



**REQUEST FOR QUALIFICATIONS (RFQ) No. 23-05
TOWN OF CUTLER BAY
MARLIN ROAD COMPLETE STREETS CAPACITY IMPROVEMENT PROJECT**

**TOWN RESPONSES TO QUESTIONS
RECEIVED PRIOR TO THE MAY 30, 2023 AT 1:00 PM DEADLINE**

Question No. 1: The Evaluation Criteria on Page 17 (Section 3.2) does not align with the submittal package preparation instructions in Section 3.1. Item 1 of the Evaluation Criteria states: “*Approach to Handling of Potential Projects & Timeliness - Indicate Firms understanding of the Town’s needs and projects proposed*” however, there is no section for this information in the instructions for the contents of the 20 pages in Section 3.1. Please advise where this information is to be presented.

Answer: The Evaluation Criteria in Section 3.2 does not have to align with the submittal package preparation instructions in Section 3.1. It is up to each firm to interpret the criteria and incorporate it within your Submittal.

Question No. 2: Does the 1/1/2022 date for the projects in *Section 6: Current and Recently Completed Projects* on page 16 of the RFQ, apply to the project’s start date, end date, or both?

Answer: It refers to current projects still ongoing as of 1/1/2022 and completed projects after 1/1/2022.

Question No. 3: The indemnification language found in Section XXIII – Insurance and Indemnification (a) on page 31 contains two different indemnification clauses. Will you agree to remove the first paragraph of this section and use the indemnification language in the third paragraph, so the language reads as follows and complies with Florida Statute 725.08? This revised language would be consistent with previous contracts we have signed with the City.

The consultant Consultant shall indemnify and hold harmless the Town of Cutler Bay, FDOT, its officers and employees, from liabilities, damages, losses and costs, including, but not limited to, reasonable attorneys' fees, to the extent caused by the negligence, recklessness or intentional wrongful conduct of the Consultant and persons employed or utilized by the Consultant in the performance of the Agreement.



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The foregoing indemnification shall not constitute a waiver of the Department’s or the Town of Cutler Bay sovereign immunity beyond the limits set forth in Florida Statutes, Section 768.28. Nor shall the same be construed to constitute agreement by the Consultant to indemnify the Town of Cutler Bay for the negligent acts or omissions of the Town of Cutler Bay, its officers, agents, or employees, or third parties. Nor shall the same be construed to constitute agreement by the Consultant to indemnify the Department for the negligent acts or omissions of the Department, its officers, agents, or employees, or third parties. This indemnification shall survive the termination of this Agreement.”

Answer: No.

Question No. 4: Can you please confirm what the budget for this contract is?

Answer: The budget is to be negotiated with the Consultant that is awarded the RFQ. The funding sources for the design of this Project are the following:

- State Funded Appropriations Grant for \$520,000 with a \$95,000 Town Match.
 - Transportation Alternatives Program (TAP) Grant for \$430,000.
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Question No. 5: Can we submit as a prime and also as a subconsultant on another team?

Answer: No, if you decide to submit as a Prime Consultant, you cannot submit as a subconsultant for another Prime Consultant. However, a subconsultant may team up with multiple Prime Consultant teams in the submittal package. Only one Prime Consultant will be selected.

Question No. 6: What is the estimated start date for this project?

Answer: Please refer to Page 4 of 55 Footnote.



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Question No. 7: Can the FDOT prequalification for 6.1 be satisfied by a subconsultant since it is stated the traffic study may not be required, “The scope of work will include traffic study as necessary” on page 3 of 55?

Answer: No.

Question No. 8: Do covers and tabs count towards the page limit?

Answer: You may use a simple cover to identify the project. You can use blank or clear tab dividers. These do not count towards the 20-page limit.

Question No. 9: It seems the text in the RFQ would state that only subconsultants prequalified in 8.1, 8.2, 9.1, 9.2, 9.3 and 15 are allowed on a team. Based on the review of prequalification requirements listed in the first paragraph of section 2.5 of the RFQ, please confirm whether subconsultants prequalified in 3.1, 3.2, 3.3, 6.1, 7.1, 7.2, & 7.3 can be added to a team to further support the Prime Consultant.

Answer: No.

Question No. 10: Can a subconsultant participate on more than one team?

Answer: Yes.
