

ROUTE 29/ CHARLOTTESVILLE BYPASS PROJECT

RFP QUESTIONS AND ANSWERS

Date: 11-4-2011

Project:	ROUTE 29/ CHARLOTTESVILLE BYPASS PROJECT
Subject:	RFP Questions and Answers

Note: The "Qualifications Submittal – Clarifications" document dated October 19, 2011 has been incorporated into the RFP Questions and Answers and has been attached at the end of this document.

1. Section 4.3.1 (1.) Exhibit No. 1: In the event that two (2) Prequalified Contractors form a Joint Venture to submit a bid for the above Project: (a) Will the Joint Venture entity require a separate Prequalification for qualifying, bidding, or executing the Contract?

Yes. See the "Qualifications Submittal - Clarifications" document response # 4. Additionally, the requirements for prequalification outlined in Section III H in VDOT's Rules Governing Prequalification Privileges shall be satisfied. The Offeror must be in good standing and have the bonding ability to bid on the Route 29/Charlottesville Bypass Project.

2. Section 2.11 Will the Joint Venture referenced above require separate licensing or registration for qualifying, bidding, or executing the Contract? If so please elaborate regarding the requirements

See the "Qualifications Submittal - Clarifications" document response # 4.

3. Section 4.3.1 (1.) Exhibit No. 1: In the event the two (2) prequalified Contractors that form the Joint Venture referenced above are each individually classified as "Prequalified (Probationary) or inactive", VDOT's Rules Governing Prequalification Privileges stipulate:

"a firm with this level of prequalification is in good standing with the Department with regard to safety and has a demonstrated ability to complete the type of work for which they are requesting prequalification but has not performed work for the Department and thus has no Quality Score. With this level of prequalification a firm can be awarded/have under contract no more than three projects at any given time. Each of these contracts will be limited to a maximum contract value of \$2,000,000. The Contract Engineer has the authority to waive this restriction on a project-by-project basis. Such waiver must be obtained, in writing, by the firm prior to bidding on that project. A firm with this level of prequalification must file an updated Form C-42 including all active VDOT projects each time they submit a bid. A firm at this level of prequalification will be assigned a minimum Prequalification Score of 75, provided they have a minimum Safety Score of 70."

Will the Contract Engineer waive the above restriction provided the Joint Venture follows prescribed procedures?

The bidding restrictions for an individual contractor with a Probationary or Inactive prequalification status may be waived if the contractor can demonstrate they have performed satisfactorily on projects of similar scope, size and complexity for the requirements for the Lead Contractor stipulated in Part 1, Section 4.3.1.5 of the RFP. Determination of waving bidding restrictions due to prequalification status must be finalized at the time of the Qualifications Submittal due date.

Request for determination of waiving bidding restrictions due to prequalification status shall be submitted to:

*Virginia Department of Transportation
Scheduling and Contract Division
1401 East Broad Street
Richmond, VA 23219
Attn: Mr. Don Silies*

4. Section 4.3.1 (5) Exhibit No. 5 requests particulars for three (3) representative highway construction projects completed by the Lead Contractor on primary or interstate highways. In the event a Joint Venture of two (2) Prequalified Contractors is submitting this information, will it be acceptable to submit complying projects completed by the non-lead Joint Venture partner as part of the three (3) highway construction projects?

See the "Qualifications Submittal - Clarifications" document response # 1 (c).

5. Section 4.3.1 (5) Exhibit No. 5 requests Offeror to list three (3) highway construction projects that had a minimum contract value of \$50,000,000 yet later requests specific grading or bridge highway construction projects with a minimum construction value of \$15,000,000, which value governs?

See the "Qualifications Submittal - Clarifications" document response # 1(a) for additional information.

6. Section 4.3.1 (6) Exhibit No. 6 (b) Quality Assurance Manager: Is it permissible for this individual to be employed by the Designer, assuming the Designer has no involvement in construction operations for the Project?

Yes, the QAM may be employed by the designer provided that the designer has no involvement in construction operations or construction quality control services for the Project.

7. Section 4.3.1 (6) Exhibit No. 6 (b) Quality Assurance Manager: Is it permissible for any firm that is part of the Design team to provide QA and/or QC services on the contract?

Firm's that are part of the design team may provide QA or QC services but not both. Firm's providing QA services shall have no involvement in construction operations or construction quality control services for the Project. QA and QC services shall be mutually exclusive.

8. Section 4.3.1 (6) Exhibit No. 6 (h) (i): Must the Lead Utility Engineer and the Lead Safety Engineer have engineering degrees?

No. Engineering degrees are not required for the Lead Utility Engineer and the Lead Safety Engineer. Additional guidance regarding these positions will be addressed in Addendum #1.

9. Section 4.3.1 (1.) Exhibit No. 1: If an Offeror is currently prequalified but has not received its certificate shall it attach a copy of its expired certificate? the VDOT database showing it is currently prequalified?

Offeror shall submit evidence indicating they are currently prequalified to perform the work for the minimum contract value \$50,000,000 as stipulated in the RFP Part 1, Section 4.3.1.5. If the Offeror's Certificate of Qualification is pending then the Offeror may attach a copy of their expired Certificate of Qualification along with a screen shot from VDOT's Prequalification List. Any change in prequalification status must also be noted.

10. Section 2.1.1 of Part 2 indicates that the “latest version of the documents listed herein” shall be used for the basis of their technical and price proposal and for final design. How are we to include costs for upcoming design standard changes which are not identified prior to submission of our technical and price proposals? Will the Department provide a “cut-off” date, such as the date of Notification to Responsive Offerors, so that we are not obligated to future and unknown changes in standards?

In accordance with Section 2.1.1 of Part 2, “the design and construction of the work for the Project shall be performed in accordance with the ... documents listed herein that were current as of the advertisement date of the RFP for this project.” The “cut-off” date referenced in the question above shall be considered to be the advertisement date of the RFP for this project: September 27, 2011 or date of latest addendum issued.

11. Part 1, Section 2.4 indicates that the design-builder is “solely responsible for assuming all costs and risks associated with exceeding” the right-of-way limits identified in the RFP plans. Since the plans were developed some time ago, there are substantial changes to stormwater requirements and other design elements which may require additional right-of-way or easements. These changes are a requirement of meeting current standards and not associated with a new concept developed by the design-builder. How will these costs be addressed?

The Design-Builder is expected to meet all current standards while remaining within the right-of-way limits identified in the Exhibit A-Rte 29 ROW Displays included in the RFP Information Package. As noted in the RFP Part 1, Section 4.5.1, the Offeror’s conceptual roadway plans shall indicate that the limits of construction are within existing/proposed right-of-way limits. The Design-Builder shall be solely responsible for assuming all costs and risks associated with exceeding such right-of-way limits.

12. At the informational meeting on October 6, VDOT indicated that they will be completing update aerial mapping for the project. Can you please indicate what level of mapping this will be (low level helicopter and fixed wing or only fixed wing), if it will be suitable for final design and in English units, if additional control will be set for the new flight, and when this information will be provided to the design-build teams? Also, will the updated mapping be per VDOT survey standards, to include drainage surveys, property line information, utility designations, etc?

The mapping to be provided will be base planimetric level mapping only from a planned fixed wing flight to be made this winter. Additional survey control will be placed on the ground for this flight. The mapping will be provided in English units at 1”=25 feet on VDOT coordinates and will need to be augmented by the Design-Builder in order to capture fill-in areas that are obscured. Visible topography and utilities will be captured, but text identification, utility designations, drainage surveys and property surveys will not be included with the base mapping. It is intended that the mapping be presented at award and the remaining survey required to support the final design of the Project will be the responsibility of the Design-Builder.

13. Please confirm; the Lead Contractor is required to sign the Primary Covered Transactions Debarment form. All other team members (Lead Designer, Subcontractors, and Subconsultants) are required to sign the Lower Tier Covered Transactions Debarment form.

The Lead Contractor (or each Contractor in a joint Venture) and Lead Designer shall complete the Primary Covered Debarment form. All other team members shall complete the Lower Tier debarment form.

14. Regarding Exhibit No. 5 – Work History Forms (Attachment 4.3.1.5 (a) and (b)). We understand that per the RFP that these forms should not be modified. However there are

three (3) Primary Activities fields, is it acceptable to delete the two (2) extra fields and just list our Primary Activities in one field?

No. The format of the forms shall not be modified. However, it is permissible to increase the width and height of each cell as necessary to fit the narrative content.

15. Given the checklists in the RFP for Exhibits 1 and 2 of the Letter of Submittal #2, would minimum level of detail would VDOT accept? For example, would the level of detail required for a scoping document suffice for the concept plans?

It will be the Offeror's responsibility to provide the level of detail necessary for VDOT to confirm the conceptual roadway plans and conceptual bridge plans satisfy all the submittal requirements of the RFP.

16. According to the Table of Contents (TOC) document, the CD should include:

- Rt. 29 Bypass DB Checklist Excel File 2011
- Route 29 Bypass Design Build Checklist 2011.
- Final Section 4(f) Evaluation J. Measure to Minimize Harm
- Section J. Measures to Minimize Harm from the Final Section 4(f) Evaluation

Please clarify the intent of the TOC document.

The Table of Contents (TOC) document included in the RFP Information Package shall be disregarded and not used. For a complete list of the RFP Information Package contents refer to the RFP Part 2, Section 2.1.2.

ROUTE 29/CHARLOTTESVILLE BYPASS PROJECT

QUALIFICATIONS SUBMITTAL - CLARIFICATIONS

Date: 10-19-2011

Project:	Route 29/Charlottesville Bypass Project
Subject:	Qualifications Submittal - Clarifications

In response to inquiries from prospective bidders related to the Qualifications Submittal for the project referenced above, the Virginia Department of Transportation (VDOT) is issuing this clarification document.

- 1) Requirements for the Lead Contractor (RFP Part 1, Section 4.3.1.5):
 - a) The Offeror shall list three (3) highway construction projects completed by the Lead Contractor on primary or interstate highways that:
 - i) had a minimum contract value of \$50,000,000, and
 - ii) were completed within the last fifteen (15) years.
 - (1) Of the three projects from "a)" above one (1) shall include \$15,000,000 for roadway work that includes both:
 - (a) Rock excavation by blasting or mechanical means, and
 - (b) Major grading on new alignmentNote: Items (a) and (b) shall be a major item of the roadway work, but does not necessarily have to total \$15,000,000 collectively or individually.
 - (2) Of the three projects from "a)" above one shall have major bridge structures with a contract value of \$15,000,000 for the bridge work.
 - (3) Of the three projects from "a)" above one shall be an interchange construction project on a limited access highway.
 - b) For demonstrating project experience, the Lead Contractor shall include projects where they were the prime contractor responsible for the project/contract including any sub-contractors performing work under their supervision.
 - c) For a joint venture the Lead Contractor shall be considered the combination of all joint venture contractors. The projects listed shall be a total of three for the joint venture.
- 2) Requirements for the Lead Designer (RFP Part 1, Section 4.3.1.5):
 - a) The Lead Designer shall be a single design firm, responsible for the design (Engineer of Record) of this project.
 - b) For demonstrating project experience, it is acceptable for the Lead Designer to include projects where they were the prime consultant responsible for the project/contract in which the sub-consultants were performing design tasks under their supervision.

- c) The Lead Designer requirement for major bridge structures design projects on page 12 of the RFP will be amended to read "... value of \$15,000,000 for the bridge work."
- 3) Requirements for the Lead Safety Engineer (RFP Part 1, Section 4.3.1.6 (i):
- a) There are no licensing requirements to serve as the Lead Safety Engineer for this project.
- 4) Requirements for Joint Ventures:
- a) Joint Ventures must be pre-qualified with VDOT at the time of the Qualifications Submittal due date.
- b) In order to pre-qualify as a Joint Venture the "Joint Venture Bidding Agreement" (attached to this document) must be submitted for approval to:
- Virginia Department of Transportation
Scheduling and Contract Division
1401 East Broad Street
Richmond, VA 23219
Attn: PREQUALIFICATION OFFICE
- c) The Joint Venture is not required to register with the Virginia State Corporation Commission (SCC) unless the joint venture is formed as a Limited Liability Company, General Partnership or Limited Partnership. However, each individual Joint Venture party shall be registered with the SCC in accordance with § 2.2-4311.2 of the *Code of Virginia*.
- 5) Financial Responsibility and Bonding Approach (the following language will be included in the upcoming RFP addendum):

"Identify whether the Offeror will be structured as a corporation, limited liability company, general partnership, joint venture, limited partnership or other form of organization. Identify the team members who will undertake financial responsibility for the Project and describe any liability limitations. If the Offeror is a limited liability company, partnership or joint venture, describe the bonding approach that will be used and the members of such organizations who will have joint and several liability for the performance of the work required for the Project. Any co-surety relationship shall be set forth in a single 100% performance bond and a single 100% payment bond."

Joint Venture Bidding Agreement

Name of Lead Venturer
And
Name of Joint Venturer

This Joint Venture Bidding Agreement is entered into between Name of Lead Venturer located at Address of Lead Venturer and Name of Joint Venturer, located at Address of Joint Venturer, on this ___ day of _____, 20___ as the Joint Venture Name: Name of Joint Venture
The Joint Venture will be using the following Tax Id # _____.

The purpose of this Joint Venture is to bid upon solicitation number _____, Contract No. _____, issued by The Virginia Department of Transportation, and if successful to provide services as listed under the contract.

Name of Lead Venturer, the Managing Venturer, will submit all required bid documents and act as point of contact on behalf of this Joint Venture during the bidding process.

Venturer: Name of Lead Venturer **Vendor #:** Lead Venturer VDOT #
Authorized Signature: _____ Date: _____
Printed Name: _____
Title: _____

Joint Venturer: Name of Joint Venturer **Vendor #:** Joint Venturer VDOT #
Authorized Signature: _____ Date: _____
Printed Name: _____
Title: _____

State of _____
County of _____

On this _____ day of _____ 20 _____, before me, the undersigned officer(s), personally appeared _____ and _____, known to me (or satisfactorily proven) to be the person(s) whose name(s) are subscribed to within the instrument and acknowledged that they executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Notary Public _____ [Notary Seal]
Printed Name _____
My commission expires _____