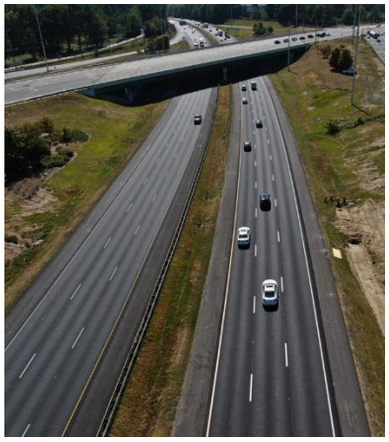
# Design-Build Manual

*Accelerating solutions from idea to reality using Design-Build*



9/15/22
Revision 5.0
Atlanta, GA 30308

Georgia Department of Transportation

This document was developed as part of the continuing effort to provide guidance within the Georgia Department of Transportation in fulfilling its mission to provide a safe, efficient, and sustainable transportation system through dedicated teamwork and responsible leadership supporting economic development, environmental sensitivity and improved quality of life. This document is not intended to establish policy within the Department, but to provide guidance in adhering to the policies of the Department.

Your comments, suggestions, and ideas for improvements are welcomed.

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## DISCLAIMER

The Georgia Department of Transportation maintains this printable document and is solely responsible for ensuring that it is equivalent to the approved Department guidelines.

# Revision Summary

| Revision Number | Revision Date | Revision Summary |
|---|---|---|
| **1.0** | 9/1/10 | Original Release Date |
| **2.0** | 1/31/14 | Published the DRAFT version of the revised Design-Build Manual which was modified following passage of Section 32-2-81, O.C.G.A. (2013), and the subsequent State Transportation Board Rules Chapter 672-18. |
| **3.0** | 5/30/14 | Removed DRAFT watermark and published the revised Design-Build Manual. |
| **4.0** | 10/2/14 | Reformatted manual to new standard template |
| **4.1** | 5/21/15 | Updated hyperlinks throughout entire manual |
| **4.2** | 10/3/16 | Updated State Innovative Delivery Administrator throughout Manual and Attachments<br>Updated Commissioner and Chief names in attachments<br>Attachments – Added Attachment 26 |
| **4.3** | 3/1/18 | 3.7 Updated the technical proposal requirements for low bid projects.<br>4.1 Updated the procurement roles, responsibilities, and procedures for low bid projects.<br>5.1, 5.2 Provided additional definition for Roles and Responsibilities<br>5.11.6 Updated Construction Management/Construction Engineering and Inspection (CEI) roles and responsibilities for Design-Build contracting.<br>5.11 Added the Quality Model option for Design-Build Projects.<br>Attachment 27 – Added Attachment 27 – DB CM User Manual. |
| **5.0** | 9/15/22 | Updated branding template and revised manual |
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# List of Effective Chapters

| Document | Revision Number | Revision Date |
|---|---|---|
| List of Effective Chapters | 5.0 | 9/15/22 |
| Table of Contents | 5.0 | 9/15/22 |
| Acronyms and Definitions | 5.0 | 9/15/22 |
| Chapter 1. Introduction | 5.0 | 9/15/22 |
| Chapter 2. Pre-Advertisement Activities | 5.0 | 9/15/22 |
| Chapter 3. Advertisement Activities | 5.0 | 9/15/22 |
| Chapter 4. Procurement Process | 5.0 | 9/15/22 |
| Chapter 5. Post-Let Activities | 5.0 | 9/15/22 |
| Attachments | 5.0 | 9/15/22 |
| Resources | 5.0 | 9/15/22 |
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# Table of Contents

# Acronyms and Definitions

## Acronyms

| | |
|---|---|
| AASHTO | American Association of State Highway and Transportation Officials |
| ATC | Alternative Technical Concept |
| ASP | Apparent Successful Proposer |
| BAFO | Best and Final Offer |
| BFI | Bridge Foundation Investigations |
| BMP | Best Management Practices |
| BRC | Bid Review Committee |
| CBA | Office of Construction Bidding Administration |
| CBL | Commercial Business Lead |
| CE | Categorical Exclusion |
| CEI | Construction Engineering and Inspection |
| CEPP | Comprehensive Environmental Protection Plan |
| CES | Cost Estimation System |
| CFR | Code of Federal Regulations |
| COI | Conflict of Interest |
| CPM | Critical Path Method |
| CQCM | Construction Quality Control Manager |
| CQMP | Construction Quality Management Plan |
| CWP | Construction Work Program |
| DB | Design-Build |
| DBA | Design-Build Agreement |
| DBB | Design-Bid-Build |
| DBE | Disadvantage Business Enterprise |
| DBIA | Design-Build Institute of America |
| DD | Design Deviation |
| DE | Design Exception |
| DM | Delivery Manager |
| DP&S | Office of Design Policy & Support |
| DQCM | Design Quality Control Manager |
| DQMP | Design Quality Management Plan |
| DV | Design Variance |
| EA | Environmental Assessment |
| EIS | Environmental Impact Statement |

| | |
|---|---|
| EEO | Equal Employment Opportunities |
| EOR | Engineer of Record |
| EPD | Environmental Protection Division |
| FEMA | Federal Emergency Management Agency |
| FHWA | Federal Highway Administration |
| FONSI | Finding of No Significant Impact |
| FTA | Federal Transit Authority |
| GARVEE | Grant Anticipation Revenue Vehicle |
| GDOT | Georgia Department of Transportation |
| GEC | General Engineering Consultant |
| GEPA | Georgia Environmental Policy Act |
| GPR | Georgia Procurement Registry |
| ITP | Instructions to Proposers |
| ITS | Intelligent Transportation System |
| JD | Jurisdictional Determination |
| LAP | Local Administered Project |
| LOI | Letter of Interest |
| MMIP | Major Mobility Investment Program |
| MOU | Memorandum of Understanding |
| MS4 | Municipal Separate Storm Sewer Systems |
| MUTCD | Manual on Uniform Traffic Control Devices |
| NEPA | National Environmental Policy Act |
| NOI | Notice of Intent |
| NOT | Notice of Termination |
| NPDES | National Pollutant Discharge Elimination System |
| NTC | Notice to Contractors |
| NTP 1 | Notice to Proceed 1 |
| NTP 2 | Notice to Proceed 2 |
| NTP 3 | Notice to Proceed 3 |
| OES | Office of Environmental Services |
| OAD | Office of Alternative Delivery |
| OAD-CO | Office of Alternative Delivery Contract Officer |
| OAD-OA | Office of Alternative Delivery Office Administrator |
| OAD-PM | Office of Alternative Delivery Project Manager |
| OES | Office of Environmental Services |
| OLS | Office of Legal Services |

| | |
|---|---|
| OMAT | Office of Materials and Testing |
| P&E | Plan and Elevation |
| P3 | Public Private Partnership |
| PCM | Project Controls Manager |
| PDA | Pile Driving Analysis |
| PDMS | Proposer Document Management System |
| PDP | Plan Development Process |
| PE | Preliminary Engineering |
| PFA | Project Framework Agreement |
| PIC | Principal in Charge |
| PIO | Public Information Officer |
| PL | Project Liaison |
| PLI | Post-Let Instructions |
| PM | Project Manager |
| PMC | Program Management Consultant |
| PMC-ACM | Program Management Consultant Assistant Construction Manager |
| PMC-CM | Project Management Consultant Construction Manager |
| PMC-PM | Program Management Consultant Project Manager |
| PMCS | Project Management Controls System |
| PMT | Project Management Team |
| PNA | Public Notice Advertisement |
| POC | Point of Contact |
| PoDI | Project of Division Interest |
| QA | Quality Assurance |
| QC | Quality Control |
| QCM | Quality Control Manager |
| QMP | Quality Management Plan |
| QPL | Qualified Products List |
| Q&R | Question and Response |
| RFC | Release for Construction |
| RFP | Request for Proposals |
| RFQ | Request for Qualification |
| RID | Reference Information Documents |
| ROD | Record of Decision |
| RRC | Responsiveness Review Committee |
| SAAG | Special Assistant Attorney General |

| | |
|---|---|
| SBV | Stream Buffer Variance |
| SC | Substantial Completion |
| SHPO | State Historic Preservation Office |
| SME | Subject Matter Expert |
| SOQ | Statement of Qualifications |
| SOV | Schedule of Values |
| SPP | Strategic Program Plan |
| SRC | Selection Review Committee |
| STB | State Transportation Board |
| STIP | Statewide Transportation Improvement Program |
| SUE | Subsurface Utility Engineering |
| SVDBE | Small Business, Veteran, Disadvantaged Business Enterprise |
| TA | Technical Advisors |
| TMC | Transportation Management Center |
| TMP | Transportation Management Plan |
| TP | Technical Provisions |
| TRC | Technical Review Committee |
| TSP | Office of Transportation Services Procurement |
| UAM | Utility Accommodation Policy and Standards Manual |
| UAPRR | Utility Analysis Preliminary Routing Report |
| USACE | U.S. Army Corps of Engineers |
| VE | Value Engineering |
| VECP | Value Engineering Change Proposals |
| WFI | Wall Foundation Investigations |

## Definitions

This section includes general definitions used within this 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.

**A+B**: Method of rewarding a Design-Build Team for completing a project as quickly as possible. By providing a cost for each working day, the contract combines the cost to perform the work (A component) with the cost of the impact to the public (B component) to provide the lowest cost to the public.

**Administrative Information Submittal**: A document provided by Proposers, as required per the Request for Proposals (RFP), which contains administrative items that are provided in response to the RFP document.

**Alternative Technical Concept (ATC)**: A confidential process in which a Design-Build Team can propose changes to GDOT-supplied basic configurations, project scope, design criteria or construction criteria included in a Request for Proposals (RFP). These changes submitted by Proposers to the GDOT 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.

**Amendment**: An addition, deletion or modification to the provisions of the Public Notice of Advertisement (PNA), Request for Qualifications (RFQ), or Request for Proposals (RFP) made during the procurement process.

**Apparent Successful Proposer**: Proposer with lowest bid for Low Bid projects and highest combined score for Best Value projects prior to award.

**Award**: The acceptance of the Apparent Successful Proposer, subject to execution and approval of the contract. The Award is non-binding.

**Best Value**: The selection method whereby award is based on a combination of the Proposers weighted Price Proposal and evaluated technical elements found in the Technical Proposal as described in a Request for Proposals (RFP). The formula for determining the best value proposer shall be specified in the RFP. Under this selection method, GDOT shall select the proposer who provides the best value for the Project.

**Bid Review Committee (BRC)**: A selected group of GDOT staff who are responsible for evaluating and approving the results of a project Letting, thereby Awarding a project to the Apparent Successful Proposer.

**Certificate of Qualification**: A certificate issued by GDOT to a contractor, certifying qualification to perform work on contracts with GDOT.

**Clarifications**: Written or oral exchanges of information that take place after the receipt of the Statement of Qualifications (SOQ) or the Proposal packages.

**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 whether a conflict is cause for dismissal from services being procured.

**Conflict of Interest**: A situation where a person or entity who, because of other activities, secondary interests, or relationships with other persons or entities involved: 1) is unable or potentially unable to render impartial assistance or advice to GDOT; 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.

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

**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-Builder**: means the counterparty to GDOT under the DBA.

**Design-Build Documents**: Documents set forth in Article 1.2 of the Design-Build Agreement for the specific project.

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

**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.

**Key Personnel**: Those individuals appointed by the Design-Builder and approved by GDOT from time to time to fill key positions, as identified in the RFQ and RFP.

**Letter of Interest (LOI)**: Correspondence required with the Qualifications Packages on Two Phase Low Bid and Two Phase Best Value projects, and with the Proposal package for One Phase Low Bid projects.

**Letting**: The day on which Price Proposals are publicly opened, and the Apparent Successful Proposer is identified.

**Low Bid**: The selection method whereby GDOT shall select the lowest price Responsive 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).

**Notice of Professional Consultant Qualifications**: A notice issued by GDOT to a consultant, certifying qualification to perform work on contracts with GDOT.

**One-on-One Meeting**: A meeting between GDOT and a Proposer conducted during the Request for Proposals (RFP) phase to discuss the RFP, scope of work, and/or potential ATCs. If one-on-one meetings are to be conducted on a project, then the Instruction to Proposers (ITP) section of the RFP will include one-on-one meeting instructions.

**One Phase Low Bid**: The selection method whereby Proposers submit to GDOT a Price Proposal and Technical Proposal (which includes a Proposer's qualifications package) in response to the Request for Proposals (RFP). Under this selection method, GDOT shall select the lowest priced qualified and responsive Proposal.

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

**Preliminary Design**: The general project location and design concepts, including but 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 environmental review process, any such preliminary engineering and other activities and analyses must not materially affect the objective consideration of alternatives in the environmental 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 GDOT to pursue a project. Prequalification may be based on financial, management and other types of qualitative data.

**Price Proposal**: A document provided by Proposers, as required per the Request for Proposals (RFP), which contains financial information provided in response to the RFP.

**Project**: The project to be designed and constructed in accordance with the DB Documents.

**Proposal**: A package submitted by a Proposer in response to an RFP consisting of an Administrative Information Submittal, a Technical Proposal, and a Price Proposal.

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

**Public Notice Advertisement (PNA)**: An announcement by GDOT of 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. GDOT makes no representation or guarantee as to the accuracy, completeness, or suitability of the RID. Proposers are responsible for any conclusions they may draw from the RID.

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

**Released for Construction (RFC) Design Documents:** Documentation that is prepared by the Design -Build Team, endorsed by an EOR, accepted by GDOT, is in compliance with the executed contract, and is used by the Design-Build Team to build the project.

**Request for Qualifications (RFQ)**: All documents, whether attached or incorporated by reference, utilized by GDOT 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 GDOT for the Two Phase Low Bid and Best Value selection methods.

**Responsiveness Review Committee**: A selected group of GDOT staff who are responsible for evaluating Proposers' Statement of Qualifications (SOQ) and Proposal packages for responsiveness in accordance with the requirements set forth in the RFQ or RFP.

**Right-of-Way (ROW):** Generally, property or any interest therein, whether or not in the form of a strip, which is acquired for or devoted to a public road.

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

**Selection of Finalists**: The selection of all qualified Proposers (through the use of a Prequalification process) who are invited to submit a Proposal in response to a Request for Proposals (RFP). Utilized in the Two Phase Low Bid selection method.

**Selection Review Committee (SRC):** A selected group of GDOT staff who are responsible for finalizing SOQ technical scores in Phase 1 (RFQ) of Two Phase Low Bid (Shortlist) and Best Value procurement methods, and finalizing Technical Proposal adjectival scores and converting them to predetermined numeric scores in Phase 2 (RFP) of the Best Value procurement method, in accordance with the requirements set forth in the RFQ or RFP.

**Shortlist**: The narrowing of the field of Proposers through ranking the most highly qualified, responsive Proposers who have responded to an RFQ. Only Shortlisted Proposers will be invited to

submit a Proposal package in response to a Request for Proposals (RFP). Utilized in the Two Phase Low Bid and Best Value selection methods.

**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, GDOT 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 GDOT project without obligation to pay any additional compensation to the unsuccessful Proposers.

**State**: The State of Georgia.

**Statement of Qualifications (SOQ)**: Documentation that meets the requirements set forth in the Request for Qualifications (RFQ), which is submitted by Proposers and evaluated by GDOT 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 GDOT-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 GDOT staff who are responsible for evaluating Proposers' Statement of Qualifications (SOQ) and technical proposals in accordance with the requirements set forth in the RFQ or RFP.

**Two Phase Low Bid (All Qualified)**: The selection method whereby the first phase consists of selecting qualified Respondents who submit a responsive Statement of Qualifications (SOQ) in response to the Request for Qualifications (RFQ). Respondent SOQs meeting minimum requirements (responsive) and pass all pass/fail criteria, as defined in the RFQ, are notified as Finalists to participate in Phase 2 (RFP) of the procurement. The second phase consists of Proposers submitting a responsive Proposal package in response to the Request for Proposals (RFP). Under this selection method, GDOT shall select the Apparent Successful Proposer with the lowest priced Price Proposal.

**Two Phase Low Bid (Shortlist)**: The selection method whereby the first phase consists of selecting qualified Respondents who submit a responsive Statement of Qualifications (SOQ) in response to the Request for Qualifications (RFQ). The TRC evaluates each Proposer's SOQ to determine a Shortlist of up to five (5) of the most qualified Proposers. The second phase consists of Proposers submitting a responsive Proposal package in response to the Request for Proposals (RFP). Under this selection method, GDOT shall select the Apparent Successful Proposer with the lowest priced Price Proposal.

# Chapter 1. Introduction - Contents

# 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 a general overview and, where applicable, guidance 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 industries.

Where included, the guidance 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 (UAM), 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:

- Define roles and responsibilities;
- Describe pre-advertisement activities such as project selection; concept development; environmental planning; costing plans development; and risk assessment and allocation;
- Describe the various Design-Build selection methods, advertisement process, evaluation method, selection and awarding process; and
- Provide general overview of post-let project administration, project management and construction management on Design-Build projects.

The Office of Alternative Delivery (OAD) is responsible for maintaining and regularly updating this 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 Legislation Regarding DB

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 Rules Chapter 672-18 (referred to herein as Board Rules, Chapter 672-18 or Rule 672-18), and, for federal-aid projects, applicable portions of the Code of Federal Regulations (CFR), in each case as may be amended, supplemented, amended and restated, recodified, or substituted from time to time).

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

In the 2004 Legislative Session, the Georgia General Assembly enacted legislation that 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, and that amount 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 without a sunset provision.

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 in addition to the Two-Phase Low Bid selection method as well as procuring Design-Build projects using a Best Value selection method. Additionally, it removed the requirement that GDOT must receive at least three (3) Letters of Interest (LOI) in order to proceed with issuing the RFP and removed the requirement that GDOT must receive at least two (2) proposals in response to the RFP.

### 1.2.2 State Transportation Rules Chapter 678-18

In 2006, the State Transportation Board adopted the Rules and Regulations of State of Georgia, Chapter 672-18, which outlined regulations pertaining to Design-Build procurements and certain portions of Design-Build contracts. In 2013, as a result of the 2013 Legislative changes, the State Transportation Board amended the Rules and Regulations of State of Georgia, Chapter 672-18, which further modified the Design-Build regulations.

### 1.2.3 Code of Federal Regulations (CFR)

All federal aid Design-Build procurements and projects will comply with the procedures set forth in all applicable CFR regulations, 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. State funded Design-Build procurements and projects may incorporate applicable CFR regulations, as further defined in the RFP.

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

The traditional design-bid-build (DBB) procurement method remains the most used project delivery method. In DBB, the owner selects the designer and contractor under separate contracts. First, the owner hires a designer to design the project, then the plans are released to the public for bid, then awarded to the contractor to construct. In the Design-Build project delivery method, the design-builder is responsible for both the design and the construction of a project under one contract.

**Figure 1-1: Design-Bid-Build Delivery versus Design-Build Delivery**

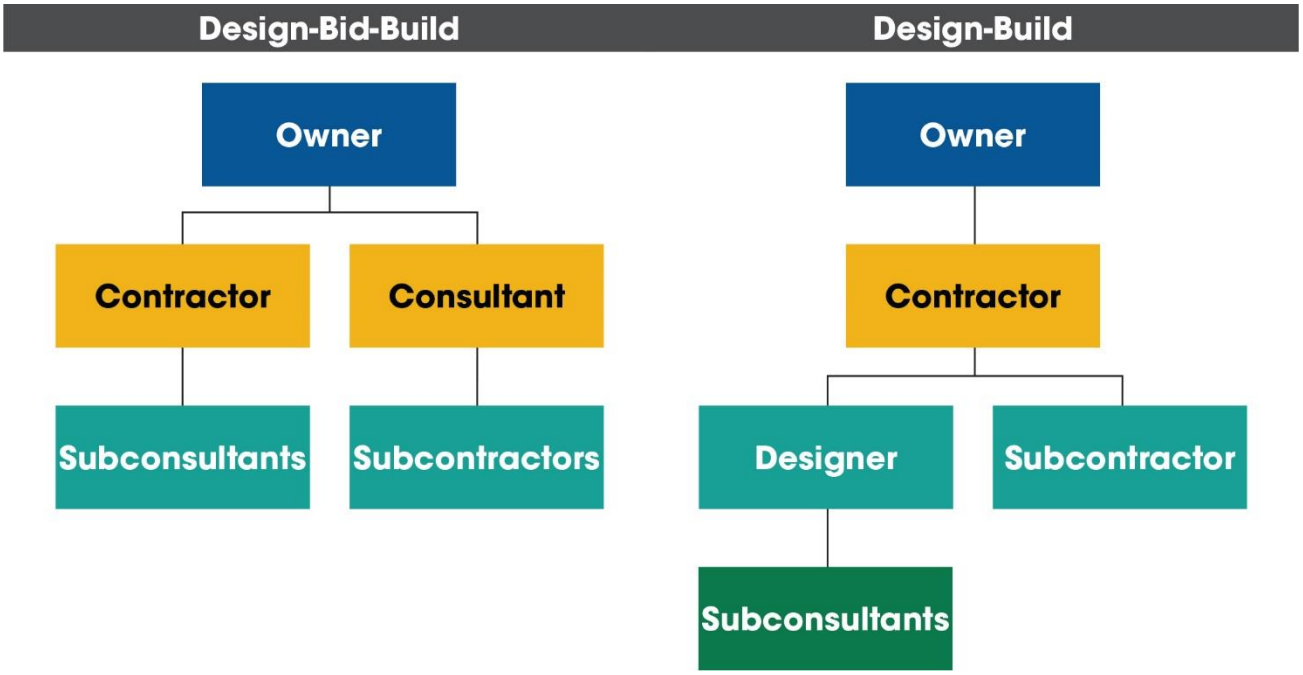



**Table 1-1: Design-Bid-Build Delivery versus Design-Build Delivery**

| Impacting Factors | Design-Bid Build | Design-Build |
|---|---|---|
| Delivery Schedule | Sequential design, procurement and construction phases can delay project delivery schedule. | Simultaneous design and construction can accelerate project delivery schedule. |
| Collaboration | Owner and designer collaboration resolve complex design issues and qualitatively evaluate designs with consultant before construction bidding | Design and construction disciplines are required to work together allowing for greater Design-Builder feedback during the design process |
| Innovation | Innovation through design consultant expertise, value engineering (VE) and contractor bid alternatives | Incorporates innovative contractor input into the design process through:<br>1.Consultant-contractor collaboration<br>2. Best value selection<br>3. Incorporation of ATCs |
| Risk Share | Owner bears risk for design and construction and is potentially vulnerable to change order and schedule delays | Single point of risk - Design-Builder bears the risk for design completeness and compliance and for construction. This relieves the owner from design interpretations thereby reducing risk of change orders and schedule delays |

## 1.4 Scoping a Design-Build Project

GDOT is responsible for project development that identifies project scope, design criteria, conceptual plans, environmental process activities and estimated cost estimates for each project. Additionally, GDOT engages in comprehensive, cooperative planning with stakeholders on strategies to achieve performance objectives for transportation infrastructure.

GDOT performs a high-level screening process to determine which projects will meet community needs and deliver innovative infrastructure projects. GDOT works collaboratively with expert legal and financial advisors to conduct detailed due diligence to determine, at a high level, which projects may be considered for prioritization or eliminated from consideration to move forward.

### 1.4.1 Project Risk Identification, Analysis, Assessment, and Management

As part of its screening process, GDOT works to identify risks particular to each potential project and analyze how those risks will impact the project's goals. Risk identification and analysis is an important step in project scoping, goal setting and selecting the best delivery method. Risk identification and analysis continues throughout the project's procurement, design, and construction periods. Once identified and analyzed, GDOT ultimately manages the risk. Key steps in GDOT's risk process include:

- **Identification**: Identify as many knowable risks as practicable
- **Assessment**: Evaluate key characteristics of individual risks enabling prioritization of risks for further action. Risk assessment can include a qualitative assessment, quantitative assessment, or both
- **Analysis**: Employ simulations and sensitivity analysis to evaluate the combined effect of risks on the project cost and schedule and identify key drivers, ranking risks with respect to one another based on their impact.
- **Management**: Determine appropriate response strategies and actions for each individual risk and document in the project management plan, that includes monitoring and controlling risks by implementing agreed upon actions, regularly reviewing changes in risk exposure, identifying additional risk management actions as required, and assessing the effectiveness of the mitigations.

### 1.4.2 Example Project Objectives

Examples of common GDOT project objectives on DB projects include:

- Minimize inconvenience to the traveling public during construction
- Maximize the project scope and improvements within the project budget.
- Provide a design and construction that minimizes project risks
- Complete the project on time and within budget

GDOT may add to, or amend, objectives in the project screening process. Ultimately, the project objectives tie to the evaluation criteria through the procurement.

### 1.4.3 Cost Management

GDOT utilizes cost/budget management controls when analyzing potential projects to create actual, committed, and forecasted costs against established budgets to provide informed estimates used in project analysis to ensure the project's financial goals also align with GDOT's fiscal year funding requirements. Design-Build can allow a variable scope procurement to match GDOT's fixed budget.

## 1.5 Design-Build Project Selection

Design-Build is best suited for those projects that generally require acceleration, projects that have unique opportunities to transfer some risks to the Design-Builder otherwise customarily retained by GDOT, projects with opportunities for innovation, or projects that otherwise have the potential to decrease contract time, reduce costs, and/or improve the safety and quality of the facility.

The decision to use Design-Build contracting is typically based on an assessment of the specific goals and risks associated with each project. Projects suited for Design-Build delivery typically have one or more of the following characteristics:

- Are accelerated for the public benefit;
- Have up-front contractor-engineer interaction to stimulate value engineering analysis to reduce costs;
- Include complex constructability issues;
- Have a need for specialty or innovative designs and construction methods or techniques;
- Support economic development;
- Maximize the use of available funding;
- Comprise an emergency project where repair or design and construction need to be expedited; and/or
- Include 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:

- Through regular discussions between the OAD Office Administrator (OAD-OA) and GDOT's Director of Public Private Partnership (P3) as part of a routine process to identify and evaluate projects for Design-Build delivery.
- Any GDOT office may request the OAD-OA evaluate a specific project or a group of projects for Design-Build suitability.
- The OAD-OA facilitating a meeting through GDOT's Director of P3 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.

### Table 1-2: Projects Best Suited for Design-Build

| Project Type | Example Projects and Advantages of DB Delivery |
|---|---|
| **Technology Projects** | Example Projects: Weigh-in-Motion, Statewide ITS DMS Deployment, Variable Speed Limit Signs<br>• Performance based contract allows for language that does not specify technology which could be outdated by the time it is time to install<br>• Minimal Plans Required<br>• Expedited Project Delivery Schedule<br>• Flexibility to address challenges in the field |
| **Minor Bridge Projects** | Example Projects: FY Bridges, I-85 Corridor Bridges<br>• Minimal Plans Required. Potential to use existing plans and replace-in-kind. Zero to minimal innovation anticipated<br>• Expedited Project Delivery Schedule<br>• Flexibility to address challenges in the field |
| **Major Bridge Projects** | Example Projects: I-20@Savannah River Bridge Replacements and Roadway Widening, SR 135 at Altamaha River Bridge Replacement, SR 25 at Savannah & Middle River Bridges<br>• Flexibility to address complex environmental challenges<br>• Ability to accept ATCs during the procurement to accelerate construction activities and/or reduce cost<br>• Ability to use procurement incentives to compress schedules and reduce opening commitments |
| **Corridor Widening Projects** | Example Projects: I-85 Widening (Phase I, Phase II, Phase III) Projects, SR 400 Widening<br>• Variable Scope Procurement<br>• Minimal Plans Required<br>• Ability to accept ATCs during the procurement to accelerate construction activities and/or reduce cost |
| **Accelerated Projects** | Example Projects: I-285 Eastside Bridge Replacements, I-85 Corridor Bridges, SR400 Phase 1 Project<br>• Ability to accelerate elements of an overall larger project or program<br>• Ability to have a contract that allows certain elements to go to construction while other elements are designed, environmentally cleared and/or ROW is acquired |

| Project Type | Example Projects and Advantages of DB Delivery |
|---|---|
| **Pilot Projects** | Example Projects: I-24 at SR 299 ABC<br>• Performance based contract allows for language which does not specify a preferred method of construction and allows contractor to determine |
| **Schedule Driven Projects** | Example Projects: Courtland Street Bridge Replacement, SR 247 /Pio Nono & College St Bridges over Norfolk Southern Railroad, Jimmy Deloach Connector<br>• Ability to use procurement incentives to drive compressed schedules and opening commitments |
| **Bundled Projects** | Example Projects: FY Bridges, SR 316 Grade Separated Bundles, Weigh-in-Motion<br>• Ability to bundle multiple locations with phased design and construction |
| **Projects with Key Stakeholders** | Example Projects: Courtland Street Bridge Replacement, SR 247 /Pio Nono & College St Bridges over Norfolk Southern Railroad, I-20@Savannah River Bridge Replacements and Roadway Widening<br>• More collaborative engagement with:<br>o FHWA, CSX, MARTA, NS, NMFS, USACE, USFW, Other States, Locals |
| **Interchange Projects** | Example Projects: I-16 at I-95 Interchange & I-16 Widening, SR400 @ I-85 Connector Ramps<br>• Flexibility to modify the design within the cleared footprint |

## 1.6 Roles and Responsibilities

The roles and responsibilities for Design-Build projects vary from the traditional Design-Bid-Build. Table 1-3 (GDOT Responsibilities) identifies several GDOT offices that play an integral role in the Design-Build procurement process, as well as the management and administration of the overall Design-Build program.

### 1.6.1 GDOT Responsibilities

The PMT arrangement of staff and the assignment of responsibilities creates an organization in which team members work together in an effective manner. See Chapter 5 for additional details.

### Table 1-3: GDOT Responsibilities

| GDOT Offices | Primary Responsibility | Other Responsibilities |
|---|---|---|
| **Office of Alternative Delivery (OAD)** | Administration of the Design-Build program. This includes a primary focus on Design-Build project selection, schedule management, RFQ and RFP development, as well as administering and management of all phases of the Design-Build planning, procurement, design, and construction. | • Evaluate projects for Design-Build suitability<br>• Collaborate with the Chief Engineer regarding project selection<br>• Manage the Design-Build procurement process<br>• Advertise the PNA for all Design-Build projects<br>• Advertise the RFQ for Low Bid and Best Value selection method; receive and facilitate the evaluation of SOQ and issue the selection of finalists or shortlist notification<br>• Coordinate with FHWA, as necessary, to obtain authorizations and/or concurrence to advertise the RFP<br>• Advertise the RFP for the Low Bid and Best Value selection methods and issue any necessary amendments<br>• Receive Proposal packages, including price proposals, for the low bid selection methods<br>• Facilitate the letting, award, and entering into a contract with the Design-Builder<br>• Facilitate one-on-one meetings and the ATC process for best value<br>• Receive Proposal packages, including price and technical proposals, facilitate the evaluation of technical proposals and facilitate the opening of price proposals for best value selection method<br>• Provide debriefing information, if requested<br>• Facilitate the procurement process for OAD consultant resource needs, including Program Management Consultant (PMC) and General Engineering Consultant (GEC)<br>• Facilitate reviews of all Design-Build submittals<br>• Proactively communicate with other GDOT offices, local governments, FHWA, and other stakeholders<br>• Develop and maintain Design-Build procedures, guidance, template contracts, and related documents<br>• Serve as a resource to the industry and local governments regarding Design-Build delivery<br>• Administer the construction phase of the Design-Build contract<br>• Approve Design-Build Team invoices and any supplemental agreements/change orders |
| **State Construction Office** | Support the development of the Design-Build Documents. In addition, provide oversight and audits during the administration of the Design-Build Documents. | • Participate in development activities of the Design-Build Documents that may include lane closure-related specifications, informal constructability reviews, review of construction-related ATCs, and evaluating contract durations<br>• Serve as construction SME<br>• Provide oversight to OAD in the processing and execution of supplemental agreements/change |

| GDOT Offices | Primary Responsibility | Other Responsibilities |
|---|---|---|
| | | orders<br>• Provide oversight of audit functions |
| **Office of Bridge Design and Maintenance** | Support the development of Design-Build Documents. In addition, provide oversight and audits during the administration of the Design-Build Documents. | • Participate in the development of structural or bridge related documents, including costing plans, structure-related specifications, and review of structures-related ATCs.<br>• Serve as Structures SME |
| **Office of Environmental Services** | Support the development of Design-Build Documents. In addition, provide oversight and audits during the administration of the Design-Build Documents. | • Participate in the development of environmental documents, including performing perfunctory reviews and comments, and facilitating routing of applicable documents with relevant entities.<br>• Participate in development activities of the Design-Build Documents, including environmental-related specifications and review of environmental-related ATCs.<br>• Serve as environmental SME |
| **Construction Bidding Administration (CBA)** | Advertise NTCs on Bid Express™ | • Issue the NTC |

GDOT's OAD has augmented limited internal staff with PMC, GEC, and Construction Engineering and Inspection (CEI) consultants to help the agency develop Design-Build projects. Depending on the size and complexity of the Design-Build project, GDOT may enter into a separate GEC contract for specific Design-Build projects in the program. GDOT has current and previous contracts for both PMC and GEC services to help facilitate Design-Build projects. The PMC acts as the owner's representative, to the extent allowable and desirable, with GDOT retaining key decision-making. The PMC may lead work activities that were previously handled by GDOT staff. The PMC's detailed roles and responsibilities are developed and coordinated with other offices.

### 1.6.2 Programmatic PMC Responsibilities

- Program management, oversight, and administration
- Procurement management
- Program and project controls
- Programmatic studies and analyses, project management and administration
- Procurement Management and assistance (See Section 1.8.3(c))
- Quality management
- Construction management
- Disadvantage Business Enterprise (DBE) mentoring and program oversight
- Communications and outreach

- Major project management team(s)
- Toll systems integration coordination
- Risk management

### 1.6.3 GEC Responsibilities

- Project studies and analyses
- Procurement support
- Scoping
- Right-of-way plans
- Environmental and costing plans
- Pre-scoping and early schematics
- Design oversight – submittal review
- Subject Matter Expert
- Owner's construction engineering and inspection

### 1.6.4 CEI Responsibilities

- Construction assurance inspection and testing

### 1.6.5 Design-Build Team Responsibilities

- Final design
- QC/CEI (as applicable)
- Construction
- Compliance with all terms and conditions of the DB Documents

### 1.6.6 Primary Program Roles

- GDOT
    - P3 Division Director – Oversees and supervises the development and implementation of the P3 Division including the OAD, and reports the P3 program activities to the State Transportation Board's P3 Committee
    - OAD Office Administrator – Provides oversight in developing, procuring, and constructing projects identified as DB within the Georgia DOT OAD Program, along with guidance to the OAD DB Program Manager, and makes recommendations to the P3 Division Director.
    - OAD DB Program Manager – Provides oversight of the projects identified as DB within the Georgia DOT OAD Program, guidance to the OAD Project Managers (PMs) supporting those projects, reviews project deliverables, and makes comments and recommendations to the OAD Office Administrator.

- OAD Project Manager (PM) – Manages and provides oversight of PMC staff on projects identified as DB, reviews project deliverables, and makes comments and recommendations to the Georgia DOT OAD Program Manager.
- OAD Procurement Program Manager/OAD Contracting Officer (CO) – Supports OAD OA with procuring, awarding, and executing DBAs. Serves as CO as delegated by OAD OA.
- OAD Post-Let Program Manager – Provides oversight of the awarded DB projects within the Georgia DOT OAD Program, guidance to the OAD PICs supporting those projects, reviews project deliverables, and makes comments and recommendations to the OAD Office Administrator.
- OAD Principal in Charge (PIC) – Manages and provides oversight of PMC and GEC staff on awarded DB projects, reviews project deliverables, and makes comments and recommendations to the Georgia DOT OAD Program Manager.
- Technical Review Committee (TRC) - Georgia DOT SMEs assigned to review and evaluate technical qualifications and Proposals on a project-to-project basis from Proposers. See Chapter 4 for additional details.
- Selection Review Committee (SRC) – Georgia DOT senior level managers assigned to review TRC recommendations on Best Value (BV) Projects and assign adjectival scores and perform the numerical conversions. See Chapter 4 for additional details.
- GDOT Offices
  - Subject Matter Experts (SMEs) – Georgia DOT personnel assigned to review and provide input in various aspects of an identified DB project, including costing plans, RFPs, and Alternative Technical Concepts (ATCs).
  - Office of Legal Services (OLS) – Provides legal advice and support to Georgia DOT P3 Division/OAD during the P3 and DB procurement, award, and contract execution process relative to the Office of the Attorney General.
  - Construction Bidding Administration (CBA) Office Administrator – Assists OAD in the initial Notice to Contractors (NTC) advertisement of a DB project, as well as managing the execution of Escrow Bid Documents.
  - Districts Personnel – Provides input and support to identified DB projects, including in the development and review of costing plans, RFP, ATCs, design plans, and in the construction of the Project.
  - Office of Materials and Testing (OMAT) – Performs materials acceptance testing, as needed, for Design-Build projects.

- PMC Pre-Let and Procurement
  - Pre-Let Project Liaison (PL) – Provides DB procurement support to the Program. Serves as direct point of contact to OAD PM. Implements procedures and working instructions to develop documents necessary to procure DB projects within the Program and engages with GEC and PMC Procurement personnel to support development of project specific documents.

- Procurement Delivery Manager (DM) – Provides DB procurement leadership to a specific project. Serves as direct point of contact to OAD DB Program Manager and OAD PM. Oversees and manages project procurement efforts. Engages the Legal, Financial and Technical Advisors, as necessary.
- SMEs – Provides oversight and support to the development of costing plans and other supporting documents, as well as technical requirements contained within the RFP. Reports to both the Pre-Let PL and the Procurement DM and serves as a liaison to GDOT SMEs.
- Procurement Commercial Business Lead (CBL) – Reports to Procurement DM. Responsible for providing legal support throughout the procurement and supports the development and review of procurement documents.

- PMC Post-Let
  - Project Management Team (PMT) Project Manager (PM) – Reports to the OAD PIC; has primary responsibility for establishing the Project organization, developing position descriptions, and providing for all staffing needs; serves as day-to-day manager of the integrated PMT; leads and attends Project meetings (both internal and external); reviews correspondences prior to the OAD PIC's approval; responsible for updating the Project Management Plan (PMP) with support from the Quality Manager.
  - PMT; is the internal Project interface with PMC and GEC; leads and attends Project meetings (both internal and external).
  - PMT Commercial Business Lead (CBL) – Reports to the PMT PM; responsible for drafting proposed correspondences and Issue Analysis and Recommendations (IAR); responsible for leading all contract disputes and Supplemental Agreement (SA) execution; leads and attends Project meetings (both internal and external).
  - PMT Project Controls Manager (PCM) – The primary responsibility is to lead the Project controls team; leads and attends Project meetings (both internal and external).
  - Public Information Officer (PIO) – The primary responsibility is to assist with the development and implementation of public information and communications plan.
- GEC Pre-Let
  - GEC Project Manager (PM) – Develops and supports the development of project specific documents, including costing plans and the Request for Proposals (RFP), and maintains the scope, schedule, and budget for each project. Reports to the OAD PM, PMC DM, and PMC PL.
  - Designer – Leads the development of costing plans, along with associated supporting documents, used in establishing the scope of a project.
  - NEPA Specialist – Supports management of the NEPA process in conjunction with the Office of Environmental Services (OES), including developing and updating

associated environmental documents. Reports to the GEC PM and serves as a liaison with OES SMEs.

- SMEs – Leads the development of technical requirements contained within the RFP, along with the development and organization of Reference Information Documents (RIDs).

- GEC Post-Let
  - Engineering Owner Verification (OV) Manager – The primary responsibility is to lead the operation of the Engineering OV team; leads and attends Project meetings (both internal and external).
  - Environmental OV Manager – The primary responsibility is to lead the operation of the Environmental OV team; leads and attends Project meetings (both internal and external).
  - PMT SME Reviewers – Performs the review and evaluation of technical submittals from the Design-Builder for compliance with the contract.
  - Construction Engineering Inspection (CEI)
  - CEI Inspector – Performs the inspection of construction and facilitates testing in a Design-Build project.

### 1.6.7 Organizational Structure

**Figure 1-2: Organization during Pre-Advertisement**

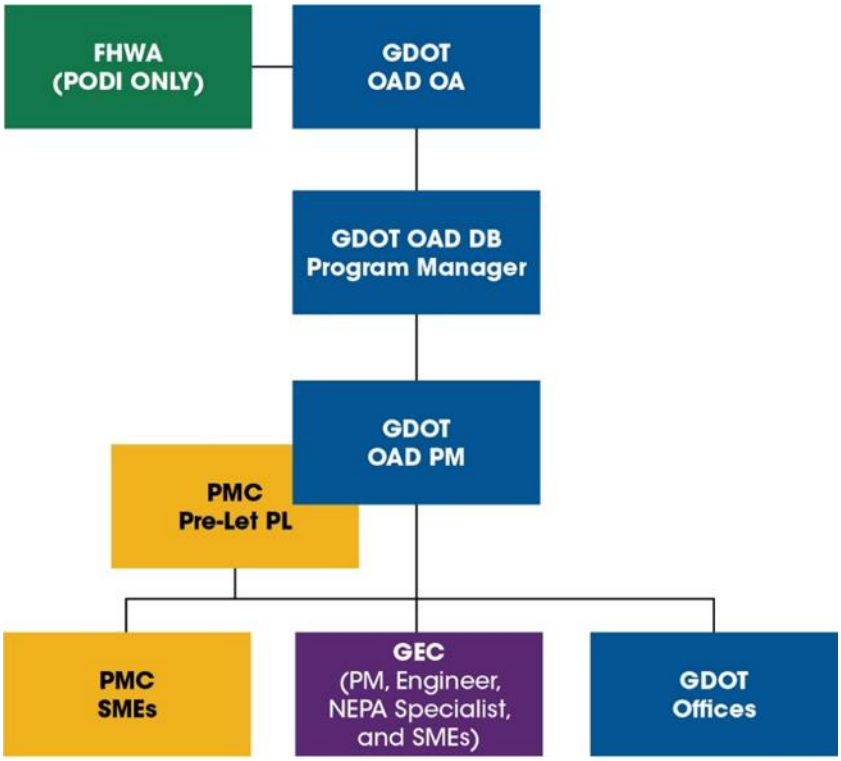


Figure 1-3: Organization during Procurement

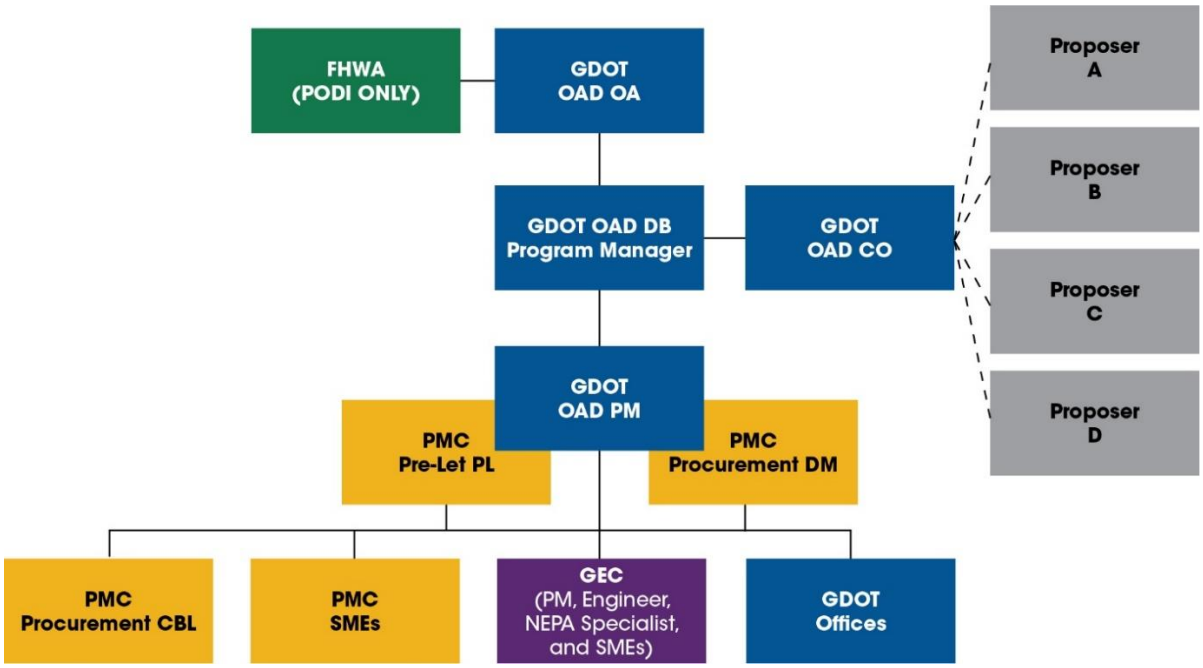
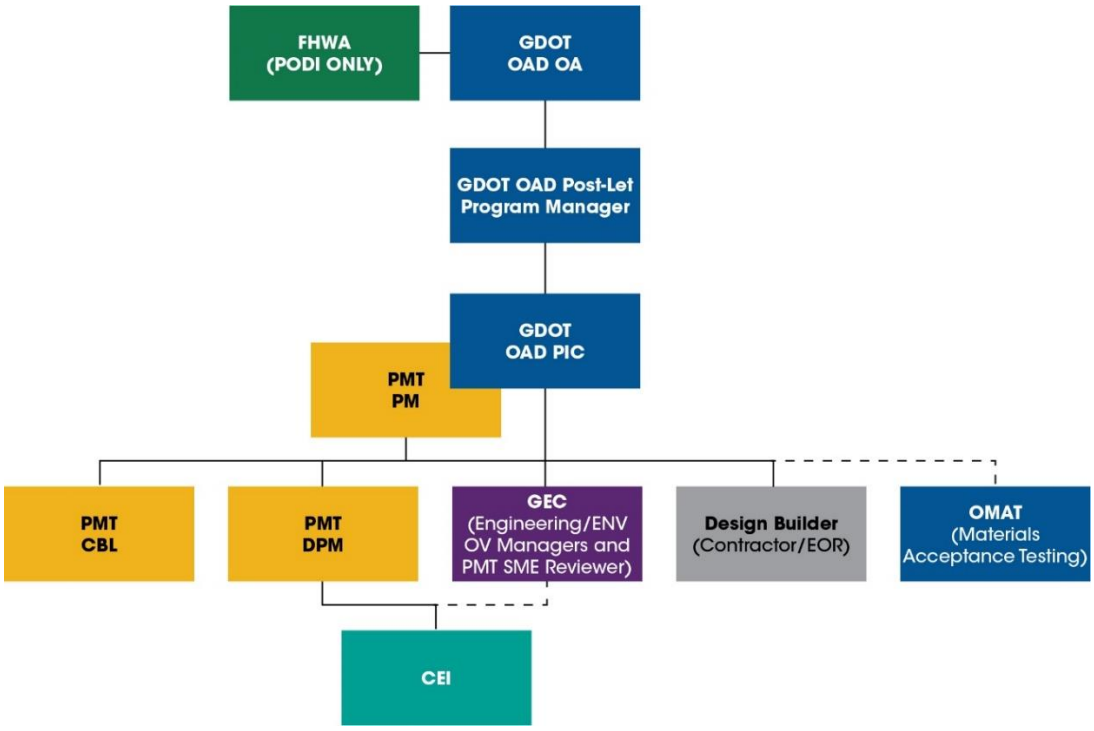



Figure 1-4: Organization during Post-Let




## 1.7 FHWA Involvement

FHWA involvement is required on projects that include federal funding. The Federal Highway Administration (FHWA) policies and procedures for Design-Build projects are defined in 23 CFR

636 (Design-Build Contracting). Further detail regarding FHWA project responsibilities will be outlined in a project specific Stewardship and Oversite agreement, as required.

## 1.8 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, and 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 pre-existing 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 time, making coincidental and inadvertent conflicts more likely. A list of restricted firms for the procurement will appear in the RFQ and RFP.

Statutory and administrative regulations for State agencies regarding conflicts of interest shall continue to govern the actions of GDOT. Effectively managing and implementing the Design-Build program necessitates that all parties recognize where conflicts may exist, and make reasonable efforts to prevent, mitigate and, where feasible, remove conflicts to the fullest extent possible. A non-exclusive list of regulations and other prescriptive information regarding conflicts of interest is listed below:

- O.C.G.A § 45-10-1, et seq. (Codes of Ethics and Conflicts of Interest)
- 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 (What Organizational Conflict of Interest Requirements Apply to Design-Build Projects?)
- 49 CFR § 18.36(b)(3) (Procurement Standards for Grantees and Subgrantees; Conflicts of Interest)
- Federal Transit Authority (FTA) Procurement Circular 4220.1F
- 49 CFR § 172.7(b)(4), and 23 C.F.R. § 636.116 (Conflicts of Interest), where applicable (i.e., federal funding/participation).

The following are illustrative of likely potential conflicts situations; conflicts of interest, however, may exist in other circumstances, and the process to determine, report, and resolve conflicts of interest issues is as below:

1. Persons employed by or in ownership of consulting firms with 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 interests 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 or partners of 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 member.

3. Consultants and/or subconsultants under contract with GDOT for PMC or 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 Consultant (PMC) 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 future Design-Build projects. Such exclusions may be warranted if the presence of the contracted team member might provide an unfair advantage (or the appearance of an unfair advantage) to a Proposer for an advertised Design-Build project.

   (b) Who assist GDOT in the preparation of Design-Build 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 low-level documents that will be incorporated by reference into the Design-Build Documents, and did not assist 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 TRC or Conflict Committee, other than to provide impartial assistance and facilitation of the procurement process.

GDOT's guidance for soliciting Design-Build contracts, as well as any related Design-Build support service contracts with respect to conflicts of interest are listed below:

1. GDOT will reference State statutes or policies concerning conflicts of interest in the Design-Build 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, on a continuing basis throughout the procurement 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 regarding details concerning potential or actual conflicts of interest.
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 guidance. These actions may include, but are not limited to, issuing a warning prior to services, interacting with a Proposer or Design-Build Team as part discussing/granting a 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 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 OAD-OA. The disclosure must include a proposed course of action to remedy any identified conflict(s).
7. If GDOT becomes aware of a conflict, the OAD-OA will notify the Proposer or Design-Build Team and request a response to the OAD-OA, including the Proposer or Design-Build Team's proposed course of action to remedy any identified conflict(s).
8. A Conflict Committee of qualified GDOT personnel will be established to determine whether the Proposer's or Design-Build Team's proposed course of action for remedy is accepted or rejected. In their evaluation of services being procured, GDOT's TRC may make a recommendation regarding apparent conflicts; however, the TRC will be instructed to forward these recommendations and any discovered apparent conflicts or questionable areas to the Conflicts Committee.

When a potential Conflict of Interest situation arises, the following procedures apply:

1. The disclosure of a potential conflict of interest must be submitted in writing to the OAD-OA. 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 disclose a potential organizational conflict properly, the employee must promptly notify the OAD-OA.
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 OAD-OA will provide the Conflict Committee's recommendation(s) in writing to the Chief Engineer for concurrence.

The OAD-OA 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. Therefore, follow the guidance provided in **Section 1.8 Conflict of Interest**.

In most cases, any consultant who prepares any portion of the PNA, RFQ, or RFP; develops the costing plans; performs work on the Design-Build project for other key stakeholders; or provides oversight work, including Construction Engineering and Inspection (CEI), on the Design-Build project will not be allowed to participate as a Proposer or join a Design-Build Team as a key team member. For consultants preparing any portion of work for development of the project, the work must have been completed, and the consultant must provide GDOT with all records of work performed so that all information can be made available to all Proposers. Consultants that do not meet these criteria may request a waiver from OAD-OA. If a waiver has been granted, then the consultant must disclose in the SOQ and/or Technical Proposal all the work performed in relation to the project.

## 1.9 Yearly Reporting Requirements

Section 32-2-81, O.C.G.A., requires a yearly report on the use of Design-Build contracting process for each fiscal year. Specifically, O.C.G.A. § 32-2-81 (f) states, *"Not later than 90 days after the end of the fiscal year, GDOT 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, the Rules and Regulations of State of Georgia, 672-18-.13 states, *"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."*

Listed below is the process for completing the yearly report:

1. By August 1 of each year, the OAD-OA 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, OCGA and Board Rule 672-18-.13
2. The letters will include the fiscal year summary report as 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.
3. The Chief Engineer will review and then route the letter to the Commissioner's Office for signature.
4. The OAD-OA will place a signed copy in the Project file.

The OAD-OA will coordinate adding the report on the Design-Build webpage for public information.

The Rules and Regulations of State of Georgia, 672-18-.13, states, **"Design-Build contracts that are part of a separate Public Private Initiative or P3 are not included in this summary and are outside this Rule."** Refer to O.C.G.A. § 32-2-80, as well as Board Rule 672-17, for P3 requirements.

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# Chapter 2. Pre-Advertisement Activities - Contents

# 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 that carry 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 as described in GDOT's Plan Development Process (PDP). 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 from project to project.

For Design-Build projects, sufficient preliminary engineering will typically be performed to adequately determine right-of-way limits, identify potential environmental impacts, determine permitting requirements, develop the project scope, and define project requirements in the RFP.

However, 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 will typically be considered by the OAD-PM during the development of the RFP.

**The OAD-PM must collaborate with all affected GDOT offices during the identification of risks, development of mitigation strategies and the overall development of the RFP for a Design-Build project.**

**Table 2-1: Project Development Activities**

| Activity | Action |
|---|---|
| **Planning Activities** | GDOT's project programming and scheduling process identified in Chapter 4 of GDOT's Plan Development Process (PDP) is largely unaffected by the decision to use Design-Build delivery.<br><br>If the funding year for a Design-Build project needs to change to accommodate accelerated project delivery, the OAD-PM will coordinate with the Office of Planning to ensure the funding is, or can be accurately reflected in the Statewide Transportation Improvement Program (STIP.)<br><br>If the local government, as defined in GDOT's Local Administered Project (LAP) Manual, is responsible for any activities on a Design-Build project, the OAD-PM will coordinate with the local government to ensure resources, and agreements such as the Project Framework Agreement (PFA) are, or will be, in place to ensure successful Design-Build delivery. |

| Activity | Action |
|---|---|
| **Concept Layout and Concept Report** | 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 Plan Development Process (PDP) and defines the basic parameters for the design and construction of the project.<br><br>The Design-Build Team may modify the preliminary horizontal and vertical alignments as long as they meet the requirements 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 additional time and money necessary to acquire right-of-way and/or obtain the necessary environmental documentation. The RFP will provide clarification of the Design-Build Team's risk related to right-of-way and environmental clearance.<br><br>For Design-Build delivery, the OAD-PM must pay close attention when developing or revising the concept report to constructability, the need for Design Exception (DE) or Design Variance (DV), and identifying potential opportunities for innovation. |
| **Costing Plans (Cost Model and Financial Plan)** | 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 are typically approximately 30 percent and are intended to provide an adequate amount of detail necessary to quantify right-of-way, utility and environmental impacts. The costing plans are not intended to be the scope of work unless otherwise stated in the RFP. However, the costing plans are used as a basis for the scope of work and the environmental document.<br><br>Understanding the financial model, where the funding is coming from, the sources of expenditures and the limitations placed on design and context flexibility imposed by available funding, is important to project success. The early cost model and finance plan are typically prepared early in project development for complex projects. One reason is because complex Design-Build projects are often large in terms of dollars. Complex Design-Build projects also potentially have funding coming from a number of different sources. Beginning to realize and track this early is important.<br><br>Given that multiple funding sources are increasingly common on large, complex, Design-Build projects, funding frequently drives the schedule and cost estimate. Therefore, the cost model and funding plan are typically developed very early in the process, concurrently with assembling the project team and selecting project arrangements. Not only does the OAD-PM need to know who is on the Design-Builder, he or she also needs to know how they will be paid.<br><br>With complex Design-Build projects, the financial resources may drive the design solution rather than the other way around. The two key questions are: how much can we afford to build and when will the financial resources arrive. Therefore, |

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| | understanding the financial requirements at an early point is critical.<br><br>All currently available funding sources need to be evaluated. These sources typically have a high degree of certainty. The next step is to compare the available amount of funding from the secured sources to the expected cost and scope of the Project. If the available resources are sufficient, the project team can incorporate the expected cash flows from the financial sources into the procurement plan and develop a relatively straight-forward cost model using standard project management tools, such as resource-loaded critical path method (CPM) schedules, earned-value analysis, or cash-balance-linked project draw schedules. However, if available funding resources are insufficient, the project team must look for additional external funding sources or adjust the project scope or develop a phased approach to fit available funding.<br><br>The cost model will be built on a number of assumptions regarding the technical, financial, and schedule requirements of each major feature of work. Quantifying cost and time allows the OAD-PM to benchmark the assumptions made early in the process and, then, manage the project to realize those assumptions. This acts as a project control tool during early stages of the project and creates a baseline against which progress can be measured. Quantifying costs and time also acts to retard scope creep. |
| **Value Engineering (VE) Study** | FHWA encourages conducting a VE analysis during the Preliminary Design phase of a Design-Build project.<br><br>Additionally, at the State level, O.C.G.A. § 32-2-41.2 exempts projects delivered using the Design-Build delivery method, as defined in O.C.G.A. § 32-2-81, from the requirement to perform value engineering studies. |
| **Value Engineering Change Proposals (VECP)** | VECPs are used on Design-Build projects to introduce innovative ideas that bring additional benefit to GDOT. VECPs shall be in accordance with the DBA. |
| **Environmental Document** | If possible, the RFP will not typically be advertised until after the environmental process has concluded. At a minimum, any environmental commitments and resources should be known and documented prior to RFP advertisement, so as to identify potential risk areas for Proposers. The OAD-PM will typically establish a Design-Build procurement schedule based on this assumption.<br><br>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 awarded until the environmental process has concluded, unless otherwise approved by the Chief Engineer.<br><br>If GDOT determines that the Design-Build project will be procured and awarded prior to the approval of the environmental document, then the requirements set forth in 23 CFR Part 636.109 will apply. In this case, the RFP will include a provision that prevents the Design-Build Team from proceeding with right-of-way acquisition, final design or construction activities prior to the approval of the environmental document, |

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| | pursuant to 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 environmental process and that the comparative merits of all alternatives presented in the environmental document (including the no-build alternative) will be evaluated and fairly considered. Finally, the RFP will include a termination provision if the no-build or no action alternative is selected at the end of the environmental process.<br><br>The following are considered as environmental document approval: Categorical Exclusion (CE) classification, Finding of No Significant Impact (FONSI), or Record of Decision (ROD) along with GDOT's authorization to proceed.<br><br>The process to identify, complete and obtain approvals for the appropriate environmental document (e.g., EA, EIS, Georgia Environmental Policy Act (GEPA), etc.) for a Design-Build project is identical to the process for a traditional Design-Bid-Build project as described in GDOT's Environmental Procedures Manual.<br><br>At the time when a project is being evaluated for Design-Build suitability, the OAD-PM will 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 activities.<br><br>Where possible, and upon approval of OES and/or FHWA, documentation of any potential impacts based on the costing plans will typically be described in general terms (such as "up to" or "a maximum of" at each potential location). This may allow for minor modifications which reduce impacts without triggering major changes to approved environmental document.<br><br>**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.** |
| **Environmental Permits** | Permitting issues need to be addressed as early as possible. Development of timelines very early in the project life cycle for environmental, and other critical regulatory reviews is critical for successful projects. Flexible response mechanisms for permit issues, as well as flexible planning and design for minimal impact from permit issues, must be developed for complex project success, especially when uncertainty is high (e.g., geotechnical and subsurface conditions, State Historic Preservation Office (SHPO) sites). Information from the 5DPM process, as well as definition of critical success factors, provide insight into critical permit issues that may have a potential negative impact on cost, schedule, technical scope, context, or financing. Also, permit issues may be identified in risk analysis. Steps in dealing with critical permit issues are:<br><br>1) From the 5DPM, identify the critical permit issues that must be resolved before design can be completed and construction can begin: To be effective, identifying critical permit issues will typically be implemented in the very early stages of planning, preferably before alignments have been finalized and |

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| | irreversible design decisions have been made.<br>2) Discuss potential major regulatory issues with responsible agencies and utilize flexible designs to minimize the impact of potential points of conflict with permitting agencies (e.g., be responsive to their concerns): Critical permit issues need to be evaluated as soon as possible in the development of the process. If permits cannot be obtained immediately, it is recommended that the design is flexible enough to be changed if necessary.<br>3) Make early contact with regulatory agencies responsible for permits to communicate and coordinate submittal and approval schedules. Investigate the potential for phased permitting, simultaneous reviews, fast tracking, etc.: Talking to the regulatory agencies will typically begin as soon as possible to let them know that GDOT will be needing a permit for the project soon.<br>4) Ensure that submittal packages are coordinated, complete, and timely: The task of obtaining the permits will typically be assigned to a specific person so there is one point of contact.<br>The OAD-PM will coordinate with OES as early as possible to identify all potential environmental permit(s) that may be required. If a preliminary meeting with regulatory agencies to discuss possible permit requirements is appropriate, then the OAD-PM will coordinate with OES who will facilitate such a meeting.<br>To allocate contract risk properly, GDOT will typically evaluate each anticipated permit and determine if the permit needs to be obtained in advance of the RFP or by the Design-Build Team. Items that are typically evaluated include 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.<br>Permits with low risk of modifications are typically obtained in advance (if the letting schedule allows) to accelerate the Design-Build Team's schedule after Letting.<br>Permits that require coordination with third parties are typically coordinated with the respective agency in advance of RFP advertisement. Consideration are typically given to identifying in the RFP a general timeframe(s) for permit review periods.<br>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 also responsible for mitigating any impacts. The OAD-PM must ensure the RFP clearly delineates the Design-Build Team's scope of services with respect to environmental permitting. |
| **Streams and Wetlands** | GDOT will identify the stream/wetlands within the project area prior to the advertisement of the RFP. When possible the stream/wetland delineation(s) are typically verified by the U.S. Army Corps of Engineers (USACE) prior to advertising the RFP by obtaining a Jurisdictional Determination (JD). This will define the limits of streams and wetlands within the project area for all Proposers and minimize potential |

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| | conflicts in delineation after letting. In addition, a State waters determination letter is typically obtained prior to the advertisement of the RFP. |
| **Contaminated Materials** | 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 are not typically 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. |
| **Noise Analysis and Noise Barriers** | A noise analysis, if required, will be performed per GDOT's Environmental Procedures Manual. This analysis will be accomplished prior to the completion of the environmental planning process.<br><br>Feasible sound barrier locations are typically identified in the RFP along with decibel reduction requirements for areas requiring sound barriers. If necessary, the RFP typically includes requirements that the Design-Build Team shall design and construct the final sound barriers to meet decibel reduction requirements of the noise analysis. The RFP will include available noise barrier type(s). |
| **Right-of-Way** | The OAD-PM will coordinate with GDOT's Office of Right-of-Way as early as possible to identify all potential right-of-way impacts, determine acquisition schedule, determine Phase I/II site assessment needs, and to discuss the entity best suited to acquire the right-of-way.<br><br>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 this responsibility may be transferred to the Design-Build Team when necessitated by the project schedule.<br><br>If GDOT will acquire the right-of-way, then 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 plan the work adequately.<br><br>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) will 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. |

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| **Utilities** | The OAD-PM will coordinate with GDOT's Office of Utilities as early as possible to identify potential utility impacts, coordination and schedule risks, and agreements executed with each impacted utility owner.<br><br>For utility adjustment coordination on Design-Build Projects, see the Utility Adjustment Manual (UAM). All Design-Build Projects automatically classify as Public Interest Determination projects, as further described in Table 2-3 (*Third Party Agreements*).<br><br>Certain high risk utilities may, at GDOTs discretion, be relocated prior to the start of construction, at GDOT's cost. These relocations may include instances where the existing utility either interferes with a majority of the construction area or would be considered on the critical path to completion of the project. |
| **Geotechnical Investigation** | GDOT typically obtains as much geotechnical investigation data as possible prior to the RFP advertisement, and provide this data as information only to Proposers in order to minimize risk(s) associated with subsurface conditions. GDOT will also typically provide to Proposers as information only all existing and readily available soils reports, BFIs or WFIs from prior projects that were in the Design-Build project's vicinity. GDOT will not typically provide interpretive reports except for the final pavement design. If feasible, Proposers may be allowed to perform additional borings during procurement to further minimize risk. |
| **Pavement Design** | Pavement design(s) for all permanent roadways, ramps, shoulders and multiuse paths shall be designed in accordance with GDOT's Pavement Design Manual and must be approved by GDOT'S Pavement Design Committee.<br><br>GDOT will typically provide the approved pavement design(s) in the RFP. The pavement design may 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 designs will be evaluated by GDOT on a case-by-case basis. |
| **Survey Database** | The Project's survey database shall be developed in accordance with GDOT's Automated Survey Field Manual. GDOT will typically obtain and provide in the RFP as information only the approved survey control package and accepted survey database file. The level of the survey and mapping file will typically be adequate to support completion of the environmental document and to support preliminary engineering. The Design-Build Team will perform final design surveying and any construction staking. |
| **Design Exceptions and Design Variances** | Any DEs and DVs necessary to design and construct the Project identified in the approved concept report and costing plans typically receive general approval from the Chief Engineer and the FHWA (if applicable) prior to advertising the RFP. In addition to the general approval, any mitigation measures that will be required of the Design-Build Team will typically be identified and included as scope requirements in the RFP. A list of the approved and acceptable DEs and DVs will be listed in the RFP. Final preparation of the design exceptions and/or design variances will be completed by the |

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| | Design-Build Team's Engineer of Record and final approval will be completed by the Chief Engineer and the FHWA (if applicable).<br><br>If a DEs or a DVs is identified after the Project is let and there is mutual agreement as to the benefit to the Project between GDOT and the Design-Build Team for approving the change, then the Design-Build Team's Engineer of Record will prepare the DEs or DVs. In addition, an appropriate credit for time and/or money must be considered as part of the DEs or DVs. |
| **Road Design** | Road design criteria shall be defined within the RFP, using all applicable GDOT, American Association of State Highway and Transportation Officials (AASHTO), and FHWA related design guides and other GDOT standards and details that are current at the time of the RFP Setting Date, as defined in the DB Documents. |
| **Drainage** | Preliminary drainage design will typically be performed as part of the costing plans to determine potential right-of-way and environmental impacts, as well as permit requirements. |
| **Hydraulic Study** | GDOT will typically consider performing preliminary hydraulic studies prior to the RFP advertisement in an effort to mitigate some risk(s). Final hydraulic analysis will be completed by the Design-Build Team.<br><br>Depending on the scope of the work, it may be appropriate to coordinate and/or obtain a no-rise certification letter from the local issuing Authority.<br><br>The OAD-PM must coordinate with GDOT Bridge Office to discuss available hydraulic data, Design-Build scope of services, and possible early coordination with the local authorities and/or Federal Emergency Management Agency (FEMA). |
| **MS4** | Preliminary Municipal Separate Storm Sewer Systems (MS4) analysis will typically be completed for all projects that fall within MS4-compliant counties prior to the RFP advertisement. This analysis will typically 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. The Design-Build Team's final design must comply with the MS4 requirements, if applicable. |
| **Erosion Control** | Erosion control requirements will be in accordance with the National Pollutant Discharge Elimination System (NPDES) Permit. The Design-Build Team is typically responsible for preparing and submitting the Erosion and Sedimentation and Pollution Control Plans (ESPCP), and submitting the Notice of Intent (NOI) to EPD for review and comment. In addition, the Design-Build Team typically is responsible for paying the related NOI fee.<br><br>GDOT will typically not review ESPCP for Design-Build projects. |
| **Structures** | Allowable structure types and allowable foundations need to be determined and identified in the RFP. The approximate geometrics of the structure(s) will typically be |

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| | established by providing a Plan and Elevation (P&E) drawing sheet(s) of each structure identifying its type, size, and location (included in RID documentation).<br><br>If the structure(s) will be constructed so as to not preclude a future project then the future project parameters must clearly be stated in the RFP.<br><br>During the development of the RFP, the OAD-PM will consult with the GDOT Bridge Office to discuss allowable structure types, possible opportunities for innovation, allowable foundation types, maintenance considerations, opportunities to expedite the work (detour or accelerated bridge techniques), hydraulic considerations, allowable wall types, etc. |
| **Aesthetics** | If aesthetic components are included as part of the Project, they will be clearly defined in the RFP. This includes identifying wall and bridge treatments, including their color(s) and patterns. The requirements may include diagrams depicting desired features, scope requirements or scoring parameters as part of a best value RFP. The diagrams will not typically include dimensions of features that will unnecessarily shift design risk back to GDOT.<br><br>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. |
| **Signals and Roundabouts** | Traffic engineering (signal or roundabout) justification reports will typically 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 will typically be completed prior to RFP advertisement.<br><br>GDOT will typically obtain signal permit(s) prior to advertising the RFP. This applies even if a conditional permit approval is obtained prior to the RFP advertisement in which case a revised permit would be prepared by the Design-Build Team during the final design phase. |
| **Signing** | The OAD-PM will typically work with GDOT Traffic Operations to determine any material requirements, special designs and/or additional signs that vary beyond the requirements of the Manual on Uniform Traffic Control Devices (MUTCD) and GDOT Signing and Marking Guidelines. These additional requirements will be identified in the RFP, if applicable. |
| **Intelligent Transportation System (ITS)** | Identification of the existing ITS infrastructure will typically be obtained prior to the RFP. In addition, liquidated damages will be considered if the existing ITS system is potentially affected by a Design-Build Project.<br><br>Preliminary ITS layouts will typically be prepared prior to issuing the RFP and provided as part of the RID.<br><br>Scope requirements for the ITS elements will be established in the RFP, if required, and written to ensure the requirements of GDOT's Office of Traffic Operations and |

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| | those of the GDOT Transportation Management Center (TMC) are met. The OAD-PM is responsible for this early coordination. |
| **Maintenance of Traffic** | Although the Design-Build Team is responsible for developing the staging and traffic control plans, sufficient preliminary engineering will typically be completed to define the required minimum traffic control requirements and restrictions on lane closures. These traffic control requirements/restrictions will be identified in the RFP as available work hours or available lane closure parameters, and will have liquidated damages associated with violations of these requirements/restrictions. |
| **Transportation Management Plan (TMP)** | The RFP will typically include a preliminary draft TMP for Category II and Category III. The OAD-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 (if applicable).<br><br>In some cases, FHWA may provide a waiver of the TMP. In this case, the OAD-PM must obtain approval of any waiver prior to advertising the RFP. |
| **GDOT Standards and Details** | GDOT approved standards and details, current at the time of the Project's RFP advertisement, are to be used on Design-Build Projects. If the Design-Build Team elects to make changes to a standard or detail; the change(s) must be shown to be equal or better, and must be approved by GDOT. If changes occur after issuance of NTP 3, then the GDOT construction project manager must coordinate with the OAD-PM. GDOT's Office of Design Policy and Support is responsible for approving any changes to the standards and details. |
| **Equal Employment Opportunities (EEO)** | Refer to GDOT's EEO webpage found at https://www.dot.ga.gov/GDOT/pages/EEO.aspx. |

**Table 2-2: Project Management**

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| **CPM Schedule** | Although not appropriate for every Design-Build Project, consideration for the Design-Build Team developing and maintaining the Project's schedule using the Critical Path Method (CPM) will be considered on all Design-Build projects. The CPM schedule is intended to track the Design-Build Team's progress on a monthly basis.<br><br>The OAD-PM will coordinate with GDOT's Office of Construction, as needed, regarding the merits of using a CPM schedule on the Project.<br><br>As a general rule, the CPM schedule will typically be used for more complex projects, best value projects, projects with multiple critical paths, and projects utilizing incentive clauses.<br><br>The CPM schedule not typically be used for One-Phase low bid projects, less complex projects, projects where the risk of completing the project on time is low, or other projects identified as Category I projects. |
| **Quality Management (Design)** | The Design-Build Team is the Engineer-of-Record and is responsible for quality control and quality of the design-related submittals. It is GDOT's or its designee's role is to verify that the design meets the requirements of the DBA and to audit the Design-Build Team's quality process.<br><br>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, GDOT will reject the submittal. |
| **Quality Management (Construction)** | The role of the Design-Build Team is different than with traditional Design-Bid-Build contracts. Design errors or ambiguities identified in the field are the responsibility of the Design-Build Team to correct. |
| **Cost Management** | Design-Build contracts typically include lump sum pay items for which payments are made to the Design-Build Team based on the percentage completion of activities defined within the Schedule of Values. The Design-Build Team will submit an invoice and progress report at regular intervals which are used to determine progress payments based on the percentage of work completed for each schedule of value activity. GDOT's testing and inspection documentation will be used to validate that the work on each paid activity has occurred. |
| **Risk Management** | The PMC and GDOT utilize a Risk Register which is a tool used to guide and document the risk management process. The purpose of the Risk Register is to define the risks, document the risks, identify cost and schedule impacts associated with the risks, and produce mitigation plans for the risks. In addition to a programmatic register, a project specific Risk Register is developed for each project which is revised throughout the life cycle of the project until completion. The Risk Register is not intended to capture all risks, but rather to focus on key risks that may have significant impacts on the project goals, cost, schedule and performance. |

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| **Co-Location** | Co-location is encouraged on multi-year complex projects, which requires 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., regularly scheduled meetings.<br><br>Before the start of the Project, the advantages and disadvantages of project team co-location must be discussed. Some compromise may be necessary, but having the whole team together most of the time may increase the odds of achieving critical project success factors. Particularly on multi-jurisdictional (e.g., bi-state) projects, placing a dedicated, empowered, representative project team in a common location may be critical to project success. The co-location strategy for the Design-Build Team may be considered in later project stages.<br><br>Team co-location is used because the technical complexity of the project makes it necessary (and justifies the cost of co-location) to maintain close communication between the owner, designers, and contractor to guarantee that cost and schedule constraints are met. Therefore, co-location is recommended for complex Design-Build projects when technical complexity warrants the increased cost of co-location in return for improved cost and schedule controls.<br><br>Steps in establishing a co-location strategy are:<br><br>1) Identify the possible need for co-location and evaluate costs and benefits.<br><br>2) If co-location is warranted, identify which project team members will be included in the co-location.<br><br>3) Identify viable physical locations for co-location and arrange for necessary technology upgrades (e.g., voice or data lines, audio/visual, satellite, high-speed internet) and space build-out (e.g., offices, conference rooms, storage).<br><br>4) Develop contractual agreements on payment for space improvements, lease payment, terms and duration of co-location, and other administrative details. |
| **Public Information** | Responsibilities regarding media relations and public outreach on DB projects typically rest with GDOT/PMC personnel. GDOT will develop a Public Information Communication Plan (PICP), with input from the Design-Builder, on many DB projects. It is the responsibility of the Design-Builder to support GDOT in outreach activities, as defined in both the PICP and the DB Documents, as applicable, including providing project specific information, pictures, videos, and outreach materials to GDOT, as needed.<br><br>On select DB Best Value projects where public and stakeholder outreach has been identified as a major goal, the procurement documents may identify areas for a Design-Builder to provide increased public involvement support, such as the coordination of additional public or stakeholder meetings, or the inclusion of additional public relations experts. However, press releases and direct contact with elected officials will remain the responsibility of GDOT, even on Best Value projects. |

**Table 2-3: Third Party Agreements**

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| **Memorandum of Understanding Coordination** | Utility coordination must be performed in accordance with GDOT's Utility Accommodation Policy and Standards Manual (UAM). Depending on the extent of utilities located within the project corridor, utility coordination can be one of the more time-consuming processes of a Design-Build project. Consequently, GDOT typically contacts utility owners during the development of the RFP to plan activities, discuss the project, discuss risks and possible mitigation strategies, and to obtain executed MOUs with utility owners. The executed MOUs will be included in the RFP.<br><br>The GDOT's Public Interest Determination Policy and Procedure applies to all Design-Build projects. Therefore, each MOU will identify the entity that is responsible for the design and construction of the utility relocation(s). |
| **Railroad Agreements** | If a Design-Build project is expected to impact a railroad, the OAD-PM must coordinate as early as possible with GDOT's State Utilities Railroad Liaison Engineer and during the development of the RFP. In addition, the impacted railroad owner(s) are consulted during the development of the RFP to collaborate on the likely impact to the railroad, as well as Design-Build Team's scope of services.<br><br>Railroad agreements are similar to other third-party agreements, but often require long lead time to finalize. For this reason, discussions with railroads are initiated as early as possible in the project, and agreements with railroads will typically be in place prior to issuance of the RFP. The DBA addresses 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, will be identified in the RFP. |

## 2.2 Design-Build RFP Review

The OAD-PM is responsible for development of the RFP (refer to **Section 4.6 (Phase 2) - Procurement Process RFP)**, as facilitated by the PMC. The OAD-PM and the PMC will utilize the RFP templates to develop project-specific requirements. Following initial updates to the templates by both the PMC and GEC, the GEC and the OAD-PM will facilitate 'Crosswalk Meetings' with applicable GDOT offices, approximately two to three months prior to RFP Advertisement. The Crosswalk Meetings will be used to discuss Project Scope, Schedule, Design Status, RFP development status, and any other project specific or GDOT design standard questions. Utilizing the feedback received from the Crosswalk Meetings, the PMC and GEC will finalize the project specific information detailed in the RFP.

Approximately one to two months prior to RFP Advertisement, the OAD-PM will distribute the following documents to the applicable GDOT offices identified from the Crosswalk Meetings, as well as to GDOT's Office of Engineering Services, Office of Legal Services, and FHWA (if applicable):

- RFP (ITP, DBA, and Technical Provisions);
- Costing Plans; and
- Any other project related data that will form the basis of the scope.

The offices will have three to four weeks to review the draft RFP and provide input and comments back to the OAD-PM, which will be incorporated into the final RFP, as applicable. The PMC will then facilitate a pageturn with all identified reviewers to give an overview of the RFP, as well as to address/discuss any received comments. Following the meeting, the OAD-PM will distribute a list of all received comments, along with associated responses, to the meeting attendees.

Prior to advertisement, the OAD-PM will coordinate with the Office of Environmental Services (OES), Office of ROW, and Office of Utilities to finalize a Certification for Advertisement for the project. The OAD-PM will also coordinate with FHWA, as applicable, to verify concurrence for a project to be advertised.

## 2.3 Design-Build Cost Estimate

Each Design-Build project typically includes three pay items: General, Design Services, and Construction. In addition, other costs necessary to deliver a Design-Build project may also be considered. These may include, but are not limited to, utility relocation costs (for those utility relocations that are included in the Design-Build scope of services), right of way costs (for any parcels actively or anticipated for acquisition to progress the project), any management or technical support-related costs, engineering and inspection, stipulated fee, third party agency costs, and/or risk contingencies.

Estimated expenditures must be developed and maintained from the start of the project. Expenditures will typically be categorized as costs related to various aspects of a Design-Build project:

- Preliminary Engineering (PE)
- Right-of-Way
- Construction

The OAD-PM will also need to coordinate as necessary to estimate resource needs for the Design-Build project. Estimated resources may include:

- GDOT estimated hours
- PMC Fee
- GEC Fee
- CEI Fee

These estimates are made for each Design-Build project in each fiscal year of the Design-Build program, and are used to illustrate the anticipated project cash flow for the whole Design-Build program over time.

The OAD-PM must continue to evaluate and refine delivery costs through the procurement of a project, as further discussed in **Section 2.3.1 (Developing and Maintaining an Estimate)**. This

includes ensuring that the funds programmed in the Construction Work Program (CWP) and STIP are adequate.

OAD constantly looks for opportunities to optimize project expenditures at the programmatic level. For instance, any opportunity for balancing project funding with project expenditures will be examined to determine the most desirable project execution path in the Design-Build program. Project-related costs will be summarized to show project estimates in different phases (PE, Right-of-Way, and Construction) over time. This allows OAD to conduct scenario (what-if) analysis at the program level to identify the best execution strategy with the lowest overall cost and the shortest delivery time for the entire Design-Build program. Program-level cash flow analysis:

- Enhances coordination between the Office of Planning and the Office of Alternative Delivery
    - Ensures consistency of project expenditure profile with the TIP/STIP program
- Serves as an easy-to-understand platform to communicate project financing and funding decisions to policy makers and the public
- Supports decision-making about the prioritization of project funding
- Helps the agency analyze several funding scenarios and project schedule options
- Enables tracking project's estimated costs versus actual expenditures

### 2.3.1 Developing and Maintaining an Estimate

Listed below is the general process necessary to develop and maintain a Design-Build cost estimate:

1. When a project is being evaluated for Design-Build delivery, the OAD-PM must coordinate with the PMC and GEC to develop a preliminary estimate of all costs necessary to deliver the project using Design-Build contracting, including: utility relocation costs, ROW acquisition costs, management or technical support-related costs, engineering and inspection, stipulated fee, third party agency costs, and/or risk contingencies.
2. Following the development of the preliminary estimate, the OAD-PM must verify current programmed costs in the CWP and STIP.
3. The GEC will update the preliminary estimate through the development of costing plans with OAD and PMC input. Updates to the estimate will occur at major Project milestones, or with updates to major Project scoping items.
4. At least one month prior to the advertisement of the RFP, the OAD-PM will coordinate with the GEC and PMC to update the estimate, and to develop a cost estimate for the project using GDOT's Cost Estimation System (CES) tool (refer to CES Cost Estimating Documents found on GDOT R.O.A.D.S webpage). After OAD verification, the OAD-PM will submit the populated CES estimate, along with a copy of the draft RFP and costing plans, to GDOT's Office of Engineering Services, for review and finalization of the project's final cost estimate.
5. GDOT's Office of Engineering Services will submit the final cost estimate to the OAD-PM who will verify that all related delivery costs are included. The OAD-PM will use the final estimate to verify current programmed costs in the CWP and STIP.

### 2.3.2 Identify and Evaluate Flexible Funding

If the cost, schedule, scope, and context represent relatively fixed and constrained factors, use of flexible funding may be the only option to advance the project. Use of flexible funding is recommended on complex Design-Build projects when few viable technical alternatives exist, contextual constraints are significant, and cost or schedule requires the need to move forward (i.e., the problems will only get worse if the project is put on hold).

Flexible funding contemplates the hunt for alternative sources of project funding outside the traditional state and federal-aid highway funding. It includes public options like Grant Anticipation Revenue Vehicle (GARVEE) bonds, infrastructure banks, and general obligation bonds. It also covers identifying new sources of public funding such as contributions from municipalities that would benefit from the complex project's capacity.

Several alternative funding sources are available, including the following:

- GARVEE bonds
- Project phasing to leverage different sources of funding
- Increased federal funding match
- Local funding support for the project

Steps in evaluating flexible funding are:

1. Identify total expected project cost (planning, design, and construction). These numbers will typically come from a comprehensive cost model built specifically for this purpose;
2. Identify available funds from typical sources (state program, federal aid, local resources) and any time constraints that are associated with each;
3. Analyze any funding gaps; and
4. Identify potential funding sources for gap financing including debt.

## 2.4 Design-Build Schedule

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

The OAD-PM may also consider the use of an A+B procurement for each Design-Build project, though its use should only be based on the ability of A+B to aid in achieving the project's goals.

Where appropriate, the Design-Build Team may seek out opportunities to phase construction activities, and the RFP will not typically restrict the phasing of such activities. Potential phasing opportunities which could be accelerated include areas outside of a potential USACE permit, utility relocations, or project site clearing prior to full construction, among others. 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 during the development of the RFP, which will be used as a basis to establish the project's time component:

1. The OAD-PM, as facilitated by the PMC, will work with the GEC to develop a DB schedule that accounts for the design and construction-related activities specific to the Design-Build project. This DB schedule will typically include final design activities, permitting activities, work restrictions, weather days, construction activities, and other project-specific scope activities. The development of the schedule will typically occur as early in the RFP development process as possible, and will focus on aligning with any developed costing and staging plans.
2. The OAD-PM will coordinate with the PMC to review and verify the preliminary DB schedule. The schedule will then be used to develop any applicable contractual milestones, including closure durations, interim milestones, substantial completion, and final acceptance.
3. The OAD-PM will prepare a recommendation letter for submittal to GDOT's Office of Construction for review and concurrence of the proposed contractual milestones.
4. The Office of Construction will review and concur with the proposed contractual milestones for implementation in the final RFP.

## 2.5 Industry Engagement

An industry forum is used on most DB procurements by GDOT to engage industry groups and potential Design-Build Team members 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 forum is to present a project's anticipated scope, procurement schedule, and risks, as well as to receive industry feedback, typically through one-on-one meetings with Proposers held immediately following the forum. Interested Proposers are encouraged, but not required, to participate. Any information provided at the industry forum is provided for information only. Announcements for the industry forum will be included in the PNA and on GDOT's Design-Build webpage.

Following the issuance of the RFQ, a restriction on communications will be enacted, as further defined in the applicable procurement documents. Once the restriction is in place, all project-related communication must be sent to the OAD-CO. This restriction will remain through the duration of the procurement.

Other meetings may include ACEC GPTQ Innovative Delivery Sub-committee meeting, Highway Contractors workshops, DBE Industry Engagement events, and Design-Build workshops which are used periodically by GDOT to discuss a number of topics that may include, but is not limited to GDOT's Design-Build program, utility coordination, schedule development and/or risk mitigation. Announcements for Design-Build workshops are found on GDOT's Design-Build webpage.

Finally, any entity interested in learning about Design-Build delivery at GDOT may contact the OAD OA whose information is found on GDOT's Design-Build webpage.

## 2.6 Practitioner Engagement

GDOT continues to engage with universities and institutions for ongoing research initiatives on ways to support and enhance industry best practices. GDOT provides historical data and relevant

experience, while also testing and implementing newly recommended best practices. Listed below are recently engaged studies:

- SHRP 2 Report S2-R10-RW-1: Project Management Strategies for Complex Projects
- Flash Tracking Implementation Guidelines Complementing Existing Design-Build Manual
- Entrusted Engineer-in-Charge: A New Critical Position in the Design–Build Team

# Chapter 3. Advertisement Activities - Contents

# Chapter 3. Advertisement Activities

This chapter is intended to provide an overview of Design-Build procurement advertisement activities.

## 3.1 Websites and SharePoint Sites

GDOT uses several online platforms to provide information about the Design-Build program, as well as to advertise the Public Notice of Advertisement (PNA), the Notice to Contractors (NTC), the Request For Qualifications (RFQ), the Request For Proposals (RFP), and to provide project-related information to Respondents and 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 about the program and the projects. The information typically includes:

- A list of approved Design-Build projects (name, County, anticipated dates for PNA, RFQ, RFP, and Letting)
- A list of awarded Design-Build projects (name, County, awarded Design-Builder, contract value)
- A list of awarded Design-Build Projects with Subcontractor Participation (name, County, awarded Design-Builder, contract value, subconsultant/subcontractor, % of contract value)
- Design-Build Project RFPs, technical proposals, executed contracts, and evaluation reports
- Industry outreach presentations and attendee contact/sign-in list
- Fiscal Year Design-Build summary reports
- Frequently Asked Questions (FAQs)
- Publications
    - Official Code of Georgia Annotated Section 32-2-81
    - State Transportation Board Rules Chapter 672 18
    - The Design-Build Manual
- Helpful Recourses:
    - Conflict of Interest Presentation
    - DB Project Scalability Memo
    - Utility MOU Industry Guidance
- Office of Alternative Delivery Contact Information

### 3.1.2 Georgia Procurement Registry

The Georgia Procurement Registry (GPR) is used to advertise the following Design-Build official notices:

**PNA**

- One-Phase Low Bid
- Two-Phase Low Bid
- Best Value

**RFQ**

- Two-Phase Low Bid
- Best Value

**RFP Notification**

- One-Phase Low Bid

The GPR search functions will locate any advertised PNA, RFQ or RFP. Each user is encouraged to register with GPR in order to receive email notification when a notice is posted. Listed below are the steps necessary to locate all the DB Solicitations through the GPR:

(1) Access GPR by clicking Georgia Procurement Registry link.

(2) Enter 'DB' or other specific search term in 'Search Keyword' field.

(3) Select the desired "Event Status," recommend selecting "All"

(4) Select "State Government" as the "Government Type."

(5) Select "TRANSPORTATION-2, DEPARTMENT OF" as the "Government Entity."

(6) click "Search."

### 3.1.3 SharePoint Site

During the PNA and RFQ advertisement phase for all Design-Build selection methods, GDOT's Design-Build public SharePoint site is used to provide information such as a project synopsis (which provides more detail regarding anticipated scope of services), meeting minutes (if pertinent), approved concept report and/or project layouts and other documents as they may become available to potential Proposers. A reference with directions to access the SharePoint site for each project will be included in the PNA, RFQ, and the Instructions to Proposers (ITP) section of the RFP.

During the RFP advertisement phase for the One-Phase Low Bid selection methods, the Design-Build public SharePoint site is used to post the RFP and Reference Information Documents (RIDs) which may include, but are not limited to MicroStation files, InRoads files, approved Concept Report, geotechnical information, and traffic data. In addition, a Question and Response (Q&R) spreadsheet is included and maintained.

### 3.1.4 Proposer Document Management System (PDMS)

A PDMS site is used to exchange information with Proposers for all Design-Build selection methods. GDOT's OAD will provide each Proposer with a PDMS Access Request Form.

#### 3.1.4.1 One-Phase Low Bid:

During the RFP advertisement phase for One-Phase Low Bid selection method, the PDMS is used for receipt of administrative, technical and price proposal submittals, and request for clarification correspondence.

The ITP section of the RFP allows each Proposer to identify a representative to gain access to the PDMS and instructions necessary to access the PDMS.

#### 3.1.4.2 Two-Phase Low Bid and Best Value:

During the RFQ advertisement phase, the PDMS is used for receipt of Statements of Qualifications (SOQs).

During the RFP advertisement phase, the PDMS is used to issue the RFP, including all amendments, and RIDs, which include, but are not limited to MicroStation files, InRoads files, approved Concept Report, geotechnical information, and traffic data will be advertised on the PDMS. In addition, the PDMS will be used to facilitate One-on-One Agenda submittals; Alternative Technical Concepts (ATCs) submittals; Question and Response (Q&R) correspondence; administrative, technical and price proposal submittals; and request for clarification correspondence.

### 3.1.5 Bid Express™

Bid Express™ is used to advertise the NTC. On the scheduled date of GDOT's issuance of the PNA, the Office of Construction Bidding Administration (CBA) will post the NTC to Bid Express™. The NTC shall not be considered the "official" advertisement but is provided as a courtesy for the contracting community. The NTC includes a brief description and a link to the advertised PNA on GPR.

The table below is intended to provide a high-level overview and anticipated schedule of advertisement activities.

## Table 3-1: Design-Build Procurement Website Summary

| Procurement Activity* | Best Value* | Two-Phase Low Bid (with Shortlist) &Two-Phase Low Bid (with Shortlist and ATCs)* | Two-Phase Low Bid (all qualified)* | One-Phase Low Bid* | Approx. Months Prior to Letting |
|---|---|---|---|---|---|
| **Public Notice Advertisement (PNA)** | Posted on GPR | | | | 4-9 months |
| **Notice to Contractors (NTC)** | Posted on Bid Express™ .<br>Initial NTC is posted simultaneously with PNA<br>Updated NTC will be posted after selection of finalist/shortlist notification. | | | | |
| **Request for Qualifications (RFQ)** | Posted on GPR.<br>Amendments to the RFQ are posted on GPR.<br>Potential respondents to monitor GPR for notices and amendments. | | | Omitted for One-Phase Low Bid | 3-6 months |
| **Q&R in RFQ Phase** | Posted on GPR<br>Potential respondents to monitor GPR for updates. | | | Omitted for One-Phase Low Bid | 3-6 months |
| **Selection of Finalists or Shortlist Notification** | Posted on GPR. | | | Omitted for One-Phase Low Bid | 2-4 months |
| **Request for Proposals (RFP)** | GDOT OAD provides access to PDMS for the Shortlisted Proposers. | | | A Project Notice is posted on GPR to direct proposers to Design-Build Public SharePoint site | 2-4 months |
| **Q&R in RFP Phase** | | | | A Project Q&R Notice will be posted on GPR | 2-4 months |
| **Reference Information Documents (RIDs)** | | | | Posted on Design-Build public SharePoint site (a separate project notice regarding RID is not posted | 2-4months |

| Procurement Activity* | Best Value* | Two-Phase Low Bid (with Shortlist) &Two-Phase Low Bid (with Shortlist and ATCs)* | Two-Phase Low Bid (all qualified)* | One-Phase Low Bid* | Approx. Months Prior to Letting |
|---|---|---|---|---|---|
| | | | | because a reference to RID is already included in RFP) | |

* Procurement Activities and Procurement Delivery Methods will be discussed in greater detail in Chapter 4 Section 4.7

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# Chapter 4. Procurement Process - Contents

# Chapter 4.Procurement Process

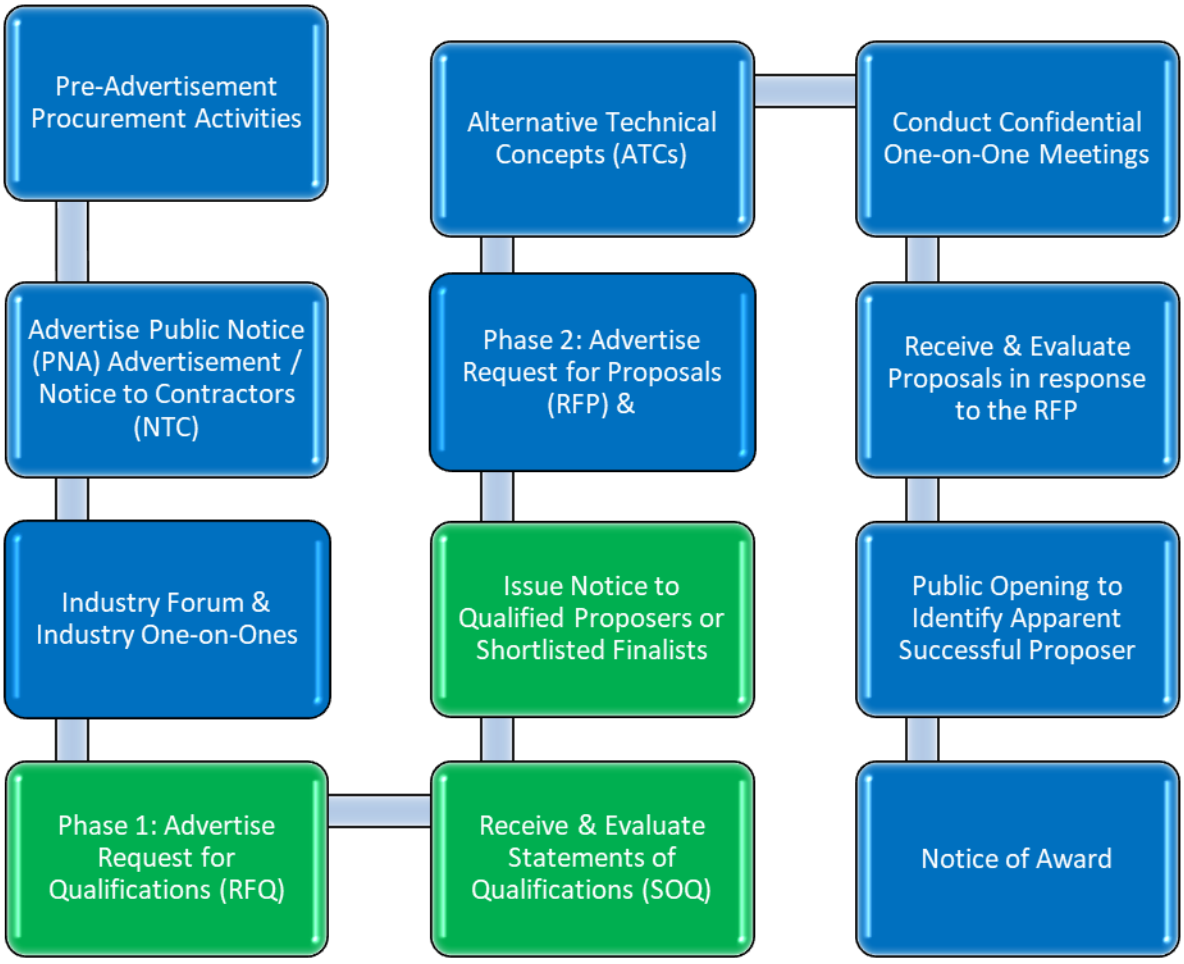
This chapter provides an overview of the streamlined procurement process and oversight and management of all design-build procurement activities including but not limited to planning, selecting the procurement method, evaluation of proposals, contract award and contract administration for each project.

## 4.1 General Steps & Overview of Design-Build Procurement Process:

1. **Pre-Advertisement Procurement Activities**: GDOT determines the proper Design-Build procurement delivery method for each project.
2. **Advertise PNA & NTC:** GDOT provides notice of its intent to advertise an upcoming Design Build Project.
3. **Conduct Industry Forum & Industry One-on-Ones:** GDOT provides additional project information and solicits input from the industry on the project's scope, risk, and delivery method.
4. **Advertise the RFQ:** GDOT solicit statements of qualifications and provides industry with a more detailed description of the project. (This step is omitted for One-Phase Low Bid procurements)
5. **Receive and Evaluate SOQs:** GDOT reviews Respondents' qualifications and experience to verify their ability to provide the intended project goals and scope of work. In All-Qualified selection method, Respondents that meet the minimum standards set forth in the RFQ are invited to participate in the Proposal Process. In the Shortlist selection method, a shortlist of the most highly qualified Respondents is created, and those shortlisted teams are invited to participate in the Proposal Process. (This step is omitted for One-Phase Low Bid procurements)
6. **Issue Notice to Qualified Proposers or Shortlisted Finalists:** GDOT publishes the list of Respondents eligible to submit a Proposal in response to the RFP. (This step is omitted for One-Phase Low Bid procurements)
7. **Advertise RFP:** GDOT provides Proposers with procurement documents including instructions to Proposers, selection processes and the Design Build Agreement. Based on questions and feedback, GDOT may provide clarifications to the RFP and make modifications to the RFP by issuing Amendments. Typically RIDs are provided concurrent with advertisement of the RFP.
8. **Alternative Technical Concepts (ATCs):** If applicable, Proposers may submit ATCs for GDOT consideration for the implementation of innovative design and construction techniques in a given project.
9. **Conduct Confidential One-On-One Meetings:** GDOT may elect to hold meetings with each Proposer to refine the design, discuss potential concepts, discuss RFP questions, and discuss confidential ATCs.

10. **Receive and Evaluate Proposals:** GDOT receives and evaluates proposals through the Responsiveness Review Committee (RRC), Technical Review Committee (TRC), and Selection Review Committee (SRC) as applicable.
11. **Facilitate Public Bid Opening:** to identify the Apparent Successful Proposer for the project.
12. **Award Project:** After receipt of concurrence from the Bid Review Committee (BRC), the project will be awarded, and a notification of award will be posted to GPR.

Figure 4-1: Overview of Design-Build Procurement Process



## 4.2 Initial Procurement Activities

### 4.2.1 Pre-Advertisement Procurement Activities

The Design-Build program is regulated by O.C.G.A § 32-2-81 and FHWA Rules. Under those rules, GDOT has a number of different procurement selection methods that may be utilized. Below is a brief description of each of these procurement selection methods.

#### 4.2.1.1 Best Value

The selection method whereby the first phase typically consists of shortlisting qualified Proposers who submit responsive Statement of Qualifications (SOQ) in response to the Request for Qualifications (RFQ). The second phase consists of Proposers submitting a responsive price and responsive technical proposal (if required) in response to the Request for Proposals (RFP). Award is based on a combination of the Proposers weighted price proposal and evaluated technical elements as described in a Request for Proposals (RFP). Under this selection method, GDOT evaluates and scores technical elements based on provided value for GDOT. The formula for determining the best value proposer shall be specified in the RFP.

#### 4.2.1.2 Two-Phase Low Bid (with Shortlist or all qualified)

The selection method whereby the first phase consists of selecting qualified Proposers who submit a responsive SOQ in response to the RFQ. The second phase consists of Proposers submitting a responsive price and responsive technical proposal (if required) in response to the RFP. Under this selection method, GDOT shall select the lowest priced responsive proposer.

GDOT may also utilize a Two-Phase Low Bid procurement with A+B. Under this selection method, GDOT shall select the lowest priced responsive proposer based on the combination of the cost to perform work plus the cost of the impact to the public, as defined in the RFP.

#### 4.2.1.3 One-Phase Low Bid

The selection method whereby Proposers submit to GDOT a price proposal and technical proposal (which includes a Proposer's qualifications package) in response to the Request for Proposals (RFP). Under this selection method, GDOT shall select the lowest priced qualified and responsive bidder.

### 4.2.2 Design-Build Award Methodology Recommendations

To begin the Procurement Phase of project delivery, the PMT holds a workshop to establish the following elements:

- Selection Method
- Contractor and Consultant Prequalification and Registration Requirements
- Proposal Evaluation Criteria and Weighting (Best Value)
- Project Category
- Procurement Milestone Schedule

- Technical Review Committee Members
- Selection Review Committee Members (Best Value only)
- Stipulated Fee Amount (if applicable)

### 4.2.3 Contractor and Consultant Prequalification and Registration Requirements

GDOT requires construction contractors, as well as architectural and engineering consultants providing services 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 by the date of submission of proposals in response to the RFP utilizing the One-Phase Low Bid selection method or by the date of submission of the SOQ utilizing the Two-Phase Low Bid and Best Value selection methods.

Contractors and consultants shall be required to provide, as evidence of its prequalification and/or registration (as applicable), a copy of the Certificate of Qualification and/or Notice of Professional Consultant Qualifications as part of their SOQ. Refer to GDOT's prequalification webpage for information regarding contractor and consultant prequalification.

### 4.2.4 Evaluation Procedures

Whether it is the evaluation of SOQs or Proposals, the evaluation will depend on the criteria set forth in the corresponding RFQ or RFP documents. Each SOQ or Proposal will be reviewed for conformance and responsiveness to the requirements set forth in the RFQ or RFP, as applicable.

The review and selection process starts with an initial review of each SOQ/Proposal to verify responsiveness. SOQs and Proposals that have been deemed responsive, will then undergo a "pass/fail" evaluation. SOQs/Proposals that are determined nonresponsive to the requirements of the RFP may be excluded from further consideration. Respondents / Proposers will be advised regarding a determination of non-responsiveness.

Those SOQs and Proposals that have achieved a "pass" will move on to be further evaluated and ranked based on the technical evaluation criteria set forth in the RFQ/RFP, as applicable. A shortlist of qualified proposers is determined by ranking the most qualified teams. The determination of the Apparent Successful Proposer is based on the highest total proposal score based on technical and financial evaluation.

Low Bid Procurements excluded; evaluation procedures typically include the following elements:

- The RFQ/RFP, SOQs/Proposals, and evaluation procedures are reviewed with the evaluation committee and technical advisors.
- Evaluators determine strengths and weaknesses, if any, of each SOQ/Proposal and supplemental documents.
- During the SOQ review process, each evaluator determines a numerical score for each category based upon the appropriate numeric availability. The evaluation committee then calculates the final score for each proposer and determines the most qualified respondents.

- During the Technical Proposal review process, the TRC determines a consensus adjectival rating for each evaluation category using the evaluation and scoring guides provided. The consensus score is then reviewed, and may be edited, by the SRC.
- Once adjectival scoring of the Technical Proposals is finalized, the final adjectival scores are committed to numeric scores.
- The evaluation committee and advisors meet and discuss the submitted SOQs/Proposals and the evaluation forms developed by the evaluators. The technical advisors support and assist the evaluators on the evaluation committee in connection with their review and scoring of the SOQs/Proposals, but technical advisors do not individually or independently score any SOQ/Proposal.

### 4.2.5 Project Categories

Georgia DOT has developed a project ranking system to categorize DB projects representing varying levels of complexity and risk ranging from low to high. Each project will be placed in one of three categories based on the overall contract value, construction duration, complexity, and scope, which determines the Post-Let delivery requirements for that project. Requirements may be simplified or excluded depending on the identified Project Category, including:

- Reducing or removing Public Information and Communication requirements
- Simplifying scheduling requirements
- Reducing Field Office requirements
- Reducing environmental submittal requirements
- Removing Transportation Management Plan requirements

The GDOT DB Project Scalability Memo describes in greater detail the process employed to identify, screen and select project categories.

### 4.2.6 Evaluation Committees

- **Responsiveness Review Committee (RRC):** The Responsiveness Review Committee (RRC) is responsible for the initial responsiveness evaluation for all SOQs and Proposals, as well as for performing the Pass/Fail review of the Administrative Review Submittal and the Price Proposal. The RRC reviews each SOQ and Proposal for satisfaction of relevant Pass/Fail criteria and responsiveness criteria as set forth in the respective RFQ or RFP. Only those SOQs and Proposals deemed responsive will be eligible for further consideration. RRC members may also serve on the TRC.
- **Technical Review Committee (TRC):** The Technical Review Committee (TRC) is responsible for evaluating all responsive SOQs during the RFQ phase, as well as all responsive Proposals during the RFP phase. Prior to advertising the RFQ (ideally during the development of the PNA), the OAD PM prepares a TRC recommendation Letter for approval by the Chief Engineer. Participants of the TRC will typically include Office Heads or Assistant Office Heads, District Engineers, Environmental Experts, unless otherwise delegated by the responsible GDOT office. In this case, delegates will typically be limited to

senior project manager-level (or equivalent) positions or higher. The same TRC members for a project will typically review the SOQs and the Technical Proposals.

  - If the TRC needs to be changed at any time during the Design-Build procurement process, the OAD-PM will consult with the OAD-OA who will then obtain concurrence for any changes from the Chief Engineer.

- **Selection Review Committee (SRC):** The Selection Review Committee (SRC) is responsible for reviewing and accepting or revising the adjectival recommendations of the RRC and TRC (Best Value) for the SOQs and Proposals. Prior to advertising the RFQ (ideally during the development of the PNA), the OAD PM prepares an SRC recommendation Letter for approval by the Chief Engineer. Participants of the SRC will typically include Division Directors, Office Heads or Assistant Office Heads. The same SRC members for a project will typically review the SOQs and the Technical Proposals. SRC members may not serve on the TRC.

  - If the SRC needs to be changed at any time during the Design-Build procurement process, the OAD-PM will consult with the OAD-OA who will then obtain concurrence for any changes from the Chief Engineer.

Refer to Section 4.2.1.3 (Evaluation Procedures) for more details on the Committees roles in Evaluation Procedures.

### 4.2.7 Stipulated Fees

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 project related materials/design files provided by GDOT, and the anticipated degree of competition during the procurement process. A stipulated fee is not meant to cover 100 percent of the proposal development costs, but to offset a portion of the costs. A stipulated fee may not be offered on all procurements. Refer to Table 1: 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 Alternative Technical Concepts (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 4-1: Stipulated Fee Amount**

| Design-Build Estimated Contract Value | Best Value | Two-Phase Low Bid (Shortlist) | Two-Phase Low Bid (All Qualified) | One-Phase Low Bid |
|---|---|---|---|---|
| **≥$50M (Greater than or equal to $50M)** | 0.2 % Minimum<br>0.2 % Recommended | 0.1 % Minimum<br>0.2 % Recommended | 0.0 % Minimum<br>0.1 % Recommended | 0.0 % Minimum<br>0.0 % Recommended |
| **<$50M (Less than $50M)** | 0.2 % Minimum<br>0.4 % Recommended | 0.1 % Minimum<br>0.2 % Recommended | 0.0 % Minimum<br>0.1 % Recommended | 0.0 % Minimum<br>0.0 % Recommended |

### 4.2.8 Public Notice Advertisement (PNA)

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

- Tentative scope
- Anticipated Selection methodology
- Anticipated procurement schedule
- Anticipated contractor and consultant Prequalifications 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 who are, therefore, not eligible to participate as a Proposer or a participant on a Design-Builder Team.

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

### 4.2.9 Notice to Contractors (NTC)

Simultaneous with the advertisement of the PNA, a Notice to Contractors (NTC) is advertised by CBA. OAD strives to coordinate the PNA advertisement date on the date that CBA advertises the monthly NTC. If the PNA does not advertise per the regular NTC advertising schedule, then OAD will coordinate with CBA to advertise a special notice.

### 4.2.10 Industry Forum

The purpose of the Industry Forum is to provide information about a proposed project's delivery goals, anticipated scope, schedule, anticipated Design-Build procurement process and potential risks and to receive industry feedback. Industry forum sign-in sheets will be published on GDOT's Design-Build webpage shortly after.

#### 4.2.10.1 Industry One-on-One

One-on-one meetings are confidential meetings with key members of the prospective Respondent teams to discuss their observations, concerns, and recommendations regarding the commercial terms to be set forth in the RFQ. The general goal of these meetings is to allow prospective Proposers to discuss concerns to help gauge the need to modify and/or clarify the procurement documents. The number and frequency of one-on-one meetings will depend on the size and complexity of the project. One-on-one meetings may take place immediately after the Industry Forum and prior to the release of the RFQ or, during the RFQ Phase. GDOT and the PMC will jointly determine the number and frequency of one-on-one meetings. See section 4.6.6.2 regarding additional one-on-one meetings during the RFP advertisement period.

## 4.3 Phase 1: Procurement Process RFQ

### 4.3.1 Purpose of the RFQ

The RFQ phase is the first phase of the two-phase procurement process for Design-Build delivery. The RFQ asks interested Respondents to submit an SOQ detailing their qualifications and experience in response to the criteria set forth in the RFQ. The SOQ's are evaluated to select a "shortlist" of qualified, potential proposers to participate in the RFP phase. Shortlisted Respondents will become eligible to participate in the RFP Phase, described in greater detail in Section 4.6.

**Two-Phase Best Value:** In the Two-Phase Best Value Selection Method, the TRC evaluates Proposer's SOQ's to determine a shortlist consisting of a minimum of two and maximum of five most qualified Respondents.

**Two-Phase Low Bid:** In the Two-Phase Low Bid selection method, Respondents submit an SOQ in response to an RFQ to compile a list of finalists from Respondents, to participate in the RFP Phase.

There are two types of Two-Phase Low Bids procurements:

- **Two-Phase Low Bid All Qualified:** In the All-Qualified method, the SOQ evaluation is a pass/fail basis. Qualified Respondents that meet the minimum standards set forth in the RFQ are eligible to participate in the second phase.
- **Two-Phase Low Bid Shortlist:** In the Shortlist method, the TRC evaluates Proposer's SOQ's to determine a shortlist consisting of a minimum of two and maximum of five most qualified Respondents. Qualified, shortlisted Respondents are eligible to participate in the second phase.

**One-Phase Low Bid:** One-phase low bid is a selection method whereby the RFQ Phase is excluded; Proposers submit proposals to GDOT in response to an RFP. This selection method is discussed in greater detail in Section 4.6.

### 4.3.2 Structure of the RFQ

The Request for Qualifications (RFQ) is used by GDOT to receive SOQ's to evaluate and select the most qualified Respondents for a project using Two-Phase Low Bid and Best Value selection methods. Therefore, the RFQ will clearly communicate to Respondents the project goals and key elements of the evaluation by outlining the minimum and desired qualifications for Proposers. GDOT will tailor the qualifications to each project based upon the delivery goal(s) and project risks.

Typical RFQ components are:

- Identification of Owner
- Procurement type
- Project purpose/goals
- Project status, which may include:
    - State/Federal status
    - Schedule
    - Environmental Permitting
    - ROW acquisition
    - Utility Investigation
    - Geotechnical Information
    - Hazardous Materials Information
    - Coordination with Governmental Agencies, Other Third Parties, and Key Stakeholders
    - Key Reference Information Document
- Project description and scope including:
    - Major work components
    - Stipend involvement and conditions
- Owner and Stakeholder contact restrictions
- DBE/SVDBE Goals
- Evaluation & Selection Criteria
- Procurement schedule and key dates
- Submittal Instructions
    - Format requirements

- Submission deadline
- Submission method(s)

- Key Personnel Roles and Experience, such as
  - Lead Contractor Project Manager (PM), Lead Design Consultant PM, Engineer of Record, Construction Superintendent, Quality Control Manager, and/or other Key Personnel roles as may be determined on the individual project
  - Experience requirements of individual team members
- Performance Security, Insurance, Indemnity, Guaranties, and contingent escrow document arrangements, as applicable.
- General Conditions
- Reserved Rights

Certain RFP clauses that may be included in the RFQ can describe:

- Eligibility to submit a proposal if selected
- RFP Submittal requirements
- Allowance for ATCs
- Method of 1) selection criteria; 2) technical evaluation of proposals; and 3) panel recommendations and notices

### 4.3.3 RFQ Evaluation Criteria

It is important that the RFQ clearly describes to Respondents, the evaluation and scoring criteria utilized by GDOT. This allows Respondents to provide information about their experience and qualifications that correspond to the criteria. The evaluation criteria will typically concentrate on the project goals. Avoid ambiguities to ensure GDOT is able to conduct objective evaluations.

Typical RFQ evaluation criteria are:

- Past Performance on similar size and/or scope projects
- Record of on-budget and on-schedule projects
- Record of design and technical excellence
- Experience and expertise of firms
- Experience and expertise of key individuals
- Design-Build experience
- Experience in relevant project type(s)
- Organizational structure and management capabilities
- Project Understanding
- Design-Build Approach

- Internal quality assurance / quality control
- Respondent team dynamics
- Quality management process
- Safety
- Financial capability
- Bonding, insurance, other due diligence capacities

### 4.3.4 Advertising the RFQ

For information on the advertisement of the RFQ, refer to Chapter 3, Table 3.1. Amendments to the RFQ, if any, will also be posted to the GPR as they become available.

### 4.3.5 RFQ Questions and Responses

Questions about the RFQ shall be submitted in writing via email to GDOT in accordance with the requirements and timeline stated in the RFQ and directed to the GDOT Point of Contact for Questions identified in the RFQ. GDOT will post all questions and responses on GPR.

#### 4.3.5.1 RFQ Clarifications

The clarification process allows GDOT to respond to potential Respondents' questions during the RFQ advertisement period. Potential Respondents will submit questions to the OAD-CO 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 will be carefully drafted by GDOT for consistency and to ensure fair competition. Clarification responses are meant to clarify the RFQ but may not be used to materially change the RFQ. Material changes to the RFQ will be modified via the amendment process.

#### 4.3.5.2 RFQ Amendment

RFQ addenda are generated by GDOT to modify the contents of the RFQ. Such addenda may be prompted by clarification questions submitted by potential Respondents but may also be initiated by GDOT or FHWA. RFQ addenda are prepared by the PMC, approved by the GDOT PM, GDOT OLS and OAD-CO, and posted on the GPR by the OAD-CO.

## 4.4 Security Regarding Evaluation of Statement of Qualifications and Proposals

### 4.4.1 Confidentiality/Conflict of Interest Certificate

All evaluation team members, technical advisors, and all other staff that are part of the evaluation process ("Evaluation Members") must sign a Confidentiality/Conflict of Interest Certificate prior to commencement of the evaluation process.

### 4.4.2 Secure Work Area

The Contracting Officer (OAD-CO) or designee will obtain either physical or virtual private meeting spaces for all discussions pertaining to evaluation of the SOQs and Proposals, as necessary. Only

the OAD-CO, Responsiveness Review Committee (RRC), Technical Review Committee (TRC), Selection Review Committee (SRC), Technical Advisors (TA) members, or others authorized by the OAD-CO will have admittance to these spaces.

### 4.4.3 Security of Evaluation Materials

When working with SOQs, Proposals and evaluation materials, Evaluation Members must keep all the materials distributed in hardcopy version or, if made accessible to Evaluation Members electronically in the Project Management Control System, under their direct control and secure from others not associated with the evaluation process. At all other times, the materials shall be locked physically or electronically in a secured area(s) as determined by the OAD-CO. At the conclusion of the evaluation process, all hard copy materials shall be returned to the OAD-CO; all hard copy evaluator transitory notes shall be destroyed, and all evaluator electronic copies shall be deleted unless otherwise authorized by the OAD-CO.

## 4.5 Phase 1: Procurement Process Statement of Qualifications

In response to the issuance of an RFQ, interested Respondents will submit an SOQ prepared in accordance with the timelines and requirements set forth in the RFQ. In accordance with Ga. Comp. Rules & Regs. 672-18-.02(j), Respondents shall include with, or attach to its SOQ, a Letter of Interest (LOI). Prior to submitting their SOQs, Respondents are encouraged to become familiar with the Georgia Open Records Act (O.C.G.A. §§ 50-18-70 et seq.) and other State and federal laws pertaining to “trade secrets”, exceptions to disclosure, confidentiality and public information (collectively, the “Open Records Laws”). The RFQ phase follows federal regulations and state statutes and regulations.

### 4.5.1 SOQ Evaluation and Shortlisting

Once all SOQ’s have been received, each SOQ will first be reviewed for “responsiveness” to the RFQ criteria by the RRC. The purpose of the responsiveness review is to determine whether an SOQ has provided all the information solicited (i.e., generally that the SOQ conforms to the instructions regarding content, organization, assembly, and format).

SOQs determined by the RRC to be “responsive” to the submittal requirements are next forwarded for pass/fail review and technical and financial evaluation by the Technical Review Committee (TRC). RRC findings of “not responsive” are excluded from further consideration in the procurement. Generally, a responsive SOQ will thereafter be evaluated on a pass/fail basis against pass/fail criteria (as set forth in the RFQ) and must pass all such criteria to be substantively evaluated.

**Two-Phase Low Bid All-Qualified Method.** The SOQ evaluation is a pass/fail basis. Qualified Respondents that meet the minimum standards set forth in the RFQ are eligible to respond to the RFP. Upon completion of the SOQ evaluation process, GDOT will issue a notice to all finalists, posted on GPR, informing them of eligibility to participate in the second phase of the procurement. During the second phase of the procurement process, Respondents are required to submit a responsive Technical Proposal and Price Proposal in response to the RFP.

**Two-Phase Low Bid Shortlist Method.** SOQs are evaluated using a two-step process. The first step determines SOQ responsiveness according to the requirements of the RFQ as a pass/fail evaluation. This evaluation is performed by the RRC. Only those SOQ's that pass the first step proceed to the second step of the SOQ evaluation process. The second step of the SOQ evaluation process is a scoring or ranking step where the information in the SOQs is measured against the evaluation criteria set forth in the RFQ. These evaluations are completed by the TRC. The TRC evaluates Proposers' SOQs to determine a shortlist consisting of a minimum of two and maximum of five most qualified Respondents. Qualified, shortlisted Respondents are eligible to participate in the second phase of the procurement process.

Upon completion of the SOQ evaluation process for Best Value Projects, the Selection Review Committee (SRC) will evaluate and revise or confirm the recommendations of the TRC and issue a notice to all shortlisted proposers, posted on GPR, informing them of eligibility to participate in the RFP Phase of the procurement. The shortlisted proposers will be the highest ranked Respondents.

During the evaluation of SOQ's GDOT has the right in its sole discretion, to terminate evaluations, seek the assistance of outside technical experts and consultants.

If at the completion of the SOQ evaluation there is only one or no shortlisted proposers, GDOT has the right, in its sole discretion to cancel the RFQ, reject any and all SOQs, issue a new RFQ, or seek to obtain information or data from any source that has the potential to improve the understanding and evaluation of the responses to the RFQ. GDOT cannot proceed with the procurement if there is only one proposer and will be required to cancel the RFQ.

## 4.6 Phase 2: Procurement Process Request for Proposals

The RFP phase is the second phase of the two-phase procurement process for Design-Build delivery. This phase is initiated upon the determination and selection of shortlisted RFQ Respondents. The RFP phase leads to the selection of the Design-Build contractor for the project. Like the RFQ process, the RFP phase must also follow federal regulations and state statutes and regulations.

### 4.6.1 Purpose of the RFP

The purpose of the RFP is to:

- Communicate knowledge and data relevant to the project that the Owner has assembled
- Establish Owner's role with the Design-Builder in the RFP process and its responsibilities with the Design-Builder after award
- Enable the Design-Builder to clearly understand its specific tasks and responsibilities for a specific project
- Outline the current procurement specifications, which for Best Value projects includes the ATC process and the award evaluation criteria.

### 4.6.2 Structure of the RFP

The RFP outlines the contract requirements, project scope, project standards and instructions 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 Bid, and Best Value selection methods. The following items will typically, 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);
- The Design-Build documents including project specific scope items;
- Maximum allowable time to design and construct the project;
- Requirement for the Administrative Information Submittal, Technical Proposal, and Price Proposal packages;
- Requirements for a schedule;
- One-on-One meeting information and ATCs submittal requirements (Best Value);
- Date, time, and location of the public opening of Price Proposals; and
- Other information relative to the project.

Although some content of the RFP will change based on the project-specific scope and risks, the RFP is generally structured to maintain consistency between procurements. The RFP documents set forth detailed requirements and instructions for the proposals as well as selection criteria. Major components of the RFP include:

- Instructions to Proposers (ITP)
- Design-Build Agreement
- Technical Provisions
- Reference Information Documents

**Figure 4-2: Summary of Typical Design-Build RFP Documents**

| RFP Section | Description |
|---|---|
| **Instructions to Proposers (ITP)** | The ITP is not a contract document but outlines the procurement process, procurement schedule, One-on-One Meeting schedule (if applicable), ATC process (if applicable), responsiveness criteria, evaluation criteria, and format for submitting the Administrative Information Submittal, the Technical Proposal, and the Price Proposal. |
| **Design-Build Agreement (DBA)** | The DBA is a contract document and defines the Design-Builders obligations and outlines the contract terms and conditions of the Project. |
| **Technical Provisions (TPs)** | The TPs are contract documents and contain project specific requirements that are used for the purpose or responding to Proposals and must be used on the Project, along with applicable industry and GDOT standards, manuals, Special Provisions, and other supporting documentation as needed for the project. |
| **Reference Information Documents (RID)** | The RIDs are not contract documents but include background information to assist the contractor with understanding the project. |

#### 4.6.2.1 Instructions to Proposers (ITP)

The ITP outlines the procurement process, anticipated procurement schedule, and provides guidance to the Proposers on submittal requirements, procurement processes, and proposal evaluation criteria. Additionally, the ITP defines the manner in which the project goals will be structured to provide the owner with the best value through a combination of cost, schedule, and technical considerations. Typical components of the ITP include:

- Introduction
- Proposal Process
- Proposal Requirements
- Evaluation Criteria
- Procurement Requirements

The primary purpose of the ITP is to inform Proposers with the requirements and process for the submission of proposals, and evaluation and selection of the Design-Builder for the project. When developing the ITP, it is important to clearly define and identify the evaluation parameters and procedures and project goals as they relate to the evaluation criteria.

- **Best Value:** The Apparent Successful Proposer is selected based on the highest total proposal score considering the weighing of the technical and financial portions of the bid proposal.

- **One-Phase Low Bid / Two-Phased Low Bid:** Once GDOT has determined that the proposer meets the technical criteria, the Apparent Successful Proposer is objectively selected based solely on the lowest bid proposal.

#### 4.6.2.2 Design-Build Agreement (DBA)

The Design-Build Agreement (DBA) includes items such as contract terms and conditions, order of precedence, insurance requirements, contract definitions and other legal requirements.

#### 4.6.2.3 Technical Provisions (TPs)

Technical Provisions (TPs) describe how the elements and improvements of a project will be designed and constructed. TPs are both programmatic and project specific. TPs also include or reference GDOT Standards, Manuals, Technical Memorandums, Standard Specifications and Special Provisions.

#### 4.6.2.4 Reference Information Documents (RIDs)

References Information Documents (RIDs) are provided solely for reference and informational purposes to all Proposers. These documents are not contractual but include background information to assist the Proposer with the preparation of proposals for designing and constructing the project. GDOT does not make any representation or guarantee as to the accuracy, completeness, or fitness of the RID. RIDs may include:

- Native RFP files
- Concept Report
- Concept Plans
- Environmental documents
- Utility Plans and additional information
- Geotechnical reports
- MS4 reports
- Traffic information
- Additional available information

### 4.6.3 RFP Evaluation Criteria

The specific criteria and methodology for evaluating proposals will be included in the RFP documents and will vary depending on the size, scope, and complexity of the project. GDOT intentionally tailors the procurement strategy to meet the goals of each specific project.

GDOT endeavors to develop Technical Proposal and Financial Proposal evaluation criteria that are clear and concise, and based on the goal(s) and risks associated with the project. A subcommittee of the Technical Review Committee consisting of qualified representatives of GDOT (the "Responsiveness Committee") will first evaluate the submitted Proposals for responsiveness to the RFP, and if responsive, thereafter the Technical Review Committee will evaluate the Technical

Proposal against all pass/fail criterion set forth in the ITP. For all other projects, proposals will be evaluated and scored in accordance with Section 4.2.1.3 (Evaluation Procedures).

Each Proposer must satisfy each pass/fail requirement in order for the proposal to be evaluated. Once GDOT has evaluated and scored each responsive Proposal according to the criteria set forth in the ITP and the price proposals have been opened according to the process set forth in the ITP, GDOT will reveal the Apparent Successful Proposal in accordance with the terms described in the ITP.

### 4.6.4 Proposal Security

Each proposer is required to provide a Proposal Security Bond or Proposal Letter(s) of Credit with the submission of their Proposal. The amount of and any requirements for proposal security will be as stipulated in the ITP and will be established on a project by project basis and the terms and conditions will be as described in the ITP.

### 4.6.5 RFP Advertisement

For information on the advertisement of the RFP, refer to Chapter 3, Table 3.1. Amendments to the RFP, if any, will also be posted in the same location as the original RFP.

#### 4.6.5.1 RFP Questions and Responses

Questions about the RFP shall be submitted in writing to GDOT in accordance with the requirements and timeline stated in the RFP. GDOT will post all questions and responses as further detailed in Chapter 3.

#### 4.6.5.2 Confidential One-on-One Meetings

One-on-one meetings are confidential meetings held with individual proposer teams to discuss their observations and recommendations about the RFP and any ATCs under consideration, if applicable. The goal of these meetings is:

- to obtain feedback from proposer teams regarding the RFP to gauge the need, if any, to modify or amend the procurement documents.
- to allow Proposers to discuss potential ATCs with GDOT prior to making a formal ATC submittal. Proposers may also seek clarification on responses to submitted ATCs.

Proposers are encouraged to ask questions, but it is not expected that definitive decisions are made during the meetings. After all meetings have been held with individual proposer teams and GDOT determines that material changes to the agreement or technical provisions are required, an RFP Amendment will be issued. The number and frequency of the Confidential one-on-one meetings will depend on the size and complexity of the project. The OAD-PM, OAD-OA and the OAD-CO will jointly determine the number and frequency.

#### 4.6.5.3 RFP Amendment

GDOT may revise, modify, or change the RFP and/or procurement process at any time before the Proposal Due Date at its sole discretion. Any revisions after the final RFP has been issued will be implemented through the issuance of an Amendment to the RFP. Amendments will be posted to the

PDMS, and Proposers will be notified of the issuance of such Amendment by e-mail. If an Amendment significantly impacts the RFP, GDOT may change the RFP schedule including the Proposal Due Date. The announcement of such new schedule will be included in the Amendment. GDOT will not be bound by, and Proposer shall not rely on, any oral communication or representation regarding the RFP documents, or any written communication except to the extent that it is contained in the RFP or in an Amendment to the RFP and is not superseded by a later Amendment to the RFP.

## 4.7 Alternative Technical Concepts (ATC)

ATCs are a Design-Builder's proposed ideas that revise the Technical Requirements set forth in the RFP to create alternatives that are "equal to or better" to the existing contract. If GDOT determines that an ATC provides an equal or better product, it may approve the ATC exclusively and confidentially for the Design-Builder who proposed it. As such, it is a highly confidential process and ideas shared with GDOT will not be shared with other Proposers.

The Proposer may submit proposed ATCs for review to GDOT, which will be responded to in GDOT's sole discretion, and per the requirements of the RFP.

### 4.7.1 ATC Limitations

Shortlisted Proposers who submit ATCs must submit them in accordance with the ITP section of the RFP. Shortlisted Proposers must submit each ATC concept as a separate ATC. The concept may include multiple interrelated parts (e.g., major geometric layout change that impacts alignments, profiles and intersection control). An ATC with multiple, unrelated concepts will be rejected. ATCs must be submitted via the PDMS. The OAD-PM or designee will review the submittal for completeness and then log the ATC into the ATC Log prior to submission to the ATC review committee. The OAD-PM will store all ATC documents (log, submittals, responses, etc.) in a secure directory. The OAD-PM will limit access to the directory to only the OAD-OA and other key individuals involved with the review and approval of the ATCs.

### 4.7.2 ATC Process and Review Procedures

All ATCs are submitted to GDOT for review via the PDMS, which are downloaded for review by the ATC Coordinator (ATCC). The ATCC works with OAD-PM to submit ATCs for review by the ATC Review Committee, which is comprised of various subject matter experts. The ATCC will coordinate with the OAD-PM to determine whether submitted ATCs should be accepted, rejected, if additional criteria need to be met, or if the ATC fails to meet the criteria for classification as an ATC. The ATCs will then be forwarded to the OAD-OA and Chief Engineer for final determination. FHWA will be included in the review of ATCs as necessary, for example if affecting interstate operations. The OAD-OA or designee (unless otherwise delegated to the OAD-PM) will submit the ATC response to the OAD-CO who will transmit the ATC decision to the submitting proposer via PDMS.

If a Proposer wants to modify an ATC after a decision has been sent, they must submit a new or modified ATC. If submitting a modified ATC, the Proposer must use a new sequenced ATC number based on the original submittal number, as further detailed in the RFP documents. All new ATCs shall be submitted with a new submittal number.

## 4.8 Proposal Receipt and Evaluation

### 4.8.1 Receipt of Proposals

Proposers will submit price proposals to OAD in accordance with the requirements set forth in the RFP. Typically, the price proposals are submitted at the same time Proposers submit the administrative and technical proposals. This typically occurs at least two (2) weeks prior to GDOT facilitating the public opening of price proposals.

### 4.8.2 Evaluation of Proposal

Evaluation of proposals will be completed in accordance with the requirements set forth in Section *4.2.4 Evaluation Procedures* and the RFP.

If at the completion of the proposal evaluation there is only one or no suitable proposal, GDOT reserves the right, at its sole discretion, to cancel the procurement; seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to the RFP, including the right to seek and receive clarifications and waive any deficiencies, irregularities, or technicalities.

Additionally, if at the end of the completion of the proposal evaluation, there is only one proposal, GDOT shall have the right to:

(i) accept the proposal, provided the Bid Review Committee recommends acceptance

(ii) negotiate with the Proposer to establish a fair and reasonable price for the contract if the Bid Review Committee does not recommend acceptance, provided that the resulting negotiated contract price is not greater than the bid and that the GDOT cost estimate is disclosed to the Proposer prior to the beginning of the negotiations.

(iii) reject all bids if the Bid Review Committee does not recommend acceptance. If all bids are rejected, GDOT may elect to cancel or re-advertise the project as needed.

The RFP does not commit GDOT to enter a contract or proceed with the procurement of the project. GDOT assumes no obligations, responsibilities, and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred by the parties responding to any RFP. All such costs shall be borne solely by each Proposer.

## 4.9 Selection and Award of the Apparent Successful Proposer

Following the completion of the evaluation of received Technical Proposals, GDOT will facilitate a virtual opening, where GDOT will open and read out received Price Proposals. The scores will be input into a ranking spreadsheet which, along with the revealed Proposer Technical Proposal Scores (if applicable), will allow GDOT to declare an Apparent Successful Proposer, subject to the review of the GDOT Bid Review Committee. Once GDOT has announced award of the project, the Apparent Successful Proposer and Notice of Award will be posted on the GPR and the DB Webpage. Discussion and Negotiations with Apparent Successful Proposer

### 4.9.1 Discussion and Negotiations with Apparent Successful Proposer

After the announcement of intent to award the contract, GDOT and the Apparent Successful Proposer meet to coordinate the execution of the contract. This coordination generally includes execution and delivery of the design-build agreement, delivery of payment guarantees, if any, security for payment and performance, evidence of insurance and other ancillary documents. The process may also encompass: inclusion of any proposal commitments and required forms and attachments, finalization and approval of escrow bid documentation, and negotiations and inclusion (if any) of accepted ATCs from unsuccessful proposers.

## 4.10 Debriefing Procedures

Respondents and Proposers who are not selected as shortlisted Respondents or ultimately awarded the DBA may request a debriefing from GDOT by written request submitted to the OAD-CO no later than 30 calendar days after GDOT's posting of the Notice of Award to the GPR. Email requests are considered acceptable.

Debriefings will be provided at a time and date to be notified by GDOT in response to a request. GDOT will select individuals it considers familiar with the evaluation of the Proposer's Proposal to conduct the debriefings.

Debriefings are intended to provide feedback to an unsuccessful Respondent / Proposer on its SOQ / Proposal and does not include discussion of a competing teams' SOQ or Proposal. The debriefing is limited to providing information on areas where the unsuccessful Respondent's SOQ / Proposer's Proposal had weaknesses or deficiencies. Instructions regarding the debriefing process will be included in the Project's RFQ and RFP.

### 4.10.1 Procedures for SOQ Debriefing

Step 1. The Proposer must submit the debriefing request in writing to the OAD-CO listed in the RFQ within thirty (30) calendar days of the GDOT Design-Build Project Selection of Finalists. Only Proposers not selected as Finalists will be debriefed at this time. An email is considered a written request.

Step 2. GDOT will prepare a summary of the requesting Proposer's relevant evaluation information and will provide the information in writing to the requesting Proposer within thirty (30) calendar days after GDOT's receipt of debrief request.

### 4.10.2 Procedures for Technical Proposal Debriefing

Step 1. The Proposer must submit the debriefing request in writing to the OAD-CO listed in the RFP within thirty (30) calendar days of the GDOT Design-Build Project award announcement. An email is considered a written request.

Step 2. GDOT will prepare a summary of the requesting Proposer's relevant evaluation information and will provide the information in writing to the requesting Proposer within thirty (30) calendar days after GDOT's issuance of the Project's NTP 1.

## 4.11 Debriefing Meeting

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

Step 1. The Proposer will send a debriefing meeting request in writing to the OAD-CO. 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.

Step 2. The OAD-OA will notify the requesting Proposer of the date the debriefing meeting will occur.

Step 3. The OAD-OA may include various GDOT staff in the debriefing meeting such as a representative from Procurement, Legal, Construction and/or other disciplines as needed. On PoDIs, the OD-OA 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.

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# Chapter 5. Post-Let Activities - Contents

# Chapter 5. Post-Let Activities

This chapter describes the various activities and general administrative duties required when a Design-Build project moves through implementation following execution of the contract and issuance of NTP1. The Design-Builder and owner responsibilities are further detailed in the Design-Build Documents and structured as depicted in **Figure 5-1 (Design-Build Documents Structure)**.

**Figure 5-1: Design-Build Documents Structure**


## 5.1 Notices to Proceed

On Design-Build projects, GDOT uses a tiered approach when issuing Notices to Proceed (NTP) 1, 2, and 3. GDOT's issuance of the respective NTP are used as hold points. The conditions by which GDOT will issue each NTP are set forth in the DBA.

### 5.1.1 Notice to Proceed 1

NTP 1 is intended to release the Design-Builder to perform certain part of the Work and complete the Project Management Plan (PMP).

*Note: GDOT's current practice for federally-funded projects is to award the DBA only after the environmental document has been approved.*

### 5.1.2 Notice to Proceed 2

NTP 2 generally releases the Design-Builder to submit final Design documents.

### 5.1.3 Notice to Proceed 3

NTP 3 releases the Design-Builder to commence Construction Work.

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

## 5.2 Document Control

GDOT maintains Project Control Management Systems (PCMS) for use by the Design-Builder and the PMT to not only retain documents but also manage the submittal and response of various processes. The Design-Builder's responsibilities are included in the Design-Build Documents. GDOT provides training and support to PMT and Design-Builder staff to facilitate efficient use of these systems.

The OAD-PM will determine as early as possible the document control strategy necessary to manage various submittals. The OAD-PM will coordinate the setup of the Project Management Control System (PMCS) and SiteManager prior to NTP 1.

### 5.2.1 SiteManager

SiteManager is the construction management software used by GDOT statewide for daily reporting and monthly payment estimates. It is a common tool used by GDOT for managing daily work reports, contract administration, and contractor payment activities.

GDOT's IT department issues a GDOT email address, GDOT identification number, and initial password for the GDOT webpage access.

### 5.2.2 Project Management Control System (PMCS)

PMCS is a cloud-based project management software used for correspondence with the Design-Builder for submittals, file management, and document control based on the GDOT Strategic Program Plan (SPP) and the PLI. The PMC PMCS software administers user access based on project role.

The Design-Builder submits all submittals, required by the Design-Build Documents, through PMCS processes during the design and construction phases.

### 5.2.3 ATSER

ATSER is the software used for materials tracking and testing reporting. Complete test reporting for asphalt, concrete, GAB compaction, select compaction, and soil compaction are documented in ATSER.

### 5.2.4 Materials Certificate Checklist (MC-1)

A Materials Certificate (MC) is required for all DOT projects. A MC verifies that the primary materials incorporated into the work are of acceptable quality. A MC Checklist (MC-1) has been developed to assist the Office of Materials and Testing (OMAT) in certifying materials requirements on GDOT projects in a timely manner. The MC Checklist must be updated on a monthly basis.

All materials that are used on GDOT projects have materials requirements, even those materials of a temporary nature. The Design-Build Documents and the *Specifications and the Sampling, Testing and Inspection Manual* should be consulted for complete materials requirements. Once final plans are approved a summary of quantities is sent to OMAT. OMAT sends the MC-1 based on the summary of quantities.

The OMAT *Sampling, Testing, and Inspection (STI) Manual* gives detailed information about:

- Type of construction
- Materials used
- Test procedures
- Sample size
- Acceptance
- Quality assurance
- SiteManager Report

## 5.3 Meetings

### 5.3.1 Project Meetings

The majority of required project meetings are the responsibility of the Design-Builder and shall be in accordance with the Design-Build Documents.

### 5.3.2 Post-Award Kickoff Meeting

The OAD-PM is responsible for facilitating the post-award kickoff meeting. Typical participants include the OAD-PM and representatives from the Design-Builder, the PMC, FHWA (for PoDIs), and GDOT's District Construction Office. Other participants may include key stakeholders, as necessary, from the Office of Bridge Design, Office of Right-of-Way, Office of Utilities, Office of Equal Employment Opportunity, Traffic Operations, Utilities, the local government, 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 Values and payment processing;
- Discuss communications protocol(s); and
- Discuss potential Design-Build risks and possible mitigation strategies.

### 5.3.3 Construction Kickoff Meeting

The PMC-CM is responsible for coordinating a construction kickoff meeting with the Design-Builder, CEI provider, District/Area Office, Utility Owners, etc. prior to the beginning of Construction activities. The PMC-ACM conducts the construction kickoff meeting. At least ten (10) days prior to the meeting notification of the time and place shall be sent to all interested parties. This notification will typically include a request for the submission of questions and potential issues for discussion at

the meeting. Notification includes the contact information of the PMC-CM as a point of contact for information or directions.

Personnel participating in the pre-construction kickoff meeting shall include but is not limited to:

- Design-Builder in accordance with the Design-Build Documents
- GDOT OAD Staff – related to the Project
- GDOT District Personnel
- GDOT District Materials Manager
- Representatives from Utility Companies
- Local authorities as necessary
- FHWA – For Projects of Division Interest (PoDI)

When railroad facilities are within the project limits and/or are part of the scope of work, a notice shall be sent out at least fourteen (14) days before the conference to the railroad representative by GDOT. This notice shall identify the project using the railroad milepost, city, and county. A copy of this notice shall be sent to the State Utilities Engineer.

## 5.4 Schedule Development and Management

Schedules are developed by the Design-Builder in accordance with the Design-Build Documents. Design-Build projects typically have multiple “moving parts,” and a detailed schedule is required to chart the critical path and track the progress of the Design-Build project. The required CPM schedule is used for the baseline schedule, monthly submittals, and a schedule revision if the critical path activities are delayed.

The Design-Builder will typically allow time at each regularly scheduled Design-Build project meeting to discuss the current critical path activities. The Design-Builder has the option to provide a cost loaded CPM Schedule which simplifies the evaluation of the Schedule of Values and payment applications.

## 5.5 Schedule of Values

The Design-Builder shall submit an updated Schedule of Values (SOV) (from its proposal’s SOV) in accordance with the Design-Build Documents. The SOV provides a cost breakdown for the major elements of the work that are included in the lump sum bid. 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 complete for any given item as the basis for interim payments.

GDOT will maintain a monthly DB summary of payment and a more detailed SOV to verify the percentages in the Design-Builder’s monthly pay estimate.

The PMT’s role as stewards of the GDOT’s money is to verify that GDOT is never put in the position that the remaining amount to be paid to the Design-Builder would be insufficient to complete the work if the Design-Builder defaulted or were terminated on the contract. Unless large lump sums are broken down sufficiently there is always the danger of over payment. Additionally, the PMC-

ACM can be held to criticism if subjective assessments of percentages completed are perceived to be excessive and unreasonably favorable to the Design-Builder.

### 5.5.1 Monthly Materials Clearance

The Design-Builder includes a detailed estimate of quantities in the RFC Design Documents. The Design-Builder is required per the Design-Build Documents to maintain the detailed estimate by regularly updating the quantities in place; the estimate will be submitted to GDOT as supporting documentation for monthly invoicing and materials checklist monthly reporting.

The Design-Builder's as-built plans also include a revised estimated summary of quantities and detailed estimate, which will be used for materials certification.

## 5.6 Payments

The Design-Builder will submit their pay request through the PMCS on the date stated in the Design-Build Documents. However, before the Design-Builder submits their pay estimate in the PMCS, the PMC-ACM, and Design-Builder will typically agree on the percentages. The PMC-ACM will typically also have all the backup information mentioned in the pay estimate checklist uploaded on the PMCS before PMC-CM and OAD-PM can approve the pay estimate on the PMCS.

Once the pay estimate is approved on the PMCS, the PMC-ACM or Design-Builder generates the estimate on SiteManager.

### 5.6.1 Pay Estimate in the PMCS

In the design phase, the PMC-PM and OAD-PM will meet with the Design-Builder to agree to review the pay estimate. The Design-Builder then enters the pay estimate into PMCS for further review and processing by the PMC-PM. The PMC-PM verifies the pay estimate and recommends approval in PMCS. The OAD-PM approves the pay estimate in PMCS.

In the construction phase, the PMC-ACM will meet with the Design-Builder to agree to percentages requested by the Design-Builder for each pay estimate. The PMC-ACM will typically base their comparison on the information developed at the beginning of the project as referenced above. Once the percentages are agreed upon between the Design-Builder and the PMC-ACM, the PMC-ACM will send an e-mail to the PMC-CM and the Design-Builder stating that the meeting was held and the percentages are acceptable. The PMC-ACM shall also outline the items from the checklist which are to be attached to the pay estimate.

The Design-Builder then enters the pay estimate into the PMCS with the additional checklist items for further review and processing by the PMC-CM. The PMC-CM verifies the pay estimate and recommends approval in the PMCS. The OAD-PM approves the pay estimate in the PMCS.

### 5.6.2 Pay Estimate in SiteManager

In the design and construction phases, the PMC-CM will then prepare the necessary paperwork in SiteManager, approve the pay estimate which will then move the pay estimate into the OAD-PM court for final approval then payment.

The instructions below cover the process of generating a pay estimate in SiteManager. This process consists of following steps:

1. Creating a Daily Work Report
2. Authorizing the Project Diary
3. Generating an Estimate
4. Generating a Pay Application report
5. Authorizing a Pay Estimate.

### 5.6.3 Material Indexing

A Design-Build project with a duration over two (2) years will typically include an exhibit in the DBA to accommodate material indexing of the appropriate commodities.

## 5.7 Project Management

Successful project management begins with the preparation of a Project Management Plan (PMP) to provide successful project delivery. The Post-Let PMP is a delivery tool for Project Managers (PM) and the delivery teams. The PMP clearly defines the roles and responsibilities of the agency leadership and the management team and documents the procedures and processes that are in effect to provide timely information to project decision-makers.

### 5.7.1 Project Management Plan

The following topics form the basic contents for the project management plan. The intent of the following is not to require a prescriptive format for the plan, but rather to provide a general framework for the project management plan that will satisfy section 106(h) requirements and most effectively serve Georgia DOT and FHWA. References to Georgia DOT's existing documented processes may be used in the PMP. The PMP will typically be scaled as appropriate to the scope of the project and is made up of the following components:

- Project description and Scope of Work;
- Purpose, goals, objectives and metrics;
- Project organizational management chart, roles, and responsibilities;
- Procurement and contract management;
- Cost budget and schedule;
- Project documentation, reporting, and tracking;
- Project communications management;
- Project management controls (scope, cost, schedule, change, risks, and claims);
- Design QMP;
- Construction QMP;

- TMP;
- Safety Plan;
- Closeout plan;
- Appendices; and
- Executive leadership endorsement.

#### 5.7.1.1 Additional Project Management Plan Considerations

For major projects with phased financial plans, the PMP will typically include:

- The entire scope of the project's NEPA decision document project description, with detailed information about the funded phase;
- Complex traffic phasing, when applicable;
- Environmental and sensitive areas described or shown on mapping contained in the appendices; and

If a project has multiple Project Sponsors, a single PMP will typically be prepared. Alternatively, each Project Sponsor may submit a project management plan describing its portion of the project. In such instances, each project management plan will typically be coordinated, consistent, and submitted to the FHWA for approval at the same time.

## 5.8 Design Reviews

The Design-Builder submits design submittals to GDOT for review in accordance with the requirements set forth in the TP Section 4 (Design Review). The amount of time necessary for GDOT to review submittals is stated in TP Section 2 (Project Management).

The OAD-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 Design-Build Documents. The OAD-PM is responsible for distributing the submittals to the various GDOT SMEs. The OAD PM utilizes the PMCS to account for such items as the date the submittal is received, date the submittal is routed, to whom the submittal went, and the date comments or acceptance is due to the Design-Builder. It is imperative that the OAD-PM provide the Design-Builder a response to the submittal in accordance with the review times stated in the Design-Build Documents.

When performing a review of Design-Builder submittals, GDOT's focus is DBA compliance. This will include, but is not limited to, adherence to 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-Builder.

### 5.8.1 Value Engineering Change Proposal (VECP)

VECPs are intended to enable the Design-Builder and GDOT to take advantage of potential cost savings or improvements to the Work through changes in the requirements not evident at submission of proposals or arise out of advancing the design. The Design-Builder is encouraged to

submit VECPs and GDOT may request the Design-Builder develop a VECP. GDOT will determine acceptance of a VECP. The Design-Builder may withdraw all or part of a VECP prior to GDOT acceptance. GDOT pays 100% of additional cost resulting from the VECP. If the VECP reduces cost 50% of the reduction will be taken off the total contract amount, provided the Design-Builder profit is not reduced.

## 5.9 Quality Management

### 5.9.1 Quality Management Plan

The Design-Builder must submit a Quality Management Plan (QMP) to GDOT for review and acceptance in accordance with the Design-Build Documents.

The QMP must be a complete and clear plan to achieve a high-quality design, including all related elements and lower-tier subcontractors/subconsultants. The Design-Builder must adhere to the accepted QMP throughout the duration of the Project.

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

The OAD-PM or PMC-PM may periodically audit the Design-Builder's, the designer's, and the checker's work to ensure that it is being done in conformance to the Design-Build Documents and accepted QMP. The Design-Builder is required to cooperate fully and assist in conducting audits. The Design-Builder is required to maintain all records and any other elements of the work in a current and readily available manner, so that the audit may easily be performed.

Any quality assurance reviews or audits conducted by GDOT will not remove the Design-Builder's responsibility for designing and constructing all elements of the work in conformance to the Design-Build Documents and accepted QMP.

## 5.10 Environmental Compliance and Permitting

In accordance with the Design-Build Documents, the Design-Builder must retain the expertise needed to understand fully 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; and
- Mitigation strategies.

The Design-Builder may be required to prepare an Environmental Compliance and Mitigation Plan (ECMP) and to retain a Comprehensive Environmental Protection Plan (CEPP) per the requirements set forth in the Design-Build Documents.

The Design-Builder must ensure compliance with the environmental commitment sheet(s), related environmental document, and permit(s) at all times on the Design-Build project.

The OAD-PM, PMC-CM, and GDOT OES Liaison are responsible for verifying that the Design-Builder is complying with the environmental commitment sheet(s), related environmental document, and permit(s).

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

## 5.11 Utility Adjustment and Protection

In addition to compliance with the Design-Build Documents, the Design-Builder's responsibilities regarding utilities to include the following:

- Designating a Utilities Manager to be the principal contact for all utility-related Project activities;
- Identifying potential conflicts, verifying locations and all other necessary information about utilities, and providing monthly updates of the progress schedule reflecting utility adjustments; and
- All coordination with utility owners required in connection with the Project or utility work.
- Compliance with Georgia811.org requirements.

## 5.12 Release for Construction

Release for Construction (RFC) Design Documents are prepared and endorsed by the Design-Builder's EOR. GDOT must review and issue acceptance of each RFC Design Document submittal.

Upon the Design-Builder's satisfactory completion of activities necessary for GDOT to issue NTP 3 (refer to **Section 5.1.3 Notice to Proceed 3**), the Design-Builder may begin construction on any work included in an accepted RFC Design Document. GDOT will issue only one NTP 3 so that phases of work may proceed as the RFC Design Document are accepted by GDOT. GDOT will issue written authorization to the Design-Builder to watermark each accepted RFC Design Document sheet with "Release for Construction" and the date of authorization.

The Design-Builder shall use the RFC Design Documents set to build the project with no exceptions.

## 5.13 Construction Administration

### 5.13.1 Subcontracts

The PMC-CM staff will review all the subcontracts to verify they are in compliance with the State's regulations. Once the subcontracts are accepted by the OAD-PM, the PMC-CM staff adds the subcontracts to SiteManager. For DBE or SVDBE subcontracts, an additional verification of DBE or SVDBE status is required.

### 5.13.2 Certified Payroll Reporting (PoDI Only)

The PMC-ACM is responsible for reviewing the Design-Builder payrolls for compliance with documentation provided for each employee. Each employee must be correctly classified in accordance with the work performed. Certified payrolls are required for all laborers - those workers performing work that is physical and/or manual in nature (including those who use tools or who are performing the work of a trade) and employed by the Design-Builder on the “site of the work”. Each employee must be paid at an hourly rate not less than the wage rate established for the work classification. To verify payroll calculations are correct, the PMC-ACM will make detailed checks on the mathematics of any payrolls. Each payroll submitted must be accompanied by a “Statement of Compliance” indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon Act prevailing wage rate.

For federal PoDI projects, PMC-ACM will typically collect weekly certified payrolls from the Design-Builder within two weeks after the week ends. All payrolls must be uploaded in the PMCS folders for the Design-Builder and Subcontractors. Once uploaded on the PMCS, certified payrolls must be sent to the District EEO officer for further processing.

### 5.13.3 EEO Compliance

For projects with DBE/SVDBE goals, the Design-Builder must submit a monthly, quarterly, and final DBE/SVDBE report to PMC ACM. PMC ACM verifies the report and uploads the report in the PMCS. Once uploaded on the PMCS, certified payrolls must be sent to the District EEO Officer for further processing.

### 5.13.4 Federal Aid Training Program (PoDI Only)

The inspection and reporting requirements for the Federal-Aid Highway Construction Contracts Training Program are an implementation of 23 USC 140(a) and Standard Specification 158.

The reference document for the program is the GDOT’s On-the-Job (OJT) Training Program Manual as approved by the Federal Highway Administration. This document provides additional information and specific instructions on supervision of the Program and is available on the Office of Equal Employment Opportunity external webpage.

The PMC-CM will accept the initial program plan. A program plan merely identifies proposed areas of training to meet the Contract requirements and does not identify individual trainees. The PMC CM may request guidance from the Office of Equal Employment Opportunity (EEO Office).

PMC-CM shall forward all requests for trainee approvals (Form 1409) to the EEO Office for approval. PMC-ACM shall perform periodic interviews with each approved trainee to verify the employee is receiving the training specified in the approved plan. The PMC-ACM shall document the interviews on the Labor Interview Form and file reports in the project records.

PMC-ACM shall forward the Contractor’s notice of trainee completion, transfer, and/or termination (Form 1409) to PMC-CM and PMC-CM will forward them to EEO Office for approval. In the event of a shortfall, the PMC-ACM shall forward the Contractor’s waiver request to the PMC-CM. PMC-CM will forward it to EEO Office for analysis and a Good Faith Effort decision. If a waiver is not granted, the PMC-CM shall deduct prior payments made on pay item 158 (see the EEO Office’s OJT Manual for details).

## 5.14 Construction Engineering and Inspection

Construction Engineering and Inspection (CEI) shall be performed in accordance with the Design-Build Documents, GDOT manuals, specifications, plans, and testing requirements.

### 5.14.1 Construction Audits

The standard GDOT audit procedures will be performed in accordance with the Construction Manual and Material Audit Standard Operating Procedures. The audits will be conducted by the PMC-CM and the OAD-PM in accordance with the Construction Manual and Material Audit Standard Operating Procedures.

## 5.15 Design Changes

Design changes or errors are the responsibility of the Design-Builder. Any changes made after NTP 3 and the plans are accepted as RFC Design Documents must be reviewed by GDOT prior to the Design-Builder incorporating into the RFC Design Documents set as a revision. Once a change or error is identified which may require a revision the Design-Builder or GDOT shall issue an NCR to resolve the concern. GDOT has final acceptance of all NCRs issued. In the event of the identification of a construction issue or a design change, the GDOT OAD-PM and PMC-CM shall work with the Design-Builder towards a quick resolution of the issue.

The following steps will typically be completed by GDOT when working through a design issue:

1. Acknowledge the issue with the Design-Builder. All design issues explain to them that it must be forwarded to the OAD-PM.
2. Note the occurrence in SiteManager's daily documentation.
3. Discuss the issue with the Design-Builder to determine what possible solutions. These solutions must be communicated through the OAD-PM and PMC-CM with GDOT SMEs for review.
4. Communicate the Design-Builder's proposed solutions with SMEs and get their feedback or response.
5. Maintain communications with the Design-Builder on the status of the SME review. The Design-Builder will not be allowed to work on an issue can continue until the design has been reviewed and approved, and the signed drawings have been delivered.
6. Monitor the schedule activity(s) to evaluate an impact on the schedule.

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

## 5.16 As-Built Plans

The Design-Builder will provide GDOT with the As-Built plan set in accordance with the requirements set forth in Design-Build Documents.

The OAD-PM must coordinate and provide all As-Built materials to GDOT's Office of Design Policy & Support and the GDOT Office of Bridge Design for proper archiving of data.

In addition, the OAD-PM must coordinate with GDOT's Office of Design Policy & Support to discuss transferring Design-Build as-built and project related files to ProjectWise.

## 5.17 Post Design-Build Evaluation

At or around the time of the final walkthrough on the Design-Build Project, the OAD-OA will request that the Office of Engineering Services facilitate a Post Design-Build Review meeting. The meeting will typically include GDOT, the PMT, SME staff, FHWA (for PoDI projects) and the Design-Builder. In some instances, it may be appropriate to include the local government if they were the sponsor of the project. The typical agenda for the Post Design-Build Review meeting includes the following:

- 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 Documents
- Environmental Documentation
- Environmental Permitting
- NPDES Permit
- Right-of-Way
- Utilities
- Geotechnical
- Design and Construction Phases
- Design-Build Innovations
- Supplemental Agreement Summary
- DBE Utilization
- Summary of observations from OAD
- Summary of observations from Office of Construction
- Summary of observations from Design-Builder
- Recommendations
- Notable achievements by early interaction of design and contractor

- Post Design-Build Evaluation participants

## 5.18 Substantial Completion and Final Acceptance

### 5.18.1 Substantial Completion

The Design-Builder notifies the OAD-CM, in accordance with the Design-Build Documents, of Substantial Completion of the project, including correction lists. A project must be complete and in satisfactory condition before a Final Inspection is requested. PMC-ACM will review and verify if the project is ready for final inspection.

### 5.18.2 Final Inspection and Closeout

The Final Acceptance and closeout process are accomplished in accordance with the Design-Build Documents especially Volume 1 Article 7 - “Substantial Completion, Punch List, Maintenance Acceptance”.

### 5.18.3 Materials Certification

The materials certification process is similar to Design-Bid-Build. All materials used on a Design-Build project must be on the Qualified Products List (QPL) and comply with GDOT Standard Specifications for the Construction of Transportation Systems, as supplemented by the Supplemental Specification Book, Special Provisions, Supplemental Specifications, Standards, and Details. Products and suppliers are defined on the Qualified Products list, and they have a defined inspection frequency.

For Design-Build Projects, GDOT’s Office of Materials and Testing will provide all required testing in accordance with GDOT Manuals, which can include, but are not limited to the GDOT Construction Manual, GDOT Bridge Manual, and GDOT Sampling, Testing and Inspection Manual.

The PMC-CM or designated CEI provider will complete required material certification documentation to ensure all sampling and testing is completed as required for the project. Material certifications are to be submitted and tracked through the PMCS and ATSER. Material certification ensures all materials used in the work are acceptable.

Once the project reaches substantial completion, a final audit is done by State Construction Liaison at the field office. Once final field audit is completed, the final material audit is conducted by OMAT.

Audit done by OMAT includes but is not limited to the following:

- Final MC checklist – Audited and signed by Construction Liaison.
- All as-build quantities.
- All test reports and material certifications for QPL products.
- Depositions for materials that failed the tests. (e.g., failing concrete cylinders)

OMAT audits all materials used in the project including materials missing in the MC checklist. Once OMAT completes the audit, they will issue a Materials Certificate.

### 5.18.4 Final Acceptance and Final Audit

The OAD-PM or PMC-CM is responsible for completing the final checklist prior to requesting a final audit. If any of the checklist items have discrepancies, they must be resolved or be in the process of being resolved before requesting a final audit. The PMC-CM will compile a list of all discrepancies and provide a completion status. This list will typically be attached to the front of the final package and checked off by the PMC-CM as each item on the list is resolved. Once all the items have been resolved, the OAD-PM or designee will complete the final audit. The final audit can be completed without the materials certificate being received, but the lack of the materials certificate shall be noted on the final audit. The project cannot be closed out until the materials certificate is received.

### 5.18.5 Final Payment

The PMC-CM will notify the OAD-PM and OAD-OA that the Project is ready for final audit. This request comes only after the PMC-CM has reviewed the project records using the project checklist as guidance for requesting a final audit. Immediately upon completion of the final acceptance, the PMC-CM will transmit final lump sum percentages to the Design-Builder. This process will follow the contract closeout procedures in accordance with the Design-Build Documents.