



# CITY OF HOUSTON

**Sylvester Turner**

Mayor



HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

Mario C. Diaz  
Director of Aviation

December 2, 2021

**SUBJECT: Letter of Clarification No. 2**

**REFERENCE:** Request for Qualification (RFQ) for H27-SKYWAY-2022-005 for the Design-Build-Operate-Maintain the Skyway APM System Replacement at George Bush Intercontinental Airport/Houston (IAH)

**To:** All Prospective Respondents

This Clarification is issued to respond to the following questions:

1. **Question:** Will the City consider adjusting the bid submission date to be more in line with industry best practices (at least 60-90 days between RFP and Bid Submission), to allow respondents the necessary time to prepare comprehensive responses to this important procurement?

**Response:** Please refer to Letter of Clarification (LOC) No. 1 issued November 4, 2021.

2. **Question:** Will the City afford shortlisted bidders the opportunity to seek clarification of the RFP, and will the City afford itself the opportunity to provide clarifications to proposer inquiries prior to the submission of Technical and Price proposals?

**Response:** Yes.

3. **Question:** Is a draft version of the RFP available now or will it be prior to the release of the Shortlist?

**Response:** It will be available prior to the release of the shortlisted firms.

4. **Question:** It was indicated during the City's industry forum on August 5, 2021, that the City had engaged an independent civil design firm to conduct a condition assessment of the existing guideway superstructure, and that the report would be released with the RFQ documents. Will the City release applicable condition assessment reports to bidders prior to the SOQ submission date?

**Response:** Please refer to the response provided in Question #1.

5. **Question:** Will the City remain responsible for guaranteeing the condition of the existing superstructure?

**Response:** The Contractor will be responsible for guaranteeing the new fixed facilities work performed by the Contractor for 30 years and all other existing Skyway Fixed Facilities, including the existing superstructure, for 10 years after substantial completion. Details will be included in the Work Breakdown Structure (WBS) as part of the RFP Documents.

6. **Question:** It was indicated during the City's industry forum on August 5, 2021 that the new OS would need to fit within the existing Fixed Facilities, but the RFQ describes contractor responsibilities to include modifying existing Fixed Facilities and constructing new Fixed Facilities. Other than the required expansion of the MSF to accommodate the relocated Central Control Facility and the construction of the new guideway enclosure as Terminal D/E Station, what modifications to existing Fixed Facilities or new Fixed Facilities will be permitted?

**Response:** Modifications to the existing fixed facilities, in addition to what is required per the RFP, should be restricted to modifications required to accommodate the replacement system.

7. **Question:** Will the City release the Reference Drawings (Attachment B)?

**Response:** Please refer to the response provided in Question #1.

8. **Question:** What will be the Federal Transit Administration's role in this project?

**Response:** None at this time.

9. **Question:** What type of Federal Grant from the Department of Commerce is being considered, and what project scope items are affected?

**Response:** None at this time.

10. **Question:** To support the description of the Respondents experience capability, and capacity to finance the project, if the City elects to include a financing agreement, will the City provide a summary of the its existing budget allocations to allow analysis of the City's need for of financing.

**Response:** More details will be provided in the RFP Phase.

11. **Question:** Section 2.1 of the RFQ states that "The Work includes 1) all work necessary to demolish, retrofit and refurbish existing APM facilities, Stations Guideway, Maintenance and Storage Facility, Central Control (CC) and Power Distribution Facilities...". Can you please confirm that it is NOT the City's intention demolish any of the Fixed Facilities (defined in section 1.3.4 as, "Generally, the fixed System structures that represent permanent improvements to the Work Site, including guideway structure(s), tunnels, stations, equipment rooms, M&SF, propulsion power substations, Central Control Room, and administrative offices related to the System").

**Response:** The City requires/allows for the demolition and reconstruction of any Fixed Facilities to the extent that it is required to accommodate the Contractor's proposed technology and in accordance with the Contract requirements.

12. **Question:** Section 5.2.2.2 states, "The Operations and Maintenance initial term is for a ten-year extension and a second option for a 5-year extension." Can you confirm that this description should read, "The Operation and Maintenance initial term is for a ten-year base term with a first option for a ten-year extension and a second option for a 5-year extension."

**Response:** Correct. The initial O&M term is 10 years, then a 10-year option and then a second 5-year option.

13. **Question:** Section 15.4.3 states, "M/WBE Participation Plan (Exhibit O, Attachment A) are due at the time of statement of qualification submission." The completion of Exhibit O requires the Respondent to provide the "Agreed Price" for each M/WBE Subcontractor as well as the M/WBE "Participation Amount"/Percentage and "Total Bid Amount." At the qualification stage, without the specification and full set of terms and conditions, the details required in Exhibit O are impossible to discern. Can the City

confirm that the names, certification numbers and general scope of work for each M/WBE subcontractor are sufficient to complete Exhibit O at the qualification stage?

**Response:** The City confirms that the names, certification numbers, and general scope of work for each M/WBE subcontractor are sufficient to complete Exhibit O at the qualification stage.

14. **Question:** Section 16.6.3 indicates that Exhibit Q (Contract Exception Chart) will be part of the qualification process. Specifically, the section states, "such exceptions will be considered when evaluating the short-listed Respondent's response to this RFQ." Exhibit Q states, "the Contract Exception Chart MUST be included in the RFQ response or the RFQ will not be considered." Conversely, Section 16.6.3 also states the Contract Exception Chart will be due at the time of the Respondent's interview. Can the City confirm when the Contract Exception Chart must be submitted?

**Response:** The Contract Exception Chart shall be included in the submission of the technical proposal by the short-listed firms.

15. **Question:** Please provide an updated copy of Exhibit P, as the formatting of the RFQ has caused portions of the exhibit to not be visible.

**Response:** See attached Exhibit P.

16. **Question:** Currently, the wording at part I.2.1 states word "demolish", however Attachment A does not state "demolish". Clarification is requested that HAS intent to make contractor demolish the existing system and request to put new guidance system, power system, train control system, and emergency egress. also, if HAS intent to do so, it is requested that above mention 2 section be uniform.

**Response:** Attachment A - Scope of Services, Notice to Proceed 1 (NTP1), 1<sup>st</sup> bullet states: "the removal/demolition and disposal, and/or the removal/salvage and placement into storage for City use (to be coordinated with the City's Representative and the existing operations and maintenance supplier) of the existing system equipment and facilities as defined in the Contract Documents, including any existing equipment that the Contractor elects not to reuse;"

17. **Question:** Will HAS accept the idea of not demolishing the existing system related components, such as guidance system, should contractor provide the adequate reasoning behind it?

**Response:** No.

18. **Question:** Does the DBOM has to be a single contract? Or can it be provided separately. For example, experience of Design on project 1, experience of Build on project 2, O&M on project 3.

**Response:** Yes, this procurement shall be a single contract.

19. **Question:** Can Introduction Letter and Letter of Transmittal be combined? Please clarify what content should be on each letter mentioned above.

**Response:** Yes.

20. **Question:** There is presently only a 2-week time period from [Date RFP Issued to short-listed Firms (Estimated) (02/14/22)] to [Technical and Price Proposals Due (02/28/22)]. Considering the size and complexity of the project, we understand that this proposal preparation period is not sufficient. We request the City to provide a minimum of 6 months for the proposal preparation period, which is consistent with industry standards.

**Response:** Please refer to the response provided in Question #1.

21. **Question:** Please confirm that Buy America will not be a requirement of this procurement.

**Response:** Buy America is not a requirement of this procurement.

22. **Question:** Please clarify the type of financing the City is considering- would the financing structure be a bridge loan or a P3, or something else?

**Response:** Please refer to the response provided in Question #10.

23. **Question:** It is our understanding from the City's presentations that in order to ensure an "as new" system after the replacement is complete, the City will require all subsystems to be completely replaced, including the guideway plinths, guiderails, switches and power rails. Please confirm this understanding is correct. There will not be a "level playing field" if the decision to reuse or replace certain components is left to the discretion of the proposers.

**Response:** Correct. All subsystems equipment shall be removed and replaced with new. Embedded hardware, such as anchor bolts and rebar, may be reused.

24. **Question:** Please confirm that "Add Alternate Project Financing" is not a requirement of the procurement. The proposers' team structure would vary dramatically depending on if such financing is required.

**Response:** Please refer to the response provided in Question #10. Refer to Section 10.7.1.12 of the RFQ.

25. **Question:** Please confirm that all existing PDS equipment and associated facilities, such as prefabricated substation enclosures, are required to be replaced with new equipment and facilities. Please confirm that the clause "The Contractor will be responsible to retrofit and refurbish all existing APM facilities, stations, guideway, M&SF, Central Control Facility (CCF), and Power Distribution Subsystem (PDS)" is not intended to permit the reuse of existing equipment.

**Response:** All system equipment shall be removed and replaced with new. The PDS (Fixed Facilities) structures does not have to be demolished.

26. **Question:** Please confirm that following existing equipment, as well as existing PDS equipment, shall be removed and replaced as demonstrated in the "Infrastructure Industry Day" held on August 5, 2021;  
- Guideway Running Surface and Guidance Equipment.  
- Central Control located in Terminal B.

**Response:** All system equipment shall be removed and replaced with new.

27. **Question:** Please advise when the City can provide the complete set of the reference drawings, or if there are any steps the proposers must take to obtain these drawings.

**Response:** Please refer to the response provided in Question #1.

28. **Question:** Please advise the City's intention regarding the sample contracts in Attachment C. Is this just for reference purposes? Or are the proposers expected to provide their comments via RFIs on the sample contracts, too?

**Response:** The sample contract is provided for the short-listed firm's reference in the submission of the Contract Exception Chart as part of the RFP phase.

29. **Question:** Would like to request HAS to accept EMR-equivalent rate that is issued from outside of United States to be qualified as "Safety Record" for this project. This EMR-equivalent document will be certified by the agency that issues the insurance per operational regulations in respective country.

**Response:** During the RFQ Phase, HAS would accept for consideration an EMR-equivalent certification provided it meets the industry average safety standard less than or equal to 0.95, additional details/justifications may be required in RFP Phase.

30. **Question:** System requirement only describes the minimum requirements. Please provide the design maximum criteria, if any.

**Response:** More details will be provided in the RFP Phase.

31. **Question:** Please confirm AW0, AW1, AW2 is referring to APM Standard 21-13 Automated People Mover Standards Chapter 7.1

**Response:** No. The AWO, AW1 and AW2 are defined in RFP's Technical Specifications. Current Draft Text Below to be finalized in the RFP Phase.

## 9.2 VEHICLE SPACE AND WEIGHT ALLOCATIONS

The following are vehicle passenger area and weight allocations for the purposes of these Technical Provisions.

Total passenger area shall be the area available to and intended for seated and standing passengers. Standee floor area is defined as the area available to standing passengers and is equal to the total passenger area less 4.5 ft<sup>2</sup> for each fixed seat position. For calculating the number of seat positions on benches, 18 inches of bench width and no more than 24 inches of bench depth shall be allocated for each seat position.

Vehicle allocated loadings are defined as follows:

AW0. The weight of an empty vehicle, ready to be operated.

AW1. The vehicle design weight shall be calculated by adding AW0 with the product of 160 pounds per passenger multiplied by the design capacity (See TP Section 9.3).

AW2. The maximum vehicle weight or "crush load" shall be calculated by adding AW0, 107 lb/ft<sup>2</sup> of standee floor area, 160 pounds for each fixed seat position, and 36 lb/ft<sup>2</sup> of interior plan area not included in the total passenger area. This definition shall apply for all references to AW2 and AW3 in ASCE 21-13.

AW3. This weight, as defined in Section 7.1, Vehicle Capacity and Load, of ASCE 21-13, shall be AW2 as defined above. All references to AW3 in ASCE 21-13 shall be interpreted to be AW2 as defined above.

## 9.3 VEHICLE CAPACITY

The vehicle passenger capacity shall be determined based on the vehicle passenger area definitions of TP Section 9.2 and the provisions of this TP Section 9.3. Each vehicle shall comply with the accessibility provisions specified in TP Section 9.6.4. Flip-up and stowable seats shall be prohibited.

The following definitions of vehicle capacity shall be used:

Seating Capacity – Seating capacity is the number of seat positions provided for passengers (not including wheelchair passengers). Each vehicle, or separate car of any coupled set of cars, shall have a seating capacity of at least 10 percent and not more than 15 percent of the normal capacity.

**Design Capacity** – Design capacity shall be calculated by assuming all seat positions are occupied by passengers, no wheelchair passengers, and one standing passenger for each 2.7 ft<sup>2</sup> of standee floor area.

**Normal Capacity** – Normal capacity shall be calculated by assuming all seat positions, are occupied with passengers, no wheelchair passengers, and one standing passenger for each 3.5 ft<sup>2</sup> of standee floor area.

In calculating design and normal capacities, the number of standing passengers shall be rounded downward to the nearest integer.

32. **Question:** Please provide the As-Built of MSF building to understand the operational condition of the maintenance parameters.

**Response:** Please refer to the response provided in Question #1.

33. **Question:** Exhibit Q requires Respondents "to state the exceptions to clause in this chart and suggest proposed modifications to the specific contract language with which the Respondent disagrees or for which Respondent is unable to satisfy the condition or requirement, including an explanation of the revision(if any)", advising "if Respondent does not list an item as a contract exception on this chart, the City reserves the right to hold the Respondent accountable to perform in strict compliance with the proposed contract, if awarded to Respondent". In order to meet this requirement, a detailed legal review based on the actual draft of the contract would be required. Please advise when the City would provide the final contract draft, a single contract combining both the Design-Build and Operations and Maintenance requirements, as described in the Clause 5.2.2.3. We request that this only be required from the pre-qualified Respondents during the next stage of this procurement.

**Response:** Please refer to the response provided in Question #28.

34. **Question:** Please confirm that the requirement in clause 16.6.3, including the submittal of Contract Exception Chart (Exhibit Q), shall be applicable only after the Respondents are short listed.

**Response:** Please refer to the response provided in Question #28.

35. **Question:** Please confirm that the 75-foot minimum horizontal turn radius is not a mandatory requirement as long as the proposed technology can operate within the existing the civil structure.

**Response:** Confirmed.

36. **Question:** Please confirm that the experience to be provided by the Respondents shall be required to be for similar sized DBOM APM projects at US airports.

**Response:** Please refer to Section 10.7.3 of the RFQ.

37. **Question:** The City states the potential necessity for financing from the Respondents. Please advise if the City has already obtained the necessary budget for this project. If so please advise the total budget allocated.

**Response:** Please refer to the response provided in Question #10.

38. **Question:** We believe that "the rules and regulations of the following public/governmental agencies: the Texas Department of Transportation, the Federal Transit Administration and the Texas Utilities Commission," is too restrictive to demonstrate relevant past experience. We suggest to add the alternative requirement of "other equivalent rules and regulations used at other airports in the US".

**Response:** Revise Section 10.7.3.7 to read as follows: "Prior experience using the same or similar APM Operating System technologies; and prior experience 1) coordinating with, 2) meeting the requirements on projects funded by, 3) and operating in accordance with the rules and regulations of the local, state, and federal agencies.

39. **Question:** We understand the goal for M/WBE participation in this Project as set forth in section 15.4. However, Exhibit O requires the Respondent to provide M/WBE firms name, scope of work, and even agreed price. In addition, Exhibit P seemingly requires the Respondent to provide the similar level of details of M/WBE participation. (A part of Exhibit P is not properly printed so it is difficult to identify the exact requirement at this time). We believe that technical specifications and scope of work are necessary to be identified for the Respondent to study such level of details, and so the RFP phase is would be a more appropriate time to respond to the City with these details. We therefore request the City to confirm that the Respondent is not required to include its responses to Exhibit O and P as a part of SOQ submittals, and that this would be addressed as part of the RFP phase of this procurement.

**Response:** Please refer to the response provided in Question #13.

40. **Question:** The first page of Exhibit P (Page 241 of 250) is not legible. Please provide a legible version of this page.

**Response:** Please refer to the response provided in Question #15.

41. **Question:** Please confirm that this scoring result shall be used for determining the short-list of Respondents only, and it will not be considered as part of the RFP evaluation.

**Response:** Confirmed.

42. **Question:** In regards to the Fixed Facilities, can the City please clarify whether the Contractor's Work will be limited to only those modifications necessary to accommodate the Contractor's proposed Operating System Technology or alternatively whether the Contractor's Work will also include repairs from the deck down, i.e., repairs to deficiencies in the deck slab, prestressed beams, caps, columns, structural steel, bearings, elastomeric pads, etc., as noted, for example, in "IAH Condition Assessment" provided with the Reference Drawings?

**Response:** A full work breakdown structure will be included in the RFP documents.

43. **Question:** Can the City please provide the vehicle axle loading and safety margins used in the civil design of the guideway structures?

**Response:** The information the City has related to the structural design and vehicle loading, is provided in the As-Built documents.

44. **Question:** Will a structural analysis of the existing Fixed Facilities be required within the Contractor's Work to confirm that the existing structures can support the loads of the proposed vehicle, wayside equipment and related infrastructure for the Contractor's proposed technology; and if so, can the City please clarify the required scope of this analysis and the level of detail anticipated for its review, e.g., is a letter from a Professional Engineer adequate or will the City or its representatives exercise the right to review and comment on detailed structural calculations?

**Response:** Please refer to the response provided in Question #43. More details will be provided in the RFP Phase.

45. **Question:** RFQ Item 10.8 Minimum Requirements contains no content and no subsections. Can the City please confirm (and if necessary, update the numbering of the RFQ section headings) that items 10.9 Minimum Required Experience, 10.10 Financial Capabilities, 10.11 M/WBE Compliance, 10.12 Experience Modification Rate, 10.13 OSHA Records, and 10.14 Claims History are each subitems of item 10.8 Minimum Requirements and should be re-labelled, respectively, 10.8.1, 10.8.2, 10.8.3, 10.8.4, 10.8.5, and 10.8.6?

**Response:** Confirmed. Minimum Requirements are listed in Sections 10.9, 10.10, 10.11, 10.12, 10.13 and 10.14 of the RFQ.

46. **Question:** Do we have a list of prohibited firms for this project?

**Response:** None.

When issued, LOC(s) shall automatically become part of the solicitation documents and shall supersede any previous specification(s) and/or provision(s) in conflict with these LOC(s). LOC(s) will be incorporated into the Agreement as applicable. It is the responsibility of the respondent(s) to ensure that it has obtained all such LOC(s). By submitting a statement of qualification on this project, respondent(s) shall be deemed to have received all LOC(s) and to have incorporated them into their statement of qualification.

If further clarification is needed regarding this solicitation, please contact Al Oracion, Sr. Procurement Specialist, via email at [Alfredo.Oracion@houstontx.gov](mailto:Alfredo.Oracion@houstontx.gov).

DocuSigned by:

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