

### Request for Qualifications

Pursuant to the authority granted under Transportation Code, Chapter 223, Subchapter F, as promulgated pursuant to Senate Bill 1420 of the Regular Session of the 82<sup>nd</sup> Legislature, as enacted (enabling legislation), the Texas Department of Transportation (TxDOT) may enter into, in each fiscal year, up to three design-build contracts for the design, construction, expansion, extension, related capital maintenance, rehabilitation, alteration, or repair of a highway project with a construction cost estimate of \$50 million or more for each project. The enabling legislation authorizes private involvement in design-build projects and provides a process for TxDOT to solicit proposals for such projects. Transportation Code, §223.245 prescribes requirements for issuance of a request for qualifications and requires TxDOT to publish a notice of such issuance in the *Texas Register*. On November 17, 2011, the Texas Transportation Commission (commission) proposed for adoption new Subchapter I in Chapter 9 of Title 43, Texas Administrative Code, relating to design-build contracts (the “proposed rules”). The enabling legislation, as well as the proposed rules, if and when adopted, govern the submission and processing of qualification submittals, provide for publication of notice that TxDOT is requesting qualifications submittals, and set forth the basic criteria for qualifications, experience, technical competence, and ability to develop a proposed project and such other information TxDOT considers relevant or necessary in the request for qualifications. The commission has authorized the issuance of a request for qualifications to design, construct and potentially perform capital maintenance on IH 30 from Sylvan Avenue to IH 35E and IH 35E from north of Eighth Street to the IH 30/IH 35E interchange in Dallas County (the Horseshoe project or project), through a design-build contract.

On October 27, 2011 in Minute Order 112874, the commission authorized TxDOT to commence the procurement process for the Horseshoe project under the enabling legislation. This notice represents the next step in the process.

Through this notice, TxDOT is seeking qualifications submittals (QS) from teams interested in entering into a design-build contract in response to a request for qualifications (RFQ). TxDOT intends to evaluate any QS received and may request submission of detailed proposals, potentially leading to negotiation, award, and execution of a design-build contract. TxDOT will accept for consideration any QS received in accordance with the enabling legislation, final rules and the RFQ on or before the deadline in this notice. TxDOT anticipates issuing the RFQ, receiving and analyzing the QSs, developing a shortlist of proposing entities or consortia, and issuing a request for proposals (RFP) to the shortlisted entities. After review and a best value evaluation of the responses to the RFP, TxDOT may negotiate and enter into a design-build contract for the project.

**RFQ Evaluation Criteria.** QSs will be evaluated by TxDOT for shortlisting purposes using the following general criteria: qualifications and experience and statement of technical approach. The specific criteria under the foregoing categories will be identified in the RFQ, as will the relative weighting of the criteria.

**Release of RFQ and Due Date.** TxDOT currently anticipates that the RFQ will be available on December 9, 2011. Copies of the RFQ will be available at the Texas Department of Transportation, 7600 Chevy Chase Dr., Austin, Texas 78752-1599 or on the following website: [http://www.txdot.gov/project\\_information/projects/dallas/horseshoe/rfq.htm](http://www.txdot.gov/project_information/projects/dallas/horseshoe/rfq.htm). QSs will be due by 3:00 p.m. on January 26, 2012 at the address specified in the RFQ.