

**Loop 1604 - Western Extension
Proposer QA Matrix #1
February 4, 2013**

<u>No.</u>	<u>RFQ Section/ Page No.</u>	<u>Question/Comment</u>	<u>Response</u>
1	N/A	TxDOT recently re-did the website where they post these design-build solicitations and I'm lost now. Can you send me the link where this procurement will be advertised?	Please refer to the Loop 1604 Western Extension Project website: www.txdot.gov/inside-txdot/projects/studies/san-antonio/loop1604.html
2	N/A	Can you confirm the stipend % amount for this project?	The amount of the stipend will not be known until it is set by the Commission at a later date. The law requires that the stipend amount be set at a minimum of twenty-five hundredths of one percent of the contract amount, but may not exceed the value of the work product contained in the proposal that the department determines can be used by the department in the performance of the department's functions.
3	Part B, Volume 2, Section A - Financial Statements, Page 12	<p><u>Reference:</u> The RFQ states "If the Proposer, the Equity Member(s) of the Proposer responsible for construction and maintenance, or Guarantor(s) 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."</p> <p><u>Question:</u> Our company's TxDOT prequalification expired 12/31/12. TxDOT allows a three month grace period to submit financials and a confidential questionnaire per the prequalification requirements. This period allows companies to have their financials audited by a certified public accounting firm as required by the prequalification confidential questionnaire. May we submit our expired prequalification letter while noting our intended submittal date for prequalification renewal, in lieu of submitting company financials as noted in Volume 2, Section A- Financial Statements?</p>	Yes. Further, within 5 business of the expiration of the grace period, that company shall submit either (1) a new prequalification letter, or (2) the requested financial statements.

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4	Part C - Exhibits and Forms, Item 7, Page 2	This section is titled "Geotechnical, Utility Relocation, Hazardous Materials Investigations, Detention Plan, Aesthetic Treatment and Railroad Coordination". Each of these items EXCEPT "Detention Plan" are addressed individually in subsections (a)-(f). Is information on the Detention Plan going to be provided?	Detention Best Management Practices Guidelines for TxDOT Projects, dated June 21, 2012, are posted in the RID. It will be the Design-Build Contractor's responsibility to create and implement a detention plan.
5	Part A, Section 3.5 Questions and Requests for Clarification; Addenda, Page 5	In previous TxDOT RFQs and RFPs all forms required to be submitted were included with each addendum, which in turn required all team members to resign the forms. Can TxDOT exclude forms in the addendums unless the form has been changed by TxDOT?	Forms attached to an addendum do not need to be re-signed by the team members if the only change to the form is a change to the footer. New or additional forms attached to an addendum would need to be signed.
6	N/A	For the karst species specialist required for the project, it was understood that there are limited available personnel with this qualification. Therefore, it was recognized that a qualified specialist may need to be involved on more than one team (non-exclusive) that submits. It was a little unclear whether that individual could be listed on multiple teams at the RFQ stage, or could be added to a team (or teams) in the RFP stage. If a firm with an exclusive teaming agreement who happens to employ a karst species specialist is being asked to allow that staff member to be on multiple teams at this point for the SOQ submittal, what is TxDOT's advice/directive?	The only personnel that Proposers are required to identify in the QS are Key Personnel, as well as other 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 of the RFQ. See Part B, Volume 1 Appendix, Section A of the RFQ. Generally, team members may be shared by Proposers, so long as those Proposers establish a protocol to ensure that the subcontractor will not act as a conduit of information between the teams. See Part A, Section 6.1 of the RFQ. These protocols could include, among other things, establishing a firewall within the shared team member, and/or limiting the amount and type of information provided to the shared team member.

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7	Part A, Section 4.4 - QS Submittal Requirements, Page 8	<p>Para 2: QSs shall be delivered by hand or courier to the Project Manager at the address set forth in Part A, Section 1. Para 5: 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. QSs will be accepted only at the following address: Frank Holzmann, P.E., Texas Department of Transportation, 7600 Chevy Chase Drive, Building 2, 4th Floor Austin, Texas 78752</p>	<p>Clarification will be provided in Addendum #1, as follows: Proposers may request electronic copies of the Reference Information Documents by contacting TxDOT's Project Manager at the following address:</p> <p style="text-align: center;">Frank Holzmann, P.E. Texas Department of Transportation 4615 Northwest Loop 410, Building 1 San Antonio, Texas 78229</p> <p>QSs will be accepted only at the following address:</p> <p style="text-align: center;">Frank Holzmann, P.E. Texas Department of Transportation 7600 Chevy Chase Drive, Building 2, 4th Floor Austin, Texas 78752</p>
8	Part C - Exhibits and Forms	Form D-2 and Form E make provision for only TWO project references. This conflict needs to be resolved. Recommend changing text on Page B-5 to be revised from THREE to TWO to match the forms.	Revision will be included in Addendum #1. Part B, Page 5 and form D-2 state "a maximum of three projects". Form D-2 and Form E will be revised, allowing space for 3 references.
9	Part B, Section C - Technical Qualifications, (a) Forms D-1, D-2 and D-3 – Relevant Experience, Page 5	<p><u>Reference:</u> Form D-2: Technical Experience – Lead Contractor: Provide details for a maximum of <u>three</u> projects in compliance with the requirements set forth in Form D-2 and best meeting the evaluation criteria set forth in Part A, Section 5.</p> <p><u>Question:</u> Form D-2 and Form E make provision for only TWO project references. This conflict needs to be resolved. Recommend changing text on Page B-5 to be revised from THREE to TWO to match the forms.</p>	Revision will be included in Addendum #1. Part B, Page 5 and form D-2 state "a maximum of three projects". Form D-2 and Form E will be revised, allowing space for 3 references.
10	N/A	Where can a digital /electronic copy of the Loop 1604 Public Meeting presentation (01.10.13; Zion Lutheran Church) be found?	A digital/electronic copy of the Loop 1604 Public Meeting presentation, presented as part of the environmental process, can be found at the following website: http://www.txdot.gov/inside-txdot/projects/studies/san-antonio/loop1604-northwest.html

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11	Part B, Volume 2- Section A- Financial Statements, Page 12	<p>To clarify the requirement for Volume 2 financial statements: If we are the prime contractor submitting alone, acting as our own guarantor, NOT in a joint venture, and are already prequalified by TXDOT, please clarify that all we have to do is provide a letter stating as such. It is our understanding that this letter will serve in lieu of any financial statements.</p> <p>If this understanding is correct, then volume 2 will consist of only one letter, and will not require a 3-ring binder. Is it acceptable to submit the required 10 copies of this letter in ONE separate envelope instead of 10 binders?</p>	No. A three-ring binder is required for Volume 2.
12	Part B, Volume 2- Section A- Financial Statements, Page 12	<p><u>Reference:</u> If the Proposer, the Equity Member(s) of the Proposer responsible for construction and maintenance, or Guarantor(s) 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</p> <p><u>Question:</u> The link provided in the RFQ is not valid. Please provide the correct link.</p>	Revision will be included in addendum #1. Refer to the following website for the Contractor Prequalification Confidential Questionnaire: http://www.txdot.gov/business/contractors/contractor-prequalification.html
13	Part A, Section 4.2 Format, (c), Page 7	<p><u>Reference:</u> Volume 1 requirements: Volume 1 (as described in Part B) shall have all pages sequentially numbered and shall not exceed 30 pages,...</p> <p><u>Question:</u> Please confirm that the forms contained in Volume 1 count against 30 page total.</p>	Revision will be included in addendum #1. Forms will not count against the 30 page maximum for Volume 1.
14	RIDs	The Preliminary Project Schematics contained within the Reference Information Documents do not indicate structures where the new SB and NB frontage roads cross Helotes Creek. What is the Department’s intent at this location?	The Design-Build Contractor will be responsible for determining and implementing the hydrologic and hydraulic needs of Helotes Creek and along the remainder of the facility to meet the requirements of the Technical Provisions.

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15	Part B, Volume 1 Appendix, Section F, Project Descriptions, Page 11	<p><u>Reference:</u> Volume 1 Appendix, Section E of the QS shall include the project descriptions discussed in PART B, Volume 1, Section B, and listed on Forms D-1, D-2, and D-3. Volume 1 Appendix, Section E and PART B, Volume 1, Section B do not contain information regarding project descriptions.</p> <p><u>Question:</u> Should the sentence read: Volume 1 Appendix, Section F of the QS shall include the project descriptions listed on Forms D-1, D-2, and D-3? If not, could you please clarify this section?</p>	<p>Revision will be included in addendum #1. The sentence should read: Volume 1 Appendix, Section F of the QS shall include the project descriptions discussed in Part B, Volume 1, Section C and listed on Forms D-1, D-2 and D-3.</p>
16	Part B, Section B(c) 3. Legal Proceedings, Second Paragraph, Page 5	<p>Contains a reference that is unclear, requesting information on projects already identified under this section. It appears that the request in this paragraph is intended to refer to projects listed on Forms D-1, D-2, and D-3 as required under Section C - please clarify.</p>	<p>Revision will be included in addendum #1. The sentence should read: Include a similar list for all projects included in the response to <u>Part B, Volume 1, Section C(a)</u>, regardless of whether the dispute occurred during the past five years or involved the same organization that is on the Proposer's team.</p>
17	Part A, Section 4.2 Format (a), Page 6	<p>Reads that all copies of Volume 1 and Volume 2 should be presented in two three-ring binders, contained in sealed packages. To clarify, are you expecting to receive 16 binders for Volume 1 and 10 binders of Volume 2, and if so do you wish for each volume to be packaged separately?</p>	<p>Revision will be included in addendum #1. The sentence should read: Each responding Proposer shall submit one original and 15 hard copies (for a total of 16) of Volume 1 of its QS; the original and each copy in its own loose-leaf three ring binder. These binders shall be contained in a sealed package, labeled as Volume 1. Each responding Proposer shall also submit one original and nine hard copies (for a total of 10) of Volume 2 of its QS; the original and each copy in its own loose-leaf three ring binder. These binders shall be contained in a sealed package, labeled as Volume 2.</p>
18	CMA	<p>We understood from the pre-submittal meeting that for the maintenance segment it would NOT include Electrical, Signs, or Overhead Structures. But the CMA reads differently. Could you please clarify?</p>	<p>The CMA will require maintenance of sign and signal gantries and high masts, each for structural soundness only.</p>
19	CMA	<p>Guardrail & or Attenuators were not discussed at the pre-submittal meet or within the RFQ are they to be included in the capital maintenance agreement?</p>	<p>No.</p>

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20	Part B, Volume 2, Section A - Financial Statements, Page 12	<p><u>Reference:</u> Instructions to Volume 2, Section A state that in “lieu of completing this Section A, a letter shall be completed indicating the entity...is prequalified by TxDOT and is listed on TxDOT’s list of prequalified subcontractors...”</p> <p><u>Question:</u> Should this be a letter signed by the Proposer certifying to their prequalification status or the letter from TxDOT informing the Proposer of their prequalification status? We suggest that the TxDOT Prequalification Notice Letter with any explanation required by the Proposer should suffice.</p>	The letter should be signed by the Proposer certifying their prequalification status.
21	Part A, Section 5.1, last paragraph, Page 9	<p><u>Reference:</u> States “Key Personnel may be employed by: (a) the Equity Member, Lead Engineering Firm, Lead Contractor or Capital Maintenance Firm itself; (b) a controlled subsidiary of such Equity Member, Lead Engineering Firm, Lead Contractor or Capital Maintenance Firm; or (c) a parent company of an Equity Member.”</p> <p><u>Question:</u> That statement could be interpreted literally that Key Personnel (including the Construction QA Manager) could not be filled using sub-consultants. Please verify TxDOT’s intent.</p>	<p>No, the Key Personnel cannot be filled using sub-consultants, with the exception of the Design Quality Assurance Manager and Construction Quality Assurance Manager.</p> <p>Revision will be included in Addendum #1. The paragraph will be revised to state: Key Personnel shall be employed by: (a) the Equity Member, Lead Engineering Firm, Lead Contractor or Capital Maintenance Firm itself; (b) a controlled subsidiary of such Equity Member, Lead Engineering Firm, Lead Contractor or Capital Maintenance Firm; (c) a parent company of an Equity Member; or (d) in the case of the Design Quality Assurance Manager and the Construction Quality Assurance Manager, by an independent quality assurance firm that will be hired by the Proposer.</p>
22	Part B, Section D (a), Page 9	If the Owner's project manager is no longer employed by the owner, provide an alternative contact... Are retired TxDOT employees an acceptable project manager reference to use for this requirement?	No, an alternative contact at the owner/agency must be provided, as stated in the referenced section.
23	Part B, Volume 1 Appendix, Section D, Key Personnel, Page 10	Does the owner expect the Environmental Compliance Manager to be a 3rd party individual?	No.

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24	Part A, Section 5.3.1(f), Page 10	Please clarify where the proposer is to include in their SOQ response to fulfill the responsiveness requirement toward DBE involvement. It is currently not instructed in the Part B requirements.	Volume 1, Section B. The RFQ discusses that the Proposer describe its innovative approaches or unique outreach or marketing concepts used successfully by the Proposer or its team members to encourage DBE participation.
25	Volume 1	<p>Volume 1 requirements – If proposer stays within the 30 page limit as defined in Part A, 4.2(c), will the owner allow the following changes to be permitted in Part B's instruction:</p> <p>a. Volume 1 – Section B(b) – Management Structure. Please increase "provide a narrative of no more than three pages" to "no more than 6 pages."</p> <p>b. Volume 1 – Section D – Statement of Technical Approach. Please increase "statement of technical approach may be no longer than three pages" to "no longer than 6 pages."</p>	No, the QS page limitations shall be as specified in the RFQ.
26	Part A, 4.2 - Format, (a) Number of Copies, Page 6	<p><u>Reference:</u> It states: Each responding Proposer shall submit one original and 15 hard copies (for a total of 16) of Volume 1 and one original and nine hard copies (for a total of 10) of Volume 2 of its QS in two loose-leaf three ring binders, contained in sealed packages. However, on page 7 of the RFQ under (b) General Format Requirements they ask for the QS to be bound.</p> <p><u>Question:</u> Can you please confirm that the submittal is to be in two loose-leaf three ring binders?</p>	<p>Revision will be included in addendum #1. The sentence should read: Each responding Proposer shall submit one original and 15 hard copies (for a total of 16) of Volume 1 of its QS; the original and each copy in its own loose-leaf three ring binder. These binders shall be contained in a sealed package, labeled as Volume 1. Each responding Proposer shall also submit one original and nine hard copies (for a total of 10) of Volume 2 of its QS; the original and each copy in its own loose-leaf three ring binder. These binders shall be contained in a sealed package, labeled as Volume 2.</p>
27	Part A, Section 6.3 Organizational Conflicts of Interest, Page 15	<p><u>Reference:</u> "● Affiliates or subsidiaries of any of the above."</p> <p><u>Question:</u> Does "affiliates" include those firms that were sub-providers or sub-consultants to any of the above?</p>	No.
28	Part B, Volume 1, Section A - General, Page 3	<p><u>Reference:</u> (d) Confidential Contents Index (CCI): A page executed by the Proposer ...</p> <p><u>Question:</u> Is it intended for a whole page to be dedicated to the CCI?</p>	Yes.

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29	Part B, Volume 1, Section B, 3. Legal Proceedings, Page 5	<p><u>Reference:</u> 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.</p> <p><u>Question:</u> Please clarify what is meant by "the public owner." Is that just TxDOT or any public owner/entity?</p>	The public owner means any public owner/entity, not just TxDOT.
30	Part C, Form F	<p><u>Reference:</u> In some cases we need to include references of projects located overseas. From our previous experience, we find it extremely difficult to have our clients send that reference within the time schedule that is required here. Our overseas clients do not usually prepare this type of reference and having them directly send it and in a different language is going to be very difficult.</p> <p><u>Question:</u> Would it be possible to include those references in the SOQ package instead?</p>	No.
31	Part A, Section 3.3 Procurement Schedule, Page 4	Form F, Part II requires a considerable amount of time to be prepared by our clients. Please consider giving an extension of 30 days.	No extension is anticipated at this time. If an extension is warranted, it will be provided through an addendum.

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32	Part B, Volume 1 Appendix, Section D - Personnel Qualifications, Page 9	May the Environmental Compliance Manager also be responsible for environmental permitting, documentation and oversee mitigation and plans to comply with environmental approvals?	No, the Environmental Compliance Manager is responsible for assuring compliance of environmental activities.
33	Part B, Volume 1, Section C - Technical Qualifications, Page 5	<p><u>Reference:</u> In Part B, Volume 1, Section C Technical Qualifications, (a) Forms D-1, D-2 and D-3 - Relevant Experience, the RFQ states: "Form D-2: Technical Experience - Lead Contractor: Provide details for a maximum of three projects in compliance with the requirements set forth in Form D-2 and best meeting the evaluation criteria set forth in Part A, Section 5."</p> <p><u>Question:</u> However, Form D-2 only provides space for two projects. Please confirm the number of projects to be provided on D-2 by the Lead Contractor.</p>	Revision will be included in Addendum #1. Part B, Page 5 and form D-2 state "a maximum of three projects". Form D-2 and Form E will be revised, allowing space for 3 references.