

(Rev. 6/3/2014)

**Streamlined
Request for Qualifications**
(Electronic Submission Required)

Surface Transportation Board (STB) – Third Party Consultant

for

Project No.S-R399(170)
Uintah Basin Program Management

July 23, 2014

UTAH DEPARTMENT OF TRANSPORTATION
Streamlined Request for Qualifications
Surface Transportation Board (STB) – Third Party Consultant / S-R399(170)

Summary Sheet

Please direct all questions regarding Utah Department of Transportation's (UDOT) Streamlined Request for Qualifications (RFQ) and the selection process to the UDOT Contract Administrator and all questions concerning the project to the Project Manager or Local Government contacts.

1. **Project Number:** S-R399(170)
2. **Location:** Uintah Basin Program Management
3. **ePM PIN No.:** 11895
4. **Requested Services:** Surface Transportation Board (STB) - Third Party Consultant
5. **Source(s) of Funding:** State of Utah
6. **UDOT Contract Administrator:** Phil Ellsworth
Contract Administrator
Utah Department of Transportation
Consultant Services
Box 148490
4501 South 2700 West
Salt Lake City, Utah 84129-5998
801/957-8681
pellsworth@utah.gov
7. **UDOT Project Management:** John Thomas
Uintah Basin Project Manager
Utah Department of Transportation
658 North 1500 West
Orem, UT 84057
801/550-2248
johnthomas@utah.gov
8. **Local Government Contacts:** Uintah and Duchesne Counties
9. **Streamlined Statement of Qualifications (SOQ) Deadline:** See the Selection Schedule on Page 3.

Submit one electronic PDF file of the SOQ (unless directed otherwise in Appendix A *Guidelines for Preparing Streamlined Statement of Qualifications*) to Phil Ellsworth by email at pellsworth@utah.gov prior to 11:00 AM on the submission date found in the Selection Schedule on Page 3. **If SOQs are sent to RFQ Selection Team members there will be a two-point deduction.** You will receive an email acknowledgment of receipt.

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SOQs will not be accepted after the 11:00 AM deadline

10. **Qualification Based Selection:** This is a Qualifications Based Selection (QBS) process based on the Brooks Act. Cost is NOT a factor in the ranking of consultants to provide the services described in Appendix C *Scope of Work* on Page 21. Refer to Page 6 for additional information regarding the consultant selection process. The Brooks Act can be found on Page 24.

11. **Type of SOQ Required:** Prepare SOQs in accordance with Appendix A *Guidelines for Preparing Streamlined Statement of Qualifications*, see Page 12.

If there are any changes affecting the RFQ, notice will be sent out via an e-mail through the Consultant Services update service.

12. **Optional Oral Interviews:** Most RFQ selections will be based on the SOQ scores. However, the RFQ Selection Team may determine it is necessary to have interviews in order to make a selection. **Refer to the Selection Schedule on Page 3 for potential interview date.**

13. **Notice to Proceed:** To be issued by Consultant Services after contract execution. Direction to begin work from any other source is invalid and will result in non-payment for services provided without authorized notification to begin work.

14. **Project Completion:** Approximately **24** months from Notice to Proceed.

15. **Forms:** Examples of UDOT Consultant Services forms referred to throughout this RFQ are available on the UDOT Web site www.udot.utah.gov/go/csforms.

16. **Updates to the UDOT RFQ Boilerplate:** Please note changes in this RFQ in regards to Conflict of Interest, Appendix A *Guidelines for Preparing Streamlined Statement of Qualifications*, Appendix B for CEM Projects *Proposed Key Personnel to Be Used on UDOT Project* and Appendix E *Instructions for Construction Engineering Management Services Construction Engineering Management certification requirements*. Read and review each section carefully to ensure proposals meet the requirements.

Consultant Selection Schedule

Date	Day	Action
July 23, 2014	Wednesday	Posting of Streamlined RFQ on UDOT Consultant Services Project Advertisement website
Aug. 6, 2014	Wednesday	SOQs are due electronically by 11:00 AM.
Aug. 13, 2014	Wednesday	RFQ Selection Team Meeting
Aug. 20, 2013	Wednesday	Consultant Selection Interviews
Aug. 20, 2014	Wednesday	Short-list Finalization (Anticipated)
Sept. 3, 2014	Wednesday	Final Selection (Anticipated)
Sept. 8, 2014	Monday	Pre-Negotiation Mtg. with Selected Consultant (Anticipated)

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Acceptance and Completion Criteria

Overview:

UDOT Consultant Services staff facilitates RFQ Selection Teams through the ranking and selection of consultants to provide engineering services for transportation related projects. Consultant selection is a Qualification-Based Selection (QBS) process, where the primary factor in selection is the qualification-based criteria outlined by the RFQ Selection Team in Appendix A *Guidelines for Preparing Streamlined Statement of Qualifications* rather than the cost of engineering services. Cost is a secondary factor after a Consultant is selected and the negotiation process begins.

The RFQ Selection Team will review and evaluate submitted SOQs. SOQs are ranked for qualifications, based on pre-determined criteria. If the RFQ Selection Team determines Consultant Selection Interviews are needed in order to determine final short-list, then interviews will be included in the process. Final ranking will be determined by the average of the RFQ Selection Team members' scores from SOQs and Consultant Selection Interviews, if necessary (see Selecting by Consent on Page 18).

UDOT's goal is to short-list the three most highly qualified consultant teams. After the Department has determined a final short-list they will submit the list to the Surface Transportation Board (STB) who will review the teams and make the final selection.

UDOT follows federal regulations in selecting consultants for engineering services, based on the Brooks Act (40 U.S.C. 11) found on Page 24. Cost is **NOT** a factor in the selection ranking of a Consultant to provide services. All price/cost related items which include, but are not limited to direct salaries / wage rates, indirect cost rates, and other direct costs are prohibited from being used in SOQs. Cost control measures should not be quantified in dollar amounts, but rather in how the process improves the project.

DO NOT include any reference to Consultant costs in the SOQ. Any SOQ submitted with ANY discussion of cost (other than cost control measures) **WILL BE DISQUALIFIED.**

Project Dates:

Consultants are required to meet the dates set for the **optional** oral interviews and negotiation meetings. Consultants are also advised to meet other dates outlined in the Selection Schedule on Page 3. If a consultant fails to meet these dates the consultant will be considered non-responsive.

Required Percentage of Work for Prime Consultant:

The Prime Consultant must perform work valued at not less than **70%** of the total work, excluding specialized services, with its own staff. Specialized services are those services or items that are not usually furnished by a Consultant performing the particular type of service requested in Appendix C *Scope of Work*.

Consultants must be on the Office of Environmental Analysis (OEA) pre-approved list of third party contractors prior to August 6, 2014. Consultants interested in getting on the pre-

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approved list may follow the instructions found at:
<http://www.stb.dot.gov/stb/environment/contracting.html>

Required Completion and Acceptance Criteria:

Progress payments will be made for work in progress. Final invoice payment, shall be made after all of the work has been completed and the final estimate, project records, and documentation have been received and accepted by UDOT as accurate and complete.

Applicable Federal and State Regulations:

The Consultant shall conform to all applicable state and federal regulations.

Debarment Certification:

Federal regulations require certification by prospective participants (including contractors, subcontractors, and principals) as to current history regarding debarment, eligibility, indictments, convictions, or civil judgments. The selected Consultant will be required to certify in accordance with contract Standard Terms and Conditions.

Authorization to Begin Work:

Notice to proceed will be given by Consultant Services as soon as the contract is approved and signed by all parties and returned to Consultant Services.

Required Key Personnel Qualification:

The Consultant shall be responsible to ensure all personnel proposed under this RFQ are qualified through training, experience, and appropriate certification for the tasks assigned and shall have a working knowledge of UDOT standard practices.

Prime Consultants cannot propose employees who are employed by another Consultant firm. **If such employees are listed in two SOQs, both Consultants' SOQs will be disqualified and will not be evaluated by the UDOT Selection Team.** This requirement applies to the use of individual employees and not to sub-consultant firms/employees. Sub-consultant firms/employees may be included on more than one proposing team, however individuals may only interview with one team.

The Consultant is expected to complete the form Appendix B *Proposed Key Personnel to Be Used on UDOT Project*. Completed forms in SOQs should state the certification and education levels of the individuals proposed for use on this contract including sub-consultants' personnel. **The completed form must be included in the SOQ but will not count as one of the allowed pages.**

UDOT's requirement for listing current or former UDOT employees as key personnel in SOQs is as follows:

- If a firm lists a former UDOT employee on the SOQ who officially left UDOT employment prior to the submission date of the SOQ, the firm will not be disqualified.
- If the firm lists someone who has not yet left UDOT employment, even if the employee plans to retire or quit soon, **the firm will be disqualified.**
- In addition, if a firm lists a UDOT employee who was involved in the development of the

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RFQ for this project, whether they are a current employee of UDOT or not, **the firm will be disqualified.**

- These requirements apply to prime and sub-consultants.

Required Availability of Key Personnel:

When Consultants list personnel on Appendix B *Proposed Key Personnel to be Used on UDOT Project* Form, the Consultant is agreeing to make the personnel available to complete work on the contract at whatever level the project requires.

Required Streamlined SOQ Contents:

The SOQ from the Consultant should contain the information identified in Appendix A *Guidelines for Preparing Streamlined Statement of Qualifications.*

Streamlined SOQ Evaluation Procedures:

The RFQ Selection Team will evaluate the SOQ in accordance with the criteria described in Appendix A *Guidelines for Preparing Streamlined Statement of Qualifications.*

Conditions of Proposal:

All costs related to the preparation of the SOQ and any related activities such as interviews are the sole responsibility of the Consultant. UDOT assumes no liability for any costs incurred by Consultants throughout the entire selection process.

Disposition of Streamlined SOQs:

SOQs and their content become the property of UDOT and are treated as protected documents and are disposed of according to UDOT policies. UDOT reserves the right to reject all SOQs. The SOQ of the successful Consultant shall be open to public inspection for a period of one year after award of the contract. SOQs of Consultants who are not awarded contracts shall not be open to public inspection and will be destroyed once the contract is executed with another consultant.

If the Consultant selected for award has required in writing the nondisclosure of trade secrets and other proprietary data so identified, the Consultant Services Manager shall examine the request in the SOQ to determine its validity prior to award of the contract. If the parties do not agree as to the disclosure of data in the contract, the Consultant Services Manager shall inform the Consultant in writing what portion of the SOQ will be disclosed and that, unless the Consultant withdraws the SOQ, it will be disclosed. If the Consultant withdraws their SOQ, the Consultant will not be awarded the contract.

Ownership of Documents:

All tracings, plans, manuscripts, specifications, data, maps, etc. prepared or obtained by the Consultant as a result of working on this contract, shall be delivered to and become the property of UDOT.

Financial Screening:

UDOT requires consultants to be Financially Screened prior to performing work for UDOT. The selected Consultant has two weeks after selection to complete the financial screening

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process. **Inability to complete the financial screening process will disqualify the Consultant's SOQ, unless the delay is due to problems or delays by UDOT.**

The time it takes a Consultant to complete the Financial Screening process varies and therefore UDOT encourages Consultants to submit their *Financial Screening Application* as soon as possible.

Consultants may obtain the *Financial Screening Application* from the UDOT Web site www.udot.utah.gov/go/csforms. For questions, contact the Consultant Services Financial Screener at 801/965-4138. A Consultant's Financial Screening status is effective for the period of one year from the time the Consultant is approved.

Audits:

Prior to final contract award, an audit may be conducted by UDOT of the selected Consultant. This audit will be for the purpose of ensuring the selected firm is financially capable of performing the contract, the cost information and prices quoted are reasonable, and the selected Consultant has adequate accounting practices to ensure accurate tracking of contract costs. UDOT reserves the right to inspect Consultant records associated with this project, including financial records, as deemed necessary during the term of the contract.

Prior to final acceptance of the contract work, UDOT may conduct a closing audit of the Consultant. This closeout audit will be performed upon completion of the contract to verify the accuracy of all billings and compliance with the contract provisions.

In the event that a proposing Consultant has failed to pay UDOT monies due to UDOT for over payment on past projects, UDOT has the right to reject and/or disqualify the firm's SOQ. Disqualification will be based on audit findings, determinations, and recommendations made by the UDOT Fiscal Audit Division.

Insurance Certificates:

The Consultant is required to provide UDOT with Certificates of Insurance meeting the current guidelines. Current insurance requirements can be found at www.udot.utah.gov/go/csmanuals.

Health Reform – Health Insurance Coverage in State Contracts Requirements:

As required by UCA 72-6-107.5, effective July 1, 2009, UDOT will not enter into a contract of \$1,500,000 or more with a prime Consultant or \$750,000 or more with a sub-consultant without demonstration of compliance regarding the offering of "Qualified Health Insurance Coverage" to their employees. Prior to issuing a Notice to Proceed, the Consultant must demonstrate compliance with the provisions of Administrative Rule R-916-5. A Consultant's inability to adequately demonstrate compliance may be grounds for determining an SOQ non-responsive and UDOT moving on to negotiate with the new first-ranked responsive firm.

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Subscription to the UDOT Consultant Services Update Service:

UDOT recommends Consultants interested in proposing an SOQ subscribe to the UDOT Consultant Services Update Service on the UDOT Web site www.udot.utah.gov/go/subscriptionlist.

If there are any changes affecting the RFQ, notice will be sent out via an e-mail through the update service.

Consultant and/or Corporate Logos or Branding:

Consultant and/or corporate logos or branding identification may no longer be displayed in **public** documents or products produced for UDOT beginning July 1, 2005. It is UDOT's intent that consultants should place identifying information, in text format, in appropriate places in documents. **This requirement does not apply to SOQs.** For specific questions or further guidance, please contact Gaye Hettrick, Consultant Services Manager, 801/965-4639 or ghettrick@utah.gov.

Consultants and/or corporations are specifically restricted from placing logos or branding on the following items:

- Plan Sheets or Title Blocks
- Environmental Documents
- Standard UDOT Forms
- Project Websites
- Cover Pages
- Headers/Footers; and
- Information and Display Boards for Public Meetings

Consultants are encouraged to place their company logos or brandings in their SOQs.

Right to Cancel:

UDOT reserves the right to cancel the RFQ at any time when it is in UDOT's best interest. UDOT also reserves the right to accept or reject any and all SOQs submitted in response to the RFQ.

Conflict of Interest:

UDOT has determined that firms already under contract for EIS services on the Uintah Basin EIS program have a conflict of interest. Therefore any consultants (prime or subs) currently under contract on this project may not compete for services in this selection process.

UDOT expects consultants to act with integrity and professional ethics. When there is a potential conflict of interest, consultants are required to either not submit for the project or disclose the potential conflict to the Consultant Services Manager prior to submitting a proposal. The Consultant Services Manager will coordinate with the UDOT Conflict of Interest Review Team for a determination by UDOT. For additional information, please reference the UDOT Consultant Services Manual of Instruction (MOI). Download the MOI from www.udot.utah.gov/go/csmanuals.

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Conflict of Interest Disclosure Statement:

For all Environmental Impact Statement (EIS) and Environmental Assessment (EA) consultant selections, a Conflict of Interest Disclosure Statement will be required from each firm of the project team (prime and all sub-consultants). Consultants will be required to disclose any financial or other interest they may have in the outcome of the environmental document, in accordance with Council on Environmental Quality Regulation, 40 C.F.R. §1506.5(c) (1999). A copy of the signed Disclosure Statements will be included in the contract.

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Appendix A

Guidelines for Preparing Streamlined Statement of Qualifications

Introduction:

These guidelines were developed to standardize the preparation of an SOQ by Consultants for engineering services on a UDOT project. Submitting an SOQ is the beginning of the selection process and is used as the basis for selecting or for short-listing Consultants. If the RFQ Selection Team determines interviews are necessary prior to selection, a minimum of at least two Consultants will be short-listed and invited to an interview by the RFQ Selection Team.

The purpose for these guidelines is to ensure consistency in format and content in the SOQ prepared by Consultants and submitted to UDOT. Preparing an SOQ instead of a detailed proposal reduces the time requirements for consultants and simplifies the review process for the RFQ Selection Team.

Electronic Submission:

UDOT's goal is to migrate to electronic processes wherever possible. Consultant Services intends to require all SOQ submission to be received solely by electronic means.

Streamlined SOQ Sections:

The SOQ should contain the following sections in the order listed:

First PDF

1. Cover Page
2. Project Team
3. Capability of the Consultant
4. Approach to the Project
5. Appendix B *Proposed Key Personnel to be Used on UDOT Project*

Streamlined SOQ Evaluation Criteria:

SOQ evaluation criteria are listed below in red.

1. **Cover Page**

The Cover Page is one page. It must be on the Prime Consultant's letterhead and consist of the following, with no additional information:

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Cover Page	
Date	
Streamlined RFQ Name and Description	
Prime Firm	
Prime Firm's Federal ID#	
Sub-consultants (if any)	
Primary Contact	
Primary Contact Name (Prime)	
Address	
City, State, Zip	
Email	
Office Phone	
Cell Phone	
Secondary Contact	
Secondary Contact Name (Prime)	
Address	
City, State, Zip	
Email	
Office Phone	
Cell Phone	
Acknowledgement	
<p><i>I understand the acceptance and completion criteria, submittal, financial screening requirements, contract selection types and contract caps. My firm shall comply with all state and federal contracting requirements applicable to the project. I understand UDOT policies, procedures and processes may change during the duration of the project and shall comply with any changes required by UDOT. I have fully and accurately disclosed any debarment, license issues, and/or investigations being performed by any governmental entity. Employees listed on the staffing plan are current bona fide employees of the firm.</i></p> <p><i>As authorized to sign for my organization, I certify the content of this Statement of Qualification to be true, accurate and all matters fully disclosed as requested in the Request for Qualifications. I understand any misrepresentations or failure to disclose matters in the Statement of Qualifications is immediate grounds for disqualification.</i></p>	
Signature	
Name	
Title	

The information is not required to be in this exact format, as long as each item of requested information is presented, **with no additional information**. If there is any

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other information provided in the Cover Page, the Cover Page will be stripped from the SOQ and will not be provided to the RFQ Selection Team. **In addition, a one-point deduction will be assessed if the Cover Page includes additional information.**

No evaluation points are assigned to this section and the Cover Page will not count as one of the allowed pages.

2. **Project Team** – The RFQ Selection Team will evaluate how well the qualifications and experience of the proposed project team members relate to the specific project. The RFQ Selection Team recommends the following information be provided.
- Project team flow charts including sub-consultants (see sample *Project Organization and Related Experience Chart* available on the UDOT Web site www.udot.utah.gov/go/csforms).
 - Describe the qualifications, experience, and availability of key personnel on your proposed project team. Correlate the qualifications and past experience with the Project Goals. (NOTE: Do not include percentages of availability as this may be misinterpreted as a reference to cost.)
 - Provide a spreadsheet list of projects **completed** by key team members during the last five years. The spreadsheet column headings should include the following items. (See sample *Project Organization and Related Experience Chart* available on the UDOT web site www.udot.utah.gov/go/csforms.) Note: Columns may be combined in order to meet the font size and margin requirements under *Streamlined SOQ Format Requirements* on Page 15.
 - Name of Project Manager / Key Team member(s)
 - Year
 - Type of Project
 - Project Name
 - Project Location
 - Project Description
 - Construction Estimate Cost - \$Million
 - Services Performed / Specific Project Role
 - Client
 - Reference Contact and Telephone Number

A maximum of 35 points is available for this section.

3. **Capability of the Consultant** – The RFQ Selection Team will evaluate the Consultant's capability to perform the work.
- Describe your firm's capability, experience, and any unique qualifications to perform the type of work identified in Appendix C *Scope of Work*.
 - Describe your firm's internal quality and cost control procedures.

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- Identify the location of the main office of the proposing firm and the logistics relating to how the project team will provide the services requested.
- Provide an analysis of the project team firms' current workload.
- Describe the overall performance record of the proposed project team firms.

A maximum of 25 points is available for this section.

4. **Approach to the Project** – The RFQ Selection Team will evaluate how well you have planned a basic course of action, what alternatives and/or preliminary approaches are proposed, and what provisions are identified for dealing with potential impacts.

- Describe the course of action proposed to meet the Project Goals and Scope of Work identified in Appendix C Scope of Work. Be realistic, clear and concise.
- Identify key project milestones.
- Identify potential impacts, impediments, conflicts or potential mitigation.

A maximum of 40 points is available for this section.

5. **Appendix B Proposed Key Personnel to be Used on UDOT Project** – The Consultant is expected to complete the Appendix B *Proposed Key Personnel to be used on UDOT Project* (see example in this RFQ). Firms are not required to use this example form, as long as all necessary information is included in a form presented in the SOQ. The form must state the certification and education levels of the individuals proposed for use on this contract, including sub-consultants' personnel.

When Consultants list personnel on Appendix B *Proposed Key Personnel to be Used on UDOT Project* form, the Consultant is agreeing to make the personnel available to complete the services in the contract at whatever level the project requires.

The completed form must be included in the SOQ, but will not count as one of the allowed pages. No other information is allowed on these pages. No evaluation points are assigned to this section.

Streamlined SOQ Format Requirements:

It is very important SOQs be clear, concise, and in the recommended format so they may be evaluated in an objective manner by the RFQ Selection Team.

A maximum total of 100 points is available for the SOQ.

One-point penalty deductions:

1. **8½ x 11 Size Pages Only** – If there are exceptions to this requirement, they are addressed below in the list of Disqualifications.
2. **One-inch (1") Margins** – Exceptions: Consultant Name/Logo and Page Headers/Footers may be within margin.
3. **Font and Spacing Requirement** – The body of the SOQ is required to be written with a 10-point [or greater] standard Arial or Times New Roman font, including the Cover Page,

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Project Experience Table and Appendix B *Proposed Key Personnel to be Used on UDOT Project*. Exceptions will be made for section headings, paragraph headings, graphics, headers and footers. Excepted text may be any other font and size as long as the text is reasonable and can be easily read by reviewers without the need of magnification in order to understand what is being presented. The minimum line spacing is 12-point.

4. **Charts, Graphs, and Pictures** – Optional and counted as page(s). If the graphic is a duplicate from another source, it must be referenced. Charts, graphs, headings, and headers/footers are excepted from the font requirements, see font requirement above.
5. **Page Headers/Footers are required** – May be within the one-inch margins; and must include Project Number, Project Location/Description, and Current Date.
6. **Related Experience Chart and Project Organization Chart are required** – Sample charts are available on the UDOT web site www.udot.utah.gov/go/csforms.
7. **Cover Page** – Is required as the first page of the PDF, but does not count towards the page maximum. The Cover Page must be on the Prime Consultant's letterhead and is limited to the instructions provided. The Cover Page may be presented in any format the Consultant chooses, i.e. text, chart, etc. The Cover Page must meet the font requirement above. No additional informational information is allowed. No additional back page is allowed.
8. **Appendix B Proposed Key Personnel to be Used on UDOT Project** – The completed form is required and will not count towards the page maximum.

A one-point penalty will be assessed by Consultant Services for each applicable violation of the above format requirements for a maximum eight-point penalty per SOQ.

Two-point penalty deductions:

9. **Send SOQs to the Contract Administrator** – Send SOQs to the Contract Administrator. Do not send SOQs directly or indirectly to any known or presumed RFQ Selection Team members or other UDOT personnel, see instructions on Page 2.
10. **PDF Submission** – SOQs are required to be submitted in PDF files. Only one PDF will be accepted.

A two-point penalty will be assessed by Consultant Services for each application violation of the above requirement(s) for a maximum four-point penalty per SOQ.

Disqualifications:

11. **Late Submission** – Any SOQ received by Consultant Services after the 11:00 AM deadline.
12. **Electronic Submission** – Submit the appropriate PDF file(s) (containing all of the sections in the order presented in Streamlined SOQ Sections on Page 12) to Phil Ellsworth at pellsworth@utah.gov.

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13. **Cost Discussion** – Do not include any reference to costs in the SOQ. Cost discussions are not allowed (other than cost control measures). Cost control measures should not be quantified in dollar amounts, but rather in how the process improved the project.
14. **Use of employees employed by another consultant** – Use of employees currently employed by another consultant and presented on two SOQs Refer to Required Key Personnel Qualification on Page 7 for more information.
15. **Use of UDOT staff** – Use of current UDOT employees or former staff who were involved in the development of the RFQ. Refer to Required Key Personnel Qualification on Page 7 for more information.
16. **Financial Screening** – Consultants are required to complete the UDOT Financial Screening process within two weeks of selection. Refer to Financial Screening discussion on Page 8 for further details.
17. **Six (6) Page Maximum** – (Cover Page and Appendix B *Proposed Key Personnel to be Used on UDOT Project* do not count towards the page maximum.)

A page is defined as a single-sided 8.5" x 11" sized page that contains text, pictures, tables, graphs, charts, plan sheets, or any other graphics.

Do not include a reference or link to additional information. If SOQs contain references or links, UDOT Consultant Services will assume additional pages are used.

18. **Other** – UDOT reserves the right to disqualify an SOQ when the intent of the RFQ process is violated.

Any SOQs committing violations to the above format requirements will be disqualified by Consultant Services.

Streamlined RFQ Selection Team:

The RFQ Selection Team members will receive copies of each responsive SOQ submitted. They will review and score the SOQs individually based on the evaluation criteria and submit their scores and comments to the Contract Administrator. The Contract Administrator will tally and compile the scores and comments.

The RFQ Selection Team will then meet to discuss the SOQs and comments from individual RFQ Selection Team members and determine whether interviews are necessary or whether a short-list may be made based on the averaged scores from the SOQs. Final SOQ score results are the average of voting RFQ Selection Team members' scores. The top three scores will determine the final short-list of SOQs.

It is likely that the short-list will be based on the SOQ scores. However, if the RFQ Selection Team determines it is necessary to have interviews in order to finalize a short-list, the members will develop the format of the interviews in the RFQ Selection Team Meeting

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by completing the *Consultant Selection - Interview Format Worksheet* found on the web site www.udot.utah.gov/go/csforms.

Selection Interviews:

The Streamlined RFQ is intended to reduce the level of effort required to compete for and administrate the selection process. Interviews are anticipated to take place rarely (i.e. in the event there are more than three firms with tied scores, or other extenuating circumstances).

If the RFQ Selection Team determines interviews are necessary, examples of project-specific topics may include such issues for discussion as:

- Understanding of the Work
- Approach to the Project
- Schedule Control
- Management of Project

“Selecting by Consent” Process:

The final selection process during interviews will be performed using the “Selecting by Consent” (SBC) process developed by the Consultant Selection Interview Process Quality Improvement Team officially implemented August 12, 2004.

The SBC process is a scoring process that aids the RFQ Selection Team in developing final ranking through a collaborative process. In this process each segment and question of the interview is weighted in advance during the RFQ Selection Team Meeting. After the interviews are conducted, the RFQ Selection Team scores each segment and question by “consent”. Consent is defined as the willingness of all RFQ Selection Team members to accept a decision reached by a collaborative process. The final ranking is based on the final scores developed by the RFQ Selection Team using the *Consultant Selection - Interview Scores Example* found on the UDOT web site www.udot.utah.gov/go/csforms. See the form for more information regarding this process.

Short-list and Final Selection:

UDOT’s goal is to short-list the three most highly qualified consultant teams. After the Department has determined a final short-list they will submit the list to the Surface Transportation Board (STB) who will review the teams and make the final selection. The STB may conduct interviews with the short-listed teams in order to make their final selection determination. It is anticipated that the STB will coordinate with UDOT to announce the final selection.

Consultant Debriefing:

UDOT has a consultant debriefing process. As part of the SOQ evaluation, RFQ Selection Teams may provide constructive criticism of the SOQs submitted for this project. Debriefing information will be distributed after the execution of the contract resulting from this selection.

Debriefing information consists of scores and strengths and weaknesses of the consultant’s own proposal/interview.

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Consultants are offered the opportunity to meet with the Contract Administrator for a formal debriefing after distribution of the above information.

Summary:

The SOQ should be clear, concise, and it should provide the RFQ Selection Team members with an understanding of the proposed Consultant Team's ability to undertake and complete the proposed project successfully in a thorough, efficient and timely manner.

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Appendix C

Project Goals

A highly qualified consultant, selected through this process, will provide quality and efficient support to the Office of Environmental Analysis (OEA) and will support the OEA in preparing the necessary environmental documentation to ensure the Surface Transportation Board's (STB) compliance with NEPA, Section 106 of the National Historic Preservation Act, and related environmental laws.

Scope of Work

The Utah Department of Transportation is assisting Uintah and Duchesne Counties in the development of a proposed freight railroad line that would connect the Uinta Basin to the national rail network. This proposal would require approval by the Surface Transportation Board (STB) (<http://www.stb.dot.gov/stb/index.html>). UDOT anticipates that the Counties will be the applicant for STB approval, with UDOT in a supporting role as a project sponsor.

As a federal agency, the STB is required to comply with the National Environmental Policy Act (NEPA) before approving a project. The Office of Environmental Analysis (OEA) is the division of the STB that is responsible for STB's compliance with NEPA. The OEA uses third-party contractors to aid in preparing and tracking environmental documentation necessary to comply with the requirements of NEPA and related environmental laws in STB proceedings.

UDOT intends to hire a consultant to serve as STB's third-party contractor in preparing the Environmental Impact Statement (EIS) for the Uinta Basin Rail proposal. Consistent with STB's environmental regulations, the third-party contractor will be retained by UDOT but will work under the direction of the OEA. The responsibilities of the third-party contractor will be determined in a work plan, which will be developed by the OEA together with UDOT and the Counties.

The selected consultant must be on the OEA's pre-approved list of third party contractors prior to August 6, 2014. (http://www.stb.dot.gov/SEA_ThirdPartyContracting.nsf/ByCompanyName?OpenPage).

The consultant will need to demonstrate having significant experience in completing complex NEPA compliance for the STB. Experience working in and around Utah is preferred.

As the project sponsor, UDOT has retained consultants to prepare engineering, environmental, and other analyses for the proposed project. UDOT will provide opportunities for the third-party contractor to provide input on the methodologies used by UDOT's consultants for environmental studies, including survey protocols. UDOT will submit environmental reports prepared by its consultants to the OEA for use in the NEPA process.

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Appendix D

Additional Information

QC/QA Plan Requirements:

- The Consultant will prepare, distribute, and implement the Quality Control/Quality Assurance Plan for the project. UDOT has adopted QC/QA standards and the Consultant must meet or exceed these requirements. The Standard for Design is available on the UDOT Web site www.udot.utah.gov/go/qcqa
- Document Control: All documents will be maintained in both an electronic and hard copy form. Each document will have a uniquely specific location in both electronic and hard copy formats.

UDOT Reference Items:

- UDOT CADD use and information is available on-line from the UDOT web site at www.udot.utah.gov/go/ETS.
- UDOT Construction Manual of Instruction is available online at the UDOT Web site www.udot.utah.gov/go/Manuals.
- UDOT Consultant Services Manual of Instruction is available on-line at the UDOT Web site www.udot.utah.gov/go/CSManuals.
- UDOT Drainage Manual of Instruction is available on-line from the UDOT web site at www.udot.utah.gov/go/Manuals.
- UDOT Environmental Process Manual of Instruction is available on-line from the UDOT web site at www.udot.utah.gov/go/Manuals.
- Other UDOT manuals are available on-line from the UDOT web site at www.udot.utah.gov/go/Manuals.
- UDOT Project Delivery Networks is available on-line from the UDOT web site at www.udot.utah.gov/go/ProjectManagement.
- UDOT ProjectWise use and information is available on-line from the UDOT web site at www.udot.utah.gov/go/ETS.
- UDOT Reference Material is available on-line from the UDOT Web site at www.udot.utah.gov/go/StandardsReferences.

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- UDOT Right of Way Design and Operations Manuals are available on-line from the UDOT Web site at www.udot.utah.gov/go/Manuals.
- UDOT Roadway Design Manual of Instruction is available on-line from the UDOT web site at www.udot.utah.gov/go/Manuals.
- UDOT Standards are available on-line from the UDOT Web site at www.udot.utah.gov/go/2012Standards.
- UDOT Traffic and Safety Highway Sign Policies and Manuals are available on-line from the UDOT web site at www.udot.utah.gov/go/HighwaySignPolicy.
- UDOT 2014 Strategic Direction & Performance Measures are available on-line from the UDOT web site at www.udot.utah.gov/go/StrategicDirection.
- State of Utah Web Standards and Guidelines are available on-line from the web site at <http://www.utahta.wikispaces.net/Application+Architecture>.

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The Brooks Act of 1972:
Federal Government Selection of Architects and Engineers

United States Code (U.S.C.) Title 40 - Public Buildings, Property and Works

Chapter 11, Section 1101 - 1104: Selection of Architects and Engineers

§ 1101. Policy (Formerly 40 U.S.C. § 541)

The policy [of the Federal Government] is to publicly announce all requirements for architectural and engineering services and to negotiate contracts for architectural and engineering services on the basis of demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices.

§ 1102. Definitions (Formerly 40 U.S.C. § 542)

In this chapter, the following definitions apply:

1. **Agency head.**- - The term "agency head" means the head of a department, agency, or bureau [of the Federal Government].
2. **Architectural and engineering services.**- - The term "architectural and engineering services" means- -
 - A. professional services of an architectural or engineering nature, as defined by state law, if applicable, that are required to be performed or approved by a person licensed, registered, or certified to provide the services described in this paragraph;
 - B. professional services of an architectural or engineering nature performed by contract that are associated with research, planning, development, design, construction, alteration, or repair of real property; and
 - C. other professional services of an architectural or engineering nature, or incidental services, which members of the architectural and engineering professions (and individuals in their employ) may logically or justifiably perform, including studies, investigations, surveying and mapping, tests, evaluations, consultations, comprehensive planning, program management, conceptual designs, plans and specifications, value engineering, construction phase services, soils engineering, drawing reviews, preparation of operating and maintenance manuals, and other related services.
3. **Firm.**- - The term "firm" means an individual, firm, partnership, corporation, association, or other legal entity permitted by law to practice the profession of architecture or engineering.

§ 1103. Selection procedure (Formerly 40 U.S.C. § 543)

- a. **In general.**- - These procedures apply to the procurement of architectural and engineering services by an agency head.
- b. **Annual statements.**- - The agency head shall encourage firms to submit annually a statement of qualifications and performance data.
- c. **Evaluation.**- - For each proposed project, the agency head shall evaluate current statements of qualifications and performance data on file with the agency, together with statements submitted by other firms regarding the proposed project. The agency head shall conduct discussions with at least 3 firms to consider anticipated concepts and compare alternative methods for furnishing services.
- d. **Selection.**- - From the firms with which discussions have been conducted, the agency head shall select, in order of preference, at least 3 firms that the agency head considers most highly qualified to provide the services required. Selection shall be based on criteria established and published by the agency head.

§ 1104. Negotiation of contract (Formerly 40 U.S.C. § 544)

- a. **In general.**- - The agency head shall negotiate a contract for architectural and engineering services at compensation which the agency head determines is fair and reasonable to the Federal Government. In determining fair and reasonable compensation, the agency head shall consider the scope, complexity, professional nature, and estimated value of the services to be rendered.
- b. **Order of negotiation.**- - The agency head shall attempt to negotiate a contract, as provided in subsection (a), with the most highly qualified firm selected under [section 1103](#) of this title. If the agency head is unable to negotiate a satisfactory contract with the firm, the agency head shall formally terminate negotiations and then undertake negotiations with the next most qualified of the selected firms, continuing the process until an agreement is reached. If the agency head is unable to negotiate a satisfactory contract with any of the selected firms, the agency head shall select additional firms in order of their competence and qualification and continue negotiations in accordance with this section until an agreement is reached.