



GOVERNMENT OF PUERTO RICO
PORTS AUTHORITY

PUERTO RICO PORTS AUTHORITY

REQUEST FOR QUALIFICATIONS

**Design-Build Services for
Runway 8-26 Reconstruction at
Rafael Hernandez Airport, Aguadilla, Puerto Rico**

ADDENDUM NO. 4

TO ALL OFFERORS:

This addendum forms part of the reference Request for Qualifications.

A. ANSWERS TO QUESTIONS

1. **Question:** Given the page limitations, using the same reference project to satisfy more than one RFQ requirement (e.g., one reference project applies to both the Design Firm and Design Lead), can the reviewer see the detailed project writeup on its second reference versus repeating the project information in more than one proposal section without jeopardizing compliance or our evaluation points for each section?

Answer: Reference projects may be used to satisfy more than one requirement of the RFQ by referencing them in subsequent sections.

2. **Question:** Can Lower-tier Team Members such as a geotechnical firm or land surveyor participate on more than one Design-Build team during the RFQ process? Similarly, are Lower-tier Team Members allowed to be on more than one shortlisted Design-Build team during the RFP process?

Answer: Any team members except for those that form the Joint Venture entity may participate on more than one team provided each team is made aware of their participation on other teams.

3. **Question:** Section 4.1 – Introductory Letter – Indicates that the joint venture partnership does not need to be formally constituted until such time as a successful Respondent is selected to enter a contract for the Project. This appears to conflict with Attachment C where a requirement for attaching the JV agreement is stated. Please confirm Attachment C refers to the draft JV document.

Answer: Confirmed. Attachment C refers to the proposed joint venture document.

4. **Question:** Section 4.5 Rejection of SOQ: Please explain/clarify item a. Any one of the following causes may be considered sufficient for the disqualification of a Respondent and the rejection of his SOQ:
- a. More than one SOQ for the same work from an individual, firm, or corporation under the same or different names of any of the Team Members.

Answer: This limitation only applies to the Prime Contractor and Prime Engineering firm, both members of the Joint Venture.

5. **Question:** In the Instructions for the Payment Bond and Performance Bond, Item #7 states: "If contractor is a Joint Venture, all members of the Joint Venture should execute the bond." Please confirm that the word "contractor" refers to construction contractors (the Prime Contractor with any other construction contractors in JV) and that the Prime Engineer, even though part of the JV, will not have to sign these documents. Otherwise, this would present a problem to engineering firms as the documents pose "jointly and severally" responsibilities.

Answer: The required Payment and Performance bonds and other insurances shall be provided by the Joint Venture. It is the responsibility of the Joint Venture to verify this with the insurance industry.

6. **Question:** Please confirm that the required insurance can be pooled by the JV members as in a regular prime-sub relationship. In other words, can the Professional Liability Insurance be provided by the Prime Engineer (since it cannot be provided by the construction contractor) and the Builder's Risk be provided by the Prime Contractor (something the engineer cannot provide).

Answer: The required insurance shall be provided by the Joint Venture. It is the responsibility of the Joint Venture to verify this with the insurance industry.

7. **Question:** Will PRPA accept experience from a parent company?

Answer: Yes

8. **Question:** Will the percentage of participation in the joint venture be considered when determining experience points?

Answer: Points will be allocated as per the evaluation methodology set forth in the RFQ.

9. **Question:** Can the PRPA confirm that Prime Contractor and the Prime Engineer that are required to be part of the Joint Venture pursuant to s.4.1 of the RFQ can be the same company provided they meet the other requirements in the SOQ?

Answer: The Prime Contractor and Prime Engineer could be from the same parent company provided each entity meets the requirements of the SOQ and the Prime Engineering Firm meets the requirements to practice engineering in Puerto Rico. It is the Respondent's responsibility to comply with all applicable laws and regulations.

10. **Question:** Can the PRPA confirm that the requirements at section 4.1 of the RFQ that the joint venture includes a "prime engineering design firm, which engineering firm must be represented by an engineer licensed and collegiate to practice engineering in the Commonwealth of Puerto Rico in accordance with Law No. 173..." can be satisfied by a single engineer so qualified employed by the Joint Venture?

Answer: The Prime Engineering Firm that is part of the Joint Venture, must be licensed to practice engineering in the Commonwealth of Puerto Rico. The requirement cannot be satisfied by a single engineer, so qualified, employed by the Joint Venture.

11. **Question:** Can the PRPA confirm which, if any, of the following Key Team Members identified at section 4.2.5 of the RFQ are required to be employees of the Prime Contractor or the Prime Engineer (i.e. which Key Team Members can be employees of the Joint Venture's subcontractors or subconsultants):

- a. Project Engineer
- b. Design Lead
- c. Engineer of Record
- d. Project Scheduler & Cost Control
- e. Airfield Civil Engineer
- f. Airfield Pavement Engineer
- g. Airfield Electrical Engineer

Answer: The Project Engineer, Design Lead and Engineer of Record must be employees of the Prime Contractor or Prime Engineer. The other Key Team Members could be subcontractor's to either the Prime Contractor or Prime Engineering Firm. However, any Key Team Member performing professional engineering or land surveying services must be a subconsultant to the Prime Engineering Firm.

12. **Question:** Will the owner accept a Formalized Line Item Joint Venture to meet the requirements outlined in Section 4.2.5 and Attachment C?

Answer: No. The PRPA wants to examine the full Joint Venture Agreement that the Respondents intend to execute. No models.

13. **Question:** Are the DBE usage certifications required with the SOQ? It would be extremely difficult to list DBE usage by dollar/percentage or by trade before actual design documents are completed due to the estimated/approximated nature of a design-build project.

Answer: Attachment H has been revised as indicated below as part of this Addendum.

14. **Question:** What is the methodology that will be used during the RFP stage? Lowest Responsive Price amongst the successful short-listed teams? Will the Owner consider the differences in the proposed design or proposed schedule between teams? If so, how will the Owner compare the proposals to determine the successful team?

Answer: The requirements and methodology for contract award will be outlined as part of the RFP process.

15. **Question:** How many respondents does the Owner anticipate short-listing for the RFP phase of this project?

Answer: PRPA has not set a limit on the number of Respondents to be short-listed. The highest ranked Respondents will be invited to participate in the RFP process.

16. **Question:** 5. 2.1 General Section – Paragraph 3 states that PRPA and FAA has developed an approved Plan of Finance to support and fund this project. Can this be shared with potential respondents? Can it be shared with short-listed teams? What is the anticipated funding level per year and or payment timeline?

Answer: The details of the Plan of Finance will be outlined in the RFP.

17. **Question:** Does the Owner want or need a builder's risk policy for the entire contract amount? The magnitude of this policy for a \$100M project coverage could be \$100,000 - \$150,000 for just this policy using standard rates. The risk associated with hurricane or other natural disaster is very different on the existing or airfield area near sea level as compared to local roadways built inland or vertical construction. Additionally, flatwork/civil construction does not generally carry a requirement for builder's risk due to the reduced risk factor and the high rates for this type of insurance.

Answer: The anticipated insurance requirements are outlined in the RFQ and will be verified as part of the RFP process.

18. **Question:** Please provide the English translation of the referenced Articles 1375(i) and 1541(f) of the Puerto Rico Civil Code. We assume this is the new code that was signed into law in 2020 but it is not yet available on Westlaw.

Answer: The applicable sections of these Articles are attached and have been posted on the project website.

19. **Question:** Addendum Number 1 states that the “JV draft must include language of existence within ten (10) years after completion of the project in accordance with Articles 1375 (i) and 1541 (f) of the Puerto Rico Civil Code.” What is the intent of this provision? Do you mean to ask the JV to provide a 10-year warranty instead of the standard FAA specified 1 year warranty on FAA funded projects? If so, would you consider a warranty bond in place of an arbitrary date for which the JV must remain in existence?

Answer: Article 1374 (i) of the Puerto Rico 2020 Civil Code establishes a 10-year warranty for construction work that begins at the time the work is turned over to the owner. It is a mandatory warranty. It is intended to hold the Joint Venture liable to the owner for defects due to improper design and/or construction.

20. **Question:** Would you accept E&O insurance typically carried by the Prime Engineering Design Firm that otherwise meets the insurance limits but listing PRPA as additional insureds?

Answer: No, but could, under no obligation to PRPA, consider an E&O policy under which the PRPA is listed as an Additional Named Insured, depending on the terms of the policy under consideration.

21. **Question:** Professional Engineering Requirements: PM – As noted in Section 4.2.5 of the RFQ, the Project Manager “Will have the ultimate responsibility and decision power on the project, and responsible for the overall management of the Project”. Can the PRPA expand on why the Project Manager is required to be a Professional Engineer duly registered in Puerto Rico? We believe that this limits the option of including or considering additional qualified construction professionals who also would be appropriately suited to lead this Design-Build project on behalf of the Respondent over the life of the project.

As it will be the EOR and/or the responsible discipline professional (Airfield Civil, Pavement, and Electrical Engineers) who are responsible for sealing the design documents, we do not believe this is a necessary qualification for the position. We request that the requirement for the Project Manager to be a registered Professional Engineer in Puerto Rico be waived and for this key team member to be evaluated based on experience.

Answer: The Project Manager is not required to be a Professional Engineer, registered in Puerto Rico.

22. **Question:** Professional Engineering Requirements: Design Lead – As noted in Section 4.2.5 of the RFQ, the Design Lead will be “responsible for managing the overall, day to day design process for all disciplines”. Can the PRPA expand on why the Design Lead is required to be a Professional Engineer duly registered in Puerto Rico? We believe that this limits the option of including or considering additional qualified construction professionals who also would be

appropriately suited to lead the day to day operations and design team on behalf of the Respondent. As it will be the EOR and/or the responsible discipline professional (Airfield Civil, Pavement, and Electrical Engineers) who are responsible for sealing the design documents, we do not believe this is a necessary qualification for the position. We request that the requirement for the Design Lead to be a registered Professional Engineer in Puerto Rico be waived and for this key team member to be evaluated based on experience.

Answer: The Design Lead must be a Professional Engineer, duly registered in Puerto Rico, or be able to obtain licensure in Puerto Rico once awarded the contract.

23. **Question:** We would like to verify if subconsultants can be on more than one team. Section 4.3.2d in the RFQ reads: Respondents and any Team Members will not discuss or communicate, directly or indirectly, with any other Respondents or any director, officer, employee, consultant, advisor, agent or representative of any other Respondent, including any Team Member of such other Respondent regarding the preparation, content or representation of their SOQs

Answer: This limitation only applies to the Prime Contractor and Prime Engineering firm, both members of the Joint Venture.

24. **Question:** We want to confirm if the Corporate Questionnaire is required for all team members or just the lead engineer and prime contractor. Section 4.2.5c reads (emphasis added): ...

Describe the corporate or legal structure of the Prime Contractor and Prime Engineer that make up the proposed Joint Venture and complete the corporate structure questionnaire for each Firm and all Team Members in the form set forth in Attachment C...

However, under the table on Attachment C, it states that Respondent must: Submit the above information for each member of the Joint Venture and doesn't mention completing the form for every member.

Answer: The corporate questionnaire is only required for the Prime Contractor and Prime Engineering Firm that make up the Joint Venture.

25. **Question:** Please advise the names and contacts of companies that have shown an interest in submitting qualifications for the BQN Rwy project. We will use the information to contact them and look for opportunities to participate as part of their teams and at the same time help these companies meet the DBE goal for the project.

Answer: Names and contacts for firms that have shown interest in submitting qualifications is attached.

26. **Question:** The Key Team members include the role of "Design Consultants " - can PRPA please clarify if a single resume is anticipated for this role or if multiple are to be included? Also please confirm if this role will only be dealing with tasks associated with NAVAIDs and FAA equipment.

Answer: Design Consultants shall include resumes of any and all individuals the Respondent wishes to show to indicate experience in the areas indicated as well as any other experience the Respondent feels is necessary to complete the project.

27. **Question:** How do team members affirmatively state to the PRPA that the financial statements included in the SOQ are to remain confidential?

Answer: All financial statements provided by Respondents will be treated as confidential information.

28. **Question:** Please confirm that the proposed Joint Venture Agreement document will not count toward the page limit even though it is listed as a required submittal under Section 4.2.5(c).

Answer: Confirmed. The Joint Venture Agreement will not count towards the page limit.

29. **Question:** RFQ Sections 4.2.4 Project Understanding and Special Concerns, 4.2.5 Team Organization, and 4.2.6 Experience and Expertise with Successful Projects of Similar Scope and Complexity all contain requirements related to the team organization, Team Members, Key Team Members, and organization charts. To simplify your review and reduce duplication, is it acceptable for the Respondent to detail its team organization, structure, Team Member firms, and Key Team Members in Section 4.2.5 Team Organization and refer the reviewer back to that section where this information is requested in the other sections? This will eliminate overlap between the Sections and place all the information regarding the team organization, structure, and qualifications of Team Member firms and Key Team Members in one location in Section 4.2.5.

Answer: Yes, this is acceptable

30. **Question:** Please provide the sources of funds, by fiscal year, for this project and the status in securing such funds.

Answer: The details of the Plan of Finance will be outlined in the RFP.

31. **Question:** Given the page limitations, can the Section 4.2.5 Corporate Structure Questionnaires (Attachment C), which are required for all team member firms, as well as the JV Agreement be in an appendix and not count towards the 100-page limit?

Answer: The Corporate Structure Questionnaires will not count towards the page limit.

32. **Question:** Since this is an electronic deliverable, are electronic signatures acceptable in our response?

Answer: Yes

33. **Question:** Our understanding of the RFQ (section 4.2.1) is that the requirement to evidence Respondent's ability to obtain a performance and payment bond in the amount of US\$ 100,000,000.00 from a surety company is applicable to the Joint Venture as a whole and not individually to each member of the Joint Venture. Please confirm if that understanding is correct.

Answer: Correct.

34. **Question:** Our understanding of the RFQ (section 4.2.3) is that the requirement to evidence Respondent's access to liquid assets, unencumbered real assets, lines of credit and other financial means sufficient to meet the construction cash flow requirements for a minimal amount of \$10,000,000.00 refers to the Joint Venture as a whole and not individually to each member of the Joint Venture. Even if that information shall be evidenced through the evaluation of copies of the financial statements of each JV member (since there are no financial statements for the JV itself), it is our understanding that if any of the members of the Joint Venture demonstrates access to the required financial capacity, the Respondent shall "pass" that criteria, even if some other member of the JV would not - by itself - have that financial capacity. Please confirm if that understanding is correct.

Answer: Correct.

35. **Question:** Our understanding of the RFQ (sections 4.1 and 4.2.7) is that the engineering design corporate entity that is part of the Joint Venture and licensed to practice engineering in the Commonwealth of Puerto Rico does not need to be the same engineering design corporate entity providing evidence of the experience and expertise in accordance with Section 4.2.7, as long as both engineering design corporate entities are part of the Joint Venture. Please confirm if that understanding is correct.

Answer: The experience listed for all members of the Joint Venture and Design-Build Team will be considered when evaluating the required experience and expertise.

36. **Question:** Addendum No 1 clarified that the Lead Engineering / Design Firm has to be part of the Joint Venture for design-build services on this project. This is not commonly done. Will the Authority reconsider allowing the Lead Designer to be a Subcontractor to the Design-build Firm?



Answer: At a minimum, the Joint Venture must be made up of a Prime Contractor and a Prime Engineering Firm. The Lead Designer could be a subconsultant to the Prime Engineering Firm, provided the Prime Engineering Firm and the Subconsultant are duly licensed to practice engineering in Puerto Rico.

37. **Question:** Section 4.2.7 of the RFQ under subsection (c) states that the three (3) projects listed for the Design Lead address items included in Appendix D. This Appendix is more appropriate for project experience related to the firm as oppose of the individual. How would you resolve the fact that one of the projects for the Design Lead may have been with other firms. Seems like the firm's role in this case may not be relevant to your evaluation.

Answer: The information requested in Appendix D is applicable to individuals. Experience of an individual with other firms can be included and noted as experience with other firms.

38. **Question:** There is a statement that the Professional Engineer shall be the single point of contact in charge of the project. As it is expected that the Contractor will be the prime on the agreement, and he/she may or may not be an engineer, is this requirement still stand that the overall Project Manager must be a professional Engineer? Alternately, if the answer is no to part one, than one can readily discern from the RFP that the Engineer in Charge shall be a Professional Engineer registered in Puerto Rico.

Answer: The Project Manager is not required to be a Professional Engineer, registered in Puerto Rico and can be the point of contact in charge of the project.

39. **Question:** Is there a bid bond actually required with the Phase I submittal?

Answer: No. The Bid Bond will be required as part of the RFP.

40. **Question:** Is there a requirement in the Phase I submittal to show the capability for meeting the bonding capability (prior to the formal JV formation), or will that actually apply in the Phase II element with the hard bids?

Answer: The Respondent is required to show evidence of capability to obtain the required bonding as part of this RFQ.

41. **Question:** Will the PRPA be considering multiple bid packages for the work such as demolition, site preparation, paving and lighting?

Answer: The need for multiple bid packages will be the responsibility of the successful Respondent.

42. **Question:** Attachment H is required to be submitted as part of this RFQ. Our team is committed to meeting the 10% minimum DBE goal. However, it is not possible to identify, commit and calculate the total amount of work to be contracted to DBE firms at this time. We must first develop a preliminary design and complete a full estimate of the entire project. Only then can we solicit the work packages and pricing from DBE firms to calculate their participation percentage. Please consider revising the SOQ requirements to include a commitment statement, while making the completion of the DBE Utilization Form a part of the proposal after shortlisting.

Answer: The information to be provided on Attachment H has been revised as shown in below in this Addendum.

43. **Question:** Please indicate if the design firm has to demonstrate the ability to provide the bonds (4.2.1), insurance requirements (attachment F) and financial capacity (4.2.3).

Answer: The required Payment and Performance bonds and other insurances shall be provided by the Joint Venture. It is the responsibility of the Joint Venture to verify this with the insurance industry.

44. **Question:** With respect to the Respondent's Design Experience, please clarify if the Design Firm that is part of the Respondent JV may provide evidence of experience through the experience of a parent company of the Design Firm.

Answer: The experience of a parent company can be provided as evidence of experience of the Design Firm.

45. **Question:** With respect to the Respondent's Financial Capacity, please clarify if the Design Firm that is part of the Respondent JV may provide evidence of financial capacity through the financial statements of a parent company of the Design Firm.

Answer: The financial statements of a parent company may be provided as evidence of financial capacity.

46. **Question:** Can you please confirm that only two (2) addendums have been published on this RFQ to date? Are you expecting to issue other addendums prior to the current response deadline of July 19? If yes, is it possible to share the expected publication date of the next addendum?

Answer: Three addenda have been published to date not including this Addendum No. 4. At least one additional addendum will be published after the last day for questions has passed.

47. **Question:** We have not received answers to RFCs sent 12 days ago. The answers to these RFIs will imply some potential major changes in our

submission and we would therefore appreciate your consideration for an extension of 7 days to submit additional questions from the date we receive your answer.

Answer: Addendum No. 3 extended the date for questions. Most other questions have been answered as part of this addendum.

48. **Question:** Assuming an answer in a short period to our past RFCs, will you consider extending the deadline for the SOQ submission (26th July, 2021 instead of 19th July, 2021).

Answer: Addendum No. 3 extended the deadline for SOQ Submission.

49. **Question:** Can you please clarify how the RFQ evaluation carries out into the selection of the proponent at the RFQ stage? Is there a maximum number of proponents that can be selected to participate in the Request for Proposal stage?

Answer: PRPA has not set a limit on the number of Respondents to be short-listed. The highest ranked Respondents will be invited to participate in the RFP process.

50. **Question:** Item 4.2.6 indicates a minimum of four project references must be provided, nonetheless item 4.2.8 relating to the construction experience of the respondent indicates three, please confirm if three is the minimum number of projects to be presented in this section, also for section 4.2.8, if there is joint venture with two or more construction companies, must the joint venture present 3 relevant projects for each construction company.

Answer: Section 4.2.6 refers to the Respondent's design-build experience and requires a minimum of four (4) references. Section 4.2.8 refers to the Respondent's specific construction experience which may not be design-build projects and requires a minimum of three (3) projects.

51. **Question:** Please confirm if the design firm must demonstrate the construction cash flow requirement of a minimal amount of \$10,000,000.

Answer: The Joint Venture must demonstrate the cash flow requirement which can be based on the financial statements of the Joint Venture partners and/or parent companies of the Joint Venture partners as a whole.

52. **Question:** If the JV is comprised by 2 or more construction companies, please indicate if the demonstration of construction cash flow of \$10,000,000 shall be provided by each company separately taking into consideration their JV participation percentages or as the JV as a whole.

Answer: The Joint Venture must demonstrate the cash flow requirement which can be based on the financial statements of the Joint Venture partners and parent companies of the Joint Venture partners as a whole.

53. **Question:** We respectfully request a time extension for the SOQ Submittal to August 2 2021.

Answer: Addendum No. 3 extended the deadline for SOQ Submission.

54. **Question:** In section 4.2.5 requires "Design Lead – Responsible for managing the overall, day to day design process for all disciplines. Designer must be a Professional Engineer duly registered in Puerto Rico to perform those services" and in section 4.2.7. "For Design Lead, describe three (3) projects within the past fifteen (15) years in Airfield PCC pavement slip form placement..."

Due to the lack of engineers with this specific experience in Puerto Rico. In order to achieve the best possible participation, we kindly ask that this Professional Engineer doesn't need to be duly registered in Puerto Rico but will work under a registered Professional Engineer in Puerto Rico.

Answer: The Design Lead must be a Professional Engineer, duly registered in Puerto Rico, or be able to obtain licensure in Puerto Rico once awarded the contract.

55. **Question:** Can a design firm that is properly licensed in Puerto Rico to offer A/E services, jointly prepare the requested design for the new runway with the support (under a subcontract) of other runway-design SMEs—who would bring an experience that is not readily available in Puerto Rico?

Answer: Yes, provided the prime design firm is part of the Joint Venture.

Question: If yes to #57 above, and if the properly licensed A/E firm acts as the Engineer-of-Record, can the SMEs not be licensed A/Es in Puerto Rico?

Answer: This scenario may be acceptable provided it meets the requirements for practicing engineering in Puerto Rico.

56. **Question:** We respectfully request a deadline submission extension to 2nd August 2021.

Answer: Addendum No. 3 extended the deadline for SOQ Submission.

57. **Question:** It can be read that "The Qualifications Statements and Responses are to be limited to maximum of one e-mail with the total file size of 20 MB. "

We respectfully request that you remove this instruction regarding the maximum size of 20 MB due to the fact that some of our Corporate documents such as

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Financial Statements, Projects Evidence and others are very heavy documents therefore it is going to be extremely challenging to fit all the PQ in 20 MB. Another possibility could be to accept the documentation could be send by a link like wetransfer, sharepoint or any other methology.

58. **Answer:** File size may exceed 20 MB provided the Respondent provides a link to an appropriate file transfer site. The Respondent must submit an email with the introductory letter containing the link to the information prior to the submission deadline.

59. **Question:** In these said sections and related to our Project Experience it can be read "*Demonstrate successful completion* ". In order to "*Demonstrate successful completion*" we include Completion Certificates signed by Clients and these documents are in some cases long and heavy therefore we respectfully request that these documents are not included in the page count of 100 pages.

Answer: Certificates of successful completion will not be counted towards the 100-page count.

60. **Question:** It is stated "The highest ranked Respondent's will be invited to participate in interviews ". We understnad that these interviews will be conducted in either any of the 2 official languages of Puerto Rico (English or Spanish). Please confirm.

Answer: Interviews will be conducted in English.

61. **Question:** Regarding the Key Team Members it is our understanding that they can be person/persons that are fluent speaking in any of the 2 official languages of Puerto Rico (English or Spanish). Please confirm.

Answer: Key Team Member may be fluent if either English or Spanish. However, the overall project manager must be able to speak English.

62. **Question:** It is stated that "*Design firms must be duly registered in Puerto Rico to perform those services* ".
- It is our understanding that the "Prime Engineer" is considered to be a "Design Firm" and that the "Prime Contractor" is not considered to be a "Design Firm". Is this correct?
- Additionally if the "Prime Engineer" is formed by more than one Design Firm can you please confirm whether it is sufficient if just one of the Design Firms is duly registered in Puerto Rico? Please confirm.

Answer: The Prime Contractor is not considered to be a "Design Firm". Any Design Firm performing engineering services and signing and sealing project documents must be duly registered in Puerto Rico to perform those services. It is the responsibility of the Respondent to ensure compliance with Puerto Rico engineering laws.

63. **Question:** Regardless of the Legal Entity that will be the Construction Firm submitting this PQ, can you please confirm if the Financial and Experience can be met either by a Parent, Affiliate, Subsidiary and/or Sister Company?

Answer: The experience and financial capacity can be met by a parent company, Affiliate, Subsidiary and/or "Sister" company.

64. **Question:** Can you be so kind as to let us know in advance which kinds of registers, licenses and/or permits we will have to obtain for the RFP phase in case we are shortlisted?

Answer: The project website (www.bqnr runway.com) contains links to assist you with the requirements for doing business in Puerto Rico. It is the responsibility of the Respondent to determine the requirements to legally provide the services requested in this RFQ.

65. **Question:** Regardless of the Legal Entity that will be the Construction Firm submitting this PQ, can you please confirm which Registration criteria will be required in the RFP (i.e. RUL), and if these Registration criteria can be met either by a Parent, Affiliate, Subsidiary and/or Sister Company?

Answer: Registration cannot be met by a parent, affiliate, subsidiary and/or "Sister" company for all aspects of this project. It is the responsibility of the Respondent to determine the requirements to legally provide the services requested in this RFQ.

66. **Question:** The RFQ, defines the Design Lead as the entity or person "...responsible for managing the overall day to day design process for all disciplines. Designer must be a Professional Engineer duly registered in PR to perform those services." Subsequently, in Sec. 4.2.7 [Design Experience], Subsection (c), the RFQ requires the Design Lead to "...describe three (3) projects within the past 15 years in Airfield PCC pavement slip form placement..."

Can a Puerto Rico-registered design firm "manage the overall day to day design process" of a design made by a qualified and experienced (subject-matter expert) runway-designer whose design will then be validated by an Engineer-of-Record duly-registered in Puerto Rico to assure compliance with all applicable federal and local building codes?

Answer: The experience of the proposed Key Members for each required position will be evaluated as indicated in the SOQ. It is the responsibility of the Respondent to determine the requirements to legally provide the services requested in this RFQ.

67. **Question:** In Addendum no1, it is stated "The 100 - page count only apply to the main body of the form in response to the information requested in Sections 4.2.4 - 4.2.9". We kindly ask to confirm that attachments to these sections, as commercial brochures or client final completion certifications signed by the clients of our past projects, won't count as main body pages.

Answer: The attachments required will not count towards the 100-page limit.

68. **Question:** We could kindly ask, will be possible submit part of the documentation in Spanish language? And we will like to specially focus in certification, financial statements or any other official documents in Spanish that will need to be translated, increasing the number of pages and the complexity of the RFQ.

Answer: All information shall be submitted in English.

69. **Question:** Which registration criteria is required in the RFQ? Does a foreign company need to obtain a D-U- N-S Number and a Federal Tax Identification Number to participate in RFQ and complete ATTACHMENT C - CORPORATE STRUCTURE QUESTIONNAIRE or can use the equivalent numbers in their own countries?

Answer: Respondents will need to be licensed in Puerto Rico and the United States as required to provide the requested services. Information regarding requirements for doing business in Puerto Rico can be found on the project website at www.BQNRUNWAY.com.

70. **Question:** We hereby request a 30-day extension of the delivery date of the Requests for Qualification Declarations of the process "Design-Build Services for Runway 8-26 Reconstruction at Rafael Hernandez Airport, Aguadilla, Puerto Rico".

Answer: Addendum No. 3 extended the deadline for SOQ Submission.

B. JOINT VENTURE RESPONSIBILITIES. The PRPA is reviewing specific requirements and responsibilities related to the Joint Venture partners. These responsibilities will be outlined in more detail in a subsequent addendum.

C. ATTACHMENT H – Certification For DBE Annual State Goal has been revised as follows:

ATTACHMENT H - CERTIFICATION FOR DBE ANNUAL STATE GOAL

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of the PRPA to practice nondiscrimination based on race, color, sex or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders, including those who qualify as a Disadvantaged Business Enterprise (DBE).

The PRPA has established a DBE contract goal for this contract. The Bidder/Respondent will be required to make good faith efforts, as defined in Appendix A, 49 CFR Part 26, to subcontract 10% of the dollar value of the prime contract to certified DBE firms as defined in 49 CFR Part 26.

All bidders shall submit the following information with their proposal on the forms provided:

1. The names and addresses of DBE firms that will participate in the contract;
2. A description of the work that each DBE firm will perform;
3. Written documentation of the Bidder/Respondent's commitment to meet the contract goal;
4. Written confirmation from the participating DBE firms verifying their intent to participate in the project (i.e. Letter of Intent)

Note: Per Federal Regulation 49 CFR Part 26.53.b.3, sponsors have the discretion to require the bidder to submit the DBE confirmation as a matter of bid responsiveness or any time prior to commitment to performance of the work (contract award). A detailed description of the percentage of work to be performed by each DBE firm and the total DBE commitment will be required as part of the RFP during the next phase of the project solicitation.



DBE UTILIZATION FORM

The undersigned Bidder/Respondent has satisfied the requirements of the solicitation in the following manner (please check the appropriate space):

- The Bidder/Offer is committed to a minimum of 10% DBE utilization on this contract.

DBE PARTICIPATION SCHEDULE

The Bidder/Respondent shall complete the following information for all DBE's participating in the contract that comprises the proposed DBE Utilization for this project. The Bidder/Respondent shall also furnish the name and telephone number of the appropriate contact person should the Authority have any questions in relation to the information furnished herein. A detailed description of the percentage of work to be performed by each DBE firm and the total DBE commitment will be required as part of the RFP during the next phase of the project solicitation.

DBE IDENTIFICATION AND INFORMATION FORM

Name and Address	Contract Name and Telephone Number	Description of Work To Be Performed	Race and Gender of Firm

END OF ADDENDUM NO. 4

July 13, 2021
San Juan, Puerto Rico

Por: Romel Pedraza

Romel Pedraza
Assistant Executive Director for
Planning, Engineering and Construction