

RFP Design-Build Questions & Answers

Improvements to Interstate 55 Hinds County, Mississippi Project Number: DB/IM-0055-02(244)/106023-305000

RFP questions received as of March 24, 2015 – PART TEN

52. QUESTION: Section 904 – NTP No. 5416 DB (page 102) indicates “the Contractor shall be solely responsible for designing and constructing the Project, including all items of work incorporated /provided as applicable from the previous project, to meet all standards, specifications, warranties and requirements in accordance with the RFP and State and federal regulations.” Please confirm that this “warranty” as it relates to professional design services is intended as the standard of care as outline in NTP No. 2618 DB.

ANSWER: Generally speaking, governmental entities in Mississippi, as a matter of public policy, are prohibited from contractually limiting or excluding a Contractor’s implied warranties. As indicated in Notice to Proposers No. 5416 DB (Contract Requirements), the Contractor shall be responsible for all warranties stated in the RFP and/or required by law.

**53. QUESTION: Section 904 – Notice to Proposers No. 2618 DB states:
“Regardless of the status or condition of all items of work from the previous project, whether installed or MDOT furnished, the Contractor shall be solely responsible for designing and constructing the Project, including all items of work incorporated/provided as applicable from the previous project, to meet all standards, specifications, and requirements in accordance with the RFP and State and federal regulations.....Any design reports, plans, and specifications shall be signed and sealed by a Professional Engineer licensed in the State of Mississippi.”**

Please clarify this statement and confirm that the design-build team’s engineer will be required to sign and seal the plans for all items of work incorporated/provided as applicable from the previous project.

ANSWER: The Design-Build team’s engineer will be required to sign and seal the plans for all items of work incorporated/provided as applicable from the previous project unless specifically stated otherwise in the RFP.