SH 99 Grand Parkway Segment C-1 Design-Build Project
PROJECT DEVELOPMENT STATUS AND PROCUREMENT PROCESS SUMMARY
~~October 5~~November 6, 2026

PROJECT DEVELOPMENT STATUS

Project Description:

- The Texas Department of Transportation (TxDOT) is procuring part of the SH 99 Grand Parkway C-1 corridor as a Design-Build (DB) Project (Project). This alternative delivery method facilitates the sharing of risks associated with the design, construction, and maintenance between TxDOT and the DB Contractor.
- The Project build alternatives under consideration include the following:
  - SH 99 Mainlanes and Frontage Roads (CSJ 3510-03-002)
    - Two tolled mainlanes in each direction
    - Bridges/overpasses at:
      - Sansbury Boulevard and Crabb River Road
      - Rabbs Bayou
      - FM 762 and BNSF Railroad (approximate Station (STA) 3992+50)
      - Bridlewood Drive
      - Reading Road
      - A Myers Road
      - Dry Creek
      - FM 762 (approximate STA 4277+75)
      - FM 762 (approximate STA 4323+25)
    - Discontinuous frontage roads between US 59 / I-69 S and FM 762 (approximate STA 4404+25)
    - Construction of stub-outs for future direct connectors to and from The George Foundation property (direct connectors to be designed and constructed by others after completion of design-build project)
    - Reconstructing ramps and intersections between I-69 and approximate STA 3935+00
    - Re-aligning existing local roads
  - Direct Connectors at US 59 / I-69 (CSJs 3510-03-004 and 3510-03-009)
    - SH 99 Southbound (SB) to I-69 SB
    - I-69 Northbound (NB) to SH 99 NB
    - SH 99 NB to I-69 NB
    - SH 99 NB to I-69 SB

    - I-69 SB to SH 99 SB
    - I-69 NB to SH 99 SB
    - I-69 SB to SH 99 NB
  - Direct Connectors at Fort Bend Parkway (FBP) (CSJ 3510-03-013)
    - SH 99 SB to FBP SB
    - FBP NB to SH 99 SB
    - SH 99 NB to FBP NB
    - FBP SB to SH 99 NB
  - FM 762 Frontage Roads (CSJ 3510-03-012)
    - Frontage roads to re-align FM 762 along proposed SH 99 mainlanes from approximate STAs 4277+75 to 4404+25 (or approximately 2.4 miles)
- The Project is a toll facility with two three-lane mainlane gantries, two two-lane mainlane gantries, eight ramp gantries, and six direct connector gantries.
  - Southbound SH 99 mainlane gantry north of Sansbury Blvd
  - Southbound SH 99 exit ramp gantry to FM 762 West
  - Southbound SH 99 mainlane gantry north of Reading Road
  - Southbound SH 99 entrance ramp gantry from Reading Road
  - Southbound SH 99 entrance ramp gantry from A. Meyers Road
  - Southbound SH 99 entrance ramp gantry from FM 762 East
  - Northbound SH 99 exit ramp gantry to FM 762 East
  - Northbound SH 99 exit ramp gantry to A. Meyers Road
  - Northbound SH 99 exit ramp gantry to Reading Road
  - Northbound SH 99 mainlane gantry north of Reading Road
  - Northbound SH 99 entrance ramp gantry from FM 762 West
  - Northbound SH 99 mainlane gantry north of Sansbury Blvd
  - Southbound I-69 direct connector exit
  - Southbound I-69 direct connector entrance
  - Northbound I-69 direct connector exit
  - Northbound I-69 direct connector entrance
  - Southbound SH 99 direct connector exit at FBP
  - Northbound SH 99 direct connector entrance at FBP
- DB Contractor will perform all civil-oriented Toll Zone Work at the mainlane, ramp, and direct connector toll zone locations including:
  - Toll Gantry and Overhead Support for Toll Equipment

  - Toll Signing
  - Toll Zone Pavement
  - Tolling Conduit for Communications and Electric
  - Tolling Communications
  - Tolling Electrical Service
- TxDOT will enter into a separate contract with a toll Systems Integrator to provide the Electronic Toll Collection System (ETCS) and ETCS Elements for the Project. DB Contractor will coordinate all design and construction activities to allow the Systems Integrator to install and implement the permanent ETCS and ETCS Elements.
- The Project will include up to a 15-year Capital Maintenance Contract (CMC) consisting of three five-year terms.
  - The five-year Initial Maintenance Term will begin at Final Acceptance.
  - TxDOT will have the option to implement two subsequent five-year Maintenance Terms.

Project Estimate:

- The current estimated design-build cost as noted in TxDOT's planned design-build procurement timeline (August 2026 Update) is $1.6 billion. This estimate is based on the Project description above as reflected in the 30% schematic design.
- An updated DB cost estimate will be prepared in November 2026 following the completion of the draft 60% schematic design.
- TxDOT continues to monitor the volatility of construction-related costs and is considering implementing price escalation provisions similar to those incorporated on the I-35 Northeast Expansion (NEX) South and the SH 99 Grand Parkway Segment B-1 DB Projects to address potential extraordinary inflationary market conditions.

Project Funding from Grand Parkway Transportation Corporation (GPTC):

- The Grand Parkway Transportation Corporation is a public, nonprofit corporation created by the Texas Transportation Commission (Commission) by resolution dated March 29, 2012, under Subchapters A-C of Chapter 431, Texas Transportation Code, to act on behalf of the Commission to finance, develop, design, construct, and operate certain segments of the Grand Parkway Project (SH 99).
- SH 99 is a planned 184-mile highway, composed of multiple segments traversing seven counties. Pursuant to an agreement between TxDOT and GPTC, TxDOT staff have been designated representatives of GPTC for the purposes of contract administration and GPTC has agreed to be responsible for all development and operational costs, with exceptions for certain extraordinary events for which TxDOT would retain financial responsibility.

- Except for the design and construction of: (i) the direct connectors for the Fort Bend Parkway and (ii) the frontage roads that will serve as the re-aligned FM 762, GPTC will make payments for the DBC and CMC either through reimbursement of TxDOT or through direct payment from GPTC to the DB Contractor after the assignment of the DBC and CMC to GPTC, if any.
- As of September 8, 2026, GPTC currently has an investment grade credit rating of: First Tier (A1/A+); Subordinate (AA+/AA1/AA). It is anticipated that GPTC will fund its portion of the cost of the DBC and CMC through a combination of the issuance of toll revenue debt and cash on hand. Any issuance of toll revenue debt by GPTC will be subject to the covenants, restrictions and conditions of the existing financing documents approved by GPTC in connection with its outstanding debt obligations.

Project Funding for the FM 762 Frontage Roads:

- TxDOT will fund the design and construction of the approximate 2.4-mile frontage road segment that will serve as the realigned FM 762.
- The FM 762 frontage roads and their estimated costs will be added to the August 2026 Regional Transportation Program (RTP).

Project Funding for Direct Connectors at Fort Bend Parkway:

- Funding for the design and construction of the four direct connectors at the Fort Bend Parkway will be divided evenly between TxDOT and Fort Bend County.
- TxDOT and Fort Bend County will enter into a Project Development Agreement (PDA) to establish responsibilities for funding, operations, maintenance, toll systems integration, and toll revenue collection. TxDOT is currently developing a schedule for the implementation and execution of this PDA.

Project Schedule:

- A conceptual time determination schedule was prepared in October 2026 based on the project description above reflected in the draft 60% schematic design.
    - The Substantial Completion Deadline based on this conceptual time determination schedule is anticipated to be approximately 5 years.
- A more detailed time determination schedule (TDS) is being prepared in conjunction with the final 60% schematic and additional information, including detailed TDS and phasing assumptions for the Project, will be provided in January 2027.
- General TDS assumptions are noted below:
    - 6-day work weeks (with standard holidays and 5 weather days per month blocked out) for all construction activities.
    - Production rates are consistent with TxDOT's published 2026 rates.
    - 3 drainage crews.

- 2-3 wall crews.
- 3-4 earthwork crews.
- 1-2 drilled shaft crews.
- 1 slipform pavement crew.
- 1 hand pour pavement crew.
- 4-5 substructure crews.
- 4 superstructure crews.
- Notice to Proceed 1 (NTP1) anticipated to be issued the same day as Contract Execution.
- Right of Way (ROW) acquisitions and relocations to be completed prior to Notice to Proceed 2 (NTP2).
- NTP2 to be issued three months after NTP1.
- Utilities are assumed to not be critical path for construction activities.
- Construction activities to commence three months after NTP2.
- Intelligent Transportation Systems (ITS), Computerized Traffic Management System (CTMS), and toll gantry construction shall be sufficiently complete to support the start of System Integration activities no later than 180 days prior to Substantial Completion.
- Final Acceptance is assumed to be 120 days after the Substantial Completion Deadline.

Environmental Approvals:

- The SH 99 Grand Parkway, Segment C Final Environmental Impact Statement (FEIS) was approved on August 8, 2012.
- The SH 99 Grand Parkway, Segment C, Record of Decision (ROD) was issued on March 29, 2013.
- TxDOT prepared an environmental re-evaluation that received approval on March 9, 2017.
- TxDOT is conducting an environmental re-evaluation that is anticipated to be approved in winter 2027/2028.
- TxDOT will prepare and obtain the U.S. Army Corps of Engineers (USACE) 404 Standard Permit or Nationwide Permit for the Project.
- The final USACE permit is anticipated to be obtained in late 2028.

Schematic Design:

- The 60% schematic design is being prepared and will be provided in the reference information documents (RIDs) in January 2027.
- The 60% schematic design incorporates the following updates from the 2013

NEPA schematic:

- Updates to the design criteria for the Project to align with current TxDOT design standards.
- Addition of reserved corridor spaces within the Project's ROW for the potential future construction of frontage road lanes throughout the Project corridor.
- Addition of stub-outs for future design and construction of direct connectors to and from The George Foundation property.
- Addition of direct connectors to connect SH 99 to the proposed Fort Bend Parkway.
- Incorporation of frontage roads that will serve as the re-aligned FM 762 between approximate STAs 4277+75 to 4404+25.
- Incorporation of proposed tolling gantries.
- Addition of detention ponds and associated additional ROW required for conceptual drainage for the Project.

- The 90% schematic design is anticipated to be completed in July 2027 and will be provided as a RID.
- The final schematic design and associated signing schematic is anticipated to be completed in winter 2027/2028 following NEPA approval and will be provided as a RID.
- TxDOT will use the *Green Ribbon Project: Houston District Design Guidelines for the Construction of Highways, Streets, & Bridges – Horizontal Scheme* and corresponding Houston District standards for this Project. These guidelines ~~will be~~are provided in the RIDs.

Interchange Access Justification Report (IAJR):

- An IAJR is being prepared for the Project's connection with I-69 and will be posted in the RIDs upon final Federal Highway Administration (FHWA) approval, which is anticipated to be obtained in fall 2027.

Drainage:

- TxDOT is preparing a draft Drainage Report, hydraulics and hydrology (H&H) models, and design files and anticipates providing them in the RIDs in May 2027.
- The Final Drainage Report, H&H models, and design files are anticipated to be complete October 2027.
- DB Contractor will be responsible for any Conditional Letter of Map Revision (CLOMR) or Letter of Map Revision (LOMR) that may be required for the Project, consistent with DB Contractor's responsibility for drainage design and allowing for opportunities for the DB Contractor to optimize its design and modeling.

Right of Way:

- TxDOT will acquire all schematic ROW parcels.
- The ROW maps and parcels for the Project are anticipated to be completed in June 2027.
- ROW acquisition status reports will be provided in the RIDs starting in June 2027 and will be updated throughout pre-procurement and procurement.
- ROW maps will be available to shortlisted proposers in November 2027.
- DB Contractor will be responsible for acquiring parcels outside the Schematic ROW, any necessary drainage or temporary construction easements, and ROW needs for DB Contractor utility relocation.

Railroad:

- TxDOT began coordination with BNSF in September 2026.
- TxDOT anticipates submitting a draft Exhibit A to BNSF in December 2026, which will be provided in the RIDs, once it is available.
- TxDOT anticipates BNSF Exhibit A approval in September 2027.
- TxDOT will prepare for approval by BNSF a final, but not executed, Construction and Maintenance (C&M) Agreement for the Work based on the final schematic and any supplemental engineering necessary to obtain BNSF's approval.
- The final, but not executed, C&M Agreement approved by BNSF for the Work is anticipated to be complete in winter 2027/2028 and will then be provided in the RIDs.
- After Contract execution/NTP1, DB Contractor will be responsible for preparing Release for Construction (RFC) submittal(s), acceptable to TxDOT and BNSF, and any other documents required by the railroad, for TxDOT to use in obtaining the executed C&M Agreement.
- TxDOT will be responsible for continued coordination with BNSF and obtaining the executed C&M Agreement.

Utility Information, Coordination, and Relocation:

- Subsurface Utility Engineering (SUE)
  - TxDOT is advancing the SUE investigation from Quality Level D through Quality Level A for the Project, to the extent that right-of-entry access is available.
  - Quality Levels C/D SUE data will be made available in the RIDs in November 2026.
  - Quality Level B SUE data will be made available in the RIDs in June 2027.
  - All remaining Quality Level A SUE efforts are expected to be completed and the resulting data provided in the RIDs by November 2027.

- Utility Conflict Matrix (UCM) and Utility Conflict Exhibit (UCE)
  - TxDOT anticipates commencing preparation of a draft UCM and draft UCE to the schematic design in November 2026, both of which will be made available in the RIDs periodically as SUE data is collected and utility coordination efforts progress.
  - The final UCM and UCE to the schematic design are anticipated to be complete and provided in the RIDs in January 2028.
- Advance Utility Relocations (TxDOT Responsibility)
  - TxDOT anticipates entering into an Advance Utility Relocation Agreement with CenterPoint Energy in spring 2028 for the relocation of the following utilities:

Table 1 - List of Utility Conflicts

Utility Owners	Number of Utility Conflicts
CenterPoint Energy (Transmission)	2

  - Advance utility relocation dates available for construction will be included in the draft Request for Proposals (RFP). TxDOT is committed to completing all these advance utility relocations by the completion date(s) that will be included in the RFP documents.
- Utility Relocations (DB Contractor Responsibility)
  - DB Contractor will be responsible for coordinating all required Utility Adjustments that are not being adjusted as advance utility relocations.
  - DB Contractor will be required to maintain and/or restore access for Utility Owners to their respective utility easements/ROW where SH 99 bisects the easement/ROW of the Utility Owner.
  - DB Contractor will be responsible for any utility easements needed outside the Schematic ROW subject to Section 4.5 of the Design Build Agreement (DBA) General Conditions and Section 14.2.4.2 of the DB Specifications.
  - DB Contractor is responsible for relocating New Utilities that impact the Project, subject to the terms and conditions in Section 4.5 of the DBA General Conditions.

Geotechnical Information:

- TxDOT is performing geotechnical investigations and preparing geotechnical and pavement design reports.
- A .KMZ file showing the layout of the borings to be completed is provided in the RIDs.
- Draft boring logs for borings completed will be provided periodically in the RIDs as they become available.
- A draft Pavement Design Report is anticipated to be complete in fall 2027 and

will be provided in the RIDs.

- A final Pavement Design Report is anticipated to be complete in fall 2027 and will be provided in the RIDs.
- A Geotechnical Investigation Report is anticipated to be complete in fall 2027 and will be provided in the RIDs.

Adjacent Projects:

- TxDOT is developing a plans, specifications, and estimate (PS&E) package for a design-bid-build project for the section of Segment C-1 that is north of US 59 / I-69 S (CSJ 3510-04-083). A concept exhibit showing the limits of this project is provided in the RIDs.
- TxDOT is developing the project schematic in coordination with several ongoing residential developments adjacent to the Project ROW.

Agreements:

- TxDOT has executed a toll project agreement with Fort Bend County pursuant to which TxDOT accepted primacy for the Project.
- In accordance with the executed toll project agreement with Fort Bend County, TxDOT is pursuing a PDA to establish responsibilities for funding, operations, maintenance, toll system integration, and toll revenue collection of the four direct connectors at SH 99 and Fort Bend Parkway.

PROCUREMENT PROCESS SUMMARY

The Texas Department of Transportation intends to conduct a pre-procurement partnering industry workshop and subsequent one-on-one meetings to familiarize potential offerors with the scope of the Project, status of Project development activities, the anticipated procurement process, and certain key elements of the DB procurement. The goal of the pre-procurement process is to solicit interest in the Project and to present this information to industry partners and receive feedback on the Project and procurement.

Pre-Procurement Schedule:

08-Sep-26	Pre-Procurement Project Webpage
27-Oct-26	Pre-Procurement Industry Partnering Workshop
10 to 11-Dec-26	1st Pre-Procurement Partnering One-on-One Meetings

The Texas Department of Transportation will conduct a two-phase DB procurement, consisting of issuing a Request for Qualifications (RFQ), evaluation of Qualifications Statements (QS), and determining a shortlist of qualified proposers followed by issuing a RFP, evaluation of proposals, and conditional award to a best value proposer.

Procurement Schedule:

Jun-27	Commission Action to Issue RFQ
Jul-27	Issue RFQ
Jul-27	Industry Workshop
Sep-27	QS Due Date
Oct-27	Commission Action to Issue RFP
Nov-27	Issue Draft RFP
Feb-28	Issue Final RFP
Jul-28	Proposal Due Date
Sep-28	Commission Action to Conditional Award
Dec-28	Contract Execution / Notice to Proceed 1

Procurement Project Objectives:

The purpose of the proposed Project is to efficiently link the suburban communities and major roadways, enhance mobility and safety, and respond to economic growth; therefore, the following objectives have been developed for the Project:

- Improve regional mobility and accessibility by providing additional transportation capacity and connectivity to meet current and future travel demand.
- Enhance the regional transportation network by providing reliable alternative evacuation routes during hurricanes, flooding, and other emergency events.
- Enhance safety for the traveling public through modern roadway design, operational improvements, and effective traffic management.

- Deliver resilient drainage and hydraulic infrastructure that minimizes flood risk and complies with applicable drainage, environmental, and regulatory requirements.
- Protect the environment by minimizing adverse impacts, fulfilling environmental commitments, and supporting regional air quality goals.
- Minimize impacts to adjacent communities, right of way, utilities, and environmental resources while maintaining compliance with all applicable regulatory requirements.
- Support regional economic growth by improving the efficient movement of people and goods and enhancing connectivity between businesses, consumers, and the transportation network.
- Maintain proactive, transparent communication with the public, stakeholders, and partnering agencies throughout Project delivery.

Disadvantaged Business Enterprise (DBE) Requirements:

- DBE requirements have been removed from the programmatic documents to address the Interim Final Rule issued by FHWA on October 3, 2025.
- TxDOT will continue to coordinate with FHWA throughout the pre-procurement process, as well as the procurement for the Project, and will provide periodic updates to proposers regarding requirements for the Project.
- There are currently no DBE goals established for the Project; however, it is anticipated that there will be separate DBE goals for professional services and construction services that will be set forth in the RFP.
- For additional information regarding the DBE program, please visit the TxDOT website at:

  https://www.txdot.gov/business/disadvantaged-small-business-enterprise/additional-details-on-dbe-interim-final-ruling.html.

RFQ Evaluation Criteria and Weighting:

- TxDOT anticipates that each responsive QS will be evaluated and scored according to the criteria set forth below:
  - Project Qualifications and Experience (65% Weighting)

    The background and experience of the Proposer, each team member and Key Personnel with developing, designing, fabricating, constructing and maintaining comparable projects will be evaluated in accordance with the following criteria:

    (a) The extent, depth, strength and likelihood of success of the Proposer's and each team member's experience with designing comparable projects (9 points);

    (b) The extent, depth, strength and likelihood of success of the Proposer's and each team member's experience with constructing comparable

projects (9 points);

(c) The extent, depth, strength and likelihood of success of the Proposer's and each team member's experience with performing quality assurance on comparable projects (8 points);

(d) The stability, strength and likelihood of success of the proposed management structure and team (5 points);

(e) The strength and depth of experience of the following Key Personnel for the Project (34 points)

(i) Project Manager (8 points)

(ii) Construction Manager (7 points)

(iii) Design Manager (6 points)

(iv) Lead Maintenance of Traffic ("MOT") Design Engineer (2 points)

(v) Independent Quality Firm ("IQF") Manager (3 points)

(vi) Professional Services Quality Assurance Manager (2 points)

(vii) Construction Quality Control Manager (6 points)

- Statement of Technical Approach (25% Weighting)

The Statement of Technical Approach will be evaluated in accordance with the following criteria:

(a) The extent to which the Statement of Technical Approach demonstrates a full understanding of the Project's scope and complexity (10 points);

(b) The extent to which the Statement of Technical Approach demonstrates a complete understanding of Project risks and potential solutions, regardless of ownership of such risks, that may arise during all Project phases (8 points); and

(c) The extent to which the Statement of Technical Approach demonstrates the ability to plan, organize and execute the independent quality assurance program to ensure the quality of the work meets or exceeds the Project requirements, including by having sufficient quality assurance personnel at all times (7 points).

- Safety Qualifications (10% Weighting)

The safety qualifications of the Proposer will be evaluated to assess the strength and consistency of the Proposer's safety records, as demonstrated by:

(a) Fatal injury rate ("FIR") per 100,000 full-time workers (2.5 points);

(b) Incidence rate ("IR") of injury and illness cases per 100 full-time workers (2.5 points);

(c) National Council on Compensation Insurance ("NCCI") experience modifier (2.5 points); and

(d) The extent to which the narrative demonstrates the Proposer's overall safety culture and experience implementing safety programs on comparable projects (2.5 points).

RFQ Key Personnel:

- TxDOT anticipates that the following Key Personnel will be required for the Project:
  - *Project Manager* - Responsible for overall design, construction, maintenance, contract administration, safety, and environmental compliance on behalf of the DB Contractor for the Project.
    - Must have recent experience managing the design and construction of projects with a similar level of complexity and experience in project management on design-build project(s).
    - Individual shall be assigned to the Project full-time and co-located/on-site until Final Acceptance.
  - *Construction Manager* - Responsible for ensuring that the Project is constructed in accordance with the Project requirements. Responsible for managing the DB Contractor's construction personnel, scheduling of the construction quality acceptance personnel and administering all construction requirements of the DBC.
    - Must have demonstrated construction management experience on projects of similar scope and level of complexity including experience in coordinating with relevant regulatory agencies. Must have experience on at least one design-build project.
    - Individual shall be assigned to the Project full-time from the start of design until Final Acceptance.
  - *Design Manager* - Responsible for ensuring that the overall Project design is completed, and design criteria requirements are met. Responsible for managing the DB Contractor's design personnel and administering all design requirements of the DBC.
    - Must be a Professional Engineer* with experience in managing the design of similar highway improvement projects including experience leading multi-disciplinary teams. Must have experience on at least one design-build project.
    - Must be co-located and on-site from the commencement of design activities until resolution of TxDOT's comments on the final RFC Documents for the Project.
  - *Lead MOT Design Engineer* - Responsible for ensuring the MOT plans are prepared in accordance with the DBC Documents. Will work with the lead MOT manager to coordinate with TxDOT, DB Contractor, and appropriate Governmental Entities.
    - Must be a Professional Engineer* with relevant experience overseeing

the development of MOT plans during the design and construction phase of highway projects similar in size and scope as the Project.

- *IQF Manager* - Responsible for managing the quality assurance program for the construction work and performing independent quality assurance material testing and inspection in accordance with the DBC Documents and performing audits of the Construction Quality Management Plan (CQMP).
  - Must have a minimum of five years of experience in quality management, including preparation and implementation of quality plans and procedures in construction;
  - Must have worked on a project of similar scope and level of complexity;
  - Must be a Professional Engineer*;
  - Must be an employee of the IQF and organizationally independent of direct scheduling and production activities;
  - Reports directly and jointly to TxDOT and the DB Contractor's management team; does not report to any individual directly responsible for design or construction production;
  - Must be co-located and on-site from the commencement of construction activities until Final Acceptance; and
  - Has the authority to stop work.
- *Professional Services Quality Assurance Manager* - Responsible for the management and implementation of the assurance and audit functions as described in the professional service quality management plan. Individual will report jointly to TxDOT's and the DB Contractor's executive management teams, and have authority to stop Work.
  - Must be a Professional Engineer* with relevant professional services quality assurance management experience on projects of similar scope and level of complexity. Must be employed by the independent Professional Services Quality Assurance Firm.
- *Construction Quality Control Manager* - Responsible for managing the quality control program of the construction work in accordance with the DBC Documents and the CQMP.
  - Must have a minimum of ten years of experience on projects of similar complexity;
  - Must have relevant construction quality control management experience on projects of similar type and scope;
  - Reports directly to the DB Contractor's management team and organizationally independent of scheduling or production activities;
  - Must ensure that the methods and procedures contained in the approved CQMP are implemented and followed by the DB Contractor and Subcontractors in the performance of the work; and

- Has the authority to stop work.

* *Professional Engineers must be licensed in the State of Texas, or become licensed in the State of Texas, prior to execution of the DBC.*

RFQ Organizational Conflicts of Interest:

Section 9.155 *et seq.* of the Rules regarding organizational conflicts of interest and 23 C.F.R. § 636.116 apply to this Project. Offerors are advised that these Rules may preclude certain firms and their divisions and affiliates from participating on a Proposer team. Offerors should refer to the Rules for more detail and for the definitions of certain terms used below.

Firms that are prohibited from proposing or joining a Proposer team include, but are not limited to:

(a) Firms that are only providing "preliminary engineering and architectural services" for the Project or have only provided such services will be prohibited unless TxDOT has issued a written determination that all work product prepared by the firm and other information and data provided to the firm in the performance of the services has been or will be made available to all Proposers prior to the issuance of the final RFP:

- KCI Technologies, Inc.
- (Ram) RODS Aerial Mapping LLC
- WSP USA Inc.
- Divisions or subsidiaries of any of the above.
- Subconsultants of any of the above.

(b) Firms that are only providing or have only provided "environmental services" for the Project will be prohibited unless TxDOT has issued a written determination that the firm is not prohibited:

- Divisions or affiliates or subsidiaries of any of the above.
- Subconsultants of any of the above.

(c) Firms that are providing or have provided "procurement services" or "financial services" for the Project will be prohibited:

- BGE, Inc.
- Ernst & Young Infrastructure Advisors, LLC
- Geotest Engineering, Inc.
- HG Consult, Inc.
- HNTB Corporation
- HVJ Associates, Inc.
- Jacobs Engineering Group, Inc.
- Johnson, Mirmiran & Thompson, Inc.

- KPMG
- LJA Engineering, Inc.
- LJA Surveying, Inc.
- Mayer Brown, LLP
- Nossaman, LLP
- RS&H, Inc.
- WSB & Associates, Inc.
- Divisions or affiliates of any of the above.
- Subconsultants of any of the above.

If a firm listed in category (a) above wishes to be a Proposer, or an equity owner, team member, consultant, or subconsultant of or to a Proposer for the Project, or to have a financial interest in any of the foregoing entities with respect to the Project, then the firm (including, as applicable, any of its subconsultants) should submit to TxDOT all work product prepared by the firm (including, as applicable, any of its subconsultants) for the Project and any other information and data provided to the firm (including, as applicable, any of its subconsultants) by TxDOT in the performance of its work on the Project. TxDOT will decide, in its sole discretion, whether to make those materials available to all Proposers prior to the issuance of the final RFP for the Project. If TxDOT decides to make the materials available, TxDOT will inform the firm of its eligibility to be on a Proposer team.

If a firm listed in category (b) above wishes to be a Proposer, or an equity owner, team member, consultant, or subconsultant of or to a Proposer for the Project, or to have a financial interest in any of the foregoing entities with respect to the Project, then the firm should submit to the TxDOT Executive Director a request for a determination whether participation in the Project or the performance of particular services with respect to the Project would constitute a conflict of interest, or for approval of an exception to the applicability of the conflict of interest rules, as permitted by 43 Texas Administrative Code (T.A.C.) § 9.155(c)(9).

Proposers are advised that other TxDOT consultants working on the Project may have an organizational conflict of interest. Proposers are encouraged to review the Rules and discuss potential conflicts of interest with prospective team members. By submitting its QS, each Proposer agrees that it has no organizational conflict of interest or potential organizational conflict of interest, and if an organizational conflict of interest or potential organizational conflict of interest is thereafter discovered, the Proposer must make an immediate and full written disclosure to TxDOT that includes a description of the action that the Proposer has taken, or proposes to take, to avoid or mitigate such conflicts. If an organizational conflict of interest that the Proposer knew, or should have known about, but did not disclose is determined to exist during the procurement process, TxDOT may, at its discretion, disqualify the Proposer or terminate the DBC and CMC. Proposers are also advised that TxDOT's policy is in addition to applicable federal and state law. Such applicable law will also apply to Proposer teams and teaming and may preclude certain firms

and their related entities from participating on a Proposer team.

RFP Total Proposal Score:

- TxDOT is evaluating the best value determination point scale for this Project.

Key Personnel Change Fees / Key Personnel Unavailability Liquidated Damages (LDs):

- TxDOT is evaluating the key personnel changes fees and unavailability liquidated damages for this Project.

Liquidated Damages for Delays to Achieving the Substantial Completion Deadline:

- TxDOT is evaluating the liquidated damages for delays to achieving the Substantial Completion Deadline for this Project.

Status of Pre-Procurement RIDs:

- Refer to the RIDs index on TxDOT's Pre-Procurement webpage for this Project for the latest information.