

CHECKLIST TO DESIGNATE AREAS OF EVALUATION FOR REQUESTS FOR PROPOSAL (RFP)

	REQUISITION NUMBER		DUE DATE XXXXXXXXXX XXXXXXXXXX XXXXXXXXXX
MDOT PROJECT MANAGER	JOB NUMBER (JN)	CONTROL SECTION (CS)	
DESCRIPTION			
MDOT PROJECT MANAGER: Check all items to be included in RFP WHITE = REQUIRED GRAY SHADING = OPTIONAL Check the appropriate Tier in the box below		CONSULTANT: Provide only checked items below in proposal	
<input type="checkbox"/> TIER I (\$25,000-\$99,999)	<input type="checkbox"/> TIER II (\$100,000-\$250,000)	<input type="checkbox"/> TIER III (>\$250,000)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Understanding of Service
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Innovations</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Organizational Chart
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Qualifications of Team
Not required as part of Official RFP	Not required as part of Official RFP	<input type="checkbox"/>	Quality Assurance/Quality Control
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Location: The percentage of work performed in Michigan will be used for all selections unless the project is for on-site p=inspection or survey activities, then location should be scored using the distance from the consultant office to the on-site inspection or survey activity.
N/A	N/A	<input type="checkbox"/>	Presentation
N/A	N/A	<input type="checkbox"/>	Technical Proposal (if Presentation is required)
3 pages (MDOT Forms not counted) (No Resumes)	7 pages (MDOT Forms not counted)	14 pages (MDOT forms not counted)	Total maximum pages for RFP not including key personnel resumes. Resumes limited to 2 pages per key staff personnel.

PROPOSAL AND BID SHEET EMAIL ADDRESS – mdot-rfp-response@michigan.gov

GENERAL INFORMATION

Any questions relative to the scope of services must be submitted by e-mail to the MDOT Project Manager. Questions must be received by the Project Manager at least five (5) working days prior to the due date and time specified above. All questions and answers will be placed on the MDOT website as soon as possible after receipt of the questions, and at least three (3) days prior to the RFP due date deadline. The names of vendors submitting questions will not be disclosed.

MDOT is an equal opportunity employer and MDOT DBE firms are encouraged to apply. The participating DBE firm, as currently certified by MDOT's Office of Equal Opportunity, shall be listed in the Proposal.

MDOT FORMS REQUIRED AS PART OF PROPOSAL SUBMISSION

5100D – Request for Proposal Cover Sheet

5100J – Consultant Data and Signature Sheet (Required only for firms not currently prequalified with MDOT)

(These forms are not included in the proposal maximum page count.)

REQUEST FOR PROPOSAL

The Michigan Department of Transportation (MDOT) is seeking professional services for the project contained in the attached scope of services.

If your firm is interested in providing services, please indicate your interest by submitting a Proposal, Proposal/Bid Sheet or Bid Sheet as indicated below. The documents must be submitted in accordance with the latest (Consultant/Vendor Selection Guidelines for Services Contracts" and "Guideline for Completing a Low Bid Sheet(S)*, if a low bid is involved as part of the selection process. **Reference Guidelines are available on MDOT's website under Doing Business > Vendor/Consultant Services >Vendor/Consultant Selections.**

RFP SPECIFIC INFORMATION

BUREAU OF HIGHWAYS BUREAU OF TRANSPORTATION PLANNING OTHER

THE SERVICE WAS POSTED ON THE ANTICIPATED QUARTERLY REQUESTS FOR PROPOSALS

NO YES DATED _____ THROUGH _____

Prequalified Services – See page ____ of the attached Scope of Services for required Prequalification Classifications.

Non-Prequalified Services – If selected, the vendor must make sure that current financial information, including labor rates, overhead computations, and financial statements, if overhead is not audited, is on file with MDOT's Office of Commission Audits. This information must be on file for the prime vendor and all sub vendors so that the contract will not be delayed. **Form 5100J is required with Proposal for firms not currently prequalified with MDOT**

Qualifications Based Selection – Use Consultant/Vendor Selection Guidelines

For all Qualifications Based Selections, the section team will review the information submitted and will select the firm considered most qualified to perform the services based on the proposals. The selected vendor will be contacted to confirm capacity. Upon confirmation, that firm will be asked to prepare a priced proposal. Negotiations will be conducted with the firm selected.

For a cost plus fixed fee contract, the selected vendor must have a cost accounting system to support a cost plus fixed fee contract. This type of system has a job-order cost accounting system for the recording and accumulation of costs incurred under its contracts. Each project is assigned a job number so that costs may be segregated and accumulated in the vendor's job-order accounting system.

Qualification Review / Low Bid – Use Consultant/Vendor Selection Guidelines. See Bid Sheet instructions for additional information.

For Qualification Review/Low Bid selections, the selection team will review the proposals submitted. The vendor that has met established qualification threshold and with the lowest bid will be selected. The selected vendor may be contacted to confirm capacity.

Best Value – Use Consultant/Vendor Selection Guidelines, See Bid Sheet Instructions below for additional information. The bid amount is a component of the total proposal score, not the determining factor of the selection.

Low Bid (no qualifications review required – no proposal required.) See Bid Sheet Instructions below for additional instructions.

BID SHEET INSTRUCTIONS

Bid Sheet(s) must be submitted in accordance with the "Guidelines for Completing a Low Bid Sheet(s)* (available on MDOT's website). Bid Sheet(s) are located at the end of the Scope of Services. Submit bid sheet(s) separate from the proposal, to the email address: mdot-rfp-response@michigan.gov. Failure to comply with this procedure may result in your bid being rejected from consideration.

**NOTIFICATION
MANDATORY ELECTRONIC SUBMITTAL**

Proposals submitted for this project must be submitted electronically.

The following are changes to the Proposal Submittal Requirements:

- Eliminated the Following Requirements:
 - Safety Program
 - Communication Plan
 - Past Performance as *a separate section*
 - Separate section for DBE Statement of goals. Include information in Qualification of Team section

- Implemented the Following Changes:
 - All proposals require an Organization Chart
 - Resumes must be a maximum of two pages
 - Only Key (lead) staff resumes may be submitted
 - Tier III proposal reduced from 19 to 14 pages
 - Forms 5100D, 5100I, and 5100G combined – 5100D
 - Forms 5100B and 5100H combined – 5100B
 - RFP's will be posted on a weekly basis -- on Mondays

The following are Requirements for Electronic Submittals:

- Proposals must be prepared using the most current guidelines
- The proposal must be bookmarked to clearly identify the proposal sections (See Below)
- For any section not required per the RFP, the bookmark must be edited to include “N/A” after the bookmark title.
Example: Understanding of Service – N/A
- Proposals must be assembled and saved as a single PDF file
- PDF file must be 5 megabytes or smaller
- PDF file must be submitted via e-mail to MDOT-RFP-Response@michigan.gov
- MDOT's requisition number and company name must be included in the subject line of the e-mail. The PDF shall be named using the following format:
 - Requisition#XXX_Company Name.PDF
- MDOT will not accept multiple submittals
- Proposals must be *received* by MDOT on or before the due date and time specified in each RFP

If the submittals do not comply with the requirements, they may be determined unresponsive.

The Consultant's will receive an e-mail reply/notification from MDOT when the proposal is received. Please retain a copy of this e-mail as proof that the proposal was received on time. **Consultants are responsible for ensuring the MDOT receives the proposal on time.**

Required Bookmarking Format:

- I. Request for Proposal Cover Sheet Form 5100D
 - A. Consultant Data and Signature Sheet, Form 5100J (if applicable)
- II. Understanding of Service
 - A. Innovations
- III. Qualifications of Team
 - A. Structure of Project Team
 - 1. Role of Firms
 - 2. Role of Key Personnel
 - B. Organization Chart
 - C. Location
- IV. Quality Assurance / Quality Control Plan
- V. Resumes of Key Staff
- VI. Pricing Documents/Bid Sheet (if applicable)

2/14/12

Michigan Department of Transportation

**SCOPE OF SERVICE
FOR
AS NEEDED SPECIALTY SERVICES
Blue Water Bridge Inspection**

CONTROL SECTION: 77111

JOB NUMBER: 115994

PROJECT LOCATION: Blue Water Bridge: Port Huron, Michigan, U.S. and Point Edward, Ontario, Canada

DESCRIPTION OF WORK:

The selected firm will be expected to perform various services including but not limited to structural engineering services including inspections, structural designs, emergency repair consultation details, generating studies and reports.

The scope of work includes performing Annual Inspections on the Two International Bridge Structures, plazas, approach bridges (S24 and S25), Canadian Truck Ramp Bridge, Mechanically Stabilized Earth (MSE) walls and data entry into the Michigan Bridge Inspection System. Annual inspections shall alternate between routine and in-depth as defined in The Manual for Bridge Evaluation. The routine inspections shall include in-depth inspection of areas of the structure that are necessary to be closely monitored and an in-depth inspection of fracture critical areas. This contract will include an annual inspection in the years 2012 and 2014 and an in-depth inspection in the year 2013.

These inspections shall consist of sufficient observations and/or measurements to determine the physical and functional conditions of the bridge and fully satisfy the NBIS. Observations of the bridge are to be compared to previously recorded conditions to identify any developing problems and/or change from previously noted conditions and to ensure that the structures continue to satisfy the present service requirements.

Inspection Portion includes:

International Bridge Spans

1. Substructure: Inspection of the substructure elements.
2. Superstructure: The portion of the bridge superstructure to be inspected includes that part of the bridge superstructure from the east abutment to the west abutment. The general inspection of the entire superstructure will be performed with special attention given to all critical elements including those subject to exceptional stress or those observed to have significant deterioration.

3. Roadway: Inspection of the roadway will include the top and bottom of the deck, all joints, and all curb and bridge rails, and maintenance walks.
4. Lighting, Signage and Drainage: The condition of navigation lights, roadway lighting, roadway signs, all drainage features and other special features shall be inspected and reported.
5. The Consultant will also be responsible for logging the required data into the Michigan Bridge Inspection System (MBIS).

Approach bridges S24 and S25, and plazas MSE walls inspection shall include the following:

1. Substructure: Inspection of the substructure elements.
2. Superstructure: The portion of the bridge superstructure to be inspected includes that part of the bridge superstructure from the west abutment to the center of the main spans. The general inspection of the entire superstructure will be performed with special attention given to all critical elements including those subject to exceptional stress or those observed to have significant deterioration.
3. Roadway: Inspection of the roadway will include the top and bottom of the deck, all joints, and all curb and bridge rails, and maintenance walks.
4. Lighting, Signage and Drainage: The condition of navigation lights, roadway lighting, roadway signs and other special features shall be inspected and reported. All drainage features shall be inspected.
5. The Consultant will also be responsible for logging the required data into the Michigan Bridge Inspection System (MBIS).

Truck Ramp Bridge inspection shall include the following:

1. Bridge right-of-way including the following: West approach- RSS walls, earthen embankment, protection devices, asphalt pavement, East approach – wing walls, earthen embankment, protection devices, asphalt pavement, W-N/S Off Ramp – curbs, asphalt pavement, and all other areas of structural importance.
2. Substructure: Abutments and Piers
3. Superstructure: Bearings, Bridge deck Slab, Waterproofing and Wearing surfaces, Deck Joints
4. Barriers
5. Light Standards

ANTICIPATED START DATE: October 1, 2012

ANTICIPATED COMPLETION DATE: October 1, 2014

PRIMARY PREQUALIFICATION CLASSIFICATIONS(S):

None

SECONDARY PREQUALIFICATION CLASSIFICATIONS(S):

None

DBE REQUIREMENT: N/A

MDOT PROJECT MANAGER:

Michael Szuch
Blue Water Bridge
Metro Region
1410 Elmwood
Port Huron, MI 48060
(810) 984-3131
(810) 984-1810 fax
szuchm@michigan.gov

GENERAL INFORMATION:

The Blue Water Bridges connect I-69/I-94 in Port Huron, Michigan to route 402 in Point Edward, Ontario. The main span of the first Blue Water Bridge consists of steel camelback, cantilever truss system with approaches consisting of steel girder spans and deck truss spans.

The second Blue Water Bridge consists of a tied arch main span with approaches that consist of concrete girder spans and steel box girder spans. The Blue Water Bridges are jointly owned by the Michigan Department of Transportation (MDOT) and Blue Water Bridge Canada (BWBC). The intent of this request for service is to secure a single consultant to provide continuity by inspecting the entire bridge and associated structures. Inspection standards, technique and reporting criteria shall be uniform over both spans.

The services will be overseen by a licensed professional engineer (PE) in the State of Michigan and a licensed professional engineer (P. Eng) in the Province of Ontario for all services provided.

CONSULTANT QUALIFICATION REQUIREMENTS:

A consultant engineering firm will be selected based on the criteria in the Vendor Guidelines with emphasis on the following criteria. Firms with staff showing experience and expertise levels higher than the minimum criteria will receive higher ratings.

- The firm must possess at least 5 years of structural engineering experience with bridge structures similar in proportion, design and age to the Blue Water Bridges. The experience must include inspections, design, engineering reports, studies, and construction engineering and field construction support.
- The firm's staff must include qualified bridge inspectors, draftsmen, professional structural engineers and technical writers with first hand knowledge and multiple years of experience with bridges of this stature. The consultant must show how their existing staff and expertise will meet the requirements of this contract.

- The consultant's project manager must be a licensed professional with extensive structural engineering skills and have at least 15 years of experience with bridges of similar age and design.
- The project manager shall lead an organized team of engineers having, between them, (or ability to obtain) professional engineer licenses in Michigan and Ontario. The team shall include qualified bridge inspectors having experience inspecting these types of structures, and between them, meeting the requirements of the FHWA's National Bridge Inspection Standards and all applicable regulations of the International Bridge and Tunnels Act. The team shall ensure that all applicable Michigan, Ontario, AASHTO, FHWA, and Canadian engineering codes, regulations, and specifications are met during all services provided. The consultant shall describe how the team will be structured to meet the above requirements.
- The consultant must show the safety measures that they will be taking and the level of staff safety experience, training and certifications that are maintained in order to perform the type of inspection work required which includes working in the open several hundred feet above the water.

The firm must be eligible to work in the State of Michigan as an engineering firm in accordance with Article 20 of the occupational Code, P.A. 299 of 1980, as amended: Sec. 2010. (1) a firm may engage in the practice of architecture, professional engineering, or professional surveying in this state, if not less than 2/3 of the principals of the firm are licensees. The firm must also be eligible to work in the Province of Ontario as an engineering firm in accordance with all applicable legislation governing such work such as but not limited to International Bridges and Tunnels Regulations and Labour Canada Code Part II Article 18.

CONSULTANT RESPONSIBILITIES:

Anticipated Projects, Scheduled Inspections and Assignments:

The following is a partial list of projects, inspections and assignments that may be required of the consultant over the length of the selection and a brief description of the work. Actual detailed Scope of Services will be developed for each project authorization by the governing agency. No work shall commence on any service until it is authorized. These examples are intended to show the high level of engineering expertise required of the consultant and the complexity of the projects. Consulting firms must show that they have the experience and ability to perform the work involved in each and all of these projects.

Inspection

These inspections shall be performed in accordance with the requirements of the National Bridge Inspection Standards (NBIS). The inspection procedures shall be in accordance with the latest AASHTO Manual for Bridge Evaluation including amendments and

intended specifications, the Federal Highway Administration and Bridge Inspection Training Manual, the FHWA's Manual for "Inspection of Fracture Critical Bridge Members": report No. FHWA-IP-86-26.

Conduct inspections and prepare reports as required in Canada (International Bridges and Tunnels Act) by (a) Bridge Inspection Manual (*Bridge Inspection Manual — Bridge Engineering Highways and Bridges*, March 2001, published by Public Works and Government Services Canada);(b) Ontario Structure Inspection Manual *Ontario Structure Inspection Manual (OSIM)*, October 2000, published by the Ministry of Transportation of Ontario; (c) Manual for Condition Evaluation of Bridges(*Manual for Condition Evaluation of Bridges*, second edition, published by the American Association of State Highway and Transportation Officials);(d) New York State Bridge Inspection Manual (*National Bridge Inspection Standards* in Title 23, Part 650, Subpart C of the *Code of Federal Regulations* of the United States (December 2007)).; or (e) National Bridge Inspection Standards(*Bridge Inspection Manual — 1997*, published by the Department of Transportation of the State of New York.)

Deliverables

Following Completion of the Annual Inspection, a written report shall be prepared to document the inspection findings. All written comments, notes or photos shall be submitted. Separate reports shall be prepared for each structure.

The report shall include the following:

1. A narrative description of the conditions observed supplemented by photographs, sketches, or any other from that will ad clarity to the condition observed. The report shall include comments on the significance of any observed damage or deterioration. The conditions shall be reported in sufficient detail to make it possible to check and report significant changes during future inspections and to estimate the extent of any necessary repair.
2. Tables, drawings, or other method showing all measurements that were made and sufficient descriptive and/or location data so that comparative measurements can be made during future inspections.
3. Photographs showing condition of elements shall be included as considered appropriate.
4. Plan profile sheets showing pier numbers, span lengths, or any other form to the extent necessary to clarify locations described in the report.
5. A list of specific maintenance items will be prepared. This list shall identify the specific components to be repaired, provide a recommendation for the repair, an estimate of the extent of the repair necessity, and the priority of each item. In addition to inclusion in the report, this shall be provided in an electronic form.
6. The report shall be cross-referenced and the narrative section shall include reference to drawings, photographs, etc., that illustrate conditions being discussed. The recommendations, in particular, shall include cross-referencing to narrative, drawings and photographs.

7. Six (6) paper copies and two (2) CD ROM copy (electronic copy in PDF format) of the condition evaluation report for the Blue Water Bridge stating the overall condition of the bridge and describing in detail the condition of all components of the bridge shall be submitted to MDOT.
8. MDOT Bridge Inspection Forms will be completed in the web based Michigan Bridge Inspection System (MBIS).

Engineering Services

MDOT shall require engineering services on an as needed basis where a budget of 100 hours shall be established. Services may include structural analysis and recommendation; plan production for capital maintenance project; specification for maintenance projects; and other services as determined by the Department.

Review of Computations and Drawings Related to Blue Water Bridge Projects:

In connection with work done on the bridge by others, the Consulting firm may be asked to review the plans for such work to determine the compatibility of any proposed false work or temporary equipment with the bridge. Work performed by contractors must not damage the structural condition of the bridge or impede the flow of traffic and must be performed in a way that is safe for the traveling public. This review may involve analyzing equipment placements, and/or temporary connection details.

Structural Designs and Details:

The consulting firm must have the expertise to competently design repair details for any structural member that exists on the bridge. Repair details in some cases could be minor in nature, or could, as in the case of removal and replacement of a truss member, involve the careful sequencing of installation steps to allow for proper unloading, temporary support and reloading in order to avoid locking in any unwanted stresses in any of the truss members. Preparation of design details in this case would involve temporary support considerations as well as traffic loading schemes so that optimum conditions for making the field connections are present at the time of repair. All repair details must take into consideration the requirements of traffic, the space limitations for work and lifting equipment, and the practicality of assembly methods that will be performed at height.

Attendance at Meetings:

Occasionally it may be necessary for the consultant to attend meetings, pre-bid meetings, construction progress meetings, and/or conferences at the bridge site or elsewhere upon request. This would be for the purposes of sharing information about the condition of the structures and reporting on the results of any studies, research or analysis the firm may be doing in relationship to upcoming projects.

Emergency Response:

The consulting firm must respond to emergency situations. This could involve travel to the site to assess structural damage and the immediate design of repair details. Twenty-four hour emergency response availability for phone calls will be expected of the consulting firm.

Insurance Requirements

The Michigan Department of Transportation and the Blue Water Bridge Canada will require the selected firm to maintain professional liability insurance in an amount not less than One Million Dollars (\$1,000,000) per claim for protection from claims arising out of services under the contract that will be issued from this Request for Proposal.

In addition:

The selected firm will be required to list the Michigan Department of Transportation (MDOT), Blue Water Bridge Canada (BWBC), the State of Michigan, the Michigan State Transportation Commission, the Federal Highway Administration (FHWA), as additional insured's on their general liability policy; and/or provide the above mentioned with an Owner's Protective Public Liability Insurance policy in an amount not less than One Million Dollars (\$1,000,000), including both the United States and Canada as the liability insurance territory; and/or, upon approval of MDOT and BWBC provide another form of liability protection insurance for all parties that will afford equal protection as those previously listed.

Personal Protective Equipment (PPE) is required at all times while on BWB property. Additional safety equipment such as fall restraint harnesses and lanyards will be required depending on inspection activities or location.

International Security Issues:

The project requires consultants to work both in Canada and the United States. Consultants must take such steps as are necessary to assure that they can fulfill the terms of the contract under the laws of the United States, Michigan, Canada, and Ontario. The obligation to perform such work under the appropriate and applicable laws is the obligation of the consultant. This includes but is not limited to licensing, immigration (including Western Hemisphere Transportation Initiative requirements), bonding, and insurance.

Bridge Access

The MDOT and BWBC will provide, at no cost to the inspection firm, an under bridge inspection unit, bucket truck, man lift and maintenance traveler with operator for access to the truss and approach spans. The schedule for use of the bridge inspection equipment will depend on the MDOT/BWBC ongoing maintenance schedules.

Traffic Management

The MDOT and BWBC will provide, at no cost to the inspection firm, maintenance and protection of traffic during use of the bridge inspection equipment. Lane closures or other traffic restrictions requiring maintenance and protection of traffic for anything other than the use of the bridge inspection equipment mentioned above will not be allowed. Traffic or weather on the bridge during the inspection may necessitate the temporary suspension of the bridge inspection equipment until conditions improve. All portions of the bridge are not accessible by the bridge inspection equipment.

Downtime – Traffic and Weather Impacts

The successful consultant is cautioned that during the field inspection process there will be down time. Any activity requiring a lane closure may have to be abruptly terminated. This may be due to weather and/or traffic demands. Downtime may last a few hours or, in extreme cases, an entire workday. The consultant should plan for downtime to occur in two to five of the field inspection days. No additional payment will be made for downtime.

Bridge Protective Measures:

The selected Consultant shall comply with the requirements for bridge protective measures set forth in Exhibit 1 which is attached to this scope of work and which will become part of the contract with the selected consultant.

CONSULTANT PAYMENT – Actual Cost Plus Fixed Fee:

Compensation for this project shall be on an **actual cost plus fixed fee** basis. This basis of payment typically includes an estimate of labor hours by classification or employee, hourly labor rates, applied overhead, other direct costs, subconsultant costs, and applied fixed fee.

All billings for services must be directed to the Department and follow the current guidelines. The latest copy of the "Professional Engineering Service Reimbursement Guidelines for Bureau of Highways" is available on MDOT's website. This document contains instructions and forms that must be followed and used for billing. Payment may be delayed or decreased if the instructions are not followed.

Payment to the Consultant for services rendered shall not exceed the maximum amount unless an increase is approved in accordance with the contract with the Consultant. Typically, billings must be submitted within 60 days after the completion of services for the current billing. The final billing must be received within 60 days of the completion of services. Refer to your contract for your specific contract terms.

Direct expenses, if applicable, will not be paid in excess of that allowed by the Department for its own employees in accordance with the State of Michigan's

Standardized Travel Regulations. Supporting documentation must be submitted with the billing for all eligible expenses on the project in accordance with the Reimbursement Guidelines. The only hours that will be considered allowable charges for this contract are those that are directly attributable to the activities of this project.

The use of overtime hours is not acceptable unless prior written approval is granted by the MDOT Region Engineer/Bureau Director and the MDOT Project Manager. Reimbursement for overtime hours that are allowed will be limited to time spent on this project in excess of forty hours per person per week. Any variations to this rule should be included in the priced proposal submitted by the Consultant and must have prior written approval by the MDOT Region Engineer/Bureau Director and the MDOT Project Manager.

The fixed fee for profit allowed for this project is 11.0% of the cost of direct labor and overhead.

In addition to the MDOT standard fee proposal; the approved selected consultant will be expected to provide form 5101, for **each** of the following categories:

- Span 1 Inspection Services
- Span 2 Inspection Services
- Truck Ramp Inspection Services
- S24 Inspection Services
- S25 Inspection Services
- MSE Wall Inspection Services
- Hourly Services for As-Needed Construction

EXHIBIT 1

BLUE WATER BRIDGE PROTECTIVE MEASURES

The following provisions address the intention to safeguard the Blue Water Bridge.

It is expected the CONSULTANT will disclose in writing the provisions described below to its SUBCONSULTANT(S) and all prospective employees before the CONSULTANT present any individual employee to the Blue Water Bridge as their personnel authorized to work on this Michigan Department of Transportation (MDOT) CONTRACT.

The CONSULTANT and all personnel performing the work will be expected to fully comply with all provisions.

A. CONFIDENTIALITY PROVISIONS

The CONSULTANT agrees that all information related to any work performed under this CONTRACT authorization, including, but not limited to, copies of plans, reports and/or other documents used or generated related to the work performed, is confidential. Any information provided by the MDOT Blue Water Bridge or obtained by the CONSULTANT or its SUBCONSULTANT(S) relating to the work to be performed shall not be reproduced or distributed to any individuals without the express written approval of the Blue Water Bridge Engineer (Engineer). The CONSULTANT agrees to maintain all information related to this project as confidential except any information that is required to be disclosed by court order.

Structural information concerning the Blue Water Bridge is exempt from disclosure under the Michigan Freedom of Information Act (FOIA) Act 442 of 1976, (15.2 MCL). Section 13 of the Act specifically exempts from disclosure information relating to bridges or documents related to the bridges as they are "public works" and "records or information of measures designed to protect the security of safety of persons or property." Other exemptions may be applicable as well.

All original plans and/or documents related to any and all project work done under this authorization that is hereafter part of this contract and all copies thereof shall be returned to the MDOT Blue Water Bridge. The Consultant further agrees that it will not make copies of any plans or documents related to the projects without the prior written consent of the ENGINEER. All documents prepared by the CONSULTANT including tracings, drawings, estimates, specifications, field notes, investigative studies, and other relevant documents, are the property of the Blue water Bridge and will not be

furnished to any other party without the prior written permission of the ENGINEER.

The CONSULTANT agrees that if the CONSULTANT or its SUBCONSULTANT(S) violates the confidentiality provisions of this authorization the CONSULTANT will be financially responsible for consequential damages, including, but not limited to, the costs associated with assessing the potential threat and providing additional security systems to the Blue Water Bridge

A violation of these CONFIDENTIALITY PROVISIONS shall be considered a breach of this authorization and this Contract. MDOT may, in its sole discretion, terminate this authorization and the Contract for any breach of these CONFIDENTIALITY PROVISIONS.

B. EQUIPMENT INSPECTION PROVISIONS

The ENGINEER may refuse to allow the CONSULTANT or its SUBCONSULTANT to use equipment brought to the Blue Water Bridge due to security concerns. Equipment brought to the Blue Water Bridge for use by the CONSULTANT or its SUBCONSULTANT(S) will be made available and subject to inspection by the ENGINEER or a duly designated inspection agent prior to its use or at any time while onsite.

A violation of the EQUIPMENT INSPECTION PROVISION shall be considered a breach of this authorization and this contract. MDOT may, in its sole discretion, terminate this authorization and the Contract if the EQUIPMENT INSPECTION PROVISIONS are not met by the CONSULTANT or its SUBCONSULTANT(S).

C. PERSONNEL SPECIAL SECURITY PROVISIONS

The CONSULTANT agrees to initially submit a complete list to the ENGINEER at the pre-inspection meeting that identifies all personnel and their SUBCONSULTANT(S) personnel that will have access to the bridge documents discussed above and any information that is produced as a result of the work that they will perform. The list shall include, at a minimum, each identified person's full name, driver's license or identification number, place and date of birth. A current photograph from a valid identification document must also be provided for each person identified on the list. The list with accompanied photograph shall be updated in personnel are added or dropped from the workforce.

The CONSULTANT shall also provide, at or before the pre-inspection meeting, signed disclosure forms, criminal background checks of all personnel that they indicate will perform work at any time under this contract authorization.

Requests for such additional background checks may be initiated by the ENGINEER at any time. The CONSULTANT expressly recognizes and agrees to cooperate, if the ENGINEER, in its sole discretion, desired to conduct an investigation concerning the eligibility of any personnel identified to perform work on this project. Such investigations may include Michigan State Police Background checks (ICHAT OR LEIN) and may include the National Crime Information Center (NCIC) Finger Prints. The personnel that are identified and listed may be required to complete and submit an RI-8 Fingerprint Card for the NCIC Fingerprint Checks. Any personnel, if requested, that refuses or fails to submit an RI-8 Fingerprint Card for the NCIC Finger Print Checks must be replaced with personnel acceptable to the ENGINEER.

Only personnel with satisfactory criminal background checks that are acceptable to the ENGINEER will be authorized to perform work under this contract authorization. The identity of all personnel working at the bridge will be subject to verification by the ENGINEER or a duly designated verification agent at the start of each workday. Off-site personnel are subject to verification by the ENGINEER or a duly designated verification agent at any time. Personnel that are not verified will not be permitted access to the bridge or the documents discussed above.

The CONSULTANT remains fully responsible for providing employees that will be able to obtain and maintain acceptable security checks and achieve verification that satisfy the Blue water Bridge. The CONSULTANT shall not be entitled to extensions of time while suitable replacements are obtained.

A violation of these PERSONNEL SPECIAL SECURITY PROVISIONS shall be considered a breach of this authorization and this Contract. MDOT may, in its sole discretion, terminate this authorization and the Contract for any breach of these PERSONNEL SPECIAL SECURITY PROVISIONS.

D. STATE OF MICHIGAN'S IT POLICY PROVISION

All personnel employed by the CONSULTANT and its SUBCONSULTANT(S) must agree to and comply with the State of Michigan's IT resource acceptable use policy if accepted as personnel authorized to work on the Contract.

A violation of these STATE OF MICHIGAN'S IT POLICY PROVISION shall be considered a breach of this authorization and this Contract. MDOT may, in its sole discretion, terminate this authorization and the Contract for any reach of these STATE OF MICHIGAN'S IT POLICY PROVISION.