



**LEELAND ROAD (SR-626)
BRIDGE RECONSTRUCTION
(A Component of the Siding A Project)**

**DESIGN-BUILD
REQUEST FOR QUALIFICATIONS**

RFQ No.: 1-008-24-0003

Addendum No. 21

DATE: October 15~~September 23~~, 2024

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Appendix

- 1: Definitions
- 2: List of Representative Material Changes
- 3: Forms

Form ID	Form
A	Acknowledgement of Receipt of RFQ, Addenda, and Responses to Questions
B	Respondent’s Organization Information
C	Principal Participant and Lead Designer Certification
D	Conflict of Interest Disclosure
E	Project Experience Description
F	Key Personnel
G	Subcontractor Information
H	Affidavit of Non-Collusion
I	Certification Regarding Lobbying
J	Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
K	Respondent’s Questions/Clarification Request
L	Proprietary/Confidential Information Identification

Exhibits

- A: Railroad Operator Indemnification Provisions
- B: Project Information
- C: Form of Performance and Payment Bonds

1. INTRODUCTION

Virginia Passenger Rail Authority (“VPRA”) is issuing this Request for Qualifications (“RFQ”) to obtain Statements of Qualification (“SOQs”) from firms interested in serving as the Design-Builder under a Design-Build Agreement (“DBA”) for Leeland Road (SR-626) bridge reconstruction (the “Project”). The procurement process for the Project will consist of two steps: (1) a RFQ step to identify a Shortlist of qualified firms; and (2) a Request for Proposals (“RFP”) step during which the Shortlisted firms will each be invited to submit a Proposal to serve as the Design-Builder. This is a Best Value procurement. The overall process will identify the firm with the best qualifications, approach, and price to design and construct the Project.

In the first step of this procurement process, interested firms will submit SOQs detailing the firm’s relevant project experience, Key Personnel, and summary approach to the Project and quality management. In the second step of the process, firms named to the Shortlist will be invited to submit Proposals containing a detailed approach to the Work, risk management, quality management, small, diverse, and disadvantage business enterprise utilization, and lump-sum price to design and construct the Project.

SOQs must meet all requirements established by this RFQ. Requirements of this RFQ generally will use the words “shall”, “will”, or “must” (or equivalent terms) to identify a required item that must be submitted with the SOQ. Failure to meet a RFQ requirement may render a SOQ non-responsive, while the extent to which a Respondent meets or exceeds evaluation criteria will be rated by the Evaluation Team and be reflective of the Evaluation Team’s scoring (in its sole discretion) of SOQs.

Unless otherwise defined herein, capitalized terms shall have the meanings set forth in Appendix 1.

2. PROJECT INFORMATION

2.1 Overview

The Project is in Stafford County and involves replacement of the existing Leeland Road bridge (Virginia Structure No. 6062, Federal Structure ID 18141) carrying SR-626 over CSX Transportation, Inc. (“CSXT”) railroad track within the RF&P Corridor. The bridge is located approximately 0.9 miles north of Route 607 (Deacon Road).

The Project will provide space for the addition of a third railroad track under the bridge and will preserve space for the addition of a future fourth railroad track. The track work portion of the Siding A Project will be delivered by CSXT and is not included in this procurement. The Design-Builder shall coordinate the Work with CSXT.¹ Included in the Project are all associated roadway improvements to support the bridge replacement.

VPRA is proposing full closure of the Leeland Road bridge during construction. Northbound and Southbound bridge traffic will detour via Route 624/Morton Road and Primmer House Road (resulting in 2 minutes of additional travel time). Northbound and Southbound truck traffic will

¹ As part of VPRA’s delivery of the Project, VPRA is obligated to provide certain indemnifications to CSXT and Amtrak that will be passed-through to the Design-Builder. These indemnification obligations are attached as Exhibit A and are non-negotiable.

detour via Deacon, Brooke Road, and Eskimo Hill Road (resulting in 6 minutes of additional travel time).

The total length of the project is 0.205 miles including the bridge length, which is approximate only and is based on conceptual plans and project limits shown in Project information included within Exhibit B. The final Project length and limits may vary depending on the Design-Builder's final design; however, any change in the project limits requires approval by VPRA, CSXT, and the Virginia Department of Transportation ("VDOT").

VPRA is delivering the Project in partnership with CSXT, VDOT, and other local agencies with jurisdiction over the Project area. VPRA and the Design-Builder will work closely with these stakeholders to coordinate the Work and ensure that design and construction conform to applicable specifications and requirements. CSXT and VDOT will participate in the review process and will have approval authority over submittals that impact the overall Siding A Project. Other agencies may also participate and have approval authority over certain aspects of the Project.

Respondents are directed to Exhibit B for additional information about the Project, including the Conceptual Design.

2.2 Major Scope Items

The scope of work to be undertaken by the Design-Builder under the Design-Build Agreement for this Project will be identified in the RFP. The anticipated scope of work includes, among other things, all work required to support the design and construction, including the following major scope items:

- (a) Landscaping – Protection and Restoration;
- (b) Erosion and sediment control;
- (c) Maintenance of Traffic for Roadway;
- (d) Right-of-Way coordination;
- (e) Coordination with regulatory agencies and property owners;
- (f) Securing of applicable permits;
- (g) Public and stakeholder outreach;
- (h) Coordination with adjacent projects and owners;
- (i) Demolition of the existing bridge structures;
- (j) Bridge substructure and superstructure construction;
- (k) Roadway construction;
- (l) Retaining walls;
- (m) Support of right of way acquisition, as warranted;
- (n) Guardrail and traffic barrier;
- (o) Drainage;
- (p) Signals, as warranted;
- (q) Signing and pavement marking;

- (r) Stormwater management;
- (s) Transportation Management Plan;
- (t) Utility relocations;
- (u) Environmental;
- (v) Geotechnical investigations;
- (w) Survey;
- (x) Quality assurance and quality control; and
- (y) Construction engineering.

Additional information about the Project is provided in Exhibit B.

2.3 Environmental Status

VPRA is currently in the process of working through a NEPA reevaluation for the Project. VPRA is working in conjunction with the Virginia Department of Rail and Public Transportation for said reevaluation. The environmental study that provided initial clearance for this project was DC2RVA. The reevaluation clearance is scheduled for Q1 of 2025.

2.4 Role of VPRA

In the context of the Project, VPRA is responsible for the following:

- (a) Providing the Conceptual Design;
- (b) The appropriate environmental clearances and mitigation based on the Conceptual Design, except for those obligations specifically assigned to the Design-Builder;
- (c) Overall program administration;
- (d) Project financing;
- (e) Preparation of the RFQ and RFP, evaluation of SOQs and Proposals, determination of the Shortlist and selection of Design-Builder;
- (f) Contract procurement and administration;
- (g) Design Independent Quality Assurance and Construction Quality Acceptance;
- (h) Geotechnical data included in the RFP, subject to the conditions specified in the Design-Build Agreement;
- (i) Land acquisition for rights-of-way, permanent easements, and temporary construction easements necessary for the Conceptual Design, except for those obligations specifically assigned to the Design-Builder;
- (j) Acceptance of work and payment for work;
- (k) Initial utility coordination efforts; and
- (l) Preliminary utility information identified in the RFP, subject to the conditions specified in the Design-Build Agreement.

At VPRA's sole discretion, it may use its consultants in fulfilling the responsibilities noted in this Section 2.4.

2.5 Design-Builder Responsibilities

The Design-Builder will be responsible for the following:

- (a) All work necessary to design and construct the Project;
- (b) Certain public information roles to alert the public of traffic and construction;
- (c) Coordination with Project stakeholders, other contractors, and utility owners;
- (d) Design Quality Control and Quality Assurance (by the Independent Design Quality Manager ("IDQM"));
- (e) Construction Quality Control;
- (f) Environmental mitigation efforts assigned to the Design-Builder;
- (g) Environmental permitting efforts assigned to the Design-Builder;
- (h) Obtaining governmental approvals for the Project;
- (i) Maintenance and protection of traffic;
- (j) Maintaining access to adjacent facilities;
- (k) Project safety and security;
- (l) Preliminary and final engineering;
- (m) Geotechnical investigations;
- (n) Preparation of permitted design exceptions;
- (o) Management and remediation of hazardous materials;
- (p) Drainage and erosion control;
- (q) Construction waste disposal;
- (r) Obtaining and maintaining required clearances, licenses, and permits;
- (s) Assistance in obtaining additional ROW or temporary construction easements desired for Design-Builder's convenience;
- (t) Obtaining temporary work areas for Design-Builder's convenience;
- (u) Material acquisition, permits, and transportation;
- (v) Utility coordination and relocation, and protection of existing facilities;
- (w) Compliance with utility agreements;
- (x) Site clearance and demolition; and
- (y) Such other responsibilities to be stated in the Contract Documents.

2.6 Project Goals

VPRA's goals for the Project are:

- (a) Substantial completion of Construction Work on or before December 2028;
- (b) Managing costs and completing the Project within budget;
- (c) Safe construction, including ensuring worker safety and the safety of the traveling public;
- (d) Maximizing community engagement and the use of small, diverse and disadvantaged business enterprise firms;
- (e) Minimizing the impacts of construction to the public, stakeholders, CSXT, VRE, Amtrak, Authorities Having Jurisdiction ("AHJs"), and government agencies, including construction noise and other disruptions;
- (f) Innovation around building plan and construction methods that are in compliance with Technical Provisions; and
- (g) Minimizing impact to traveling public, and railroad operations.

2.7 Single Point of Contact

VPRA's single point of contact ("Point of Contract") for matters relating to this procurement shall be:

Jason Lofgreen, VPRA Procurement
919 E. Main Street, Suite 2400
Richmond, VA 23219
(804) 750-5680
procurement@vpra.virginia.gov

All communications regarding the procurement shall be directed to the Point of Contact. Only written communications received from the Point of Contact may be relied on throughout this procurement, subject to any limitations under the DBA regarding reliance on certain materials provided. VPRA is not responsible for oral communications or other communications that occur outside the communications protocol established by this RFQ. VPRA may, in its sole discretion, waive or modify the provisions of this Section 2.7 wherever deemed prudent to the efficient administration of the procurement.

2.8 Rules of Contact

As of the date of issuance of this RFQ, no Respondent shall contact any employee or representative of VPRA concerning this RFQ or the Project, including members of VPRA's Board of Directors, except for the Point of Contact as specifically permitted in this RFQ. This prohibition does not apply to discussions with VPRA not related to this RFQ or the Project.

The following entities are considered "representatives" of VPRA during this procurement and may not be contacted by any means whatsoever concerning this RFQ or the Project:

- (a) Kimley-Horn and Associates, Inc.;
- (b) Modjeski & Masters, Inc.;

- (c) Michael Baker International;
- (d) Mott MacDonald, Inc.;
- (e) Hardesty & Hanover, LLC;
- (f) Jacobs Engineering Group, Inc.;
- (g) Clark Nexsen;
- (h) STV, Inc.;
- (i) RS&H, Inc.;
- (j) HDR Engineering, Inc.;
- (k) Terracon Consultant's, Inc.;
- (l) Rice Associates, Inc.;
- (m) Benesch;
- (n) Railpros;
- (o) Interrail Engineering, Inc.;
- (p) Geosyntec Consultants;
- (q) Patrick Engineering; and
- (r) WSP USA, Inc.

In addition, Respondents are prohibited from contact with the following stakeholders concerning this RFQ or the Project:

- (a) CSXT;
- (b) Amtrak;
- (c) VRE;
- (d) VDOT;
- (e) Utility owners;
- (f) Other governmental agencies with jurisdiction;
- (g) Adjacent landowners; and
- (h) Business owners in the vicinity of the Project.

Further, no Respondent, or any constituent entity or personnel thereof may communicate with another Respondent or members thereof with regards to this RFQ or the Project. However, notwithstanding the foregoing, Respondents may communicate with Subcontractors that have been identified as part of multiple Respondents (where membership on multiple Respondents is not prohibited under the terms of this RFQ), provided that Respondents establish a protocol to ensure that the prospective Subcontractor will not impermissibly share information between Respondents or otherwise allow for collusion or the appearance thereof.

These rules of contact shall apply until the earliest of the following:

- (a) amendment to the rules of contact by VPRA, or superseding of these rules in the RFP;
- (b) the execution of the DBA and the expiration of any applicable protest period or resolution of any protest then pending; or
- (c) notification by VPRA of cancellation of the procurement.

Any communication prohibited by these rules may be grounds for a firm's disqualification from further participation in the procurement. VPRA may disqualify any Person for violation of these rules in its sole discretion.

2.9 Conflict of Interest

VPRA's procurement of the Project is governed by VPRA's Organizational Conflict of Interest Policy, available at: https://vapassengerrailauthority.org/wp-content/uploads/2022/09/VPRA-Organizational-Conflict-of-Interest-Policy_Executed-FINAL_Effective-08_24_2022_V1.pdf. Prior to submission of a SOQ, a Respondent may request that VPRA determine whether a specific conflict of interest exists by following the process in VPRA's Organizational Conflict of Interest Policy.

Respondents are required to provide information concerning potential Organizational Conflicts of Interest in their SOQs. Respondents must state how their interests, or those of their Principal Participants, Affiliates, chief executives, directors, Key Personnel, or any proposed consultant, contractor or Subcontractor may result, or could be viewed as, an Organizational conflict of Interest. The information shall be submitted on Form D and included with the Tab 2 submittals as described in Section 6.2.

VPRA will review the information submitted and make a written determination of whether the Respondent's interests create an actual or apparent Organizational Conflict of Interest. VPRA may award the DBA to a Respondent where an Organizational Conflict of Interest is determined to exist, provided that VPRA determines that the conflict can be avoided, neutralized, or mitigated.

If an Organizational Conflict of Interest is discovered after award of the DBA, the Design-Builder must make an immediate and full written disclosure to VPRA, including a description of the action taken to avoid, neutralize or mitigate the conflict. If it is determined that the Design-Builder was aware, or should have been aware, of an Organizational Conflict of Interest prior to award of the DBA and did not disclose the conflict to VPRA, VPRA may terminate the contract for default and/or exercise any other remedies available.

2.10 Ineligible Firms

The following firms have been determined to be ineligible to participate in the procurement based on their services to VPRA and other interested entities:

- (a) Kimley-Horn and Associates, Inc.;
- (b) Modjeski & Masters, Inc.;
- (c) Michael Baker International;
- (d) Mott MacDonald, Inc.;
- (e) Hardesty & Hanover, LLC;
- (f) Jacobs Engineering Group, Inc.;
- (g) Clark Nexsen;
- (h) STV, Inc.;
- (i) RS&H, Inc.;
- (j) HDR Engineering, Inc.;
- (k) Terracon Consultant's, Inc.;
- (l) Rice Associates, Inc.;
- (m) Benesch;
- (n) Railpros;
- (o) Interrail Engineering, Inc.;
- (p) Geosyntec Consultants;
- (q) Patrick Engineering; and
- (r) WSP USA, Inc.

These Persons are not eligible to participate in this procurement on any Respondent team in any capacity. VPRA made this determination in accordance with its Organizational Conflict of Interest Policy. If any firm listed above desires to appeal this determination of its ineligibility, such appeal must be made accordance with the procedures set forth in Section 8.4 of the Organizational Conflict of Interest Policy. In VPRA's discretion, exceptions may be granted on the grounds provided in the Organizational Conflict of Interest Policy. VPRA's reconsideration determination will be in writing.

Respondents should not interpret the list set forth in this Section 2.10 to be exhaustive. VPRA reserves the right to disqualify other Persons due to an Organizational Conflict of Interest based on the information submitted by Offerors in accordance with Section 2.9.

2.11 Legal Authority

VPRA is conducting this procurement in accordance with the Procurement Rules adopted by VPRA pursuant to Va. Code § 33.2-299.1 and intends to execute the DBA pursuant to its powers granted under Va. Code § 33.2-292. This procurement is not subject to the Virginia Public Procurement Act (Va. Code § 2.2-4300 *et seq.*) or any of its companion acts (e.g., Chapter 43.1 of Title 2 of the Code of Virginia, "Construction Management and Design-Build Contracting").

2.12 Financial Assistance; Funding Requirements

VPRA anticipates receiving financial assistance on the Project through the National Passenger Railroad Corporation ("Amtrak"). Accordingly, this procurement and the DBA shall be subject to all requirements associated with financial assistance provided by Amtrak. Additional details concerning funding requirements will be specified in the RFP and DBA documents.

2.13 Small, Diverse, and Disadvantaged Business Participation

It is the policy of VPRA that firms certified as a small and diverse business by the Department of Small Business and Supplier Diversity ("DSBSD") (i.e., SWaMs), and those certified as Disadvantaged Business Enterprises ("DBEs") by either the DSBSD or Metropolitan Washington Airports Authority, have an equal opportunity to participate in VPRA procurements.

To facilitate the use of certified SWaMs and DBEs on the Project, the RFP will require Proposers to submit a Small and Diverse Business Subcontracting Plan (VPRA Form PD 60) and a DBE Utilization Plan (VPRA Form PD 50B). No SWaM or DBE contract goals apply to this procurement; however, Proposers will be scored on Section B of their Small and Diverse Business Subcontracting Plan, which details their small/small diverse business commitments for the Project. A directory of DSBSD-certified small, diverse, and disadvantaged businesses is available online at: <https://directory.sbsd.virginia.gov/#/executiveExport>.

2.14 Respondent Composition

Principal Participants, the Lead Designer, IDQM firms, and Key Personnel identified in the SOQ may not be removed, replaced, or added without prior written approval from VPRA. If Respondent requests to change a Principal Participant, the Lead Designer, IDQM, or Key Personnel after notification of the Shortlist, and VPRA approves the change, VPRA will re-assess and re-score the qualifications of the Respondent and determine whether the substitution affects eligibility to be named to the Shortlist. If VPRA determines that the new Respondent organization is not qualified for the Shortlist, VPRA may remove the Respondent from the Shortlist.

A written request from a Respondent to change Respondent's organization must document the proposed change, identify good cause for the change, and demonstrate that the change will be equal to or better than the Principal Participant, Lead Designer, IDQM, or Key Personnel submitted in the SOQ. Requests to change Respondent's organization must also be accompanied by all forms required to be submitted by the RFQ with the new organization's information.

Additionally, VPRA may disqualify a Respondent if any of its Principal Participants or Lead Designer belongs to more than one Respondent organization, or if any Affiliate of Respondent or any of its Principal Participants or Lead Designer is a member of another Respondent organization.

2.15 Licensing Requirements

Prior to execution of the DBA, all Persons participating in this procurement and/or the DBA must obtain all licenses and permits and take all necessary steps to conduct business in the Commonwealth consistent with the laws of the Commonwealth. It is incumbent upon each Respondent to investigate all applicable licensure requirements and possess such qualifications as may be required for the performance of the Work. Respondents shall be required to have all required licenses at the time of execution of the DBA and will be required to submit evidence that Key Personnel and other specified individuals have all required licenses as a pre-condition to execution of the DBA. Failure to comply with applicable law with regard to any registration or licensure requirements, whether business, individual, or professional in nature may result in VPRA declining to execute the DBA, in the sole and reasonable discretion of VPRA.

2.16 Prequalification Requirements

Respondent must be prequalified under VDOT's Highway Contractor Prequalification Program at time of SOQ submittal and must maintain its prequalification status throughout the procurement process. Respondent is responsible for confirming that their prequalification from VDOT is current and at the appropriate prequalification level prior to SOQ submittal. No award will be made to a Proposer that does not possess an active VDOT prequalification at the appropriate prequalification level. Information regarding how to become prequalified as a contractor with VDOT can be found at <https://www.vdot.virginia.gov/doing-business/business-opportunities/highway-contractors/>.

2.17 Quality Management

Quality is a key priority for the Project. For the Design, VPRA anticipates that quality management will be performed by having the Design-Builder perform Quality Control and Quality Assurance (through the IDQM), while VPRA will perform Independent Quality Assurance ("IQA"). For the Construction Work, the Design-Builder will perform Quality Control and VPRA will perform Quality Acceptance.

3. PROCUREMENT PROCESS

3.1. Procurement Schedule

Below is VPRA's planned schedule for this procurement. VPRA reserves the right to amend these dates in its sole discretion.

Event	Date
Release of RFQ	August 15, 2024
Industry Day	August 20, 2024
Request for Clarifications Due	September 16, 2024
Last Day to Request One-On-One Meeting	September 30, 2024
One-on-One Meetings	October 10-11, 2024
SOQ Due Date	November 1, 2024
Shortlist Announced	December 3, 2024
Release of RFP	December 16, 2024
Site Tour	January 10, 2025
Questions/Requests for Clarification Due	January 20, 2025
Initial Scope Validation Plan Due	February 5, 2025
One-on-One Meetings	February 11-12, 2025
Proposal Due Date	March 20, 2025
Interviews	April 2025
Preferred Proposer Announcement / Notice of Intent to Award	April 2025
Execution of Design-Build Agreement	May 2025
Issuance of NTP 1	June 2025
<u>Completion of 60% Design</u>	<u>November 2025</u>
<u>Potential Early Construction Work</u>	<u>October 2026</u>
Issuance of NTP 2 (<u>Commencement of Construction</u>)	October 2025 <u>January 2027</u>
Interim Milestone – Bridge Demolition <u>Complete</u>	TBD <u>August 2027</u>
Substantial Completion	December 2028

3.2. Design-Build Process

This procurement will consist of two steps: (1) a RFQ process that identifies a Shortlist of Respondents determined by VPRRA to be most qualified to complete the Project; and (2) a RFP process in which the Shortlist submits Proposals identifying such information as their approach to the Project and plan to manage the Project, among other information. Additional details of each step are identified below.

3.2.1. RFQ Phase

The RFQ phase will identify a Shortlist of Respondents determined to be most qualified to complete the Project in accordance with VPRRA’s goals. SOQs submitted in response to this RFQ will first be reviewed for compliance with the Pass/Fail requirements. SOQs receiving a “Pass” on all Pass/Fail requirements will then be reviewed based on qualitative evaluation criteria. The Shortlist of firms that will be invited to submit Proposals will be determined based on evaluation of the qualitative criteria set forth herein. This RFQ sets out what is required during the RFQ phase of the procurement (see Section 5 for SOQ submittal requirements).

3.2.2. RFP Phase

The RFP will provide further specific instructions on submission requirements, the evaluation criteria, and the objectives and requirements for evaluation. Evaluation factors for the RFP are anticipated to include, but not be limited to, the following:

- (a) Pass/Fail;

- (b) Technical approach;
- (c) Quality management approach;
- (d) Project management approach; and
- (e) The lump-sum price to complete the Work.

Information to be submitted in the Proposals may include, but not be limited to, the following:

- (a) Documents demonstrating ability to enter the Design-Build Agreement with VPRA;
- (b) Proposal Bond set at 5% of the Contract Price;
- (c) Technical approach, including approach for road and bridge construction, structures, geotechnical investigation and design, maintenance of traffic, mass grading earthwork, drainage (temporary and permanent), utility coordination and relocations, compliance with local AHJ requirements, compliance with VDOT, CSXT, and Amtrak standards, obtaining and compliance with required permits, techniques proposed to accelerate critical work activities, avoidance of rework, and future maintenance;
- (d) Preliminary baseline critical path schedule depicting key activities to achieve timely completion of the Project;
- (e) Approach to quality management, including the identification of key processes and individuals to ensure that Design-Builder completes a quality Project;
- (f) Project management approach, including organizational structure, coordination between design and construction, constructability review, delegation of authority, schedule and budget controls, partnering, claims avoidance and mitigation, and document control;
- (g) Specified design documents and conceptual diagrams and sketches; and
- (h) Price Proposal.

VPRA will score Proposals using a Best Value methodology, which accounts for a balance of technical and price factors. While price is an important factor in the RFP phase of the procurement, Proposers' technical approach, management approach, and quality will also be significant factors in determining the success of the Project.

The relative weights of technical and price in the Best Value proposal score will be specified in the RFP.

3.2.3. Self-Performance

The Principal Participants (other than the Lead Designer, if the Lead Designer is a Principal Participant) are required to self-perform no less than 30% of the value of Construction Work.

3.3. RFQ Process

3.3.1. Questions/Requests for Clarification

Respondents may submit questions and/or requests for clarification to VPRA pertaining to the RFQ. Questions must be submitted via e-mail to the Point of Contact by the deadline in the

Procurement Schedule. All questions must contain the following information, to the extent applicable, and shall be on Form K, which Respondents shall submit in Microsoft Word format:

- (a) RFQ Section Number or Form Number; and
- (b) Question.

Each Respondent is limited to a maximum of 75 questions/requests for clarification. Each part or subpart of a multi-part question/request for clarification shall count as a single question/request for clarification. For example, a question with three separate inquiries is considered to be three questions. VPRA reserves the right to discontinue responding to questions/requests for clarification that exceed the maximum amount.

When submitting Form K, Respondents shall not provide information that discloses the Respondent's identity in the body of the question/request for clarification. Respondents submitting a question/request for clarification that contains proprietary or other confidential information may identify the question as confidential by submitting Form L with the question(s). VPRA will review questions/requests for clarification marked confidential and if it concurs that the question/request for clarification contains confidential information, will not make the question/request for clarification or response public. If VPRA disagrees that the question contains confidential information, VPRA will notify the Respondent submitting the question and provide the option to withdraw the question, amend the question, or allow the question to remain submitted without confidentiality protection.

Except for questions containing proprietary or confidential information, VPRA will post all questions/requests for clarification received and VPRA's responses on the VPRA Website.

3.3.2. RFQ One-on-One Meetings

VPRA will offer the opportunity to conduct one-on-one meetings with each Respondent on the date set forth in the Procurement Schedule to discuss issues and clarifications regarding the Project and the Project-related documents or communications provided by VPRA or the Respondent, including RFQ questions/requests for clarification submitted by the subject Respondent in accordance with Section 3.3.1.

Each one-on-one will be held at a time and location as determined by VPRA. One-on-one(s) may be conducted in-person, virtually or a hybrid of the two. One-on-one meetings are not mandatory; however, VPRA encourages interested firms to participate. Interested Respondents must request a one-on-one meeting by the deadline stated in the procurement schedule. Requests shall be made to the Point of Contact. VPRA shall notify each interested Respondent in writing of the scheduled time, place, date, and duration of the one-on-one meeting. Respondents are advised VPRA's consultants, Project stakeholders, and Project funding partners may be in attendance at the one-on-one meetings.

Respondents will choose the topics for discussion and prepare a meeting agenda, which must be submitted to the Point of Contact a minimum of five (5) business days in advance of the scheduled meeting. Meeting agendas must include the topics, schedule, appropriate RFQ question/request for clarification references, and an attendee list to allow VPRA to identify the appropriate decision-makers and support personnel to participate in the one-on-one.

The one-on-one discussion is intended to enable the Respondent to ask questions concerning the procurement and to allow VPRA to provide feedback on those questions prior to the Respondent submitting their SOQ. VPRA's verbal feedback, comments, voiced concerns, and answered questions concerning the Respondent's approach to the project shall be non-binding.

The one-on-one shall be two (2) hours in length, and the Respondent can decide how to allocate the time of the one-on-one. This should be identified in the submitted agenda.

3.3.2.1. One-on-One Rules

The one-on-ones are subject to the following rules:

- (a) The one-on-one is intended to provide Respondents with a better understanding of the Project and the Project-related documents or communications provided by VPRA.
- (b) VPRA may raise its own questions and issues for discussion at one-on-ones.
- (c) During a one-on-one, Respondents may ask questions, and VPRA may respond, provided however, that any responses provided by VPRA during such one-on-one may not be relied upon by the Respondent. Nothing stated at any one-on-one will modify this procurement unless incorporated through an Addendum.
- (d) VPRA, except as provided in this RFQ, will not discuss with any Respondent any information submitted by any other Respondent.
- (e) VPRA reserves the right to limit the subject matter of a one-on-one as it deems appropriate.
- (f) Respondents shall not seek to obtain commitments from VPRA in a one-on-one or otherwise seek to obtain an unfair competitive advantage over any other Respondent.
- (g) No aspect of any one-on-one is intended to provide any Respondent with access to information that is not similarly available to other Respondents. Material information about the Project or procurement that VPRA reveals or discusses in response to questions raised in a one-on-one may, except as provided in this RFQ, be revealed to the other Respondents by VPRA, in its sole discretion, if VPRA believes such disclosure is necessary in the interest of maintaining a fair procurement process or complying with any applicable law.
- (h) No part of the evaluation of Proposals will be based on the conduct or discussions that occur during a one-on-one.
- (i) Information shared in one-on-one meetings is not confidential. VPRA may issue an addendum to the RFQ or otherwise adjust the procurement process based on information discussed during the one-on-one meetings.

3.3.3. RFQ Addenda

VPRA may amend the RFQ from time to time in its sole discretion. Any such amendments shall be incorporated into the RFQ through an addendum that will be published on the VPRA Website. Upon submission of a SOQ, Respondents will be required to affirm receipt of all issued addenda using Form A.

3.3.4. VPRA Requests for Clarification

It is the responsibility of the Respondent to provide accurate and complete information to VPRA. If information is not complete, the Respondent will be notified and will not be allowed to participate further in the procurement of this Project until all information required is provided.

VPRA may waive technical irregularities in the form of the SOQ that do not alter the quality or quantity of the services or the management, design, and construction offered. VPRA may, at its sole discretion, request clarifications and/or supplemental information from Respondents during the SOQ evaluation and Shortlisting process.

All requests and responses shall be issued in writing by e-mail from VPRA's Point of Contact. Responses shall be limited to answering the specific information requested by VPRA.

3.4. Respondent Responsible for All Costs

Respondents shall be responsible for all costs associated with participation in this procurement process, including but not limited to, the preparation of SOQs and Proposals, submission of questions, participation in public forums or other meetings established pursuant to the procurement process, and any other efforts or costs arising from or related to this procurement.

4. PROPOSAL STIPEND

No stipend will be offered to Proposers in connection with this procurement. For the avoidance of doubt, Shortlisted firms will be responsible for all costs associated with their submission of a Proposal in response to the RFP as set forth in Section 3.4.

5. SOQ SUBMISSION INSTRUCTIONS

5.1. SOQ Deadline and Instructions

SOQs must be submitted to VPRA on or before **November 1, 2024 at 2:00 p.m. Eastern Time**. VPRA will not accept a late SOQ for any reason. Respondents shall submit their SOQ by e-mail to proposals@vpra.virginia.gov. VPRA will respond with a confirmation of receipt. All SOQs shall be submitted in searchable (i.e., not scanned) portable document format (.pdf). The file name for the overall SOQ shall be: [Respondent Name_Leeland Road Bridge_SOQ_Date].

VPRA's e-mail system can receive file sizes up to 150 MB. If a Respondent must submit multiple e-mails to accommodate file size limitations, the transmission e-mail shall state the number of e-mails that Respondent will send to complete the SOQ package. Additionally, each file shall state, after the information required by the paragraph above, the file number out of the total number submitted (i.e., 1 of 2, 2 of 3, etc.).

Respondents may submit confidential or proprietary information using a password-protected file. If Respondent sends information in a password-protected file, Respondent must state as such in the transmission e-mail. Respondent shall send the password in a separate e-mail. Respondents may not password protect their entire SOQ and may only do so for information identified on Form L.

5.2. SOQ Format

Each Respondent shall organize its SOQ as stated in Section 6. The information that must be contained in each Tab, in addition to the page limit (if any) for each Tab or portion thereof, is further described in Section 6.

Text shall be in English in a standard font, a minimum of 11 points, single-spaced, except that graphics, including the organizational chart, may be no smaller than 10-point font. Pages shall be 8 ½-inch x 11-inch, with lettered/numbered dividers between each Tab. Graphic presentations may be submitted on 11-inch x 17-inch pages. Respondents shall be limited to a total of 2 (two) 11-inch by 17-inch pages for the entirety of the SOQ, each of which shall count as a single page. Pages must be numbered consecutively and include the Tab number in which the page is included (i.e., 1-1, 1-2; 2-1, 2-2, etc.).

The SOQ shall contain a table of contents before Tab 1, which document shall not count against the SOQ page limit. The table of contents shall include links to each tab that allow the user to toggle to each tab by clicking the link.

5.3. Additional Requirements

SOQs shall be signed by an authorized representative of the Respondent. If the Respondent is a Joint Venture, partnership, or other form of consortium, the SOQ must be signed by authorized representatives of each Principal Participant. Signatures shall be applied using a program that applies electronic signatures.

All information requested must be submitted. Failure to submit all information requested may result in VPRA requiring prompt submission of missing information and/or giving a lowered evaluation of the SOQ. SOQs that are substantially incomplete or lack key information may be rejected as non-responsive by VPRA at its sole discretion.

6. CONTENTS OF STATEMENT OF QUALIFICATIONS

The SOQ shall be organized as shown in the table below. The information required under each tab is described in further detail in this Section 6. Within each tab, the materials submitted shall be in the order stated in the below table.

Tab Number	Content	Required Submissions/ Page Limits
1	Section 6.1: Cover Letter	<ul style="list-style-type: none"> Cover letter (2 Pages) <u>Form A</u> (Acknowledgement and Receipt of RFQ, Addenda, and Responses to Questions)
2	Section 6.2: Legal and Financial; Prequalification	<ul style="list-style-type: none"> <u>Form B</u> (Respondent's Organization Information) Organizational agreement or material terms, if applicable <u>Form C</u> (Principal Participant and Lead Designer Certification) <u>Form D</u>: (Conflict of Interest Disclosure) Surety Letter Material change disclosure Evidence of VDOT prequalification
3	Section 6.3: Executive Summary	<ul style="list-style-type: none"> 2 Pages
4	Section 6.4: Respondent Experience	<ul style="list-style-type: none"> <u>Form E</u> (Project Experience Description) (2 pages each) Narrative (2 pages)
5	Section 6.5: Key Personnel and Organization	<ul style="list-style-type: none"> <u>Form F</u> (Key Personnel) Key Personnel resumes (2 pages each) <u>Form G</u> (Subcontractor Information) Subcontractor description (1 page) Organizational Chart and description (2 pages)
6	Section 6.6: Quality Management	<ul style="list-style-type: none"> Narrative (3 pages)
7	Section 6.7: Understanding of Project and Design-Build	<ul style="list-style-type: none"> Narrative (4 pages)
8	Section 6.8: Additional Forms	<ul style="list-style-type: none"> <u>Form H</u> (Affidavit of Non-Collusion) <u>Form I</u> (Certification Regarding Lobbying) <u>Form J</u> (Certification Regarding Debarment) <u>Form L</u> (Proprietary / Confidential Information Designation), if applicable

6.1. Cover Letter and Form A

Respondent shall provide a cover letter stating its desire to be considered for the Project and stating the official names and roles of all Principal Participants, the Lead Designer (if not a Principal Participant), and IDQM firm(s). Respondents shall be comprised only of teams or organizations that are capable of designing and constructing the Project in its entirety. Individual firms or potential Subcontractors that are not capable of performing the entirety of the Work shall not be eligible to submit a SOQ.

In the cover letter, the Respondent shall identify a single point of contact for the Respondent (the "Designated Contact") and the e-mail address, physical address, and telephone number where questions may be directed. The letter shall be signed by authorized representatives of the Respondent's organization. If the Respondent is a Joint Venture, partnership, or other consortium, the letter shall be signed by authorized representatives of each member.

In addition, Respondent shall submit Form A.

6.2. Legal and Financial; Prequalification

6.2.1. Legal Information

Submit the following information:

- (a) Using Form B, identify Respondent's legal name, legal structure, and relevant state(s) of organization. Provide the legal structure and state of organization for each Principal Participant, the Lead Designer (if not a Principal Participant), and IDQM firm(s), and the % of equity interest of each Principal Participant.
- (b) If Respondent is a Joint Venture, partnership, or other consortium, provide a copy of the agreement between the constituent entities. If such agreement has not yet been executed, provide a copy of the anticipated key terms of the agreement. The agreement or the key terms must include, at a minimum, the percentages of ownership of each constituent entity, roles of the various entities, a stated commitment to execute an agreement prior to submission of a Proposal, and the provisions concerning joint and several liability stated in part (c) below.
- (c) If the Respondent is a Joint Venture, partnership, or other consortium, each constituent entity of the Respondent must agree to be jointly and severally liable for the Respondent's obligations with respect to the Project.
- (d) Provide Form C for each Principal Participant and the Lead Designer (if not a Principal Participant).
- (e) Using Form D, provide the conflict of interest disclosure discussed in Section 2.9. If there is no conflict of interest, affirmatively state as such on Form D.

6.2.2. Financial Disclosures

Submit the following information:

- (a) Surety Letter

Respondents shall provide a letter from a surety or insurance company stating that the Respondent is capable of obtaining Performance and Payment Bonds in the amount of \$25,000,000.00, each in the forms attached hereto as Exhibit C and that the surety or insurance company will issue the required bonds in such amount for this Project. The surety or insurance company submitting such letter must be rated AA-/Aa3 by two nationally recognized rating agencies or at least A-VII by A.M. Best and Company, be listed on Treasury Department Circular 570, and be on the list of companies approved by the Commonwealth. The letter should recognize the Respondent's backlog and work-in-progress in relation to its bonding capacity. Letters indicating "unlimited" bonding/security capability are not acceptable.

(b) Material Changes in Financial Condition

Respondent shall provide information regarding any material changes in financial condition for each Principal Participant for the past three fiscal years and anticipated for the next fiscal year. For the avoidance of doubt, if any of the foregoing entities is a Joint Venture, partnership, or other consortium, Respondent shall provide this information for all members. If no material change has occurred and none is pending, each of these entities shall provide a letter from their respective chief executive officer, chief financial officer, or treasurer (or equivalent position or role) so certifying.

In instances where a material change has occurred, or is anticipated, the affected entity shall provide a statement describing each material change in detail, the likelihood that the factors underlying the change will continue during the period of performance of the Project, and the projected full extent of the changes likely to be experienced in the periods ahead. Estimates of the impact on revenues, expenses, and the change in equity shall be provided separately for each material change certified by the chief executive officer, chief financial officer, or treasurer (or equivalent position or role). References to the notes in the financial statements are not sufficient to address the requirement to discuss the impact of material changes.

Where a material change will have a negative financial impact, the affected entity shall additionally provide a discussion of measures that it will undertake to insulate the Project from such negative material changes, and those currently in progress or reasonably anticipated in the future. If the financial statements indicate that expenses and losses exceed income in each of the three completed fiscal years (even if there has not been a material change), the affected entity shall provide a discussion of measures that will be undertaken to make the entity profitable in the future and an estimate of when the entity will be profitable.

At the sole discretion of VPRA, any failure to disclose a prior or pending material change may result in disqualification from further participation in the selection process. Set forth at Appendix 2 is a representative list of events intended to provide examples of a material change in financial condition. This list is intended to be indicative only and is not exhaustive.

6.2.3. Prequalification

Provide evidence that the Respondent is prequalified at the appropriate prequalification level under VDOT's Highway Contractor Prequalification Program.

6.3. Executive Summary

Respondent shall submit an executive summary that provides an overview of the information presented in the SOQ. The purpose of the executive summary is to familiarize reviewers with the content of the SOQ in plain language and to provide an introduction to the SOQ.

6.4. Experience of Respondent

Respondent shall identify projects performed by the Principal Participants, the Lead Designer (if not a Principal Participant), and IDQM firms demonstrating that they have the experience, knowledge, and capability to execute the Project successfully. Respondents should identify other projects with a similar scope of work, risks, constraints and third-party considerations. Respondents should also demonstrate their experience on similar projects using the design-build delivery method. Respondents shall provide the following information to demonstrate its experience:

- (a) Using Form E, Project Experience Description, provide at least two (2) projects, but no more than three (3) projects, for each (i) Principal Participant and (ii) the Lead Designer (if not a Principal Participant). Additionally, for each IDQM firm identified, provide two (2) representative projects. All project descriptions should highlight experience in the last ten (10) years relevant to the Project, with a focus on projects that have similar scopes of work, similar risks, and demonstrate experience comparable to that needed for the Project. Additionally, the projects submitted must comply with the following:
 - (i) for the projects submitted for the Principal Participants, the projects must have reached final acceptance as defined by the requirements of the submitted projects, except that for each Principal Participant, Respondent may identify no more than one (1) project that has not reached final acceptance provided that at least 50% of the value of the construction work has been completed, and
 - (ii) for the projects submitted for the Lead Designer and IDQM, design on the project must be complete such that all final design plans have been submitted and accepted by owner and all design packages have been released for construction. A project may be considered complete even if the Lead Designer continues to perform ancillary design services, such as responding to requests for information, preparing notices of design change, and similar services.
- (b) Provide a narrative explaining how Respondent's project experience identified in Section 6.4(a) qualifies it to perform the work on the Project, with an emphasis on how Respondent's experience equips it to collaborate with VPRA. Explain how Respondent's project experience will help it address the Project's risks and challenges and to complete the Project on time or early. Discuss whether the members of Respondent's organization have previously worked together and how this experience will benefit the Project.

6.5. Key Personnel and Organization

6.5.1. Key Personnel

Respondent shall identify Key Personnel with the qualifications and experience to create a collaborative environment that maximizes use of the design-build delivery method. Respondent shall submit Form F containing the identity of individuals proposed to fill the Key Personnel positions identified in the table below. Additionally, Respondent shall submit a resume for each Key Personnel. Each resume shall highlight the following information:

- (a) Proposed role on Project and experience in area of responsibility;
- (b) History of employment;
- (c) Experience on projects with a scope similar as the Project;

- (d) Work on the Projects identified in response to Section 6.4;
- (e) Years of experience; and
- (f) Education and registrations.

Respondents may not substitute identified Key Personnel without VPRA's written consent. If a Respondent requests substitution of a Key Personnel position at any time prior to execution of the DBA, Respondent shall submit a request in writing. Such request must identify a substitute. VPRA may re-assess the qualifications of the Respondent and determine whether the substitution affects eligibility to be named to the Shortlist and submit a Proposal. Substitutions of Key Personnel after execution of the DBA will be subject to the terms therein, and in certain circumstances may be subject to the assessment of liquidated damages.

Key Personnel	Requirements and Preferred Qualifications	Time Commitment
Project Manager	<p>The Project Manager will manage the overall Project for the Design-Builder. This person will be the main point of communication for the Design-Builder and VPRA's primary point of contact. The Project Manager will be responsible for ensuring adequate personnel and other resources are made available for the Project, will handle contractual matters, and will be responsible for quality and timeliness of the team performance.</p> <p>Preferred Qualifications:</p> <ul style="list-style-type: none"> • 20 years managing similar projects • Design-Build experience • Knowledge of VDOT Road and Bridge Specifications/Standards 	As needed, but no less than 35%
Design Manager	<p>The Design Manager is responsible for coordinating all aspects of the Design, including coordinating between the design disciplines. The Design Manager will be responsible for ensuring that the overall Project Design is completed in accordance with the Contract Documents.</p> <p>The Design Manager must be an employee of the Lead Designer and must be a registered Professional Engineer in the Commonwealth.</p> <p>Preferred Qualifications:</p> <ul style="list-style-type: none"> • 20 years managing or performing design for similar projects • Design-Build experience • Knowledge of VDOT Road and Bridge Specifications/Standards 	As needed, but no less than 35% until final IFC by VPRA of last set of plans; thereafter as needed to resolve design matters

<p>Construction Manager</p>	<p>The Construction Manager is responsible for coordinating and overseeing all aspects of Construction Work.</p> <p>Preferred Qualifications:</p> <ul style="list-style-type: none"> • 20 years managing construction of similar projects • CMAA Certification • Design-Build experience • Knowledge of VDOT Road and Bridge Specifications/Standards 	<p>As needed, but no less than 25%</p>
<p>Quality Manager</p>	<p>The Quality Manager will be in charge of the Design-Builder’s quality program. The Quality Manager will oversee that the Project is built in conformance with the approved Quality Plan and the Contract Documents. The Quality Manager will be the primary liaison with VPRA’s Quality Acceptance program. The Quality Manager must work for the Design-Builder under the direct supervision of an executive officer above the level of and under a line of authority independent of the Project Manager. The individual must have the ability to stop design or construction at any time and in the individual’s sole discretion.</p> <p>Preferred Qualifications:</p> <ul style="list-style-type: none"> • 20 years of quality management experience for similar projects • Licensed Professional Engineer • Design-Build experience • Knowledge of VDOT Road and Bridge Specifications/Standards 	<p>As needed, but no less than 25%</p>
<p>Independent Design Quality Manager Director</p>	<p>The Independent Design Quality Manager Director (“IDQMD”) shall be an employee of one of the IDQM firm(s) identified as part of Respondent’s organization. The IDQMD shall perform reviews of Design-Builder’s Design for conformance to the Contract Documents, environmental commitments, permit conditions, and conformance with the Design Quality Plan. The IDQMD shall review each design submittal prior to submission to VPRA for conformance to the Technical Provisions. The IDQMD shall oversee and supervise the reconciliation and resolution of comments between the IDQM and Design-Builder. After review of the</p>	<p>As needed, but no less than 35% until final IFC by VPRA of last set of plans; thereafter as needed to resolve design matters</p>

	<p>Design and resolution of comments, the IDQMD shall cause the IFC plans to be signed and stamped by a qualified member of the IDQM before submission to VPRA. The stamp shall attest that, under the supervision of the IDQMD, the IFC plans have been reviewed and inspected, conform to the Contract Documents and the Design Quality Plan, and represent good industry practice.</p> <p>The IDQMD must be a registered Professional Engineer in the Commonwealth.</p> <p>Preferred Qualifications:</p> <ul style="list-style-type: none"> • Twenty (20) years of experience in the analysis and design of rail infrastructure and bridge structures. Emphasize experience with rail design, bridges, retaining structures, drainage structures, and projects of similar size and type of work. • Design-Build experience • Knowledge of VDOT Road and Bridge Specifications/Standards 	
Structures Design Manager	<p>The Structures Design Manager (“SDM”) will be in charge of all structural design work on the Project and ensuring that the structural design is prepared in conformance with the Contract Documents. The SDM will be responsible for design of all structures on the Project.</p> <p>The SDM must be a registered Professional Engineer in the Commonwealth.</p> <p>Preferred Qualifications:</p> <ul style="list-style-type: none"> • 20 years of demonstrated experience in bridge engineering, design and analysis, including projects of similar size, type of work, and complexity as the Project. • Design-Build experience • Knowledge of VDOT Road and Bridge Specifications/Standards 	As needed, but no less than 35% until final IFC by VPRA of last set of plans; thereafter as needed to resolve design matters
Geotechnical Design Manager	The Geotechnical Design Manager (“GDM”) will be in charge of all geotechnical design	As needed, but no less than 35% until final IFC by VPRA of

	<p>work on the Project and ensuring that the geotechnical design is prepared in conformance with the Contract Documents. The GDM will be responsible for geotechnical design of the retaining walls, foundations, cut and fill slopes, embankment materials and construction, geotechnical instrumentation, and pavement subgrade and structure.</p> <p>The GDM must be a registered Professional Engineer in the Commonwealth.</p> <p>Preferred Qualifications:</p> <ul style="list-style-type: none"> • 20 years of experience including planning and overseeing subsurface exploration programs for bridge structures and roadways, including projects of similar size, type of work, and complexity as this Project. • Design-Build experience 	<p>last set of plans; thereafter as needed to resolve design matters</p>
<p>Environmental Compliance Manager</p>	<p>The Environmental Compliance Manager is responsible for ensuring that all Work complies with all environmental laws and environmental requirements specific to the Project. The Environmental Compliance Manager may review designs to ensure compliance with environmental requirements and will oversee construction operations to ensure compliance with environmental requirements.</p> <p>Preferred Qualification:</p> <ul style="list-style-type: none"> • 10 years of overseeing environmental compliance for similar projects 	<p>As needed, but no less than 25%</p>
<p>Third-Party Coordinator</p>	<p>The Third-Party Coordinator is responsible for engaging with third-parties and stakeholders as needed to manage construction and other Project operations. This Person will meet with third-parties to understand and manage concerns, establish schedules, and serve as point person for the Design-Builder. Additionally, this Person will communicate progress with third-parties and manage the resolution of conflicts.</p> <p>Preferred Qualifications:</p>	<p>As needed, but no less than 25%</p>

	<ul style="list-style-type: none"> • 10 years of experience with third-party coordination for similar projects • Alternative delivery experience or delivery methods with early contractor involvement, including, for example, progressive design-build, CM/GC, and design-build 	
<p>Public Information Coordinator</p>	<p>The Public Information Coordinator is responsible for coordinating and managing information provided to stakeholders and the public. The Public Information Coordinator will engage with the public, obtain feedback, and provide such information to the Design-Builder and VPRA. Further, the Public Information Coordinator will work with VPRA to ensure that information about the Project is consistent and accurate. Additionally, the Public Information Coordinator will act as the Design-Builder’s liaison to the public and with stakeholders.</p> <p>Preferred Qualifications:</p> <ul style="list-style-type: none"> • 10 years of experience with public information management for similar projects • Alternative delivery experience or delivery methods with early contractor involvement, including, for example, progressive design-build, CM/GC, and design-build 	<p>25%</p>
<p>Safety Manager</p>	<p>The Safety Manager shall oversee and be responsible for safety on the Project site. The Safety Manager shall be responsible for preparation of Design-Builder’s Safety Management Plan and may assist with constructability review to verify that construction can be performed safely. Additionally, the Safety Manager shall ensure that all Work is performed safely and in compliance with the Contract Documents and Design-Builder’s Safety Management Plan. The Safety Manager must be on site during all major construction operations.</p> <p>Preferred Qualifications:</p> <ul style="list-style-type: none"> • 15 years of managing safety for similar types of construction work, with an emphasis on rail construction 	<p>As needed, but no less than 25%</p>

	and construction in a dense, urban environment	
Additional Value Personnel* (see note below)		

*Additional Value Personnel: Respondent may name up to two (2) other individuals that the Respondent considers as key to the success of the Project. Their resumes shall describe their anticipated role, relevant experience, registration(s), education, and other elements of qualification applicable to this Project, as well as how much time they will dedicate to the Project.

6.5.2. Independent Design Quality Manager

Respondents shall identify the IDQM firm(s) in their SOQ. The IDQM firm(s) shall be retained by the Design-Builder but have no contractual relationship with the Lead Designer or be a Subcontractor at any tier under the Lead Designer.

The IDQM will provide independent design reviews and certification that the submitted designs comply with the Contract Documents, the Design-Builder’s Quality Plan, and represent good industry practice. The IDQM’s review shall be in addition to the Design-Builder’s internal Quality Control and assurance procedures and shall not replace the Design-Builder’s Quality Control responsibilities. The IDQM firm signing and certifying compliance of designs with the Contract Documents must hold the same professional licensure and applicable certifications as those required for the Lead Designer. Prior to submission of a design package to VPRA, Design-Builder shall obtain signed certification from the IDQM. Respondents may identify multiple firms to serve in the IDQM role if Respondent believes that specialized expertise in different technical disciplines will benefit the Project.

6.5.3. Organization

Provide the following information about Respondent’s organization:

- (a) Using Form G, except for the Lead Designer and IDQM, identify Subcontractors the Respondent plans to use for the Work.
- (b) Submit a summary describing the Subcontractors identified in Form G.
- (c) Provide an organizational chart identifying Key Personnel and participating firms responsible for major functions to be performed in designing, constructing, and providing quality management services for the Respondent’s organization. All Key Personnel, Principal Participants, the Lead Designer (if not a Principal Participant), IDQM firms, and known Subcontractors must be identified on the chart. Provide a brief description of the significant functional relationships among these firms.

6.6. Quality Management

Respondent shall demonstrate its approach to ensure that the design and construction work is prepared and performed with a focus on quality. Respondent shall provide a narrative of its approach to quality management and how Respondent intends to interact with VPRA’s Design IQA and Construction Quality Acceptance programs. Respondent shall address Quality Control for both design and construction and specify the key processes it will employ in its Quality Plan, including the role to be played by the IDQM firm(s) for design Quality Assurance. Respondent

shall discuss such issues as the use of independent checks, stop work authority, resolution of nonconformance reports, and other critical quality issues. Respondent shall identify past successes with its approach to quality management, as well as key lessons learned from its experience.

Note that the RFP will require Proposers to submit an in-depth discussion of quality management and a draft Quality Plan.

6.7. Understanding of Project and Design-Build

Respondent shall demonstrate its preliminary understanding of the Project, key risks and challenges, and how it will use the design-build delivery method to improve the Project and mitigate risk. Respondent shall describe the following:

- (a) Respondent's understanding of the Project, VPRA's goals, and Respondent's preliminary approach to completing the Project on time and within budget;
- (b) Respondent's approach to using the design-build delivery method to introduce design and construction innovation, expedite project completion, and mitigate risk;
- (c) Respondent's approach to coordinating with and receiving Design approval from VPRA's partners, including CSXT and VDOT;
- (d) How Respondent's identified experience demonstrates its ability to use the design-build method to benefit the Project;
- (e) Preliminary major risks and challenges associated with the Project and how the Respondent would plan to mitigate those risks and overcome those challenges, including how Respondent would use the design-build method to mitigate risk;
- (f) Respondent's understanding of the Project's significant technical challenges, approach to their resolution, and how Respondent's experience demonstrates its capability to achieve such resolution; and
- (g) Respondent's approach to maintenance of traffic and to utility coordination for the Project, and how Respondent's experience with these critical issues will contribute to their successful implementation.

6.8. Additional Forms

Respondent shall provide the following:

- (a) Form H: Affidavit of Non-Collusion;
- (b) Form I: Certification Regarding Lobbying;
- (c) Form J: Certification Regarding Debarment; and
- (d) Form L: Proprietary/Confidential Information Designation (if applicable).

7. EVALUATION CRITERIA

This Section 7 describes the evaluation criteria for the RFQ phase of the procurement.

7.1. SOQ Evaluation

SOQs will be evaluated in two steps:

- (a) Pass/Fail Review; and
- (b) Qualitative Review.

VPRA will first conduct a Pass/Fail Review of all SOQs received. SOQs that receive a “Pass” for all categories of the pass/fail criteria will proceed to the qualitative review and be scored. SOQs that receive a “Fail” in any category of the pass/fail criteria will be removed from further consideration. VPRA will notify Respondents whose SOQ receive a “Fail.”

7.1.1. Pass/Fail Review

The Pass/Fail Review consists of the following:

- (a) **Responsiveness:** The SOQ complies with the following:
 - (i) the SOQ conforms to the RFQ instructions regarding organization and format and Respondent has submitted all required information;
 - (ii) the Respondent’s qualifications and other information provided are responsive to the requirements set forth in the RFQ; and
 - (iii) the SOQ does not contain any material misrepresentations.

In performing the responsiveness review, the Evaluation Team reserves the right to waive minor informalities, irregularities, and apparent clerical mistakes that are unrelated to the substantive content of the SOQ. In accordance with Section 3.3.4, the Evaluation Team may also require Respondents to clarify responses within their SOQ and/or address any informational deficiencies within their SOQ. A failure to provide the clarification and/or information requested by the Evaluation Team may result in a SOQ being deemed non-responsive and designated as a “Fail.”

- (b) **Legal and Financial:** The SOQ complies with and meets or exceeds the minimum requirements listed in Section 6.2.1 and Section 6.2.2 and there are no identified issues presenting a material risk that the Respondent is unable to complete the Work.
- (c) **Prequalification:** Respondent is prequalified at the appropriate prequalification level under VDOT’s Highway Contractor Prequalification Program.

7.1.2. Qualitative Review

SOQs will be evaluated and scored as follows:

Category	Total Points Possible
Experience of Respondent	35
Key Personnel and Organization	35
Quality Management	15
Understanding of Project and Design-Build	15
Total	100

VPRA will conduct the SOQ evaluations based on the following criteria:

Category	Evaluation Criteria
Experience of Respondent	The extent to which the Respondent’s organization shows that it has successfully performed similar prior work, including on design-build projects, that demonstrates its qualifications and ability to design and build the Project, including but not limited to the information provided in Tabs 2, 3, 4, and 5. This includes the Respondent’s prior successes at on-time completion of projects, delivering quality design and construction work, meeting owner project goals, minimizing disruption to adjacent communities and projects, and coordinating with utility owners and other third-parties.
Key Personnel and Organization	The extent to which Respondent’s Key Personnel and organization have the background and experience to be successful at delivering a quality Project that meets VPRA’s goals, as demonstrated by the prior successes of the Key Personnel and Respondent’s organization.
Quality Management	The extent to which Respondent demonstrates a thorough commitment to quality, evidenced by the presence of a robust quality control process that incorporates production staff, contains procedures to identify and correct nonconforming work, vests quality staff with sufficient authority to stop work, uses the IDQM to make the design review process as efficient as possible, and will interact with VPRA’s design IQA and construction Quality Acceptance program in a manner that facilitates cooperation and improves the overall quality of the Work.
Understanding of Project and Design-Build	The extent to which Respondent demonstrates an approach that: maximizes the value of the design-build delivery method, understands key risks and mitigation strategies, addresses technical challenges, proposes a logical and innovative methodology for the Project’s delivery, understands VPRA’s Project goals, and exhibits that its prior work provides the experience for a successful Project outcome.

7.1.3. Evaluation Methodology

The Evaluation Team will evaluate each of the four categories in [Section 7.1.2](#) using the following adjectival ratings: Exceptional, Good, Acceptable, Weak, and Unacceptable. The Evaluation Team may differentiate within each adjectival rating by adding a plus (+) or minus (–) to the rating, except that (Exceptional +) and (Weak –) shall not be available ratings. To rank the SOQs, the Evaluation Team will reach a consensus adjectival rating for each of the four categories. The consensus adjectival ratings will be converted to the numerical scale identified in [Section 7.1.2](#) to assign a score to each SOQ. In developing a consensus score, the Evaluation Team is at liberty

to consider all information contained within a Respondent’s SOQ. Where deemed relevant to any of the evaluation criteria, information that is considered as part of the Pass/Fail Review under Section 7.1.1, may, in the sole discretion of the Evaluation Team, be carried forward and considered when assigning a consensus score as part of the qualitative review under Section 7.1.2.

The adjectival ratings will be assigned on the following basis:

Adjectival Rating	Rating Description
Exceptional	The SOQ offers universally better than acceptable quality and the greatest likelihood of successful results for the Work. There are essentially no weaknesses or deficiencies requiring correction.
Good	The SOQ offers generally better than acceptable quality and a high likelihood of successful results for the Work. Deficiencies and/or weaknesses in the SOQ are minor and correctable.
Acceptable	The SOQ offers an acceptable level of quality and a reasonable likelihood of successful results for the Work. Deficiencies and/or weaknesses in the SOQ are generally correctable with minor to some significant changes.
Weak	The SOQ minimally complies with stated criteria and offers a low likelihood of successful results for the Work. The SOQ includes deficiencies and/or weaknesses that are not correctable without significant changes.
Unacceptable	The SOQ does not meet the stated criteria and has significant weaknesses, deficiencies, and/or unacceptable quality. Essential information is not provided or is conflicting and/or unproductive. Deficiencies and weaknesses are so major and/or extensive that a major revision to the SOQ would be necessary to meet the objectives of the Project.

A Respondent that receives a consensus adjectival rating of “Unacceptable” in any of the categories identified in Section 7.1.2 may, in VPRA’s sole discretion, be eliminated from further consideration.

7.2. Shortlisting

Respondents shall be ranked from highest to lowest in order of their SOQ scores. VPRA intends to name no more than three (3) Respondents to the Shortlist in order to ensure adequate competition. Upon shortlisting by the Evaluation Team, only those Respondents named to the Shortlist shall remain eligible for participation in the RFP step. Neither the overall scoring nor the ranking of the Respondents on the Shortlist will be disclosed to Respondents until the procurement process is complete and a DBA is executed.

7.3. Debriefings

All Respondents submitting SOQs will be notified in writing of the Shortlist. Respondents not named to the Shortlist may request a debriefing. If requested, debriefings shall be provided at the

earliest feasible time after announcement of the Shortlist, subject to applicable law. The debriefing shall be conducted by VPRA's Point of Contact or designee, who may be accompanied by other VPRA officials familiar with the rationale for the selection decision.

Debriefings shall:

- (a) be limited to discussion of the unsuccessful Respondent's SOQ and will not include specific discussion of a competing SOQ;
- (b) be factual and consistent with the evaluation of the unsuccessful Respondent's SOQ; and
- (c) provide information on areas in which the unsuccessful Respondent's SOQ had weaknesses or deficiencies.

Debriefing will not include discussion or dissemination of the identities, thoughts, or notes of individual members of the Evaluation Team, but may include a summary of the rationale for the selection decision. In its sole discretion, VPRA may delay and/or limit the scope of a debriefing in the event it is determined that the information to be furnished to Proposer may provide the firm with an unfair competitive advantage on another pending procurement.

8. PROCUREMENT DECISION APPEALS

Any Respondent who desires to file a procurement decision appeal (other than matters involving organizational conflicts of interest) must do so in accordance with sections 7.3, 7.4, and 7.5 of the Procurement Rules. Procurement decision appeals will be administered in accordance with the Procurement Rules.

9. VIRGINIA FREEDOM OF INFORMATION ACT

All SOQs submitted to VPRA become the property of VPRA and are subject to the disclosure requirements of the Virginia Freedom of Information Act (VFOIA) (Va. Code § 2.2-3700 *et seq.*). Respondents are advised to familiarize themselves with the provisions of VFOIA to ensure that documents identified as confidential will not be subject to disclosure under VFOIA. In no event shall the Commonwealth or VPRA be liable to a Respondent for the disclosure of all or a portion of a SOQ submitted pursuant to this request.

If a Respondent has special concerns about information that it desires to make available to VPRA (including information submitted in a SOQ), but that it believes constitutes a trade secret, proprietary information, or other confidential information exempted from disclosure, such Respondent should specifically and conspicuously designate that information as such in its SOQ and state in writing why protection of that information is needed in accordance with Form L (Proprietary/Confidential Information Identification), and submit Form L in Tab 8 of the SOQ.

Blanket designations that do not identify the specific information are not acceptable and may be cause for VPRA to treat the entire SOQ as public information. Nothing contained in this provision shall modify or amend requirements and obligations imposed on VPRA by applicable law, and the applicable law(s) shall control in the event of a conflict between the procedures described above and any applicable law(s).

In the event VPRA receives a request for public disclosure of all or any portion of a SOQ identified as confidential, VPRA will attempt to notify the Respondent of the request, providing an opportunity for such Respondent to assert, in writing, claimed exemptions under the VFOIA

or other Commonwealth law. VPRA will come to its own determination whether the requested materials are exempt from disclosure.

10. RESERVED RIGHTS

In connection with this procurement, VPRA reserves to itself all rights (which rights shall be exercised by VPRA in its sole discretion) available to it under applicable law, including without limitation, the following, with or without cause and with or without notice:

- (a) The right to cancel, withdraw, postpone, or extend this RFQ in whole or in part at any time prior to the execution by VPRA of the DBA, without incurring any obligations or liabilities;
- (b) The right to issue a new RFQ or RFP;
- (c) The right to reject any and all submittals, responses, and SOQs received at any time;
- (d) The right to modify all dates set or projected in this RFQ;
- (e) The right to suspend and terminate the procurement process for the Project, at any time;
- (f) The right to waive or permit corrections to data submitted with any response to this RFQ until such time as VPRA declares in writing that a particular stage or phase of its review of the responses to this RFQ has been completed and closed;
- (g) The right to issue addenda, supplements, and modifications to this RFQ;
- (h) The right to permit submittal of addenda and supplements to data previously provided with any response to this RFQ until such time as VPRA declares in writing that a particular stage or phase of its review of the responses to this RFQ has been completed and closed;
- (i) The right to hold meetings and conduct discussions and correspondence with one or more of the Respondents responding to this RFQ to seek an improved understanding of the responses to this RFQ;
- (j) The right to seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to the RFQ, including the right to seek clarifications from Respondents;
- (k) The right to permit Respondents to add or delete firms and/or Key Personnel until such time as VPRA declares in writing that a particular stage or phase of its review has been completed and closed;
- (l) The right to add or delete Respondent responsibilities from the information contained in this RFQ;
- (m) The right to waive deficiencies, informalities, and irregularities in a SOQ, accept and review a non-conforming SOQ or seek clarifications or supplements to a SOQ;
- (n) The right to disqualify any Respondent that changes its submittal without VPRA approval;
- (o) The right to change the method of award at any time prior to submission of the Proposals; and

- (p) The right to respond to all, some, or none of the inquiries, questions and/or request for clarifications received relative to the RFQ.

11. COMPLIANCE WITH LAW IN VIRGINIA

Failure to comply with the law with regard to those legal requirements in Virginia (whether federal or state) regarding the Respondent's ability to lawfully offer and perform any services proposed or related to the Project may be cause for rejection of a Respondent's SOQ, in the sole and reasonable discretion of VPRA, and in that event a Respondent's SOQ submittal may be returned without any consideration for selection of contract award.

12. ETHICS IN PUBLIC CONTRACTING

By submitting their SOQs and Proposals, Respondents certify that their submissions are made without collusion or fraud and that they have not offered or received any kickbacks or inducements from any other Respondent, supplier, manufacturer or subcontractor in connection with their submissions, and that they have not conferred on any public employee having official responsibility for this procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.

13. REPRESENTATIONS

Respondent hereby represents and warrants that (1) as of the date hereof, and on and as of the date of the provision of goods or services contemplated herein, the Respondent (or where applicable, its Principal Participants) is duly organized, validly existing and in good standing under the laws of its jurisdiction of organization; and (2) the Respondent has the full right, power and authority and has taken all necessary action under the laws of its jurisdiction of organization to authorize it to execute and deliver the DBA, to consummate the transactions contemplated hereby and in the DBA and to perform its obligations thereunder. Respondent hereby agrees to furnish to VPRA any and all certificates of governmental authorities and/or officers or directors of Respondent (or where applicable, its Principal Participants) that VPRA may reasonably require in order to confirm the due authorization and execution of the SOQ, Proposal, and the DBA and Respondent's right, title, and authority to perform its obligations thereunder.

14. NO ASSUMPTION OF LIABILITY

VPRA assumes no obligations, responsibilities, and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred or alleged to have been incurred by parties considering a response to and/or responding to this RFQ. All of such costs shall be borne solely by each Respondent and its team members. In no event shall VPRA be bound by, or liable for, any obligations with respect to the RFQ until such time (if at all) a contract, in form and substance satisfactory to VPRA, has been executed and authorized by VPRA and, then, only to the extent set forth therein.

15. APPLICABLE COST PRINCIPLES; ACCOUNTING REQUIREMENTS

The DBA will be performed and audited in accordance with 2 C.F.R. Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, which provisions were adopted by DOT at 2 C.F.R. Part 1201 and are incorporated herein by reference. To be eligible for reimbursement, Respondent's costs must comply with cost principles set forth in 2 C.F.R. Part 200. All Respondents submitting SOQs and Proposals must have internal control systems in place that meet federal requirements for accounting. These systems must comply with

requirements of 2 C.F.R. Part 200 and be sufficient to exclude unallowable cost items from Project invoicing to VPRA.

Where applicable, certain costs and reimbursement under the DBA must also comply with 48 C.F.R. Part 31 ("FAR Part 31"). All Respondents submitting SOQs and Proposals must have internal control systems in place that meet federal requirements for accounting. These systems must comply with requirements of FAR Part 31 and be sufficient to exclude unallowable cost items from Project invoicing to VPRA.