

BEFORE THE OHIO DEPARTMENT OF TRANSPORTATION

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SUM-271-12.47

PID: 89458

ODOT PROJECT NUMBER: 3005(14)

PRE-BID MEETING

DISTRICT 4

- - -

Prebid Public Meeting, held at the Ohio Department of Transportation, District 4, 2088 South Arlington Street, Akron, Ohio, on Thursday, the 9th day of January, 2014, beginning at 10:02 a.m.

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1 **PRESENT :**

2 **ODOT :**

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4 Thomas J. Powell, P.E.,

5 District Design Engineer

6 District 4, Office of Planning & Engineering

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8 Eric Kahlig, P.E.,

9 Alternative Project Delivery

10 Division of Construction Management

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PROCEEDINGS

MR. POWELL: Good morning. This is the pre-SOQ meeting for the Summit 271 Design-Build.

The PID on this job is 89458. And the project number is 14-3005.

My name is Tom Powell. I'm the project manager for the project in District 4.

We also have Eric Kahlig from Central Office Construction here.

And I just wanted to go around the room real quickly and have the District 4 personnel say who they are and what department they are in.

MR. NOIROT: Gery Noirot, District Consultant Administration Engineer, P.E.

MR. ROOT: Chad Root, District 4 LPA Manager.

MR. KINNICK: Jim Kinnick, Planning Engineering Administrator.

MR. CHANEY: Matt Chaney, In-House Design.

MS. PHILLIS: Lauren Phillis,

1 In-House Design.

2 MR. CHANEY: Nick Chaney,

3 In-House Design.

4 MR. REICH: Dave Reich,

5 District Construction Administrator.

6 MR. WARD: Tim Ward, Real

7 Estate.

8 MR. STEELE: Matthew Steele,

9 Utilities.

10 MR. POWELL: I think that is
11 everyone.

12 What we would like to do today is to
13 just go over Product Overview, discuss the
14 two-step low-bid process, highlights in the RFQ
15 and the RFP.

16 Just a reminder that is in the
17 documentation that ex parte communications are
18 prohibited.

19 And to define those: Ex parte
20 communication is direct or indirect
21 communication on the substance of the project
22 without the knowledge, presence or consent of
23 all parties involved in the matter.

24 The date on this slide is incorrect. That
25 should have been January 2nd of 2014.

1 The Design-Build package is on-line. I
2 think everyone has probably obtained that
3 already. But all project information is now
4 linked to the Prebid Question site in the
5 proposal.

6 All prebid submissions, as far as questions
7 go, have to be submitted through that process,
8 and all of the answers will be posted on our
9 prebid answer list on-line.

10 All product notifications will come through
11 the normal process. And the bidding documents
12 and addenda will also be processed during the
13 normal bidding process which everyone is
14 familiar with.

15 We have sign-in sheets on the outside of
16 the room. If you did not sign in before the
17 meeting, please sign in. And, also, provide
18 your e-mail address.

19 And all of the attendees will be added to a
20 plan-holders list for direct project
21 notifications so that you will be notified if
22 anything changes as far as anything posted for
23 the project.

24 The Design-Build package includes the RFQ,
25 the request for qualifications; the Project

1 Scope in draft form; draft appendixes; and
2 references for the Project Scope and the
3 Proposal.

4 This is a project overview. The purpose
5 and need of this project is the, quote: "The
6 purpose of the proposed transportation
7 improvement is to reduce existing traffic
8 congestion, mitigate projected future traffic
9 congestion and preserve the IR-271 highway
10 facility from the Route 8 interchange to the
11 Interstate 271 and 480 Interchange," unquote.

12 The project limits on Interstate 271 extend
13 from approximately 1000 feet south of SR-82 to
14 the Cuyahoga County line.

15 General overview of the work performed on
16 271 is that we are going to be installing a
17 third lane in the median, so we will end up
18 having three lanes in each direction. And,
19 also, replacing the bridges over 82 and the
20 bridge over South and North Freeway Drive, Ledge
21 Road and Norfolk Southern Railroad. Replacing
22 all those bridges, four bridges on the project.

23 We will also be doing drainage work,
24 pavement. The project is set up for having a
25 dual-design on the pavement. You have the

1 option of bidding concrete or asphalt pavement.

2 SR-82 and Freeway Drive, we will be
3 widening SR-82 from five lanes to six lanes,
4 between -- this is Summer Road and then the
5 railroad tracks for Norfolk Southern, improving
6 Freeway Drive and installing a new entrance ramp
7 from Freeway Drive to Interstate 271 North.

8 This work is not in your draft scope of
9 services other than a statement saying we are
10 going to be adding the work to the project.

11 We are in the process of obtaining the
12 environmental clearance for the project -- for
13 this part of the project. And we expect that
14 clearance to be by the end of February.

15 And at that point, we will insert it in as
16 an addendum into the project.

17 We will be, like I stated, we will be
18 widening 82, adding a sixth lane.

19 There will also be several utility
20 relocations involved that the Design-Build
21 contractor will have to work out with the
22 utilities.

23 And this will be widened payment on 82. We
24 will preserve the existing pavement and then
25 widen for the additional lane. And then we will

1 come back and resurface within these limits.

2 On Freeway Drive, we will be replacing all
3 the pavement from State Route 82 to the northern
4 terminus of the work on Freeway Drive. And this
5 will be concrete pavement.

6 And then concrete pavement on the new ramp.

7 And the existing ramp will be removed in
8 the area that you see here attached.

9 MR. KAHLIG: I'm Eric Kahlig,
10 Central Office Construction, in charge of the
11 alternative project delivery which design
12 builds, two-step design builds kind of fall
13 under me now that they are separate from the
14 Division of Innovative Delivery, which does the
15 P3 projects, but I work in construction
16 management.

17 We are going to the deliver this project
18 using a two-step low-bid. There is not going to
19 be a technical proposal. There will just be a
20 request for qualifications. And then a low bid
21 based off of the documents that we provide.

22 The short-listing, again, it is open to any
23 pre-qualified designer and pre-qualified
24 contractor.

25 The only -- only the short-listed

1 Design-Build teams will receive an RFP, which is
2 essentially a notification from ODOT of the
3 short-listed teams asking you if you want to
4 continue with the bidding process, can ask for a
5 response. We use the term "RFP," but that is
6 essentially what it is going to be.

7 The evaluation, when we get into your --
8 from the information that we have requested --
9 it is a comparative process that we will use to
10 compare each proposer's submittal.

11 To win that, we stick with what you provide
12 to us, but we are allowed to use any existing
13 knowledge that we have.

14 And we are comparing -- we are -- it is a
15 competition between you guys to see who is the
16 most qualified to build this particular project
17 in our minds -- well, not in our minds -- but
18 through the evaluation that we perform.

19 Any of the evaluations, again, will be
20 confidential until it is after-awarded. Any of
21 the scoring that occurs or any of the
22 particulars of the scoring is confidential.

23 We will be more than willing to speak with
24 any of you after the award, go through the
25 details of the evaluation process if you would

1 like.

2 But until then, until after award, it is
3 going to be held confidential. And we have to
4 hold it confidential just in case there is any
5 information in there that is particular to a
6 proposer that could affect a bid.

7 We wouldn't want that information out. We
8 are holding this very tight. Just to let you
9 know, we take this very, very seriously.
10 Everyone has to sign confidentiality agreements.

11 The people that are involved in the
12 evaluation process are administrative level.

13 To kind of talk about the process itself.
14 The process is one that, kind of, central office
15 owns. It is our steps. We are the ones that
16 are going to try to make sure that this thing is
17 consistent with all of the other ones that we
18 have done.

19 The district owns the project build. They
20 are kind of the experts of the details. We are
21 the experts of the process. So I just wanted to
22 put that out there.

23 Schedule: I think I said -- sorry about
24 that date that was in there. That was
25 incorrect.

1 These are the estimated schedules at this
2 time.

3 It is very tight. I apologize.

4 But the way -- it was either this schedule
5 be this tight or put it out before the holidays.
6 And I didn't think anyone wanted to work across
7 Christmas, and it was pretty crappy anyway.

8 MS. BASINGER: I notice on there
9 you have the "29th."

10 In here, you have the "28th" for the
11 submission.

12 MR. KAHLIG: Yes. The 28th is
13 the submission in the RFQ. Sorry.

14 MR. POWELL: One thing I would
15 like to mention is if you do ask questions --
16 and I probably should have mentioned this
17 earlier -- is if you could state your name and
18 the company that you represent.

19 And after the meeting, if you did
20 speak, if you can drop a business card off
21 because we have a court reporter that needs to
22 get that information recorded. Thank you.

23 MR. KAHLIG: And speaking of the
24 court reporter, this will be posted -- probably
25 we will try to post the meeting transcript as

1 quick as we possibly can.

2 Whenever we get it, we will try to
3 get it up there. And it will be posted on the
4 contract's website: Prebid Meeting
5 Transcriptions, like almost every other prebid
6 meeting that occurs.

7 So we will just kind of go through.

8 One of the things that we wanted to
9 emphasize is the scope that is out there that
10 you have now, the appendices, reference files,
11 and the proposal -- well, the proposal really is
12 not out there yet.

13 They are all draft.

14 And hopefully it is clear that it states
15 there should be a watermark on all of them, that
16 they are draft documents.

17 If you are short-listed, you will have to
18 go and pull out any of the new ones when it is
19 advertised, after the short-listing, and
20 re-evaluate the documents.

21 As of right now, we don't know of draft
22 exchanges except for what Tom had spoke with the
23 finalization of the 82.

24 But, otherwise, it should be pretty solid.
25 But you can't depend on it. There could be

1 changes and revisions.

2 We are, can and will issue addenda quickly
3 in the RFQ -- I'm sorry -- in your SOQ.

4 Please provide a copy of the addenda to
5 make sure that you received it, show that you
6 received it, just a cover sheet.

7 And speaking of addenda, we do plan on
8 issuing one. It should be in the -- it
9 potentially should be out today.

10 And, also, there were a few prebid
11 questions that were posted. Those answers are
12 actually posted now. So it should be out in the
13 next day or two. If not today.

14 SOQs that are coming in, we have in the RFQ
15 what the criteria and the evaluations are going
16 to be.

17 We are going to use that criteria. We will
18 evaluate against that. One thing to make sure
19 that you recognize and realize, that just
20 because you meet minimum qualifications does not
21 necessarily guarantee a short-listing by any
22 means.

23 Like I said, it is comparative against all
24 of the proposers.

25 The three highest rated pre-qualified

1 responsive submittals will be the ones that are
2 short-listed.

3 Responsive, it's like all of the
4 requirements that we say you must submit with
5 it. That is where we get the "responsive" from
6 and also the pre-qualifications.

7 Okay. The things that we are going to be
8 looking at:

9 Project understanding and approach is going
10 be 30 percent of the scoring.

11 And basically it is how well do you
12 demonstrate the preliminary understanding of the
13 design and construction requirements.

14 So the general project approach will be one
15 of the things that we will be asking for you to
16 submit in what we are going to evaluate:

17 The five major tasks, the risks with those
18 five major tasks, and plans for mitigation.

19 One, to make it clear, one of -- the MOT,
20 we have considered that to be a major task on
21 the projects.

22 Or we are just stating that is one of them
23 that needs to be one of the five.

24 You know, your approach to making sure you
25 are achieving a high quality design and

1 construction.

2 The safety of the traveling public and
3 construction personnel.

4 And also a narrative of the MOT.

5 Yes, we are saying that the MOT is a major
6 task. But we are specifically asking for a
7 conceptual narrative -- or conceptual plan.

8 It does not need to be detailed.
9 Obviously, we didn't give you enough pages to
10 detail it much.

11 But we do want to know what your conceptual
12 approach is going to be.

13 Organization and the key personnel is 35
14 percent of the scoring.

15 So what we will look at is how well does
16 the proposed organization relate to the
17 requirements of the project. How are you guys
18 going to staff the job, approach it, and how
19 well is that going to meet our needs?

20 How well do you demonstrate the experience?
21 And how well does the demonstrated experience
22 and qualifications and time availability relate
23 to the needs of this project?

24 So essentially that is what we will be
25 looking at from what you submit.

1 So what we are asking for is to furnish
2 your organizational chart, the key personnel of
3 any other notable members. "Notable member" is
4 a notable member: Person, team, company.
5 However it is going to fit.

6 The key personnel that we will be asking
7 for is the project manager, the design project
8 manager, the project engineer and then the
9 structural design engineer. The four keys --
10 the key personnel that we are going to be
11 looking for.

12 And the general information we will be
13 asking is what is their authority, the
14 general qualifications, experiences, background,
15 how much concurrent work they will be having and
16 to make sure -- this is just general
17 information -- make sure they are currently
18 employed by a firm of the offeror. And that is
19 pretty obvious why.

20 So some of the specific information:
21 Registration, education and qualifications
22 applicable to the project.

23 Specific experiences in projects they have
24 worked on and how they relate to this project.

25 Unique qualifications or any other

1 information that you guys want to provide in the
2 resume that would help us to determine an
3 evaluation.

4 Experience and capabilities, another 35
5 percent.

6 How well does the offeror demonstrate the
7 design, construction and management experience
8 and capabilities? And how do those demonstrated
9 design, construction and management experiences
10 relate to this project?

11 As you can see, it is relating to this
12 project.

13 So what we will be looking for is the
14 available resources, project management
15 methodologies.

16 With that, any unique methods that you may
17 be approaching on the management of a project
18 that you think makes you above or better. It
19 could be something that you may want to propose
20 to us to show why you are above or most
21 qualified.

22 The general experiences of the offeror.
23 Now, it is the general experiences, but then we
24 will ask for specific project experiences.

25 And those specific project experiences

1 should be the ones that are listed in the form
2 D1 in the back. Not should be. They are to be.

3 So five of the projects should relate to
4 the construction side; five should relate to the
5 design side.

6 Like I said, and I said it a couple
7 different times, it will be reviewed and
8 comparatively scored by the technical team, and
9 the technical team is going to consist of three
10 central office personnel and District 4
11 personnel -- five District 4 personnel.

12 Like I said, they are the project managers,
13 higher levels, executive -- not executive
14 level -- but administrative level.

15 Then once the short-listing is done, it
16 will be proposed to the executive management.

17 And the executive management will consist
18 of the chief engineer, deputy director of
19 construction, deputy director of planning and
20 engineering, and the deputy director of the
21 district.

22 They will evaluate what we -- our
23 work-product, what we come together and the
24 suggestions, but the recommendations we have
25 made. And they will make the ultimate decision

1 on the final short-listing.

2 Format, 35 pages; two-page introduction; 30
3 pages to be broke out on the understanding, team
4 and capabilities. I know there are certain
5 maximum page limits that we have added for
6 certain sections. But the rest of the sections
7 you guys can determine how you want to use those
8 page numbers or the quantity of pages.

9 Now, we are asking for the forms C1 and D1
10 and a Section E.

11 There will be a Section F, Addenda, it says
12 here. But also that addenda will be in the
13 evaluation forms that we have requested will go
14 in there. That section, obviously, won't count
15 towards the maximum page limit as you can't
16 control that. But we have limited it to 35
17 pages from a smaller SOQ. Probably more
18 comparative to the size of the project.

19 Now, we have request for proposals. But,
20 like I said, there isn't a technical proposal.
21 It's just a price proposal.

22 We have considered -- we kicked around
23 alternative technical concepts. And for those
24 of you in the room that aren't aware of what
25 those are, there are bidders' proposed

1 conceptual ideas to the owner for a potential
2 change in the scope of services specific to the
3 bidder only.

4 We looked -- that is a long sentence.

5 We looked at the project and determined
6 there probably isn't -- we didn't feel enough of
7 variability in the project to entertain ATCs.

8 We realize they are time sensitive and also
9 labor and resource sensitive -- not sensitive --
10 resource and labor intensive for you.

11 We didn't think we were going to get the
12 bang for the buck on them. So we will not use
13 them on this project.

14 We are in the process though of considering
15 VECPS on the Design-Build. Just to kind of let
16 you know, in the past we have not done that in
17 Design-Builds as a policy. There is nothing
18 that says that we cannot. We just figured that
19 the whole entire project is a VECP typically,
20 because you guys decide the ultimate design.

21 But on this project, we are considering
22 VECPS. But the VECPS, if we do do them, would
23 only be a change to the scope of services. It
24 would not be a change in your plan. If you guys
25 change your final design, you still have that

1 right to do that if it is within that scope, so
2 that wouldn't be considered a VECP.

3 But it would be a change in the scope which
4 I know, I realize, that some of you in the room
5 are thinking it is probably going to be a
6 difficult thing to come through as this is
7 essentially a lump sum project coming to a price
8 if we do them.

9 But we do lump sum VECPs, and we usually
10 can come together on it. So we may try it.
11 That isn't a guarantee at this point though.

12 The lowest responsive builder will be
13 awarded the contract.

14 Part of the responsiveness is, as we will
15 request some additional bidding documents that
16 you would technically maybe not necessarily give
17 to estimating.

18 Essentially, if I remember correctly,
19 preliminary layout and preliminary bridge -- I
20 don't want to say plans -- but concepts. It
21 should be in an engineering-type format. But
22 they don't have to meet any plan format or
23 anything like that.

24 But we should be able to understand your
25 approach and how you bid the project. We are

1 not asking for details into your books. That
2 isn't what it is. It's just, essentially, did
3 you do a due diligence in coming up with your
4 estimate on the project?

5 That information should be in the RFQ.
6 Again, rattled off the top off my head, that is
7 all I had. This is similar to other SOQs that
8 we have done. Probably a little smaller.

9 That is everything.

10 I will open it up to anyone else.

11 Or, Tom, if you have any other comments,
12 questions?

13 The floor is yours.

14 Come on. Someone has got to get me
15 with something?

16 MR. FORD: Jack Ford, Beaver
17 Excavating.

18 On resumes, key personnel only?

19 MR. KAHLIG: Yes.

20 MR. FORD: And then you also
21 had given a term for "other people."

22 MR. KAHLIG: Other notable
23 members?

24 MR. FORD: "Notable members."
25 You do not want resumes on notable members?

1 MR. KAHLIG: No.

2 A notable member, to me, would be
3 that. It would be either the person, someone
4 that you may be proposing. It could be a firm
5 or how you are attacking a certain part of the
6 project. It could be whatever a notable member
7 would be.

8 But we are not asking for resumes of
9 that person. If you want to limit the resumes
10 to only the key personnel so it's an even level
11 playing field in the evaluation.

12 MR. FORD: Okay.

13 Another question: On the evaluation,
14 we have heard in the past that the people
15 reviewing can only score what is written in our
16 submittal? And you made the statement earlier
17 that you can consider known information about
18 the submitter?

19 MR. KAHLIG: We can. Primarily
20 the evaluation will be what is in front of us
21 and how it is demonstrated to us.

22 MR. FORD: Okay.

23 MR. KAHLIG: If what we know
24 varies -- if we know there is something in the
25 resume -- or not the resume. I'm sorry --

1 something in the submittal that is not factual,
2 we can use that.

3 MR. FORD: Okay.

4 MR. KAHLIG: And, also, to kind
5 of tack on to that, in the back in form D1, we
6 do ask for an owner reference.

7 And we will be calling some -- we
8 will determine who and which projects we will be
9 calling. But we will be verifying information
10 provided. Maybe not all of it. We will use our
11 own judgment on which projects and how many.

12 We can use that information also.

13 MR. FORD: That is all I had.

14 MR. KAHLIG: Thank you.

15 MR. LEFFLER: Andy Leffler,
16 Shelly & Sands.

17 Eric, would you consider giving us
18 until the end of the week to submit it, the
19 Friday as opposed to the Tuesday?

20 MR. KAHLIG: To be honest, Andy,
21 I'm so tight on the evaluation now. I apologize
22 that this is such a short -- I will take it
23 under consideration.

24 But right now, I will be honest with
25 you, I don't see that change happening.

1 That, essentially, I am assuming by the
2 size of the room, there will be a few proposals
3 that come in.

4 And it is a task to evaluate them as just
5 it is to develop them. Probably not as big to
6 evaluate them as it is to develop them.

7 But as of right now, I will take it under
8 consideration, but I don't think I can. But I
9 will talk with Tom and see what some of the
10 other members think.

11 MR. LEFFLER: I guess our
12 perspective, right or wrong, would be that
13 people who have recently submitted an SOQ are
14 probably more prepared to turnaround and submit
15 one again, as opposed to those of us who haven't
16 participated in one for a while. We would
17 appreciate any extra time that you can give us.

18 MR. KAHLIG: Okay.

19 MR. LEFFLER: Thank you.

20 MR. FORD: Jack Ford, Beaver
21 Excavating.

22 I haven't reviewed all of the
23 documents. But are all of the environmental
24 clearances, railroad issues, utilities issues,
25 are there anything hanging out there that would

1 delay the project in getting it started that we
2 know of at this point?

3 MR. POWELL: At this point in
4 time, no. We don't have any issues.

5 As what you mentioned, the 271
6 portion of this project isn't cleared
7 environmentally. The environmental document is
8 completed. The railroad agreement is complete.

9 We don't know of any utility issues at this
10 point. But that is up to the Design-Build team
11 to investigate during their design of the
12 project.

13 The State Route 82 portion, as I discussed
14 earlier, we are expecting the environmental
15 document to be clear the end of February.

16 And, at that time, we will issue an
17 addendum to get that work inserted into the
18 project and the proposal at that time.

19 And we are not anticipating any issues with
20 the environmental document to get that inserted
21 in there either.

22 We do have to purchase some right-of-way
23 for State Route 82. And that is in process.
24 And it is going to be started within the next
25 three weeks or so.

1 They will be approaching the property
2 owners and starting to obtain that right-of-way.

3 And that will all be detailed in the
4 addenda that comes out for the State Route 82
5 portion of the work.

6 Any other questions?

7 MR. KAHLIG: Thank you. That is
8 everything that we have. I appreciate it.

9 MR. POWELL: Okay.

10 (Thereupon, the proceedings were
11 concluded at 10:32 o'clock a.m.)

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C E R T I F I C A T E

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STATE OF OHIO,)
) SS:
SUMMIT COUNTY,)

I, Maryann Ruby, a Registered Professional Reporter and Notary Public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that these proceedings were taken by me and reduced to Stenotypy, afterwards prepared and produced by means of Computer-Aided Transcription and that the foregoing is a true and correct transcription of the proceedings so taken as aforesaid.

I do further certify that these proceedings were taken at the time and place in the foregoing caption specified.

I do further certify that I am not a relative, employee of or attorney for any party or counsel, or otherwise financially interested in this action.

I do further certify that I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Akron, Ohio on this 12th day of January, 2014.

Maryann Ruby, RPR

My commission expires November 02, 2010.

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