June 1, 2012

RE: US 77 Upgrade from Kingsville to Driscoll Project

To Whom It May Concern:

Attached is the Request for Qualifications for the above-referenced project.

The Texas Department of Transportation looks forward to receiving and reviewing your Qualification Statement and to working with the shortlisted proposers in the next phase of the procurement.

Sincerely,

Frank P. Holzmann, P.E.
CDA Program Director
South Central Texas Strategic Project Office

Attachments

REQUEST FOR QUALIFICATIONS

TO DESIGN, CONSTRUCT AND MAINTAIN

US 77 FROM KINGSVILLE TO DRISCOLL

THROUGH A

DESIGN-BUILD CONTRACT

TEXAS DEPARTMENT OF TRANSPORTATION
ISSUED JUNE 1, 2012

Texas Department of Transportation
125 East 11th Street
Austin, Texas 78701

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EXHIBITS:

Exhibit A Project Information and Status
Exhibit B Draft Design-Build Agreement Term Sheet
Exhibit C Draft Capital Maintenance Agreement Term Sheet

FORMS:

Form A Transmittal Letter
Form B Information Regarding Proposer, Equity Members, Major Non-Equity

	Members, Major Identified Non-Equity Members and Guarantors
Form C	Certification
Form D	Reference Questionnaire
Form E-1	Technical Experience - Design
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PART A
BACKGROUND AND INSTRUCTIONS

1. INTRODUCTION

The Texas Department of Transportation ("TxDOT"), an agency of the State of Texas, hereby requests sealed qualifications statements ("QSs") from entities ("Proposers") desiring to design, construct, and maintain US 77 from E. Corral Avenue in the northern portion of Kingsville in Kleberg County to County Road 16 south of the City of Driscoll in Nueces County (referred to herein as the "Project"), pursuant to a Design-Build Contract ("DBC"). The purpose of the project is to upgrade those sections of US 77 that presently do not meet Interstate standards. TxDOT has concluded that harnessing private-sector creativity through a design-build-maintain approach is the best way to ensure cost-effective and expedited delivery of this Project and provide needed safety improvements and economic development benefits to the public.

TxDOT is issuing this Request for Qualifications ("RFQ") in accordance with the provisions of Chapter 223, Subchapter F of the Texas Transportation Code (the "Code"), other applicable provisions of law pertaining to design-build contracts, Sections 9.150-9.155 of Title 43, Texas Administrative Code (the "Rules"), and other applicable provisions of Texas and federal law. Please see the Project website at:

http://www.txdot.gov/project_information/projects/corpus_christi/us77/rfq.htm

(the "Project Website").

Proposers shortlisted in response to this RFQ will be invited to submit detailed proposals ("Proposals") in response to a request for detailed proposals ("RFP"). A copy of the Texas Transportation Commission's (the "Commission") Minute Order 113115 dated May 31, 2012 authorizing issuance of the RFQ is available on the Project Website.

TxDOT has assembled a set of documents relating to the Project (the "Project Documents"). The Project Documents will be made available to prospective Proposers upon issuance of this RFQ on the Project Website. Proposers may request electronic copies on compact disks of available documents by contacting TxDOT's Project Manager at the following address:

Frank Holzmann, P.E.
Texas Department of Transportation
7600 Chevy Chase Drive, Building II Suite 400
Austin, Texas 78752
Email: TxDOT-CRP-PPP-US77@txdot.gov

TxDOT will charge $25.00 (cash or check only) for the costs of providing electronic copies.

2. DESCRIPTION OF PROJECT OPPORTUNITY

2.1 Description of the Proposed Contracting Opportunity

TxDOT intends, through this procurement, to enter into a DBC that will result in cost-effective and expedited completion of all elements of the Project. The DBC will obligate the Design-Build Contractor to: (1) design and construct the Project; and (2) perform capital maintenance for the Project for at least five years up to a period of time to be determined by TxDOT, but not to exceed 15 years.

TxDOT currently anticipates that the DBC will include a design-build agreement ("DBA") and a capital maintenance agreement ("CMA"). TxDOT currently expects that the DBA will include a fixed price to complete the Project. The DBA will set forth the terms of the Design-Build Contractor's compensation which are currently anticipated to be based on progress payments with a maximum payment curve. Proposers are advised to review the draft DBA Term Sheet attached as Exhibit B for additional details of the Design-Build Contractor's anticipated obligations and responsibilities.

The CMA will address the maintenance of completed Project facilities in several ways, including (i) giving TxDOT the sole right to exercise one or more options, after the initial mandatory five year term, to have the Design-Build Contractor assume capital maintenance responsibility for a specified period; and (ii) requiring that the Design-Build Contractor provide certain Project warranties for specified periods. With respect to the capital maintenance options referenced herein, it is currently anticipated that TxDOT will hold two five-year options, after the initial mandatory five year term, exercisable by TxDOT, in its sole discretion, to require that the Design-Build Contractor perform capital maintenance on the Project. The exercise of one option shall not require TxDOT to exercise a further option. To the extent that TxDOT does not exercise a prior option, TxDOT does not anticipate exercising any subsequent capital maintenance options. Shortlisted Proposers will be required to provide pricing for the capital maintenance work as part of the submission of their Proposals. Proposers are advised to review the draft CMA Term Sheet attached as Exhibit C for additional details regarding the Design-Build Contractor's anticipated obligations and responsibilities.

2.2 Project Scope

Project scope components include the design, construction, and maintenance of US 77 from E. Corral Avenue in the northern portion of Kingsville in Kleberg County to County Road 16 south of the City of Driscoll in Nueces County. See Exhibit A for further information regarding the Project. This is shown in the RFQ Submittal drawings located on the Project Website.

3. DESCRIPTION OF PROCUREMENT PROCESS

3.1 Overall Process

TxDOT will evaluate the qualifications statements ("QSs") it receives in response to this RFQ and will establish, according to criteria generally outlined herein, a shortlist of two or more

Proposers eligible to receive the RFP. If only one responsive QS is received, TxDOT will terminate this procurement.

Following the shortlisting of Proposers, TxDOT anticipates releasing a draft RFP, including scope of work and contract documents, to shortlisted Proposers for review and comment. Following receipt of written comments, TxDOT may, at its option, schedule one-on-one and/or group meetings to discuss issues and comments identified by the shortlisted Proposer teams. Specific details concerning the industry review process will be made available to the shortlisted Proposer teams following the shortlisting announcement.

After consideration of industry input, and if authorized by the Commission, TxDOT plans to issue a RFP to the shortlisted Proposers. Following receipt and evaluation of Proposals, the Commission may select a Proposer for negotiations, based on a determination of apparent best value, to finalize a DBC for award and execution. If negotiations are not successful with the apparent best value Proposer, TxDOT may negotiate with the next highest rated Proposer. Alternatively, TxDOT may terminate the procurement.

3.2 Payment for Work Product

As contemplated by Texas Transportation Code Section 223.249, TxDOT intends to pay each unsuccessful Proposer that submits a Proposal responsive to the RFP maximum stipulated amounts not exceeding the value of the work product contained in its Proposal that TxDOT determines can be used in performance of its functions. Specific provisions regarding payment of the stipulated amounts shall be included in the RFP. There will be no payment to Proposers who are not shortlisted.

3.3 Procurement Schedule

TxDOT anticipates carrying out the first phase of the procurement process contemplated hereby in accordance with the following schedule:

Issue Request for Qualifications	June 1, 2012
Pre-QS Workshop	June 11, 2012 at 10:00 a.m.
Deadline for questions regarding the RFQ	June 14, 2012
Requests relating to any addendum issued after June 14, 2012	three business days after the addendum is issued (but no later than the QS Due Date)
QS Due Date	3:00 p.m. Central Time June 21, 2012

Proposers will be notified of any change by an addendum to this RFQ. TxDOT intends to issue an industry review draft of the RFP shortly after selection of the shortlisted Proposers and to prosecute the procurement to a DBC award thereafter. TxDOT anticipates awarding and executing a DBC for the Project in Spring 2013.

3.4 Pre-QS Workshop

TxDOT intends to hold a pre-QS workshop at the District offices located at 1701 S Padre Island Drive, Corpus Christi, Texas 78416, on the date and time specified in Part A, Section 3.3. Attendance at this workshop is not mandatory and interested parties shall remain eligible to submit a QS if they do not attend the workshop. Further information regarding the workshop will be made available on the Project Website.

3.5 Questions and Requests for Clarification; Addenda

In order to facilitate receipt, processing and response, Proposers must submit all questions and requests for clarification in writing via e-mail to TxDOT-CRP-PPP-US77@txdot.gov.

Proposers are responsible for ensuring that any written communications clearly indicate on the first page or in the subject line, as applicable, that the material relates to the Project. TxDOT will provide responses to Proposer clarification requests within a reasonable time following receipt, subject to the cut-off dates set forth in Part A, Section 3.3. TxDOT will post responses to those questions of general application and requests for clarifications which TxDOT deems to be material and not adequately addressed in previously provided documents on the Project Website. TxDOT will post any addenda to this RFQ on the Project Website.

Proposers are responsible for monitoring the Project Website identified above for information concerning this procurement as teams responding to this RFQ will be required to acknowledge in the transmittal letter (Part C, Form A) that they have received and reviewed all materials posted thereon.

3.6 Ombudsman

TxDOT has designated an employee who is not involved in this procurement to act as an ombudsman. A Proposer may submit confidential communications to the ombudsman, including questions, comments, or complaints regarding the procurement (subject to the cut-off dates set forth in Part A, Section 3.3 for questions regarding the RFQ), where the Proposer believes in good faith that confidentiality is essential. After receiving such confidential communications, the ombudsman shall, to the extent practicable, remove any information identifying the Proposer and shall forward the communication to TxDOT's Project Manager as identified in Part A, Section 1. TxDOT's designated ombudsman for this procurement is:

Ms. Becky Blewett, Esq.
Associate General Counsel
Texas Department of Transportation
150 E. Riverside Drive, 4th Floor North Tower
Austin, TX 78704
Email: Becky.Blewett@txdot.gov

3.7 Federal Requirements

Proposers are advised that the RFP will be drafted based on the assumption that the Project and the plan of finance for the Project will remain eligible for federal-aid funds. Therefore, the procurement documents and DBC must conform to requirements of applicable federal law, regulations and policies. TxDOT anticipates that certain federal procurement requirements will apply, including but not limited to Equal Opportunity requirements (Title VI of the Civil Rights Act of 1964, as amended), requirements applicable to Disadvantaged Business Enterprises (Title 49 Code of Federal Regulations Part 26, as amended), Small Business requirements (United States Code Sections 631 et seq.), Buy America requirements (49 Code of Federal Regulations Part 661) and Davis-Bacon wage rates.

TxDOT has adopted the definition of DBEs set forth in 49 CFR § 26.5. TxDOT is developing a DBE goal for the Project and currently estimates the overall DBE goal for the Project will be 6%. In responding to this RFQ, a Proposer team may include team members to satisfy DBE goals. It is the policy of TxDOT to encourage the participation of DBEs, historically underutilized businesses, women-owned business enterprises and minority business enterprises in all facets of the business activities of TxDOT, consistent with applicable laws and regulations. Specific provisions concerning DBE requirements will be set forth in the RFP and the DBC.

3.8 Liability, Insurance and Security

TxDOT anticipates that the Design-Build Contractor will be required to assume liabilities, to provide bonds and insurance coverage and to indemnify and defend TxDOT against third party claims as specified in the DBC. TxDOT, as owner of the Project, will have the benefit of tort liability limitations to the extent permitted by Texas law. TxDOT is prohibited by State law from indemnifying any Proposer. The State of Texas and TxDOT do not intend that there be any waiver of their respective sovereign immunity protections under State law. Specific provisions concerning bonding, letters of credit, guarantees, insurance and indemnity will be set forth in the RFP and the DBC.

4. QS CONTENT AND SUBMITTAL REQUIREMENTS

4.1 General

TxDOT expects QSs submitted in response to this RFQ to provide enough information about the requested items so as to allow TxDOT to evaluate and competitively rank and shortlist the Proposers based on the criteria set forth herein.

QSs shall be submitted exclusively in the English language inclusive of English units of measure, and cost terms in United States of America dollar denominations.

4.2 Format

(a) Number of copies: Each responding Proposer shall submit one original and 15 written copies (for a total of **16**) of Volume 1 and one original and nine written

copies (for a total of **10**) of Volume 2 of its QS in two loose-leaf three ring binders, contained in sealed packages. The original must be clearly marked "Original" on its face and spine. Each copy must be numbered 1 through 9 or 1 through 15, as applicable, on its spine. The Proposer's name and volume number must also be clearly marked on the spine. In addition, each responding Proposer shall include one digital copy of its QS in a read-only format on a CD.

(b) General format requirements: Submittals must be prepared on 8-1/2" x 11" sized, white paper and bound. Double-sided printing is encouraged. 11" x 17" pages are allowed (each 11" x 17" page will be counted as a single page and will be included in the page count contained in Volume 1) for schematics, organizational charts, other drawings or schedules, but not for narrative text. Printed lines may be single-spaced. Insofar as is practical or economical, all paper stock used shall be composed of recycled materials.

(c) Volume 1 requirements: Volume 1 (as described in Part B) shall have all pages sequentially numbered and not exceed 30 pages, including any 11" x 17" pages (insofar as they are allowed as stated in Part A, Section 4.2(b)). Each printed side shall be considered one page. The font size in Volume 1 shall be no smaller than twelve-point, other than in tables, diagrams, organization charts and other such graphics, which may be in ten-point. Volume 1 appendix (as described in Part B) does not have page numbering, page amount or type font size requirements or limitations, but must be clearly differentiated from the initial 30 pages of the section.

(d) Volume 2 requirements: Volume 2 (as described in Part B) does not have page numbering, page limitation or type font size requirements.

(e) Standard corporate brochures, awards, licenses and marketing materials should not be included in a QS, although proof of license in good standing will be required as a condition to award for licensed professionals proposed to work on the Project.

4.3 Contents and Organization

Proposers must organize their QS in the order set forth in Part B of this RFQ. If a Proposer is compelled to include material in addition to the information specifically requested, the Proposer shall append that material to the end of the most appropriate defined section of the outline. Additional material is subject to the page limitation. Each volume may be subdivided as needed.

4.4 QS Submittal Requirements

All packages constituting the QS shall be individually labeled as follows:

Response to the Request for Qualifications
for the US 77 from Kingsville to Driscoll Project
through a Design-Build Contract

QSs shall be delivered by hand or courier to the Project Manager at the address set forth in Part A, Section 1.

TxDOT will not accept facsimile or other electronically submitted QSs.

Acknowledgment of receipt of QSs will be evidenced by the issuance of a receipt by a member of TxDOT staff for submittals that are hand delivered to the address set forth in Part A, Section 1.

QSs will be accepted and must be received by TxDOT during normal business hours before 3:00 p.m. (Central Time) on the QS Due Date specified in Part A, Section 3.3. Any QSs received after that date and time will be rejected and returned to the sending party unopened.

Proposers are solely responsible for assuring that TxDOT receives their QSs by the specified delivery date and time at the address listed above. TxDOT shall not be responsible for delays in delivery caused by weather, difficulties experienced by couriers or delivery services, misrouting of packages by courier or delivery services, improper, incorrect or incomplete addressing of deliveries and other occurrences beyond the control of TxDOT.

5. EVALUATION PROCESS AND CRITERIA

5.1 Responsiveness

Each QS will be reviewed for:

(a) minor informalities, irregularities and apparent clerical mistakes which are unrelated to the substantive content of the QS,

(b) conformance to the RFQ instructions regarding organization and format, and

(c) the responsiveness of the Proposer to the requirements set forth in this RFQ. Those QSs not responsive to this RFQ may be excluded from further consideration and the Proposer will be so advised. TxDOT may also exclude from consideration any Proposer whose QS contains a material misrepresentation.

In order for project experience provided in the QS to be considered responsive, Forms E-1, E-2 and E-3 shall list only projects for which the corporate entity (company, joint-venture, partnership or consortium) providing the engineering, construction or maintenance experience is respectively the Equity Member, Lead Engineering Firm, Lead Contractor or Lead Capital Maintenance Firm itself or a controlled subsidiary of such Equity Member, Lead Engineering

Firm, Lead Contractor, or Lead Capital Maintenance Firm (as those terms are defined in Part B, Volume 1). Project experiences provided by a parent or sister company of the Lead Design Firm, Lead Contractor or Lead Capital Maintenance Firm shall not be considered responsive to this QS.

5.2 Pass/Fail Review

Following or in conjunction with evaluation of each QS for responsiveness, TxDOT will evaluate each QS based upon the following pass/fail criteria. A Proposer must obtain a "pass" on all pass/fail items in order for its QS to be evaluated qualitatively under Part A, Section 5.3.

(a) The QS contains an original executed transmittal letter as required in Part B, Volume 1, Section A(a).

(b) The Proposer or team member with the primary responsibility for construction is capable of obtaining payment and performance bonds, each in the amount of $60 million, from a surety rated in the top two categories by two nationally recognized rating agencies or rated at least A minus (A-) or better and Class VIII or better by A.M. Best Company.

(c) Neither the Proposer nor any other entity that has submitted Form C as required by this RFQ (1) has been disqualified, removed, debarred or suspended from performing or bidding on work for the federal government or any state or local government where such disqualification, removal, debarment or suspension has resulted in the Proposer or other entity being currently disqualified, removed, debarred or suspended from performing or bidding on TxDOT contracts or (2) is currently disqualified, removed, debarred or suspended from performing or bidding on work for at least three other states.

(d) The Proposer has the financial capability to carry out the Project responsibilities potentially allocated to it as demonstrated by the materials provided in Volume 2 of the QS (see Part B, Volume 2).

(e) The information disclosed in Form C and/or in response to Part B, Volume 1, Section B(e) (Legal Qualifications) does not materially adversely affect the Proposer's ability to carry out the Project responsibilities that will be allocated to it should it be selected.

(f) The Proposer makes the express, written commitments regarding Key Personnel as required in Part B, Volume 1 Appendix, Section D.

5.3 Qualifications Evaluation Criteria and Weighting

Each responsive QS passing all of the "pass/fail" qualification requirements set forth above in Part A, Section 5.2 will be evaluated and scored according to the criteria set forth below.

5.3.1 Project Qualifications and Experience (70% Weighting)

The background and experience of the Proposer, individual team members, and Key Personnel with developing, designing, fabricating, constructing, and/or maintaining comparable projects

will be evaluated in accordance with the criteria described below. For these purposes, TxDOT considers a comparable project to be any similar road project, whether or not such project was delivered through a design-build contract or otherwise.

- The extent and depth of the Proposer's and its individual team members' experience with developing, designing and/or constructing comparable projects. If the Proposer does not have Design/Build (D/B) experience, then provide a brief description of the D/B management approach that proposer commits to implementing. (25 points);

- The extent and depth of experience of the management team and Key Personnel for the Project listed in Proposer's response to Part B, Volume 1 Appendix, Section C (20 points);

- The stability, strength and likelihood of success of the proposed management structure and team (10 points);

- The success of the Proposer and individual team members, management team and Key Personnel in working together on comparable projects and responsibilities (5 points);

- The extent and depth of the Proposer's and its individual team members' experience with performing capital maintenance on comparable projects (5 points); and

- Responsiveness toward the DBE involvement, objectives and goals in response to Part A, Section 3.7, including any description of innovative approaches or unique outreach or marketing concepts used successfully by the Proposer or its team members to encourage DBE participation (5 points).

Project and personnel references, as well as the information provided as required in Part B, Volume 1, Sections B(a)through B(d) and Part B, Volume 1 Appendix, Sections A, C, D and E will be used, as deemed appropriate by TxDOT, to assist in the evaluation of the General/Experience category.

5.3.2 Statement of Technical Approach (30% Weighting)

The Statement of Technical Approach will be evaluated in accordance with the following criteria:

- The extent to which the Statement of Technical Approach demonstrates a full understanding of the Project's scope and complexity (15 points); and

- The extent to which the Statement of Technical Approach demonstrates a complete understanding of Project risks and potential solutions, regardless of ownership, that may arise during all Project phases, including design, construction, and capital maintenance (15 points).

5.4 QS Evaluation Procedure

TxDOT anticipates utilizing one or more committees to review and evaluate the QSs in accordance with the above criteria and to make recommendations to the Commission based upon such analysis. At various times during the deliberations, TxDOT may issue one or more requests for written clarification to the individual Proposers. TxDOT may also schedule interviews with one or more Proposers on a one-on-one basis, for the purpose of enhancing TxDOT's understanding of the QSs and obtaining clarifications of the terms contained in the QSs.

TxDOT may at any time request additional information or clarification from the Proposer or may request the Proposer to verify or certify certain aspects of its QS. The scope, length and topics to be addressed shall be prescribed by, and subject to the discretion of, TxDOT. At the conclusion of this process, Proposers may be required to submit written confirmation of any new information and clarifications provided during an interview. If required, interviews shall be scheduled at a later date. Upon receipt of requested clarifications and additional information as described above, if any, the QSs will be re-evaluated to factor in the clarifications and additional information.

Evaluations and rankings of QSs are subject to the sole discretion of TxDOT. TxDOT will make the final determinations of the Proposers to be shortlisted, as it deems appropriate, in its sole discretion, and in the best interests of the State of Texas.

5.5 Changes in Proposer Organization

TxDOT wants to ensure that Proposers are able to develop and attract the broad expertise necessary to participate in this procurement and design, construct, and/or optimally maintain the Project in an innovative, effective and efficient manner. Accordingly, TxDOT shall permit Proposers to add team members and reorganize the Proposer entity through the procurement process until submittal of the Proposals, except in the event of potential organizational conflicts of interest and/or deficiencies in qualifications and experience for the proposed role. Notwithstanding the foregoing, following submittal of the QSs, the following actions may not be undertaken without TxDOT's prior written consent:

- Deletion or substitution of a Proposer team member identified in its QS;
- Deletion or substitution of an equity owner of Proposer, a guarantor of Proposer or any other entity that will bear financial responsibility or liability for the performance of the Proposer; and
- Other changes in the equity ownership or team membership of a Proposer.

5.6 RFP Procedure and Evaluation

The Commission has given its staff broad direction on the content and methodology for the solicitation of Proposals from shortlisted Proposers, the selection of a Proposer whose Proposal offers the apparent best value to TxDOT and the terms and conditions a DBC must contain to

be deemed satisfactory. TxDOT staff intends to work with the Commission during the RFQ process to define the RFP and negotiation process with specificity, which may include, at an appropriate time, industry review of a draft RFP and contract documents, among other information. Proposers are advised that the evaluation criteria and weightings for the evaluation of the Proposals may differ from the criteria set forth herein to evaluate QSs.

6. COMMUNICATIONS, PUBLIC INFORMATION AND ORGANIZATIONAL CONFLICTS OF INTEREST

6.1 Improper Communications and Contacts

The following rules of contact shall apply during the procurement for the Project, which began upon the date of issuance of this RFQ and will be completed with the execution of the DBC. These rules are designed to promote a fair and unbiased procurement process. Contact includes face-to-face, telephone, facsimile, electronic-mail (e-mail), or formal written communication.

The specific rules of contact are as follows:

(A) After submittal of QSs, no Proposer or any of its team members may communicate with another Proposer or its team members with regard to the RFP or either team's Proposal, except that subcontractors that are shared between two or more Proposer teams may communicate with their respective team members so long as those Proposers establish a protocol to ensure that the subcontractor will not act as a conduit of information between the teams (contact among Proposer organizations is allowed during TxDOT sponsored informational meetings);

(B) The Proposers shall correspond with TxDOT regarding the RFQ and RFP only through TxDOT's and Proposer's designated representatives;

(C) Commencing with the issuance of this RFQ and continuing until the earliest of (i) award and execution of the DBC, (ii) rejection of all Proposals by TxDOT or (iii) cancellation of the procurement, no Proposer or representative thereof shall have any ex parte communications regarding the RFQ, RFP or the procurement described herein with any member of the Texas Transportation Commission or with any TxDOT staff, advisors, contractors or consultants (and their respective affiliates) involved with the procurement or the Project, except for communications with TxDOT consultants who have completed their services for the Project and been released by TxDOT, communications expressly permitted by the RFQ or RFP or except as approved in advance by the Director of the Strategic Projects Division, in his/her sole discretion. The foregoing restriction shall not, however, preclude or restrict communications with regard to matters unrelated to the RFQ, RFP or the procurement or from participating in public meetings of the Commission or any public or Proposer workshop related to this RFQ or the RFP. Any Proposer engaging in such prohibited communications may be disqualified at the sole discretion of TxDOT;

(D) The Proposers shall not contact stakeholders regarding the Project, including employees, representatives and members of the entities listed below:

- FHWA
- Cities of Kingsville, Bishop and Driscoll
- Kleberg and Nueces Counties
- TxDOT (except as provided herein)

(E) Any communications determined to be improper, at the sole discretion of TxDOT, may result in disqualification;

(F) Any official information regarding the Project will be disseminated from TxDOT's office on Department letterhead or on the Project Website. Any official correspondence will be in writing and signed by TxDOT's Authorized Representative or designee; and

(G) TxDOT will not be responsible for any oral exchange or any other information or exchange that occurs outside the official process specified herein.

6.2 Public Information Act

6.2.1 Disclosure Waiver

Each Proposer, by submitting a QS to TxDOT in response to the RFQ, consents to the disclosures described in this RFQ, including this Part A, Section 6.2, and all other disclosures required by law, and expressly waives any right to contest, impede, prevent or delay such disclosure, or to initiate any proceeding that may have the effect of impeding, preventing or delaying such disclosure, under Texas Government Code Chapter 552 (the Public Information Act or the "Act"), the Code, the Rules or any other law relating to the confidentiality or disclosure of information. Under no circumstances will TxDOT be responsible or liable to a Proposer or any other party as a result of disclosing any such materials. Proposer hereby further agrees to assist TxDOT in complying with these disclosure requirements.

6.2.2 Observers During Evaluation

Proposers are advised that observers from federal or other agencies, including representatives of local governmental entities, may observe the QS evaluation process and will have the opportunity to review the QSs after the QS Due Date.

6.2.3 Public Disclosure of Proposal Documents

Proposers are advised that all portions of the QS other than Volume 2 may be publicly disclosed by TxDOT at any time and at TxDOT's sole discretion.

6.2.4 Disclosure Process for Requests Under the Act

If a request is made under the Act for disclosure of Volume 2 of the QS or information contained therein, TxDOT will submit a request for an opinion from the Office of the Attorney

General prior to disclosing any such documents. The Proposer shall then have the opportunity to assert its basis for non-disclosure of such documents and claimed exception under the Act or other applicable Law to the Office of the Attorney General within the time period specified in the notice issued by TxDOT and allowed under the Act. However, it is the responsibility of the Proposer to monitor such proceedings and make timely filings. TxDOT may, but is not obligated to, make filings of its own concerning possible disclosure; however, TxDOT is under no obligation to support the positions of the Proposer. By submitting a QS to TxDOT in response to the RFQ, each Proposer consents to, and expressly waives any right to contest, the provision by TxDOT to the Office of the Attorney General of all, or representative samples of, the QS, in accordance with the Act and each Proposer consents to the release of all such information to the Attorney General for purposes of the Attorney General making a determination in response to a disclosure request under the Act. Under no circumstances will TxDOT be responsible or liable to a Proposer or any other party as a result of disclosing any such materials, whether the disclosure is deemed required by Law or by an order of court or the Office of the Attorney General, or occurs through inadvertence, mistake or negligence on the part of TxDOT or its officers, employees, contractors or consultants.

All Proposers should obtain and thoroughly familiarize themselves with the Act, Code, the Rules, and any other provisions of the Texas Administrative Code applicable to the issue of confidentiality and public information. TxDOT will not advise a Proposer as to the nature or content of documents entitled to protection from disclosure under the Code, the Act or other Texas Laws, as to the interpretation of such Laws, or as to the definition of trade secret. The Proposer shall be solely responsible for all determinations made by it under applicable Laws. Each Proposer is advised to contact its own legal counsel concerning the effect of applicable Laws to that Proposer's own circumstances.

In the event of any proceeding or litigation concerning the disclosure of any QS or portion thereof, submitted by the Proposer, the Proposer shall be responsible for prosecuting or defending any action concerning the materials at its sole expense and risk; provided, however, that TxDOT reserves the right, in its sole discretion, to intervene or participate in the litigation in such manner as it deems necessary or desirable. All costs and fees (including attorneys' fees and costs) incurred by TxDOT in connection with any litigation, proceeding or request for disclosure shall be reimbursed and paid by the Proposer whose QS is the subject thereof.

6.3 Organizational Conflicts of Interest

The Rules at Section 9.155 *et seq.* regarding organizational conflicts of interest will apply to this Project if and when they are adopted. Respondents are advised that these rules may preclude certain firms and their subsidiaries and affiliates from participating on a Respondent team.

Firms who are prohibited from proposing or joining a Proposer team include, but are not limited to:

- Jacobs, Inc.
- CH2MHill, Inc.

- RS&H
- Mayer Brown LLP
- KPMG
- Survtex, LLC
- CDS Muery Services
- Teague, Nall and Perkins
- Affiliates of any of the above

Proposers are advised that other TxDOT consultants working on the Project may have an organizational conflict of interest. Proposers are encouraged to review the Rules and discuss potential conflicts of interest with prospective team members. By submitting its QS, each Proposer agrees that, if an organizational conflict of interest is thereafter discovered, the Proposer must make an immediate and full written disclosure to TxDOT that includes a description of the action that the Proposer has taken or proposes to take to avoid or mitigate such conflicts. If an organizational conflict of interest that the Proposer knew or should have known about but did not disclose is determined to exist during the procurement process, TxDOT may, at its discretion, disqualify the Proposer. If an organizational conflict of interest that the Proposer knew or should have known about but did not disclose exists and the Proposer has entered into a DBC as the Design-Build Contractor, TxDOT will terminate the DBC. In either case, TxDOT shall avail itself of any remedies it may have at law.

Proposers are also advised that TxDOT's policy is intended to augment applicable federal and state law. Such applicable law will also apply to Proposer teams and teaming and may preclude certain firms and their related entities from participating on a Proposer team.

7. PROTEST PROCEDURES

7.1 Applicability

This Part A, Section 7 sets forth the exclusive protest remedies available with respect to this RFQ and prescribes exclusive procedures for protests regarding:

(1) allegations that the terms of the RFQ are wholly ambiguous, contrary to legal requirements applicable to the procurement, or exceed TxDOT's authority;

(2) a determination as to whether a QS is responsive to the requirements of the RFQ; and

(3) shortlisting determinations.

7.2 Required Early Communication for Certain Protests

Protests concerning the issues described in Part A, Section 7.1(1) may be filed only after the Proposer has informally discussed the nature and basis of the protest with TxDOT, following the procedures prescribed in this Part A, Section 7.2. Informal discussions shall be initiated by a written request for a one-on-one meeting delivered via e-mail to TxDOT-CRP-PPP-US77@txdot.gov. The written request should include an agenda for the proposed one-on-one meeting. TxDOT will meet with the Proposer as soon as practicable to discuss the nature of the allegations. If necessary to address the issues raised in a protest, TxDOT may, in its sole discretion, make appropriate revisions to the RFQ documents by issuing addenda.

7.3 Deadlines for Protests

(1) Protests concerning the issues described in Part A, Section 7.1(1) must be filed as soon as the basis for the protest is known, but no later than 20 calendar days prior to the QS Due Date, unless the protest relates to an addendum to the RFQ, in which case the protest must be filed no later than five business days after the addendum is issued.

(2) Protests concerning the issues described in Part A, Section 7.1(2) must be filed no later than five business days after receipt of the notification of non-responsiveness.

(3) Protests concerning the issues described in Part A, Section 7.1(3) must be filed no later than 10 business days after the earliest of the notification of the shortlist and the public announcement of the shortlisting determination.

7.4 Content of Protest

Protests shall completely and succinctly state the grounds for protest, its legal authority, and its factual basis, and shall include all factual and legal documentation in sufficient detail to establish the merits of the protest. Statements shall be sworn and submitted under penalty of perjury.

7.5 Filing of Protest

Protests shall be filed by hand delivery on or before the applicable deadline to the Project Manager at the address set forth in Part A, Section 1 with a copy to the Office of General Counsel, Texas Department of Transportation, 150 E. Riverside Drive, 4th Floor North Tower, Austin, TX 78704, as soon as the basis for the protest is known to the Proposer. Except for protests concerning the issues described in Part A, Section 7.1(1), the Proposer filing the protest shall concurrently file a copy of the protest with the other Proposers whose addresses may be obtained from TxDOT's website.

7.6 Comments from other Proposers

Other Proposers may file statements in support of or in opposition to the protest within seven days of the filing of the protest. TxDOT shall promptly forward copies of all such statements to the protestant. Any statements shall be sworn and submitted under penalty of perjury.

7.7 Burden of Proof

The protestant shall have the burden of proving its protest. TxDOT may, in its sole discretion, discuss the protest with the protestant and other Proposers. No hearing will be held on the protest. The protest shall be decided on the basis of written submissions.

7.8 Decision on Protest

The Executive Director or the Executive Director's designee shall issue a written decision regarding the protest within 30 days after the filing of the detailed statement of protest. If necessary to address the issues raised in a protest, TxDOT may, in its sole discretion, make appropriate revisions to this RFQ by issuing addenda.

7.9 Protestant's Payment of Costs

If a protest is denied, the Proposer filing the protest shall be liable for TxDOT's costs reasonably incurred to defend against or resolve the protest, including legal and consultant fees and costs, and any unavoidable damages sustained by TxDOT as a consequence of the protest.

7.10 Rights and Obligations of Proposers

Each Proposer, by submitting its QS, expressly recognizes the limitation on its rights to protest provided in this Part A, Section 7, and expressly waives all other rights and remedies and agrees that the decision on the protest is final and conclusive. If a proposer disregards, disputes, or does not follow the exclusive protest remedies provided in this Part A, Section 7, it shall indemnify and hold TxDOT and its officers, employees, agents, and consultants harmless from and against all liabilities, fees and costs, including legal and consultant fees and costs, and damages incurred or suffered as a result of such Proposer's actions. Each Proposer, by submitting a QS, shall be deemed to have irrevocably and unconditionally agreed to this indemnity obligation.

8. TXDOT RESERVED RIGHTS

In connection with this procurement, TxDOT reserves to itself all rights (which rights shall be exercisable by TxDOT in its sole discretion) available to it under the Code, the Rules and applicable law, including without limitation, with or without cause and with or without notice, the right to:

- Develop the Project in any manner that it, in its sole discretion, deems necessary. If TxDOT is unable to negotiate a DBC to its satisfaction with a Proposer, it may negotiate with the next highest rated Proposer, terminate this procurement and pursue other development or solicitations relating to the Project or exercise such other rights under the Code and other provisions of Texas law as it deems appropriate.

- Cancel this RFQ or the subsequent RFP in whole or in part at any time prior to the execution by TxDOT of a DBC, without incurring any cost obligations or liabilities.

- Issue a new request for qualifications after withdrawal of this RFQ or a subsequent RFP.

- Not issue an RFP.

- Reject any and all submittals, responses and QSs received at any time.

- Modify all dates set or projected in this RFQ.

- Terminate evaluations of responses received at any time.

- Suspend and terminate DBC negotiations at any time, elect not to commence DBC negotiations with any responding Proposer and engage in negotiations with other than the highest ranked Proposer.

- Issue addenda, supplements and modifications to this RFQ.

- Appoint evaluation committees to review QSs, make recommendations to the Commission and seek the assistance of outside technical experts and consultants in QS evaluation.

- Require confirmation of information furnished by a Proposer, require additional information from a Proposer concerning its QS and require additional evidence of qualifications to perform the work described in this RFQ.

- Seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to this RFQ.

- Add or delete Proposer responsibilities from the information contained in this RFQ or any subsequent RFP.

- Negotiate with a Proposer without being bound by any provision in its proposal.

- Waive deficiencies in a QS, accept and review a non-conforming QS or permit clarifications or supplements to a QS.

- Disqualify any Proposer that changes its submittal without TxDOT approval.

- Not issue a notice to proceed after execution of the DBC.

- Exercise any other right reserved or afforded to TxDOT under this RFQ.

This RFQ does not commit TxDOT to enter into a contract or proceed with the procurement described herein. Except as expressly set forth in <u>Part A, Section 3</u>,

TxDOT and the State of Texas assume no obligations, responsibilities, and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred or alleged to have been incurred by parties considering a response to and/or responding to this RFQ, or any subsequent RFP. All of such costs shall be borne solely by each Proposer.

In no event shall TxDOT be bound by, or liable for, any obligations with respect to the Project until such time (if at all) as a DBC, in form and substance satisfactory to TxDOT, has been executed and authorized by TxDOT and, then, only to the extent set forth therein.

PART B
QUALIFICATIONS STATEMENT

1. DEFINITIONS

The following terms describe the members of the Proposer's team that are required to be named in the QS:

Capital Maintenance Firm – The member of the Proposer team responsible for maintenance of the Project.

Equity Member – A member of the Proposer team that is (a) if the Proposer is a joint venture, a member of the joint venture, (b) if the Proposer is or will be a newly formed limited liability entity, an equity owner of the Proposer or (c) if the Proposer is a corporation or other entity that is not newly formed, the Proposer.

Key Personnel – The personnel listed in Part B, Volume 1 Appendix, Section C.

Lead Contractor – The member of the Proposer team, whether a single entity or joint venture, primarily responsible for the construction of the Project.

Lead Engineering Firm – The member of the Proposer team, whether a single entity or joint venture, primarily responsible for the design and engineering of the Project.

Major Non-Equity Member – Any or all of the Proposer teams' Lead Engineering Firm, Lead Contractor, and Capital Maintenance Firm, except where these entities qualify as an Equity Member.

2. ORGANIZATION

Proposers are required to assemble their QS in the order prescribed and following the outline form contained in this Part.

Volume 1	
Section A – General	(a) Form A – Transmittal Letter
	(b) Executive Summary
	(c) Confidential Contents Index
Section B – Proposal Information/ Project Experience	(a) Information Regarding Proposers, Equity Members and Major Identified Non-Equity Members
	(b) Management Structure
	(c) Forms E-1, E-2 and E-3 - Relevant Experience
	(d) Form D – Reference Summary
	(e) Legal Qualifications
Section C – Statement of Technical Approach	Statement of Technical Approach
Volume 1 Appendix	
Section A	Forms B and C
Section B	Surety Letter
Section C	Personnel Qualifications
Section D	Express Commitment Regarding Key Personnel
Section E	Project Descriptions
Volume 2	
Section A	Financial Statements and Credit Ratings

VOLUME 1

Volume 1 of the QS shall contain the following:

Section A General

(b) Form A – Transmittal Letter:

A duly authorized official of the Proposer or lead firm must execute the transmittal letter in blue ink. For Proposers that are joint ventures, partnerships, limited liability companies or other associations, the transmittal shall have appended to it letters on the letterhead stationery of each entity holding an equity interest in the Proposer, executed by authorized officials of each Equity Member, stating that representations, statements and commitments made by the lead firm on behalf of the Equity Member's firm have been authorized by, are correct, and accurately represent the role of the Equity Member's firm in the Proposer team.

(c) Executive Summary:

An Executive Summary, not exceeding four pages. The Executive Summary shall be written in a non-technical style and shall contain sufficient information for reviewers with both technical and non-technical backgrounds to become familiar with the Proposer's QS and its ability to satisfy the financial and technical requirements of the Project.

(d) Confidential Contents Index:

A page executed by the Proposer that sets forth the specific items (and the section and page numbers within the QS at which such items are located) that the Proposer deems confidential, trade secret or proprietary information protected by the Public Information Act (as described in Part A, Section 6.2). Blanket designations that do not identify the specific information shall not be acceptable and may be cause for TxDOT to treat the entire QS as public information. Notwithstanding the foregoing, the list required under this Subsection (c) is intended to provide input to TxDOT as to the confidential nature of a Proposer's QS, but in no event shall such list be binding on TxDOT, determinative of any issue relating to confidentiality or a request under the Public Information Act (as described in Part A, Section 6.2) or override or modify TxDOT's responsibilities thereunder or the disclosure waiver described in Part A, Section 6.2.1.

Section B Proposer Information/Project Experience

(a) Information Regarding Proposers, Equity Members and Major Non-Equity Members

1. The Proposer

Identify the legal name of the Proposer. If the name is a d/b/a, identify underlying names. Identify a sole point of contact (a real person) and include the following information: name, title, address, telephone and fax numbers and electronic mail address. Identify the legal name and nature of the Proposer and the state of its organization.

2. Equity Members

For each Equity Member of the Proposer, identify the entity's role and the entity's legal nature and state of organization. In addition, include the name, the entity's legal nature and state of organization for any anticipated Guarantors. (See Part B, Volume 2, Section A(f) for guaranty requirements.)

3. Major Identified Non-Equity Members

Identify each Major Non-Equity Members and any other team members that the Proposer wishes to identify in its QS at this time ("Major Identified Non-Equity Member"). For each Major Identified Non-Equity Member of the Proposer, identify the entity's role and the entity's legal nature and state of organization.

(b) Management Structure

Provide a narrative of no more than three pages (8.5" x 11") describing the Proposer's teaming arrangements and its management structure. The narrative will be supported by up to three charts, on paper up to 11" x 17" size, as follows:

- Organization chart showing the Proposer's Equity Members, Major Non-Equity Members and any Major Identified Non-Equity Members. The percentage of equity interest among the Equity Members shall be indicated, as well as the percentage of ownership interest for each of the Major Non-Equity Members in instances where the Lead Contractor, Lead Engineering Firm and Lead Capital Maintenance Firm are joint ventures. In addition, any Proposer that anticipates it will be required to provide a parent company guarantee shall provide a table of organization showing the relationship between the applicable Equity or Major Non-Equity Member and its parent entity. (See Part B, Volume 2, Section A(f) for instances where a guarantee may be required.)

- Organization chart showing the proposers Management Structure and "chain of command" with Key Personnel shown together with other relevant personnel, and identifying major functions to be performed and their reporting relationships in designing, constructing and maintaining the Project.

(c) Forms E-1, E-2 and E-3 – Relevant Experience

The QS shall contain completed Forms E-1, E-2 and E-3. Project descriptions for each of the projects listed in Forms E-1, E-2 and E-3 shall be included in Volume 1 Appendix, Section E.

Form E-1: Technical Experience – Lead Engineering Firm: Provide details for a maximum of two projects in compliance with the requirements set forth in Form E-1 and best meeting

the evaluation criteria set forth in Part A, Section 5.

Form E-2: Technical Experience – Lead Contractor: Provide details for a maximum of three projects in compliance with the requirements set forth in Form E-2 and best meeting the evaluation criteria set forth in Part A, Section 5.

Form E-3: Technical Experience – Lead Capital Maintenance Firm: Provide details for a maximum of two projects in compliance with the requirements set forth in Form E-3 and best meeting the evaluation criteria set forth in Part A, Section 5.

(d) Form D – Reference Summary

The Proposers shall send a completed Form D to all of the references required for all project experience listed on Forms E-1, E-2 and E-3. Proposers will be responsible for having such references each return completed Form D directly to TxDOT prior to the QS deadline. Only the Forms D received prior to the QS deadline will be used for the Proposers evaluation. For purposes of completing Form D, Proposers should not include references from any current TxDOT Corpus Christi District personnel.

For projects/contracts listed for design firms that were traditional consultant/engineering services contracts (as opposed to, for example, design-build contracts), the information sought above shall be limited only to the consultant/engineering services contract, rather than any ensuing construction contract where such entity had limited or no involvement.

For projects/contracts listed for construction firms using the traditional design/bid/build delivery method, the information sought above shall be limited only to the construction contract, rather than any design contract where such entity had limited or no involvement.

Proposers are requested to verify that contact information is correct, and are advised that if the contact information provided is not current, TxDOT may elect to exclude the experience represented by that project in determining the Proposer's qualifications.

For any entity identified in the QS for which experience and qualifications have not been provided pursuant to Part B, Volume 1, Section B(c), the Proposer may, but is not required to include relevant project references on Form D.

(e) Legal Qualifications

The following information regarding legal issues affecting the Proposer and its team members shall be submitted:

1. Legal Issues

Identify and explain any significant anticipated legal issues which the Proposer must resolve in order to carry out the Project and its obligations under a DBC.

2. Legal Liabilities

Provide a list and a brief description of all instances during the last five years involving transportation projects in which the Proposer (or any other organization that is under common ownership with the Proposer), any Equity Member, or any Major Non-Equity Member was (i) determined, pursuant to a final determination in a court of law, arbitration proceeding or other dispute resolution proceeding, to be liable for a material breach of contract or (ii) terminated for cause. For each instance, identify an owner's representative with a current phone and e-mail address.

3. Legal Proceedings

Provide a list and a brief description (including the resolution) of each arbitration, litigation, dispute review board and other dispute resolution proceeding occurring during the last five years between the public owner and Proposer (or any other organization that is under common ownership with the Proposer), any Equity Member or any Major Non-Equity Member and involving an amount in excess of $300,000 related to performance in capital transportation projects with a contract value in excess of $10 million.

Include a similar list for all projects included in the response to Part B, Volume 1, Section B(c), regardless of whether the dispute occurred during the past five years or involved the same organization that is on the Proposer's team. For each instance, identify an owner's representative with a current phone number and e-mail address.

Section C Statement of Technical Approach

Provide a narrative statement of the Respondent's technical approach. This statement shall include the Respondent's:

1. Understanding of the Project Scope.

2. Approach to contracting and to successfully delivering the Project using design-build-maintain contracting.

3. Identification and understanding of the top Project risks and potential solutions to address the risk, including:

   i. risks with consequences arising during design
   ii. risks with consequences arising during construction
   iii. risks with consequences arising during the capital maintenance period.

The Statement of Technical Approach may be no longer than three pages. The Statement of Technical Approach shall not be confidential.

VOLUME 1 APPENDIX

Volume 1 Appendix of the QS shall contain the following:

Section A Forms B and C

Executed originals of Form B (Information Regarding Proposer, Equity Members and Major Non-Equity Members) and Form C (Certification) for the Proposer, each Equity Member of Proposer, each Guarantor and each Major Non-Equity Member. **Proposers are advised that Form B may be released to the public and media.**

Section B Surety Letter

Evidence from a surety or an insurance company indicating that the Proposer team is capable of obtaining a Performance Bond and Payment Bond, each in an amount of at least $60 million. The evidence shall take the form of a letter from a surety/insurance company indicating that such capacity exists for the Proposer or the team member with the primary responsibility for construction. Letters indicating "unlimited" bonding capability are not acceptable.

The surety/insurance company providing such letter must be rated in one of the two top categories by two nationally recognized rating agencies or at least A- (A minus) or better or Class VIII or better by "AM Best & Company," and must indicate the relevant rating in the letter. The letter must specifically state that the surety/insurance company has read this RFQ and evaluated the Proposer's backlog and work-in-progress in determining its bonding capacity.

If a Proposer or team member responsible for construction, as applicable, is a joint venture, partnership, limited liability company or other association, separate letters for one or more of the individual equity participants of the Proposer or team responsible for construction, as applicable, are acceptable, as is a single letter covering all equity participants.

TxDOT has not yet determined the specific amount or form of security that it will require for the Project. Proposers are advised that the RFP may require payment, performance and/or guaranty amounts in excess of the $60 million amount referenced above. TxDOT shall delineate such requirements, which will be consistent with applicable law, in the RFP.

Section C Personnel Qualifications

Proposers are required to provide separate resumes for all Key Personnel, as well as other relevant personnel who are shown in the Organization Chart included in Volume 1, and whose qualifications and experience will be evaluated as described in Part A, Section 5.

Other personnel may also be shown in the Organization Chart.

Resumes shall be limited to one page per person (exclusive of licenses and/or license applications) and only one individual shall be designated to fill each position.

Resumes shall include the following information for each project listed:

a) Name of the project, the public owner's contact information (project manager name, phone number, e-mail address), and project number (if any) and dates of work performed on the project. If the owner's project manager is no longer employed by the owner, provide an alternative contact at the owner/agency who played a leadership role for the owner during the dates work was performed on the project and is familiar with the project. TxDOT may elect to use the information provided to verify the experience claimed for an individual. A minimum of three individual projects and references shall be provided for each resume. Resumes shall not include references from any current TxDOT Corpus Christi District personnel.

b) Description of the work or services provided and role on the project. If more than one role was played, identify the dates and duration of each role.

c) Relevant licensing and registration (copies of licenses and/or application for licenses, where applicable, must be attached).

Key Personnel are listed as follows:

Key Personnel Category	**Description of Position**
Project Manager	Responsible for overall design, construction and contract administration for the Project.
Construction Manager	Responsible for ensuring that the Project is constructed in accordance with the Project requirements. Responsible for managing the Design-Builder's construction personnel, scheduling of the construction quality assurance personnel, and administering all construction requirements of the contract.
Design Manager	A Professional Engineer* responsible for ensuring that the overall Project design is completed and design criteria requirements are met. Responsible for managing the Design-Builder's design personnel and administering all design requirements of the contract.
Design Quality Assurance Manager	A Professional Engineer* responsible for all aspects of design quality and for implementation of procedures to ensure all design products are accurate and checked before release. Works for an independent quality assurance firm hired by the Design-Build Contractor.

Key Personnel Category	Description of Position
Construction Quality Assurance Manager	A Professional Engineer* responsible for managing the quality assurance inspection and the materials quality assurance testing. Works for an independent quality assurance firm hired by the Design-Build Contractor.
Environmental Compliance Manager	Responsible for assuring compliance of all on site activities with the requirements of all permits and regulatory requirements. Reports directly to the principals of the Equity Member. Independent of Lead Contractor's production team and has the authority to stop work.
Capital Maintenance Manager	Responsible for all operational and maintenance matters on behalf of the Design-Build Contractor, including safety and environmental compliance following service commencement and interfacing with TxDOT in compliance with the capital maintenance protocols arrangement.

* Professional Engineers must be licensed in the State of Texas, or become licensed in the State of Texas prior to execution of the DBC.

Section D Express Commitment Regarding Key Personnel

An express, written statement committing that the Key Personnel designated in the QS for the positions or roles described in Part B, Volume 1 Appendix, Section C shall be available to serve the role so identified in connection with the Project. While TxDOT recognizes personnel availability and scheduling issues impact the Proposers, Proposers are urged only to identify and proffer personnel that they believe will be available for, and intend to assign to work on, the Project for the positions identified. Procedures concerning changes of such personnel will be set forth in the RFP; however, requests to implement such changes will be subject to prior TxDOT approval. Failure to obtain TxDOT approval for such changes may result in disqualification of the Proposer by TxDOT.

Section E Project Descriptions

Volume 1 Appendix, Section D of the QS shall include the project descriptions discussed in Part B, Volume 1, Section B and listed on Forms E-1, E-2 and E-3. These shall be a maximum two-page narrative description for each project on separate 8-1/2" x 11" sized white paper. The description should, at a minimum, give an overview of the project and explain why the experience the company gained on the project is relevant.

VOLUME 2

Volume 2 of the QS shall contain the following:

Section A Financial Statements

If the Equity Members of the Proposer responsible for construction and maintenance or Guarantors have been prequalified by TxDOT pursuant to Section 9.12 of Title 43, Texas Administrative Code, in lieu of completing this Section A, a letter shall be completed indicating the entity, or its members, is prequalified by TxDOT and is listed as such on TxDOT's list of prequalified contractors qualified by confidential questionnaire, that may be found at http://www.txdot.gov/business/contractors_consultants/contractor_prequalification.htm. If the letter includes prequalified Guarantors, the Guarantors are subject to the requirements of Part B, Volume 2, Section A(f).

For all other Equity Members of the Proposer or Guarantors, financial statements for the Proposer and Equity Members of Proposer for the most recent completed fiscal year must be provided to demonstrate financial capability of the Proposer.

Financial statement information must include:

i. Opinion Letter (Auditor's Report);

ii. Balance Sheet;

iii. Income Statement;

iv. Statement of Changes in Cash Flow; and

v. Footnotes.

In addition, financial statements must meet the following requirements:

a. **GAAP –** Financial statements must be prepared in accordance with U.S. Generally Accepted Accounting Principles ("U.S. GAAP"). If financial statements are prepared in accordance with principles other than U.S. GAAP, a letter must be provided from a certified public accountant discussing the areas of the financial statements that would be affected by a conversion to U.S. GAAP.

b. **U.S. Dollars** - Financial statements must be provided in U.S. dollars. If financial statements are not available in U.S. dollars, the Proposer must include summaries of the Income Statements and Balance Sheets for the applicable time periods converted to U.S. dollars by a certified public accountant.

c. **Audited** - Financial statements must be audited by an independent party qualified to render audit opinions (e.g. a certified public accountant). If audited financials are not available for an Equity Member, the QS shall include unaudited financial statements for such member, certified as true, correct and accurate by the chief financial officer ("CFO") or treasurer of the entity.

d. **English** – Financial statement information must be prepared in English. If audited financial statements are prepared in a language other than English, translations of all financial statement information must be provided with the original financial statement information.

e. **Newly Formed Entity** - If the Proposer is a newly formed entity and does not have independent financial statements, financial statements or precertification for the Equity Members shall be provided (and the Proposer shall expressly state that the Proposer is a newly formed entity and does not have independent financial statements).

f. **Guarantee** - If financial statements of a parent company or affiliate company ("Guarantor") are provided to demonstrate financial capability of the Proposer or Equity Members of a newly formed Proposer, additional information regarding the Guarantor shall be provided as specified in this RFQ. Proposers shall note that TxDOT may, in its discretion based upon the review of the information provided, specify that an acceptable Guarantor is required as a condition of shortlisting.

PART C
EXHIBITS AND FORMS

EXHIBIT A
Project Information and Status

Map of Project Area

See attached Figure A.1

1. Project Description/Information

The US 77 Upgrade project area extends 122 miles along US 77 from I-37 in Corpus Christi to US 83 in Harlingen, with proposed improvements between Robstown and Combes. TxDOT is proposing new overpasses, new interchanges, new one-way frontage roads, upgrades to existing ramps, and conversion of two-way frontage roads to one-way frontage roads. While much of the remaining upgrade project would be located within existing right of way, certain upgrade locations in Kleberg and Nueces counties would require additional right of way ranging from 35 to 200 feet adjacent to US 77. The department has developed a 10-mile break-out project from the US 77 Upgrade project to be referred as the US 77 upgrade from Kingsville to Driscoll (the "Project").

The Project components include the design, construction, and maintenance of the roadways shown on the Preliminary Schematic located on the Project Website, which includes the following:

- US 77 from FM 1898/E. Corral Ave to CR 16
    - Mainlanes
    - Frontage Roads
    - City Street connections
    - Tie-in tapers to existing US 77

The Preliminary Project Schematic located on the Project Website has been reviewed by FHWA and TxDOT's Design Division.

2. Status of Project Design and Construction

The US 77 Upgrade Schematic was completed in April 2012. FHWA approval of the final Schematic is anticipated in June 2012. The Project does not have a separate Schematic for that 10-mile section.

The US 77 Upgrade Schematic design status is as follows:

- Design 100% complete. A pdf of the 100% plans and electronic files are located on the Project Website.

The Design-Build Contractor will be responsible for completing the design for all components of the Project between Kingsville and Driscoll.

3. Project Environmental Status

A copy of the US 77 Upgrade Environmental Assessment is located on the Project website. Environmental clearance is anticipated in summer 2012.

4. Project Cost Estimates

TxDOT's current project estimate for the improvements to be developed for the Project is approximately $60 million based on the improvements described in Part A, Section 2.2.

The estimated costs reflect the currently developed schematic and environmentally studied project components at current construction prices. In addition, the estimates do not include maintenance costs.

5. Funding Available for Project Costs

TxDOT intends to fully finance the design, construction and capital maintenance of the Project and no private financing is required.

6. Right-of Way Acquisition

The Design-Build Contractor's responsibilities under the DBC will include right-of-way acquisition activities for all the Project parcels. TxDOT will be responsible for eminent domain activities with Design-Build Contractor support and for the purchase price for right-of-way within the NEPA limits. The RFP will provide further details regarding the acquisition process and the responsibilities of the Design-Build Contractor in that process.

7. Geotechnical, Utility Relocation, Hazardous Materials Investigations, Detention Plan, Aesthetic Treatment and Railroad Coordination

(a) Geotechnical Investigation Program

TxDOT may consider conducting limited geotechnical investigation for the Project. The Proposers will be responsible for geotechnical investigation activity on TxDOT ROW or private property (pursuant to a right of entry granted to TxDOT), during the procurement, and will require the appropriate coordination with TxDOT (i.e. permitting, traffic control, notification etc.). Proposers must obtain permits through the normal permitting process prior to performing any drilling on State ROW. TxDOT will provide existing plans that contain geotechnical borings from previous projects during the RFP process.

(b) Utility Investigation

The DBC is expected to require the Design-Build Contractor to be responsible for performing or causing necessary utility relocations/adjustments to be performed in accordance with applicable standards and, with limited exceptions specified in the DBC, for the costs associated with utility relocations/adjustments, except to the extent the utilities are legally responsible for such costs. TxDOT is planning to provide a SUE level D to the shortlisted Proposers of the existing utilities within the Project limits.

(c) Hazardous Materials Investigation

The environmental documents included in the Project Documents include studies showing the results of hazardous materials investigations relating to the Project and are available for review as provided in Part A, Section 1. TxDOT is currently assessing what, if any, additional hazardous materials investigation information will be collected and shortlisted Proposers may, during the industry review process, be asked to provide input on this topic.

(d) Aesthetic Treatment

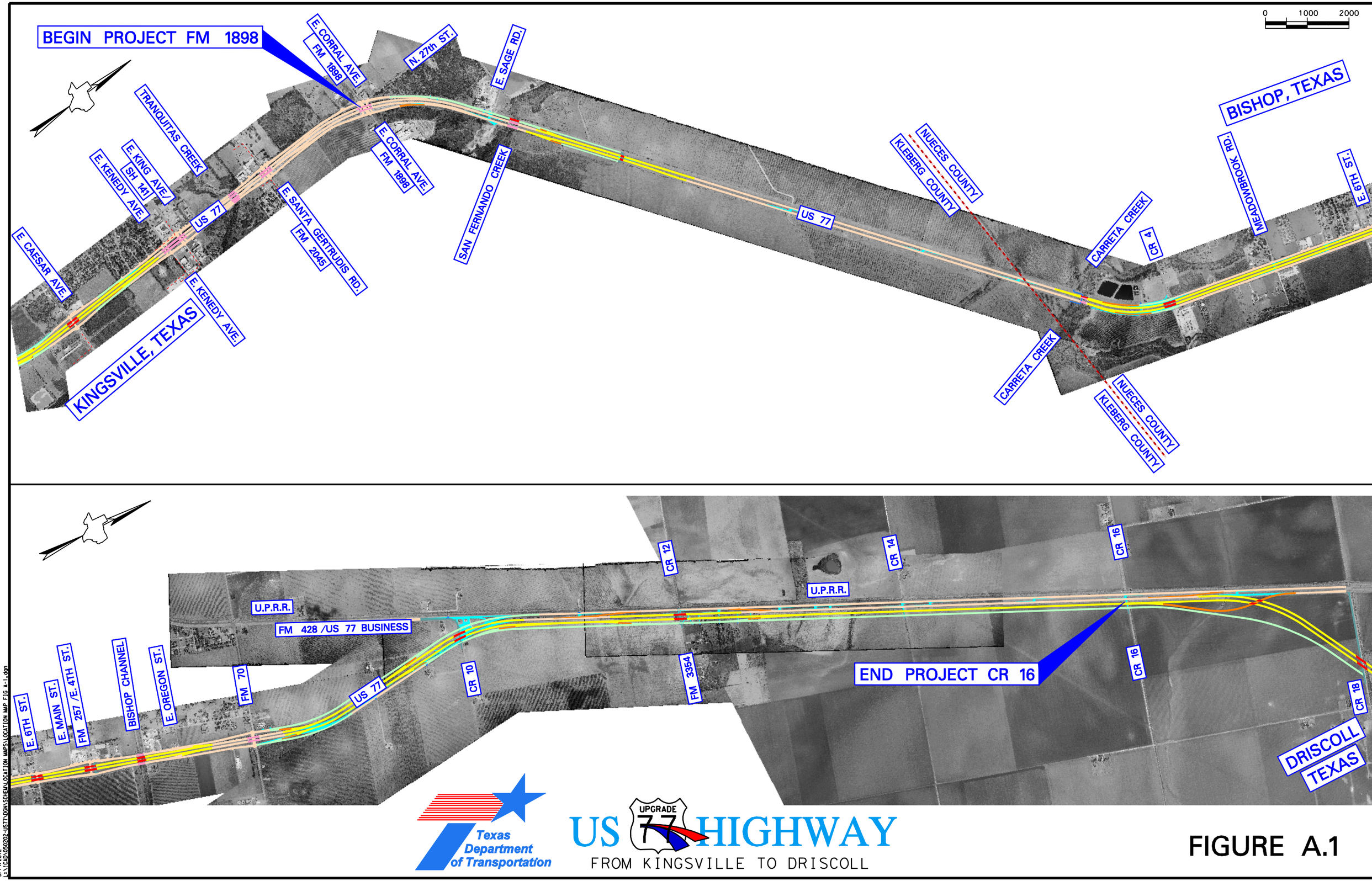
Aesthetic guidelines might be prepared for the Project in front of the Bishop's High School and the Design-Build Contractor will be required to comply with such guidelines. Additional details and requirements concerning aesthetic guidelines shall be set forth in the RFP.

(e) Railroad Coordination

The current Project limits as shown in the Preliminary Project Schematic do not require coordination with any railroad.

(f) Other Due Diligence Activities

TxDOT is currently assessing what, if any, additional site and due diligence information beyond that which is specified in Part C, Exhibit A, Sections 7(a) through 7(f) will be provided. The shortlisted Proposers may, during the industry review process, be asked to provide input on this topic.



Texas Department of Transportation

US 77 UPGRADE HIGHWAY

FROM KINGSVILLE TO DRISCOLL

FIGURE A.1

5/14/2012
L:\CAD\50202-US77\DGN\SCHEM\LOCATION MAPS\LOCATION MAP FIG A-1.dgn

EXHIBIT B
DRAFT DESIGN-BUILD AGREEMENT
TERM SHEET

[*See attached term sheet.*]

EXHIBIT C
DRAFT CAPITAL MAINTENANCE AGREEMENT TERM SHEET

[*See attached term sheet.*]

FORM A

TRANSMITTAL LETTER

PROPOSER:_____

QS Date: **[*Insert date.*]**
[*Insert contact information for Project Manager*]

The undersigned ("Proposer") submits this qualifications statement (this "QS") in response to that certain Request for Qualifications dated as of **June 1, 2012** (as amended, the "RFQ"), issued by the Texas Department of Transportation ("TxDOT") to design, construct and, potentially, maintain US 77 from E. Corral Avenue in the northern portion of Kingsville in Kleberg County to County Road 16 south of the City of Driscoll in Nueces County (referred to herein as the "Project"), pursuant to a Design-Build Contract ("DBC"). Initially capitalized terms not otherwise defined herein shall have the meanings set forth in the RFQ.

Enclosed, and by this reference incorporated herein and made a part of this QS, are the following:

Volume 1:	Transmittal Letter (this Form A), Executive Summary, Confidential Information List, Entity Qualifications, Legal Qualifications, Statement of Technical Approach;
Volume 1 Appendix:	Forms B and C, Surety Letter, Personnel Qualifications, Project Descriptions; and
Volume 2:	Financial Qualifications.

Proposer acknowledges receipt, understanding and full consideration of all materials posted on TxDOT's website with respect to the Project
http://www.txdot.gov/project_information/projects/corpus_christi/us77/rfq.htm

and the following addenda and sets of questions and answers to the RFQ:

Proposer to list any addenda to this RFQ and sets of questions and answers by dates and numbers prior to executing Form A

Proposer represents and warrants that it has read the RFQ and agrees to abide by the contents and terms of the RFQ and the QS.

Proposer understands that TxDOT is not bound to short-list any Proposer and may reject each QS TxDOT may receive.

Proposer further understands that all costs and expenses incurred by it in preparing this QS and participating in the Project procurement process will be borne solely by the Proposer, except, to the extent of any payment made by TxDOT for work product, as described in Part A, Section 3.2 of the RFQ.

Proposer agrees that TxDOT will not be responsible for any errors, omissions, inaccuracies or incomplete statements in this QS.

This QS shall be governed by and construed in all respects according to the laws of the State of Texas.

Proposer's business address:

_____
(No.) (Street) (Floor or Suite)

_____
(City) (State or Province) (ZIP or Postal Code) (Country)

State or Country of Incorporation/Formation/Organization:_____

[insert appropriate signature block from following]

1. Sample signature block for corporation or limited liability company:

[Insert Proposer's name]

By: _____

Print Name: _____

Title: _____

2. Sample signature block for partnership or joint venture:

[Insert Proposer's name]

By: *[Insert general partner's or member's name]*

By: _____

Print Name: _____

Title: _____

[Add signatures of additional general partners or members as appropriate]

3. Sample signature block for attorney in fact:

[Insert Proposer's name]

By: _____

Print Name: _____

Attorney in Fact

FORM B

INFORMATION REGARDING PROPOSER, EQUITY MEMBERS, MAJOR NON-EQUITY MEMBERS, MAJOR IDENTIFIED NON-EQUITY MEMBERS AND GUARANTORS

(for Public Release)

Name of Proposer: _____

Entity (check one box for entity completing Form B as applicable):

☐ Proposer; ☐ Equity Member; ☐ Major Non-Equity Member; ☐ Major Identified Non-Equity Member; ☐ Guarantor; or ☐ Other

Name of Entity Completing Form B:
_____

Year Established: _____ State of Organization: _____

Federal Tax ID No. (if applicable): _____ Telephone No.: _____

North American Industry Classification Code: _____

Name of Official Representative Executing Form B: _____

Individual's Title: _____

E-mail Address: _____

Type of Business Organization (check one):

- ☐ Corporation
- ☐ Partnership
- ☐ Joint Venture
- ☐ Limited Liability Company
- ☐ Other (describe)

A. Business Address: _____
Headquarters: _____
Office Performing Work: _____

B. Indicate the role of the entity in the space below.

_____
_____

C. If the entity completing this Form B is a joint venture or newly formed entity (formed within the past two years), complete a separate Form B and Form C for each member or partner of the entity and attach it to the QS. In addition, identify the name of such members or partners in the space below.

Name

_____

_____

_____

Under penalty of perjury, I certify that the foregoing is true and correct, and that I am the firm's Official Representative:

By: _____ Print Name: _____

Title: _____ Date: _____

[*Please make additional copies of this form as needed.*]

FORM C

CERTIFICATION

Proposer: _____

Name of Firm: _____

1. Has the firm or any affiliate* or any **current** officer thereof, been indicted or convicted of bid (i.e., fraud, bribery, collusion, conspiracy, antitrust, etc.) or other contract related crimes or violations or any other felony or serious misdemeanor within the past five years?

   ☐ Yes ☐ No

   If yes, please explain:

2. Has the firm or any affiliate* ever sought protection under any provision of any bankruptcy act?

   ☐ Yes ☐ No

   If yes, please explain:

3. Has the firm or any affiliate* ever been disqualified, removed, debarred or suspended from performing work for the federal government, any state or local government, or any foreign governmental entity within the past ten years?

   ☐ Yes ☐ No

   If yes, please explain:

4. Has the firm or any affiliate* ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or other material misrepresentation to a public entity within the past ten years?

   ☐ Yes ☐ No

   If yes, as to each such inquiry, state the name of the public agency, the date of the inquiry, the grounds on which the public agency based the inquiry, and the result of the inquiry.

5. Has any construction project performed or managed by the firm or, to the knowledge of the undersigned, any affiliate* involved repeated or multiple failures to comply with safety rules, regulations, or requirements?

☐ Yes ☐ No

If yes, please identify the team members and the projects, provide an explanation of the circumstances, and provide owner contact information including telephone numbers.

6. Has the firm or any affiliate* been found, adjudicated or determined by any federal or state court or agency (including, but not limited to, the Equal Employment Opportunity Commission, the Office of Federal Contract Compliance Programs and any applicable Texas governmental agency) to have violated any laws or Executive Orders relating to employment discrimination or affirmative action, including but not limited to Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. Sections 2000 *et seq*.); the Equal Pay Act (29 U.S.C. Section 206(d)); and any applicable or similar Texas law?

☐ Yes ☐ No

If yes, please explain:

7. Has the firm or any affiliate* been found, adjudicated, or determined by any state court, state administrative agency, including, but not limited to, the Texas Department of Labor (or its equivalent), federal court or federal agency, to have violated or failed to comply with any law or regulation of the United States or any state governing prevailing wages (including but not limited to payment for health and welfare, pension, vacation, travel time, subsistence, apprenticeship or other training, or other fringe benefits) or overtime compensation?

☐ Yes ☐ No

If yes, please explain:

8. With respect to each of Questions 1-7 above, if not previously answered or included in a prior response on this form, is any proceeding, claim, matter, suit, indictment, etc. currently pending against the firm that could result in the firm being found liable, guilty or in violation of the matters referenced in Questions 1-7 above and/or subject to debarment, suspension, removal or disqualification by the federal government, any state or local government, or any foreign governmental entity?

☐ Yes ☐ No

If yes, please explain and provide the information requested as to such similar items set forth in Questions 1-7 above.

---

* The term "Affiliates" includes parent companies, subsidiary companies, joint venture members and partners, and partners in which the entity has more than a 15% interest.

Under penalty of perjury, I certify that the foregoing is true and correct, and that I am the firm's Official Representative:

By: _____
Print Name: _____
Title: _____
Date: _____

FORM D

REFERENCE QUESTIONNAIRE

Instructions: *Lead Contractor, Lead Engineering Firm or Lead Capital Maintenance Firm fills out part 1 and send it to the Reference with a pre-paid envelope. The Reference needs to fill out part 2 and return this form directly to TxDOT in the provided pre-paid envelope at the address below.*

This reference form must be received by TxDOT by 3:00 p.m. on June 21, 2012 to be used for the evaluation of the firm listed below.

Texas Department of Transportation
Attn: Frank Holzmann, P.E.
US 77 RFQ reference form
7600 Chevy Chase Drive, Building II Suite 400
Austin, Texas 78752
(512) 904-1600

Part 1: To be completed by the Lead Contractor, Lead Engineering Firm or Lead Capital Maintenance Firm

Developer Team:

Project Name:

Firm(s) Involved in Project:

Contact Name:

Contact Title:

Contact Tel No.:

TxDOT is seeking a Design-Build Contractor to develop, design and construct and maintain US 77 from E. Corral Avenue in the northern portion of Kingsville in Kleberg County to County Road 16 south of the City of Driscoll in Nueces County. The project will be developed using a design-build project delivery method with a separate capital maintenance agreement for the project's maintenance work.

The State of Texas has sought qualifications from Design-Build Contractors to partner with the State in the development, design and construction and the maintenance, of the Project.

The _____has submitted a qualifications statement to TxDOT for the project. This Team is comprised of:

_____

_____

They have listed you as an owner's representative contact for the _____ project. This information will be kept confidential and will be used solely for evaluation purposes.

Part 2: To be completed by the Respondent

- Dates of work performed:
- Type of project: [Please describe]:
- Project description (including project delivery method – i.e. design-build, public-private partnership, CDA, etc.): [Please describe]
- Firm's Role on Project:
- Percent actually performed by such entity: %_____
- Initial Contract price: $_____
- Final Contract price: $_____
- Contract Modifications and Claims:
  ☐ $0-$500k ☐ $500k-$1 m. ☐ $1 mill.-$10 m. ☐ $10 m.-$50 m. ☐ over $50 m.
  Comment: _____
- Liquidated Damages: ☐ Yes ☐ No
  Amount: _____
  Comment: _____
- Initial/Final Contract Completion Date and Time Extensions
  Initial Contract Completion Deadline: _____
  Final Contract Completion Date: _____
  # of Time Extensions: _____
  Comment: _____
- Project outcome or current status: ☐ Completed ☐ Incomplete
  Comment:

Did [the firm] provide sufficient staff to meet project goals?

☐ Yes ☐ No Comment: _____

Would you please characterize the quality of these services rendered to your organization?

Excellent _____
Very Good _____
Good _____
Fair _____
Poor _____

Could you please elaborate as to the reason for rating?

Technical Quality? _____
Budget? _____
Schedule? _____
Reporting? _____
Coordination? _____
Partnering/Owner-Contractor Relationship? _____

Best thing about working with the company? _____

Worst thing about working with the company? _____

If given the opportunity, would you hire this company again for a similar service?

☐ Yes ☐ No Comment: _____

Final comments: _____
_____

FORM E-1 - TECHNICAL EXPERIENCE – DESIGN

EXPERIENCE OF THE LEAD ENGINEERING FIRM IN THE DESIGN AND ENGINEERING OF REFERENCE PROJECTS

COMPANY NAME (1)	PROJECT NAME AND LOCATION (2), (3)	PROJECT COST (4) & (5)	START/END DATES	% OF WORK COMPLETED BY MAY 31, 2012	LEVEL OF COMPANY'S PARTICIPATION (6) & (8)	ROLE OF COMPANY FOR THE PROJECT (7)

Notes:

(1) A maximum of two projects may be included.

(2) Only list projects on which the Lead Engineering Firm worked within the past ten (10) years.

(3) Only list projects where the Lead Engineering Firm held a minimum thirty percent (30%) of the ultimate responsibility for the design and engineering experience. If the Lead Engineering Firm is a joint venture, only list projects from members of the joint venture that will perform at least thirty percent (30%) of the Lead Engineering Firm's potential design and engineering work for the Project.

(4) In thousands of United States Dollars. Identify exchange rates of amounts in other currencies using the exchange rate as of May 31, 2012, including the benchmark on which the exchange rate is based.

(5) Project Cost means the total construction cost budgeted or, if the project is complete, the total construction cost of the completed project.

(6) Show company's participation in terms of money and percentage of the work and provide a brief summary of the role the company played in the listed project (scope of work).

(7) In Volume 1 Appendix of the QS provide a maximum two-page narrative description for each project listed in this column (on separate 8-1/2" x 11" sized white paper). The description should, at a minimum, give an overview of the project, and explain why the experience the company gained on the project is relevant.

(8) For projects/contracts listed for design firms that were traditional consultant/engineering services contracts (as opposed to, for example, design-build contracts), the information sought above shall be limited only to the consultant/engineering services contract, rather than any ensuing construction contract where such entity had limited or no involvement.

FORM E-2 - TECHNICAL EXPERIENCE - CONSTRUCTION

EXPERIENCE OF THE LEAD CONTRACTOR IN THE CONSTRUCTION OF REFERENCE PROJECTS

COMPANY NAME (1)	PROJECT NAME AND LOCATION (2), (3)	PROJECT COST (4) & (5)	START/END DATES	% OF WORKS COMPLETED BY MAY 31, 2012	LEVEL OF COMPANY'S PARTICIPATION (6)	ROLE OF COMPANY FOR THE PROJECT (7)

Notes:

(1) A maximum of three projects may be included.

(2) Only list projects on which the Lead Contractor worked within the past ten years.

(3) Only list projects where the Lead Contractor held a minimum thirty percent (30%) of the ultimate responsibility for the construction experience. If the Lead Contractor is a joint venture, only list projects from joint-venture members that will perform at least thirty percent (30%) of the Lead Contractor's potential construction work for the Project.

(4) In thousands of United States Dollars. Identify exchange rates of amounts in other currencies using the exchange rate as of May 31, 2012, and identify the benchmark on which the exchange rate is based.

(5) Project Cost means the total construction cost budgeted or, if the project is complete, the total construction cost of the completed project.

(6) Show company's participation in terms of money and percentage of the work.

(7) In Volume 1 Appendix of the QS provide a maximum two-page narrative description for each project listed in this column (on separate 8-1/2" x 11" sized white paper). The description should, at a minimum, give an overview of the project and explain why the experience the company gained on the project is relevant.

(8) For projects/contracts listed for construction firms using the traditional design/bid/build delivery method, the information sought above shall be limited only to the construction contract, rather than any design contract where such entity had limited or no involvement.

FORM E-3 - TECHNICAL EXPERIENCE – MAINTENANCE

EXPERIENCE OF THE LEAD CAPITAL MAINTENANCE FIRM IN THE MAINTENANCE OF REFERENCE PROJECTS

COMPANY NAME (1)	PROJECT NAME AND LOCATION (2), (3)	PROJECT COST (4) & (5)	START/END DATES	LENGTH OF ROAD UNDER MAINTAINED	LEVEL OF COMPANY'S PARTICIPATION (6)	ROLE OF COMPANY FOR THE PROJECT (7)

Notes:

(1) A maximum of two projects may be included. In the case of experience provided by a company related to the Lead Capital Maintenance Firm (as permitted in Part A, Section 5.1), specify its relation to the Lead Capital Maintenance Firm.

(2) Only list projects on which the Lead Capital Maintenance Firm worked within the past ten years.

(3) Only list projects where the Lead Capital Maintenance Firm held a minimum fifty percent (50%) of the ultimate responsibility for the capital maintenance experience. If the Lead Capital Maintenance Firm is a joint venture, only list projects from joint venture members that will be responsible for at least fifty percent (50%) of the Lead Capital Maintenance Firm's potential capital maintenance work for the Project.

(4) In thousands of United States Dollars. Identify exchange rates of amounts in other currencies using the exchange rate as of May 31, 2012, and identify the benchmark on which the exchange rate is based.

(5) Project Cost means the total construction cost budgeted or, if the project is complete, the total construction cost of the completed project.

(6) Show company's participation in terms of money and percentage of the work.

(7) In Volume 1 Appendix of the QS provide a maximum two-page narrative description for each project listed in this column (on separate 8-1/2" x 11" sized white paper). The description should, at a minimum, give an overview of the project, specify the type of payment mechanism or type of revenue used by the project owner to pay the company, state the current Annual Average Daily Traffic for the project and explain why the experience the company gained on the project is relevant.