VIRGINIA DEPARTMENT OF TRANSPORTATION

ALTERNATIVE PROJECT DELIVERY DIVISION

DESIGN-BUILD EVALUATION GUIDELINES

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KEY TERMS

Design-Builder means any company, firm, partnership, corporation, association, joint venture, or other entity permitted by law to practice engineering, architecture, and construction contracting in the Commonwealth of Virginia. The Design-Builder shall have the capability, in all respects, to perform fully the contract requirements and has the business integrity and reliability which will assure good faith performance. The Design-Builder shall be pre-qualified by VDOT Construction Division in accordance with the Rules Governing Prequalification Privileges unless otherwise noted in the solicitation. Typically, the term "Design-Builder" refers to the Successful Offeror upon award of the contract.

Evaluation Documents means the consensus Team Evaluation Form developed during the Sequestering Meetings and the consensus Score Sheet developed during the Scoring Meeting.

Evaluation Team means the team approved by the Deputy Chief Engineer to review and evaluate the Statement of Qualifications and Proposals. All members of the Evaluation Team shall be VDOT employees. The team members may include the PM-D and two or more qualified personnel from the key disciplines involved with the project. The Evaluation Team shall consist of three team members. In addition, the Evaluation Team may use non-voting Technical Advisors who can provide expertise in areas including, but not limited to: Contract Management, Engineering, Construction, or any other area that requires specialized knowledge and expertise.

Offeror (also referred to as Bidder) means any individual, partnership, corporation, or joint venture that formally submits a Statement of Qualification and/or Proposal in response to the solicitation for the work contemplated, or for any portion thereof, acting directly or through a duly authorized representative. Typically, the term "Offeror" is used prior to the award of a contract.

Project Manager - Alternative Project Delivery Division (PM-APD) means VDOT's designee for supervising procurement of design-build contract. This individual will be responsible for contract development, solicitation, and award.

Project Manager - District (PM-D) means VDOT's designee for managing all phases of project development and administering the Design-Build contract. The PM-D is responsible for the scope, schedule and budget of the project.

Project Team means the team responsible for the development of design-build solicitations for the project from conception through award of a contract. A Project Team member may also be a technical resource who provides expertise in their professional discipline. The PM-APD will provide each pertinent Division and District Administrator with a preliminary scope and request him or her (through memo from State Engineer APD) to designate an appropriate individual to serve on the Project Team. The primary district representative should be the pertinent responsible Engineer in charge or the anticipated PM-D.

Proposal means the offer of a Bidder, submitted in response to a Request for Proposal (RFP), to perform the work and furnish the materials and labor at the price set forth therein; valid only when properly signed and guaranteed. This documentation may include a Letter of Submittal (LOS), Technical and Price Proposals required by the RFP.

Request for Proposal (RFP) means all documents, whether attached or incorporated by reference, utilized for soliciting proposals. The RFP is the only solicitation in a single-phase selection process. The RFP is the second phase in a two-phase selection process where VDOT issues a written request to those Offerors on the Short-list to submit both Technical and Price Proposals.

Request for Qualifications (RFQ) means all documents, whether attached or incorporated by reference, utilized for soliciting interested Offerors for consideration for Short-list. The RFQ is the first phase of a two-phase selection process for the purpose of inviting interested Offerors to submit qualifications for a project.

Scoring/ Ranking Meeting means the meeting at which the SOQs or Proposals are scored and ranked.

Sequestering Meeting means the meeting at which Evaluation Team Members collectively discuss strengths and weaknesses of each SOQ or Proposal.

Short-list used in a two-phase selection process, means the narrowing of the field of Offerors through ranking of the most highly ranked, qualified Offerors who have responded to an RFQ with the intent to advance to the next stage, soliciting an RFP. Only Short-listed Offerors will be invited to submit a Proposal in response to an RFP.

Single Phase Selection Process means the procurement using an RFP only.

Solicitation(s) means a Request for Qualifications (RFQ) issued to obtain qualifications for the purpose of creating a Short-list or a Request for Proposals (RFP) issued to obtain proposals for the purpose of entering into a contract.

Statement of Qualifications (SOQ) means the documents submitted by an Offeror in response to an RFQ.

Technical Advisor means an individual from VDOT or a consultant that assists the Evaluation Team with reviewing and commenting on SOQs or Proposals. There may be more than one Technical Advisor.

Two Phase Selection Process means the procurement using both an RFQ and an RFP.

VDOT or "Department" means the Virginia Department of Transportation or any duly authorized representative thereof.

Introduction and Purpose of the Procedures

This document provides an overview of the methodology and procedures for evaluation of SOQs and Proposals received by the Virginia Department of Transportation (VDOT) in response to Solicitations for design-build projects.

The purpose of the Guidelines is to ensure impartial and equitable evaluation for the purposes of Short-listing and/or final selection.

1.0 Security of Documents

The security of documents begins when the Department receives an Offeror's SOQ or Proposal. Documents received electronically via BidExpress.com will have an electronic date and time stamp. VDOT will date and time stamp hard copies of SOQs or Proposals at the time they are received and will insure timely receipt and compliance with delivery requirements as described in each solicitation.

Each member of the Evaluation Team and Technical Advisors will be issued a hard copy or electronic copy of each SOQ or Proposal. Hard copies will be individually numbered so its custody can be tracked throughout the evaluation process. The PM-APD will use a distribution tracking log to monitor distribution and custody of hard copy or electronic documents. Each Evaluation Team Member and Technical Advisor will be responsible for maintaining the confidentiality of SOQs and Proposals.

When working with the SOQs or Proposals, Evaluation Team members and Technical Advisors will keep them under their direct control, and always secure their copy from others not associated with the Evaluation Team. Hard copies of SOQs or Proposals shall be stored in a safe and secure location.

Only the PM-APD has the authority to release or publicly disclose SOQs, Proposals, the consensus Team Evaluation Forms and consensus Score Sheet (Evaluation Documents) by the Evaluation Team, or the Short-list notification to the Deputy Chief Engineer.

Anyone possessing copies of SOQs or Proposals will:

- Direct all inquiries for release of information to the PM-APD.
- Handle any information designated as "proprietary" with particular care.

All SOQs and Proposals submitted by Offerors and Evaluation Documents developed by the Evaluation Team shall be kept confidential and stored in accordance with the above procedures. All SOQs, Proposals and Evaluation Documents will be secured at the end of each working day and/or at all other times that such material is not under the direct control of any authorized personnel. At the conclusion of the evaluation process, all members of the Evaluation Team and Technical Advisors shall return all copies of SOQs or Proposals to the PM-APD.

2.0 Attendees at Evaluation Team Meetings

The Evaluation Team and PM-APD will attend all meetings pertaining to the evaluation of SOQs and Proposals. Any information discussed during Evaluation Team meetings shall be kept confidential, including the Sequestering Meeting and the Scoring/Ranking Meeting.

An Administrative Services Division (ASD) representative will attend the Scoring/Ranking Meeting. The State Engineer APD or the Assistant State Engineer APD may attend the Sequestering Meeting and will attend the Scoring/ Ranking Meeting to provide programmatic oversight. All meetings pertaining to the evaluation and scoring of SOQs and Proposals are closed to the public.

Due to extenuating circumstance, if a member of the Evaluation Team is absent for a Sequestering or Scoring/ Ranking Meeting, the following options will be considered:

- Delay the start of the meeting while attempting to contact the absent member.
- Allow the meeting to continue with only two members of the Evaluation Team. For a Scoring Meeting, no more than one member of the Evaluation Team may be absent.
- At the discretion of the State Engineer APD, in consultation with the PM-APD, cancel the meeting(s) and reschedule.

3.0 Evaluation Procedures

The evaluation criteria for a project will be published in the Solicitation. For an RFQ, the criteria should be consistent with the qualifications requested and may include the Offeror's team and organizational structure; demonstration of applicable experience, and identification of critical project risks. Technical Proposals should address the technical elements of the design and construction of the project. The Evaluation Team will review and evaluate Offeror's SOQs and Technical Proposals based on the evaluation criteria stipulated in the Solicitation.

3.1 Responsiveness Review

Verbal or written information exchanges may be desirable at different points after the release of the Solicitation. The Code of Federal Regulation allows information exchanges in the form of clarifications, communications, and discussion. VDOT will conduct information exchanges in accordance with the 23 CFR Parts 636 – Subpart D.

Upon receipt of SOQs or Proposals, the PM-APD or designee will perform responsiveness review to ensure the SOQ or Proposal was completed in accordance with the submittal requirements identified in the Solicitation. This will include verifying compliance with applicable governmental registrations and licensing requirements as outlined in the Solicitation. This review will focus on whether each SOQ or Proposal meets administrative responsiveness requirements, for example, containing all necessary pages and mandatory forms and answers all necessary parts. This review may not identify other non-responsive issues that may arise during the review of submittals by the Evaluation Team and/or Technical Advisors.

The PM-APD may request from an Offeror an appropriate clarification of any information either found in or omitted from any SOQ or Proposal discovered during this review. Any SOQ or Proposal that is determined to be non-responsive will be returned to the Offeror by the PM-APD with a written notification stating the reason(s) for non-responsiveness.

3.2 Distribution of SOQs and Proposals

The PM-APD will distribute the Evaluation Guidelines and the SOQs or Proposals to the Evaluation Team Members and provide an overview of the responsibilities of the Evaluation Team that includes, but is not limited to, the following:

- Attend all required evaluation meetings.
- Read and review each SOQ or Proposal.
- Establish a consensus score for each SOQ or Proposal consistent with the criteria established in the Solicitation.
- Under no circumstances shall the Evaluation Team members or Technical Advisors independently discuss the project with any of the Offerors or their team members.
- Keep all documents secure.

Prior to the distribution of the SOQs or Proposals, each Evaluation Team member and Technical Advisor will sign the applicable non-conflict of interest form, confidentiality agreement form, and certification they have read the Design-Build Evaluation Guidelines, comprehend these procedures, and agree to abide by the procedures set forth with regard to the evaluation of SOQs and Proposals.
If an Evaluation Team member has questions regarding any of the evaluation criteria, the evaluation processes, or any other documents related to the procurement they are evaluating, they should seek clarification from the PM-APD.

3.3 Evaluation

Initially, the Evaluation Team members will individually review each SOQ or Technical Proposal relative to the evaluation criteria. If an Evaluation Team member discovers any potential evaluation ambiguities, or has any questions or concerns regarding his or her individual review of any SOQ or Proposal, the Evaluation Team member shall immediately contact the PM-APD for guidance. The PM-APD will address any questions or concerns raised by the Evaluation Team and seek clarifications from the Offerors as appropriate. The PM-APD shall provide additional guidance, and will share any resulting clarifications with the entire Evaluation Team.

3.4 Sequestering Meeting

Prior to attending the Sequestering Meeting, each Evaluation Team member will individually review each SOQ or Proposal in accordance with these Evaluation Guidelines. The Evaluation Team is expected to come to the Sequestering Meeting prepared to discuss the merits of each SOQ or Proposal. Each Evaluation Team member is required to attend the Sequestering Meeting in person. The Sequestering Meeting will typically occur at the VDOT Central Office or may be conducted virtually. This stage of the evaluation process may take three (3) or more days to complete.

At the Sequestering Meeting the findings of the Technical Advisors will be presented and discussed related to each SOQ or Proposal. The Evaluation Team will collectively discuss each SOQ or Proposal and prepare a Team Evaluation Form for each responsive Offeror. Prior to the conclusion of the Sequestering Meeting, a Team Evaluation Form must be completed for each SOQ or Proposal. The Evaluation Team will not assign scores to the SOQs or Proposals at the Sequestering Meeting.

3.5 Scoring/Ranking Meeting for Evaluations

During the RFQ phase of the procurement, the Scoring/Ranking Meeting will typically be scheduled the day after the conclusion of the Sequestering Meeting unless additional time is needed due to schedule conflicts.

At the Scoring/Ranking Meeting, the Evaluation Team will score and rank each SOQ or Proposal based on the Team Evaluation Forms completed during the Sequestering Meeting in accordance with the rating descriptors provided in Section 4.0 of this guide. The Evaluation Team will not assign scores to any SOQ or Proposal relative to another SOQ or Proposal and shall consider each SOQ or Proposal on its own merits.

The use of a consensus approach will be utilized to assign scores for each SOQ or Proposal. Members of the Evaluation Team will not score SOQs or Proposals individually. The Evaluation Team will arrive at a consensus as to assignment of points for each evaluation criterion. The consensus scores will be based on the evaluation criteria and must be substantiated by the written comments contained on each Team Evaluation Form. If a change is made to a Team Evaluation Form as a result of discussion during the Scoring/ Ranking Meeting, the original comment will be lined through in ink and the new information entered and initialed in ink by each member of the Evaluation Team.

For each evaluation criterion the written consensus notes may contain comments that range from a rating of "Excellent" to a rating of "Poor." The final consensus score will be reached through a holistic approach by considering the entire body of the evaluation notes for each criteria. For example, a single comment in the Excellent category does not necessarily result in a numerical score of 9 or 10 for that category and similarly a single comment in the Poor category does not necessarily result in a numerical score of 1, 2 or 3 for that category.).

Consensus scores and final tabulated results will be documented by the PM-APD. The Short-listing and/or final selection will be determined in accordance with the evaluation process established in the Solicitation. The ASD representative will verify that the process was followed appropriately and will certify that the scoring process has been conducted properly. The completed scoring and ranking information will then be submitted to the State Engineer APD for approval by the Deputy Chief Engineer.

4.0 Scoring

The score of each SOQ or Proposal evaluation criterion is based on a rating scale of 1-10 as listed below. Scores can be recorded to the nearest half-point for the entire scoring range of 1-10. Each evaluation criterion may require an Offeror to respond to multiple subcomponents, each of which will be evaluated separately and then considered as a whole, to assign an overall score.

The Evaluation Team will then determine a final consensus score for each evaluation criterion based on these ratings.

Rating Descriptors

Excellent (9-10): The Offeror has significantly exceeded the stated criteria in a way that is beneficial to the Department. This rating indicates a consistently outstanding level of quality for the stated criteria, with very little or no risk that the Offeror would fail to meet the requirements of the solicitation. As to the stated criteria, there are essentially no Weaknesses (as defined below).

Good (6-8): The Offeror has exceeded the stated criteria. This rating indicates a generally better-than-acceptable quality for the stated criteria, with little or no risk that the Offeror would fail to meet the requirements of the solicitation. Weaknesses, if any, are very minor.

Fair (4-5): The Offeror has met the stated criteria. This rating indicates a minimally acceptable level of quality for the stated criteria, and the Offeror demonstrates a reasonable probability of success. Weaknesses are minor and can be readily corrected.

Poor (1-3): The Offeror has failed to meet the stated criteria and/or lacks essential information, and is conflicting and/or unproductive. This rating demonstrates significant Weaknesses and/or unacceptable quality. There is no reasonable likelihood of success; Weaknesses are so major and/or extensive that a major revision to the SOQ or Proposal would be required to make it even potentially acceptable.

The term "Weakness" as used above, means any flaw in the SOQ or Proposal that increases the risk of unsuccessful contract performance. A significant Weakness in the SOQ or Proposal is a flaw that appreciably increases the risk of unsuccessful contract performance