

Addendum No. 3

May 18, 2016

Roadside Toll Collection System (RTCS) Request for Proposals (RFP) Monroe Expressway and US-74 Express Lanes

Prospective Respondents: You are hereby notified of the following information in regard to the referenced RFP:

- Section A - Official log of Proposers' questions and NCTA's responses
- Section B - Official revisions to the RTCS RFP

All other terms, conditions and requirements of the original RFP dated April 14, 2016 remain unchanged unless modified by this addendum, or previous addenda to this RFP.

A. QUESTIONS AND ANSWERS

Following are the answers to questions submitted in response to the above referenced RFP between Addendum 2 (issued May 6, 2016) and May 17, 2016. All of the questions have been listed in the order received by the North Carolina Turnpike Authority (NCTA).

Proposer Questions		North Carolina Turnpike Authority (NCTA)			
#	Page	Section	Section Description	Proposer Question	NCTA Response
10.	16	IV, H., paragraph 6.	Proposal Section 6: Adherence to the Scope of Work and Requirements, Terms and Conditions and Requirements Conformance Matrix	If a proposer includes an exception to a term and condition of the RFP in its proposal, how does the proposer address the price impact associated with its exception in its price proposal? Can this be accomplished by proposing alternative pricing for the exception?	Please refer to Section I, 2.18 Contractual Obligations. Proposers shall submit pricing on the basis of the terms and conditions in the RFP. NCTA will consider but is not obligated to accept exceptions identified by Proposers in accordance with the instructions in Proposal Section 6. Alternative proposals are not part of this RFP.
11.	6	V, 1.5, paragraph 4d.	Contractor Cooperation, Additional Coordination and Cooperation Requirements	<p>Please clarify if the contractor is responsible only for its subcontractor's work with regard to "damage to Work, to persons or property caused to the other by their Operations" or is contractor responsible for its subcontractors and NCTA's contractors/3rd parties?</p> <p>In the event contractor is responsible for NCTA's contractors, how would the contractor collect damages from a party in which it has no privity of contract?</p>	Contractor is not responsible for the performance of any contractors beyond its own Subcontractors; however, NCTA is not responsible for issues related to failure of contractors to perform or cooperate in relation to each other.
12.	11 26	V, 1.7.1 V, 3.6.1	Description of License Internal/Embedded Software License and Escrow	Please confirm that Software developed during contract performance, and paid for by NCTA as a contract deliverable, remains the contractor's intellectual property while, at the same time, the NCTA is granted the license rights as set forth at Sections 1.7.1 and 3.6.1 of the RFP.	NCTA License rights are as stated in Section V, 1.7 and Section V, 3.6, subject to Section V, 1.11 (Order of Precedence.)

Proposer Questions		North Carolina Turnpike Authority (NCTA)			
#	Page	Section	Section Description	Proposer Question	NCTA Response
13.	27, 28	V, 3.6.3	Patent, Copyright and Trade Secret Protection	Once confirmed that the NCTA is granted the license rights as set forth at Sections 1.7.1, Description of License and 3.6.1, Internal/Embedded Software License and Escrow, of the RFP, please explain what is meant by the last sentence of Section 3.6.3 (2) referencing NCTA's grant of a license to Contractor?	While NCTA shall be granted the rights to licensed software provided by the Contractor under Section V, 1.7 and Section V, 3.6. Section V, 3.6.3, paragraph 2 refers specifically to software and other materials provided by NCTA to the Contractor. The Contractor will have no ownership of these materials provided by NCTA and therefore they will be excluded from any license granted by the Contractor to NCTA. However, NCTA will grant a license for use of these materials as stated in paragraph 3.6.3 (2).
14.	6	I, 2.1	General Information for Proposers, Schedule, Table I-I, Procurement Schedule	Will NCTA revise the Proposal (Technical and Price) Due date from June 24, 2016 (4 p.m. EDT) to July 15, 2016 (4 p.m. EDT) to provide contractors additional time to respond to the RFP?	NCTA has revised the Proposal Due Date to July 8, 2016. Please see details in Section B of this Addendum 3 for specific details on associated changes to the RFP.
15.	N/A	Exhibits	Form D-8 Proposer Questions Form	Would the Authority please kindly provide this Form D-8, Proposer Questions in the MS Word Format?	NCTA will provide the MS Word format of Form D-8, Proposer Questions. Please do not alter the content of the form at all. The form will be "paper clipped" to the RTCS RFP Exhibits file, located on the NCTA website: http://www.ncdot.gov/turnpike/business/

Proposer Questions		North Carolina Turnpike Authority (NCTA)			
#	Page	Section	Section Description	Proposer Question	NCTA Response
16.	N/A	Exhibits	Exhibit D Forms	Would the Authority please kindly provide all the forms within Exhibit D Forms in the interactive native format, such as MS Word and MS Excel, instead of .pdf, in order to enable clear input of data by Proposers?	<p>NCTA will not provide any additional forms in Exhibit D Forms to the Proposers in another format, other than Form D-8, Proposer Questions, as noted in the response to Question 15. Please note that the following forms are already in a fillable format: Exhibit D-2, RS-2 Forms; Exhibit D-6, Requirements Conformance Matrix; Exhibit D-7, Price Proposal; and Exhibit D-9, Non-Collusion Forms.</p> <p>Exhibit D-6, Requirements Conformance Matrix and Exhibit D-7, Price Proposal are in MS Excel format and “paper clipped” to the RTCS RFP Exhibits file.</p> <p>Exhibit D-2, RS-2 Forms and Exhibit D-9, Non-Collusion Forms are in fillable PDF form and “paper clipped” to the RTCS RFP Exhibits file.</p>
17.	N/A	N/A	General	We respectfully request that the Authority extend the bid submission date of June 24 by two weeks.	See response to Question 14.

B. REVISIONS (Deletions are shown in red text strikeout mode and additions are in red text and underlined)

1. Cover Page, Proposal Due Date - Edit as follows:

Proposal Due Date

~~June 24~~ July 8, 2016, 4:00 p.m. EST

2. Replace Table I-I Procurement Schedule within Section I, Administrative, Section 2.1 Schedule on page 6 of 18 (12 of 331 in original RFP PDF file) in its entirety with the following:

Table I-I Procurement Schedule

Event or Due Date	Date
RFP Issued	April 14, 2016
Mandatory Pre-Proposal Scope of Services Meeting	April 28, 2016 (2:00 p.m. to 4:00 p.m. EDT)
Proposer Questions Due	May 24 <u>June 7</u> , 2016 (4:00 p.m. EDT)
NCTA Responses to all Questions Completed	June 7 <u>21</u> , 2016
Proposals (Technical and Price) Due	June 24 <u>July 8</u> , 2016 (4:00 p.m. EDT)
Notification of Proposers Shortlisted for Oral Presentations	July 22 <u>August 5</u> , 2016
Oral Presentations (Proposers to be notified as to the specific schedule within the time period identified)	Week of August 15 <u>29</u> , 2016
Ranking of Proposers for Negotiations	August <u>September</u> 2016
Award of Contract	November 2016
Notice to Proceed	November 2016

3. Exhibit D Forms, Form D-2 List of Subcontractors and RS-2 Form - Edit as follows: (PDFs of all forms are presented below. A fillable PDF of the RS-2 form is “paper clipped” to ~~the RFP File~~ this NCTA RTCS Exhibits file for ease of completion.)
4. Exhibit D Forms, Form D-8 Proposer Questions Form – Add the following: (A Word Version of the form is “paper clipped” to this NCTA RTCS Exhibits file for ease of completion.)