



US 181 Harbor Bridge Project RFQ
Proposer Q&A Matrix No. 3

No.	Document	RFQ Section / Page No.	Question / Comment	Response
1	RFQ	Section 4.2, Page 12 – 13	The RFQ requests one digital copy of the QS on a CD or DVD. Can TxDOT add the use of USB external drives to provide the digital copy of the QS?	Yes, please see revisions to Section 4.2 in Addendum #2.
2	RFQ	Part B, Volume 2, Section 2(a), Page 8 and Part B Volume 2, Section 6, page 15 and Response to Question 1 RFQ Q&A Matrix No.1 Apr- 16, 2014	TxDOT has confirmed that Proposers shall not submit narrative resumes as part of their QS, but shall limit the resumes for all key personnel to Form G. There is very limited space available to provide descriptions of previous project experience for each individual submitted as key personnel. Please revise the format of the “Project Description/Role” section to run the entire width of the page to maximize the narrative the Proposers can provide for TxDOT assessment.	Form G will be revised to provide further space in RFQ Addendum #3.
3	Form F		The use of the unusual formula for Fatal Injury Rates (FIR) in Form F, can produce a high FIR when multiplied by 200,000,000. Proposer request that a narrative explanation may be provided where applicable to provide context to any high FIR's.	No change will be made. Please note that all proposers will be using the same calculations.

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5	RFQ	Section 5.1(c) Page 15 and Part B, Volume 2 ,Section 2 (a)page 9	Section 5.1 states that “Except as otherwise provided in the specific description of each Key Personnel position, Key Personnel may be employed by: (a) the Equity Member, Lead Engineering Firm, Lead Contractor, or Lead Maintenance Firm itself; or (b) a controlled subsidiary of such Equity Member, Lead Engineering Firm, Lead Contractor, or Lead Maintenance Firm.; or (c) a parent company of the Lead Engineering Firm, Lead Contractor or Lead Maintenance Firm if such parent company serves as a Guarantor.” Proposer requests that for the Key Personnel position of Lead Quality Manager, the Proposer have the option to have this position filled by an individual that ‘works for an independent quality firm”, similar to the provisions for the Construction Quality Acceptance Manager. This will allow for independence of the quality function for the project and has proved successful on previous TxDOT projects.	Requested change will be made in Addendum #3.

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6	RFQ	4.2	Do the sections that are not counted towards page limit [Sections B (2)(a)(d), Section B (2)(b), Section B (4), Section B (6) and Section D] still need to be included in the sequential numbering in Volume 2?	The RFQ will be revised to delete Section B (2)(b) from the sections exempted from the page count for Volume 2. Each section within Volume 2 is required to be sequentially numbered regardless of whether it applies toward the page count.
7	RFQ	Part A 5.3.3	<p>Part A 5.3.3 indicates that the safety qualifications of the Proposer as documented in the Forms F submitted by the Lead Contractor and each Construction Team Member and the qualifications of the Safety Manager submitted Part B Vol 2, will be evaluated in accordance with Sec. 5.3.3. However, Part B Vol 2 Section D states that the Lead Contractor, Lead Maintenance Firm, each construction team member and guarantor are to complete Form F.</p> <p>Please clarify whether the lead maintenance firm, guarantor (if any), and/or safety manager need to complete Form F.</p>	The QS must include a Form F for the Lead Contractor, Lead Maintenance Firm, each Construction Team Member, and any Guarantor of the Lead Contractor as set forth in Part B, Section D. Section 5.3.3 will be revised in Addendum #3 to conform to Part B, Section D. However, Form F is not required for the Safety Manager. The qualifications of the Safety Manager will be set forth in the Safety Manager's resume.

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8	RFQ	Part B Vol 2	<p>In connection to Question 1 included in the RFQ Q&A Matrix No.1 issued on April 16, 2014 where it states that only Form G are required (and not free-form CVs), then:</p> <p>If only Form G is required, where shall we include those Form G? In Section B (6)? If yes, then do we delete Section B (2)(a) from the checklist and not include anything there?</p>	<p>The resumes and references (Form G) for Key Personnel are required to be included in Section B2(a). Any resumes and references (Form G) for any additional, non-Key Personnel the Proposer wishes to identify at this time shall be included in Section B(6) of the QS. Note that non-Key Personnel resumes are excluded from the page count for Volume 2.</p>
9	RFQ	Part B; 10. ORGANIZATION Page 2	<p>In reference to the response to Question 1 provided in the US 181 Harbor Bridge Replacement Project RFQ Q&A Matrix No. 1, April 16, 2014 “Resumes for key Personnel will be required to be on Form G. Please see RFQ Addendum 1.” No Changes provided in Addendum #1. Please clarify the requirements B.10 Organization of the Resumes. Resumes are required by B-10 in two places, Section B.2(a) and Section B.6.Suggested Change: Delete the B.10 Organization requirement for Section B.2(a) “Resumes” and Require only Form G through the following change:B.2 Technical Key Personnel(a) Technical Key Personnel Qualifications “Proposers are required to provide separate Form G resumes for all technical Key Personnel, as well as other relevant personnel who are shown in the</p>	<p>Any resumes submitted with the QS must be on Form G. Please refer to the revisions to Form G made in Addendum #1. In addition, Section B.2(a) will be further clarified in Addendum #3.</p>

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			Organization Chart included in Part B, Volume 2, Section B(3), whose qualifications...”	
10	RFQ	Form D-2- Technical Experience Construction	Will TxDOT consider changing Form D-2 to allow the lead contractor to list projects where they held 25% of the ultimate responsibility for the construction work.	Yes. Please see revisions to Form D-2 made in Addendum #2.
11	RFQ, Part B	Section 2(a), Part B, Page 8	Based upon QA-1, Question 1, concerning key personnel resumes and Form G: Please clarify if resumes that contain the required information as stated in Section 2(a), Part B, page 8 can be included in addition to Form G?	Please see response to Q #9 above.
12	RFQ	Volume 2, Section B(2)(a) requests two-page resumes and licenses.	Volume 2, Section B(6) requests separate Form G (Resumes and References) for each Key Personnel. Q&A 1 stated that Form G was needed, but it is not clear if an additional two-page resume is needed for each personnel in Volume 2, Section B(2)(a). The language in the redlined RFQ did not change. Please clarify that both forms (two-page written and two-page Form G) of resumes need to be submitted. If only Form G is needed, please update the language in the RFQ accordingly.	Please see response to Q. #9.

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13	RFQ		In the COMA Term Sheet, it states “The Maintenance Contractor will be the same entity or have the same equity participants as the Developer for the Project”. Does this mean that TxDOT requires the maintenance to be included in the contract for design-build services? Or, does TxDOT expect to have a separate contract with the maintenance contractor for the first 5-year term?	TxDOT intends the same equity members of the Proposer will enter into two separate agreements with TxDOT: the Development Agreement and the COMA. As such, the Developer under the Development Agreement and the Maintenance Contractor under the COMA will be comprised of the same equity members. The Lead Maintenance Firm may but is not required to be an Equity Member.
14	RFQ		If TxDOT renews the contract for maintenance beyond NTP 1, will TxDOT contract directly with the maintenance contractor, or does TxDOT expect to renew the maintenance contract with the original Developer of the project?	Please see response to Q. 12.
15	RFQ		If TxDOT contracts with the design-build JV team (i.e. the Developer of the project), does TxDOT expect this entity to keep management personnel on site during the maintenance period, following completion of the design-build services? Or will TxDOT deal directly with the maintenance contractor during the maintenance period?	TxDOT expects the maintenance Key Personnel will be on site during the maintenance period; non-maintenance Key Personnel need not be on site. As set forth in Section 5.1, the maintenance Key Personnel may be employees of an Equity Member or the Lead Maintenance Firm. Please see also response to Q. 13.

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16		RFQ Q&A Matrix No.1, Question No. 6 related to Paragraph 5.1 Responsiveness, page 15	Given that many engineering and maintenance firms often undertake projects through affiliated entities to comply with local registration/licensure requirements, would the guarantor letters required by the RFQ from the lead Engineering and maintenance Firms (that are not Equity Members) be considered responsive? Please clarify.	If a parent company of the Lead Engineering Firm or Lead Maintenance Firm commits to being a Guarantor, TxDOT will consider the experience of the parent company in the evaluation of the QS.
17	RFQ	Part A; Section 4.2 Format; (b)	<p>Page 12 of Part A limits Volume 2 to no more than 100 pages. However, in adding up the page count shown in Part B there is a total of 76 pages. Please clarify.</p> <p>If additional pages are available is it acceptable to increase the limitations of the subsection page restrictions shown in Part B?</p>	Express restrictions on page numbers in a subsection in Part B will not be changed and each QS must comply with those restrictions . Any additional material submitted with those subsections will not be considered.
18	RFQ	Part A; Section 4.3 Contents and Organization	Will the material that is included in addition to the information specifically requested be evaluated and scored as part of the applicable section?	Information included in subsections within Volume 2 that do not have separate page limits may be considered by TxDOT in the evaluation of the QS provided that the maximum page count for Volume 2 is not exceeded.

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19	RFQ Forms	RFQ Forms	If TxDOT should issue an addendum prior to the QS due date of May 27, 2014, please consider accepting forms with footers referencing prior addenda provided that the content of the forms have not changed.	TxDOT will accept Forms from Addendum #1, Addendum #2, or Addendum #3 provided that the substantive content of the Forms was not subsequently revised.
20	Addendum 2- RFQ	Part B-Technical Key Personnel Table Page 10 and 12	Per Addendum 2, page 12 states “ Environmental Compliance Manager reports directly to TxDOT. Independent of Lead Contractor's production team and has the authority to stop work.” It appears that this position has a dual report similar to the Construction Quality Acceptance Manager requirements on page 10. Please confirm that the Environmental Compliance Manager is intended to jointly report to TxDOT and to the Developer's managements team that is outside production?	Yes. The Environmental Compliance Manager must report jointly to TxDOT and to the Developer's management team that is outside production.
21	RFQ	Part A. Section 5.3.1 (c) v and Part B Section 2 (a) Page 11	Upon substantial completion of the new Harbor Bridge Replacement, where the facility is open to traffic, can the Construction Manager serve in the role of the Lead Demolition Manager if he meets the criteria as stated in the reference sections of Addendum #2 to the RFQ?	Yes. The RFQ will be revised to allow this in Addendum #3.

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22	RFQ	Part A. Section 5.3.1 (c) v and Part B Section 2 (a) Page 11	The late release of Addendum#2 of the RFQ will cause the Proposer considerable issues in fulfilling the new requirement for a Sustainability Manager meeting the criteria outlined in Part B Section 2. Proposer requests TxDOT consider the inclusion of the Sustainability Manager in the Draft RFP. This will allow time for Proposers and TxDOT to further refine the requirements of the Sustainability Manager, and ensure that the Proposers have sufficient time to conduct the required due diligence to include the most suitable candidates for this position.	The RFQ will be revised in Addendum #3 to delete the requirement to identify a Sustainability Manager in the QS. Each shortlisted Proposer will be required to identify a Sustainability Manager after issuance of the RFP.
23	RFQ	Part A. Section 5.3.1 (c) v and Part B Section 2 (a) Page 11	Addendum#2 of the RFQ has allowed Proposer to fulfill Key Positions such as ROW Acquisition and Utility Managers to be provided by independent specialist third party firms, to ensure that the Proposer can bring depth and breadth from the industry to the Proposers team. Proposer requests TxDOT consider allowing the Environmental Compliance Manager to be fulfilled by a third party subcontractor. This precedent has been set on previous design-build pursuits such as Loop 375 Border highway West Extension Project in El Paso.	It is acceptable for the Environmental Compliance Manager to be employed by the Lead Design Firm or a subcontractor to the Lead Design Firm.

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24	RFQ	Part B – Volume 1 & 2	If TxDOT should issue additional addenda prior to the QS due date of May 27, please consider accepting forms with footers referencing Addendum #2 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 acceptable.	Please see response to Q. 19.
25	RFQ Addendum #2	Form F Part C	Form F is requesting accident data and Experience Modifiers for years 2010-2012. This is not the most current data available; which is 2011-2013. Will TxDOT consider revising the form to request the most current safety statistics?	Yes, Form F will be revised in Addendum #3 to allow Proposers to fill in the years, which must be the three most recent years available.
26	RFQ Addendum #2	Part B, 10. ORGANIZATION Page 2 Section B.6 Resume and References (Form G) QA #1, QA#2	B.2 Technical Key Personnel (a) Technical Key Personnel Qualifications "Proposers are required to provide separate resumes for all technical Key Personnel, as well as other relevant personnel who are shown in the Organization Chart included in Part B, Volume 2, Section B(3), whose qualifications..." In reference to the response to Question 1	Yes, Form G is all that is required to comply with Section B 2(a).

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			<p>provided in the US 181 Harbor Bridge Replacement Project RFQ Q&A Matrix No. 1</p> <p>April 16, 2014 “Resumes for key Personnel will be required to be on Form G. Please see RFQ Addendum 1.”</p> <p>There were No Changes provided in Addendum #1, and the only change in Addendum #2 was to form G.</p> <p>The RFQ requires that we address Section B 2(a). It is still unclear as to whether Form G is all that is required to satisfy this section.</p> <p>Is Form G all that is required to comply with Section B 2(a)? yes or no.</p>	
27	RFQ Addendum #2	Part B, 2. Technical Key Personnel Page 9	Should the response to question #2 [sic] listed above be “no,” meaning both Resumes and Forms G are required would TxDOT consider extending the QS date one week?	Only Forms G are required.
28	RFQ	Part A, Section 5.1 page 14-15	This section was revised in Addendum #2 and now states that the Lead Engineering Firm, Lead Contractor and Lead Maintenance Firm can only submit parent company experience if that parent company serves as an Equity Member or Guarantor and provides a guarantee covering the performance obligations of “the Developer and Maintenance	The Guarantee must be for the obligations of the contracting party. No change will be made.

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			<p>Contractor". We believe that this section should be changed to be consistent with the language of Addendum #1, as the intent of the revised language is unclear. For example, as written, if the Lead Engineering firm or the Lead Maintenance Firm submits parent company experience, the parent company of either of these Firms will be required to guarantee all the obligations of the Developer. However, it is unclear what benefit TxDOT would derive, for example, from receiving a guarantee from an engineering/maintenance firm for the obligations of a contractor given that the engineering/maintenance firm would not have the relevant experience to backstop the performance obligations of the contractor. The value of the parent company guarantee is that the parent company whose experience is being presented has the relevant technical capabilities to perform the work of its subsidiary in the particular role for which the subsidiary is named on the Proposer team.</p> <p>Given the foregoing and consistent with TxDOT's precedents for similar projects, we kindly request that TxDOT please clarify this section and revise it as set forth below:</p> <p>"Project experience provided by a parent</p>	

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			<p>or sister company of the Lead Engineering Firm, Lead Contractor, or Lead Maintenance Firm shall not be considered responsive to this RFQ, except that project experience of a parent company of the Lead Engineering Firm, Lead Contractor, or Lead Maintenance Firm shall be considered responsive to this RFQ only if such parent company serves as either an Equity Member or a Guarantor by providing a guarantee in a form acceptable to TxDOT in its discretion covering the performance obligations of the Developer or the Lead Engineering Firm, Lead Contractor, or Lead Maintenance Firm, as applicable."</p>	
29	RFQ	Part A, Section 3.3, page 9 (addendum #2)	<p>Due to the recent changes in Addendum #2 and additional resumes required for the QS submittal, we respectfully request a four week extension to the QS Due Date.</p>	<p>The RFQ will be revised in Addendum #3 to delete the requirement to identify a Sustainability Manager, a Lead Demolition Manager and an Environmental Compliance Manager in the QS. Each shortlisted Proposer will be required to identify such Key Personnel after issuance of the RFP. TxDOT does not intend to extend the QS Due Date at this time.</p>

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30	RFQ	Part B, Section B.2.a, Technical Key Personnel Qualifications and Part B, Section B.6, Personnel Qualifications	Addendum #2 deleted the text that says Form G shall include several of the project details, although all of these details are still included on the Form. This same information is also to be included on the resumes we are to provide in Section B.2.a (Key Personnel Resumes). We request that TxDOT keep the project information as shown on Form G as a requirement, but delete item a) under Section B.2.a for information for information to be included on each resume. Therefore, the Form G would include the reference information and project details, while the resume in Section B.2.a would provide additional information on each project, role of the key person and relevance to the evaluation criteria. We understand the resumes to be provided in Section B.2.a are to be in any format chosen by the Proposer.	Any and all resumes provided with the QS must be on Form G.