RFQ QUESTIONS AND ANSWERS

I-95 SOUTHBOUND CD LANES – RAPPAHANNOCK RIVER CROSSING

VDOT PROJECT 0095-111-259

DECEMBER 15, 2016

1) Section 3.4.1, page 16 regarding the use of work performed by an affiliate or subsidiary, will VDOT weigh and evaluate the work history performed by an affiliate or subsidiary at the same level as work performed by the Offeror?
VDOT Response: VDOT expects the Offers to respond per the requirements of the RFQ. VDOT Evaluation Team will evaluate the information based on the merits of the explanation justifying utilizing an affiliate or subsidiary.

2) Can the organization chart included in the SOQ be 11 x 17 inch in size. There is substantial information to be transmitted with the Organizational Chart and the font required to fit all the information on a 8 ½ x 11 inch sheet would make it difficult for the reviewers to review. The 11 x 17 inch sheet would be folded the same as the 11 x 17 inch work history forms.
VDOT Response: The Organizational Chart may be prepared on 11" x 17" paper, but must be folded to 8.5" x 11". This will be clarified in RFQ Addendum No.1.

3) Section 2.8 -The Information Package does not contain any geotechnical information. Has a geotechnical investigation been conducted and if so, will this data be included in the RFP documents?
VDOT Response: VDOT is conducting preliminary geotechnical subsurface investigation and will include a Geotechnical Data Report along with the RFP Information Package. A draft GDR will be included along with RFQ Addendum No.1.

4) Section 3.2.6 -With respect to the third sentence of the first paragraph and the third sentence in the third paragraph, please clarify that entities who have a history of "engaging in joint ventures" with each other but are otherwise independent and separate entities are not "affiliates" which are precluded from separately submitting a Statement of Qualifications for this Project.
VDOT Response: Entities that are <u>not</u> affiliates in accordance with RFQ Section 3.2.6 who have a history of engaging in Join Ventures are not considered affiliates and are not precluded from separately submitting a Statement of Qualifications for this Project.

5) Section 3.2.6 - In the third sentence of the third paragraph, please clarify that the prohibition against "any party of a Joint Venture" submitting more than one Statement of Qualifications does not apply to parties who 1)are not "affiliates" per the definition in the first paragraph of 3.2.6, and 2)have been joint venture partners on other projects but are not joint venture partners for this Project.

VDOT Response: Parties who are 1) not "affiliates" per RFQ section 3.2.6 and 2) have been Joint Venture partners on other projects but are not Joint Venture partners for this Project are not prohibited from submitting separate SOQs.

No Offeror shall submit more than one Statement of Qualifications for this Project. If more than one SOQ is submitted by any party of the Joint Venture submitting SOQ for this Project, then all SOQs submitted by that individual, partnership, Corporation or Joint Venture will be disqualified.

6) Section 3.2.9 - This section requires a letter from the surety stating that the Offeror is capable of providing a bond covering the warranty periods, however, the warranty period is not stated in the RFQ. Please revise the RFQ stating the intended warranty period so there is a clear understanding of the bonding requirements by the sureties.
VDOT Response: VDOT does not anticipate any deviation from warranty periods stated in the VDOT's 2016 Design-Build Standard Template Documents Part 4 Section 2.9 and 2.10. VDOT's 2016 Design-Build Standard Template Documents can be found on Alternative Project Delivery Webpage (http://www.virginiadot.org/business/design-build.asp). Please note VDOT's typical Design Build Contracts are divided into 5 Parts with Parts 3, 4 and 5 included in the contract through reference.

7) This section requires the Offeror to provide an Organizational Chart that shows the "chain of command" of all companies, including individuals responsible for pertinent disciplines, proposed on the Offeror's team. Section 5.2.2 requires that the Statement of Qualifications shall be: .1 Prepared on 8 1/2" x 11" white paper (The Work History Forms shall be prepared on 11"x17" paper, but must be folded to 8 1/2"x11"). Would it be possible to prepare the Organizational Chart on 11" x 17" paper, but must be folded to 8 1/2" x 11"?
VDOT Response: The Organizational Chart may be prepared on 11" x 17" paper, but must be folded to 8.5" x 11". This will be clarified in RFQ Addendum No.1.

8) This section states that "VDOT anticipates the value of the Proposal Payment will be Seventy Five Thousand dollars ($75,000). It is respectfully requested that this amount be changed to Two Hundred Fifty Thousand dollars ($250,000) to be more reflective of the Offeror's costs.
VDOT Response: After careful consideration, VDOT has decided to stay with $75,000 Proposal Payment amount.

9) How does the Design-Builder address the option for the I-95 SB Bridge in the RFQ phase? Will the decision with regards to exercising this Option be based solely on price during the RFP/Price Proposal Phase?
VDOT Response: At the SOQ stage, VDOT will shortlist Offerors based on Offeror's capability to deliver the entire Scope of Work including the Option. Specific details about exercising the Option will be included in the RFP.

Offerors shall also note that VDOT is not obligated to authorize the execution of the Work to reconstruct I-95 Southbound Bridge over Route 17 and that VDOT assumes no responsibilities or liabilities, fiscal or otherwise, to reimburse all or any part of the cost

incurred or alleged to have been incurred by the Offeror for work associated when developing its SOQ and Proposal.

10) Please provide the appropriately modified sheets to resolve the following noted inconsistencies in the RFQ Conceptual Plans:

a) There are inconsistencies in the stationing in Sheets 14C and 14F; this is also reflected through the typical sections on sheets 2(7) & 2(8)
b) The stationing of the Route 17 profile on sheet 14(f) is incorrect as the stations should run from 186+69.74 to 214+23.34 per the Microstation alignment and design files – not 207+50 to 233+00 as shown in pdf.

VDOT Response: Revised Conceptual Plans will be included in RFQ Addendum No. 1. However, please note that the RFQ Information Package is being provided for informational purposes only and all documents included therein are subject to change; therefore, these documents shall not be relied upon for the purposes of developing a Proposal.

11) Clarification and remedy are requested with regard to RFQ Para 3.3.1.2: Responsible Charge Engineer (RCE) explicitly requires the RCE "to supervise and exercise a degree if control for design and construction and shall accept full professional responsibility for engineering decisions relating to the final work product."

In response to our inquiry to the Virginia Department of Professional and Occupational Regulation and in consultation with our insurance carrier for engineering liability insurance, we have been advised that the clause as written (highlighted portion):

a. Is not insurable to our engineering firms
b. Engineering design responsibility does not extend to construction supervision and therefore, precluding any PE (whether his employer is a professional engineering firm or a contractor) from this 'control for design and construction.'

Virginia Code defines: "Responsible Charge" means the direct control and supervision of the practice of architecture, professional engineering, landscape architecture, or land surveying". VA PE licensing regulations do not extend to construction supervision.

This requirement places state licensing responsibilities in conflict with contractual responsibilities. The concern is best expressed as crossing responsibility lines from design responsibility (DPOR supervision and responsibility) with that of construction (execution of the design drawings). Construction supervision is not vested in the engineer by DPOR.

Is it acceptable to provide an RCE under the following revised clause [with the removal of "and construction" and insertion of "coordinating"]? The clause would then read: *to supervise and exercise a degree of control for design through the construction phase and shall accept full professional responsibility for coordinating engineering decisions relating to the final work product.*

a) In accepting full responsibility for coordinating these engineering decisions, is the RCE required to stamp all design documents and or changes as a professional engineer. The RCE role is not supervising the complete design in lieu of the Design Manager who is the professional engineer supervising design. Please clarify.
b) Is the RCE required to have errors and omission coverage to the extent that the entire design is covered by his carrier although he is not the Design Manager?

VDOT Response: RCE qualifications and requirements language has been developed and vetted through discussions with the Virginia Design Build Industry (Contractors, Design Professionals and VDOT). In addition, these requirements have been included on several projects. VDOT does not intend to change the requirements of RCE described in the RFQ.

It is individual firm's decision to decide the appropriate insurance structure related to the RCE position.

12) RFQ Section 3.3.1.2 Responsible Charge Engineer (RCE): The RFQ states that "The DBPM or DM may perform the role of RCE providing the individual meets the qualifications and requirements stated above." Our question is whether another individual listed in the organizational chart, such as the Lead Structural Engineer or other professional performing design services, may perform the role of RCE provided the individual meets the qualifications and requirements stated in the RFQ?
VDOT Response: The DBPM or DM may perform the role of RCE provided the individual meets the qualifications and requirements stated in the RFQ. No other individual listed on the Organizational chart will be allowed to perform the role of RCE.

Please also note that Job duties and responsibilities of any Key Personnel shall not be delegated to others for the duration of the contract.

13) Was this project funded in the FY13 Six Year Improvement Program (covers period starting July 1, 2012). We are trying to determine if the project is "grandfathered" under Part II C of SWM Regulations or if Part II B of SWM Regulations is applicable.
VDOT Response: Based on VDOT's preliminary coordination with DEQ, the Project falls under technical criteria IIC of SWM Regulations. Specific details and requirements will be included in the RFP.

14) How is stormwater management quantity/quality proposed to be addressed for the project?
VDOT Response: See response to question 13.