MaineDOT

REQUEST FOR STATEMENT OF INTEREST

HAMPDEN
I-95 OVER SOUADABSCOOK STREAM
WEST, CENTER AND EAST
AND
I-95 OVER EMERSON MILL ROAD & CMQR

BRIDGE NOs. 5951, 1433, 5950, 1432, 5949, 1431, 5969, 1430

BRIDGE REPLACEMENTS

DESIGN–BUILD PROJECT

PROJECT NOs. **STP-2173(000), STP-2173(010), STP-2172(800), STP-2172(810), STP-2172(900), STP-2172(910), STP-2167(310), STP-2167(300)**

February 26, 2019

STATEMENT OF INTEREST DUE:
April 12, 2019
3:00 PM (EDT)

1. Introduction

The Maine Department of Transportation (Department) is soliciting information needed to select Design-Builders that will be invited to submit proposals for the Hampden Bridge Bundle Design-Build Project (Project). The Department will use a Statement of Interest (SOI) two-step, low bid procurement method for this project in accordance with Title 23, MRSA, Section §4244 – Design-build Contracting and 23 CFR Section 636 – Design-Build Contracting. The first step is the solicitation and evaluation of SOI for the purposes of ranking the submittals and determining which Design-Builders will be invited to respond to the Request for Proposals (RFP). The procurement process is depicted in the flow chart shown in Figure 1.

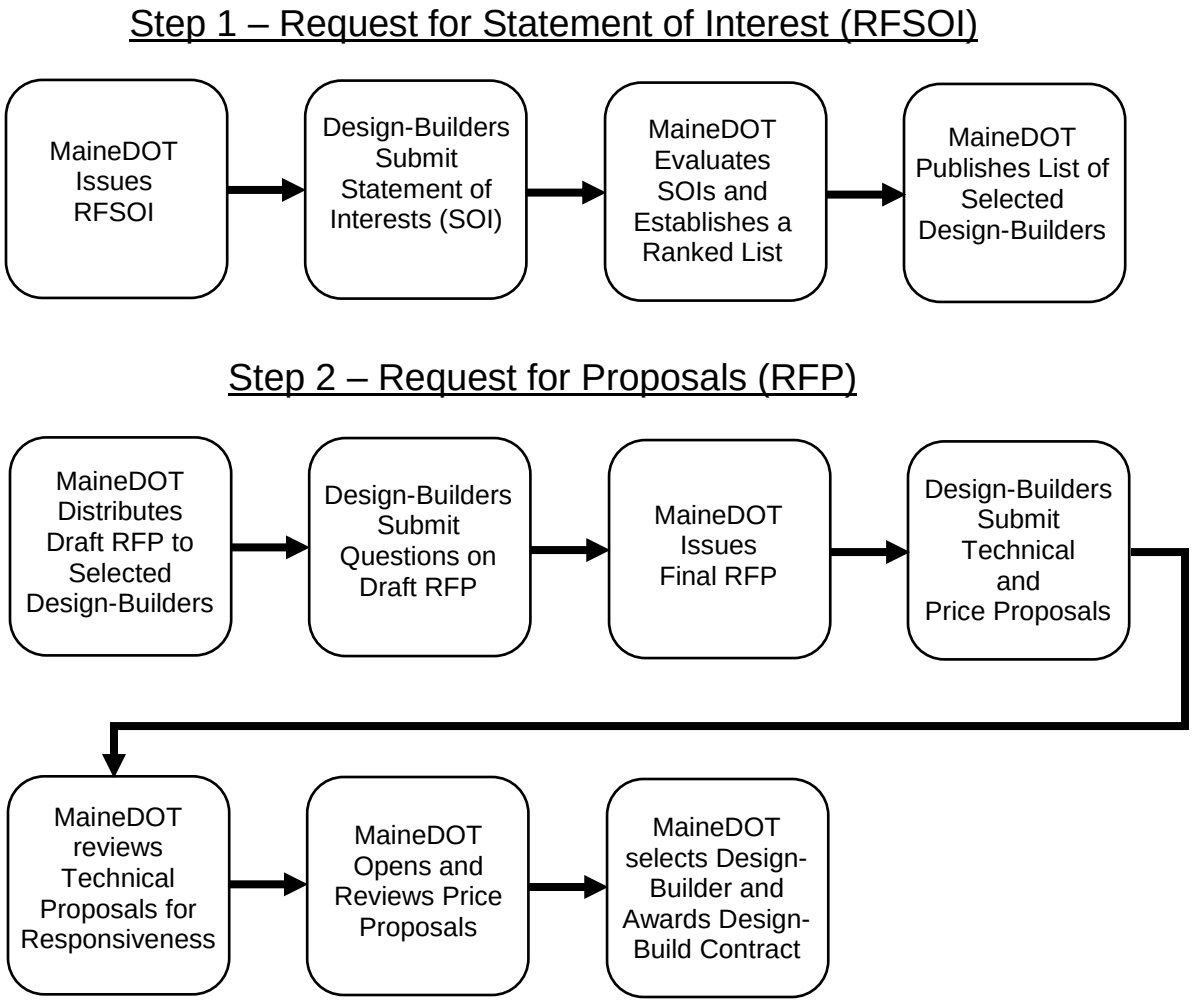

Figure 1: Contract Procurement Process Flow Chart

2. Definitions

2.1 Design-Builder

Design-Builder is defined as the entity that will be executing the Contract and that will be a single point of responsibility for all obligations under the Contract. The Design-Builder shall be independent with respect to the Department and shall not be an employee, agent, or representative of the Department.

2.2 Major Participant

Major Participant is defined as:

- The Design-Builder and any Related Entities/Affiliated Companies;
- The Builder and all Related Entities/Affiliated Companies;
- The Designer and all Related Entities/Affiliated Companies;
- Any firm providing more than 30% of the value of the onsite construction work and all Related Entities/Affiliated Companies; or
- Any firm providing more than 30% of the value of the design work and all Related Entities/Affiliated Companies.

3. Project Information

Interstate 95 is the primary corridor for the State of Maine and in Penobscot County. The necessity to replace these bridges provides an opportunity to coordinate the traffic management, eliminate the chronic bridge maintenance issues, address the expired fatigue life of the structural steel at the Stream Bridges, and address railroad clearance needs at the Emerson Mill Bridges.

3.1 Department Goals

- To deliver a cost-effective Project;
- To design and construct eight (8) safe, durable, appropriately sized, and low maintenance bridges that fit in well in their surroundings;
- To minimize impacts to the traveling public, local residences, local communities, and emergency services during construction; and
- To maintain two-lanes of interstate traffic in each direction at all times.

3.2 Project Description, Scope, and Location

The Project includes the design and construction of eight (8) replacement bridges carrying Interstate 95 Northbound and Southbound in Hampden, Maine between Exit 174 and Exit 180. The northbound/southbound bridge pairs are located at four different sites. The first three sites cross the Souadabscook Stream and are referred to as West, Center, and East. The fourth site crosses Emerson Mill Road

and the Central Maine & Quebec Railway. All eight (8) bridges have a curb-to-curb width of approximately forty feet (40'). The existing stream crossing bridges consist of three (3) spans with a total length of approximately one hundred thirty feet (130'). The bridges crossing Emerson Mill Road and the railroad each consist of four (4) spans with an approximate total length of two hundred twenty feet (220') and one hundred ninety-eight feet (198') northbound and southbound, respectively. The Project Location Map is shown in Figure 2.

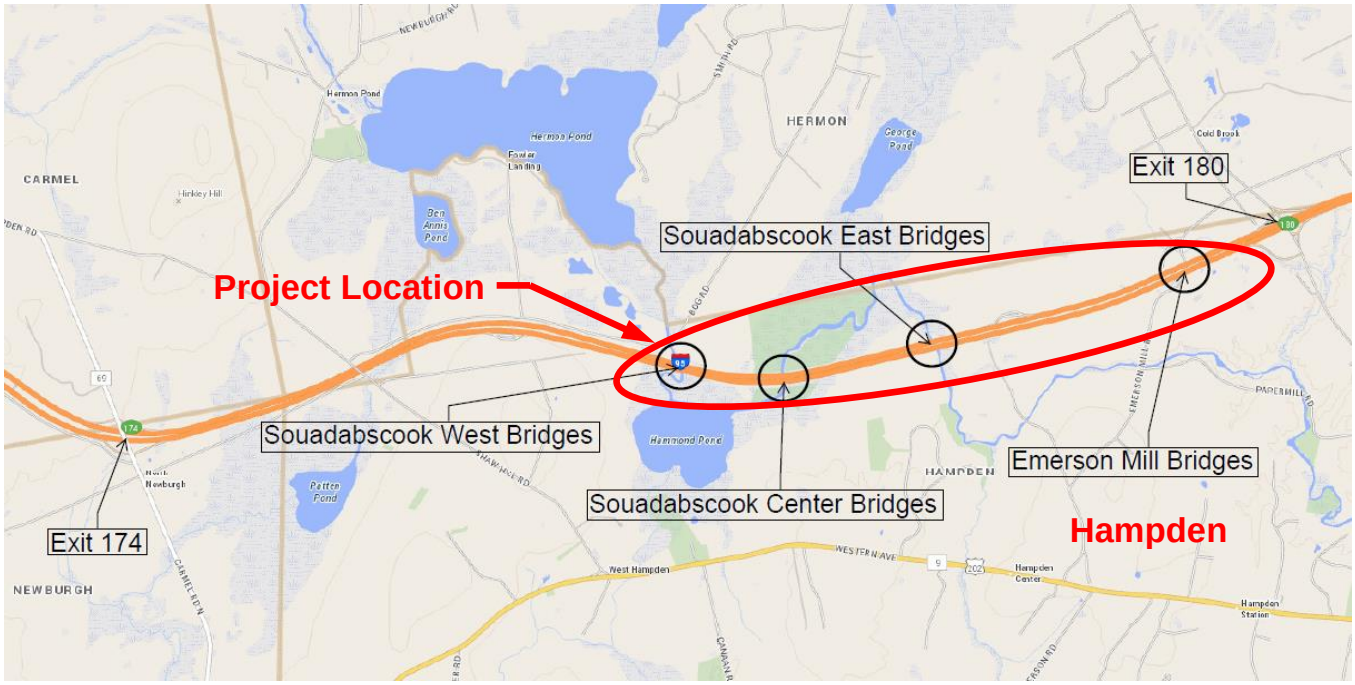

Figure 2: Project Location Map

In addition to the proposed bridge design and construction, the Project includes removal of all eight (8) existing bridges, construction of approximately one thousand feet (1000') of approach roadway work at each bridge for profile grade adjustments, and construction of a temporary diversion in the median. The following work is also expected to be the responsibility of the selected Design-Builder:

- Interpreting boring data and geotechnical evaluation.
- Planning and evaluation of supplemental geotechnical investigations as necessary.
- Performing hydrology/hydraulic/scour analysis as required.
- Providing utility and railroad coordination and accommodation.
- Providing any additional survey needed beyond that which is provided by the Department.
- Preparing any amendments to environmental permits required due to the Design-Builder's design, and/or during construction due to the Design-

Builder's construction operation and submitting them to the Department (the Department will not be responsible for delays caused by the amending of environmental permits).

3.3 Project Design and Construction

The Request for Proposals (RFP) is expected to include the following design and construction parameters, which are subject to change, for the Project:

- Eight (8) durable bridges with minimal maintenance needs;
- cross-sections consisting of two (2) twelve foot (12') travel lanes with a six foot (6') inside shoulder and a ten foot (10') outside shoulder within the project limits, transitioning to the existing shoulders on the approaches;
- providing a minimum ½ % longitudinal profile grade across the structures;
- locating the new bridge in the same location as the existing bridge;
- the demolition and removal of the existing steel girder bridges;
- in-water pier construction;
- a 70 mph design speed;
- on-site maintenance of two-lanes of interstate traffic in each direction at all times;
- approaches to tie as quickly as possible into the existing interstate alignment;
- a net zero impact to the FEMA 500- and 100-year flood plains;
- a 55 mph design speed for temporary works during construction;
- cross sections consisting of two (2) twelve foot (12') travels lanes and two (2) two foot (2') shoulders for each direction during construction;

3.4 Project Status

The current status of the Project is outlined below. It should be noted that this information is preliminary in nature and thus subject to change.

Survey. Survey information in MaineDOT Microstation/InRoads format is available on the Project website.

Plan and Profile. Existing vertical and horizontal alignments are available on the Project website for informational purposes only. These alignments do not necessarily conform to all expected parameters and restrictions that will be included in the RFP.

Geotechnical. Preliminary geotechnical investigations were completed by the Department in September 2017. Test borings were advanced at approximate locations shown on the survey plan. The Preliminary Geotechnical Data Report-Part I (PGDR-I) including boring logs and laboratory test results is available for review on the Project website for informational purposes only. Additional preliminary geotechnical investigations are being conducted by the Department

as shown on the survey plan. The Preliminary Geotechnical Data Report-Part II (PGDR-II) including additional boring logs and laboratory test results for borings taken in the median will be available for informational purposes in the RFP. A Supplemental Boring Program will not be conducted for the Project.

Utilities. The Department has attempted to locate existing utilities on the survey plan; however, not all may be shown. There are no known utilities carried by any of the bridges in the Hampden Bridge Bundle.

There are utilities at the Emerson Mill Road site:

- Central Maine & Quebec Railway
- AT&T (buried cable adjacent to railroad)

Right-of-Way. The existing Right-of-Way is shown on the survey plan. No work, including temporary and permanent impacts, shall be completed outside of the limits of the Interstate 95 corridor Right-of-Way.

Staging areas for the convenience of Design-Builder for equipment storage and lay down areas shall be the responsibility of the Design-Builder.

NEPA/Environmental Permits. The project is located within the range of the Gulf of Maine Distinct Population segment of Atlantic salmon and within its Critical Habitat. The Department expects to provide requirements to protect Endangered Species and to minimize wetland and stream impacts in the RFP. The Department expects to complete NEPA and permitting upon receipt of conceptual plans in response to the RFP.

Historical Investigation. The Department has determined that no historical or archeological significance exists for this project.

U.S. Coast Guard Permits. No U.S. Coast Guard permit is required for this project.

3.5 Disadvantaged Business Enterprise (DBE) Goal

The Department has an annual DBE participation goal of 2.4%. The Department encourages the use of DBE firms to accomplish that goal. The Design-Builder is required to meet all Civil Rights laws.

3.6 On-the-Job Training (OJT)

There is an established OJT requirement of 4,000 hours for this Project. The Proposer is required to meet that goal if awarded the Project.

3.7 Changes in Key Personnel

The Department requires that key individuals and firms discussed in the SOI be retained throughout the solicitation and Contract period in the capacities proposed, unless the Department approves replacement in writing.

3.8 Stipend

Each Design-Builder that is selected to submit a proposal who submits a responsive proposal, but is not awarded the Design-Build Contract, will receive a stipend of $80,000. Acceptance of the stipend will transfer ownership of the proposal to the Department. The Design-Builder will have the option to refuse the stipend.

4. Procurement Information

4.1 General Information

The RFSOI and supporting documents will be found on the Department's Project website: http://mainedot.gov/design-build/hampden/

4.2 Schedule

The following is the proposed schedule for the Project. This schedule is subject to change as the Project progresses and the Request for Proposals (RFP) is developed.

MaineDOT Issues RFSOI	February 26, 2019
Deadline for Design-Builders to Submit Questions on RFSOI	**March 5, 2019 at 3:00 PM EST**
MaineDOT Issues Responses to Questions Received on the RFSOI	March 19, 2019
Deadline for Design-Builders to Submit SOI	**April 12, 2019 at 3:00 PM EDT**
MaineDOT Issues Notification of SOI Responsiveness of to Design-Builders	April 19, 2019
Deadline for Design-Builders to Submit Cure for SOI Responsiveness (If Applicable)	**April 22, 2019**
MaineDOT Evaluates and Ranks SOIs and Notifies Design-Builders of Selection Results	May 6, 2019
MaineDOT Issues Draft RFP	May 7, 2019

Deadline for Design-Builders to submit Questions on the Draft RFP	**May 14, 2019 at 3:00 PM EDT**
MaineDOT Issues Responses to Draft RFP Questions	May 28, 2019
MaineDOT Issues Final RFP	June 11, 2019
Begin Date for Design-Builders to Submit ATC Proposals	**June 12, 2019**
Begin Date for Design-Builders to Submit Questions on Final RFP	**June 12, 2019**
Design-Builders Attend Mandatory One-On-One Meetings with MaineDOT	**One Meeting Per Team between June 17 and June 21, 2019**
Deadline for Design-Builders to Submit ATC Proposals	**July 2, 2019 at 3:00 PM EDT**
MaineDOT Issues Responses to ATC Proposals	July 16, 2019
Deadline for Design-Builders to Submit Questions Final RFP	**July 23, 2019 at 3:00 PM EDT**
MaineDOT Issues Responses to Final RFP Questions	August 6, 2019
Deadline for Design-Builders to Submit Technical and Price Proposal Packages	**August 20, 2019 at 3:00 PM EDT**
MaineDOT Issues Notification of Technical Proposal Responsiveness to Design-Builders	September 10, 2019
Deadline for Design-Builders to Submit Cure for Technical Responsiveness (If Applicable)	**September 17, 2019**
Deadline for Design-Builders to Submit Proposal Guaranty Package	**September 25, 2019 at 11:00 AM EDT**
MaineDOT Opens Price Proposals	September 25, 2019 at 11:00 AM EDT
MaineDOT Awards Contract	October 2019
Design-Builder Begins Final Design & Construction	**Fall 2019**
Design-Builder Completes Final Design & Construction	July 1, 2022

4.3 Questions

Questions on the RFSOI shall be submitted via email to the Contracts and Specification Engineer at George.Macdougall@maine.gov or via fax at (207) 624-3431.

Questions must be received by the Department no later than the date and time shown in Section 4.2. A listing of all questions received and the responses

thereto will be posted on the Department's website at http://mainedot.gov/design-build/hampden/ no later than the date listed in Section 4.2.

5. Statement of Interest (SOI) Requirements

5.1 Submission Guidelines

Five (5) copies of the SOI must be submitted no later than the date and time shown in Section 4.2. The SOI must be clearly marked as follows:

"Statement of Interest for Design-Build Contract – Hampden Bridge Bundle, MaineDOT WINs 021673.00/.10, 021728.00/.10, 021729.00/.10, 021730.00/.10"

The SOI must include the name, address, phone number, and e-mail address of the key contact person, and other information as required by this Notice.

The Design-Builder desiring consideration for this project shall submit only one (1) SOI. Receipt of multiple SOIs from a Design-Builder will cause the Department rejection of all SOIs from the Legal Entity.

In order to assure uniformity of the SOIs and facilitate the evaluation process, all SOIs shall meet the following requirements:

- The SOI shall be submitted on 8 ½ inch x 11 inch sheets with one (1) inch minimum margins (top, bottom, and both sides) and twelve (12) point font.
- The SOI shall be bound and no more than twenty-four (24) one-sided sheets or twelve (12) two-sided sheets in length, excluding cover letter and all appendices.
- No additional material, except as requested herein, may be attached or appended to this response.
- The SOI shall be signed by a duly authorized representative of the Design-Builder and addressed to:

  (For U.S. mail, hand, overnight, or courier delivery)

  George Macdougall, PE, Contracts and Specifications Engineer
  Maine Department of Transportation
  Bureau of Project Development
  24 Child Street
  16 State House Station
  Augusta, ME 04333-0016
  George.Macdougall@maine.gov
  Fax (207) 624-3431

The Department will not accept SOIs by facsimile or electronic transmission. Any SOI that fails to meet the deadline or delivery requirements will be rejected without opening, consideration, or evaluation.

5.2 Submission Contents

5.2.1 Design-Builder Cover Letter

Provide a cover letter, signed by all Major Participants. This letter shall include:

- Names and roles of all the Major Participants of the Design-Builder.
- A single point of contact for the Design-Builder with address, phone number, fax number, and email address where all communications from the Department will be directed.
- A statement declaring the Design-Builder's intent, if placed on the Design-Builder Selection list, to submit a Proposal and, if the Proposal is selected, to enter into a Contract with the Department to perform the work.
- An affirmative declaration that to the best of each Major Participant's knowledge and belief, the information supplied by said Major Participant is true and accurate.
- An affirmative declaration and acknowledgement that the Design-Builder is prohibited from receiving any advice or discussing any aspect related to the Project or the procurement of the Project with any person or entity with an organizational conflict of interest. The declaration and acknowledgement shall also include agreement that if an organizational conflict of interest exists or is discovered at any time, the Design-Builder shall make an immediate and full written disclosure to the Department that includes a description of the action the Design-Builder has taken or proposes to take to avoid or mitigate such conflicts. If an organizational conflict exists, the Department may at its sole discretion terminate the Design-Build Project or process at any point.
- A general authorization for the Department to confirm all information contained in the RFSOI.

5.2.2 SOI and Appendices

The Design-Builder shall provide the following information in the body of the SOI and the appendices.

5.2.2.1 Design-Builder Organization and Key Personnel

5.2.2.1.1 Organizational Chart(s)

Provide organizational chart(s) in Appendix A showing the structure of the organization with lines identifying Major Participants who are responsible for major functions to be performed and their reporting relationships in managing, designing, and building the Project (11 inch by 17 inch sheets are acceptable).

The chart(s) must show the functional structure of the organization and must identify Key Personnel by name and position.

Indicate the anticipated location of each Key Personnel from which they will work. Identify the critical support elements and relationships including, but not limited to, project management, project administration, construction management, quality control/quality assurance, safety, environmental compliance, and subcontractor administration.

For each organizational chart(s), provide a brief written description in the SOI of significant functional relationships among participants and how the proposed organization will function as an integrated Design-Builder.

5.2.2.1.2 Resumes of Key Personnel

Resumes of Key Personnel shall be provided in Appendix B and shall each be limited to two (2) one-sided sheets or one (1) two-sided sheet. If an individual fills more than one position, only one resume is required. Personnel who staff these key functions listed below shall be identified in the required organizational chart(s), as described in Section 5.2.2.1.1. Key Quality Assurance Personnel identified shall be independent of personnel and activities involved in the performance of design and construction. Descriptions of expected roles and titles to be included, but are not limited to, are:

- **Design-Builder Principal-in-Charge** – An individual who shall have the authority to represent, make decisions for, and oversee the performance of the Design-Builder.
- **Project Manager** – An individual who shall be responsible for all aspects of the quality of construction, including labor, equipment, materials, incidentals, processes, construction methods, and quality control (QC) testing and inspection.
- **Construction Quality Manager** – An individual who shall be responsible for all Acceptance activities, including Acceptance sampling and testing, inspection, rejection of non-conforming work, and the documentation of Acceptance activities. The Construction Quality Manager shall have access to executive management, as well as the Department, to report on the performance of the quality system.
- **CQMP Manager** - An individual who shall manage the Construction Quality Management Plan (CQMP) and who shall report to the Design-Build management team. The individual shall have full authority and responsibility for assuring effective implementation and maintenance of a quality system (quality control and acceptance) and for instituting any and all actions necessary for the successful implementation of the CQMP. The individual is responsible for assuring the existence of information systems that measure the effectiveness of the quality program. The

individual shall have access to executive management to report on the performance of the quality system.

- **Design Manager (Engineer of Record)** – An individual who shall be a professional engineer licensed in the State of Maine responsible for ensuring that the overall Project design is completed and design criteria requirements are met. The Design Manager shall report to the Design-Build management team.
- **Design Quality Assurance Manager** – An individual who shall be a professional engineer licensed in the State of Maine responsible for the overall management of the design QC/QA process. The Design QA Manager shall report to the Design-Build management team. The Design QA Manager shall have sufficient authority to affect change as necessary to assure quality of the design, and shall not be involved in scheduling, production or budget activities.
- **Design Discipline Lead Engineer(s)** - An individual(s) who shall be a licensed professional engineer in his/her respective discipline and be responsible for managing the daily design production of their discipline and ensuring that design criteria requirements are met. The Design Discipline Lead Engineer(s) shall report to the Design Manager.
- **Geotechnical Engineer** - An individual who shall be a professional engineer licensed in the State of Maine and have demonstrated experience in managing geotechnical design for multidisciplinary projects with similar scope and complexity as this Project, including experience with in-water construction, highway embankment design and construction, pavement design, and bridge projects of similar size and type.
- **Traffic Engineer** - An individual who shall have demonstrated experience in maintenance of traffic and minimizing traffic disruption, including experience dealing with lane closures, intersections, rerouting traffic through approach embankment construction, construction vehicle ingress and egress, and implementing traffic management strategies emphasizing projects of similar size and type.
- **Utility Coordinator** - An individual who shall have demonstrated experience in utility coordination and construction compliance on large, complex transportation projects. The Utility Coordinator must have experience in coordination with third parties involved with the project and effectively communicating with design engineers and construction staff regarding requirements of the associated utility agreements. Emphasize utility coordination relating to FERC regulated entities and railroads.
- **Safety Manager** – An individual who shall have demonstrated experience in the establishment, management, and compliance of a comprehensive construction safety program involving all construction personnel including subcontractors and design professionals. This individual will be responsible for all record keeping pertaining to the safety program. The Safety Manager shall report to the Design-Build management team.

- **Hydraulics/Scour Engineer** – An individual who shall have demonstrated experience in hydrology, river hydraulic modeling and analysis, flood history research, and bridge scour analysis. Emphasize hydraulic analysis including dam structures and familiarity with MaineDOT hydrologic and hydraulic analysis policies and practices.
- **Environmental Coordinator** – An individual who shall have demonstrated experience in environmental permitting, environmental design, and construction compliance on large, complex transportation projects in environmentally sensitive areas. The Environmental Coordinator must have experience in managing others in environmental activities, with highway engineering drawings and concepts, and in working cooperatively and effectively with design engineers and construction staff. Emphasize erosion and sediment control and wetlands avoidance and minimization experience.
- **Public Communications Professional** – An individual who shall work with the Department's Communications Representative to manage tasks such as community relations with municipal officials, First Responders, local residents and businesses, and the traveling public; drafting of press releases, and working with an ad agency, if required.

Include the following items on each resume:

- Relevant education, licensing, registration, certifications, and training;
- Years of experience performing similar work;
- Length of employment with current employer;
- Roles and responsibilities on any of the Projects listed in Section 5.2.2.2.

5.2.2.2 Experience and Past Performance of Design-Builder

Provide a written description in the SOI of experiences on no more than five (5) completed projects of similar size, scope, and complexity for the Design-Builder's major participants and other key subconsultant/subcontractor firms. Inclusion of photographs of projects described is encouraged. The descriptions shall include relevant information in the following areas:

- Bridges with designs that will result in low long-term maintenance and life-cycle costs in similar environments;
- Design of substructures and foundations supported on bedrock and designed for extreme events;
- Design of substructures and foundations supported on deep foundations and designed for extreme events;
- Bridge demolition and removal, including lead-based paint abatement;
- In-water substructure demolition and construction;
- Design and construction of interstate and local roadways;
- Utility and railroad coordination;

- Maintenance of traffic;
- Public relations; and
- Environmental avoidance and minimization efforts, including compliance with hazardous and special wastes;
- Owner's Construction Engineer and Design Engineer for this project, address, and current telephone number(s);
- Dates of design, construction, and/or warranty periods;
- Description of the work or services provided and percentage of the overall project actually performed;
- The bid amount and the final construction cost, and
- Description of the scheduled completion deadline and actual completion date.

The Department may elect to use the information provided above as a reference check.

5.2.2.3 Project Understanding and Management Approach

There are several issues to be resolved in the design and construction of the Project including, but not limited to, geotechnical; environmental permits, limits, and/or restriction compliance; utility and railroad coordination; construction staging; traffic management during construction; and public relations, advertising, and outreach during construction**.**

Provide a synopsis in the SOI demonstrating the Design-Builder's understanding of and/or approach to the following items. The SOI should emphasize how their described approach to this project has led to previously successful projects of similar size, scope and complexity.

- Scope of the Project;
- Probable impacts;
- Dealing with issues identified in this RFSOI;
- Successfully delivering the Project by meeting or exceeding the project goals (refer to Section 3.1);
- Integrating design and construction activities;
- Coordinating project activities with the Department;
- Implementing project management and controls, including schedule and budget;
- Implementing a quality management plan; and
- Implementing a partnering plan.

5.2.2.4 Appendices

Appendices to the SOI shall include and be limited to the following. No additional project or experience information is to be included outside of the body of the SOI.

Appendix A - Organization Chart(s) (Section 5.2.2.1.1)
Appendix B - Resumes of Key Personnel (Section 5.2.2.1.2)
Appendix C - Safety Records (Section 5.2.2.4.1)
Appendix D - Equal Opportunity Performance (Section 5.2.2.4.2)
Appendix E - Insurance and Bonding Requirements (Section 5.2.2.4.3)
Appendix F - Agreement defining the Design-Builder's business/legal structure (Section 5.2.2.4.4)

5.2.2.4.1 Safety Record

Provide a copy of the Major Participants' latest Experience Modification Rate (EMR) from the insurance carriers in Appendix C. If the EMR value for any Major Participant is greater than 1.25, please include the details of why the rating is high, and the actions the Major Participant is taking to lower that rating.

5.2.2.4.2 Equal Opportunity Performance

The following information for each Major Participant is required in Appendix D:

- Affirmative Action Plan (including sexual orientation as per State of Maine Policy which can be found at http://www.maine.gov/oer/policies/index.htm) with goals and timetables to correct any manifest imbalance in your employment of women and minorities
- Certification that each Major Participant is in compliance with federal employment goals for women and minorities
- Harassment Policy
- Non-Discrimination Policy
- Within the last five (5) years, has your company had any findings of probable cause or court rulings of sexual harassment, discrimination, or other civil rights violations? If so, provide full details, including a summary of your position.
- Provide the name, contact information, and job description of your Company's Equal Employment Opportunity Officer.

5.2.2.4.3 Insurance and Bonding Requirements

5.2.2.4.3.1 Insurance

The Design-Builder contracting with the Department must provide evidence of its ability to obtain Professional Liability Insurance covering errors and omissions in the amount of not less than $1,000,000. Evidence shall be in the form of a Certificate of Insurance on an Acord Form or a letter from an insurer or a Maine Resident Agent for an insurer indicating ability to provide such insurance and attached in Appendix E. The insurer must be licensed to do business in the State of Maine. Project specific insurance is insurance covering only this project.

Commercial General Liability Insurance shall also be required in the amount of not less than $1,000,000 per occurrence and $2,000,000 in the Aggregate, and shall name the Department as an additional insured. Certificates of Insurance or letter from an insurer as noted above, shall be provided in Appendix E. Proof of other insurance (such as Worker Compensation, Automobile Liability, etc.) will be required in the RFP.

5.2.2.4.3.2 Bonding

The Design-Builder contracting with the Department must have bonding capacity of at least the bid amount for a single contract. The Design-Builder must provide evidence of its ability to be bonded for a single contract in the amount of at least **$35,000,000**. Evidence of this single contract bonding capacity (Bid, Performance, and Payment Bonds) may be in the form of either a letter from the said Design-Builder's Surety Company indicating a single contract bonding capacity in excess of the required amount or a copy of a performance and payment bond issued within the past twelve months, in the amount of at least the required amount for any single contract of said entity. The Surety Company must be licensed to conduct business in the State of Maine, have filed the required financial documents with the State of Maine Bureau of Insurance, and have an A.M. Best rating of A - X (A minus X) or better. Evidence of the ability to provide the above insurance and bonding shall be attached in Appendix E.

5.2.2.4.4 Business/Legal Structure

The Design-Builder must include its proposed legal teaming arrangement such as: Prime/Subconsultant/Subcontractor, Joint Venture, Limited Partnership, or the like. A proposed agreement between the Major Participants must be submitted in Appendix F and must show the responsibility of each party and the Design-Builder as a whole.

5.3 Evaluation Process

The evaluation process will consist of two steps: a SOI responsiveness review and a SOI evaluation ranking.

The Responsiveness Review Committee will consist of Department personnel with expertise in the Project contractual requirements and equal opportunity performance requirements and/or goals.

The Evaluation Committee will consist of Department personnel with expertise in bridge design and construction, highway design and construction, and project management. The Evaluation Committee will be supported by staff or consultants who will review the submitted information and provide assistance to the Evaluation Committee as requested.

The identities of the Responsiveness Review and Evaluation Committee members are confidential.

The Evaluation Committee will establish a numeric score based on how well the information provided in the SOI meets the Evaluation Criteria described in 5.3.2. This scoring process will result in a ranked list of SOI submittals. This evaluation process is intended to comparatively rank the SOIs based on how well each Design-Builder demonstrates they will provide superior performance and quality for this specific project. The scoring process is not intended to rank general qualifications.

The Department anticipates selecting two (2) to four (4) of the highest ranking Design-Builders from the list and invite those selected teams to proceed to the RFP phase of the procurement process.

The Department reserves the right, in its sole discretion, to cancel this RFSOI, issue a new Request for Statement of Interest, reject any or all SOIs, seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to the RFSOI, seek and receive clarifications to an SOI, and waive any deficiencies, irregularities, or technicalities in considering and evaluating the SOIs.

This RFSOI does not commit the Department to enter into a contract or proceed with the procurement of the Project. The Department assumes no obligations, responsibilities and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred by the parties responding to this RFSOI. All such costs shall be borne solely by each Design-Builder.

5.3.1 Responsiveness Criteria

SOIs will be reviewed by the Responsiveness Review Committee for two Pass/Fail Criteria as follows. If the Responsiveness Review Committee finds that there is missing information for any of the Criteria, the Design-Builder will be notified in writing via email and be given the opportunity to supply the missing information within two (2) business days. Design-Builders that fail to submit all of the required information for each Criterion within the required time frame will be rated “Non-Responsive”, deemed "Not Selected", and will not be considered further.

5.3.1.1 Ability to Enter into a Legally Binding Contractual Relationship with MaineDOT

SOIs meeting the submission requirements of Sections 5.2.2.4.4 and Appendix F will be given a “Pass” rating and be deemed “Responsive”. SOIs will be given a “Fail” rating if any required information is missing and be deemed “Non-Responsive”.

5.3.1.2 Insurance Information and Bonding Capacity

SOIs meeting the submission requirements of Section 5.2.2.4.3.1, Section 5.2.2.4.3.2, and Appendix E will be given a "Pass" rating and be deemed "Responsive". SOIs will be given a Fail rating if any required information is missing and be deemed "Non-Responsive".

5.3.2 Evaluative Criteria

After a finding of "Responsive" on the two Pass/Fail Criteria per Section 5.3.1, the SOIs will be evaluated and ranked by the Evaluation Committee in each of the following categories:

Category		Maximum Points
5.2.2.1	Design-Builder Organization and Key Personnel	30
5.2.2.2	Experience and Past Performance of Design-Builder	40
5.2.2.3	Project Understanding and Management Approach	30
	Total =	**100**

Each category will be evaluated based on the respective criteria below resulting in a numerical score. Clear, concise, well thought out responses and a specific understanding of the project will be fundamental in scoring. The final ranking of the Design-Builders will be based on the total score received on the SOIs.

5.3.2.1 Design-Builder Organization and Key Personnel

Section 5.2.1, 5.2.2.1, and Appendices A and B will be evaluated and ranked according to Section 5.3.2 and the following criteria:

- How well the Design-Builder's qualifications, structure, and time availability relates to the requirements of the Project;
- Effective utilization of personnel; level of management authority; and experience with projects of similar size, scope, schedule, budget, and complexity;
- Ability to integrate design, Right-of-Way, environmental avoidance and minimization, and construction activities; and
- Level of personnel experience and qualifications in relation to Project scope, schedule, and requirements.

5.3.2.2 Experience and Past Performance of Design-Builder

Section 5.2.2.2 and Appendix C will be evaluated and ranked according to Section 5.3.2 and the following criteria:

- How well the SOI communicates the Design-Builder's design, construction, and project management experience as it relates to the Project;

- Level of experience in design and construction with projects of similar size, scope, complexity, and budget;

- Level of experience in avoidance and minimization of Right-of-Way impacts;

- Level of experience in utility and railroad coordination;

- Level of experience in avoidance and minimization of environmental impacts;

- How well the SOI illustrates the Design-Builder's ability to complete the design and/or construction of past projects of similar size, scope, complexity, and budget with quality within the project budget and schedule requirements; and

- Current safety record.

5.3.2.3 Project Understanding and Management Approach

Section 5.2.2.3 will be evaluated and ranked according to Section 5.3.2 and the following criteria:

- How well the SOI demonstrates the Design-Builder's understanding of the goals, constraints, and requirements of the Project; and

- How well the SOI demonstrates the Design-Builder's approach to addressing various Project issues and Project constraints.

- How well the SOI outlines the Design-Builder's approach to performing and monitoring project management and controls, integrating design and construction activities, project communication and documentation, coordinating with the Department and other stakeholders, partnering, and fulfilling contractual requirements; and

- How well the SOI outlines the Design-Builder's approach to implementing and adhering to the Quality Control/Quality Assurance process.

6. Protest Procedures

This section sets forth the exclusive protest remedies available with respect to this RFSOI. By submitting an SOI, each Design-Builder expressly recognizes the

limitation on its rights to protest contained herein, expressly waives all other rights and remedies, and agrees that the decision on any protest, as provided herein, shall be final and conclusive.

Every Design-Builder who submits a SOI will be notified of their selection status via email. Any Design-Builder, who claims to be aggrieved by having its SOI rejected by the Department or by not having been selected to submit a Technical and Price Proposal, shall have seven (7) calendar days after receiving notification in which to submit a written protest to the Department's Protest Official (Chief Engineer) by letter or email. Any protest not set forth in writing within the time limits specified in these procedures is null and void and will not be considered.

The protestor shall have the burden of proving its protest by clear and convincing evidence. The Protest Official or his designee shall issue a written decision regarding any protest to the protesting Design-Builder within seven (7) calendar days after the filing of protest.

All protests shall include the following:

- The names and addresses of the Design-Builder's Major Participants;
- The Project name and Project number;
- A detailed statement of the nature of the protest and the grounds on which the protest is made which must include an alleged violation of a specific law or regulation; and
- All factual and legal documentation in sufficient detail to establish the merits of the protest.