



P.O. BOX 1386, HOUSTON, TEXAS 77251-1386 | 713.802.5000 | WWW.TXDOT.GOV

April 15, 2024

RE: SH 99 Grand Parkway Segment B-1 Project
Pre-Procurement One-on-One Meeting Invitation

Dear Interested Colleague:

Following the Pre-Procurement Partnering Industry Workshop (workshop) conducted on April 11, 2024, the Texas Department of Transportation encourages potential offerors to submit questions and comments regarding the planned development, procurement, and implementation of the SH 99 Grand Parkway Segment B-1 Project (Project). The deadline for submission of questions and comments is May 16, 2024, via the Project mailbox at TxDOT-HOU-ALD-SH99SegB1@txdot.gov. All questions and comments and any other written correspondence and information submitted to TxDOT in response to this invitation is subject to the provisions set forth in [Attachment 1](#), Confidentiality/Public Information Act.

After receipt and analysis of the questions and comments received from industry, TxDOT intends to hold pre-procurement partnering one-on-one meetings with potential offerors to further discuss the development, procurement, and implementation of the Project, consistent with the procedures and protocols set forth in [Attachment 2](#), Pre-Procurement Partnering One-on-One Meeting Procedures and Protocols. The one-on-one meetings will be held at the Houston District Office located at 7600 Washington Avenue, Houston, Texas 77077 between June 4 - 6, 2024. **Participation at the one-on-one meetings will be limited to design-build teams, prime contractors, and lead engineering firms. Those who wish to attend a one-on-one meeting regarding the Project must express their interest by May 16, 2024**, when submitting their questions and comments regarding the Project. One-on-one meetings will be conducted in-person only. Attendance at the one-on-one meetings will be limited to 10 people for each interested firm.

The Texas Department of Transportation will notify interested design-build teams, prime contractors, and lead engineering firms by e-mail of the assigned date, time, and specific location for the one-on-one meeting in advance.

We understand that the questions and comments submitted by industry are preliminary and based on limited information available at the time. During the one-on-one meetings, TxDOT encourages participants to engage in frank and open discussions regarding the Project and their submitted questions and comments. To that end, TxDOT will acknowledge the confidentiality of the discussions by executing confidentiality agreements. Under those agreements, the TxDOT participants agree not to disclose confidential information unless ordered by a court of competent jurisdiction or an opinion of the Office of the Attorney General, or as otherwise required by law.

OUR VALUES: *People • Accountability • Trust • Honesty*

OUR MISSION: *Connecting You With Texas*

An Equal Opportunity Employer

Interested Colleague

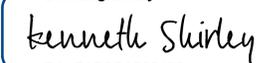
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The Texas Department of Transportation welcomes this opportunity to have a meaningful discourse with all potential offerors concerning TxDOT's approach to the procurement and implementation of this Project at the upcoming one-on-one meetings. Attendance at the recent workshop and upcoming one-on-one meetings is not mandatory and interested parties will remain eligible to submit a qualifications statement if they do not attend.

We look forward to your attendance at the one-on-one meetings, and to continuing to work with you during the upcoming procurement of the Project.

Sincerely,

DocuSigned by:

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Kenneth J. Shirley, P.E., CCM, DBIA
Project Manager
Houston District

cc: Eliza C. Paul, P.E., Houston District Engineer, TxDOT
Varuna A. Singh, P.E., Houston Deputy District Engineer, TxDOT
Greg Snider, P.E., Alternative Delivery Division Director, TxDOT
Grady B. Mapes, P.E., Houston District, TxDOT
Scott Spradlin, P.E., Alternative Delivery Division, TxDOT
Juan Vallés, P.E., Alternative Delivery Division, TxDOT
Matt McCarter, Alternative Delivery Division, TxDOT
Lance Bornstein, E.I.T., Alternative Delivery Division, TxDOT
Claire McGuinness, General Counsel Division, TxDOT
James Kirk, General Counsel Division, TxDOT

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Attachment 1**Confidentiality/Public Information Act**

All written correspondence, exhibits, photographs, reports, other printed material, tapes, electronic disks, and other graphic and visual aids submitted to TxDOT in response to this Pre-Procurement One-on-One Meeting invitation are, upon their receipt by TxDOT, the property of the State of Texas, may not be returned to the submitting parties, and are subject to the Public Information Act, Chapter 522, Texas Government Code (the "Act"). Respondents should familiarize themselves with the provisions of the Act. In no event shall the State of Texas, TxDOT, or any of their agents, representatives, consultants, directors, officers, or employees be liable to a respondent for the disclosure of all or a portion of the information submitted in response to the workshop invitation and subsequent one-on-one meetings.

If TxDOT receives a request for public disclosure of all or any portion of a response, TxDOT will use reasonable efforts to notify the applicable respondent of the request and give such respondent an opportunity to assert, in writing and at its sole expense, a claimed exception under the Act or other applicable law within the time period specified in the notice issued by TxDOT and allowed under the Act.

The Texas Department of Transportation will submit a request for an opinion from the Office of the Attorney General prior to disclosing any documents which might contain confidential information. The respondent shall then have the opportunity to assert its basis for non-disclosure to the Office of the Attorney General; however, it is the sole responsibility of the respondent to monitor such proceedings and make timely filings. TxDOT may, but is not obligated to, make filings of its own concerning possible disclosure; however, TxDOT is under no obligation to support the positions of the respondent. **Under no circumstances will TxDOT be responsible or liable to a respondent or any other party as a result of disclosing any such labeled materials, whether the disclosure is deemed required by law, by an order of court, or occurs through inadvertence, mistake or negligence on the part of TxDOT or its officers, employees, contractors or consultants.**

The Texas Department of Transportation will not advise a submitting party as to the nature or content of specific documents entitled to protection from disclosure under the Act or other Texas laws or as to the interpretation of such laws. Each respondent is advised to contact its own legal counsel concerning the effect of applicable laws to the submitting party's own circumstances. In the event of any proceeding or litigation concerning the disclosure of any material submitted by the submitting party, TxDOT will be a stakeholder retaining the material until otherwise ordered by a court or such other authority having jurisdiction with respect thereto, and the submitting party shall be responsible for otherwise prosecuting or defending any action concerning the materials at its sole expense and risk; **provided, however**, that TxDOT reserves the right, in its sole discretion, to intervene or participate in the litigation in such manner as it deems necessary or desirable.

Attachment 2**SH 99 Grand Parkway Segment B-1 Project – Pre-Procurement Partnering One-on-One Meeting Procedures and Protocols**

- The meetings are intended to provide respondents an opportunity to obtain a better understanding of the procurement and implementation of the Project, and to enable the respondents to advise TxDOT of questions or comments on, or concerns about, the procurement and implementation of the Project.
- The respondents cannot rely on any comment, statement, consent, waiver, acceptance, or approval made by TxDOT and/or its representatives and consultants at these meetings.
- No comment, statement, consent, waiver, acceptance, or approval made by TxDOT and/or its representatives and consultants should be deemed or considered to be an indication of a preference by TxDOT or a rejection by TxDOT of anything said or done by the respondent or any other respondent, even if adopted by the respondent or by another respondent.
- No aspect of these meetings is intended to provide any respondent with access to information that is not similarly available to other respondents.
- No respondent will:
 - seek to obtain commitments from TxDOT and/or its representatives and consultants during the one-on-one meetings or otherwise seek to obtain an unfair competitive advantage over any other respondents;
 - use any aspect of the one-on-one meetings to obtain access to information that is not equally available to other respondents;
 - request any information from TxDOT and/or its representatives and consultants concerning feedback and comments submitted by any other respondents;
 - request any information or seek to obtain any guidance from TxDOT and/or its representatives and consultants concerning how TxDOT will evaluate any potential approach or solution included in feedback and comments submitted by other respondents; or
 - record or photograph (including by screenshot) any part of the one-on-one meetings.
- Respondents will be required to execute an acknowledgment containing provisions similar to those discussed above.