

DALLAS AREA RAPID TRANSIT AUTHORITY
REQUEST FOR QUALIFICATIONS
 (CM/GC SERVICES CONTRACT)

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1. Introduction

The Dallas Area Rapid Transit Authority (the "Authority" or "DART") is a public transportation agency providing multi-modal transportation services to 13 cities in the Dallas, Texas area. Services include bus, electric light-rail, commuter rail, high occupancy vehicle (HOV) lanes, ride-share programs, curbside services for the mobility impaired, and transit educational services.

The Authority is seeking qualified firms or teams interested in providing Construction Management and General Contractor (CM/GC) pre-construction services and construction for the South Oak Cliff - 3 Line Section (SOC-3) of its Blue Line Light Rail Transit expansion (the Project).

This Request for Qualification (RFQ) solicits information, in the form of a Statement of Qualifications (SOQ), which will be evaluated to determine the qualified Offerors with the capabilities to successfully deliver the Project. Offerors submitting qualifications for these services shall provide evidence of an organization that has all necessary capabilities including project management, and construction services.

After evaluation of the responses to the RFQ, the Authority will qualify Offerors to submit additional information through a Request for Proposal (RFP). The form of contract the Authority intends to utilize with the CM/GC delivery method shall be a fixed-price-incentive contract for an agreed upon Scope of Work.

The Authority encourages Offerors, as appropriate; to form duly constituted Joint Ventures in responses to this solicitation. However the formation of a Joint Venture is not required. The Authority intends to maximize opportunities for all vendors to participate as prime contractors and actively seeks to do business with these entities. Any Offeror that submits a response as a Joint Venture must identify itself as such an entity and provide a copy of the Joint Venture Agreement with its response.

2. Project Goal

DART's overlying goals for this project are as follows:

- a. Develop and deliver a high profile light rail project in a collaborative manner so as to achieve the same high standard of quality that is evident throughout the existing DART light rail system.
- b. Provide opportunities for businesses to grow their capacity.
- c. Provide revenue service prior to the end of 2016.

In support of these overlying goals, the following supporting goals have been developed for the collaborative work effort among the Authority, CM/GC Design Team, and CM/GC Construction Team:

- a. Complete the construction-related work effort for the Project in a collaborative manner through participation in an alliance and incentive program that addresses mutual success and accountability.
- b. Complete the construction-related work effort for the project in a collaborative manner within the budget indicated in Section 5, "Project Budget".
- c. Complete the construction-related work effort in a collaborative manner that places the safety of our workforce and the general public above all other aspects of the Project.

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3. Project Worksite

The SOC-3 expansion is approximately 2.63 miles of light rail guideway, extending from the Ledbetter Station in South Oak Cliff to the University of North Texas Dallas Campus property, located at the southeast corner of Camp Wisdom Road and University Hills Boulevard. (See *Project Work Site, Attachment A*)

4. Project Description and Scope

- a. **Project Delivery and Construction Methodology** – The Authority intends to employ a CM/GC project delivery methodology for the duration of the project. The Authority intends to engage the services of a qualified CM/GC contractor to provide preconstruction and construction services for this project. The Authority anticipates modifying the contract to establish a not-to-exceed (NTE) construction contract value near term of the 65% design.
- b. **Pre-Construction Services** - The preconstruction services will include, but not be limited to, construction implementation planning, scheduling, cost estimation, constructability reviews and consultation of possible early work construction documents. The Authority will engage a separate qualified design team and it will be expected that this CM/GC provide constructive and timely input to the design to meet the schedule and cost challenges of the project.
- c. **Construction Services** - Upon successful negotiation of a NTE price for the construction of the project. The CM/GC contractor will construct the project including, but not limited to, civil and structural components of the facility guideway, track, and systems including OCS, signalization, communication, and the construction of two new LRT stations and modification of a third existing LRT station.
- d. **Environmental Review**
 - i. The Authority has developed a Draft Local Environmental Assessment (EA) for the South Oak Cliff Line Section 3 (SOC-3) Blue Line Extension. Since the project is locally funded, the EA was developed in accordance with DART Board Policy IV.07, Environmental Impact Assessment and Mitigation Monitoring Policy for Transit Projects.
 - ii. The Draft Local EA is complete and will be made available for public and agency review during a 30-day public comment period from October 1, 2012 through October 31, 2012.
 - iii. The Authority anticipates a local determination of no significant impacts in early 2013, at which point a Final Local EA will be made available. The Final Local EA will include a Mitigation Monitoring Program to ensure that identified mitigation is implemented during design and construction.

5. Project Budget

- a. The target construction budget for this project is \$101 Million. The following assumptions are considered in the budget amount:
 - i. Track material is provided by CM/GC.
 - ii. Traction Power Substation (TPSS) is owner furnished material.
 - iii. Fare collection equipment (ticket vending machines to TVMs) is owner furnished material.
 - iv. Central communications control (including tie-in to the Authority's operations control center) is provided by CM/GC for a fully functioning system.

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6. Procurement Schedule

The procurement schedule for conducting the competition process, selection, and subsequent construction activities is shown below: The dates listed are subject to change at the Authority's discretion.

Issue Request for Qualifications	October 23, 2012
Pre-Submittal Briefing	November 12, 2012
RFQ Responses Due	November 28, 2012
Issue Request for Proposal	December 28, 2012
Pre-Proposal Conferences	January 14, 2013
Request for Proposal Responses Due	February 22, 2013
Anticipated Contract Award	April 2013

7. Pre-Submittal Briefing Location and Time

Place: DART Headquarters Building
 DART Board Room
 1401 Pacific Avenue,
 Dallas, TX 75202

Date: November 12, 2012

Time: 2:00p.m. Central Standard Time (CST)

8. Project Schedule

The project schedule will generally be divided into four phases of work:

Design/Pre-Construction
 Design/Construction
 Support of Integrated Testing
 Support of Pre-Revenue Operation

- a. During the Pre-Construction and Preliminary Design period, the Design Team and Construction Team will work together to advance the design to the 65% level, during which early actions such as utility relocation, long lead materials acquisitions, and property access action are intended to take place.
- b. During the Construction and Final Design period, the Design Team and Construction Team will work together to develop and advance the design in a manner that supports the construction sequencing for the project. The Design Team services will transition into Design Support during construction while the Construction Team builds the project.
- c. During the Support of Integrated Testing period, the Design Team and Construction Team will provide all necessary resources to support the Authority's integrated testing, to include the evaluation and resolution of identified issues.

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- d. During the Support of Pre-Revenue Operation period, the Design Team and Construction Team will provide all necessary resources to support the Authority's pre-revenue service effort, to include the evaluation and resolution of identified issues.
- e. Revenue Service will follow the end of the Pre-Revenue Operation period prior to end of 2016.

9. QA/QC and Safety Requirements

- a. Quality Assurance Program for Capital Improvement Program (As amended)
- b. Quality Control Standard Specification Supplement 01450
- c. Construction Safety and Security Program (As amended)

10. Disadvantage, Minority and Woman Owned Business Enterprise Program (D/M/WBE)

- a. As required by the Federal Transit Administration (FTA), DART has adopted a Disadvantaged Business Enterprise Program (DBE). DART establishes contract specific goals pursuant to its program. The Program also has a race neutral component wherein goals may be reached without the establishment of a contract specific goal. The DBE Program requirements can be found at 49 CFR, part 26.
- b. Pursuant to Chapter 452 of the Texas Transportation Code, DART has adopted a Minority and Woman Owned Business Enterprise Program (M/WBE). DART establishes contract specific goals under the program. The MWBE program also has provision for the meeting of goals through race neutral means.
- c. DWBE goals on past DART projects of a similar nature have ranged from 36 - 42 percent. Past participants on DART projects have exceeded the established goals. Some of our engineering contracts have participation in the 60% range and we have had attainment in the 50% range on a construction project.
- d. DART is encouraging all who respond to this RFQ to inform DART within your response what would be your level of MWBE participation, expressed as a percentage, on this project. Your response should also be specific in detailing how you would reach the level of MWBE participation you discuss in your response to DART's RFQ. DART is requesting your response in the absence of DART stating a goal at the RFQ stage of the process. This is referred to as race neutral participation.
- e. Should DART deem it necessary to release a specific goal number it will do so at the RFP phase of the project.

11. Procurement Selection Process

- a. The procurement will be conducted pursuant to DART Procurement Regulations and Practices, and all other applicable laws and regulations. Any award made will be based on the most advantageous to the Authority. Any contract resulting from this solicitation is contingent upon prior approval of the DART Board of Directors.
- b. This process, and the Project, may be revised at any time during the solicitation, selection, evaluation and negotiation phases up to Final Award. It is the Authority's intent to Award a contract for Pre-Construction and Construction Services to the responsible CM/GC firm that submits the proposal, in response to the RFP, and receives the highest ranked score. The end result of this effort will be a fixed-price-incentive contract which includes a not-to-exceed price for the scope identified in the contract documents (exclusive of differing site conditions and Owner requested changes).

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12. Evaluation of CM/GC Firms

- a. The Offeror shall submit to the Authority statements of qualifications and the Authority shall evaluate each Offeror's experience, technical competence, capability to perform, past performance of the Offeror's team and members of the team, and other appropriate factors submitted by the team or firm in response to this RFQ. Cost or price related factors will not be considered at this stage. Do not submit cost or price information with the RFQ.
- b. Based on the Authority's evaluation of responses to the RFQ, the Authority will qualify which Offeror to receive the RFP.

13. Procurement Process Phase 1 – Request for Qualifications (RFQ)

- a. Phase 1 is a Request for Qualifications (RFQ) from interested Offerors. Each response to the RFQ shall propose an integrated approach to achievement of Project goals through the use of qualified firms and individuals representing construction disciplines licensed or registered to provide these services in the State of Texas. Prior to establishing the list of qualified Offerors for participation in the RFP stage of procurement process, the Authority may seek clarification of information presented in an Offeror's Statement of Qualifications (SOQ), which is in response to the RFQ.
- b. The purpose of the RFQ is to qualify Offerors to receive the RFP in the second phase of this solicitation. The (SOQ) must contain sufficient, detailed information to enable adequate evaluation of the Offeror's overall qualifications to perform the construction services contract. The specific evaluation factors that the Authority will use are identified in Section 15, "Mandatory Documents for Inclusion in the Statement of Qualifications (SOQ)."

1. **Official Competition Address:** Dallas Area Rapid Transit
1401 Pacific Avenue Room 1522
Attention: Salima Moore, Sr. Contract Specialist
Telephone: 214-749-2911
Fax: 214-749-3664
E-mail:smoore2@dart.org
2. **Questions Regarding Request For Qualifications:** Offerors must submit any and all specific questions related to this RFQ on Form Q-1 Questions/Clarifications Submission Form, one question per form, via fax to the Contract Specialist. In order to receive a proper response, questions must be received by **November 16, 2012, close-of-business, 5:00 PM Central Standard Time (CST)**. All questions received via fax by this time and date will be responded to in writing, via an amendment to the RFQ, and will be posted at www.dart.org/procurement. Anonymity of the source of specific questions will be maintained in the written responses provided by the Authority.
3. **Request for Qualifications Submissions:** All responses to the RFQ must be received at the official competition address no later than **November 28, 2012, 2:00 PM CST**. Faxed and e-mailed submittals will not be accepted.
4. **Late Submissions:** The RFQ will be considered late if received at the official competition address any time after **November 28, 2012, 2:00 PM CST**. RFQs received after the specified time and date will be handled in accordance with DART Procurement Regulations (DPR) 3-203.10 "Late Proposals, Withdrawals and Modifications."

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5. **Number of Copies:** Ten (10) copies, one (1) original and one (1) CD of firm's qualifications shall be submitted in accordance with all requirements set forth in this document.
6. **Evaluation Statement Of Qualifications (SOQ):** The Authority will conduct an evaluation of the response to the RFQ to ensure compliance with all requirements. Any submittal that does not include the documents listed in this RFQ may be rejected by the Authority. If rejected, the Offeror will be disqualified from further consideration for participation in the process.
7. **Determine Procurement Phase 2 Competitors:** The Authority will determine which Offerors are qualified to participate in the Procurement Phase 2 RFP process. The Authority reserves the right to cancel the solicitation in the Authority's best interest, for reasons including but not limited to: (i) Authority determines that the quality of the responses from proposed Offerors is not sufficient to deliver a Project of acceptable design and functional quality, or (ii) a minimum number of qualified Offerors is not available to satisfy the intent of the competition or for any other reason(s), the Authority reserves the right to cancel the solicitation.

14. Procurement Process Phase 1 – RFQ Submittal Requirements

The Authority will select qualified Offers to participate in the Procurement Phase 2 competition for the Project. The Authority will select those Offerors best fulfilling all criteria and requirements of the RFQ. The Offerors are to be comprised of representatives from the separate, but complimentary, areas of construction.

- a. Identification of all subcontractor disciplines is not required during Procurement Phase 1. It is only necessary to identify the key personnel listed in Section 17 "Evaluation Criteria", Sub-section 3.4, Key Personnel.
- b. RFQ submittals which do not demonstrate compliance with the requirements of the following sections may be rejected by the Authority and Offeror(s) disqualified. Documents shall be presented in the order specified in Section 15, "Mandatory Documents for Inclusions in the Statement of Qualifications (SOQ)." All items requested in Section 15 are mandatory requirements.
- c. The Authority reserves the right to reject any or all submittals and to waive minor informalities.
- d. DART is subjected to the Texas Public Information Act and as such contractors may wish to seek advice of counsel for methods to protect proprietary information and information the contractor deems to be confidential and/or proprietary.

15. Mandatory Documents For Inclusions in the Statement of Qualifications (SOQ)

Part 1: DART Standard Forms and Certifications. The forms and certifications will not be counted within the page count.

- a. Prospective Contractor's Accounting System Survey Form (DART FORM Q-2).
- b. Form of business: corporation, partnership, joint venture, etc., including all signed team agreements or joint venture partnership agreements as applicable (DART FORM Q-4).
- c. **Reviewed**/Audited financial statements, with notes and disclosures, for the three (3) most recent fiscal years. Financial statements must be compliant with U.S. generally accepted accounting principles (U.S. GAAP). Financial statements dated more than twelve (12) months prior to the RFQ submittal date shall include an independent auditor's statement for each principal firm (DART FORM Q-5).

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- d. A letter or similar documentation from a federally approved bonding company listed on the approved Treasury list, attesting to the CM/GC's capacity to provide bonding for the anticipated construction value of the contract. (DART FORM Q-6).
- e. List of references for projects listed in Section 17, "Evaluation Criteria" Sub-section 3.3 Past Performance." RFQ List of References for Similar Projects (DART FORM Q-7).

Part 2: Response to Request for Qualifications (RFQ)

- a. Offerors shall submit one original, ten (10) copies and one (1) CD of the response document. The Offeror's response to the RFQ shall be submitted on the forms furnished, or copies thereof; shall be completed in ink or typewritten and shall be manually signed. If erasures or other changes appear on the forms, each erasure or changed shall be initialed and dated by the person signing the response. Scanned or faxed responses are not authorized.
- b. Unnecessarily elaborate responses and/or lengthy presentations are not desired or required by the Authority.
- c. Documents should be prepared in single-spaced type, 12 point font, on 8-1/2" x 11" sheets printed double-sided pages. Pages should be numbered at the bottom to show the page numbers and total number of pages in the response; e.g. Page 1 of 25, Page 2 of 25, etc.
- d. A response from an individual, sole proprietorship, or a proposed operation under a trade name, shall be signed by the business owner.
- e. A response by a partnership shall be executed in the partnership's name and signed by all partners; the official address of the partnership shall be shown below the signatures.
- f. A response by a corporation shall be executed in the corporate name by the President or Vice-President (or another corporate officer accompanied by the evidence of authority to sign) and the corporate seal shall be affixed and attested by the corporate secretary or assistant secretary. The signature and corporate seal should be placed on the Introduction Letter to the SOQ.
- g. A response submitted by a joint venture shall list the names of all joint venture members and each mailing address and shall be executed by all joint venture members in the same manner as if they were individually submitting responses. The signature portion of the response forms shall be altered as appropriate for execution by the joint venture.
- h. All names and applicable titles shall be typed or printed below the signatures.
- i. To be considered complete, the SOQ shall be organized according to the RFQ requirements. Submittals shall be soft cover, comb bound, GBC bound or similarly bound. The submittal shall be no more than 25 pages (exclusive of resumes and reference questionnaires). Brochures and miscellaneous materials not specifically requested will not be evaluated. The documents shall be sectionalized as described below. A blank page should precede each section with an index tab extending beyond the far right side of the page and the blank pages will not be counted within the page count. The index tab should have the appropriate section number typed thereon. At a minimum, the items described in each section below should be addressed.

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16. List of Submission Contents

	Maximum Points	Maximum Pages
Section 1.0 Introduction	N/A	2 <i>(Not Counted)</i>
Section 2.0: Executive Summary	N/A	4 <i>(Not Counted)</i>
Section 3.0: Evaluation Criteria		25
3.1 Capability to Perform	25	
3.2 Technical Competence	20	
3.3 Past Performance	20	
3.4 Key Personnel	20	
3.5 D/M/W Business Enterprise Program	<u>15</u>	
Section 4.0: References	N/A	N/A
TOTAL POINTS	100	TOTAL PAGES 25

17. Evaluation Criteria

The following are the criteria for the evaluation of Offerors responding to this RFQ and the weighting of the criteria, which will serve as the basis for qualifying Offerors to receive the RFP.

Section 3.1: Capability to Perform (25 points)

- 3.1.1 Provide information regarding the team's ability to provide or obtain equipment, materials and labor necessary to perform the contract work within the confines of the anticipated DART schedule and contract requirements.
- 3.1.2 Based upon Section 8, "Project Schedule" of this RFQ, describe the preliminary milestones associated with the scope of work that your team would anticipate including in your Baseline Schedule.
- At a minimum, address anticipated sequencing and durations of the construction activities. Describe your approach to preparing and utilizing a project schedule.
- 3.1.3 Past Performance (Schedule): Explain the schedule performance history of all joint venture companies and major subcontractors on similar and comparable projects over the past 6 years.
- 3.1.4 Provide a sample safety plan for this project, or an example of a safety plan that you used on a similar project along with relevant information regarding the experience modification rate. The sample safety plan will not be counted within the page count.
- 3.1.5 Past Performance (Safety): Explain the Construction Safety and Security performance of all joint venture companies and major subcontractors on similar and comparable projects over the past 6 years. Address concerns that were expressed by the owners, if the concerns were addressed, and how resolution was reached.

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- 3.1.6 Identify the location where the CM/GC firm proposes to be located and explain how coordination will take place within the CM/GC team. DART prefers to have the Design & CM/GC teams located primarily at the project office, with support located in the North Texas area.

Section 3.2: Technical Competence (20 points)

- 3.2.1 Explain your approach to working as a team. Provide a functional organizational chart and summary management plan for the project.
- 3.2.2 Past Performance (Project): Explain the project performance of all joint venture companies and major subcontractors on previous similar and comparable projects over the past 6 years. Address concerns that were expressed by the owners, if the concerns were address and how resolution was reached.
- 3.2.3 List the challenges you see in a CM/GC Firm's relationship between the CM/GC and the Designer and specifically how those challenges will be addressed.
- 3.2.4 Describe the team's approach to quality control and quality assurance throughout the life cycle of this project.
- 3.2.5 Past Performance (Quality): Explain the Quality Control / Quality Assurance performance of all joint venture companies and major subcontractors and on similar and comparable projects over the past 6 years. Address concerns that were expressed by the owners, if the concerns were address and how resolution was reached.
- 3.2.6 Provide a sample quality plan for this project or one used on a similar project. The sample plan will not be counted within the page count.
- 3.2.7 Provide a narrative describing how the team envisions structuring an alliance and incentive program into the Project. Any of these programs could have been used exclusively, or in conjunction with one another.

Section 3.3: Past Performance (20 points)

- 3.3.1 Provide information regarding project performance of all joint venture companies and major subcontractors on similar and comparable projects over the past 6 years. Address concerns that were expressed by the owners, if the concerns were addressed and how resolution was reached. Include a matrix which shows the following information:
- Project name and location
 - Construction value of the project
 - Owner of the project
 - Project Scope of Work
 - Owner's representative name, title, and telephone number or email address.

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- D/M/WBE goal and actual D/M/WBE participation achieved for each project
- Indicate delivery method (Design Build, CM/GC, Design - Bid - Build, CM At - Risk, Public Private Partnership, etc.)
- Describe overall project performance as it pertains to budget, schedules, changes, quality and safety.

Section 3.4: Key Personnel (20 points)

- 3.4.1 Provide resumes for the following positions and identify your titles for positions with these responsibilities for this project. DART will expect all of these key personnel positions to work full time at the project site location.
- a. Officer In Charge: Responsible for the overall performance of the job and liaison with the Owner.
 - b. Project Manager/Director: Responsible for all day-to-day activities of the CM/GC team, and liaison with the Owner's representative.
 - c. Contractors Quality Control Representative: Reporting to the Officer-in-Charge, responsible for ensuring compliance with the quality requirements of the contract and responsible for Quality Control Program.
 - d. Environmental Compliance Manager: Responsible for complying with all regulatory environmental requirements.
 - e. Safety Supervisor/ Manager: Reporting to the Officer In Charge, responsible for the overall Safety and Security Program for the Project.
 - f. D/M/WBE Coordinator or Compliance Officer: Reporting to the Officer-in-Charge, responsible for the overall implementation of the D/M/WBE Program and for ensuring goals are met.

- ***The Authority expects that Key Personnel identified will be available for work on the Project. Any substitution of key personnel requires specific written approval from the Authority. Should an Offeror substitute any key personnel during the RFQ evaluation process, it may be grounds for disqualification of the Offeror.***

Section 3.5: Disadvantaged, Minority, Women Business Enterprise Program (D/M/WBE) (15 points)

- 3.5.1 Describe your approach for having significant and meaningful D/M/WBE participation for this project, even in the absence of DART not stating a goal during the RFQ stage.
- 3.5.2 Provide specific information regarding your utilization of D/M/WBE firms on your four (4) most recently completed projects, including the following information:

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- Project Name
- Owner
- Owner's D/M/WBE Compliance Officer
- D/M/WBE Goals Established
- Actual D/M/WBE participation achieved
- Year work was completed
- Any D/M/WBE firms with whom you had formal partnering or mentoring relationships
- A description of any innovative measures undertaken to involve D/M/WBE firms
- Scope of work performed (construction and type of work)

3.5.3 Provide specific information regarding your voluntary utilization of D/M/WBE firms any of these projects within the past four (4) years where the Owner did not establish a D/M/WBE goal, or where you voluntarily exceeded the established goal. Include the following information:

- Project Name
- Owner
- Owner's D/M/WBE Compliance Officer
- Self Imposed D/M/WBE Goals/Utilization
- Actual D/M/WBE participation achieved
- Year work was completed
- Any D/M/WBE firms with whom you had formal partnering or mentoring relationships
- A description of why you voluntarily involved D/M/WBE's in the absence of a goal
- Scope of work performed (construction and type of work)

Section 4.0: References

Letters of Reference included by the Offeror in this section will not be counted against the page count.

The Authority reserves the right to request further information if necessary to properly evaluate the qualifications. The Authority may also consider the Offeror's performance on contracts not submitted by the Offeror that the Authority is aware of or becomes aware of as a result of reference questionnaires or other means.

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Offerors are cautioned that any falsification, misrepresentation or willful omission of facts shall be sufficient cause for disqualification.

18. Procurement Phase 2 – Request for Proposals (RFP)

- a. Procurement Phase 2 is a Request For Proposal (RFP) from the Offerors selected at the completion of Procurement Phase 1. The Authority anticipates issuance of the RFP on or about **December 28, 2012**. Each response to the RFP must propose a business offer that will result in the delivery of a Project of exceptional technical quality in accordance with the project requirements and performance criteria that will be issued as part of the RFP.
- b. The evaluation criteria identified in the RFP may incorporate consideration from proposals committing to a project schedule resulting in project completion prior to the date identified in Section 8, "Project Schedule" of this RFQ.

19. Basis for Award

- a. The contract will be awarded to the Offeror with the response to the RFP that receives the highest ranking based on the weighting specified in the RFP. Contract award is contingent upon the approval of the DART Board of Directors. The Authority anticipates awarding the contract in accordance with the Procurement Schedule included in this document. The Authority reserves the right to reject any or all submittals and to waive minor informalities in the proposals.

20. Organizational Conflict of Interest

- a. The Contracting Officer has determined that this procurement may give rise to a potential organizational conflict of interest as defined in 11-102 of Chapter 11 of the DART Procurement Regulations, which states:

"An 'organizational conflict of interest' exists when the nature of the work to be performed under a proposed Authority contract may, without some form of restriction on future activities, (a) result in an unfair competitive advantage to the contractor or (b) impair the contractor's objectivity in performing the contract work."

- b. The Offeror agrees to notify the Authority, in writing within five (5) working days after it becomes aware of any potential or actual organizational conflict of interest pursuant to Section 20 of this RFQ.

21. Confidential Authority Information

- a. The successful Offeror shall have access to confidential and/or sensitive DART information in the course of contract performance. Additionally, the successful Offeror may be provided access to proprietary information obtained from other contracted entities during contract performance.
- b. To the extent that the successful Offeror either (1) uses confidential and/or sensitive DART information, or proprietary information obtained from other DART contractors, to develop any form of document, report, or concept plan that is determined by the Contracting Officer to be the basis, in whole or in part, of any subsequent competitive solicitation issued by the Authority, the successful Offeror agrees that it shall not be eligible to compete for such subsequent competitive solicitation(s) as a prime contractor or first-tier subcontractor, or as part of any teaming arrangement, unless the Contracting Officer provides, in writing a specific waiver of this restriction. The duration of any restriction imposed under this subparagraph shall not exceed the length of the performance period of any subsequently awarded contract for which the successful Offeror was ineligible to compete.

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22. Federal Requirements

- a. Offerors are advised that the RFP will be based on the assumption that the Project and the plan of finance for the Project will remain eligible for federal funds.
- b. DART reserves the right to modify the procurement process described herein to address any concerns, conditions or requirements of federal agencies. Offerors shall be notified in writing via an addendum of any such modifications.

23. Improper Communication and Contacts

The following rules of contact shall apply during the procurement for the Project, which began upon the date of issuance of the RFQ. These rules are designed to promote a fair and unbiased procurement process.

Contact includes face-to-face, telephone, facsimile, electronic-mail (e-mail), or formal written communication.

The specific rules of contact are as follows:

- a. After submittal of the SOQ's, no Offeror or any of its team members may communicate with another Offeror or its team members with regard to the RFP or either team's SOQ and Proposal, except that team members that are shared between two or more Offeror Teams may communicate with their respective team members so long as those Offeror's establish a protocol to ensure that the subcontractor will not act as a conduit of information between the teams (contact among the Offeror organizations is allowed during DART sponsored informational meetings);
- b. The Offeror shall correspond with DART regarding the RFQ and RFP only through DART's assigned Contract Specialist and Offeror's designated representatives;
- c. Commencing with the issuance of this RFQ and continuing until the earliest of (i) award and execution of the contract, (ii) rejection of all Proposals by DART or (iii) cancellation of the procurement, no Offeror or representative thereof shall have any communications regarding the RFQ, RFP or the procurement described herein with any member of the DART Board of Directors or with any DART staff, advisors, contractors or consultants involved with the procurement or Project.

The foregoing restriction shall not, however, preclude or restrict communications with regard to matters unrelated to the RFQ, RFP or the procurement or from participating in public meetings of the Authority or any public or Offeror workshop related to this RFQ or the RFP.

Any Offeror engaging in such prohibited communications may be disqualified at the sole discretion of DART;

- d. The Offerors shall not contact stakeholders regarding the Project including employees, representatives and members of the DART Board of Directors.
- e. Until issuance of the RFP, Offeror shall not contact DART or any of its employees, representatives or members regarding the Project, with contact after issuance only to the extent authorized in the RFP and under the terms and conditions set forth therein;
- f. Any communications determined to be improper, at the sole discretion of DART, may result in disqualification;

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- g. Any official information regarding the Project will be disseminated from DART's Contracts Specialist issuance of an amendment. Any official correspondence will be in writing and signed by DART's Contracts Contracting Officer.
- h. DART will not be responsible for any oral exchange or any other information or exchange that occurs outside the official process specified herein.

24. Attachment Files

Attachment A *Project Worksite-Attached*

Attachment B *DART Required Forms (Q-1 through Q-7)-Attached*

Instructions: Please click on each file listed below to open from our website. These files must be read using Adobe Reader software.

Attachment C [Quality Assurance Program for Capital Improvement Program](#)

Attachment D [Quality Control Standard Specification Supplement 01450](#)

Attachment E [Construction Safety and Security Program](#)

DALLAS AREA RAPID TRANSIT AUTHORITY

DART FORM Q-2
REQUEST FOR QUALIFICATIONS
PROSPECTIVE CONTRACTOR ACCOUNTING SYSTEM SURVEY FORM
MUST SUBMIT WITH RFQ

All information must be current, traceable, and submitted by each member of the proposed team, to include Corporations, Partnerships, and Joint Venture Partners.

SECTION I – RECOMMENDATION

1. Is the Prospective Contractor’s Accounting System Acceptable for Award of Prospective Contract? (Please check one)

YES_____

Yes, with a recommendation that a follow on Accounting System review will be performed after contract award.

NO_____ (Please explain in Narrative, #2 below)

2. Narrative (Clarification of deficiencies, and other pertinent comments. If additional space is required, continue on plain sheets of paper.)

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**DART FORM Q-2
PROSPECTIVE CONTRACTOR ACCOUNTING SYSTEM SURVEY
SECTION II-ACCOUNTING SYSTEM EVALUATION CHECKLIST
MUST SUBMIT WITH RFQ**

All information must be current, traceable, and submitted by each member of the proposed team, to include Corporations, Partnerships, and Joint Venture Partners.

PLEASE MARK "X" IN THE APPROPRIATE COLUMN (Please attach a page to explain any deficiencies)	YES	NO	N/A
1. EXCEPT AS STATED IN SECTION I NARRATIVE, IS THE ACCOUNTING SYSTEM IN ACCORDANCE WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES APPLICABLE IN THE CIRCUMSTANCES?	_____	_____	_____
2. ACCOUNTING SYSTEM PROVIDES FOR:			
a. Proper segregation of direct costs from indirect costs.	_____	_____	_____
b. Identification and accumulation of direct costs by contract.	_____	_____	_____
c. A logical and consistent method for the allocation of indirect costs to intermediate and final cost objectives. (A contract is a final cost objective.)	_____	_____	_____
d. Accumulation of costs under general ledger control.	_____	_____	_____
e. A timekeeping system that identifies employees' labor by intermediate or final cost objectives.	_____	_____	_____
f. A labor distribution system that charges direct and indirect labor to the appropriate cost objectives.	_____	_____	_____
g. Interim (at least monthly) determination of costs charged to a contract through routine posting of books of account.	_____	_____	_____
h. Exclusion from costs charged to government contracts of amounts, which are not allowable in terms of DART Procurement Regulations and/or FAR31, Contract Cost Principles and Procedures, or other contract provisions.	_____	_____	_____
i. Identification of costs by contract line item and by units (as if each unit or line item were a separate contract) if required by the proposed contract.	_____	_____	_____
j. Segregation of preproduction costs from production costs.	_____	_____	_____
3. ACCOUNTING SYSTEM PROVIDES FINANCIAL INFORMATION:			
a. Required by contract clauses concerning limitation of cost and or limitation on payments.	_____	_____	_____
b. Required to support requests for progress payments.	_____	_____	_____
4. IS THE ACCOUNTING SYSTEM DESIGNED, AND ARE THE RECORDS MAINTAINED IN SUCH A MANNER THAT ADEQUATE, RELIABLE DATA ARE DEVELOPED FOR USE IN PRICING FOLLOW-ON ACQUISITIONS?	_____	_____	_____
5. IS THE ACCOUNTING SYSTEM CURRENTLY IN FULL OPERATION? If not, describe in Section I Narrative which portions are (1) in operation, (2) set up, but not yet in operation, (3) anticipated, or (4) nonexistent.	_____	_____	_____

Company Name	Represented By
_____	Name: _____ Title: _____
Signature: _____	Date: _____

DALLAS AREA RAPID TRANSIT AUTHORITY
DART FORM Q-4
REQUEST FOR QUALIFICATIONS
BUSINESS QUESTIONNAIRE
MUST SUBMIT WITH RFQ

All information must be current, traceable, and submitted by each member of the proposed team, to include corporations, Partnerships, and Joint Venture Partners. DART reserves the right to make additional inquiries based on information submitted, or the lack thereof.

1. Name of Offeror ("Business"): _____
2. List name(s) and business address of officers and directors for corporations, partners for partnerships, and venturers for joint ventures (attach additional pages as necessary).

3. Number of years in business under present business name: _____
4. If applicable, list all other names under which the Business identified above operated in the last 5 years.

5. Annual Gross Revenue (Past year): (M represents millions, K represents thousands)
 \$100K or less _____ \$100K-\$500K _____ \$500K-\$1M _____ \$1M-\$5M _____
 \$5M-\$10M _____ \$10M-\$16M _____ \$16M or Over _____
6. Number of current employees: _____
7. Has the Business, or any officer or partner thereof, failed to complete a contract? Yes _____ No _____
8. Is any litigation pending against the Business? Yes _____ No _____
9. Has the Business ever been declared "not responsible" for the purpose of any governmental agency contract award? Yes _____ No _____
10. Has the Business been debarred, suspended, proposed for debarment, declared ineligible, voluntarily excluded or otherwise disqualified from bidding, proposing, or contracting?
 Yes _____ No _____
11. Are there any proceedings pending relating to the Business' responsibility, debarment, suspension, voluntary exclusion, or qualification to receive a public contract?
 Yes _____ No _____
12. Has the government or other public entity requested or required enforcement of any of its rights under a surety agreement on the basis of a default or in lieu of declaring the Business in default? Yes _____ No _____
13. Is the Business in arrears on any contract or debt? Yes _____ No _____
14. Has the Business been a defaulter, as a principal, surety, or otherwise? Yes _____ No _____
15. Have liquidated damages or penalty provisions been assessed against the Business for failure to complete work on time or for any other reason? Yes _____ No _____
16. If a "yes" response is given under questions 7 through 17, please provide a detailed explanation including dates, reference to contract information, contacts, etc. (attach additional pages as necessary).

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17. Name and address of Surety Company to be used by the Business to provide applicable performance and payment bonds.

18. Does the Business maintain a drug-free workplace? Yes____ No____

19. Does the Business have a safety program? Yes____ No____

20. Does the Business have a quality control program? Yes____ No____

SAFETY INFORMATION (Use additional pages as necessary).

1. Provide the Business's interstate Worker's Compensation Experience Modification Rate (EMR) for the last three (3) rating periods. This information is obtainable from the Business's insurance company(s). If the interstate rating is unknown, obtain the intrastate EMR for the same periods.

Current policy year: _____ 1 Year previously: _____ 2 Years previously: _____

2. To verify the above, provide one of the following forms of documentation and submit it with this questionnaire. Check which form of documentation the Business is submitting.

- Certified letter from the Business's insurance company(s) verifying the EMR _____
- Photocopy of the Business's EMR calculation sheets for the last three (3) rating years _____
- Photocopy of the Business's insurance policy identifying the modification rate and coverage period for the last three (3) years _____

3. Is the Business self-insured for Worker's Compensation? Yes____ No____

4. Provide the following information about the Business's OSHA recordable, reportable, and non-reportable incidents and inspection reports for the last three (3) years, and submit it with this questionnaire:

a. Copies of the Business's OSHA Form 200/300 or state equivalent reporting form.

b. Number of violations issued by the Department of Labor (OSHA), an explanation of violation type (e.g., willful, serious, de minimis, repeat, etc.), penalty assessed, status, and measures taken to prevent incident(s) from recurring. _____

c. Approximate number of "non-reportable" first aid/one time treatment injuries or incidents. _____

5. For the last three (3) years, provide the approximate number of incidents, e.g., injuries, fatalities, and vehicle accidents involving subcontractor employees while operating on projects the Business managed. _____

6. For the last three (3) years, provide the total number of citations/violations issued by any other federal, state and/or municipal authority including, but not limited to, the Texas Commission on Environmental Quality (TCEQ), Texas Worker's Compensation Commission (TWCC), City of Dallas, etc. Provide violation date(s), a brief explanation and current status of each violation (attach additional pages as necessary).

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7. Provide a brief synopsis of the Business' safety education and training programs, safety incentive programs, modified duties and return to work programs, corporate safety team compositions and hierarchy (use additional pages as necessary).

8. If the Business has performed work involved with or immediately adjacent to active railroad systems within the last three (3) years, provide (or submit, as applicable) the following information, if not otherwise requested elsewhere in this questionnaire.

a. Name of governing railroad, location, and type of work performed. _____

b. Detailed explanation of any accidents/incidents that affected rail movement/operations, involved injuries to railroad employees, or damage to facilities and/or equipment.

c. Current copy of the Business's safety programs/plans directly related to work on or around railroads, e.g., "On-Track" safety programs/plans, Roadway Worker Protection (RWP) program, etc.

d. Total number of Federal Railroad Administration (FRA) citations issued. Provide violation date(s), a brief explanation, current status of each violation, and measures taken to prevent incident(s) from recurring. _____

I, individually and on behalf of the business named in this Business Questionnaire, do by my signature below; certify that the information provided in this questionnaire is true and correct. I understand that any false statements or misrepresentations regarding the Business named above may result in: 1) termination of any or all contracts which DART has or may have with the Business; 2) disqualification of the Business from consideration for contracts; 3) removal of the Business from DART's bidders' list; or/and 4) legal action(s) applicable under federal, state or local law.

Printed Name: _____ Title: _____

Signature: _____ Date: _____
(Owner, CEO, President, Majority Stockholder, or Designated Representative)

DALLAS AREA RAPID TRANSIT AUTHORITY

DART FORM Q-5
REQUEST FOR QUALIFICATIONS
SUBMITTAL OF REVIEWED/AUDITED FINANCIAL STATEMENTS
MUST SUBMIT WITH RFQ

This authorization will be used to obtain information to assist DART in determining a potential contractor's financial responsibility. **All information must be current, traceable, and submitted by each member of the proposed team, to include Corporations, Partnerships, and Joint Venture Partners.** DART reserves the right to make additional inquiries based on information submitted, or the lack thereof.

Name of Business

Address

City

State

Zip Code

I, individually and on behalf of the business named above, do by my signature below, certify that the information provided is true and correct, and authorize the release of financial information for verification of financial responsibility. I understand that any false statements or misrepresentations regarding the Business named above may result in: 1) termination of any or all contracts which DART has or may have with the Business; 2) disqualification of the Business from consideration for contracts; 3) removal of the Business from DART's bidders list; or/and 4) legal action(s) applicable under federal, state, or local law.

Name: _____ Title: _____

Signature: _____ Date: _____

(Owner, CEO, President, Majority Stockholder, or Designated Representative)

DALLAS AREA RAPID TRANIST AUTHORITY

**DART FORM Q-7
REQUEST FOR QUALIFICATIONS
LIST OF REFERENCES FOR SIMILAR PROJECTS
MUST SUBMIT WITH RFQ**

All information must be current, traceable, and submitted by each member of the proposed team, to include Corporations, Partnerships, and Joint Venture Partners.

Use additional pages as necessary

- 1. Project: _____
Date of Completion (if applicable): _____
Contact Person: _____
Company Name: _____
Address: _____
Telephone Number: _____
Fax Number: _____
E-mail Address: _____
- 2. Project: _____
Date of Completion (if applicable): _____
Contact Person: _____
Company Name: _____
Address: _____
Telephone Number: _____
Fax Number: _____
E-mail Address: _____
- 3. Project: _____
Date of Completion (if applicable): _____
Contact Person: _____
Company Name: _____
Address: _____
Telephone Number: _____
Fax Number: _____
E-mail Address: _____
- 4. Project: _____
Date of Completion (if applicable): _____
Contact Person: _____
Company Name: _____
Address: _____
Telephone Number: _____
Fax Number: _____
E-mail Address: _____

Company Name	Represented By	
_____	Name: _____	Title: _____
Signature: _____		Date: _____