

**Letter of Clarification No. 3  
Design-Build Project**

**RFP Reference Document**

**Date: January 27, 2025**

**To: Shortlist**

**Prepared By: Megan Saunders**

**Subject: Northwest Oregon 2024-2027, ADA Curb Ramps, Phase 2 Design-Build Project  
Design-Build Project**

RFP and Forms - The following are the Agency's responses to Bidders' questions/requests for clarification

**Question 1:** We are requesting that ODOT define the environmental studies that need to be performed by the Design-builder.

DB141.51(b) Standards, Environmental Permits, Programmatic Permits, Agreements, Orders, Opinions, Clearances, Authorizations and Studies states that "...the Design-builder shall perform all environmental work in accordance with the requirements of this Subsection DB141.51, the DB Standard Technical Specifications.....". This implies that there is environmental work to be completed by the Design-builder, but it is unclear what that work might include beyond defining the API to be submitted with Definitive Design per DB141.51(c)(2). DB141.51(c)(2) Design Development and Innovation indicates that the Design-builder is to submit API's with Definitive Design to initiate any remaining DOEs and FOEs and then assume minimum 160 calendar days for the Agency to complete environmental clearances. It states that "When requested, the Design-builder shall provide the Agency with additional design details needed to finalize any remaining PCEAs to update any changes in the approved PCEAs." This implies that the Agency will be performing any remaining environmental work to support obtaining the PCEAs.

**Response 1:** The Design-Builder will be responsible for the environmental work as outlined in DB141.51. The Agency will be performing the work to complete PCEAs, however, there is additional environmental work covered throughout this specification including the submittals covered in DB141.51(d) that are required by the design-builder.

**Questions 2:** Does ODOT anticipate acquiring permanent easements or fee takes, with design build team support, where existing ODOT facilities (sidewalks, signal equipment, street signs, etc.) are found to be outside the limits of the existing ODOT ROW and/or encroaching on adjacent properties for the following scenarios:

- a. Where no work or access is requested by the design build team.
- b. Where the remediated design does not create an additional or expanded permanent encroachment, and a temporary easement for work area is requested.
- c. Where the remediated design creates an additional or expanded permanent encroachment and a temporary easement for work area is requested.

**Response 2:**

- a. We do not anticipate pursuing ROW for these
- b. We do not understand your question. Please provide more explanation and resubmit your question.
- c. Yes if that impacts ODOT equipment that is not currently in the ROW.

**Question 3:** LOC #2 - Question and Response #10 Clarification- ODOT added a Key Personnel role after the time of SOQ (outlined in DB2.4.1.1). Does ODOT require that all roles, which have been added by ODOT since the time of SOQ, follow the formal process outlined in Section 2.09 of the RFP?

**Response 3:** Key Personnel roles that were not defined at the time of the RFQ are not subject to Section 2.09 of the RFP.

**Question 4:** Resumes only appear to be required in Section 6 and 7 of the RFP. Can ODOT confirm that these are the only resumes required in the Proposal? Section 4.06 states, "Submit a Key Personnel Form (Form KP)." Are the terms "resume" and "Key Personnel Form (Form KP)" used interchangeably? Or is the Agency requiring a Key Personnel Form (Form KP) in Section 2 and Resumes in a format of our choosing for Sections 6 and 7?

**Response 4:** Resumes and Form KP - Key Personnel are not synonymous terms within the RFP. Individual resumes are only required where they are specifically called out as required. Resumes can be in the format of the Proposer's choice as long as they cover applicable information.

**Question 6:** For Form SP Can we only provide the sum of the design units values and not the proposal values of each separate design unit?

Specifically, we are asking to omit providing prices for the proposal value of each design unit (A1.1, A1.2, A1.3, etc.) and only providing the sum of the design unit values along with quality management services, construction mobilization, and construction.

**Response 6:** No, Proposer must include a Proposal Value for all listed Design Units.

**Question 8:** RFP 1.04 Disadvantaged Business Enterprise ("DBE"), EEO, Affirmative Action, Apprenticeship, Outreach, Recruitment and Retention Plan Requirements - Can the DBE goal be measured as a whole on the project rather than broken out for design and construction? The project goal could still be assigned to achieve a goal that is at least 8.5% of design and 8% of construction but would be measured as a cumulative effort of design and construction.

**Response 8:** The design and construction goals aren't measured as a whole due to the skillset requirements and DBE availability varying drastically from design to construction. This contract in particular has the design portion following a traditional project workflow. There will be no OEPP for the design portion of this project, further precluding the design DBE goal from being combined with the DBE goal from construction.

**Question 9:** DB Agreement, Exhibit B-2, B.7.e. - Are DBE subcontractors going to be required to complete on-the-job training as referenced on page 59 of RFP Attachment B - DB Agreement?

**Response 9:** There is no requirement that DBE subcontractors complete on-the-job training in order to participate on this project. See Exhibit B-5 – DBE Requirements for the requirements associated with the DBE program. Also note that all subcontractors with subcontracts over \$750,000, including DBEs, are subject to apprenticeship hiring goals as set forth in Exhibit B-8 - Apprenticeship Requirements.