

Questions Submitted Regarding the Park and Ride at Apple Patch RFQ
Updated 1/30/12

1. **Q:** The RFQ for the park and Ride at Apple Patch asked that firms be KYTC prequalified in the area of Construction Engineering Services. We have two questions regarding this requirement. First "Construction Engineering Services" appears to be a heading or grouping, not a prequalification. And second, since this is a relatively simple design project, would Rural Roadway Design be more appropriate?

A: Pending response from KYTC

KYTC response:

Per the Division of Professional Services, firms should be prequalified in both:

Rural Roadway Design
Construction Engineering

Here is a link to our Prequalification listings.

<http://transportation.ky.gov/Professional-Services/Pages/Prequalified-Firms.aspx>

The [Construction Engineering Services](#) will have a category or construction engineering. This is the category we require when needing Construction Inspectors.

The [Roadway Design](#) has a category for Rural Roadway Design. This is the category we require for most of our projects.

If you would like to see a further definition of these prequalification area, our [Prequalification Criteria and Instructions](#) document contains the criteria and requirements for each area.

2. **Q:** Does the consultant need to be prequalified with KYTC for right-of-way acquisition on this project?

A: You would have to use a prequalified appraiser for any appraisals.

3. **Q:** Are the bike lockers inside a room or exposed to the outside?

A: Exposed to the outside.

4. **Q:** Will there be any MBW, WBE or DBE requirements for the design phase of the project?

A: No

5. **Q:** Have environmental assessment requirements for this CMAQ project been completed?

A: The project has received a Categorical Exclusion for Minor Projects. Please see the document, Categorical Exclusion for Minor Projects: Park and Ride at Apple Patch.

6. **Q:** When was original grant funding applied for?
A: Application for the CMAQ funds was submitted on February 6, 2009.
7. **Q:** Has a concept plan been prepared for this site?
A: Please see the document, Concept Plan for the Park and Ride at Apple Patch.
8. **Q:** The advertisement indicates by submitting an SOQ, the consultant acknowledges and agrees to be bound by the terms and conditions of the solicitation. Is the SOQ advertisement required to be included with the response submittal as it will become the basis of the contract upon award?
A: Pending response from KYTC.
KYTC response:
From our attorney-“The answer is that if the RFQ expressly states that the advertisement has to be included in the response then it does. If the RFQ doesn’t expressly state that then there is no reason for them to include it. The advertisement stating that by submitting the SOQ that the submitter is agreeing to terms and conditions of the advertisement is binding regardless of whether a copy of the advertisement is submitted with the response”.
9. **Q:** Under heading *I. Hold Harmless and Indemnification Clause* of Section III, the words “therefrom, or” (line 7) create some insurability concerns since the Consultant’s responsibility is expanded beyond their negligent acts. If these two words cannot be removed when signing the contract with Oldham County, we likely will not be able to pursue this RFQ due to the insurability concerns they create. Please address this concern.
A: Pending response from KYTC.
KYTC response:
From our attorney-“They should not change it. I think that perhaps they misread it. This paragraph states that the contractor is indemnifying the County from damages caused by the contractor’s acts, not other people’s acts.”
10. **Q:** The one page notice indicates the SOQ is limited to 15 pages and you need 8 copies. I could not find this information anywhere in the full RFQ. What are the response requirements? I am inquiring about the number of pages in the RFP submittal. Will the two pages of standard forms and the W-9 (total of 3 sheets) be counted as part of the 15 sheet maximum sheet count? Other similar submittals have not required these forms be counted as a portion of the 15 sheet maximum.
A: Pending response from KYTC.
KYTC response:
It is up to the project sponsor to decide how many pages the SOQ will be limited to as they are preparing the RFQ. That being said, if the RFQ states the SOQ can only be 15

pages, the project sponsor will not be able to consider any submissions by consultants whose SOQs were longer than 15 pages.

Please see the addendum: The 15 page maximum sheet count will **not** include the 3 pages of required forms.

11. **Q:** Can I visit the project site?

A: Yes, please notify Joe Spoelker with Apple Patch at jspoelker@applepatch.org prior to visiting so that staff will be aware that you plan to enter the property. Staff will **not** be available on site to answer questions.

12. **Q:** Will the shelter or pavilion have full utilities?

A: The design of the shelter will be determined during the engineering phase; however, it is not currently envisioned to have water/sewers.

13. **Q:** Is building the road shown on the conceptual plan part of the project? Will obtaining permits be part of the project?

A: Yes, the road is part of the project. Obtaining required permits will also be part of the project.

14. Please see the note below from Joe Spoelker of Apple Patch.

Good morning,

Please advise potential responders to the ad that on occasion the Louisville Water Co. drains the large tank located right behind the park and ride property. There is a large pipe at the bottom of the tank and provisions should be made in the design to channel this water under the pavers and road. This has only happened once in the last 8 years but water ran down the hill for 3 days.

Thanks

Joe Spoelker

Director of Development and Marketing