

<b>RFP Book No. and Section ID</b>	<b>Question</b>	<b>Reserved for Agency Response</b>
2.4	Would the state prefer proposal be submitted in landscape or portrait format?	Portrait format is preferred. Landscape may be used for clarity/illustration
1.1.2	Will improvements to the intersection of US70 and SR113 be included within this contract?	No. Current ROW plans depict construction limits just north of the existing US70/SR113 intersection.
2.5.4	Can multiple individuals have the same project roles?	Yes, provided both individuals meet project commitment requirements.
2.5.4	Can a single individual have multiple project roles (example: one person as project manager and cost estimator)?	Yes, provided the individual is able to meet project commitment requirements.
1.1.2	Are there utilities on the existing bridge structure that will need to be relocated? Are designs already in process?	There are not currently utilities on the existing bridge.
1.2	Is there a preliminary schedule to see how TDOT arrived at their completion date?	No. Construction schedule will be finalized in collaboration with the CM during the pre-construction phase.

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1.1.2	Will the state provide the original structure drawings for the existing bridge structure?	Yes. The Department intends to post historic bridge/repair drawings on the project website.
2.5.4	Can the department clarify if the information requested in 2.5.4 counts towards the page limit identified under 2.5.3 on page 14 of the RFP?	The 10 pages of supplemental materials described in 2.5.4 is independent of the 30-page limit identified in section 2.5.3.
2.5	Will the state permit outside URL links in the proposal?	Yes, URLs may be utilized for supplemental material. However, they may not be utilized to satisfy specific documentation requirements in the RFP.
1.1.2	Does the state plan to purchase additional right-of-way at station 132+00 RT for construction of an access road?	Determination of need to purchase additional ROW for this project will be determined in collaboration with the selected CM.
1.1.2	Will the contractor have input with design team if necessary for additional right-of-way and/or construction easement procurement to allow for better constructability?	Yes. Determination of need to purchase additional ROW for this project will be determined in collaboration with the selected CM.
1.1.2	Has TDOT started TVA permit application process for access ramps and docks for construction activities	Need for/acquisition of TVA permits for access at specific locations on Douglas Lake/French Broad River will be determined in collaboration with the CM during the preconstruction phase.

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1.1.2	Does TDOT have agreements in place with TVA to maintain water levels per historical data provided by TVA?	No agreement is in place at this time. Expected winter, summer, and maximum pool elevations are identified in the current ROW plans. Historic water level fluctuations may be found on TVA's <a href="#">website</a> .
2.5.2	RFP Section 2.5.2 requires the inclusion of “a completed Certificate of Final Indirect Costs on the attached (Appendix C) form”. Please clarify what indirect costs the Department is requesting to be certified as part of this submission?	Indirect cost rate shall be established in accordance with Federal cost principles - please see the 2 CFR 200 Subpart E - General Provisions for Selected Items of Cost <a href="https://www.ecfr.gov/current/title-2/part-200/subjectgroup-ECFRed1f39f9b3d4e72">https://www.ecfr.gov/current/title-2/part-200/subjectgroup-ECFRed1f39f9b3d4e72</a>
Article 5 Sample Contract	Article 5.5 of the sample Contract refers to LDs associated with “\$TBD per additional day beyond the number of weeks of the full closure provided in 1.9 Section of the RFP.” The RFP does not include details of a full closure. Please clarify.	This is included by error - there will be no full closure of I-40 allowed. The contract will be revised prior to execution.
RFP Section 1.4.2 Cover Page Sample Contract	There seems to be a conflict in the budget amount with the RFP stating \$175M and the contract states the budget limit is \$200M. Please clarify if the \$200M is the cap on construction funding.	The budget limit of \$175,000,000 for construction in the RFP is correct. The contract will be revised prior to execution.
Article 15 Sample Contract	The term “Special Provisions” is undefined, though Article 15 of the Agreement bears that term as a title. Would TDOT be willing to define this term?	Please see 2021 Standard Specifications 101.03 Terms Special Provisions: Provisions inserted into a contract revising the Standard or Supplemental Specifications and covering conditions unique to the individual project.
Article 13.3 Sample Contract	Is there a cure period for default? The Agreement provides for immediate termination upon a condition of default, while the Standard Specifications provide for a 15-day notice and cure	Cure time for termination of the contract during the pre-construction phase will be evaluated and be addressed in a subsequent QR.

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Article 1.18.12 Sample Contract	Is there a list of permits TDOT will be obtaining for the Project?	Permits required to be obtained will be finalized in collaboration with the project team during the pre-construction phase.
Article 13.5 Sample Contract	What funds have been appropriated to cover the Project, and what funds (if any) will need to be appropriated in the future?	All project funds have been appropriated.
Article 7 Sample Contract	Will TDOT consider providing for an equitable adjustment in cost or time of performance due to change in applicable law or orders of authorities having jurisdiction?	The Department will consider adjustment to cost and time of performance as outlined in TDOT Standard Specifications sections 108.07 and 109.
Article 1.18.11 Sample Contract	The Contract lacks a concept of substantial completion. Will TDOT consider employing such a concept?	The Department will consider a concept of substantial completion.
Article 5.5 Sample Contract	The Liquidated Damages provisions do not specify that liquidated damages are TDOT’s sole and exclusive remedy for Contractor’s delay. Will TDOT consider adding language that liquidated damages are TDOT’s sole and exclusive remedy for Contractor’s delay in achieving Substantial Completion for the project/completing the Work within the Contract Time?	The Department's policy on failure to complete work on time is outlined in Standard Specification section 108.09, and remedy for failure to prosecute work in section 108.10. At this time, a construction contract will not include language that deviates from these sections.
N/A	Consequential damages are not addressed in the Contract. Will TDOT consider adding a mutual waiver provision wherein the parties waive consequential damages between one another?	No, the Department is not authorized to waive consequential damages.

PROJECT:

DATE:

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Article 13	Delays caused by the TDOT (or those for whom the TDOT is responsible) are not specifically addressed outside the concepts of Suspensions of Work Ordered by the Engineer, or Extra Work. Would TDOT consider adding these types of delays to the definition of Compensable Delays?	1.18.5 references Department's Standard Specifications. Please see 2021 Standard Specifications Section 108.07
1.1.2	When reviewing the project website at ( <a href="https://www.tn.gov/tdot/alternative-delivery/construction-cm-gc-services.html">https://www.tn.gov/tdot/alternative-delivery/construction-cm-gc-services.html</a> ), we were unable to locate the Environmental Impact Report (EIR). Could you please provide an update on the status of permits and share any available draft/final EIR documents?	Environmental documents can be found in the reference material section on the project website. The EES report is located in the TPR document at the end of section 3.0.
2.5.3.2	Are there any seasonal work limitations or restrictions that we should consider when developing our construction work schedule to ensure compliance?	Generally, there are restrictions surrounding major holidays and other major special events (i.e. UT football games, Bristol Race, etc.). There are seasonal limitations on paving - see Supplemental Specification 400SS.
1.1.2	Please provide the depth values of the French Broad Riverbed. Additionally, could you provide historical statistical data on water level fluctuations over a historical seasonal basis.	Please see reference material - Plan sheet X28 begins cross sections which shows the existing ground line of the riverbed. Historical water levels are also noted on the profile sheets (i.e. sheet 8C - HW, summer pool, winter pool and existing riverbed elevations)
2.1	When does the Department expect to teams know which date the week of 10/21 interviews will be held?	Upon receipt of Proposals. The number of proposals received will dictate the number and schedule of days.
2.5.3.1.2 Subfactor 2 2.5.3.1.3 Subfactor 3	Please confirm that we can use personnel and project experience of dedicated subcontractors included on a project team.	In accordance with TCA 54-1-504 (b) (2) (xi), a proposer may not rely on the experience of a subcontractor for prior experience/Performance/References. Not applicable to Joint Ventures. A forthcoming revision to the RFP as part of Addendum #1 will address this.

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Appendix B and Appendix C	Please confirm that Appendix B and Appendix C are not to be filled out and submitted with the Proposer’s Proposal.	1.16.1 - Appendix B is reference information 1.11 - Appendix C is required 2.5.2.7 - Appendix C is required
2.5.3.1.3	For Subfactor #3 of Section 2.5.3.1, we understand that relevant project descriptions should feature projects that have been completed within the last 15 years. Can we also include in-progress projects for TDOT’s consideration in this section?	No, TCA 54-1-504 (b) (2) (xi) requires that "the proposing firm provide evidence that the proposing firm has actual experience in the <i>successful construction</i> of other highway transportation projects, as well as the competency, capability and capacity to complete a project of similar size, scope or complexity"
2.6	Will Proposers be able to see the room where we are interviewing in advance of the interview date?	Yes. May contact TDOT point of contact identified in the RFP to schedule.
1.2	Is a joint venture required to have a Contractor's License in the State of Tennessee if all of its member partners are Tennessee licensed contractors?	If the joint venture has been formed as a single business entity for the purpose of bidding on the project, the joint venture entity must hold a Tennessee contractor’s license. If the joint venture has not been formed as a single business entity, then each joint venturer must hold its own separate Tennessee contractor’s license.
1.4.2	An initial Rough Order of Magnitude (ROM) of the construction cost is in excess of the Estimated Construction Cost noted in Section 1.4.2. We understand the Commissioner may award the construction contract if the GMP proposal is within 10% of the Owner's and/or ICE's estimate, however, what happens if all estimates are within 10% but exceed the available budget for the Project?	If the GMP does not exceed the department’s estimate, or the independent third-party estimate, by more than ten percent (10%), the commissioner may, but is not required to, award the contract to the CM/GC per TCA section 504-4-F, G, and H.
2.5.3.1.3	Subfactor #3 requires proposers to provide a minimum of three (3) and up to ten (10) project descriptions that have been completed in the last 15 years. Due to the unique nature of this project, would the Department consider allowing projects outside the 15-year completion window specified to be included.	Older projects may be used to enhance a proposal, but there must a minimum of 3 projects of similar size, scope, or complexity within the 15-year window.

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2.5.2	Can TDOT Clarify if the affidavit form provided at <a href="https://www.tn.gov/tdot/alternative-delivery/construction-cm-gc-services.html">https://www.tn.gov/tdot/alternative-delivery/construction-cm-gc-services.html</a> , certifying that the Proposer, and its member firms (if any), agents, subcontractors and employees are in compliance with the requirements of the TCA and section 1.11 is the form included on page 34 of the RFP document titled, CMGC08 - I40 Bridge over French Broad River?	Yes. The form in RFP appendix C is correct.
2.5.3.1 Subfactor #4	Subfactor 4 requests safety statistics from the year 2009 to present. Can TDOT please confirm that 15 years of safety statistics are required to be provided in the proposal? Or is the 2009 possibly a typo for	2009 is a typographic error. The RFP will be revised to 2019 in a forthcoming addendum.
2.5.4	Would TDOT allow for financials to be submitted as a balance sheet and upon selection the awarded contractor would be required to provide a full financial statement?	The Department does not require full financial statements, but rather cost model examples as described in RFP section 2.5.3.3
General	Can TDOT share the mandatory pre-proposal meeting presentation with proposers?	The pre-preproposal presentation slides have been posted on the project website.
General	Is there any type of public or virtual meeting for the opening of received proposals?	No, all proposals are confidential until after award, at which point all proposals will become subject to public records requests in their entirety.

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2.5	Is it standard practice for TDOT to receive letters detailing what aspects of a proposal are deemed confidential and/or redacted copies of submitted proposals or do all proposals become public record in their entirety?	Proposals submitted for this project will become subject to public records requests in their entirety.
3.2	Is it TDOT's intent to interview every responsive proposer or will a short list be used if there are several proposals submitted in response to this RFP?	The Department intends to respond to all responsive proposers
1.1.1	Are the original construction plans available for proposer review?	The Department intends to post historic bridge plans and applicable repair plans to the project website.