



Delaware Department of Transportation

STATE OF DELAWARE



DEPARTMENT OF TRANSPORTATION

DESIGN-BUILD PROJECT

for

Claymont Regional Transportation Center

State Contract T201651201

New Castle County

REQUEST FOR QUALIFICATIONS

APPENDIX A

ABBREVIATIONS AND DEFINITIONS



**APPENDIX A
STATEMENT OF QUALIFICATIONS
ABBREVIATIONS AND DEFINITIONS**

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ABBREVIATIONS AND DEFINITIONS

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1.0 Definitions

"**Addenda/Addendum**" means supplemental additions, deletions, and modifications to the provisions of the RFQ after the Advertisement date of the RFQ.

"**Advertisement**" means a public announcement inviting prospective Submitters to attend a meeting to describe the Project and obtain an RFQ and submit an SOQ. The Advertisement includes a brief description of the Work proposed to be the subject of the procurement, where the RFQ may be obtained, the terms and conditions under which SOQs will be received, and such other matters as the Department may deem advisable to include therein.

"**Affiliate**" means any of the following:

Person who directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with the following:

- The Submitter; or
- Any other Principal Participant.

An Affiliate may also be any Person for which ten percent or more of the equity interest in such Person is held directly or indirectly, beneficially or of record, by the following:

- The Submitter;
- Any Principal Participant; or
- Any Affiliate of the Submitter under part (A) of this definition.

For purposes of this definition, the term "control" means the possession, directly or indirectly, of the power to cause the direction of the management of a Person, whether through voting securities, by contract, by family relationship, or otherwise.

"**Calendar Day**" means each and every day shown on the calendar, beginning and ending at midnight.

"**Clarifications**" means a written exchange of information that takes place between a Submitter and the Department after the receipt of all SOQs during the evaluation process. The purpose of Clarifications is to address ambiguities, omissions, errors or mistakes, and clerical revisions in an SOQ.

"**Construction Subcontractor**" means a subcontractor retained by the Submitter that will be involved in the actual construction of the Project.

"**Constructor**" means a Principal Participant or Construction Subcontractor retained by the Submitter that is involved in the actual construction of the Project.

"**Contract**" means the written agreement between the Department and the successful Proposer setting forth the obligations of the parties thereunder, including, but not limited to, the performance of the Work, the furnishing of labor and material, and the basis of payment. The Contract includes the Contract Documents identified in the Request For Proposals (RFP); the successful Proposer's Proposal Documents; the successful Proposer's Price Proposal; the Notice To Proceed (NTP); and any amendments, supplemental agreements, and change orders that are required to complete the design and construction of the Work in an acceptable manner, including authorized extensions thereof, all of which constitute one instrument.

"**Contract Documents**" means the Agreement, Design-Build (DB) Specifications, DB Standard and Supplemental Specifications, Special Provisions, the Scope of Services Package, the successful Proposer's Proposal Documents, the successful Proposer's Price Proposal, and all provisions required by law to be inserted in the Contract whether actually inserted or not. Whenever separate publications and the Department's Standard Specifications are referenced in the Contract Documents, it is understood to mean the publication and Specifications, as amended, which are current on the date of Advertisement, unless otherwise noted.



"Deficiency" means a material failure of an SOQ to meet the Department's requirements or a combination of significant Weaknesses in an SOQ that increases the risk of unsuccessful Contract performance to an unacceptable level.

"Delaware Department of Transportation" means the Department or its representatives.

"Delaware Department of Transportation Project Manager" means the engineer representing the Department and having direct supervision of the administration and execution of the Contract.

"Department" means the Delaware Department of Transportation.

"Design-Build" means a project delivery methodology by which the Department contracts with a single legal entity that has responsibility for the design and construction of a project under a single contract with the Department.

"Design-Builder" means the Single Legal Entity selected pursuant to the RFP that enters into the Contract with the Department to design and construct the Project (also referred to as the "DB Team").

"Independent Assurance" means activities that are unbiased and independent (of the Design-Builder or Project staff) evaluation of all the design, sampling and testing procedures, equipment calibration, and qualifications of personnel (Design-Builder's or Department's) used in the acceptance program, including the Design-Builder's Quality Control (QC). The Department, or a firm retained by the Department, will perform Independent Assurance (IA).

"Instructions To Proposers" means those documents containing directions for the preparation and submittal of information by the Proposers in response to the RFP.

"Lead Engineer" means a Principal Participant, Specialty Subcontractor, or in-house designer that leads the team furnishing or performing the civil/site design of the Project.

"Lead Principal Participant" means the Principal Participant that is designated by the Proposer as having the lead responsibility for managing the Proposer's organization.

"Person" means any individual, firm, corporation, company, Limited Liability Company (LLC), Joint Venture (JV), or partnership.

"Principal Participant" means any of the following entities:

The Submitter or Proposer;

Individual firms, general partners, or Joint Venture members of the Submitter or Proposer; and/or;

All Persons and legal entities holding (directly or indirectly) a 15% or greater interest in the Submitter or Proposer.

"Project" means the improvements to be designed and constructed by the Design-Builder and all other Work product to be provided by the Design-Builder in accordance with the Contract Documents.

"Proposal" means the offer (in response to the RFP) of the Proposer for the Work, when executed and submitted in the prescribed format and on the prescribed forms.

"Proposer" means a Single Legal Entity submitting an RFP if selected for the Short-List, an entity submitting a Proposal.



"Quality Acceptance" means all planned and systematic actions by the Department necessary to provide confidence that all Work complies with the Contract and that all material incorporated in the Work and all equipment and all elements of the Work will perform satisfactorily for the purpose intended. Actions include, but are not limited to: design audits, checks and reviews; oversight, including specification compliance reviews, document control, and working plan review; material Verification Sampling and Testing at production sites and the Project site; oversight of manufacturing/processing facilities and equipment; oversight of on-site equipment, calibration of test equipment, and acceptance or rejection of material based on verification and QC testing; and documentation of Quality Acceptance (QA) activities. Quality Acceptance also includes IA testing, the Department's Project Manager's written acceptance, final inspection, and final acceptance.

"Quality Acceptance Program" means the overall quality program and associated activities including the Department's QA/QC, the Design-Builder's QC, the Contract quality requirements, and the Design-Builder's quality plan.

"Quality Control" means the total of all activities performed by the Department, Design-Builder, , subcontractors, producers, or manufacturers to ensure that a product meets Contract requirements. Quality Control includes design reviews and checks; inspection of material handling and construction; calibration and maintenance of sampling and testing equipment; working plan review; document control; production process control; and any inspection, sampling, and testing done for these purposes. Quality Control also includes documentation of QC efforts.

"Quality Control Manager" means the individual employed by the Design-Builder who is responsible for the overall QC program of the Design-Builder, including the quality of management, design, and construction.

"Reference Documents" means the documents provided with and so designated in the RFP. The Reference Documents, including plans contained therein and/or so designated, are not Contract Documents and are provided to the Proposers for informational purposes.

"Request For Proposals" means a written solicitation issued by the Department seeking Proposals to be used to identify the Proposer offering the best value to the Department. The RFP includes the Instructions To Proposers (ITP), Contract Documents, and Reference Documents. This document is issued only to Proposers that are on the Short-List.

"Request For Qualifications" means the written solicitation issued by the Department seeking SOQs to be used to identify and short-list the most highly qualified Submitters to receive the RFP for the Project.

"Scope of Services Package" means the Scope of Services, Performance Specifications, Utility Requirements, Preliminary Engineering (PE)/Preliminary Design, and Environmental Requirements. The Scope of Services Package is one part of the Contract Documents.

"Secretary" means the Secretary of the Department.

"Short-List" means the list of those Submitters that have submitted SOQs that the Department determines, through evaluation of the SOQs, are the most highly qualified Persons and that will be invited to submit Proposals in response to an RFP.

"Single Legal Entity" means the corporation, JV, LLC, partnership, or other type of legal entity with which the Department will execute the Design Build Contract for this Project. A Proposer/Submitter may have a prime/subcontractor relationship with many different types of subcontractors, including Architects and constructors.



"Statement Of Qualifications" means the information prepared and submitted by a Submitter in response to this RFQ. The Statement Of Qualifications includes the Letter Of Interest (LOI).

"Sub-contractor" means an individual or legal entity contracting with the Submitter to perform any part of the design or construction of an item of work as part of the Submitter's contract with the Department.

"Submitter" means a Single Legal Entity submitting a SOQ to provide all services required for the Project in response to this RFQ.

"Verification Sampling and Testing" means sampling and testing performed to validate the quality of the product. The Department, or a firm retained by the Department, will perform Verification Sampling and Testing.

"Weakness" means a flaw in the SOQ that increases the risk of unsuccessful Contract performance. A significant Weakness in the SOQ is a flaw that appreciably increases the risk of unsuccessful Contract performance.

"Work" means the furnishing of all labor, material, equipment, and other incidentals necessary or convenient to the successful completion of the Project and the carrying out of all the duties and obligations imposed by the Contract.

2.0 ABBREVIATIONS AND DEFINITIONS

These RFQ/RFP documents include abbreviations and specific defined terms as indicated below.

Abbreviations

AA	Aluminum Association
AAN	American Association of Nurserymen
AAR	Association of American Railroads
AASHTO	American Association of State Highway and Transportation Officials
ACI	American Concrete Institute
ADA	Americans with Disabilities Act
AED	Associated Equipment Distributors
AGC	Associated General Contractors of America
AGMA	American Gear Manufacturers Association
AIA	American Institute of Architects
AISC	American Institute of Steel Construction
AISI	American Iron and Steel Institute
ANSI	American National Standards Institute, Inc.
API	American Petroleum Institute
ARA	American Railway Association
AREA	American Railway Engineering Association
ARRA	American Recovery and Reinvestment Act of 2009
ARTBA	American Road and Transportation Builders Association
ASCE	American Society of Civil Engineers
ASLA	American Society of Landscape Architects
ASME	American Society of Mechanical Engineers
ASTM	American Society for Testing and Materials
ATA	American Transit Association
AWG	American Wire Gauge
AWPA	American Wood-Preservers Association
AWS	American Welding Society
AWWA	American Water Works Association



BDM	Delaware Department of Transportation Bridge Design Manual
BMP	Best Management Practices
CD-ROM	Compact Disc - Read Only Memory
CE	Construction Engineering
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CFO	Chief Financial Officer
CFR	Code of Federal Regulations
CPA	Certified Public Accountant
CPM	Critical Path Method
CRSI	Concrete Reinforcing Steel institute
CSL	Contract Submittal List
DB	Design-Build
DBE	Disadvantaged Business Enterprise
DeIDOT	Delaware Department of Transportation
DNREC	Division of Natural Resources and Environmental Control (State of Delaware)
EA	Environmental Assessment
EASA	Electrical Apparatus Service Association
EOR	Engineer of Record
EPA	Environmental Protection Agency of the United States Government
FAA	Federal Aviation Administration, United States Department of Transportation
FHWA	Federal Highway Administration, United States Department of Transportation
FONSI	Finding Of No Significant Impact
FSS	Federal Specifications and Standards, General Services Administration
FTA	Federal Transit Administration
FY	Fiscal Year
GAAP	Generally Accepted Accounting Principles
IA	Independent Assurance
ICC	International Code Council
IEEE	Institute of Electrical and Electronics Engineers
IES	Illuminating Engineering Society
IPCEA	Insulated Power Cable Engineers Association
ISO	International Standards Organization
ITE	Institute of Transportation Engineers
ITP	Instructions to Proposers
JV	Joint Venture
LD	Liquidated Damages
LEED	Leadership in Energy and Environmental Design
LLC	Limited Liability Company
LLC	Limited Liability Company
LOI	Letter of Interest
MIL	Military Specifications
MOU	Memorandum Of Understanding
MPO	Metropolitan Planning Organization
MUTCD	Manual of Uniform Traffic Control Devices
N/A	Not Applicable
NCHRP	National Cooperative Highway Research Program
NCR	Non-Conformance Report
NEC	National Electrical Code
NEMA	National Electrical Manufacturers Association
NEPA	National Environmental Policy Act
NFPA	National Fire Protection Association



NIST	National Institute of Standards and Technology
NOAA	National Oceanic and Atmospheric Administration
NTP	Notice to Proceed
OSHA	Occupational Safety and Health Administration, United State Department of Labor
PC	Project Component
PCA	Portland Cement Association
PCI	Prestressed Concrete Institute
PCP	Progress Check Point
PCV	Project Component Value
PE	Preliminary Engineering
PI	Public Information
PPS-C	Contract Periodic Payment Schedule
PPS-P	Proposed Periodic Payment Schedule
PTI	Post Tensioning Institute
QA	Quality Acceptance
QC	Quality Control
RFI	Request For Information
RFP	Request For Proposals
RFQ	Request For Qualifications
RMA	Rubber Manufacturers Association
ROW	Right Of Way
SAE	Society of Automotive Engineers
SEC	Securities and Exchange Commission
SHPO	State Historic Preservation Office
SI	Systeme Internationale - International System of Units
SOQ	Statement of Qualifications
SSPC	Steel Structures Painting Council
TBD	To Be Determined
UL	Underwriters Laboratories, Inc.
US DOT	United States Department Of Transportation
US	United States
USACE	United States Army Corps of Engineers
USC	United States Code
USDOL	United States Department Of Labor
VE	Value Engineering
WBS	Work Breakdown Structure