

Georgia Department of Transportation  
Office of Innovative Delivery

# DESIGN-BUILD MANUAL

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## REVISION HISTORY

Date	Description of Revision
<b>9/1/2010</b>	Original release date
<b>1/31/2014</b>	Posted DRAFT version of the Revised the Manual based on Section 32-2-81, O.C.G.A. (2013), and the subsequent State Transportation Board Rules Chapter 672-18. This version is currently being QC'd and final edits are being considered. GDOT anticipates posting a final version in February 2014.

**TABLE OF CONTENTS**

**Chapter 1 - INTRODUCTION..... 1**

**1.1 Purpose ..... 1**

**1.2 Authority ..... 1**

        1.2.1 Official Code of Georgia Annotated Section 32-2-81 ..... 1

        1.2.2 State Transportation Board Rules Chapter 678-18 ..... 2

        1.2.3 Code of Federal Regulations (CFR) ..... 2

**1.3 Design-Build versus Design-Bid-Build..... 2**

**1.4 Design-Build Project Selection..... 3**

**1.5 Selection Method and Basis of Award Overview ..... 6**

        1.5.1 Best Value Selection Method Overview..... 8

        1.5.2 Low Bid Selection Method Overview..... 8

**1.6 Stipulated Fee ..... 12**

**1.7 Roles and Responsibilities ..... 13**

**1.8 FHWA Involvement..... 15**

        1.8.1 Reporting..... 15

**1.9 Conflict of Interest ..... 15**

**1.10 Yearly Reporting Requirements..... 19**

**Chapter 2 - PRE-ADVERTISEMENT ACTIVITIES ..... 20**

**2.1 Project Development..... 20**

**2.2 Design-Build RFP Review..... 30**

**2.3 Design-Build Cost Estimate..... 31**

**2.4 Design-Build Schedule..... 31**

**2.5 Industry Forums and Design-Build Workshops ..... 32**

**Chapter 3 - ADVERTISEMENT ACTIVITIES ..... 33**

**3.1 Websites and SharePoint Sites ..... 33**

        3.1.1 GDOT’s Design-Build Webpage ..... 33

        3.1.2 Georgia Procurement Registry (GPR) ..... 33

        3.1.3 SharePoint Site..... 33

        3.1.4 Bid Express™ ..... 34

**3.2 Public Notice Advertisement (PNA) ..... 35**

        3.2.1 Consultant and Contractor GDOT Prequalification ..... 36

**3.3 Technical Review Committee (TRC)..... 37**

**3.4 Request for Qualifications (RFQ) ..... 38**

        3.4.1 RFQ Development and Advertisement ..... 38

        3.4.2 RFQ Clarifications..... 39

3.4.3	RFQ Addendums.....	39
<b>3.5</b>	<b>Statement of Qualifications (SOQ) .....</b>	<b>39</b>
3.5.1	Selection of Finalists or Shortlist Notifications .....	40
<b>3.6</b>	<b>Request for Proposals (RFP).....</b>	<b>40</b>
3.6.1	RFP Development.....	41
<b>3.7</b>	<b>RFP Advertisement (One Phase Low Bid and Two Phase Low Bid).....</b>	<b>42</b>
3.7.1	Qualifications Package Requirements for One Phase Low Bid .....	43
3.7.2	Technical Proposal Requirements for Two Phase Low Bid.....	43
<b>3.8</b>	<b>RFP Advertisement (Best Value).....</b>	<b>44</b>
3.8.1	Best Value Technical Proposal Evaluation Criteria and Weighting.....	45
3.8.2	One-on-One Meetings (Best Value) .....	46
3.8.3	Alternative Technical Concepts (ATC).....	47
3.8.3.1	ATC Limitations .....	48
3.8.3.2	ATC Submittals/Document Control.....	48
3.8.3.3	ATC Reviews.....	49
<b>Chapter 4 - EVALUATION, LETTING AND AWARD ACTIVITIES.....</b>		<b>50</b>
<b>4.1</b>	<b>One Phase and Two Phase Low Bid.....</b>	<b>50</b>
4.1.1	Receiving and Evaluating Qualification Packages for One Phase Low Bid .....	50
4.1.2	Receiving and Evaluating Technical Proposals for Two Phase Low Bid.....	51
4.1.3	Request for Clarification.....	52
4.1.4	Receiving Price Proposals (Letting) .....	52
4.1.5	Award (Low Bid) .....	52
<b>4.2</b>	<b>Best Value .....</b>	<b>53</b>
4.2.1	Receiving Best Value Technical Proposals .....	53
4.2.2	Evaluating Best Value Technical Proposals .....	54
4.2.3	Receipt of Best Value Price Proposals.....	54
4.2.4	Public Opening of Price Proposals and Revealing the Best Value Score .....	54
4.2.5	Apparent Best Value Proposer.....	55
4.2.6	Award (Best Value) .....	56
<b>4.3</b>	<b>Debriefing Process .....</b>	<b>56</b>
4.3.1	Debriefing Information .....	56
4.3.2	Debriefing Meeting .....	57
<b>4.4</b>	<b>Non-responsive Request for Determination.....</b>	<b>58</b>
<b>Chapter 5 - POST-LET ACTIVITIES.....</b>		<b>59</b>
<b>5.1</b>	<b>Roles and Responsibilities .....</b>	<b>59</b>
5.1.1	GDOT.....	59
5.1.2	GDOT ID-PM.....	59
5.1.3	GDOT Office of Construction.....	60

5.1.4	GDOT Subject Matter Expert (SME) Offices .....	60
<b>5.2</b>	<b>Design-Build Team .....</b>	<b>62</b>
<b>5.3</b>	<b>Notice to Proceed (NTP).....</b>	<b>62</b>
5.3.1	Notice to Proceed 1 (NTP 1).....	62
5.3.2	Notice to Proceed 2 (NTP 2).....	62
5.3.3	Notice to Proceed 3 (NTP 3).....	63
<b>5.4</b>	<b>Post Award Kickoff Meeting.....</b>	<b>63</b>
5.4.1	Meetings.....	64
<b>5.5</b>	<b>Schedule Development and Management.....</b>	<b>64</b>
<b>5.6</b>	<b>Schedule of Values (SOV) .....</b>	<b>64</b>
5.6.1	Monthly Materials Clearance.....	64
<b>5.7</b>	<b>Design Reviews.....</b>	<b>64</b>
<b>5.8</b>	<b>Quality Assurance .....</b>	<b>65</b>
<b>5.9</b>	<b>Document Control .....</b>	<b>66</b>
<b>5.10</b>	<b>Erosion Control.....</b>	<b>66</b>
<b>5.11</b>	<b>Environmental Compliance and Permitting .....</b>	<b>67</b>
<b>5.12</b>	<b>Released for Construction .....</b>	<b>67</b>
<b>5.13</b>	<b>Utility Design and Relocations.....</b>	<b>68</b>
<b>5.14</b>	<b>Construction Phase .....</b>	<b>68</b>
<b>5.15</b>	<b>Design Changes .....</b>	<b>68</b>
<b>5.16</b>	<b>As-Built Plans.....</b>	<b>69</b>
<b>5.17</b>	<b>Post Design-Build Review.....</b>	<b>69</b>
<b>5.18</b>	<b>Materials Certification.....</b>	<b>70</b>
<b>5.19</b>	<b>Final Acceptance and Closeout.....</b>	<b>70</b>
<b>APPENDICES .....</b>		<b>a</b>
<b>i.</b>	<b>ACRONYMS .....</b>	<b>b</b>
<b>ii.</b>	<b>DEFINITIONS .....</b>	<b>c</b>
<b>iii.</b>	<b>RESOURCES .....</b>	<b>h</b>
<b>iv.</b>	<b>ATTACHMENTS .....</b>	<b>j</b>

**TABLES**

Table 1.1: Design-Build Selection Method Matrix .....7  
Table 1.2: Stipulated Fee Amount..... 12  
Table 1.3: Roles and Responsibilities..... 14  
Table 1.4: Design-Build Procurement Summary Letter..... 15  
Table 2.1: Planning Activities ..... 20  
Table 2.2: Project Management..... 27  
Table 2.3: Third Party Agreements..... 29  
Table 3.1: Design-Build Procurement Website Summary..... 35  
Table 3.2: Typical Design-Build RFP Structure ..... 41

**FIGURES**

Figure 1.1: Design-Build Schematic.....3  
Figure 1.2: Typical *Best Value* Selection Method Procurement Process .....9  
Figure 1.3: Typical *Two Phase Low Bid (All Qualified or Shortlist)* Selection Method  
Procurement Process..... 10  
Figure 1.4: Typical *One Phase Low Bid* Selection Method Procurement Process ..... 11

## CHAPTER 1 - INTRODUCTION

### 1.1 Purpose

The Design-Build Manual (Manual), developed in collaboration with Georgia Department of Transportation (GDOT) staff and industry partners, provides guidelines for identifying, selecting, procuring and administering Design-Build projects. The Manual will outline processes for key elements of the Design-Build procurement and delivery process. It is intended for GDOT staff, as well as the consultant and contracting industry.

The guidelines in this Manual shall be used in conjunction with other GDOT Manuals including, but not limited to, GDOT's [Plan Development Process \(PDP\)](#), [Design-Policy Manual](#), [Utility Accommodation Policy and Standards Manual](#), [Bridge and Structural Design Manual](#), [Environmental Procedures Manual](#), Right-of-Way Manual, Construction Manual, and related [Policy Documents](#) or Directives.

The purpose of this Manual is to:

- Describe pre-advertisement activities such as project selection; concept development; environmental planning; costing plans development; and risk assessment and allocation
- Outline Design-Build procurement methods, advertisement process, evaluation, selection and award
- Define roles and responsibilities
- Guide GDOT's project management and construction management staff in carrying out their respective duties on Design-Build projects

The Office of Innovative Delivery (ID) is responsible for updating the Manual. Updates to the Manual will occur, as needed, to capture any modifications or enhancements to processes resulting from lessons learned; evolving approaches; and/or updates to federal, state, local laws, regulations and policies.

### 1.2 Authority

Design-Build at GDOT is regulated by the [Official Code of Georgia Annotated Section 32-2-81](#) (referred to herein as Section 32-2-81, O.C.G.A.), the [State Transportation Board Rules Chapter 672-18](#) (referred to herein as Board Rules, Chapter 672-18), and the Federal Highway Administration (FHWA) Code of Federal Regulations (CFR).

#### 1.2.1 Official Code of Georgia Annotated Section 32-2-81

In the 2004 Legislative Session, the Georgia General Assembly enacted legislation which allowed GDOT to procure Design-Build projects using a Two Phase Low Bid selection method whereby GDOT would select the "lowest qualified bidder." This legislation allowed GDOT to contract for Design-Build projects for no more than 15 percent of the total amount of construction projects awarded in the previous fiscal year.

In the 2010 Legislative Session, the Georgia General Assembly amended the law to allow GDOT to contract for Design-Build projects for no more than 30 percent of the total amount of construction projects awarded in the previous fiscal year which would revert back to 15 percent after July 1, 2014.

In the 2012 Legislative Session, the Georgia General Assembly amended the law to allow GDOT to contract for Design-Build projects for no more than 50 percent of the total amount of construction projects awarded in the previous fiscal year.

In the 2013 Legislative Session, the Georgia General Assembly amended the law to allow GDOT to procure Design-Build projects using a One Phase Low Bid or Best Value selection method; in addition to the Two Phase Low Bid selection. It also removed the requirement that GDOT must receive at least three (3) Letters of Interest (LOI) in order to proceed with issuing the RFP, and to remove the requirement that GDOT must receive at least two (2) proposals in response to the RFP.

### 1.2.2 State Transportation Board Rules Chapter 678-18

In 2006, the State Transportation Board adopted Board Rules, Chapter 678-18, which outlined procedures for administering Design-Build contracts. In 2013, as a result of the 2013 Legislative changes, the State Transportation Board amended the Board Rules, Chapter 678-18, which modified the procedures for administering Design-Build contracts.

### 1.2.3 Code of Federal Regulations (CFR)

All Federal-Aid Design-Build projects will comply with the procedures set forth in all applicable FHWA CFR including, but not limited to Title 23 CFR Parts [627 \(Value Engineering\)](#), [635 \(Construction and Maintenance\)](#), [636 \(Design-Build Contracting\)](#), [637 \(Construction Inspection and Approval\)](#), [710 \(Right-of-Way and Real Estate\)](#), [771 \(Environmental and Related Procedures\)](#); and [Title 49 CFR Part 24](#).

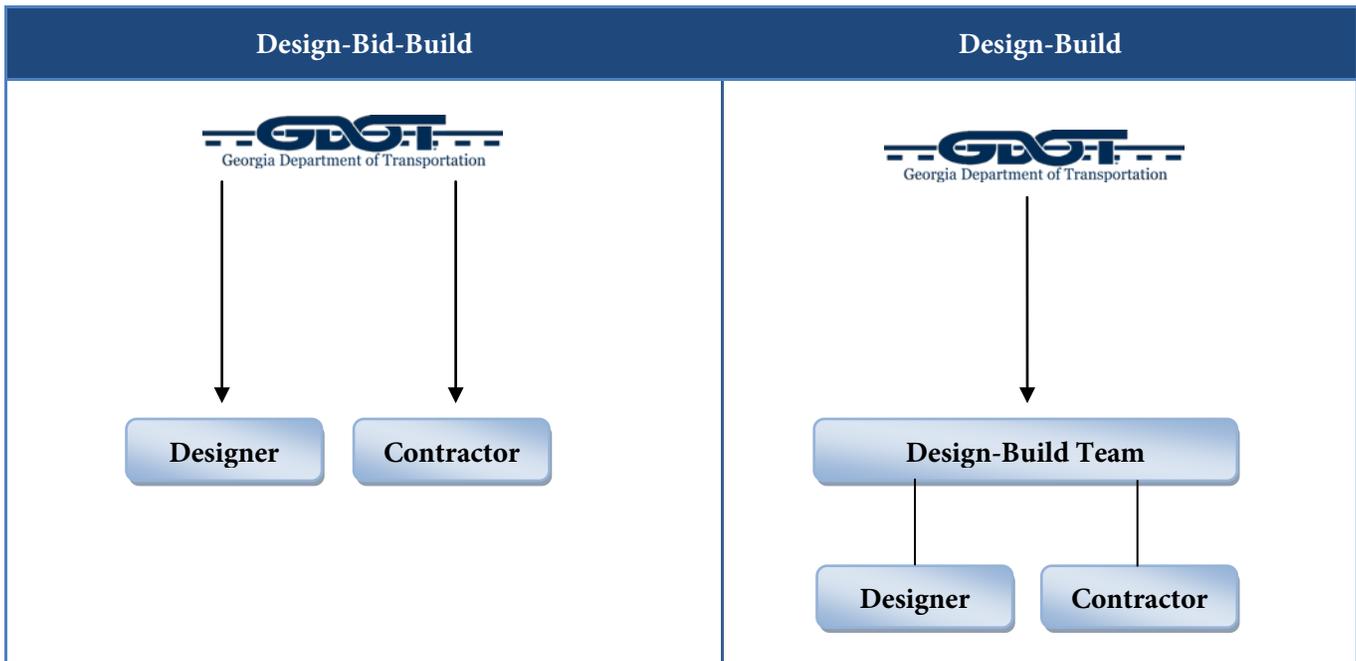
## 1.3 Design-Build versus Design-Bid-Build

Design-Build combines preconstruction services with construction services into a single contract. Design-Build projects allow the contractor to participate in the project's design in an effort to reduce costs, improve communication and expedite project delivery. Design-Build differs from Design-Bid-Build in several ways as briefly described below:

- **Innovation** – Design-Build can create opportunities for consultants and contractors to introduce new design/construction alternatives that are equal or better than the contract requirements while still adhering to all other contract requirements. It can also allow contractors to optimize the design based on alternative means that best suit their capabilities and approaches.
- **Design** – The Design-Build Team, specifically their Engineer-of-Record, is responsible for the design of the project. **Any design errors or omissions discovered during construction and the warranty term are the responsibility of the Design-Build Team to correct, thus transferring design risk to the Design-Build Team.**
- **Construction** – Design-Build allows fast-track of design/construction, where construction can begin as initial design package submittals are accepted rather than waiting until the complete plans package is completed.

- **Payment** – Design-Build contracts are lump-sum contracts based on design complete and construction complete pay items. Payment is based on a percent completion for each activity as per the approved Schedule of Values.
- **Procurement** – Design-Build procurement differs from the standard design-bid-build procurement, but overall general procurement laws and regulations are still adhered to.
- **Contract** – Design-Build contracts use a different set of documents. Plans and specifications used in design-bid-build to advertise the project for bids are replaced by the RFP. The RFP defines the design, management and construction requirements.

**Figure 1.1: Design-Build Schematic**



### 1.4 Design-Build Project Selection

Design-Build is best-suited for those projects that generally require acceleration, projects that have unique opportunities to appropriately transfer risk to the Design-Build Team; and/or projects with opportunities for innovation where innovation has the potential to significantly decrease contract time, reduce cost, and/or improve the safety and quality of the facility.

The decision to use Design-Build contracting should be based on an assessment of the specific goals and risks associated with each project. Design-Build projects typically include one or more of the following characteristics:

- Accelerated for the public benefit
- Up-front contractor-engineer interaction to stimulate value engineering analysis to reduce costs
- Complex constructability issues
- Specialty or innovative designs and construction methods or techniques

- Support economic development
- Maximize the use of available funding
- Emergency project where repair or design and construction need to be expedited
- Software development or integration, and/or rapidly changing technologies

Design-Build candidate projects may be identified through a number of ways which include, but are not limited to the following:

1. The State Innovative Delivery Engineering (SIDE) regularly coordinating with GDOT's Director of P3/Program Delivery as part of a routine process to identify and evaluate projects for Design-Build delivery.
2. Any GDOT office may request the SIDE evaluate a project for Design-Build suitability.
3. Facilitation of a meeting through GDOT's Director of P3/Program Delivery with various GDOT personnel which may include the Chief Engineer, Director of Engineering, Director of Construction, Director of Planning and other GDOT offices as necessary to review the Construction Work Program (CWP) to identify candidate Design-Build projects.

Listed below is the process for evaluating Design-Build candidate projects:

1. The SIDE will first consult the GDOT office that the project is currently assigned.
2. The SIDE will identify an Innovative Delivery Project Manager (ID-PM) to prepare a Design-Build Suitability Report and Risk Matrix for the candidate project (see **Attachment 4 Design-Build Suitability Report and Risk Matrix Template**). The purpose of the report and risk matrix is to determine the project's delivery goals and the likelihood that Design-Build will achieve those goals based on an assessment of such items as opportunities for innovation, constructability, safety, environmental permitting, right-of-way acquisition, utilities, traffic management, public/business perception, and any third party constraints.
3. As part of developing the Design-Build Suitability Report, the ID-PM will:
  - a. Consult with the current GDOT Project Manager and other GDOT SMEs to collect information as to the project's history and current status, available information, and potential risks
  - b. Will ensure that adequate funding for design, Right-of-Way and construction is programmed (or can be programmed)
4. As part of developing the Design-Build Suitability Report, the ID-PM must consider Section 32-2-81 (e), O.C.G.A., which states that *"In contracting for design-build projects, the department shall be limited to contracting for no more than 50 percent of the total amount of construction projects awarded*

*in the previous fiscal year.*” If it is determined a project is a suitable candidate for Design-Build, but the estimated overall project cost causes the total Design-Build program costs to approach or exceed 50% for a given fiscal year as compared to the previous fiscal year’s total construction contract award value, then the SIDE will consult with the Chief Engineer.

5. For those projects whereby Design-Build contracting will achieve the project’s delivery goals and is determined to be a good candidate, the ID-PM will prepare a Design-Build Recommendation Letter. In addition, the ID-PM will determine the Design-Build selection method (refer to **Table 1.1 Design-Build Selection Method Matrix**) and will determine a Stipulated Fee Amount (refer to **Table 1.2 Stipulated Fee Amount**) which will also be included in the recommendation letter.
6. The SIDE and ID-PM will discuss the project details, risks, schedule and the recommendation letter.
7. The SIDE will provide the recommendation letter to the Chief Engineer, after receiving input from the appropriate GDOT offices.
8. Upon favorable recommendation by the Chief Engineer to deliver the project using Design-Build; the project will be assigned to ID, and ID will add the project to the “approved” Design-Build project list located on GDOT’s [Design-Build webpage](#).

## 1.5 Selection Method and Basis of Award Overview

Selection methods that GDOT may use to procure Design-Build contracts are outlined in Section 32-2-81, O.C.G.A; and the Board Rules, Chapter 672-18. These selection methods include:

- **Best Value** – The contract is awarded to the Proposer with the highest combined score based on a weighting of the Price Proposal and Technical Proposal evaluation score.
- **Two Phase Low Bid** (*GDOT Shortlists up to five (5) of the most qualified Proposers to participate in the RFP phase*) – The contract is awarded to the Proposer with the lowest responsive bid.
- **Two Phase Low Bid** (GDOT selects *all qualified* Proposers to participate in the RFP phase) – The contract is awarded to the Proposer with the lowest responsive bid.
- **One Phase Low Bid** – The contract is awarded to the Proposer with the lowest qualified and responsive bid.

The basis of award will be clearly defined in the RFP. **Table 1.1 Design-Build Selection Method Matrix** provides guidance regarding which Design-Build selection method is recommended, or possible, based on a general type of project. The Design-Build selection method determination should be based on an assessment of overall project risks, assigning each risk to the group best suited to manage risk, opportunities for innovation, and overall complexity of the project.

The determination of the selection method is a collaborative effort between the Chief Engineer, and the SIDE, as well as input from other GDOT offices.

**Table 1.1: Design-Build Selection Method Matrix**

Project Type	Best Value	Two Phase Low Bid (w/ Shortlist)	Two Phase Low Bid (all qualified)	One Phase Low Bid
Technology Projects that are Software Development, Integration or Rapidly Changing Technologies	Required			
Major or Complex Bridge Projects	Recommended	Possible		
Projects w/ Minimal Up-Front Design Decisions Which Create Opportunities for Innovative Solutions or Different Design Concepts	Recommended	Possible		
Major Risk Transfer Projects (Incl R/W Acquisition Services, Extensive Environmental Impacts, Large Number of Utility Relocations, Railroad Impacts, Multiple Federal Agencies Involvement, Complex Staging Issues or Tolling)	Recommended	Possible		
Projects with Minimal Opportunity for Innovation, but Include Major Risk Transfer		Recommended	Possible	
Interchange Projects	Possible (w/ min up front decisions, & where ATCs would provide value)	Possible (major interchange)	Recommended	
Projects with a 'Medium' Level of Complexity and Minimal Risk Transfer		Possible	Recommended	
Minor Bridge Replacement Projects			Recommended	Possible
Projects with a Well Defined Scope & No Opportunity for Innovation			Possible	Recommended

Project Type	Best Value	Two Phase Low Bid (w/ Shortlist)	Two Phase Low Bid (all qualified)	One Phase Low Bid
Non-Complex Projects which may include sidewalk, minor roadway widening and lighting projects			Possible	Recommended

### 1.5.1 Best Value Selection Method Overview

The Best Value Design-Build selection method requires a two-step procurement process (see **Figure 1.2**).

Phase one consists of GDOT issuing the Request for Qualifications (RFQ) which provides the minimum requirements, as well as the desired Design-Build Team qualifications. Proposers submit Statements of Qualifications (SOQ) in response to the RFQ. GDOT’s Technical Review Committee (TRC) evaluates the SOQs according to the criteria published in the RFQ, and establishes a Shortlist of the most qualified Proposers. The Shortlist will not exceed five (5) Proposers.

Phase two consists of GDOT issuing the RFP to the Shortlisted Proposers. The Shortlisted Proposers submit a Technical Proposal and a Price Proposal in response to the RFP. Prior to opening the price proposals, the TRC evaluates the Technical Proposals. The Best Value is determined by adding each Proposer’s weighted Technical Proposal score to the weighted Price Proposal score. Unless all bids are rejected or the Price Proposal exceeds the budgeted amount, the contract is awarded to the responsive and responsible Proposer with the highest combined score. A Stipulated Fee is paid to the responsive, but unsuccessful Proposers who submit Technical Proposals in response to the RFP.

Best-Value contracting requires additional procurement time compared to Low Bid Design Build selection methods. Proposers need additional time and resources to prepare Technical Proposals. GDOT also needs additional time to evaluate the Technical Proposals. In addition, the Stipulated Fee is often higher on Best Value due to the additional effort required by Proposers to prepare the Technical Proposals.

### 1.5.2 Low Bid Selection Method Overview

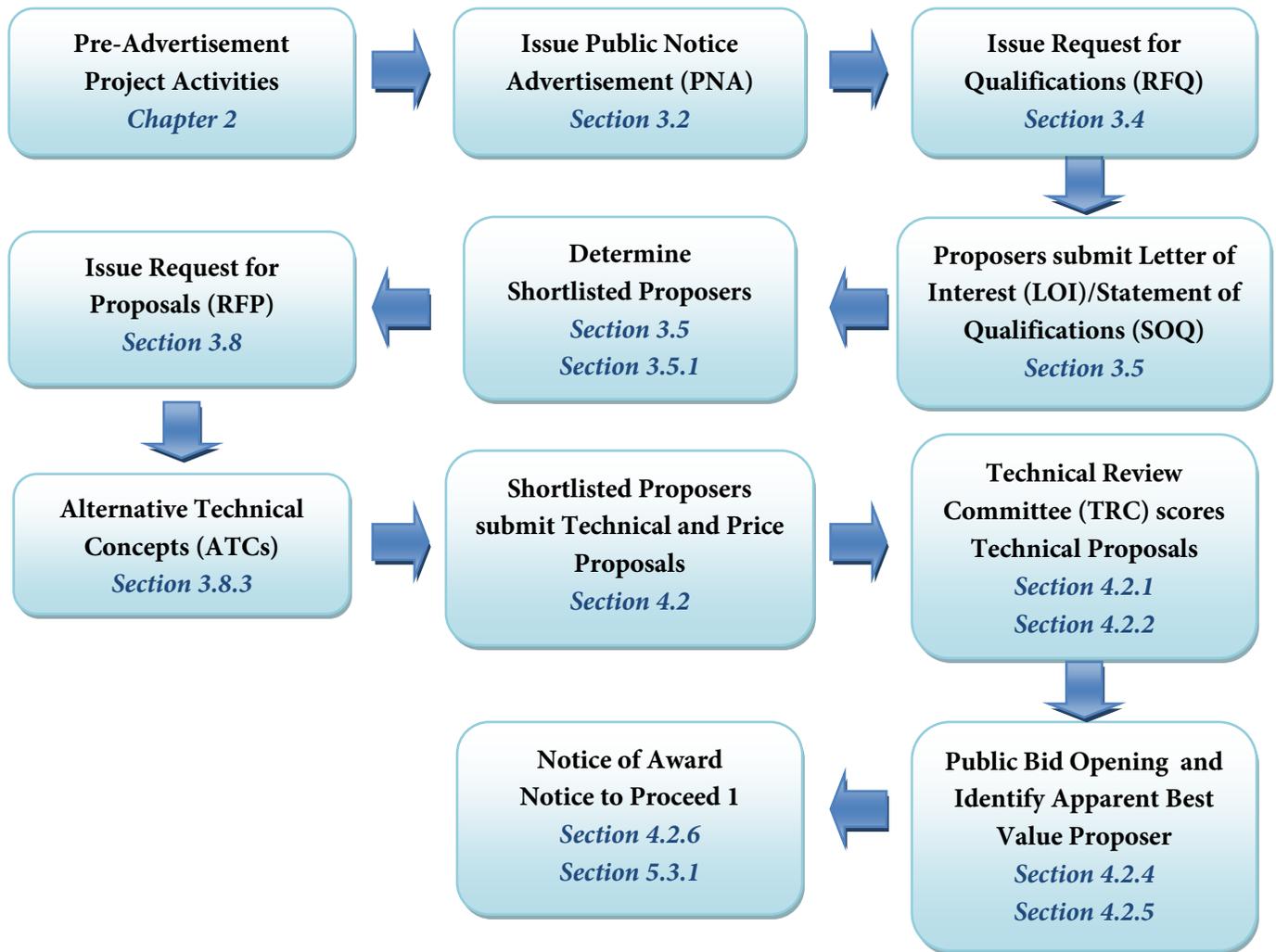
The Low Bid Design-Build selection method may follow either the two phase process (see **Figure 1.3**) or a one phase process (see **Figure 1.4**).

For the Two Phase Low Bid selection method, GDOT may either select all qualified Proposers or may Shortlist to no more than five (5) most qualified Proposers to participate in the RFP phase (refer to **Table 1.1 Design-Build Selection Method Matrix** for additional guidance).

The Two Phase Low Bid selection method process is similar to the Best Value selection method process, except that the project is awarded to the Lowest Responsive Proposer. The Technical Proposal requirements may vary slightly from project to project, but will typically consist of a cover letter, any required legal forms, and other minimum requirements such as a schedule and/or a narrative generally describing approach to designing and constructing the project (see **Section 3.7.2**). Technical Proposals are evaluated by the TRC on a pass/fail basis to determine responsiveness to the requirements set forth in the RFP.

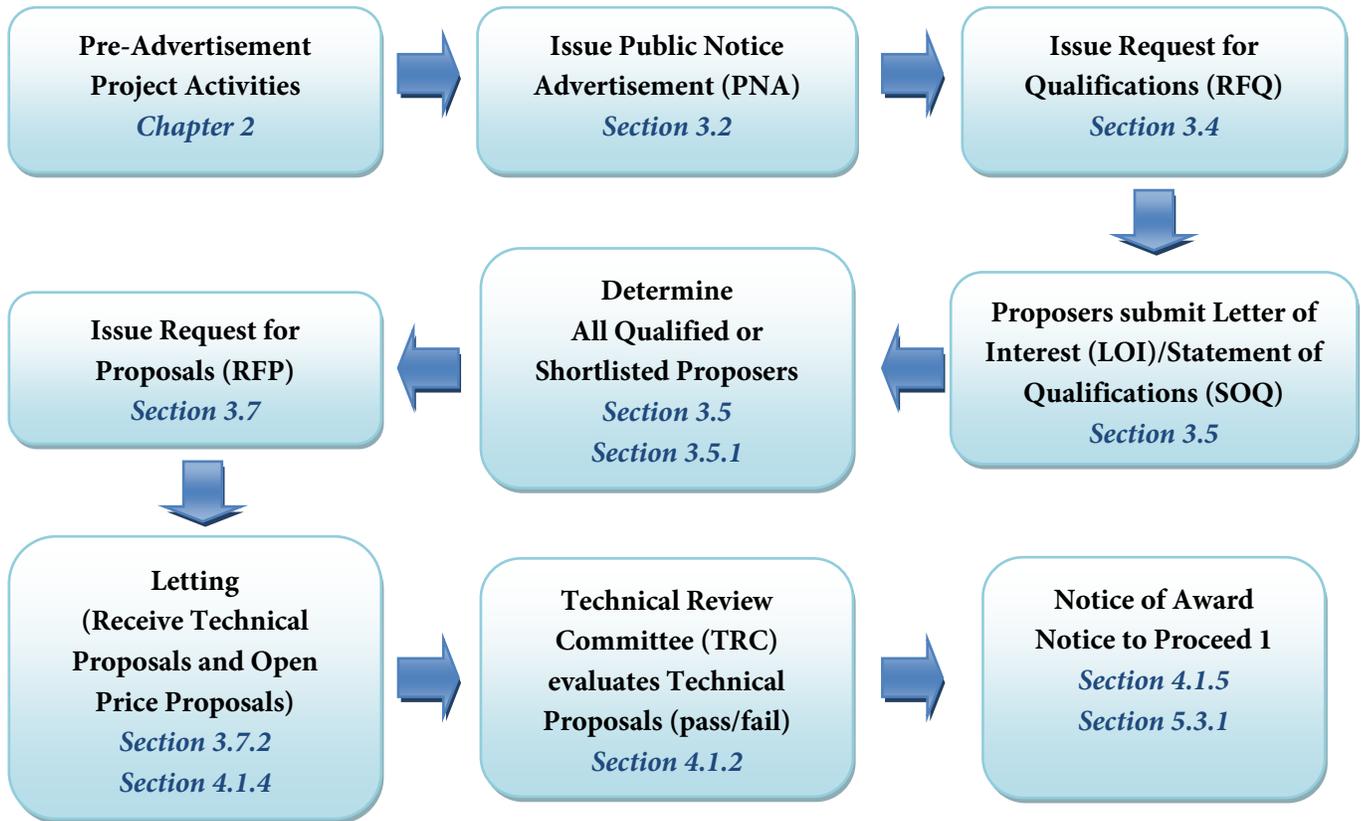
For the One Phase Low Bid selection method, all interested Proposers that meet the minimum requirements set forth in the RFP have the opportunity to respond to the RFP with a Price Proposal and qualifications package. Proposers submit the Price Proposal and qualifications package as per the instructions included in the RFP. The One Phase Low Bid qualifications package may vary slightly from project to project, but will typically consist of a cover letter, a simple organizational chart of the Proposer’s team, and GDOT’s prequalification statement for consultants identifying those consultants who retain area classes as specified in the RFP. The qualifications packages are evaluated by the TRC on a pass/fail basis to determine responsiveness to the requirements set forth in the RFP. As per **Table 1.2 Stipulated Fee Amount**, the Stipulated Fee will not be paid using the One Phase Low Bid selection method.

**Figure 1.2: Typical Best Value Selection Method Procurement Process**



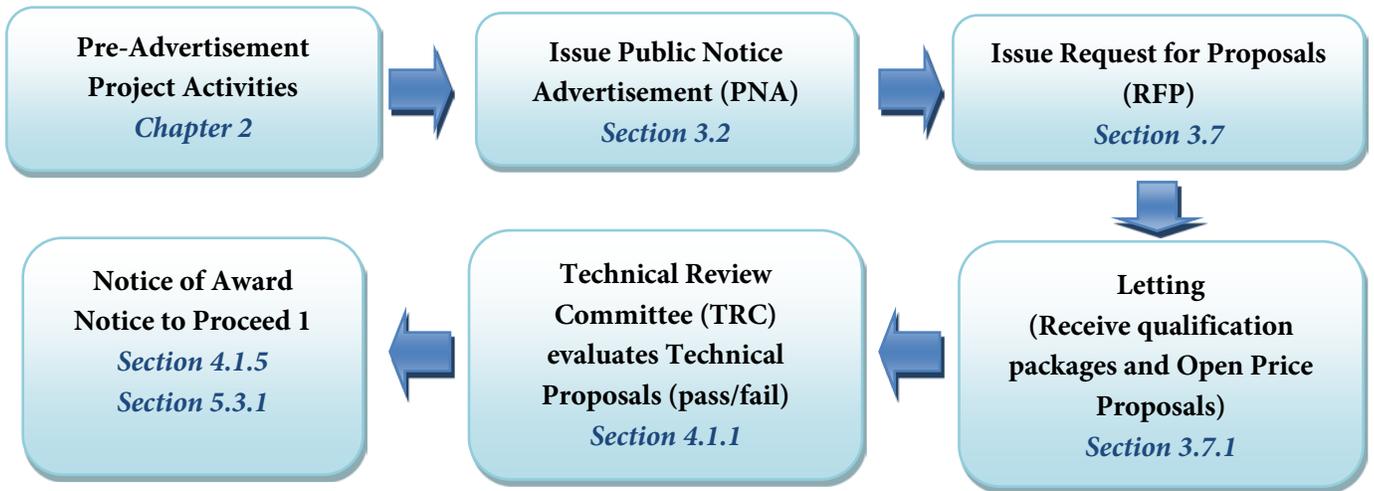
**Typical Best Value Selection Method Procurement Process**

**Figure 1.3: Typical Two Phase Low Bid (All Qualified or Shortlist) Selection Method Procurement Process**



**Typical Two Phase Low Bid (All Qualified or Shortlisted) Procurement Process**

**Figure 1.4: Typical One Phase Low Bid Selection Method Procurement Process**



## Typical One Phase Low Bid Procurement Process

## 1.6 Stipulated Fee

A Stipulated Fee is an amount paid to the responsive, but unsuccessful Proposers who submit Technical Proposals in response to the RFP. The amount of the Stipulated Fee is based on GDOT’s analysis of the estimated proposal development costs, the complexity of the project, the level of risk associated with the project, the level of materials provided by GDOT, and the anticipated degree of competition during the procurement process. A Stipulated Fee is not meant to cover 100% of the proposal development costs, but rather cover a portion of the costs. Refer to the **Table 1.2 Stipulated Fee Amount** for the minimum and recommended Stipulated Fee amount. Several benefits to paying a Stipulated Fee on Design-Build projects include the following:

- Encourages Competition – The costs necessary for a Proposer to pursue Design-Build projects are typically higher as compared to Design-Bid-Build projects. Proposers spend additional resources on preliminary design and project coordination. Paying a Stipulated Fee encourages consultants and contractors to pursue Design-Build projects. In addition, a Stipulated Fee may ensure that smaller companies are not put at a competitive disadvantage
- Enhanced Quality/Lower Construction Costs – By investing time and resources into the design process during the RFP phase, Proposers are able to optimize the design and bring innovation into the process. Innovation and design optimization lead to increased quality and lower construction costs.
- Payment for Work Product/Intellectual Property – By offering a Stipulated Fee, GDOT has the right to use the work product, ideas and related ATCs without obligation to pay any additional compensation to the unsuccessful Proposers on the project for which it was offered and for any other GDOT project. Proposers may elect to waive the Stipulated Fee for retention of intellectual property in which case, all designs, calculations, drawings, samples, and other proposal material will be returned to the Proposer.
- Proposal Development Costs – The Stipulated Fee is intended to compensate qualified and responsive Proposers who submit Technical Proposals with a portion of their overall proposal development costs.

**Table 1.2: Stipulated Fee Amount**

Design-Build Estimated Contract Value	Best Value	Two Phase Low Bid (w/ Shortlist)	Two Phase Low Bid (all qualified)	One Phase Low Bid
>\$50M	0.2 % Minimum 0.2 % Recommended	0.1 % Minimum 0.2 % Recommended	0.0 % Minimum 0.1 % Recommended	No Stipulated Fee
<\$50M	0.2 % Minimum 0.4 % Recommended	0.1 % Minimum 0.2 % Recommended	0.0 % Minimum 0.1 % Recommended	No Stipulated Fee

Listed below is the process for determining the Stipulated Fee amount, and incorporating the Stipulated Fee agreement into the procurement documents:

1. The ID-PM will prepare a Stipulated Fee recommendation for the project utilizing **Table 1.2 Stipulated Fee Amount**. The Stipulated Fee must be based on Proposer's willingness to transfer and assign to GDOT proprietary information, trade secrets, techniques, concepts, analyses, approaches, ideas or other intellectual property or work product.
2. As set forth in Board Rules 672-18-.11, the SIDE will provide the Stipulated Fee recommendation to the Chief Engineer and Treasurer for approval. The source of funding for the Stipulated Fee, if known, should be included in the recommendation letter. The Stipulated Fee, also referred to as a Stipend, is eligible for federal funding (see 23 CFR 636.113).
3. The Request for Qualifications (RFQ) will include the Stipulated Fee amount.
4. The RFP will also include the Stipulated Fee amount, as well as the Stipulated Fee agreement.
5. If a Proposer who is eligible for a Stipulated Fee elects to not accept the Stipulated Fee, GDOT cannot use the ideas contained within their Technical Proposal. However, the contents are public information unless the Proposer has requested and GDOT agrees that the information be deemed trade secret or proprietary using the procedure set forth in the RFP.

## 1.7 Roles and Responsibilities

The roles and responsibilities for Design-Build projects vary from the traditional Design-Bid-Build. **Table 1.3 Roles and Responsibilities** identifies several GDOT offices that play an integral role in Design-Build procurement process, as well as the management and administration of the overall Design-Build program.

**Table 1.3: Roles and Responsibilities**

Parties	Primary Responsibility	Other Responsibilities
<b>Innovative Delivery (ID)</b>	Administration of the Design-Build program. This includes a primary focus on Design-Build project selection, schedule management, development of the RFP, as well as managing the design phase of the Design-Build contract.	<ul style="list-style-type: none"> <li>• Evaluate projects for Design-Build suitability</li> <li>• Collaborate with the Chief Engineer regarding project selection</li> <li>• Manage the Design-Build procurement process</li> <li>• Manage the development of the RFP</li> <li>• Facilitate reviews of all Design-Build submittals</li> <li>• Proactively communicate with other GDOT offices, local governments, and FHWA</li> <li>• Develop and maintain Design-Build procedures, guidelines, boilerplate contracts and related documents</li> <li>• Serve as a resource to the industry and Local governments regarding Design-Build delivery</li> </ul>
<b>Construction</b>	Administration of the Design-Build contract including contract compliance, payment, etc... In addition, oversight during the development of the RFP (Design-Build contract).	<ul style="list-style-type: none"> <li>• Participate in the development of the RFP package regarding various activities that include approving lane closure related specifications, informal constructability reviews, review of construction related ATCs, and evaluating contract durations</li> <li>• Participate in the design phase of the Design-Build contract</li> <li>• Administer the construction phase of the Design-Build contract</li> <li>• Maintain SiteManager during the Design-Build contract term</li> <li>• Review and approve Design-Build Team invoices, and any Supplemental Agreements/Change Orders</li> </ul>
<b>Construction Bidding Administration (CBA)</b>	Facilitate the Low Bid Design-Build procurement process, e.g. issue the RFP, issue amendments, letting and award	<ul style="list-style-type: none"> <li>• Issue the Notice to Contractors</li> <li>• Coordinate with FHWA, as necessary, to obtain authorizations and/or concurrence to advertise RFP</li> <li>• Advertise the RFP for the Low Bid selection methods and issuing amendments</li> <li>• Receive Technical Proposals for the Low Bid selection methods</li> <li>• Facilitate the letting, award and execution of the Design-Build contract</li> </ul>
<b>Transportation Services Procurement (TSP)</b>	Issue the PNA, issue the RFQ (if applicable), evaluate SOQs, and facilitate the Best Value Design-Build procurement process, e.g. issue the RFP, issue amendments, Q&A (during RFQ phase), facilitate ATC's, and One-on-One Meetings	<ul style="list-style-type: none"> <li>• Advertise the PNA for all Design-Build projects</li> <li>• For Two Phase Low Bid and Best Value selection method advertise the RFQ, receive and facilitate the evaluation of SOQ, and issue the Selection of Finalists or Shortlist notification</li> <li>• For Best Value, coordinate with FHWA, as necessary, to obtain authorizations and/or concurrence to advertise RFP, and issue the RFP to Shortlisted Proposers</li> <li>• For Best Value, facilitate One-on-One meetings and the Alternative Technical Concept (ATC) process</li> <li>• For Best Value, receive Price and Technical Proposals, facilitate the evaluation of Technical Proposals, and facilitate the opening of price proposals</li> <li>• Provide debriefing Information, if requested</li> </ul>

## 1.8 FHWA Involvement

Federal involvement is required on federal-aid projects, projects linked to a federal-aid highway project, or projects assigned to full federal oversight. FHWA policies and procedures for Design-Build projects are defined in [23 CFR 636 \(Design-Build Contracting\)](#).

### 1.8.1 Reporting

Following the TRC’s evaluation of Technical Proposals and prior to award of the Design-Build project, the ID-PM will prepare a letter generally describing the project’s Design-Build procurement process, as well as the TRC findings. The SIDE will provide the letter to GDOT’s Bid Review Committee, and to the FHWA Georgia Division Administrator for PODI projects. **Table 1.4 Design-Build Procurement Summary Letter** identifies those elements which should be included in the letter.

**Table 1.4: Design-Build Procurement Summary Letter**

One Phase Low Bid	Two Phase Low Bid	Best Value
Selection method	Selection method	Selection method
Procurement schedule	Procurement schedule	Procurement schedule
Type of environmental document	Type of environmental document	Type of environmental document
Qualifications package criteria	List all Proposers submitting a SOQ	List all Proposers submitting a SOQ
List all submitting Proposers and corresponding Price Proposals	List all qualified or Shortlisted Proposers	List all shortlisted Proposers
Determination of responsiveness	Technical proposal criteria	Technical proposal criteria
	List all Proposers submitting a Technical Proposal and the corresponding Price Proposal	List all Proposers submitting a Technical Proposal and the corresponding Price Proposal
	Determination of responsiveness	Determination of responsiveness and the Technical Proposal scores

## 1.9 Conflict of Interest

The Design-Build program includes numerous projects to be designed and built throughout the State of Georgia under a management structure that potentially involves the use of multiple consulting firms in a variety of management and project delivery arrangements. Much of the work to be performed by the consulting firms may extend into coordination, reporting, as well as oversight and management activities related to fiscal, technical, right of way coordination, third party coordination, and other disciplines with varying levels of input from GDOT and other local governmental agencies. The size and uniqueness of the Design-Build program makes it more likely that individual firms will work in multiple districts and may have preexisting work, local knowledge, or complex

relationships that could give the appearance of a Conflict of Interest or raise a question regarding their ability to act in an impartial manner. The activity level of the work in the Design-Build program may be on a large scale at any particular time, making coincidental and inadvertent conflicts more likely.

Existing statutory and administrative regulations for State agencies regarding Conflict of Interest shall continue to govern the actions of GDOT. Effectively managing and implementing the Design-Build program necessitates that all parties recognize that conflicts may occur in the Design-Build program, and that there should be increased reasonable efforts to prevent, mitigate and, where feasible, remedy conflicts to the fullest extent possible. A non-exclusive list of regulations and other prescriptive information regarding Conflict of Interest is listed below:

- O.C.G.A §45-10-1, et seq.
- GDOT Policy 3A-17 (Code of Conduct Pertaining to Conflict of Interest in the Award and Administration of Contracts)
- GDOT Policy 4020-1 (Procurement, Contract Development and Management of Professional Services for Architectural and Engineering Work)
- GDOT Policy 7115-2 (Sub-Recipient Monitoring Policy)
- 23 CFR 636.116
- 49 CFR 18.36(b)(3)
- 24 CFR Part 85, Section 85.36(b)(3)
- FTA Procurement Circular 4220.1F

Areas of potential conflicts include, but are not limited to the following:

1. Persons (officers or employees of consulting firms having a position of influence, financial interest or other interest in any other business that provides goods or services for projects where that interest may be in direct or apparent conflict with the best interest of the project.
2. Persons associated with officers or employees of consulting firms that may have a position of influence, financial or other interest in any other business that provides goods or services. Such persons may be relatives, partners or those having a position of influence, financial or other interest in the consulting firm. Employees of GDOT and their immediate family members or impacted local government who are in a position of influence regarding a project may not be involved with or have any such relationship with a contractor, consultant or Design-Build Team.
3. Consultants and/or subconsultants under contract with GDOT for Program Management or General Engineering Consultant (GEC) services:
  - a. Shall have no position of influence, or financial or other interest in any consulting firm retained by the State or local government for the implementation or execution of any phase of any Design-Build project(s). The Program Manager or General Engineering Consultant (GEC) management team shall maintain the highest level of transparency and accountability; therefore, at GDOT's discretion, subconsultants may be excluded from participation on any team for future Design-Build projects. Such exclusions may be warranted in the event the presence of the contracted team member might provide an unfair advantage to a Proposer for an advertised Design-Build project.

- b. Who assist GDOT in the preparation of RFP documents will not be allowed to participate as a Proposer. However, GDOT may determine that there is not a Conflict of Interest for a consultant or subconsultant where 1) The role of the consultant or subconsultant was limited to providing preliminary design, reports, or similar “low-level” documents that will be incorporated into the RFP, and did not include assistance in the development of Instructions to Proposers or evaluation criteria; or 2) all documents and reports prepared by and delivered to GDOT by the consultants or subconsultants are made available to all Proposers.
- c. Who assist GDOT with the management of Design-Build project(s) and/or the Design-Build program will not be allowed to be voting members of any Design-Build Technical Review Committee or Conflict Committee, other than to provide impartial assistance and facilitation of the procurement process.

GDOT’s guidelines for soliciting Design-Build contracts, as well as any related Design-Build support service contracts with respect to Conflict of Interest are listed below:

1. GDOT will reference state statutes or policies concerning Conflict of Interest in the Design-Build RFQ and/or RFP documents, as well as any related contracts for engineering services, inspection, and/or technical support.
2. In soliciting for Design-Build services, the responsibility shall be placed solely on the Proposer to proactively identify and divulge to GDOT any known or discovered conflicts or potential conflicts, both direct and indirect, and/or appearances of conflicts. The same responsibility shall carry forward, contractually, throughout the services provided to GDOT by the awarded Design-Build Team.
3. GDOT may take actions up to and including rendering a Proposer non-responsive, and/or dismissal or disqualification when GDOT determines a Proposer has not been forthcoming. Upon being selected for Design-Build services, the Design-Build Team will be required to complete a Conflict of Interest Disclosure form prior to execution of the Design-Build contract.
4. GDOT shall at all times reserve the right to investigate and declare a Conflict of Interest by a Proposer or Design-Build Team, and may take actions that it deems appropriate as allowed by law, rules or guidelines. These actions may include, but are not limited to issuing a warning prior to services, interaction with a Proposer or Design-Build Team, and the grant of remedy, and/or immediate dismissal of the Proposer or Design-Build Team. At no time shall a Proposer or Design-Build Team be allowed to continue services when known conflicts are present, without such corrective actions being taken.
5. GDOT shall endeavor, in its actions to be reasonable, consistent, and act in good faith in issuing notices, warnings, grants of remedy, disqualifications, dismissals, and declarations of a Conflict of Interest.
6. Where a conflict(s) is identified by a Proposer (contractor or consultant) or Design-Build Team, the conflict must immediately be reported by the Proposer or Design-Build Team to the SIDE. The disclosure must include a detailed course of action to remedy any identified conflict(s).

7. If GDOT becomes aware of a conflict, the SIDE will notify the Proposer or Design-Build Team. The Proposer or Design-Build Team must provide a response to the SIDE, and must include a detailed course of action that it shall take to remedy any identified conflict(s).
8. A Conflict Committee of qualified GDOT personnel will be established to include a representative from the Offices of Legal Services, TSP and ID. Other GDOT personnel may be added as necessary. The Conflict Committee will determine whether the Proposer's or Design-Build Team's proposed course of action for remedy is accepted or rejected. A rejection may result in termination of the services currently being performed. In their evaluation of services being procured, GDOT's Technical Review Committee may make a determination regarding apparent conflicts, however the Technical Review Committee will be instructed to forward these determinations and any discovered "apparent" conflicts or questionable areas to TSP.

When a potential Conflict of Interest approach may arise, the following procedures apply:

1. The disclosure of a potential Conflict of Interest must be submitted in writing to the SIDE. The disclosure may be submitted by a contractor, consultant or a member of the Design-Build Team. The disclosure must include a detailed course of action to remedy any identified conflict(s).
2. If any GDOT employee has reason to believe that a contractor, consultant or Design-Build Team member has failed to properly disclose a potential organizational conflict, the employee must promptly notify the SIDE.
3. The Conflict Committee will convene as expeditiously as possible to determine if an actual or perceived conflict exists and to determine if appropriate avoidance or mitigation measures shall be implemented.
4. The SIDE will provide the Conflict Committee's recommendation(s) in writing to the Chief Engineer for concurrence.
5. The SIDE will provide the final response in writing to the affected parties.

The risk for an organizational Conflict of Interest can be reduced by proactively addressing these issues. As part of this effort, GDOT will acknowledge in the PNA and RFQ which contractors or consultants are known to have a Conflict of Interest. However, this disclosure may not address all of the real or perceived conflicts that may exist at the time of the solicitation, and therefore the guidelines provided in **Section 1.9** should be followed.

In most cases the consultant who prepares any portion of the RFP, develops the costing plans, performs work on the Design-Build project for other key stakeholders, or will be providing oversight work on the Design-Build project will **not** be allowed to participate as a Proposer or join a Design-Build Team.

However, if a consultant is allowed to participate as a Proposer or on a Design-Build Team, then the consultant must disclose all the work performed in relation to the project in the response documents to a Design-Build RFQ and RFP. The contract for which the work is being performed must have expired or be terminated, and the consultant must provide GDOT with all records of work performed so that all information can be made available to all Proposers.

## 1.10 Yearly Reporting Requirements

Section 32-2-81, O.C.G.A., requires a yearly report on the use of Design-Build contracting for each fiscal year. Specifically, Section 32-2-81 (f), O.C.G.A., states that *“Not later than 90 days after the end of the fiscal year, the department shall provide to the Governor, Lieutenant Governor, Speaker of the House of Representatives, and chairpersons of the House and Senate Transportation Committees a summary containing all the projects awarded during the fiscal year using the design-build contracting method. Included in the report shall be an explanation for projects awarded to other than the low bid proposal. This report shall be made available for public information.”*

Additionally, Board Rules, 672-18-.13, states that *“The report shall include, but not be limited to, the project number, county, project description, name of Design-Build Team awarded the project, awarded amount, selection method, and an explanation for any projects awarded other than low bid. Design-Build contracts that are part of a separate Public Private Initiative or Public Private Partnerships are not included in this summary and are outside this Rule. This report will be made available for public information.”*

1. Listed below is the process for completing the yearly report:
2. By August 1 of each year, the SIDE is responsible for preparing letters for the Governor, Lieutenant Governor, Speaker of the House of Representatives, and chairpersons of the House and Senate Transportation Committees as per the requirement set forth in Section 32-2-81, O.C.G.A. and Board Rules, 672-18-.13
3. The letters will include an attachment that identifies the Design-Build projects awarded in the previous Fiscal Year, as well as the project number, county, project description, name of Design-Build Team awarded the project, awarded amount, selection method, and an explanation for any projects awarded other than low bid.
4. The Chief Engineer will review and route the letter to the Commissioner’s Office.
5. The SIDE will place a signed copy in the Project File.

The SIDE will coordinate adding the report on the [Design-Build webpage](#) for public information.

Board Rules, 672-18-.13, state that *“Design-Build contracts that are part of a separate Public Private Initiative or Public Private Partnerships are not included in this summary and are outside this Rule.”* Refer to Section 32-2-80, O.C.G.A, as well as Board Rules, 672-17, for Public Private Partnership (P3) requirements.

## CHAPTER 2 - PRE-ADVERTISEMENT ACTIVITIES

This chapter provides a general overview of the project development activities that are necessary to develop a Design-Build RFP and related Reference Information Documents (RID). In many respects, the development of a Design-Build project is similar to the development of a traditional Design-Bid-Build project as described in GDOT’s [Plan Development Process \(PDP\)](#). The chapter is also intended to highlight those activities in Design-Build delivery which carry with it a higher risk probability of impacting scope, schedule and budget.

### 2.1 Project Development

For Design-Build projects the planning, concept development, and environmental process activities generally follow the traditional Design-Bid-Build process. The preliminary engineering aspects for Design-Build projects typically stop at the staff approved concept report and costing plans, however the amount of design developed may vary on a project by project basis.

For Design-Build projects, sufficient preliminary engineering should be performed to adequately determine Right-of-Way limits, identify potential environmental impacts, determine permitting requirements, develop the project scope, and to define project requirements in the RFP. Progressing preliminary engineering too far potentially limits the innovation of Proposers, and may add risk to GDOT. The following tables include planning, project management, and third party related activities that should be considered by the ID-PM during the development of the RFP.

**It is essential to the successful delivery of the Design-Build project for the ID-PM to collaborate with all applicable GDOT offices during the identification of risks, development of mitigation strategies, and the overall development of the RFP.**

**Table 2.1: Planning Activities**

Activity	Action
<b>Planning Activities</b>	<p>GDOT’s project programming and scheduling process identified in Chapter 4 of GDOT’s <a href="#">Plan Development Process (PDP)</a> is largely unaffected by the decision to use Design-Build delivery.</p> <p>If the funding year for a Design-Build project needs to change to accommodate accelerated project delivery, the ID-PM will coordinate with the Office of Planning to ensure the funding is accurately reflected in the STIP.</p> <p>If the Local Government, as defined in GDOT’s <a href="#">Local Administered Project (LAP) Manual</a>, is responsible for any delivery activities for a Design-Build project, the ID-PM must coordinate with the Local Government to ensure resources are available to participate, as well as agreements such as the PFA, are in place to ensure successful Design-Build delivery.</p>

Activity	Action
<p><b>Concept Layout and Concept Report</b></p>	<p>The concept layout and approved concept report is the basis for the development of the costing plans. The concept report is developed in accordance with GDOT’s <a href="#">Plan Development Process (PDP)</a>, and defines the basic parameters for the design and construction of the project.</p> <p>The Design-Build Team may modify the preliminary horizontal and vertical alignments as long as they meet the limitations set forth in the environmental document and the RFP. In most cases all design changes must remain within the existing/proposed Right-of-Way as designated in the concept layout, approved concept report and approved environmental document. If changes are proposed by the Design-Build Team that require additional Right-of-Way or easements, or that are not cleared in the original approved environmental document then the Design-Build Team may bear the risk associated with addition time and money necessary to acquire Right-of-Way and/or obtain the necessary environmental document. The RFP should provide clarity as to the Design-Build Team’s risk related to Right-of-Way and environmental clearance.</p> <p>For Design-Build delivery, close attention should be paid when developing or revising the concept report to the project’s constructability, need for DE or DV, and to identify flexibility and potential opportunities for innovation.</p>
<p><b>Costing Plans</b></p>	<p>Costing plans are developed for most Design-Build projects. The exception is for projects with a well-defined scope and/or minimal Right-of-Way and environmental impacts. The level of completeness of the costing plans should be approximately 30 percent, and provide an adequate amount of detail necessary to quantify R/W, utility and environmental impacts. The costing plans are not intended to be the scope of work, unless otherwise stated in the RFP, but the costing plans are used as a basis for the scope of work and to help develop the Design-Build project cost estimate.</p>
<p><b>Value Engineering Study</b></p>	<p>Section 1503(a)(3) of MAP-21 added a provision to 23 U.S.C. 106(e)(5) specifying that a VE analysis is not required for Design-Build projects. This provision supersedes existing provisions in 23 CFR Part 627. While not required, FHWA encourages conducting a VE analysis during the preliminary design phase of design-build projects if the project meets the requirements described in paragraph 5a of this directive.</p> <p>In addition, at the State level Section 32-2-41.2, O.C.G.A. (2013) also omits the requirement to perform value engineering studies for those project delivered using Design-Build as defined in Section 32-2-81, O.C.G.A.</p>
<p><b>Value Engineering Proposals (VEP)</b></p>	<p>VEP will be used on Design-Build projects in accordance with GDOT Specification Section 104.08.</p>

Activity	Action
<p><b>Environmental Document</b></p>	<p>If possible, the RFP should not be advertised until after the environmental process has concluded. The ID-PM should establish a Design-Build procurement schedule based on this assumption. In some cases, the RFP will be advertised prior to the conclusion of the environmental process, however GDOT’s current practice is that the project will not be Let or awarded until the environmental process has concluded, unless otherwise approved by the Chief Engineer.</p> <p>In the event GDOT determines that the Design-Build project will be procured and awarded prior to the approval of the NEPA document then the requirements set forth in 23 CFR Part 636.109 will apply. In this case, the RFP will include a provision which prevents the Design-Build Team from proceeding with Right-of-Way acquisition, final design or construction activities prior to the approval of the NEPA document, pursuant to the FHWA NEPA regulation at 23 CFR 771.113(a). In addition, the RFP will include a provision ensuring that no commitments are made to any alternative being evaluated in the NEPA process and that the comparative merits of all alternatives presented in the NEPA document (including the no-build alternative) will be evaluated and fairly considered. Finally, the RFP will include a termination provision in the event the no-build or no action alternative is selected at the end of the NEPA process.</p> <p>The following are considered as NEPA document approval: Categorical Exclusion (CE) classification, Finding of No Significant Impact (FONSI), or Record of Decision (ROD) along with GDOT’s authorization to proceed.</p> <p>The process followed to identify, complete, and obtain approvals for the appropriate environmental document (e.g., EA, EIS, GEPA, etc.) for a Design-Build project is identical to the process for a traditional Design-Bid-Build project as described in GDOT’s <a href="#">Environmental Procedures Manual</a>.</p> <p>At the time a project is being evaluated for Design-Build suitability, the ID-PM must coordinate with GDOT’s Office of Environmental Services (OES) in order to fully assess the project’s risks and current schedule related to the environmental document and permitting.</p> <p>Where possible, and upon approval of OES and/or FHWA, documentation of any potential impacts based on the costing plans should be described in general terms (such as up to or a maximum of at each potential location) which could allow for design modifications to reduce impacts during the final design phase of the Design-Build that won’t trigger major changes to environmental impacts.</p> <p>Federal regulation (23 CFR 636.109) allows the agency to proceed with pre-qualifications, industry review, and a Shortlist process before the environmental study is complete.</p> <p>The environmental document is a critical component of the delivery process. The Design-Build Team must understand the importance of this document, its contents and the risks associated with any changes that could result in an environmental reevaluation.</p>

Activity	Action
<p><b>Environmental Permits</b></p>	<p>The ID-PM should coordinate with OES as early as possible to identify all potential environmental permit(s) that may be required. If a meeting with regulatory agencies to discuss possible permit requirements is appropriate, then the ID-PM will coordinate with OES who will facilitate such a meeting with the appropriate persons.</p> <p>To properly allocate contract risk, GDOT should evaluate each anticipated permit and determine if the permit should be obtained in advance of the RFP or by the Design-Build Team. Areas for evaluation should be schedule risks (time needed to obtain permit), potential for permit modification (design changes by the Design-Build Team), and risks associated with third party reviews that are outside the Design-Build Team's or GDOT's control. Permits with low risk of modifications should generally be obtained in advance (if the letting schedule allows) to accelerate the Design-Build Team's schedule after letting. Permits which require coordination with third parties should be coordinated or acquired in advance of RFP advertisement to reduce the risk to a Design-Build Team by properly identifying expectations for review times and permit requirements.</p> <p>The Design-Build Team will often be responsible for obtaining environmental permit(s) based on their accepted final design. The Design-Build Team will often assume the risk of obtaining the permit and mitigating any impacts. The ID-PM must ensure the RFP clearly delineates the Design-Build Team's scope of services with respect to environmental permitting.</p>
<p><b>Stream/Wetlands</b></p>	<p>GDOT will identify all stream/wetlands within the project area prior to the advertisement of the RFP. When possible the stream/wetland delineation(s) should be verified by the USACE prior to advertising the RFP by obtaining an approved Jurisdictional Determination (JD). This will define the limits of wetlands within the project area for all Proposers, and eliminate potential conflicts in delineation after letting. In addition, a State Waters Determination letter should be obtained prior to the advertisement of the RFP.</p>
<p><b>Contaminated Materials</b></p>	<p>Contaminated materials investigation is required prior to advertising the RFP. Unless the risks can be quantified during Design-Build procurement, the testing, handling and disposal of contaminated materials should not be included in the Design-Build Team's price proposal. If previously unidentified contaminated materials are discovered during the design and construction of the project, the testing, handling, and disposal of the contaminated materials will be either paid for under a supplemental agreement to the Design-Build Team, or by GDOT procuring a separate entity to perform such work.</p>
<p><b>Noise Analysis/ Noise Barrier</b></p>	<p>A noise analysis, if required, will be performed per GDOT's <a href="#">Environmental Procedures Manual</a>. This analysis must be complete prior to the completion of the environmental planning process. Feasible sound barrier locations should be identified in the RFP along with decibel reduction requirements for areas requiring sound barriers. If necessary, the RFP should include requirements that the Design-Build Team must design and construct the final sound barriers to achieve decibel reduction requirements of the noise analysis.</p> <p>It is important to clearly state in the RFP which noise barrier type(s) may be used.</p>

Activity	Action
<b>Right-of-Way</b>	<p>The performance of all Right-of-Way services will be in full compliance with Title 49 Code of Federal Regulations, Part 24, Title 23 Code of Federal Regulations, Part 710, the Federal Uniform Act, all State Laws including, but not limited to, Georgia Code Titles 22 and 32, and in accordance with GDOT’s Right-of-Way Manual of policies and procedures.</p> <p>The ID-PM should coordinate with GDOT’s Office of Right-of-Way as early as possible to identify all potential Right-of-Way impacts, likely schedule to acquire, Phase I/II site assessment needs, and to discuss the entity best suited to acquire the Right-of-Way.</p> <p>Sufficient Right-of-Way must be acquired to accommodate the Project. The acquisition of Right-of-Way and easements are traditionally the responsibility of GDOT, but may be transferred to the Design-Build Team when necessitated by the project schedule.</p> <p>In the event that GDOT will acquire the Right-of-Way, the RFP must include the date(s) whereby GDOT anticipates obtaining title and possession. This approach will mitigate the potential schedule risk to the Design-Build Team and will allow the Design-Build Team to adequately plan the work.</p> <p>Although not common, GDOT may delegate responsibility for Right-of-Way acquisition to the Design-Build Team. The Design-Build Team will be required to develop Right-of-Way plans and other pre-acquisition information necessary to complete a Right-of-Way package, as well as complete an appraisal of all impacted parcels. Legal work (such as closings and condemnation filings) shall be conducted by the assigned Special Assistant Attorney General (SAAG). However, the Design-Build Team will be responsible for retaining the court coordinator to assist the assigned SAAG.</p>
<b>Utilities</b>	<p>The ID-PM should coordinate with GDOT’s Office of Utilities as early as possible to identify potential utility impacts, risks, and discuss schedule to obtain SUE plans and a utility Memorandum of Understanding (MOU) from each utility owners. In the event that the likely impact to utility owners is low as a result of the project, GDOT’s Office of Utilities may grant a SUE waiver in which case GDOT’s “white lining” specification will be required.</p>
<b>Geotechnical Investigation</b>	<p>GDOT should obtain some level of geotechnical investigation in order to minimize some of the risk(s) associated with subsurface conditions. GDOT should also provide existing available information relating to the soil investigation, such as geological data, groundwater data reports, logs of previously completed nearby borings from past projects, memoranda, and fence diagrams, in the RID. Do not provide interpretive reports, except for the final pavement design. If feasible, Proposers should be allowed to perform additional borings during procurement to further minimize the risk.</p>

Activity	Action
<b>Pavement Design</b>	<p>Pavement design(s) for all permanent roadways, ramps, shoulders, multiuse paths, shall be designed in accordance GDOT's <a href="#">Pavement Design Manual</a> and approved by GDOT'S Pavement Design Committee.</p> <p>GDOT should provide the approved pavement design(s) in the RFP. The pavement design should include minimum pavement section, pavement type, and subbase. Pavement designs for temporary work are the responsibility of the Design-Build Team. The use of ATCs to modify permanent pavement design will be evaluated by GDOT on a case-by-case basis.</p>
<b>Survey Database</b>	<p>The Project's survey database shall be developed in accordance with GDOT's <a href="#">Survey Manual</a>. GDOT should obtain and provide in the RFP the approved survey control package and accepted survey database file. The level of the survey and mapping file should be adequate to support completion of the environmental document and to support preliminary engineering. The mapping will ultimately be provided to Proposers in the RID. The Design-Build Team is responsible for all final design surveying and construction staking surveying.</p>
<b>Design Exception/ Design Variance</b>	<p>Any design exceptions and design variances necessary to design and construct the project identified in the approved concept report should be identified and general approval sought prior to advertising the RFP. In addition to the general approval, any mitigation measures that will be required of the Design-Build Team should be identified and included as scope requirements in the RFP. A list of approved and acceptable design exceptions and design variances should be identified in the RFP. Final preparation of the design exceptions and/or design variances will be completed by the Design-Build Team and final approval will be completed by the Chief Engineer and the FHWA (if applicable).</p>
<b>Road Design</b>	<p>Road design criteria shall be defined within the RFP, using all applicable design guides and other standards and details that are current at the time of RFP advertisement.</p>
<b>Drainage</b>	<p>Preliminary drainage design should be performed as part of the costing plans to determine Right-of-Way, cost estimate, and permit requirements.</p>
<b>Hydraulic Study</b>	<p>Preliminary Hydraulic Studies should be conducted prior to RFP advertisement to properly determine the impacts to the environment and the costs of the project. Final hydraulic analysis to be done by the Design-Build Team.</p> <p>Depending on the scope of the work, it may be appropriate to coordinate and/or obtain a no-rise certification from the Local Issuing Authority.</p> <p>The ID-PM must coordinate with GDOT Bridge Office to discuss available hydraulic data, Design-Build scope of services, and possible early coordination with the Locals and/or FEMA.</p>
<b>MS4</b>	<p>Preliminary Municipal Separate Storm Sewer Systems (MS4) analysis should be completed for all projects that fall within MS4 compliant counties. This analysis should be done to ensure the project can be constructed with the existing/proposed right-of-way and that the environmental document footprint covers any additional areas required for compliance with the MS4 permit. Final design to comply with the MS4 to be completed by the Design-Build Team.</p>

Activity	Action
<b>Erosion Control</b>	<p>Erosion control requirements will be in accordance with the NPDES Permit. The Design-Build Team is typically responsible for preparing and submitting the Erosion and Sedimentation and Pollution Control Plans (ESPCP), and NOI to EPD for review and comment. In addition, the Design-Build team typically is responsible for paying the related NOI fee.</p> <p>GDOT will not review ESPCP for Design-Build projects.</p>
<b>Structures</b>	<p>Allowable structure types need to be determined and identified in the RFP. The approximate geometrics of the structure(s) should be established, which is done by providing a plan and elevation (P&amp;E) drawing sheet(s) of each structure identifying type, size, and location (included in RID documentation).</p>
<b>Aesthetics</b>	<p>If visually pleasing aesthetic components are included as part of the project, then they should be clearly defined within the RFP. This includes identifying wall and bridge treatments, including colors and patterns. The requirements may include diagrams depicting desired features, scope requirements, or scoring parameters as part of a Best Value RFP. The diagrams should not include dimensions of features that will unnecessarily shift design risk back to GDOT.</p> <p>The RFP may include aesthetic alternatives to reduce costs and allow for innovation. Aesthetic aspects need to be coordinated with the affected stakeholders prior to release of the RFP.</p>
<b>Signals / Roundabouts</b>	<p>Traffic Engineering (signal or roundabout) justification reports should be completed prior to advertising the RFP. Any changes to the intersection design proposed by the Design-Build Team that require modification to this report will be completed by the Design-Build Team. If roundabouts are being used, a peer review should be completed prior to RFP advertisement.</p> <p>GDOT should obtain signal permits (even if conditional based on the costing plans) prior to advertising the RFP.</p>
<b>Signing</b>	<p>The ID-PM should work with GDOT Traffic Operations to determine any material requirements, special designs, and additional signs which vary beyond the requirements of the MUTCD and GDOT Signing and Marking Guidelines. These additional requirements should be identified in the RFP.</p>
<b>Intelligent Transportation System (ITS)</b>	<p>Identification of the existing ITS infrastructure should be obtained prior to the RFP. In addition, Liquidated Damages should be considered in the event the existing ITS system is potentially affected by a Design-Build project.</p> <p>Preliminary ITS layouts should be prepared prior to issuing the RFP and provided as part of the RID.</p> <p>Scope requirements for the ITS elements should be established in the RFP and written to ensure the GDOT's Office of Traffic Operations and those of the GDOT Traffic Management Center (TMC) are met. The ID-PM is responsible for this early coordination.</p>

Activity	Action
<b>Maintenance of Traffic</b>	Although the Design-Build Team is responsible for developing the staging and traffic control plans, sufficient preliminary engineering should be completed to define the required minimum traffic control requirements and restrictions on lane closures. These traffic control requirements/restrictions should be identified in the RFP as available work hours or available lane closure parameters and have liquidated damages associated with violations of these requirements/restrictions.
<b>Traffic Management Plan (TMP)</b>	<p>The RFP must include a preliminary draft TMP. The ID-PM must coordinate with GDOT's Office of Construction in an effort to provide as much scope definition as possible. The preliminary draft TMP will be provided in the RID. The Design-Build Team will prepare the final TMP for GDOT's and FHWA review.</p> <p>In some cases, FHWA may provide a waiver of the TMP. In this case, approval of any waiver must be obtained prior to advertising the RFP.</p>
<b>Equal Employment Opportunities (EEO)</b>	Refer to GDOT's EEO webpage found at <a href="http://www.dot.ga.gov/doingbusiness/eo/Pages/default.aspx">http://www.dot.ga.gov/doingbusiness/eo/Pages/default.aspx</a> .

**Table 2.2: Project Management**

Activity	Action
<b>Critical Path Method (CPM) schedule</b>	<p>A Critical Path Method (CPM) schedule should be used on most all Design-Build projects. A CPM schedule should be used all Shortlisted Design-Build projects and all Design-Build projects utilizing A+B or incentive clauses. The CPM schedule tracks the Design-Build Team's progress and is evaluated at a minimum on a monthly basis (frequency of required submittals will be evaluated on a project by project basis).</p> <p>The CPM schedule should not be used for one phase low bid projects or simple projects when the schedule risk for project completion is low.</p>
<b>Quality Management (Design)</b>	<p>The Design-Build Team is the Engineer-of-Record and is responsible for quality control and quality assurance of the design related submittals. GDOT's role is to verify that the design meets the requirements of the contract, and to audit the Design-Build Team's quality process.</p> <p>Prior to providing GDOT with any submittals, the Design-Build Team is required to perform a quality check of the submittal. If the submittal is incomplete or contains substantial errors, then GDOT will reject the submittal.</p>
<b>Quality Management (Construction)</b>	The role of the Design-Build Team is different than traditional Design-Bid-Build contracts. Design errors or ambiguities identified in the field are the responsibility of the Design-Build Team to correct. The quality management process in construction on Design-Build projects is essential for the Design-Build Team to implement.

Activity	Action
<p><b>Cost Management</b></p>	<p>Design-Build contracts typically include lump sum pay items, in which payments are made based on percent complete of activities defined within the Schedule of Values. The Design-Build Team submits monthly invoices and progress reports that are used to determine progress payments based on the percentage of work complete for each schedule activity. GDOT testing and inspection documentation will be used to validate that the work on each paid activity has occurred.</p>
<p><b>Co-location</b></p>	<p>Co-location is encouraged on multi-year complex projects which require a large degree of coordination between the design-build team and GDOT design oversight staff. On less complex projects, alternative forms of design coordination are encouraged (e.g. regular scheduled meetings).</p>
<p><b>Public Information</b></p>	<p>Since the design, staging, and schedule are the responsibility of the Design-Build Team, shifting additional public information responsibilities to the Design-Build Team is encouraged with support from GDOT. On complex projects with heavy public involvement, requiring the Design-Build Team to have a highly skilled public relations expert on staff is encouraged, and will be identified in the RFQ and RFP. Press releases and direct contact with elected officials should remain the responsibility of GDOT.</p>

**Table 2.3: Third Party Agreements**

Activity	Action
<p><b>Project Framework Agreements (PFA)</b></p>	<p>If required, the PFA is to be prepared and negotiated prior to issuance of the RFP. A Design-Build contract will not be awarded until all agreements are signed.</p>
<p><b>Utility Agreements, Memorandum of Understanding, Utility Analysis Preliminary Routing Report and Coordination</b></p>	<p>Utility coordination must be performed in accordance with GDOT’s <a href="#">Utility Accommodation Policy and Standards Manual</a> (UAM). Depending on the extent of utilities located within the project corridor, the preparation of utility agreements can be one of the more time-consuming processes of a Design-Build project.</p> <p>Consequently, GDOT should contact utility owners during the development of the RFP to plan activities, discuss the project, discuss risks and possible mitigation strategies, and to obtain MOUs. Subsurface Utility Engineering (SUE) should be conducted for all Design-Build projects prior to the advertisement of the RFP. This preliminary SUE data will provide Proposers information necessary to assess the risk, and determine an appropriate strategy to avoid or relocate an impacted utility.</p> <p>Once SUE is complete, GDOT shall conduct a utility coordination meeting with all utility owners within the project limits. The goals of this meeting include:</p> <ul style="list-style-type: none"> <li>• Discuss the scope of the project and potential land disturbing activities</li> <li>• Distribute SUE plans to all utility owners within the project limits</li> <li>• Distribute the Utility Analysis Preliminary Routing Report (UAPRR) to Utility Owners and ask they provide additional information to supplement the MOU.</li> <li>• Distribute Memorandums of Understanding (MOU) to utility owners and explain how they should be filled out.</li> </ul> <p>GDOT will follow up with utility owners to execute an MOU, and to collect the UAPRR from each utility owner within the project limits. The executed MOUs and the UAPRRs will be included in the RFP. The MOU will identify the entity that is responsible for the design and construction of the utility relocation(s). The Utility Analysis Preliminary Routing Report is used to provide Design-Build teams with additional information not included in the MOU, such as estimate cost for design and construction, material requirements and the estimated number of days to complete the relocation. When utility relocation is the Design-Build Team’s responsibility, the Design-Build Team, through coordination with utility companies, shall determine utility conflicts and make arrangements for relocation or adjustments as required.</p> <p>The Proposers will be responsible for utility coordination and completing most tasks normally performed by the District Utility Engineer during Design-Bid-Build. Refer to the UAM for additional information. Utilities and their relocations are critical risk element to Design-Build Projects. It is essential that GDOT provide as much clarity in the RFP to identify the scope requirements of the Design-Build Team.</p>

Activity	Action
<p><b>Railroad Agreements</b></p>	<p>If a Design-Build project is expected to impact a railroad then the ID-PM must coordinate as early as possible with GDOT’s State Utilities Railroad Liaison Engineer during the development of the RFP. In addition, the impacted railroad owner(s) should be consulted during the development of the RFP to collaborate on the scope to which the Design-Build Team must perform under the Design-Build contract. The GDOT ID-PM and GDOT’s State Utilities Railroad Liaison Engineer will ensure that the Design-Build Team is adhering to the scope of services with respect to railroad coordination, and will provide guidance, as necessary, during the administration of the Design-Build contract.</p> <p>Railroad agreements are similar to other third-party agreements, but often require long lead time to finalize. For this reason, discussions with railroads should be initiated as early as possible in the project, and agreements with railroads should be in place prior to issuance of the RFP. The Design-Build contract should recognize potential impacts to schedule and cost due to the unpredictability of railroad participation. Key railroad requirements, including the railroad’s involvement, authority, and review times, should be identified in the RFP.</p>

## 2.2 Design-Build RFP Review

The ID-PM is responsible for developing the RFP (see **Section 3.6**). The ID-PM will utilize the RFP templates (see **Attachments 9 through 12**) to develop the project specific RFP.

Listed below is the general process necessary to facilitate the RFP Package Review.

1. The ID-PM must coordinate with GDOT’s Office of Engineering Services as soon as a Design-Build project is identified. The discussion should focus on the project description, anticipated Design-Build scope of services, the Design-Build procurement schedule, and the date of the Design-Build RFP package to GDOT’s Office of Engineering Services to schedule a review.
2. During the development of the RFP, the ID-PM will discuss the contents and project scope with all GDOT SMEs which should also include GDOT District representatives.
3. The ID-PM will prepare a RFP Package Review request letter. The RFP Package should include the costing plans (if included in the RFP), CES estimate, and other project related data that will form the basis of the scope (see **Attachment 9 Design-Build RFP Review Request**). The SIDE will review and transmit to GDOT’s Office of Engineering Services.
4. GDOT’s Office of Engineering Services will schedule the Design-Build RFP Package Review meeting, facilitate the meeting, compile comments into a report, distribute the report and coordinate with FHWA, as applicable.

5. Following the RFP Package Review meeting, the ID-PM will facilitate the preparation of responses to all comments and provide to GDOT's Office of Engineering Services.
6. The ID-PM will revise the RFP Package (including costing plans as necessary) per the approved report.

**Note: The ID-PM must be familiar with GDOT's *Letting Schedule for Processing Projects* which is located at <http://www.dot.ga.gov/doingbusiness/contractors/Pages/default.aspx>. This document provides the dates by which GDOT's Office of Engineering Services must hold the Design-Build RFP Package review meeting (similar to Final Field Plan Review Held – 24 weeks), receive corrected RFP Package, submit certifications and authorize construction.**

### 2.3 Design-Build Cost Estimate

Design-Build projects typically include “design complete” and “construction complete” pay items. However, a detailed cost estimate based on typical GDOT Design-Bid-Build pay items is required for all Design-Build projects in the CES format (refer to [CES Cost Estimating Documents](#) found on GDOT R.O.A.D.S webpage). In addition, consideration must be given to other costs such as utility relocation costs (for utility relocations included in the Design-Build scope of services), project support related costs, possible third party agency costs, and/or a risk contingency costs.

It is absolutely essential that the ID-PM coordinate early with GDOT's Office of Engineering Services Estimating Division during the development of the RFP. Extra time may be required to develop a final Design-Build cost estimate particularly due to the uniqueness and varying levels of costing plan completeness for Design-Build projects.

### 2.4 Design-Build Schedule

The ID-PM should evaluate the Design-Build schedule early in the development of the RFP. The schedule is a critical component to the delivery of the project, and just like constructability considerations, the ability to achieve a logical sequence of work by the Design-Build Team for final design, permitting, utility coordination/relocation activities, traffic control restrictions, construction activities, and other project specific project activities needs to be considered by ID and other GDOT SME's.

The use of A+B contracting should also be considered for every Design-Build project, but its use should be based on the delivery goals of each Design-Build project. Incentive clauses should also be considered.

Where appropriate, Design-Build Team's should seek out opportunities to phase construction activities and the RFP should not restrict the phasing of such activities. While there are inherent risks with this approach, an expedited delivery schedule can be achieved if properly coordinated by the Design-Build Team.

Listed below is the general process to prepare a preliminary Design-Build schedule and establish the time component in the RFP.

1. The ID-PM will develop a schedule which accounts for the design and construction related activities specific to the Design-Build project. The schedule should also include work restrictions, weather days, permitting process, and other project specific scope items. The development of this preliminary schedule should occur as early in the RFP development process as possible. The ID-PM will need to coordinate with the necessary resources to develop this schedule.
2. The ID-PM will coordinate with GDOT's Office of Construction to discuss the schedule, logic, and use of A+B contracting method.
3. The ID-PM will prepare a schedule recommendation letter. The SIDE will review and transmit to GDOT's Office of Construction.
4. GDOT's Office of Construction will take the schedule under advisement when establishing contract duration.

## 2.5 Industry Forums and Design-Build Workshops

An Industry Forum is used periodically by GDOT to engage the industry on a specific project. The Industry Forum is typically conducted after the issuance of the PNA, but prior to the issuance of the RFQ. The purpose of the Industry Forum is to discuss a projects anticipated scope, schedule, risks, as well as to listen to the industry. Interested Proposers are encouraged to participate. Any information provided at the Industry Forum is provided for information only.

Design-Build Workshops are used to discuss a number of topics that may include GDOT's Design-Build program, utility coordination, schedule development, and/or risk mitigation.

Announcements for the Industry Forum will be included in the PNA and on GDOT's [Design-Build webpage](#). Announcements for Design-Build Workshops are found on GDOT's [Design-Build webpage](#).

## CHAPTER 3 - ADVERTISEMENT ACTIVITIES

This chapter is intended to provide an overview of the advertisement activities as well as describe the related procurement sites utilized for the One Phase Low Bid, Two Phase Low Bid and Best Value selection methods.

### 3.1 Websites and SharePoint Sites

GDOT uses several websites to provide information about the Design-Build program, advertise the PNA, advertise the RFQ, advertise the RFP, and to provide project related information to Proposers.

#### 3.1.1 GDOT's Design-Build Webpage

GDOT's [Design-Build webpage](#) is intended to provide the industry with the most current information regarding GDOT's Design-Build program which will typically include:

- A link for the industry to send GDOT feedback or questions about the Design-Build program
- Board Rules
- List of awarded Design-Build projects (name, PI, County, awarded Design-Build Team, contract value)
- List of approved Design-Build projects (name, PI, County, anticipated dates for PNA, RFQ, RFP, Letting)
- Boiler plate contract documents
- Fiscal Year Design-Build summary reports
- Other resources such as presentations, and industry outreach material

#### 3.1.2 Georgia Procurement Registry (GPR)

The [Georgia Procurement Registry](#) (GPR) is used to advertise the PNA and the RFQ. The [GPR](#) search functions will locate any advertised PNA or RFQ. Each user is encouraged to register with [GPR](#) in order to receive an email notification upon a solicitation being posted. Listed below are the steps necessary to locate the PNA and RFQ through the [GPR](#):

1. Access [GPR](#) by clicking [Georgia Procurement Registry](#) link
2. Select the desired 'Event Status'
3. Select 'State Government' as the 'Government Type'
4. Select 'Transportation-2, Department Of' as the 'Government Entity'
5. Select the desired 'Sort List By' function, and click 'Search'

#### 3.1.3 SharePoint Site

GDOT's [Design-Build public SharePoint site](#) is used during the PNA and RFQ advertisement phase to provide available information to Proposers such as a project synopsis (which provides more detail regarding anticipated scope of services), available project meeting minutes, any available approved concept report, and/or layouts. A reference and directions to access the SharePoint site for each project will be included in the PNA and RFQ.

In addition, the [Design-Build public SharePoint site](#) is used for One Phase Low Bid and Two Phase Low Bid to post all available project related information such as Microstation files, InRoads files, approved concept Reports,

geotechnical information, traffic data, as well as a Question and Answer (Q&A) spreadsheet. A reference and directions to access the SharePoint site will be included in the PNA, RFQ and RFP.

The RFP for Best Value Design-Build projects will be advertised via a secure GDOT SharePoint site. GDOT's Office of Transportation Services Procurement (TSP) will provide to each Shortlisted Proposer the instructions necessary to access the secure GDOT SharePoint site.

### 3.1.4 Bid Express™

[Bid Express™](#) is used to advertise the RFP for all Low Bid Design-Build projects. Listed below are the steps necessary to access the RFP through [Bid Express™](#):

1. Access [Bid Express™](#)
2. Select the 'Georgia Department of Transportation'
3. Select the 's' tab
4. Select the project's letting date
5. Select the project

GDOT's Notice to Contractors (NTC) is posted on [Bid Express™](#). GDOT will include the Design-Build advertisement notices in the NTC. The advertisement notices shall not be considered the official advertisement, but are provided as information only. The NTC will be provided at the time of the PNA and will include a brief description, link to the [GPR](#), and tentative schedule. In addition, the NTC will be updated for Two Phase Low Bid and Best Value selection method on or before the RFP advertisement to provide a summary of which Proposers are eligible to provide a technical proposal and price proposal in response to the RFP. The table below is intended to provide a high level overview and anticipated timing of advertisement activities.

**Table 3.1: Design-Build Procurement Website Summary**

Procurement Activity	Best Value	Two Phase Low Bid (all qualified or w/ Shortlist)	One Phase Low Bid	Approx. Months Prior to Letting
Public Notice Advertisement (PNA)	Posted on <a href="#">GPR</a> *			4-6 months
Request for Qualifications (RFQ)	Posted on <a href="#">GPR</a> *	Posted on <a href="#">GPR</a> *	Omitted for One Phase Low Bid	3-5 months
Selection of Finalists or Shortlist Notification	Posted on <a href="#">GPR</a> *	Posted on <a href="#">GPR</a> *	Omitted for One Phase Low Bid	2-4 months
Request for Proposals (RFP)	GDOT's TSP provides directly to Shortlisted Proposers	Posted on <a href="#">Bid Express</a> <sup>TM</sup>	Posted on <a href="#">Bid Express</a> <sup>TM</sup>	1-3 months
* GDOT's Notice to Contractors (NTC), which is posted on <a href="#">Bid Express</a> <sup>TM</sup> , will include summary information of a particular procurement milestone.				

### 3.2 Public Notice Advertisement (PNA)

The PNA is intended to be an advanced advertisement of an upcoming Design-Build project. The PNA includes preliminary information that may include, but is not limited to the following:

- Tentative scope
- Anticipated schedule
- Anticipated Consultant area classes that may be required in the RFQ
- Any unique or special contractor(s) or consultant(s) qualification or experience requirements
- List of contractor(s), consultant(s), or other entity known to have a Conflict of Interest, and are therefore not eligible to participate as a Proposer or on a Design-Build Team

Unless the PNA includes specific instructions regarding a restriction on communications, interested contractors and/or consultants may contact GDOT staff to obtain information on the upcoming Design-Build project.

Prior to the issuance of the PNA, the ID-PM will collect and organize project information that is current and readily available. The ID-PM will upload this information at the time of the PNA advertisement to GDOT's [Design-Build public SharePoint site](#). In addition, the ID-PM will prepare and provide a project synopsis which is intended to generally describe the anticipated scope of services for such items as roadway design, environmental permitting, right-of-way acquisition, geotechnical services, drainage, erosion control and MS4.

Listed below is the process for developing and advertising the PNA:

1. TSP maintains document ownership over the PNA template.
2. At least three weeks prior to the scheduled PNA advertisement, the ID-PM will obtain the most current PNA template from TSP, and populate the data fields with the following project specific information:
  - a. Project number and county
  - b. Anticipated Design-Build scope and procurement schedule
  - c. Anticipate consultant area classes
  - d. Design-Build selection method (if known)
  - e. Anticipated Stipulated Fee amount (if known)
3. The ID-PM will prepare the project's Procurement Request Form (PRF), and provide the PRF along with the draft PNA to the SIDE for review and concurrence.
4. At least two weeks prior to the scheduled PNA advertisement, the ID-PM will provide the PRF (signed by the SIDE) and draft PNA to TSP.
5. At least one week prior to the issuance of the PNA, the ID-PM will prepare the NTC and provide to CBA.
6. At least one week prior to the issuance of the PNA, the ID-PM will prepare a project synopsis and collect readily available project information for posting on the Design-Build public SharePoint site.
7. At the time of the PNA advertisement, the ID-PM will upload the project synopsis, and readily available project information to GDOT's Design-Build public SharePoint site. The PNA must include instructions to access GDOT's Design-Build public SharePoint site.
8. TSP will advertise the PNA on the GPR, and CBA will include a project procurement summary in the NTC.

Note: The ID-PM must be familiar with GDOT's Letting Schedule for Processing Projects which is located at <http://www.dot.ga.gov/doingbusiness/contractors/Pages/default.aspx>. This document provides the dates by which CBA receives, processes, advertises the RFP, and conducts the lettings. The ID-PM should coordinate the PNA advertisement date on the date that CBA advertises the NTC during each month. In the event that the PNA does not advertise per the regular NTC advertising schedule, the ID-PM must coordinate directly with CBA regarding a special notice.

### 3.2.1 Consultant and Contractor GDOT Prequalification

GDOT requires construction contractors, as well as architectural and engineering consultants providing certain specialty service for GDOT to be prequalified for the work they are proposing to perform. For Design-Build

projects, all contractors and consultants (including subcontractors and subconsultants) who perform work on a Design-Build project must be prequalified by GDOT.

For the Two Phase Low Bid and Best Value selection methods, consultants and contractors included in the Proposer's Statement of Qualifications (SOQ) must be prequalified on or before the SOQ due date. For the One Phase Low Bid, consultants and contractors must be prequalified by the date specified in the RFP. Refer to GDOT's [prequalification webpage](#) for information regarding contractor and consultant prequalification.

### 3.3 Technical Review Committee (TRC)

The GDOT Technical Review Committee (TRC) evaluates the Proposer's SOQ in response to the RFQ, and also evaluates Technical Proposals received in response to the RFP. The SIDE will recommend the TRC members to the Chief Engineer for concurrence. The TRC should be made up of at least five to seven individuals who have relevant subject matter experience related to the Design-Build project and/or the Design-Build procurement process.

The TRC is established according to the following procedures:

1. Prior to advertising the RFQ, the ID-PM will prepare a TRC recommendation and consult with the SIDE. Suggested TRC members are as follows:
  - a. Participants should include Office Heads or Assistant Office Heads; unless otherwise delegated by the responsible GDOT office. In this case delegates must be limited to Senior Project Manager level (or equivalent) positions or higher.
  - b. The same TRC members for a project should review the SOQs and the Technical Proposals.
  - c. The TRC members should not be responsible for the review of ATCs with the possible exception of projects that include a highly specialized technology component in which case GDOT reserves the right to allow TRC members to also review ATCs.
  - d. With concurrence from the Chief Engineer, the TRC may include non-GDOT employees such as city and county representatives for projects that include significant Local financial participation. In this case the person(s) must be a licensed engineer or hold a leader position (e.g. Public Works Director) in a department with significant engineering roles, and may not be an elected official.
2. The SIDE will provide the TRC member recommendation letter to the Chief Engineer for concurrence.
3. If the TRC needs to be changed at any time during the Design-Build procurement process, the ID-PM will consult with the SIDE who will then obtain concurrence for any changes from the Chief Engineer.

### 3.4 Request for Qualifications (RFQ)

The RFQ is used by GDOT to determine the list of the most highly qualified Proposers for the Two Phase Low Bid and Best Value selection methods. The RFQ outlines the minimum and desired qualifications for Proposers. The qualifications must be tailored to each Project based upon the delivery goal(s) and project risks. Proposers must respond to the RFQ with a SOQ.

#### 3.4.1 RFQ Development and Advertisement

Listed below is the process for developing and advertising the RFQ:

1. TSP maintains document ownership over the RFQ template, and is responsible for the development of each Design-Build project's RFQ. TSP is responsible for ensuring that the RFQ meets all applicable State and Federal requirements.
2. At least three weeks prior to the RFQ advertisement, the ID-PM will schedule an RFQ development meeting with TSP and other key individuals to review such items as the Design-Build goals, minimum requirements and overall scoring criteria for the Design-Build project.
3. For the Two Phase Low Bid (all qualified) selection method, the RFQ will include evaluation criteria based upon the following combination of concepts whereby the TRC will evaluate each Proposer's SOQ on a pass/fail basis:
  - a. Prequalification requirements
  - b. Proposer organization and key personnel
  - c. Project related experience
4. For Two Phase Low Bid (Shortlist) and Best Value selection methods, the RFQ will include evaluation criteria based upon the following combination of concepts whereby the GDOT will score each Proposer's SOQ:
  - a. Prequalification requirements (pass/fail)
  - b. Proposer organization and key personnel
  - c. Project related experience
  - d. Project understanding
  - e. Proposers suitability
  - f. General project approach (management techniques and not specific to project elements)
  - g. Past performance
5. Following the RFQ development meeting, TSP will revise the RFQ.
6. Upon completion of the RFQ, TSP will advertise the RFQ through the GPR.

### 3.4.2 RFQ Clarifications

The clarification process allows GDOT to respond to Proposers questions during the RFQ advertisement period. Proposers will submit questions to TSP in accordance with the requirements set forth in the RFQ. In addition, GDOT and/or FHWA may also generate clarification questions. GDOT issued responses to clarification questions will be posted on the [GPR](#), and should be carefully drafted for consistency and to ensure fair competition. Clarification responses are meant to clarify the RFQ, but should not be used to materially change the RFQ. Material changes to the RFQ should be modified via the addendum process.

### 3.4.3 RFQ Addendums

RFQ addendums are generated by clarification questions, but can also be generated by GDOT to modify the contents of the RFQ. RFQ addendums are prepared by TSP and posted on the [GPR](#).

## 3.5 Statement of Qualifications (SOQ)

Interested Proposers must submit a SOQ to TSP per the requirements set forth in RFQ. The RFQ is issued by TSP for the Two Phase Low Bid and the Best Value selection methods.

Each Proposer's SOQ is evaluated by the TRC. For the Two Phase Low Bid (all qualified) selection method, the TRC evaluates each Proposer's SOQ to determine all Proposers who meet the minimum requirements in accordance with the RFQ. For the Two Phase Low Bid (Shortlist) and the Best Value selection methods, the TRC evaluates each Proposer's SOQ to determine a Shortlist of up to five (5) of the most qualified Proposers.

Listed below is the process for receiving SOQ, evaluating SOQ, determining all qualified Proposers or the Shortlist of up to five (5) of the most qualified Proposers, and notifying Proposers of the results:

1. TSP receives all SOQs. TSP will perform an initial screening to ensure each SOQ meets the minimum requirements. In the event that a Proposer's SOQ does not meet the minimum requirements, TSP will notify the SIDE.
2. After performing the initial screening, TSP will facilitate an SOQ evaluation kick-off meeting with the TRC.
  - a. The review and evaluation of SOQs is performed by the GDOT TRC. Although the TRC are the only ones to score the SOQ, technical advisors may be used to provide input into the process.
  - b. All TRC members, any technical advisors and process oversight committee members should attend the SOQ evaluation kick-off meeting.
  - c. TSP will provide the TRC members with the material necessary to evaluate and score SOQ. This may include a copy of the RFQ (including clarifications and addendums), the SOQ evaluation form, conflict of interest form (if applicable), and non-disclosure form (if applicable).

3. The TRC performs an evaluation of each Proposer's SOQ using the applicable material provided by TSP.
4. TSP facilitates a meeting with the TRC to receive the evaluation scores.
5. TSP will compile the final results as provided by the TRC, and submits the results to the SIDE.
  - a. For the Two Phase Low Bid (all qualified) selection method, TSP identifies all qualified Proposers.
  - b. For the Two Phase Low Bid (Shortlist) and Best Value selection methods, TSP identifies the Shortlist of up to five (5) of the most qualified Proposers.
6. The SIDE will provide the Selection of Finalists or the Shortlist results to the Chief Engineer for concurrence.
7. Following the SOQ evaluations, TSP will collect all evaluation materials and SOQs from the TRC. The ID-PM will retain one copy of each Proposer's SOQ.

### 3.5.1 Selection of Finalists or Shortlist Notifications

Upon concurrence of the Chief Engineer of the Selection of Finalists or Shortlist results, TSP will notify each Proposer of the results. After notifying each Proposer, TSP will post the Selection of Finalists or Shortlist results to the [GPR](#). In addition, the ID-PM must notify CBA of the results who will update the NTC.

## 3.6 Request for Proposals (RFP)

The RFP outlines the contract requirements, project scope, project standards, and instruction for responding to the RFP. The RFP is required on all Design-Build projects and is advertised for the One Phase Low Bid, Two Phase Low and Best Value selection methods. The following items should, at a minimum, be included in the RFP:

- Scope of Work
- Selection method, and selection criteria including the Best Value weighting (if applicable)
- Stipulated Fee forms (if applicable)
- Copy of contract documents
- Maximum allowable time to design and construct the project
- Requirement that technical and price proposals be submitted as two separate packages
- Requirements for a schedule
- Date, time and location of the public opening
- Other information relative to the project

GDOT's intent is to maintain consistency with the RFP between projects for each of the selection methods, and will maintain a current RFP template on GDOT's [Design-Build webpage](#). Although some content of the RFP will

change based on the project specific scope and risks; the RFP is generally structured to maintain consistency. The typical RFP structure is illustrated below:

**Table 3.2: Typical Design-Build RFP Structure**

RFP Section	Description
<b>Instruction to Proposer (ITP)</b>	The ITP is not a contract document, but outlines procurement process, procurement schedule, One-on-One Meeting schedule (if applicable), ATC process (if applicable), evaluation criteria, and format for submitting technical and price proposals.
<b>Volume 1 (Design-Build Agreement)</b>	Volume 1 outlines the contract terms and conditions and becomes the contract on the project. Volume 1 also contains contract definitions, and other requirements such as warranty clauses.
<b>Volume 2 (Technical Provisions)</b>	Volume 2 outlines only those project specific requirements, and is tailored specifically to each project.
<b>Volume 3 (Programmatic Provisions)</b>	Volume 3 contains standards that must be used on the Project. It is intended to be programmatic in nature meaning this Volume typically is used for all Design-Build projects. This section includes GDOT Standards, Manuals, Technical Memorandums, Standard Specifications and Special Provisions.
<b>Reference Information Documents (RID)</b>	The RID is not a contract document, but includes background information to assist the contractor with designing the project.

### 3.6.1 RFP Development

Listed below is the process for developing the RFP for the One Phase Low Bid, Two Phase Low Bid and Best Value selection methods:

1. ID will maintain document control over the RFP templates (see **Attachments 9 through 12**), and is responsible for the development of each Project’s RFP.
2. The ID-PM will update the applicable selection method’s ITP template with Project specific information such as:
  - a. Project title and description
  - b. Procurement schedule
  - c. Stipulated Fee (if any)
  - d. Qualification package requirements for One Phase Low Bid
  - e. Technical Proposal requirements for Two Phase Low Bid
  - f. Best Value Technical Proposal Evaluation Criteria and Weighting (see **Section 3.8.1**)

3. The ID-PM must collaborate with all applicable GDOT SMEs during the development of the RFP (see **Chapter 2**).
4. The ID-PM must coordinate early with GDOT's Office of Engineering Services who will prepare the Project's cost estimate, and who will facilitate the Design-Build RFP Review in accordance with GDOT's *Letting Schedule for Process Projects*. (see **Section 2.2**)
5. Following the Design-Build RFP review, the ID-PM will finalize the RFP.

**Note: The ID-PM must be familiar with GDOT's *Letting Schedule for Processing Projects* which is located at <http://www.dot.ga.gov/doingbusiness/contractors/Pages/default.aspx>. This document provides the dates by which GDOT's Office of Engineering Services must hold the Design-Build RFP Package review meeting (similar to Final Field Plan Review Held – 24 weeks), receive corrected RFP Package, submit certifications and authorize construction.**

### 3.7 RFP Advertisement (One Phase Low Bid and Two Phase Low Bid)

The RFP advertisement process for the One Phase Low Bid and the Two Phase Low Bid selection methods **will be facilitated by CBA** in accordance with their process typically used to advertise Design-Bid-Build projects.

Listed below is a general outline of the process necessary to advertise the RFP for the One Phase Low Bid and the Two Phase Low Bid selection methods:

1. The ID-PM must provide the Project's RFP to CBA in accordance with dates identified in GDOT's *Letting Schedule for Processing Projects* for the proposed RFP advertisement date. **It is critical that the ID-PM understand the processing dates and plan well in advance to achieve them.**
2. The ID-PM will coordinate the necessary certifications or "conditional" certifications with the applicable GDOT offices in accordance with GDOT's *Letting Schedule for Processing Projects*.
3. CBA will review the RFP, make necessary modifications, and coordinate the necessary concurrence/authorizations needed to advertise the RFP.
4. One week prior to the RFP advertisement, the ID-PM will assemble any readily available project data that will be posted on GDOT's [Design-Build public SharePoint site](#) for information only at the time of the RFP advertisement.
5. On the morning of the RFP advertisement, the ID-PM will post the readily available project data to GDOT's [Design-Build public SharePoint site](#) for information only. The ID-PM should take great

measure to ensure that any updates are appropriately logged such that Proposers are clear on any modifications that occur during the RFP advertisement period. In addition, Proposers must check GDOT's [Design-Build public SharePoint site](#) often during the RFP advertisement period.

6. Proposers submit questions to CBA in accordance with requirements set forth in the ITP. CBA will forward all questions to the ID-PM who will prepare responses. The ID-PM may consult with GDOT SMEs when preparing responses. The ID-PM will maintain a Q&A document on GDOT's [Design-Build public SharePoint site](#) which will be actively managed during the RFP advertisement period.
7. If a modification to the RFP is required, the ID-PM will prepare an amendment request. The ID-PM will consult with the SIDE who will review the amendment request, and provide the request to CBA for processing.

### 3.7.1 Qualifications Package Requirements for One Phase Low Bid

In addition to the bid forms that Proposers are required to submit as set forth in the RFP, a qualifications package is also required. The qualifications package is intended to include proof that the Proposer meets the required GDOT area class requirements as set forth in the RFP.

During the development of the ITP, the ID-PM must pay special attention to the area class requirements for the Project to ensure that only those area classes which the Proposer must retain to perform the scope of services are being requested (see **Section 3.2.1** regarding GDOT prequalification requirements).

### 3.7.2 Technical Proposal Requirements for Two Phase Low Bid

In addition to the bid forms that Proposers are required to submit as set forth in the RFP, a Technical Proposal is also required. The Technical Proposal for the Two Phase Low Bid selection method will be evaluated by the TRC on a pass/fail basis. The contents of the Technical Proposal are specified in the RFP, and vary from project to project. Information requested may include, but is not limited to the following:

- A detailed schedule
- A narrative describing Project risks and the Proposer's plan to mitigate the risks
- Proposed bridge information
- Required permit(s)
- Staging and/or mobilization assumptions

During the development of the ITP, the ID-PM must pay special attention to only select those required elements for the Technical Proposal which will provide insight into the Proposer's approach to designing and building the Project. The TRC will evaluate the Technical Proposals on a pass/fail basis for its compliance with the scope of work set forth in the RFP.

### 3.8 RFP Advertisement (Best Value)

The RFP advertisement process for the Best Value selection method will be facilitated by TSP.

Listed below is a general outline of the process necessary to advertise the RFP for the Best Value selection method:

1. The ID-PM is responsible for assembling the Best Value RFP. The ID-PM will coordinate with CBA during the preparation of the Best Value RFP to ensure the most current bid forms are included in the RFP.
2. The ID-PM will coordinate with the applicable GDOT offices to ensure that proper certifications or “conditional” certifications are provided to GDOT’s Office of Engineering Services.
3. For PODI projects, the SIDE will provide the RFP to FHWA at least three weeks prior to advertising the RFP with a request for concurrence to advertise the RFP. Upon receiving FHWA concurrence, the SIDE will provide the RFP to TSP for advertisement.
4. For State and exempt projects, the SIDE will provide the RFP to TSP for advertisement.
5. One week prior to the RFP advertisement, the ID-PM will assemble all readily available project data that will be posted on GDOT’s secure SharePoint site at the time of the RFP advertisement. In addition, the ID-PM will coordinate with TSP to provide the Shortlisted Proposers with non-disclosure forms which are required in order to gain access to GDOT’s secure SharePoint site.
6. On the morning of the RFP advertisement, the ID-PM will post the readily available project data and the RFP to GDOT’s secure SharePoint site. The ID-PM should take great measure to ensure that any updates to GDOT’s secure SharePoint site are logged to accurately account for any modifications that occur during the RFP advertisement period. **Proposers must check GDOT’s secure SharePoint site often during the RFP advertisement period.**
7. Proposers must submit questions to TSP in accordance with requirements set forth in the RFP. TSP will be solely responsible for providing any clarifications and amendments to the RFP.

### 3.8.1 Best Value Technical Proposal Evaluation Criteria and Weighting

Development of the Technical Proposal evaluation criteria needs to be a systematic, thorough process. The Technical Proposal evaluation criteria should be developed by GDOT based on the goals and/or risks of the project.

Listed below is the process for determining the Best Value Technical Proposal evaluation criteria, and the respective weighting of the Price Proposal and Technical Proposal:

1. The ID-PM will facilitate a meeting with the TRC to develop the evaluation criteria (see **Section 3.3** regarding the TRC).
  - a. TSP and the SIDE must be in attendance.
  - b. Technical experts or stakeholders should also be included to develop the evaluation criteria based upon the risks and goals of the project.
  - c. Project goals and risks should be discussed, and the attendees should rank the criteria based upon the value provided to the project.
2. The Best Value Technical Proposal evaluation criteria should:
  - a. Be clear, defensible, and easy for the Proposers and public to understand.
  - b. Not overlap scoring criteria in the SOQ, especially with respect to Key Personnel which have already been evaluated in the SOQ.
  - c. Focus on items which bring measurable value to the project.
  - d. Be tailored to the individual project.
  - e. Avoid/minimize recycling criteria from project to project.
3. Technical Proposal evaluation criteria other than those items scored on a pass/fail basis shall be selected by their ability to add value to the project. Considerations for how the evaluation criteria may increase the project cost should be considered by the TRC when selecting criteria and assigning technical point values. Potential Technical Proposal evaluation criteria may include :
  - a. Project Schedule
  - b. Impacts to the traveling public
  - c. Aesthetics
  - d. Project Management approach
  - e. Public Involvement/Community Relations
  - f. Environmental impacts
  - g. Additional warranty of certain items
  - h. Improved design criteria

4. Following the ranking of criteria, the attendees will assign points to criteria and sub-criteria. In addition, the Technical Proposal weighting will be determined based on the project goals/risks.
5. Following the meeting, the ID-PM will draft a recommendation letter for the Chief Engineer which outlines the Technical Proposal evaluation criteria and weighting for inclusion in the ITP.
6. The SIDE will consult with and obtain concurrence of the evaluation criteria from the Chief Engineer. Any subsequent material changes to the evaluation criteria must be approved by the Chief Engineer.

### 3.8.2 One-on-One Meetings (Best Value)

One-on-One Meetings between GDOT and Proposers are used to improve communication during the Best Value procurement process. The primary purpose of these meetings is to allow Proposer to discuss potential ATCs with GDOT prior to making a formal ATC submittal. This minimizes effort on both GDOT and Proposers drafting ATCs that may have a limited chance of being approved.

**The One-on-One Meetings will not be used to discuss clarifications or be used by Proposers to gain additional insight into the process. Clarification questions need to be submitted to GDOT in writing via the clarification process outlined in the ITP.**

The number and frequency of the One-on-One Meetings will depend on the size and complexity of the project. The ID-PM, SIDE and TSP will jointly determine the number and frequency. Each Proposer will be offered the same One-on-One Meeting opportunity.

Listed below are the procedures and protocols for conducting One-on-One Meetings:

1. TSP will schedule all One-on-One Meetings.
2. GDOT staff may be limited to the TSP, SIDE, ID-PM, and a select group of SMEs and/or technical advisors. On PODI projects, the ID-PM will invite the FHWA to all One-on-One Meetings.
3. Proposers may request key experts attend certain One-on-One Meetings to discuss draft ATCs concepts.
4. The content of the One-on-One Meetings are confidential to each Proposer and will not be discussed with other Proposers.
5. TSP will instruct all Proposers that the purpose of the One-on-One Meetings is to provide an opportunity to discuss draft ATCs, and that nothing discussed or implied should be considered acceptance or rejection nor cause any changes to the current RFP.

6. After a Proposer discusses the draft concept, the ID-PM will inform the Proposer if the ATC has potential to be accepted or if GDOT will not entertain that concept.
7. If a Proposer asks clarification questions beyond those related to an ATC, the ID-PM will not answer the question and will inform the Proposer that the question needs to be submitted as a written clarification.
8. No formal meeting minutes will be taken.
9. If a Proposer provides handouts, they shall be returned at the conclusion of each meeting.

### 3.8.3 Alternative Technical Concepts (ATC)

Alternative Technical Concepts (ATC) allow for innovation and flexibility during the procurement process. The ATC process allows Shortlisted Proposers to submit “equal or better” alternatives to the RFP requirements during the procurement process. The ATC process is a highly confidential process. Each ATC submitted by Proposers to TSP during the RFP procurement process shall be kept confidential and not shared with the other Proposers.

The ATC process starts after the RFP is issued and will be used on the Best Value selection method. Shortly after the RFP is issued, GDOT offers One-on-One Meetings (see **Section 3.8.2**) with Proposers to discuss potential ATCs. Shortlisted Proposers submit ATCs to TSP, in accordance with the requirements set forth in the ITP, prior to submitting the Technical Proposals.

Prior to the advertisement of the RFP, the SIDE will identify and consult members of the project’s ATC review committee. In addition, the SIDE will discuss with each ATC review committee member the importance of confidentiality and will obtain a signed non-disclosure form from each member and provide to TSP.

Upon receipt of the ATC, TSP will provide the ATC to the SIDE who will coordinate with the ATC review committee, collect comments and provide a response with one of the following determinations:

1. The ATC is approved
2. The ATC is not approved
3. The ATC is Approved with conditions
4. The ATC does not qualify as an ATC

ATC concepts should not be incorporated into the RFP as addendums. However, GDOT reserves the right to correct errors in the RFP via an addendum if a Proposer uses the ATC process to take advantage of an error. Listed below are the procedures to identify ATC limits within the ITP and the process to accept, track and review ATCs submitted by Proposers.

### 3.8.3.1 ATC Limitations

Listed below are the procedures and protocols for determining ATC limitations:

1. The ID-PM, in collaboration with other GDOT offices, will determine which items will not be accepted as ATCs.
2. The ID-PM and SIDE will determine the maximum amount of ATCs that a proposer may submit.
3. The ID-PM will draft the ATC section of the ITP using the ITP template. The ID-PM will incorporate the maximum number of ATCs and identify the items identified in point 1 above.
4. Shortlisted Proposers will submit each concept as a separate ATC. The concept may include multiple interrelated parts (e.g. major geometric layout change which impacts alignments, profiles and intersection control). An ATC with multiple unrelated concepts should be rejected.

### 3.8.3.2 ATC Submittals/Document Control

Listed below are the procedures and protocols for ATC submittals/document control:

1. Shortlisted Proposers must submit ATCs in accordance with the ITP.
2. TSP will receive the ATC and submit to SIDE. The SIDE will submit to the ID-PM to log the ATC into the ATC Log.
3. The ID-PM will track the status of all ATCs using the ATC log.
4. The ID-PM will store all ATC documents (log, submittals, responses, etc.) in a secure directory. The ID-PM shall limit access to the directory to only the SIDE and other key individuals involved with the review and approval of the ATCs.

### 3.8.3.3 ATC Reviews

Listed below are the procedures and protocols for ATC Reviews:

1. The review of ATCs needs to be kept to a small group of key individuals for confidentiality reasons. The ID-PM will only distribute ATCs to these key individuals. The ID-PM will verify that all key individuals have signed a non-disclosure form.
2. The ID-PM may request supplemental information from a Shortlisted Proposer any time. Depending on the amount of supplemental information requested, the ID-PM may require the Proposer to revise the ATC. Revised ATCs should be clearly identified.
3. The ID-PM should make every attempt to respond to the ATC within two weeks.
4. The ID-PM will prepare a draft response to the ATC using a standard ATC response form.
5. The ID-PM will send the draft response to the SIDE for review.
6. FHWA will be involved in the review and approval of ATCs for PODI projects.
7. The ID-PM and SIDE will discuss and finalize the ATC.
8. The ID-PM will submit the ATC decision to TSP who will transmit the ATC decision to the submitting Shortlisted Proposer via e-mail. TSP will also send a hard copy of the decision.
9. If a Shortlisted Proposer wants to resubmit/modify an ATC after a decision has been sent, they must submit a new ATC using a different ATC number.
10. The ID-PM will update the ATC log.

## CHAPTER 4 - EVALUATION, LETTING AND AWARD ACTIVITIES

This chapter is intended to provide an overview of the activities related to receiving price and technical proposals, evaluating price and technical proposals, letting (for Low Bid selection methods), public bid opening (for Best Value), and awarding Design-Build projects.

In response to the RFP, Proposers submit a Technical Proposal (or qualifications package for the One Phase Low Bid selection method), and a Price Proposal in accordance with the requirements set forth in the Instructions to Proposers (ITP). This chapter is intended to outline the procedures for receiving proposals, evaluating proposals, letting and award.

### 4.1 One Phase and Two Phase Low Bid

The RFP for the One Phase Low Bid and Two Phase Low Bid selection methods are advertised by CBA via [Bid Express™](#) (see **Section 3.7**). In response to the RFP, Proposers submit a Technical Proposal (or qualifications package for the One Phase Low Bid selection method) and a Price Proposal. Other bid documents similar to Design-Bid-Build project are also required in accordance with the requirements set forth in the RFP.

#### 4.1.1 Receiving and Evaluating Qualification Packages for One Phase Low Bid

Listed below are the procedures for receiving and evaluating the qualification packages for One Phase Low Bid selection method:

1. Proposers submit the qualifications package for the One Phase Low Bid selection method to CBA in accordance with the requirements set forth in the RFP.
2. CBA will promptly notify the ID-PM to collect the qualifications packages.
3. The ID-PM will promptly meet with TSP, and other GDOT SMEs as necessary, to review Proposers qualification packages on a pass/fail basis.
4. The ID-PM will discuss the results of the review with the SIDE, and will prepare a memo from the SIDE to CBA describing the results of the qualification packages review.
5. The SIDE will review the memo and provide to CBA who will take the information under advisement.

**Note: The ID-PM should plan well in advance all activities and schedules necessary to facilitate an expedited review of the qualification packages such that the review occurs on the date of receipt and prior to the letting.**

#### 4.1.2 Receiving and Evaluating Technical Proposals for Two Phase Low Bid

Listed below are the procedures for receiving and evaluating the Technical Proposals for Two Phase Low Bid selection method:

1. Proposers submit the Technical Proposals for the Two Phase Low Bid selection method to CBA in accordance with the requirements set forth in the RFP.
2. CBA will promptly notify the ID-PM to collect the Technical Proposals. The ID-PM will transmit the Technical Proposals, pass/fail Technical Proposal evaluation criteria, and any other relevant data to the TRC. The ID-PM will facilitate a TRC meeting.
3. The TRC evaluates Technical Proposals.
4. Following the TRC meeting, the ID-PM will document the minutes of TRC meeting. In addition, the ID-PM will prepare a letter outlining the Project's Design-Build procurement summary and the TRC findings (see **Section 1.8.1**). The SIDE will review the letter and transmit to the Bid Review Committee who will take the TRC findings under consideration.

**Note:** Board Rules, 672-18-.09, state that a Technical Proposal *“shall not be deemed to be nonresponsive solely on the basis of minor irregularities in the proposal that do not directly affect the ability to fairly evaluate the merits of the proposal.”*

**Note:** The ID-PM should plan well in advance all activities and schedules necessary to facilitate an expedited review by the TRC of the Technical Proposals such that the TRC findings may be provided prior to the Bid Review Committee's meeting.

### 4.1.3 Request for Clarification

In the event that the TRC requires clarification to any element contained in Proposer's Technical Proposal, the following procedures apply regarding a Requests for Clarification:

1. The ID-PM will consult with the SIDE regarding the TRC need for clarification.
2. The SIDE will prepare a Request for Clarification letter and send via email to the Proposer.
3. The Proposer will send a written response to the SIDE by the deadline included in the request. The SIDE will notify the ID-PM of the results who will facilitate a meeting with the TRC.
4. The TRC may request additional clarification, determine the Proposer's response is adequate or determine the Proposer is non-responsive.

### 4.1.4 Receiving Price Proposals (Letting)

The letting process for the One Phase Low Bid and the Two Phase Low Bid selection methods follow the same process as the Design-Bid-Build lettings. Proposers submit their prices per pay item, which typically include the design complete and construction complete pay items, electronically in accordance with the requirements set forth in the RFP. The bid results are provided on .

### 4.1.5 Award (Low Bid)

The award process for the One Phase Low Bid and the Two Phase Low Bid selection methods follow the same process as the Design-Bid-Build award process. The Bid Review Committee will meet to evaluate the bid results and the TRC finding to determine if the Project will be awarded. If the Project is awarded then CBA will prepare the award notice, will coordinate execution of the contract, and will issue NTP 1.

## 4.2 Best Value

The RFP for the Best Value selection method is advertised by TSP via a secure GDOT SharePoint site (see **Section 3.8**). In response to the RFP, Proposers submit a Technical Proposal and a Price Proposal. Other bid documents similar to Design-Bid-Build project are also required in accordance with the requirements set forth in the RFP.

### 4.2.1 Receiving Best Value Technical Proposals

Listed below are the procedures for receiving Best Value Technical Proposals:

1. Prior to receiving Technical Proposals, the ID-PM will develop a Technical Proposal evaluation schedule. The schedule needs to include ample time for a thorough review and discussion of each Technical Proposal. At least two (2) days needs to be added for the Contracting Officer (CO) review of the technical scores.
2. Prior to receiving Technical Proposals, the CO will develop a Technical Proposal Evaluation Manual using the Technical Proposal Evaluation Manual template. The evaluation criteria in the evaluation manual must match the evaluation criteria listed in the ITP. The Technical Proposal Evaluation Manual should be supplemented with a spreadsheet to assist in validating the technical scores.
3. Prior to distributing the Technical Proposals to the TRC, the CO shall:
  - a. Conduct a cursory review of the Technical Proposals to ensure that no price information is contained within the Technical Proposal and review that the number of pages has not been exceeded.
  - b. Verify that the proposals were received on-time and each package contains the correct number of copies.
  - c. Store the Technical Proposals in a secure location.
  - d. Prepare a Technical Proposal evaluation package which includes the following:
    - e. Technical Proposal evaluation schedule
    - f. Copies of each Technical Proposal
    - g. Technical Proposal Evaluation Manual
    - h. Copy of the RFP with all addenda
    - i. Technical Proposal Evaluation Forms
4. The CO will distribute the Technical Proposal evaluation package to the TRC for evaluation of the Technical Proposals.

## 4.2.2 Evaluating Best Value Technical Proposals

Listed below are the procedures for evaluating Best Value Technical Proposals:

1. Upon receiving the Technical Proposal evaluation package, each member of the TRC will review and score each Technical Proposal based on the criteria in the Technical Proposal Evaluation Manual on the provided Technical Proposal Evaluation Forms. Reviews by the TRC members must be complete by the date established in the Technical Proposal evaluation schedule. For complex projects with specialty services, the TRC may consult with a TET on aspects of the Technical Proposals in order to adequately score the Technical Proposals. The TRC will score the Technical Proposals on an adjectival basis and provide comments supporting their scores.
2. After all members of the TRC have reviewed and scored the Technical Proposals the CO will schedule Technical Proposal scoring meeting with the TRC.
3. The purpose of the Technical Proposal scoring meeting is so that the TRC can provide additional reasoning and justification for their evaluation scores, and address any questions or comments of the CO prior to assigning numerical scores to each Technical Proposal. The TRC will assign a consensus score to each individual criteria as weighted in the RFP. The consensus scores for each of the criteria will be summed to arrive at the total Technical Score. This score will not be adjusted.
4. The CO will combine and organize the Technical Proposal evaluation forms, and provide a summary of the Technical Proposal scores and evaluation process to the Chief Engineer.
5. The review and evaluation of the Technical Proposals must be complete at least two (2) days prior to the project's letting.

## 4.2.3 Receipt of Best Value Price Proposals

Price Proposals will be received by the CO in a sealed envelope in accordance with the requirements set forth in the RFP. TSP will store the Price Proposals in a secure location until the date of the public bid opening.

## 4.2.4 Public Opening of Price Proposals and Revealing the Best Value Score

On the date of the Letting, the CO will distribute the Technical Proposal scores for each Proposer to their designated point of contact. This distribution will be done via email or facsimile and will occur by 9 A.M. on the date of the letting.

At the date/time of the letting specified in the RFP, the CO will publically open and read aloud each Proposer's Price Proposal and enter the Price Proposal value into the Best Value evaluation spreadsheet. Once all of the Price Proposals have been opened and entered into the spreadsheet, the CO will verify that the Best Value calculations have been correctly computed and will announce each Proposer's Best Value score in order of highest to lowest score.

#### 4.2.5 Apparent Best Value Proposer

The Best Value Proposer is the Proposer with the Highest Combined Score. The Best Value evaluation criteria will be established by GDOT on a project by project basis (see **Section 3.8.1**), and the Best Value evaluation criteria will be included in the ITP section of the RFP.

Listed below is the process to Determine the apparent Best Value Proposer:

1. The TRC will evaluate the Technical Proposals (see **Section 4.2.2**) in accordance with the requirements set forth in the ITP section of the RFP. The weighted score for the Technical Proposal is determined as follows:

$$RS \times TW = TS$$

Where:

RS = Raw score for the Technical Proposal (see **Section 4.2.2**)

TW = Technical Proposal weighting percentage (see **Section 3.8.1**)

TS = Weighted score for the Technical Proposal

2. GDOT will facilitate a public opening of Price Proposals (see **Section 4.2.4**) following the receipt of the Best Value Price Proposals (see **Section 4.2.3**).
3. The Price Proposal with the lowest overall price receives the maximum number of points as set forth in the ITP section of the RFP. All other Price Proposals receive a prorated score calculated using the following formula:

$$L/PR \times PW = PS$$

Where:

L = Total bid amount for the Proposer with the lowest price proposal

PR = Total bid amount of the Proposer being scored

PW = Price Proposal weighting percentage x Maximum Number of Points

PS = Weighted score for the Price Proposal

4. The overall scores are determined as follows:

$$TS + PS = CS$$

Where:

TS = Weighted score for the Technical Proposal

PS = Weighted score for the Price Proposal

CS = Proposer's Combined Score

5. The Proposer with the Highest Combined Score will be announced by the CO as the apparent Best Value Proposer.
6. The CO will combine and organize the Technical Proposal evaluation forms, and provide a summary of the Technical Proposal scores and evaluation process to the Chief Engineer.

#### 4.2.6 Award (Best Value)

The award process for the Best Value selection method will follow the same process as the Design-Bid-Build award process. The Bid Review Committee will meet to evaluate the bid results and the TRC finding to determine if the Project will be awarded. If the Project is awarded then CBA will prepare the award notice, will coordinate execution of the contract, and will issue NTP 1.

### 4.3 Debriefing Process

A debriefing is intended to provide feedback to a Proposer on their SOQ and Technical Proposal. Specific debriefing instructions will be included in the Project's RFQ and RFP.

#### 4.3.1 Debriefing Information

Listed below is process for a debriefing:

1. The Proposer must submit the debriefing request in writing to the CO listed in the RFQ or RFP within thirty (30) calendar days of the [GDOT Design-Build Project award announcement](#). An email is considered a written request.
2. GDOT will prepare a summary of the requesting Proposer's relevant evaluation information. GDOT will provide the information in writing to the requesting Proposer thirty (30) calendar days after GDOT's issuance of the Project's NTP 1.

### 4.3.2 Debriefing Meeting

After receipt of the written debriefing information, an unsuccessful Proposer may request a debriefing meeting as follows:

1. The Proposer will send a debriefing meeting request in writing to the SIDE. The request will also include the date the written debriefing information was received, a suggested agenda for the debriefing meeting, and several times/dates for the debriefing meeting to occur.
2. The SIDE will notify the requesting Proposer of the date the debriefing meeting will occur.
3. The SIDE may include various GDOT staff in the debriefing meeting such as a representative from Procurement, Legal, Construction, or other disciplines as needed. On federal full oversight projects, the SIDE will offer FHWA the opportunity to attend the debriefing meeting.

Note: The debriefing meeting will be held at GDOT, will be approximately one-hour in length, and will be an informal discussion between GDOT and the Proposer. The contents of another Proposer's SOQ, Technical Proposal or Price Proposal will not be discussed.

#### 4.4 Non-responsive Request for Determination

Listed below is the process for a non-responsive Technical Proposal:

1. In the event GDOT deems a Proposer's Technical Proposal non-responsive, GDOT shall, within two (2) business days of such determination, provide each non-responsive Proposer a written explanation as to the reason(s) that their Technical Proposal was deemed non-responsive. An email is considered a proper written explanation.
2. Upon receipt of GDOT's written explanation, the Proposer shall have five (5) business days to request GDOT reconsider the non-responsiveness determination. The Proposer's request shall be in writing to the CO designated in the RFP; shall clearly state the reasons the Proposer believes that GDOT's determination is in error; and shall include supporting documentation as the Proposer deems appropriate.
3. The information will be provided to the Chief Engineer, whose determination will be final and conclusive, for disposition.
4. GDOT shall respond in writing to the request within three (3) business days. If GDOT is unable to respond within three (3) business days, GDOT will provide the requesting Proposer with an estimated response time within three (3) business days.

Note: The timeframes included are approximate, and may be modified by GDOT.

## CHAPTER 5 - POST-LET ACTIVITIES

This chapter outlines various activities and general administrative approach to completing a Design-Build project following the Notice of Award.

### 5.1 Roles and Responsibilities

Understanding the roles and responsibilities associated with the delivery of the Design-Build project is paramount. Each entity has a vested interest in the project to being delivered successfully. While the scope of services may change on a project by project basis, the typical roles and responsibilities remain the same for each Design-build project.

#### 5.1.1 GDOT

GDOT's responsibility for Design-Build project delivery in the context of its core mission is no different than in Design-Bid-Build. However, various GDOT's roles necessary to manage Design-Build projects, as well as the Design-Build Team are slightly different from the traditional Design-Bid-Build delivery. The key difference is Design-Build projects are accelerated and schedule driven with multiple concurrent activities progressing. GDOT is responsible for performing various oversight-related activities in an expeditious manner during the design and construction phases. Following Notice of Award, GDOT is typically responsible for the following:

- Issue NTP 1 and NTP 2
- Facilitating the post award meeting
- Review and accept the Design-Build Team's Schedule of Values
- Review invoices and process payment
- Review and accept the baseline schedule, and subsequent schedule submissions
- Perform reviews of Design-Build Team submittals
- Perform other activities in accordance with the RFP
- Issue Released for Construction of final plans, and issue NTP 3 or phase NTP 3
- Review shop drawings
- Ensure compliance with the accepted Design-Build Team QA/QC Plan

#### 5.1.2 GDOT ID-PM

The ID-PM will serve as the project champion for the Design-Build project. The ID-PM is responsible for engaging the GDOT SMEs as early as possible following the Notice of Award to discuss the project, Design-Build delivery process, critical GDOT participants role, the dynamic between the design phase and construction phase, and the various risks associated with the projects (third party, geotechnical, environmental, etc...).

During the design phase of the Design-Build contract, the ID-PM is the primary point of contact for the Design-Build Team to provide required submittals. The ID-PM is responsible for facilitating reviews with the SMEs, and providing a response to the Design-Build Team. The ID-PM should include GDOT's construction project manager on all correspondence and meetings during this phase.

During the construction phase of the Design-Build contract, the ID-PM will proactively support the District Construction Office and remain engaged in the delivery of the project. The ID-PM will serve as a resource to the District Construction Office as necessary during this phase to provide support services such as determining if a plan revision during construction should be redlined or reviewed by various SMEs, monitor shop drawing submittals review times, continue to review CPM schedule submittals, review as-built plans, and participate in the Post Design-Build Evaluation.

### 5.1.3 GDOT Office of Construction

GDOT's Office of Construction plays a critical role in the delivery of the Design-Build contract. The District Construction Office should assign a construction project manager as early as possible following the Notice of Award of the Design-Build project.

During the design phase of the Design-Build contract, the construction project manager is primarily responsible for processing payments based on the approved Schedule of Values, providing comments on any CPM schedule submittals, participating at various meetings (during the design and construction phases), and monitoring the status of the project. During the construction phase of the Design-Build contract, the construction project manager will perform their duties similar to the construction phase of a Design-Bid-Build contract.

There are several distinct differences in the administration of Design-Build verses the typical Design-Bid-Build projects which are generally described as follows:

- The Design-Build Team's Engineer of Record plays a critical role during the life of the Design-Build project. The Design-Build Team must regularly engage the Engineer of Record, as necessary, during the delivery process when revisions to the Released for Construction plans are proposed or issues arise on construction
- Errors and omissions are the responsibility of the Design-Build Team
- GDOT is responsible for enforcing the contract such that if a project element constructed is not in compliance with the contract then the Design-Build Team is responsible for correcting

### 5.1.4 GDOT Subject Matter Expert (SME) Offices

The ID-PM must engage various GDOT offices in the review of Design-Build submittals, and performing various functions necessary delivery of the project. Early coordination is necessary in order to ensure that GDOT provides a response to all Design-Build submittals in an expedited manner and in accordance with the review times included in the RFP. Below is a general list of GDOT offices, and how they would typically be engaged in the Design-Build project following issuance of NTP 1.

- **Office of Environmental Services (OES)** – Early coordination with OES is essential. An early coordination meeting should be facilitated to determine the extent of an environmental reevaluation which would result from any changes between the costing plans/original approved environmental document and the Design-Build Team's final design. In addition, the permit(s) for temporary and permanent impacts should be discussed. Design-Build Team generated plans should be submitted to the Office of Environmental Services for review. Finally, the ID-PM must obtain a certification of environmental clearance from the OES prior to issuance of NTP 3 for any portion of the Design-Build project.

- **Office of Right-of-Way** – All Right-of-Way and easements must be acquired before issuance of NTP 3. The ID-PM must obtain a certification that Right-of-Way and easements have been acquired from Office of Right-of-Way prior to the issuance of NTP 3 for any portion of the Design-Build project.
- **Office of Utilities** – The ID-PM must include the District Utilities Office in all utility coordination meetings. The District Utilities Office will review utility related submittals (utility plans, preliminary utility status report, etc...), and must monitor status of utility coordination activities. On Design-Build projects the Design-Build Team is responsible for much of the coordination which the District Utilities Office must monitor.
- **Office of Roadway Design** – Design-Build Team generated plans should be submitted to the Office of Roadway Design for review. The District preconstruction office should also be provided plans to review.
- **Office of Bridge Design** – All structural related submittals (bridge plans, hydraulic studies, shop drawings) should be submitted to the Office of Bridge Design for review.
- **Office of Engineering Services** – Design-Build Team generated plans should be submitted to the Office of Engineering Services for review.
- **Office of Design Policy & Support** – Any Design Exceptions, Design Variances, and MS4 infeasibility reports must be submitted to the Office of Design Policy & Support. Milestone plan sets (Released for Construction, Revisions on Construction and as-built plans) must also be provided for recording in accordance GDOT policy. Any changes to the RFP being contemplated for elements such as special details, special provisions and specifications must first be submitted to the Office of Design Policy & Support for review.
- **Office of Maintenance** – Design-Build Team generated plans must be submitted to the Office of Maintenance.
- **Office of Traffic Operations** – Design-Build Team generated plans must be submitted to the State Traffic Operations, as well as the District Traffic Operations. Traffic Signal Permits and revisions must also be submitted to District Traffic Operations.
- **Office of Materials** – All pavement designs must be approved by the Office of Materials (no exceptions). The final Design-Build as-built plans must include a Detailed Estimate for use by the Office of Material in the Materials Certification process.
- **Office of Program Control** – The ID-PM should coordinate with the Office of Program Control to discuss how best to include post-let design related activities following issuance of NTP 1, but prior to issuance of NTP 3. The intent of this effort is to maintain a baseline schedule whereby GDOT SMEs may view at any time when design submittals may be submitted and require a review.

## 5.2 Design-Build Team

**The Design-Build Team has the primary responsibility for controlling and managing the work, design, and construction.**

The Design-Build Team is solely responsible for developing the Released for Construction plans necessary to develop a finished product that meets the requirements as set forth in the RFP and the Design-Build Team's Quality Control Plan (QCP). The Design-Build Team must verify pertinent dimensions and/or conditions in the field prior to their review of design elements, and submittal to GDOT. GDOT's review of any design submittal shall not relieve the Design-Build Team of the responsibility for the satisfactory completion of the work. Design management and quality is the responsibility of the Design-Build Team.

The Design-Build Team's Engineer of Record is responsible for preparing and submitting all necessary design related submittals throughout term of the Project (Released for Construction plans, shop drawings, etc.).

**Any question the Design-Build Team's contractor forces have on design elements should be directed to their Engineer of Record, and not through GDOT or GDOT's construction inspection forces. In addition, any question GDOT's construction inspection or management personnel have about the design, including any need to alter the design, should be directed to the Contractor's Design-Build Management Team and not the Contractors construction forces.**

## 5.3 Notice to Proceed (NTP)

On Design-Build projects, GDOT uses a tiered approach when issuing NTP 1, 2 and 3. GDOT's issuance of the respective NTP should be used as hold points in the Design-Build Team's schedule. The conditions by which GDOT will issue each NTP are set forth in the RFP. The Design-Build Team is encouraged to create opportunities to phase the work.

### 5.3.1 Notice to Proceed 1 (NTP 1)

NTP 1 is issued after the Notice of Award and GDOT has executed the Design-build contract. NTP 1 is intended to release the Design-Build Team to perform preliminary design activities.

Note: GDOT's current practice is to award the Design-Build contract only after the environmental document has been approved.

### 5.3.2 Notice to Proceed 2 (NTP 2)

NTP 2 is issued after the environmental document is approved. NTP 2 is intended to release the Design-Build Team to perform final design activities.

Note: GDOT's current practice is to award the Design-Build contract only after the environmental document has been approved. Therefore, NTP 2 is typically issued after the Post Award Kickoff Meeting (see **Section 5.4**) with

the exception of those Design-Build projects where R/W acquisition is included in the Design-Build contract. In this case NTP 2 is typically issued after GDOT approval of the R/W plans.

### 5.3.3 Notice to Proceed 3 (NTP 3)

NTP 3 is intended to release the Design-Build Team to perform construction related activities on all or a portion of the Project. The requirements necessary for GDOT to issue NTP 3 may include the Design-Build Team obtaining the following:

- Basis of Design acceptance
- Quality Control Plan (QCP) acceptance
- All environmental document approvals/permit(s)
- Utility agreements (if necessary), encroachment permits, utility relocation plans, and/or “no conflict” letters
- Environmental certification issued by GDOT’s Office of Environmental Services (OES)
- Right-of-Way certification issued by GDOT’s Office of Right-of-Way
- Transportation Management Plan (TMP)
- Erosion Sedimentation and Pollution Control Plan (ESPCP) and Notice of Intent (NOI) submitted to Georgia Environmental Protection Division (EDP) along with EPD concurrence
- Traffic control plan acceptance
- Released for Construction plans

The Design-Build Team is encouraged to create opportunities to phase the work. This approach does present risks that the Design-Build Team is responsible for managing. In the instance of phasing the work, the Design-Build Team must submit to GDOT a work phasing plan illustrating the respective areas, as well as a checklist for each area illustrating the necessary elements as set forth in the RFP which are required before GDOT will issue a conditional NTP 3.

## 5.4 Post Award Kickoff Meeting

The ID-PM is responsible for facilitating the post award kickoff meeting. This “partnering” meeting plays an important role in success of the project. Typical participants include the ID-PM, and representatives from the Design-Build Team, FHWA (for PODI projects), and GDOT’s District Construction. Other participants may include key stakeholders, as necessary, from the Office of Bridge Design, Office of Right-of-Way, Office of Utilities, Traffic Operations, Utilities, the Locals, and any affected utility owners. This meeting is intended to:

- Provide introductions
- Identify key participants in the delivery process
- Discuss key elements of the scope
- Provide any project background information
- Discuss the overall schedule
- Discuss anticipated submittals
- Discuss the Schedule of Value and processing payment process
- Discuss communications protocol(s)
- Discuss potential Design-Build risks and possible mitigation strategy

### 5.4.1 Meetings

Regular meetings should be facilitated by the Design-Build Team, and should include key stakeholders pertinent to a particular phase of the work. Meeting frequency should be monthly, but may occur more frequently as needed. The ID-PM and District Construction project manager can provide insight regarding attendees.

To facilitate an effective meeting, the Design-Build Team should send out an agenda with the meeting invite. The Design-Build Team must prepare and distribute meeting minutes within seven days of occurrence.

## 5.5 Schedule Development and Management

Schedule development and management is a function performed by the Design-Build Team. Design-Build projects typically have multiple “moving parts,” and a detailed schedule must be used to chart the path and track the progress of the Design-Build project. In most cases, the Design-Build project will include a Critical Path Schedule (CPM) schedule requirement for the baseline schedule, a revised schedule submitted at regular intervals, and a revision if the critical path activities are being delayed.

The Design-Build Team should allow time at each regular scheduled Design-Build project meeting to discuss the current critical path activities.

## 5.6 Schedule of Values (SOV)

Design-Build projects typically include a Design Complete and Construction Complete pay items. Following issuance of NTP 1, the Design-Build Team is required to submit the SOV to GDOT for review. The SOV is intended to provide a cost breakdown for the major elements of the work that are normally used on a traditional Design-Bid-Build project. The SOV must be broken out into enough detail such that GDOT may substantiate the level of progress based on field inspection and an estimate of the percentage completed for any given item.

Payment for mobilization will only be paid after issuance of NTP 3, and shall not exceed 2.5% of the overall bid price for Construction complete. The Design-Build Team must submit a detailed breakdown of mobilization in the proposed SOV.

### 5.6.1 Monthly Materials Clearance

The Design-Build Team must include a detailed estimate in the Released for Construction plans. The Design-Build Team must maintain the detailed estimate by regularly updating the quantities in place which will be submitted to GDOT as supporting documentation to the SOV.

The Design-Build Teams’ As-Built plans must also include a revised estimated summary of quantities and detailed estimate which will be used for Materials Certification (see **Section 5.10**).

## 5.7 Design Reviews

The Design-Build Team submits design submittals to GDOT for review in accordance with the requirements set forth in the RFP. The amount of time necessary for GDOT to review submittals will vary. Typically, review times

for Design-Build projects are less than the review times for Design-Bid-Build projects as a result of Design-Build being used to expedite delivery.

The Design-Build Team will submit all design submittals to the ID-PM with carbon copy to the District Construction project manager.

The ID-PM will determine the review times for each submittal on each Design-Build project in collaboration with GDOT SMEs. Submittal requirements and GDOT review times are included in the RFP. The ID-PM is responsible for distributing the submittals to the various GDOT SMEs. The ID-PM must develop or utilize an existing tracking tool to account for such items as the date the submittal is received, date the submittal is routed, to whom, and date comments or acceptance is due to the Design-Build Team. It is imperative that the ID-PM provide the Design-Build Team a response to the submittal in accordance with the review times included in the RFP.

The ID-PM will coordinate with GDOT's Office of Engineering Services to facilitate a field plan review of the Design-Build Team's plans.

When performing a review of Design-Build Team submittals, GDOT's primary focus should be focused toward Design-Build contract compliance. This will include, but is not limited to adherence the Project's scope of services, as well as GDOT and/or AASHTO design manuals, GDOT policies and procedures, and GDOT specifications. Any errors and omissions are the responsibility of the Design-Build Team.

## 5.8 Quality Assurance

The Design-Build Team must submit a Quality Control Plan (QCP) to GDOT for review and approval. The QCP should be broken out two major sections: design QCP and construction QCP.

The QCP must be a complete and clear plan to achieve a high quality design, included all related elements and lower tier subcontractors/Design-Build Teams. The Design-Build Team must adhere to the approved QCP throughout the duration of the Project.

The Design-Build Team is responsible for performing a complete, coordinated, economical, timely, fully functional quality design, including survey and geotechnical elements, all in compliance with the Technical Proposal and RFP. Any modifications to the QCP must be submitted to GDOT for review and acceptance.

The ID-PM or District Construction project manager should periodically audit the Design-Build Team's, the Designer's, and the checker's work to ensure that it is being done in conformance to the RFP and approved QCP. The Design-Build Team is required to fully cooperate and assist in conducting audits. The Design-Build Team is required to maintain all records and any other elements of the work in a current and readily available manger so that the audit may easily be performed.

Any quality assurance reviews or audits conducted by GDOT will not remove the Design-Build Team's responsibility for designing and construction all elements of the work in conformance to the RFP and approved QCP. GDOT shall at all times have the authority to require the Design-Build team to re-perform any work they determine is not in conformance to the RFP or approved QCP. Any such notice must be submitted in writing and

the Design-Build Team provided an opportunity to provide a written response. Rework in this regard, will not serve as the basis for claims or additional compensation or time by the Design-Build Team.

## 5.9 Document Control

GDOT uses SiteManager on Design-Bid-Build projects, and will also use SiteManager on Design-Build projects.

Document control with respect to GDOT receiving, facilitating reviews, organizing comments and providing Design-Build Team responses to such items as design submittal reviews, RFIs, as well as shop drawing submittal reviews must be fully communicated to GDOT staff and the Design-Build Team at the post award kick off meeting (see **Section 5.4**). Developing a consistent process will help ensure that reviews occur in a timely manner, and that GDOT responds within the review period(s) set forth in the RFP.

The ID-PM must determine as early as possible the document control strategy necessary to manage various submittals. The ID-PM should coordinate with GDOT's Office of Design Policy & Support regarding the document control strategy for each project.

## 5.10 Erosion Control

One of the most important elements in any project is the development and implementation of the Erosion Sedimentation and Pollution Control Plans (ESPCP). The Design-Build Team is typically responsible for:

- Developing ESPCP per the applicable National Pollutant Discharge Elimination System (NPDES) permit
- Complying with the applicable NPDES permit
- Preparing any Stream Buffer Variance (SBV) application(s)
- Preparing the Notice of Intent (NOI), and submitting the NOI and applicable fee to Georgia Environmental Protection Division (EPD)
- Obtaining concurrence from EPD for the ESPCP
- Installing Best Management Practices (BMPs) per the ESPCP
- Maintaining BMPs per GDOT specifications
- Documenting and correcting any deficiencies
- Paying any EPD consent order(s)
- Filing the Notice of Termination (NOT) with EPD after maintenance acceptance

Erosion control BMPs, installation and maintenance is included in the Design-Build Team's lump sum cost to complete the work. The Design-Build Team is responsible for complying with the applicable NPDES permit. Any deficiencies shall be immediately corrected by the Design-Build Team at no cost to GDOT.

GDOT's District Construction project manager is responsible to ensure that the Design-Build Team is in compliance with the applicable NPDES permit, GDOT specifications and related Contract Documents.

## 5.11 Environmental Compliance and Permitting

The Design-Build Team must retain the expertise needed to fully understand the following elements:

- The parameters of the original approved environmental document, and any impacts that may result due to any proposed design changes
- The environmental permitting process for temporary and/or permanent impacts
- Stream/wetland classifications
- Mitigation strategies

The Design-Build Team may be required to prepare an Environmental Compliance and Mitigation Plan (ECMP), and to retain an Environmental Compliance Manager (ECM) per the requirements set forth in the RFP.

The Design-Build Team should facilitate a meeting with the ID-PM and GDOT's Office of Environmental Services (OES) within 45 days of NTP 1 to discuss proposed changes from the original approved environmental document, anticipated permit(s), schedule for special studies (if additional coverage is needed), schedule for environmental document reevaluation (if needed), and any other elements that could affect the project.

The Design-Build Team must ensure compliance with the environmental "green sheets," related environmental document and permit(s) at all times on the Design-Build project.

The ID-PM, District Construction project manager, and GDOT OES liaison are responsible for verifying that the Design-Build Team is complying with the environmental "green sheets," related environmental document and permit(s).

GDOT may issue a stop work order and/or withhold payment for non-compliance.

## 5.12 Released for Construction

Released for Construction (RFC) plans are prepared and endorsed by the Design-Build Team's Engineer of Record. GDOT must review and issue acceptance of each RFC submittal. The Design-Build Team may provide GDOT with multiple RFC submittals in an effort to obtain a conditional NTP 3 on a portion(s) of the project (see **Section 5.3.3**).

Upon the Design-Build Team's satisfactory completion of activities necessary for GDOT to issue NTP 3 (see **Section 5.3.3**), GDOT will issue written authorization to the Design-Build Team to watermark each accepted RFC plan sheet(s) with "Released for Construction," and the date of authorization.

The Design-Build Team shall use the Released for Construction plan set to build the project with no exceptions.

### 5.13 Utility Design and Relocations

In general, the Design-Build Team's responsibilities regarding utility design and relocations generally include, but are not limited to the following:

1. Designating a Utilities Coordinator to be the principal contact for all utility-related Project activities.
2. Identifying potential conflicts, verifying locations and all other necessary information about utilities, and providing monthly updates of the Progress Schedule reflecting Utility Relocations;
3. Designing and/or constructing relocations in accordance with the Contract Documents, except where the Utility Owner is assigned such responsibility; and
4. All coordination with utility owners required in connection with the Project or utility work

### 5.14 Construction Phase

The construction phase of a Design-Build project is similar to Design-Bid-Build. Refer to applicable portions of GDOT's [Construction Manual](#).

### 5.15 Design Changes

Design changes or errors are the responsibility of the Design-Build Team. Any changes made after the plans are authorized as RFC (see **Section 5.12**) must be reviewed by GDOT prior to the Design-Build Team incorporating into the RFC plan set as a revision. GDOT does not have the authority to change or direct any changes in the design documents. However, in the event of a design change or construction issue, GDOT ID-PM and District Construction project manager should work with the Design-Build Team towards a quick solution to the problem.

The following steps should be considered when working through a design issue:

1. Acknowledge the issue with the Design-Build Team personnel and explain to them that it must be forwarded to ID-PM who will facilitate a review with SMEs for concurrence.
2. Note the occurrence in SiteManager's daily documentation.
3. Discuss the issue with the Design-Build Team to determine what possible solutions they may have, and communicate this through the ID-PM with GDOT SMEs for review.
4. Communicate the Design-Build Team's ideas / possible solutions with SMEs, and get their feedback or response. This will help to expedite the review process.
5. Maintain communications with the Design-Build Team on the status of the SME review, and remind them that no work on the issue can continue until the design has been reviewed and the signed drawings are delivered.

6. Monitor the schedule activity(s) to determine if any time was lost on the schedule and document the impact.

Although GDOT is not responsible for the design, GDOT still has the responsibility to review any changes in the Design-Build Team's RFC plans.

### 5.16 As-Built Plans

Upon completion of the Project's construction phase, the Design-Build Team will provide GDOT with the As-Built plan set in accordance with the requirements set forth in RFP.

The ID-PM must coordinate and provide all As-Built material with GDOT's Office of Design Policy & Support for proper archiving of data.

### 5.17 Post Design-Build Review

At or around the time of the final walkthrough on the Design-Build Project, the SIDE will request the Office of Engineering Services facilitate a Post Design-Build Review meeting. The meeting will typically include GDOT SME staff, FHWA (for PODI projects), and the Design-Build Team. In some instances it may be appropriate to include the Locals. The typical agenda for the Post Design-Build Review meeting is as follows:

- Project Description
- Design-Build delivery goals
- Project stakeholders
- Project Summary
- Design-Build Proposers
- Stipend
- Design-Build Request for Qualifications (RFQ)
- Design-Build Request for Proposals (RFP)
- Design-Build RFP Package
- Environmental
- Environmental Permitting
- NPDES Permit
- Right of Way (R/W)
- Utilities
- Geotechnical
- Design and Construction Phases
- Design-Build Innovations
- Supplemental Agreement Summary
- DBE Utilization
- Summary of observations from Office of Innovative Program Delivery (IPD)
- Summary of observations from Office of Construction
- Summary of observations from Design-Build team

- Recommendations
- Notable achievements by early interaction of design and contractor
- Post Design-Build Evaluation participants

### **5.18 Materials Certification**

The materials certification process is similar to Design-Bid-Build. Refer to GDOT's [Construction Manual](#).

### **5.19 Final Acceptance and Closeout**

The final acceptance and closeout process is similar to Design-Bid-Build. Refer to GDOT's [Construction Manual](#).

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## APPENDICES

- I. Acronyms
- II. Definitions
- III. Resources
- IV. Attachments

## I. ACRONYMS

ATC	Alternative Technical Concept	PDP	Plan Development Process
CBA	Office of Construction Bidding Administration	PFA	Project Framework Agreement
CES	Cost Estimating System	PM	Project Manager
CFR	Code of Federal Regulations	POC	Point of Contact
CO	Contracting Officer	PODI	Project of Division Interest
COI	Conflict of Interest	PNA	Public Notice Advertisement
CSO	Chief Selection Officer	QA/QC	Quality Assurance/Quality Control
DBA	Design-Build Agreement	RFC	Released for Construction
DBE	Disadvantage Business Enterprise	RFQ	Request for Qualification
DE	Design Exception	RFP	Request for Proposals
DP&S	Office of Design Policy & Support	RID	Reference Information Documents (RID)
DV	Design Variance	SAAG	Special Assistant Attorney General
FHWA	Federal Highway Administration	SIDE	State Innovative Delivery Engineer
FTA	Federal Transit Authority	SME	Subject Matter Expert
GDOT	Georgia Department of Transportation	SOQ	Statement of Qualifications
ID	Office of Innovative Delivery	SOV	Schedule of Values
ID-PM	Innovative Delivery Project Manager	TET	Technical Evaluation Teams
ITP	Instructions to Proposers	TMC	Traffic Management Center
LOI	Letters of Interest	TRC	Technical Review Committee
MOU	Memorandum of Understanding	TSP	Office of Transportation Services Procurement
NEPA	National Environmental Policy Act	UAPRR	Utility Analysis Preliminary Routing Report
NTP 1	Notice-to-Proceed 1	USACE	U.S. Army Corps of Engineers
NTP 2	Notice-to-Proceed 2		
NTP 3	Notice-to-Proceed 3		
OES	Office of Environmental Services		
P3	Public Private Partnership		

## II. DEFINITIONS

This section includes general definitions used within the Manual. These definitions are intended to be for quick reference, and are not intended to be an all-inclusive list of terms used in Design-Build contracting. The terms shall have the following definitions unless the context thereof indicates to the contrary.

**Addendum**: An addition, deletion or modification to the provisions of the RFQ or RFP made during the procurement process.

**Alternative Technical Concept (ATC)**: A confidential process in which a Design-Build Team can propose changes to Department-supplied basic configurations, project scope, design criteria, or construction criteria included in the Request for Proposals (RFP). These changes submitted by Proposers to the Department shall provide a solution that is equal to or better than the requirements in the RFP. ATCs provide flexibility in the design and/or construction of a particular element of the project in order to enhance innovation and achieve efficiency.

**Award**: The acceptance of the Best Value or Lowest Responsive Proposer, subject to execution and approval of the contract. The award is non-binding.

**Best Value**: Selection method whereby award is based on a combination of the Proposers weighted price proposal and evaluated technical elements as described in the Request for Proposals (RFP). Under this selection method the Department shall select the Proposer who provides the Best Value for the Project. The formula for determining the Best Value Proposer shall be specified in the RFP.

**Business Days**: Means days on which GDOT is officially open for business.

**Clarifications**: Written or oral exchange of information which takes place after the receipt of the Statement of Qualifications (SOQ) or the Technical Proposals. The purpose of Clarifications is to resolve minor errors or clerical revisions in the SOQ or Technical Proposal.

**Code**: Official Code of Georgia Annotated.

**Conflict Committee**: Qualified GDOT personnel who will determine whether the Proposer's proposed course of action for remedy of a Conflict of Interest is accepted or rejected or may cause actions resulting in dismissal in services currently being performed.

**Conflict of Interest**: A person or entity who because of other activities or relationships with other persons or entities 1) is unable or potentially unable to render impartial assistance or advice to the Department; 2) is or might be otherwise impaired in its objectivity in performing the contract work; or 3) has an unfair competitive advantage. Refer to 23 CFR 636.116 regarding Design-Build Organization Conflict of Interest.

**Contract Documents:** Documents identified as such in the Request for Proposals (RFP).

**Department:** The Georgia Department of Transportation (GDOT).

**Design-Build:** Combining all or some portion(s) of the design, right of way, utilities and construction phases of a project into a single contract.

**Design-Bid-Build:** A project delivery method where design and construction are sequential and separate steps in the project development process.

**Design-Build Team:** A combination of contractors, design consultants (or design consultant team) and other entities selected by GDOT who work together to design and build the project.

**Engineer of Record:** A licensed professional engineer on the Design-Build Team who is responsible and liable for the adequacy and safety of the design. This individual will sign and seal the Released for Construction plans, as well as revisions on construction, and shop drawings.

**Instruction to Proposers (ITP):** The documents, including exhibits and forms, included in the Request for Proposals (RFP) that contain directions for the preparation and submittal of information by the Proposers in response to the RFP.

**Intelligent Transportation System (ITS):** Services which provide for the acquisition of technologies or systems of technologies (e.g., computer hardware or software, traffic control devices, communications links, fare payment system, automatic vehicle location system, etc.) that provide or contribute to the provision of one or more ITS user services as defined in the National ITS Architecture.

**Letter of Interest (LOI):** Correspondence to be included with, or attached to, the Proposer's Statement of Qualifications (SOQ) in response to the Request for Qualifications (RFQ).

**Letting:** The day on which Low Bid Price Proposals are publically opened, and the apparent Lowest Responsive Proposer is identified.

**Lowest Responsive Proposer:** Proposer that is a qualified and responsive bidder and submits the lowest Price Proposal.

**National Environmental Policy Act (NEPA):** The National Environmental Policy Act (NEPA) [42 U.S.C. 4321 et seq.] is a United States environmental law that established a U.S. national policy promoting the enhancement of the environment. NEPA sets up procedural requirements for all federal government agencies to prepare the three levels of environmental documentation that include Categorical Exclusion (CE), Environmental Assessment (EA)/Finding of No Significant Impact (FONSI), and an Environmental Impact Statement (EIS)/Record of Decision (ROD).

**One-on-One Meeting:** Meeting between the Department and a Proposer conducted during the Request for Proposals (RFP) phase to discuss potential ATCs. If One-on-One Meetings are to be conducted on a project, then the Instruction to Proposers (ITP) section of the Request for Proposals (RFP) will include One-on-One Meeting instructions.

**One Phase Low Bid:** Selection method whereby Proposers submit to the Department a price proposal and Technical Proposal (which includes a Proposers qualifications package) in response to the Request for Proposals (RFP). Under this selection method the Department shall select the lowest qualified and responsive bidder.

**Point of Contact:** A designated GDOT person or representative who is responsible for a particular activity.

**Preliminary Design:** Defines the general project location and design concepts. It includes, but is not limited to, preliminary engineering and other activities and analyses, such as environmental assessments, topographic surveys, metes and bounds surveys, geotechnical investigations, hydrologic analysis, hydraulic analysis, utility engineering, traffic studies, financial plans, revenue estimates, hazardous materials assessments, general estimates of the types and quantities of materials, and other work needed to establish parameters for the final design. Prior to completion of the NEPA review process, any such preliminary engineering and other activities and analyses must not materially affect the objective consideration of alternatives in the NEPA review process.

**Prequalification:** The process for determining whether a professional consultant or contractor is fundamentally qualified to perform a certain class of work or project. All consultants and contractors must be prequalified by the Department to pursue a Project. Prequalification may be based on financial, management and other types of qualitative data.

**Price Proposal:** The price submitted by the Proposer to provide the required design and construction related services.

**Price Reasonableness:** Determination by the Department that the price of the work for any project or series of projects is not excessive and is a fair and reasonable price for the services to be performed.

**Project:** The project to be designed and constructed in accordance with the final NEPA document, Request for Proposals (RFP) and the contract.

**Proposer:** A Design-Build Team that responds to a Department issued Design-Build solicitation.

**Public Notice Advertisement (PNA):** An announcement by the Department for a Design-Build Project.

**Reference Information Documents (RID):** The collection of information, data and documents included as part of the Request for Proposals (RFP) including, but not limited to preliminary design, planning documents, studies, reports, and design files for the Project. The Department makes no representation or guarantee as to the accuracy, completeness, or fitness of the Reference Information Documents (RID). Proposers are responsible for any conclusions they may draw from the Reference Information Documents.

**Request for Proposals (RFP):** All documents, whether attached or incorporated by reference, utilized for soliciting proposals. The RFP is the only solicitation utilized by the Department in the One Phase Low Bid selection method. The RFP is the second phase utilized by the Department for the Two Phase Low Bid and Best Value selection methods.

**Released for Construction Plans and Documents:** Released for Construction Plans and Documents are design elements that are prepared by the Design-build Team, accepted by GDOT, complies with the executed contract, and are used by the Design-Build Team to build the project. Changes made by the Design-Build Team after GDOT issues a designated date of acceptance shall be reviewed by GDOT.

**Request for Qualifications (RFQ):** All documents, whether attached or incorporated by reference, utilized by the Department for soliciting interested Proposers to apply for prequalification including instruction for submitting a Statement of Qualification (SOQ), evaluation criteria and minimum qualifications required of a Design-Build Team. The RFQ is the first phase of a two phase process utilized by the Department for the Two Phase Low Bid and Best Value selection methods.

**Non-responsive:** A Proposer's failure to provide all information identified in the Request for Qualifications (RFQ) or Request for Proposals (RFP).

**Schedule of Values (SOV):** An itemized list that establishes the value or cost for each major element of the Design-Build work, and which is used as the basis for progress payments during the Project.

**Selection of Finalist:** Utilized in Two Phase Low Bid selection method; and means the selection of all qualified Proposers through the use of a Prequalification process who are invited to submit a Technical and Price proposal in response to a Request for Proposals (RFP).

**Shortlist:** Used in Two Phase Low Bid and Best Value selection methods; and means the narrowing of the field of Proposers through ranking of the most highly qualified Proposers who have responded to an RFQ. Only Shortlisted Proposers will be invited to submit a Technical and Price proposal in response to a Request for Proposals (RFP).

**Stipulated Fee:** A monetary amount paid to the responsive, but unsuccessful Proposers who submit Technical Proposals in response to the Request for Proposals (RFP). In consideration for paying the Stipulated Fee as a payment for work product, the Department may use any ideas or information contained in the Technical Proposals in connection with the contract awarded for the Project, or in connection with a subsequent procurement on the Project, or on any other Department project without obligation to pay any additional compensation to the unsuccessful Proposers.

**Statement of Qualifications (SOQ):** Documentation meeting the requirements set forth in the Request for Qualifications (RFQ) which is submitted by Proposers and evaluated by the Department in order to identify qualified Proposers for the Project. For each consultant and contractor, the SOQ must include, at a minimum, documentation that the Proposer is capable of satisfying the scope of services of the project, as well as a copy of the Department issued Certificate of Qualification.

**Technical Proposal:** A document provided by Proposers, as required per the Request for Proposals (RFP), which contains design solutions and other qualitative factors that are provided in response to the RFP document.

**Technical Review Committee (TRC):** A selected group of Department staff who are responsible for evaluating Proposers Statement of Qualifications (SOQ), and Proposers Technical Proposals for its responsiveness in accordance with the Technical Proposal requirements set forth in the RFP.

**Two Phase Low Bid:** Selection method in which the first phase consists of selecting qualified Proposers who submit a responsive Letter of Interests (LOI) and Statement of Qualifications (SOQ) in response to the Request for Qualifications (RFQ). The second phase consists of Proposers submitting a responsive price and Technical Proposal (if required) in response to the Request for Proposals (RFP). Under this selection method the Department shall select the lowest responsive bidder.

### III. RESOURCES

Official Code of Georgia Annotated Section 32-2-81 (Section 32-2-81, O.C.G.A.)

<http://www.lexisnexis.com/hottopics/gacode/Default.asp>

State Transportation Board Rules Chapter 672-18 (referred to herein as Board Rules)

<http://www.dot.ga.gov/doingbusiness/DesignBuild/DesignBuild.pdf>

Code of Federal Regulations (CFR)

<http://www.ecfr.gov/cgi-bin/ECFR?page=browse>

Georgia Federal-Aid Stewardship and Oversight Agreement

<http://www.fhwa.dot.gov/federalaid/stewardship/agreements/pdf/ga.pdf>

Georgia Procurement Registry (GPR)

<http://ssl.doas.state.ga.us/PRSapp/>

Bid Express™

<https://www.bidx.com/>

GDOT's Design-Build Webpage

<http://www.dot.ga.gov/doingbusiness/pages/designbuild.aspx>

GDOT's Repository for Online Access to Documentation and Standards (R.O.A.D.S)

<http://www.dot.ga.gov/doingbusiness/PoliciesManuals/roads/Pages/default.aspx>

GDOT's Plan Development Process (PDP)

<http://www.dot.ga.gov/doingbusiness/PoliciesManuals/roads/PDP/4050-1.pdf>

GDOT's Design-Policy Manual

<http://www.dot.ga.gov/doingbusiness/PoliciesManuals/roads/DesignPolicy/GDOT-DPM.pdf>

GDOT's Utility Accommodation Policy and Standards Manual (UAM)

[http://www.dot.ga.gov/doingbusiness/utilities/Documents/2009\\_UAM.pdf](http://www.dot.ga.gov/doingbusiness/utilities/Documents/2009_UAM.pdf)

GDOT's Bridge and Structural Design Manual

[http://www.dot.ga.gov/doingbusiness/PoliciesManuals/roads/BridgeandStructure/GDOT\\_Bridge\\_and\\_Structures\\_Policy\\_Manual.pdf](http://www.dot.ga.gov/doingbusiness/PoliciesManuals/roads/BridgeandStructure/GDOT_Bridge_and_Structures_Policy_Manual.pdf)

GDOT's Environmental Procedures Manual

<http://www.dot.ga.gov/doingbusiness/PoliciesManuals/roads/Pages/EnvironmentalProceduresManual.aspx>

GDOT's Pavement Design Manual

<http://www.dot.ga.gov/doingbusiness/PoliciesManuals/roads/Pavement/Pavement%20Design%20Manual.pdf>

GDOT's Survey Manual

<http://www.dot.ga.gov/doingbusiness/PoliciesManuals/roads/SurveyManual/SurveyManual.pdf>

GDOT's Policy Documents

<http://www.dot.ga.gov/doingbusiness/PoliciesManuals/roads/Pages/PolicyAnnouncements.aspx>

GDOT's Local Administered Project (LAP) Manual

<http://www.dot.ga.gov/localgovernment/FundingPrograms/Documents/LAPManual.pdf>

GDOT's Design-Build Public SharePoint site

<http://mydocs.dot.ga.gov/info/designbuild/default.aspx>

GDOT's Prequalification webpage

<http://www.dot.ga.gov/DOINGBUSINESS/prequalification/Pages/default.aspx>

GDOT's Construction Manual

<http://www.dot.ga.gov/doingbusiness/TheSource/Pages/construction.aspx>

## IV. ATTACHMENTS

1. GA Code 32-2-81 (2013)
2. Board Rules Chapter 672-18
3. Yearly Design-Build Report template
4. Design-Build Suitability Report and Risk Matrix
5. Design-Build Recommendation Letter
6. Stipulated Fee and TRC Request Letter template
7. Best Value Technical Proposal Evaluation Manual template
8. [Design-Build Utility Coordination White Paper](#)
9. RFP Package Review Request Letter template
10. Instructions to Proposers (ITP) – One Phase Low Bid
11. Instructions to Proposers (ITP) – Two Phase Low Bid
12. Instructions to Proposers (ITP) – Best Value
13. Volume 1 – Design-Build Agreement
14. Volume 2 – Technical Provisions
15. Volume 3 – Programmatic Provisions