

**ENGINEERING AND RELATED SERVICES
MAY 05, 2015**

**CONTRACT NO. 4400005894
RETAINER CONTRACT FOR
SAFE ROUTES TO SCHOOLS (SRTS) AND
LOCAL ROAD SAFETY PROGRAM (LRSP)
STATEWIDE**

Under Authority granted by Title 48 of Louisiana Revised Statutes, the Louisiana Department of Transportation and Development (DOTD) hereby issues a Request for Qualification Statements (RFQ) on DOTD Form 24-102 (24-102), "Professional Engineering and Related Services", revised November 2011, from Consulting Firms (Consultant) to provide engineering and related services. **Consultants who are a Louisiana or foreign LLC or corporation should be appropriately registered with the Louisiana Secretary of State, as contemplated by Title 12 of the Louisiana Revised Statutes, and with LAPELS under its rules for FIRMS. If a Consultant fails to place itself in good standing in accordance with those provisions, it may be subject to consequences contemplated in Title 12 and/or the LAPELS rules. All requirements of Louisiana Professional Engineering and Land Surveying (LAPELS) Board must be met and the Prime Consultants shall be registered with the Federal Government using SAM.gov at the time of submittal. One Prime-Consultant/Sub-Consultant(s) (Consultant/Team) will be selected for this Contract.**

DOTD employees may not submit a proposal, nor be included as part of a Consultant's team.

Project Manager – Brian Parsons

All inquiries concerning this advertisement should be sent in writing to hadi.shirazi@la.gov and heather.huval@la.gov.

PROJECT DESCRIPTION

The Retainer Contract will be used to acquire engineering and related services for Safe Routes to Schools and/or Local Road Safety Program projects within the referenced Districts. **The majority of the work will be in Districts 05 and 58.**

The selected Consultant will perform engineering and related services to prepare preliminary and final plans for selected sidewalk and minor road projects, perform construction engineering, inspection and testing services for selected construction/installation projects, provide site investigation and engineering for selected signing and marking projects, perform traffic engineering studies and inspection services for selected locations, all by Retainer Contract under separate Task Orders for each project.

PROJECT REPORTS

Within thirty days after notification by the DOTD Project Manager of a pending task order, the Consultant shall meet with the DOTD Project Manager and Sponsor for a kick-off meeting/pre-construction design conference, visit the project site(s) and prepare a project report. Each report shall contain a detailed scope, cost estimate for engineering and construction, and a time schedule for completion. Services will be performed under the direct supervision of the DOTD and will be monitored by the project Sponsor. These services will be paid at a unit cost of **\$3,220**. Each task order will become part of the Retainer contract.

SCOPE OF SERVICES

The services to be rendered for this Retainer Contract shall consist of the following Stages and Parts:

Stage 3: Design

Part I: Surveying Services

- (a) Topographic Survey
- (b) Title Research Reports
- (c) Property Survey
- (d) Title Updates
- (e) Right-of-Way (R/W) Maps
- (f) Title Take-Off

Part II: R/W Acquisition and Utility Relocation

Part III: Preliminary Plans

Part IV: Final Plans

Part VII: Construction Proposal

Stage 5: Construction

Part III: Construction Inspection (CE&I)

The selected Consultant will be required to provide some or all of the following services for each Task Order (TO):

Sidewalk/Road Improvement Projects

STAGE 3: DESIGN

Part I: Surveying Services

- (a) Topographic Survey
- (b) Title Research Reports
- (c) Property Survey
- (d) Title Updates
- (e) Right-of-Way (R/W) Maps

(f) Title Take-Off

The Consultant shall perform the above services when specified and to the extent required for the subject project specified in the Task Order.

Part II: R/W Acquisition

The Consultant shall perform the above services when specified and to the extent required for the subject project specified in the Task Order.

Part III: Preliminary Plans

The Consultant shall prepare preliminary plans for the project specified in the Task Order.

Part IV: Final Plans

The Consultant shall prepare final plans for the project specified in the Task Order.

Part VI: Construction Proposal

The Consultant shall prepare the construction proposal for the project specified in the Task Order.

STAGE 5: CONSTRUCTION ENGINEERING SERVICE

Part III: Construction Inspection

The Consultant will perform all construction engineering and inspection services for the project included in the Task Order. The consultant will also be required to supply any material testing services that may be required for the project.

Signing/Pavement Marking Projects

STAGE 3: DESIGN

Part I: Surveying Services

Field Verification – The consultant shall perform field investigations regarding the location and attributes of existing signs, pavement markings and/or other specified traffic control devices at locations specified in the Task Order.

Part III: Preliminary Plans

The Consultant shall prepare preliminary plans for the project specified in the Task Order. The consultant shall analyze the existing signing and marking and determine required changes to comply with DOTD policies and the latest Manual of Uniform Traffic Control Devices adopted by the Chief Engineer. Preliminary layouts shall be developed to conform to the standards.

The consultant shall obtain concurrence of proposed layouts with the project manager and local governing authorities.

Part IV: Final Plans

Final – The consultant shall provide final plans for the project as specified in the Task Order. The format will be based on the area involved and scale required to provide enough details so that it can be used by a contractor to locate and install the signs as proposed. Plan notes shall include any sign and support removals and new signs and support installations. The plans shall also include signing summary sheets for each location or other specified area and will include removals, signs, sign supports, and pavement markings by location.

Cost Estimates – A cost estimate of the project will be provided at both the preliminary and final design stages.

Deliverables - The consultant may be required to provide paper and electronic copies of the field survey, field photographs, preliminary/final plans, and preliminary/final estimates.

Part VI: Construction Proposal

The Consultant will prepare the construction proposal for the project specified in the Task Order.

STAGE 5: CONSTRUCTION ENGINEERING SERVICE

Part III: Construction Inspection

The Consultant will perform all construction engineering and inspection services for the project included in the Task Order. The consultant will also be required to supply any material testing services that may be required for the project.

Traffic Study Projects

The consultant will be required to collect field data, perform traffic studies, and prepare preliminary and final plans for traffic signals, flashing beacons or other traffic control devices and/or perform other traffic studies as specified in the Task Order. The format of the report and/or plans will be specified in the TO.

Deliverables - The consultant may be required to provide field survey, field photographs, final plans, final estimates, reports, etc.

REFERENCES

All services and documents will meet the standard requirements as to format and content of the DOTD; and will be prepared in accordance with the latest applicable editions, supplements and revisions of the following:

1. AASHTO Standards, ASTM Standards or DOTD Test Procedures
2. DOTD Location and Survey Manual
3. DOTD Roadway Design Procedures and Details
4. DOTD Hydraulics Manual
5. DOTD Standard Specifications for Roads and Bridges
6. Manual of Uniform Traffic Control Devices
7. DOTD Traffic Signal Design Manual
8. National Environmental Policy Act (NEPA)
9. National Electric Safety Code
10. National Electric Code (NFPA 70)
11. DOTD Environmental Impact Procedures (Vols. I-III)
12. Policy on Geometric Design of Highways and Streets
13. Construction Contract Administration Manual
14. Materials Sampling Manual
15. DOTD Bridge Design Manual
16. Consultant Contract Services Manual
17. Geotechnical Engineering Services Document
18. Bridge Inspectors Reference Manual
19. DOTD Stage 1 Manual of Standard Practice
20. Code of Federal Regulations 29 CFR 1926 (OSHA)
21. Highway Safety Manual
22. AASHTO Guide for the Planning, Design and Operations of Pedestrian Facilities
23. AASHTO Guide for the Development of Bicycle Facilities

Follow link below for the individual reference links:

<http://webmail.dotd.louisiana.gov/ContWEB.nsf/b88769326453bef886256fe00047183a/18fc2860512aba5886257a62006133b8?OpenDocument>

COMPENSATION

Compensation to the Consultant for services rendered in connection with each TO shall be based on negotiated work-hours using DOTD established billable rates or a unit cost for Project Reports for the actual work performed on the Task Order.

The following unit cost is hereby established:

Project Reports \$3,220

The amount payable under this Retainer contract for services to be performed under the various TO's shall not exceed a maximum of **\$1,500,000**. Each TO shall be payable under the respective TO project number which shall be obtained by the Project Manager.

The Consultant may request to have the initial billable rates updated on a yearly basis. However, any adjustment to the Contract billable rates shall not be cause for an increase in the maximum compensation limitation imposed herein.

All travel related expenses will be compensated under direct expenses, and will be in accordance with Louisiana Office of State Travel regulations found at: <http://www.doa.louisiana.gov/osp/travel/travelpolicy.htm>. Vehicle rental rates will require prior approval from the DOTD Project Manager.

DIRECT EXPENSES

All direct expense items which are not paid for in the firm's overhead which are needed and will be consumed during the life of the contract must be identified by the consultant during contract development. Standard equipment to be used in the provision of services rendered for this contract will not be considered for payment under direct expenses. Failure to provide the above information will deem items as non-qualifying for direct expenses.

The Consultant shall provide a minimum of three rate quotes for any specialty vehicle or equipment. Any and all items for which said quotes are not submitted shall be deemed as non-qualifying for payment as direct expenses.

CONTRACT TIME AND NOTICE TO PROCEED

This Retainer Contract shall be in effect for the duration of **three years**. The services to be performed for each Task Order (TO) will be determined prior to the execution of the TO. The Consultant will proceed with the services required in the TO upon issuance of the Notice to Proceed from the DOTD. The contract time for each TO, will be specified in the executed TO. Any TO in effect, prior to the expiration date of the Retainer Contract shall be completed. Any TO which has not expired may be supplemented as long as the Retainer Contracts funds have not been exhausted.

ELECTRONIC DELIVERABLES

The Consultant hereby agrees to produce electronic deliverables in conformance with the DOTD Software and Deliverable Standards for Electronic Plans document. The Consultant is also responsible for ensuring that Sub-Consultants submit their electronic deliverables in conformance with the same standards. The DOTD Software and Deliverable Standards for Electronic Plans document and DOTD CAD Standards Downloads are available via links on the DOTD web site.

The Consultant shall apply patches to CAD Standard Resources and install incremental updates of software as needed or required. The Consultant hereby agrees to install major

updates to software versions and CAD Standard Resources in a timely manner. Major updates of CAD standards and software versions shall be applied per directive or approval of the DOTD Design Automation Manager. Such updates will not have a significant impact on the plan development time or project delivery date, nor will they require the Consultant to purchase additional software. Prior to proceeding with plan development, the Consultant shall contact the Project Manager for any special instructions regarding project-specific requirements.

In the event that any electronic standard conflicts with written documentation, including DOTD plan-development Manuals, the electronic standard typically governs. The Consultant is responsible for contacting the Project Manager should questions arise.

The Consultant shall upload (or check in) electronic deliverables directly into the DOTD ProjectWise repository at each plan delivery milestone. Consultants are responsible for performing certain operations at each milestone including, but not limited to, the following:

- Upload (or check in) CAD plan deliverables to the discipline “Plans” folder
- Apply and maintain indexing attributes to CAD plans (and other deliverables as needed)
- Publish PDF format plan submittals in ProjectWise using automated publishing tools
- Digitally sign PDF format plan submittals in ProjectWise according to DOTD standards and procedures (Final Plans, Revisions and Change Orders). Signatures shall be applied in signature blocks provided with electronic seals and Title Sheets.

Additionally, after reviewing deliverables for each submittal milestone, the Project Manager shall notify the Consultant regarding the availability of two automatically-generated informational reports in ProjectWise. These reports document the completion status and other information regarding indexing attributes and CAD standards. Consultants shall take these reports into account and make any necessary adjustments to plans before the next submittal milestone; or sooner, if directed by the Project Manager.

QUALITY CONTROL/QUALITY ASSURANCE

The DOTD requires the Consultant to develop a Quality Control/Quality Assurance program or adopt DOTD's program; in order to provide a mechanism by which all construction plans can be subject to a systematic and consistent review. Consultant's must ensure quality and adhere to established design policies, procedures, standards and guidelines in the preparation and review of all design products. The DOTD shall provide limited input and technical assistance to the Consultant. The Consultant's plans shall meet or exceed DOTD's Construction Plans Quality Control / Quality Assurance Manual and EDSM No. Volume I. 1.1.24 on Plan Quality. The Consultant shall transmit plans

with a DOTD Quality Control/Quality Assurance Checklist, Documentation Manual for Project Delivery, and a certification that the plans meet the DOTD's quality standards.

MINIMUM PERSONNEL REQUIREMENTS

The following requirements must be met at time of submittal:

1. At least one Principal of the Prime-Consultant must be a Professional Engineer registered in the State of Louisiana.
2. At least one Principal or a responsible member of the Prime-Consultant must be a Professional Civil Engineer registered in the State of Louisiana.
3. The Prime-Consultant must employ on a full time basis, one Professional Civil Engineer registered in the State of Louisiana with at least five years of experience in roadway design.
4. In addition to the above requirements, the Prime-Consultant must also employ on a full-time basis, or through the use of a Sub-Consultant(s) or contract employees:
 - a. One Professional Land Surveyor registered in the State of Louisiana, with a minimum of five years of experience in preparation of Right-of-Way maps.
 - b. A minimum of one PTOE registered in the State of Louisiana, with a minimum of five years of traffic analysis experience with signal warrants and signal timing, and a corresponding support staff.
 - c. One Professional Civil Engineer registered in the State of Louisiana, with a minimum of five years of experience in roadway construction.

The following requirement must be met prior to commencement of construction activities:

5. The Prime Consultant must also employ on a full time basis, or through the use of a sub-consultant(s), a minimum of one inspector with a minimum of five years experience in road construction, plus a corresponding support staff of technicians. DOTD Certified Inspectors are required for inspection of some activities per DOTD policy. The major activities below may require certified inspectors. The need for certified inspectors will be determined on a per project basis:
 - a. Structural Concrete
 - b. Embankment and Base Course
 - c. Asphalt Concrete Paving

WORK ZONE TRAINING REQUIREMENTS (PRE-CONSTRUCTION SERVICES)

As part of DOTD's on-going commitment to work zone safety, required work zone training courses must now be taken every four years in order for personnel to remain eligible to work on DOTD projects. For consultants performing pre-construction services (i.e., design, survey, subsurface utility, geotechnical, traffic, bridge inspection,

environmental services), appropriate personnel must take these courses. In general, the responsible charge of traffic control plans shall be required to have Traffic Control Supervisor training. For field services performed within the clear zone, at least one member of the field crew shall have Traffic Control Supervisor or Traffic Control Technician training. Consultant should identify all personnel listed in the staffing plan for the project that have completed the appropriate work zone training courses. Current certifications of compliance for this training should be submitted with and made part of Consultant's DOTD Form 24-102. The consultant shall explain in Section 13 of DOTD Form 24-102 how they plan to meet the work zone requirements. However, all requirements shall be met prior to contract execution. It will be the prime consultant's responsibility to ensure their staff and sub-consultants have the appropriate work zone training.

The above requirements are the minimum to perform work on DOTD projects. It is desired that all staff have work zone training as shown below:

Engineers:	Traffic Control Technician Traffic Control Supervisor Flagger
Engineer Interns:	Traffic Control Technician Traffic Control Supervisor Flagger
Field Senior Technicians, Survey Party Chiefs, and SUE Worksite Traffic Supervisors:	Traffic Control Technician Traffic Control Supervisor Flagger
Field Personnel:	Traffic Control Technician Flagger

Approved courses are offered by ATSSA and AGC. Substitutes for these courses must be approved by the LA DOTD Work Zone Task Force. Specific training course requirements are:

Flagger:	Successful completion every four years of a work zone flagger course approved by the Department. The "DOTD Maintenance Basic Flagging Procedures Workshop" is not an acceptable substitute for the ATSSA and AGC flagging courses.
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Traffic Control Technician (TCT): Successful completion every four years of a work zone traffic control technician course approved the Department. After initial successful completion, it is not necessary to retake this course every four years if Traffic Control Supervisor training is completed every four years.

Traffic Control Supervisor (TCS): Successful completion of a work zone traffic control supervisor course approved by the Department. Following an initial completion, traffic control supervisors must either complete a 1-day TCS refresher course or retake the original 2-day TCS course every four years.

ATSSA contact information: (877) 642-4637

WORK ZONE TRAINING REQUIREMENTS (CE&I)

For Consultants performing Construction Engineering and Inspection (CE&I) projects, all project personnel (engineers engineer interns, and field personnel, *excluding Asphalt Plant Inspector and Office Manager) listed in the staffing plan for the project shall have completed the appropriate work zone training courses at the time of submittal. Current certifications of compliance for this training shall be submitted with and made part of Consultant's DOTD Form 24-102.

Engineers:	Traffic Control Technician Traffic Control Supervisor Flagger
Engineer Interns:	Traffic Control Technician Traffic Control Supervisor Flagger
Construction Senior Technicians*	Traffic Control Technician Traffic Control Supervisor Flagger
Construction Inspectors*:	Flagger Traffic Control Technician

*Excluding Asphalt Plant Inspector and Office Manager

Approved courses are offered by ATSSA and AGC. Substitutes for these courses must be approved by the LA DOTD Work Zone Task Force. Specific training course requirements are:

Flagger: Successful completion every four years of a work zone flagger course approved by the Department. The “DOTD Maintenance Basic Flagging Procedures Workshop” is not an acceptable substitute for the ATSSA and AGC flagging courses.

Traffic Control Technician (TCT): Successful completion every four years of a work zone traffic control technician course approved the Department. After initial successful completion, it is not necessary to retake this course every four years if Traffic Control Supervisor training is completed every four years.

Traffic Control Supervisor (TCS): Successful completion of a work zone traffic control supervisor course approved by the Department. Following an initial completion, traffic control supervisors must either complete a 1-day TCS refresher course or retake the original 2-day TCS course every four years.

Training Certifications/Certifications of Compliance must be submitted with and made part of the Consultants DOTD Form 24-102 for all Personnel Requirements listed herein.

EVALUATION CRITERIA

The general criteria to be used by DOTD in evaluating responses for the selection of a Consultant to perform these services are:

1. Consultant’s firm experience on similar projects, weighting factor of 3;
2. Consultant’s personnel experience on similar projects, weighting factor of 4;
3. Consultant’s firm size as related to the estimated project cost, weighting factor of 3;
4. Consultant’s past performance on similar DOTD projects, weighting factor of 6;**
5. Consultant’s current work load, weighting factor of 5;
6. Location where the work will be performed, weighting factor of 4. *

*Location will be based from Rayville, Louisiana.

**The CE&I (CC) (25%) and Road Design (RX) (75%) performance ratings will be used for this project.

Complexity level- normal

Consultants will be evaluated as indicated in Items 1- 6. The evaluation will be by means of a point-based rating system. Each of the above criteria will receive a rating on a scale of 0-4. Then the rating will be multiplied by the corresponding weighting factor. The firm’s ratings in each category will then be added to arrive at the Consultant’s final rating.

If Sub-Consultants are used, the Prime Consultant must perform a minimum of 51% of the work for the overall project. Each member of the Consultant/Team will be evaluated

on their part of the contract, proportional to the amount of their work. The individual team member ratings will then be added to arrive at the Consultant/Team rating.

Communication Protocol

DOTD's Project Evaluation Team will be responsible for performing the above described evaluation, and will present a short-list of the three (if three are qualified) highest rated Consultants to the Secretary of the DOTD. The Secretary will make the final selection. **Below are the proposed Team members. DOTD may substitute for any reason provided the members meet the requirements of R.S. 48:291.**

1. Hadi Shirazi – Ex officio
2. Brian Parsons – Project Manager
3. April Renard
4. Connie Porter Betts
5. Laura Riggs
6. James Chapman

Rules of Contact (Title 48 Engineering and Related Services)

These rules are designed to promote a fair, unbiased, legally defensible selection process. The LA DOTD is the single source of information regarding the Contract selection. The following rules of contact will apply during the Contract selection process and will commence on the date of advertisement and cease at the contract execution by the selected firm. Contact includes face-to-face, telephone, facsimile, Electronic-mail (E-mail), or formal written communications. Any contact determined to be improper, at the sole discretion of the LA DOTD, may result in the rejection of the submittal (24-102):

- A. The Consultant shall correspond with the LA DOTD regarding this advertisement only through the LA DOTD Consultant Contracts Services Administrator;
- B. Neither the Consultant, nor any other party on behalf of the Consultant, shall contact any LA DOTD employees, including but not limited to, department heads; members of the evaluation teams; and any official who may participate in the decision to award the contract resulting from this advertisement except through the process identified above. Contact between Consultant organizations and LA DOTD employees is allowed during LA DOTD sponsored one-on-one meetings;
- C. Any communication determined to be improper, at the sole discretion of the LA DOTD, may result in the rejection of submittal, at the sole discretion of the LA DOTD;
- D. Any official information regarding the project will be disseminated from the LA DOTD'S designated representative on the LA DOTD website. Any official correspondence will be in writing;
- E. The LA DOTD will not be responsible for any verbal exchange or any other information or exchange that occurs outside the official process specified herein.

By submission of a response to this RFQ, the Consultant agrees to the communication protocol herein.

CONTRACT REQUIREMENTS

The selected Consultant will be required to execute the contract within 10 days after receipt of the contract.

INSURANCE - During the term of this contract, the Consultant will carry professional liability insurance in the amount of \$1,000,000. This insurance will be written on a “claims-made” basis. Prior to executing the contract, the Consultant will provide a Certificate of Insurance to DOTD showing evidence of such professional liability insurance.

AUDIT - The selected Consultant will allow the DOTD Audit Section to perform an annual overhead audit of their books, or provide an *independent* Certified Public Accountant (CPA) audited overhead rate. This rate must be developed using Federal Acquisition Regulations (FAR) and guidelines provided by the DOTD Audit Section. In addition, the Consultant will submit semi-annual labor rate information, when requested by DOTD.

The selected Consultant will maintain, an approved Project Cost System and segregate direct from indirect cost in their General Ledger. Pre-award and post audits, as well as interim audits, may be required. For audit purposes, the selected Consultant will maintain accounting records for a minimum of five years after final contract payment.

Any Consultant currently under contract with the DOTD and who failed to meet all the audit requirements documented in the manual and/or notices posted on the DOTD Consultant Contract Services Website (www.dotd.louisiana.gov), will not be considered for this project.

SUBMITTAL REQUIREMENTS

One original (**stamped “original”**) and **five** copies of the DOTD Form 24-102 must be submitted to DOTD **along with an electronic copy (USB flash drive only) in a searchable Portable Document Format (pdf). If you wish to have your flash drive returned, please include a postage paid, self-addressed envelope.** All submittals must be in accordance with the requirements of this advertisement and the Consultant Contract Services Manual. Any Consultant/Team failing to submit any of the information required on the 24-102, or providing inaccurate information on the 24-102, will be considered non-responsive.

Multiple firms that are listed on a single proposal (e.g., prime consultants as well as listed sub-consultants) will be considered a “Team.” Only one Consultant or Team will be selected for each contract to be awarded pursuant to a Request for Qualifications. A Team may submit more than one proposal reflecting different allocations of work or different combinations of prime and sub-consultants, but in no instance will a single Team be awarded more than one contract from a single Request for Qualifications.

Any Sub-Consultants to be used, including Disadvantaged Business Enterprises (DBE), in performance of this Contract, must also submit a 24-102, which is completely filled out and contains all information pertinent to the work to be performed.

The Sub-Consultant’s 24-102 must be firmly bound to the Consultant’s 24-102. In Section 8, the Consultant’s 24-102 must describe the **work elements** to be performed by the Sub-Consultant(s), and state the approximate **percentage** of each work element to be subcontracted to each Sub-Consultant.

Contract employees may be allowed for a period of time for a particular element or task on a project. Contract employees should be shown in **Section 9a. Project Staffing Plan** with resumes included in **Section 10**.

Use of contract employees requires prior approval by the Consultant Contract Services Section for each element or task on a project. The approval request shall be made prior to the submittal of the 24-102 form.

Name(s) of the Consultant/Team listed on the 24-102, must precisely match the name(s) filed with the Louisiana Secretary of State, Corporation Division, and the Louisiana State Board of Registration for Professional Engineers and Land Surveyors.

The DOTD Form 24-102 will be identified with **Contract No. 4400005894**, and will be submitted **prior to 3:00 p.m. CST on Wednesday, May 20, 2015**, by hand delivery or mail, addressed to:

Department of Transportation and Development
Attn.: Mr. Hadi Shirazi, P.E.
Consultant Contracts Services Administrator
1201 Capitol Access Road, **Room 405-T**
Baton Rouge, LA 70802-4438 or
Telephone: (225) 379-1929

REVISIONS TO THE RFQ

DOTD reserves the right to revise any part of the RFQ by issuing an addendum to the RFQ at any time. Issuance of this RFQ in no way constitutes a commitment by DOTD to award a contract. DOTD reserves the right to accept or reject, in whole or part, all Qualification Statements submitted and/or cancel this announcement if it is determined to be in DOTD's best interest. All materials submitted in response to this announcement become the property of DOTD and selection or rejection of a submittal does not affect this right. DOTD also reserves the right, at its sole discretion, to waive administrative informalities contained in the RFQ.