



ADDENDUM 1

RFQ AP 64-19

Aviation Engineering Construction Phase Services to Expand the West Apron at the Destin-Fort Walton Beach Airport (VPS)

Date of Issue: June 10, 2019

Bid Submittal Deadline: The Bid Date and submission time HAVE NOT CHANGED.

This addendum addresses questions asked by potential proposers.

1. As people periodically change companies, it is assumed the firm's experience in addressing projects is an important factor in evaluating qualifications. The RFQ requires a firm's Statement of Qualifications to include *Section b. Organizational Chart and Description of Key Personnel* which requires each key personnel's "past experience with airport projects." To clarify the intent of the RFQ, should the response to *Section d. Past Performance on Commercial Apron Expansion or Reconstruction Projects* reflect past project experience by the firm (versus the past project experience of key personnel) so as not to duplicate the information requested in Section b?
 - A. **The personnel and execution strategy that the firm plans to employ on this specific project is considered more important than generic project performance by the firm as a whole. Section d. is differentiated specifically by apron project experience versus airport projects in general.**
2. For Section e. *References*, does the requirement for three references for "airfield pavement projects" require references for work performed by the prime's firm and its key individuals, or for work performed only by select individuals?
 - A. **Either is fine but if comments include performance by the specific proposed individuals then that is preferred.**
3. The Selection Criteria section specifies a maximum of 25 points possible for "Firm's resource capability for required services (ability to execute immediately) and proven history of on-time contract and construction execution" and includes the following note: "**Note:** Proposal should clearly describe the location of supporting personnel and ability to respond to project concerns immediately." If a firm omits the location of their key and supporting personnel located outside of the Northwest Florida region, how will this affect their scoring under this evaluation criteria?
 - A. **To be interpreted by each member on the scoring committee. The note is intended to identify how timely response will be provided for individuals that may not be working out of a local office or relocated for the project duration.**
4. The Florida DOT generally recognizes that a design firm performing construction engineering and inspection services on a project designed by that firm introduces a potential conflict of interest based on the "potential of hindrance of any objective decision making" as shown in

Question 7 on the FDOT's Consultant Conflict of Interest Questions & Answers at <https://www.fdot.gov/construction/ConflictOfInterest/ConsultantConflictAnswers.shtm>:

“Question 7: Can a consultant firm, or its affiliate, that is the Engineer of Record (EOR) on a project be considered eligible to compete as a prime consultant for CEI services on that same project?

Guidance: No. A consultant firm, or its affiliate, that is the Engineer of Record (EOR) on a project shall not be considered eligible to compete as a prime consultant for CEI services on that same project.

A consultant firm, or its affiliate, that is the EOR on a project may only be considered eligible to compete as a subconsultant for CEI services upon approval of the District Secretary.

A consultant firm, or its affiliate, that was a subconsultant to the EOR on a project may only be considered as a prime for CEI services on the same project, with the approval of the District Secretary.

A consultant firm, or its affiliate, that was a subconsultant to the EOR on a project may only be considered as subconsultant for CEI services with the approval of the District Secretary.

The District Secretary's approval shall be based on the extent of the firm's involvement in the design of the project or CEI services, as the case may be, and the potential of hindrance of any objective decision making.”

Both houses of the State of Florida Legislature have unanimously passed House Bill 827 (House vote 111-0; Senate vote 37-0 in favor;

<http://www.flsenate.gov/Session/Bill/2019/827/?Tab=VoteHistory>). The bill is scheduled to become law October 1, 2019 and modifies Subsection (7) of Section 337.14, Florida Statutes to include the following qualification

(<http://www.flsenate.gov/Session/Bill/2019/827/BillText/er/PDF>):

“Notwithstanding any other provision of law to the contrary, for a project that is wholly or partially funded by the department [FDOT] and administered by a local governmental entity, the design services and construction engineering and inspection services may not be performed by the same entity.”

Considering the inherent and state-recognized potential conflict of interest of a design firm overseeing the construction engineering and inspection of a significant project they designed, is the design firm serving as the Engineer of Record for the VPS West Apron Expansion project eligible to prime the construction phase and inspection services (per RFQ AP 64-19) on this state-funded project.

- A. The aviation industry (Airports, FAA and FDOT Aviation & Spaceports Office) historically has drafted, reviewed, approved and funded design through construction phase services which are and have been in the same RFQ. In fact, it is encouraged in the aviation industry. Airport projects by nature tend to be much more complex than roadway projects. Further, please reference the FAA circular regarding A/E procurement (link below). Specifically see [Appendix C, Example 1](#) where the AE is contracted for design and construction phase services.

https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_150_5100-14E_with_chg_1.pdf