



**Minnesota Department of Transportation
Metro District
I-494 Design-Build Project
S.P. 2785-304**

RFQ Clarification 3

Issue Date: September 19, 2003

Questions and requests for clarification for this design-build project are shown below. Mn/DOT's final answers to the questions and requests for clarification shall not be relevant in interpreting the RFQ except as they may clarify provisions otherwise considered ambiguous.

- 3.1 “The Surety support letter is requested indicating the bidding entity is capable of obtaining a performance and payment bond covering the project and any warranty periods. Clarification #1.7 indicates there will be phased construction and acceptance and that further details will be included in the RFP stage. I would ask the Surety be given the latitude of dealing with the full warranty requirements in the RFP stage as well and limit the Surety support letter to the warranty requirements to be defined later in the RFP stage. I would also like to consider further shortening the warranty time frame from 5 years to a more acceptable period of 3 years.”**

Response: See Addendum #2 for revisions to Section 3.7.4 regarding the warranty bond. While Mn/DOT does not intend to change the warranty periods at this time, it will continue to consider all elements of the project, including warranties.

- 3.2 “RFQ Section No. 2.2, pg. 2 - Is Mn/DOT currently updating the \$80 million estimated cost amount, and if so, will that updated estimate be available before the final RFP is issued?”**

Response: See Addendum #2.

- 3.3 “RFQ Section No. 2.4, pg. 3 - Are other local governmental personnel, e.g. city or county departments, watershed districts, etc. included in this “ex parte communications” rule?”**

Response: No. The restriction against ex parte communications is limited to the parties specified in Section 2.4.

- 3.4 “RFQ Section No. 3.1, pg. 6 - Reference is made to a “Title Page” and “Table of Contents” in this paragraph. Are these pages included in the page count?”**

Response: Yes. See Addendum #2 for revisions to Section 4.2.

- 3.5 “RFQ Section No. 3.2.2, pg. 7 - If a Submitter has three Major Participants on its design-build contracting organization, does the language of 3.2.2 mean that up to twelve (12) different design-build project descriptions could be included in the SOQ?”**

Response: Yes.

- 3.6 “RFQ Section No. 3.2.2, pg. 7 - If a Submitter or Major Participant does not have any design-build project experience, can they submit other similar project experience?”**

Response: Yes. See Addendum #2 for revisions to Section 3.2.2.

- 3.7 “RFQ Section No. 3.7, pg. 14 - Can all of the pages submitted in response to “3.7 Legal and Financial” be included in the Appendices, and not be counted in the page count? If they are included in the main submittal section of the SOQ, this may cause some difficulties as much of this information is proprietary and confidential.”**

Response: Yes. Section 3.7 will be revised in Addendum #2.

- 3.8 “RFQ Section No. 3.7.5, pg. 15 - The second to the last line reads “...or affiliate of the *parent* whose experience is cited as the basis for the firm’s qualifications.” Confirm the word “parent” should be changed to “submitter” and that the responses to paragraphs a, b, and c are limited to those affiliates whose experience is used to supplement the firm’s qualifications.”**

Response: The word "parent" is correct. Responses to paragraphs a, b and c are limited to those affiliates whose experience is used to supplement the firm's qualifications. Section 3.7.5 will be revised in Addendum #2.

- 3.9 “RFQ Section No. 4.2, pg. 16 - We recommend that section divider pages not be included in the page count.”**

Response: Section divider pages will not be included in the page count. See Addendum #2 for revisions to Section 4.2.

- 3.10 “RFQ Section No. 4.2, pg. 16 - We recommend that the use of different font sizes and types be allowed for graphics text (such as within tables and charts) and for image captions, paragraph headings, and text other than the main body.”**

Response: No, all text shall be Time New Roman, 12-point font.

- 3.11 “RFQ Section No. 5.2, pg. 16 - If Mn/DOT decides to conduct interviews, what type of interview format can we expect, and will the interview require a presentation by the submitter?”**

Response: If required, the interview format and presentation requirements will be given following receipt of the SOQ.

- 3.12 “Item 2.4, Mn/Dot Project Management; Ex Parte Communication - Please clarify if this item restricts us from contacting local City Officials, the County or other agencies and/or interested/affected groups, such as, Chambers of Commerce, neighborhoods, etc.”**

Response: See Clarification 3.3.

- 3.13 “In Section 2.1 Project Description; Scope of Work there is no reference to the miscellaneous construction from I-394 to TH 55 in the City of Plymouth. This 1.2 lane miles of transition work was presented by MnDOT at the I-494 information meeting. Is this transition work included in the project scope?”**

Response: Yes, please see the last sentence of Section 2.1.

- 3.14 “Section 6.2.3 (Warranties) states there are to be 5 year warranties on structural concrete, pavements, steel paint system and differential settlement. We (Zurich aka F&D) feel this is too long of a period. Also, there is no indication of the size of these anticipated obligations? On prior projects the warranty amount has been stated as a portion or percentage of the contract price.**

I would ask that you consider shortening the duration of the warranty and give us an indication as to the size of these extended obligations.”

Response: See Clarification 3.1.

3.15 “Clarification No. 1.4 states that we are to avoid all ex parte communication. We are assuming that this is within the Mn/DOT, HNTB and SEH organizations, and their subconsultants, per the RFQ. Please clarify that this broad statement does not include local governments, utilities, watershed districts, etc. It is common practice in other states to allow this communication (with representatives that are not part of the evaluation panel) in order for the Proposers to gain insight into the concerns and priorities of these additional stakeholders. It is of course understood that any information conveyed to the Proposers is used at their own risk.”

Response: See Clarification 3.3.

3.16 “Section 4.2 of the RFQ states that all printing must be in 12-point font. Would Mn/Dot please consider allowing less than 12-point font in graphics, if the graphic is not used to convey critical or required information?”

Response: No, See Clarification 3.10.

3.17 “We request that you reconsider the requirement for the Construction Quality Manager to be a registered professional engineer. There are several qualified people in the area with many years of experience, but who are not register engineers. Perhaps Mn/DOT would consider optional requirements, i.e. 7 years with a P.E. or 15 years without a P.E.”

Response: To fulfill the duties for the Construction Quality Manager, the person submitted shall meet the requirements of Section 3.3.3, subsection (b).

Revised Responses to Previous RFQ Clarifications

R1. Delete the Response to Clarification 1.1 and replace with the following:

Response: See Addendum #2 for revisions to Section 3.1.

R2. Delete the Response to Clarification 1.3 and replace with the following:

Response: See Addenda #1 and #2 for revisions to Section 3.7.

R3. In the first sentence of Clarification 1.7, delete the words “the Project will be divided” and replace with the following:

“the Project may be divided”

R4. Delete the Response to Clarification 2.13 and replace with the following:

Response: One to four design-build or major highway projects that the Submitter and each of the Major Participants has managed, designed and/or constructed.

