

**ESR2P Managed Lanes Project
RFQ Q & A MATRIX #1
August 21, 2013**

In addition to the questions below, TxDOT received a number of questions and comments relating to the Request for Proposals, and, in particular, the Design Build Contract for this Project. TxDOT is in the process of developing these documents and will take these comments into consideration.

No.	Document	Section and Page	Question/Comment	Response
1	RFQ	Part B Page 4 Form E Project Descriptions and Forms D-1 and Forms D2	Form E as described on Part B, Page No. 4 reflects a one page limitation for the Form E. However Form D-1 and Form D-2 Note No. (7) reflects a two page description. Request clarification on number of pages for the Form E project description.	Project descriptions are limited to one page. Form D-1 and Form D-2 will be corrected via Addendum 1.
2	RFQ	Part A, Page-8 first full paragraph regarding the Environmental Compliance Mgr. Part B Page No. 7 Key Personnel	Per Part B, Page -7 Key Personnel. It is our interpretation that the Environmental Manager is not a defined as a Key position. Please confirm. If the Environmental Manager is defined as a Key Position. To what management does that position report to?	Key Personnel are as defined in the RFQ, Volume 1 Appendix, Section D. Environmental Manager is not included in the list of Key Personnel; However, note that the duties which have been assigned to the Environmental Manager on prior projects have been assigned here to the Construction Quality Assurance Manager.
3	RFQ	6.1 (a) – 6.1 (d)	Sections 6.1 (a) through 6.1 (d) cover Improper Communications and Contacts. Can we contact the various districts/designers responsible for developing the PS&E for these Energy Sector DB Projects and discuss with them their pavement designs for these roadways without violating Sections 6.1 (a) through 6.1 (d) of the RFQ?	Per Section 6.1 of the RFQ, Proposers are prohibited from having Project-related communications with stakeholders (including the applicable TxDOT Districts), consultants who are involved with the procurement of the Project, consultants who have not yet completed their services for the Project and been released by TxDOT, and consultants who are on other Proposer teams for the Project.

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4	RFQ	Part C Form E	On Form E letter D. it says, "FIRMS FROM SECTION INVOLVED WITH THIS PROJECT." Which section are you referring to?	Form E, Part D should state "FIRMS INVOLVED WITH THIS PROJECT". Form E will be corrected via Addendum 1.
5	RFQ	Part C Form A	Please review the Transmittal Letter and update the date on the first paragraph and volume references to remove Legal Qualifications from Volume 1.	The date in the first paragraph of Form A, the Transmittal Letter, should be August 2, 2013. On this same form, Legal Qualifications should be removed from the Volume 1 list. Form A will be corrected via Addendum 1.
6	RFQ		If all members of a Joint Venture are pre-qualified with TxDOT, will the pre-qualification letters from each member fulfill the requirements of Volume 2?	Yes, the pre-qualification letters for each member of a Joint Venture will fulfill the requirements of Volume 2.
7	RFQ	Part C, Exhibit B, Term Sheet, Page 6	Please define "Differing Site Conditions" as mentioned in the RFQ, Part C, Exhibit B, Term Sheet Page 6?	The definition of "Differing Site Conditions" is still under development and will be included in the RFP. Proposers may review other documents on TxDOT's Website to find examples of definitions that TxDOT has used on other projects.
8	RFQ	Part C, Exhibit B, Term Sheet, Page 6	Will TxDOT consider eliminating or lowering the \$7 million threshold for differing site conditions stated in the RFQ, Part C, Exhibit B, Term Sheet Page 6?	TxDOT will lower the \$7 million threshold for differing site conditions in the RFP.
9	RFQ	Part C, Exhibit B, Term Sheet, Page 2	Will TxDOT consider reducing the time between NPT1 and NTP2 as stated in the RFQ, Part C, Exhibit B, Term Sheet Page 2?	TxDOT will consider this issue as we develop the RFP.

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10	RFQ	Part A, Paragraph 3.8	Referring to DBE requirement stated in the RFQ, Part A, Paragraph 3.8, does the percentage apply to the Contract Amount, or only the Construction Cost?	The DBE percentage applies to the Contract Amount.
11	RFQ		Will TxDOT provide E&Q sheets for each Location?	TxDOT will post 100% complete, signed and sealed plans to the Project Website. As available, quantities will be included in the plans; However, estimates will not be provided.
12	RFQ	Section D, Key Personnel Qualifications, Page 8	The RFQ states that the proposed Safety Manager "must have at least one of the following designations/certifications: (a) a designation as a Construction Health and Safety Technician from the Board of Certified Safety Professionals, (b) designation as a Certified Safety & Health Official, or (c) certification of Associate in Risk Management." If the Proposer's Safety Manager does not meet the qualifications provided in the RFQ, will TxDOT allow the Proposer to submit a written statement committing to meet the qualifications of the Safety Manager?	Yes. If a proposed Safety Manager does not meet the qualification requirements as of the QS Due Date, Proposer shall submit to TxDOT with its QS a written statement, signed by Proposer and the proposed Safety Manager, committing to meet such qualifications of the Safety Manager not later than the execution of the DBC. This issue will be addressed in Addendum 1.
13	RFQ	Part C, Form E	Can photos be placed in the project descriptions?	Yes, photos can be included in the project descriptions. However, project descriptions will be limited to one page as clarified in Addendum 1.
14	RFQ	RFQ Part B, Volume 1 Appendix, Section D, "Key Personnel" chart - Page 7	The description for the Design Quality Acceptance Manager position describes a quality assurance role. Were the intentions for this to be a design quality assurance manager rather than acceptance?	Addendum 1 will eliminate the Design Quality Acceptance Manager as Key Personnel position.

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15	RFQ	RFQ Part B, Volume 1 Appendix, Section D, "Key Personnel" chart - Page 8	Please clarify if the construction quality group will be required to provide a true quality assurance program while using the quality control tests for acceptance, or will the program fall more in line with TxDOT's Design Build Quality Assurance Program and FHWA regulations where the design build contractor will provide construction quality control and construction quality acceptance, and TxDOT will provide owner verification testing and inspection?	The Project will follow TxDOT's Design Build Quality Assurance program and FHWA regulations.
16	RFQ	Part A, Section 2.1	Is the Design-Builder responsible for all comprehensive maintenance?	The Design-Build Contractor will be responsible for safety-related maintenance, as will be defined in the RFP, and will not be responsible for comprehensive maintenance.
17	RFQ	Part A, Section 2.1	Please clarify the Design Builder will only be responsible for maintenance on projects which can be completed within the \$150M budget, and will not include the remainder of the 31 projects unless added to the contract at a later date.	The Design-Build Contractor will only be responsible for safety-related maintenance, as defined in the RFP, for Locations included in the Project Price.
18	RFQ	Part B, Volume 1, Section A	Can the "lead firm" be a Joint Venture?	Yes, the "Lead Firm" may be a Joint Venture.
19	RFQ	Part B, Page 1	Can the "Lead Contractor" be a Joint Venture?	Yes, the "Lead Contractor" may be a Joint Venture.