

# SEP-14 Alternative Technical Concept Report

## General Overview

A major project was initiated on Interstate 59/20 in downtown Birmingham, Alabama. The purpose of this project was to replace the structurally deficient and functionally obsolete bridges along I-59/20 and improve traffic operations through the City of Birmingham's Central Business District (CBD). This project began at the I-59/20 and I-65 junction in Birmingham and ended at I-59/20 north of the 31<sup>st</sup> Street North interchange. The scope of work included, but was not limited to, reconstructing the access into downtown Birmingham from the north/east, reconstructing portions of the Elton B. Stephens/Red Mountain Expressway interchange, replacement of the mainline CBD bridges, and drainage/surface street improvements underneath the CBD bridges. The length of these projects was approximately 2.5 miles.

Bids on this project were initially opened on November 4, 2016. There was such a discrepancy between the three bids that ALDOT was forced to reject all bids and re-examine the plans and bidding process for this project. In the re-examination process, ALDOT investigated several different methodologies, including contractor proposed Alternative Technical Concepts (ATCs). The purpose of an ATC is to allow the contractor to propose innovative solutions that promote efficiencies, reduce risks, accelerate project delivery schedules, and reduce project costs.

## ATC Process

A Request for Proposals (RFP) was issued to the Firms on January 5, 2017, and is attached to this document as Attachment 1. Included in that RFP were the design requirements for any submitted ATC including the requirement that any change to the approved environmental document or Interchange Modification Study caused by an approved ATC revision would be the contractor's responsibility to modify and obtain approval from ALDOT and FHWA.

The RFP listed mandatory project requirements for which no ATC could be proposed. These were:

- Concrete segmental bridge on mainline CBD bridges
- Location and maximum number of segmental bridge foundations on mainline CBD bridges
- Interstate roadway bridge mounted lighting on mainline CBD bridges from approximately 17<sup>th</sup> Street North to 23<sup>rd</sup> Street North
- LED lighting fixtures for all roadway lighting and designated aesthetic lighting
- Twelve (12) foot permanent lane widths and shoulder widths as shown on the attached plans
- Holophane ground mounted decorative lighting on surface streets as shown on the attached plans

## Timeline

The ATC timeline, as shown below, was submitted to the contractors on January 5, 2017.

Event	Date
Project Mandatory Pre-Bid Meeting	October 13, 2016
RFP issued to Firms	January 5-6, 2017
Initial ATC Proposals Due/Individual ATC Meetings	February 3, 2017
ATC Review Committee's Initial Response to each Firm	February 17, 2017

Final ATC Submittal	March 3, 2017
Bid Submittals to ALDOT	April 14, 2017
Notice of Award	April 24, 2017
Issue Notice to Proceed to awarded Firm	May 19, 2017
Time Charges Begin	May 30, 2017

## Review Committee

The Chief Engineer appointed a review committee (Committee) that included several high ranking ALDOT officials. The Committee operated under strict confidentiality and did not discuss details of any proposal outside of the proposing applicant, the Committee itself, or the Department Administration. The Committee was tasked with developing recommendations for ATC proposal content, selection criteria, prequalification criteria, and evaluation, negotiation, and clarification of all proposals. All recommendations were approved by the Chief Engineer.

## Approval Process

After the initial ATC was submitted, the appointed Committee reviewed and responded to the Firm as to whether the ATC was accepted, conditionally accepted, or denied. If the Committee conditionally accepted an initial ATC proposal, the Committee allowed the Firm to make any necessary clarifications before making a final ATC proposal submittal. After receipt of the final ATC proposal submittal, the Committee either accepted or denied the submittal by letter.

Johnson Brothers presented 9 ATC's for approval. Of these, 6 were accepted (some with modifications) and 3 were denied. Granite Construction presented 7 ATC's. All 7 were accepted (some with modifications) though #1 had one aspect that was denied.

## ATC's Bid

The contract was awarded based on the lowest responsible bid. Johnson Brothers, the successful low bidder, bid one ATC. Two of the Johnson Brothers ATC's involved a revised Bridge Construction Method that would have kept I-59 open during construction, though neither was bid. Granite Construction bid two ATC's. Both contractors' ATC's that were bid regarded the lighting. The tables below summarize the ATC's for each contractor.

Johnson Brothers ATC's			
Number	Type of ATC	Accepted/Denied	Bid Yes/No
1.	Lighting Fixture	Accepted	Yes
2.	Lighting Control System	Denied	No
3.	Alternate Foundation	Accepted	No
4.	Maintenance of Traffic Scheme	Denied	No
5.	Bridge Construction Method	Accepted	No
6.	Bridge Construction Method	Accepted	No
7.	Interchange Modification	Denied	No
8.	Bridge Optimization	Accepted	No
9.	Enhanced Public Information	Accepted	No

Granite Construction ATC's			
Number	Type of ATC	Accepted/Denied	Bid Yes/No
1.	Lighting	Accepted	Yes
2.	Lighting Fixture	Accepted	Yes
3.	Vehicle/Ped Protection Tunnels	Accepted	No
4.	Alternate Foundation	Accepted	No
5.	Bridge Precast Substructure	Accepted	No
6.	Bridge Segment Alternate	Accepted	No
7.	Bridge Cap Alternate	Accepted	No

## Industry Reaction

After the project was awarded ALDOT reached out to the contractors for input on the process. ALDOT sought information from the contractors regarding the following information:

1. How effective do you think the ATC process was for this project?
2. Was this project a good candidate for ATCs? Why or why not?
3. Was adequate time allowed to incorporate ATCs into your proposal? Why or why not?
4. Was response time to proposed ATCs adequate? Why or why not?
5. Was the ATC review process helpful in developing your proposal? If so, how? If not, what needs to be changed?
6. Were there opportunities to save time and/or money using ATCs as a part of this project? Why or why not?
7. Was the limitation on the number of proposed ATCs helpful in developing your proposal? If not, how would an unlimited number of ATCs have changed your proposal?
8. Do you have any other comments or concerns about the process?

Once the responses were returned to ALDOT, they were compiled into the following answers:

1. The ATC process was only minimally effective. The contractors gave a substantial amount of time and effort on the ATCs that were not able to be used due to the procurement being altered from a "Best Value." However, it was beneficial to establish open dialogue with ALDOT to gain a better understanding of the overall goals and objectives as well as potential pitfalls and project risk that otherwise may not be conveyed in the plans and specs. Furthermore, the cost to develop the ATC's was significant and disproportionately exceeded the benefits.
2. The project was a good candidate for ATCs, however the procurement method was not the most effective for the ATC process. The contractors thought it would have been better if the ATC process had started earlier to allow more time to vet appropriate ATCs and clarify details within the proposals.
3. The ATC process would have been much more effective if sufficient time had been provided to develop real engineering solutions. Many of the significant cost saving ideas were abandoned because there was not enough time to develop sufficient engineering data for a reliable bid estimate. If this would have been a conventional design-build project, the time allotted would have been adequate because design-build teams start brainstorming and developing ATCs early in the pursuit.

4. Yes, the response time was adequate. The ALDOT staff was very responsive to ATC proposals and providing their comments/clarifications/concerns back to the contractor for further resolutions. Doing so, allowed the contractors to evaluate and decide on which ATCs to proceed with and which ones to abandon.
5. The review process was both helpful and necessary to develop feasible concepts quickly. It does work best to have face-to-face meetings with the disciplines involved to be able to resolve any issues that might delay the development of ATC ideas, as ALDOT did. A good process was followed but more time would have allowed for the development of full engineering concepts for the most effective optimization of the design and cost savings.
6. There were numerous opportunities to save time and money. Time constraints during the procurement to fully develop all of the ideas were insufficient. The limitations outlined in the RFP also nullified significant opportunities for time, cost and user impact savings.
7. For the time constraints during this procurement, the limited number of ATCs was appropriate although it had a minimal impact on developing a final proposal.
8. Design-Build would likely have provided the best value for this type of project. It would have allowed the contractor more control to develop an efficient design to match construction methods. The bid form requirement for incorporating ATC's into a contractor's proposal was very difficult to implement due to potential errors that could lead to an unresponsive bid.

## ALDOT Reaction

### Lessons Learned

- *Challenges of ATCs* – ATC's were new to the Department at this time. Numerous processes had to be established to review and then to include them in the bid. ALDOT is now in a better position to be able to use ATC's on future projects.
- *Challenges of time constraints* – As can be seen in the above schedule and in contractor responses #2 & #3 above, there was a compressed time frame for the contractors to develop ATC's. It would be beneficial to the contractors to allow more time for brainstorming ideas and vetting them internally. At least an additional month before the due date of the ATC's would benefit the contractors, and in turn, the Department.
- *Challenges of placing restrictions on what could/could not be ATC'd* – The Department chose to not allow ATC's on core project features. While this may have limited the full gamut of ATC's that could have been proposed, it also spared wasting time on an ATC that would not be approved. This was a practice that will be retained.
- *Coordination was challenging due to the fast pace* – The Department reviewed and commented on the ATC's in the time allotted in the schedule. If there had been more ATC's proposed, and/or more contractors it would have been difficult to respond with meaningful review comments. Along with allowing more time for the contractors to develop ATC's, more time to review should be added in future RFP's for ATC's.

- *Successful contract, but these are some of the things we would change for any future projects with ATCs – As mentioned above in comments #3 and #8 above, a Design/Build project would be more conducive to getting full contractor ideas and ingenuity.*

# Attachment 1

## ACIMF-I059(385) and ACIMF-I059(394)

January 5, 2017

### Introduction

Pursuant to Title 23-1-40, the Alabama Department of Transportation (ALDOT) has issued this Request for Proposals (RFP) to solicit competitive bids and proposals from Design-Build Firms (Firm) for the design and construction of Project Numbers ACIMF-I059(385) and ACIMF-I059(394) in Jefferson County. The purpose of these projects is to replace the structurally deficient and functionally obsolete bridges along I-59/20 and improve traffic operations through the City of Birmingham's Central Business District (CBD). These projects begin at the I-59/20 and I-65 junction in Birmingham and end at the I-59/20 north of the 31<sup>st</sup> Street North interchange. The scope of work is shown in the attached plans and includes, but is not limited to, reconstructing the access into downtown Birmingham from the north/east, reconstructing portions of the Elton B. Stephens/Red Mountain Expressway interchange, replacement of the mainline CBD bridges and drainage/surface street improvements underneath the CBD bridges. The length of these projects is approximately 2.5 miles.

The attached plans have been developed in accordance with the ALDOT 2012 Standard Specifications, as modified by Special Provisions, and the approved design criteria. These projects must be constructed in accordance with ALDOT 2012 Standard Specifications, policies, procedures and guidelines. Any modifications to the plans as proposed by the Firm must also conform to these standards unless otherwise approved by ALDOT.

The Right of Way, as shown in the attached plan assemblies, has already been acquired by ALDOT. The required utility relocations are ongoing to accommodate the design as also shown in the attached plan assemblies. ALDOT has obtained the required environmental clearances and interchange modification study (IMS) approvals for this design. Any variations that the Firm would propose affecting the acquired Right of Way, approved environmental document, or IMS will be covered under the Alternative Technical Concepts (ATC) Section.

This RFP does not exhaustively list or mention all governing specifications, special provisions, plan requirements, etc. The Firm's attention is called to Article 102.05 regarding the examination of all contractual documents prior to submitting a proposal.

### General Description of Work

#### ***Access into/out of Downtown Birmingham***

The Firm will be required to construct new access from I-59/20 Southbound to the intersection of 25<sup>th</sup> Street and Richard Arrington Jr Boulevard, as well as a return access from the same intersection to I-59/20 Northbound. This work will also include modifying all existing access between I-59/20 and 31<sup>st</sup> Street North.

#### ***Elton B. Stephens/Red Mountain Expressway Interchange Modifications***

The Elton B. Stephens/Red Mountain Expressway (RME) Northbound Ramp to I-59/20 Northbound will be widened to two (2) lanes, twelve (12) feet wide each, plus varying inside and outside shoulders. This will include widening the existing bridge on I-59/20 Northbound over 28<sup>th</sup> Street North. The RME Northbound Ramp to I-59/20 Southbound will be reconstructed as two (2) lanes, twelve (12) feet wide each, with four (4) foot inside and ten (10) foot outside

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shoulders during the same time period as the mainline CBD bridges are being reconstructed. The Ramp from I-59/20 Northbound to RME Southbound will also be partially reconstructed during the same time period as the mainline CBD bridges are being reconstructed.

***I-59/20 at I-65***

The Ramp from I-59/20 Southbound to I-65 Southbound and the ramp from I-65 Northbound to I-59/20 Northbound may both be widened during the same time period as the mainline CBD bridges are being reconstructed and no traffic is using the ramps. If the Firm elects to perform this work outside of the mainline closure period, appropriate lane closure or roadway closure rental rates may be assessed.

***Mainline CBD Bridges***

The mainline CBD Bridges that begin just west of 15<sup>th</sup> Street North and end just east of the Norfolk Southern Railroad Crossing shall be reconstructed using concrete segmental construction only. Each roadway shall be constructed as an independent bridge with three (3) each twelve (12) foot through lanes, twelve (12) foot auxiliary lanes and ten (10) foot inside and outside shoulders. The number of foundations and locations as shown in the attached plans are fixed based on the utilization of the space underneath the bridge in a future project. However, the type of foundations can be proposed as an ATC.

Casting yards shall be the responsibility of the Firm. The Firm shall also be responsible for securing the location(s), negotiating terms of use and obtaining any necessary permits, clearances and other considerations required to operate the casting operation.

***Lighting***

The Interstate roadway lighting will be a combination of high mast lighting and bridge mounted lighting as shown in the plans. Bridge mounted lighting shall be used on the mainline CBD bridges from east of 17<sup>th</sup> Street North to west of 23<sup>rd</sup> Street North.

Aesthetic lighting will be incorporated underneath the mainline CBD bridges, on the bridge substructure, and using ground mount installations. Bridge mounted aesthetic lighting shall include general area lighting, column aesthetic lighting, and segmental external web aesthetic lighting. All bridge mounted aesthetic lighting shall be capable of being wirelessly remote controlled for light level. Red, green, and blue (RGB) color changing LED lights shall be used for column aesthetic lighting and segmental external web aesthetic lighting and shall be capable of being wirelessly remote controlled. Ground mounted aesthetic lighting shall be in accordance with the Birmingham City standard and the attached plans. Each lighting control center shall be equipped with a photocell capable of energizing and de-energizing the system.

***Surface Streets***

Surface streets shall be constructed, reconstructed, or resurfaced all in accordance with the attached plans. Pedestrian facilities shall be constructed at a minimum to a level shown in the plans. The section of 9<sup>th</sup> Avenue North between 19<sup>th</sup> Street North and Richard Arrington Jr Boulevard shall be constructed as a colored, stamped concrete pavement such that the outside

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edges are flush with the adjacent pedestrian facilities, except for minimal profile transitions at each end. The alignment of 9<sup>th</sup> Avenue North between 15<sup>th</sup> Street North and 23<sup>rd</sup> Street North shall match the alignment shown in the attached plans. All on-street parking areas and off-street parking areas shall be constructed in accordance with the attached plans.

***Drainage***

The plans, as provided, show detention areas and a concrete drainage culvert between 19<sup>th</sup> Street North and 25<sup>th</sup> Street North. The intent of these drainage features is to provide overflow relief from the existing drainage structure conveying Valley Creek on the east end of the projects, to intercept the surface street drainage between 19<sup>th</sup> Street North and 25<sup>th</sup> Street North, and to capture the CBD mainline bridge drainage.

***Demolition***

No demolition of the mainline CBD bridges may begin until downtown access ramps are open to traffic on the east end of this project and the adjacent ACIMF-I059(383) project has traffic operating in its permanent location. Partial demolition on ramps may be proposed as an ATC where the Firm has provided alternate access into and out of downtown.

Demolition may be limited by Birmingham's noise ordinance. Any waivers requested or granted for the noise ordinance will be the responsibility of the Firm.

***Maintenance of Existing Bridge Structure Prior to Demolition***

The Firm will be responsible for maintaining the existing roadway network within the scope of these project limits as per ALDOT Standard Specifications. This will include the CBD mainline bridges.

***Miscellaneous Work Request***

These projects are within 20,000 feet of an international airport and may require FAA clearance for the erection of cranes and other equipment that may exceed a 100:1 surface from any point on the runway.

Oversized and/or overweight permitting shall be the responsibility of the Firm and shall be obtained as necessary from the City of Birmingham and ALDOT for all construction operations.

## **Interchange Modification Study**

The lane configurations and geometrics as shown in the attached plans have been approved by the Federal Highway Administration (FHWA) through the Interchange Modification Study (IMS) for this project. The approved IMS is attached for the Firm's review and information.

## **Environmental Document**

The Environmental Document for this project was a Finding of No Significant Impact (FONSI) and was approved by FHWA on June 25, 2015. The acquired Right of Way limits shown on the plans represent



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the environmentally cleared limits. The approved FONSI is attached for the Firm's review and information.

## Railroad

An Agreement between ALDOT and Norfolk Southern is in place; however, close coordination will be required when the Firm is working in and around the Railroad Right of Way. Special shoring requirements are shown in the attached plans for the use of an underslung truss during segment erection over the railroad tracks. The Firm will need to coordinate with the railroad if other means are proposed for segment erection over the tracks and will be solely responsible for securing approval of the railroad for any variation from the attached plans.

## Maintenance of Traffic

The Firm will be responsible for maintenance of traffic as shown in the attached plans. Any variation from the attached plans must conform to the Manual for Uniform Traffic Control Devices (MUTCD), 2009 edition and current applicable ALDOT special and standard drawings. Any variations proposed by the Firm must have the approval of ALDOT prior to being implemented in the field.

The Firm may propose an ATC for the maintenance of traffic during the construction of these projects. A temporary minimum lane width of eleven (11) feet shall be maintained for the interstate roadway lanes and ramps, with a temporary minimum shoulder width of one (1) foot, if adequate drainage is maintained to minimize spread encroaching into open traffic lanes. Surface streets shall maintain a temporary minimum lane width of ten (10) feet without encroaching into gutters or onto drainage inlets.

The Firm shall keep a minimum of one northbound and one southbound surface street accessible to vehicles and pedestrians at all times during construction in the following areas:

- Between 15<sup>th</sup> Street North and 18<sup>th</sup> Street North (these streets will accommodate pedestrian access between the Fountain Heights Environmental Justice community and the Birmingham CBD)
- Between 19<sup>th</sup> Street North and 23<sup>rd</sup> Street North
- Between 24<sup>th</sup> Street North and 25<sup>th</sup> Street North

## Lane Closures

Lane closures may be used to facilitate construction operations and are further defined in Special Provision 12-1972. Any rolling roadblocks, single lane closures, double lane closures, ramp closures, or complete roadway closures that the Firm plans to implement, with the exception of demolishing and reconstructing the mainline CBD bridges, shall be in accordance with the Traffic Control Notes in the provided plans. The Firm shall also coordinate with the Engineer and with the local government entities for all traffic restrictions and/or work restrictions that are not listed in the Traffic Control Notes.

All closures that are within the time frames shown in the Traffic Control Notes are considered free lane closures and will be allowed at no cost to the Firm. Closures outside of the time frames shown in the Traffic Control Notes will be assessed a rental rate in accordance with Special Provision 12-1972 depending on the following criteria:

- Location of closure(s)

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- Day of the closure(s)
- Time of day of the closure(s)
- Number of lanes closed

### Right of Way Acquisition

All required Right of Way has been acquired per the attached plans. The Firm has right of entry to all properties shown on the attached plans for the purposes of constructing the projects. No property has been acquired for the purpose of constructing or operating a casting yard by ALDOT. All property required for constructing or operating a casting yard is considered separate from the acquired Right of Way and is considered the sole responsibility of the Firm.

### Utility Coordination

Utility companies have begun relocation efforts in accordance with the known conflicts based on the attached plans. All utility companies are considered reimbursable for their relocation efforts in accordance with the attached plans. If unknown conflicts arise during the course of construction in accordance with the attached plans, ALDOT will be responsible for reimbursement of the required work. If ALDOT approves variations of the attached plans at the request of the Firm, and utility conflicts arise as a result of such variations, the Firm will be responsible for reimbursement of any additional utility work required.

An existing 115kV buried power transmission line runs along 9<sup>th</sup> Avenue North from 15<sup>th</sup> Street North to 23<sup>rd</sup> Street North and turns south, where it continues along 23<sup>rd</sup> Street North until it reaches the power sub-station south of I-59/20. Special care must be taken when working in the vicinity of this buried power line. Special requirements are noted in the attached plans concerning vibration monitoring while working near this line, special back fill requirements, and the overall exposure of the line.

An overhead transmission power line crosses the Mainline CBD bridges near 23<sup>rd</sup> Street North. This line may conflict with the construction activities required for the demolition and reconstruction of the mainline CBD bridges. The Firm will need to coordinate any potential de-energization of this line with Alabama Power Company or make provisions to work around the line while energized. Contact information for Alabama Power Company Transmission is shown in the attached plans.

Due to the age and material of underground utilities in the vicinity of the mainline CBD bridges, there are ground loading restrictions on construction activities to provide protection for these underground facilities. Load mats are required in areas shown in the attached plans for use under construction equipment and activities. It shall be the responsibility of the Firm to reimburse and/or replace any damaged utilities due to construction activities.

### Coordination with Adjacent Contractors

The Firm will be responsible for coordinating any overlapping work areas with on-going construction projects. The Firm will be responsible for coordinating roadway and street closures with adjacent projects to ensure that any traffic impacts will be minimized.

## Coordination with the City of Birmingham

The Firm shall be responsible for securing all necessary permits through the City of Birmingham. The Firm shall be responsible for adhering to all applicable regulations and ordinances.

## Disadvantaged Business Enterprise

This project is subject to a goal of 8% participation by Disadvantaged Business Enterprise (DBE). The Firm will be required to submit a utilization plan for DBE participation within five (5) calendar days of the proposal, and the plan must conform to the requirements listed in Special Provision 12-0095(2). The DBEs must be certified through the Alabama Unified Certification Program (ALUCP) for the categories of work listed on the plan. Failure to submit a DBE participation plan within five (5) calendar days of the bid proposal will result in rejection of the proposal.

## Alternative Technical Concepts

Alternative Technical Concepts (ATCs) are encouraged as a part of the Firm's bid proposal. Any ATC proposed must either conform to the current standards, specifications, policies, procedures, and guidelines of ALDOT or the Firm shall be responsible for providing adequate documentation for ALDOT's review and determination as to acceptance. The Firms are responsible for all costs associated with developing and finalizing all ATC proposals. The Firm must identify and group together unique pay item numbers that will be submitted as an ATC. Each ATC must contain only the related unique items relative to the proposed alternative. If multiple alternatives are proposed, each grouping shall be considered a separate ATC proposal. Once the Firm has identified and grouped the unique pay item numbers together for each ATC, they shall develop a proposed concept for submittal to ALDOT for consideration. ALDOT will appoint an ATC review committee to make a determination concerning each proposed ATC and officially respond to the Firm concerning each individual ATC. The response shall include either acceptance, conditional acceptance, or denial, and any stipulation for such. The response may also include a determination that the proposal does not qualify as an ATC because it is already allowed or contemplated by the original RFP and ATC approval is not required. The Firm will then have fourteen (14) additional days to address any stipulations and resubmit for final acceptance. ALDOT will then give a final determination as to acceptance or denial of each individual ATC before the final bid proposal is completed and submitted. A maximum of ten (10) individual ATC proposals will be accepted.

All ATC correspondence shall be made through the State Office Engineer.

The Firm will have the option to bid the plans as shown or propose ATCs for any component that is not included in the following list of mandatory requirements:

- Concrete segmental bridge on mainline CBD bridges
- Location and maximum number of segmental bridge foundations on mainline CBD bridges
- Interstate roadway bridge mounted lighting on mainline CBD bridges from approximately 17<sup>th</sup> Street North to 23<sup>rd</sup> Street North
- LED lighting fixtures for all roadway lighting and designated aesthetic lighting
- Twelve (12) foot permanent lane widths and shoulder widths as shown on the attached plans
- Holophane ground mounted decorative lighting on surface streets as shown on the attached plans

## Attachment 1 RFP for ATC's

As a part of the bid proposal submitted by the Firm, a lump sum price for each accepted ATC must be included, as well as a unit bid price for each unique item included as a part of each ATC. The unit bid price will be used only for the purpose of additional work requested by ALDOT that is beyond the limits shown in the attached plans. The lump sum price for each ATC will govern in determining the original contract price. If no work is requested beyond the limits shown in the attached plans, the lump sum price will be the basis for payment of the required work. If work is requested and performed beyond the limits shown in the attached plans, the lump sum price will be the basis for payment for the original work shown in the plans and the unit bid prices will be the basis for the additional work.

If the Firm proposes any ATC that will require a modification of the currently approved environmental document or the approved IMS, it shall be the Firm's sole responsibility to prepare any and all documentation required for the changes and secure the approval of ALDOT and FHWA. If an Approved ATC will require a design exception or variance, an addendum to the RFP will be issued to all Firms notifying them of the approved design exception(s) or variance(s). Such a change will require approval by FHWA, as applicable. Prior to approving ATCs which would result in the issuance of an Addendum as a result of a design exception and/or variance, the Firm will be given the option to withdraw previously submitted ATC proposals. The time required to perform this work and secure the necessary approvals must be accounted for in the Firm's proposed timeline of work.

The Firm's engineer shall become the engineer of record for any approved ATC. Any engineer of record shall be properly licensed in the State of Alabama to offer professional engineering services at the time of submittal of written certifications concerning proposed ATCs.

### Confidentiality

All ATC proposals, whether accepted or not, shall remain confidential throughout the solicitation process. Each Firm shall retain the rights of disclosure of their own proposed ATCs until contract award. After contract award, all ATCs of the successful Firm, whether accepted or denied, shall become the property of ALDOT and ALDOT retains the right to utilize them on these projects and any subsequent project without any obligation to the Firm or the engineer of record. This provision is not intended to deny rights provided by law with respect to patented materials or processes.

The Project file will clearly document all communications with any Firm but will remain confidential until the contract is awarded.

### One-on-One ATC Discussions

Prior to any Initial ATC submittals, each Firm may request Individual One-on-One ATC discussion meetings in order for the Firm to describe proposed changes to the supplied project plans, project scope, design criteria, and/or construction criteria. The purpose of the Individual One-on-One ATC discussion meeting is to discuss the ATC proposals, answer questions that ALDOT may have related to the ATC proposal, review other relevant information and when possible establish whether the proposal meets the definition of an ATC thereby requiring the submission of a formal ATC proposal. The meeting should be between representatives of the Firm and/or the Engineer of Record and ALDOT as needed to provide feedback on the ATC proposal.

In order to ensure a favorable approval of the Firm's Proposal is achieved, the Proposal shall be discussed during these meetings. These meetings are intended to give Firms an opportunity to explain

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their approach, provide information as needed, and obtain feedback from ALDOT staff on the feasibility of the proposal.

All One-on-One ATC Discussions shall be coordinated through the State Office Engineer.

### Submittal of ATC Proposals

All Initial ATC submittals must be in writing and may be submitted at any time following the RFP being issued to Firms but shall be submitted prior to the deadline shown in the Schedule of Events of this RFP for Initial ATC submittals. Individual ATC meetings will be held with each Firm to discuss the Initial ATC Submittal with the appointed ATC review team. The Firm shall provide, at least one week prior to the scheduled Individual ATC meeting shown in the Schedule of Events of this RFP, a preliminary list of ATC proposals to be reviewed and discussed during the meetings. This list may not be inclusive of all ATCs to be discussed but it should be sufficiently comprehensive to allow ALDOT to identify appropriate personnel to participate in the Individual ATC meetings.

Any Initial ATC submittals that are required to be on roll plots shall be no larger than 36" wide but shall be of sufficient size that they are clearly legible. Each submittal shall be sequentially numbered and include the following applicable information and discussions:

- a) Description: A description and conceptual drawings as needed of the configuration of the ATC or other appropriate descriptive information, including, if appropriate, product details and a traffic operational analysis;
- b) Usage: The locations where and an explanation of how the ATC would be used on the Project;
- c) Deviations: References to requirements of the RFP which are inconsistent with the proposed ATC, an explanation of the nature of the deviations from the requirements and a request for approval of such deviations along with suggested changes to the requirements of the RFP which would allow the alternative proposal;
- d) Analysis: An analysis justifying use of the ATC and why the deviation, if any, from the requirements of the RFP should be allowed;
- e) Impacts: A preliminary analysis of potential impacts on vehicular traffic (both during and after construction), environmental impacts, community impacts, safety, and impacts on the cost of repair, maintenance, and operation;
- f) Risks: A description of added risks to the Department or third parties associated with implementation of the ATC;
- g) Quality: A description of how the ATC is equal or better in quality and performance than the requirements of the RFP;
- h) Operations: Any changes in operation requirements associated with the ATC, including ease of operations;

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- i) Maintenance: Any changes in maintenance requirements associated with the ATC, including ease of maintenance;
- j) Anticipated Life: Any changes in the anticipated life of the item comprising the ATC;
- k) Engineer's Certification: The Firm's Engineer of Record shall provide a written certification signed and sealed confirming the renderings being submitted can be designed and constructed as depicted.

The Final ATC Proposals shall only be required in the event that conditional acceptance is given to an Initial ATC Proposal. Final ATC Proposal submittals shall include only the additional information required by the ATC review team to determine final acceptance or denial.

### Review and Approval of ATC Submittals

After receipt of the Initial ATC submittal, the appointed ATC review team will review and respond to the Firm in writing within fourteen (14) calendar days of the date of the Individual ATC Meeting as to whether the ATC is accepted, conditionally accepted, denied, or does not require an ATC submittal. If the ATC review team conditionally accepts an Initial ATC proposal and determines that more information is required, the ATC review team shall prepare questions and requests for additional information to request and receive responses from the Firm. If the review will require additional time, the Firm should be notified in advance of the fourteen (14) calendar day deadline with an estimated timeframe for completion. The Firm will then have fourteen (14) calendar days make any corrections, changes, or provide additional information as requested before making a Final ATC Proposal submittal.

After receipt of the Final ATC Proposal submittal, the review committee will respond to the Firm within one (1) business day by email but will follow up by letter within seven (7) calendar days of the Final ATC submittal due date as to whether the ATC Proposal is accepted or denied. If the review team determines more information is required for review of the Final ATC Proposal submittal, questions and requests for additional information will be provided to the Firm for response within one (1) business day on the due date for the Final ATC submittals. The Firm shall provide any requested information within forty-eight (48) hours. If the review committee will require additional time, the Firm should be notified in advance of the deadline with an estimated timeframe for completion.

ALDOT reserves the right to disclose to all Firms, via an Addendum to the RFP, any errors of the RFP that are identified during the One-on-One ATC meetings, except to the extent that ALDOT determines, in its sole discretion, such disclosure would reveal confidential or proprietary information of the ATC.

### Incorporation of Approved ATCs into the Proposal

The Firm will have the option to include any of its ALDOT Accepted ATCs in the proposal. The proposal price should reflect any incorporated ATCs. All of the Firm's accepted ATCs that are incorporated into the proposal must be clearly identified. The proposal shall also include a listing of the Firm's incorporated, accepted ATCs. If a Firm's proposal includes deviations from an accepted ATC Proposal or an ATC Proposal that has not been accepted, the proposal may be found non-responsive.

**ALDOT reserves the right to reject any and all ATC proposals at its sole discretion for any reason. The Firm acknowledges by submitting a bid proposal that ALDOT has the sole discretion to exercise this**

## Attachment 1 RFP for ATC's

**right.** ALDOT reserves the right to issue an Addendum to the RFP based upon a previously denied ATC Proposal, without regard to the confidentiality of the denied ATC Proposal.

### Bid Proposal Document

The Firm is required to complete, print, and submit a signed original of the attached Bid Proposal Documents, as well as an electronic copy. These documents include a schedule of all unique items, with a unit bid price and an extended total based on the quantities shown on the bid documents. If there is a discrepancy in the price extension, the unit price of the item will control.

Accepted ATCs will be submitted in the bid proposal by indicating the unique pay items that will be included in each accepted ATC on a separate worksheet that is attached to the bid proposal. These unique pay items will then be given a \$0.00 value in the unit bid prices for each line item in the bid proposal if all quantities are included in the ATC. If the quantities for a unique pay item are proposed to be only partially used in an ATC, then the adjusted quantity to remain as part of the base bid proposal will be shown in the appropriate column on the bid proposal and the unit price included for the remaining quantity. All ATC reductions that have a remaining quantity in the base bid shall have a separate written justification for the quantity shown in the base bid and for the quantity proposed to be used in the ATC. Any ATC that is proposed to partially use a lump sum item will be reflected in the unit price for that item only. The Firm shall not reduce the quantity in the bid proposal for that lump sum item (i.e. 1 each lump sum cannot be changed to 0.75 each but rather a lump sum bid of \$100 for 1 lump sum would be changed to \$75 for 1 lump sum with the remaining price shown in the ATC worksheet as \$25 for 1 lump sum). The ATC worksheet will have a place to indicate the unique pay item numbers included in the proposed ATC and a lump sum price for each accepted ATC. That lump sum price will be shown on the bid proposal on the line items for each accepted ATC proposal. The ATC worksheet shall also include a list of each proposed component that makes up the ATC and a unit bid price for each, so that any work requested beyond the original scope can be paid by unit prices rather than renegotiating the lump sum price.

All ATC proposals shall be submitted on the appropriate ATC worksheet. Each ATC shall be listed in numerical order (ATC1, ATC2, etc.) and the lump sum total will be carried over to the bottom of the bid proposal sheet. If there is a discrepancy in the lump sum amount shown on the ATC worksheet and the Bid Proposal Documents, the ATC worksheet lump sum amount will be used in determining the Total Bid Proposal amount.

### Proposal Guaranty

Each Firm shall be required to file with their bid either a certified check or a bid bond payable to ALDOT for an amount not less than five percent of ALDOT's estimated cost or of the Firm's bid, but in no event more than \$50,000.00. Such bid guaranties as provided in this section shall constitute all of the qualifications or guaranty to be required of each Firm as prerequisites to bidding.

### Bid Opening

Bids must be received by April 14, 2017 at 10 am at the ALDOT Central Office at 1409 Coliseum Blvd, Montgomery, Alabama 36130. Bids must be turned in to the State Office Engineer prior to 10 am to be considered responsive. Bids will be publicly opened and read aloud. The order of bidders will then be

## Attachment 1 RFP for ATC's

submitted to the Transportation Director for final approval. The successful bidder will be issued a notice of award within ten (10) calendar days from the date of bid submittals of the selected Firm.

### Contract Duration

The Contract Time for these projects will have a calendar end date of **November 1, 2020**. An incentive/disincentive shall be applied for every calendar day beyond the end date that the work is not substantially complete in accordance with Special Provision 12-1865-R.

### Clarifications

ALDOT reserves the right to award a contract on the basis of initial responses received; therefore, each response shall contain the Firm's best terms and conditions from a technical and cost standpoint. ALDOT reserves the right to conduct clarifications with one or more Firms. All communications and clarifications shall be conducted in a manner that supports fairness in response improvement.

Clarifications: ALDOT may identify areas of a response that may require further clarification or areas in which it is apparent that there may have been miscommunication or misunderstandings as to ALDOT's specifications or requirements. ALDOT may seek to clarify those issues identified during one or multiple clarification rounds. Each clarification sought by ALDOT may be unique to an individual Firm, provided that the process is conducted in a manner that supports fairness in response improvement.

If ALDOT determines that it is unable to successfully execute a contract with the apparent low bid Firm, ALDOT reserves the right to bypass that Firm and enter into a contract with the next apparent low bid Firm.

### Selection Criteria

The contract will be awarded on the basis of the lowest responsible and responsive bid.

### RFP Schedule of Events

The following RFP Schedule represents ALDOT's best estimate for this RFP.

Event	Date
Project Mandatory Pre-Bid Meeting	October 13, 2016
RFP issued to Firms	January 5-6, 2017
Initial ATC Proposals Due/Individual ATC Meetings	February 3, 2017
ATC Review Committee's Initial Response to each Firm	February 17, 2017
Final ATC Submittal	March 3, 2017
Bid Submittals to ALDOT	April 14, 2017
Notice of Award	April 24, 2017
Issue Notice to Proceed to awarded Firm	May 19, 2017
Time Charges Begin	May 30, 2017



## Attachment 1 RFP for ATC's

**ALDOT reserves the right, at its sole discretion, to adjust the RFP Schedule of Events as it deems necessary.** Any adjustment of the Schedule of Events shall constitute an RFP amendment, and ALDOT will communicate such to all prospective Firms.

### Quality Control (QC) and Quality Assurance (QA)

The requirements for quality control will be addressed in a revision to this RFP at a later date.

### Incentive/Disincentive

There are two (2) incentive/disincentive provisions for the work in this contract, which are outlined in Special Provision 12-1865-R. The first incentive/disincentive period is for the work required for the CBD bridges defined in Baseline Time and the second period is for Substantial Completion of the all work required before the expiration of contract time.

### Schedule of Payment for ATCs

The successful Firm shall provide a schedule of values for each accepted ATC Proposal. Special Provision 12-2095 shall be used to determine the payment of the lump sum pricing for accepted ATC proposals that are included in the contract documents.

If any unique item numbers are included in an ATC and have a remaining quantity in the base bid, that remaining quantity shall be fixed except for differing site conditions, design errors or extra work.

If for any reason the successful Firm bids an ATC and then is unable to construct it as proposed, the lump sum amount will still be the basis for payment for the required work. The payment will still be paid as a percentage of the work complete, but will be based on a new schedule of values that the Firm must submit for approval prior to beginning the work affected by the proposed ATC. If the Firm fails to submit a new schedule of values, no payment will be made until either a schedule is submitted and approved or until the work for that ATC is complete.