

**Transform 66 P3 Project
Department Responses to Certain RFQ Part One Questions**

RFQ Section Reference	Response
Part A, Section 1	With respect to Short-Listed Proposers being chosen as Qualified Proposers, the Department intends to announce as Qualified Proposers each of the Short-Listed RFQ Proposers that submit a responsive and reasonable Conceptual Financial Proposal if the Department decides to move forward with the Delivery Method for which that Conceptual Financial Proposal was submitted.
Part A, Section 1(i)	With respect to whether transit operators participating as part of a bid team (in the capacity of a transit system operations planning expert) be precluded from bidding on future transit operations contracts associated with the Transform 66 Project, bus service improvements are anticipated to be accomplished through existing providers in the region, who would be responsible for the procurement of the transit operations. Any decision on whether transit operators participating as part of a bidding team (in the capacity of a transit system operations planning expert) will be precluded from bidding on the future transit operations contracts associated with the Transform 66 Project will be made by such transit providers.
Part A, Section 1(ii)	With respect to traffic and revenue projections, Proposers should assume that the Transform 66 Project (Inside the Beltway) will include the conversion of the existing I-66 inside the Beltway facility to an Express Lanes facility with dynamic tolling.
Part A, Section 2.9	With respect to the NEPA preliminary engineering, such NEPA preliminary engineering is consistent with the Draft Technical Requirements.
Part A, Section 3.3	With respect to obtaining further information regarding the Tier 2 Environmental Assessment, please refer to the Project Website.
Part A, Section 3.4	With respect to the definition of ROW Acquisition, the term “ROW Acquisition” includes both the purchase of property and the ROW services.

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Part A, Section 3.4; Part A, Section 3.5.2	With respect to details regarding ROW acquisition, further information on the Department's role in ROW acquisition and utility relocation will be available in the Draft Technical Requirements.
Part A, Section 3.5.2	With respect to responsibility for utility relocation, the Department will not be responsible for negotiating and reaching agreements with third parties regarding utility relocations.
Part A, Section 3.5.6	With respect to whether the Department will negotiate an agreement with WMATA, the Department anticipates reaching a memorandum of agreement with WMATA regarding impacts to WMATA facilities.
Part B, Section 2.1	With respect to those vehicles exempt from tolling on the HOV-3 lanes, the Department does not expect HOV-3 vehicle exemptions to go beyond those specified by statute.
Part B, Section 2.1	With respect to the start date for HOV-3 enforcement, enforcement of HOV-3 will begin at the commencement of tolling.
Part B, Section 2.5	With respect to the type of traffic and revenue data available on or about October 1, 2015, that traffic and revenue data is Level 2 T&R Data.
Part B, Section 2.5	With respect to the release on or about October 1st of the updated traffic data, the updated traffic data that will be available on or about October 1, 2015 will supersede prior traffic data.
Part B, Section 3.4; Part C, Section 3.4; Part D, Section 3.4	With respect to the bonding capacity required of the Lead Contractor, the aggregate amount applies to the Lead Contractor as a whole, although the requirement may be satisfied by one of the Lead Contractor's members capable of providing the required surety letter.

RFQ Section Reference	Response
Part B, Section 4, Volume 1, Section D	With respect to the definition of “Proposer,” the term Proposer, for the purposes of the DBFOM submittal, applies to Equity Members or the entity formed by such members to submit the SOQ.
Part B, Section 4, Volume 1, Section D	With respect to Form B-1 as it applies to the DBFOM Delivery Method, Equity Members of Proposer must complete Form B-1 individually.
Part B, Section 4, Volume 1, Section A(2)(a); Part C, Section 4, Volume 1, Section A(2)(a); Part D, Section 4, Volume 1, Section A(2)(a)	With respect to the content of Forms D-1, D-2 and D-3, photographs and/or graphics are acceptable as part of the narrative descriptions accompanying projects listed on Forms D-1, D-2 and D-3.
Part B, Section 4, Volume 1, Section D(2); Part C, Section 4, Volume 1, Section D(2); Part D, Section 4, Volume 1, Section D(2)	With respect to the make-up of Proposer teams, ROW firms will not be required to be part of the Proposer’s team at the SOQ stage.
Part B, Section 4, Volume 2, Section A(1)(a)(2)	With respect to identifying the additional 3 projects allowed for evaluation (to be completed using Form D-2), these projects do not need to meet the \$200 million construction cost threshold and substantial completion criteria referenced in Section 3.4.1(a)(ii) of Parts B, C and D.
Part B, Section 4, Volume 2, Section A(2)(a); Part C, Section 4, Volume 2, Section A(2)(a); Part D, Section 4, Volume 2, Section A(2)(a)	With respect to the employment of the Responsible Charge Engineer, the Responsible Charge Engineer does not need to be a CJV/DBJV employee.
Part B, Section 4, Volume 2, Section A(2)(a); Part C, Section 4, Volume 2, Section A(2)(a); Part D, Section 4, Volume 2, Section A(2)(a)	With respect to the employment of the Lead Quality Manager, the Department intends that the Developer, and not the Lead Contractor, will be in contractual relation to the Lead Quality Manager.

RFQ Section Reference	Response
Part B, Section 4, Volume 2, Section A(2)(a); Part C, Section 4, Volume 2, Section A(2)(a); Part D, Section 4, Volume 2, Section A(2)(a)	With respect to employment of the Responsible Charge Engineer, the Responsible Charge Engineer may, but is not required to, be a position filled by staff at the Lead Engineering Firm.
Part B, Section 4, Volume 2, Section A(2)(a); Part C, Section 4, Volume 2, Section A(2)(a); Part D, Section 4, Volume 2, Section A(2)(a)	With respect to employment of the Design Manager, the Department anticipates that the Design Manager will be an employee of the Lead Engineering Firm.
Part C, Section 2.1	With respect to whether the Department would consider entering into separate agreements with the Lead Contractor and Lead Operations & Maintenance Firm under the DBOM Delivery Method, the Department intends for the Developer to deliver, or cause to be delivered, all of the services necessary to design, build, operate and maintain the P3 Project. The Department does not intend that the Comprehensive Agreement will contemplate a separate agreement between the O&M firm and the Department.
Part C, Section 3.4.2	With respect to information regarding scoring of the Lead Operations and Maintenance Firm, please see Part C, Section 3.4.2.
Part D, Section 2.1	With respect to the confidentiality of ATCs, the Department does intend to allow confidential ATCs under the DB-ATC Delivery Method, which, like the DBFOM and DBOM Delivery Methods, is being procured under the PPTA.
Part D, Section 2.2	With respect to the O&M required to be procured pursuant to the DB-ATC Delivery Method, the Developer will not be precluded from self-performing the required tolling integration and operations and maintenance for the required period of five years. The Department anticipates, however, requiring any procured contract to be awarded through a competitive procurement in compliance with federal requirements that apply to the P3 Project.

RFQ Section Reference	Response
Part D, Section 2.2	With respect to the Developer's obligations under the DB-ACT Comprehensive Agreement, the Developer will not have obligations related to tolling operations and maintenance following final acceptance of the P3 Project, at which point the Developer will assign the tolling operations and maintenance contract it has procured to the Department.
Part E, Form C	With respect to the terms contained on Form C, a covered transaction is a nonprocurement or procurement transaction that is at (a) the primary tier, between a Federal agency and a person, or (b) a lower tier, between a participant in a covered transaction and another person.