

**Transform 66 P3 Project
Department Responses to Certain RFQ Part One Questions
September 21, 2015**

RFQ Section Reference	Question	Response
Part A, Section 2.2	“There is a statement that says ‘The Lead Contractor must be prequalified no later than submittal of the Qualified Proposer’s RFP Proposal’. The last paragraph to this section states in part ‘In order to pre-qualify as a Joint Venture, a completed Joint Venture Bidding Agreement must be submitted and approved by the Department upon submission of the SOQ’. These two statements conflict . . . Please clarify.”	The Joint Venture must be prequalified by the time the Qualified Proposer submits its RFP Proposal.
Part B, Section 3.3(b); Part C, Section 3.3(b); Part D, Section 3.3(b)	“On Page C-4 under Section 3.3 item (b) it states that ‘Each member of the Lead Contractor provides evidence, satisfactory to the Department, that it is capable of obtaining a payment bond and a performance bond, each in the amount of at least equal to \$500 million’. On page C-15 Section F Surety Letter it states ‘Provide evidence, satisfactory to the department, in the form of a letter from a surety or an insurance company indicating that at least one member of the Lead Contractor is capable of obtaining a performance bond and a payment bond, each in an amount at least equal to \$500 million.’ Please clarify if only one member of the Lead Contractor needs to provide the letter form surety.”	To obtain a “pass” under the relevant section, at least one member of the Lead Contractor must provide evidence, satisfactory to the Department, that it is capable of obtaining a payment bond and a performance bond, each in an amount at least equal to \$500 million, or, alternatively, letters of credit in equivalent amounts (or a combination of a bond and a letter of credit in the required amounts).

RFQ Section Reference	Question	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)	“The Department has stated that the Department intends that the Developer, and not the Lead Contractor will be in a contractual relationship to the Lead Quality Manager. On page C-19 in the description for the Lead Quality Manager, it says the person needs to be from an independent firm that has no contractual relationship with the Quality Control Firm, and no involvement in construction operations. Does this prevent a member of one of the design firm team firms from providing the Lead Quality Manager? The design firms are independent from quality control and not involved in construction operations. Please clarify.”	The Lead Quality Manager may be a member of one of the design firm teams.
Part C, Section 4, Volume 1, Section C	“On page C-14 Section C Legal Qualifications it states ‘The following information regarding legal issues affecting the Proposer and it’s team members shall be submitted’. For the 3 items under this section, the requirement is for the Proposer to provide this information. Please clarify who is to provide this information.”	For the DBOM Delivery Method, information regarding legal qualifications should be provided by the Proposer and, if the Proposer is an entity that has not yet been legally formed, should be provided by the Proposer’s Lead Contractor and Lead Operations & Maintenance Firm.
Part C, Section 4, Volume 1, Section C	“On page C-14 Section C Legal Qualifications, the opening paragraph second line states ‘If the Proposer is an entity that has not yet been legally formed, the information described in this Section C shall be submitted for Equity Members and Major Non-Equity Members, to the extent know by the Proposer.’ The definitions in Part A for Equity Members refers to the DBFOM option. Please clarify.”	For the DBOM Delivery Method, information regarding legal qualifications should be provided by the Proposer’s Lead Contractor and Lead Operations & Maintenance Firm if the Proposer is an entity that has not yet been legally formed.

Revisions reflecting these clarifications will be set forth in an addendum to the Request for Qualifications issued September 17, 2015.