viewed as an organizational conflict of interest;
  2. Provide all records of such work to SCDOT so that all such information can be made available to all potential design-build teams, if necessary;
  3. Ensure that the person's or entity's contract with SCDOT or any related entity to perform service related to this Project has expired or has been terminated prior to release of the RFP for Industry Review;
  4. In cases where the person or entity is identified as a primary member on more than one design-build team for this Project, Proposer shall describe how the person or entity will avoid conflicts in the bid phase of the Project.
  5. Comply with all federal and state conflict of interest rules and regulations.
- D. The lead contractor and lead designer on a design-build team are prohibited from submitting on multiple proposals for a given Project.
- E. As provided in **Section 2B.4**, no member of the successful Proposer's design-build team, its subsidiaries and/or affiliates, (both design team and construction team) shall be selected for the CE&I Project. If a sub-consultant on the successful Proposer's design-build team (both design team and construction team) is being utilized by a CE&I candidate, the submitting CE&I firm shall request approval from SCDOT to replace the sub-consultant prior to CE&I contracting.
- F. The Proposers must complete a Disclosure of Potential Conflict of Interest Certification and submit it as part of the SOQ response to certify that all members of the Proposers team either have or have no conflict of interest. If no member of a Proposer's team has a potential conflict of interest, the Proposer shall submit only one Disclosure of Potential Conflict of Interest Certification. Otherwise, any team member with a potential conflict of interest shall submit a Disclosure of Potential Conflict of Interest Certification. SCDOT will review the Disclosure of Potential Conflict of Interest Certification and the proposed mitigation measures to determine if the Proposer may proceed forward. SCDOT will determine, in its sole discretion, if the Proposer has obtained an unfair competitive advantage. Disclosure of a potential conflict of interest will not necessarily disqualify a Proposer. The Disclosure of Potential Conflict of Interest shall be submitted as **Appendix F** and will not be counted toward the page limit.
- G. Proposer agrees that, if an organizational conflict of interest is discovered after the RFQ proposal is submitted, Proposer must make an immediate and full disclosure to SCDOT

that includes a description of the action that the Proposer has taken or proposes to take to avoid or mitigate such conflict. If after award of the contract an organizational conflict of interest is determined to exist, SCDOT may, at its discretion, cancel the design-build contract for the Project. If the Proposer was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to SCDOT, then SCDOT may terminate the contract for default.

**H. Because of their prior work or services currently being provided that relate to this Project, the following firms have been identified as having conflicts of interest:**

1. Thomas and Hutton Engineering Company
2. Stantec, Inc.
3. Soils & Materials Engineering, Inc.

**Proposers utilizing the firm(s) identified above will be disqualified from participating in this Project.**

- I. To avoid the appearance of any real or perceived favoritism, unfair advantage, undue influence, or conflict of interest, a proposal that names, identifies, or includes in any way a current or former SCDOT employee who was employed by SCDOT within 365 days of the submittal will be disqualified. No communication or appearance shall be made by such a current or former employee with SCDOT on such proposal, or the proposal will be disqualified. In addition, no current or former employee may work on or invoice for direct services performed on this Project within 365 days after their last day of employment with SCDOT.

## **8. MISCELLANEOUS**

### **A. Changes to Organizational Structure**

1. After initial submittal, the organizational structure identified pursuant to **Section 3C (Team Structure and Project Approach)**, cannot be changed without SCDOT authorization. Changes to a team submitted in response to this RFQ may result in a re-evaluation of the team's qualifications.
2. During the procurement, failure of the Proposer to notify SCDOT of any changes in key personnel may render the proposal non-responsive and subject to rejection and the team disqualified. SCDOT reserves the right to seek clarifications to confirm unavailability.
3. If after submission of the proposal any key personnel become unavailable, the Proposer shall notify the SCDOT POC immediately of the unavailability and submit the name and resume of a replacement having equal or better qualifications.
4. If during the selection process, the SCDOT POC is notified by the Proposer that key individuals are not available, action must be taken as follows: (1) if notified before scoring is complete, but after deadline for submittal, the Proposer can submit the resume of the person who would be replacing the key individual. The selection committee will score using the new key individual; (2) if notified after the scoring is complete, but prior to final approval, and the change involves a short listed firm, the

Proposer can submit the resume of the person who will replace the key individual. The selection committee must then determine if the new person would affect the selection results. If not, the SCDOT POC will notate the change and the justification for keeping the selection results. If it does, the selection committee will re-score the proposal and change the selection ranking; or (3) if a Proposer notifies the SCDOT POC of a key individual change any time after the shortlisting has been approved, the SCDOT must determine if the new key individual is acceptable. If not, the proposal will be rejected.

5. To qualify for SCDOT's authorization to replace a key individual, the Proposer must submit the resume of the replacement, a written request explaining the reason for the change and must document that the proposed removal and replacement, or addition, will provide services and/or management of the Project equal to or better than that submitted with the RFQ. SCDOT will use the criteria specified in the RFQ and the qualification submitted by the Proposer to evaluate all requests.
6. SCDOT reserves the right to reject the Proposer from further consideration during the two-step selection process if the new team member is not approved.
7. All persons identified in the organizational structure in the RFQ shall remain on the Proposer's team for the duration of the procurement process and if the Proposer is awarded a contract, the duration of the contract. Unauthorized changes to the Proposer's team at any time during the procurement process may result in elimination of the Proposer's team from further consideration. If Proposer is awarded a contract, unauthorized changes to any individuals identified in the organizational structure in the RFQ may be considered a breach of contract and result in termination of the contract.