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## **Sarah Mildred Long Bridge Replacement : Responses to Questions Received on the CM/GC Request for Proposals (RFP), November 9-12, 2012**

Maine Department of Transportation

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**November 13, 2012**

**Attention:** Prospective CM/GC Proposers for Kittery-Portsmouth, Sarah Mildred Long Bridge Replacement Project, WIN 16710.00

**Subject:** Responses to Questions Received on the CM/GC Request for Proposals (RFP) dated November 9-12, 2012

1. In light of the relatively short time frame allowed from the posting of the RFP to the Proposal due date (6 weeks), and considering that the Thanksgiving Holiday week falls prior to the week the Proposal is due, can the due date be extended by 1 to 2 weeks?
  - A. [The RFP will be amended to delay the Proposal due date by one week.](#)
2. Is it correct that if the final "Guaranteed Maximum Price (GMP) Proposal", is accepted by MaineDOT, the construction of the project would be under a fixed price lump sum contract or unit price contract, not a "Guaranteed Maximum Price / Open-Book" contract?
  - A. [Yes, that is correct. For more information, refer to the response for question number 4.](#)
3. If the answer to question 2 is affirmative, should the "GMP" in the heading: "APPENDIX B, VIII. FINAL GMP COST ESTIMATE AND NEGOTIATION" be deleted or clarified, since this would be the "FINAL COST", not the "FINAL GMP COST"? The GMP term indicates that the final cost could be less than the final bid, which in turn suggests an "open book" contract method with a maximum price ceiling, (ignoring all other changes/contract modifications that could change the final cost).
  - A. [The RFP has been amended with a revision of the heading of Item VIII in Appendix B.](#)
4. The paragraph below from the RFP also suggests an "open book" contract, where the CM/GC Fee is applied to all other actual costs incurred during construction. Is this the intent for the contract?

#### **X. FIXED LIMIT OF CONSTRUCTION COST**

The Fixed Limit of Construction Cost is the maximum allowable cost for the construction phase of the Project. This includes the CM/GC Fee, the actual cost of construction, mobilization, contingency, force accounts, and all direct costs that are associated with the construction of all elements of the work designed or specified by the Design Consultant. The CM/GC Fee is defined in Section XIV. The Fixed Limit of Construction Cost for this Project is \$150,000,000.

- A. [No, it is MaineDOT's intent that the construction contract be in accordance with the Standard Specifications and be paid as a negotiated Lump Sum, Unit Price, or some](#)

combination thereof. The risks assigned to the Contractor as defined by the Standard Specifications will be included in the final bid price for the work.

However, the risk management process could identify some specific items of work where it would be advantageous for MaineDOT to assume some of the risk normally assigned to the Contractor. To accomplish this, it may be necessary to pursue other methods of payment for those specific items. Those will be discussed on a case by case basis.

5. How is the dollar amount of construction risks that is identified and priced during the Preconstruction "Risk/Opportunity Register" process handled in the final bid?
  - A. Refer to the response for question number 4.
6. How is the dollar amount of construction risk described in question 5 handled if the risks identified and priced do not occur during construction?
  - A. Refer to the response for question number 4.
7. How is the dollar amount of construction risk described in question 5 handled if new unidentified risks and related costs occur during construction?
  - A. Refer to the response for question number 4.
8. Would unforeseen conditions be categorized as risk or would they be handled as extra cost work as with typical Design-Bid-Build contracts?
  - A. Refer to the response for question number 4.
9. A bullet in Appendix A, Section D notes: "The Contractor will prepare a bid to perform the work shown. The bid will be based on the estimating model and the most recent Construction Cost Estimate for the agreed scope of work." Is this final bid submitted in an "open cost" format as the previous 30%, 50%, and 80% PS&E cost estimates were, or is it just a lump sum or unit price bid?
  - A. The final bid is submitted in the same format and evaluated by the same process as the design submission cost estimates. The final price and method of payment will be subject to negotiation.
10. We are finding it difficult to fit all the information for our team within the 24 page count. Can the page count be increased to 30 pages, and/or can the section with the 5 past projects from each team member be on 11" x 17" pages? Also, can the organization chart be on an 11" x 17" page?
  - A. The RFP has been amended to increase the page limit for the body of the Technical Proposal, and to include the requirements for the use of 11" x 17" pages.
11. In reference to Section XVII. ADVANTAGEMEME, are firms required to register at this time or would registration be required after selection? Is there a process to produce a "short-list" of proposals or are all proposers evaluated and afforded the opportunity of an oral presentation?

- A.** Registration for ADVANTAGE ME is required before the preconstruction services contact is signed.
- 12.** For early purchased items, how will the mark-up be established for items purchased by the contractor?
- A.** The RFP has been amended to apply the CM/GC Fee to long lead time procurement items.
- 13.** For contractor travel and expenses during the project development phase (preconstruction services), are these expenses to be reimbursed by including in the hourly rate or paid separately?
- A.** Direct expenses for preconstruction services are reimbursed separately in accordance with the MaineDOT Consultant General Conditions.
- 14.** In regards to the procurement of long lead time items, there are only a few firms that can supply moveable bridge machinery, tower steel, lift span steel and moveable bridge electrical control systems, and they are not DBE firms. Will these items be excluded from the DBE goals?
- A.** As stated in Appendix A of the RFP, MaineDOT will create a DBE Project Availability Target (PAT) based on a number of factors, including available DBE firms.
- 15.** Please clarify that the CM/GC Fee is or is not included in the estimated Fixed Limit of Construction Cost of \$150,000,000 for this project.
- A.** The CM/GC Fee is included in the Fixed Limit of Construction Cost as stated in RFP Section X.
- 16.** Under Section XIV, Item 5.2, page 18, Question and Answer Session with the Selection Panel, states that the interview presentation and questions/answers scoring will be based on the following:
- a. Project Understanding
  - b. Project Approach
  - c. Project Innovation
  - d. Firm and personnel experience, expertise and ability to build the best project
  - e. Understanding the CM/GC delivery method.

Please explain how this scoring integrates into the technical proposal scoring as outlined on page 11 of the RFP.

**A.** The RFP has been amended to clarify how the interviews are evaluated.

- 17.** The “Sarah Mildred Long – Bridge Replacement Report”, (BRR) dated March 16, 2012, and the “Bridge Life Cycle Cost Analysis Draft Report”, (BLCCADR) dated April, 2012, reference the “Construction Cost Estimate for the Sarah Mildred Long Bridge”, dated February 10, 2012 ? Please reference pages 2 and 4 of the BRR, and pages 2, 3, and 4 of the BLCCADR. The February construction cost estimate is not located in the reference documents on the MDOT website. Will it be provided?

A. The February 10, 2012 document will be added to the Project website at <http://www.maine.gov/mdot/sml/documents.htm>.

18. Appendix "C", described as the "Construction General Conditions", (page 34) of the RFP outlines various items that shall be excluded, as well as included, in the CM/GC Fee Percentage. Would the Department please explain having the Project Overhead Staff being paid as a Direct Costs, while the Relocation, Housing, and Subsistence Costs for the same Staff shall be part of the CM/GC Fee Percentage. Contractors generally consider relocation, subsistence and travel is a direct cost in getting the work done.

A. The RFP has been amended to revise Appendix C.

19. Please confirm the JV Agreement, Member Bylaws and Articles of Incorporation are not included in the page count limit.

A. Yes, that is correct.

20. RFP Page 5 A.1. Is it acceptable to use a smaller font other than the specified 12 pt. in tables, charts, etc.?

A. Tables and charts may use 10 pt. size font.

21. What is meant by "provide for open book examination of an open cost model....." on Page 3?

A. When there are differences between the Contractor's estimate and the Independent Cost Estimator's (ICE) estimate, MaineDOT will seek to understand and resolve the differences in assumptions. MaineDOT will expect the ability to examine the Contractor's backup information, including the following:

1. Subcontractor quotations
2. Material supplier quotations
3. Labor cost estimates (hours, productivity rates, burden rates, etc.)
4. Equipment cost estimates (hours, ownership costs, operation costs, etc.)
5. Specific scope of work for each bid item (or WBS item)
6. Bond and insurance cost information

MaineDOT, with assistance from the ICE, will work with the Contractor to resolve differences in assumptions.

Sincerely,



Jeffrey Folsom, P.E.  
Project Manager