



Request for Qualifications Progressive Design-Build Services

Thurston County Infrastructure Upgrade Project

Submittal Deadline

April 19, 2023 12:00 PM Pacific Time

**Thurston County – Court Complex Renovation
March 30, 2023
Progressive Design-Build Services**

TABLE OF CONTENTS

- 1.0 INTRODUCTION**
- 2.0 PROJECT DESCRIPTION**
- 3.0 SCOPE OF PROGRESSIVE DESIGN-BUILD SERVICES**
- 4.0 SELECTION AND AWARD PROCESS**
- 5.0 EVALUATION CRITERIA**
- 6.0 STATEMENT OF QUALIFICATION (SOQ) REQUIREMENTS**
- 7.0 REQUEST FOR PROPOSAL RESPONSE**
- 8.0 SUBMITTAL REQUIREMENTS**
- 9.0 REFERENCE DOCUMENTS**
- 10.0 DBE / MWBE / SMALL BUSINESS OUTREACH**
- 11.0 PROTEST PROCEDURE**
- 12.0 CONTRACTOR’S RESPONSIBILITY**

EXHIBITS

A: DRAFT PROGRESSIVE DESIGN-BUILD CONTRACT*

B: DRAFT GENERAL CONDITIONS OF PROGRESSIVE DESIGN-BUILD CONTRACT BETWEEN OWNER AND DESIGN-BUILDER*

***To be issued via addendum.**

1.0 INTRODUCTION

1.1 Project Overview and Reason for Using Progressive Design-Build Delivery

Thurston County Infrastructure Upgrade Project (the 'Project') includes design and construction services to renovate six existing office and court buildings on the main court campus in Olympia, WA.

Thurston County ('the County') government has occupied its current facilities since 1978. Many building systems are reaching the end of their life span. Major facility deficiencies are presently being experienced and are expected to worsen. The purpose of this project is to refresh and improve efficiency of spaces currently occupied by County staff. It is anticipated additional building upgrades will be needed in the future.

In accordance with RCW 39.10.300, et seq., the County will utilize a Progressive Design-Build (PDB) approach for the procurement and delivery of the Project, meaning the Design-Builder will be selected primarily on the basis of qualifications. This approach does not require design or a complete project price proposal during the selection process.

The County fully embraces the principles of collaboration and integrated project delivery that emphasize a cooperative approach to problem solving. The County expects the selected Design-Build Team, as part of the project team, to deliver this project by creating a culture of open and honest communication and establishing an environment where the team contributes its best efforts for the benefit of the project as-a -whole.

The County is utilizing the design-build alternative public works contracting procedure authorized under chapter 39.10 RCW. This project delivery method is appropriate for this project because it meets the following criteria listed in RCW 39.10.300:

- The construction activities are highly specialized, operations must be maintained, and a design-build approach is critical in developing the construction methodology, sequencing and approach;
- The project provides opportunity for early collaboration and greater efficiencies between the designer and the builder; and
- Significant savings in project delivery time, as well as transparent pricing would be realized.

1.2 Design-Build Delivery Goals and Objectives

The County is utilizing PDB because of its ability to improve project outcomes, expedite project delivery and enhance the project delivery experience for all team members. To this end, the County has the following expectations of the selected Design-Build team:

- Maintain a consistent team throughout design & construction.
- Embrace a collaborative, integrated team approach with the County, OAC Services (OAC) and the Design-Build Team, all focused on the best interest of the Project.
- Deliver reliable estimates to help inform the program budget and scope.
- Provide high quality design services, including stakeholder engagement, document development, permitting and construction administration.
- Provide high quality pre-construction consulting services, including accurate cost estimating, phasing, scheduling, and constructability.
- Provide design and construction innovations and technology to maximize cost and schedule efficiency, limit waste, and avoid re-work.

- Implement design and construction processes which enhance project safety and reinforce a goal of zero recordable incidents.
- Implement innovative strategies to solicit and manage subcontractor and supplier bidding to obtain competitive pricing from high quality vendors and achieve MWBE goals.
- Successfully outreach to local, small, minority-owned, and disadvantaged businesses who can participate during design and construction.
- Provide efficient document and workflow management systems, including web-based collaboration tools to streamline typical project workflows and document controls.
- Provide comprehensive project closeout services, planned well in advance, including record drawings.
 - No significant operational issues arising during commissioning and startup.
 - Operational and maintenance requirements of all systems clearly understood before substantial completion.
 - Provide robust training for the County's maintenance and custodial staff members.

1.3 Pre-Proposal Meeting:

There will be a pre-proposal meeting for this project on Thursday, April 6, 2023 at 1:00 p.m. The conference will be held via Zoom. The particulars of the project, the selection process, schedule, and the elements of the contract will be discussed. The intent of the pre-proposal meeting is to provide clarity surrounding the requirements of this solicitation.

Questions are encouraged during the meeting, though verbal responses will not be binding, if clarifications made to the solicitation are deemed material by the County, an addendum will be issued formalizing such clarifications.

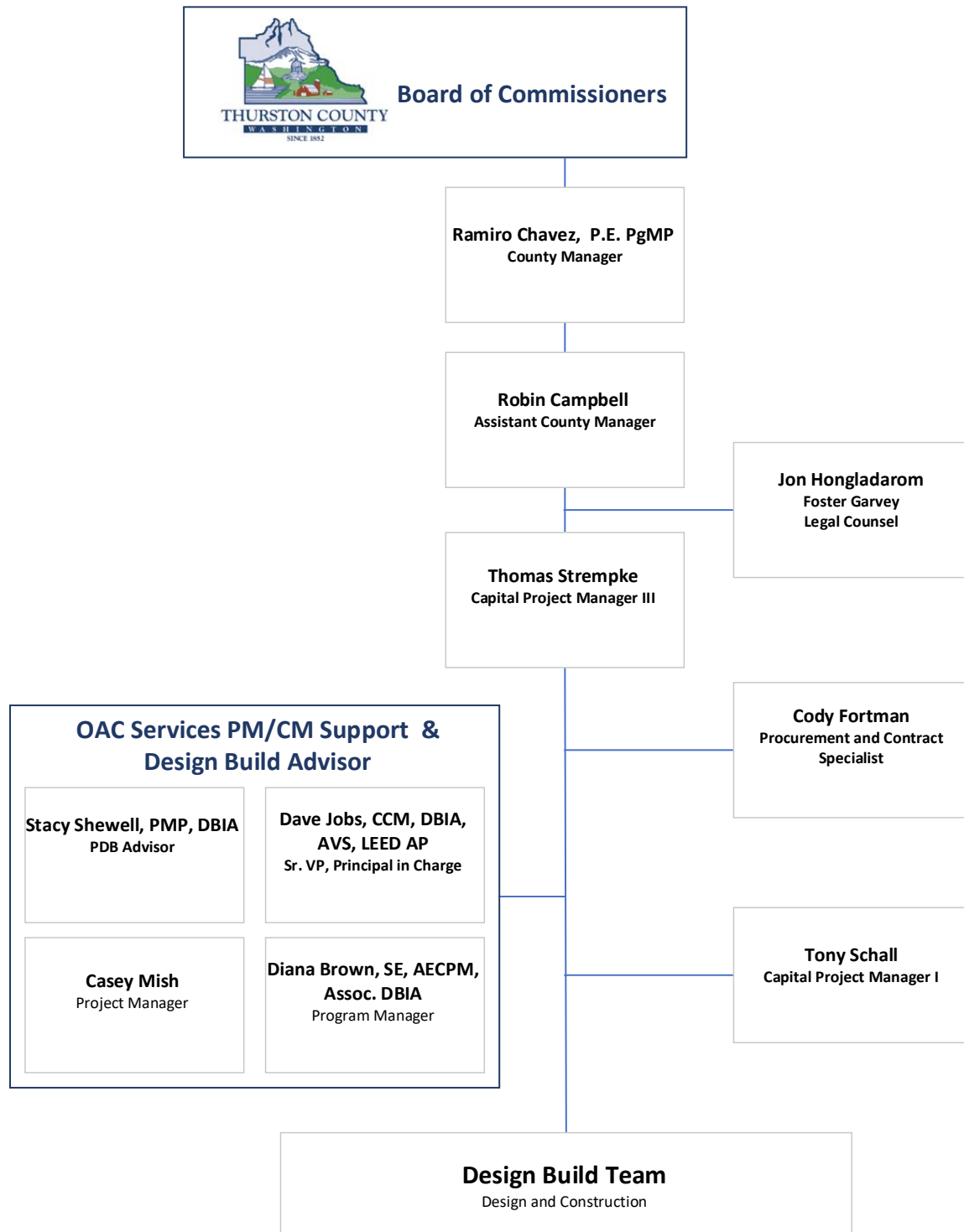
Join the meeting via this Zoom link:

<https://oacsvcs.zoom.us/j/83058866002?pwd=OGZSWXhsNVZiYkxhbDBBYIU3VWtDUT09&from=addon>

1.4 Expenses of Proposer and Payment of Honorarium:

All costs incurred by firms choosing to participate in the Request for Qualifications (RFQ) portion of this competitive solicitation process shall be the responsibility of the proposing firms. In accordance with RCW 39.10.330, the County will pay an honorarium in the amount of fifteen hundred (\$1,500) dollars to the short-listed, responsive, Finalists selected to participate in the Request for Proposals (RFP) portion of the solicitation, but who are not awarded the Progressive Design-Build Contract.

1.5 Owner Team



2.0 PROJECT DESCRIPTION

2.1 Project Scope

The Project will include renovation of approximately 191,000 square feet, across six buildings on the court campus, including space re-configuration, associated MEP adjustment, and modernization of finishes. The renovations which are between 10,000 and 60,000 SF per building will involve complex logistics between build out and move of various County departments, including: the Superior Court, the County Clerk, District Court, Pre Trial Services, Resource Hub, Prosecuting Attorney, Public Defender, and the Sheriff's Office administration. The project will be phased to minimize disruption of ongoing operations and will be implemented in both occupied and unoccupied spaces.

Project Goals:

- Minimize disruption of ongoing operations.
- Maximize the value received by the County for the funds available.
 - Minimize impact of escalation by fast tracking the project.
 - Minimize rework through careful planning and strategic investigations during design.
- Deliver updated spaces that honor the needs of impacted County departments.

2.2 Conceptual Project Estimate:

The following concept estimate attempts to identify how the project budget will be allocated between owner and Design-Builder costs, the values within may be adjusted based on input from the Design-Build team. The County does not have access to additional funds beyond the 'total project budget' identified.

Item	Budget
Estimated Design-Build Contract (inc. A/E Fee & Contingency)	\$37,000,000
Equipment & Furnishings	\$1,300,000
Contract Administration (Owner, CM, etc.)	\$2,500,000
Owner Contingencies	\$3,000,000
Other Project Costs (Permitting, Temp equipment)	\$1,700,000
Sales Tax	\$4,500,000
TOTAL PROJECT BUDGET:	\$50,000,000

2.3 Anticipated Design and Construction Schedule:

The County has selected PDB delivery to enable expedited speed to market for this project and will lean on the selected Design-Builder to optimize the schedule outlined below.

DESIGN & CONSTRUCTION PHASE	
Commence Design	August 2023
Project Definition Phase	Aug. 2023 – Nov. 2023
Design Completion and Permitting	Dec. 2023 – Aug. 2024
Construction	April 2024 – Dec. 2025
Final Completion <i>*(Potential, all buildings)</i>	December 2025

3.0 SCOPE OF PROGRESSIVE DESIGN-BUILD SERVICES

The County is seeking a highly qualified Design-Build Team with strong leadership skills that will engage as critical, integrated team members throughout design and construction.

During the design and preconstruction phase, the Design-Builder will be responsible for the following, as a fully integrated member of the County's project team. These and other services are described in more detail in the Contract Documents:

- Facilitation of and participation in weekly team coordination meetings.
- Development of project definition approach and schedule and execution of the process.
- Design services, including: planning and programming; development of comprehensive design that responds to County needs and requirements; construction and record documents as required.
- Permit drawings and coordination of permitting process.
- Conceptual cost estimating; target value design and baseline budget development and management; preparation of detailed cost estimates of developing designs and continual real time tracking of budget status.
- Risk identification and management to inform project contingencies.
- Project scheduling for all phases of the project, including project definition, design, buyout, construction, close-out, and move-in.
- Analyzing alternative designs; regular systems analysis; performing value-analysis, life-cycle cost studies and constructability input to the developing design.
- Studying labor conditions; understanding of construction methods and techniques, and phasing and sequencing of work.
- Early preparation of subcontract and supplier bid packaging plans, preparation of subcontract documents and selection process.
- Scheduling and conducting building investigations as necessary and/or collaboration with Owner consultants conducting these scopes of work.
- Identification of early award and long-lead packages and early procurement and award if required.

During the Construction phase, the Design-Builder's services shall also include the following. These and other services are described in more detail in the Contract Documents:

- Holding weekly project team meetings.
- Design contract administration services.
- Sub-contract administration.
- CPM schedule development, maintenance, and reporting.
- Sub-contract claims and impact analysis.
- Time and cost control, including claims mitigation.

- Quality control and assurance.
- Cost-transparency.
- Risk management.
- Safety management.
- The coordination and management of all construction activities.
- Payment of all materials, labor and equipment.
- Preparing all daily, weekly and monthly reports of progress, cost, quality issues, claims mitigation, and completion activities, and project records maintenance.

4.0 SELECTION AND AWARD PROCESS

The County is authorized and approved to contract for Progressive-Design-Build (PDB) services in accordance with Chapter 39.10 RCW. The County intends to award a contract for Design-Build services ("Design-Build Contract") utilizing a two-step competitive process to procure the most highly qualified Design-Builder with the strongest proposed team. Step One (100 points) will consist of a SOQ submittal, as set forth in Section 6 of this RFQ, and evaluated in accordance with the criteria set forth in Section 5. Based on evaluation of SOQs, the highest ranked firms will be invited to respond to the RFP, step two, which includes Interactive Meetings, Management Plan, and Fee Proposal (100 points). Scoring will be based on the combined total number of points received for the SOQ, Management Plan, and Phase One A Scope and Design-Builder's Fee Proposal. The selection process will adhere to the following:

4.1 Request for Qualifications (RFQ) Stage

- 4.1.1** This RFQ invites Design-Build Teams to submit their Statement of Qualifications (SOQ) per the criteria outlined herein.
- 4.1.2** SOQ's will be evaluated by the Selection Committee in accordance with the criteria defined in the RFQ and scored in a deliberative meeting to identify shortlisted, Finalist teams, who will be invited to respond to the RFP. No more than five teams will be shortlisted.
- 4.1.3** SOQ Scores will be carried forward for final selection.

4.2 Request for Proposals (RFP) Stage

- 4.2.1** The RFP stage will include: Interactive Meeting, Management Plan, and Phase One A Scope and Design-Builder's Fee Proposal.
- 4.2.2** The RFP will outline the evaluation criteria, and requirements of the Interactive Meeting, Management Plan, and Phase One A Scope and Fee Proposal.
- 4.2.3** Interactive meetings will occur during the proposal period and will be scored in accordance with the criteria outlined in the RFP.
- 4.2.4** Management Plans will be scored in accordance with the criteria outlined in the RFP.

4.3 Selection

- 4.3.1** The Design-Builder earning the highest combined score for RFQ and RFP steps of this procurement will enter negotiations with the County for the initial phase of the Design-Build Contract.
- 4.3.2** The County will initiate negotiations with the Finalist with the highest combined SOQ and Proposal score. If the County is unable to execute a contract with the highest scoring Finalist, negotiations with that Finalist may be suspended or terminated, and the County may proceed to negotiate with the next highest scored Design-Builder. The County will continue in accordance with this procedure until a contract agreement is reached or the selection process is terminated.

4.4 Post Award

- 4.4.1** The initial phase of work (Phase 1A) is anticipated to include: project definition (validation of scope, schedule and budget), planning, schematic design, preconstruction and selective building investigation services. The Phase 1A contract will be \$1,500,000. The RFP will ask Finalists to provide proposed scope, schedule for Phase 1A. Subsequent phases of work will be defined in collaboration with the County during Phase 1A.
- 4.4.2** Phase 1 will include all Design and Preconstruction Services, scope amendments may be made to this phase and will be contractually characterized with letter designations, A, B, etc. Phase 2 will include all Construction Services and will be incorporated to the contract via the GMP amendment/s, which may also include multiple amendments with letter designations.
- 4.4.3** GMP negotiations will occur pursuant to the Design-Build Contract when the scope of the project is adequately defined, and as mutually determined by the Design-Builder and the County. It is anticipated that a phased GMP approach will be most appropriate for this project.
- 4.4.4** Should the Design-Builder and the Owner not agree on satisfactory GMP/s that the County determines to be fair, reasonable, or within the available funds, the County may cancel the negotiations pursuant to the Design-Build Contract and may use information developed by the Design-Builder, including designs, for subsequent procurements associated with the project. The County reserves the right to contract directly with the Architect and design team if it is determined to be in the best interest of the project.

4.5 Design-Build Procurement Schedule

Phase	Date	Selection Process
RFQ	March 30, 2023	Advertisement for Request for Qualifications (First Notice)
(Step 1)	April 6, 2023	Advertisement for Request for Qualifications (Second Notice)
	April 6, 2023	Pre-proposal Meeting at 1:00 P.M. on Zoom. See Section 1.3 for link
	April 11, 2023	Last day for Proposers to Submit Questions (12:00 P.M.)

Phase	Date	Selection Process
	April 14, 2023	Last day for Owner Addenda
	April 19, 2023	Statements of Qualifications Due at 12:00 P.M.
	April 27, 2023	Notification of Shortlisted Finalists
RFP	May 3, 2023	Issue RFP to Shortlisted Finalists
(Step 2)	May 10-11, 2023	Interactive Meetings
	May 16, 2023	Last Day to Submit Questions, Contract Comments (12:00 P.M.)
	May 18, 2023	Last day for Owner Addenda
	May 24, 2023	Proposals Due at 12:00 P.M.
	June 2, 2023	Announce Highest Scoring Proposer
Contract	June 8, 2023-July	Contract Negotiations
	August 2023	Execute Design-Build Contract

4.6 Selection Committee

Voting members of the Selection Committee will be comprised of Thurston County staff and operations representative/s. OAC Services will facilitate the selection process and advise the Committee.

5.0 EVALUATION CRITERIA

All SOQs and Proposals received will be evaluated in accordance with the criteria defined below by the Selection Committee assembled by the County.

Statement of Qualifications (Step 1)

Letter of Interest	0 points
Proposed Team	40 points
Past Performance on Projects of Similar Scope and Complexity	40 points
Progressive Design Build Capability	15 points
Past Performance, utilization of DBE/MWBE/Small Business	5 points
Bonding Capacity	Pass/Fail
Subtotal SOQ Points Possible:	100 points

RFP Response (Step 2)

Management Plan	50 points
Interactive Meeting	35 points
Phase One Scope and Design-Builder's Fee Proposal	15 points
Subtotal RFP Response Points Possible:	100 points
Total Points Possible (SOQ+RFP Responses):	200 points

6.0 STATEMENT OF QUALIFICATION (SOQ) REQUIREMENTS (100 Points)

Respond to each of the items set forth below in a clear and concise manner, utilizing one voice as the Design-Build Team. The SOQ submittals shall be organized in a manner that will enable the Selection Committee to quickly assess pertinent information.

The County is not requesting and does not wish to see any conceptual design solutions or renderings as part of the SOQ response. If the Proposer submits design solutions their scoring may be negatively impacted.

All costs incurred in the preparation of SOQ's shall be borne by the Proposer.

The County reserves the right to reject any or all submittals and to waive any or all minor informalities or irregularities in any submittals or in the procurement procedure, and to accept any submittal presented which meets or exceeds the requirements of the RFQ.

Letter of Interest (0 points)

The letter of interest shall not be more than two (2) pages and may contain any information not shown elsewhere in the submittals. Proposer must acknowledge receipt of all addenda in their letter.

The letter must be signed by an executive of the firm who can contractually commit the Proposing firm(s) and its resources.

6.1 Proposed Team (40 points)

6.1.1 Organization Chart. Provide an organization chart showing proposed staff, firm affiliation, reporting relationships and key responsibilities for all phases of the project. Identify specific individuals for key functions and show interrelationships and reporting hierarchy.

At a minimum, identify the **Key Team Members** performing the following functions (the same individual may be proposed for multiple functions):

6.1.1.1 Person responsible for the day-to-day management of the Design-Build effort and contract.

6.1.1.2 Person responsible for the overall design.

6.1.1.3 Person responsible for design management.

6.1.1.4 Person responsible for managing the preconstruction phase of the project.

6.1.1.5 Person responsible for managing the construction phase of the project.

6.1.1.6 Person responsible for developing cost estimates and managing the project budget.

6.1.1.7 Person responsible for phasing, scheduling, on-site field supervision, direction, safety, and construction.

6.1.1.8 Up to three additional Key Team Members/roles the Proposer sees as integral to PDB success on this project.

Clearly identify the key individual/s who will be the day-to-day contact for the County.

The County is requesting only the Architect and Contractor team at this time. Additional design and engineering sub-consultant and subcontractor team members will be selected following contract award in collaboration with the Owner team.

- 6.1.2 Staffing Plan.** Describe the proposed staffing plan for each project phase. Outline the benefits of the proposed team structure and the benefits that each Key Team member provides the project. Describe the Team's past performance working together and/or describe the steps the Team has taken to promote integration and a collaborative working environment. Describe each Key Team member's experience delivering projects using Progressive Design-Build or similar project delivery methods. Confirm availability of all proposed staff members.
- 6.1.3 Staff Commitment.** Provide a matrix including all proposed staff members that includes percent commitment to the project in the design/preconstruction, construction and close out phases of the project.
- 6.1.4 Key Team Member Resumes.** Provide resumes for each Key Team Member, as described in section 6.2.1. Include brief project profiles for their last three (3) relevant projects, employment history, education, and professional references, including current contact information. Clearly state years of industry experience, years of similar experience on critical facilities, years of employment at proposing firm. (Maximum 2 pages per resume).

6.2 Past Performance on Projects of Similar Scope and Complexity (35 points)

- 6.2.1** Describe the Design-Build Team's history of successfully completing projects of similar scope and complexity. Consider discussing the following:
 - 6.2.1.1** Leading the project definition phase.
 - 6.2.1.2** Subconsultant engagement.
 - 6.2.1.3** Design development from programming through construction documents
 - 6.2.1.4** Permitting.
 - 6.2.1.5** Scheduling, phasing, and investigating during the Design phase.
 - 6.2.1.6** Providing continuous, real-time cost feedback and estimating services during design development.
 - 6.2.1.7** GMP development.
 - 6.2.1.8** Leading the construction phase.
 - 6.2.1.9** Administering Construction Administration
 - 6.2.1.10** Developing and maintaining the project schedule.
 - 6.2.1.11** Risk management and mitigation.
 - 6.2.1.12** Quality control/quality management.
 - 6.2.1.13** Document control and workflow management.
 - 6.2.1.14** Site safety practices
 - 6.2.1.15** Commissioning, transitioning, and punch list/closeout.

It is not necessary to specifically respond to each item bulleted above, the County is looking for Proposers creativity in demonstrating their past experience and its relevance to the Project.

- 6.2.2** For the purposes of this solicitation, projects of similar scope and complexity are projects that the proposed Design-Build Team member firms have completed together or separately with the following characteristics:
- 6.2.2.1** Projects that include design and/or construction within occupied spaces and with complex phased construction.
 - 6.2.2.2** Complex tenant improvement projects on existing, occupied buildings.
 - 6.2.2.3** Projects that use an integrated delivery method requiring strong coordination and integration of the design and construction team and early involvement of the contractor during design.
 - 6.2.2.4** Projects where the Design-Builder was selected prior to the establishment of the final price and schedule where the Design-Builder collaborated with the Owner, and Designer to develop final price and schedule.
 - 6.2.2.5** Projects with multiple owner stakeholder groups where the Design-Build Team members assisted in developing the project scope.
- 6.2.3** Explain how the Key Team Member's experience with the projects described are relevant to this project.
- 6.2.4** **Project Profiles.** Provide up to six (6) *relevant* project profiles demonstrating the team's capabilities on projects of similar scope, scale, and complexity. Clearly show which proposed team members worked on each project including their role on it. Include start and end date of work, total construction cost, and procurement method of contract (DB, GCCM, etc.), and owner representative contact information. Identify any lawsuits, claims, or litigation. More recent projects are preferred. (Maximum 2 pages per project profile).

6.3 Progressive Design-Build Capability (15 points)

- 6.3.1** Describe the Team's past performance with Progressive Design-Build, or similar integrated projects where:
- 6.3.1.1** The team worked collaboratively with the Owner and design team to develop project scope and budget within a fixed GMP.
 - 6.3.1.2** The team provided early constructability input to inform design of complex phased tenant improvements in existing buildings.
- 6.3.2** Discuss how the estimating and cost monitoring reporting process provided substantive and meaningful information to the owner. Provide examples of deliverables to the owner that will assist in understanding the GMP development process. Include a description of the tools and techniques used to develop the cost, scope, and schedule collaboratively with the Owner.
- 6.3.3** Discuss a situation where the Proposer took advantage of the progressive design-build, or other similarly integrated delivery model, resulting in a project that maximized the scope within a set budget.
- 6.3.4** Describe any issues or problems that arose on the projects discussed in this section and how those issues or problems were resolved by the proposed team.

6.4 Past Performance, utilization of DBE/MWBE/Small Business (5 points)

- 6.4.1** Briefly describe each team member's past performance in the utilization of the office of minority and women's business enterprises certified businesses, to the extent permitted by law. If available, please provide project data, including participation goal and actual participation achieved.

6.5 Payment and Performance Bond (pass/fail)

- 6.5.1** The Proposer must demonstrate a bonding capacity of not less than \$40 million, and the ability to obtain a performance and payment bond. Any Proposer who fails to meet this mandatory minimum requirement will not be considered further in the selection process.
- 6.5.2** Provide a letter from a surety company or underwriter that is registered with the Washington State Insurance Commissioner, appears on the current Authorized Insurance List in the State of Washington published by the Office of the Commissioner, and has a current rating of at least A-VII in A.M. Best's Key Rating Guide or is included in the U.S. Department of the Treasury's Listing of Approved Sureties (Circular 570) demonstrating the Proposer's ability to bond this project.

7.0 REQUEST FOR PROPOSAL RESPONSE

The Proposers that the Selection Committee believes to be most qualified, based upon their SOQ submission, will be invited to respond to the Request for Proposals (RFP). Further details on the items below will be provided to the shortlisted Finalists. The RFP will include at minimum:

- 7.1** Management Plan
- 7.2** Interactive Meeting
- 7.3** Design-Builder's Phase One A Scope and Design-Builder's Fee Proposal

8.0 SUBMITTAL REQUIREMENTS

8.1 Submittal Delivery and Format

- 8.1.1** The proposing firm shall submit one bookmarked, searchable PDF copy of its "SOQ" via email to the 'procurement contact':

Cody Fortman
Procurement and Contract Specialist
<mailto:procurementoffice@co.thurston.wa.us>

- 8.1.2** The SOQ shall comply with the following format requirements:

- 8.1.2.1** SOQs should be concise, legible, and provide all the information requested. SOQs shall follow the order the evaluation criteria are presented in this RFQ.
- 8.1.2.2** Page size of the SOQ shall be 8½" by 11". A "page" is defined as one single-side of a document (.pdf) that has written text or graphics. The font shall be no smaller than 11 point. The Team Organization Chart may be prepared on an 11" by 17" page. For purposes of the page count, the 11" by 17" Team Organization Chart shall count as one page.
 - 8.1.2.2.1** No written text or graphics shall be incorporated on dividers used to organize the SOQ. Dividers are not required.
 - 8.1.2.2.2** Indexes or tables of content shall be included in the page limit.

8.1.2.3 SOQ response shall be limited to a maximum of eight (8) pages.

8.1.2.4 The following items are excluded from the page limit:

8.1.2.4.1 Cover of the SOQ

8.1.2.4.2 Cover letter

8.1.2.4.3 Dividers

8.1.2.4.4 Key Team Member Resumes (limit 2 pages per resume)

8.1.2.4.5 Project Profiles (limit 2 pages per project)

8.1.2.4.6 Surety letter regarding Performance and Payment Bond

8.2 Late Submittals

Submittals and/or modifications of submittals, received after the due date and time specified for receipt, may not be accepted.

8.3 Cancellation or Changes to the Solicitation

The County reserves the right to cancel this procurement at any time. The County may make changes to this solicitation prior to the date and time established for submittal. Changes will be announced via addendum to this RFQ.

8.4 Collusion or Improper Contact

The Pre-Submittal and Interactive Meetings will be the only opportunities for Proposers to speak directly with project representatives. During the PDB procurement process, questions shall be directed to the project team electronically through the e-mail listed in Section 8.1.1. Outside of those opportunities, any other contact with County or OAC staff, regarding this solicitation or collusion of any kind is strictly prohibited. Proposers violating this prohibition may be disqualified from competition.

8.5 Public Disclosure of Submittals

Submittals received by the County in response to this RFQ become public records that are subject to Chapter 42.56 RCW, the Public Records Act. The Proposer should clearly identify in its submittal any specific information that it claims to be confidential or proprietary. After the highest scoring proposer is announced and contract negotiations have commenced, the submittals will be available for inspection and copying by the public via public records request. If the County receives a Public Records Act request to view the information marked confidential or propriety in a Proposer's submittal following an award, the County's sole obligation shall be to notify the Proposer (1) of the request and (2) of the date upon which such information will be released to the requester unless the Proposer obtains a court order to enjoin that disclosure pursuant to RCW 42.56.540. If the Proposer fails to timely obtain a court order enjoining disclosure, the County will release the requested information on the date specified.

8.6 Commitment of Firms and Key Team Members

The County expects all firms and Key Team Members proposed will be available to provide services through project completion. When a member of the Proposer's team is no longer available, the Proposer must notify the County in writing and provide a detailed explanation and proposed remedy for the lack of availability. Any substitution request considered by the County may require a rescoring and/or re-ranking of the SOQ or proposal. The County will only consider substitutions based on circumstances beyond the Proposer's control.

8.7 Addenda

If at any time, the County changes, revises, deletes, clarifies, or otherwise modifies the RFQ, the County will post a written addendum on the Thurston County RFP/RFQ/RFS Opportunities website, linked below. It is the Proposer's responsibility to periodically check for addenda and acknowledge receipt of each in the letter of interest portion of the SOQ response to this RFQ.

[RFP / RFQ / RFS Opportunities | Thurston County \(thurstoncountywa.gov\)](https://www.thurstoncountywa.gov/procurement/rfp-rfq-rfs-opportunities)

8.8 Questions and Interpretation of the RFQ

No oral interpretations of the RFQ will be made to any Proposer. All questions and any explanations must be requested in writing and directed to the County no later than date specified herein or as extended by addendum. Oral explanations or instructions are not binding. Any information modifying a solicitation will be furnished to all Proposers solely by written addendum. Communications concerning this RFQ with other than the person listed below may cause the Proposer to be disqualified.

All questions regarding this procurement must be submitted via email to the procurement contact listed in section 8.1.1.

9.0 REFERENCE DOCUMENTS

The County will make available to all Proposers information that may be useful in the preparation of their SOQ. Reference documents are available for informational purposes only and are subject to change. Reference documents include:

9.1 Exhibit A: Draft Progressive Design-Build Contract (via addendum)

9.2 Exhibit B: Draft General Conditions of Progressive Design-Build Contract Between Owner and Design-Builder (via addendum)

10.0 DBE / MWBE / SMALL BUSINESS OUTREACH

The County encourages participation of local, small, disadvantaged, women, and minority business enterprises and DBE / MWBE / Small Business during both design and construction. The selected Design-Builder will be required to provide an outreach plan identifying participation goal/s for the project during the initial contract phase. Ongoing reporting on performance against goals will also be required.

11.0 PROTEST PROCEDURE

11.1 Time of Protest

Protests must be filed within 4 business days from the date the Protestor was notified of a selection decision.

11.2 Form of Protest

In order to be considered, a protest shall be in writing, addressed to the Assistant County Manager. The protest shall include the following:

11.2.1 The name, address, and phone number of the applicant protesting, or the authorized representative of the applicant submitting the proposal;

11.2.2 The name of the project for which the protest is submitted;

11.2.3 A detailed description of the specific grounds for the protest and any supporting documentation. It is the responsibility of the protesting applicant to supplement its protest with any subsequently discovered documents prior to review and decision, and

11.2.4 The specific ruling or relief requested.

11.3 Determination of Protest

11.3.1 Upon receipt of a timely written protest, Thurston County shall take appropriate measures to investigate the protest and shall respond in writing to the protestor in accordance with RCW 39.10. The decision of the County shall be final.

11.3.2 Upon receipt of a timely written protest, Thurston County shall take appropriate measures to investigate the protest and shall respond in writing to the protestor in accordance with RCW 39.10. The decision of the County shall be final.

12.0 CONTRACTOR'S RESPONSIBILITY

At the time of submitting the Final Pricing Proposal, all Proposers must be registered by the Washington State Department of Labor and Industries in accordance with RCW 18.27.020; have a current UBI number; as applicable, have Industrial Insurance (worker's compensation) coverage for the bidder's employees working in Washington, as required in RCW Title 51, Washington Employment Security Department Number as required in RCW Title 50, and Washington Department of Revenue State Excise Tax registration number as required in RCW Title 82; not be disqualified from bidding on any public works contract under RCW 39.06.010 or RCW 39.12.065(3); and satisfy the bidder responsibility criteria in RCW 39.26.160(2) and RCW 39.04.350. Contractor must certify that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded in any Washington State or Federal department or agency from participating in transactions required to provide the services described herein.