DESIGN-BUILD
PROCEDURES MANUAL
SEPTEMBER 2005
VOLUME IV OF V

EXHIBIT IV – DIVISION 1 – SOQ EVALUATION & SELECTION TEMPLATES:

Statement of Qualification Evaluation & Selection Plan
SOQ Evaluation Letter
SOQ Evaluation Worksheets

EXHIBIT IV–DIVISION 2 – PROPOSAL EVALUATION TEMPLATES:

Proposal Evaluation & Selection Plan
Proposal Evaluation Letter
Proposal Evaluation Worksheets
SOQ EVALUATION TEMPLATES

- SOQ Evaluation & Selection Plan
- SOQ Evaluation Letter
- SOQ Evaluation Worksheets
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(Project Name)
DESIGN-BUILD PROJECT
PIN __________

SOQ EVALUATION & SELECTION PLAN
STATEMENT OF QUALIFICATIONS
EVALUATION AND SHORT-LIST PLAN

Approved _______________________

Note: If found, please return this copy in an envelope to:

________

New York State Department of Transportation

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1.0 INTRODUCTION

1.1 PURPOSE

This document provides the methodology and criteria for evaluation of the Statements of Qualifications (SOQs) received in response to the Request for Qualifications (RFQ) to be issued by the New York State Department of Transportation (“Department”) for the (Project Title) Project.

It is the intent of this SOQ Evaluation and Short-List Plan (“Plan”) to establish a disciplined process and a fair and uniform basis for the evaluation of Design-Build Statements of Qualifications (SOQ) in accordance with the Department objectives and the Project goals of the (Project Title) Project. The contracting agency for this Project procurement is the Department. Award of the Project is to be based upon the “best value” to the Department considering price and other factors. Unless otherwise defined herein, refer to the RFQ as applicable for abbreviations and the definitions of initially capitalized terms contained in this Plan.

1.2 DESCRIPTION

The description of the Project is contained in Appendix A of the RFQ.

1.3 PROJECT GOALS

The Department’s goals for the Project are: [Complete list below]

A) ____________;
B) ____________;
C) ____________; and
D) ____________.

1.4 BASIS OF EVALUATION

This document sets forth standards of acceptability and desirability with regard to evaluation factors set forth in the RFQ. Evaluators should assign quality ratings after examining the SOQs and after consideration of the evaluation factors deemed necessary to achieve the Project goals and the context under which the Project goals and evaluation factors were developed—placing significant flexibility and responsibility on the Design-Builder to plan, design, construct, manage and control the Work (including the QC for both design and construction) and to complete the construction on schedule. Also, the design will be guided by the design requirements and performance specifications. The Project schedule may necessitate “fast track” design and construction. High responsibility standards have been set to encourage Proposers to submit high quality SOQs and Proposals demonstrating their capability (legal, financial, management, and technical), capacity, experience, and creative, yet sound design/construction solutions that, when combined with price, will be most advantageous (best value) to the Department.

The organization, overall procedures, evaluation factors, rating scheme and evaluation process for the SOQs are set forth in rest of this document.
1.5 THE REQUEST FOR QUALIFICATIONS (RFQ)

The RFQ is a companion document to this Plan. It is the primary document that defines the evaluation factors, evaluation objectives and the submittal requirements for each evaluation factor for the SOQs. The RFQ is the primary reference document for all evaluators in the evaluation process and a copy will be provided to evaluators. For the most part, this Plan attempts to avoid duplicating information contained in the RFQ, however, in the event of a discrepancy between the Plan and the RFQ, the RFQ shall govern.

2.0 PROCUREMENT PROCESS

The Contract will be procured through a single DB Contract using “best value” (price and other factors) as the method of selection. The intent of the Department is to award the Contract to a qualified Design-Builder who provides the best combination of price and quality.

A description and discussion of the term “Clarifications” that appears throughout this Plan is contained in Section 3.7.2.

2.1 STEPS/PLANNED SCHEDULE OF OVERALL PROCESS

The overall procurement process has the following steps (dates are planned dates and may vary in actual execution):

A) Request for Letters of Interest (LOI): The request for LOIs, in Department advertisements and local newspapers, is planned for (Date). Planned due date for all LOIs is (Date). All LOI respondents will also be invited to a Project information meeting planned for (Date).

B) Project Informational Meeting: Informational meeting will be held with interested parties to provide information about the Project, review the procurement process, and to answer questions.

C) Request for Qualifications (RFQ): The planned issue date for the RFQ is (Date) and will be issued to the LOI respondents and will be made available to other interested parties for the purpose of receiving SOQs in order to establish a Short-List of 3 to 5 of the most highly qualified Proposers who will be invited to submit Proposals in response to the Request for Proposals (RFP).

D) Statement of Qualifications (SOQ): SOQs in response to the RFQ are anticipated to be due on (Date).

E) Short-List: Announcement of the Short-List planned for (Date).

F) Request for Proposals (RFP): Issuance of the RFP to those Proposers on the Short-List, for the purpose of receiving Proposals by which a Design-Builder will be selected, is planned for (Date).

G) Proposals: Proposals in response to the RFP are anticipated to be due on (Date).

H) Evaluation, Discussions, Final Proposal Revision [Best and Final Offers (BAFO)] Selection and Award: The process of evaluating the Proposals and selecting the Design-Builder will be done in accordance with the Proposal Evaluation and Selection Plan during (Range of Dates), with award anticipated on (Date). The evaluation of the Proposals may require discussions and a final Proposal Revision (BAFO).
I) **Award:** Announcement of the award of the Contract is planned for (Date).

J) **Notice to Proceed (NTP):** Issuance of the NTP is planned for (Date).

### 2.2 ONE PROCESS/TWO STEPS

The procurement will be accomplished through one overall process that includes two steps as follows:

A) **RFQ/SOQ (Step 1):** Selection of Proposers to the Short-List (3 to 5 Proposers).

B) **RFP/Proposals (Step 2):** Selection of the Design-Builder from the Short-List of Proposers.

Pass/fail and quality evaluation factors will be present in both the RFQ/SOQ and RFP/Proposals steps.

### 2.3 GENERAL DESCRIPTION OF THE OVERALL EVALUATION PROCESS

A) The selection of the Design-Builder for the Design-Build Contract will be based on an evaluation of pass/fail, quality and price factors.

B) The RFQ sets out what is required to be submitted by Proposers in their SOQs. The Instructions to Proposers (ITP) portion of the RFP sets out what is required to be submitted in the Proposals. Both the RFQ and RFP will provide specific instructions on the evaluation factors, the objectives/requirements for evaluation and the evaluation rating guidelines.

C) SOQs and Proposals submitted in response to the RFQ and RFP, respectively, must include a response to each pass/fail and quality evaluation factor.

D) Evaluation of quality factors will occur in both in Step 1 and Step 2. Ratings of individual evaluation factors and the overall quality rating of an SOQ or a Proposal will be arrived at through consensus of the members of the Evaluation Teams and Selection Committee as applicable.

E) If required information is missing from an SOQ during Step 1 or a Proposal during Step 2, the Department may, in its sole discretion, either declare the SOQ or Proposal non-responsive due to Weaknesses (non-minor) or Deficiencies or send a written request to the Proposer requesting the missing information relating to minor Weaknesses, errors or omissions.

F) In Step 1, Evaluation Teams and the Selection Committee may, through the use of Clarifications, seek to resolve minor ambiguities, errors, omissions, error or mistakes in an SOQ in order to better understand and evaluate the SOQ. Likewise, in Step 2, Communications (which replaces Clarifications) may be used for the same purpose.

G) Evaluation of the quality factors during Step 1 will be the basis of determining the Short-List of the most highly qualified Proposers who will be invited to submit Proposals in response to the RFP.

H) SOQ ratings will not carry over to Step 2.

I) Price will only be submitted and evaluated in Step 2 (in response to the RFP).

J) In Step 2, both quality evaluation factors and price are being evaluated. An overall quality rating will be agreed upon by the Selection Committee prior to considering price, at which time a Competitive Range will be determined. The Selection Official may (at
his/her discretion) conduct written and/or oral Discussions with Proposers determined to be in the Competitive Range to advise Proposers of Significant Weaknesses and/or Deficiencies in their Proposals (relative to the RFP), resolve any uncertainties or obtain any significant additional/supplemental information concerning the Proposal, and resolve any suspected mistakes by calling them to the attention of the Proposers as specifically as possible without disclosing information concerning other competing Proposers’ Proposals or the evaluation process.

K) If Discussions are conducted (in Step 2 only), Proposers will be given the opportunity to submit revised or supplemental Proposal information, and will be requested to submit a final Proposal Revision (BAFO). BAFOs may include both revised quality and price information.

L) The Evaluation Teams and the Selection Committee will re-evaluate the Proposals considering information submitted in the BAFOs and assign a final quality rating to each Proposal.

M) The Selection Committee will perform an assessment of the price and the quality factors and recommend to the Selection Official the Proposal representing the “best value” to the Department as defined in the RFP. The Selection Official will make the selection decision.

2.4 GRAPHICAL REPRESENTATION OF THE STEP 1 (RFQ/SOQ)

Figure 1 provides a flow diagram that graphically depicts the evaluation and Short-List process for the SOQs.
# New York State Department of Transportation

## SOQ Evaluation and Short-List Plan

**PIN** ________  (Insert Date)

## Statements of Qualifications (SOQs)

### Evaluation Teams

**Quality Information**

<table>
<thead>
<tr>
<th>Rating</th>
<th>Pass/Fail Factors</th>
<th>Legal (P/F)</th>
<th>Financial (P/F)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</table>

### Pass/Fail Factor

- **Responsiveness (P/F)**

### Proposal Clarifications

- **Request for Clarifications**
- **Revised / Supplemental Information**
- **Response to Clarifications**

### Revised / Supplemental Information (from Proposers)

- **Request for Additional Clarifications**

### Request for Clarifications (for Proposers)

### Revised / Supplemental Information (from Proposers)

### Request for Clarifications (for Proposers)

### Revised / Supplemental Information (from Proposers)

### Evaluation Process

1. **PMT** (Procurement Management Team)
   - Evaluates Pass/Fail
   - Evaluates Quality
   - Recommends Factor Ratings
   - Identifies Questions

2. **SOQ** (Statements of Qualifications)
   - Evaluates Quality
   - Recommends Pass/Fail
   - Recommends Short List

3. **SC** (Selection Committee)
   - Evaluates Pass/Fail
   - Evaluates Quality
   - Recommends Factor Ratings
   - Assigns Factors & Overall Quality Rating

4. **SO** (Selection Official)
   - Makes Selection of Short List

### Quality Factors

- **Past Performance**
- **Backlog/Capacity**
- **Experience**
- **Project Understanding**

### Flow Diagram for Evaluation And Short List Process

*Figure 1: Flow Diagram for Evaluation And Short List Process*
3.0 SOQ EVALUATION AND SHORT-LIST ORGANIZATION, FUNCTIONS AND GENERAL PROCEDURES

Prior to the start of the evaluation, individuals to fill positions and to have responsibilities in the RFQ/SOQ (Step 1) evaluation and Short-List organization will be designated by letter, and a listing of all individuals in the organization will be attached to the Selection Committee Report.

3.1 PROCUREMENT MANAGEMENT TEAM

The Procurement Management Team is responsible for controlling and maintaining the integrity of the entire evaluation and Short-List process according to this Plan under the guidance and direction of the Chairperson of the Selection Committee. The Procurement Management Team performs the following specific functions:

A) Not only maintains strict confidentiality with regard to their functions within the evaluation process, but also is the primary group responsible for managing and monitoring the entire process for confidentiality, integrity, and procurement sensitivity.

B) Ensures that all participants in the evaluation and Short-List process sign a certification of confidentiality and non-disclosure and statements concerning conflicts of interest. If apparent conflicts are disclosed the resolution process for the conflicts will be determined by the Contracts Management and Audit Division.

C) Provides orientation sessions for the Selection Committee and Evaluation Team (technical advisors) members prior to start of evaluations.

D) Provides guidance and assistance to the Selection Committee and Evaluation Teams throughout the entire process.

E) Issues a notification proclaiming that the evaluation and Short-List process has begun and that any and all contact between the competing Proposers and the Department must go through the Procurement Management Team.

F) Reserves secure evaluation/conference rooms for Selection Committee and Evaluation Teams.

G) Receives, opens and safeguards all SOQs.

H) Reviews each SOQ for responsiveness to the RFQ to include: all required “Forms” provided and properly filled in and/or executed; required information submitted for all evaluation factors; ensures SOQ is in format required ready for evaluation of indicated sections; and identification of any instance where a Proposer has limited or qualified its SOQ.

I) Notifies the Chairperson of the Selection Committee of any errors, Deficiencies, minor discrepancies or irregularities, apparent clerical or other mistakes, and any apparent instance of “qualification” and/or failure under the “pass/fail” criteria and recommends options and/or action(s) to be taken. Based on decision of the Selection Committee, follows up with Proposer(s) and/or Selection Committee and Evaluation Teams.

J) Prepares the SOQs for evaluation.

K) Distributes, in coordination with the Chairperson of the Selection Committee, evaluation packages to the Evaluation Teams and the Selection Committee; monitors the
evaluations; accumulates and safeguards results/reports from the Evaluation Teams and provides results/reports to the Selection Committee, as requested; and receives and safeguards results/reports of the Selection Committee.

L) Assists the Chairperson of the Selection Committee in any briefings/presentations that may be required to the Selection Official.

M) Coordinates, prepares and issues written Clarifications requests to Proposers (based on evaluations and/or reviews by Evaluation Teams and Selection Committee). Distributes Proposers’ responses to Clarifications requests to appropriate Evaluation Teams and Selection Committee.

N) Tracks and provides an evaluation process status report (frequency as requested) to the Chairperson of the Selection Committee.

O) Assists the Department in announcement of the Short-List.

P) Maintains a complete file of the entire SOQ evaluation and Short-List process including all narratives, reports, Clarifications, recommendations of the Evaluation Teams, the decisions and recommendations of the Selection Committee, and the Selection Official’s Determination.

Q) Assists Selection Committee in preparation of written reports.

3.2 EVALUATION TEAMS

Because of the ambitious Project schedule, and because of the significant flexibility and responsibility placed on the Design-Builder to plan, design (guided by performance specifications/design requirements), construct, manage (necessitating “fast track” design and construction), and control the Work (including the QC for both design and construction), capability, capacity, experience and project understanding are very significant to the ultimate success of the Project. As such, technical advisors who bring specific expertise to the individual pass/fail and individual quality evaluation areas may be assigned by the Department to assist the Selection Committee in the evaluation of the pass/fail and/or quality aspects of the SOQs. The technical advisors may be employees of the Department, other Stakeholders, consultants, and/or other experts. Additional technical advisors may be added during the evaluation process as may be required. The technical advisors will be grouped into teams that will evaluate one or more assigned evaluation factors as a team.

A “Leader” will be assigned for each Evaluation Team. The Leader will designate an assistant who will act in the absence of the Leader. In the case of a tie on the Evaluation Team concerning a particular issue or recommendation, the Leader will decide.

The Evaluation Teams perform the following functions:

A) Maintain strict confidentiality of the evaluation process. Evaluation Teams shall not have any direct written or oral communication with any member of a Proposer’s organization during the evaluation process.

B) Limit their evaluation to the specific evaluation factor(s) assigned. Consultation with other Evaluation Teams evaluating related quality evaluation factors is allowed and encouraged. However, consultation should be limited strictly to the specific coordination item/issue in question. Ratings should not be discussed among teams.
C) Evaluate the SOQs in light of the evaluation factors assigned in accordance with the objectives/requirements of the evaluation factors and rating guidelines contained in the RFQ and this Plan.

D) During the evaluations, prepare (if necessary) concise questions (to be transmitted to Proposers by the Procurement Management Team as requests for Clarifications) to better understand and evaluate an SOQ.

E) Considering the SOQs and clarifying information received as response to requests for Clarifications, assign a pass/fail (during pass/fail deliberations only) or a consensus quality rating, as applicable, and prepare a written recommendation to the Chairperson of the Selection Committee for each assigned pass/fail or quality evaluation factor for each Proposer. The Evaluation Team shall submit a consensus rating recommendation. Any particular reservations of an individual technical advisor with respect to the consensus evaluation should be noted on the consensus evaluation. The narrative of the recommendation should identify specific strengths, Weaknesses and Deficiencies in support of the recommended rating.

F) Following receipt of clarifying information in response to additional Clarifications, if any, (occasioned by Selection Committee deliberations) and if requested by the Chairperson of the Selection Committee, re-evaluate initial recommendations of pass/fail and/or quality factor ratings and recommend revised pass/fail and/or consensus quality factor ratings to the Selection Committee if warranted.

G) When requested by the Chairperson of the Selection Committee, provide briefings and/or oral presentations concerning pass/fail or quality factor evaluations to the Selection Committee and/or the Selection Official.

3.3 SELECTION COMMITTEE

The Selection Committee, and specifically its Chairperson, is responsible for the management of the SOQ evaluation and Short-List process from receipt of SOQs through the determination of the Short-List. The Selection Committee will recommend the Short-List to the Selection Official. All deliberations and decisions of the Selection Committee will be documented in a written Committee Report. Access to reports of the Selection Committee, as well as any deliberations of the Selection Committee, is limited to the Selection Official, Selection Committee, Procurement Management Team and, as necessary, Evaluation Team members.

The Selection Committee performs the following specific functions:

A) Maintains strict confidentiality of the evaluation process and all SOQs.

B) Verifies pass/fail recommendations.

C) Receives reports, briefings and recommendations from the Leaders of the Evaluation Teams on pass/fail assessments and assignment of quality ratings.

D) Identifies items requiring additional Clarifications and prepares concise questions to Proposers in order to seek out additional Clarifications.

E) Validates or modifies the recommended quality ratings of the Evaluation Teams.

F) As a result of initial evaluation and responses to requests for additional Clarifications from Proposers (occasioned by Selection Committee deliberations), re-evaluates and assigns final consensus quality ratings to each SOQ.
G) Prepares Committee Report. The Selection Committee shall prepare a written report of the review and deliberations leading to the recommendation for the Short-List. The report shall be drafted in specific factual terms. Broad or general statements of a subjective nature and statements of opinion are to be avoided. A spreadsheet as well as narrative comparison of all SOQs including specific strengths, Weaknesses and Deficiencies is to be developed for each of the quality evaluation factors and included as an enclosure to the Selection Committee Report. The report must clearly reflect that the evaluation, determinations of failure under pass/fail or non-responsiveness, the assignment of quality ratings and the recommendation of the Short-List were conducted in accordance with the procedures set forth in this Plan.

H) Submit the Committee Report to the Selection Official and support the Chairperson of the Selection Committee in any briefings of the Selection Official that may be required.

3.4 CHAIRPERSON OF THE SELECTION COMMITTEE

The Chairperson of the Selection Committee performs the following functions:

A) Ensures that the SOQ evaluation and Short-List process is properly conducted and that the confidentiality of the process is maintained by overseeing the process and confidentiality through the Procurement Management Team.

B) Provides general guidance and instructions to the Selection Committee.

C) Chairs the Selection Committee.

D) Resolves Selection Committee conflicts and/or impasses.

E) Approves the initial and substitute assignments of members to the Selection Committee and the Evaluation Teams.

F) Briefs the Selection Official on recommendations for non-responsiveness, pass/fail and the Short-List.

G) Oversees and provides guidance to the Procurement Management Team in the training, arranging for secure evaluation space, and distributing the SOQs to/for the Evaluation Teams.

H) Schedules meetings and meets as appropriate with Selection Committee members.

I) Coordinates evaluation and re-evaluation processes among Selection Committee members.

J) Assures timely completion of evaluation and re-evaluation processes (if any).

K) Participates in actual evaluation of the SOQs.

L) Schedules written and oral reports from the Evaluation Teams.

M) During the quality evaluation of SOQs by the Selection Committee, prepares and/or causes to be prepared brief narrative questions as may be required for additional Clarifications.

N) Directs and coordinates preparation of the Selection Committee written narratives to support the pass/fail and quality ratings assigned to each Proposer by identifying specific strengths, Weaknesses and Deficiencies of each SOQ. All quality aspects of each SOQ will be fully considered.
O) If so directed by the Selection Official, debriefs Proposers making or not making the Short-List.

3.5 SELECTION OFFICIAL

The Selection Official performs the following functions:

A) Makes determinations of failure under pass/fail and non-responsiveness of SOQs.

B) Approves the recommended Short-List, modifies and approves a modified Short-List, or remands the recommendation back to the Selection Committee for further consideration.

C) Documents in writing the determinations of the Selection Official relative to failure under pass/fail, non-responsiveness and the Short-List. The determination will include the Selection Committee Report as an attachment.

D) Determines to what extent Proposers will be debriefed following the conclusion of Step 1.

3.6 OBSERVERS

Observers may be designated as desired and determined by the Selection Official for the purpose of verifying that the procedures outlined in this Plan are being followed. Observers will be designated in writing and will be identified in the attachment to the Selection Committee Report listing the evaluation organization. Observers will be held to the same standards of confidentiality, non-disclosure and no conflict as members of the Evaluation Teams and the Selection Committee.

3.7 GENERAL PROCEDURES

Specific procedures are described within the functions of the above individual elements of the evaluation and Short-List organization. Below are general procedures that are either common to all portions or organizational elements of the SOQ evaluation and Short-List process or need special emphasis.

3.7.1 Confidentiality and Safeguarding of Information

The issue of confidentiality has been stressed under each of the organizational functions. The integrity of any contracting process is critical to the fairness (and the appearance of fairness) and the confidence that the Proposers, the Stakeholders and the public have in the Department. Therefore, the deliberations of all teams and committees and the knowledge of individual participants in the evaluation process must be held in the strictest confidence, and all information provided by the Proposers or generated by the evaluation must be safeguarded. All personnel associated with the process will sign certifications of confidentiality and non-disclosure and statements concerning conflicts of interest. The Procurement Management Team will set rules, guidelines and procedures for the safeguarding of all information. After receipt of SOQs, no information concerning the number or identity of the Proposers or information contained in the SOQs shall be made available to the public or anyone in the Department not having a need-to-know until after announcement of the Short-List. Proper care to protect and safeguard all SOQ and evaluation data on a strict need-to-know basis shall be exercised. During the evaluation and Short-List process, only the Chairperson of the Selection Committee can approve the release of any information. Only those individuals actively participating in the evaluation process (members of the Selection Committee, Evaluation Teams and Procurement Management Team) have a need-to-know. Notification to Proposers concerning the Short-List shall be accomplished (as required), either by the Selection Official or by the Chairperson of the Selection Committee.
3.7.2 Clarifications

For definition of Clarifications, see RFQ Section 1.1.2.

Because of the significant flexibility and responsibility placed on the Design-Builder to plan, design (guided by the performance specifications/design requirements), construct, manage (necessitating “fast track” design and construction), and control the Work (including the QC for both design and construction), Clarifications may be required as part of the SOQ evaluation and Short-List process. During the process of evaluations there will be instances where meaningful evaluation cannot take place or proceed or where an erroneous evaluation might occur without seeking Clarifications of a quality issue. In such cases it will be to the benefit of the Department and the Proposer for Clarifications to be quickly obtained. The Selection Committee or any Evaluation Team requiring Clarifications should expeditiously submit a request for Clarifications in writing to the Procurement Management Team. The Procurement Management Team after reviewing and preparing questions will send a request to the Proposer, and upon receipt of an a response from the Proposer, will forward it to the requesting Evaluation Team or Selection Committee. The Procurement Management Team will keep a copy of all Clarifications requests and responses as part of the official record of the evaluation and Short-List process.

3.7.3 Addenda

The evaluation process may highlight, through evaluation of the quality factors of the SOQs or through the process of Clarifications, errors or inconsistencies in the RFQ provisions or specifications that require correction. All recommendations for addenda from any Evaluation Team and the Selection Committee should be forwarded expeditiously to the Procurement Management Team in writing with proposed addendum language and backup rationale. The Procurement Management Team will take appropriate action to have the request reviewed, and if approved by the Chairperson of the Selection Committee, will prepare and issue the addendum through the Contracts Management and Audit Division per DBPM Section 5.3.8.

3.8 BRIEF SYNOPSIS OF EVALUATION AND SHORT-LISTING PROCESS FOR STEP 1

A) Procurement Management Team prepares and conducts evaluation and selection orientation for Evaluation Teams and Selection Committee.

B) Procurement Management Team receives SOQs; reviews for responsiveness; prepares SOQ information for evaluation.

C) Procurement Management Team first distributes applicable submittal information to those Evaluation Teams designated to review pass/fail factors. Evaluation Teams evaluate information (and clarifying information if applicable) and submit to the Selection Committee their recommendations for pass/fail. If the Selection Committee, considering recommendations from the Evaluation Teams and the Procurement Management Team, concurs in a recommendation for failure of a pass/fail factor or non-responsiveness (considering additional clarifying information if applicable), the recommendation is submitted to Selection Official for a determination.

D) After non-responsiveness and pass/fail determinations are complete, Procurement Management Team distributes all remaining SOQ information from Proposers that “passed” to Evaluation Teams and the Selection Committee.
E) Evaluation Teams perform evaluation of SOQs and submit questions for Clarifications and suggestions for addenda to the Procurement Management Team at any time; provide recommended consensus ratings by evaluation factor to the Selection Committee.

F) Procurement Management Team issues requests for Clarifications and addenda throughout the process as required.

G) Selection Committee evaluates submitted quality information and recommendations of the Evaluation Teams and requests additional Clarifications, if any.

H) After receipt of responses to requests for additional Clarifications, the Selection Committee (assisted by Evaluation Teams as required) assigns final consensus ratings for each evaluation factor and overall quality ratings for each SOQ.

I) Selection Committee recommends Short-List to the Selection Official.

J) Selection Official either approves the recommended Short-List, modifies and approves a modified Short-List, or remands the recommendation back to the Selection Committee with comments for further consideration.

4.0 EVALUATION FACTORS

The RFQ contains the pass/fail and quality evaluation factors. Evaluators should refer to the RFQ for the exact definition of the evaluation factors, evaluation objectives and the submittal requirements for each evaluation factor. Following is a general description of the pass/fail and quality evaluation factors.

4.1 PASS/FAIL EVALUATION FACTORS

The pass/fail evaluation factors are:

A) Legal: The legal authority of the Proposer to present an SOQ and to enter into and perform the Contract to design and build the Project and ability to meet licensing requirements.

B) Financial: The capacity to undertake the financial responsibilities associated with the Contract and to provide Proposal, Payment and Performance Bonds.

C) SOQ Responsiveness: All information requested in the RFQ provided in the format specified in Appendix B of the RFQ.

4.2 QUALITY EVALUATION FACTORS

The quality evaluation factors are of equal weight. [Example only. Information on weighting to be determined for each project. Must be consistent with RFQ.]

The quality evaluation factors are:

A) Experience: Demonstrated experience relevant to the size, complexity and composition of the anticipated Project and the experience of Principal Participants, Designer, QC Engineer, and other subcontractors. Identification of each Principal Participant, the Designer, the QC Engineer, and other consultants and subcontractors; the proposed organization for the Project, including the division of work among Principal Participants; and disclosure of major subcontractors.
B) **Past Performance**: Demonstrated record of performance; including completion schedule; quality of work product; completion within budget; claims history (including number of claims submitted that were ultimately disallowed or significantly reduced, number of disputes submitted to formal dispute resolution and disposition of such actions, claims brought against the firm under the false claims act); record of terminations for cause and defaults; disciplinary action, including suspension; safety record; client references; awards, citations and commendations; and record of M/W/DBE participation.

C) **Backlog/Capacity**: Current workload and/or future commitments of Principal Participants, the Designer, QC Engineer, and other subcontractors, including projects presently being proposed that may impact the team during the life of this Project.

D) **Project Understanding**: Knowledge and understanding of specific Project issues and risks and the issues, benefits and responsibilities associated with design-build contracts; and an explanation of how the Proposer will ensure success of the Work and this Project.

5.0 **EVALUATION**

5.1 **PASS/FAIL**

The RFQ contains pass/fail criteria that must be met before an SOQ can proceed to the quality evaluation. The RFQ lists the pass/fail criteria.

5.2 **QUALITY EVALUATION**

A) The quality portions of the SOQs are composed of quality evaluation factors as defined in the RFQ.

B) The SOQs will be quality rated in accordance with the quality rating guidelines provided below. To assist in the evaluation, the RFQ provides a detailed description of the quality evaluation factors, the objectives and requirements for each quality evaluation factor, the relative weights of the quality evaluation factors and the information to be submitted.

C) The Selection Committee, assisted by the evaluations and recommendations of the Evaluation Teams, will evaluate the quality aspects of the SOQs and prepare a written Committee Report, with assistance of the Procurement Management Team, that sets forth the results of that evaluation. After the final evaluation is complete, the Selection Committee shall prepare a written narrative evaluation to accompany the quality ratings for each SOQ. The narrative shall set forth the strengths, Weaknesses and Deficiencies of each SOQ and shall fully support the qualitative/descriptive ratings assigned each evaluation factor and overall quality rating. The narrative report shall clearly describe the quality of each SOQ in light of the assigned quality rating. The Selection Committee will list the SOQs in descending order of quality. SOQs of equal quality rating shall be in the order determined by the Selection Committee.

D) Evaluation Guidelines:

1) Qualitative/Descriptive ratings will be assigned:

   a) Evaluation worksheets will be provided by the Procurement Management Team to the Selection Committee and the Evaluation Teams to record strengths, Weaknesses, Deficiencies, risks with reference to appropriate areas in the SOQs, failures under the pass/fail factors and non-responsiveness:
b) A qualitative/descriptive rating will be documented on the worksheet for each evaluation factor;

c) When an evaluator, Evaluation Team or the Selection Committee identifies a Deficiency or Weakness, the item will be specifically documented on the worksheet. A description of the item and the basis of its unacceptability shall be provided; and

d) Likewise, if an evaluator, Evaluation Team or the Selection Committee identifies a notable strength, it will be specifically identified on the worksheet.

2) Narratives will be provided for each qualitative/descriptive rating. The ratings assigned for each evaluation factor and their relative weighting will be considered in determining a consensus overall quality rating for the SOQ.

3) The overall and evaluation factor qualitative/descriptive ratings reflect the quality rating that “best” describes, in a comprehensive and global sense, the SOQ and/or evaluation factor. Professional judgment should be exercised in arriving at quality ratings when considering the strict and exact interpretation of the qualitative/descriptive definitions (i.e., an evaluation factor rating [or overall SOQ rating] of “ACCEPTABLE” may be provided even if the evaluation factor [or SOQ] contains minor Weaknesses in a sub-element). It is the design and intent of the evaluation scheme that one sub-element should not have a significant and controlling influence over the entire evaluation factor (or SOQ). Moreover, identified and documented Weaknesses (non-minor) and Deficiencies should be reflected in the ratings assigned and should be a safeguard against the potential of Short-Listing a Proposer with an SOQ that contains Deficiencies.

4) After the evaluation is complete, the Selection Committee will prepare a written narrative evaluation to accompany the qualitative/descriptive rating of each SOQ. The narrative will set forth the strengths, Weaknesses and Deficiencies of each SOQ and will fully support the qualitative/descriptive rating assigned.

5.3 QUALITY RATING GUIDELINES

The quality evaluation factors and the overall SOQ will be rated by a qualitative/descriptive (adjectival) method. The Selection Committee, assisted by the Evaluation Teams, will read and assess SOQs to determine if the requirements are met and then assign quality ratings. Quality evaluation worksheets will document strengths, Weaknesses and Deficiencies, and a detailed narrative, with reference to the specific areas in the SOQ, will support the rating assigned. The assessment of the separate quality aspects of each SOQ shall be the basis of arriving at a consensus of the overall quality. The following qualitative/descriptive ratings shall be used in evaluation of each quality evaluation factor and the quality rating of the overall SOQ.

EXCEPTIONAL ~ The Proposer has provided information relative to its qualifications which is considered to significantly exceed stated objectives/requirements in a beneficial way and indicates a consistently outstanding level of quality. There are essentially no Weaknesses.

GOOD ~ The Proposer has presented information relative to its qualifications which is considered to exceed stated objectives/requirements and offers a generally better than acceptable quality. Weaknesses, if any, are very minor.
ACCEPTABLE ~ The Proposer has presented information relative to its qualifications, which is considered to meet the stated objectives/requirements, and has an acceptable level of quality. Weaknesses are minor and can be corrected.

UNACCEPTABLE ~ The Proposer has presented information relative to its qualifications that contains Significant Weaknesses and/or Deficiencies and/or unacceptable quality. The SOQ fails to meet the stated objectives and/or requirements and/or lacks essential information and is conflicting and/or unproductive. Weaknesses/Deficiencies are so major and/or extensive that a major revision to the SOQ would be necessary and/or are not correctable.

Additionally, plus (+) or minus (-) ratings may be assigned to each rating to indicate and further differentiate whether the evaluation factor or overall SOQ is in the top third (high) of a rating category (a plus rating) or is in the lower third (low) of a rating category (a minus rating) [example: a rating of “Acceptable (+)” reflects an acceptable factor or overall rating which is approaching/bordering on being “Good (-)” ].

Any Proposer that receives a rating of UNACCEPTABLE in one or more evaluation factor(s) shall receive an overall SOQ rating of UNACCEPTABLE.

5.4 NON-SELECTION

No Proposer who “fails” a pass/fail factor, or receives an UNACCEPTABLE rating on a quality evaluation factor, will be entitled to be on the Short-List.

6.0 DETERMINATION OF SHORT-LIST

In conducting its responsibilities, the Selection Committee will recommend a Short-List of an appropriate number of the highest quality Proposers in order to ensure adequate competition (minimum of 3 and maximum of 5). The Short-List will be created by eliminating the lowest rated Proposers until an appropriate number remains. Neither the overall ratings nor the ranking of the Proposers on the Short-List will be disclosed to Proposers.

7.0 DESIGNATION OF INDIVIDUALS IN THE EVALUATION ORGANIZATION, EVALUATION SCHEDULE, CONFIDENTIALITY AGREEMENT, AND STATEMENT OF CONFLICT OF INTEREST

Prior to the start of evaluations a letter of designation will be sent to all individuals participating in the evaluation process. The letter will include a milestone schedule of the evaluation process and include as attachments: a copy of this Plan; a copy of the RFQ; an updated overall procurement schedule; a Confidentiality and Non-Disclosure Agreement; and an Affirmation Regarding Conflict of Interest.
(Project Name)
DESIGN-BUILD PROJECT

PIN ____________

SOQ EVALUATION LETTER
LETTER TO PARTICIPANTS IN SOQ EVALUATION

(Date)

Dear ________________,

You have been identified by ________________, the Chairperson of the Selection Committee for the (Project Title) Project, to serve as a member of the [____ Evaluation Team/Selection Committee] for the evaluation of the Statements of Qualifications (SOQ) received for the Request for Qualifications (RFQ) for that Project. The purpose of the evaluation of the SOQs is to recommend a short-list of proposers to the Selection Official, ________________, based on the qualifications of the firms that submit SOQs.

The evaluation of the SOQs will occur from ________________ to ________________ at ________________. If you are unavailable for the entire time period identified above, please notify me immediately and a replacement [____ Evaluation Team/Selection Committee] member will be identified. The SOQ Evaluation and Short-List Plan contains an overall procurement process with planned completion dates for each step. Attached is an update to the completion dates for each step of the overall procurement process. Following below is the schedule for the SOQ evaluations:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
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<tbody>
<tr>
<td>Evaluation Orientation (Evaluation Team and Selection Committee Members)</td>
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<tr>
<td>Individual Evaluation Teams Meet</td>
<td></td>
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<tr>
<td>Evaluation Team Leaders Present Team</td>
<td></td>
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<tr>
<td>Recommendations to the Selection Committee</td>
<td></td>
</tr>
<tr>
<td>Selection Committee Meets</td>
<td></td>
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<tr>
<td>Recommendation of Short-List Presented to Selection Official</td>
<td></td>
</tr>
<tr>
<td>Selection Official Approves/Announces Short-List</td>
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</tbody>
</table>

Included under cover of this letter are the SOQ Evaluation and Short-List Plan, a copy of the RFQ, the Confidentiality and Non-Disclosure Agreement for RFQ and SOQ Evaluations, Affidavit Regarding Conflict of Interest, the Attachment to the Affidavit Regarding Conflict of Interest, the List of Interested Firms, and the Milestone Schedule for the Evaluation Process. Please review all of these documents prior to reporting to ________________ for the evaluation. If you are unable to comply with the terms of these documents, or if you are required, under the terms of the Affidavit Regarding Conflict of Interest, to complete the Attachment to the Affidavit Regarding Conflict of Interest, please contact me immediately. I will either find a replacement [____ Evaluation Team/Selection Committee] member, or work with the Selection Official to create a plan for managing the potential conflict of interest.

Please contact me with any questions or to confirm your availability to serve on the [____ Evaluation Team/Selection Committee] at ________________.

Thank you.

________________________

________________________

________________________
CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT
FOR REQUEST FOR QUALIFICATIONS AND STATEMENT OF QUALIFICATION EVALUATIONS

I, ______________________________, as a participant in the preparation of the RFQ and/or in the evaluation of SOQs (the “Procurement Process”) for the (Project Title) Project, hereby agree that, except as otherwise provided by law:

I will maintain the confidentiality of all non-public or confidential data that I gain access to as a result of my participation in the Procurement Process. This includes proprietary information and information designated confidential by the Department; such information submitted from or on behalf of any of the firms submitting SOQs in response to the RFQ (either as part of their SOQs or included in supplemental information requested by the Department and including information from supporting firms, such as sureties or banks); all evaluation process materials; and/or any other information that might be considered sensitive which I have heard, seen, or reviewed (collectively known as “Confidential Information”).

I will follow the SOQ Evaluation and Short-List Procedures as issued by the Department. I will maintain security and control over all SOQ documents containing such Confidential Information in my custody during the Procurement Process. I will not make copies of any documents or remove documents from the locations assigned for evaluations, and will return all documents to the Procurement Management Team when my work with the documents is completed.

I will not divulge any Confidential Information regarding the Procurement Process to any representative of the firms submitting SOQs in response to the RFQ. I will not divulge any Confidential Information regarding the Procurement Process to any person not directly involved in the Procurement Process, including the media, members of the public, employees of firms or consultants that have not submitted an SOQ in response to the RFQ, other Department employees, or stakeholder employees. Internal Confidential Information exchange shall be conducted only as necessary to conduct the Procurement Process. If contacted by any representative of a firm that has submitted an SOQ in response to the RFQ, the media, or the public or any employee of the Department, stakeholders, firms, or consultants not involved in the Procurement Process, I will not discuss the Procurement Process, and will promptly report every such case of attempted communications to the Procurement Management Team.

Furthermore, I agree not to solicit or accept gratuities, favors, or gifts of any sort/denomination from any of the firms that have submitted an SOQ in response to the RFQ or any additional firms or consultants that come into consideration as a part of this Procurement Process.

This Agreement is subject to the laws of the State of New York and applicable rules and regulations.

Signed: ___________________________________  Date:     __________________

Printed or Typed Name and Title:  ______________________________________________
AFFIDAVIT REGARDING CONFLICT OF INTEREST

I, ______________________________________, in agreeing to participate as a member of a team or committee reviewing the SOQs for the design and construction of the (Project Title) Project, make the following representations:

(A) Except as set forth in the Attachment to the Affidavit Regarding Conflict of Interest, neither I nor any member of my immediate family has a financial interest in any entity participating in any SOQ;

(B) Except as set forth in the Attachment to the Affidavit Regarding Conflict of Interest, no business or organization with which I am associated has a financial interest in any entity participating in any SOQ;

(C) Except as set forth in the Attachment to the Affidavit Regarding Conflict of Interest, no member of my immediate family or other person, business, or organization with which I am associated is negotiating or has an arrangement concerning prospective employment relating to any entity participating in any SOQ; and

(D) I will not solicit or accept, directly or indirectly, any gift, favor, gratuity, entertainment, food, lodging, loan, or other item from any firm that has submitted an SOQ in response to the RFQ if it tends to influence me in the discharge of my duties.

Team / Committee Member

____________________________________

Date
ATTACHMENT TO AFFIDAVIT REGARDING CONFLICT OF INTEREST

This disclosure statement outlines potential conflicts of interest, either real or apparent, as a result of a direct or indirect financial interest on my part or that of any member of my immediate family, or of my employer, partner(s), or joint venturers, in any firm under consideration for the DB contract associated with the Project. Section I of this disclosure statement describes the potential conflicts of interest. Section II of this disclosure statement describes the management plan for dealing with the potential conflicts of interests as described in Section I of this disclosure statement. I acknowledge that the Department may require revisions to the management plan described in Section II of this disclosure statement prior to approving it and that the Department has the right, in its sole discretion, to limit or prohibit my involvement in the Project as a result of the potential conflicts of interest described in Section I of this disclosure statement. Attach additional pages as necessary.

SECTION I – DESCRIPTION OF POTENTIAL CONFLICTS OF INTEREST

SECTION II – PLAN FOR MANAGING POTENTIAL CONFLICT OF INTEREST

Signed: _______________________________  Date: ____________________
Name and Title: _______________________________
Representing: _______________________________

Approved by the Department
Signed: _______________________________  Date: ____________________
Name and Title: _______________________________, Selection Official
MILESTONE SCHEDULE FOR THE EVALUATION PROCESS

- **Request for Letters of Interest:** The request for Letters of Interest (LOI), advertised in notices published in local newspapers and other periodicals, was published on *(Date)*. The due date for all LOIs was *(Date)*. All LOI respondents were also invited to a Project information meeting on *(Date)*.

- **Request for Qualifications:** The RFQ was issued on *(Date)* and was issued to the LOI respondents as well as other interested parties for the purpose of receiving SOQs in order to establish a short-list of three to five of the most highly qualified proposers who will be invited to submit proposals in response to the Request For Proposals (RFP).

- **Statement of Qualifications:** Statements Of Qualifications in response to the RFQ are anticipated to be due on *(Date)*.

- **Short-List:** Announcement of the short-list is anticipated to be on *(Date)*.

- **Request for Proposals:** Issuance of the RFP to those proposers on the short-list, for the purpose of receiving proposals by which a Design-Builder will be selected, is anticipated to be on *(Date)*.

- **Proposals:** Proposals in response to the RFP are anticipated to be due on *(Date)*.

- **Evaluation, Discussions, Final Proposal Revisions (Best And Final Offers), Selection, and Award:** The process of evaluating the proposals and selecting the Design-Builder will be done in accordance with the Proposal Evaluation and Selection Procedures and is anticipated to be conducted during *(Range of Dates)*, with award anticipated on *(Date)*. The evaluation of the proposals may require discussions and final proposal revisions (Best and Final Offers).

- **Notice to Proceed:** Issuance of the Notice to Proceed is planned for *(Date)*.
(Project Name)
DESIGN-BUILD PROJECT

PIN _______________

SOQ WORKSHEETS
- Evaluation Factor: Backlog/Capacity Worksheet
- Evaluation Factor: Experience Worksheet
- Evaluation Factor: Legal/Financial Worksheet
- Evaluation Factor: Past Performance Worksheet
- Evaluation Factor: Understanding Worksheet
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New York State Department of Transportation

SOQ EVALUATION WORKSHEET

EVALUATION FACTOR: BACKLOG/CAPACITY

Proposer: _________________________________________________________

OVERALL RATING: _____

NARRATIVE SUMMARY:

[The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices.]

Objective:

1) To identify Proposers with sufficient capacity, considering current, committed and potential workload and past level of contract activity, to successfully complete the design and construction of the Project.

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating</th>
<th>Comments/Justification for Rating</th>
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<tbody>
<tr>
<td>Submit Form B, Backlog Information, for each Principal Participant, Designer, QC Engineer and other firm meeting criteria in Section 1.17 B)1). Limit backlog information to the office(s)/division(s) of the firms that will be performing Work on the Project.</td>
<td></td>
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</tr>
<tr>
<td>Submit Form R, Past Revenue, for each Principal Participant, Designer, QC Engineer and other firm meeting criteria in Section 1.17 B)1). Limit revenue information to the office(s)/division(s) of the firms that will be performing Work on the Project.</td>
<td></td>
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</tbody>
</table>
New York State Department of Transportation

SOQ EVALUATION WORKSHEET

EVALUATION FACTOR: BACKLOG/CAPACITY

Recommended by: ___________________________________ Date:  ________
(Signature)

___________________________________ Date:  ________
(Signature)

___________________________________, Chairperson, Backlog/Capacity Evaluation Team
(Printed Name)

___________________________________ Date:  ________
(Signature)

___________________________________, Deputy Chairperson, Backlog/Capacity Evaluation Team
(Printed Name)

_______ Project Backlog/Capacity-2 SOQ Evaluation
Proposer: ______________________________________________________________

OVERALL RATING: ______

NARRATIVE SUMMARY:

[The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices.]

Objectives:

1. To identify the best design and construction firms available with demonstrated experience, expertise, capacity in, and record of producing quality Work on projects similar in nature to the Project with a record of producing quality Work.

2. To identify Proposers that have:
   a) The experience in successfully managing, designing and constructing projects of the size and complexity of this Project;
   b) Superior records of completing contracts on time and within budget;
   c) Experience in successfully managing the maintenance of traffic and [community interaction] aspects of this Project;
   d) Records of managing contracts to minimize delays, claims, dispute proceedings, litigation and arbitration; and
   e) Good safety records;

3. To identify Proposers who will effectively manage all aspects of the Contract in a quality, timely and effective manner and will integrate the different parts of its organization collectively and with the Department in a cohesive and seamless manner; and
New York State Department of Transportation

SOQ EVALUATION WORKSHEET

EVALUATION FACTOR: EXPERIENCE

4. To identify Proposers that have the technical and management experience and expertise to plan, organize, execute the design and construction and assure the quality and safety of the Project.

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<thead>
<tr>
<th>Sub-Factor</th>
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<tbody>
<tr>
<td>Using Form E-1, past Project Description, provide no more than (Number) (#) past project descriptions, with a minimum of 2 past projects per each Principal Participant and the Designer and additional project descriptions from the QC Engineer, other team members meeting the criteria listed in Section 1.17 B1) and Specialized Subcontractors highlighting experience in the last # years relevant to the Project. Describe those projects having a scope comparable to that anticipated for the Project.</td>
<td></td>
<td>Provide overall experience rating for each of the Principal Participants based on review of Forms E-1.</td>
</tr>
<tr>
<td>Using Form E-2, Subcontractor Information, except for designated Designer and QC Engineer (who have already been included in Forms L-1 and E-1, identify subcontractors (including consultants) the Proposer plans to use, to the extent they are known, indicating what portion of the Work such subcontractor is anticipated to undertake. Submit maximum one (1) page summary of experience for each listed subcontractor, including consultants. Company brochures may be included in Appendix</td>
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</table>

Project | Experience-2 | SOQ Evaluation
New York State Department of Transportation

SOQ EVALUATION WORKSHEET

EVALUATION FACTOR: EXPERIENCE

Recommended by: ________________________________ Date: ________
(Signature)

______________________________, Chairperson, Experience Evaluation Team
(Printed Name)

______________________________ Date: ________
(Signature)

______________________________, Deputy Chairperson, Experience Evaluation Team
(Printed Name)
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Proposer: ____________________________________________________________

OVERALL RATING: _______(Pass/Fail)

NARRATIVE SUMMARY:

[The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices.]

Objectives:

- To identify legally constituted Proposers able to submit Proposals and enter into and complete the Contract with the Department for design and construction of the Project.
- To identify Proposers with demonstrated capability to undertake the financial responsibilities associated with the Project, including bonding.

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating (P/F)</th>
<th>Comments/Justification for Rating</th>
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<tbody>
<tr>
<td>Submit Form L-1, Proposer’s Organization Information, for the Proposer’s organization.</td>
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<tr>
<td>Submit Form L-2, Principal Participant and Designer Certification, for each Principal Participant and the Designer covering the last five (5) years.</td>
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<tr>
<td>If a joint venture or partnership:</td>
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<tr>
<td>• Identify the Lead Principal Participant of the venture, if any (Form L).</td>
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<tr>
<td>• Indicate the percent share of each member, if known (Lead Participant column of Form L).</td>
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</table>
### EVALUATION FACTOR: LEGAL/FINANCIAL

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating (P/F)</th>
<th>Comments/Justification for Rating</th>
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<tbody>
<tr>
<td>• Provide an express agreement of joint and several liability of each of the venture partners to the Department.</td>
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<tr>
<td>Requirements and information to be submitted in Appendix A to the SOQ:</td>
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<tr>
<td>• Submit notarized Power of Attorney for each Principal Participant indicating the authority of the Principal Participant’s representative to sign for that Principal Participant.</td>
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<tr>
<td>• Submit notarized Power of Attorney from each Principal Participant indicating the authority of the DB Team’s designated point of contact to sign documents for and on behalf of the Proposer’s organization.</td>
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<tr>
<td>• Submit a copy of the Certificate of Authorization to provide Engineering Services issued by the New York State Education Department for the Design Builders, or submit documentation on Form L-3 demonstrating the ability to obtain said Certificate in accordance with the New York State Education Law, Title VIII, Articles 130, 145, and 147-148.</td>
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<tr>
<td>If a joint venture or partnership:</td>
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<tr>
<td>• If the Proposer has already been legally constituted, provide full details of the corporate structure and supporting documents including a copy of the joint venture or partnership agreement.</td>
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<tr>
<td>Sub-Factor</td>
<td>Rating (P/F)</td>
<td>Comments/Justification for Rating</td>
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<tr>
<td>• If the Proposer has not yet been legally formed, provide a brief description of the proposed legal structure and draft copies of the underlying documents, including:</td>
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<tr>
<td>o All significant terms of the joint venture or partnership, including the rules relative to the administration of the joint venture or partnership, including dealing with deadlock situations.</td>
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<tr>
<td>o Description of how the joint venture or partnership will operate administratively and technically.</td>
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<tr>
<td>o If a joint venture or partnership agreement has not been executed, submit a memorandum of agreement or teaming agreement covering the matters in the bulleted paragraph above.</td>
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<tr>
<td>• Submit a letter from a bank, surety or insurance company indicating that the Proposer is capable of obtaining Proposal, Performance, Payment Bonds covering the Design and Build Contract.</td>
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</tbody>
</table>
Recommended by: ____________________________ Date: ________
(Signature)

__________________________________________, Chairperson, Legal/Financial Evaluation Team
(Printed Name)

__________________________________________ Date: ________
(Signature)

__________________________________________, Deputy Chairperson, Legal/Financial Evaluation Team
(Printed Name)
New York State Department of Transportation

SOQ EVALUATION WORKSHEET

EVALUATION FACTOR: PAST PERFORMANCE

Proposer: _________________________________________________________

OVERALL RATING: ______

NARRATIVE SUMMARY:

/\The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices./

Objectives:

1. To avoid Proposers with firms or personnel with a history of legal and financial problems that could adversely impact the Project generally;

2. To obtain the commitment of the Proposer, Principal Participants and Designer regarding representations made in the SOQ; and

3. To identify Proposers with a record of meeting M/W/DBE participation requirements.
Using Form PP, Past Performance, provide the information requested in bulleted subparagraphs below. If a Proposer has no record of relevant past performance or if the information relative to a category is not available enter a declarative statement to that effect on Form PP. If the record of relevant past performance does not exist and/or is not available, the Proposer shall receive a rating of “Acceptable minus” for this factor. Attach additional sheets to Form PP as necessary. For each instance of litigation, claim, dispute proceeding, arbitration, assessment of liquidated damages or termination for cause or default, provide the owner’s name and the name of its current representative (and current phone and fax numbers) who can be contacted for additional information. With respect to the information solicited in Section 4.2.4.4, failure to provide this information, conditional or qualified submissions to requests or questions posed (i.e., “to our knowledge”, “to the extent of available information”, “such information is not readily available”, “such information is not maintained in the manner requested”, etc.), incomplete or inaccurate submissions or non-responsive submissions may, in the sole discretion of the Department, lead to a lower evaluation rating for this quality factor or result in a Deficiency that would cause the Department to declare the

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<th>Sub-Factor</th>
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<tr>
<td>Using Form PP, Past Performance, provide the information requested in bulleted subparagraphs below. If a Proposer has no record of relevant past performance or if the information relative to a category is not available enter a declarative statement to that effect on Form PP. If the record of relevant past performance does not exist and/or is not available, the Proposer shall receive a rating of “Acceptable minus” for this factor. Attach additional sheets to Form PP as necessary. For each instance of litigation, claim, dispute proceeding, arbitration, assessment of liquidated damages or termination for cause or default, provide the owner’s name and the name of its current representative (and current phone and fax numbers) who can be contacted for additional information. With respect to the information solicited in Section 4.2.4.4, failure to provide this information, conditional or qualified submissions to requests or questions posed (i.e., “to our knowledge”, “to the extent of available information”, “such information is not readily available”, “such information is not maintained in the manner requested”, etc.), incomplete or inaccurate submissions or non-responsive submissions may, in the sole discretion of the Department, lead to a lower evaluation rating for this quality factor or result in a Deficiency that would cause the Department to declare the</td>
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### New York State Department of Transportation

**SOQ EVALUATION WORKSHEET**

**EVALUATION FACTOR: PAST PERFORMANCE**

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating</th>
<th>Comments/Justification for Rating</th>
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<tr>
<td>SOQ non-responsive</td>
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## EVALUATION FACTOR: PAST PERFORMANCE

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<tr>
<th>Sub-Factor</th>
<th>Rating</th>
<th>Comments/Justification for Rating</th>
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<tbody>
<tr>
<td><strong>Awards, Citations and/or Commendations</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Provide information relative to awards, citations and/or commendations for performance relevant to this Project received by any Principal Participant, Designer, other firms meeting criteria of Section 1.17 B)1) and/or Specialized Subcontractors within the last (#) years.</td>
<td></td>
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</tr>
<tr>
<td>• Describe the work for which award(s), citation(s) and/or commendation(s) were received.</td>
<td></td>
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<tr>
<td>• Copies of award(s), citation(s) and/or commendation(s) may be included in Appendix C of the SOQ.</td>
<td></td>
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<tr>
<td>• Include only awards, citations and/or commendations earned by office, division, branch, etc. proposed to work on this Project.</td>
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<tr>
<td><strong>Arbitration and Litigation Proceedings</strong></td>
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<tr>
<td>• Provide a list of all arbitration and litigation proceedings involving amounts in excess of $_____ and related to performance in major capital projects in which any Principal Participant, Designer or other firms meeting criteria in Section 1.17 B)1) has been involved during the past 5 years.</td>
<td></td>
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<tr>
<td>• Include all claims, dispute proceedings, litigation and arbitration proceedings initiated by or against owners and federal, State and local regulatory agencies.</td>
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</tr>
<tr>
<td>• Indicate whether the claim, dispute proceeding, litigation or arbitration proceeding was resolved against the participant(s) or its insurers/sureties or</td>
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<tr>
<td>Sub-Factor</td>
<td>Rating</td>
<td>Comments/Justification for Rating</td>
</tr>
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<td>---------------------------------------------------------------------------</td>
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<td>----------------------------------</td>
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<tr>
<td>resulted in reduction in compensation to the participant.</td>
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<tr>
<td>• Indicate any unresolved, outstanding claims, dispute proceedings, litigation and arbitration proceedings.</td>
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<tr>
<td>Liquidated Damages</td>
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<tr>
<td>• Describe any contract that resulted in assessment of liquidated damages against any Principal Participant over the past (#) years.</td>
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<tr>
<td>• Describe the causes of the delays and the amounts assessed.</td>
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<tr>
<td>• Describe any outstanding damage claims by or damages due and owing to any owner/agency.</td>
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<tr>
<td>Termination for Cause</td>
<td></td>
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<tr>
<td>• Describe the conditions surrounding any contract (or portion thereof) entered into by any Principal Participant, Designer or other firm meeting criteria listed in Section 1.17B)1) over the past (#) years that has been terminated for cause, or which required completion by another party.</td>
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<tr>
<td>• Describe the reasons for termination and the amounts involved.</td>
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<tr>
<td>Disciplinary Action</td>
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<tr>
<td>• Indicate any disciplinary action taken against any Principal Participant, Designer or other firm meeting the criteria in Section 1.17 B)1) within the past # years by any governmental agency or licensing board, including suspension from the right to propose/bid or removal from any proposer/bid list</td>
<td></td>
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</tbody>
</table>
New York State Department of Transportation

SOQ EVALUATION WORKSHEET

EVALUATION FACTOR: PAST PERFORMANCE

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submit Form S, Safety Questionnaire, for each Principal Participant and Construction Subcontractor meeting criteria listed in Section 1.17 B)1).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Submit Form M/W/DBE, Record of M/W/DBE Participation, for each Principal Participant and the Designer reflecting record of M/W/DBE participation in their contracts for the past three (3) years.</td>
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</tbody>
</table>

Recommended by: ___________________________________ Date:  __________
(Signature)

___________________________________ Date:  __________
(Printed Name)

___________________________________ Date:  __________
(Signature)

___________________________________, Deputy Chairperson, Past Performance Evaluation Team
(Printed Name)
Proposer: ____________________________________________________________

OVERALL RATING: ______

NARRATIVE SUMMARY:

[The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices.]

Objectives:

1) To identify those Proposers demonstrating an understanding of the management, technical and maintenance of traffic issues and risks associated with the Project.
2) To identify those Proposers demonstrating an understanding of how the design-build process and the Proposer’s organization will contribute to the success of the Project and meeting the Department’s Project goals and understanding of the risk sharing and the teaming relationship between the Design-Builder and the Department.

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>List and briefly describe the significant issues and risks facing the selected Proposer and/or the Department.</td>
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<tr>
<td>Briefly describe how the Proposer will use its organization and the Design-Build process to ensure a successful Project, considering the Department’s Project goals listed in ITP Section 1.2.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
New York State Department of Transportation

SOQ EVALUATION WORKSHEET

EVALUATION FACTOR: PROJECT UNDERSTANDING

Recommended by: ____________________________ Date: ________
(Signature)

__________________________________________, Chairperson, Project Understanding Evaluation Team
(Printed Name)

Date: ________
(Signature)

__________________________________________, Deputy Chairperson, Project Understanding Evaluation Team
(Printed Name)

_______ Project

Project Understanding-2

SOQ Evaluation
PROPOSAL EVALUATION TEMPLATES

- Proposal Evaluation & Selection Plan
- Proposal Evaluation Letter
- Proposal Evaluation Worksheets
(Project Name)
DESIGN-BUILD PROJECT

PIN ___________

PROPOSAL
EVALUATION & SELECTION PLAN
This Page is intentionally left blank.
CONFIDENTIAL - PROCUREMENT SENSITIVE

Copy ____ of ____ Copies

PROPOSAL EVALUATION AND SELECTION PLAN

Approved ______________________

Note: If found, please return this copy in an envelope to:

New York State Department of Transportation

[Insert Date]
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1.0 INTRODUCTION

1.1 PURPOSE

This document provides the methodology and criteria for evaluation of the Proposals received in response to the Request for Proposals (RFP) to be issued by the New York State Department of Transportation (“Department”) for the (Project Title) Project.

It is the intent of this Proposal Evaluation and Selection Plan (“Plan”) to establish a disciplined process and a fair and uniform basis for the evaluation of Design-Build Proposals in accordance with the Department objectives and the Project goals of the (Project Title) Project. The contracting agency for this Project procurement is the Department. Award of the Project is to be based upon the “best value” to the Department considering price and other factors. Unless otherwise defined herein, refer to the RFP as applicable for abbreviations and the definitions of initially capitalized terms contained in this Plan.

1.2 DESCRIPTION

The description of the Project is contained in the RFP in Appendix A (Project Scope) to the Agreement (Part 1) of the Contract Documents. Evaluators will be provided a copy of the description with their designation letter.

1.3 PROJECT GOALS

The Department’s goals for the Project are: [Insert list of project goals]

A) ______________;
B) ______________;
C) ______________; and
D) ______________

1.4 BASIS OF EVALUATION

This document sets forth standards of acceptability and desirability with regard to evaluation factors set forth in the Instructions to Proposers. Evaluators should assign quality ratings after examining the Proposals and after consideration of the evaluation factors deemed necessary to achieve the Project goals and the context under which the Project goals and evaluation factors were developed—placing significant flexibility and responsibility on the Design-Builder to plan, design, construct, manage and control the Work (including the QC for both design and construction) and to complete the construction on schedule. Also, the design will be guided by the design requirements and performance specifications. The Project schedule may necessitate “fast track” design and construction. High responsibility standards have been set to encourage Proposers to submit high quality SOQs and Proposals demonstrating their capability (legal, financial, management, and technical), capacity, experience, and creative, yet sound design/construction solutions that, when combined with price, will be most advantageous (best value) to the Department.

The organization, overall procedures, evaluation factors, rating scheme and evaluation process for the Proposals are set forth in rest of this document.
1.5 INSTRUCTIONS TO PROPOSERS (ITP)

The ITP portion of the RFP is a companion document to this Plan. It is the primary document that defines the evaluation factors, evaluation objectives and the submittal requirements for each evaluation factor for the Proposals. The ITP is the primary reference document for all evaluators in the evaluation process and a copy will be provided to evaluators. For the most part, this Plan attempts to avoid duplicating information contained in the ITP, however, in the event of a discrepancy between the Plan and the ITP, the ITP shall govern.

For the evaluation of some evaluation factors, especially technical factors, other portions of the RFP (such as performance specifications, Request for Proposals Plans, etc.) will be of assistance to evaluators.

2.0 PROCUREMENT PROCESS

The Contract will be procured through a single DB Contract using “best value” (price and other factors) as the method of selection. The intent of the Department is to award the Contract to a qualified Design-Builder who provides the best combination of price and quality.

A description and discussion of the term “Communications” that appears throughout this Plan is contained in Section 3.7.2.

2.1 STEPS/PLANNED SCHEDULE OF OVERALL PROCESS

The overall procurement process has the following steps (dates are planned dates and may vary in actual execution):

A) Request for Letters of Interest (LOI): The request for LOIs, in Department advertisements and local newspapers, is planned for (Date). Planned due date for all LOIs is (Date). All LOI respondents will also be invited to a Project information meeting planned for (Date).

B) Project Informational Meeting: Informational meeting will be held with interested parties to provide information about the Project, review the procurement process, and to answer questions.

C) Request for Qualifications (RFQ): The planned issue date for the RFQ is (Date) and will be issued to the LOI respondents and will be made available to other interested parties for the purpose of receiving SOQs in order to establish a Short-List of 3 to 5 of the most highly qualified Proposers who will be invited to submit Proposals in response to the RFQ.

D) Statement of Qualifications (SOQ): SOQs in response to the RFQ are anticipated to be due on (Date).

E) Short-List: Announcement of the Short-List planned for (Date).

F) Request for Proposals (RFP): Issuance of the RFP to those Proposers on the Short-List, for the purpose of receiving Proposals by which a Design-Builder will be selected, is planned for (Date).
G) **Proposals:** Proposals in response to the RFP are anticipated to be due on *(Date).*

H) **Evaluation, Discussions, Final Proposal Revision [Best and Final Offers (BAFO)]**

**Selection and Award:** The process of evaluating the Proposals and selecting the Design-Builder will be done in accordance with the Proposal Evaluation and Selection Plan during *(Range of Dates)*, with award anticipated on *(Date).* The evaluation of the Proposals may require discussions and a final Proposal Revision (BAFO).

I) **Award:** Announcement of the award of the Contract is planned for *(Date).*

J) **Notice to Proceed (NTP):** Issuance of the NTP is planned for *(Date).*

### 2.2 ONE PROCESS/TWO STEPS

The procurement will be accomplished through one overall process that includes two steps as follows:

A) **RFQ/SOQ (Step 1):** Selection of Proposers to the Short-List (3 to 5 Proposers).

B) **RFP/Proposals (Step 2):** Selection of the Design-Builder from the Short-List of Proposers.

Pass/fail and quality evaluation factors will be present in both the RFQ/SOQ and RFP/Proposals steps.

### 2.3 GENERAL DESCRIPTION OF THE OVERALL EVALUATION PROCESS

A) The selection of the Design-Builder for the Design-Build Contract will be based on an evaluation of pass/fail, quality and price factors.

B) The RFQ sets out what is required to be submitted by Proposers in their SOQs. The Instructions to Proposers (ITP) portion of the RFP sets out what is required to be submitted in the Proposals. Both the RFQ and RFP will provide specific instructions on the evaluation factors, the objectives/requirements for evaluation and the evaluation rating guidelines.

C) SOQs and Proposals submitted in response to the RFQ and RFP, respectively, must include a response to each pass/fail and quality evaluation factor.

D) Evaluation of quality factors will occur in both in Step 1 and Step 2. Ratings of individual evaluation factors and the overall quality rating of an SOQ or a Proposal will be arrived at through consensus of the members of the Evaluation Teams and Selection Committee as applicable.

E) If required information is missing from an SOQ during Step 1 or a Proposal during Step 2, the Department may, in its sole discretion, either declare the SOQ or Proposal non-responsive due to major errors, Weaknesses or Deficiencies or send a written request to the Proposer requesting missing information relating to minor errors or omissions.

F) In Step 1, Evaluation Teams and the Selection Committee may, through the use of Clarifications, seek to resolve minor ambiguities, errors, omissions, error or mistakes in an SOQ in order to better understand and evaluate the SOQ. Likewise, in Step 2, Communications (which replaces Clarifications) may be used for the same purpose.

G) Evaluation of the quality factors during Step 1 will be the basis of determining the Short-List of the most highly qualified Proposers who will be invited to submit Proposals in response to the RFP.
H) SOQ ratings will not carry over to Step 2.

I) Price will only be submitted and evaluated in Step 2 (in response to the RFP).

J) In Step 2, both quality evaluation factors and price are being evaluated. An overall quality rating will be agreed upon by the Selection Committee prior to considering price, at which time a Competitive Range will be determined. The Selection Official may (at his/her discretion) conduct written and/or oral Discussions with Proposers determined to be in the Competitive Range to advise Proposers of Significant Weaknesses and/or Deficiencies in their Proposals (relative to the RFP), resolve any uncertainties or obtain any significant additional-supplemental information concerning the Proposal, and resolve any suspected mistakes by calling them to the attention of the Proposers as specifically as possible without disclosing information concerning other competing Proposers’ Proposals or the evaluation process.

K) If Discussions are conducted (in Step 2 only), Proposers will be given the opportunity to submit revised or supplemental Proposal information, and will be requested to submit a final Proposal Revision (BAFO). BAFOs may include both revised quality and price information.

L) The Evaluation Teams and the Selection Committee will re-evaluate the Proposals considering information submitted in the BAFOs and assign a final quality rating to each Proposal.

M) The Selection Committee will perform an assessment of the price and the quality factors and recommend to the Selection Official the Proposal representing the “best value” to the Department as defined in the RFP. The Selection Official will make the selection decision.

2.4 GRAPHICAL REPRESENTATION OF THE STEP 2 (RFP/PROPOSALS)

Figure 1 provides a flow diagram that graphically depicts the evaluation and selection process for the Proposals.

2.5 EVALUATION AND SELECTION ORGANIZATION, FUNCTIONS AND GENERAL PROCEDURES

Individuals to fill positions and to have responsibilities in the RFP/Proposals (Step 2) evaluation and selection organization will be listed in an attachment to the letter designating those individuals and forwarding this Plan.
Figure 1
Flow Diagram for Evaluation and Selection Process
2.6  PROCUREMENT MANAGEMENT TEAM

The Procurement Management Team is responsible for controlling and maintaining the integrity of the entire evaluation and selection process according to this Plan under the guidance and direction of the Chairperson of the Selection Committee. The Procurement Management Team performs the following specific functions:

A) Not only maintains strict confidentiality with regard to their functions within the evaluation process, but also is the primary group responsible for managing and monitoring the entire process for confidentiality, integrity, and procurement sensitivity.

B) Ensures that all participants in the evaluation and selection process sign a certification of confidentiality and non-disclosure and statements concerning conflicts of interest. If apparent conflicts are disclosed the resolution process for the conflicts will be determined by the Contracts Management and Audit Division.

C) Provides orientation sessions for the Selection Committee and Evaluation Team (technical advisors) members prior to start of evaluations.

D) Provides guidance and assistance to the Selection Committee and Evaluation Teams throughout the entire process.

E) Issues a notification proclaiming that the evaluation and selection process has begun and that any and all contact between the competing Proposers and the Department must go through the Procurement Management Team.

F) Reserves secure evaluation/conference rooms for Selection Committee and Evaluation Teams.

G) Receives, opens and safeguards all Proposals.

H) Reviews each Proposal for responsiveness to the RFP to include: all required “Forms” provided and properly filled in and/or executed; required information submitted for all evaluation factors; ensures Proposal is in format required ready for evaluation of indicated sections; and identification of any instance where a Proposer has limited or qualified its Proposal.

I) Notifies the Chairperson of Selection Committee of any errors, Deficiencies, minor discrepancies or irregularities, apparent clerical or other mistakes, and any apparent instance of “qualification” and/or failure under the “pass/fail” criteria and recommends options and/or action(s) to be taken. Follows up with Proposer(s) and/or Selection Committee and Evaluation Teams based on decision of the Selection Committee.

J) Prepares the Proposals for evaluation.

K) Distributes, in coordination with the Chairperson of Selection Committee, evaluation packages to the Evaluation Teams; monitors the evaluations; accumulates and safeguards results/reports from the Evaluation Teams and provides results/reports to the Selection Committee, as requested; and receives and safeguards results/reports of the Selection Committee.

L) Assists the Chairperson of Selection Committee in conduct of Proposer presentations/ interviews (if used).
M) Assists the Chairperson of Selection Committee in any briefings/presentations that may be required to the Selection Official.

N) Coordinates, prepares and issues written Communications to Proposers (based on evaluations and/or reviews by Evaluation Teams and Selection Committee). Distributes Proposers’ responses to Communications to appropriate Evaluation Teams and Selection Committee.

O) Tracks and provides an evaluation process status report (frequency as requested) to the Chairperson of Selection Committee.

P) Assists the Department in announcement of the selection.

Q) Maintains a complete file of the entire Proposal evaluation and selection process including all narratives, reports, Communications, recommendations of the Evaluation Teams, the decisions and recommendations of the Selection Committee, and the Selection Official’s Determination.

R) Assists Selection Committee in preparation of written reports.

2.7 EVALUATION TEAMS

Because of the ambitious Project schedule, and because of the significant flexibility and responsibility placed on the Design-Builder to plan, design (guided by performance specifications/design requirements), construct, manage (necessitating “fast track” design and construction), and control the Work (including the QC for both design and construction), experience, qualifications, management approach, technical solutions and Project support are very significant to the ultimate success of the Project. As such, technical advisors who bring specific expertise to the pass/fail and individual quality evaluation areas may be assigned by the Department to assist the Selection Committee in the evaluation of the pass/fail, quality and/or price aspects of the Proposals. The technical advisors may be employees of the Department, other Stakeholders, consultants, and/or other experts. Additional technical advisors may be added during the evaluation process as may be required. The technical advisors will be grouped into teams that will evaluate one or more assigned evaluation factors as a team.

A Leader will be assigned for each Evaluation Team. The Leader will designate an assistant who will act in the absence of the Leader. In the case of a tie on the Evaluation Team concerning a particular issue or recommendation, the Leader will decide.

The Evaluation Teams perform the following functions:

A) Maintain strict confidentiality of the evaluation process. Evaluation Teams shall not have any direct written or oral communication with any member of a Proposer’s organization during the evaluation process.

B) Limit their evaluation to the specific evaluation factor(s) assigned. Consultation with other Evaluation Teams evaluating related quality evaluation factors is allowed and encouraged. However, consultation should be limited strictly to the specific coordination item/issue in question. Rating information should not be shared among teams, and no information regarding quality evaluations or price information will be exchanged between quality Evaluation Teams and the Price Evaluation Team.
C) Evaluate the Proposals based on the evaluation factors assigned in accordance with the objectives/requirements of the evaluation factors and rating guidelines contained in the ITP and this Plan.

D) During the initial evaluations, prepare (if necessary) a list of concise questions (to be transmitted to Proposers by the Procurement Management Team as Requests for Communications) to seek clarification for ambiguities, omissions, errors, mistakes or clerical revisions in order to assist the evaluators in better understanding the Proposals and at arriving at consensus quality ratings and a Competitive Range.

E) Considering the Proposals and information received as response to requests for Communications, assign a pass/fail (during pass/fail deliberations only) or a consensus quality rating and prepare a written recommendation to the Selection Committee for each pass/fail or assigned quality evaluation factor for each Proposer. The Evaluation Team shall submit a consensus rating recommendation. If technical advisors prepare individual evaluations in arriving at the consensus evaluation, they should be attached to the consensus evaluation. Any particular reservations of an individual technical advisor with respect to the consensus evaluation should be noted on the consensus evaluation. The narrative of the recommendation should identify specific strengths, Weaknesses and Deficiencies in support of the recommended rating.

F) Prepare recommended questions for the Selection Committee to ask during the DB interviews (if used).

G) Provide an oral presentation of the recommended ratings to the Selection Committee as requested.

H) Attend Proposer presentations/interviews (if used) if invited by the Chairperson of Selection Committee and assist in preparing questions for Proposers if requested. Following interviews, re-evaluate quality rating recommendation in light of information gained through the interviews if requested by the Selection Committee.

I) If Discussions are conducted, assist the Selection Committee in preparing questions and participate in Discussions as requested.

J) Following Discussions (if used) and BAFO submittals and considering answers to Discussions and revised-supplemental information submitted, re-evaluate initial recommendations of quality factor ratings and recommend final consensus quality factor ratings to the Selection Committee.

The Price Evaluation Team will evaluate the price realism, price reasonableness and completeness of the Price Proposal and inform the Chairperson of Selection Committee of its evaluation. Any requests for Communications including correction of minor irregularities shall be delivered to the leader of the Procurement Management Team only. The Price Evaluation Team may be called upon to brief the Selection Committee and/or the Selection Official. If Discussions are conducted, assist the Selection Committee in preparing questions and participate in Discussions as requested. Following Discussions and BAFO submittals, re-evaluate Price Proposals and report results to the Selection Committee.

2.8 SELECTION COMMITTEE

The Selection Committee, and specifically its Chairperson, is responsible for the management of the Proposal evaluation and selection process from receipt of Proposals through the determination of the
selected Proposer. The Selection Committee will recommend a Proposer for selection to the Selection Official. All deliberations and decisions of the Selection Committee will be documented in a written Committee Report. Access to reports of the Selection Committee, as well as any deliberations of the Selection Committee, is limited to the Selection Official, Selection Committee, Procurement Management Team and, as necessary, the Evaluation Team members.

The Selection Committee performs the following specific functions:

A) Maintains strict confidentiality of the evaluation process and all Proposals.
B) Verifies pass/fail recommendations.
C) Receives reports, briefings and recommendations from the Leaders of the quality Evaluation Teams on pass/fail assessments and assignment of quality ratings.
D) Prepares (as necessary) concise questions to Proposers in order to seek out additional or supplemental information through Communications.
E) Prepares questions for Proposer interviews (if used).
F) Receives Proposer’s presentations and participate in Proposer interviews (if used).
G) As a result of initial evaluation (occasioned by Selection Committee deliberations), validates or modifies quality ratings of the Evaluation Teams for each quality evaluation factor and, considering the relative weighting between the quality evaluation factors, assigns a consensus overall quality rating to each Proposal.
H) After the overall quality ratings are agreed upon, receives reports, briefings and recommendations of Price Evaluation Team.
I) Recommends the Competitive Range. In recommending the Competitive Range, the Selection Committee shall determine the cutoff for non-competitive Proposals after a careful analysis of the array of quality and price evaluations. Borderline Proposals should not be excluded from further consideration, i.e., out of the Competitive Range, if the Proposals have a reasonable chance of being selected, if meaningful Discussions are held and appropriate improvement is achieved. On the other hand, if Proposals are such that they have no chance of being selected, they should be excluded from the Competitive Range.
J) Determines if Discussions and final Proposal Revision (BAFO) are necessary and makes recommendations to the Selection Official.
K) Re-evaluates ratings if final Proposal Revision (BAFO) requested and received.
L) Considering the relative importance between Price and the quality factors, determines a consensus best value selection and prepares a recommendation for selection for the Selection Official.
M) Prepares Committee Report. The Selection Committee shall prepare a written report of the review and deliberations leading to the recommendation for the selection. The report shall be drafted in specific factual terms. Broad or general statements of a subjective nature and statements of opinion are to be avoided. A spreadsheet as well as narrative comparison of all Proposals in the Competitive Range identifying specific strengths, Weaknesses and Deficiencies is to be developed for each of the quality evaluation factors and included as an enclosure to the Selection Committee Report. The report must clearly
reflect that the evaluation and recommended selection were conducted in accordance with this Plan.

N) Submit the Committee Report to the Selection Official and support the Chairperson of Selection Committee in any briefings that may be required to the Selection Official.

2.9 CHAIRPERSON SELECTION COMMITTEE

The Chairperson of Selection Committee performs the following functions:

A) Ensures that the Proposal evaluation and selection process is properly conducted and that the confidentiality of the process is maintained by overseeing the process and confidentiality through the Procurement Management Team.

B) Provides general guidance and instructions to the Selection Committee.

C) Chairs the Selection Committee.

D) Resolves Selection Committee conflicts or impasses.

E) Approves the initial and substitute assignments of members to the Selection Committee and the Evaluation Teams.

F) Oversees and provides guidance to the Procurement Management Team in the training, arranging for secure evaluation space, distributing the Proposals to/for the Evaluation Teams, and arranging for Proposer presentations/interviews (if used).

G) Schedules meetings and meets with Selection Committee members.

H) Coordinates evaluation and re-evaluation (if any) processes among Selection Committee members.

I) Assures timely completion of evaluation and re-evaluation (if any) processes.

J) Participates in actual evaluation of the Proposals.

K) Schedules written and oral reports from the Evaluation Teams.

L) During the quality evaluation of Proposals by the Selection Committee, prepares and/or causes to be prepared brief narrative questions as may be required for additional Communications.

M) Supervises preparation of questions for Proposer interviews (if used).

N) Presides over the Proposer presentations/interviews (if used).

O) Directs and coordinates preparation of the Selection Committee written narratives to support the quality ratings assigned to each Proposer by identifying specific strengths, Weaknesses and Deficiencies of each Proposal. All quality aspects of each Proposal will be fully considered.

P) Oversees recommendation of the Competitive Range.

Q) Oversees recommendation of whether to hold Discussions (if any).

R) Directs and coordinates identification of items to be addressed in Discussions (if any).

S) Directs and coordinates development and issuance of request for final Proposal Revision (BAFO) (if any).
2.10 SELECTION OFFICIAL

The Selection Official performs the following functions:

A) Makes determinations of failure under pass/fail and non-responsiveness of Proposals and determinations for Competitive Range and Discussions (if used).

B) Approves the recommended selection, modifies and approves the modified selection, or remands the recommendation back to the Selection Committee for further consideration.

C) Documents, in writing, the determinations of the Selection Official relative to failure under pass/fail, non-responsiveness, Competitive Range, Discussions and the selection. The determination will include the Selection Committee Report as an attachment.

D) Determines to what extent Proposers will be debriefed following the conclusion of Step 2.

2.11 OBSERVERS

Observers may be designated as desired and determined by the Selection Official for the purpose of verifying that the procedures outlined herein are being followed. Observers will be designated in writing and will be identified in the attachment to the Selection Committee Report listing the evaluation organization. Observers will be held to the same standards of confidentiality, non-disclosure and no conflict as members of the Evaluation Teams and the Selection Committee. Observers that have access to the Price Evaluation Team will be specifically designated in writing.

2.12 GENERAL PROCEDURES

Specific procedures are described within the functions of the above individual elements of the evaluation and selection organization. Below are general procedures that are either common to all portions or organizational elements of the evaluation and selection process or need special emphasis.

2.12.1 Confidentiality and Safeguarding of Information

The issue of confidentiality has been stressed under each of the organizational functions. The integrity of any contracting process is critical to the fairness (and the appearance of fairness) and the confidence that the Proposers, the Stakeholders and the public have in the Department. Therefore, the deliberations of all teams and committees and the knowledge of individual participants in the evaluation process must be held in the strictest confidence, and all information provided by the Proposers or generated by the evaluation must be safeguarded. All personnel associated with the process will sign certifications of confidentiality and non-disclosure and of no conflict of interest. The Procurement Management Team will set rules, guidelines and procedures for the safeguarding of all information. After receipt of Proposals, no information concerning the identity of the Proposers or information contained in the Proposals shall be made available to the public or anyone in the Department not having a need-to-know until after

---

T) Directs and coordinates Selection Committee consideration of Quality and Price to determine “best value” selection.

U) Briefs the Selection Official on recommendations for failure under pass/fail, non-responsiveness, Competitive Range, Discussions and selection.

V) If so directed by the Selection Official, debriefs selected Design-Builder and non-selected Proposers at the conclusion of evaluation and selection process.
announcement of the selection. Proper care to protect and safeguard all Proposal and evaluation data on a strict need-to-know basis shall be exercised. During the evaluation and selection process only the Chairperson of Selection Committee can approve the release of any information. Only those individuals actively participating in the evaluation process (members of the Selection Committee, Evaluation Teams and Procurement Management Team) have a need-to-know. Notification of the selected Design-Builder and the non-selected Proposers shall be accomplished (as required), either by the Selection Official or by the Chairperson of Selection Committee.

2.12.2 Communications

For definition of Communications, see ITP Section 1.3.

Communications may be required as part of the Proposal evaluation and selection process. During the process of evaluations there will be instances where meaningful evaluation cannot take place or proceed or where an erroneous evaluation might occur without seeking additional/supplemental information about a pass/fail, quality or price issue. In such cases it will be to the benefit of the Department and the Proposer for additional/supplemental information to be quickly obtained. The Selection Committee or any Evaluation Team requiring Communications should expeditiously submit a request for Communications in writing to the Procurement Management Team. The Procurement Management Team after reviewing and preparing questions will send a request to the Proposer, and upon receipt of a response from the Proposer, will forward it to the requesting Evaluation Team or Selection Committee. The Procurement Management Team will keep a copy of all Communications and responses as part of the official record of the evaluation and selection process.

2.12.3 Addenda

The evaluation process may highlight, through evaluation of the quality factors of the Proposals or through the process of Communications, errors or deficiencies in the RFP provisions or specifications that require correction. All recommendations for addenda from any Evaluation Team and the Selection Committee should be forwarded expeditiously to the Procurement Management Team in writing with proposed addendum language and backup rationale. The Procurement Management Team will take appropriate action to have the request reviewed, and if approved by the Chairperson of Selection Committee, will prepare and issue the addendum through the Contracts Management and Audit Division per DBPM Section 9.3.

2.12.4 Presentations/Interviews (if used)

Proposers whose Proposals pass all pass/fail evaluation factors will be invited to make a 15-minute presentation regarding their Proposal to the Selection Committee. The presentation will be followed by a 15-minute question period where the Proposer will respond to questions from the Selection Committee. Members of the Department’s Evaluation Teams and designated observers may attend the presentations/interviews. The presentations/interviews will be held prior to the Selection Committee’s determining the final quality ratings and prior to its determining the Competitive Range. The presentations/interviews shall not constitute Discussions.

2.13 BRIEF SYNOPSIS OF EVALUATION AND SELECTION PROCESS FOR STEP 2

A) Procurement Management Team prepares and conducts evaluation and selection orientation for Evaluation Teams and Selection Committee.

B) Procurement Management Team receives Proposals; reviews for responsiveness; prepares Proposal information for evaluation.
C) Procurement Management Team first distributes applicable Proposal information to those Evaluation Teams designated to review pass/fail factors. Evaluation Teams evaluate information (and clarifying information if applicable) and submit to the Selection Committee their recommendations for pass/fail. If the Selection Committee, considering recommendations from the Evaluation Teams and the Procurement Management Team, concurs in a recommendation for failure of a pass/fail factor or non-responsiveness (considering additional clarifying information if applicable), the recommendation is submitted to Selection Official for a determination.

D) After non-responsiveness and pass/fail determinations are complete, Procurement Management Team distributes all remaining Proposal information from Proposers that “passed” to quality and Price Evaluation Teams and Selection Committee.

E) Evaluation Teams perform evaluation of Proposals and submit questions for Communications and suggestions for addenda to the Procurement Management Team at any time; provide recommended consensus ratings by evaluation factor to the Selection Committee.

F) Procurement Management Team issues requests for Communications and addenda throughout the process as required.

G) Selection Committee evaluates submitted quality information and recommendations of Evaluation Teams and requests additional Communications, if any.

H) Selection Committee conducts Proposer interviews/presentations (if used).

I) After receipt of responses to requests for additional Communications and considering information for interviews/presentations (if used), the Selection Committee (assisted by the Evaluation Teams as required) assigns consensus ratings for each quality evaluation factor and an overall quality rating for each Proposal.

J) After overall quality ratings are agreed upon, Selection Committee receives report of Price Evaluation Team.

K) Selection Committee recommends Competitive Range and whether to conduct Discussions or not.

L) Selection Committee (with the assistance of Evaluation Teams as required) conducts Discussions (if any), prepares and issues final Proposal Revision (BAFO) requests, and re-evaluates as necessary.

M) Selection Committee, considering the relative importance of Price and the quality factors, performs an integrated assessment including Tradeoffs of quality and price and determines the Proposal providing the “best value” to be recommended to the Selection Official.

N) Selection Committee recommends “best value” selection to the Selection Official.

O) Selection Official either approves the recommended selection, modifies and approves a modified selection, or remands the recommendation back to the Selection Committee with comments for further consideration.
3.0 EVALUATION FACTORS

The ITP contains the pass/fail, quality and Price evaluation factors. Evaluators should refer to the ITP for the exact definition of the evaluation factors, evaluation objectives and the submittal requirements for each evaluation factor. Following is a general description of the pass/fail, quality and Price evaluation factors.

3.1 PASS/FAIL EVALUATION FACTORS

The pass/fail evaluation factors are:

A) **Legal**: The legal authority of the Proposer to present a Proposal and to enter into and perform the Contract to design and build the Project.

B) **Financial**: The capacity to undertake the financial responsibilities associated with the Contract and to provide Proposal, Payment and Performance Bonds.

C) **Proposal Responsiveness**: All information requested in the ITP provided in the format specified in Appendices A and B of the ITP.

3.2 QUALITY EVALUATION FACTORS

The quality evaluation factors are:

A) **Experience and Qualifications**: The ability to provide and commit qualified key personnel.

B) **Management Approach**: The demonstrated ability to organize and retain resources necessary to complete the Project, including design and construction firms. Management also includes the demonstrated ability to create a MPT Plan and Baseline Schedule to control the Work and to define the components of the Project (Price Centers). Management capacity and capability will also be rated on the basis of:

1) Summary Quality Plan;
2) Approach and commitment to avoid and resolve potential disputes; and

D) **Technical Solutions**: The ability to provide quality, cost effective solutions that are responsive to the specified needs of the Stakeholders, particularly in the areas of:

1) ________;
2) ________;
3) ________;
4) ________;
5) ________; and
6) ________.

E) **Project Support**: The ability to provide support services in the areas of:

1) ________; and
2) ________.

3.3 PRICE EVALUATION FACTOR

The realism and reasonableness of the Price Proposal as well as the Price itself will be evaluated.

3.4 RELATIVE SIGNIFICANCE (WEIGHTING)

3.4.1 Between Quality Evaluation Factors

[The following text is an example only. Information on weighting should be determined for each project. Information listed here must be consistent with RFP.]

Management Approach and Technical Solutions are of equal importance. Experience and Qualifications and Project Support are of equal importance and shall each have one half the importance of either Management Approach or Technical Solutions.

3.4.2 Between Quality and Price

The combined Quality factors will be [significantly less important than price]/[approximately equal to price]/[significantly more important than price] in determining the “best value” to the Department.

4.0 EVALUATION

4.1 PASS/FAIL

The RFP contains pass/fail factors that must be met before a Proposal can proceed to the quality evaluation. The RFP lists the pass/fail factors. If a Proposal “fails” any pass/fail evaluation factor or subfactor, the Proposal shall be assigned a “fail” rating.

4.2 QUALITY EVALUATION

A) The quality portions of the Proposals are composed of quality evaluation factors as defined in the ITP.

B) The Proposals will be quality rated in accordance with the quality rating guidelines provided below. To assist in the evaluation, the ITP provides a detailed description of the quality evaluation factors, the objectives and requirements for each quality evaluation factor, the relative weights of the quality evaluation factors and the information to be submitted.

C) The Selection Committee, assisted by the evaluations and recommendations of the Evaluation Teams, will evaluate the quality aspects of the Proposals and prepare a Committee Report that sets forth the results of that evaluation. After the final evaluation is complete, the Selection Committee, with the assistance of the Procurement Management Team, shall prepare a written narrative evaluation to accompany the quality ratings for each Proposal. The narrative shall set forth the strengths, Weaknesses and Deficiencies of each Proposal and shall fully support the qualitative/descriptive ratings assigned each evaluation factor and the overall quality rating. The narrative report shall clearly describe the quality of each Proposal in light of the assigned quality rating. The Selection Committee will list the Proposals in descending order of quality.
D) Evaluation Guidelines:

1) Qualitative/Descriptive ratings will be assigned:
   a) Evaluation worksheets will be provided by the Procurement Management Team to the Selection Committee and the Evaluation Teams to record strengths, Weaknesses, Deficiencies, and risks with reference to appropriate areas in the Proposals;
   b) A qualitative/descriptive rating will be documented on the worksheet for each evaluation factor;
   c) When an evaluator, Evaluation Team or the Selection Committee identifies a Deficiency or Weakness, the item will be specifically documented on the worksheet. A description of the item and the basis of its unacceptability shall be provided. If the item has a potential to become acceptable through Discussions, the evaluator shall document the issue on the worksheet for consideration later in the evaluation process; and
   d) Likewise, if an evaluator, Evaluation Team or the Selection Committee identifies a notable strength, it will be specifically identified on the worksheet.

2) Narratives will be provided for each qualitative/descriptive rating. The ratings assigned for each evaluation factor and their relative weighting will be considered in determining a consensus overall quality rating for the Proposal.

3) The overall and evaluation factor qualitative/descriptive ratings reflect the quality rating that in a comprehensive and global sense, “best” describes the Proposal and/or evaluation factor. Professional judgment should be exercised in arriving at quality ratings when considering the strict and exact interpretation of the qualitative/descriptive definitions (i.e., an evaluation factor [or Proposal] rating of “ACCEPTABLE” may be provided even if the evaluation factor [or Proposal] contains minor Weaknesses in a sub-element). It is the design and intent of the evaluation scheme that one sub-element should not have a significant and controlling influence over the entire evaluation factor (or Proposal). Moreover, documented Weaknesses (non-minor) and/or Deficiencies and the use of the “POTENTIAL TO BECOME ACCEPTABLE” rating will have been identified/documentated and can be addressed through Discussions to avoid the potential of selecting a Proposer with a Proposal that contains Deficiencies.

4) After the evaluation is complete, the Selection Committee will prepare a written narrative evaluation to accompany the qualitative/descriptive rating of each Proposal. The narrative will set forth the strengths, Weaknesses and Deficiencies of each Proposal and will fully support the qualitative/descriptive rating assigned.

4.3 QUALITY RATING GUIDELINES

The quality evaluation factors and the overall Proposal will be rated by a qualitative/descriptive (adjectival) method. The Selection Committee, assisted by the Evaluation Teams, will read and assess Proposals to determine if the requirements are met and then assign quality ratings. Quality evaluation worksheets will document strengths, Weaknesses and Deficiencies, and a detailed narrative, with...
reference to the specific areas in the Proposal, will support the rating assigned. The assessment of the separate quality aspects of each Proposal shall be the basis of arriving at a consensus of the overall quality. The following qualitative/descriptive ratings shall be used in evaluation of each quality evaluation factor and the quality rating of the overall Proposal.

**EXCEPTIONAL** ~ The Proposer has demonstrated an approach that is considered to significantly exceed stated criteria in a way that is beneficial to the Department. This rating indicates a consistently outstanding level of quality, with very little or no risk that this Proposer would fail to meet the requirements of the solicitation. There are essentially no Weaknesses.

**GOOD** ~ The Proposer has demonstrated an approach that is considered to exceed stated criteria. This rating indicates a generally better than acceptable quality, with little risk that this Proposer would fail to meet the requirements of the solicitation. Weaknesses, if any, are very minor.

**ACCEPTABLE** ~ The Proposer has demonstrated an approach that is considered to meet the stated criteria. This rating indicates an acceptable level of quality. The Proposal demonstrates a reasonable probability of success. Weaknesses are minor and can be readily corrected.

**POTENTIAL TO BECOME ACCEPTABLE** ~ The Proposer has demonstrated an approach that fails to meet stated criteria as there are Weaknesses and/or Deficiencies, but they are susceptible to correction through Discussions. The response is considered marginal in terms of the basic content and/or amount of information provided for evaluation but overall the Proposer is capable of providing an acceptable or better Proposal.

**UNACCEPTABLE** ~ The Proposer has demonstrated an approach that indicates significant Weaknesses/Deficiencies and/or unacceptable quality. The Proposal fails to meet the stated criteria and/or lacks essential information and is conflicting and/or unproductive. There is no reasonable likelihood of success; Weaknesses/Deficiencies are so major and/or extensive that a major revision to the Proposal would be necessary.

Additionally, plus (+) or minus (-) ratings may be assigned to each rating to indicate and further differentiate whether the evaluation factor or overall Proposal is in the top third (high) of a rating category (a plus rating) or is in the lower third (low) of a rating category (a minus rating) [example: a rating of “Acceptable (+)” reflects an acceptable factor or overall rating which is approaching/bordering on being “Good (-)”).

Any Proposer that receives a rating of UNACCEPTABLE in one or more evaluation factor(s) shall receive an overall Proposal rating of UNACCEPTABLE. POTENTIAL TO BECOME ACCEPTABLE ratings will not be used when re-evaluating final Proposal Revision (BAFO).

**4.4 PRICE EVALUATION**

The following factors will be considered in the price evaluations:

A) Proposal Price;

B) Consistency of the Proposal Periodic Payment Schedule (PPS-P) with the Proposed Baseline Schedule;

C) Price realism;
D) Reasonableness of the Proposal Price; and
E) Reasonableness of prices shown on the Schedule of Values.

4.5 **COMPETITIVE RANGE**

Proposals that would not be included in the Competitive Range and would be excluded from further consideration include:

A) A Proposal that, even after requests for Communications or supplemental information, cannot pass the pass/fail factors;
B) A Proposal that, after the initial evaluation, is rated UNACCEPTABLE for any evaluation factor or subfactor; and/or
C) A Price Proposal that is considered “non-responsive” or is priced so high as to be effectively non-competitive, especially when compared to the Proposer’s quality ratings.

4.6 **NON-SELECTION**

No Proposer who “fails” a pass/fail factor or subfactor, or receives an UNACCEPTABLE final quality rating in an evaluation factor, or whose Price Proposal is determined to be “non-responsive” will be selected.

5.0 **BEST VALUE DETERMINATION AND SELECTION**

The Department has determined that Award of the *(Project Title)* based on a best value determination provides the best opportunity to obtain the right Design-Builder to assure a successful Project. The limited time frame to complete the Project and the importance of quality in the completed Project resulted in the necessity to place the maximum possible flexibility in the hands of the Design-Builder to plan, design, construct and control the Project. Although price is an important factor, time and quality are also major factors in determining the Project’s success. The Department’s procedures for the evaluation and selection of Proposals were designed to provide a comprehensive evaluation of quality, that when combined with price, will result in the selection of the appropriate Design-Builder.

The Selection Committee (assisted by the Evaluation Teams and Procurement Management Team as required) will perform an integrated assessment including Tradeoffs, of evaluation factors (including subfactors) and Price with the overall quality rating and price having the relative importance specified in Section 4.4.2 of this Plan, determine the Proposal that represents the best value, and recommend selection to the Selection Official. Based on review of the recommendation and professional judgment, the Selection Official will select the responsive Proposer providing a fully compliant Proposal that represents the best value to the Department.

6.0 **DESIGNATION OF INDIVIDUALS IN THE EVALUATION ORGANIZATION, EVALUATION SCHEDULE, CONFIDENTIALITY AGREEMENT AND STATEMENT OF CONFLICT OF INTEREST**

Prior to the start of evaluations a letter of designation will be sent to all individuals participating in the evaluation process. The letter will include a milestone schedule of the evaluation process and include as attachments: a copy of this Plan; a copy of the ITP; an updated overall procurement schedule; the
description of the Project; a Confidentiality and Non-Disclosure Agreement; and an Affirmation Regarding Conflict of Interest.
LETTER TO PARTICIPANTS IN PROPOSAL EVALUATION

(Date)

Dear

You have been identified by _________________, the Chairperson of the Selection Committee for the (Project Title) Project, to serve as a member of the [______ Evaluation Team/Price Team/Selection Committee] for the evaluation of the proposals received for the Request for Proposals (RFP) for that Project. The purpose of the evaluation of the proposals is to recommend a proposer to the Selection Official, _________________, that, based on the information submitted by that proposer in its proposal, provides the best value to the State of New York for the work to be completed on the (Project Title) Project.

The evaluation of the proposals will occur from _________________ to _________________ at ________________. If you are unavailable for the entire time period identified above, please notify me immediately and a replacement [______ Evaluation Team/Price Team/Selection Committee] member will be identified. The Proposal Evaluation and Selection Plan contains an overall procurement process with planned completion dates for each step. Attached is an update to the completion dates for each step of the overall procurement process. Following below is the schedule for the proposal evaluations:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evaluation Orientation Meeting (Evaluation Team, Price Team, and Selection Committee Members)</td>
<td></td>
</tr>
<tr>
<td>Individual Evaluation Teams and Price Team Meet</td>
<td></td>
</tr>
<tr>
<td>Evaluation Team Leaders Present Team Recommendations to the Selection Committee</td>
<td></td>
</tr>
<tr>
<td>Selection Committee Meets</td>
<td></td>
</tr>
<tr>
<td>Presentations/Interviews by Proposers (optional)</td>
<td></td>
</tr>
<tr>
<td>Selection Committee Re-evaluates Proposers</td>
<td></td>
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<tr>
<td>Price Team Presents Team Recommendations to the Selection Committee</td>
<td></td>
</tr>
<tr>
<td>Selection Committee Determines Competitive Range</td>
<td></td>
</tr>
<tr>
<td>Discussions (optional)</td>
<td></td>
</tr>
<tr>
<td>Proposal Revisions/Best And Final Offers (optional)</td>
<td></td>
</tr>
<tr>
<td>Recommendation of Award to Selection Official</td>
<td></td>
</tr>
<tr>
<td>Selection Official Approves/Announces Award</td>
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</tbody>
</table>

[Insert date]
Included under cover of this letter are the Proposal Evaluation and Selection Plan; a copy of the Instructions To Proposers portion of the RFP; Appendix A, Project Scope, to the Design-Build Agreement; the Confidentiality and Non-Disclosure Agreement for RFP and Proposal Evaluations; Affidavit Regarding Conflict of Interest; the Attachment to the Affidavit Regarding Conflict of Interest; the List of Proposers on the Short-List; and the Milestone Schedule for the Evaluation Process. Please review all of these documents prior to reporting to ________________ for the evaluation. If you are unable to comply with the terms of these documents, or if you are required, under the terms of the Affidavit Regarding Conflict of Interest, to complete the Attachment to the Affidavit Regarding Conflict of Interest, please contact me immediately. I will either find a replacement /__________ Evaluation Team/Price Team/Selection Committee/ member, or work with the Selection Official to create a plan for managing the potential conflict of interest.

Please contact me with any questions or to confirm your availability to serve on the /__________ Evaluation Team/Price Team/Selection Committee/ at ______________________.

Thank you.
CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT
FOR REQUEST FOR PROPOSALS AND PROPOSALS EVALUATIONS

I, ______________________________, as a participant in the preparation of the RFP and/or in the evaluation of Proposals (the “Procurement Process”) for the (Project Title) Project, hereby agree that, except as otherwise provided by law:

I will maintain the confidentiality of all non-public or confidential data that I gain access to as a result of my participation in the Procurement Process. This includes proprietary information and information designated confidential by the Department; such information submitted from or on behalf of any of the proposers (either as part of their proposals or included in supplemental information requested by the Department and including information from supporting firms, such as sureties or banks); all evaluation process materials; and/or any other information that might be considered sensitive which I have heard, seen, or reviewed (collectively known as “Confidential Information”).

I will follow the Proposal Evaluation and Selection Procedures as issued by the Department. I will maintain security and control over all proposal documents containing such Confidential Information in my custody during the Procurement Process. I will not make copies of any documents or remove documents from the locations assigned for evaluations, and will return all documents to the Procurement Management Team when my work with the documents is completed.

I will not divulge any Confidential Information regarding the Procurement Process to any representative of the proposers. I will not divulge any Confidential Information regarding the Procurement Process to any person not directly involved in the Procurement Process, including the media, members of the public, employees of firms or consultants that have not submitted a proposal in response to the RFP, other Department employees, or stakeholder employees. Internal Confidential Information exchange shall be conducted only as necessary to conduct the Procurement Process. If contacted by any representative of a proposer, the media, or the public or any employee of the Department, stakeholders, firms, or consultants not involved in the Procurement Process, I will not discuss the Procurement Process, and will promptly report every such case of attempted communications to the Procurement Management Team.

Furthermore, I agree not to solicit or accept gratuities, favors, or gifts of any sort/denomination from any of the proposers or any additional firms or consultants that come into consideration as a part of this Procurement Process.

This Agreement is subject to the laws of the State of New York and applicable rules and regulations.

Signed: ______________________________  Date: __________________
Printed or Typed Name and Title: __________________________________________
AFFIDAVIT REGARDING CONFLICT OF INTEREST

I, ______________________________________, in agreeing to participate as a member of a team or committee reviewing the proposals for the design and construction of the (Project Title) Project, make the following representations:

(A) Except as set forth in the Attachment to the Affidavit Regarding Conflict of Interest, neither I nor any member of my immediate family has a financial interest in any entity participating in any proposal;

(B) Except as set forth in the Attachment to the Affidavit Regarding Conflict of Interest, no business or organization with which I am associated has a financial interest in any entity participating in any proposal;

(C) Except as set forth in the Attachment to the Affidavit Regarding Conflict of Interest, no member of my immediate family or other person, business, or organization with which I am associated is negotiating or has an arrangement concerning prospective employment relating to any entity participating in any proposal; and

(D) I will not solicit or accept, directly or indirectly, any gift, favor, gratuity, entertainment, food, lodging, loan, or other item from any firm that has submitted a proposal in response to the RFP if it tends to influence me in the discharge of my duties.

____________________________________
Team / Committee Member

____________________________________
Date
This disclosure statement outlines potential conflicts of interest, either real or apparent, as a result of a direct or indirect financial interest on my part or that of any member of my immediate family, or of my employer, partner(s), or joint venturers, in any firm under consideration for the DB contract associated with the Project. Section I of this disclosure statement describes the potential conflicts of interest. Section II of this disclosure statement describes the management plan for dealing with the potential conflicts of interests as described in Section I of this disclosure statement. I acknowledge that the Department may require revisions to the management plan described in Section II of this disclosure statement prior to approving it and that the Department has the right, in its sole discretion, to limit or prohibit my involvement in the Project as a result of the potential conflicts of interest described in Section I of this disclosure statement. Attach additional pages as necessary.

SECTION I – DESCRIPTION OF POTENTIAL CONFLICTS OF INTEREST

SECTION II – PLAN FOR MANAGING POTENTIAL CONFLICT OF INTEREST

Signed: _____________________________ Date: ____________________

Name and Title: ______________________________

Representing: ________________________________

Approved by the Department

Signed: _____________________________ Date: ____________________

Name and Title: ______________________________, Selection Official
LIST OF PROPOSERS ON THE SHORT-LIST
MILESTONE SCHEDULE FOR THE PROCUREMENT PROCESS

- **Request for Letters of Interest:** The request for Letters of Interest (LOI), advertised in notices published in local newspapers and other periodicals, was published on *(Date)*. The due date for all LOIs was *(Date)*. All LOI respondents were also invited to a Project information meeting on *(Date)*.

- **Request for Qualifications:** The Request For Qualifications (RFQ) was issued on *(Date)* and was issued to the LOI respondents as well as other interested parties for the purpose of receiving Statements Of Qualifications (SOQ) in order to establish a short-list of three to five of the most highly qualified proposers who will be invited to submit proposals in response to the RFP.

- **Statement of Qualifications:** Statements Of Qualifications in response to the RFQ were due on *(Date)*.

- **Short-List:** Announcement of the short-list was on *(Date)*.

- **Request for Proposals:** Issuance of the RFP to those proposers on the short-list, for the purpose of receiving proposals by which a Design-Builder will be selected, was on *(Date)*.

- **Proposals:** Proposals in response to the RFP are anticipated to be due on *(Date)*.

- **Evaluation, Discussions, Final Proposal Revisions (Best And Final Offers), Selection, and Award:** The process of evaluating the proposals and selecting the Design-Builder will be done in accordance with the Proposal Evaluation and Selection Procedures is anticipated to be conducted during *(Range of Dates)*, with award anticipated on *(Date)*. The evaluation of the proposals may require discussions and final proposal revisions (Best and Final Offers).

- **Notice to Proceed:** Issuance of the Notice to Proceed is planned for *(Date)*.
This Page is intentionally left blank.
(Project Name)
DESIGN-BUILD PROJECT
PIN ____________

PROPOSAL WORKSHEETS
- Evaluation Factor: Organization Worksheet
- Evaluation Factor: Experience and Qualifications Worksheet
- Evaluation Factor: Financial Worksheet
- Evaluation Factor: Legal Worksheet
- Evaluation Factor: Project Management Plan Worksheet
- Evaluation Factor: Project Controls Worksheet
- Evaluation Factor: Roadway Worksheet
- Evaluation Factor: Drainage Worksheet
- Evaluation Factor: Structures Worksheet
- Evaluation Factor: Maintenance and Protection of Traffic Worksheet
This sheet is intentionally left blank.
Proposer: ____________________________________________________________

OVERALL RATING: ______

NARRATIVE SUMMARY:

[The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices.]

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Designate a single point of contact and provide the information requested on Form C. The single point of contact shall be the Proposer’s nominated Project Manager.</td>
<td>No rating required.</td>
<td>Pass/Fail; already checked by PMT.</td>
</tr>
<tr>
<td>Submit Form CR providing a written commitment, signed by the designated Project Principal, that the resources shown or indicated in the Proposal, including Key Personnel and other staff identified by name, equipment, Material, supplies and facilities, will be available and assigned to the Project if the Proposer is Awarded the Contract, to the extent such assignment remains within the control of the Proposer.</td>
<td>No rating required.</td>
<td>Pass/Fail; already checked by PMT.</td>
</tr>
</tbody>
</table>
### PROPOSAL EVALUATION WORKSHEET

**EVALUATION FACTOR: ORGANIZATION**

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>An organization chart showing the Key Personnel (as defined in Contract Documents Part 2, DB Section 104-3).</td>
<td>No rating required.</td>
<td>Pass/Fail; already checked by PMT.</td>
</tr>
<tr>
<td>An organization chart reflecting the roles and responsibilities of the Principal Participants and Named Subcontractors (design and construction).</td>
<td>No rating required.</td>
<td>Pass/Fail; already checked by PMT.</td>
</tr>
<tr>
<td>Description of those categories of Work which the Proposer anticipates will be performed by the Proposer’s own forces and those categories which will be performed by subcontractors.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Form NS, Named Subcontractors, described in Section A3.1(d). Failure to provide the documentation required on Form NS will render a Proposal non-responsive.</td>
<td>No rating required.</td>
<td>Pass/Fail; already checked by PMT.</td>
</tr>
<tr>
<td>Plans and procedures for management of subcontractors</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Organization chart showing proposed design organization indicating responsibilities and organization of the design staff</td>
<td>No rating required.</td>
<td>Pass/Fail; already checked by PMT.</td>
</tr>
</tbody>
</table>
## PROPOSAL EVALUATION WORKSHEET

### EVALUATION FACTOR: ORGANIZATION

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organization chart(s) showing proposed construction organization indicating responsibilities and organization of the construction staff</td>
<td>No rating required.</td>
<td>Pass/Fail; already checked by PMT.</td>
</tr>
<tr>
<td>An organization chart showing the planned QC organizations (design and construction), including names of independent sampling and testing laboratory(ies), and to whom the QC staff report within the Proposer’s (Design-Builder’s) organization.</td>
<td>No rating required.</td>
<td>Pass/Fail; already checked by PMT.</td>
</tr>
<tr>
<td>An organization chart showing the planned safety organization and its relationship to the Proposer’s organization. Indicate roles and responsibilities of safety staff</td>
<td>No rating required.</td>
<td>Pass/Fail; already checked by PMT.</td>
</tr>
<tr>
<td>City and state where assigned staff will be located, particularly the location(s) of design staff</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Address of office(s) where work will be done in the Project vicinity</td>
<td>No rating required.</td>
<td>Pass/Fail; already checked by PMT.</td>
</tr>
</tbody>
</table>
New York State Department of Transportation

PROPOSAL EVALUATION WORKSHEET

EVALUATION FACTOR: ORGANIZATION

Recommended by: ___________________________ Date: ________
(Signature)

______________________________________, Chairperson, Organization Evaluation Team
(Printed Name)

Date: ________
(Signature)

______________________________________, Deputy Chairperson, Organization Evaluation Team
(Printed Name)
PROPOSAL EVALUATION WORKSHEET

EVALUATION FACTOR: EXPERIENCE AND QUALIFICATIONS

Proposer: _____________________________________________________________

OVERALL RATING: _______ (Pass/Fail)

NARRATIVE SUMMARY:

[The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices.]

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<tr>
<th>Sub-Factor</th>
<th>Rating</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Form KP, Key Personnel.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resumes of Key Personnel.</td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
New York State Department of Transportation

PROPOSAL EVALUATION WORKSHEET

EVALUATION FACTOR: EXPERIENCE AND QUALIFICATIONS

Recommended by: ___________________________ Date: ________
(Signature)

__________________________, Leader, Experience and Qualifications Evaluation Team
(Printed Name)

_________________________ Date: ________
(Signature)

_________________________, Assistant Leader, Experience and Qualifications Evaluation Team
(Printed Name)
PROPOSAL EVALUATION WORKSHEET

EVALUATION FACTOR: FINANCIAL

Proposer: ____________________________________________________________

OVERALL RATING: _______(Pass/Fail)

NARRATIVE SUMMARY:

[The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices.]

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating (P/F)</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Letter(s) of commitment from surety(ies) meeting requirements of ITP Section A3.3.2 to provide performance and payment bonds per Contract Documents Part 2, DB Section 103-3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any bond provided in accordance with this Section A3.3 shall be issued by a Surety with an AA-/Aa3 rating by two nationally recognized rating agencies or at least an A-VII rating by A.M. Best and Company. The Surety must be listed on Treasury Department Circular 570 and be on the list of companies approved by the State of New York.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
New York State Department of Transportation

PROPOSAL EVALUATION WORKSHEET

EVALUATION FACTOR: LEGAL

Proposer: _________________________________________________________

OVERALL RATING: _______ (Pass or Fail)

NARRATIVE SUMMARY:

[The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices.]

Objective:

• To identify legally constituted Proposers able to submit Proposals and enter into and complete the Contract with the Department for design and construction of the Project.

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating (Pass or Fail)</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form of Proposal that shall constitute a firm offer to the Department valid for 180 calendar days after the Proposal Due Date. Form of Proposal shall be executed by the Proposer or by its legally authorized representative.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### PROPOSAL EVALUATION WORKSHEET

**EVALUATION FACTOR: LEGAL**

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating (Pass or Fail)</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appendix to Form of Proposal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Form M/W/DBE, Proposer’s Status as a M/W/DBE</td>
<td></td>
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</tr>
<tr>
<td>Form NS, Named Subcontractors and Suppliers, including the percentage of the Proposal price that</td>
<td></td>
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<tr>
<td>represents anticipated Subcontractor and Supplier participation (not specific dollar value of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>participation). Show all Major Subcontractors (Subcontractors performing 5% or more of the value of</td>
<td></td>
<td></td>
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<tr>
<td>the Work), Major Suppliers (Suppliers providing products and Material valued in excess of 5% of the</td>
<td></td>
<td></td>
</tr>
<tr>
<td>value of the Work), the Designer and known architectural/engineering subconsultants and the QC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engineering firm on Form NS</td>
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</tbody>
</table>

_____ Project                                      Legal-2                                      Proposal Evaluation
EVALUATION FACTOR: LEGAL

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating (Pass or Fail)</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submit, on Proposer’s letterhead, in format of Form GF, a written summary of Proposer’s Good Faith Efforts to meet the Project M/W/DBE goals; and a narrative description of steps Proposer has taken or will take to meet the Project goals and/or meet Contract Good Faith Efforts requirements (see ITO, Appendix C)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Form IS, Certificate Regarding Ineligible Subcontractors, for each Subcontractor listed on Form NS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buy America Certificate (Form BAC) (FHWA Form 12-73)</td>
<td></td>
<td></td>
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<tr>
<td>Lobbying Certificate (Form LC)</td>
<td></td>
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</tr>
</tbody>
</table>
### PROPOSAL EVALUATION WORKSHEET

**EVALUATION FACTOR: LEGAL**

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<th>Rating (Pass or Fail)</th>
<th>Comments/Justification for Rating</th>
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</thead>
<tbody>
<tr>
<td>Provide appropriate evidence that the Form of Proposal has been properly executed or that the representative has bound the Proposer, so that there is a valid Proposal that the Department can accept and constitute a binding Contract. Evidence shall include an opinion from an independent law firm and a notarized power of attorney.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If the Proposer is a joint venture or partnership, submit: a) A notarized power of attorney executed by each joint venture or partnership member appointing and designating one or more individuals of the joint venture or partnership to execute the Proposal on behalf of the Proposer, and to act for and bind the Proposer in all matters relating to the Proposal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sub-Factor</td>
<td>Rating (Pass or Fail)</td>
<td>Comments/Justification for Rating</td>
</tr>
<tr>
<td>------------</td>
<td>----------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>b) Evidence that each member of the joint venture or partnership shall be jointly and severally liable for any and all of the duties and obligations of the Proposer assumed under the Proposal and under any contract arising therefrom, should its Proposal be accepted by the Department.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Form NC certifying that the Proposal is not the result of, and has not been influenced by collusion</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal opinion in the format of Form OC by in-house or outside counsel with respect to the Proposer, its joint venture members or general partners.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Submit organizational documents in the form of copies of incorporation and bylaws, the joint venture agreement, partnership agreement, limited liability company operating agreement or equivalent organizational documents for the Proposer and each Principal Participant, which documents shall be consistent with the responsibilities to be undertaken by the Proposer and Principal Participants under the Contract.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
New York State Department of Transportation

PROPOSAL EVALUATION WORKSHEET

EVALUATION FACTOR: LEGAL

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating (Pass or Fail)</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>For each Principal Participant, submit Form IC.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Recommended by: ______________________________ Date: _______
(Signature)

___________________________________ Leader, Legal/Financial Evaluation Team
(Printed Name)

___________________________________ Date: _______
(Signature)

___________________________________ Assistant Leader, Legal/Financial Evaluation Team
(Printed Name)
New York State Department of Transportation

PROPOSAL EVALUATION WORKSHEET

EVALUATION FACTOR: PROJECT MANAGEMENT PLAN

Proposer: _________________________________________________________

OVERALL RATING: ______

NARRATIVE SUMMARY:

/[The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices.]

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<tr>
<th>Sub-Factor</th>
<th>Rating</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quality Control Proposal</td>
<td>Place overall subfactor rating here:</td>
<td></td>
</tr>
</tbody>
</table>

Summary of Proposer’s proposed Quality Plan per Contract Documents Part 2, DB Section 113. Provide a Quality Plan that addresses all components described therein in the order and format specified. Include:

- Design and Construction QC programs;
- How design and construction activities performed by different firms will be coordinated and integrated to ensure consistency of quality.
### PROPOSAL EVALUATION WORKSHEET

**EVALUATION FACTOR: PROJECT MANAGEMENT PLAN**

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>A narrative describing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The roles, responsibilities and authorities of quality control personnel (design and construction) over design and construction activities to ensure final product quality;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• How the independence of QC activities from production staff influence will be assured;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The relationship and relative authority within the Proposer’s (Design-Builder’s) organization of quality control staff and design and construction production staff;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• How QC will be handled for construction subcontractors.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indicate the name(s), location(s) and qualifications of independent testing laboratory(ies).</td>
<td><strong>No rating required.</strong></td>
<td><strong>Pass/Fail; already checked by PMT.</strong></td>
</tr>
<tr>
<td>Describe how design and construction activities performed by different firms will be coordinated to ensure consistency and quality.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## EVALUATION FACTOR: PROJECT MANAGEMENT PLAN

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Approach to Disputes Avoidance and Issue Resolution</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Submit:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Place overall subfactor rating here:

- A statement detailing Proposer’s philosophy and approach for disputes avoidance and/or issue resolution.

- At least three (3) one-page summaries of experience on previous projects comparable to this Project that illustrate how this philosophy and approach was successfully applied to the benefit of the Owner and Proposer. Provide a current name and phone number of an owner/client representative for each of the projects that may be contacted for verification.

- A statement signed by the designated representative of each Principal Participant indicating each Principal Participant’s agreement to the philosophy and approach to minimizing disputes and facilitating dispute resolution.

No rating required. Pass/Fail; already checked by PMT.
<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Design Management</strong></td>
<td>Place overall subfactor rating here:</td>
<td></td>
</tr>
<tr>
<td>Submit:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Form DU showing Proposer’s plan for dividing the Project Sections and/or Project into distinct Design Units (see Contract Documents Part 2, DB Section 111-3).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A brief narrative describing the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) The Proposer’s concept of design management. Indicate total design staffing required;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2) The plan for addressing constructibility, durability, maintainability, safety, aesthetics and environmental mitigation in the design process;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3) The plan for integrating and coordinating the design and construction efforts;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4) A description of how the designs developed by different firms and/or offices will be integrated; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5) A description of how the design personnel will interface with the construction organization.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# PROPOSAL EVALUATION WORKSHEET

## EVALUATION FACTOR: PROJECT MANAGEMENT PLAN

<table>
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<tr>
<th>Sub-Factor</th>
<th>Rating</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
</table>
1) Identify design reviews planned for each Design Unit;  
2) Summarize the level of completion anticipated at each design review in terms of components designed (not just % complete); and  
3) Summarize how reviews of Construction Drawings, field design changes and As-Built drawings will be conducted. | | |
| Describe how the Designer and the design staff will be involved during construction. | | |
| **Construction Management**  
Submit a brief narrative description of Proposer’s proposed construction management plan, including: | **Place overall subfactor rating here:** | |
| Describe how Proposer plans to deal with unusual traffic events such as event traffic and large volumes of traffic such as may be caused by accident delays in the vicinity of the Project. | | |
# PROPOSAL EVALUATION WORKSHEET

## EVALUATION FACTOR: PROJECT MANAGEMENT PLAN

<table>
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<tr>
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<th>Rating</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Proposed construction staging and phasing plan indicating timing and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>sequencing of major activities for the Project. Emphasis should be placed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>on dividing the Project into Work zones such that all Work can be</td>
<td></td>
<td></td>
</tr>
<tr>
<td>accomplished in a Work zone as expeditiously as possible.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction start date and time to complete.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Recommended by: ___________________________ Date: _______

(Signature)

_________________________, Chairperson, PMP Evaluation Team

(Printed Name)

_________________________ Date: _______

(Signature)

_________________________, Deputy Chairperson, PMP Evaluation Team

(Printed Name)
New York State Department of Transportation

PROPOSAL EVALUATION WORKSHEET

EVALUATION FACTOR:  PROJECT CONTROLS

Proposer: _________________________________________________________

OVERALL RATING: _______(Pass/Fail)

NARRATIVE SUMMARY:

[The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices.]

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<th>Sub-Factor</th>
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<tbody>
<tr>
<td>The Proposed Baseline Progress Schedule shall be in color hardcopy format and Primavera P3 electronic format on disk. See Contract Documents Part 5, Special Provision 108A, for specific requirements and formats, including coding requirements.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### PROPOSAL EVALUATION WORKSHEET

#### EVALUATION FACTOR: PROJECT CONTROLS

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<tr>
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</thead>
<tbody>
<tr>
<td>The Proposed Baseline Progress Schedule shall be consistent with the Department’s Project Sections and preferred Price Centers listed on Form PCD. Except where a Price Center is shown as a mandatory Price Center, the Proposer may adjust this list to more accurately reflect planned sequences and methods, however, the level of detail shall be similar to that reflected in the list of preferred Price Centers. Mobilization shall not be shown as a Price Center. Mobilization shall be shown as an activity under Price Center 1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Price Centers shall be assigned to the Project as described in Contract Documents Part 2, DB Sections [109L-1.1]/[109S-1.1], Price Centers, and shown on Form PCD.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Proposed Baseline Progress Schedule shall reflect that Work included in the Proposal Price, but shall not include any price information.</td>
<td></td>
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</tbody>
</table>
**EVALUATION FACTOR: PROJECT CONTROLS**

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<tr>
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<th>Rating</th>
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</thead>
<tbody>
<tr>
<td>A “stand-alone” narrative of sufficient detail to explain the basis of the Proposed Baseline Progress Schedule. Describe activities and how the activities interrelate, how activity durations were determined. Include/discuss as a minimum:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Basis for and assumptions used in preparing the Proposed Baseline Schedule;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Anticipated production rates;</td>
<td></td>
<td></td>
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<tr>
<td>• Anticipated order and delivery dates of material and equipment, especially long-lead items;</td>
<td></td>
<td></td>
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<tr>
<td>• Restraints, risks, and limitations;</td>
<td></td>
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<tr>
<td>• Critical Path activities;</td>
<td></td>
<td></td>
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<td>• Holidays and other non-work days;</td>
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<tr>
<td>• Potential problem areas; and</td>
<td></td>
<td></td>
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<tr>
<td>• Coordination required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plan for mobilizing Key Personnel, equipment, Material and supplies. The mobilization plan must be consistent with the Proposed Baseline Progress Schedule.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Summary of major risks to the Proposed Baseline Progress Schedule with explanation of planned contingencies and approach to dealing with these risks should they arise.</td>
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</tbody>
</table>
**PROPOSAL EVALUATION WORKSHEET**

**EVALUATION FACTOR: PROJECT CONTROLS**

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<tr>
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</thead>
<tbody>
<tr>
<td>Brief narrative description of the proposed Project Controls approach, including:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Description of Proposer’s system for preparing and updating the Baseline Progress Schedule</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Description of the proposed plan to integrate design and subcontract activities into its scheduling and reporting system.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Form 107A, ROW Acquisition Schedule – compatibility of Proposer’s proposed dates and priorities with Proposed Baseline Schedule.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Submit Form PCD describing the Price Centers. Completely describe the physical features and activities included in the Price Center and include all Work included in the Price Center Value of each Price Center as reflected on Form SP.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Recommended by: ___________________________________ Date:  ________ (Signature) ____________________________________, Leader, Project Controls Evaluation Team (Printed Name)

__________________________________ Date:  ________ (Signature) ____________________________________, Assistant Leader, Project Controls Evaluation Team (Printed Name)
Proposer: _________________________________________________________

OVERALL RATING: ______

NARRATIVE SUMMARY:

[The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices.]

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<tr>
<th>Sub-Factor</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Pavement Design Concepts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prepare and submit:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Place overall subfactor rating here:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preliminary Pavement Design report</td>
<td></td>
<td></td>
</tr>
<tr>
<td>as specified in Contract Documents</td>
<td></td>
<td></td>
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<tr>
<td>Part 4, Performance Specification</td>
<td></td>
<td></td>
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<tr>
<td>, Pavement, Section ____</td>
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<td></td>
</tr>
<tr>
<td>Preliminary design for the 20-year</td>
<td></td>
<td></td>
</tr>
<tr>
<td>pavement, including cross-section</td>
<td></td>
<td></td>
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<tr>
<td>showing proposed pavement design.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sub-Factor</td>
<td>Rating</td>
<td>Comments/Justification for Rating</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>--------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>Preliminary design for an alternate pavement design (Option 2), if any, proposed by the Proposer as a “best value” alternative to the 20-year pavement design, including cross-sections and explanation and justification for the alternate design. The presentation of an alternate design is optional and not mandatory. If the Proposer does not wish to propose an alternate pavement design, so state in the Proposal.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Concepts for integrating existing pavement structure into the final design of the pavement structure.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Roadway Geometrics**

Discussion of any proposed non-material Basic Project Configuration Changes, as described in Contract Documents Part 2, DB Section 104-4.2, the Proposer has identified that would result in increased benefits or savings to the public and/or Department, improved maintenance of traffic, and/or expedited construction, without impairing essential functions and characteristics of the Project including but not limited to safety, traffic operations, desired appearance, and maintenance operations. |        |                                   |
**New York State Department of Transportation**

**PROPOSAL EVALUATION WORKSHEET**

**EVALUATION FACTOR: ROADWAY**

<table>
<thead>
<tr>
<th>Sub-Factor</th>
<th>Rating</th>
<th>Comments/Justification for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permanent Access</strong></td>
<td></td>
<td></td>
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<tr>
<td>Prepare and submit:</td>
<td></td>
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<tr>
<td>Place overall subfactor rating here:</td>
<td></td>
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</tr>
<tr>
<td>Summary of Proposer’s plan for providing permanent access for landowners along the corridor.</td>
<td></td>
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<tr>
<td>Demonstration of how the Proposer intends to show compliance with the Department’s Access Management Requirements, both now and in the future.</td>
<td></td>
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</tbody>
</table>

Recommended by: ___________________________________ Date:  ________ (Signature)

____________________________________, Leader, Roadway Evaluation Team
(Printed Name)

___________________________________ Date:  ________ (Signature)

___________________________________, Assistant Leader, Roadway Evaluation Team

_______ Project  
Roadway-3  
Proposal Evaluation
PROPOSAL EVALUATION WORKSHEET

EVALUATION FACTOR: ROADWAY

(Printed Name)
### PROPOSAL EVALUATION WORKSHEET

**EVALUATION FACTOR: DRAINAGE**

**Proposer:** _________________________________________________________

**OVERALL RATING:** ______

**NARRATIVE SUMMARY:**

*The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices."

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Submit a description of proposed drainage construction methods and Material types and justify why they were chosen.</td>
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<tr>
<td>Description of the computer software and methodology proposed for the drainage analysis and design of storm drains, channels and culverts.</td>
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<tr>
<td>Description of how the design and construction of new facilities will meet the stormwater discharge permit requirements.</td>
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</tbody>
</table>
New York State Department of Transportation

PROPOSAL EVALUATION WORKSHEET

EVALUATION FACTOR: DRAINAGE

Recommended by: ___________________________ Date: ________
(Signature)

______________________________, Leader, Drainage Evaluation Team
(Printed Name)

Recommended by: ___________________________ Date: ________
(Signature)

______________________________, Assistant Leader, Drainage Evaluation Team
(Printed Name)
### PROPOSAL EVALUATION WORKSHEET

**EVALUATION FACTOR: STRUCTURES**

Proposer: _________________________________________________________

OVERALL RATING: ______

NARRATIVE SUMMARY:

[The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices.]

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</table>

______ Project                      Structures-1                      Proposal Evaluation
New York State Department of Transportation

PROPOSAL EVALUATION WORKSHEET

EVALUATION FACTOR: STRUCTURES

Recommended by: ___________________________________ Date: __________
(Signature)

____________________________________, Leader, Structures Evaluation Team
(Printed Name)

___________________________________ Date: __________
(Signature)

____________________________________, Assistant Leader, Structures Evaluation Team
(Printed Name)
New York State Department of Transportation

PROPOSAL EVALUATION WORKSHEET

EVALUATION FACTOR: MAINTENANCE AND PROTECTION OF TRAFFIC

Proposer: _________________________________________________________

OVERALL RATING: _______(Pass/Fail)

NARRATIVE SUMMARY:

/The factor and subfactors indicated herein are for illustration only. Appropriate factors and subfactors should be developed for each project. The factor and subfactors listed should match the evaluation criteria shown on the Instruction to Proposers and associated appendices./

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<thead>
<tr>
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<tbody>
<tr>
<td>A summary of the proposed MPT Plan as specified in Contract Documents Part 4, Performance Specification ___, Maintenance and Protection of Traffic During Construction, organized into the following sections:</td>
<td></td>
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<tr>
<td>• Section A - Construction Staging Plan;</td>
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<tr>
<td>• Section B - Traffic Impact Plan;</td>
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<td>• Section C - Traffic Mitigation Plan;</td>
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<tr>
<td>• Section D - School Zone Safety Plan;</td>
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<tr>
<td>• Section E - Emergency Vehicle Access and Response Plan; and</td>
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<tr>
<td>• Section F - Maintenance of Property Access Plan;</td>
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</tbody>
</table>
New York State Department of Transportation

PROPOSAL EVALUATION WORKSHEET

EVALUATION FACTOR: MAINTENANCE AND PROTECTION OF TRAFFIC

Recommended by: ___________________________ Date: ________
(Signature)

_______________________________________, Leader, MPT Evaluation Team
(Printed Name)

_______________________________________ Date: ________
(Signature)

_______________________________________, Assistant Leader, MPT Evaluation Team
(Printed Name)

Project Maintenance and Protection of Traffic-2 Proposal Evaluation