STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RIDOT Addendum Notification

RFP# 7598876PH2A1 – Best Value Design-Build Services for Interstate Route 95 Viaduct Northbound Bridge Group 75T-5B (I)

(REQUEST FOR PROPOSALS-Phase 2)
ADDENDUM #1
SUBMISSION DUE DATE: APRIL 2, 2020 at 11:30 am

Per issuance of the Rhode Island Department of Transportation **ADDENDUM # 7598876PH2-A1** the following revisions, additions, and clarifications are noted:

I. RFP Part 1 INSTRUCTIONS TO PROPOSERS is revised as follows:

Section 6.8. Bonding

In accordance with ~~the State's Amended Procurement Rules & General Conditions of Purchase~~, ~~effective December 2011, as cited under Section 12.102.06, "Proposal Guaranty"~~, Rhode Island Code of Regulations 220-RICR-30-00-12, effective August 13, 2018,~~-~~ the separately sealed TECHNICAL PROPOSAL will not be accepted or considered unless accompanied by a guaranty in the form of an original FIVE PERCENT (5%) BID BOND (No Dollar Amount shall be stated) made payable to the State of Rhode Island. Bid bonds must be provided by surety companies licensed and authorized to conduct business in the State of Rhode Island. All surety companies must be listed with the ~~State~~ U.S. Department of the Treasury, Fiscal Service, Circular 570, (Latest Revision published by the Federal Register).

The Bid Bond shall be submitted in a separate envelope marked "RFP# 7598876PH2-BID BOND."

APPROVED: Lori A Fisette 11/26/19

Lori Fisette **DATE**
Manager, Project Management

Section 1. Request for Proposals, Clarifications, and Basic Terms

1.1. Introduction

This document comprises the Instructions to Proposers (ITP), Part 1 of the Request for Proposals (RFP) package, issued by the State of Rhode Island Department of Administration (RIDOA)/Division of Purchases in conjunction with the Rhode Island Department of Transportation (RIDOT), hereinafter referred to as "The State". The RFP solicits competitive Proposals from the shortlisted Design-Build (DB) entities to value engineer the design and construct the I-95 Viaduct Northbound Project (the "Project") on a fixed term/firm price basis in accordance with 23 U.S.C. §112 and 220-RICR-30-00-8 Title 220 Chapter 30 §8.11 "Selection of Methods of Construction Contracting Management" of the State Procurement Regulations. The State intends to enter into a contract (the "Contract") with the selected Proposer in a form substantially similar to the Contract stipulations included in Part 3 of this RFP.

Bid# 7598876PH2
BEST VALUE DESIGN/ BUILD Services for Bridge Group 75T-5B (I): I-95 Viaduct Northbound, Providence, Rhode Island

DBE GOAL: CONSTRUCTION 11% / DESIGN 11%

TRAINEES: 3,400 HRS

1.2. Request for Proposal (RFP) to Proposers, and Clarifications of RFP

The State will post the electronic copy of the Request for Proposals (RFP) at RIDOT'S *"Bidding Opportunities"* web page accessible at: **http://www.ridop.ri.gov**. Such Proposers shall be responsible for diligently examining the RFP, including any addenda issued by the State in connection with it, and for informing themselves about any conditions that may affect the Proposer's creation of its Technical Proposal, Price Proposal, or its performance of Contract obligations (if it should obtain the Contract). The State shall not be liable for any consequences of a Proposer's failing to fulfill these responsibilities.

There will be no point of contact at RIDOT who will directly answer questions either in person, through email, or by telephone. Questions shall be posted at RIDOT'S "Bidding Opportunities" web page accessible at: http://www.dot.ri.gov/contracting/bids/index.php. Select the question mark "?" next to the applicable project to submit questions. Responses to questions will also be posted at this site. Questions will not be accepted after **NOON on ~~FEBRUARY 20~~MARCH 24, 2020**. Upon the close of questions, all questions and answers will be posted as an addendum at the RIVIP website at https://www.ridop.ri.gov and will subsequently therefore be incorporated into the resulting contract.

If a Proposer believes that a particular question discloses such request contains proprietary information, trade secrets or confidential commercial and financial information that a Proposer believes should be exempted from disclosure, the Proposer shall specifically identify and mark as such and shall be submitted to the email address provided below in a manner, so it is easily identified. Blanket submittal of all questions identified as confidential shall not be permitted and shall be deemed invalid. The specific proprietary information, trade secrets or confidential commercial or financial information shall be clearly identified as such and shall be accompanied by a concise statement of reasons supporting the claim. The Department cannot guarantee, however, that any courts or another governmental agency with jurisdiction over such

4. Within the time frame dictated by this RFP, the Proposer must submit a detailed Technical Proposal, as prescribed herein, as to its plans for the design and construction of the Project, and, at the same time, a Price Proposal, each enclosed in a separate, sealed container, as more fully described elsewhere in this RFP. The State will establish a Technical Review Group that will evaluate and score the Technical Proposals according to a predetermined set of weighted criteria set forth in this RFP. The Price Proposals will remain sealed until after the evaluation and scoring of the Technical Proposals.

5. The scoring of the Technical Proposals and Price Proposals according to the criteria set forth in this RFP by the State, who will decide which Proposer's combination of Technical Proposal and Price Proposal offers the best value to the State and the public and will award the Contract to that Proposer.

2.3. Proposed Procurement Schedule

The current schedule for the PROJECT is for Substantial Completion by November 15, 2025. Substantial Completion includes all bridge work complete, inspected, and open to traffic. Final Construction Completion shall be by July 2026.

The State currently anticipates conducting this procurement in accordance with the following list of milestones. This schedule is subject to revision and the State reserves the right to modify this schedule as it finds necessary, in its sole discretion.

Request for Proposals Issued	November 21, 2019
Mandatory Pre-Proposal Meeting	December 4, 2019
Submit Declaration of Potential Conflict of Interest	December 4, 2019
Conflict of Interest Determinations by the State	December 11, 2019
Confidential Pre-ATC Meetings	December 18, 2019
Initial ATC Submission Deadline	January 13, ~~2019~~ 2020
Initial ATC Review by the State	January 24, ~~2019~~2020
ATC Proposal Deadline	February 21, ~~2019~~2020
ATC Determinations by the State	March 13, ~~2019~~2020
Last Date to Submit Questions	March ~~27~~24, 2020
Proposal Deadline	April 2, 2020
Oral Presentations	Week of April 20, 2020
Apparent Best Value Determination	May 1, 2020
Tentative Award	May 8, 2020
Contract Award	June 22, 2020
Notice to Proceed	June 29, 2020

The State is currently completing work on the National Environmental Policy Act (NEPA) process for the Project. This process will continue in parallel with the procurement process.

At this time, the anticipated date for completion of the NEPA process is January 2020. All schedules submitted as part of this procurement process shall be based on this assumption. If the process concludes later than Notice to Proceed, the State and the Proposer will adjust the project schedule accordingly. In this case, preliminary engineering can continue during this timeframe; however, under no circumstances will the Proposer be allowed to start final design or construction prior to the completion of the NEPA process.

2.4. Reference Documents and Standards Applicable to Design of the Project

The State will electronically provide Project-specific reference documents to each Proposer via the State Division of Purchases website http://www.ridop.ri.gov. The partial Project-related plans (the "BTC") included in those documents will be for the Proposers' reference use only. All Proposers will be deemed to

Section 4. Submission and Treatment of Proposals (Technical and Price Proposals)

4.1. General Format of Proposals

The Proposal, comprised of the separately sealed Technical Proposal and the Price Proposal, must contain sufficient substance and clarity to give the State a clear and ample understanding of the Proposer's capabilities and resources and of the Proposal's particulars and potential benefits for the State. The Technical Proposal shall consist of text, drawings, graphs, photographs and tables, as required below or as needed in order to describe clearly the Proposer's intended approach to designing and constructing the Project. The Price Proposal shall consist of the Proposer's total price for designing and constructing the complete Project. Particular requirements for the form and contents of Technical and Price Proposals are set forth in Chapters 6 and 7 of this RFP, respectively.

The Proposal must be submitted in one submission containing separately sealed ~~technical~~ Technical Proposals and ~~price~~ Price ~~proposals~~Proposals. Both hard copy and electronic form (.PDF format) shall be submitted and marked accordingly. Each hard copy should be bound or held together in a secure and sequential fashion. On the outside of that container, the Proposer must print the following information, in letters and digits large and dark enough to be read easily:

PROPOSAL
Bid# 7598876PH2
I-95 Viaduct Northbound,
Providence, Rhode Island
"Proposer Name"

The Proposer shall submit nine (9) printed copies and two (2) digital copies of the Technical Proposal and the required submittals included in Appendix "A", including the bid bond. The Bid Bond shall be submitted in a separate envelope marked:

BID BOND
Bid# 7598876PH2
I-95 Viaduct Northbound,
Providence, Rhode Island
"Proposer Name"

The Proposer shall also submit an original and two separately sealed (2) hard copies and two (2) digital copies of the Price Proposal in a separate sealed envelope, sealed box, or other container. On the outside of that container holding of the Price Proposal, the Proposer must print the following information, in letters and digits large and dark enough to be read easily:

PRICE PROPOSAL
Bid# 7598876PH2
I-95 Viaduct Northbound,
Providence, Rhode Island
"Proposer Name"

All Proposals must be accompanied by an original and one (1) copies of a signed Transmittal Letter. Said letter must be signed by an official authorized to legally bind the Proposer. The original letter shall be marked "ORIGINAL" and shall be placed inside the outermost container holding the smaller containers which hold, in turn, the copies of the Transmittal Letter with each copy of Technical Proposal, the Bid Bond, and the copies of the Price Proposal. These copies and the separate envelopes or containers holding, respectively, (1) the copies of the Transmittal Letter and Technical Proposal, ~~and~~ (2) the Bid Bond, and (3) copies of the Price Proposal and the required submittals, shall then be placed inside this outermost sealed

envelope, box or other container. On that larger, outer container, the Proposer must print the following information, in letters and digits large, clear and dark enough to be read easily:

Bid# 7598876PH2
I-95 Viaduct Northbound,
Providence, Rhode Island
"Proposer Name"

Any information or other material within a Proposal that the Proposer deems proprietary or otherwise confidential shall be handled as described in Section 4.3 hereof.

Proposers shall provide in their Proposals all information and materials required by or requested by the State pursuant to the terms of the RFP. The State may reject as nonresponsive any Proposal that does not provide all such information and materials.

4.2. Time, Place, and Method of Proposal Submissions

Proposals satisfying all of the requirements of this RFP in form and content must be submitted by the Proposer and received by the State no later than the Proposal Deadline stated below in this Section.

Proposals must be delivered to the State Department of Administration, Division of Purchases, 1 Capitol Hill, Providence, Rhode Island, 02908. Responses misdirected to other State locations, or which otherwise are not received by the State Division of Purchases by the established due date and time for any cause will be determined to be late and will not be considered. The official clock for the purpose of registering the arrival of a document is in the reception area of the Department of Administration, Division of Purchases, Providence, Rhode Island. The State shall reject without further consideration any Proposal that it receives after the Proposal Deadline.

The State also shall not be deemed responsible or liable for mislabeled Proposals. Any and all damage that may occur to the Proposal submission due to mishandling in the delivery of the Proposal to the State shall be the Proposer's responsibility, and the Proposer shall not be allowed to rectify, repair or replace any portion of the Proposal that is lost, erased, or damaged due to such mishandling.

The Proposal submission deadline is **~~February 27, 2019~~April 2, 2020 at 11:30 AM.**

4.3. Confidentiality of Proposals; Legal Disclosure Requirements

Respondents are advised that all materials submitted to the State for consideration, will be considered to be public records as defined by RI General Laws 38-2, without exception, and will be released for inspection immediately upon request once an award is made.

4.4. Compensation (Stipends) for Proposal Preparation

The State will award a stipend in the amount of $275,000 to each shortlisted Proposer that does not obtain the Contract but has submitted a responsive Technical Proposal and Price Proposal that conform to the requirements of the RFP, as determined solely by the State, subject to the terms and provisions of the Stipend Agreement in the form provided in Appendix A of Part 1 of this RFP.

To be eligible to receive such a stipend, the Proposer must execute the Stipend Agreement, enclose it with its Price Proposal in the manner required by this RFP, and submit the Price Proposal by the Proposal Deadline. No exceptions to this provision will be made. If the Proposer does not wish to be subject to the terms and conditions of the Stipend Agreement, it may decline the stipend.

If the Proposer is offered and accepts a stipend from the State for the development of the Technical Proposal, the State reserves the right to disclose the contents of any ATC used therein in response to any request related to it that may be made following the award of the Contract under the provisions of the Rhode Island Access to Public Records Act or federal Freedom of Information Act. If the Contract should be re-

Section 6. Form and Content of Technical Proposals

6.1. Technical Proposal Contents

Technical Proposals shall contain concise written material and drawings to enable clear understanding and evaluation of both the capabilities of the Proposer and the characteristics and benefits of the Proposal. To assist Proposers in preparing the Technical Proposals, the required contents are listed below. The Technical Proposal contents shall be organized in the order listed below and shall be clearly indexed. Each component shall be clearly titled and identified. To facilitate review of the Proposals, Proposers shall follow the same order as set forth herein and provide a cross-referenced table or other means of easily identifying the specific sections which must be reviewed in order to verify a particular RFP requirement is met. Technical Proposals shall contain the following major sections:

1. Executive Summary
2. Comprehensive Technical Approach
3. Proposal Preliminary Project Schedule
4. Management Overview

~~5. Bid Bond~~

~~6.~~5. Required Forms & Documents

The Executive Summary should provide information to understand the basic substance of the Proposal. The technical approach submission should include preliminary design plans, preliminary specifications, technical reports and calculations to support the information presented. The Management Overview shall describe the organizational structure of the Proposer including: roles and responsibilities, reporting relationships, and a description of the manner in which the Proposer intends to integrate the required project oversight tools into the overall management plan and strategy. The Proposal Preliminary Project Schedule shall demonstrate the Proposer's ability to deliver the project within the allowable timeframes. The Technical Proposal requirements are defined more fully in Sections 6.3 through 6.6 below.

6.2. Physical Format of Technical Proposal

The Technical Proposal shall employ the following physical format:

1. The Technical Proposal shall be no longer than one hundred (100) pages (fifty [50] double-sided sheets). All portions of the Proposal must be formatted single-spaced with line spacing at exactly 14 point, in Arial 11-point font, on 8 ½ by 11-inch sheets of paper with top, bottom, right and left margins of at least one inch. 11x17 inch sheet may be used for the proposal with each page counting as two 8 ½ x 11-inch sheets. All drawings and other graphics in the Proposal must be formatted to 11 by 17-inch sheets of paper or other appropriate material, as necessary.
2. The textual portions, drawings and other graphic material of the Technical Proposal shall be formatted as specified in Section 4.1 hereof, with the additional requirements of this section.
3. Drawings and other graphic materials, including photos and renderings, shall be included in the Technical Proposal Appendix. Technical reports shall also be included in the Technical Proposal Appendix.
4. Any inserts or cover pages at the start of sections **will** count toward the total page limit.
5. The Technical Proposal Appendix shall not count toward this page limit. The Proposal Preliminary Project Schedule (see below) may also be included in the Appendix.

6.8. Bonding

In accordance with ~~the State's Amended Procurement Rules & General Conditions of Purchase, effective December 2011, as cited under Section 12.102.06, "Proposal Guaranty"~~ Rhode Island Code of Regulations 220-RICR-30-00-12, effective August 13, 2018 – the separately sealed TECHNICAL PROPOSAL will not be accepted or considered unless accompanied by a guaranty in the form of an original FIVE PERCENT (5%) BID BOND (**No Dollar Amount shall be stated**) made payable to the State of Rhode Island. Bid bonds must be provided by surety companies licensed and authorized to conduct business in the State of Rhode Island. All surety companies must be listed with the U.S. Department ~~State~~ of the Treasury, Fiscal Service~~s~~, Circular 570, (Latest Revision published by the Federal Register). The Bid Bond shall be submitted in a separate envelope marked "RFP# 7598876PH2-BID BOND."

6.8.1. Defects in Bid Bonds

Any defect in a bid bond submitted with a Technical Proposal may result in the rejection of the related Technical Proposal. Any defect in the bid bond that the State deems to be material will result in the automatic rejection of the entire Proposal. No such material defect may be cured once the Cost Proposal is opened.

6.9. Forms that Must Accompany the Technical Proposal

When a Proposer submits its Technical Proposal as per Sections 4.1 and 4.2 above, that Proposal shall be accompanied by the forms provided in Appendix A, completed as directed in the Schedule of Submission included therein.

All forms contained in Appendix A, including those establishing the legal authority of individuals signing such documents for the Proposer, not just the Transmittal Letter, must also be completed, executed and submitted in accordance with the Schedule of Forms & Submissions included in Appendix A. Failure to submit any of those forms, properly executed, may result in rejection of the Proposal by the State.

All Disadvantaged Business Enterprise (DBE) forms included in Appendix A, are to be submitted with the Technical Proposal for the "Design consultant qualifying work" goal. The defined cost of the DBE activity **shall not** be disclosed in the RFP Technical submission.

A W-9 Form must be completed and signed by an authorized agent of the Design Build Team. This form may be downloaded from: http://www.purchasing.ri.gov

All respondents MUST register online at the RIVIP's Internet website at: http://www.purchasing.ri.gov

A fully completed, signed **RIVIP BIDDER CERTIFICATION COVER SHEET** – All three pages **MUST** accompany EACH response submitted. This document must be downloaded from the RIVIP website. Failure to make a complete submission inclusive of this three-page document may result in disqualification.

Proposals shall include complete responses to this RFP, with the properly completed forms and all required supporting documentation included. Failure to execute any required certification may result in a Proposer being deemed ineligible for award of the Contract. To assist Proposers in preparing the Technical Proposal, the required forms are listed the table below.

Table 2: Required Forms for Technical Proposal

Form	Form Designation	Form Location	ITP Section	Schedule of Submission
FHWA-1273 & FTA Federal Provision Clauses	NA	Appendix A	6.9	Provided For Reference
W-9			6.9	Technical Proposal
Bid Bond			6.8 & 9.11	Technical Proposal (submit at the same time as the Technical Proposal but in a separate envelope marked as such).
RIVIP Bidder Certification Cover Sheet			6.9	Technical Proposal
Proposal Letter	Form A	Appendix A	6.3	Technical & Price Proposal
Industrial Safety Record	Form B	Appendix A	6.9	Technical Proposal
Anti-Collusion Certificate for Contract and Force Account	Form C	Appendix A	9.3	Technical Proposal
Health and Safety Certification	Form D	Appendix A	6.9	Technical Proposal
Certification of Dumping Facilities	Form E	Appendix A	6.9	Technical Proposal
Right-to-Know Act Certification	Form F	Appendix A	6.9	Technical Proposal
Certification of Construction Equipment Standard Compliance	Form G	Appendix A	6.9	Technical Proposal
Guaranty Form	Form H	Appendix A	6.9	Technical Proposal
Buy America Certification	Form I	Appendix A	9.9	Technical Proposal
On-The-Job Training	Form J	Appendix A	6.13	Technical Proposal
DBE Utilization	Form K	Appendix A	6.12 & 9.3	Technical Proposal
DBE Letter of Intent to Perform	Form L	Appendix A		Technical Proposal
Escrow Agreement Form	Form M	Appendix A	Chapter 5	Technical Proposal

6.10. Prevailing Wage Rates

The Contractor must pay State and federal (29 CFR 5 Subpart B) prevailing wage rates for all on-site Project work and must comply with all related reporting and administrative requirements. Prevailing rates must be updated one year after the award of the Contract and each succeeding year after that until the completion of the Contract. Proposers are advised that no increase in Contract price will be granted because an updated prevailing rate proves to be higher than an earlier one for the same type of labor.

The Proposer is responsible for obtaining the current prevailing wage rates from the Rhode Island Department of Labor and Training website at: http://www.dlt.ri.gov/pw/

6.11. Federal Equal Employment Opportunity (EEO) Requirements

Requirements for EEO on this project include but are not limited to:

1. Nondiscrimination in Federal Public Transportation Programs: 41 CFR 60-4.3 prohibits discrimination on the basis of race, color, religion, national origin, sex (including sexual orientation

The Proposer must also provide a written statement in the RFP submission using Form O provided in Appendix A, by an authorized representative of the Proposer that the Proposer will develop and maintain a continuous on-the-job-training (OJT) program achieving the required Training hours. If the Respondent is selected for the PROJECT, they must possess a RIDOT approved OJT Program prior to award.

The total OJT trainee hours for this Project are established to be THREE THOUSAND FOUR HUNDRED (3,400) Training Hours for OJT reimbursement. RFP documentation shall detail requirements for Trainee submission and review and payment.

6.14. Original RFP and Addenda

Respondents shall include as an "exhibit" to the TECHNICAL PROPOSAL submission a copy of the State's original RFP and any supplemental addenda, as applicable.

Section 7. Form and Content of Price Proposals

Price Proposals shall be sealed in a separate envelope and held by the Division of Purchases until the Technical Evaluations are complete. The Technical Review Group will not have access to the Price Proposals during the evaluation of the Technical Proposals.

7.1. Forms that Must Accompany the Price Proposal

When a Proposer submits its Price Proposal as per Sections 4.1 and 4.2 above, that Proposal shall be accompanied by the forms provided in Appendix A, completed as directed in the Schedule of Submission included therein.

All forms contained in Appendix A, including those establishing the legal authority of individuals signing such documents for the Proposer, not just the Transmittal Letter, must also be completed, executed and submitted in accordance with the Schedule of Submissions included therein. Failure to submit any of those forms, properly executed, may result in rejection of the Proposal by the State. Failure to execute any required certification may result in a Proposer being deemed ineligible for award of the Contract. To assist Proposers in preparing the Price Proposal, the required forms are listed the table below.

Table 3: Price Proposal Required Forms

Forms	Form Designation	Form Location	ITP Section	Schedule of Submissions
Proposal Letter	Form A	Appendix A	6.3	Price & Technical Proposal
Price Proposal Form	Form N	Appendix A	7.3	Price Proposal
Bid Bond	-	-	6.8 & 9.11	Technical Proposal (submit at the same time as the Technical Proposal but in a separate envelope marked as such).

7.2. Payment Schedule

The Overall Contract Price will consist of a lump sum Design-Build price as well as other items as detailed in the RFP and listed in section 7.3 below and shown on the Price Proposal Form. Partial payments shall be derived from the lump sum price, a schedule of values and a Payment Request Form.

Part 2 of this RFP includes provisions for "Estimated Items." The State has determined that the work shown in the BTC plans for these items have quantities that cannot be reasonably estimated prior to construction.