INSTRUCTIONS TO PROPOSERS

Little Rapids Habitat Restoration
Roadway Reconstruction
Design-Build Project

1 ½ Mile Road
Chippewa County Road Commission

Original Issue
April 16, 2015
# Table of Contents

1 INTRODUCTION AND SUMMARY ............................................................................................... 1
  1.1 GENERAL INFORMATION ................................................................................................. 1
  1.2 PROJECT DESCRIPTION .................................................................................................... 1
  1.3 PROCUREMENT METHOD .................................................................................................. 1
  1.4 AWARD AND ISSUANCE OF NOTICE TO PROCEED (NTP) .................................................. 2
  1.5 MAXIMUM TIME ALLOWED .............................................................................................. 2
  1.6 DISADVANTAGED BUSINESS ENTERPRISE/EQUAL EMPLOYMENT OPPORTUNITY .............. 2
  1.7 FEDERAL LOBBYING RESTRICTIONS ............................................................................. 2
  1.8 NONCOLLUSION ............................................................................................................... 2
  1.9 GOVERNING LAWS ......................................................................................................... 2
  1.10 ENTIRE AGREEMENT .................................................................................................... 2

2 PROCUREMENT SCHEDULE .................................................................................................... 3

3 PROCUREMENT PROCESS ...................................................................................................... 4
  3.1 CONFIDENTIALITY DURING EVALUATION AND SELECTION PROCESS .................................... 4
  3.2 EXAMINATION OF RFP AND REQUESTS FOR CLARIFICATION .............................................. 4
  3.3 CCRC’S PROJECT MANAGER .......................................................................................... 4
  3.4 COMMUNICATIONS ......................................................................................................... 4
  3.5 ONE-ON-ONE MEETINGS .................................................................................................. 4
  3.6 SUBMISSION OF REQUESTS FOR CLARIFICATION ............................................................... 5
  3.7 RFP ADDENDA AND CLARIFICATION NOTICES ................................................................. 5
  3.8 ALTERNATIVE TECHNICAL CONCEPTS ........................................................................... 5
  3.8.1 Submittal of ATCs ......................................................................................................... 6
  3.8.2 Preproposal Review of ATCs .......................................................................................... 6
  3.9 WITHDRAWAL OF PROPOSAL .......................................................................................... 7
  3.10 CCRC’S RIGHTS ............................................................................................................ 7

4 TECHNICAL PROPOSAL DELIVERY, CONTENT AND FORMAT ............................................... 9
  4.1 TECHNICAL PROPOSAL SUBMITTAL REQUIREMENTS ......................................................... 9
  4.1.1 Due Date, Time, and Location ....................................................................................... 9
  4.1.2 Delivery Format ......................................................................................................... 9
  4.2 TECHNICAL PROPOSAL DISQUALIFICATION .................................................................. 9
  4.3 TECHNICAL PROPOSAL FORMAT AND CONTENT .............................................................. 9
  4.3.1 Service Prequalification Requirements ......................................................................... 10
  4.3.2 ATC Documentation .................................................................................................... 10
  4.3.3 Progress Schedule ...................................................................................................... 10
  4.3.4 Waterway Clear Opening ............................................................................................. 10

5 PROPOSAL EVALUATION PROCESS ....................................................................................... 13
  5.1 GENERAL ....................................................................................................................... 13
  5.2 RESPONSIVENESS REVIEW .............................................................................................. 13
  5.2.1 Evaluation Criteria ...................................................................................................... 13

6 ESCROWED PROPOSAL DOCUMENTS; CONTRACT AWARD AND APPROVAL ..................... 15
  6.1 ESCROWED PROPOSAL DOCUMENTS ............................................................................. 15
  6.2 CONTRACT AWARD AND EXECUTION ............................................................................. 15
  6.3 DEBRIEFING .................................................................................................................... 15
  6.4 (NOT USED) .................................................................................................................... 15
Proposal Forms

Form 1  Information about Major Participants and Identified Subcontractors for Prequalification Review
Form 2  Conflict of Interest Statement
1 INTRODUCTION AND SUMMARY

1.1 General Information

These Instructions to Proposers (ITP) are issued by the Chippewa County Road Commission (CCRC) to only those firms or teams of firms (“Proposers”) that were approved to submit a Proposal by being shortlisted in the Request for Qualification selection process. This Request for Proposals (RFP) for the Little Rapids Habitat Restoration Roadway Reconstruction Design Build Project (the “Project”) hereby invites such Proposers to submit competitive proposals (“Proposals”) for administration, design, and construction of the Project as more specifically described in the RFP.

The RFP consists of the following documents:

(a) Contract Documents

- Instructions to Proposers (ITP)
- DB Contract
- Technical Proposal including Approved Alternative Technical Concepts
- Book 1 (Contract Terms and Conditions)
- Book 2 (Project Requirements)
- Book 3 (Standards)

The Contract Documents and any Addendum to the Contract Documents will be provided on the Eastern Upper Peninsula Regional Planning & Development Commission (EUPRPD) website.

(b) Reference Information Documents (RID) (not part of the contract)

The RID contains electronic files that will be provided via the ProjectCenter Website to all Proposers. CCRC will provide Proposing teams with access to the ProjectCenter Website within 48-hours of the RFP posting. Refer to the RID table of contents for information and outline of all RID information provided.

Capitalized terms and acronyms not otherwise defined herein shall have the meaning set forth in Book 1, Exhibit 1-A.

1.2 Project Description

The Project is located in Sugar Island Township, Chippewa County, Michigan. It is located on 1 ½ Mile Road, which is a causeway across the St Mary’s River between Island No. 1 (where the ferry dock is located) and Sugar Island. See Book 2, Section 1 for additional description.

1.3 Procurement Method

CCRC is using a two-phase, best-value process to select a design-build contractor (“Design-Builder”) to deliver the Project. As part of the first step, CCRC determined the shortlist for the Project based on Statements of Qualifications (“SOQs”) it received in response to CCRC’s Request for Qualifications dated June 2, 2014. CCRC will award the Contract (if at all) to the responsive and responsible Proposer offering the best value as described within these Instructions to Proposers. CCRC reserves the right to reject any or all Proposals. Federal Funds will be used on the Project. The Proposers are expected to meet all relevant requirements associated with Federal Funds whether or not those requirements are expressly detailed in the Contract.
1.4 Award and Issuance of Notice to Proceed (NTP)

Proposals shall remain valid until 49 Days after the Bid Opening Date. CCRC has the right to defer issuance of award for up to 49 Days after the Bid Opening Date. Refer to Book 1, Section 11.1.3.

1.5 Maximum Time Allowed

See Section 2 for Procurement Schedule. See Book 1, Section 4.3 for Contract Completion Deadlines.

1.6 Disadvantaged Business Enterprise/Equal Employment Opportunity

By submitting this Proposal, the Proposer agrees to follow both State of Michigan and Federal Equal Employment Opportunity (EEO) policies.

1.7 Federal Lobbying Restrictions

Section 1352, Title 31, United States Code (U.S.C.), prohibits federal funds from being expended by the recipient or any lower tier sub recipient of a federal-aid contract to pay any person for influencing or attempting to influence a federal agency or Congress in connection with the awarding of any federal-aid contract, the making of any federal grant or loan, or the entering into of any cooperative agreement. Section 1352 also requires Proposers to disclose any funds expended for lobbying in connection with a federal-aid contract, as well as requiring disclosure by lower-tier contractors of funds expended for lobbying in connection with subcontracts exceeding $100,000.

1.8 Noncollusion

The Proposer agrees upon submitting this Proposal that its agents, officers or employees have not directly or indirectly entered into any agreements, participated in any collusion, or otherwise taken any actions in restraint of free competitive bidding in connection with this Proposal for the Project.

1.9 Governing Laws

The Contract Documents shall be governed by and construed in accordance with the law of the State, without regard to conflict of law principles.

1.10 Entire Agreement

The Contract Documents contain the entire understanding of the parties with respect to the subject matter hereof and supersede all prior agreements, understandings, statements, representations and negotiations between the parties with respect to its subject matter.
2 PROCUREMENT SCHEDULE

The deadlines and due dates shown in Table 2-1 apply to this ITP. CCRC may at its discretion amend this schedule by issuing an addendum to the RFP.

<table>
<thead>
<tr>
<th>Table 2-1</th>
<th>Procurement Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>SOQ Modification Request Deadline</td>
<td>May 14, 2015</td>
</tr>
<tr>
<td>One-on-One Meetings (See Section 3.5)</td>
<td>May 20, 2015</td>
</tr>
<tr>
<td>ATC Submittal Deadline (4:00 pm)</td>
<td>June 3, 2015</td>
</tr>
<tr>
<td>Inquiry / Clarification Submittal Deadline</td>
<td>June 9, 2015</td>
</tr>
<tr>
<td>Technical Proposal Due (4:00 pm)</td>
<td>June 17, 2015</td>
</tr>
<tr>
<td>*Anticipated Notification of Selected Responsive Proposer (1:00 pm)</td>
<td>July 8, 2015</td>
</tr>
<tr>
<td>Anticipated Award of Contract</td>
<td>August 5, 2015</td>
</tr>
</tbody>
</table>

* Notifications may not be released immediately if the review of the Technical Proposals is not complete.
3 PROCUREMENT PROCESS

3.1 Confidentiality During Evaluation and Selection Process

Subject to the Freedom of Information Act, CCRC has taken measures to protect the confidentiality of all submitted Proposals during the entire evaluation and selection process. However, under no circumstances will CCRC be responsible or liable to a Proposer or any other party as a result of disclosing any materials, whether the disclosure is deemed required by law, by an order of court, or occurs through inadvertence, mistake, or negligence on the part of CCRC or its respective officers, employees, contractors, or consultants.

3.2 Examination of RFP and Requests for Clarification

Proposer shall be solely responsible for (1) reviewing and examining, with appropriate care, all RFP documents, including any supplements, addenda, and clarification notices issued, (2) requesting clarification or interpretation of any material discrepancy, deficiency, ambiguity, error, or omission in the RFP documents, or of any provision Proposer fails to understand and (3) informing itself with respect to any and all conditions that may in any way affect the cost or nature of the Proposal or the performance of the Work after Contract award. Failure of Proposer to inform itself as described herein shall be at its sole risk, and no relief for error or omission will be provided by CCRC.

3.3 CCRC’s Project Manager

CCRC’s Project Manager for the Project is:

Project Manager: Robert Laitinen, P.S.
Delivery: Superintendent / Manager
Chippewa County Road Commission
3949 S. Mackinac Trail
Sault Ste. Marie, MI 49783
E-mail: surveyor@nodinwifi.com

3.4 Communications

CCRC’s Project Manager is the sole CCRC contact person and addressee for receiving clarification requests, Alternative Technical Concepts and all other communications about the Project, the RFP and Proposal submittal. Except for communications expressly permitted by this ITP or delegated by the Project Manager, Proposer shall not discuss the RFP with other CCRC staff members, or CCRC consultants involved with the Project before Contract award or cancellation of the RFP. Any Proposer engaging in such prohibited communications may be disqualified by CCRC.

3.5 One-on-One Meetings

During the Proposal preparation period CCRC will be available for one (1) one-on-one meeting with each Proposer to help expedite answers to clarifications and preliminary discussions of Proposer’s anticipated ATC’s (Section 3.8). Each one-on-one meeting is limited to one hour. The Proposer can come to meetings held at the CCRC office or other location agreed to by the CCRC Project Manager. To assure all appropriate CCRC staff is available, the following schedule has been developed for these meetings:

Wednesday, May 20, 2015 9:00 am, 10:30 am, 1:00 pm, 2:30 pm
Proposers will need to contact the CCRC Project Manager to schedule a time for these meetings. Time slots will be filled on a first come-first served basis. Alternate meeting dates and times may be arranged by contacting the CCRC Project Manager.

These one-on-one meetings will be confidential. However, clarifications to questions at these meetings that are considered general questions will be provided to all Proposers. CCRC will provide in writing the questions agreed to in the meeting as general clarifications questions to the Proposer, and then post or email the questions and answers to all Proposers. Any verbal discussion regarding Alternative Technical Concepts (ATCs) must be formally submitted and approved through the ATC process (Section 3.8).

### 3.6 Submission of Requests for Clarification

All inquiries and comments regarding the Project shall be made to the CCRC Project Manager by email by 1:00 p.m., Eastern Time, on the Clarification Submittal Deadline (identified in Section 2). No oral requests for clarification or interpretation, whether in person or by telephone, will be accepted. If Proposer has meetings or discussions with agencies or entities other than CCRC during the procurement phase, Proposer shall be responsible for verifying through email any Project-related information it receives.

### 3.7 RFP Addenda and Clarification Notices

If CCRC determines at its sole discretion that interpretation or clarification of the RFP or any other consideration requires a revision of the RFP, CCRC will prepare and issue a written addendum through the Eastern Upper Peninsula Regional Planning & Development Commission (EUPRPD) website.

CCRC may issue clarification notices listing questions received from Proposers and the responses given by CCRC through the Eastern Upper Peninsula Regional Planning & Development Commission (EUPRPD) website.

CCRC will not be bound by, and Proposers shall not rely on, any oral communication regarding the Project or RFP documents; and Proposer shall not rely on any CCRC or other communication except the RFP documents and addenda.

### 3.8 Alternative Technical Concepts

Alternative Technical Concepts that were Approved for the December 5, 2014 letting (previous letting) are NOT Approved for the June 17, 2015 letting (current letting). All ATC’s that were Approved for the previous letting may be resubmitted as a new ATC for reevaluation for the current letting. Previous letting Approval of an ATC does not guarantee current letting Approval of the same ATC. Previous letting Rejected ATC’s shall not be resubmitted during the current letting unless they are modified.

CCRC realizes that the RFP Scope of Work was developed based on preliminary engineering and that each Proposer may have different approaches for accomplishing the same goals. CCRC has chosen to use the Alternative Technical Concepts (ATC) process set forth in this Section 3.8 to allow innovation and flexibility, to allow the design and construction to be completed together, thereby minimizing conflicts and maximizing speed and efficiency, and ultimately to obtain the best value for the motoring public. Unless specifically stated elsewhere in the Contract that “an ATC will not be considered” for a specific Contract requirement, ATC’s may be proposed to change any Contract requirement believed to meet the goal of the ATC process.

Proposers may propose up to three (3) alternatives that are equal or better in quality or effect as determined by CCRC in its sole discretion and that have been used elsewhere under comparable circumstances. A concept is not an ATC if it merely results in reduced quantities, performance or reliability. Also, if it is determined by CCRC that the ATC is actually an error in the RFP, CCRC may issue an addenda to correct the error.
Each Proposer may request up to one (1) private meeting with CCRC to discuss proposed ATC’s. These can be concurrent with or in addition to the one-on-one meeting discussed in Section 3.5. The meetings will be held at a time agreed to by the Proposer and CCRC. The discussions of Proposer ATC’s will be confidential.

### 3.8.1 Submittal of ATCs

A Proposer may include an ATC in its Proposal only if it has been received by CCRC’s Project Manager as described in Section 3.3 on the ATC Submittal Due Date (identified in Section 2) and it has been Approved by CCRC (including conditionally Approved ATCs, if all conditions are met).

Each ATC shall be numbered sequentially, beginning with one (1). Each ATC submittal shall be e-mailed to CCRC’s Project Manager or five (5) copies delivered. Proposers must deliver the ATC’s at least three (3) Working Days in advance of the private meetings to allow for advanced review by CCRC, unless otherwise requested and Approved by CCRC. ATC submittals shall include the following:

(a) **Description.** A detailed description and schematic drawings of the configuration of the ATC or other appropriate descriptive information (including, if appropriate, product details [e.g., specifications, construction tolerances, special provisions], and a traffic operational analysis);

(b) **Usage.** Where and how the ATC would be used on the Project;

(c) **Deviations.** References to all requirements of the RFP documents that are inconsistent with the proposed ATC, an explanation of the nature of the deviations from said requirements, impacts to other design elements, and a request for Approval of such deviations;

(d) **Analysis.** An analysis justifying use of the ATC and why the deviations from the requirements of the RFP documents should be allowed;

(e) **Impacts.** Discussion of potential impacts on schedule duration, vehicular traffic, environmental impacts identified on appropriate environmental documents (i.e. wetland, floodplain, inland lakes and streams), community impact, safety and life-cycle Project, and infrastructure costs (including impacts on the cost of repair and maintenance);

(f) **History.** A detailed description of other projects where the ATC has been used, the success of such usage, and names and telephone numbers of project owners that can confirm such statements;

(g) **Risks.** A description of added risks to CCRC and other Persons associated with implementing the ATC (e.g., maintenance, impacts to other design elements, etc.);

(h) **Additional Testing and Inspection Requirements.**

If a Proposer wishes to make any announcement or disclosure to third parties concerning any ATC, it shall first notify CCRC’s Project Manager as described in Section 3.3, in writing of its intent to take such action, including details as to date and participants, and obtain CCRC’s prior Approval to do so.

### 3.8.2 Preproposal Review of ATCs

CCRC may request clarifications and additional information regarding a proposed ATC at any time. Due to the time constraints of this Project, CCRC will make every attempt to respond to the ATC within a timely manner. CCRC and the Proposer can discuss ATC’s at private meetings or via teleconferences. Subject to the Freedom of Information Act, CCRC will use its best efforts to keep all discussions with Proposers regarding ATCs confidential, provided that under no circumstances will CCRC be responsible or liable to a Proposer or any other party as a result of disclosing any materials, whether the disclosure is deemed required by law, by an order of court, or occurs through inadvertence, mistake or negligence on the part of CCRC or its respective officers, employees, contractors, or consultants.

CCRC will review each ATC and may respond to Proposer with one of the following determinations:

(a) The ATC is Approved.
(b) The ATC is Conditionally Approved.

(c) The ATC is not Approved.

(d) The ATC is not Approved in its present form, but may be Approved upon satisfaction, in CCRC’s sole judgment, of certain identified conditions that shall be met or certain clarifications or modifications that shall be made.

(e) The submittal does not qualify as an ATC but may be included in the Proposal without an ATC (i.e., the concept complies with the baseline RFP requirements).

(f) The submittal does not qualify as an ATC and may not be included in the Proposal.

(g) The submittal does not qualify as an ATC if the ATC identifies a RFP error. CCRC will issue addenda to address the error.

Proposer may incorporate up to two Approved ATCs as part of its Proposal (including conditionallyApproved ATCs, if all conditions are met). The Proposer must clearly state which ATC’s it is incorporating into its Proposal and that all conditions of the ATC will be met. If CCRC responded to an ATC by stating that it would be Approved if certain conditions were met, those conditions will become part of the Contract Documents. The ATC’s submitted with the Technical Proposal will be considered to be part of the Contract Documents including any associated CCRC conditions.

If a Proposer submits an ATC based on a proprietary product, the Proposer is solely responsible for meeting the requirements referenced in 23 CFR 635.411.

The Technical Proposal should reflect any incorporated ATCs. Except for incorporating Approved ATCs, the Proposal may not otherwise contain exceptions to or deviations from the requirements of the RFP.

3.9 Withdrawal of Proposal

Subject to Subsection 102.17 of the MDOT 2012 Standard Specifications for Construction, the Proposer agrees to pay CCRC the amount of the proposal guaranty sum of $50,000 if the Proposer fails to provide the required materials and/or execute the Contract in accordance with Section 6.2. CCRC may, upon the request by the Proposer based on valid considerations and made prior to expiration of the twenty-eight (28) Day period, extend said period of time as CCRC may deem appropriate. A written request for return, or cancellation, of the proposal guaranty under Subsection 102.17 of the 2012 Standard Specifications for Construction must be filed with CCRC within fifteen (15) Days after mailing by CCRC of notice that the proposal guaranty is being forfeited. Upon an adverse decision by the Committee or failure to file a timely request for return, or cancellation, of the proposal guaranty, payment shall be made within 20 Days after the mailing by CCRC of a Final Demand for Payment. If payment is not made within 20 Days, the Proposer hereby authorizes CCRC to withhold said sum from any money, which may now, or hereafter, become due and owing by CCRC to the Proposer.

3.10 CCRC’s Rights

Proposer is solely responsible for ensuring that its Proposal is clear, correct, and internally consistent. CCRC reserves the right, at its sole discretion (but is not obligated), to:

a) investigate the qualifications of any Proposer;

b) seek or obtain data from any source related to the Proposals;

c) require confirmation of information furnished by a Proposer;

d) require additional information from a Proposer concerning its Proposal;

e) seek and receive clarifications to a Proposal;

f) require additional evidence of qualifications to perform the Work;
g) modify the RFP process;
h) waive minor deficiencies and irregularities in a Proposal;
i) reject any or all of the Proposals;
j) cancel, modify, or withdraw the RFP; and/or
k) Issue a new Request for Proposals.

The RFP does not commit CCRC to enter into a Contract or proceed with the procurement described herein. No unsuccessful Proposer shall be entitled to reimbursement of its costs in connection with the RFP. All costs of preparing Proposals shall be borne solely by each Proposer and its team members.
4 TECHNICAL PROPOSAL DELIVERY, CONTENT AND FORMAT

4.1 Technical Proposal Submittal Requirements

4.1.1 Due Date, Time, and Location

A Technical Proposal is required to be delivered for review on the due date specified in Section 2. This contract will be processed on the date specified in Section 2. CCRC will review this Technical Proposal to verify that Proposer is eligible to be awarded the contract.

Technical Proposal Packages shall be delivered to CCRC as set forth below:

Robert Laitinen, P.S.
Superintendent / Manager
Chippewa County Road Commission
3949 S. Mackinac Trail
Sault Ste. Marie, MI 49783

Technical Proposals shall be received on the Technical Proposal Due Date identified in Section 2.

4.1.2 Delivery Format

The Technical Proposal shall consist of technical information in accordance with this Section 4. The Technical Proposal shall be separated in two package as detailed in Section 4.3. The Proposer shall seal each package in a separate envelope. Each envelope shall be clearly labeled with the Technical Proposal Package number. The printed version packages (8.5” x 11” or 11”x17” page sizes only) shall be delivered to CCRC as set forth in Section 4.1.1 The Proposer shall create a separate electronic version (*.pdf file format) of each Package.

The title of the *.pdf must be as follows:

“(name of Proposer), Technical Proposal Package #1 or Package #2 for CCRC DB Project”;

A memorandum shall also be included, which contains the following:

Proposer’s name, contact person, address, and other contact information (phone and e-mail address).

Electronic versions shall be delivered on a CD, DVD, or a USB Flash Drive. USB Flash Drives will not be returned to the Proposer.

4.2 Technical Proposal Disqualification

Any Technical Proposal that is not timely delivered will not be considered. Proposer will be entirely responsible for any consequences, including disqualification of the Technical Proposal that results from Proposer’s failure to follow the instructions in the ITP and RFP. A disqualified Technical Proposal will be considered non-responsive. It is Proposer’s sole responsibility to see that its Technical Proposal is received as required. Proposers shall provide responses to all information requested in the ITP. Failure to respond or to provide requested information may result in a determination by CCRC, in its sole discretion, that a Technical Proposal is non-responsive.

4.3 Technical Proposal Format and Content

The Technical Proposal shall be organized into two (2) separate “Proposal Packages” as outlined in this Section 4.3. These two (2) Proposal Packages combined will make up the Proposer’s Technical Proposal.
4.3.1 Technical Proposal Package #1

Technical Proposal Package #1 shall be organized to correspond to and address the content requirements and evaluation factors listed in this Section 4.3.1. Each required form/letter that is submitted shall be signed and dated by the Proposer.

4.3.1.1 Service Prequalification Requirements

A) Form 1 (or comparable) “Information about Major Participants and Identified Subcontractors” for Prequalification review; and

B) Form 2 “Conflict of Interest Disclosure”

Complete Form 1, or similar format designating which team members/Major Participants that are part of the Proposer organization meet the following MDOT service prequalification requirements:

**Design-Builder Prequalification Requirements** (1 of the following 2 options required)

1. MDOT pre-qualifications
   - Bridges and Special Structures (Fa)
   - Hot Mix Asphalt/Bituminous Paving (Cb)
   - Grading, Drainage Structures & Agg. Cons (Ea)

2. Marine Contracting Experience
   - A minimum of 15 years of experience in Marine Contracting including, but not limited to, construction of bulkheads, seawalls, piers, docks, marina basins, and dredging.
   - MDOT Hot Mix Asphalt/Bituminous Paving (Cb)

**General Design and Survey:**

- Roadway Rehabilitation and Rural Freeways
- Short and Medium Span Bridges
- Geotechnical Engineering Services
- Hydraulics
- Bridge Load Rating Analysis

4.3.1.2 ATC Documentation

Proposer shall provide a list of the Proposer’s incorporated ATCs and copies of CCRC’s ATC Approval letters.

4.3.1.3 Progress Schedule

Proposer shall provide a schedule that details their design and construction schedule. This schedule shall include milestone dates for starting design, submitting significant design submittals, starting construction, implementing traffic restrictions, removing traffic restrictions, Substantial Completion, and Final Acceptance.

4.3.1.4 Material Delivery Plan

The Proposer shall describe how they will transport large volume materials such as precast concrete box culverts, bridge beams, aggregate, HMA, etc. from the source e.g. precast fabrication plant, gravel pit, HMA plant, to the project site. The following, while not inclusive, are items the Proposer should consider addressing:
• What type of coordination and/or permits is necessary with state and local officials, including with the ferry system (EUPTA);
• Daytime, off-peak or nighttime delivery of materials;
• What materials will be stockpiled and what materials will be delivered and used immediately;
• Delivery of materials to the island via alternate shipping services instead of the existing ferry service; and
• Any other methods, ideas or practices the Proposer plans to enlist to minimize / avoid traffic disruptions on the island as well as on mainland streets.

4.3.1.5 Local Sourcing of Material and Labor
The Proposer shall discuss any local sources of materials and labor they plan to use for the Project. Local, for the purposes of this section of the RFP, is considered to mean Chippewa County. The following, while not inclusive, are items the Proposer should consider addressing:

• Local firms that are members of the Design-Build Team;
• Local material suppliers they intend to use;
• Local aggregate sources they intend to use;
• Sugar Island entities they intend to use;
• Any other methods, ideas or practices the Proposer plans to enlist to promote local economic impact; and
• Methods for promoting the use of local labor.

4.3.1.6 Construction Methodology
The Proposer shall discuss their construction methodology for the project. The following, while not inclusive, are items the Proposer should consider addressing:

• Causeway removal;
• Constructing the MOT and access roads;
• Managing water during removal and construction; and
• Structure construction sequence.

4.3.2 Technical Proposal Package #2
Technical Proposal Package #2 shall be organized to correspond to and address the content requirements and evaluation factors listed in this Section 4.3.2. Each required form/letter that is submitted shall be signed and dated by the Proposer.

4.3.2.1 Waterway Clear Opening
See Book 1, Exhibit 1-A for definition.

The Proposer shall provide a Waterway Clear Opening between 500 feet and 700 feet. CCRC will reject proposals that provide a Waterway Clear Opening that is less than 500 feet or greater than 700 feet. The desired Waterway Clear Opening is 600 feet.

a. The Proposer shall detail the Waterway Clear Opening in feet that they will provide at completion of the project.

b. The Proposer shall provide a graphic depicting the proposed structure layout and all waterway clear opening dimensions.
c. The Proposer shall provide a graphic that depicts the lineal feet along the road centerline from the westernmost outside face of the proposed structure to the easternmost outside face of the proposed structure.

4.3.2.2 Proposal Price

The Proposer shall provide a Proposal Price. The Proposal Price is the total price offered by the Proposer for its Proposal for all Work associated with the Project. The Proposal Price shall not exceed $7,800,000. CCRC will reject Proposals containing a Proposal Price that exceed $7,800,000.
5 PROPOSAL EVALUATION PROCESS

5.1 General

CCRC will award the Contract (if at all) to the responsive Proposer, as set forth in this Section 5, that has the best value as determined by information in the Technical Proposal. CCRC will notify the successful Proposer and the unsuccessful Proposers via email and the information will be posted on the Eastern Upper Peninsula Regional Planning & Development Commission (EUPRPD) website.

5.2 Responsiveness Review

5.2.1 Evaluation Criteria

Proposals will be evaluated based on the following criteria:

A) ATCs (if any) are properly incorporated.

B) Technical information as listed in Section 4.3 are included in the Technical Proposal and are complete, accurate, responsive and demonstrate adequate capabilities for the Project.

C) The Major Participants and Key Personnel listed in the Proposal shall not have changed since submission of its SOQ, or Proposer shall have previously advised CCRC of a change prior to the deadline listed in Table 2.1 and received the written approval from CCRC for the change. Provide names of any known Major Participant that may not have been included in the SOQ.

D) Proposer information, certifications, and documents do not identify any materially adverse changes from the information provided in the SOQ information, except as described in C) above.

The Technical Proposal should contain criteria as listed in Sections 4 and 5 of the ITP for the Proposal to be considered responsive. Failure to submit information in the manner, format, and detail specified may result in the Proposal receiving a “fail” rating and being declared non-responsive.

5.2.2 Scored Price-Based Criteria

The best-value evaluation factors in the procurement process are as follows:

5.2.2.1 Material Delivery Plan (5 Points Max.)

CCRC will evaluate the proposed Material Delivery Plan based upon quantitative and qualitative benefits including:

- Minimizing impact to peak demand travel on surrounding roads;
- Minimizing disruptions to the ferry service;
- Minimizing the number of heavy trucks traversing the city; and
- Maximizing alternative water delivery methods.

5.2.2.2 Local Sourcing of Material and Labor (5 Points Max.)

CCRC will evaluate the proposed Local Sourcing of Material and Labor based upon quantitative and qualitative benefits including:

- Maximizing local procurement of materials
- Maximizing use of local firms on the Design-Build Team
- Maximizing the use of local suppliers
- Maximizing local labor opportunities
5.2.2.3 Construction Methodology (5 Points Max.)

CCRC will evaluate the proposed Construction Methodology based upon quantitative and qualitative benefits including:

- Minimizing maintenance activities on the MOT road to limit impacts to traffic.
- Managing the control of turbidity and sediment transmissions
- Proposed methodology to remove the existing causeway, construct the MOT road and construct a new structure in an efficient manner.

5.2.2.4 Waterway Clear Opening Score (50 Points Max.)

Points for the Waterway Clear Opening Score will be calculated as follows: A Waterway Clear Opening (WCO) of 500’ will receive 5 Points, a WCO of 600’ will receive 40 Points, and a WCO of 700’ will receive 50 Points. Any proposed WCO’s between these exact values will be scored based on the linear equations below:

- For $WCO \geq 500’$ and $\leq 600’$:
  \[
  Waterway \ Clear \ Opening \ Score = \left((WCO - 500) \times 0.35\right) + 5
  \]

- For $WCO > 600’$ and $\leq 700’$:
  \[
  Waterway \ Clear \ Opening \ Score = \left((WCO - 600) \times 0.10\right) + 40
  \]

5.2.2.5 Proposal Price Score (35 Points Max.)

Points for the Proposal Price Score will be applied on a linear basis calculated as follows: The lowest bid (Low Bid) will receive 35 Points, and the highest bid (High Bid) will receive 5 Points. The remaining bids will be evaluated based on the linear equation below:

\[
Proposal \ Price \ Score = \left(\frac{30}{Low \ Bid - High \ Bid}\right) \times (Proposal \ Bid - Low \ Bid) + 35
\]

5.3 Best Value Determination

The following approach will be used in determining the best value proposal to CCRC:

1. The Proposal must be considered responsive.
2. Each scored element will be summed to form the Total Score.
   a. Total Score = (Awarded Points for Section 5.2.2.1) + (Awarded Points for Section 5.2.2.2) + (Awarded Points for Section 5.2.2.3) + (Awarded Points for Section 5.2.2.4) + (Awarded Points for Section 5.2.2.5)
   b. Maximum possible Total Score = 100 points
3. The Proposer with the highest Total Score will be determined as providing the best value to CCRC.
6 ESCROWED PROPOSAL DOCUMENTS; CONTRACT AWARD AND APPROVAL

6.1 Escrowed Proposal Documents

The selected Proposer shall submit Escrowed Proposal Documents (EPD) in accordance with Book 1, Section 22.1.

6.2 Contract Award and Execution

Following selection of a Proposer by CCRC and verification that Proposer has complied with the requirements of the RFP, CCRC will award and execute the contract using standard construction contracting procedures per CCRC and the MDOT 2012 Standard Specifications for Construction, Sections 102.15 and 102.16.

6.3 Debriefing

Within 60 Days after execution and delivery of the Contract, CCRC will be available for an oral debriefing session upon written request made to the CCRC Project Manager by an authorized representative of an unsuccessful Proposer.

The debriefing shall not include point-by-point comparisons of the debriefed Proposer’s Proposal with those of the other Proposers. Moreover, the debriefing shall not reveal any information exempt from release under the Freedom of Information Act.

6.4 (Not Used)
FORM 1
INFORMATION ABOUT MAJOR PARTICIPANTS
AND IDENTIFIED SUBCONTRACTORS
(The same information can be provided by letter)

Proposer Name: _______________________________________________________

<table>
<thead>
<tr>
<th>Major Participant Name / Contact</th>
<th>Address of Head Office</th>
<th>Description of Role/Prequalification</th>
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<tr>
<th>Identified Designer Name / Contact</th>
<th>Address of Head Office</th>
<th>Description of Role/Prequalification</th>
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Add additional sheet(s) as necessary.

Proposer Signature and Date: ____________________________________________
FORM 2

CONFLICT OF INTEREST DISCLOSURE
CONFLICT OF INTEREST DISCLOSURE

______________________ (Prime Contractor Name) certifies that it has read and understands the following:

The PRIME CONTRACTOR and its team members are aware of and understand the requirements of 23 CFR, Section 636.116. The PRIME CONTRACTOR, its team members, and its Affiliates agree not to have any public or private interest, and shall not acquire directly or indirectly any such interest in connection with the project, that would conflict or appear to conflict in any manner with the performance of the services under this Contract. "Affiliate" means a corporate entity connected to the PRIME CONTRACTOR through common ownership. “Team member” means any known entity the PRIME CONTRACTOR intends to be in a contractual relationship with to complete the work associated with the project. The PRIME CONTRACTOR, its team members, and its Affiliates agree not to provide any services to any entity that may have an adversarial interest in the project, for which it has provided services to the CCRC. The PRIME CONTRACTOR, its team members, and its Affiliates agree to disclose to the CCRC all other interests that the PRIME CONTRACTOR, its team members, or sub consultants have or contemplate having during each phase of the project. The phases of the project include, but are not limited to, planning, scoping, early preliminary engineering, design, and construction. In all situations, the CCRC will decide if a conflict of interest exists. If the PRIME CONTRACTOR, its team members, and its Affiliates choose to retain the interest constituting the conflict, the CCRC may terminate the Contract for cause in accordance with the provisions stated in the Contract.

☐ Certification for Subject Project: Based on the foregoing, the PRIME CONTRACTOR certifies that no conflict exists with the subject project for it, or any of its team members and/or Affiliates

☐ Disclose of Conflict with Subject Project: Based on the foregoing, the PRIME CONTRACTOR certifies that a potential conflict does or may exist with the subject project for it, and/or any of its team members and/or Affiliates. The attached sheets describe the potential conflict

This form, and any attachments, must be certified by a person from the PRIME CONTRACTOR who has contracting authority.

Certified by: ____________________________

Printed Name: ____________________________

Signature: ____________________________

Title: ____________________________

Company Name: ____________________________

Date: ____________________________