

**Washington State Joint Transportation Committee
Broadband Access to State Highway Right of Way
Responses to RFP questions
June 8, 2021**

Question 1: Does working on this project for the JTC preclude a firm from working on future WSDOT projects?

Response: No. It is not unusual for the JTC to work with firms that also have contracts with WSDOT.

Question 2: In our review of the RFP, we noticed that the RFP requires a “waiver” be requested from the JTC in writing in order to submit any exceptions/request for edits (refer to section XIV. JTC Rights, Item # 6 – *“It shall be understood by Bidders that their proposal is predicated upon acceptance of all terms and conditions contained in this RFP unless the Bidder has obtained such a waiver, in writing, from the JTC prior to submission of the proposal. Any such waiver will be granted to all Bidders.”*

However, we believe that Item # 6 above is contradicted by the JTC “Certifications and Assurances” Exhibit B, Item # 7 - *I/we agree that submission of the attached proposal constitutes acceptance of the solicitation contents and the attached sample contract and general terms and conditions. If there are any exceptions to these terms, I/we have described those exceptions in detail on a page attached to this document.*

In this regard, we would like to submit the following question. Can the JTC confirm that exceptions to the sample contract and general terms and conditions are permitted and can be submitted as part of the proposal in accordance with “Exhibit B. Certifications and Assurances”? Or if a Waiver is required in accordance with section XIV. JTC Rights, Item # 6; could a Waiver be provided to KPMG as we would like to suggest certain contract exceptions?

Response: You are correct that the two clauses are contradictory. We have fixed that error for future RFPs. Since it is too late to correct it on the Broadband study RFP, the JTC confirms here that exceptions to the contract and general terms and conditions are permitted and can be submitted as part of the proposal in accordance with “Exhibit B. Certifications and Assurances.”

Question 3: Page 2 of the RFP, purpose section, first bullet, states: “Overlay mapping of current gaps with state highway map” while p3., task 2, states: “in consultation with the Department of Commerce, identify where the unserved and underserved areas are located across the state. This will include cross mapping with current transportation infrastructure.”
Has the data about underserved and unserved areas already been collected by the Department of Commerce, and is it available for use by the consultant? Or is the consultant expected to provide the data behind this mapping of unserved areas?

Response. The Department of Commerce (DOC) has been working on obtaining better data on underserved and unserved areas. DOC will share what it has to date. Part of the study work will be to evaluate the DOC data and determine whether it is adequate to allow cross-mapping with the state highway system or whether it needs further refinement.

Question 4: On p.2.; purpose section, third bullet, states: “Analyzing cost and value of providing broadband access” while p. 3, task 1-2 and p. 4, task 3- 4-5-6-7 make no mention of a cost estimate: “

Does the consultant need to prepare a cost and value estimate as an interim deliverable? Or is this not a required deliverable for tasks 1-7 as long as the stated deliverables are provided?

Response: The language in question was drafted to capture the following requirement from the Legislature’s study language:

What the appropriate taxonomy to apply to areas unserved or underserved by broadband is to better prioritize and contextualize the urgency of the need for broadband infrastructure in a given area. *§7(a)(i) ESHB 1457*

The study language is seeking a system of prioritizing potential broadband infrastructure projects to provide better structure to the prioritization process. We’re not looking for an actual cost and value of specific projects, rather for a system to aid in assessing project selection.

Question 5: Page 6, Item 5, states “The consultant shall prepare draft deliverables as described above in tasks 1-7”.

Can you confirm that the deliverables as described and stated in tasks 1-7 should form the basis for the consultant’s work?

Response: Tasks 1-6 feed into the ultimate point of the study, the final report. We also ask that potential respondents be mindful of the following direction in the RFP:” Consultants are encouraged to recommend additions and/or alternatives to better accomplish the study’s stated objectives.” We are not content experts at the JTC. We are interested in hearing ideas from content experts on better ways to accomplish the study’s objectives as documented in §7 of ESHB 1457 and in the RFP.

Question 6: We also request a copy of all interested bidders following the intent to bid deadline.

Response: The following entities submitted letters of intent to bid:

- Tilson Technology Management
- Berk Consulting
- Horrocks engineers
- KPMG
- Ernst & Young infrastructure advisers

- Nossaman, LLP (attorneys)
- Rebel