

# TRANSBAY JOINT POWERS AUTHORITY

## ADDENDUM No. 4

to Request for Qualifications (RFQ) No. 23-04

### Progressive Design-Build for Civil and Tunnel for The Portal

**DATE:** January 17, 2024

**FROM:** Transbay Joint Powers Authority  
425 Mission Street, Suite 250  
San Francisco, CA 94105

**TO:** RFQ No. 23-04 Respondents

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This Addendum No. 4 forms a part of RFQ No. 23-04 and modifies the original RFQ documents issued on October 27, 2023. This Addendum No. 4 consists of the following: (a) changes to Key RFQ dates on the cover and in Section 3.2, Procurement Schedule, (b) added clarification to the page limits in Section 4.7, Submittal Requirements, (c) updated page count in Table 7, Page Limits, (d) updated Form H - Insurance Letter and Form I – Financial Status in Exhibit B, Administrative and Legal Forms, and (e) updated insurance information in Exhibit C, Agreement Terms.

New text is indicated in **bold underline**; deleted text is indicated in ~~strikeout~~.

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#### Key RFQ Dates (All Times Pacific)

Informational Session	September 20, 2023	
Issue Request for Qualifications	October 27, 2023	
Industry Briefing	November 2, 2023	1 p.m.
Last Date for Respondents to Submit Requests for Clarification	January 10, 2024	2 p.m.
Last Date for Issuance of Addenda	January 17, 2024	
Statements of Qualifications Due	January 31, 2024	2 p.m.
Notification of Short-Listed Respondents	March 2024	
<del>Issue Request for Proposals</del>	<del>April 2024</del>	
<b><u>Release Draft Contract for Proposer Review and Comment</u></b>	<b><u>May 2024</u></b>	

### 3.2 Procurement Schedule

Table 3 represents the current anticipated schedule for the procurement.

Table 3. Anticipated Procurement Schedule

Event	Date
Informational Session <sup>a</sup>	September 20, 2023
Issue RFQ	October 27, 2023
Industry briefing <sup>b</sup>	November 2, 2023
Last date for Respondents to submit requests for clarification	January 10, 2024
Last date for issuance of addenda	January 17, 2024
SOQ due	January 31, 2024
Notification of short-listed Respondents	March 2024
Issue RFP <sup>c</sup>	April 2024
<b>Release Draft Contract for Proposer Review and Comment<sup>d</sup></b>	<b>May 2024</b>

Notes:

<sup>a</sup> The attendance list and presentation from the information session is available on the TJPA's website at <https://www.tjpa.org/about-tjpa/doing-business/contract-opportunities/23-04-request-qualifications-rfq-progressive>

<sup>b</sup> Industry briefing will be held from 1:00 pm to 2:30 pm. Access link will be posted on the TJPA's website at <https://www.tjpa.org/about-tjpa/doing-business/contract-opportunities/23-04-request-qualifications-rfq-progressive>

<sup>c</sup> *Subject to approval by the TJPA Board*

<sup>d</sup> **TJPA is modifying the procurement process. The TJPA will issue a draft contract to Proposers for review and comment, according to the schedule in Section 3.2 of the RFQ, as amended by Addendum 4. The TJPA intends to issue the RFP after this review and comment period has concluded, subject to TJPA Board approval.**

Where the RFQ provides a deadline or due date for material due to the TJPA, the material is due by 2:00 pm Pacific Time.

### 4.7 Submittal Requirements

SOQs must be submitted in two volumes:

- ◆ Volume I – Technical Qualifications
- ◆ Volume II – Team Member Information

Each volume must be in separate PDF files. SOQs must be submitted electronically to the TJPA as noted in Section 3.1.2, Communication with the TJPA, as searchable PDFs with an electronic table of contents.

Text must be single-spaced using a non-narrow font no smaller than the 10-point Segoe UI used in this document (that is, other font types may be used, but the minimum font size may vary to meet the required size). Organizational charts, tables, figures, and forms may be prepared using 9-point font size. Pages must measure 8.5 x 11-inches with one-inch margins. Organizational charts, tables, and figures may be formatted on 11 x 17-inch sheets; however, 11 x 17-inch sheets will count as two pages. **Dividers will not count toward the page limits.** Page limits are shown in Table 7.

Table 7. Page Limits

SOQ Item	Page Limit
<b>Volume I – Technical Qualifications</b>	
Executive Summary	1
Table of Contents	1
Respondent Organization and Experience (excluding Forms)	6
Key Personnel Experience (excluding Forms)	5
Best Practices	<b>5.4</b>
SBE/DBE Experience	1
<b>Forms</b>	
Form B – Team Member Summary	1
Form C – Team Experience	18 <sup>a</sup>
Form D – Key Personnel Summary	1
Form E – Key Personnel Experience	33 <sup>b</sup>
Volume I Maximum Pages	<b><u>72</u> 74</b>
<b>Volume II – Team Member Information</b>	
<b>Forms</b>	
Form F – Business Organization	
Form G – Surety Letter	
Form H – Insurance Letter	
Form I – Financial Status	n/a
Form J – Organizational Conflicts of Interest	
Form K – Certifications and Questionnaire	
Volume II Maximum Pages	n/a
Notes:	
<sup>a</sup> Limit of three pages per project	
<sup>b</sup> Limit of three pages per Key Personnel	

# EXHIBIT B

## ADMINISTRATIVE AND LEGAL FORMS, PROVIDED IN WORD FORMAT

### FORM H – INSURANCE LETTER

[Instructions: Include a letter on your insurance broker's ~~Company~~ letterhead for each of the following: a) Commercial General and Excess Liability Insurance; b) Contractor's Protective Professional Indemnity Insurance; and c) Project Specific Professional Liability Insurance. Letters may be combined if the same insurance broker is providing a letter of intent for multiple types of the requested insurance. as shown]

Transbay Joint Powers Authority  
425 Mission Street, Suite 250  
San Francisco, CA 94105

Re: Civil and Tunnel Project for Transbay Joint Powers Authority  
Letter of Intent to Obtain Minimum ~~Issue~~ Insurance Coverages

Dear Transbay Joint Powers Authority,

We represent \_\_\_\_\_ (the Respondent) as \_\_\_\_\_'s insurance broker of record. We write in support of Respondent's submission in response to the Transbay Joint Powers Authority's (TJPA) Request for Qualifications to Provide Progressive Design-Build Services for the Portal civil and tunnel project.

We affirm that we have reviewed and understand the insurance requirements for [Commercial General and Excess Liability Insurance] [Contractor's Protective Professional Indemnity Insurance] [and] [Project Specific Professional Liability Insurance] contained in the RFQ, as modified by Addendum 4. We affirm that our client, the Respondent, if awarded the ultimate contract contemplated under this RFQ and the subsequent RFP, Respondent will be able to fully comply with all minimum insurance requirements, terms, and conditions as presented in this RFQ, as modified by Addendum 4, for itself as well as for all of its subcontractors, for both onsite and offsite work.

~~We understand that, should Respondent submit a Proposal in response to the TJPA's Request for Proposal for the above-mentioned contract, and subsequently fail to satisfy the insurance requirements as they have been outlined in this RFQ and the subsequent RFP, such failure may result in Respondent's Proposal being deemed non-responsive.~~

Regards,

Signature  
Name of Authorized Signatory  
Title  
Name of Insurance Brokerage ~~Company~~

## FORM I – FINANCIAL STATUS

[Instructions: Include financial statements prepared by a Certified Public Accountant, including all exhibits and notes, **available** for the three most recently completed fiscal years]

### EXHIBIT C AGREEMENT TERMS

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#### Insurance

The TJPA is evaluating use of either a Contractor Controlled Insurance Program (CCIP) or an Owner Controlled Insurance Program (OCIP) for the major project participants and may utilize a combination of both CCIP and OCIP in a primary/excess arrangement to provide adequate coverage for the work. Any CCIP or OCIP must include at least general liability coverage, workers' compensation and employer's liability coverage, pollution liability coverage, professional liability coverage, and builder's risk coverage. The TJPA may require additional coverages based on the Project risks. Smaller vendors and subcontractors will need to provide per occurrence and aggregate limits of coverage in line with expected industry amounts. The successful proposer shall assist the TJPA in developing appropriate coverage amounts for non-enrolled subcontractors and vendors.

**Respondents must declare their ability to comply with the following minimum insurance coverages, terms, and conditions using Form H – Insurance Letter:**

- a. **Commercial General and Excess Liability Insurance:**
  - i. **5-year project-specific term policy shall have limits not less than \$100,000,000 per occurrence, \$100,000,000 general aggregate, and \$100,000,000 products/completed operations limits;**
  - ii. **5-year project-specific term policy shall contain a clause providing at least one full reinstatement of policy limits applying to the construction term;**
  - iii. **5-year project-specific term policy shall contain a provision that the policy will be primary and non-contributory with any other insurance;**
  - iv. **5-year project-specific term policy shall contain a waiver of subrogation in favor of TJPA and its member organizations;**
  - v. **5-year project-specific term policy shall include TJPA and its member organizations as additional insureds during the preconstruction, construction, and completed operations phases of the project for the**

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- full duration of the California statute of repose or 10 years, whichever is greater; and
        - vi. 5-year project-specific term policy shall include completed operations coverage for the full duration of the California state statute of repose or 10 years, whichever is greater.
    - b. Contractor’s Protective Professional Indemnity Insurance
      - i. Contractor must provide practice (annually renewable) or project-specific Contractor’s Protective Professional Indemnity Insurance (CPPI) with limits not less than \$15,000,000 per claim and \$15,000,000 aggregate.
    - c. Project Specific Professional Liability Insurance:
      - i. The Lead Designer, to include itself and all its subconsultants, must provide a Project Specific Professional Liability Policy (PSPL) with limits not less than \$50,000,000 per claim and \$50,000,000 aggregate.
    - d. Provisions:
      - i. Both CPPI and PSPL policies must contain the following provisions:
        - 1. The retroactive date must be the date of the Proposal submitted in response to the RFP;
        - 2. The term shall include a date range incepting from notice of award to substantial completion;
        - 3. The extended reporting period (ERP) must be at least 5 years from substantial completion, or as long as commercially available; and
        - 4. An indemnification endorsement to include TJPA and its member organizations as indemnified parties.
      - ii. Self-insured retention options may range from \$2,000,000 to \$5,000,000 per claim.
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END OF ADDENDUM NO. 4