Kosciuszko Bridge Project  
RFQ Questions and Responses  
Responses to Questions 105 through 119  
and Revised Response to Questions #39 and #53

Question #105:
Please clarify if the Construction and Design Form E-1 are per each individual Construction and Design Firm or a total of 5 for Construction Team and total of 5 for Design Team.

Response:
The maximum limits are for each component group (such as Construction firms, design firms, etc.), as opposed to each individual firm. Thus, the maximum limits are five (5) in total for the Construction members, five (5) in total for the Design members, three (3) in total for the Construction Inspection members, and three (3) in total for the Materials Testing members. Maximum limit for the entire Design-Build team is sixteen (16) E-1 Forms. See also the responses to questions #115 and #117 below.

Question #106:
The Department deleted reference to the Verification of Certification for Project Safety Manager and Materials Testing Firm or Lab from 4.4.2.5 Organization and Key Personnel (Page 27-28). Verification of Certification of Materials Testing Firm or Lab was moved to 4.4.2.6 Experience of Firms, but in Appendix B Addendum No. 2 it was moved to Section 5 along with Verification of Certification for Project Safety Manager in the Table for Volume 2. Please clarify where the Department wants the Verifications

Response:
Appendix B will be revised as follows:
- The Verification of Certification for Project Safety Manager shall be deleted from Section 5; and
- The Verification of AASHTO Certification of the Materials Testing Firm or Laboratory shall be moved from Section 5 to Section 6.

Question #107:
Addendum 2, Appendix B, Section 6 says to submit “no more than three (3) (E1 forms) for each CI firm and Materials Testing Firm or Laboratory, and no more than five (5) for each construction firm and design firm.” Does this mean if a joint venture team consists of three construction firms, they are permitted to submit up to five for each firm, totaling a maximum of 15 E-1 forms?

Response:
No. See response to Question #105.

Question #108:
Addendum 2 page 28 deletes the Section 5 requirements of submitting the Verification of Certification for the Project Safety Manager and the AASHTO Certification of the Materials Testing Firm or Laboratory. Page 31 adds “Verification of the AASHTO certification of the Materials Testing Firm or Laboratory,” as part of the Section 6 objectives.

In reviewing the Format and Organization of materials in Appendix B, these two verifications are still shown as part of what’s required in Section 5. Please clarify in Appendix B if these verifications are still needed in Section 5 or can be deleted consistent with page 28 and also clarify if the expectation is to include the AASHTO certification verification in Section 6.
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Response:
See response to question #106.

Question #109:
Addendum 2, Appendix D page D-4 now defines a “Project Superintendent.” This term does not seem to be referenced elsewhere in the RFQ. Is the “Project Superintendent” the same as the “Construction Manager?”

Response:
The term “Project Superintendent” will be removed from the list of definitions and the term “Construction Manager” will be added.

Question #110:
Will Form S Table 1 be updated to reflect revised Key Personnel?

Response:
Form S will be revised to include only the Project Manager and the Construction Manager.

Question #111:
Page 28 of the RFQ (Section 4.4.2.5.B.4), removes the requirement to include verification that the Materials Testing Firm or Laboratory is AASHTO certified. This requirement was added to Section 4.4.2.6.A.7. However, in Appendix B, it is still noted that the verification should be included in Section 5 (Organization and Key Personnel) of the SOQ. Please clarify where this verification should be included in the SOQ.

Response:
See response to question #106.

Question #112:
The answer to Question #84 states that “the subcontractor to the Construction Inspection Firm shall be listed on Form B and Form L-1 with the prime Construction Inspection Firm, and shall be identified on the Forms as a ‘subcontractor.’” Does this apply to all subcontractors that will be working with the Contractor(s), Designer(s), Construction Inspection Firm(s), and Material Testing Firm(s) listed on the forms? Please clarify.

Response:
Yes. All contractors should be identified in the “Contractor” section, all Designers identified in the “Designer” section, etc. If a firm is a subcontractor, they should be identified as such. If an equity participant/JV partner, then their “Firm’s % equity share” should be provided as required on Form L-1.

Question #113:
The response to Question 99 reads, “Reference to Safety Manager has been deleted from the RFQ.” However the Required Information table on page B-3 still contains the original language. Please confirm that a Form R, resume and certification is not needed.
Response:
We confirm that a Form R, Resume and certification is not required for the Safety Manager. Appendix B will be revised by Addendum.

Question #114:
The AASHTO Certification of the Materials Testing Firm or Laboratory has been deleted from 4.4.2.5 (page 28). However it is still listed in the Required Information table on page B-3. Are we still required to submit a copy of the certification? If so, in which section?

Response:
AASHTO Certification of the Materials Testing Firm or Laboratory shall be included in Section 6 of the SOQ.

Question #115:
Further clarification is requested regarding the number of Form E-1s allowed. The response to Question 64 and the current language in the RFQ can be interpreted two ways, please confirm which option is desired:

<table>
<thead>
<tr>
<th></th>
<th>OPTION 1 (E-1s for individual firms)</th>
<th>OPTION 2 (E-1s for whole firm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Firm (JV member 1)</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Construction Firm (JV member 2)</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Construction Firm (Subcontractor 1)</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Designer (lead design firm)</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Design Firm (subconsultant 1)</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Design Firm (subconsultant 2)</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Design Firm (subconsultant 3)</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Construction Inspection Professional Engineering Firm (JV member 1)</td>
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<td>3</td>
</tr>
<tr>
<td>Construction Inspection Professional Engineering Firm (JV member 2)</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Materials Testing Firm or Laboratory</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td><strong>TOTAL FORM E-1s</strong></td>
<td><strong>44</strong></td>
<td><strong>16</strong></td>
</tr>
</tbody>
</table>

Response:
Option 2 above is required. See the response to questions #105 and #117.
Question #116:
In response to Section 4.4.2.2.B.2, the annual report on Form 10-K and Form 10-Q is voluminous. With multiple Principal Participants on a team, it will require at least a 5-inch binder to accommodate the requested financial information along with the rest of the required documents of Volume 1. Is it permitted to include only Forms 10-K/Forms 10-Q on a CD that is securely fastened in Volume 1? If not, can the financial section be double-sided to fit into a more wieldy binder?

Response:
Hard copies shall be provided in Volume 1.

Question #117:
Using the below organization structure, is it required to list subcontractors/subconsultants on Form L-1? If so, are we then required to include Past Performance (claims, etc.) and Form DBE for each subcontractor/subconsultant?

| Construction Firm (JV member 1) |
| Construction Firm (JV member 2) |
| Construction Firm (Subcontractor 1) |
| Designer (lead design firm) |
| Design Firm (subconsultant 1) |
| Design Firm (subconsultant 2) |
| Design Firm (subconsultant 3) |
| Construction Inspection Professional Engineering Firm (JV member 1) |
| Construction Inspection Professional Engineering Firm (JV member 2) |
| Materials Testing Firm or Laboratory |

Response:
(a) Yes, it is required to list the subcontractors/subconsultants on Form L-1 as shown above. (b) Yes, Past Performance and Form DBE are required for each subcontractor/subconsultant.

Question #118:
Paragraph 4.4.2.2.B.1 Financial requirements to be submitted states:

... in accordance with generally accepted accounting principles (GAAP) ...

Additionally, continues with

... Financial statements shall be provided in U.S. dollars ...

Based on these two statements, audited financial statements submitted from foreign companies following International Financial Reporting Standards (IFRS) as promulgated by the International Accounting Standards Board (IASB) might not be acceptable.
Question: Is it acceptable to submit a company’s Audited Financial Statements as legally accepted in the country of origin that are in English, with the accepted legal currency of that country and constructed using the IAS/IFR standards and PROVIDE a supplemental sheet, certified by the auditors, of the financials converted to US Dollars?

Response:
Yes, that is acceptable.

Question #119:
Of particular interest is the question asked on Feb. 7, 2013, regarding whether the Project Specific Permit for Professional Engineers meets the requirements of a licensed Professional Engineer in the State of New York?

Response:
A Project Specific Limited Permit for Professional Engineers will be acceptable if it has been issued by the New York State Education Department.

Response to Questions #39 and #53 are revised as follows:

Question #39:
Can firms submit proposals for both the Design-Build contract and the QA contract?

Revised Response:
A Firm may be included in proposals for the Design-Build contract and submit proposals for the Quality Assurance contracts. However, any Firm that is on the selected Design-Build Team will automatically be removed from consideration for the Quality Assurance contracts.

Question #53:
Clause 1.4 – Please provide a list of firms conflicted from competing on a DB Team because of their previous work on the K-Bridge conceptual design and EIS (pg 6).

Revised Response:
The conflicted firms are identified in Section 8.0, Conflict of Interest.