I-35 NORTHEAST EXPANSION (NEX) PROJECT
Industry Workshop
Safety: Mission ZERO

Safety Never Stops!
# Table of Contents

<table>
<thead>
<tr>
<th></th>
<th>Section</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Project Location and Purpose</td>
<td>4-5</td>
</tr>
<tr>
<td>2</td>
<td>Project Overview</td>
<td>6-12</td>
</tr>
<tr>
<td>3</td>
<td>Project Status and Challenges</td>
<td>13-16</td>
</tr>
<tr>
<td>4</td>
<td>Qualification Statement Evaluations</td>
<td>17-20</td>
</tr>
<tr>
<td>5</td>
<td>Anticipated Procurement Timeline</td>
<td>21</td>
</tr>
<tr>
<td>6</td>
<td>Proposer Responsibilities</td>
<td>22-24</td>
</tr>
<tr>
<td>7</td>
<td>Disadvantaged Business Enterprise (DBE)</td>
<td>25-46</td>
</tr>
</tbody>
</table>
This project is located in Bexar, Comal, and Guadalupe counties, from I-410 S to FM 1103

Total project length: approx. 15.4 miles

Project purpose:
-- Improve mobility
- Manage vehicle congestion
- Promote efficient use of existing transportation facilities
- Minimize impacts to the natural and built environment
Added capacity:

- Additional I-35 elevated lanes in each direction – 2 GP + 1 HOV between I-410 S and FM 3009
- Additional at-grade lanes in each direction – 1 GP + 1 HOV between FM 3009 and FM 1103

Operational improvements:

- Interchange improvements at I-410 S, I-410 N, and LP 1604 interchanges
Texas Clear Lanes Project

The design-build contract will include a base component and two deferred work components (DWCs).

<table>
<thead>
<tr>
<th>Segment</th>
<th>Limits</th>
<th>Length (miles)</th>
<th>DB Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base</td>
<td>I-410 North to FM 3009</td>
<td>9.5</td>
<td>$ 915 M</td>
</tr>
<tr>
<td>DWC North</td>
<td>FM 3009 to FM 1103</td>
<td>2.9</td>
<td>$ 393 M</td>
</tr>
<tr>
<td>DWC South</td>
<td>I-410 South to I-410 North</td>
<td>3.0</td>
<td>$ 630 M</td>
</tr>
<tr>
<td>TOTAL:</td>
<td></td>
<td>15.4</td>
<td>$ 1.938 B</td>
</tr>
</tbody>
</table>
Project Overview: Beginning of Proposed Elevated Lanes Near AT&T PKWY

1-lane entrance to Elevated Lanes from I-35 mainlanes near AT&T Parkway
Project Overview: Between I-410 South & I-410 North

2 General Purpose Lanes between mainlanes and frontage roads on NB and SB sides
Project Overview: Between I-410 South & FM 3009

2 General Purpose lanes and 1 HOV lane in each direction on elevated structure
**Project Overview: BASE FM 3009 Connection**

**Phase I:** 2 lane exit (NB) / entry (SB) from elevated lanes to main lanes

**Phase II:** 1 lane exit/entry from elevated lanes to main lanes

---

**SOUTHBOUND**
- 1 HOV
- 1 GP
- 1 HOV

**PROPOSED ELEVATED LANES**
- 1 GP
- 1 HOV

**EXISTING I-35 MAIN LANES**
- 1 GP
- 1 HOV

---

**NORTHBOUND**
- 1 HOV
- 1 GP
- 1 GP

**PROPOSED ELEVATED LANES**
- 1 HOV
- 1 GP

**EXISTING FRONTAGE ROAD**
- Schertz Pkwy
- FM 3009
Project Overview: DWC NORTH FM 1103 Connection

2 lanes inside widening – 1 GP and 1 HOV
Project Overview: DWC NORTH FM 1103 Connection

2 lanes inside widening – 1 GP and 1 HOV
Project Status

- **Contract Method**
  - Design-Build Contract with a 15-year Capital Maintenance Contract (three 5-year terms)

- **Project Cost**
  - Estimated Design-Build Contract cost is $1.9B

- **Disadvantaged Business Enterprise (DBE) Goal**
  - DBE goal will be determined in the coming months
Project Status (continued)

- Environmental Clearance
  - Original EA/FONSI issued July 2015
  - EA re-evaluation is underway and anticipated to be complete August 2019

- Design
  - Draft schematic is currently under review by TxDOT and will be provided in the Request for Qualifications (RFQ) Reference Information Documents (RIDs)
  - Interstate Access Justification Report is under development and approval is anticipated prior to issuance of the final Request for Proposals (RFP) in the Fall 2019
Right of Way (ROW)
- TxDOT owns the majority of Right of Way (ROW) for the project
- ROW is currently being acquired under the original 2015 Environmental Assessment (EA) document
- Additional ROW has been identified under the EA re-evaluation and TxDOT will begin acquisition of this ROW
- DB Contractor will need to provide ROW acquisition services to complete ROW acquisition after contract execution

Utilities
- Level C and D SUE will be available in the RFQ RIDs
- Additional investigations are underway with Levels A and B SUE to be available in the RFP RIDs prior to issuance of the final RFP in the Fall of 2019
Project Status (continued)

- Geotechnical
  - Preliminary geotechnical information will be available in the RFQ RIDs
  - Additional investigations are underway to be available in the RFP RIDs prior to issuance of the final RFP in the Fall of 2019

- Hazardous Material Investigations
  - Assessments will be included in the RFP RIDs in the Fall 2019.

- Railroad
  - There are seven railroad crossings on the project
  - TxDOT has begun coordination with UPRR

- Permitting
  - DB Contractor responsible for USACE Section 404 permit
Project Challenges

- Utility relocations and impacts
- Construction phasing
  - Main lane and frontage road lane closures to accommodate bridge construction
  - Ramp closures for relocations/optimizations
  - Limited staging area for construction activities
- Traveling impacts during construction
  - Work zone management strategies
  - Traffic incident management (inside work areas---emergency response)
  - Public information efforts
- Downtime of travel lanes during construction
- Secondary impacts to roadways (i.e. base failures of existing roadways due to detours)
- Business impacts during construction (accommodate business owners’ needs)
- Environmental permit approvals
THE PROCUREMENT PROCESS

- Two step procurement process
  - RFQ
  - RFP

- QS Evaluations (Shortlisting) - How the QS’s will be evaluated:
  - Project Qualifications and Experience
  - Statement of Technical Approach
  - Safety Qualifications
Qualification Statement Evaluations

- Project Qualifications and Experience
  - Experience with designing comparable projects
  - Experience with constructing comparable projects
  - Experience with quality assurance on comparable projects
  - Experience with maintaining comparable projects
  - Strength of the proposed organization and management structure
  - Experience of the Key Personnel for the Project
  - Responsiveness toward the DBE involvement, objectives and goals
Qualification Statement Evaluations

- **Statement of Technical Approach**
  - Demonstrate a full understanding of the Project’s scope and complexity
  - Demonstrate a complete understanding of Project risks and potential solutions that may arise during all Project phases, including design, construction, and maintenance

- **Safety Qualifications**
  - Fatal injury rate per 100,000 full-time workers
  - Incidence rate of injury and illness cases per 100 full-time workers
  - National Council on Compensation Insurance (“NCCI”) experience modifier
## Anticipated Procurement Timeline

<table>
<thead>
<tr>
<th>Milestone</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commission action to issue RFQ</td>
<td>April 2019</td>
</tr>
<tr>
<td>Issue RFQ</td>
<td>May 2019</td>
</tr>
<tr>
<td>Qualification Statements due</td>
<td>July 2019</td>
</tr>
<tr>
<td>Commission action to issue RFP</td>
<td>Aug. 2019</td>
</tr>
<tr>
<td>Issue final RFP</td>
<td>Nov. 2019</td>
</tr>
<tr>
<td>Proposals due</td>
<td>April 2020</td>
</tr>
<tr>
<td>Commission action to approve conditional award</td>
<td>May 2020</td>
</tr>
<tr>
<td>Contract execution</td>
<td>Aug. 2020</td>
</tr>
<tr>
<td>Substantial Completion (BASE)</td>
<td>Dec. 2024</td>
</tr>
<tr>
<td>Construction completion (BASE)</td>
<td>April 2025</td>
</tr>
</tbody>
</table>
Proposer Responsibilities

- Proposers are responsible for monitoring the Project Webpage for information:
- TxDOT will post the RFQ and any associated addenda on the Project Webpage.
- Correspondence may be submitted via e-mail to: TxDOT-SAT-ALTD-I35NEX@txdot.gov
Proposer Responsibilities (continued)

- TxDOT anticipates RFQ issuance on Friday, May 17th 2019, with an anticipated QS due date of Monday, July 22nd 2019.
- Proposers are responsible for ensuring Qualification Statements (QSs) are delivered by hand or courier to “TxDOT’s Authorized Representative” at the following address:

  Daniel Worden, PE  
  Texas Department of Transportation  
  7600 Chevy Chase Drive, Building 2, Suite 400  
  Austin, Texas 78752

- QSs will be accepted and must be received by TxDOT during normal business hours on or before the date and time stated in the RFQ.
- QSs not received prior to such time on the QS Due Date will not be considered by TxDOT for evaluation or shortlisting.
QUESTIONS?
DBE PROGRAM REQUIREMENTS ON DESIGN-BUILD PROJECTS
Policy Statement

- TxDOT has established a DBE Program in accordance with regulations of the United States Department of Transportation (U.S. DOT).
- TxDOT receives federal funding from the U.S. DOT and as a condition of receiving this, TxDOT has signed an assurance that it will comply with 49 CFR Part 26.
- TxDOT’s DBE Program is applicable to contracts funded with federal assistance.
Policy Statement

- TxDOT has committed to:
  - Ensuring non-discrimination in the award and administration of federally assisted contracts;
  - Creating a level playing field on which DBEs can compete fairly for federally assisted contracts;
  - Ensuring that the DBE Program is tailored in accordance with applicable law;
  - Ensuring that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
  - Helping remove barriers to the participation of DBEs in federally assisted contracts; and
  - Assisting the development of firms that can compete successfully in the marketplace outside the DBE Program.
What is a DBE

- DBE refers to a for-profit small business which is at least 51% owned by one or more socially and economically disadvantaged individuals.
- Socially and economically disadvantaged individuals refer to women and any minority group.
- All DBEs are small businesses, but not all small businesses are DBEs.
- Whose management and daily operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.
What is not a DBE

Do not confuse DBE certification with programs such as:
- Historically Underutilized Business (HUB)
- Small Business Enterprise (SBE)
- Minority Business Enterprise (MBE)
- Veteran-Owned Business Enterprise (VBE)
- African-American Business Enterprise (AABE)
- Women Owned Business (WBE)
- Hispanic-American Business Enterprise (HABE)
- Disabled Individual Business Enterprise (DIBE)
- Native American Business Enterprise (NABE)

These certifications are different than the DBE certification required for meeting goals on federally assisted contracts.
Establishing DBE Certification

- A small business may contact the certification service agency located nearest to its headquarters.
- For San Antonio area based firms, contact the following agency to establish DBE certification*:

  South Central Texas Regional Certification Agency
  3201 Cherry Ridge St., Building B
  Suite 210
  San Antonio, Texas 78230
  (210) 227-4722
  https://sctrca.org

  TxDOT’s Civil Rights Division at (512) 416-4700

*Certification process takes a minimum of 90 days.
Setting DBE Goals

- **Agency Overall Goal**
  - Every three years, TxDOT is required by federal guidelines to determine an overall DBE goal for the agency, which is projected using a formula recommended by the Federal Highway Administration (FHWA).

  - The 2020-2022 triennium goal will be determined later this year and will cover the following Federal fiscal years:
    - October 2019 – September 2020
    - October 2020 – September 2021
    - October 2021 – September 2022
DBE Contract Goals

- Race Conscious (RC): Contract goals that are set/focused specifically on assisting only DBEs.
- Race Neutral (RN): DBE goal achievement on a federally assisted contract where RC DBE goal was exceeded, a DBE is the prime, or where there was no DBE goal.
**DBE Contract Goals**

- TxDOT sets DBE goals on individual procurements, which are funded in whole or in part with federal assistance and are likely to have opportunities for DBE firms.

- TxDOT encourages DBEs to submit bids as a prime contractor and/or participate as subcontractors on projects that are in their field of work based upon their North American Industry Classification System (NAICS) codes.
DBE Contract Goals

- The prime contractor is obligated to make good faith efforts to meet the DBE contract goal, by
  - obtaining enough DBE participation to meet the goal, and
  - documenting evidence of good faith efforts when the contract goal is not met.
Procurement

- Request for Qualifications (RFQ) will be released on May 17, 2019.
- TxDOT has not yet set the project-specific DBE goals for the project, but anticipates that they should be available in the coming months.
The project operates pursuant to a “design-build” contract.

As such, a design-build contractor may be unable to identify individual DBEs at the beginning of the contract.

The design-build contractor will submit a DBE Performance Plan after conditional award, but before contract execution.

Demonstrate ongoing good faith efforts to achieve a DBE goal by:
- hiring DBEs
- submitting to TxDOT for approval the applicable commitment agreement forms, located at https://www.txdot.gov/business/partnerships/dbe-forms.html
DBE Performance Plans

- Written by Design-Build Contractor and approved by TxDOT
- Includes the following information:
  - Details on how the contractor will achieve the goal
  - Specific categories of work that are anticipated to be available for DBEs
  - Planned outreach effort methods
  - Tracking and reporting DBE participation
Commitments

- Dollar commitments to specific DBEs are established to achieve the contract DBE goal.
- DBEs are certified to perform certain types of work based on NAICS Codes.
- To receive credit for good faith efforts and to count toward goal attainment, a DBE must be certified to do the scopes of work that they are contracted to perform.
- TxDOT requires commitments for professional and construction firms before those firms are used.
- Commitments are required before the first notice to proceed for DBE goal credit purposes.
Diversity Management System (DMS)

- DMS is an online tracking system.
- All contractors on federally assisted contracts are required to use DMS.
- DBE payments, and prompt payment reporting are accomplished through DMS.
- All primes and DBEs must have an account in DMS.
Diversity Management System (DMS)

- Access the Diversity Management System Homepage.
  - https://txdot.txdotcms.com/
- Contact the Civil Rights Division at 512-416-4700 for instructions or assistance in creating an account in DMS.
San Antonio District staff will:

- Monitor the Design-Build Contractor for, but not limited to:
  - good faith efforts to achieve the specific DBE goal for the project
  - requests to approve subcontracts and purchase orders for DBEs
  - CUFs
  - DMS required actions
  - DBE substitutions/terminations
  - payments to DBEs and verify Prompt Payment
- Respond to any complaints from DBEs.
QUESTIONS?
Texas Department of Transportation
Civil Rights Division
(512) 416-4700
CIV_Compliance@txdot.gov
THANK YOU