

TEXAS TRANSPORTATION COMMISSION

NUECES County
SAN PATRICIO County
CORPUS CHRISTI District

MINUTE ORDER

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Transportation Code, Chapter 223, Subchapter E prescribes the process by which the Texas Department of Transportation (department) may enter into a comprehensive development agreement (CDA) with a private entity that provides for the design, development, financing, construction, maintenance, repair, operation, extension, or expansion of an eligible highway project.

On February 27, 2014, by Minute Order 113853, the Texas Transportation Commission (commission) authorized and directed the department to issue a request for qualifications (RFQ) for the development, design, construction, and maintenance of all or any portion of the US 181 Harbor Bridge Replacement Project including the New Harbor Bridge, portions of US Highway 181 (US 181), Interstate Highway 37 (I-37), Crosstown Expressway (SH 286), the connection of Upper and Lower Broadway Street to I-37 and the demolition of the existing Harbor Bridge in the City of Corpus Christi.

The department issued the RFQ on March 26, 2014. On April 24, 2014, by Minute Order 113910, the commission ratified the inclusion in the RFQ of the potential requirement that the developer, at the department's option, carry costs incurred under the CDA beyond the completion of the project. Seven proposer teams responded to the RFQ. On June 20, 2014, following the department's evaluation of the seven proposer team submissions, four proposer teams were determined to be best qualified to develop, design, construct, operate, maintain, and finance the US 181 Harbor Bridge Replacement Project.

Transportation Code § 223.203 and 43 TAC § 27.4 provide that, if authorized by the commission, the department will issue a request for proposals (RFP) from all private entities qualified for the short-list. On June 26, 2014, by Minute Order 113976, the commission authorized the department to issue an RFP requesting detailed proposals from the short-listed teams, and authorized a payment for the work product of each unsuccessful responsive proposer of up to \$1,500,000. On October 2, 2014, the department issued the final RFP.

The RFP requested prices for the base project scope and also for two (2) options. Option 1 includes the addition of the Broadway Boulevard from Harbor Drive to I-37. Option 2 includes the transition of I-37 to a low speed arterial street system from the SH 286/US 181 Interchange to Mesquite Street.

On March 24, 2015 technical and financial proposals were received, and on April 7, 2015, the price proposal were received, from Flatiron/Dragados, JV; Traylor-Zachry-Fluor Crosstown Builders, LLC (Traylor Bros., Inc., Zachry Construction Corporation and Fluor Enterprises, Inc.); Harbor Bridge Constructors (Walsh Infrastructure, LLC); and Harbor Bridge Partners (Kiewit Development Co.), for the development, design, construction, maintenance, and financing of the US 181 Harbor Bridge Replacement Project. From March 25, 2015 until April 28, 2015, the department evaluated the proposals.

The proposals were evaluated in the following categories: (1) Pass/Fail and Responsiveness; (2) Technical and Technical Aesthetics Scores; and (3) Price Score. The proposals were first evaluated on the basis of certain pass/fail and responsiveness criteria set forth in the RFP. The Technical and Technical Aesthetics Scores were calculated based on the evaluation of each proposer's project development plans in the technical proposals, performance evaluations prepared by the department in accordance with 43 TAC §9.152 and §27.3 relating to proposers or their individual

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team members, and other performance evaluations relevant to the US 181 Harbor Bridge Project. The technical Aesthetics Scores were calculated based on the evaluation of the technical Aesthetics Plan submitted by each proposer. In addition to department employees, one representative each from the City of Corpus Christi, Nueces County, San Patricio County, and the Port of Corpus Christi Authority were included on the panel evaluating the technical Aesthetics Plans.

To arrive at the Price Score, for each proposer, the Price Value for each Proposer was calculated using the prices for the design, construction and maintenance for the Base Scope and Option 2, plus the design and construction price for Option 1. The Lowest Price Value of all proposals was then divided by the Price Value of each proposer and multiplied by highest available price points to determine the Price Score.

The evaluation and scoring of each proposal under the Technical/Aesthetics Scores, and Price Score categories resulted in the proposals being ranked as follows: Flatiron/Dragados, JV; Traylor-Zachry-Fluor Crosstown Builders, LLC; Harbor Bridge Constructors; Harbor Bridge Partners. The proposal submitted by Flatiron/Dragados, JV was accordingly determined to provide the apparent best value.

IT IS THEREFORE ORDERED by the commission that the determination of the proposal submitted by the Flatiron/Dragados, JV provides the apparent best value to the department is approved. The department is authorized and directed to commence and complete negotiations with the Flatiron/Dragados, JV necessary to finalize the CDA to develop, design, construct, operate, maintain, and finance the US 181 Harbor Bridge Replacement Project.

IT IS FURTHER ORDERED that the CDA is awarded to Flatiron/Dragados, JV subject to, and effective upon the occurrence of all of the following: (1) the successful conclusion of negotiations; (2) the issuance of a Notice of Intent to Award by the department; (3) applicable Federal Highway Administration approvals as identified by the department; (4) notification and information having been provided to the Legislative Budget Board, in accordance with Transportation Code § 371.052(b) and Rider 22, Page VII-28, Chapter 1411, Acts of the 83rd Legislature, Regular Session, 2013 (the General Appropriations Act); and (5) the mutual execution and delivery of the CDA by the executive director of the department and the developer.

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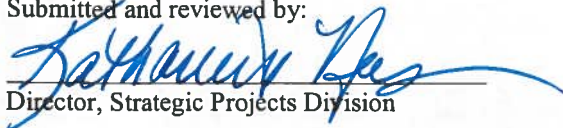
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IT IS FURTHER ORDERED that if the executive director determines that the negotiations with Flatiron/Dragados, JV cannot be successfully completed, and that therefore the proposal submitted by Flatiron/Dragados, JV will not provide the apparent best value, the department is authorized to commence and complete discussions and negotiations with Traylor-Zachry-Fluor Crosstown Builders, LLC, the next highest ranked proposer, with award to the next highest ranked proposer subject to the terms and conditions in the immediately preceding paragraph of this order.

Submitted and reviewed by:


Director, Strategic Projects Division

Recommended by:


Executive Director

114243 APR 30 16

Minute
Number

Date
Passed