

Metro Gold Line Foothill Extension Construction Authority

REQUEST FOR PROPOSALS (RFQ) C2002

PHASE 2B ALIGNMENT

DESIGN-BUILD PROJECT

RFQ Issued November 8, 2017

QUESTIONS AND ANSWERS MATRIX – 2

Issued December 13, 2017

#	RFQ Section	Question/Clarification/Comment	Response
13.	2.1	<p>What are the minimum experience/qualifications for the following Key Personnel listed in Section 2.1 of RFQ?</p> <ul style="list-style-type: none">• Quality Manager• Construction Safety Manager• Freight and Commuter Rail Safety Manager	<p>See §4 and §5 of the RFQ with regard to Key Personnel.</p>
14.	2.1	<p>Are we correct to interpret Team as only the Design-Builder, its lead design professional and those Subcontractors that have an agreement directly with the Design Builder (not including design subconsultants below the design professional) and use this interpretation anywhere Team is mentioned in the submittal requirements?</p>	<p>No. "Team" is defined as all entities identified in the SOQ, regardless of whether they have a direct agreement with the Design-Builder.</p>
15.	2.1	<p>One of the Key Personnel listed in Section 2.1 of the RFQ is Systems Manager. From the title, it's unclear if this is a design or construction related role. Please clarify the responsibilities of this position.</p>	<p>The Systems Manager is responsible for both design, construction, integration and testing of the systems elements of the project</p>
16.	3.8	<p>What are the requirements and what is the process for design firm to become SCRRA-approved for design of freight and commuter rail signal and communications systems?</p>	<p>Three SCRRA-approved firms were provided to select from for the design of the freight and commuter rail signal and communications systems. All three of these firms have agreed not to enter into exclusive teaming agreements on this project.</p>

17.	3.8	<p>In the event that all SCRRRA-approved firms listed in Section 3.8 of RFQ are unavailable, will SCRRRA allow use of firm not currently approved to perform design of freight and commuter rail signal communications systems?</p>	<p>Proposers should assume SCRRRA will not allow use of a firm not currently approved. See response to Question 16.</p>
18.	5.1(i)(1), (6)	<p>RFQ Section 5.1 (i)(1) requests "a brief description of any accidents or regulatory violations within the past five years (for all Team members)". Please confirm that the intent is for the Proposer to provide this information for the separate entities that make up the Design-Build JV. Other team members (eg design professional, Subcontractors) are not expected to provide this information.</p> <p>Also, is the intent to provide (a) a brief description of any accident that resulted in a regulatory violation; (b) any OSHA-recordable accident (Form 300); or (c) <u>all</u> accidents, including such incidents as insect sting, first aids, strained knee, motor vehicle collisions, etc. If descriptions are required for (b) or (c), we would request that the 65 page limit for Volume 1 <u>not</u> apply to 5.1(i)(1).</p>	<p>A subsequent addendum will clarify that the Proposer is required to provide this information for all entities that constitute the Team and have a forecasted contract value of \$1M or more.</p> <p>The intent is to provide a brief description of any accident that resulted in a regulatory violation, any OSHA-recordable accident (Form 300) and all accidents involving motor vehicle collisions.</p>
19.	4.4(b) and 5.4(b)	<p>Sections 4.4(b) and 5.4(b), which discuss carrying up to \$40 million in outstanding invoices, seem to require the Design-Builder to effectively provide and maintain short term financing for the entire Project duration. This requirement places a very significant financial burden on the Design-Builder, as it would be forced to provide the Project with the working capital to finance this substantial negative cash flow for several years. Further, the RFQ does not include any detail regarding the likelihood or frequency of this occurrence.</p> <p>We are therefore requesting the Authority to address this short-term financing issue by either eliminating this requirement entirely or committing to provide specific financing obligation language in the RFP, assuring the contractor that its payment requisitions will be approved and certified monthly by the Authority, which would then allow the contractor to obtain the necessary financing to manage the anticipated negative cash flow.</p> <p>We also request that the evaluation criteria and submittal requirement for Proposers to describe experience in paying subcontractors, overhead, staff and other costs and simultaneously carrying up to \$40 million in</p>	<p>This is not a requirement to provide and maintain short-term financing for the entire Project duration. This is a large design-build project with typical cash flow issues to manage. The Authority anticipates that the RFP will require the Authority to pay invoices within 30 days after an invoice has been approved.</p> <p>The Design-Builder controls their spending curve.</p>

		outstanding invoices for a duration of up to 60 days be removed from the RFQ, as while this is not common in Design-Build delivery projects.	
20.	5.4(a) - (c)	In addressing items 5.4 (a)-(c), please confirm that financial information is only required to be submitted for each member of the Design-Builder and/or their respective financially responsible entities, as they are the members of the Proposer team who are financially liable for the Proposer's performance, and that no financial statements are required to be submitted for the designers and other subconsultants and subcontractors.	A subsequent addendum will clarify §§4.4 and 5.4 of the RFQ.
21.	5.4	Section 5.4 appears to pertain primarily, if not exclusively, to the Proposer / Design-Builder (inclusive of the separate entities that make up the Design-Builder). Please confirm our understanding that other Team members (e.g. design professional, Subcontractors) are not expected to provide the information requested in 5.4.	See response to Question 20.
22.	5.4(c)	Regarding Section 5.4 (c), it is standard for the letter identifying all off balance-sheet liabilities to be signed by the CFO or Treasurer of the Proposer. Please confirm this is acceptable for submission.	The letter shall be from the certified public accountant.
23.	5.4(c)	Can a Proposer submit response to 5.4(c) electronically?	No.
24.	5.5(c)	<p>Section 5.5(c) requires that "Proposer shall submit a Form D for each contract for work on a comparable project performed by Proposer and <u>each other Team member</u> in the past seven years. Proposer and each Team member must include its three most recent rail projects (including those projects that are not yet complete but where the Proposer's or Team member's scope is at least 50% complete)."</p> <p>Team members are defined as entities including "...the Design-Builder, the design professional and Subcontractors who have been identified at the time of the submittal of the SOQ." Please confirm that it is the Authority's intent that Form Ds are required for all identified Subcontractors. For Proposers with a number of Subcontractors, including SBE/DBEs, already identified as part of the Team (e.g. community outreach, second tier design sub-consultants, etc.), this would require a significant number of Form D submittals. Alternatively, could the Form D requirements be limited to the Design-Builder and the lead design professional(s) plus any Subcontractors the Proposer deems relevant to establishing its qualifications to perform the Work?</p>	A subsequent addendum will revise §5.5(c) of the RFQ.

25.	5.5(c) Form D	Section 5.5 (c) instructs the Proposer to submit Form Ds for itself and each other Team member for comparable projects, including the three most recent rail projects. Please clarify if it is acceptable for the Proposer to provide, at a minimum, three rail projects each for the Design-Builder, the lead design firm, and key subcontractors, and use discretion as to the number of Form Ds and rail projects to provide for lower tier or specialty subcontractors.	See response to Question 24.
26.	5.5(c) Form D	We request that the criteria for Form D be expanded to include projects that have been completed in the last 10 years to allow Proposers to more fully represent their range of relevant experience	No change.
27.	6	We request that the Authority remove the requirement of adding separate indexed tabs for each subsection of Sections 5.1 and 5.2. Due to the number of these subsections, this requirement will negatively affect the flow and page count of the Proposal.	A subsequent addendum will clarify that indexed tabs are not included in the page count.
28.	6 - General	The RFQ states “one original and 8 hard copies of the SOQ....” Does the requirement of 8 hard copies apply to Volume 3 (financials) as well?	An addendum will clarify that one original and three hard copies of Volume 3 must be provided.
29.	6	If a Team member is a private firm, can their response to Section 5.4(c) be provided in hard copy in a separate sealed envelope only? What about electronic copies?	An addendum will clarify that Volume 3 will be submitted in hard copy only, and separate sealed envelopes included within are acceptable.
30.	General	Question: Has the Authority made a determination of the firms and/or affiliates who are precluded from bidding or participating in the design and construction of the Phase 2B project due to their involvement in the Phase 2B project pre-bid work?	As a result of their work performed on the Project, the following firms and their affiliates are precluded from participating on any Proposer’s Team: -ATS Consulting -BCG -CH2MHill -Deodate Strategies -Doug Jamieson -Elwood & Associates -IBI Group -ISIS -Jack Clapp Consulting -Jacobs Engineering -John Quintanar -Kristin Roskowitz -Kroner Environmental

			<ul style="list-style-type: none"> -Land & Water Elements -Leighton Consulting -Maxima Group -McLean & Schultz -Michael Maltzan Architect -Staff Engineering Inc. -Soteria Company -Wagner Engineering -WKE <p>This list is not exhaustive. Additional firms or persons not appearing on this list may have a conflict of interest and, if so, would also be precluded and this list may be formally or informally updated at any time</p>
31.	Form B	We request that the value for construction claims be raised from \$100,000 to \$1,000,000 at a minimum. We also request that the time frame for claims that have been taken to arbitration or litigation be limited to 5 instead of 10 years.	A subsequent addendum will revise Form B of the RFQ to change \$100,000 to \$1,000,000 and 10 years to seven years.