

Responses to Questions on the Request for Qualified Concessionaires (RFQC) – Posted May 14, 2018

Question Number	Question	RFQC Section	BOR Response
1	Can you clarify the references to a single private firm or team at this stage of the solicitation process (RFQC)? The RFQC seems to imply not to form teams to include architects, engineers, and construction contractors, and only propose teams “when identifying the entity that will perform facility management services if different from the Lead Entity.” Does that preclude offerors from responding as a joint venture or with two lead entities	Sections 1.1; 4.2, 5.2	Joint ventures or offers with two lead entities are not precluded; however, the BOR intends to contract with a single entity as the concessionaire for all services. Responses should include the governance of the concessionaire and the ownership structure for the concessionaire.
2	In regards to Project photos (to be provided as a separate appendix), would the BOR consider allowing offers to submit photos on 11x17 sized paper for improved graphic representation and ease of review	Section 5.2, paragraph 6.a.vi	The BOR would accept photos on 11x17 sized paper. Respondents should ensure that any oversized pages are folded in such a way to fit a standard folder (8.5x11) and which can be easily viewed by the evaluation team.
3	Section 4.2, Relevant Project Experience (20 points) includes two bullets that specifically references team experience, as highlighted below. Section 5.2.5.c. of the RFQC states, “... The BOR encourages Respondents NOT to form exclusive teams at this time, as it believes the nature of the submittal questions do not require it, with the exception of identifying the entity that will perform facility management.” Given this statement, will the following evaluation criteria be revised to reflect the intent of section 5.2: <ul style="list-style-type: none"> • Years that key personnel have worked within the Lead Entity or other entity comprising the proposed team 	Sections 4.2, 5.2	Respondent may include in the responses to Section 4.2 and 5.2: (1) the experience of key personnel working within the Lead Entity or another entity identified by the Lead Entity as being a part of the Respondent’s team; and (2) the experience of the Lead Entity and of other entities identified by the Lead Entity as being a part of the Respondent’s team.

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	<ul style="list-style-type: none"> • Level of experience of Lead Entity and other proposed team members working together on matters similar to the Project 		
4	Please clarify why the BOR is choosing to enter only into an Operations and Maintenance Agreement at Gordon State, Georgia Southwestern State University, and Middle Georgia State University (Cochran & Eastman Campuses and not include these beds in the DBFOM	Section 1.2 (Project Objectives, page 3)	The BOR has pending refinancings at Gordon State College, Georgia Southwestern State University, and Middle Georgia State University (Cochran and Eastman Campuses) that should close by the end of June 2018. No new beds are currently contemplated at these campuses; however, the BOR anticipates that the master concession agreement for these campuses would grant to the concessionaire the first right of opportunity to offer on the design, build, finance, operate and maintain of any new beds at these campuses
5	Given the BOR and the relevant USG institution's priority provision to retain all authority to set housing fee rates, control residency requirements, market and lease the housing to students, and consolidate the USG institutions under the DBFOM, the project revenue is mostly beyond the control of the concessionaire. Without a guaranteed revenue source, the concessionaire is unable to guarantee all project operating expenses and reserve deposits to the extent funded from the project's cash flow. Will the BOR consider a commercially reasonable cap on operating expense risk and other payments under the master concessions agreement to create a	Section 3.3 (Key Provisions for the DBFOM P3 Project, page 11(The BOR is currently reviewing these provisions and anticipates providing further guidance to Respondents on or about May 17, 2018 on what, if any, changes and clarifications on these provisions it can provide.

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	shared risk transaction typical of public-private partnerships?		
6	The guaranty language appears to be written (the use of “if applicable”) that the USG understands that if project debts is used it will likely be non-recourse to both the USG and the concessionaire, and as such it will not be guaranteed by the concessionaire typical of public-private partnerships. Can the BOR explain its intent?	Section 3.3 (Key Provisions for the DBFOM P3 Project, page 12)	The BOR is currently reviewing these provisions and anticipates providing further guidance to Respondents on or about May 17, 2018 on what, if any, changes and clarifications on these provisions it can provide.
7	With respect to the guaranty, commercially reasonable caps are standard practice in the industry; will the BOR consider caps with respect to the guaranty?	Section 3.3 (Key Provisions for the DBFOM P3 Project, page 11)	The BOR is currently reviewing these provisions and anticipates providing further guidance to Respondents on or about May 17, 2018 on what, if any, changes and clarifications on these provisions it can provide.
8	Can the BOR confirm that the \$10m letter of credit “to reach financial close” is subject to events beyond the control of the concessionaire?	Section 3.3 (Key Provisions of the DBFOM P3 Project, page 12)	Respondents should provide examples of events that it believes should be excluded from an event allowing a draw under this letter of credit.
9	Can the BOR provide the due diligence items sooner, i.e. as they are completed and upload?	Section 4.1 (Overview, page 13)	All due diligence materials will be provided to the Qualified Proposers under the RFP. The BOR will provide the due diligence items to the Qualified Proposers as they are completed through the due diligence portal.
10	The RFQC requests three years of audited financial statements. As a large public company, our audited financial statements are lengthy (140+ pages). Will the BOR accept	Section 5.2 (Format and Required)	Yes, we would accept bound copies of the 2017 annual report with additional years available upon further request, and a hyperlink to the

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	bound copies of our 2017 annual report to meet this request, with additional years available upon further request, and reference this supplemental information in the appendix? Would a hyperlink suffice in the digital version	Information, page 18)	digital version of the audited financial statements for three years.
11	Can the USG provide the Common Data Set (which details enrollment and other data pertinent to campus housing) reports for each of the nine campuses for the academic years beginning with the academic year 2012-13 and for each year thereafter through 2017-18?		This data will be provided to the Qualified Proposers under the RFP.