- 1. <u>Question</u> Would the Pennsylvania DOT Bureau of Office Services consider a proposal focused on developing a comprehensive transportation asset marketing and sponsorship plan and assisting the state in selecting a qualified partner or partners for ongoing implementation of the resulting marketing and sponsorship program?
 - **Answer** No. Please refer to the Request for Proposals (RFP).
- 2. <u>Question</u> Will it be possible to participate in the optional Pre-proposal Conference on September 10th at 10:30 AM via conference call? If so, would you please forward the dial-in instructions to me.
 - <u>Answer</u> Conference call participation was not available for the pre-proposal conference.
- 3. Question Please confirm that the Department is soliciting sell-side advisory services? While the majority of the RFP clearly stipulates that Department is soliciting sell-side services to develop and execute a marketing and sponsorship program, including the evaluation, recommendation, and implementation (through competitive tenders) of the Program; some sections (ie IV-1B) suggest that the selected firm must also have direct experience as an asset sponsor (which implies buy-side services).
 - <u>Answer</u> Yes, the Department is soliciting sell-side advisory services. The selected firm does not need to also have direct experience as a sponsor (buy-side).
- **4. Question** In Section IV Task A, please clarify whether the Department is interested in including broader revenue generating arrangements in the Marketing and Sponsorship Program or if the scope of work is limited only to asset sponsorship and marketing/advertising opportunities?
 - <u>Answer</u> The scope of the RFP would include any marketing and/or sponsorship opportunity, including but not limited specifically to assets.
- **5.** <u>Question</u> Please clarify whether the selected Offeror will be ineligible to participate on the buy-side and barred from directly delivering any services to the Department and PTC which are contemplated in the Marketing and Sponsorship program.
 - <u>Answer</u> The selected Offeror will be ineligible to participate both on the buy-side and sell-side of a transaction. The specific intent of this question is difficult to ascertain absent examples or further clarifying questions. In any event, participation on either side of transactions is prohibited.
- **6.** Question Please clarify the division of rights and responsibilities between the selected Offeror and other Department advisors, such as the recently selected Strategic Advisor and Legal Advisor? Will the Department's Legal advisor retain responsibility for the legal drafting/review of the proposed TPA (task A, subpoint 4) or should an Offeror for this solicitation include legal expertise?
 - <u>Answer</u> The selected Offeror's responsibilities are separate and distinct from those services to be provided by the Department's Strategic Advisor and Legal Advisor. Any incidental legal services to be provided by the selected Offeror will be subject to the review and final approval of the Department's Office of Chief Counsel.
- **7.** <u>Question</u> Will the selected Offeror's percentage of revenues for Task B be calculated over gross revenues or net revenues (net of amounts received by the Commonwealth)?
 - **Answer** Gross Revenues.

8. Question – Would the Commonwealth consider extending the proposal due date unit October 25?

<u>Answer</u> –Refer to Addendum 3. Offerors should monitor the eMarketplace website, if an extension of any duration is warranted.

- **9.** Question In accordance with section II-10 "Cost Proposal" for Task B (subpart B), Offerors are required to propose a minimum revenue guarantee as a result of sponsorship and marketing opportunities for each year. With regard to this issue, please clarify the following:
 - a. Given that this minimum guarantee would never reasonably reflect the totality of expected future revenues, help us understand how this is this being used as the baseline in evaluating the proposed price (expressed as a percentage of total revenues)?
 - i. **Answer** Refer to Section II-10 of the RFP.
 - b. Does the minimum revenue guarantee need to be the same for each year or can variable amounts be proposed? In case of the latter, will the comparison criteria be the Net Present Value of future revenues? If so, what discount rate would be applied to future cash flows?
 - i. <u>Answer –</u> Variable amounts can be proposed. Section III-4 of the RFP provides details as to how Offerors' Cost Submittals will be evaluated.
 - c. Please explain what rights are associated with the proposed minimum revenue guarantee (i.e., advertising rights, resale rights, right of use, etc.) and how potential conflicts of interest between the selected offeror and potential sponsors/advertisers will be addressed?
 - i. <u>Answer –</u> There are no definitive rights. However, Offerors may refer to Part IV Work Statement and Question/Answer Number 5 of this document for further information.
- **10.** <u>Question</u> "<u>Guaranteed Revenue Related Questions"</u> Could PennDOT please consider revising or striking the requirement for guaranteed revenue? Without full completion of Task A it is impossible for a firm to accurately project/guarantee any revenue amount. Along with the elements of Task A for a firm to guarantee revenue many factors beyond the direct control of the consultant would need to be considered including:
 - a. Market conditions
 - b. Timeline to be able to begin selling. RFP states this could be up to 18 months.
 - c. Who is responsible for any utility work related to installation of 511 signs and how would that cost be counted in terms of guaranteed revenue?
 - d. How is fabrication/installation cost counted in terms of revenue?
 - e. What will happen if consultant brings a sponsor to the table and PennDOT is not able to meet sponsors timeframe leading to deal falling apart?
 - f. A potential delay in FHWA program approvals

Answer – No. Refer to Part IV – Work Statement.

Questions 11 through 13 pertain to: "If Guaranteed Revenue is kept in the RFP"

- **11. Question** How will guaranteed revenue be evaluated for reasonability?
 - a. Other states have had a similar request, and all have had a firm put a huge number to win the contract resulting in a re-compete of the contract within a year due to inability to deliver.
 - b. How is PennDOT going to combat this?
 - c. Will experience being considered when evaluating this number for feasibility?

<u>Answer</u> – Question 11 is premised on the assumption that guaranteed revenue is the sole determining factor in selecting an Offeror's proposal. There are other elements that factor in to the selection, including but not limited to, an Offeror's technical approach, experience and ability to successfully execute the tasks outlined in the RFP, Part IV – Work Statement.

- 12. Question Will PennDOT be providing the following information so that we may project potential revenue?
 - a. How many 511 roadside signs are currently installed in Penn?
 - i. Can any AADT counts for those locations be shared?
 - b. Will these signs be able to support a sponsor logo plaque or will their supports need to be replaced?
 - c. What is target number of 511 signs in the ground by the end of the contract?
 - d. For the available rest areas and welcome centers can PennDOT share visitor statistics and any AADT counts for adjacent roadways?
 - e. How many Freeway Service Patrol vehicles does the Department have in its fleet?
 - i. Is more detailed information including routes covered, AADT of those routes, number of assists per route, total number of assists and more available?
 - f. The RFP mentions the potential for infrastructure, including bridges, to be sponsored

Answer – PennDOT currently has 160 511PA signs on our highways. AADT counts are not available at this time. Although this is a determination to be made by the selected Offeror, in consultation with PennDOT, the size of a sponsor logo plague will largely determine whether existing 511 sign posts can support additions. No additional 511 signage is anticipated under the existing 511 PA contract, but Offerors can propose and implement additional signage consistent with its performance of the contract resulting from this RFP. PennDOT operates 13 welcome centers and 35 rest areas. There are also 13 rest areas with limited services and features. That is a total of 61 facilities. PennDOT has 21 Service Patrol Vehicles under contract. The PTC has 35 total Service Patrol Vehicles. PennDOT's Service Patrol Program is conducted on highways and arterials in southeastern Pennsylvania, the Capital Beltway in Harrisburg and southwestern Pennsylvania. The programs are administered at the discretion of each Engineering District but all current and new contracts account for the possibility of a vehicle wrap being added to the Service Patrol vehicles for the purposes of sponsorship. While Service Patrol contracts differ between Engineering Districts, Service Patrol contractors provide full service with daily reporting of specific services rendered. That reporting is germane to an evaluation of the contractors' performance under contract but data is not aggregated in a format such that PennDOT can provide the specific information requested under subsection e(i). Lastly, all assets, including bridges, are potentially the subject of sponsorship and marketing opportunities.

13. <u>Question</u> – Our firm is recognized by the US DOT and several states as a DBE, including the UCAP (Unified Certification Application Program) certification along with SBA Woman Owned Small Business/ Disadvantaged Business Enterprise Certification as an 8(a) graduate. Would PennDOT accept these designations when evaluating small diverse business (SDB) participation for this RFP?

<u>Answer</u> – Although Small Diverse Business Participation in encouraged in this RFP, see Addendum Number 4 in which the Department removed all Small Diverse Business information, participation, and any reference to Small Diverse Business throughout the RFP, in their entirety, and scoring percentages will be reallocated as described in Addendum Number 4.

- **14. Question** Has the PennDOT sponsorship program been officially approved by FHWA?
 - a. Is there an approved FHWA sponsorship contract/agreement? May we receive a copy?
 - <u>Answer</u> The PennDOT sponsorship program has not been officially approved by FHWA. Accordingly, there is not an approved FHWA sponsorship agreement at this time.
- **15. Question** What is the nature of the current sponsorship agreement between PTC and State Farm as it concerns TRIP?
 - <u>Answer</u> The initial term of the agreement was six months (September 2, 2011 through March 2, 2012) with a renewal term of one year (March 2, 2012 through March 2, 2013). Beyond the renewal term, the parties may extend in one or multiple year increments. The agreement was extended for one additional year (March 2, 2013 through March 2, 2014).
 - a. Could you please provide when this contract will expire and if the selected contractor will have right of first refusal to pursue sponsors for the TRIP website and app as part of this contract once the current term ends?
 - i. <u>Answer</u> The current contract will expire on March 2, 2014. The exclusive sponsorship remains in effect during the term of the current agreement, including extensions.
 - b. If yes, who will be responsible for managing the website/application functionality used to post sponsor information/graphics provided by the selected contractor?
 - i. <u>Answer</u> The PTC will be responsible for managing all aspects of the website/application functionality used to post sponsor information/graphics.
- 16. <u>Question</u> As PTC's roadway service patrol sponsorship agreement expires with State Farm, will Consultant be given right of first refusal to pursue sponsors for this element?
 Answer Yes.
 - a. If this element will be available to the selected contractor as part of this contract, please provide:
 - i. How many vehicles (total) are in the fleet? Please indicate the various make/models and total number of each.
 - ii. Please provide the schedule/routes used for the districts in which they currently operate and the number of vehicles on the road at any given time, as well as their makes/models.
 - <u>Answer</u> There are 35 vehicles in the fleet, as follows:
 - 6 2013 Chevrolet Crew Cab Silverado Pickup Trucks, Responder
 - 22 2012 Chevrolet Crew Cab Silverado Pickup Trucks, Responder
 - 3 2010 Chevrolet Crew Cab Colorado Pickup Trucks, Safety
 - 1 2011 Chevrolet Crew Cab Colorado Pickup Truck, Safety
 - 1 2013 Chevrolet Ext Cab Silverado Pickup Truck, Safety
 - 1 2008 Chevrolet Impala, Safety
 - 1 2009 Chevrolet Ext Cab Dually Silverado Pickup Truck, Tunnel

Each vehicle patrols an approximate 25-mile section of Turnpike three or four times during an eight hour shift, and is otherwise dispatched to calls as needed.

- **17. Question** Can you please clarify if the landscape maintenance around the signs will be the responsibility of PennDOT and will the signs remain in full view, not obscured by foliage?
 - i. Will this be continued or increase moving forward?
 - **Answer** The Department, by contract or its own forces, plans to continue its current maintenance responsibilities.
- **18. Question** What marketing is done of the Pennsylvania 511 system?
 - <u>Answer</u> –Limited marketing efforts have been undertaken with respect to Pennsylvania 511, except for press releases and signage.
- **19.** <u>Question</u> Have all of the asset sponsorship concepts included within the RFP been approved for sponsorship-based revenue generation at all levels of PennDOT and PTC, as well as by other state entities such as the legislature and governor's office?
 - a. If not, what is the process to ensure that these assets can be used to generate sponsorships by PennDOT and PTC?
 - <u>Answer</u> Based upon current information and facts, the Department has the intention and authority to pursue sponsorship and advertising opportunities on the assets mentioned in the RFP. Aside from the authority granted under Act 88 of 2012, the selected Offeror is expected to play a vital role in the development of this program, including assisting with securing necessary approvals.
- **20. Question** Is PennDOT willing to consider sponsorship of additional assets in addition to what is listed in the RFP?

Answer – Yes.

- **21.** <u>Question</u> Who will be responsible for developing and managing the additional functionality necessary to incorporate such sponsorships onto any electronic elements that are a part of the sponsorship program?
 - <u>Answer</u> Work such as what was described in your question will be determined on a project by project basis, and any additional work required of the selected Offeror not related to securing the sponsorship or advertising contract will be performed under a separate, in scope work order through which the selected Offeror will be compensated based on those terms; or the Department will pursue such related tasks by its own forces or separate contract.
- **22. Question** Can you please provide the process/timeframe for approval of sponsorship proposals received from interested parties?
 - a. Please note the expectation from potential sponsors is that proposals will be turned around within a matter of a few days at most
 - <u>Answer</u> The Department is committed to establishing processes, with the selected Offeror's input, for accepting proposals in a timeframe that leads to a successful program. Accepting a proposal should not be confused with executing a contract which could take up to eight weeks. See Section Part IV-4, Task A #4 of the RFP.

Questions 23 through 36 pertain to: "Sign Engineering, Fabrication and Installation Questions"

- 23. <u>Question</u> As it concerns siting approval for any new signs, signposts, banners, etc. that might be deployed as part of this project, what kinds of technical/engineering, and/or policy approvals are required for a given site to receive approval for use; for example:
 - a. What requirements are there for siting roadside signs along the roadways noted in this RFP?
 - b. Are there spacing requirements between proposed and existing signs, distance to interchanges, number of signs per a set number of miles, etc. that will need to be accounted for?
 - c. Is any data collection and/or engineering work/documentation required to be developed for PennDOT and/or PTC review before a given site can be approved?
 - i. If yes, what is that process and how long will it take per sign?
 - d. What utility requirements need to be met and what is that process?
 - e. Will this work be carried out by PennDOT and PTC or is expected that the selected consultant will conduct the necessary engineering/other related work necessary to ensure that a given site is approved?
 - f. Same question for deployment of signs/plaques/banners on bridges, buildings, toll plazas, etc.
 - g. Note these questions are vital as the answers will impact the total number of signs / locations of signs able to be deployed as part of this project along the PennDOT/PTC ROW.

<u>Answer</u> – As noted above, the Department is committed to establishing appropriate processes that allow for a successful program and also adhere to state and federal laws, regulations and policies that may apply. In the event the selected Offeror is expected to perform services identified in this Question 23, it will be done through the use of a work order as described in Part IV – Work Statement of the RFP.

PennDOT's Publications 212 and 213 contain additional information and can be found at: http://www.dot.state.pa.us/Internet/Bureaus/pdBOS.nsf/FormsAndPubsHomePage?OpenFrameSet. See also the current edition of the Manual on Uniform Traffic Control Devices.

- **24.** <u>Question</u> Can you please provide who at PennDOT/PTC will be responsible for coordination with the regional/district offices and any others who have input into the process regarding approval of new asset sponsorship location selection and approval?
 - a. How involved will regional/district offices and others be involved in the review and approval of new asset sponsorship locations being proposed?

Answer – The Department is committed to establishing appropriate processes that allow for a successful program.

- **25.** <u>Question</u> What other requirements will there be to get new sponsorship locations approved for use? Please describe the overall site approval process that consultant should expect.
 - <u>Answer</u> The selected Offeror will be expected to assist in the development and execution of the Marketing and Sponsorship program and any appropriate internal and external processes.
- **26. Question** Are there any differences in the process, requirements, restrictions, between PennDOT and PTC management roads, or roads managed by any other entity described in the RFP?
 - <u>Answer</u> Again, the selected Offeror will be expected to assist in the development and execution of the Marketing and Sponsorship program and any appropriate processes.

- **27. Question** Is there anyone outside of PennDOT or PTC that will need to be coordinated with in order to get new asset sponsorship locations approved?
 - <u>Answer</u> Absent specific examples, it is anticipated that the parties will work together when any such coordination becomes necessary.
- **28. Question** Can sponsorship signage be mounted on existing roadway infrastructure (e.g., light poles, sign trusses, toll gantries, bridge structures, buildings, etc.)?
 - a. If yes, please provide what the approval process for getting a proposed location approved, and what are the technical requirements for doing so?
 - <u>Answer</u> The RFP identifies currently approved assets but PennDOT and/or the PTC may consider additional opportunities as well. The selected Offeror will be expected to assist in the development and execution of the Marketing and Sponsorship program and any appropriate processes, which will include consideration of whether signage can be mounted on existing infrastructure components.
- **29. Question** Who will be responsible for the fabrication and installation of sponsorship signs/plaques/banners/etc.?
 - a. If PennDOT/PTC, will reimbursement from Consultant be required?
 - i. If so, at what per sign/plaque/banner/etc. cost?
 - b. If consultant, is there a fabricator(s)/installer preferred/recommended by PennDOT/PTC?
 - c. Are there specifications concerning the materials/design/dimensions of the sponsorship signs/plaques/banners currently allowed that Consultant can be provided for review?
 - d. Who will be responsible for conducting the engineering work associated the approval of new signage?
 - e. If Consultant is responsible, what are requirements (specs. and engineering related requirements) for posts, foundations, requirements for mounting on light poles, sign trusses, toll gantries, bridges structures, buildings, etc., etc. required for deployment of these signs/plaques/banners?
 - f. Can you please clarify who will be responsible for any maintenance of traffic activities (MOT) required during asset sponsorship installation, maintenance, removal, etc.?
 - g. If PennDOT/PTC will be doing installation will reimbursement need to be made by Consultant? If so, at what per sign cost?
 - h. If Consultant is responsible, please provide requirements/process for conducting such activities on PennDOT/PTC/other roadways.
 - <u>Answer</u> The selected Offeror will be expected to assist in the development and execution of the Marketing and Sponsorship program and any appropriate processes and work orders in furtherance of that program.
- **30.** <u>Question</u> What utility, permitting and and/or on-site work (e.g., location marking) will be required in order for new asset sponsorship locations to be approved?
 - **Answer** See Questions and Answers 24 through 26 above.
- **31.** <u>Question</u> Can you please clarify who will be responsible for re-installation of signs, plaques, banners, etc. temporarily removed during times when construction or other maintenance activity is being carried out?

a. In general, what will be the process, and who will be responsible for associated costs if a sign, plaque, banner, etc., needs to be removed and permanently moved to another location due to construction or other PennDOT, PTC, or other public agency activity?

Answer – See Question and Answer 29 above.

32. Question – Can you please clarify who will own the signs, plaques, banners, etc. deployed as part of this revenue generation process?

Answer – See Question and Answer 29 above.

33. <u>Question</u> – Can you please clarify what work permit(s) will be required to conduct siting, installation, maintenance, and removal activities in PennDOT and PTC right-of-way? Please describe the process and cost of getting any required permits.

Answer – See Questions and Answers 24 through 26 above.

34. Question – Is this similar to the one that was out previously but without the Turnpike?

<u>Answer</u> – PennDOT is not aware of a similar procurement, except for a cancelled Request for Proposals that included sponsorship of PennDOT's Service Patrol Vehicles.

- 35. <u>Question</u> We note that while this RFP does not appear to be a solicitation for legal services, it does contain legal elements (e.g. development of a Third Party Agreement (TPA) template). We would therefore like to confirm that this is not intended to attract responses from law firms. Rather, we assume that any legal services with regard to public-private partnership elements would likely be dealt with through counsel that you may select as an outcome of the prior RFP seeking P3 counsel, or through a separate procurement.
 - <u>Answer</u> The Department is not seeking legal counsel as part of this RFP, however the selected Offeror is expected to provide draft Third Party Agreements (TPAs) for review and approval by the Department's Office of Chief Counsel and other required Commonwealth signatories. *See* Question and Answer 6 above.
- **36.** <u>Question</u> Please provide a list of all of the companies who have received (via download) or by delivery this solicitation, as well as a list of all companies who have made inquires about this solicitation and plan to/have participated at the pre-bidder's conference. Please update this information on a weekly basis until the due date for submissions.
 - <u>Answer</u> The Department does not possess a list of companies who received the solicitation via download or delivery. The Department advertised the RFP on the Department of General Services' eMarketplace website where any company may retrieve the RFP information at their discretion. All inquiries received to date have been posted and a list of companies who attended the optional Pre-proposal Conference on Tuesday, September 10, 2013 at 10:30 am is concurrently being posted with this addendum to the RFP. It is PennDOT policy to not disclose, as part of the Question and Answer process, which questions came from which potential Offeror. Please note that in accordance with the RFP, the Department will post information to eMarketplace when there is information to share. Again, per the Department policy, it will not update its Answer to this Question on a weekly basis until the due date for proposal submissions.

- **37. Question** Are there any Information Technology Bulletins that are pertinent to the Asset Management and Sponsorship Opportunities that should require special attention/review?
 - <u>Answer</u> Not at present but individual work orders with the selected Offeror may impact existing and future IT components and trigger the applicability of Information Technology Bulletins (ITBs). As such, ITBs apply to the RFP. All Offerors are required to review the requirements as described in the RFP prior to submitting a proposal.
- **38.** Question Under II-10 Cost Submittal the RFP states that "The Guaranteed Revenue component of the Cost Submittal is a set minimum dollar amount that the selected Offeror agrees to achieve as a result of sponsorship and marketing opportunities for each year of the contract." However on Appendix C Cost Submittal it states: "All quantities are estimated and are not guaranteed." Please provide further explanation.
 - <u>Answer</u> By way of Addendum 4, the "[a]ll quantities are estimated and are not guaranteed" language has been amended to read that "all *Task A* quantities are estimated and not guaranteed." There is a set number of hours listed on the Cost Submittal for purposes of a comparative baseline. If the actual hours are more than or less than the delineated number of hours, work orders will reflect the actual required effort under Task A. PennDOT reserves the right to increase or decrease the total number of hours set forth on the cost submittal sheet.
- **39.** <u>Question</u> What is PennDOT's revenue expectation during the period Task A is underway? Does PennDOT anticipate any revenue-generating programs that might be implemented immediately without being subject to review and analysis?
 - <u>Answer</u> PennDOT and the PTC intend to implement any revenue generating opportunities as soon as possible. This may occur while Task A is still underway. In any event, revenue generating opportunities are subject to review, analysis, and approval prior to implementation. Refer to Part IV Work Statement, Task A.
- **40. Question** Under IV-2, paragraph 3 the sentence [add information on daily usage and trends and any existing sponsorship agreements] appears. Should there be "Daily Usage, Trends, and Existing Sponsorship Agreements" information for the proposer to review located here?
 - **Answer** The text in brackets was included in error. See Addendum Number 4 in which we delete the same.
- **41. Question** How soon will Turnpike assets count toward RFP?
 - <u>Answer</u> The selected Offeror should account for PTC assets in the development of their revenue generation projections, as those assets will be available as soon as possible, including upon contract expiration in the case of assets that are subject to pre-existing contracts.
- **42.** <u>Question</u> Due to the RFP asking the vendors to propose sponsorships that may or may not be approved how will costs be evaluated, specifically related to Task B.
 - **Answer** Refer to Section II-10 of the RFP.

43. <u>Question</u> – DB participation section. Prime/sub relationship. Since the RFP is asking for proposed sponsorships, what if a proposed sponsorship is tied to a Diverse Business and the proposed sponsorship is not fulfilled. Will the prime be held to the committed percentage?

Answer –See Question and Answer Number 13.

44. Question – If a prime commits 10% of the project to a small diverse business due to a proposed sponsorship and the proposed sponsorship is not approved is the prime still obligated to the 10% commitment?

Answer – See Question and Answer Number 13.

45. Question – Is this a new procurement or is this a current contract? If current contract, who is incumbent?

Answer – This is a new procurement.

46. Question – Are SDB commitments/fees subject to same risk factors as prime contactors fees?

Answer – See Question and Answer Number 13.

47. <u>Question</u> – On the cost submittal sheet, PennDOT has an estimate of 780 total hours for completion of Task A. We don't anticipate that task taking more than that amount of time, but should it require more time that amount, would PennDOT consider allowing more hours if needed based on the activities being proposed.

<u>Answer</u> – There is a set number of hours listed on the Cost Submittal for purposes of a comparative baseline. If the actual hours are more than or less than the delineated number of hours, work orders will reflect the actual required effort under Task A. PennDOT reserves the right to increase or decrease the total number of hours set forth on the cost submittal sheet.

48. Question – Cells E8 and G8 for estimated hours are password locked in this document. If an offeror wanted to submit a cost sheet with less hours than the listed estimated hours, how would this be done? Will PennDOT re-issue a version of the spreadsheet without the numbers pre-filled into those cells?

Answer – See Question and Answer Number 47.