

MoDOT



# REQUEST FOR QUALIFICATIONS

**Mid MO ADA  
Design-Build Project  
Boone / Camden / Carroll / Chariton / Cole /  
Cooper / Crawford / Dent / Gasconade / Howard /  
Laclede / Maries / Miller / Moniteau / Morgan /  
Osage / Phelps / Pulaski / Washington Counties,  
MO**

Project Number:	J5S3369
RFQ Issued:	July 28, 2021
SOQs Due:	August 25, 2021



Missouri Department of Transportation  
1511 Missouri Blvd  
Jefferson City, MO 65102



Addenda	Date	
1		Revisions:
2		Revisions:
3		Revisions:
		Revisions:



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## FORMS

Form DB-101 – Major Participant Information  
 Form DB 102 – Reference Project Summary  
 Form DB-103 – Resume Summary  
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 Form DB-802 – Debarment, Suspension, Ineligibility, and Voluntary Exclusion Certificate  
 Form DB-110 – Commitments of Key Personnel



## 1 INTRODUCTION

The Missouri Department of Transportation (MoDOT) is soliciting Statements of Qualifications (SOQ) from entities (Submitters) interested in providing design-build services for the Mid MO ADA Design-Build Project (Project), on Various Routes, within the limits of Central and Northwest Districts in the State of Missouri. This project is designated as Job No. J5S3369.



(Photo courtesy Google Maps)

### 1.1 Project Description

The purpose of the Mid MO ADA Design-Build project is to complete the current [ADA Transition Plan](#) in the Central and Northwest Districts by bringing the remaining locations into ADA compliance.



**Mid MO ADA Design-Build Project**  
**Missouri Department of Transportation**  
**Request for Qualifications**  
**Job No. J5S3369**  
**July 28, 2021**

COUNTY	CITY	ROUTE	FROM	TO
Boone	Ashland	M	Chico Drive	Main Street
	Columbia	763 (Rangeline Street)	70' N of Elleta Blvd	250' S of Vandiver Drive
		AC (Grindstone Parkway)	Old Route K	330' W of Falling Leaf Lane
		BUS Loop 70	I-70 Drive SW Roundabout	200' W of Old US Route 63
		PP (Clark Lane)	170' E of I-70 Connector	310' E of Woodland Springs Court
		163 (Providence Road)	Various Intersections: Vandiver Drive, BUS Loop 70, Broadway, Stadium Blvd, Mick Deaver Memorial Drive, Green Meadows Road, Nifong Blvd, Southampton Drive, and Route K.	
		740 (Stadium Boulevard)	Various Intersections: I-70/740 Interchange N Ramp Terminal, I-70/740 Interchange S Ramp Terminal, I-70 Drive SW, Bernadette Drive, Worley Street, Ash Street, Broadway, Rollins Road, College Park Drive, College Park Drive, Forum Blvd, Tiger Avenue/Mick Deaver Memorial Drive, Monk Drive/Champions Drive, Monk Drive/Champions Drive, College Avenue/Rock Quarry Road, Ashland Road and Audubon Drive/Pointe Drive.	
	Hallsville	124 (West of Route B/OO Intersection)	Sidewalk Connection to School Parking Lot	Bertie Avenue
		B	Kathryn Durk Drive	Route 124
		124	Route B	Fairview Street
	Harrisburg	124	WhilHITE Street	Church Entrance



		J	Private Drive	Midblock Crossing
Camden	Osage Beach	BUS 54 (West Osage Beach Parkway)	Intersection of Case Road	
			350' SW of Jeffries Road	Route 54 Expressway
Carroll	Bosworth	M (South St/Kansas Ave)	Conger Avenue	Market Street
		139 (Missouri Ave)	Kansas Avenue	Virginia Street
	Hale	139 (Main Street)	115' N of 7 <sup>th</sup> Street	6 <sup>th</sup> Street
	Norborne	D (Pine St/2 <sup>nd</sup> St)	75' N of Dietrich Street	Route 10 (Elizabeth Street)
Chariton	Menden	CC (Main St/Commercial St)	Felt Street	45' S of 5 <sup>th</sup> Street
	Rothville	E (Main Street)	South Street	1,730' E of Township Road
	Sumner	EE (Main St/Centre St)	113' W of Walnut Street	Route 139
Cole	Jefferson City	BUS 50 (Missouri Blvd.)	W Entrance of Wildwood Crossings	Wildwood Drive
			Howard Street	MoDOT Drive
		Bolivar Street Bridge	Route 50 S Right-of-Way Line	80' N of the Route 50 N Right-of-Way Line
		Main Street Bridge	Route 54 W Right-of-Way Line	Route 54 E Right-of-Way Line
		High Street Bridge	Route 54 W Right-of-Way Line	Route 54 E Right-of-Way Line
		50 (Whitton Expressway)	N right-of-Way Line @ Broadway Int	S Right-of-Way Line @ Broadway Int
			N Right-of-Way Line @ Jefferson Int	S Right-of-Way Line @ Jefferson Int





			N Right-of-Way Line @ Madison Int.	S Right-of-Way Line @ Madison Int
			N Right-of-Way Line @ Monroe int	S Right-of-Way Line @ Monroe Int
	Taos	M	Firehouse Lane	N End of Sidewalk
	Wardsville	W	315' N of Almarie Court	70' N of Churchview Heights
Cooper	Lone Elm	B	Cemetery	Church Entrance
Crawford	Bourbon	N	Olive Street	Pine Street
Dent	Salem	32-72 (Scenic Rivers Blvd)	Missouri Avenue	Carty Street
		19 (Main Street)	Iron Street	Route 32-72 (Scenic Rivers Blvd)
Gasconade	Bland	A	Lyford Street	Route A/Colorado Avenue
	Hermann	19	First Street	Fifth Street
		100	Market Street	Gutenberg Street
	Rosebud	T	Rosebud Avenue	240' S. of Red Oak Avenue
Laclede	Lebanon	5	Adams Avenue	150' S of Route 64
		64	Bennett Avenue	Route 5
Howard	Armstrong	3 (Central Street)	470' N of Seminary Street	Seminary Street
		V (Harvey Street)	30' W of Evans Street	Evans Street
	Fayette	5 (Cleveland Street)	190' W of Besgrove Street	Herndon Street
	Glasgow	5 (Union Street)	130' S of Orchard Drive	Kuettel Park Drive





	Roanoke	129	725' W of Route 3	530' W of Route 3
		3	115' N of Route 129	Route 129
Maries	Vienna	42 (5th Street)	Coffey Street	500' E of Chestnut Street
Miller	Osage Beach	42E	At School of the Osage	
	St Elizabeth	52	Walnut Street	Cherry Street
	Tuscumbia	52	At High Street	190' East of Warren Street
Moniteau	California	87	Main Street	BUS 50/Buchanan St.
	Tipton	B	Howard Street	Walnut Street
		50	Park Avenue	Randolph Street
Morgan	Stover	135	1st Street	3rd Street
	Syracuse	50	Washington Street	Flora Road
Osage	Frankenstein	C	570' NW of County Road 423	160' NW of County Road 423
Phelps	Rolla	72	63	Mobil Home Park Entrance
	St James	KK	Seymour Street	Wishon Street
Pulaski	Dixon	28 (Ellen Street)	Chestnut Street	A Street
	Richland	7	Route A	Pine Street
	St Robert	EB BUS 44	Plattner Avenue	385' W of J H Williamson Drive
		WB BUS 44	I-44 Spur (Missouri Avenue)	Crosswalk at W End of MoDOT Maintenance Facility



		I-44 Spur (Missouri Avenue)	Route Z	Property Line of Fort Leonard Wood Military Reservation
		Z	I-44 Spur (Missouri Avenue)	Trail Chief Avenue
	Waynesville	17 (Old Route 66)	Park Avenue	Benton Street
Washington	Potosi	E	Hickory Street	Route 8

## 1.2 Project Goals

The following prioritized goals have been established for the project:

1. Deliver the project within the program budget of \$23.1 million.
2. Bring designated pedestrian facilities into ADA compliance.
3. Use innovation to maximize improvements that provide a long-lasting and safe pedestrian facility.
4. Safely deliver a project that minimizes and mitigates construction impacts through construction staging and communication efforts.
5. Complete the project no later than December 1, 2024.

## 1.3 Estimated Cost and Maximum Time Allowed

The total program budget is approximately \$23.1 million, including the design-build contract, MoDOT contract administration costs, Right of Way acquisitions, Utility reimbursements, Stipend payments, and other miscellaneous project management expenses. The estimated fixed cost design-build contract budget is anticipated to be \$17.1 million. The Project must be completed by December 1, 2024.

## 2 REQUEST FOR QUALIFICATIONS (RFQ) PROCESS

### 2.1 Two-Phased Design-Build Procurement Process

MoDOT will use a two-phase procurement process to select a design-build Contractor to deliver the Project. This Request for Qualifications (RFQ) is issued as part of the first phase to solicit information, in the form of SOQs, that MoDOT will evaluate to determine which Submitters are the most highly qualified to successfully deliver the Project. MoDOT will shortlist at least two (if any) but not more than five most highly qualified Submitters.



In the second phase, MoDOT will issue a Request for Proposals (RFP) for the Project to the shortlisted Submitters. Only the shortlisted Submitters will be eligible to submit proposals for the Project. Each shortlisted Submitter that submits a proposal in response to the RFP is referred to herein as a Proposer. MoDOT will award a design-build contract (if any) for the Project to the Proposer offering the best value, to be determined as described in the RFP.

## 2.2 Submitter Information

If an entity intends to submit a proposal as part of a team, the entire team is required to submit a single SOQ as a single Submitter.

MoDOT may disqualify a Submitter if any of its Major Participants (as defined in Section 6.1) belong to more than one Submitter organization.

MoDOT may disqualify a Submitter that violates the DBE exclusivity referred to in Section 6.10.

## 2.3 Procurement Schedule

Item	Date
Issue RFQ	July 28, 2021
Deadline for submitting RFQ questions	August 18, 2021
Final responses to questions posted & Final RFQ Addendum issued	August 20, 2021
SOQ due	August 25, 2021
MoDOT notifies shortlisted Submitters (tentative)	September 17, 2021
Issue RFP	November 1, 2021
Final Proposal and Price Allocation due	January 28, 2022
Selection of Apparent Best Value	March 9, 2022

## 3 SOQ CONTENTS AND EVALUATION CRITERIA

This section describes specific information that must be included in the SOQ, and addresses the evaluation criteria that MoDOT shall utilize.

### 3.1 Organization of SOQ

The SOQ shall be organized as follows:

- Cover Letter
- Title Page
- Table of Contents
- Part 1 – Administrative Elements (Pass/Fail)
- Part 2 – Submitter Experience (100 Points)
- Part 3 – Key Personnel and Organization (100 Points)

### 3.2 Cover Letter

A one-page cover letter shall be included in the SOQ. The cover letter shall identify the lead organization and primary members of the team. Primary members include the design team and



contractor. Name the entity with whom MoDOT will be contracting and identify 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 number and e-mail address for contacting entity.

### 3.3 Part 1 – Administrative Elements (Pass/Fail)

#### *Submittal Requirements:*

- Form DB-104: Receipt of Addenda
- Form DB-105: Conflict of Interest (including a letter describing such conflicts if they exist)
- Form DB-802: Debarment, Suspension, Ineligibility, and Voluntary Exclusion

#### *Evaluation Criteria:*

The information on the completed forms submitted in Part 1 will be evaluated on a pass/fail basis.

### 3.4 Part 2 – Submitter Experience (100 Points)

#### *Submittal Requirements:*

- An executive summary not to exceed three (3) pages covering the Submitter's demonstrated recent experience and relevance to the Project in the following areas:
  - **Design:** The Submitter shall provide specific examples of their relevant experience with the design of ADA facilities in both urban and rural locations, design of Maintenance of Traffic, Utility management, ROW management, and Quality management of ADA Design Plans. The Submitter should also include additional details describing the Submitter's ability to generate innovative ideas to minimize right-of-way and utility impacts, be on or ahead of schedule, and resolve challenges that arise during construction.
  - **Construction:** The Submitter shall provide specific examples of their relevant experience with the construction of ADA facilities, ensuring ADA compliance of Work before, during, and after construction, managing multiple project locations and ensuring safe movement of pedestrian and vehicles during construction. The Submitter should also describe their successes delivering similar projects by generating innovative ideas (example Value Engineering proposals), completing the project on or ahead of schedule, and resolving challenges that arise during construction (example: coordination with engineers of record and "best fit in the field" proposals for obtaining compliance).
  - **Approach to Ensuring Safety:** The summary should include the Submitter's safety record, their safety philosophy, and examples of successfully implemented Safety Management Programs or innovations. The Submitter should also include any experience with data driven safety design of pedestrian facilities, innovative pedestrian traffic plans, and safety of workzones that include pedestrians, automobiles, and workers.
  - **Quality Management Program:** Identify specific examples of your quality programs for previous projects that demonstrate your ability to develop, implement, and maintain a Quality Management Program throughout all phases of the project. Describe examples of ensuring compliance of ADA facilities and processes used on previous projects to ensure built facilities are ADA Compliant when final accepted.
  - **Utility and Right of Way Coordination:** It is anticipated that Utility and Right of Way Coordination will be a major part of the design-build contract. Describe experience coordinating with utility companies to minimize cost and schedule impacts that have been achieved on previous projects of similar scope.



- **DBE Utilization and Workforce Diversity:** Describe how the Submitter intends to utilize DBEs to meet or exceed the DBE participation goals of 10% construction activities and 12% professional services and provide examples of past performance. Describe how the Submitter intends to effectively maintain a diverse workforce by meeting or exceeding the construction workforce goals of 2.3% minorities for Laclede and Pulaski County, 4.0% minorities for Camden, Chariton, Cole, Cooper, Howard, Miller, Moniteau, Morgan, and Osage Counties, 6.3% minorities in Boone County, 10% minorities in Carroll, and 11.4% minorities in Crawford, Dent, Gasconade, Maries, Phelps, and Washington Counties and 6.9% female for all counties and provide examples of past performance. Also demonstrate how the Submitter will effectively maintain a diverse workforce of professional services and provide examples of past performance.
- Form DB-101: Major Participant Information. One form is to be completed for each Major Participant, as described in Section 6.1.
- Form DB-102: Reference Project Summary. One summary is to be completed for each reference project described in the Submitter experience executive summary. Each summary is limited to a maximum of two pages. A maximum of eight (8) reference projects can be described for each Submitter. For ease of comparison, this form is not to be modified.

*Evaluation Criteria:*

Part 2 will be evaluated based on Submitter's demonstrated performance on recent projects and the quality and completeness of the submittal requirements for this section. Specifically, MoDOT will evaluate the Submitter's experience based on:

- Use of innovative approaches to deliver a project within budget, such as value engineering change proposals, design-build projects, additional applicable standards, alternative technical concepts, etc.
- Implementation of innovative approaches to minimizing right-of-way impacts to property owners adjacent to MoDOT right-of-way.
- Approach to developing a Quality Control and Quality Assurance program for the Project. Ensuring ADA Compliance before, during and at final acceptance of a project. Understanding of the Quality Management Program and how it will be implemented during all phases.
- Unexpected challenges encountered during construction of similar projects (ADA related) and the process for achieving resolution.
- Implementation of innovative traffic handling plans on a project to minimize and mitigate construction impacts to customers.
- Recent experience delivering projects on schedule or ahead of schedule.
- Recent safety history and company safety philosophy.
- Implementation of effective efforts to mitigate the impacts of land disturbance and to successfully manage a Stormwater Pollution Prevention Plan on past projects.
- Experience coordinating with and working with utility companies to minimize impacts to cost and schedule.
- The effectiveness of the DBE utilization strategies to maintain a diverse workforce for both construction and non-construction.

### **3.5 Part 3 – Key Personnel and Organization (100 Points)**

Each Submitter shall identify the experience, responsibilities and past achievements of the Key Personnel listed below.



Submitters should define the following positions as Key Personnel:

- **Project Manager** – The Project Manager is responsible for all aspects of the Project including, but not limited to, overall design, construction, quality management, contract administration, safety, DBE and workforce diversity, and environmental compliance. The Project Manager should have at least **seven (7) years** of recent experience managing the design or construction of pedestrian facilities adjacent to major urban highways and rural roadways. The Project Manager shall have full authority to make the final decisions on behalf of the Proposer and have responsibility for communicating these decisions directly to MoDOT's Project Director. The Project Manager also may assume the role of either the Design Manager or the Construction Manager. The Project Manager must be sufficiently assigned to the Project as to successfully control the work for the duration of the Project.
- **Quality Manager** – The Quality Manager's responsibilities include, but are not limited to, creation and execution of the Submitter's quality program, quality personnel, assurance activities independent of production, enforcement of quality procedures, and documentation of quality records. Such records include documentation for design, construction quality and testing, environmental compliance, ADA compliance, erosion control, and DBE/workforce diversity compliance. The Quality manager should have at least **five (5) years** of recent experience developing, implementing, and overseeing quality programs in civil construction work. The Quality manager should also have experience with ADA compliance. The Quality Manager shall report directly to the Submitter's executive management team. The Quality Manager shall not be the Project Manager. The Quality Manager may assign a designee to be a design Quality Manager during the design phase. The Quality Manager shall be assigned to the Project full-time and shall be required to be on site for all construction activities. If more than one site is open at one time the Quality Manager or a designee will have to be available at each site.
- **Design Manager** – The Design Manager is responsible for ensuring all aspects of the design of the Project are met. The Design Manager should have at least seven (7) years of recent experience in the design of ADA compliant facilities adjacent to major urban highways and rural highways, **three (3) years** of recent experience managing the design of ADA Compliant Pedestrian Facilities and must be a registered professional engineer in the State of Missouri or must have registration pending at the time of SOQ submittal and be registered for the duration of the project. The Design Manager shall be sufficiently assigned to the Project as to successfully oversee the design activities for the duration of the design phase. During construction, the Design Manager shall be readily available for on-site consultation.
- **Construction Manager** – The Construction Manager shall be responsible for managing the construction of the Project. The Construction Manager should have at least **seven (7) years** of recent managing experience in ADA Compliant Pedestrian Facilities construction. The Construction Manager shall be sufficiently assigned to the Project as to successfully oversee the construction activities for the duration of the construction phase
- **ADA Compliance Manager** – The ADA Compliance Manager shall be responsible for ensuring compliance with all laws pertaining to the Americans with Disabilities Act (ADA) during the design and construction of pedestrian facilities on public rights of way for this project. The ADA Compliance Manager shall be familiar with ADA Compliance and Final Acceptance of Constructed Facilities and should have at least **three (3) years** of recent experience managing, designing, or constructing ADA compliant facilities. The ADA Compliance Manager will be responsible for certifying that every project site is ADA compliant and be sufficiently assigned to the project to make all compliance determinations during the





design and construction phases. The position of ADA Compliance Manager will be allowed to be combined with another Key Personnel position on this project to create a new dual role position.

Key Personnel identified in the SOQ, including any "Additional Key Personnel" may not be removed, replaced, or added without written approval of the MoDOT Project Director.

The following Key Tasks address the areas in which special attention will be needed for the success of this Project. Each Submitter shall describe their approach to managing each Key Task.

- Utilities Coordination
- DBE and Workforce Diversity Coordination
- MOT Coordination
- ADA Design Lead
- ADA Form Setter
- ADA Finisher
- Surveyor

*Submittal Requirements:*

- An organizational chart and executive summary of Key Personnel, not to exceed three (3) pages describing the Key Personnel's qualifications and recent relevant experience related to the Project. This summary should include any experience the Key Personnel has with the design and construction of ADA pedestrian facility projects, cost-saving innovations, and delivering projects on or ahead of schedule.
- Form DB-103: Resume Summary

Resumes for the Key Personnel and up to four (4) additional personnel are to be included. Each resume is limited to 1 (one) page and shall include 2 (two) owner references by providing a contact name and phone number. MoDOT reserves the right to contact references identified in the resumes.

*Evaluation Criteria:*

Part 3 will be evaluated based on Submitter's ability to meet or exceed the Project goals and the quality and completeness of their Submittal. MoDOT will evaluate the Submitter's experience based on:

- Use of innovative approaches to deliver a project within budget.
- Design and construction of ADA compliant pedestrian facilities in physically constrained corridors.
- Approach and plan for maximizing and ensuring safety on the project.
- Approach and plan for minimizing right-of-way impacts to property owners adjacent to MoDOT right-of-way.
- Relevance of tasks performed by Key Personnel on resumes for reference projects.
- Design and implementation of innovative vehicle and pedestrian traffic handling plans on a project.
- Experience and approaches to delivering projects on schedule or ahead of schedule.
- Design and implementation of innovative and effective stormwater pollution prevention on a project. Approach and plan for achieving DBE and workforce diversity goals.
- Experience and approaches to handling utility coordination.





## 4 SUBMITTAL REQUIREMENTS

### 4.1 Format

The SOQ must be formatted for 8.5" x 11" paper. Charts and other graphical information may be formatted for 11" x 17" paper. Use of 11" x 17" format shall be limited to a maximum of two pages. Minimum font size is 11 point. However, 10-point text may be used within graphs or tables.

### 4.2 Due Date and Quantities

SOQ must be submitted by 3:00 pm, Central Standard Time, on the date shown in Section 2.3. MoDOT accepts no responsibility for misdirected or lost Submittals. One (1) electronic copy in PDF format of the RFQ response is to be submitted by email to [midmoada@modot.mo.gov](mailto:midmoada@modot.mo.gov) as shown in Section 6.3 and detailed below. Hard copies will not be accepted.

**Submitter's SOQ Email:**

- Submitters shall email one (1) electronic copy of their respective SOQ, in Portable Document Format (PDF), to [midmoada@modot.mo.gov](mailto:midmoada@modot.mo.gov).

**SOQ Coordinator's Response Email:**

- The SOQ Coordinator will provide the Submitter a SOQ receipt after receiving the Submitter's SOQ Email.

### 4.3 Page Limits

The maximum number of pages is shown in the following table:

<b>Cover Letter</b>	1
<b>Title Page</b>	1
<b>Table of Contents</b>	1
<b>Part 1 – Administrative Elements</b>	
Form DB-104: Receipt of Addenda	1
Form DB-105: Conflict of Interest	As needed
<b>Part 2 – Submitter Experience</b>	
Executive Summary	3
Form DB-101: Major Participant Information	As needed
Form DB-102: Reference Project Summary	16
<b>Part 3 – Key Personnel Experience</b>	
Executive Summary	3
Form DB-103: Resume Summary	1
Resumes	9

Dividers between sections of the SOQ are not counted.

## 5 EVALUATION PROCESS

According to 7 CSR 10-24.030, all responses to the Request for Qualifications will be evaluated by the pre-qualification review/shortlisting team. This team will be comprised of the following Missouri Department of Transportation staff or their designated representative: Chief Engineer, Chief Financial



and Administrative Officer (Chief Financial Officer), Controller (Financial Services Director), Director of Program Delivery (Assistant Chief Engineer), one (1) or more District Engineer(s), Project Director for Project, State Construction and Materials Engineer, State Bridge Engineer and the State Design Engineer. Federal Highway Administration (FHWA), acting as an external partner will be an observer to the pre-qualification/shortlisting process.

Part 1 will be evaluated on a pass/fail basis. Part 1 shall be evaluated first. If a SOQ fails Part 1, the remainder of the SOQ will not be evaluated.

Part 2 will be evaluated based on a possible 100 points.

Part 3 will be evaluated based on a possible 100 points.

MoDOT is restricted to shortlisting no more than five (5) teams; therefore the scoring was intentionally crafted to differentiate between what we anticipate to be many highly qualified teams. MoDOT will use the ratings below to determine a maximum of five most highly qualified teams and/or demonstrate a significant separation between the most highly qualified and those meeting qualifications. The ratings to be used during the shortlisting process are as follows:

<b>Rating</b>	<b>Description</b>
Exceptional +/-	The Submitter has demonstrated an approach that is considered to significantly exceed stated requirements/objectives and provides a consistently outstanding level of quality. There is very little or no risk that the Submitter would fail to meet the requirements of the RFP. There are essentially no weaknesses.
Good +/-	The Submitter has demonstrated an approach that is considered to exceed stated requirements/objectives and offers a generally better than acceptable quality. There is little risk that the Submitter would fail to meet the requirements of the RFP. Weaknesses, if any, are minor.
Acceptable +/-	The Submitter has demonstrated an approach that is considered to meet the stated requirements/objectives and has an acceptable level of quality. The Submitter demonstrates a reasonable probability of meeting the requirements of the RFP. Weaknesses are minor.
Unacceptable	The Submitter has demonstrated an approach that is considered to fail to meet the stated requirements/objectives and/or provides unacceptable quality and/or demonstrates no reasonable likelihood of meeting the requirements of the RFP and/or contains weaknesses that are so major and/or extensive that a major revision to the SOQ would be necessary.

## 6 GENERAL INFORMATION

### 6.1 Major Participant Definition

The term Major Participant is defined as any of the following entities:

- All general partners or joint venture members of the Submitter; all individuals, persons, partnerships, limited liability partnerships, corporations, limited liability companies, business associations, or other legal entities, however organized, directly or indirectly holding an equity interest in the Submitter.
- The lead engineering/design firm(s).
- Each subcontractor that will perform work valued at 10% or more of the construction work.



- Each sub-consultant that will perform 20% or more of the professional services.

Major Participants identified in the SOQ may not be removed, replaced, or added without written approval of MoDOT Project Director. Written request must document the proposed change and demonstrate that the change will be equal to or better than the Major Participant submitted in the SOQ.

## **6.2 Stipend**

No stipends will be paid for submitting SOQ. MoDOT will pay a stipend to the responsible Proposer(s) that provide a fully responsive, but unsuccessful, Proposal. The anticipated stipend is \$87,500 and shall be provided to such Proposer(s) as early as 15 days after MoDOT determines the apparent successful Proposer. Unsuccessful Proposers shall sign a Proposal release statement, releasing their Proposals to receive their stipend within 30 days. If the Proposal Release Statement is not signed within 30 days, the Stipend shall be forfeited.

If the successful Proposer and MoDOT cannot successfully negotiate a contract and MoDOT negotiates an agreement with one of the unsuccessful Proposers, that Proposer's stipend shall be returned to MoDOT.

## **6.3 Communications**

MoDOT's Project Director, Chris Brownell, is MoDOT's sole contact person for receiving all communications regarding the project and procurement thereof. Each submitter is also solely responsible for providing a single contact person. Email is the preferred method of communication for the Project.

Chris Brownell, P.E.  
Project Director - Mid MO ADA  
Missouri Department of Transportation  
5617 Red Eagle Drive  
Jefferson City, MO 65109  
[midmoada@modot.mo.gov](mailto:midmoada@modot.mo.gov)

During the Project procurement process, commencing with issuance of this RFQ and continuing until award of a contract for the Project (or cancellation of the procurement), no employee, member, or agent of any Submitter shall have ex parte communications regarding this procurement with any member of MoDOT or the Federal Highway Administration, their advisors, or any of their contractors or consultants involved with the procurement, except for communications expressly permitted by this RFQ. Any Submitter engaging in such prohibited communications may be disqualified at the sole discretion of MoDOT's Project Director. However, communication is allowed with local entities, utility companies, railroads, regulatory agencies and the general public.

## **6.4 Questions and Clarifications; Addenda**

Questions and requests for clarification regarding this RFQ must be submitted to MoDOT's Project Director. To be considered, all questions and requests must be received by 3:00 pm, CST on the date indicated in Section 2.3. Questions, requests for clarifications, and responses will be posted on the project web site. Submitter's names will not be identified.



MoDOT reserves the right to revise this RFQ at any time before the final RFQ Addendum date listed in Section 2.3. A link to any addenda will be posted on the Project web site, [www.modot.org/midmoad](http://www.modot.org/midmoad).

## **6.5 Ineligible Firms**

A firm is ineligible to submit a proposal, in either a prime or sub-consultants' role, if it assists in the development of the scope of work, the RFQ, or the RFP.

## **6.6 Confidentiality**

Documents submitted pursuant to this RFQ will be subject to the Missouri Public Records Act, (§§ 610.010, et.seq., RSMo). Information clearly marked as confidential and proprietary will be kept confidential by MoDOT, unless otherwise provided by law. MoDOT will notify the Submitter if a request is made for such information, and the denial is challenged, so that the Submitter may take any action it deems necessary to defend the challenge. The Submitter shall be the entity responsible for defending against the Missouri Public Records Act disclosures for any records claimed by the Submitter to be confidential and proprietary.

## **6.7 Organizational Conflicts of Interest**

Pursuant to 23 CFR 636.116, consultants and sub-consultants who assist MoDOT in the preparation of an RFP document are not allowed to participate on a Submitter's team. Submitter must provide to MoDOT, via DB-105 form as defined in Section 3.3, information regarding all potential organizational conflicts of interest in its proposal, including all relevant facts concerning any past, present or currently planned interests which may present an organizational conflict of interest, as required by 23 CFR 636.116. MoDOT's Project Director will determine whether an organizational conflict of interest exists, and the actions necessary to avoid, neutralize, or mitigate such conflict, and will respond in writing.

MoDOT may disqualify a Submitter if any of its Major Participants (as defined in Section 6.3) belong to more than one Submitter organization.

## **6.8 Equal Employment Opportunity**

The Submitter will be required to follow Federal Equal Employment Opportunity (EEO) policies.

MoDOT will ensure that in any contract entered into pursuant to this advertisement, businesses owned and controlled by socially and economically disadvantaged individuals will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, creed, sex, age, sexual orientation, ancestry, or national origin in consideration for award.

The Commission has set a workforce goal of 2.3% for Laclede and Pulaski County, 4.0% for Camden, Chariton, Cole, Cooper, Howard, Miller, Moniteau, Morgan, and Osage Counties, 6.3% in Boone County, 10% in Carroll, and 11.4% in Crawford, Dent, Gasconade, Maries, Phelps, and Washington Counties for minorities and 6.9% female for all counties per craft.

## **6.9 Trainees**

The anticipated OJT goal for the project is 2 construction trainees.



## 6.10 Disadvantaged Business Enterprises

The anticipated Disadvantaged Business Enterprise (DBE) goals for the project are:

10% construction activities

12% professional services

In an effort to ensure a healthy contracting environment for DBE contractors and consultants, a DBE can only be exclusive with one Submitter if they meet the requirements of a Major Participant as defined in Section 6.1, or with written permission from MoDOT's Project Director.

It is the policy of MoDOT that DBEs, as defined in 49 CFR Part 26, and other small businesses shall have the opportunity to compete fairly in contracts financed in whole or in part with public funds. Consistent with this policy, MoDOT will not allow any person or business to be excluded from participation in, denied the benefits of, or otherwise be discriminated against in connection with the award and performance of any U.S. Department of Transportation assisted contract because of sex, race, religion, or national origin.

MoDOT has implemented the Unified Certification Program and has formed the Missouri Regional Certification Committee (MRCC). DBE firms will need to be certified with MRCC. The MRCC DBE Directory is at the following web site:

[http://www.modot.mo.gov/business/contractor\\_resources/External\\_Civil\\_Rights/DBE\\_program.htm](http://www.modot.mo.gov/business/contractor_resources/External_Civil_Rights/DBE_program.htm).

## 7 PROTEST PROCEDURES

A Submitter may protest the results of the above-described evaluation and qualification process by filing a written notice of protest by hand delivery or courier to the Director of MoDOT, with a copy to the MoDOT Project Director, and other Submitter(s). The notice of protest shall specifically state the grounds of the protest.

Notice of protest of any decision to accept or disqualify a SOQ on responsiveness grounds must be filed within five calendar days after the earliest of notification of non-responsiveness or the public announcement of shortlisting. Notice of protest of the decision on shortlisting must be filed within five calendar days after the public announcement of shortlisting.

Within seven calendar days of the notice of protest, the protesting Submitter must file with the Director of MoDOT, with a copy to the MoDOT Project Director and other Submitter(s), a detailed statement of the grounds, facts and legal authorities, including all documents and evidentiary statements, in support of the protest. Evidentiary statements, if any, shall be submitted under penalty of perjury. The protesting Submitter shall have the burden to prove that the decision of MoDOT was arbitrary and capricious.

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

Other Submitters may file by hand delivery or courier to the Director of MoDOT, with a copy to the MoDOT Project Director, a statement in support of or in opposition to the protest. Such statement must be filed within seven calendar days after the protesting Submitter files its detailed statement of protest. MoDOT will promptly forward copies of any such statements to the protesting Submitter.

Unless otherwise required by law, no evidentiary hearing or oral argument shall be provided, except, in the sole and absolute discretion of the Director of MoDOT, a hearing or argument may be permitted if necessary, for protection of the public interest or an expressed, legally recognized interest of a



Submitter or MoDOT. The Director of MoDOT or his designee will issue a written decision regarding the protest within 30 calendar days after MoDOT receives the detailed statement of protest or any allowed (discretionary) evidentiary hearing or oral argument. Such decision shall be final and conclusive. The Director of MoDOT or his designee will deliver the written decision to the protesting Submitter and copies to the other Submitters.

If a notice of protest regarding responsiveness is filed prior to release of the draft RFP, MoDOT may proceed with issuance of the draft RFP before the protest is withdrawn or decided, unless the Director of MoDOT or his designee determines, in his or her sole discretion, that it is in the public interest to postpone issuance of the draft RFP. Such a determination shall be in writing and shall state the facts on which it is based.

If the Director of MoDOT or his designee concludes that the Submitter filing the protest has established a basis for protest, the Director or his designee will determine what remedial steps, if any, are necessary or appropriate to address the issues raised in the protest. Such steps may include, without limitation, withdrawing or revising the decisions, issuing a new request for qualifications or taking other appropriate actions.

## **7.1 Costs and Damages**

All costs of a protest shall be the responsibility of the protestor and undertaken at the protestor's expense. In addition, if the protest is denied, the Submitter filing the protest may be liable for MoDOT's costs reasonably incurred resulting from the protest. MoDOT shall not be liable for damages to the Submitter filing the protest nor to any participant in the protest, on any basis, express or implied.