

**ESR2P
RFP Q&A Matrix No. 3
November 15, 2013**

In addition to the questions below and those included in RFP Q & A Matrices No. 1 and No. 2, 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	TxDOT Q&A Response dated 11/5/2013	Section 12.3.3/Page 47 (Question #11)	<p>The response to Question #11 states that TxDOT would revise Section 12.3.3.3 (page 47) of the DBC. This revision was not reflected in the DBC released with Addendum No. 2.</p> <p>Please revise Section 12.3.3.3 to: The amount payable for Record Drawings acceptable to TxDOT shall equal 1% of the Price per each Location, which shall be withheld from each payment of the Price for each Location. DB Contractor shall not be entitled to payment for the last 1% of the Price for each Location until acceptable Record Drawings for the Location have been delivered to TxDOT.</p>	No change will be made to Section 12.3.3.3. Any indication in Q&A Matrix No. 2 (Question #11) to the contrary was in error.
2	DBC	Page 13 of 40, Exhibit 1; Definitions; "Element"	<p>"Element means an individual component, system or subsystem of the Project or of a Utility Adjustment included in the Construction Work, and shall include at a minimum a breakdown into the items described in the Performance and Measurement Table Baseline, further subdivided by Auditable Section where appropriate."</p> <p>The aforementioned defined term has been stricken / deleted from the DBC.</p> <p>Proposer requests clarification as to why the defined term "Element" was stricken / deleted from the DBC.</p>	See Q&A Matrix No. 2 Question # 31.

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3	DBC	Exhibit 14,1	<p>DBC, Exhibit 14, 1, requires Builder's Risk Insurance until Final Acceptance. Builder's Risk Insurance is not commercially available after the earlier of when the contractor no longer has an insurable interest in the work or when the work is put to its intended use. Referring to DBC, 10.3 DB Contractor's risk of loss to repair or replace damaged Work ends upon Substantial Completion thereby ending DB Contractor's insurable risk in the Work and any coverage available under a Builder's Risk policy. The first sentence of this section should be amended to read, "At all time during the period from the commencement of Construction Work until Final Acceptance <u>Substantial Completion by Location.</u>"</p>	<p>The requested change to Section 1 of Exhibit 14 to the DBC shown in the question will be made in the execution version of the DBC following conditional award of the project.</p>

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4	Technical Provisions	Section 8.3.3.1	<p>Please clarify the addition of Section 8.3.3.1 into the Technical Provisions. Does TxDOT intend for the DB Contractor to perform this work in addition to TxDOT's Final Design Plans or in lieu of TxDOT's Final Design Plans? Potential text modifications are provided below for your consideration.</p> <p>8.3.3.1 Flexible Pavement Structure Repair For Location 3 in the Corpus Christi District, <u>and in addition to the pavement design shown on TxDOT's Final Design Plans</u>, the DB Contractor shall remove 6" of existing material and replace with 6" of Hot Mix Asphalt TY B placed in two equal lifts, or as directed by TxDOT.</p> <p style="text-align: center;">Or</p> <p>8.3.3.1 Flexible Pavement Structure Repair For Location 3 in the Corpus Christi District, the DB Contractor shall remove 6" of existing material and replace with 6" of Hot Mix Asphalt TY B placed in two equal lifts, or as directed by TxDOT, <u>and shall be in replacement of, and not in addition to, the 3" of Hot Mix Asphalt TY B shown in TxDOT's Final Design Plans. However, the DB Contractor shall still provide the 2" of asphalt overlay as shown in TxDOT's Final Design Plans.</u></p>	<p>Information added to 8.3.3.1 is intended to apply to areas requiring flexible pavement structure repair for Location 3. Per 8.3.3.1, areas of repair will be directed as needed based on field observations.</p>

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5	Technical Provisions	Section 19.1.1, page 19-1	<p>Monitor and observe weather and weather forecasts to proactively deploy resources to minimize delays, and safety hazards and erosion due to heavy rains, or other severe weather events.</p> <p>DB requests TxDOT to remove "and erosion", added by Addendum No. 2. Erosion will be prevented and maintained under each project's SWPPP and should not be included in the general maintenance requirements.</p>	No change will be made.
6	Technical Provisions	Section 19.3.2, page 19-3	<p>Table 19-1 Performance and Table Baseline; TxDOT added the following components: Driveways, Pavement Markings, Graded Shoulders, Ditches, and Drains.</p> <p>DB requests TxDOT to revise the Maintenance (MNT) Scoring System to provide the scoring criteria for each Defined element TxDOT added to Table 19-1. (Driveways, Pavement Markings, Graded Shoulders, Ditches, and Drains)</p>	<p>Driveways do not have a scoring component and will not be scored.</p> <p>Pavement Markings scoring component is part of the Traffic Operations element and will be scored accordingly.</p> <p>Graded Shoulders, Ditches, and Drains do not have a scoring component and will not be scored.</p>

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7	Technical Provisions	Page 8-1; 8 Geotechnical; 8.1 General Requirements	<p>The Technical Provisions state, “DB Contractor shall perform all geotechnical investigations, testing, research, and analysis necessary to effectively determine and understand the existing surface and subsurface geotechnical conditions of the Project ROW to be used by DB Contractor to carry out the Work. DB Contractor shall ensure the geotechnical investigations and analyses are in accordance with the TxDOT Geotechnical Manual and/or TxDOT Pavement Design Guide.</p> <p>The DB Contractor is responsible for all geotechnical analyses and designs to ensure the Project is in accordance with the TxDOT Geotechnical Manual and/or TxDOT Pavement Design Guide. Pavements shall be constructed consistent with the Final Design Documents provided in this RFP. The DB Contractor may propose alternate designs through the Alternate Technical Concept (ATC) process. Pavement design ATCs will be subject to the requirements of this Section 8. The DB Contractor shall submit all necessary calculations, assumptions and data, as requested by TxDOT, to properly evaluate the ATC.</p> <p>DB Contractor is responsible for designs of all pavements not provided by TxDOT.”</p> <p>Addendum No. 02, re-orders the aforementioned language to read:</p>	<p>No change will be made. Language was reordered to emphasize the process by which alternate designs would be approved.</p>

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7 con.			<p>“Pavements shall be constructed consistent with the Final Design Documents provided in this RFP. The DB Contractor may propose alternate designs through the Alternate Technical Concept (ATC) process. Pavement design ATCs will be subject to the requirements of this Section 8. The DB Contractor shall submit all necessary calculations, assumptions and data, as requested by TxDOT, to properly evaluate the ATC.</p> <p>DB Contractor is responsible for designs of all pavements not provided by TxDOT.</p> <p>DB Contractor shall perform all geotechnical investigations, testing, research, and analysis necessary to effectively determine and understand the existing surface and subsurface geotechnical conditions of the Project ROW to be used by DB Contractor to carry out the Work. DB Contractor shall ensure the geotechnical investigations and analyses are in accordance with the TxDOT Geotechnical Manual and/or TxDOT Pavement Design Guide.</p> <p>The DB Contractor is responsible for all geotechnical analyses and designs to ensure the Project is in accordance with the TxDOT Geotechnical Manual and/or TxDOT Pavement Design Guide.”</p> <p>Proposer request TxDOT to clarify the reason as to the re-ordering of the aforementioned language / paragraphs.</p>	