

**SH 183 Managed Lanes Project
RFQ Q & A MATRIX #3**

(July 9, 2013)

No.	Document	Section and Page	Question/Comment	Response
1	RFQ	Part B, Volume 3, Section A	The footnotes for our financial statements are 200+ pages and would be a significant undertaking that does not necessarily provide any more information than what would be given in the non-converted footnotes. As such, we request that the conversion of financial statements to US dollars does not apply to the footnotes.	TxDOT is not willing to waive this requirement.
2	RFQ	Part A, Section 3.3	Please clarify the bid deadline.	Please refer to Part A, Section 3.3 of Request for Qualifications, as amended by Addendum No. 5.
3	RFQ	Part A, Section 4.2	Please add Section D of Volume 2 to the pages that do not count toward the 75 page limit as Proposers will not have the same number of team members needing to complete Form G.	Forms G will not be included in the page limit count. Please see the clarification in Addendum 6 to the RFQ.
4	RFQ	Part B, Volume 2, Section B.3	The RFQ requires that an organization chart be provided that shows the Proposer's Equity and Major Non-Equity Members (and any applicable Guarantor). Please clarify whether it is permissible to include any subcontractors and subconsultants including DBE team members in this organization chart.	Part B, Volume 2, Section B.3 requires (1) an organization chart for Equity Members and Major Non-Equity Members and (2) an organization chart depicting Key Personnel for the Project (which may be provided as separate charts for the construction period and the operating period). A subcontractor or subconsultant should be included in these organization charts only if they meet the definition of Equity Member or Major Non-Equity Member, including any Guarantors, or

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				<p>are employing a Key Personnel in a manner that is permissible pursuant to Part A, Section 5.1 of the RFQ.</p> <p>Please see Addendum 6 to the RFQ for a revised definition of Major Non-Equity Member.</p>
5	RFQ	Part B, Volume 2, Section B.4	<p>The RFQ requires information regarding Equity Members and Major Non-Equity Members. This information does not count toward the 75 page limit. Please clarify whether it is permissible to include any subcontractors and subconsultants including DBE team members in the qualification statement under Volume 2, Section B.4. and, if permissible, whether the information counts toward the 75 page limit.</p>	<p>Information related to subcontractors and subconsultants should be included only if they meet the definition of Equity Member or Major Non-Equity Member, as such definition has been revised in Addendum 6 to the RFQ.</p> <p>The information properly submitted pursuant to Part B, Volume 2, Section B(4) of the RFQ will not count toward the page count limit.</p>
6	RFQ	Part C, Forms Pages 16 to 32	<p>If TxDOT should issue additional addenda prior to the QS due date of July 19, please consider accepting forms with footers referencing prior addenda provided that the content of the forms have not changed. For those companies whose personnel that are authorized to sign for a given entity are overseas, it sometimes takes a week or more to get original signatures and have them transmitted for inclusion in the proposal, per TxDOT's assignment. If nothing changed except the change in Addendum number in the footer the previous signature page should still be good.</p>	<p>If TxDOT issues an addendum to the RFQ after Addendum 6, TxDOT will accept Forms with Addendum 6 to the RFQ referenced in the footer so long as the Form has not been revised in a subsequent addendum issued prior to the QS Due Date.</p>
7	RFQ	Part C, Form C Page 23	<p>Please add drafting to clarify that the answers provided in Form C are those of the Firm identified and not the Proposer. For consistency the term</p>	<p>For every individual entity that must complete Form C, the questions and answers are applicable solely to that individual entity, and</p>

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			Firm should be capitalized throughout Form C.	all references to “firm” throughout Form C are references to such individual entity as such entity is named in the space labeled “Name of Firm”. Please note that the individual entity completing Form C may be the Proposer if the Proposer is a legally created entity as of the QS Due Date.
8	RFQ	Part C, Forms B-1 and C	Please add drafting to clarify if Team Members of the Lead Operations and Maintenance Firm are required to submit Form B-1 and C.	“Team Members” is not a defined term in the RFQ. As a Major Non-Equity Member, the Lead Operations and Maintenance Firm must complete Forms B-1 and C. As stated in Form B-1, Section C, if the Lead Operations and Maintenance Firm is a Joint Venture or newly formed entity (formed within the past two years), a separate Form B-1 and Form C for each member or partner must be completed and attached to the QS.
9	RFQ	Part A, Section 5.1	Key Personnel- Please add drafting to allow the Lead Quality Manager to be employed by a third party independent quality firm to ensure independence for Quality Assurance from the equity/Non-Equity Members. Independent third party quality firms is a standard requirement in the industry, so having the DB entity provide the Manager over that function dilutes the independence.	The Lead Quality Manager may be employed by a third party independent quality firm. Please see revisions in Addendum 6 to the RFQ.