



REQUEST FOR QUALIFICATIONS

Kaysinger Basin Bridge Bundle Design-Build Project Bates, Benton, Cedar, Henry, Hickory, St. Clair, Vernon Counties, MO

Project Number: J7P3485
RFQ Issued: August 1, 2024
SOQs Due: September 23, 2024

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Addenda	Date	
No. 1	9/9/2024	Revisions: Sections 2.3, 4.2, and 6.4
		Revisions:
		Revisions:
		Revisions:
		Revisions:



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FORMS

- Form DB-101 – Major Participant Information
- Form DB-102 – Reference Project Summary
- Form DB-103 – Resume Summary
- Form DB-104 – Receipt of Addenda
- Form DB-105 – Conflict of Interest
- Form DB-110 – Commitment of Key Personnel
- Form DB-802 – Debarment, Suspension, Ineligibility, and Voluntary Exclusion



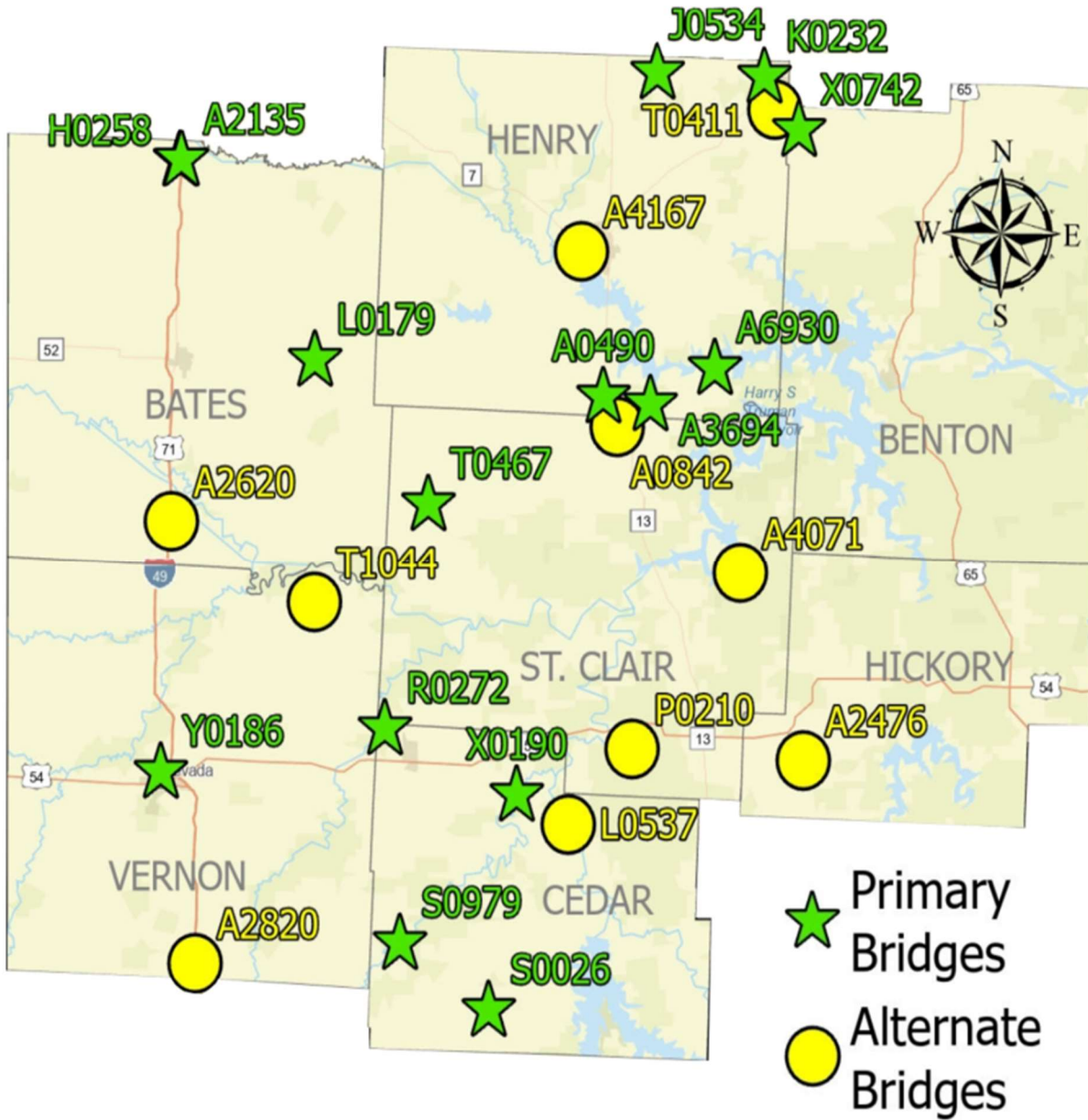
1 INTRODUCTION

The Missouri Department of Transportation (MoDOT) is soliciting Statements of Qualifications (SOQ) from entities (Submitters) interested in providing design-build services for the Kaysinger Basin Bridge Bundle (Project), in Bates, Benton, Cedar, Henry, Hickory, St. Clair, and Vernon counties located in the Southwest District. This project is designated as Job No. J7P3485

All bridges and treatments listed or described throughout the document are subject to change at any point during the procurement process. Any changes will be communicated via an e-mail to individuals in attendance at the Industry Meeting or who submitted Letters of Interest.

Please see the Kaysinger Basin Bridge Bundle website to view an interactive map of the bridge locations:

<https://www.modot.org/kaysinger-basin-bridge-bundle>





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Primary Bridges						
County	Bridge No.	Route	Feature Crossed	Length	AADT	Conceptual Treatment
Bates	A2135	I-49 N	Mormon Fork Creek	129.00'	10202	Redeck
Bates	H0258	I-49 S	Mormon Fork Creek	127.38'	10149	Replacement
Bates	L0179	H	Deepwater Creek	118.85'	479	Redeck
Benton	X0742	E	Barker Creek	22.75'	1120	Replacement
Cedar	R0272	EE	Clear Creek	240.29'	1514	Replacement
Cedar	S0026	B	Buffalo Creek	273.27'	728	Replacement
Cedar	S0979	97	Horse Creek	230.91'	773	Replacement
Cedar	X0190	39	Cedar Creek	221.25'	498	Replacement
Henry	A0490	13	Cooper Creek	239.83'	7708	Replacement
Henry	A3694	Z	Little Otter Creek	218.50'	1168	Replacement
Henry	A6930	U	Truman Reservoir (Grand River Arm)	883.36'	515	Redeck
Henry	J0534	2	Tebo Creek	90.50'	920	Replacement
Henry	K0232	2	East Tebo Creek	97.50'	1367	Replacement
St. Clair	T0467	H	Monegaw Creek	103.00'	317	Replacement
Vernon	Y0186	W	Medigener Creek	32.00'	6631	Replacement

Alternate Bridges						
County	Bridge No.	Route	Feature Crossed	Length	AADT	Conceptual Treatment
Bates	A2620	A/B	IS 49	244.35'	4068	Redeck
Cedar	L0537	N	Big Sac River	401.56'	337	Redeck
Henry	T0411	Y	East Tebo Creek	121.54'	1009	Replacement
Henry	A4167	18	Town Creek	203.50'	1622	Redeck
Hickory	A2476	O	Weaubleau Creek	158.02'	428	Redeck
St. Clair	A0842	13	Otter Creek	84.02'	9437	Replacement
St. Clair	A4071	82	Bear Creek	208.00'	789	Redeck
St. Clair	P0210	J	Brush Creek	162.50'	316	Replacement
Vernon	A2820	B/N	IS 49	243.33'	1344	Redeck
Vernon	T1044	M	Private Drive over Branch of Makensie Creek	19'	10	Replacement



1.1 Project Description

The purpose of this project is to replace or long-term rehabilitate twelve (12) primary bridges in the Kaysinger Basin Bridge Bundle while providing safe travels and minimizing delays to our customers during construction. The Contractor may include an additional thirteen (13) alternate bridges for inclusion in the Kaysinger Basin Bridge Bundle. A successful Proposer will demonstrate their ability to balance a quantitative approach that maximizes the number of addressed locations with a qualitative approach that provides quality long lasting structures.

Twelve (12) of the primary bridges have critical elements rated in poor condition and are required to be replaced or long-term rehabilitated as part of this project:

The successful Proposer will be responsible for management, design, construction, quality assurance, and quality control of the project. It is not anticipated that co-location of the Proposer and MoDOT Design-Build staff will be required for this project. However, MoDOT will consider a Contractor defined co-location arrangement.

1.2 Project Goals

The following prioritized goals have been established for the project:

1. Safely deliver the project within the program budget of \$38 million.
2. Maximize the number of locations to be addressed while providing quality, low maintenance structures and roadway approaches.
3. Minimize impacts to the public through diligent construction efforts, flexibility in scheduling, and proactive communication.
4. Deliver the project utilizing a diverse work force.
5. Complete the project on or before November 15, 2027.

1.3 Estimated Cost and Maximum Time Allowed

The total program budget is \$38 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 \$28.175 million. The Project must be completed by November 15, 2027



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 Statement of Qualifications (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 6.9.

2.3 Procurement Schedule

Item	Date
Issue RFQ	August 1, 2024
Deadline for submitting RFQ questions	August 29, 2024 (2:00 p.m. CT)
Final responses to questions posted & Final RFQ Addendum issued	September 9, 2024
SOQ due	September 23, 2024 (10:00 a.m. CT)
MoDOT notifies shortlisted Submitters	September/October 2024
Issue RFP	October 2024
Final Proposal and Price Allocation due	January 2025
Selection of Apparent Best Value	March/April 2025





3 SOQ CONTENTS AND EVALUATION CRITERIA

This section describes specific information that must be included in the SOQ and also addresses the evaluation process 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 (60 Points)
- Part 3 – Key Personnel and Organization (40 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-101: Major Participant Information. One form is to be completed for each Major Participant, as described in Section 6.1.
- 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 (60 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 long-term bridge rehabilitations, bridge replacements, and roadway approaches. The submitter shall provide examples related to expertise and previous experience mitigating challenges related to geotechnical, hydraulic and scour analysis and design, maintenance of traffic, Public Information, Environmental permitting, and erosion control. Include examples demonstrating the ability to generate innovative and practical ideas, be on or ahead of schedule, and resolve challenges. Details of the submitters ability to collaborate design reviews with the owner shall also be provided.
 - **Construction:** The Submitter shall provide specific examples of their recent and relevant experience delivering long-term bridge rehabilitations and bridge replacements. Examples should focus on managing multiple projects and maintaining closures on interstate systems, divided four-lane, and two-lane rural routes over a large geographical area. The Submitter shall also provide specific examples of their recent and relevant experience generating and implementing innovative and practical ideas, working diligently from the time the road is closed, resolving challenges during construction, staying compliant with the Clean Water Act, and accounting for the needs of the local community.
 - **Approach to Ensuring Safety:** The summary shall include every major participant’s safety record including lost time incidents, OSHA recordables, and fatalities in the last 5 years, and examples of successfully implemented Safety Management Programs or innovations. Provide examples of innovative techniques previously used for safety of motorists in work zones.
 - **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. Provide recent and relevant examples of the successful implementation of a QC/QA program that includes management of both QC and QA aspects of inspection and testing on projects. Provide a summary of how effective the program(s) was and the end result.
 - **Regulatory Agencies and Utility Interaction:** Describe previous efforts to mitigate impacts to and work successfully with the applicable regulatory authorities and utility companies.
 - **DBE Utilization:** Describe how the Submitter has been successful in meeting or exceeding DBE participation goals on previous projects. This information should be split between professional services and construction activities. The Submitter shall also describe their intentions to utilize DBEs



- to meet or exceed the DBE participation goals of 10% construction activities and 12% professional services.
- **Workforce Diversity:** Describe how the Submitter intends to effectively maintain a diverse workforce by meeting or exceeding the construction workforce goals for 5.6 % minorities per trade and 6.9% females per trade. Also demonstrate how the Submitter will effectively maintain a diverse workforce of professional services and provide examples of past performance.
- 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 (2) pages. A maximum of eight (8) reference projects can be described for each Submitter. At least four (4) of the submitted reference projects shall have been completed by the construction contractor. 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 and relevant projects and the quality and completeness of the submittal requirements for this section. MoDOT will evaluate the Submitter's experience based on:

- Recent safety history and company safety philosophy on similar equally complex projects.
- Recent experience delivering projects on schedule or ahead of schedule.
- 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.
- Recent experience delivering projects over a large geographical area.
- Examples of a project approach to ensure a smooth and quality transition from the roadway to the bridge/culvert.
- Approach to developing a Quality Control and Quality Assurance program for the Project. Understanding of the Quality Management Program and how it will be implemented during all phases. Previous experience with timeliness and accuracy of quality documentation.
- Implementation of innovative traffic handling plans to minimize and mitigate construction impacts to customers.
- The effectiveness of the DBE utilization strategies to maintain a diverse workforce for both construction and non-construction activities.
- Implementation of innovative approaches to increase diversity and engage minorities through programs, training, or other outreach efforts.
- Experience with deep foundation design and construction.
- Ability to synergize design and construction to resolve unexpected challenges encountered during similar projects and the resolution.
- Efforts to minimize impacts on environmentally sensitive areas.



- Implementation of effective efforts to mitigate the impacts of land disturbance and to successfully manage a Stormwater Pollution Prevention Plan on past projects and minimize disruption to streams.
- Experience in working with regulatory authorities.
- Experience in coordinating utility accommodations.

3.5 Part 3 – Key Personnel and Organization (40 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, safety, overall design, construction, quality management, contract administration, DBE and workforce diversity, and environmental compliance. The Project Manager should have at least six (6) years of recent and relevant experience managing large scale projects involving many moving parts and concurrent work over a large geographical area where they were responsible to ensure all the items mentioned above were successfully completed and the project delivered on time and budget. 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 MoDOT's Project Director. The Project Manager also may assume the role of either the Design Manager or the Construction Manager. The Project Manager shall be assigned to the Project 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 and team structure, 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, 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 as well as document storage. 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 shall be assigned to the Project and oversee the quality program for all construction activities.
- **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 five (5) years of in-depth and recent experience managing the design of highways and bridges, specifically bridge replacements and long-term bridge rehabilitations on interstate systems, four-lane divided, and two-lane rural routes. The Design Manager shall be a registered professional engineer in the State of Missouri. 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 five (5) years of in-depth and recent experience managing the construction of highways and bridges, specifically bridge replacements and long-term bridge rehabilitations on interstate systems, four-lane divided, and two-lane rural routes. The Construction Manager shall be assigned to the Project and readily available for the duration of the construction phase.

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 may be needed for the success of this Project. The Submitter shall describe their approach to managing each Key Task.

- Maintenance of Traffic
- Safety Management
- Stormwater Compliance Management
- Public Outreach

Submittal Requirements:

- An executive summary of Key Personnel and up to four (4) additional 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 highway projects, managing concurrent projects in different areas, cost-saving innovations, and delivering projects on or ahead of schedule.
- An organizational chart not to exceed one (1) page.
- Form DB-103: Resume Summary
- Form DB-110: Commitment of Key Personnel
- Resumes for the Key Personnel and up to four (4) additional personnel are to be included. Each resume is limited to one (1) page and shall include two (2) 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:

- Relevance of tasks performed by Key Personnel on resumes for reference projects.
- Experience and approach for maximizing and ensuring safety on a project.
- Use of innovative approaches to deliver a project within budget.
- Experience and approaches to delivering numerous projects in different locations over a large geographical area on schedule or ahead of schedule.



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- Experience and approaches for quality management plan development, implementation, control of documents, verification of conformance and non-conformance, and non-conformance identification and resolution.
- Approach and draft for Quality team structure and personnel
- Design and construction of bridges on interstate systems, divided four-lane, and two-lane routes which impact communities, farm to market routes, recreational activities, and services.
- Experience in public outreach to impacted customers.
- Design and implementation of innovative traffic handling plans on a project.
- Design and implementation of effective storm water pollution prevention for streams or other sensitive areas on a project.
- Experience and approach 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 (2) pages for entire submittal. Minimum font size is 11 point. However, 10-point text may be used within graphs or tables.

4.2 Due Date and Quantities



Added

SOQ must be submitted by **10:00 am, Central 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 KaysingerBridgeBundle@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 KaysingerBridgeBundle@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:

Cover Letter	1
Title Page	1
Table of Contents	1
Part 1 – Administrative Elements	
Form DB-104: Receipt of Addenda	1
Form DB-105: Conflict of Interest	As needed
Form DB-101: Major Participant Information	As needed
Form DB-802: Debarment, Suspension, Ineligibility, and Voluntary Exclusion	As needed
Part 2 – Submitter Experience	
Executive Summary	3
Form DB-102: Reference Project Summary	16
Part 3 – Key Personnel Experience	
Executive Summary	3
Organizational Chart	1
Form DB-103: Resume Summary	1
Resumes	8
Form DB-110: Commitment of Key Personnel	16

Dividers between sections of the SOQ are not counted.



5 EVALUATION PROCESS

All responses shall be evaluated according to 7 CSR 10-24.030.

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 60 points.

Part 3 will be evaluated based on a possible 40 points.

MoDOT is restricted to short-listing no more than five (5) teams. The scoring outlined is intentionally crafted to differentiate between many highly qualified teams. MoDOT will use the rating below to determine a maximum of five (5) most highly qualified teams and/or demonstrated significant separation between the most highly qualified and those meeting qualifications. The ratings to be used during the shortlisting process are as follows:

Rating	Description
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 20% 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 the MoDOT Project Director. Written requests 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 the SOQ. MoDOT will pay a stipend to the responsible Proposer(s) that provide a fully responsive, but unsuccessful, Proposal. The anticipated stipend is \$160,000 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, Shannon Kellner, 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.


Shannon Kellner, P.E.
Kaysinger Basin Bridge Bundle Director
Missouri Department of Transportation
3025 East Kearney
Springfield, MO 65803
(KaysingerBridgeBundle@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

 **Added** Questions and requests for clarification regarding this RFQ must be submitted in email to KaysingerBridgeBundle@modot.mo.gov. To be considered, all questions and requests must be received by 2:00 pm, **CT** 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:

<https://www.modot.org/kaysinger-basin-bridge-bundle>

6.5 Ineligible Firms

Wilson & Company, Inc., TREKK Design Group, and GeoEngineers, Inc. is acting as the owner's engineer and therefore is ineligible. 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 6.1) 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 5.6 % minorities per trade and 6.9% females per trade.

A goal of one (2) OJT positions for construction activities has been assigned.

6.9 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:

<https://www.modot.org/dbe-program>



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 (5) 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 (5) calendar days after the public announcement of shortlisting.

Within seven (7) 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 (7) 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 RFP, MoDOT may proceed with issuance of the 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 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.