



CITY OF HOUSTON

Information and Technology Department

Bill White

Mayor

Richard Lewis
Chief Information Officer
Information Technology Department
P.O. Box 1562
Houston, Texas 77251-1562

T. 832.393.0082
F. 832.393.0075

www.houstontx.gov

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Subject: Letter of Clarification No. 3

Reference: Request for Qualifications (RFQ) Q23218

This letter is issued for the following reason:

To provide the answer to a question submitted and the response omitted in Clarification Letter No. 2:

27. With an expected 24% of the contract to go to a MBE/WBE and 25-50% of the project team staff coming from the City, the Prime vendor(s) may not have full control of the project and project outcome, so therefore how can it also assume unlimited liability? Due to this, will the City allow some flexibility on this issue during contract negotiations?

Answer: The City views the "limitation of liabilities as a key contract term. Many professional services firms want to limit their liability to the amount of the fees paid by the City to the firm. The City will not agree to this limitation for the Courts Project.

The City will work with the highest rated firm(s) to establish terms for the "limitation of liability" that protect the City if the firm fails to perform in accordance with the contract, without creating unlimited liability for the vendor.

When issued, Letter(s) of Clarification shall automatically become a part of the RFQ documents and shall supersede any previous specification(s) and/or provision(s) in conflict with the Letter(s) of Clarification. It is the responsibility of the respondents to ensure that they have obtained all such letter(s). By submitting a response on this project, respondents shall be deemed to have received all Letter(s) of Clarification and to have incorporated them into their response.

Thank you,

A handwritten signature in cursive script, appearing to read "Frank Rodriguez".

Frank Rodriguez
Division Manager
City of Houston
Information Technology Department