

Line #	RFQ Section & Page #	Issue	RFQ Question / Reason for RFQ Question	Formal Response
1	3.13, Page 23	Debriefs noted as being only for non-shortlisted teams	Section 3.13 states that "Each Respondent not selected as a Shortlisted Proposer may request a debriefing ..." Please enable teams who do shortlist and advance to the RFP phase the ability to also request a debrief.	No change will be made.  Debriefings under RFQ Section 3.13 (Debriefings with Unsuccessful Respondents) are limited in nature and intended to provide an unsuccessful Respondent the opportunity to receive feedback on its SOQ from NCDOT.  Shortlisted Proposers will have the opportunity to discuss, as relevant, the contents of their SOQs with NCDOT in accordance with the requirements of the RFP.
2	3.8.1, Page 16	Good standing requirement	Proposer notes under section 3.8.1 of the RFQ that NCDOT requires vendors to be registered in good standing with the Secretary of State or receive a Certificate of Authority with the Secretary of State.  Could you confirm that such prequalification requirement is only applicable to the Lead Contractor and Lead Designer (excluding each Equity Member, each Financially Responsible Party and the future Developer) and that the third paragraph of section 3.8.1 does not refer to the execution by NCDOT of the Comprehensive Agreement with the future Developer?	Prequalification is not required before responding to the RFQ.  To the first question, the prequalification requirements for the Lead Contractor and Lead Designer will be included in the RFP.  To the second question, NCDOT will not enter into the Comprehensive Agreement unless the Developer is registered and in good standing. This is a market standard condition.
3	3.8.1, Page 16	Prequalification Requirements	Article 3.8.1 of the RFQ provides that "detailed prequalification requirements will provided in the RFP".  Does it mean that the prequalification process will not be completed before the RFP stage?	Yes. Lead Contractors and Lead Designers are not required to be prequalified prior to or as part of SOQ submission.
4	3.8.1, Page 16	Prequalification Requirements	NCDOT will require that each Lead Contractor and Lead Designer for each Shortlisted Proposer, including any Lead Contractor or Lead Designer submitting as a consortium, partnership, or any other form of a joint venture, must be prequalified with NCDOT by no later than the date specified in the RFP.  Regarding the formation of a design/construction joint venture, is it the Department's intent for a newly formed design/construction joint venture to submit the required documentation to become prequalified? Or will the joint venture be considered prequalified based on each of the individual's current NCDOT prequalification?	The prequalification requirements for the Lead Contractor and Lead Designer will be included in the RFP.
5	3.8.3, Pages 17-19	Design	Please confirm that there are no geotechnical testing firms, pavement testing firms, or lab testing firms that are precluded from participating on a Proposer team. If there are precluded firms, please include them in the list of prohibited firms in Section 3.8.3.	NCDOT will not grant a blanket waiver to geotechnical testing firms, pavement testing firms, or lab testing firms.  Respondents are encouraged to evaluate any actual or potential conflict of interest for each firm and, if necessary, consider seeking an exemption in accordance with RFQ Section 3.8.3 (Organizational Conflicts and Ineligible Firms).
6	4.2.2(a), Page 24	Page Sizes	Please confirm that 11" x 17" pages may also be used for graphics and tables.	See RFQ Addendum.
7	4.2.2(a), Page 24	Font Size	Please make the following change: "Arial or Times New Roman font in at least 12-point type must be used, except for tables and graphics, which may be prepared in Arial or Times New Roman font in 10-point type."	See RFQ Addendum.
8	4.4.2, Page 25	Procurement Portal use during RFQ stage.	Could you please confirm whether it is the Department's intention to provide additional information through the Procurement Portal during the RFQ phase, or if it will be used solely for SOQ submittal purposes?	During the RFQ phase all information will be posted on the Procurement Website.  The Procurement Portal will only be used for the submission of Respondent's SOQs.
9	4.4.3, Page 25	Submission of confidential financial information	Many private firms are subject to strict confidentiality requirements and are precluded from disclosing sensitive financial information to external parties. To enable private entities to comply with corporate privacy policies, please allow Equity Members and Major Non-Equity Members to submit password-protected financial information (e.g., Form E-1), with passwords provided separately and directly to NCDOT.  This approach would enable these companies to comply with their internal policies, while concurrently maintaining the integrity of the Project's procurement process.	See RFQ Addendum.
10	4.5(b), Page 26	References	Please delete clause (b) that prohibits the use of references from employees of NCDOT, NCTA, or a member of their respective boards. Forms D-1 through D-4 (Technical Experience of the Equity Members, Lead Contractor, Lead Designer, and Lead Operations & Maintenance Firm), Form E-2 (Equity Member Experience), and Form F (SOQ Key Personnel Resume Form) require references (Forms D1-D4, and Form E-2 specify references from the project owner), and representative experience may include work performed on NCDOT / NCTA projects.	See RFQ Addendum.

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11	4.5, Page 26	Prohibited NCDOT/NCTA references limiting Proposer use of NCDOT/NCTA experience	RFQ states "No reference may be used (b) who is an employee of NCDOT, NCTA or a member of their respective boards as of the SOQ Due Date."  Several of our Key Personnel have experience on NCDOT/NCTA projects. In some cases, the most relevant individual to serve as a reference would be a current NCDOT/NCTA employee, and therefore precluded.  Would it be acceptable to: (i) Identify the preferred reference on Form F, noting that they are precluded under the RFQ requirement, and (ii) Provide a secondary reference who is not precluded, to ensure compliance?	See RFQ Addendum.
12	4.5, Page 26	Prohibited NCDOT/NCTA references limiting Proposer use of NCDOT/NCTA experience	RFQ Section 4.5 prohibits Proposers from listing references that are NCDOT and/or NCTA employees or board members. We request that NCDOT provides guidance to Proposers on how to complete the required reference information if submitting NCDOT/NCTA projects as part of its resumes and/or technical project experience. We assume that it is not NCDOT's intent to prohibit a Proposer from including relevant NCDOT/NCTA experience in its SOQ submission.	See RFQ Addendum.
13	5.3, Page 29	Scored Evaluation Criteria	May NCDOT please provide weights for each of the evaluated criteria within the table in Section 5.3.	No change will be made.
14	5.3, Pages 28-29; 5.3.1, Page 29, and 5.3.2, Page 36	SOQ Evaluation Criteria Scoring	Please provide additional details regarding the scoring of the Technical and Project Finance Qualifications and Capabilities to provide transparency regarding how proposals will be evaluated and scored. It would be helpful to Proposers to better understand the weightings of the criteria and the numeric or adjectival scoring methodology that will be used.	No change will be made.
15	5.3.1(a)(ii) (5), Page 31; 5.3.1(a)(iii) (4), Page 32 and 5.3.1(a)(i), Page 29	Lead Contractor and Lead Designer Toll Collection System Design and Installation and Toll Systems Integration Experience	On similar projects, it is typical for the equity members to perform and/or oversee toll system design, installation, and integration work via subcontracts with specialized entities rather than via the DB agreement. Therefore, please allow the Equity Members to demonstrate this experience in lieu of the Lead Contractor and Lead Designer.	See RFQ Addendum. RFQ Section 5.3.1(a)(i)(2) (Technical/Project Delivery Experience of the Equity Members and Major Non-Equity Members) already allows for Equity Members to demonstrate tolling system design, installation and integration experience. Such experience should be included in Form D-1.
16	5.3.1(a)(iv)(3) and (4), Page 33	Overlapping Requirements	Items 3 and 4 of the evaluation criteria for the Lead Operations & Maintenance Firm seem to be somewhat duplicative, as they both address maintenance of tolling systems and equipment. Please clarify the intent for these items so that Proposers may better respond to the criteria.	See RFQ Addendum.
17	5.3.1(c), Pages 34-35; and Appendix 2, Section 3, Section C, Pages 56-57	Quality	As Proposers are forming their teams during the RFQ Phase, please indicate whether the RFP will require an Independent Quality Firm.	See RFQ Addendum.
18	5.3.1(d), Page 35	P3 Project Stakeholder(s) is not defined.	Respondent is to be evaluated on a stakeholder engagement narrative but other than CRTPO named as a key stakeholder and construction stakeholders "(e.g., multiple stakeholders (railroads, utilities, authorities), environmental constraints, etc.)" Stakeholders are not specified/defined. Will a full list of stakeholders or a defined term be provided during the SOQ phase?	See RFQ Addendum.
19	5.3.1(d), Page 35	General - Stakeholders	Will SCDOT or any South Carolina stakeholders be involved in the procurement process?	As this project ends at the South Carolina state line, NCDOT is coordinating with SCDOT in relation to the project and SCDOT is aware of the procurement schedule. NCDOT is responsible for the procurement of the project.
20	5.3.1(e), Page 35	Project Delivery Narrative is evaluated on outreach	Can NCDOT please clarify if they will manage the public outreach and communications and the Respondent will assist or whether the Respondent will be responsible for public outreach and communications for the Express Lanes? Community engagement is critical to the success of user fee-based infrastructure projects. Clarifying the responsibility for public outreach and communications will help the Respondent identify risks and develop processes mitigate them, ensuring community satisfaction.	The Developer will be responsible for public outreach and communications, with coordination and oversight by NCDOT.
21	5.3.1(e), Page 36	Project Delivery Narrative is evaluated on managing customer service	In part (e) Project Delivery Narrative (iv) respondent is to be evaluated on experience on managing customer service while in 2.4.1 it is explained that NCTA is to provide collection and customer service operations. Can NCDOT/NCTA clarify what type of customer service experience is relevant for this section, would it be user facing or to NCTA?	See RFQ Addendum.

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22	Appendix 2, Section 1, Page 55	O&M Manager Employment	In line with recent transportation P3 DBFOM procurements, Respondent kindly requests revising the O&M Manager's employment basis as follows:  "Employee of the Lead Operations & Maintenance Firm (including secondment on an as-needed basis prior to service commencement and on a full time basis post service commencement)."	No change will be made.
23	Appendix 2, Section 3, Page 52	Limited space to provide an overview of our team and our team's strengths	Traditionally in its design-build RFQs, NCDOT and NCTA have requested the inclusion of a two-page introductory letter that includes an expression of interest in being selected for the project. Will NCDOT consider including a requirement for a two-page introductory letter at the start of Volume 2?	No change will be made.
24	Appendix 2, Section 3, Section E(1) and (4), Page 58	Overlapping Requirements	Items (1) and (4) of Section E Project Delivery Narrative seem to be largely duplicative. Please clarify NCDOT's intent for each item so that Respondents can provide non-duplicative responses.	See RFQ Addendum.
25	Appendix 2, Volume 3 (Financial Submittal), Section A, Page 59  Form E-1, Page 1	Financial Officer Certificate and Financial Statements	Under Section A Financial Officer's Certificate, the requirements include, among other items, i) a separate Form E-1 for each Equity Member, Lead Contractor, and Financially Responsible Party (if any), and ii) financial statements for all of the above. In Form E-1 Financial Officer Certificate, the instructions state that:  "if any firm is proposing a Financially Responsible Party, on behalf of itself and such entity, then such entity may (but is not required to) submit one consolidated Financial Officer's Certificate for the Financially Responsible Party and such entity."  We request that NCDOT confirm that the language in Form E-1, permitting a Financially Responsible Party, as applicable, to submit its consolidated Financial Officer Certificate and financial statements on behalf of itself and the Equity Member or Lead Contractor that it is acting as Financially Responsible Party for.	This is correct assuming the Equity Member or Lead Contractor is a consolidated entity of the Financially Responsible Party. If not, each entity is required to submit its own Form E-1 and associated financial statements.
26	Form A-3 Page 1	Authorizations	The Transmittal Letter (Form A-3) states in Section 3, Subsection (h), that the Respondent Representative is authorized by each Major Non-Equity Member to sign the Transmittal Letter and to act on behalf of the Respondent. However, the Respondent Representative should be authorized to represent not only each Major Non-Equity Member, but also each Equity Member.  Please review the wording of Subsection (h), Section 3 of the Transmittal Letter to ensure that it includes authorization from each Equity Member as well.  We proposed the following revised wording:	Confirmed. See RFQ Addendum.
27	Form A-3 Page 4	Adding Signature Block for Certain Types of Respondents	Please add a signature block for Respondent teams that are not yet formed as a legal entity at the time of the SOQ submission.	See RFQ Addendum.
28	Form A-4 Page 3	Typographical Error in Form	Form A-4, Statement of Qualifications Certification (page 3), contains two typographical errors in the "RFQ Cross Reference" column in the fifth and sixth rows. The references currently read "Volume 3, Section E(1)" and "Volume 3, Section E(2)" but should be revised to "Volume 3, Section E(a)" and "Volume 3, Section E(b)" to reflect the correct section formatting as specified in the RFQ.	No change will be made.  NCDOT believes the crossreferences noted in Respondent's question are correct.
29	Form B, Page 2	No signature blocks are provided in form B2	RFQ Question / Reason for RFQ Question  As "Form B shall be signed by the Respondent Representative" - Should the Respondent add a signature block to form B2 in order to complete as required or will the form be reissued?	See RFQ Addendum.
30	Form B, Page 2	Lead Contractor and Lead Designer requirements	Assuming the Lead Contractor or Lead Designer is a JV Does form B need to be completed for both the Lead Contractor or Lead Designer and the principal members of the JV?	See RFQ Addendum.

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31	Form B, Page 2	Missing signature block	The instructions on Form B state "Form B shall be signed by the Respondent Representative for the Respondent, or in the case of an Equity Member, a Major Non-Equity Member, or a Financially Responsible Party, an authorized Representative of such entity." There is no signature block on the form. Can NCDOT please send a revised form to include a signature block?	See RFQ Addendum.
32	Form C-1, Page 1	Clarification Regarding the Definition of "Nominated Projects"	In the definition of "Disclosure Affiliate", the term "Nominated Project" is used but not defined anywhere in the RFQ. We suggest defining "Nominated Projects" as those listed in the SOQ to demonstrate team qualifications, especially in Forms D-1 to D-4 and E-2.	See RFQ Addendum.
33	Form C-1, Page 2	Refining Bid-Fixing Question (#5) Criteria	Question #5 on Form C-1 requires Major Team Members to disclose if it has "otherwise taken any action in restraint of free competitive bidding" even absent a determination of a civil or criminal court. Such court determination is required to determine whether or not such actions have actually been taken; those court findings determine whether or not an action is in fact a restraint of bidding. We suggest focusing the disclosure on actual court determinations (criminal convictions or civil judgments) and recommend revising the disclosure as follows: "Has the firm or any Disclosure Affiliate been found liable in a civil suit or found guilty in a criminal action for: (a) bid fixing, (b) a deceptive show of competition, or (c) restraint of free competitive bidding; in each case in connection with any contract for which an accompanying statement of qualifications, proposal, bid, or offer is submitted within the past 20 years."	No change will be made.  The language in Question 5 of Form C-1 reflects recent market precedent for Disclosure Affiliate disclosures, and is in accordance with applicable federal law under 23 USC § 112(c).
34	Form C-1, Question 15, Page 4	Applicability of the term "commercial close"	It is required to provide the projects that the firm or any Disclosure Affiliate withdrawn or failed to submit a proposal, after shortlisting or pre-qualification, that later "achieved commercial close".  "Commercial close" applies for DBF, DBFM or DBFOM projects, but this is not applicable for DB projects.  Please confirm it is only required to provide the projects that the firm or any Disclosure Affiliate withdrawn or failed to submit a proposal, after shortlisting or pre-qualification, that later achieved commercial close.	See RFQ Addendum.
35	Form D-1, Page 2	Clarification on requested information	On Form D-1, Note 3 states that "Project size means the total dollar value of all sources and uses, including all private debt, equity, and public funding." Please clarify if NCDOT is seeking Respondents to include only sources and uses during construction, or would NCDOT like Respondents to include sources and uses during operations as well?	See RFQ Addendum.
36	Form D-1, Page 2	Redundant information	Including a "Description of Involvement in Project Development and Management" column in Form D-1 is redundant given the information requested in this column will be provided in the corresponding 2-page narrative for each listed project.	See RFQ Addendum.
37	Form D-3 Page 1	Form Clarification	In relation to the Form D-3 Technical Experience – Lead Designer, please confirm whether the Lead Designer is permitted to include ongoing projects in the projects list as well.	Confirmed. Ongoing projects may be included.
38	Form D-4, Page 1	Lead O&M Firm Experience	"If the Respondent intends for operations and maintenance of the roadway infrastructure and the operations and maintenance of the roadside toll collection system and related equipment to be performed by different firms, the Respondent should separately identify each firm and their respective areas of responsibility and related experience" In case where a Respondent elects two companies/sub-contractors, for roadway operations and maintenance and tolling systems separately would Respondent be required to submit two separate D-4 Forms and would the Respondent be allowed to submit additional project descriptions?	Only one Form D-4 should be submitted. See RFQ Addendum.
39	Form D-4, Page 1	Lead O&M Firm Experience	"Lead Operations & Maintenance Firm and/or its current employees (the experience of the Lead Operations & Maintenance Firm will be deemed to include any experience that its current employees garnered during their previous employment at other firms) will be evaluated on:"  Please confirm that Equity Members can self-perform some the responsibilities of the Lead O&M Firm Experience and thereby enable reliance on experience held by the Equity Members as qualifying project experience for form D-4 as Lead O&M Firm.	Equity Members may be identified as (or part of) the Lead Operation and Maintenance Firm, and their O&M experience included in Form D-4. See RFQ Addendum.

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40	Form D-4, Page 112	Lead O&M Firm Experience	Please confirm if the Lead O&M firm can use references for both roadway infrastructure and tolling system experience, by using experience from different subcontracted or partner firms for each specific area of responsibility.	More than one entity may be listed as the Lead Operations and Maintenance Firm. In Form D-4 the Respondent should explain the involvement of the Lead Operations and Maintenance Firm in each project listed. See RFQ Addendum.
41	Form E-1, Note 5, Page 1	Consolidated financial statements	<p>We have consolidated financial statements for the Lead Contractor, and the correspondent Financially Responsible Party, so we understand (Form E-1, Note 5) we can submit only one "Consolidated Financial Officer Certificate".</p> <p>However, in Form E-1, letter (a), it is specified that The Respondent must submit one (1) PDF scanned copy of this Form E-1 for each Equity Member, the Lead Contractor, and Financially Responsible Party.</p> <p>Please provide a specific Form E-1b in the case we are providing only one consolidated Financial Officer Certificate for both the Lead Contractor and the Financially Responsible Party</p>	<p>If the Lead Contractor requires a Financially Responsible Party, and the Lead Contractor is a consolidated entity of the Financially Responsible Party, then one Form E-1 can be submitted for the Lead Contractor and the Financially Responsible Party.</p> <p>There is no Form E-1b.</p>
42	Form E-1, Page1	Financially Responsible Party for both the Lead Contractor and Equity Member	<p>Form E-1 footnote currently states:</p> <p>Note to Respondents: Each of the Equity Member(s) and the Lead Contractor(s) must provide its own separate certificate. If any such firm is proposing a Financially Responsible Party and consolidated financial statements are provided by the Financially Responsible Party, on behalf of itself and such entity, then such entity may (but is not required to) submit one consolidated Financial Officer Certificate for the Financially Responsible Party and such entity. If an Equity Member or Lead Contractor and its respective Financially Responsible Party are submitting separate financial statements, then each of the Financially Responsible Party and the entity for which it is financially responsible must submit separate Financial Officers Certificates. If an Equity Member or Lead Contractor has no Financially Responsible Party, then all references to "Financially Responsible Party" should be deleted from the executed Financial Officers Certificate.</p> <p>Please confirm if an Equity Member and Lead Contractor Member share the same Financially Responsible Party, a single form may be submitted only by the Financially Responsible Party.</p>	Only one Form E-1 (Financial Officer Certificate) is required per Financially Responsible Party. This means that for any Equity Member and Lead Contractor that share the same Financially Responsible Party, only one single Form E-1 is required for that Financially Responsible Party, along with a consolidated financial statements.
43	Form E-2, Page 2	Unaudited financial statements	<p>Footnote 10 states that for entities that do not prepare audited financial statements, Respondents should submit a question to NCDOT outlining proposed information that such entity would provide similar to audited financial statements to seek confirmation from NCDOT of whether such proposed information is acceptable. For an entity that prepares audited financial statements that are consolidated with those of a parent company but only the entity's cash flow statements are unaudited yet are certified as true, correct, and accurate by the company's CFO, would this course of action be acceptable to NCDOT?</p> <p>A response to this answer will assist the Respondent in ensuring it submits a comprehensive and accurate SOQ in relation to NCDOT's instruction "for entities that do not prepare audited financial statements, Respondents should submit a question to NCDOT outlining proposed information that such entity would provide similar to audited financial statements to seek confirmation from NCDOT of whether such proposed information is acceptable."</p>	Yes, see Appendix 2 (SOQ Submittals Requirements), Section 4 (Financial Submittal), Section A (Financial Officer Certificate(s)) which states, under Item (iii) that "If audited financial statements are not available for an entity, the SOQ must include unaudited financial statements for such entity, certified as true, correct, and accurate by the chief executive officer, chief financial officer, treasurer, or a duly authorized representative of that entity."
44	Form E-2, Page 2	Clarification on requested information	On Form E-2, Note 3 states that "Project size means the total dollar value of all sources and uses, including all private debt, equity, and public funding." Please clarify if NCDOT is seeking Respondents to include only sources and uses during construction, or would NCDOT like Respondents to include sources and uses during operations as well?	See RFQ Addendum.
45	Form F, Page 1	<p>SOQ KEY PERSONNEL RESUME FORM</p> <p>Limited to 15 years of experience</p>	<p>We have reviewed the requirements outlined in Form F, "SOQ Key Personnel Resume Form," and noted that:</p> <p>Section d. requests candidates to list their employment history, positions, responsibilities, and duration of employment chronologically, limited to the past fifteen (15) years.</p> <p>While we understand the intent in focusing on recent experience, we believe that the depth of expertise and contributions offered by senior professionals cannot be fully encapsulated within a 15-year scope. Senior team members offer knowledge and skills gained from decades of experience, which can greatly enhance the Project's outcomes and ensure its success.</p> <p>We respectfully request the language be changed to "and duration of employment for the last fifteen (15) years, or more as applicable."</p>	See RFQ Addendum.

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46	N/A	General - CRTPO Priorities	Please indicate how the 15 priority items from CRTPO will contribute to the evaluation process and criteria and include weighting, as appropriate. We kindly request NCDOT also indicate expectations of where each of the priority items should align with the submittal sections.	<p>NCDOT notes that the CRTPO Priority Terms are indicative terms that will be incorporated into the Comprehensive Agreement released with the RFP.</p> <p>They are not specifically evaluated, except to extent referenced in response to RFQ Section 5.3.1(d)(i) (P3 Project Stakeholder Experience and Engagement Narrative).</p>