



TRANSBAY JOINT POWERS AUTHORITY

REQUEST FOR PROPOSALS No. 21-04 Construction Management Services

QUESTIONS & ANSWERS

The following questions were received related to the above-referenced RFP. Some questions have been paraphrased to improve readability and/or to consolidate questions submitted by multiple respondents on the same topic:

- 1. Part 4, Minimum Required Skills and Experience, states the lead staff shall be a Professional Engineer (PE) or possess a Certification in Construction Management. Will the Authority consider a Bachelor of Science degree in Construction Management as meeting the CM certification requirement? If not, can the Authority clarify what type of CM Certification will satisfy this requirement?*

Answer: No, a Bachelor of Science degree alone is not adequate. American National Standards Institute (ANSI) accredited Construction Manager Certification Institute's (CMCI) for Certified Construction Manager (CCM) will satisfy the certification requirement. As required by state law, Respondents proposing to provide construction management services must hold a license in architecture, engineering, or general construction. Individual members of a Respondent team do not necessarily have to each personally be a licensee as long as they work under the responsible charge and are supervised by licensed individuals. TJPA has issued an Addendum #1 clarifying this requirement.

- 2. Part 4, Minimum Skills and Experience, states the lead staff shall be a Professional Engineer (PE) or possess a Certification in Construction Management. We are a SBE firm who's principal has 15+ years of CM experience on public infrastructure projects, but is not a PE. Will the Authority accept lead staff with this experience if a PE is provided on-call to support items that may require a registered engineer?*

Answer: As required by state law, Respondents proposing to provide construction management services must hold a license in architecture, engineering, or general construction. Individual members of a Respondent team do not necessarily have to each personally be a licensee as long as they work under the responsible charge and are supervised by licensed individuals. TJPA has issued an Addendum #1 clarifying this requirement.

3. *Will a SBE firm who acts as the Prime satisfy the 14.5% SBE goal? Or is the Authority's intent to have an SBE prime proposer also carry SBE subcontractors?*

Answer: Yes, an SBE firm may act as the Prime and would satisfy the SBE goal. SBE participation may be met by Prime, subcontractors or combination of.

4. *With reference to Part 5.2, Fee Proposal, the Authority requests proposers provide names, titles, and estimated hours for services. There are 25 points allotted to the Fee Proposal. The project list provided does not contain sufficient information for Proposers to accurately calculate a budget for the stated projects. As this is 25% of the overall scoring structure and is very subjective, please further clarify how the Fee Proposal will be evaluated. Or provide an hourly breakdown Proposers should utilize to ensure all proposals are evaluated in a similar manner.*

Answer: TJPA has issued an Addendum #1 explaining that TJPA will follow Brooks Act Qualifications-Based Selection procedures. TJPA will first evaluate qualifications and then negotiate a fair and reasonable price with the highest ranked proposer based on qualifications. If TJPA cannot reach a satisfactory negotiation on price, TJPA will negotiate a fair and reasonable price with the second highest ranked proposer based on qualifications. As explained in Addendum #1, the scoring of written proposals has been revised accordingly. To the extent Respondents are proposing on only a portion of the services, their qualifications will be ranked with the other Respondents proposing on that same portion of services.

TJPA is anticipating compensation for the construction management services on a not to exceed time and materials basis. Accordingly, proposers should submit a cost proposal indicating hourly rates by position/title for the services and any terms and conditions for cost reimbursement.

5. *Will the Authority publish a list of potential proposers that have registered as document holders?*

Answer: TJPA does not have a list of proposers that have registered as document holders. TJPA is, however, attaching the list of firms who received RFP 21-04, Construction Management Services.

6. *Can TIPA provide further guidance on expected hours so that consultants can provide fee proposals that can be compared to each other for evaluation purposes?*

Answer: Refer to response to question 4.

7. *What is the schedule for the implementation of each of the Capital Investment Program Projects?*

Answer: Refer to Attachment 5 (last page of RFP 21-04)

8. *How are the Capital Investment Program Projects being packaged? Will each project on the list be a separate construction contract, or will they be consolidated. Also, what is the delivery method, i.e. design-build or design-bid-build?*

Answer: The anticipated projects may be combined or bid out separately as design-bid-build projects.

9. *What is the anticipated budget for CM Services?*

Answer: Anticipated budget for CM Services will be determined on an annual basis and shall correspond to capital investment program.

10. *How are Commissioning services going to be procured?*

Answer: Commissioning services or commission specialist for the construction phase (CxC) shall be procured as a part of each separate capital improvement project; procurements will vary depending on size and scope (representative procurements types for capital improvements - design-bid-build, design-build, or purchase order). TJPA's existing asset management engineering staff may act as commissioning authority (CxA). TJPA does not anticipate issuing a separate procurement for a third party CxA or CxC.

11. *Are subconsultants required to submit the forms listed below or are these forms only required by the prime consultant?*

- *Fly America Certification*
- *Certification Regarding Debarment, Suspension, and Other Responsibility Matters*
- *New Restrictions on Lobbying Certification*

Answer: The prime consultant and subconsultants must submit these required forms for the RFP.

12. *Does 11x17 count as one page or two pages?*

Answer: Please refer to RFP 21-04 at Section 5 – proposals shall be submitted in 8½ x 11-inch format.

13. *In the first paragraph on page 2 it states, "If a firm is proposing to provide only portions of the Services, it should clearly state which portions it proposes to provide in its proposal." Does this mean a Respondent can choose to select specific services to bid on, e.g., only proposing on Preconstruction Activities within the Construction Category and not the other services within that category?"*

Answer: Yes, a Respondent can choose to select specific services to bid on. If a Respondent is proposing to provide only portions of the Services, it should clearly state which portions it proposes to provide in its proposal.

14. *How will the TJPA evaluate the fee proposals if a different Scope of Work is assumed for each Respondent?*

Answer: Refer to response to question 4.

15. *On page 4, under Section 3, a non-exhaustive list of activities is provided, and under CM Services Preconstruction Activities an activity is described as follows "Document*

existing site conditions prior to start of any contractor work.” Is the TJPA expecting any subsurface documentation or only surface “as-is” documentation?

Answer: Refer to Attachment 5, level B1 and some street level projects may require subsurface documentation.

16. *On page 88 of the RFP the “Capital Investment program list of anticipated projects” is shown: 1) Is this list a representation of individual contracts to be awarded to different contractors? 2) Is this list a representation of contracts to be awarded in for the life of the project or just for the fiscal year shown? 3) Do the values within the list include the construction costs?*

Answer: 1) This list is an accurate representation of anticipated projects with possibly different contractors; (2) for the next two fiscal years shown; and, (3) values represent estimated construction costs.

17. *On page 13 the RFP states, “TJPA will not negotiate different terms in the Model Professional Services Agreement if exceptions are not clearly noted within the Respondent’s Proposal.” If we propose exceptions to the Model Professional Services Agreement, where should we note these in our proposal and is there a page limit?*

Answer: Provide a separate section noting all proposed exceptions to the Model Professional Services Agreement; there is no page limit.

18. *Under Section 4 - Minimum Required Skills and Experience please clarify how the first requirement, “Minimum of 5 years of public infrastructure construction management projects specific to either (or both) civil or building scope,” applies to the Engineer Services consultant? Does experience during Construction Administration for public infrastructure projects qualify?*

Answer: 1) Eligible Respondents must have expertise and experience in construction project design review and evaluation, construction mobilization and supervision, bid evaluation, project scheduling, cost-benefit analysis, claims review and negotiation, and general management and administration of a construction project on public works projects; to satisfy this requirement, Respondents must have spent an aggregate of at least 5 years providing services for public projects. 2) Yes.

19. *The RFP states, “TJPA plans to enter into one or more contracts for the Services.” How many Engineer Services contracts are anticipated to be awarded?*

Answer: To be determined based on proposals received and TJPA’s evaluation of qualifications and negotiation of a fair and reasonable price (e.g., If the most qualified Respondent proposers on all portions of the scope of work and a fair and reasonable price can be reached, TJPA may enter one contract for the services. If the most qualified Respondent proposers for only a portion of the services, TJPA may enter more than one contract with each of the most qualified firms for each portion of the services). A set number of contracts has not been determined for this procurement.

20. *The RFP states, “TJPA is not looking for consortiums or joint ventures, but rather individual firms that are qualified to perform some or all portions of the Services.” Is this statement referring to a CM/E joint venture? Would there be an issue holding a SBE subconsultant for the same service to help meet the SBE utilization goal for the project?*

Answer: 1) The statement is intended to indicate that TJPA will allow Respondents to propose for only a portion of the services; TJPA is not requiring firms to form consortiums or joint ventures in order to provide all of the services identified in the RFP. 2) It is acceptable for an SBE subconsultant to provide the same service to meet the SBE utilization goal.

21. *Regarding the SBE utilization goal, and per the confirmed joint venture definition, would TJPA prefer we choose our own SBE subconsultant and provide their information in our proposal or will the teaming be arranged by TJPA with us guaranteeing a set-aside for their scope and fee?*

Answer: Respondents must form their own teams and any subconsultants; TJPA is not planning to arrange teams.