




		Requests for Clarification Matrix				
		Project Name: 30 Crossing			Project No: CA0602	
		Request for Qualifications			Date: Jun 26, 2017 - 03:03 PM	
RFC No.	Document	Section	Page No.	Clause No.	Question	Response
001	RFQ	4	11	4.5.4	Project Manager minimum qualifications. While our Project and Construction Managers are degreed civil engineers, it is not common industry practice in design-build projects to require these positions to be licensed professional engineers. This requirement should be removed. Their experience in large, complex design-build projects is sufficient qualification for the Department to score and validate this key position.	No change will be made to the RFQ. The Department evaluated and removed the PE requirement for the construction lead in response to comments on the draft RFQ. The PE requirement for the Project Manager will be retained to maintain consistency with Department standards and requirements related to project managers.
002	RFQ	4	14	4.5.7(b)	Financial statements for all Major Participants. It is not common industry practice in design-build projects to require the design firms or construction subcontractors to submit financial statements, even if they are performing more than 15% and 20% of their scope respectively. This requirement should be exclusive to the Principal Participants.	No change will be made to the RFQ. This information is requested to enable the Department to conduct financial due diligence of Major Participants for this large and significant project.
003	RFQ	4	15	4.5.7(c)	Form E for all Major Participants. It is not common industry practice in design-build projects to require the design firms or construction subcontractors to submit this financial information, even if they are performing more than 15% and 20% of their scope respectively. This requirement should be exclusive to the Principal Participants.	No change will be made to the RFQ. This information is requested to enable the Department to conduct financial due diligence of Major Participants for this large and significant project.
004	RFQ	1	4	1.11	<p>The language in Request for Qualifications Section 1.11 Business Integrity may disqualify large entities with many subsidiaries from participating in the procurement of 30 Crossing; specifically, item 3. In addition, this language does not accommodate pending cases regarding business integrity.</p> <p>We respectfully request subparagraph 3 of the Request for Qualifications Section 1.11 Business Integrity to be revised to be consistent with Section 1.10 Debarment or Suspension and read:</p> <p>"The Department considers the integrity of all firms and personnel involved in the Project to be of high importance. No Principal Participant, Major Participant, nor any owner, officer, partner, director, or financial controller of such firms, or respective employee involved in the Project, may participate as a part of a Respondent team if such firm or person has, within the past three (3) years prior to the SQQ due date:</p> <ol style="list-style-type: none"> <li>1. Been convicted or included as the defendant in a criminal or civil judgment rendered against the firm or relevant individual by a court of competent jurisdiction in any matter involving fraud, anti-trust violations, theft, official misconduct, or other offenses indicating a lack of business integrity or business honesty;</li> <li>2. Been indicted or otherwise criminally or civilly charged by a Governmental Authority with fraud, anti-trust violations, theft, official misconduct, or other offenses indicating a lack of business integrity or business honesty; or</li> <li>3. Participated as a prime contractor or equity partner in <del>one or more</del> <b>more</b> contracts with a Governmental Authority <del>terminated for cause or default where the Principal Participant or Major Participant nor any owner, officer, partner, director, or financial controller of such firms have been debarred, suspended, disqualified, terminated for cause or default or removed from bidding or performing work for the State of Arkansas, the federal government, or more than three state governments."</del></li> </ol>	We will review the referenced sections and clarify thresholds for submitting a proposal in an upcoming Addendum to be issued on June 2.

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005	RFQ, Form C-1 - Debarment/Suspension Certificate	4	11 and CC-1-1	4.5.3, Item 2 and Form C-1	Form C-1 instructs Respondent to complete one form to cover all Principal and Major Participants. Section 4.5.3 states that not more than one page per firm shall be submitted. Please clarify if the Department intends for us to sign and submit just one form on behalf of all Principal and Major Participants, as directed on Form C-1.	The Department intends that only one Form C-1 will be submitted on behalf of all Principal Participant and Major Participants, per the instructions on Form C-1. A clarification to the RFQ will be made.
006	RFQ, Form C-2 - Business Integrity Certification	4	11 and CC-2-1	4.5.3, Item 3 and Form C-2	Form C-2 instructs Respondent to <b>complete one form</b> to cover all Principal and Major Participants. Section 4.5.3 states that not more than two pages <b>per firm</b> shall be submitted. Please clarify if the Department intends for us to sign and submit just one form on behalf of all Principal and Major Participants, as directed on Form C-2.	The Department intends that only one Form C-2 will be submitted on behalf of all Principal Participant and Major Participants, per the instructions on Form C-2. A clarification to the RFQ will be made.
007	RFQ	4	11	4.5.4, Item 1	Section 4.5.4, item 1. states, "The Respondent organization chart (no more than one 11x17 inch page) and narrative that reflects relationship structure..." Is the organization chart AND narrative limited to the one 11x17 page? If not, what is the organization narrative page limitation?	The narrative will be limited to one page (8 ½ x 11 inch), which is in addition to the one page (11 x 17 inch) for the chart. A clarification to the RFQ will be made.
008	RFQ	3 and 4	8 and 13	3.3.2, Item 2 and 4.5.5	Regarding Experience of the Firms, Section 3.3.2 states that projects that are complete will be given more weight than projects in progress. However, Section 4.5.5 states that the reference projects must have reached substantial completion within the past 10 years. Please clarify if we are or are not permitted to submit reference projects that are still in progress.	Projects that are in progress may be submitted, although those projects that have been completed will be given more weight in evaluation. A clarification to the RFQ will be made.
009	RFQ	N/A	N/A	N/A	Will the Department allow the Respondent to designate one authorized officer to sign on behalf of a to-be-formed legal entity?	All Respondents, including those with a to-be-formed legal entity, must designate a single person as the PPC. However, for all matters and documents that must be executed by a to-be-formed Respondent, such matters must be signed by an authorized officer for each Principal Participant that comprises the to-be-formed legal entity that is the Respondent.
010	RFQ	4	10	4.5	The Department indicated that the forms are available in Word format. Please advise as to where the Word forms may be found and/or when they will be available.	Access the 30 Crossing website, and select Procurement, and click the button "AHTD Alternative Delivery Program". It will take you to an AHTD web page that has a link to Appendix C Forms. Or access the link below and select Appendix C Form. <a href="http://www.arkansashighways.com/contracts/designbuild.aspx">http://www.arkansashighways.com/contracts/designbuild.aspx</a>
011	RFQ	4	11	4.5.4	Will the Department allow added-value personnel/resumes to be submitted in addition to the required Key Personnel resumes?	The Department will evaluate the information requested in the RFQ. No change will be made to allow added-value personnel/resumes to be submitted in addition to the required Key Personnel resumes.
012	RFQ Form D	Appendix C	41		Project Change orders section – "Total" and "Owner initiated" change orders reference footnote 3. Footnote 3 is in reference to non-compliant work items. Non-compliant work typically is not a change order. Please confirm if the reference to footnote 3 should be footnote 2 instead?	The referenced footnote will be corrected to "2" in Addendum 1.
013	RFQ	4	13	4.5.7(a)	Please advise if a surety letter is required for each Major Participant of the Respondent team, or if a single surety letter is required for the team.	A single surety letter is required for each Respondent. Such surety letter may be provided by any Principal, any Major Participant or the Respondent.

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014	RFQ	4	12	4.5.4	Related to the Design Quality Assurance Manager. Would the Department consider a DQAM who is an employee of the Lead Designer or Major Participant, but not part of the design, and whose sole function is to act independently of the design production and verify conformity/non-conformity to the Proposers Quality Management Plan (QMP) developed for this project? Alternatively, if there are two major design firms on our team (each at the Lead Designer (LD)/Major Participant (MP) level), would the Department consider allowing an employee of the LD or MP, but not part of the design, and whose sole function is to act independently of the design production and verify conformity/non-conformity to the Proposers Quality Management Plan (QMP) developed for this project, serve in the DQAM role such that the employee of the LD reviews the work of the MP and the employee of the MP reviews the work of the LD?	The Department will not consider changes to the Design Quality Assurance Manager requirements. No change will be made to the RFQ.
015	RFQ	4	12	4.5.4	Related to the Construction Quality Assurance Manager. Would the Department consider a CQAM who is an employee of the Principal Participant or Major Participant, but not part of the design or construction and whose sole function is act independently of the design and construction IN production and verify conformity/non-conformity to the Proposers Quality Management Plan (QMP) developed for this project?	The Department will not consider changes to the Construction Quality Assurance Manager requirements. No change will be made to the RFQ.
016	RFQ	6	17	6	As mentioned in item (iv) and (vii) "seek or obtain data from any source that has the potential to improve the understanding and evaluation of the SOQ on one or all the Respondents Related to the Design Quality Assurance." Would the use of any use of such firm(s) or individual(s) from those firms deem them conflicted out of the procurement?	If the Department seeks additional information from other sources, any such other firm only would be conflicted out of the procurement if and to the extent that the contacts with such other firm create an organizational conflict of interest as described in 23 CFR Section 636. While the Department cannot provide a conclusion in the absence of specific facts, the Department does not anticipate that any such organizational conflict of interest would be created.
017	RFQ	Appendix	A1	A	In the definition of Design-Build Agreement, it mentions "and partial financing of the Project." Does the Department have further information on the level of such financing that may be required from the Respondent?	The Design-Builder will not be required to provide project financing. Conforming changes will be made in Addendum 1.
018	RFQ	4	10	4.4	Due to the confidential nature of the information, will the Department allow the financial statements and related information requested in Section 5 (Financial Capacity) to be submitted by individual Major Participants directly to the Department with appropriate team identification included? If not acceptable to submit directly to the Department, may the information be included in a sealed envelope with the qualification submittal?	Separate submissions will not be accepted, although the Department will allow the information to be contained in sealed envelopes with the SOQ submittal.
019	RFQ	4	11	4.5.7	If a Joint Venture will be jointly and severally liable for the Respondent obligations under the SOQ, can the requirement of providing financials be waived for other Major Participants?	The requirement will not be waived. This information is requested to enable the Department to conduct financial due diligence of Major Participants for this large and significant project.
020	RFQ	4	11	4.5.2	We have identified additional positions on the organization chart that we consider key to the successful delivery of the 30 Crossing project. If we identify these additional "key personnel," would the Department allow resumes to be submitted for these individuals?	The Department will evaluate the information requested in the RFQ. Other responsive information submitted within the identified page limits may be evaluated at the discretion of the department.

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021	RFQ Form F	Appendix C	CF-1	N/A	To comply with the request by the Department to "disclose whether it has an ownership interest of 10% or more of the stock of any other Respondent and whether it has any overlapping directors with any other Respondent. The Respondent must also disclose any contractual relationships with any other Respondent in the nature of a joint venture, as well as relationships wherein the Respondent is a contractor, consultant, subcontractor, or subconsultant to another Respondent or Component Firm." could the Department please provide a list of all Respondents pursuing the 30 Crossing project?	The Department is not in possession of such information. Respondents should respond to Form F to the best of their knowledge. Upon the eventual release of the Respondents that responded to the RFQ, to the extent that additional disclosure or an amended Form F is appropriate, a Respondent may supplement their initial Form F.
022	RFQ, Addendum 1	4	9	4.3	SOQ states that responses "must use standard black type." Is it permissible to use font colors other than black in a limited capacity for items such as topical headings or subheadings within narrative responses and information boxes/tables?	Minimal usage of color will not be considered a violation of the requirement to use "standard black type." Color shall not be used to convey meaning. Information in color shall have the same meaning if printed in black and white.
023	RFQ Form D	Appendix C	CD-1 and CD-2	N/A	Will the Department allow Respondents to adjust the length of the description fields, as long as they do not substantively alter the Form D or go beyond the two-page limit?	Yes.
024	RFQ Form C-1	Appendix C	CC-1-1	N/A	Department Issued Clarification	The language in Form C-1 requires an unqualified certification and does not provide an opportunity to describe the circumstances that may prohibit a Proposer from making the required certification. The Department recognizes the distinction between this certification and the required certification related to business integrity on Form C-2, but will not be altering Form C-1. In the event the Department receives an SOQ with Form C-1 on which a Proposer does not make the required certification, the Department may issue a Request For Clarification to assist in determining the responsiveness of the SOQ.