



RFP, 23MCO601
Response to Questions
February 2, 2023

Gentlemen/Ladies:

This document contains questions submitted by prospective bidders and responses to those questions. Please see the responses to questions and any addendum related to the questions below.

1. In 11.3.1 we are required to insure “existing structures” under our builder’s risk policy. What existing structures are we expected to insure? If any, we need to know exactly what and where those structures are in relation to the Project as well as the type of construction (e.g. wood frame, non-combustible) and the values of those structures.

There are no existing structures. Please disregard anywhere you read “existing structures”.

2. Article 11.4 states that additional general liability coverage may be required of the Construction Manager but has been left blank. Please advise if any additional general liability coverage will be required.

11.4.2 OCP coverage should be taken out and cover both Midland County and Contractors and all subs for the same limits as the Commercial General Liability (CGL)

Type of Insurance	Minimum Limits Required Per Claim/ Occurrence	Minimum Limits Required Aggregate Policy Limits
1. Commercial General Liability	\$ 1,000,000	\$ 2,000,000
a. Bodily Injury/Property Damage	\$ 1,000,000	\$ 2,000,000
b. Products/Completed Operation	\$ 1,000,000	\$ 2,000,000
c. Personal and Advertising Injury	\$ 1,000,000	\$ 2,000,000
d. Medical Expense limit (any one person)	\$ 5,000	\$ No Aggregate
2. Commercial Automobile Liability	\$ 1,000,000 Combined Single Limit Each Accident	
3. Worker’s Compensation	Statutory Limits	Statutory Limits
4. Employer’s Liability (Bodily Injury by Accident)	\$ 1,000,000	\$ N/A
a. By Disease	\$ 1,000,000	\$ N/A
b. Each Accident	\$ 1,000,000	\$ N/A
c. Each Employee	\$ 1,000,000	\$ N/A

Type of Insurance	Minimum Limits Required Per Claim/ Occurrence	Minimum Limits Required Aggregate Policy Limits
5. Umbrella Excess Liability Insurance	\$25,000,000	\$ 25,000,000
6. Contractor's Pollution Liability including coverage for microbial matter (if applicable)	\$ 1,000,000 each wrongful act	\$ 1,000,000
7. Owners' and Contractors' Protective Liability Insurance	Same as 1. a-d above	Same as 1. a-d above
8. Professional Liability Insurance for design-build Subcontractors	\$ 5,000,000	\$ 5,000,000

3. The following dates/timeframes were communicated to attendees during the pre-bid site visit on 11/29/22:

- a. 100% CDs expected by the end of 2023
- b. GMP phase/TCJS CD approval – January 2024
- c. Jail Committee/Commissioners' Court approval of GMP & NTP – February 1, 2024

Please advise if these are the current anticipated timeframes or provide updated information.

- a. Correct
- b. GMP phase is April 1, 2024; TCJS CD approval is February 1, 2024.
- c. Jail Committee/Commissioners' Court approval of GMP & NTP – April 10, 2024

4. Confirm bonuses for Construction Manager's employees should be included in the CM's proposed fee and should not be considered a cost of work item; or should this be included in General Conditions?

This should not be considered a cost of work. This should come from the CM's earned profit.

5. Advise if travel, per diem, and relocation costs for Construction Manager's employees should be included in the CM's proposed fee or considered a cost of work item; or should this be included in General Conditions?

This should be considered a cost of work for each affected employee. Include in the cost for supervision.

6. Attachment A – Bid Tab for General Conditions includes line items for Builder's Risk Insurance as well as Payment and Performance Bonds. Should the CM's Commercial General Liability Insurance also be considered a General Conditions cost and included on this form, or is this to be included in the CM's proposed fee?

No, this should be part of the CM's fee.

7. Please advise if the Construction Manager is, or is not, required to maintain Pollution Liability Insurance under Article 11.3.6. If required:

a. Please specify amount per occurrence and timeframe coverage is to remain in effect from Date of Substantial Completion.

b. Should the Pollution Liability Insurance be considered a General Conditions cost and included in the bid tab form, or is this coverage to be included in the CM's proposed fee?

Please see table in answer to question 2. This should be considered a General Conditions cost.

8. Article 11.3.1.2 refers to Builder's Risk coverage for "damage resulting from defective design, workmanship, or material;" Should the coverage include or exclude the cost of making good such defective design, workmanship, and material?

The policy should cover physical damage resulting from faulty work or faulty materials, but excluding the cost of making good such faulty work or faulty materials.

9. Article 11.3.2 and 11.3.5 refer to Builder's Risk coverage that is to remain in place until final payment. This type of coverage cannot be purchased. Please confirm coverage is required to remain in place until the Date of Substantial Completion.

Coverage is to be in place until the certificate of occupancy is issued and the building is turned over to the owner.

10. What are the date/times for the respondent interviews?

Tuesday February 21, 2023

9:00 am – Adolfson & Peterson Construction

10:30 am – Butler-Cohen, LLC

1:00 pm – MW Builders, Inc

2:30 pm – White Construction