

# **REQUEST FOR QUALIFICATIONS**

**ILLINOIS DEPARTMENT OF TRANSPORTATION**

**Design-Build Project**

**BRIDGE REPLACEMENTS OF SN 050-0041, WHICH CARRIES  
US 34/IL 23 OVER LITTLE INDIAN CREEK, AND SN 050-0058,  
WHICH CARRIES US 52 OVER THE FOX RIVER**

**Contract No.: 66P04**

**County: LaSalle County**

**Section: [(17 B),(125 BR-1)]BR**

**Route: US 34/IL 23 & US 52**

**Project: Bridge Replacements of SN 050-0041, which  
carries US 34/IL 23 over Little Indian Creek, and SN  
050-0058, which carries US 52 over the Fox River**

**District: 3**

**Original Issue 03/28/2025**



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## **Exhibits**

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**Exhibit 2 – Location Map**

**Exhibit 3 – Preliminary Reference Information Documents**

**Exhibit 4 – Example Notice of Shortlisting Results**

**Exhibit 5 – Preliminary Project Information Documents**

## **Forms**

**Form 1 – Statement of Qualifications Checklist and Contents**

**Form 2 – Affiliated and Subsidiary Companies of the Proposer**

**Form 3 – Certification Regarding Debarment Primary Covered Transactions**

**Form 4 – Proposer Licenses and Registrations**

**Form 5 – Acknowledgement of RFQ Revision and/or Addenda**

**Form 6 – Conflict of Interest Disclosure**

**Form 7 – Key Personnel Resume Form**

**Form 8 – Work History Form**

**Form 9 – Changes to Principal Participant and Key Personnel**

**Form 10 - RFC Submittal Form**

# 1 INTRODUCTION

The Illinois Department of Transportation (“**IDOT**”) is pleased to present this Request for Qualifications (“**RFQ**”) to those entities or groups (the “**Proposers**”) interested in submitting Statements of Qualifications (“**SOQs**”) for the design and construction of two bridges - SN 050-0041, which carries US 34/IL 23 over Little Indian Creek, and SN 050-0058, which carries US 52 over the Fox River (the “**Project**”) pursuant to a design-build contract (“**DB Contract**”).

The Project will be funded with state dollars thereby requiring the Proposers to adhere to all pertinent state and local requirements.

IDOT has evaluated the Project and has determined, in accordance with Illinois law, that a design-build (“**DB**”) delivery method is in the State’s best interest for the Project. Such determination is documented by IDOT in the “Written Determination” and is available to Proposers on the IPD projects website

(<https://idot.illinois.gov/transportation-system/transportation-management/planning/innovative-project-delivery/ipd-projects.html>)

Section 2 of this RFQ provides a more detailed description of the Project; however, the Project description in this RFQ is general in nature. More precise descriptions and specifications will be provided to shortlisted Proposers in the forthcoming Request for Proposals (“**RFP**”).

## 1.1 DB Procurement Process Overview

This RFQ is issued under the Innovations for Transportation Infrastructure Act, 630 ILCS 10/1 *et seq.* (the “**Act**”), as well as other State Laws, including certain provisions of the Illinois Procurement Code, 30 ILCS 500/1-1 *et seq.* (the “**Illinois Procurement Code**”). It is the intent of this procurement to use Illinois design professionals, construction companies, and workers to the greatest extent possible. IDOT intends, through this procurement, to enter into a DB Contract that will result in cost-effective and expedited completion of all elements of the Project. The DB Contract will obligate the contractor (“**Contractor**” or “**DB Contractor**”) to both design and construct the Project. IDOT will use a two-step procurement process to select a DB Contractor to deliver the Project.

This RFQ is issued as part of the first step (the “**RFQ Step**”) to solicit information from Proposers, in the form of SOQs, that IDOT will evaluate to determine which Proposers are the most qualified to successfully deliver the Project. IDOT intends to shortlist no more than five and no fewer than two Proposers that are eligible to receive the Request for Proposals (“**RFP**”). IDOT may shortlist fewer than two Proposers if the Secretary of IDOT makes a finding that an emergency justifies the limited shortlisting or fewer than two Proposers meet any applicable prequalification, or pass-fail requirements set forth in this RFQ. A Proposer must be prequalified in accordance with IDOT’s Prequalification process prior to submitting an SOQ on a DB project for IDOT, the process for which is governed by Title 44 Illinois Administrative Code Section 650 for contractors and Section 625 for architect-engineer consultant firms, as further described in Section 2.8 of this RFQ.

In the second step (the “**RFP Step**”), IDOT will issue an RFP for the Project to the shortlisted Proposers. Only the shortlisted Proposers will be eligible to submit Proposals (a “**Proposal**”) in response to the RFP for the Project. Following receipt and evaluation of Proposals, based on an evaluation process as described in the RFP, IDOT may select the highest-ranked Proposer. Once the selection process is completed, the DB Contract will be executed and IDOT will issue notice to proceed to the DB Contractor in accordance with the DB Contract. If the highest-ranked Proposer is unable or unwilling to execute the DB Contract during the RFP Step, IDOT may award the Project to the Proposer with the next highest score.

The DB Contractor and Principal Participants, as defined in Section 2.9 of this RFQ, shall self-perform at least 35% of the construction work.

## 1.2 Procurement Schedule

IDOT anticipates carrying out the procurement in accordance with the following schedule (the “**Procurement Schedule**”):

Milestone	Due Date/Time
Issue RFQ	March 28, 2025
Deadline for submitting RFC(s)	April 14, 2025, 4:00 pm
SOQ due date	May 20, 2025, 4:00 p.m.
Notification of shortlisted Proposers	June 27, 2025
Anticipated RFP issuance	July 2025
Anticipated Q&A period	July 2025 – August 2025
Anticipated RFP addenda (if any) issuance due date	August 2025
Anticipated Proposal due date	October 2025
Anticipated notification of DB Contractor selection	December 2025
Anticipated DB Contract award	December 2025

All times mentioned above are prevailing Central Time in Springfield, Illinois.

The proposed schedule is subject to modification at the sole discretion of IDOT. IDOT reserves the right to revise this RFQ by issuing addenda before the SOQ due date. RFQ addenda, if any, will be posted on the following website (the “**Innovative Project Delivery (IPD) Procurements Website**”):

<https://webapps1.dot.illinois.gov/WCTB/LbHome>.

Proposers are responsible for monitoring the Innovative Project Delivery (IPD) Procurements Website for information concerning this procurement as mentioned in Section 2.3.

## 1.3 Definitions and Acronyms

Please refer to Exhibit 1 - Definitions and Acronyms of this RFQ for the meanings of various capitalized terms and acronyms used herein.

## 2 BACKGROUND INFORMATION; RFQ PROCESS

### 2.1 Project Goals

The following goals have been established for the Project:

- A. Replace US 34/IL 23 over Little Indian Creek and US 52 over Fox River bridges to improve safety and minimize construction impacts to the traveling public, adjacent property owners, adjacent construction projects by the District in the vicinity of US 34/IL23 and US 52 bridges, and local community.
- B. Construct US 34/IL23 bridge within the existing Right-of-Way (ROW).
- C. Construct US 52 bridge within the proposed Right-of-Way (ROW) and the proposed permanent and temporary easements.
- D. Minimize future maintenance, maintain/improve freeboard/hydraulic opening, bridge replacements are completed in one construction season even if not constructed concurrently, are delivered within budget, allow for future staged maintenance/rehabilitation, and minimize any environmental impacts.
- E. Through coordination with industry and the DB delivery process, accelerate the replacement of the US 34/IL23 bridge over Little Indian Creek and US 52 bridge over Fox River bridges.
- F. Promote and build confidence in DB delivery to establish DB as a delivery method of choice for this and future projects.
- G. Target and encourage Disadvantaged Business Enterprises (DBE) participation.

### 2.2 Project Description and Scope

The Project is for the replacement of two bridges; one carrying US 34/ IL 23 over the Little Indian Creek and one carrying US 52 over the Fox River.

The **US 34/ IL 23 over Little Indian Creek** bridge replacement includes all activities associated with the replacement of the bridge carrying US 34/IL23 traffic over the Little Indian Creek (SN 050-0041), located 4 miles west of Somonauk and a half mile west of the eastern junction of US 34 and IL 23 in LaSalle County, Illinois.

The existing structure was built in 1952 with a 7" deck slab. The structure is a three span, cast-in-place concrete tee beam bridge with spans 1 & 3 at 44'-9" and span 2 at 58'-3". The structure is on closed concrete abutments and pile supported concrete piers. The structure measures 152'-9 1/4" back-to-back of abutments and 35'-8" out to out of deck. The clear roadway width is 30'-0" face to face of railings consisting of two (2) 12' travel lanes with 3' shoulders. The bridge rails are supported on 2'-10" wide concrete curbs. The structure is on a 10-degree skew located on a tangent horizontal alignment. The existing vertical grade across the bridge is 0.14% (downgrade) from west to east.

On August 16, 2023, a load rating inspection was performed due to cracks discovered at all five T-Beams. All T-beams have shear cracking in the center span west of the east pier that required immediate bridge closure. Prior to the August 2023 bridge closure, the National Bridge Inspection Standards condition ratings were "4" (Poor) for the deck and superstructure and "6" (Satisfactory) for the substructure. The north fascia beam has exposed reinforcement with section loss in the east span. Numerous beam ends have cracking, spalls and exposed reinforcement. Expansion joints are leaking and in poor condition. A temporary support system was installed in span 2 and the bridge was re-opened to traffic in January 2024 under legal loads only.

The proposed improvement is to remove and replace the existing bridge structure. Span configuration of the new bridge must consider optimum hydraulic and scour preventative measures.

The **US 52 over Fox River** scope includes the replacement of the bridge carrying US 52 over the Fox River (SN 050-0058), 2.1 miles west of IL 71 in LaSalle County, Illinois.

The existing structure was built in 1931 with a 7 ½" deck slab which carries US 52 over the Fox River. The structure is a five-span, reinforced concrete open spandrel deck arch bridge supported on reinforced concrete vaulted abutments at the ends and four intermediate reinforced concrete piers. Main spans 1 and 5 are 77'-9" long and main spans 2 through 4 are 80' long. The structure measures 459'-0" long back-to-back of abutments and 35'-2" wide out to out of deck. The clear roadway width is 32' face to face of parapet curbs consisting of 11' travel lanes and 5' shoulders. The structure was reconstructed in 1980, the superstructure was removed to the top of each arch and reconstructed with new spandrel columns, floor beams, deck, and parapets. The deck was widened from 26'-4" to an out to out of 35'-2". In 2015, the existing deck was resealed. The roadway section of US 52 has been resurfaced multiple times since the structure was constructed, the most recent was in 2005.

The proposed improvement is to remove and replace the existing bridge structure. Additional work on the roadway will be required to account for the profile change for the structure, which includes but is not limited to building up the approach pavement, resurfacing the roadway and paved shoulders, extending/upgrading guardrails, driveway relocation, paved ditch, and earthwork/grading.

Project information and data are included in exhibits as follows:

A. Exhibit 2 – Location Maps

B. Exhibit 3 – Preliminary Reference Information Documents (“**RIDs**”)

A list of preliminary RIDs has been provided in Exhibit 3. The RIDs will be provided to the shortlisted Proposers during the RFP Step. The RIDs are for informational purposes only and are subject to revision, correction, or alteration. The RIDs provided may only be relied upon by a Proposer at its own risk and will not be considered contractual or binding in nature.

C. Exhibit 5 – Project Information Documents (“**PIDs**”)

PIDs are data driven, project studies or other related information provided by the Department and are intended to be relied upon by the Proposer. A list of preliminary PIDs has been provided in Exhibit 5. The PIDs will be provided to the shortlisted Proposers during the RFP Step.

The reference to any website in this RFQ is provided for reference and background information only. IDOT makes no representation as to the accuracy, completeness, or pertinence of the information in any referenced website. In addition, IDOT shall not be responsible for any interpretations thereof or conclusions drawn therefrom. The information contained in any referenced website reflects information as of any date or time identified therein.

## **2.3 Communication Protocols**

This RFQ has been posted to the Innovative Project Delivery (IPD) Procurements Website.

Information regarding this RFQ will be posted on the Innovative Project Delivery (IPD) Procurements Website. IDOT reserves the right to revise this RFQ at any time before the SOQ due date. Such revisions, if any, will be announced by addenda and posted on the Innovative Project Delivery (IPD) Procurements Website.

IDOT may make edits in addenda to this RFQ in response to clarification requests. Alternatively, IDOT may respond to those questions that IDOT deems to be material and not adequately addressed through potential addenda to the RFQ. IDOT will post any such responses and/or addenda to this RFQ on the Innovative Project Delivery (IPD) Procurements Website, except clarification requests deemed confidential in IDOT's sole discretion as mentioned in Section 2.4.

Proposers are responsible for monitoring the Innovative Project Delivery (IPD) Procurements Website for information concerning this procurement as teams responding to this RFQ will be required to acknowledge in Form 5 – Acknowledgement of RFQ Revision and/or Addenda that they had access to all relevant materials and have received and reviewed all addenda posted thereon.

The IDOT Procurement Manager is as noted below:

Michael Stirk  
Bureau Chief – Innovative Project Delivery  
Illinois Department of Transportation (IDOT)  
Bureau of Innovative Project Delivery  
2300 South Dirksen Parkway  
Springfield, Illinois 62764

Email: [DOT.IPD.US34-52BridgesProject@illinois.gov](mailto:DOT.IPD.US34-52BridgesProject@illinois.gov)

## **2.4 Request for Clarification (RFC) or Questions**

All RFCs must be received by IDOT at the email address mentioned in Section 2.3 above by the applicable deadline in the Procurement Schedule (Section 1.2). Proposers must submit all RFCs through a single authorized representative designated by the Proposer.

Each RFC is required to be submitted using Form 10 – RFC Submittal Form. Only one RFC is permitted on each form. Consistent with the RFC Submittal Form, all RFCs must: (a) include the RFC Number, (b) include the name of the Proposer; (c) include the name, telephone number, and email address of the Proposer’s authorized representative; (d) identify the relevant RFQ form, exhibit, section(s), and page number(s), as applicable, or indicate if it is a general question or request; (e) include the clarification requested or Proposer’s question; (f) not identify the Proposer in the body of the question or request; and (g) not conspicuously indicate whether the Proposer views its question or request as confidential or proprietary in nature. If a Proposer submits any RFC that it deems to be confidential or proprietary in nature, the Proposer shall enclose with the RFC Submittal Form a separate statement justifying Proposer’s assessment.

IDOT will respond to Proposers’ RFCs within a reasonable time following receipt, subject to any deadlines set forth in the Procurement Schedule. IDOT will post to the Innovative Project Delivery (IPD) Procurements Website all written responses to material or generally applicable RFCs that do not contain confidential or proprietary information. IDOT may also rephrase or consolidate RFCs and may provide clarification independent of Proposers’ RFCs.

IDOT intends to respond individually to those RFCs identified by the Proposer and deemed by IDOT as containing confidential or proprietary information. IDOT reserves the right to disagree with a Proposer’s assessment regarding confidentiality or the proprietary nature of information in an RFC, in the interest of maintaining a fair process or complying with applicable laws. Under such circumstances, IDOT will inform the Proposer and may allow the Proposer, within a time period set by IDOT, to withdraw the RFC, rephrase the RFC, or have the RFC answered non-confidentially; provided, however, that if IDOT determines that it is appropriate to provide a general response, IDOT reserves the right to modify the RFC to remove information IDOT deems confidential or proprietary. If a Proposer fails to respond to IDOT within the time frame identified by IDOT, such failure will be deemed to allow IDOT to answer the question non-confidentially.

## **2.5 Improper Communications and Contacts**

The following rules of contact with IDOT or a consultant, agent or representative of IDOT apply during the procurement for the Project, effective as of the date of issuance of this RFQ through the execution of the DB Contract. Contact includes face-to-face, telephone, facsimile, email or formal written communication, directly or indirectly with the Proposer or by an agent, representative, promoter, or advocate of the Proposer.

The specific rules of contact are as follows:

- A. After submittal of SOQs, no Proposer or any of its team members may communicate with another Proposer or its team members with regard to the RFQ, RFP, or either team’s SOQ or Proposal; subcontractors that are shared between two or more Proposer teams may communicate with their respective team members so

long as those Proposers establish reasonable protocols to ensure that the subcontractor will not act as a conduit of information between the teams (contact among Proposer organizations is allowed during informational meetings sponsored by IDOT).

- B. Proposers shall correspond with IDOT regarding the RFQ and RFP only through the IDOT Procurement Manager or the designated representative.
- C. Commencing with the issuance of this RFQ and continuing until the earliest of (i) award and execution of the DB Contract, (ii) rejection of all Proposals by IDOT, or (iii) cancellation of the procurement, no Proposer or representative thereof is allowed to have any ex parte communications regarding the RFQ, RFP, or the procurement described herein with any IDOT staff, advisors, contractors, or consultants involved with the procurement or the Project, except for communications with IDOT consultants who have completed their services for the Project and have been released by the applicable agency(-ies), or communications expressly permitted by the RFQ or RFP, or except as approved in writing in advance by IDOT. The foregoing restriction does not, however, preclude or restrict communications regarding matters unrelated to the RFQ, RFP, or the procurement, or limit participation in public meetings or any public or Proposer workshop related to this RFQ or the RFP. Any Proposer engaging in such prohibited communications may be disqualified at the sole discretion of IDOT.
- D. Proposers shall not contact the stakeholders regarding the Project, including employees, representatives, members, consultants, and advisors of the entities listed below, except as specifically approved in advance by IDOT in writing:
  - IDOT (except as provided herein) including all divisions and district offices
  - Any consultant, agent, or representative of IDOT
  - Federal Highway Administration (FHWA)
  - U.S. Department of Transportation (USDOT)
  - Utilities in or along the Project corridor
  - Railroads with railways in or crossing the Project
  - US Army Corps of Engineers
  - Illinois Department of Natural Resources
  - Village of Leland
  - LaSalle County Highway Department
  - Conflicted firms listed in Section 2.10

For the avoidance of doubt, Proposers are encouraged to seek approval in advance by IDOT in writing before contacting any project stakeholder or third party that are not members of or potential members of a Proposer.

IDOT will provide any necessary coordination during the RFQ Step with appropriate stakeholders, so that, among other things, the procurement is implemented in a fair, competitive and transparent manner and using uniform information.

- E. Any communications determined to be prohibited or improper, at the sole discretion of IDOT, may result in disqualification. Any official information regarding the Project will be disseminated by IDOT on IDOT or Project letterhead. Any official IDOT correspondence will be in writing and signed by the IDOT Procurement Manager or his/her designee. IDOT will not be responsible for, and Proposers may not rely on, any oral exchange or any other information or exchange that occurs outside the official process specified herein.

## 2.6 News Releases

Any news releases by a Proposer pertaining to this RFQ or the services, study, data, or Project to which it relates will not be made without prior written IDOT approval, and then only in accordance with the explicit written

instructions from IDOT.

## **2.7 Disclosure**

All information in a Proposer's SOQ and any Contract resulting from this procurement process are subject to disclosure under the provisions of the "Freedom of Information Act," 1976 Public Act No. 442, as amended, MCL 15.231, et seq and Section 11.2 of this RFQ.

## **2.8 Prequalification**

Proposers will be expected to satisfy IDOT's general prequalification requirements for the Project as specified by IDOT in this Section 2.8 prior to submitting their SOQ. IDOT will evaluate the Proposer's team qualifications, Proposer experience, team diversity, and financial viability as provided by Proposers in their SOQ. IDOT is not precluded from including additional prequalification criteria or factors to assess the technical experience or financial capability of Proposer teams.

Firms not already prequalified by IDOT must complete the prequalification process prior to submitting their SOQ. Generally, the prequalification process involves submission of (i) an application form consisting of, among other things, questions regarding firm and individual experience and equipment, and (ii) financial information. This process may take up to eight weeks.

Proposers may contact the appropriate IDOT staff identified in Section 2.3 to apply for prequalification or discuss the prequalification process or requirements generally; provided, however, that neither this Project nor this procurement may be discussed with IDOT staff except in accordance with Section 2.3. RFC regarding prequalification requirements for this Project and procurement processes and evaluations with respect thereto must be submitted to the IDOT Procurement Manager contact in accordance with Section 2.3.

### **2.8.1 Prequalification for Contractors**

IDOT's general prequalification requirements for contractors are governed by Title 44 Illinois Administrative Code Section 650.

IDOT anticipates the following prequalification categories will be required for contractors to receive authorization to execute the DB Contract.

- 9 - Structures (Highway, Railroad, and Waterway)

Additional information regarding contractor prequalification is available at: <http://www.idot.illinois.gov/doing-business/procurements/construction-services/index>.

### **2.8.2 Prequalification for Engineering Firms**

IDOT's general prequalification requirements are subject to prequalification, licensing, and registration requirements pursuant to the Professional Engineering Practice Act of 1989 (225 ILCS 325/1 et seq.), the Illinois Architecture Practice Act of 1989 (225 ILCS 305/1 et seq.), the Structural Engineering Practice Act of 1989 (225 ILCS 340/1 et seq.), and the Illinois Professional Land Surveyor Act of 1989 (225 ILCS 330/1 et seq.). IDOT maintains on its website a list of firms prequalified by IDOT pursuant to Section 20 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act (30 ILCS 535/1 et seq.) to provide architectural, engineering and land surveying services and pursuant to Title 44 Illinois Administrative Code Section 625.

IDOT anticipates the following prequalification categories will be required for engineering firms to receive authorization to execute the DB Contract.

- Highways – Roads and Streets
- Structures – Highways: Typical

- Structures – Highways: Advanced Typical

This list and other information regarding prequalification for professional services is available at:

<http://www.idot.illinois.gov/doing-business/procurements/engineering-architectural-professional-services/index>.

## 2.9 Principal Participants

As used herein, the term “Principal Participant” means any of the following entities: (i) any joint venture, partner, or firm holding an interest in the DB Contractor if the DB Contractor is a joint venture, partnership, or other form of unincorporated legal entity; (ii) any person or firm holding (directly or indirectly) a 15% or greater interest in the DB Contractor if the DB Contractor is a corporation, limited liability company, or other form of incorporated legal entity; (iii) parent company or Affiliate of the DB Contractor or another Principal Participant that will provide financial support to such firm (guarantor) to meet the financial obligations of the DB Contract, or (iv) the lead engineering/design firm(s); and each engineering/design sub-consultant that will perform 30% or more of the design work.

## 2.10 Organizational Conflicts of Interest

Proposers are advised that IDOT’s conflicts of interest policy may preclude certain firms and their subsidiaries and Affiliates from participating on a Proposer team, as determined by IDOT. It is IDOT’s policy that any consultant, agent or representative under contract, or previously under contract, with IDOT to prepare procurement documents, preliminary plans, planning reports, or other project development products for the Project will not be allowed to participate in any capacity on a Proposer team. Exceptions to this policy may be granted by IDOT in accordance with the process for review of potential conflicts of interest described below.

Proposers are prohibited from teaming with, receiving any advice from, or discussing any aspect of the Project or its procurement, with any person or entity with an organizational conflict of interest, including, but not limited to:

- Arcadis U.S., Inc.
- CDM Smith, Inc.
- Chamlin & Associates, Inc.
- Crawford, Murphy & Tilly, Inc.
- EFK Moen, LLC
- HR Green
- Hutchison Engineering, Inc.
- Images, Inc.
- Kaskaskia Engineering Group, LLC
- Lin Engineering
- Mayer Brown, LLP
- Metro Strategies Group, LLC
- Peralte-Clark, LLC
- Program Management & Control Services, LLC (PMCS)
- Quigg Engineering, Inc.
- RS&H, Inc.
- SRF Consulting Group, Inc.
- Wang Engineering, Inc.
- WHKS & Co.

Any entity that is a parent, affiliate, or subsidiary, at any tier, of any of the foregoing entities, or that is under common ownership, control, or management of any of the foregoing entities (“**Related Entities**” of the foregoing) may also be precluded from participating on or advising a Proposer team due to an organizational conflict of interest.

Any Proposer wishing to team with, receive advice from or discuss any aspect of the Project with one of the foregoing entities or one of their Related Entities are required to first submit to the IDOT Procurement Manager (email provided in [Section 2.3](#)) a request for review of the entity's potential conflict of interest. This request must take the form of a statement disclosing all relevant facts concerning any past, present, or currently planned interests which may present an organizational conflict of interest with respect to the Project, including the facts and circumstances of the relevant entity's current or past involvement with the Project (or any portion thereof) and the nature of its proposed participation with a Proposer team with respect to the Project. The Proposer shall state how the interests of such entity, including interests of any chief executives, directors, or Key Personnel thereof, may result in, or could be viewed as, an organizational conflict of interest. The Proposer's request must specifically disclose whether the relevant entity at any time (a) was involved in the preparation of procurement documents, technical criteria, or evaluation criteria for the Project or any portion thereof (including the Project), or any other DB project; or (b) participated in meetings or conference calls with IDOT or with IDOT's consultant team (technical, legal or financial advisors) related to the Project.

Based upon a review of the information submitted, IDOT will determine whether the entity will be precluded from participating in or advising the Proposer team due to an actual or potential conflict of interest under applicable law and/or IDOT's conflict of interest policy - 23 CFR, subsection 636.116 and Illinois Procurement Code Section 50-13 Conflicts of Interest (30 ILCS 500/50-13). If the entity's participation is permitted, IDOT may identify any actions that must be taken to avoid, neutralize, or mitigate the conflict.

Proposers are advised that other IDOT consultants working on the Project may have an organizational conflict of interest. Proposers are encouraged to review the policy and applicable laws and discuss potential conflicts of interest with prospective team members and consultants.

Proposers are also advised that IDOT's conflicts of interest policy is intended to augment applicable federal and state law, including, but not limited to, federal organizational conflict of interest laws and rules (including 23 Code of Federal Regulations (CFR) § 636.116) and the laws and rules relating to National Environmental Policy Act. Such applicable law will also apply to Proposer teams and teaming and may preclude certain firms and their entities from participating on a Proposer team.

By submitting its SOQ, each Proposer agrees that, if an organizational conflict of interest is thereafter discovered, the Proposer must make an immediate and full written disclosure to IDOT that includes a description of the action that the Proposer has taken or proposes to take to avoid or mitigate such conflicts. If an organizational conflict of interest that the Proposer knew or should have known about, but did not disclose, is determined to exist during the procurement process, IDOT may disqualify the Proposer. If an organizational conflict of interest that the Proposer knew, or should have known about, but did not disclose, exists, and the Proposer has entered into a DB Contract as the DB Contractor, IDOT may, at its sole discretion, terminate the DB Contract. IDOT may pursue other remedies as available by law.

## **2.11 Changes to Organizational Structure**

All changes in Key Personnel or a Principal Participant from a Proposer's SOQ to the Proposal in response to the RFP must be submitted and approved by IDOT in writing. The Proposer cannot change or substitute any Key Personnel or Principal Participant except due to voluntary or involuntary termination of employment, retirement, death, disability, incapacity, or as otherwise approved by IDOT. The IDOT Procurement Manager, in his/her sole discretion, will determine whether to authorize a change. Job duties and responsibilities of Key Personnel and Principal Participants cannot be delegated to others for the duration of the DB Contract.

Changes in Key Personnel or a Principal Participant must be approved by IDOT prior to submitting a Proposal in response to the RFP. IDOT may remove a Proposer from the shortlist or revoke an awarded DB Contract if any Key Personnel or Principal Participant identified in the SOQ is removed, replaced, or added without IDOT's prior written approval. To qualify for IDOT approval, the written request, utilizing Form 9 – Changes to Principal Participant and Key Personnel, must document that the proposed removal, replacement, or addition will be equal

to or better than the Key Personnel or Principal Participant provided in the SOQ. The determination of “equal or better” qualifications will be at IDOT’s discretion. IDOT will use the criteria specified in this RFQ to evaluate all requests. All proposed changes in Principal Participants or Key Personnel must be submitted to the IDOT Procurement Manager.

## **2.12 Security, Insurance, and Indemnity**

The DB Contractor will be required to provide payment and performance bonds for the amount of the DB Contract price as part of the security package under the DB Contract, in conformance with the Illinois Public Construction Bond Act, 30 ILCS 550/0.01 et seq. The DB Contractor will be required to provide with their SOQ a surety letter in the amount of \$12,500,000.

The DB Contractor will also be required to provide a proposal bond on a form acceptable to IDOT with their Proposal during the RFP Step, executed by a corporate surety company satisfactory to IDOT, or a proposal guaranty check consisting of a bank cashier’s check or a properly certified check. The proposal guaranty amount will be set forth in the RFP.

The DB Contractor will also be required to provide primary insurance coverage for and to indemnify, defend and hold IDOT and related entities and persons harmless against third party and other claims as specified in the DB Contract.

More specific requirements for the performance security (including the acceptable form and amounts thereof), proposal guarantee, insurance and indemnification will be set forth in the RFP and DB Contract.

## **2.13 Federal Requirements**

Proposers are advised that the procurement documents will be drafted based on the assumption that no federal-aid funds will be utilized.

## **2.14 Equal Employment Opportunity**

The Proposer will be required to follow equal employment opportunity policies of the U.S. Equal Employment Opportunity Commission and of the State of Illinois, including, but not limited to, Title VI of the Civil Rights Act of 1963, as amended (42 U.S.C. § 2000 *et seq.*); the Equal Pay Act (29 U.S.C. § 206(d)); the Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 *et seq.*); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 *et seq.*); Title II of the Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000 ff *et seq.*); Nondiscrimination (23 U.S.C. § 140(a)); Section 2-105 of the Illinois Human Rights Act (775 ILCS 5/ *et seq.*) the Employment of Illinois Workers on Public Works Act (30 ILCS 570/ *et seq.*) and the Illinois Works Apprenticeship Initiative (30 ILCS 559/20-20 to 20-25).

## **2.15 Disadvantaged Business Enterprises**

It is the policy of IDOT that Disadvantaged Business Enterprises (“DBEs”), as defined in 49 CFR Part 26, and other small businesses will have the maximum feasible opportunity to participate in contracts financed in whole or in part with public funds. IDOT has established a DBE program in accordance with regulations of the USDOT, 49 CFR Part 26 and the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/4), as well as the federal contractual requirements set forth in FHWA Form 1273. In this regard, the Proposer will take all necessary and reasonable steps in accordance with 49 CFR Part 26 to ensure that DBEs have the maximum opportunity to compete for and perform the DB Contract. Additional DBE requirements will be set forth in the RFP and DB Contract. IDOT anticipates that the Project will have a DBE utilization goal, as shown in Section 3.2 of this RFQ.

### 3 CONTENT OF STATEMENT OF QUALIFICATIONS

This Section 3 describes specific information to be included in the SOQ. SOQs should follow the outline of this Section 3. Proposers shall provide brief and concise information that addresses the requirements of the Project consistent with the evaluation criteria described in this RFQ. SOQs are required to be submitted exclusively in the English language, inclusive of English units of measure and cost terms in United States of America dollar denominations.

#### 3.1 Introduction

The RFQ Step of the procurement process is intended to enable Proposers to demonstrate their qualifications to provide all required design and construction services for the Project, and to enable IDOT to evaluate those qualifications in arriving at a shortlist. Proposers are advised that the SOQ should include specific information that will demonstrate the qualifications and experience required by this RFQ. Proposers should note that it is not the intent of IDOT to receive Project-specific design or engineering recommendations as part of this RFQ.

The SOQ will consist of all information required under this Section 3 to be submitted in the order set forth in Section 4.2. Proposers should complete the SOQ Checklist, (Form 1 – Statement of Qualifications Checklist and Contents) and include it in their SOQs. The purpose of the SOQ Checklist is to aid the Proposer in ensuring all submittal requirements have been included in the Proposer’s SOQ and to provide a page reference indicating the location of each submittal requirement in the SOQ.

Proposers shall be aware that IDOT reserves the right to verify any information, including prior experience, identified in an SOQ by contacting project references, accessing public information, contacting independent parties, or any other means. IDOT also reserves the right to request additional information from a Proposer during the evaluation of that Proposer’s SOQ.

If the Proposer has concerns about information included in its SOQ that may be deemed confidential or Proprietary, the Proposer shall adhere to the requirements set forth by Section 11.2.

#### 3.2 Letter of Submittal

The letter of submittal (“**Letter of Submittal**”) must be on the Proposer’s letterhead and identify the full legal name and address of the Proposer. The Contractor is defined as the legal entity who will execute the DB Contract with IDOT. The Letter of Submittal must be signed by an authorized representative of the Proposer’s organization.

##### 3.2.1 Letter of Submittal Content

Specifically, the Letter of Submittal must provide the following:

- A. Identify the name, title, address, phone number, and e-mail address of an individual who will serve as the point of contact (the “Designated Contact”) for the Proposer.
- B. Identify the name, address and telephone number of the individual who will serve as the “Principal Officer” of the Proposer (e.g., President, Treasurer, Chairperson of the Board of Directors, etc.).
- C. Identify whether the Proposer will be structured as a corporation, limited liability company, general partnership, joint venture, limited partnership or other organizational form. Identify the team members who will undertake financial responsibility for the Project and describe any liability limitations. If the Proposer is a limited liability company, partnership or joint venture, describe the bonding approach that will be used and the members of such organizations who will have joint and several liability for the performance of the Work required for the Project. If the Proposer is a consortium, partnership, or any other form of joint venture, provide a summary of the key terms of the executed or anticipated teaming agreement, including percentages of ownership, roles of the various parties, and execution date (actual or anticipated). Such summary of key terms will be excluded from the page limit.

All Principal Participants included in the Proposer team are to be clearly listed in the Letter of Submittal.

- D. Identify the full legal name of the DB Contractor for this Project. The DB Contractor is the entity responsible for overall design and construction of the Project and will serve as the legal entity who will execute the DB Contract with IDOT. If the name is a “doing business as” or “DBA,” identify underlying names. If the Proposer entity has not been legally formed yet, state that a legal entity has not yet been created, provide a proposed name (if any) or a temporary name for the Proposer, and describe the expected timing for creating a legal entity for the Proposer. Identify the legal name and nature of the Proposer and the state within which it was organized, or for Proposers that have not formed a legal entity yet, identify the proposed legal name and nature of the Proposer and the state within which Proposer expects to organize the entity.
- E. Provide a written statement within the Letter of Submittal that Proposer is committed to achieving an eighteen percent (18%) DBE utilization goal for design work and eight percent (8%) DBE utilization goal for construction work.

### 3.2.2 Letter of Submittal Forms

Attach the following Letter of Submittal forms indicated below to the SOQ. Information provided in these forms will not count towards the overall page limitation in Section 4.2. Information required by this section will be evaluated on a pass/fail basis.

- A. Form 2 – Affiliated and Subsidiary Companies of the Proposer - Provide the full legal name and address of all affiliated and/or subsidiary companies of the Proposer on Form 2 – Affiliated and Subsidiary Companies of the Proposer, and indicate which companies are affiliates and which companies are subsidiaries. An Affiliate is considered as any business entity that is so closely associated to another business entity that one entity controls or has power to control the other entity either directly or indirectly; or, when a third party has the power to control or controls both; or where one business entity has been so closely allied with another business entity through an established course of dealings, including but not limited to the lending of financial wherewithal, engaging in joint ventures, etc. as to cause a public perception that the two firms are one entity. Firms which are owned by a holding company or a third party, but otherwise do not meet the above conditions and do not have interlocking directorships or joint officers serving, are not considered to be Affiliates. If the Proposer does not have any affiliated and/or subsidiary companies, other than the Proposer’s legal business entity, indicate such on Form 2 - Affiliated and Subsidiary Companies of the Proposer. The Proposer shall not submit more than one SOQ for this Project. If more than one SOQ is submitted by an individual, partnership, corporation, or any party of a joint venture, then all SOQ submitted by that individual, partnership, corporation, or joint venture will be disqualified. If more than one SOQ is submitted by an Affiliate or Subsidiary company of an individual, partnership, corporation, or any party of a joint venture, then all SOQ submitted by that individual, partnership, corporation, or joint venture will be disqualified.
- B. Form 3 – Certification Regarding Debarment Primary Covered Transactions - Execute and return the attached Certification Regarding Debarment Form, set forth as Form 3 – Certification Regarding Debarment Primary Covered Transactions, for the DB Contractor and any subconsultant, subcontractor, or any other person or entity on the Proposer’s organizational chart included in the SOQ. If the DB Contractor and any subconsultant, subcontractor, or any other person or entity are unable to execute the certification, then the prospective participant shall attach an explanation to its Certification Regarding Debarment Form. Failure to execute the certification will not necessarily result in denial of an award but will be considered in determining the Proposer’s responsibility. Providing false information may result in federal criminal prosecution or administrative sanctions.
- C. Surety Letter - Include a letter from a surety or insurance company (with a Best’s Financial Strength Rating of A minus and Financial Size Category VIII or better by A.M. Best Co.) in the appendix of the SOQ stating that the Proposer is capable of obtaining a performance and payment bond in the amount of DB Contract price which bonds will cover the Project and any warranty periods (per the DB Contract). The letter of surety must clearly state the rating categorization noted above and reference the amount in

Section 2.12, in a manner similar to the notation provided below:

*“As surety for [the above named Proposer], [XYZ Company] with A.M. Best Financial Strength Rating [rating] and Financial Size Category [Size Category] is capable of obtaining 100% Performance Bond and 100% Payment Bond in the amount of the DB Contract price and said bonds will cover the Project and any warranty periods as provided for in the Contract Documents on behalf of the Proposer, in the event that such firm be the successful bidder and enter into a contract for this Project.”*

The letter must also specifically state that the surety has reviewed this RFQ and is familiar with the contractual structure and financial structure set forth therein (including the anticipated security requirements described in Section 2.12 and has evaluated the Proposer’s backlog and work-in-progress in determining its bonding capacity. Letters stating that the Proposer has “unlimited” bonding capacity are not acceptable. The letter must specify any assumptions regarding the provision of support.

- D. Form 4 – Proposer Licenses and Registration - All business entities on the Proposer’s proposed team must comply with the law with regard to their organizational structure, any required registration with governmental agencies and/or entities, and any required governmental licensure, whether business, commercial, individual, or professional in nature, and nothing herein is intended to contradict, nor to supersede, State and Federal laws and regulations regarding the same. All business entities on the Proposer’s team shall be eligible at the time of their SOQ submittal, under the law and relevant regulations, to offer and to provide any services proposed or related to the Project. All business entities on the Proposer team shall satisfy all commercial and professional registration requirements, including, but not limited to professional license requirements to the extent necessary for the proposed Project. Additionally, each business entity on the Proposer’s team shall be authorized to do business in the State of Illinois by the Illinois Secretary of State. Full size copies of required licenses and registrations, or evidence indicating the same, must be included in the appendix of the SOQ. Additionally, the following information is to be provided on Form 4 – Proposer Licenses and Registration:

1. The registration information for each business entity on the Proposer’s team, including the name, registration number, type of corporation and status.
2. For this Project, relevant registration and licensing information for each office practicing or offering to practice any professional services in Illinois, including the business name, address, registration type, registration number and expiration date.
3. For this Project, the relevant licensing and registration for each Key Personnel, including the name, the address, type, the registration and/or license number, expiration date and the office location where each Key Personnel member is offering services in Illinois.

Failure to comply with the law with regard to those legal requirements in Illinois (whether federal or state) regarding an Proposer’s organizational structure, any required registration with governmental agencies and/or entities, and any required governmental licensure, whether business, individual, or professional in nature may render a Proposer’s SOQ, in the sole discretion of IDOT, non-responsive and in that event the Proposer’s SOQ may be returned without any consideration or evaluation.

### **3.3 Evaluation Criteria - Understanding of Project**

Based on information available at the time of the RFQ, provide a synopsis demonstrating the Proposer’s understanding of the physical description of the Project, probable impacts of the Project, potential issues and risks affecting the Project, and potential solutions to probable impacts and risks. The approach to project management and communication to successfully deliver the Project should be included in the Qualifications of Team (Section 3.4). The synopsis should demonstrate an understanding of the Project goals discussed in Section 2.1 and specifically demonstrate the following:

- A. Understanding of Project scope;
- B. Understanding the need to effectively communicate with all affected parties including any local agencies or third-party stakeholders;
- C. Understanding of the construction and schedule requirements needed for the Project, including the challenges of mobilizing and managing the Project;
- D. Understanding the environmental concerns for the Project;
- E. Understanding of mobility and safety concerns;
- F. Understanding of impacts on the adjacent communities and traveling public;
- G. Understanding the potential risks associated with the Project and mitigation efforts that will be needed to remove or reduce the risk of meeting the Project goals;
- H. Understanding of utility coordination efforts and process for resolving conflicts;
- I. Provide a description of the Proposer's approach that would be implemented to achieve the DBE goal (the "**DBE Utilization Plan**"). The approach should summarize specific good faith efforts and a process for reporting monthly to IDOT on specific activities.

### **3.4 Evaluation Criteria - Qualifications of Team**

#### **3.4.1 Teams Qualifications**

Provide a narrative describing the qualifications of the Proposer's team. The information should address the following:

- A. Management and staff experience, capabilities, and functions on projects of similar scope and with similar conditions;
- B. The strength and depth of experience of the Key Personnel for the projects listed in Proposer's response;
- C. Effective project management and quality management structure, and approach to interaction with IDOT, the local agencies or other entities;
- D. Experience with timely completion on similar projects;
- E. Experience with on-budget completion of similar projects;
- F. Experience with integrating design and construction activities;
- G. Experience with utility coordination efforts and conflict resolutions; and
- H. Experience with delivering projects in a safe manner.

#### **3.4.2 Organization of Project Team**

A narrative describing the Proposer's teaming arrangements, its management structure and DB management approach. The narrative should include, at a minimum, a discussion of the following:

- A. How the Proposer team will operate, in light of the complexity and sequencing of the Project;
- B. The experience of the team members working together on other similar projects and the results of that experience; and
- C. How the management structure will facilitate the management of the Project risks.

Describe the roles of all Key Personnel, Principal Participants, and identified subcontractors.

Provide an organizational chart(s) showing the flow of the "chain of command" with lines identifying participants

who are responsible for major functions to be performed and their reporting relationships, in managing, designing, and constructing the Project. The chart(s) must show the functional structure of the organization and must identify Key Personnel by name and position. In addition, the chart should identify the Proposer, and all known Principal Participants in the chart(s).

If some Principal Participants are unknown at the time the SOQ is submitted, the Proposer's plan for obtaining the firm for this area of Work must be included under this heading - Organization of Project Team.

### **3.4.3 Project Team Communication**

The Proposer should provide information that will show how the Proposer communicates within the Proposer organization, with IDOT, and with others during the execution of the Project. IDOT's request is to have a strong single point of contact who controls the Project during all phases, including design and construction. Scoring will favor those Proposers who provide a clear and concise communication approach that incorporates and integrates all components of the Proposer's team (i.e. primary designers, sub-consultant designers, construction managers, construction field personnel, construction office personnel, material testing personnel, etc.), and inserts IDOT personnel and other appropriate stakeholders (i.e. local residents and businesses, public agencies) within that communication plan (i.e. process for construction submittals to IDOT, IDOT involvement in quality checkpoints during construction, incorporating IDOT review of changes during construction, public information plan, etc.).

### **3.4.4 Key Personnel Requirements**

Each Proposer shall identify individuals to serve in the roles listed below (the "**Key Personnel**"). Resumes of Key Personnel must be provided using the forms provided as Form 7 – Key Personnel Resume Form. Only resumes for Key Personnel listed in Section 3.4.5 will be considered. Resumes of Key Personnel are limited to two pages each and will not be counted towards the overall SOQ page limit. One person may be proposed in more than one Key Personnel position, unless otherwise noted below. If an individual fills more than one Key Personnel position, only one resume is required. The Key Personnel are the minimum roles required for the Project. Other roles may be identified by the Proposer on the organizational chart.

### **3.4.5 Key Personnel required for this Project**

- A. Project Manager
- B. Construction Manager
- C. Construction Quality Control Manager
- D. Design Quality Control Manager
- E. Environmental Compliance Manager
- F. Civil Rights Manager
- G. Safety Manager
- H. Design Manager
- I. Public Information Manager
- J. Structural Engineer

### **3.4.6 Minimum Qualifications of Key Personnel**

Key Personnel will be evaluated, in part, based on the extent they meet or exceed minimum qualifications including, but not limited to, relevant education, training, certification, and experience. The following provides minimum qualifications of the Key Personnel assigned to the Project.

**A. Project Manager:**

The Proposer's Project Manager is required to have a minimum of 10 years of recent experience managing the design and construction of highway construction projects with similar scope, complexity, and size. The Proposer's Project Manager will be responsible for design, construction, quality management, and DB Contract administration for the Project and will:

- i. Have full responsibility for the prosecution of the Work;
- ii. Act as agent and be a single point of contact in all matters on behalf of DB Contractor during all phases of the Project, including but not limited to design and construction. This will include assisting/providing the District Project Manager with accurate Project information for any inquiries received on an as-needed basis;
- iii. Be available (or the approved designee will be available) at all times that Work is performed;
- iv. Have authority to bind the DB Contractor on all matters relating to the Project; and
- v. Not fulfill any other Key Personnel role.

**B. Construction Manager:**

The Construction Manager is required to have a minimum of 10 years of recent experience managing field operations on highway construction projects of similar scope, complexity, and size. The Construction Manager must be on site during all construction activities (or the approved designee must be on site). The Construction Manager must work under the direct supervision of the Project Manager and in addition, cannot fulfill the following Key Personnel roles – Construction Quality Control Manager, Design Quality Control Manager, Safety Manager, Design Manager and Structural Engineer. The Construction Manager is responsible for ensuring that the Project is constructed in accordance with the DB Contract. The Construction Manager is responsible for managing the DB construction personnel, scheduling of the construction activities, performance and resourcing for the overall construction and contract administration, including safety and environmental compliance for the Project. The Construction Manager is responsible for administering all construction requirements of the DB Contract.

**C. Construction Quality Control Manager:**

The Construction Quality Control Manager is required to have a minimum of 10 years' quality management experience on large transportation infrastructure projects of similar scope, complexity, and size. The Construction Quality Manager will be responsible for overseeing the overall construction quality management and DB Contract compliance.

It will be the responsibility of the Construction Quality Control Manager to manage the Proposer's construction quality control functions and will:

- i. Not be assigned any other duties or responsibilities on the Project;
- ii. Visit the site as necessary to validate construction quality, respond to any quality issues, and report on that visit to the District PM;
- iii. Be independent of direct scheduling or production activities and reports directly to the Proposer's Project Manager;
- iv. Be available whenever any construction activities are being performed; and
- v. Have the authority to stop any and all Work that does not meet the standards, specifications or criteria in accordance with the DB Contract.

**D. Design Quality Control Manager:**

The Design Quality Control Manager is required to have a minimum of 10 years' quality management experience on large transportation infrastructure projects of similar scope, complexity, and size. The Design Quality Control Manager will be responsible for overseeing the overall design quality management and contract compliance for the Project. The Design Quality Control Manager must be a licensed professional engineer in the State of Illinois or be able to obtain licensure by award of the DB Contract.

It will be the responsibility of the Design Quality Control Manager to manage the Proposer's construction Quality Control functions and will:

- i. Not be assigned any other duties or responsibilities on the Project.
- ii. Visit the site as necessary to validate design quality, respond to any quality issues, and report on that visit to the District PM.
- iii. Be independent of direct scheduling or production activities and report directly to the Proposer's Project Manager.
- iv. Be available whenever any design activities are being performed; and
- v. Have the authority to stop any and all Work that does not meet the standards, specifications or criteria in accordance with the DB Contract.

**E. Environmental Compliance Manager:**

The Environmental Compliance Manager should have recent experience, with demonstrated expertise with permitting, compliance, and overall environmental compliance on projects with similar environmental conditions. The Environmental Compliance Manager will be responsible for assuring compliance of all on-site activities with the requirements of all permits and regulatory requirements. The Environmental Compliance Manager will report directly to District Project Manager and the Proposer's Project Manager simultaneously. The Environmental Compliance Manager will also manage the environmental activities and monitor, document, and report environmental compliance for the Project. The Environmental Compliance Manager will be responsible for reporting any violation or failure to comply with requirements together with planned corrective actions to IDOT as soon as such violation or failure to comply is identified and to then regularly update IDOT on the progress of corrective actions. The Environmental Compliance Manager will have the authority to stop Work that is not in compliance with environmental requirements and the DB Contract.

**F. Civil Rights Manager:**

The Civil Rights Manager should be experienced in the successful development, implementation, and monitoring of DBE Utilization Plan to achieve Project's DBE goals and comply with equal employment opportunity laws. The Civil Rights Manager will be responsible for all aspects of the DBE Utilization Plan including monitoring the DBE participation with respect to the Project goal.

**G. Safety Manager:**

The Safety Manager will be responsible for achieving the safety goals of the Project and is required to have at least ten (10) years of progressive safety experience on projects of similar size, scope, and complexity, five (5) years of which must be safety management experience, on complex heavy civil projects for the position during the construction period. The Safety Manager will be responsible for the development, implementation and updating of the Safety Plan throughout the duration of the Project. Additional requirements include designation, as a Construction Health and Safety Technician (CHST) or higher certification issued by the Board of Certified Safety Professionals (BCSP), completion of the OSHA 30- hour Safety and Health Course, training and current certification for cardio pulmonary

resuscitation (CPR) and first aid. The Safety Manager cannot fulfill any other Key Personnel role.

H. Design Manager:

The Design Manager will be responsible for ensuring the overall Project design is completed and all design requirements are met. The Design Manager is required to have at least 10 years of recent experience with managing the design on projects of similar size, scope, and complexity, with design-build experience preferred. The Design Manager must be a licensed professional engineer in the State of Illinois or be able to obtain licensure by award of the DB Contract. The Design Manager is to be assigned to the Project full-time whenever design activities are being performed and meet the co-location requirements, if required in the Technical Requirements.

I. Public Information Manager:

The Public Information Manager will lead all public information tasks, including the development, implementation, and updating of the Public Information Communication Plan throughout the Term. The Public Information Manager should have experience as a public information coordinator on projects similar to or larger than this Project's scope and complexity.

J. Structural Engineer:

The Structural Engineer will be responsible for ensuring the overall structural design is completed and all structural requirements are met, and for sealing the technical submissions for this project. The Structural Engineer is required to have at least 10 years of recent experience with the design on projects of similar size, scope, and complexity, with design-build experience preferred. The Structural Engineer must be a licensed structural engineer in the State of Illinois or be able to obtain licensure by award of the DB Contract. The Structural Engineer is to be assigned to the Project full-time whenever structural design activities are being performed and meet the co-location requirements, if required in the Technical Requirements.

SOQs must include an express written statement from the Proposer committing that the Key Personnel designated in the SOQ for the positions or roles described in this Section 3 will be available to serve the role so identified in connection with the Project.

Proposers are advised that additional Key Personnel may be required at the RFP Step.

### 3.4.7 Approach to Ensuring Safety

The Proposer shall provide a summary to include the Proposers' safety philosophy, examples of successfully implemented safety management programs or innovations, and expand on safety experience working on projects of similar scope, complexity, and size. The Proposer is to provide the following information as shown in the following table as provided to OSHA for calendar years 2024, 2023, 2022, 2021, and 2020.

Year	Industry	NAICS code	Total recordable cases	Cases with days away from work, job transfer, or restriction			Other recordable cases
				Total	Cases with days away from work	Cases with job transfer or restriction	
2024							
2023							
2022							
2021							

2020							
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### 3.5 Evaluation Criteria - Proposer Experience

Using Form 8 – Work History Form, describe at least two, but a maximum of ten, projects the Proposer team (Principal Participant(s) and Key Subcontractor(s)) has completed or participated in. If the Proposer team does not exist or is newly formed, please explain. For projects in which several of the proposed Principal Participants or Key Subcontractors were involved, the Proposer may provide a single project description.

Highlight experience relevant to the Project, the Proposer team has gained in the last ten years. Cite projects with levels of scope similar to that anticipated for the Project. Also consider citing projects where construction duration is minimized, completion schedules were kept, and original design and construction budgets were not increased. At least one project should feature the applicable experience of the Design Manager from Section 3.4.6 above. Describe the Design Manager's experience that could apply to this Project.

Each project description should include the following information:

- A. Name of the project and the owner's contact information (current phone number and e-mail address);
- B. Name of Principal Participant(s) or Key Subcontractor(s);
- C. Owner's project manager and their current telephone number and email;
- D. Description of the work or services provided and percentage of the overall project actually performed by the member(s) of the Proposer team;
- E. Description of scheduled completion deadlines and actual completion dates; and
- F. Original budget and final costs.

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

### 3.6 Evaluation Criteria - Team Diversity & Community Engagement

IDOT's objective is to evaluate the past performance of a Proposer's commitment to diversity and community engagement. The Proposer will provide a narrative (two-page maximum) describing the team's previous efforts to promote diversity, inclusion and outreach to communities affected by Proposer's previous projects. This includes providing opportunities to disadvantaged business enterprises, minority, women-owned, and veteran-owned companies and community organizations. This also may include leading initiatives to capturing outcomes of increased awareness, understanding or promoting diversity, implementing steps toward fostering diversity in the workplace with programs that maximize the potential of all people or creating partnerships with community organizations or local businesses to enhance the quality of life within effected neighborhoods.

### 3.7 Conflicts of Interest and Financial Viability

#### 3.7.1 Organizational Conflicts of Interest

Identify all relevant facts relating to past, present or planned interest(s) of the Proposer's team (including the Proposer, Principal Participants, proposed consultants, subcontractors, and their respective chief executives, directors and the Key Personnel) which may result, or could be viewed as, an organizational conflict of interest in connection with the Project and this RFQ.

The required information for Organizational Conflicts of Interest is to be submitted using Form 6 – Conflict of Interest Disclosure. All Proposers must submit Form 6 - Conflict of Interest Disclosure certifying that either no conflict exists, or potential conflict(s) exist or may exist.

Disclose: (a) any current contractual relationships with IDOT (by identifying the IDOT contract number and

project manager) that may result in, or could be viewed as a potential conflict of interest on this Project; (b) present or planned contractual or employment relationships with any current IDOT employee; and (c) any other circumstances that might be considered to create a financial interest in the DB Contract for the Project by any current IDOT employee if the Proposer is awarded the DB Contract. The foregoing is provided by way of example and does not constitute a limitation on the disclosure obligations.

For any fact, relationship or circumstance disclosed in response to this Section 3.7.1 identify steps that have been or will be taken to avoid, neutralize or mitigate any organizational conflicts of interest.

In cases where Principal Participants on different Proposer teams belong to the same parent company, each Proposer must describe how the participants would avoid conflicts of interest through the RFQ Step and RFP Step of the Project.

### **3.7.2 Financial Viability**

The Proposers shall supply Affidavit of Availability (BC 57) with their SOQ which will be used by IDOT to verify the financial viability of Proposers. Proposers may submit an updated Affidavit of Availability (BC 57) with their SOQ or furnish a copy of their existing Affidavit of Availability (BC 57) on file with IDOT. If a Proposer holds an IDOT rating of “super unlimited”, such letter and status certificate must be provided instead of providing Affidavit of Availability (BC 57).

The Affidavit of Availability (BC 57) form can be downloaded from the following website:  
<https://idot.illinois.gov/resources/forms.html>

## 4 SOQ SUBMITTAL REQUIREMENTS

This Section 4 describes requirements that all Proposers shall satisfy in submitting SOQs. Failure of any Proposer to submit their SOQ as required in this RFQ may result in rejection of its SOQ.

### 4.1 Due Date, Time, and Location

SOQs are due on the date and time listed in Section 1.2. Any SOQ that fails to meet the deadline or delivery requirement will be rejected without opening, consideration or evaluation.

SOQs are required to be delivered via email to the IDOT Procurement Manager identified in Section 2.3. The SOQs must have the subject line of “**SOQ – US 34-52 Bridges Project**”. IDOT will not accept SOQs by any other means of delivery.

The IDOT Procurement Manager will send an email reply acknowledging receipt of the SOQs received by the due date mentioned in Section 1.2.

### 4.2 Format and Content

All SOQ’s must comply with the following:

- A. Provide a Portable Document File (PDF) that is bookmarked. The maximum file size allowable for emailing is 20 megabytes (MB).
- B. The SOQ shall not exceed 15 pages excluding SOQ cover page, table of contents, tabs, Form 1 - Statement of Qualifications Checklist and Contents, Letter of Submittal forms and other SOQ forms. IDOT will only evaluate the first 15 pages; any additional pages will not be considered. Animated videos and motion pictures or links to such information are prohibited.
- C. The SOQ is to be prepared using a 8.5” x 11” page size. Form 8 - Work History Form and organizational chart may be prepared on 11” x 17” format.
- D. All fonts, except for the front cover of the SOQ, are required to be Times New Roman, with a font of 12-point. Times New Roman 10-point font may be used for filling out information on Form 7 - Key Personnel Resume Form, and Form 8 - Work History Form.
- E. The format and appearance, including existing text, of Form 7 - Key Personnel Resume Form, and Form 8 - Work History Forms should not be modified.
- F. Form 7 should not exceed two (2) pages for each Key Personnel, which shall not be included in the 15-page limit.
- G. Form 8 should not exceed one (1) page per project, which shall not be included in the 15-page limit.
- H. Tabs may be used between sections at Proposer’s discretion and will not count against the 15-page limit, provided that no information other than the section title is included on them.

The Statement of Qualifications are required to include all components listed below. Failure to include all components may result in rejection of the Proposer’s SOQ.

1. SOQ cover page
2. Form 1 - Statement of Qualifications Checklist and Contents
3. Letter of Submittal
  - a. Designated Contact Information (Section 3.2.1A)
  - b. Principal Officer Information (Section 3.2.1B)
  - c. Proposer’s Corporate Structure (Section 3.2.1C)

- d. Identity of DB Contractor (Section 3.2.1D)
  - e. Written Statement for DBE Utilization Goal (Section 3.2.1E)
- 4. Understanding of Project (Section 3.3)
  - a. Understanding of Project Synopsis
- 5. Qualifications of Team (Section 3.4)
  - a. Team Qualifications Narrative
  - b. Organizational Chart
  - c. Organizational Chart Narrative
  - d. Key Personnel
  - e. Team Communications Narrative
  - f. Safety Summary
- 6. Proposer Experience (Section 3.5)
  - a. Work History
- 7. Team Diversity and Community Engagement (Section 3.6)
  - a. Team Diversity & Community Engagement Narrative
- 8. Letter of Submittal Forms
  - a. Form 2 - Affiliated and Subsidiary Companies of the Proposer (Section 3.2.2(A))
  - b. Form 3 - Certification Regarding Debarment Primary Covered Transactions (Section 3.2.2(B))
  - c. Surety Letter (Section 3.2.2(C))
  - d. Form 4 - Proposer Licenses and Registrations (Section 3.2.2(D))
- 9. Other SOQ Forms
  - a. Form 5 - Acknowledgement of RFQ Revision and/or Addenda
  - b. Form 6 – Conflict of Interest Disclosure
  - c. Affidavit of Availability (BC 57)
  - d. Form 7 - Key Personnel Resume Forms
  - e. Form 8 - Work History Forms

## **5 EVALUATION PROCESS**

### **5.1 Responsiveness Review**

Upon receipt of an SOQ, IDOT will perform a responsiveness review to ensure the SOQ was completed in accordance with this RFQ. This will include verifying compliance with applicable governmental registrations and licensing requirements as outlined in this RFQ, including prequalification requirements as outlined in Section 2.8. This review will focus on whether each SOQ meets administrative responsiveness requirements; containing all necessary pages and mandatory forms and answers all necessary parts and other pass/fail legal and financial requirements as mentioned in this RFQ. This review may not identify other non-responsive issues that may arise during the subsequent technical evaluation by IDOT. Correction of minor clerical or administrative errors may be permitted in order for a Proposer to remedy non-responsiveness at the sole discretion of IDOT and the Chief Procurement Officer.

IDOT may request from a Proposer during the responsiveness review that they clarify, correct, or remedy an omission in their SOQ. Any SOQ that is determined to be non-responsive will be returned to the Proposer by IDOT with a written notification stating the reason(s) for non-responsiveness.

### **5.2 Technical Evaluation**

IDOT will evaluate all responsive SOQs and measure each Proposer's response against the Project goals and evaluation criteria set forth in this RFQ, resulting in a numerical score for each SOQ. The scoring will be distributed as described in Section 3 and summarized below:

- A. Understanding of Project (25 Points)
- B. Qualifications of Team (40 Points)
- C. Proposer Experience (25 Points)
- D. Team Diversity and Community Engagement (10 Points)

### **5.3 Determining Shortlisted Proposers**

After determining which SOQs are responsive and meet all pass/fail criteria, IDOT will total the scores for each responsive SOQ and prepare a ranked list of Proposers. IDOT intends to shortlist two (2) to five (5) of the most qualified Proposers.

IDOT reserves the right, in its sole discretion, to cancel this RFQ, issue a new RFQ, reject any or all SOQs, seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to this RFQ, seek and receive clarifications to an SOQ and waive any deficiencies, irregularities or technicalities in considering and evaluating the SOQs.

This RFQ does not commit IDOT to enter into a contract or proceed with the procurement of the Project. IDOT assumes no obligations, responsibilities, and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred by the parties responding to this RFQ. All such costs are to be borne solely by each Proposer.

### **5.4 Notification of Shortlisting**

Shortlisted teams will have their Proposer's names posted on the Innovative Project Delivery (IPD) Procurements Website, which will serve as the shortlisting announcement. However, the SOQ score will not be shared with the shortlisted Proposer until the execution of DB Contract. See Exhibit 4 – Example Notice of Shortlisting Results for an example of the shortlisting announcement.

Informal discussions will be initiated by a written request for a one-on-one meeting delivered to the IDOT Procurement Manager. The written request should include an agenda for the proposed one-on-one meeting. IDOT will meet with the Proposer as soon as practicable to discuss the nature of the discussion.

## **5.5 Debriefing**

Feedback, in the form of a formal debriefing, may be provided via face-to-face meeting, phone or email at the discretion of the IDOT Procurement Manager. However, any feedback will not be provided until after the execution of the DB Contract.

## 6 PROCUREMENT – RFP STEP

This Section 6 is provided for informational purposes only so that each Proposer has information that describes the second step of the Project procurement process, the RFP Step, including a summary of certain anticipated RFP Step requirements. IDOT reserves the right to make changes to the following, and the shortlisted Proposers shall only rely on the actual RFP if and when it is issued. This Section does not contain requirements related to the SOQ. The IDOT District Project Manager (District PM) responsible for the design and construction aspects of the Project will be: Scott Ferguson.

### 6.1 Request for Proposals

The shortlisted Proposers following the RFQ Step of the procurement process will be eligible to move to the RFP Step. Only shortlisted Proposers will be allowed to submit a Proposal in response to the RFP and IDOT may choose to make the RFP available exclusively to those shortlisted Proposers.

### 6.2 RFP Structure

The RFP will be structured as follows:

- A. Instructions to Proposers
- B. Contract Documents
  - i. Book 1
    - Part 1 – Project Specific Terms
    - Part 2 – General Requirements and Covenants for Design-Build Project Delivery
    - Part 3 – Contract Exhibits
  - ii. Book 2
    - Part 4 – Technical Requirements
    - Part 5 – Amendments to Division 200 – 1100
- C. RIDs
- D. PIDs

### 6.3 Proposal Evaluations

IDOT intends to award a DB Contract for the Project to the shortlisted Proposer offering the highest-ranked, responsive Proposal, to be determined as described in the RFP. A shortlisted Proposer's SOQ score will not be shared with the shortlisted Proposer until the execution of the DB Contract.

### 6.4 Proposal Stipends

In accordance with the terms and procedures mentioned in the RFP, IDOT intends to pay a stipend amount of \$75,000 for responsive proposals submitted by Proposers during the RFP Step. A stipend will not be paid to the successful Proposer. No stipends will be paid for submitting SOQs. Proposers will be given the option to accept the stipend and allow IDOT to use work product developed in the Proposal or Proposers may reject the stipend and retain rights to work product developed in the Proposal. In consideration for paying the stipend, IDOT may use any ideas or information contained in the Proposals in connection with any contract awarded for the Project or in connection with a subsequent procurement, without any obligation to pay any additional compensation to the unsuccessful shortlisted Proposers.

## **7 PROTESTS PROCEDURES**

### **7.1 Applicability**

This Section 7 sets forth the exclusive protest remedies available to Proposers with respect to this RFQ and prescribes exclusive procedures for protests regarding issues concerning fraud, corruption or illegal acts undermining the objectives and integrity of the procurement process. Section 7 does not apply to issues of prequalification, lack of Proposers responsibility, suspension or debarment.

No protest with respect to this RFQ may be filed except by a Proposer pursuant to this Section 7.

### **7.2 Required Early Communication for Certain Protests**

Protests concerning the issues described in Section 7.1 may be filed only after the Proposer has informally discussed the nature and basis of the protest with IDOT in accordance with the procedures prescribed in this Section 7.

### **7.3 Deadline for Protests**

All protests must be in writing and filed with the CPO within 7 calendar days after the protester knows or should have known of the facts giving rise to the protest. Protests filed after the 7-calendar day period will not be considered. In addition, protests that raise issues of fraud, corruption or illegal acts affecting the content of the RFQ must be received by the CPO no later than 14 calendar days before the SOQ due date as identified in the RFQ or any addendum to the RFQ.

### **7.4 Content of Protest**

Protests filed under Section 7.3 are required to include the following:

1. The name, address, telephone and facsimile numbers of the protestor.
2. The identification of the procurement or solicitation that is the subject of the protest.
3. All information establishing that the protester is an interested party.
4. A detailed statement of the factual and legal grounds of the protest, including all relevant documents and exhibits that demonstrate fraud, corruption or illegal acts having the effect of undermining the integrity of the procurement process.
5. All information establishing the timeliness of the protest.
6. The signature of the protester.

### **7.5 Filing of Protest**

Protests are required to be submitted in an envelope clearly labeled "Protest", delivered by hand or express courier on or before the deadline to the attention of the CPO at the Illinois Department of Transportation, Hanley Building, Room 200, 2300 South Dirksen Parkway, Springfield, Illinois, 62764, with copies to the IDOT Procurement Manager and to IDOT's Chief Counsel at the Illinois Department of Transportation, Hanley Building, Room 313, 2300 South Dirksen Parkway, Springfield, Illinois, 62764.

### **7.6 Burden of Proof**

The protestant shall have the burden of proving its protest by clear and convincing evidence. IDOT and the CPO may, in their discretion, discuss the protest with the protestant and other Proposers in accordance with applicable law. No hearing will be held on the protest. The protest will be decided on the basis of written submissions.

### **7.7 Decision on Protest**

The CPO or his or her designee will issue a written decision regarding the protest as expeditiously as possible after

the filing of the detailed statement of protest under Section 7.4 and receipt of all relevant information. The decision of the CPO is final and conclusive unless clearly erroneous, arbitrary, capricious or contrary to law (see Section 20-75 of the Illinois Procurement code). A copy of the decision of the CPO will be transmitted to the protester within 14 days after the decision is entered. If the protest is sustained, the remedies available are limited to cancellation or revision of the solicitation, or readvertisement of the solicitation. Relief available does not include award of the contract to the protester.

## **7.8 Rights and Obligations of Proposers**

Each Proposer, by submitting its SOQ, expressly recognizes and agrees to the limitation on its rights to protest provided in this Section 7, expressly waives all other rights and remedies that may be available to the Proposer under law and agrees that the decision by the CPO on the protest is final and conclusive. These provisions are included in this RFQ expressly in consideration for such waiver and agreement by the Proposers.

If a Proposer disregards, disputes, or does not follow the exclusive protest remedies provided in this Section 7, they shall indemnify and hold IDOT, its officers, employees, agents, and consultants harmless from and against all liabilities, fees, and costs, including legal and consultant fees and costs, and damages incurred or suffered as a result of such Proposer's actions. Each Proposer, by submitting an SOQ, will be deemed to have irrevocably and unconditionally agreed to this indemnity obligation.

## 8 RIGHTS AND OBLIGATIONS OF IDOT

### 8.1 Reservation Rights

In connection with this procurement, IDOT reserves to itself all rights (which rights may be exercisable by IDOT 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 or the subsequent RFP in whole or in part at any time prior to the execution by IDOT of a DB Contract, without incurring any obligations or liabilities.
- B. The right to issue a new RFQ.
- C. The right to reject any and all submittals, responses and Proposals received at any time.
- D. The right to modify all dates set or projected in this RFQ.
- E. The right to terminate evaluations of SOQs and responses received at any time.
- F. The right to suspend and terminate the procurement process for the Project, at any time.
- G. The right to waive or permit corrections to data submitted with any response to this RFQ until such time as IDOT declares in writing that a particular stage or step of its review of the responses to this RFQ has been completed and closed.
- H. The right to issue addenda, supplements, and modifications to this RFQ, including but not limited to modifications of evaluation criteria or methodology and weighting of evaluation criteria.
- I. The right to permit submittal of addenda and supplements to data previously provided with any response to this RFQ until such time as IDOT declares in writing that a particular stage or phase of its review of the responses to this RFQ has been completed and closed.
- J. The right to hold meetings and conduct discussions and correspondence with one or more of the Proposers responding to this RFQ to seek an improved understanding and evaluation of the responses to this RFQ.
- K. 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 Proposers.
- L. The right to permit Proposers to add or delete firms and/or Key Personnel until such time as IDOT declares in writing that a particular stage or phase of its review has been completed and closed.
- M. The right to add or delete Proposer responsibilities from the information contained in this RFQ or the subsequent RFP.
- N. The right to appoint and change appointees of any Evaluation Committee.
- O. The right to use assistance of technical and legal experts and consultants in the evaluation process.
- P. The right to waive deficiencies, informalities, and irregularities in an SOQ, accept and review a non-conforming SOQ or seek clarifications or supplements to an SOQ.
- Q. The right to disqualify any Proposer that changes its submittal without IDOT approval.
- R. The right to change the method of award between the advertisement of the RFQ and the advertisement of the RFP.
- S. The right to respond to all, some, or none of the inquiries, questions and/or requests for

clarification received relative to the RFQ.

This RFQ does not commit or bind IDOT or any agency or instrumentality of the State to enter into a DB Contract or proceed with the procurement described herein. IDOT and the State of Illinois assume no obligations, responsibilities, or 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 or responding to this RFQ or any subsequent RFP. All such costs will be borne solely by each Proposer.

In no event will IDOT be bound by or liable for any obligations with respect to the Project until such time (if at all) as a DB Contract, in form and substance satisfactory to IDOT, has been executed and authorized by IDOT, and then only to the extent set forth therein.

IDOT may, in its sole discretion, disqualify the Proposer from further consideration for the award of the DB Contract if it is found after due notice and examination by IDOT that there is a violation of Article 50 of the Illinois Procurement Code (30 ILCS 500/50 et seq.), or any similar statute involving the Proposer in the procurement of the DB Contract.

## 9 ADMINISTRATIVE REQUIREMENTS

In addition to the specific submittal requirements set forth in Section 3 above, all Proposers shall comply with the following:

- A. All Proposers must at the time of their SOQ submittal comply with the law and nothing herein is intended to contradict, nor supersede, any applicable State and Federal laws and regulations. All Proposers shall be eligible at the time of their SOQ submittal, under the law and relevant regulations, to offer and to provide all services proposed and related to the Project. Unless exempted by Section 3 of the Professional Engineering Practice Act of 1989 (225 ILCS 325/3), Section 7 of the Illinois Architecture Practice Act of 1989 (225 ILCS 305/7), Section 3 of the Structural Engineering Practice Act of 1989 (225 ILCS 340/3), and Section 25 of the Illinois Professional Land Surveyor Act of 1989 (225 ILCS 330/25)], any person, partnership, corporation, or other entity offering or practicing architecture, engineering, or land surveying shall be registered or licensed in accordance with the Professional Engineering Practice Act of 1989 (225 ILCS 325/1 *et seq.*), the Illinois Architecture Practice Act of 1989 (225 ILCS 305/1 *et seq.*), the Structural Engineering Practice Act of 1989 (225 ILCS 340/1 *et seq.*), and the Illinois Professional Land Surveyor Act of 1989 (225 ILCS 330/1 *et seq.*). Proposers shall satisfy at the time of their SOQ submittal all commercial and professional registration requirements in accordance with Illinois law.
- B. IDOT will not consider for award any Proposals submitted by any Proposer and will not consent to subcontracting any portions of the proposed DB Contract to any subconsultants in violation of the provisions of the Federal Immigration Reform and Control Act of 1986, which prohibits employment of illegal aliens.
- C. All Proposers must have internal control systems in place that meet federal requirements for accounting. These systems must comply with requirements of 48 CFR Part 31, "Federal Acquisition Regulations, Contract Cost Principles and Procedures," and 23 CFR Part 172, "Administration of Engineering and Design Related Service Contracts."
- D. Proposers must comply with Title VI of the Civil Rights Act of 1964, as amended. The consultant and all subconsultants selected for this Project will be required to submit a Title VI Evaluation Report (EEO- D2) when requested by IDOT to respond to the RFP. This requirement applies to all consulting firms with fifteen (15) or more employees.
- E. IDOT does not discriminate against a Proposer because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment. The Proposer shall note and comply with Section 2-105 of the Illinois Human Rights Act (775 ILCS 5/ *et seq.*) in state contracting and public services. The Proposer shall maintain a non-discrimination policy, which prohibits discrimination by the Proposer on the basis of race, sex, color, national origin, religion, sexual orientation, gender identity, age, political affiliation, disability, or veteran status. This policy must be followed in all employment practices, subcontracting practices, and delivery of goods or services.
- F. Proposers are prohibited to access IDOT right of way and private property within the project limits to perform any activities other than to observe the conditions of the site, unless otherwise approved in writing by the IDOT Procurement Manager<sup>4</sup>. If any member of the Proposer's team has access to geotechnical investigations/information/evaluations or any exploratory borings conducted within the project limits prior to release of RFQ, they shall disclose such information to IDOT Procurement Manager for determination of how this information would affect the opportunity of that entity to participate in the Project procurement. Furthermore, the Proposers are on notice that any unauthorized access to IDOT right of way and private property within the Project may be considered sufficient for the disqualification of the Proposer or may render the Proposer's SOQ non-responsive or both.

## **10 DISADVANTAGED BUSINESS ENTERPRISES (DBEs)**

It is the policy of IDOT to encourage the participation of DBEs, minority- and women-owned firms consistent with applicable laws and regulations. DBE program requirements will be applied to the design and construction of the Project in accordance with 49 CFR Part 26, as well as the federal contractual requirements set forth in FHWA Form 1273. Please visit the following webpage for information regarding IDOT's Office of Workforce and Diversity, IDOT's overall federal DBE goal, the Illinois UCP Directory of DBE firms, and IDOT's DBE Supportive Services Program: <http://www.idot.illinois.gov/doing-business/certifications/disadvantaged-business-enterprise-certification/index>.

Proposers to this RFQ are not required to identify Illinois-certified DBE firms in the SOQ. The anticipated DBE utilization goals for this Project are provided in Section 2.15. Specific DBE utilization requirements for the Project will be detailed in the RFP and DB Contract. Among other things, the RFP will require each Proposer to submit as part of its Proposal, a DBE Utilization Plan for proactively promoting, managing, and monitoring DBE opportunities. IDOT's approval of the Proposer's final DBE Utilization Plan will be a condition precedent to commencement of applicable Work.

During this procurement, IDOT may host one or more outreach events for DBEs and other firms interested in bidding on Work for the Project. Event information, including instructions for registration, will be posted to the Innovative Project Delivery (IPD) Procurements Website. Proposers are encouraged to attend these events to connect with Illinois-certified DBE firms and other industry firms. In addition, the RFP will require the DB Contractor to perform its own outreach and other activities to facilitate DBE participation in the Project in accordance with the DBE Utilization Plan. Each Proposer will be required to certify that it will meet, or will exercise good faith efforts to meet, the DBE utilization goals for the Project, and the DB Contractor will be required to provide DBE commitments in the form required by IDOT as its DBE subcontractors are identified.

A DBE firm certified by another state may apply for DBE certification with the State of Illinois, though the Illinois DBE certification process could take up to six months.

## 11 MISCELLANEOUS

### 11.1 Illinois Freedom of Information Act

Proposer Submittals are Subject to Public Disclosure

- A. After the execution of the DB Contract, all documents submitted by Proposers to IDOT, including Proposer comments and questions and the SOQs, are subject to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (the “Illinois FOIA”).
- B. Additionally, information submitted by Proposers may be made available to FHWA representatives. IDOT intends to follow procedures established by FHWA to avoid disclosure, to the extent possible, of such information under the federal Freedom of Information Act.
- C. Under Section 7 of the Illinois FOIA, certain public records may be exempt from the Illinois FOIA. This includes, but is not limited to, private information (as defined in Section 2(c-5) of the Illinois FOIA), as well as trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, but only insofar as this claim directly applies to the records requested under the Illinois FOIA.
- D. Proposers are encouraged to familiarize themselves with the Illinois FOIA, the federal Freedom of Information Act and any other laws and regulations applicable to the disclosure of documents submitted in connection with this RFQ and to the issue of confidentiality and public information (collectively, the “Public Records Laws”). IDOT will not advise a Proposer as to the nature or content of documents entitled to protection from disclosure under the Public Records Laws, as to the interpretation of such laws, or as to the definitions of proprietary, privileged, or confidential trade secrets or commercial or financial information. The Proposer will be solely responsible for all determinations made by it under applicable laws. Each Proposer is advised to contact its own legal counsel concerning the effect of applicable laws on that Proposer’s own circumstances.
- E. In the event of any proceeding or litigation concerning the disclosure of any SOQ, portion thereof, or related submittal, the Proposer shall be responsible for prosecuting or defending any action concerning the materials at its sole expense and risk; provided, however, that IDOT reserves the right, in its sole discretion, to intervene or participate in the litigation in such manner as it deems necessary or desirable. All costs and fees (including attorneys’ fees and costs) incurred by IDOT in connection with any litigation, proceeding or request for disclosure will be reimbursed and paid by the Proposer whose SOQ or related submittal is the subject thereof.
- F. Nothing contained in this RFQ can modify or change IDOT’s obligations under the Illinois FOIA or other applicable law.

### 11.2 Confidential Contents

- A. If a Proposer submits any information that it deems to be trade secrets or commercial or financial information that is proprietary, privileged or confidential, disclosure of which would cause competitive harm, or information otherwise protected from disclosure, whether in the SOQ, RFC or otherwise, the Proposer shall specifically and conspicuously mark such information “CONFIDENTIAL” in the header or footer of each affected page. Blanket designations that do not specifically identify the confidential information will not be acceptable and may be cause for IDOT to treat the entire document as public information.
- B. In addition, any information marked “CONFIDENTIAL” must be accompanied by a separate statement justifying its assessment. As noted in Section 11.1 denials of public records requests under Illinois FOIA

may be subject to review by the Public Access Counselor established in the Office of the Illinois Attorney General and may be subject to judicial review. Additional information provided by the Proposer regarding the materials it deems to be proprietary, privileged, or confidential may be useful for purposes of any such review.

- C. In no event will IDOT or any of its agents, representatives, consultants, directors, officers, or employees be responsible or liable to a Proposer, Proposer team member or any other party as a result of the disclosure of all or any portion of an SOQ, RFC, or any other information submitted in response to this RFQ, including materials marked “CONFIDENTIAL,” whether the disclosure is deemed required by Law, by determination of the IDOT FOIA Officer, an order of the Public Access Counselor or court order, or occurs through inadvertence, mistake, or negligence on the part of IDOT or its agents, representatives, officers, employees, contractors, or consultants.

### **11.3 Compliance with the Law in Illinois**

Failure to comply with the law with regard to those legal requirements in Illinois (whether federal or state) regarding a Proposer’s ability to lawfully offer and perform any services proposed or related to the Project may render a Proposer’s SOQ submittal or RFP submittal, in the sole and reasonable discretion of IDOT, non-responsive and/or non-responsible, and in that event a Proposer’s SOQ submittal or RFP submittal may be returned without any consideration or evaluation for selection of contract award.

## Exhibit 1 – RFQ Definitions and Acronyms

“**Act**” has the meaning given to it in Section 1.1.

“**Affiliate**” means any business entity that is closely associated to another business entity so that one entity controls or has power to control the other entity either directly or indirectly as further defined in Section 3.2.(E).

“**Bureau of Innovative Project Delivery (IPD Bureau)**” means the Bureau, within IDOT charged with identifying, evaluating, and developing projects that may benefit from innovative approaches, including the use of various forms of project delivery allowable under law including Design Build, progressive design-build, and Public- Private Partnerships.

“**Chief Procurement Officer**” (CPO) means the individual from IDOT responsible for overseeing all construction related procurement activity at IDOT.

“**Civil Rights Manager**” means the individual from the Proposer's organization responsible for all aspects of the DBE Utilization Plan including monitoring the DBE participation as defined in Section 3.4.6.

“**Construction Manager**” means the individual from the Proposer's organization responsible for ensuring that the Project is constructed in accordance with the DB Contract requirements as defined in Section 3.4.6.

“**Construction Quality Control Manager**” means the individual from the Proposer's organization responsible for managing the Proposer's construction Quality Control functions as defined in Section 3.4.6.

“**Contractor**” or “**DB Contractor**” means the Proposer that has entered into a DB Contract with IDOT as defined under Section 1.1 and in accordance with the DB Contract.

“**Design-Build Contract**” or “**DB Contract**” means the contract entered into between IDOT and the DB Contractor for the design and construction of the Project.

“**Design Manager**” means the individual from the Proposer's organization responsible for managing the overall Project design as defined in Section 3.4.6.

“**Design Quality Control Manager**” means the individual from the Proposer's organization responsible for managing the over Project design quality as defined in Section 3.4.6.

“**Designated Contact**” means the individual designated by a Proposer as the point of contact for communications with IDOT during the procurement.

“**Disadvantaged Business Enterprise (DBE)**” means as defined in Title 49 Code of Federal Regulations Part 26, as amended, and the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/4).

“**Disadvantaged Business Enterprise (DBE) Utilization Plan**” means the Contractor's approach that will be implemented to achieve the DBE goal as defined in Section 3.3(I).

“**District Project Manager**” (District PM) has the meaning given to it in Section 6.

“**Environmental Compliance Manager**” means the individual from the Proposer's organization responsible for assuring compliance of all on-site activities with the requirements of all permits and regulatory requirements as defined in Section 3.4.6.

“**FHWA**” means the United States Department of Transportation Federal Highway Administration.

“**IDOT Procurement Manager**” means the individual from IDOT responsible for overseeing all procurement related activities and serving as the single point of contact during the procurement phase for all communication between Proposers and IDOT as identified in Section 2.3.

**“Illinois Department of Transportation (IDOT or the Department)”** means the agency within the State of Illinois charged with the construction and maintenance of state-maintained public roadways and provides funding for rail, public transit, and airport projects and administers fuel tax and federal funding to local jurisdictions.

**“Illinois FOIA”** means the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq.

**“Illinois Procurement Code”** means the codified General Provisions of Illinois Statutes under 30 ILCS 500.

**“Illinois Public Construction Bond Act”** means the codified General Provision of Illinois Statutes under 30 ILCS 550/0.01 et seq.

**“Innovative Project Delivery (IPD) Procurements Website”** means the webpage where Notices of Intent (NOI) and Requests for Qualifications (RFQ) will be located.

**“Key Personnel”** means the individuals from the Proposer's organization who will serve in key lead roles, with minimum qualifications as defined in Section 3.4.6

**“Key Subcontractor”** means a subcontractor that will perform 10% or greater of the construction value.

**“Letter of Submittal”** means a component of the SOQ containing information defining the legal entity of the Proposer and its Affiliates together with certain required certifications and commitments as described in Section 3.2.

**“Preliminary Reference Information Documents” (RIDs)** means those documents as listed in Exhibit 3 to this RFQ.

**“Principal Officer”** means the individual from the Proposer's organization who will serve as the authorized officer of the Proposer with signature authority over contracts and other legal instruments (e.g., President, Treasurer, Chairperson of the Board of Directors, etc.).

**“Principal Participant”** means any of the following entities:

- (i) any joint venture, partner, or firm holding an interest in the DB Contractor if the DB Contractor is a joint venture, partnership, or other form of unincorporated legal entity;
- (ii) any person or firm holding (directly or indirectly) a 15% or greater interest in the DB Contractor if the DB Contractor is a corporation, limited liability company, or other form of incorporated legal entity;
- (iii) parent company or Affiliate of the DB Contractor or another Principal Participant that will provide financial support to such firm (guarantor) to meet the financial obligations of the DB Contract, or
- (iv) the lead engineering/design firm(s); and each engineering/design sub-consultant that will perform 30% or more of the design work.

**“Procurement Schedule”** has the meaning given to it in Section 1.2.

**“Project”** means the facility to be constructed under this DB Contract as described in Section 2.2 of this RFQ.

**“Project Information Documents” (“PIDs”)** means those documents as listed in Exhibit 5 to this RFQ.

**“Project Manager”** means the individual from the Proposer's organization who will serve as the single point of contact for the project and will be responsible for the overall preconstruction services, construction, quality management and DB Contract administration for the Project as described in Section 3.4.6.

**“Proposal”** means the Proposer's submittal in response to a RFP containing its technical and financial approach to develop the Project, inclusive of all information and documents required in the RFP.

**“Proposer” or “Proposers”** means those entities or groups interested in submitting Statements of Qualifications for the management and construction of the Project.

**“Public Information Manager”** means the individual from the Proposer’s organization responsible for

managing the overall Project public information tasks as defined in Section 3.4.6.

**“Public Records Laws”** has the meaning given to it in Section 11.1.

**“Related Entities”** means any entity that is a parent, Affiliate, or subsidiary, at any tier, of any of the foregoing entities, or that is under common ownership, control, or management with any of the foregoing entities (“Related Entities” of the foregoing) may also be precluded from participating on or advising a Proposer team due to an organizational conflict of interest.

**“Request for Clarification (RFC)”** means a Proposer’s written request for clarification regarding this RFQ, as described in Section 2.4.

**“Request for Clarification (RFC) Submittal Form”** means the Form 10 that is provided with this RFQ for purposes of submitting RFCs in response to this RFQ.

**“Request for Proposals (RFP)”** means a Project announcement posted publicly by IDOT indicating that Proposals for a Project are sought. The RFP describes the Project, its goals, the Proposal process, and contract terms. The RFP will not be available to the public; only shortlisted Proposers will receive the RFP and will be allowed to submit a Proposal in response to the RFP.

**“Request for Qualifications” (RFQ)** means a Project announcement posted publicly by IDOT indicating that qualifications for the Project are sought. The RFQ refers to the pre-qualification stage of the procurement process. Only those proponents who successfully respond to the RFQ and meet the qualification criteria may be included in the subsequent RFP process.

**“RFP Step”** means the period of time from issuance of the RFP to notification and award of the DB Contract when shortlisted Proposers prepare and submit their Proposals to IDOT for evaluation and scoring.

**“RFQ Step”** means the period of time from issuance of the RFQ to notification of the shortlisted Proposers when Proposers prepare and submit their SOQs to IDOT for evaluation and scoring.

**“Safety Manager”** means the individual from the Proposer’s organization responsible for achieving the safety goals of the Project with the minimum qualification as defined in Section 3.4.6.

**“Secretary”** means the Illinois Secretary of Transportation.

**“State”** refers to the State of Illinois.

**“State Laws”** means any Law or any change in any Law by any State Party.

**“State Party”** means any State entity that is a party to this Project contract.

**“Statement of Qualifications (SOQ)”** means the Proposer’s submittal in response to a RFQ containing its team composition and qualifications to deliver the Project, inclusive of all information and documents required in the RFQ.

**“Statement of Qualifications (SOQ) Checklist”** – A list of all required documents and information to be contained within the Proposer’s SOQ per Form 1.

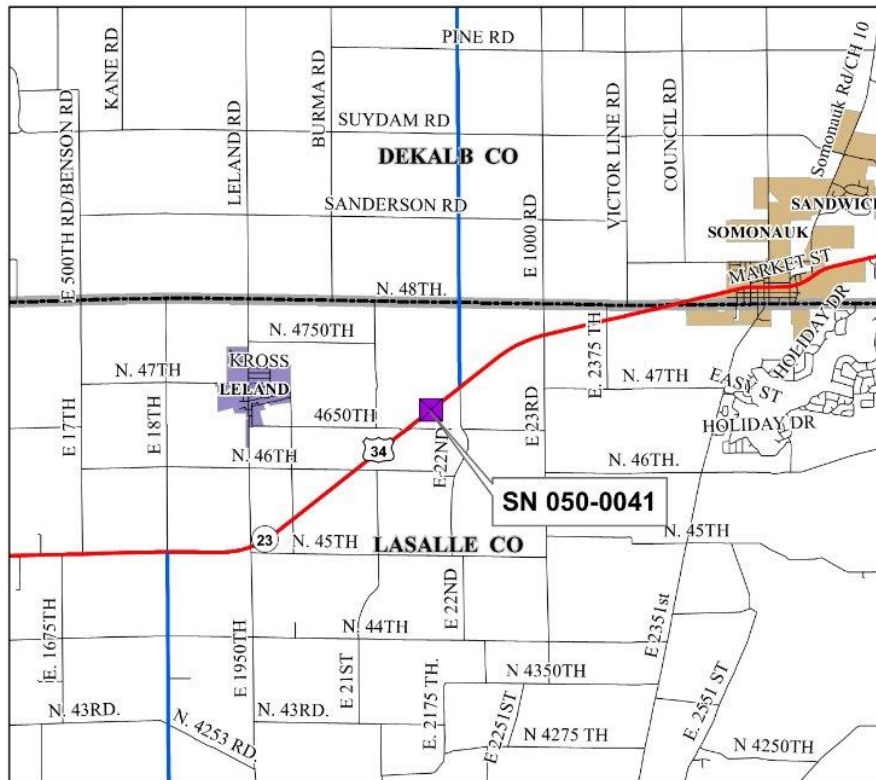
**“Structural Engineer”** means the individual from the Proposer’s organization responsible for ensuring the overall structural design is completed and all structural requirements are met, sealing the technical submissions for this project with the minimum qualification as defined in Section 3.4.6.

**“USDOT”** means the United States Department of Transportation.

**“Work”** means collectively, the development, design, construction, completion, management, and any other services identified in the DB Contract to be performed by the Contractor.

## Exhibit 2 – Location Map

**PROJECT LOCATION: US 34/IL 23 over Little Indian Creek**





## Exhibit 3 – Preliminary Reference Information Documents

A list of preliminary RIDs has been provided in this Exhibit 3. The RIDs will be provided to the shortlisted Proposers during the RFP Step. The RIDs are for informational purposes only and are subject to revision, correction, or alteration. The RIDs provided may only be relied upon by a Proposer at its own risk and will not be considered contractual or binding in nature.

### LIST OF PRELIMINARY REFERENCE INFORMATION DOCUMENTS

<b>RID As-Built</b>
(Descriptions of as-builts are provided for information only and may not be entirely accurate)
<b>RID Concept Plans and Data</b>
Construction Plans – Original Construction
Construction Plans – Repairs and Maintenance
<b>RID Miscellaneous Reference Information</b>
Project Report
Bridge Condition Report
Hydraulic Report
Utility Coordination
SWPPP
Land Acquisition Information

## Exhibit 4 – Example Notice of Shortlisting Results



(DATE OF POSTING)

**IDOT US 34/IL 23 & US 52 Bridge Replacements Project**  
**Contract No.: 66P04**

The following teams have been shortlisted for the US34/IL 23 & US 52 Bridge Replacements Project:

Shortlisted Teams
Company 1
Company 2
Company 3

## Exhibit 5 – Preliminary Project Information Documents

PIDs are data driven, project studies or other related information provided by the Department and are intended to be relied upon by the Proposer. A preliminary list of PIDs has been provided in this Exhibit 5. The PIDs will be provided to the shortlisted Proposers during the RFP Step.

### LIST OF PRELIMINARY PROJECT INFORMATION DOCUMENTS

PID Studies, Reports, or Other Documents
Soil Boring Logs
Rock Core Logs