

RFQ for Regional Airports O&M Services - Puerto Rico Ports Authority  
Selected Responses to Requests for Clarification - Round No. 1  
Dated: March 29, 2019

Item #	Document	Section	Question / Comments	PRPA Response
1	RFQ	General	Can the deadline for the submission of qualifications be delayed for two weeks?	The Submission Deadline is revised to April 15, 2019. See Addendum No. 1 to the RFQ for revised timeline.
2	RFQ	A.1.	Respondents must provide listing and description of all lawsuits for "failure to comply with laws or regulation" in which they have been a defendant. Almost all lawsuits, including ones filed by disgruntled employees, allege failure to comply with a law or regulation. Could the Authority clarify what types of laws and regulations this request seeks to identify?	Please provide a listing and description of all lawsuits in which Respondent as defendant has been alleged to have failed to comply with any law or regulation that pertains to the operation or maintenance of an airport. With respect to employees' lawsuits, please only include those lawsuits that relate to safety and working conditions at airports. For avoidance of doubt, Respondents do not need to list ordinary "slip and fall" claims. As for other third party claims, please include those related to airports and their operations or maintenance.
3	RFQ	3.2 (A.2.)	It requests a statement confirming that airports under the respondent's management have been certified by the relevant local public agency, with no administrative actions or penalties in the last 5 years. Can this statement be executed by the respondent.	Yes, the statement may be executed by the respondent. Please note that as per the terms of the RFQ, including Section 4.11 (Reservation of Rights), the Authority may seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to this RFQ in order to obtain further information about the Respondent. Also, the Respondent and Team Members' Certification provides that all information submitted is complete and accurate. The Authority may also require direct confirmation of information furnished by a Respondent, additional information from a Respondent concerning its response or additional evidence of qualifications to perform the work described in this RFQ.
4	RFQ	C.2.	For the documents requested on page 20 of the RFQ in Section C.2, what types of documents will be considered sufficient evidence of traffic growth?	Any brochure, annual financial reports, reference to a publicly available source (e.g. website, news release) or official documentation (e.g studies performed for permitting purposes, statistical reports submitted to airport owners) that the Respondent deems appropriate. It is the responsibility of the Respondent to explain in the SOQ how its qualifications respond to this criterion and provide any supporting documentation it deems appropriate to substantiate such explanation.
5	RFQ	4.5	Those interested in becoming Shortlisted Respondents must submit their SOQ in response to this RFQ no later than April 5, 2019 at 3:30 p.m. (15:30) (AST) (the "Submission Deadline"). SOQ submissions must be received by the Authority no later than the Submission Deadline at the address and in the manner set out in Section 4.5 below (the "Submission Address")." Section 4.5 states, "The Respondents shall submit one (1) originally executed SOQ, with signatures in blue ink, and four (4) copies along with one copy in portable document format (PDF) on a USB flash drive. This physical SOQ package must be sent by regular or express mail to the postal address listed below and post marked by the Submission Deadline." Can the Authority please clarify whether the submission requirements are as stated on page 8 or in Section 4.5?	Respondents must comply with the RFQ submission instructions provided in Section 4.5 as well as with the Submission Deadline provided in Section 1.7. See Addendum No. 1 for revisions to these sections.

6	RFQ	1.2	The RFQ states that a "Team Member" includes sub-consultants who would be providing "proprietary technology" or "specialized skills" that are "important to the project" and cannot be "readily acquired" from another contractor. Please clarify and define the items in quotes or confirm whether the bidders will have reasonable discretion in making these assessments.	Any contractor or subcontractor of the respondent who will be providing equipment or services of a unique nature or that constitute a sole provider and for which an adequate replacement could not be found in a timely manner, or any contractor or subcontractor of the respondent whose replacement may affect the quality and promptness of the services to be delivered under the O&M Contractor. The Respondent must make the determination whether such provider/participant is necessary to be included as a Team Member and, if so, provide their qualifications.
7	RFQ		We understand that a key objective of the project is "incentivizing economic growth outside the San Juan metropolitan area". We also understand that the Authority is interested in the economic development of the San Juan metropolitan area. Would a Team Member with contracts within the San Juan metropolitan area be deemed to have a conflict of interest in regards to the project?	There is no conflict based on the fact that Respondents or their related parties have contracts, or investments or other business in the geographic location of the San Juan metropolitan area. While the Authority is interested in incentivizing economic growth outside of the San Juan metropolitan area given that, traditionally, the rest of the Island has been overlooked in terms of economic development projects, this in no way means that the Authority is not interested in incentivizing economic growth in the San Juan metropolitan area as well. However, it is not clear from this question what "contracts within the San Juan metropolitan area" means, thus determinations about other types of conflicts of interests would be based on further details regarding such contracts.
8	RFQ	General	Does the PRPA envision transferring the FAR Part 139 Certificate to the contracted Operator?	No, the PRPA will not transfer its Part 139 certifications or any of its responsibilities thereunder.
9	RFQ	1.4, 4.3	This RFQ process shall enable the Authority to shortlist the best qualified Respondents based on financial and technical criteria further explained in Section 4.3 of this RFQ". In Section III's introduction it says, "All SOQ's will be reviewed based upon the requirements set forth in this Section 3 of this RFQ". Can the Authority please clarify how the Authority will evaluate the Respondents?	Section 3 presents the evaluation framework and individual scoring of criteria and subcriteria subject to evaluation. Section 4.3 references that the evaluation framework is set forth in Section 3.
10	RFQ	1.2	Section 1.2 of the RFQ (Definitions) defines "RFQ Process" as "having the meaning set in forth in section hereto". Please clarify if it refers to Section 1.4 or to any other section instead of 1.5.	The RFQ process is defined in Section 1.5 (Stage 1).
11	RFQ	1.4	(a) The Last sentence of section 1.4 ( <i>functions of the RFQ</i> ) states: This RFQ process shall enable the Authority to shortlist the best qualified Respondents based on the Technical and Financial criteria explained in section 4.3 of this RFQ. Please clarify whether it refers to Section 3.2 or to any other section instead of 4.3; (b)	Correct. Should refer to section 3.2 instead of section 4.3.
12	RFQ	4.2	Section 4.2 of the RFQ( <i>Required Information for SOQ Submission</i> ) establishes the following: e) The specific requirements as set out in section 4.3 above; i. Part 1: Legal Compliance (No page limit)- Pass or Fail; ii. Part 2: Technical Capabilities- (20 pages maximum) Weight 85 pts; and iii. Part 3: Financial and Commercial Capabilities- (10 page maximum, excluding any required attachments) Weight 15 pts. Please clarify whether this refers to section 3.2 instead of 4.3.	Correct. Should refer to section 3.2 instead of section 4.3.

13	RFQ	4.3	Section 4.3 of the RFQ (Pre RFP Submission Confirmation) states in parts that: "The Authority shall evaluate the information submitted by Respondents in accordance with evaluation criteria set out in Section 3.3 of this RFQ and may revise the Respondent's score and ranking to reflect the results of the evaluation". however the RFQ does not have a Section 3.3. Please clarify whether this refers to section 3.2 instead of 3.3 which is non-existent in the RFQ.	Correct. Should refer to section <b>3.2</b> instead of section 3.3.
14	RFQ	Appendix A	The first sentence of Appendix A of the RFQ ( <i>Form of the Repondent and Team Members Certification</i> ) reads as follows: "We have carefully reviewed the Request for Qualifications dated __ February 2019 ("RFQ") issued by the Puerto Rico Ports Authority and all other documents accompanying or made a part of the RFQ, including any agenda". Please clarify if the date should be March 2019 instead of February 2019 given that the RFQ was issued on March, 15 2019.	Correct. Date should read <b>15 March 2019</b>
15	RFQ	Appendix A	The bottom of the second page of Appendix A of the RFQ ( <i>Form of Respondent and Team Members Certification</i> ) states as follows: "We further certify that we are in compliance with the provisions of Section 5.8 of the RFQ regarding Conflict of interests and Inlegibile Persons". However, the RFQ does not have a Seciton 5.8. Please confirm if it refers to section 4.8 or to any other section instead of 5.8 which is non-existent in the RFQ.	Correct. Should refer to section <b>4.8</b> instead of section 5.8.
16	RFQ	General	Do Respondents, as defined in the RFQ, must be registered with the Unified Bidder's Registry of Puerto Rico (Registro Unico de Licitadores)?	No. It is not required that respondents register with the General Administration Services' Unified Bidder's Registry (Registro Unico de Licitadores).
17	RFQ	General	Does Act 29 of 2009, also know as Pubilc-Private Partnership Act, apply to the RFQ? If no, please explain the role of the Public-Private Partnership Authority in approval of this Project and related solicitation process (if any)	The Public-Private Partnership Authority has declined to pursue this project as a "public-private partnership" under the process of Act 29-2009, as amended. Thus the procurement process is being conducted directly by the PRPA pursuant to the Ports Authority's Organic Act, Act No. 125 of May 7, 1942 and Regulation No. 8981 issued thereunder. While the Public-Private Partnership Authority will provide support to the Ports Authority, it will not have any role in the approval of the project and the procedural requirements of the selection process shall not be governed by Act 29-2009 and regulation thereunder.
18	RFQ	General	Section 4.5 requires the one (1) orginally executed SOQ must be submitted, but it does not address whether this requirement also applies to any attachement or certification (including the "Respondent Certification" required by the RFQ) executed by respondents or team members. Please confirm whether copies of the executed attachements and certifications (including the "Respondent Certification" required by the RFQ) can be submitted together with the orginally executed SOQ, or whether orginally executed attachements and certifications must also be submitted together with the SOQ.	The SOQ and the Respondent and Team Members Certification are the documents that must be submitted in original.