



**Addendum No. 1 - Request for Proposals:
Engineering/Architectural Services
RFP23174**

QUESTIONS AND RESPONSES TO PROPOSER RFP INQUIRIES

1. **How many firms are they planning to award MSA to?** *There is no limit on how many firms will be awarded. Any firm that meets the minimum requirements as determined by an evaluation committee will be considered for an MSA. The purpose of this RFP is to prequalify firms for future projects.*
2. **How will individual projects be assigned to MSA firms?** *The City of Fargo will follow the standard selection process to select firms for projects. The selection process used will depend on anticipated dollar amount of the project.*
3. **The general liability limits in the sample agreement appear relatively high relative to the likely scale of the projects to be awarded under the MSA. Could the per occurrence limit be lowered to \$3M with an aggregate of \$5M?** *We spoke with our City Attorney and have agreed to adjust the Commercial General Liability Section as follows:
 - i. *Commercial General Liability covering bodily injury and tangible property damage liability with a limit of not less than U.S. \$2,000,000 each occurrence, 5,000,000,000 aggregate.**This will be corrected in the MSA prior to the award and contract signing process.**
4. **The indemnification clause in the proposed MSA places liability beyond the responsibility of the A/E firm, and would likely negate the firm's coverage under the Professional Liability Insurance carrier. If an indemnification clause is deemed necessary, would the following language used in current City MSA's for Civil work be acceptable?** *The City of Fargo will add the following to the Indemnification Clause in the MSA for clarification as to the Consultant's scope of liability. "The Consultant does not agree to defend, indemnify, or hold harmless the City of the City's own actions, omissions or negligence." This will be corrected in the MSA prior to the award and contract signing process.*
5. **Will specialty services be added if/when needed?** *Any specialty services a firm can provide that they think will benefit the City of Fargo should be listed.*

6. **If company personnel undergo finger printing and a background check process for a different State, will this suffice for the fingerprinting and background check requirement stated in the RFP overview?** *No, if any work is done at the Fargo Police stations, finger printing and a background check will need to be completed before entering those buildings. Fingerprinting results are not shared across state lines.*
7. **Should our firm include MEP consultants and structural engineers, or will those be selected separately?** *The MSA's will be executed between the City of Fargo and individual firms. A firm can indicate additional services they have the ability to provide based on their relationships and partnering with other firms, but there is no need to specify the partnering firms in the RFP. These other firms may submit their own proposal.*
8. **Are there specific types of projects on the City of Fargo's high-priority list for this RFP?** *No specific projects are tied to this RFP. As stated in the RFP: Grant of an MSA pursuant to this RFP does not guarantee any particular volume, level, or amount of work, nor shall any respondent who is granted an MSA pursuant to this RFP have an exclusive or sole right to perform the work as described in this RFP. Any City department may utilize the MSAs that go into effect, so there is potential for a wide variety of projects.*
9. **If our firm has only Engineering services or only Architectural services, can a proposal be submitted for one or the other?** *Yes, you can do one proposal for Engineering, or one proposal for Architectural. Please note that the number of services a firm can provide is not a qualifying factor, but rather the quality of the services, whether that is one or many, will be evaluated.*
10. **Clarification to EVALUATION CRITERIA.** *When "the project" is used under the Evaluation Criteria, it is in reference to the project examples required under Qualifications and Experience section.*
11. **Correction to EVALUATION CRITERIA.** *Under Professional Services Provided, first bullet point, "Demonstrated ability to execute the services the firm has indicated they can provide."*