

NEBRASKA

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DEPARTMENT OF TRANSPORTATION

Request for Qualifications

Response to Questions – Alternative Delivery Program Assistance

June 3, 2024

Statements of Qualifications are due Wednesday, June 12, 2024, 1:00 P.M.

Question: At Section A of the RFQ, included in the scope is “Legal support and advisement”. Does NDOT intend to itself engage directly a law firm to perform the desired legal support services?

Answer: NDOT does not intend to procure a separate legal advisor for alternative delivery services. The Consultant’s team should have the necessary experience, knowledge, and qualifications to meet all the obligations set out in this RFQ. Consultant is expected to have the assistance of an attorney(s) on staff or on retainer who will be a part of Consultant’s team, and who has the necessary expertise to: (a) research law related to NDOT alternative delivery authority and other Nebraska legal and legal/policy requirements applicable to alternative delivery projects, (b) research and develop the documents needed for the alternative delivery procurement, and (c) identify and advise NDOT regarding legal issues associated with alternative delivery projects, including but not limited to risk shifting and allocation, drafting of contracts and other legal documents, enforceability of contracts, appropriate processes, insurance issues, default provisions, dispute resolution, conflicts of interest and any other issues that involve legal considerations for the proposed alternative delivery projects. Consultant’s legal advisor(s) may consult with NDOT staff attorneys concerning unique legal questions or requirements.

Vicki Kramer, Director
Nebraska Department of Transportation