

State of Washington  
Department of Transportation  
Notice to Consultants

**Olympic Region Design Consultant Engineering Services – SR 3/SR  
16/SR 160/Gorst Vicinity – Remove Fish Barriers**

The Washington State Department of Transportation (WSDOT) solicits interest from consultants to evaluate and consider providing Engineering Services for Design Approval/Project Development Approval of the Design documentation Package, Design Build RFQ and RFP Delivery through Advertisement, Award, Execution and design support during construction on five fish passage crossings. WSDOT reserves the right to change the contract delivery method to Design Bid Build if unforeseen circumstances arise.

Cost of the agreement is in the range of \$8 to \$12 million dollars.

Duration of the Agreement is two (2) years. WSDOT reserves the right to supplement the agreement for additional time and money.

WSDOT reserves the right to amend terms of the “Request for Qualifications” (RFQ) to circulate various addenda, or to withdraw the RFQ at any time, regardless of how much time and effort consultants have spent on their responses.

Project Description

This project will remove fish barriers in the listed locations, in accordance with the federal injunction.

1. SR 3, MP 32.10, Gorst Creek (WDFW Site ID 990168)
2. SR 3, MP 34.27, Unnamed Tributary to Gorst Creek (WDFW Site ID 991585)
3. SR 16, MP 27.10, Unnamed Tributary to Ross Creek (WDFW Site ID 990270)
4. SR 16, MP 28.60, Unnamed Tributary to Sinclair Inlet (WDFW Site ID 991670)
5. SR 160, MP 4.52, Olney Creek (WDFW Site ID 15.0201 0.90)

If some of these sites prove to be problematic for timely delivery, WSDOT may remove or substitute other fish barrier projects. WSDOT may also add additional fish barrier removals to the scope. Potential barriers will be within a 10-mile radius to the Gorst Interchange (SR16/SR3 Interchange).

❖ **The scope of work elements for all five projects includes the following:**

- Provide Project Management of:
  - Schedule (using WSDOT’s P6 system)

- Budget
  - Quality
  - Communication
  - Risk
  - Project filing system using WSDOT's ProjectWise system
  - Coordination with the OR Project Manager including regional support groups and HQ technical experts such as Hydraulics, Bridge, Traffic, and Geotechnical Branches for approvals
- Schedule/Conduct Surveying for Design needs, locating existing monumentation for potential permits to destroy
  - Perform final in-stream design based on WSDOT provided Preliminary Hydraulic Design (PHD)
  - Develop and provide necessary level of environmental documentation to support Olympic Region Environmental and Hydraulics Services for a pre-NEPA Design Build delivery approach.
  - Prepare Design Documentation Package and obtain Conceptual Design Approval (See Design Doc Package Checklist for complete list). To be included but not limited to:
    - Practical Solutions
    - Design Analysis
    - Design Decision Memos
    - Traffic Management Strategy
    - Design Modeling (InRoads or OpenRoads)
    - Program Management budget/actual Verification
  - Conduct Community Engagement and document resolution/incorporation
  - Develop Geotechnical Investigation plan, initiate Geotechnical Investigation (Geotechnical Investigation to be performed by WSDOT), and provide initial design recommendations in coordination with the WSDOT Geotechnical Branch
  - Traffic Design and MOT conceptual plans based on the approved TM Strategy
  - Be responsible for Preliminary Bridge Site Data and Concept plans in coordination with the WSDOT Bridge and Structures Office
  - Solicit input from OR Maintenance Areas and document incorporation
  - Solicit involvement from Construction Office, OR Construction Engineers for constructability, working days schedule, RFQ/RFP dates

- Prepare Right of Way Plans/Changes for Acquisition, Access revisions and Certification; Right of Way Acquisition will be completed by WSDOT
- Initiate all Local Agency/Participation/Detour Agreements, if needed
- Complete Utilities Conflict investigations and develop conceptual resolution strategies while coordinating with WSDOT Olympic Region Utilities
- Prepare Conceptual Plans for:
  - 30% Review
  - Region Review through comment resolution
  - Delivery to Advertisement
- Prepare Ebase Estimate for:
  - 30% Review
  - Region Review through comment resolution
  - Delivery to Advertisement
- Prepare Design-Build RFQ
- Prepared Design-Build RFP (draft and reviews through approval)
  - Conceptual Designs
  - Instructions to Proposers
  - Chapter 1 and 2 and all appendices
- Provide design support during design-build contractor design

### UDBE, SBE, or MSVWBE Participation

This agreement will be subject to a voluntary 26% MSVWBE goal (10% for Minority Business Enterprises, 6% for Women Business Enterprises, 5% for State certified Small Business Enterprises, and 5% for Veteran Business Enterprises). The selected consultant will be required to submit a MSVWBE Plan for approval prior to commencement of work.

For MSVWBE Plan Guidelines:

<https://www.wsdot.wa.gov/EqualOpportunity/MSVWBE.htm>

WSDOT encourages disadvantaged, small, minority, veteran and women-owned consultant firms to respond to this RFQ.

### Evaluation Criteria:

Pursuant to state and Federal regulations, WSDOT uses a qualifications-based selection process for each of these areas of expertise. The following information and criteria is to evaluate and rank responses:

1. Qualifications/Expertise of Firms on Team;
2. Qualifications of Proposed Project Manager;
3. Key Team Members Qualifications (Prime Consultant and Sub-Consultants);
4. Firm's Project Management System (Prime Consultant Only);
5. Project Delivery Approach and specifically how you would develop your team and manage the work;
6. References/Past Performances (Prime Consultant Only)
7. Contractor Certification – Workers' Rights (Prime and Sub-Consultants)

The link to the definitions and point value for each of the proposed criteria is found on the first page of this advertisement web site.

After the submittal review, firms will be invited to interview. The interview score will be based on the team's ability to demonstrate their combined experience, capabilities, and approach to deliver the program. Final selection shall be made based upon:

- Interview/additional qualifying information scoring only.
- Combined results of the submittal and the interview/additional qualifying information scoring. Final scoring will be 50% submittal plus 50% interview scores.

Note: It is imperative that the consultant reviews the definitions of the scoring criteria. We have included requirements and/or limitations for the information that is being requested. Note: It is imperative that the consultant reviews the definitions of the scoring criteria. We have included requirements and/or limitations for the information that is being requested.

### Submittals

Consultants are invited to submit their Statement of Qualifications (SOQ) at their own cost. WSDOT assumes no obligation of any kind for expenses incurred by any respondent to this solicitation. The submittal must be submitted as separate Adobe Reader compatible (pdf) files and formatted as follows:

- Submitted as an 8.5" x 11" sheet, single sided only, and with text (font) size no smaller than 12 points; and
- If charts and/or graphs are utilized text (font) size must be no smaller than 8 points.

Your SOQ must be broken into two (2) separate packets. Your SOQ "Packet A" must consist of:

- Your responses to scoring Criteria 1 through 5; and
- Packet "A" is limited to 30 pages, single sided only, not including the front and back cover.

Your SOQ “Packet B” must consist of:

- Your letter of transmittal;
- Your response to scoring criteria 6 (Performance Evaluations must be included in this packet) and Criteria 7;
- Your Consultant Information forms for both the Prime Consultant and all proposed Sub-Consultants;
- Contractor Certification – Workers’ Rights (Prime and Sub-Consultants); and
- Packet “B” has no page number limitations.

The SOQ shall meet the following requirements or may be deemed non-responsive and may not be eligible for consideration of this work:

- Title of the RFQ and your firm clearly identified on the cover of the submittal Packets “A” and “B”, and the letter of transmittal;
- SOQ broken into “Packet A” and “Packet B” (two (2) separate documents) as indicated above;
- Responsive to all evaluation criteria;
- Meeting page limitations and font size requirements; and
- Meeting submittal deadline submission date and time.

Faxed submittals will not be accepted. Submittals must arrive at the following email address no later than **4:00 p.m. PST on March 17, 2022**.

Submittal email address: [CSOSubmittals@wsdot.wa.gov](mailto:CSOSubmittals@wsdot.wa.gov)

Note: Submitters may want to consider setting your email to automatically receive a “Delivery/Read Receipt” for confirmation purposes, as WSDOT will not respond with notification of receipt.

Multiple emails are acceptable due to file size limitations of 20mb per email.

The Consultant, with regard to the work performed during the resulting agreement, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of sub-consultants, including procurement of materials and leases of equipment. The Consultant shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR Section 21.

The agreement for services is subject to provisions of Executive Order 11246 (Affirmative Action to Ensure Equal Employment Opportunity) and to the provisions of the Department of Transportation Regulations 49 CFR 26 (Disadvantaged Business Enterprise.)

In light of the COVID-19 pandemic, Washington State Governor Jay Inslee has issued a Proclamation directing mandatory vaccination for all cabinet agency state employees, which includes WSDOT. This requirement extends to contractors who may be physically present on WSDOT owned, leased, or controlled property and right-of-way in the conduct of their work.

Contractors will need to acknowledge, in writing, their acceptance of these terms as a condition of the contract. Please note that WSDOT has elected to implement the “Path Two” option within the Governor’s Vaccination Proclamation requirements. Under Path Two, contractors are required to assume responsibility for the vaccination verification and accommodation requirements set forth in the Proclamation. Therefore, WSDOT contractors must certify that all employees of the contractor, and employees of any subcontractors, working “on site” comply with the terms and requirements of the Vaccine Mandate Proclamation. The mandate only applies to contract employees who are physically present on WSDOT property and does not apply to contractors working from locations which are not considered “on site.” The Governor’s Office has created a [resource website](#) that contains FAQ’s and information for complying with [Proclamation 21-14.1](#).

### Debriefing Procedures

#### A. Debrief Conferences

CSO offers, if requested, a debrief to all proposers. The request must be submitted in writing, within 3 business days of official notification of an unsuccessful proposal. The request shall be sent to [WSDOTCSO@wsdot.wa.gov](mailto:WSDOTCSO@wsdot.wa.gov).

#### B. Debrief Protests

All debrief protests must be submitted in writing, within 5 business days of the debrief conference. The request shall be sent to [WSDOTCSO@wsdot.wa.gov](mailto:WSDOTCSO@wsdot.wa.gov).

### Protest Procedures

#### A. Form and Substance

All protests regarding any contents or portion of this RFQ must be submitted to WSDOT Headquarters Consultant Services Office (CSO) as soon as possible after the Proposer/protestant becomes aware of the reason(s) for the protest. All protests must be in writing and signed by the Proposer/protestant or an authorized agent. Such writing must state all facts and arguments on which the Proposer/protestant is relying as the basis for its action. Such Proposer/protestant shall also attach, or supply on demand by CSO, any relevant exhibits referenced in the writing. Copies of all protests and exhibits shall be mailed or delivered by the Proposer/protestant to the Proposer against whom the protest is made (if any) at the same time such protest and exhibits are submitted to CSO. All protests shall be directed to:

Manager, Contract Services Office  
Washington State Department of Transportation  
7345 Linderson Way SW  
Tumwater, WA 98501

#### B. Pre-Selection Protests

To allow sufficient response time, all pre-selection protests (i.e., prior to CSO’s official selection of the successful proposal(s)) must be received by CSO no later than 3:00 p.m. PST of the second business day after the Final Proposal Due Date. If the protest is mailed after the Final Proposal Due Date, and before the pre-selection protest deadline, the Proposer/protestant

shall immediately notify CSO's Manager by telephone, or some other means of rapid communication, that a protest has been made.

CSO shall consider all the facts available to it, and issue a decision in writing within five (5) business days after receipt of the protest, unless more time is needed. The Proposer/protestant and the Proposer(s) against whom the protest is made will be notified if a longer time is necessary and, if the additional time required affects the Final Proposal Due Date or the selection date, all Proposers shall be notified.

CSO's decision shall be final and conclusive. Selection of the successful Proposer, if any, will be postponed until after CSO has issued its decision.

**C. Post-Selection Protests**

CSO shall notify all unsuccessful Proposers of CSO's selection decision. To allow sufficient response time, all post-selection protests must be received by CSO no later than 3:00 p.m. PST of the second business day after receipt of a Non-Selection Notice. If the protest is mailed before the post selection protest deadline, the Proposer/protestant shall immediately notify CSO's Manager by telephone, or some other means of rapid communication, that a protest has been made.

CSO shall consider all the facts available to it, and issue a decision in writing within five (5) business days after receipt of the protest, unless more time is needed. The Proposer/protestant and the Proposer(s) against whom the protest is made will be notified if a longer time is necessary and, if the additional time required affects the Award Date, all Proposers will be notified.

CSO's decision shall be conclusive unless appeal from it is taken by an aggrieved firm to the Superior Court of Thurston County within five (5) calendar days after receiving notice of CSO's decision on the protest. The court shall hear any such appeal on CSO's administrative record for the project. The court may affirm CSO's decision, or it may reverse the decision if it determines the action of CSO was arbitrary and capricious.

Post-selection protests which do not comply with the above-specified procedures will not be considered.

**D. Post-Debrief Protests**

To allow sufficient response time, all post-debrief protests must be received by CSO no later than 3:00 p.m. PST of the second (2<sup>nd</sup>) business day following the debrief. If the protest is mailed before the Post-Debrief protest deadline, the Proposer/protestant shall immediately notify CSO's Manager by telephone, or some other means of rapid communication, that a protest has been made.

CSO shall consider all the facts available to it, and issue a decision in writing within five (5) business days after receipt of the protest, unless more time is needed. The Proposer/protestant



and the Proposer(s) against whom the protest is made will be notified if a longer time is necessary and, if the additional time required affects the Final Proposal Due Date or the selection date, all Proposers shall be notified.

CSO's decision shall be final and conclusive. Selection of the successful Proposer, if any, will be postponed until after CSO has issued its decision

#### System for Award Management (SAM) Excluded Parties Records

- A. Per federal regulations, CSO is required to ensure, to the best of its knowledge and belief, that none of the principals, affiliates, third party Contractors and subcontractors are suspended, debarred, ineligible or voluntarily excluded from participation in federally assisted transactions or procurements. Federal regulations require CSO to review records of excluded parties in the federal System for Award Management (SAM) before entering into any third party Contracts exceeding \$25,000.00.
- B. Prior to award of a federally funded Contract, CSO will search the SAM system to ensure that excluded parties do not participate in covered transactions.
- C. To learn more about the federal SAM, go to [www.sam.gov/portal/public/SAM/](http://www.sam.gov/portal/public/SAM/) .

#### Public Records

The SOQ's received as a result of this RFQ and the resulting score sheets will be posted to CSOs web page following resolution of any Post-Debrief protests.

To the extent consistent with chapter 42.56 RCW, the Public Disclosure Act, WSDOT shall maintain the confidentiality of Consultant's information marked confidential or proprietary. If a request is made to view Consultant's proprietary information, WSDOT will notify Consultant of the request and of the date that the records will be released to the requester unless Consultant obtains a court order enjoining that disclosure. If Consultant fails to obtain the court order enjoining disclosure, WSDOT will release the requested information on the date specified.

WSDOT's sole responsibility shall be limited to maintaining the above data in a secure area and to notify Consultant of any request(s) for disclosure for so long as WSDOT retains Consultant's information in WSDOT records per state law. Failure to so label such materials or failure to timely respond after notice of request for public disclosure has been given shall be deemed a waiver by Consultant of any claim that such materials are exempt from disclosure.

#### Americans with Disabilities Act (ADA) Information

This material can be made available in an alternate format by emailing the WSDOT Diversity/ADA Affairs team at [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov) or by calling toll free 1-800-362-4ADA(4232). Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.



*Title VI Statement to Public*

It is the Washington State Department of Transportation's (WSDOT) policy to assure that no person shall, on the grounds of race, color, national origin or sex, as provided by the Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person, who believes his /her Title VI protection has been violated, may file a complaint with WSDOT's Office of Equal Opportunity (OEO). For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact OEO's Title VI Coordinators: Eastern Washington at 509-324-6018; or Western Washington at 360-705-7082.

WSDOT reserves the right, if it deems action to be in the best interest of WSDOT, to reject any and all submittals or to waive any irregularities or informalities therein. Any incomplete, false or misleading information provided by or through the Consultant shall be grounds for non-consideration. If submittals are rejected, WSDOT further reserves the right to investigate and negotiate with the next ranked Consultant in order of ranking or to reject all Consultants and re-solicit for additional firms.

Any questions regarding this RFQ should be directed to WSDOT's Headquarters Consultant Services Office at [CSOSubmittals@wsdot.wa.gov](mailto:CSOSubmittals@wsdot.wa.gov) or 360-704-6397.

Dates of publication in the Seattle Daily Journal of Commerce and WEBS: Thursday, February 17, 2022.

**Submittal Due Date and Time: 4:00 p.m. PST on Thursday, March 17, 2022.**