

		complete. Detailed information will be available for short-listed proposers. This information includes: survey data, boring data and hydraulic analysis for selected bridges.
5.	10/30/08	On the \$10 million up front, what is the payment?
		MoDOT RESPONSE – Current draft of Book 1 includes \$2.5 million payments every 30 days following an initial limited notice to proceed (NTP1), up to the total early payments of \$10 million.
6.	10/30/08	Will MoDOT handle title and investigation work?
		MoDOT RESPONSE – Yes, but ROW plans and legal description are the responsibility of the contractor.
7.	10/30/08	How will temporary acquisition be handled?
		MoDOT RESPONSE – Contractors are responsible for temporary acquisitions, so they have more flexibility in obtaining temporary rights such as borrow and staging areas, subject to the Uniform Relocation Act.
8.	10/30/08	Who is responsible for material testing, quality assurance and quality control?
		MoDOT RESPONSE – MoDOT has trained inspection staff available statewide that we expect to be involved, however we understand there may be areas where the Contractor may play a role. We do not want duplication of efforts on inspection and testing responsibilities, but we are open to discussion.
9.	10/30/08	Is there a set dollar amount for this project?
		MoDOT RESPONSE – \$700 million is estimated for the total project (248 Modified-Design-Bid-Build and 554 Design-Build bridges.)
10.	10/30/08	What kind of MoDOT review is on the design side of the design-build project?
		MoDOT RESPONSE – MoDOT will work with the proposer during the proposal phase on new standards and will perform spot checks of work after execution. MoDOT will check to make sure the contractor's design quality measures are being followed.
11.	10/30/08	How extensive will the design process be?
		MoDOT RESPONSE – During the proposal the design work will consist of developing Alternate Applicable Standards (AAS). The successful team will use the appropriate AAS and provide enough detail for construction and final plans.
12.	10/30/08	Is there a one-year warranty for construction?
		MoDOT RESPONSE – Yes, we will require a standard one-year construction warranty beginning at final acceptance of each bridge.
13.	10/30/08	Does MoDOT have a public relations person available to interact

		with the contractor's public relations personnel?
		MoDOT RESPONSE – Yes.
14.	10/30/08	Is there a stipend, and what is the amount of the stipend?
		MoDOT RESPONSE – There is a \$1 million stipend.
15.	10/30/08	What does MoDOT expect to buy with the stipend?
		MoDOT RESPONSE – A stipend payment will be offered to any losing proposer, which will entitle MoDOT to provide the technical proposal(s) of any losing proposers to the apparent best value proposer, for incorporation of any technical innovations into their proposal.
16.	10/30/08	Do the bridges cover the entire state?
		MoDOT RESPONSE – Yes. The bridge list has changed slightly, however there are still 802 bridges over the entire state with at least one in every county. See www.modot.org/safeandsound for a map and listing of bridges.
17.	10/30/08	What is the schedule of the 248 bridges on the Modified-Design-Bid-Build side of the project?
		MoDOT RESPONSE – The first 100 bridges have recently been scheduled for letting. The remaining 148 bridges will have their schedules established in the spring of 2009.
18.	10/30/08	Will MoDOT staff share a project office with the Design-Build team?
		MoDOT RESPONSE – A shared project office is allowable, but is not required.
19.	10/30/08	On the 554 Design-Build bridges, will subcontractors bond to MoDOT?
		MoDOT RESPONSE – After further review, only major participants or members of a joint venture will be required to provide a bond, and it will be to MoDOT.
20.	10/30/08	What are the requirements of performance and payment bonds?
	Revised 11/17/08	MoDOT RESPONSE – The performance and payment bond amount shall cover the total contract amount of construction work . In order to be short-listed a proposal team must provide letters of bonding capacity totaling at least \$350 million.
21.	10/30/08	What is the bid bond amount?
		MoDOT RESPONSE – The bid bond amount is \$3 million.
22.	10/30/08	If the winning team were to be awarded at \$500 million and the team decided to do \$300 million and sub the remainder, will they only owe \$300 million?
		MoDOT RESPONSE – After further review, the entire construction amount

		will be bonded prior to issuance of a final notice to proceed (NTP2).
23.	10/30/08	What are the right of way issues associated with this project?
		MoDOT RESPONSE – Right of way issues will be dictated by the design.
24.	10/30/08	Do consultants need to be pre-qualified to be included on a Design-Build team?
		MoDOT RESPONSE – Consultants need to be registered to do business in the State of Missouri, but they do not need to be pre-qualified with MoDOT. The Statement Of Qualifications (SOQ) process replaces the intent of pre-qualification.
25.	10/30/08	If a bridge is at an interchange, are contractors required to do work on the ramps?
		MoDOT RESPONSE – This project will focus on bridges. If a bridge is raised, it is not anticipated to be raised enough to affect any ramps.
26.	10/30/08	What happens if Safe & Sound receives only one bid?
		MoDOT RESPONSE – The Design-Build project cannot continue with a single bidder under the existing statutes. Design-Bid-Build will be utilized if this should occur.
27.	10/30/08	Has MoDOT been testing the bond market? Does MoDOT have concerns?
		MoDOT RESPONSE – MoDOT’s finance staff has visited with the rating agencies and doesn’t have any concerns with our ability to issue bonds.
28.	10/30/08	If there is a critical bridge in the package, can the bridge be opened and a bonus awarded with an open punch list?
		MoDOT RESPONSE – The intent is to focus on getting the road open, so any incentives or deductions will be based on the road opening, not on punch list completion.
29.	10/30/08	When are incentives and damages owed or paid?
		MoDOT RESPONSE – Incentives are paid on a per bridge basis subject to a project maximum. Damages will be withheld on a per bridge basis. In addition final completion incentive/disincentive will be assessed at the completion of the project.
30.	10/30/08	Will the attendance list, questions and PowerPoint presentation from the Industry Review Meeting be posted on the web?
		MoDOT RESPONSE – Yes. They are all posted now on the Safe & Sound Web site.
31.	10/30/08	Will there be a cap on retention?
		MoDOT RESPONSE – One percent will be retained on each project bridge in order to allow for project completion date damages.

32.	10/30/08	Who will handle the Public Information coordination?
		MoDOT RESPONSE – MoDOT will handle coordination.
33.	10/30/08	What is the letting schedule?
		MoDOT RESPONSE – The first 109 bridges are scheduled to be let by Spring 2009 and the letting schedule will be published on the Safe & Sound Web site. The letting date for the remaining 139 bridges will be set at a later date. The Design-Build procurement schedule (554 bridges) is posted in the RFQ.
34.	10/30/08	Does MoDOT anticipate posting applicable standards from the last procurement?
		MoDOT RESPONSE – MoDOT needs to close that process before stating how all information will be shared. The draft RFP incorporates acceptable applicable standards proposed in the previous procurement.
35.	10/30/08	Does MoDOT foresee raising bridges?
		MoDOT RESPONSE – For the proposal the Contractor is required to maintain the existing hydraulic capacity; should the hydraulic opening need to be increased, the Contract contains provisions for a change order.
36.	10/30/08	Will MoDOT handle geotechnical data?
		MoDOT RESPONSE – MoDOT will not perform any geotechnical investigations. MoDOT will share the geotechnical information it has, but the risk of the validity is on the Contractor.
37.	10/31/08	Who is responsible for utility locating and marking?
		MoDOT RESPONSE – MoDOT has completed Level B Subsurface Utility Engineering (SUE) locates for 480 bridge sites and is in the process of obtaining the SUE for the remaining bridges in the design build project. This information will be available to short-listed teams. This does not relieve the contractor from contacting Missouri One Call to locate utilities.
38.	10/31/08	Who is responsible for as-built documentation?
		MoDOT RESPONSE – The Contract team will have to supply as-built plans as a contract deliverable.
39.	10/31/08	Does MoDOT desire 3D documentation?
		MoDOT RESPONSE – As-built plans are to be submitted following MoDOT's Engineering Policy Guide.
40.	10/31/08	Any plans for contractor as-built documentation to be incorporated into GIS?
		MoDOT RESPONSE – There are no requirements that as-built documentation be incorporated into GIS.
41.	10/31/08	How are you ensuring that Missouri Bridge Partners does not have

		an unfair advantage in the Design-Build procurement process?
		MoDOT RESPONSE – The financing and long-term maintenance requirements drove many of the decisions in the previous procurement and are not part of the design-build procurement. The expectations and goals for this procurement are different as well. We do not believe that any team has an unfair advantage in the procurement process.
42.	10/31/08	Who will perform material testing/construction inspections (QA/QC)?
		MoDOT RESPONSE – MoDOT has trained personnel all across the state we intend to incorporate in the inspection process. Specifics should be worked out during negotiations and incorporated into the Quality Manual.
43.	10/31/08	Will MoDOT need to use certified geotechnical firms to assist them with geotechnical work for the Modified-Design-Bid-Build projects?
		MoDOT RESPONSE – These structures are primarily deck and superstructure replacements and little or no geotechnical work in anticipated.
44.	10/31/08	Will MoDOT need to use utility engineering firms that may assist with utility work?
		MoDOT RESPONSE – The 802 bridges are typically rural bridges with very few utilities. Utilities on MoDOT’s Right of Way are typically the responsibility of the utility company to move as needed for construction. It is not anticipated that MoDOT will need utility engineering firms.
45.	10/31/08	Any normal MoDOT escalators available (fuel, etc.)?
		MoDOT RESPONSE – The normal construction indices are not incorporated into the Contract at this time.
46.	11/7/08	Key Personnel – Based on the description given at the Industry meeting do the Quality Manager and Public Relations Coordinator need to have the experience outlined in the RFQ? The experience seems excessive based on the scope of these coordination aspects of work.
		MoDOT RESPONSE – The experience levels indicated will be changed in the next addendum to state the following: <i>The Quality Manager requires a minimum of 5 years experience in development and/or implementation of quality programs in civil construction work.</i> <i>The Public Relations Coordinator requires a minimum of 4 years of experience in dealing with sponsoring agencies and/or the public in the design and construction of transportation projects. This experience may be demonstrated through operations experience that relates to work scheduling affected by public/agency input.</i>

47.	11/7/08	Procurement Schedule – A more expedited procurement schedule would serve the project goals more effectively. The procurement duration is similar to the previous procurement and does not contain much of the more time consuming issues such as financing, maintenance and bridge treatment selection. By changing the procurement and limiting the ambiguity of choosing individual treatments and bridge sizes the proposal and pricing should be able to be expedited. Expediting the process to get the actual bridge construction started sooner would be beneficial to MoDOT’s clients. Additionally it would limit the excess costs the proposers must assume. If the procurement moved the Award to closer to March it would allow the utilization of the 2009 construction season and minimize inflation costs incurred in the project.
		MoDOT RESPONSE – We will consider acceleration of the procurement schedule only after we have identified the short-listed teams and have discussed this with each of them.
48.	11/7/08	ITP, 3.4. - Socially/Economically Disadvantaged Workforce Utilization Plan – Due to the size of each project bridge and diversity of the project (as a whole) this workforce development model does not fit in with this type of project and will be extremely complicated to accomplish. DBE participation and on the job training is more viable for a project of this nature. We request that this requirement be eliminated for this project.
		MoDOT RESPONSE – The Workforce Utilization Plan is being edited to describe the strategies and efforts to be used in order to meet the On-the-Job Training (OJT) requirement. This plan and associated requirements will be focused on the OJT requirements and will not resemble the workforce utilization requirements of The New I-64 or kcICON projects.
49.	11/7/08	ITP, Section 3.6.2 10 points are awarded for flexibility of schedule and duration. Since the durations are bid in Form R, how do you provide flexibility in durations?
		MoDOT RESPONSE – Given that multiple bridge treatments may be utilized on any one bridge and the contractor may have operational flexibility in their availability of crews and equipment – we ask the proposer to identify how many, what type and how much flexibility they can provide and commit to with respect to scheduling and duration. We anticipate encountering public input that will include restrictions on certain dates or time periods due to local activities that are not known at this time, and are seeking some level of flexibility in accommodating some of these. We also expect that the durations bid by the proposers will be based on some assumptions and estimates, and that some operational flexibility may remain, once the project schedule is defined.
50.	11/7/08	ITP, Section 3.8 Typo in last sentence giving 70 pts for being 20% above low bidder.

		<p>MoDOT RESPONSE – The ITP will be clarified to indicate that the points stated will be deducted from the 70-point total for bids above the low bidder, as follows:</p> <p>The lowest bid amount will be allocated 70 points. [5 pts will be deducted pro rata for being 5% above the lowest bid, 20 points will be deducted for 10% above lowest bid, and 70 points will be deducted for 20% above the lowest bid, all on a prorated basis]</p>
51.	11/7/08	<p>Book 1 Section 6.3.1 "Contractor shall perform all mitigation measures identified prior to proposal submittal" Where are these identified?</p>
		<p>MoDOT RESPONSE – Any mitigation measures will be identified in the contract documents. As such, there are several mitigation measures, specifically schedule restrictions that will be provided within the contract documents to all short-listed proposers.</p>
52.	11/7/08	<p>Book 1 Section 10.2.1 “The Contractor shall be responsible, during Contractor Control, for maintaining the roadway surface in the Work Zone as provided in Book 2, Section 16.”</p> <p>We assume detours are not considered to be part of the work zone. We assume the maintenance requirement would pertain to bypasses but we need to make sure that the surfacing of detours on state or county roads is excluded from this maintenance requirement. We do not see that Section 10 or 16 makes that exclusion.</p>
		<p>MoDOT RESPONSE – We agree that the work zone road surface maintenance responsibility for the Contractor should be limited to exclude detour routes (but not bypasses or other roadways within the project limits of each bridge), and a change to the contract language and/or definitions will be made to address this.</p>
53.	11/7/08	<p>Book 2 Section 15.7 there is an approval for the TS&L Will approval be required if the selected bridge type is on MoDOT’s permissible structures list (Bk 2, Section 15.6)? Will MoDOT compensate the contractor for requiring changes to proposed structure type if the proposed bridge type is on MoDOT permissible structures list?</p>
		<p>MoDOT RESPONSE – Approval is required for all TS&L proposals, and will be provided so long as the Contractor complies with any limitations related to any specific structure type. MoDOT has no intention of requiring further changes from the structure type(s) agreed to within the proposal, provided the Contractor has previously received MoDOT approval during the proposal process and does not change the proposed structure type(s) during construction. The proposal may contain more than one type of structure that is approved for a specific bridge location.</p>

54.	11/7/08	<p>Book 2 Section 15.7 there is an approval for the TS&L Is this approval for contract requirements only? Will this requirement allow MoDOT to dictate preferences at individual bridge sites?</p>
		<p>MoDOT RESPONSE – MoDOT will approve one or more suitable treatment strategies during the proposal negotiations, per the requirements of the ITP. We offer multiple options and do not intend to dictate preferences, however, we must approve any TS&L to insure the Contractor abides by the limitations on some structure types/details related to different bridges. MoDOT also intends to review and approve any Alternate Applicable Standards or any changes to details related to one or more of the permissible structures.</p>
55.	11/7/08	<p>Book 2 Section 5.9 – Mitigation Will these requirements be clearly spelled out?</p>
		<p>MoDOT RESPONSE – Any required mitigation will be detailed, and MoDOT will offer assistance from environmental staff that will be in consultation with regulators to determine any mitigation requirements. Some mitigation requirements, such as wetlands, may offer opportunities to mitigate through existing mitigation banks, and any mitigation that may be satisfied by these existing mitigation banks would not be a Contractor responsibility.</p>
56.	11/7/08	<p>Book 2 Section 11.1 Signing - Any signing on project that must be removed and is required to be reinstalled must be replaced by Contractor with new post and sign panels - essentially a new sign. Is this correct interpretation? For example if a sign at bridge said "Bear Creek", it would need to be removed and replaced with a new "Bear Creek" sign and post. Is this correct?</p>
		<p>MoDOT RESPONSE – This item will be clarified in Book 2. It is MoDOT's intent to supply and install all signing associated with the replacement of a project bridge. Should the Contractor damage or remove a sign that is to be used in place and not disturbed, the Contractor will be responsible for replacing that sign.</p>
57.	11/7/08	<p>Environmental: Are the locations and the extents of construction ingress and egress routes through waters of the U.S. required?</p>
		<p>MoDOT RESPONSE – Yes, the Contractor shall provide information necessary to prepare any required permit applications, including temporary and permanent fill volumes below the ordinary high water mark of streams, defining the linear extent of regulated streams that may require relocation because of changes to the fill slopes, and identifying the unavoidable wetland impact (both temporary and/or permanent) that will result from project construction (the wetland impact determination can be derived from the MoDOT screening data that will be provided). Environmental information may be provided to proposers, such that they may state access restrictions that will apply during construction to avoid impacts to wetlands and other sensitive areas that are identified on existing environmental and historic preservation screening information.</p>

57.	11/7/08	Environmental: Will MoDOT be providing the wetland mapping for each bridge site?
		MoDOT RESPONSE – The National Wetland Inventory Map is available electronically from the US Fish and Wildlife Service, and MoDOT will provide the screening results from field reconnaissance that indicates wetland constraints within the limits of the screening evaluation (100 feet on either side of the bridge abutments).
58.	11/7/08	Geotechnical: Will the contractor be required to evaluate existing slopes and walls for global/surficial stability?
		MoDOT RESPONSE – The Contractor is responsible for performing due diligence for all aspects of design of a project bridge. Determining stability of end slopes etc., is required just as it is for any other project replacing a MoDOT bridge.
59.	11/7/08	Geotechnical: If an existing slope condition or wall is found to have a factor-of-safety less than traditionally acceptable, are they required to be repaired, replaced or rehabilitated?
		MoDOT RESPONSE – The Contract requires replacement of all portions of the existing structures. Specific scenarios can be discussed on a case-by-case basis during the technical concept proposal.
60.	11/7/08	Hydrology and Hydraulics: Many sites have experienced channel degradation or aggradations, the proposed bridge replacement will likely require channel restoration, have these sites and/or the level of channel restoration effort for each site been identified?
		MoDOT RESPONSE – No.
61.	11/7/08	Hydrology and Hydraulics: Hydraulic data used for the existing bridge design has been outdated. If overtopping or free board requirements could not meet the substandard outlined in Book 2A when applying modern data, is the contractor expected to enlarge the existing bridges to create an adequate opening?
		MoDOT RESPONSE – The Contractor is responsible for matching the existing hydraulic performance of the existing bridge. Should that performance not meet the criteria stated in Book 2, MoDOT will issue a design exception unless that performance is determined unacceptable. For those limited circumstances a change order, compensating the Contractor for the additional cost, or a bridge substitution/removal will be issued in accordance with the provisions of Book 1.
62.	11/7/08	Hydrology and Hydraulics: Temporary Stream Crossings - Almost all of the bridge

		replacements over water will require some kind of temporary stream crossing. MoDOT should include this in all permit applications now and get it over with so there will be no delays when construction starts.
		MoDOT RESPONSE – MoDOT has reached an agreement with the US Army Corps of Engineers to perform evaluation of all temporary and permanent impacts to streams and/or wetlands that allows us to streamline any required applications. If the following criteria are met, no permit application process will be required: No wetland impacts (temporary or permanent) and no permanent stream impacts that exceed the reporting thresholds for the applicable nationwide permit(s) that apply to a project (the applicable NWPs generally consist of NWP 13 & 14). Because the 404 process will involve evaluation of all impacts that will result from the proposed replacement of these structures (not simply the temporary crossing construction), all project impacts will have to be confirmed based on final design plans to determine if a 404 permit is required.
63.	11/7/08	Roadways and Pavements: What is the contractors’ responsibility in determining the guardrail length of need; is the length of need based on impacting the end of the bridge railing only, or is protecting against non-recoverable side slopes and toe of fill ditches included in the scope?
		MoDOT RESPONSE – This is an issue that will be spelled out clearly in the contract; additional language will be developed during technical concepts. Our intent is that the length of need determination shall at minimum address the bridge ends. NHS routes and other high ADT routes will either require a Design Exception as part of the technical concepts, or will need to take all design aspects into account.
64.	11/7/08	Roadways and Pavements: Where guardrail does not currently exist at a particular location along the roadway near a bridge site, will a length of need calculation be required and guardrail installed if warranted?
		MoDOT RESPONSE – The most recent guidance on guardrail is available in the Engineering Policy Guide on MoDOT’s Web site, and will be reviewed with all short-listed teams.
65.	11/7/08	Roadways and Pavements: What is the contractors responsibility regarding attachment to guardrail that meets current standards but has an end terminal that does not meet current standards?
		MoDOT RESPONSE – Replacement bridges, including end terminals, shall meet current standards unless a design exception is on file.
66.	11/7/08	Roadways and Pavements: Where crashworthy end terminals are required, does the project scope include either the extension of the guardrail to a suitable embankment location or embankment modifications?
		MoDOT RESPONSE – You have listed two possibilities, but there are others.

		The end treatment system needs to be installed in accordance with the way it was NCHRP-350 crashworthy tested and approved or have a design exception on file.
67.	11/7/08	Roadways and Pavements: Can broken concrete with asphalt overlays be utilized for rock blanket?
		MoDOT RESPONSE – Yes, provided the following limitations are met: The following material shall not be used for stream bank stabilizations: earthen fill, gravel, fragmented asphalt (i.e., crushed or ground), tires, vehicle bodies and liquid concrete, including grouted riprap. Broken concrete used as bank stabilization must be reasonably well graded, consisting of pieces varying in size from 20 pounds up to and including at least 150-pound pieces. Applicants must break all large slabs to conform to the well-graded requirement. Generally, the maximum weight of any piece should not be more than 500 pounds. Gravel and dirt should not exceed 15 percent of the total fill volume. All protruding reinforcement rods, trash and other extraneous materials must be removed from the broken concrete prior to placement in waters of the United States. Note: The use of asphaltic concrete shall only be allowed for stream bank stabilization applications above the ordinary high water mark (OHWM) of streams. If asphaltic concrete is to be used, it shall follow the grading requirements as specified above.
68.	11/7/08	Maintenance of Traffic: Does the requirement of providing MOT plans for all divided highways preclude the contractors from closing the highway?
		MoDOT RESPONSE – Divided highways shall not be closed with a lengthy detour. The Contractor has the option of constructing a cross-over, bypass, staging construction or any other solution that maintains the flow of traffic in both directions at these locations.
69.	11/7/08	Maintenance of Traffic: Where traffic control plans are required, do they need to be site specific or can they be project standard drawings.
		MoDOT RESPONSE – These traffic control plans shall be site-specific.
70.	11/7/08	Maintenance of Traffic: Does the Day of Closure and the Day of Opening count against the closure day count since MoDOT is involved in the closure and a full day will not be able to be performed on either day?
		MoDOT RESPONSE – The Day of Closure and Day of Opening shall count against the closure day count, and this will be clarified in the contract definitions.
71.	11/7/08	Maintenance of Traffic: There should be a paragraph stating in no uncertain terms that the contractor has absolutely no responsibility for maintenance, repairs, or replacement of any roads that may be used as detours.

		This issue is strictly between MoDOT and the cities and counties.
		MoDOT RESPONSE – The Contractor shall be responsible for their operations, and shall not be held responsible for public traffic over detour routes that MoDOT designates.
72.	11/10/08	Could MoDOT break it up into multiple contracts? One for “Management” for 5 years ... maybe \$50-100 million and the rest as individual bridges.
		MoDOT RESPONSE – This project has been designated as the Commission's third design-build project. Since MoDOT only has legislative authority for three design-build projects, it cannot be broken into multiple design-build contracts.
73.	11/10/08	Could MoDOT break up the RFP into three to five regions and let contractors bid on as many as they can?
		MoDOT RESPONSE – The design-build contract will not be broken into smaller pieces.
74	11/10/08	Could MoDOT remove the J&S requirement for the Joint Venture so each contractor could come to the table with a bond for their portion of the work?
		MoDOT RESPONSE – As far as the SOQ, multiple letters can be submitted to hit the \$350 million bonding benchmark, but the joint and several provisions will not go away.
75	11/11/08	The RFQ defines that each subcontractor that will perform work valued at 20 percent or more would be considered a Major Participant. Naming potential subcontractors that will perform work valued at 20 percent or more at the time of submitting the SOQ is too early. This portion of the major participant definition should be removed.
		MoDOT RESPONSE – The SOQ does not have to list all subcontractors, or list subcontractors as major participants if the percentage of work is not known. We expect and allow for changes to the Major Participants. We will not be unreasonable in our approvals, as evidenced by changes we made in our previous procurement.
76	11/11/08	For clarification, if a Joint Venture was formed, would only the Joint Venture Entity be required to provide a letter of Bonding Capacity for the \$350 million or would subcontractors meeting the Major Participant definition also be required to submit a letter of Bonding Capacity for their work?
		MoDOT RESPONSE – A Joint Venture entity may provide the bonding capacity letter, however the RFQ is written with the flexibility to allow multiple letters from multiple team members to meet this benchmark value for the qualification process. This was written this way, since a team may elect not to form a legal entity until later in the procurement process.

77	11/11/08	Are there any firms who attended the industry review who are disqualified from the Design-Build project? The issue has been raised because of the number of firms that were involved on parts of the previous DBFM procurement.
		MoDOT RESPONSE – There are no firms who are disqualified from participating in the design-build project, and MoDOT has not engaged any consultants to assist us in the procurement process. The conflict of interest provision is meant to preclude companies from participating on more than one proposal team during this current procurement process. The previous DBFM project has concluded, and we do not consider changes in teaming arrangements with any former procurement team members to present a conflict in this current procurement process.
78	11/13/08	9.1.2 A.M. Best Rating - Will the MHTC accept Midwest Builder's Casualty Mutual (Formerly Builders Association/BASIF)? Many KC-area subcontractors are part of this program but they do not meet this BEST requirement (A-V). Also MEMIC may show up on sub's certificates and I don't believe they are rated at all by BEST. Due to the economy some insurance companies were lowered but are still viable.
		MoDOT RESPONSE – We will consider other ratings, but this will require general contract language changes for all short-listed teams. This is the kind of issue we will discuss during the proposal discussions.
79	11/13/08	9.2.2 a) Commercial General Liability Insurance – a) Liability limits of \$2.5 million is not standard to the insurance industry. It should be changed to \$2 million each occurrence and \$4 million aggregate which is standard for primary policies. It will be less expensive because it causes the contractor to obtain a \$26 million umbrella to meet contract requirements rather than the standard \$25 million.
		MoDOT RESPONSE – The limits were set to accommodate the Commission sovereign immunity cap. This would require a general contract change and may be discussed with all short-listed teams.
80	11/13/08	The (ISO) form CG 00 01 10 01 is a 10/01 edition date. Most of the insurance companies and contractors insurance will be written on the 12/04 edition date on the GL. (CG 00 01 12 04) Can we change requirement to read edition 10/01 or newer?
		MoDOT RESPONSE – Yes, changes will be made to Book 1 during proposal discussions.
81	11/13/08	9.2.3 Automobile Liability Insurance – The stated \$2.5 million is also not standard and should be changed to \$2 million each occurrence and \$4 million aggregate. Again it will be more cost effective for the umbrella to “follow form” with the primary policy.
		MoDOT RESPONSE – The limits were set to accommodate the Commission

		sovereign immunity cap. This would require a general contract change and may be discussed with all short listed teams.
82	11/13/08	Can we change Auto form edition date to read 10/01 or newer?
		MoDOT RESPONSE – The proposed change is acceptable. This will be discussed with all short-isted teams and changes will be made to Book 1 during proposal discussions.
83	11/13/08	9.2.7.1 The specs calls for \$2 million limit on USL&H and Jones Act coverage. USL&H is unlimited in Missouri and is Statutory Benefits by law. The Jones Act is Federal and also an unlimited Statutory Benefit. When the certificates were submitted on the 800 Bridge project we had to specify the \$2 million that became confusing. The \$2 million should be eliminated and state "Statutory Benefits" for both.
		MoDOT RESPONSE – The proposed change is acceptable. This will be discussed with all short-listed teams and changes will be made to Book 1 during proposal discussions.
84	11/13/08	9.2.5 Contractors Pollution Legal Liability Coverage – c) States policy shall be written on a "claims made form" with 60 months on an Extended Reporting Provision. Can we have the option to write it on an Occurrence form Project Specific with a 5-year Completed Operations Provision? This could be less expensive and provide the same or better coverage.
		MoDOT RESPONSE – The proposed change is acceptable. This will be discussed with all short-listed teams and changes will be made to Book 1 during proposal discussions.
85	11/13/08	9.2.8 Professional Liability Insurance - Will a design professional's practice policy be accepted rather than needing a JV placement?
		MoDOT RESPONSE – We will take ideas like this into consideration during proposal discussions, if it provides adequate coverage and allows for a cost savings.
86	11/13/08	9.2.9 Railroad Protective Insurance – Book 2, Section 6 Third Party Agreements. It states there will be an 18-month advance notice when railroads are involved on a specific bridge job. To meet this requirement, any bridges involving railroads will have to be scheduled at least 18 months after the contract is signed. Can this be modified?
		MoDOT RESPONSE – Railroads will likely take close to 18 months to clear, but we could reword the contract to allow up to 18 months for execution of a Third-Party Agreement. This isn't the same as allowing time for Condemnation on clearing Right of Way or the statutory review period for Utilities that we rarely use the entire time.

88	11/14/08	<p>It is our understanding that the bonding letters in the SOQ must aggregate at least \$350M but that the actual bond to be provided by the successful Proposer must aggregate the total Form O proposal amount.</p> <p>Is that correct?</p>
		<p>MoDOT RESPONSE – Yes, see aforementioned question 20.</p>
89	11/14/08	<p>Is the maximum number of independent bonds that could be utilized for this project five? This is referring to major participant definition and the 20 percent statement.</p>
		<p>MoDOT RESPONSE – No, the 20 percent subcontract major participant requirement has no bearing on the number of surety letters of bonding capacity submitted to meet the \$350 million requirement. Also, see aforementioned question 20.</p>