



TRANSBAY JOINT POWERS AUTHORITY

REQUEST FOR QUALIFICATIONS No. 23-04 Progressive Design-Build for Civil and Tunnel for The Portal

QUESTIONS & ANSWERS

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

1. *Is RFQ No. 23-04 all-inclusive of all the building trades? Can individual contractors submit for all of their services on this package, or do they wait for the additional/other packages to come out?*

Answer:

This RFQ No. 23-04 is seeking to prequalify teams to compete for the civil and tunnel contract package (40-CT), which will be delivered using the progressive design-build (PDB) contract model. Respondents can read more about the scope of the 40-CT package in the RFQ at Section 2.

Small Business Enterprise (SBE) and Disadvantaged Business Enterprise (DBE) participation in the 40-CT contract is important to TJPA. We encourage individual trade contractors to reach out to prime contractor teams. You can review the attendance list from the September 20 Informational Session and November 2 Industry Briefing on the TJPA's website: <https://www.tjpa.org/about-tjpa/doing-business/contract-opportunities/23-04-request-qualifications-rfq-progressive>. Future "Meet the Primes" events will be posted on the TJPA website in the contract opportunities section.

2. *Is the industry briefing meant to be an online meeting only or will it be in person?*

Answer:

As explained in the RFQ, the November 2 industry briefing was online only. The presentation, attendee list, and recording of the event are available on the TJPA website: <https://www.tjpa.org/about-tjpa/doing-business/contract-opportunities/23-04-request-qualifications-rfq-progressive>

3. *We would like to get a clear understanding if we, [firm], are conflicted out from being a designer on a Progressive Design Build Team. Under Section 3.7 – Ineligible Parties, Parsons is listed as a firm that is ineligible. [Firm] is a subconsultant to Parsons.*

Answer:

TJPA Board Policy No. 022, Conflict of Interest Policy for Design-Build Procurements (<https://www.tjpa.org/media/39110/download?inline>), at Section 6 describes the process for Respondents to disclose to the TJPA a potential Organization Conflict of Interest and receive TJPA's determination if the Respondent is disqualified from participating in this procurement. Respondents seeking such a determination should submit their written request (including all of the information specified in the Policy at Section 6) via email to: RFP@tjpa.org. Respondents are encouraged to submit their request as soon as possible.

4. *Several firms that could potentially participate as part of the Lead Designer for the RFQ No. 23-04, PDB for Civil and Tunnel for the Portal project are currently competing on TJPA's RFP No. 23-03, Program Management and Construction Management Services. Given TJPA has yet to select and award the RFP No. 23-03 contract, are firms currently competing for the RFP No. 23-03 contract permitted to also submit as part of a team on the RFQ No. 23-04 project? If such team member is ultimately conflicted due to being selected as part of the RFP No. 23-03 team, will the RFQ 23-04 Respondent be allowed to replace such team member?*

Answer:

For TJPA RFP No. 23-03, Program Management and Construction Management services, the TJPA has issued notices of firms advancing to the interview stage of the procurement, and notices of TJPA's intent to negotiate with the highest-ranked firm. Under the current schedule, a PMCM contract is expected to be recommended to the TJPA Board for approval on February 15, 2024.

For TJPA RFQ No. 23-04, Sections 4.2 and 4.3 require Respondents to identify their proposed Team Members (Respondent, Lead Designer, Lead Contractor, and any Major Subcontractors) and Key Personnel. Firms that are concurrently competing for RFP No. 23-03 are permitted to be identified among a Respondent's proposed Team Members and Key Personnel in this RFQ.

As explained in this RFQ at Section 3.6 and 3.7, and in the TJPA's Board Policy No. 22 (<https://www.tjpa.org/media/39110/download?inline>), however, if a proposed Team Member is engaged as a contractor under RFP No. 23-03, that entity may become ineligible to continue as a proposed Team Member under this RFQ. In such case, consistent with this RFQ at Section 6.3, TJPA will exercise its discretion to allow that Respondent to promptly propose a substitution of the affected Team Member and any affected Key Personnel. TJPA exercises sole discretion to evaluate such substituted Team Member and Key Personnel using the scoring in this RFQ at Section 5.2.

Respondents to this RFQ should indicate in their SOQ if a proposed Team Member and any Key Personnel are concurrently competing for RFP No. 23-03.

5. *Given TJPA has yet to select its team for RFP No. 23-03, Program Management and Construction Management Services, please extend the submission date for the RFQ No. 23-04 project until 2 months after the date TJPA publicly announces selection of its RFP No. 23-03 team.*

Answer:

TJPA will not be amending the RFQ due date, but please refer to response to question 4.

6. *For Joint Ventures acting as Respondent or Lead Contractor, are all individual equity members of the Joint Venture required to possess a Class A (General Engineering Contractor) License, or just the Joint Venture?*

Answer:

Only the Joint Venture is required to possess a Class A (General Engineering Contractor) License.

7. *What is the estimated cost of this project?*

Answer:

The Portal budget is located in RFQ Section 1.3.4, Table 2.

8. *Are union bids required for this project?*

Answer:

As explained in this RFQ at Exhibit C, page C-3, the Project is subject to a Project Labor Agreement (PLA). The PLA is a pact that all construction and trade workers, both union and non-union, must abide by while working on the Transbay site. The selected contractor must adhere to the PLA. The TJPA allows and encourages all contractors and subcontractors to compete for contracts and subcontracts without regard to whether they are parties to collective bargaining agreements.

9. *In our endeavor to join a contractor team for TJPA's RFQ No. 23-04, which pertains to the Progressive Design-Build for Civil and Tunnel work, we kindly request a formal assessment of any potential conflicts of interest related to [firm's] ongoing activities at the Caltrain 4th and King Site.*

Answer:

TJPA Board Policy No. 022, Conflict of Interest Policy for Design-Build Procurements (<https://www.tjpa.org/media/39110/download?inline>), at Section 6 describes the process for Respondents to disclose to the TJPA a potential Organization Conflict of Interest and receive TJPA's determination if the Respondent is disqualified from participating in this procurement. Respondents seeking such a determination should submit their written request (including all of the information specified in the Policy at Section 6) via email to: RFP@tjpa.org. Respondents are encouraged to submit their request as soon as possible.

10. *[Firm] is currently providing structural consultation services for PG&E related to their existing underground utility vaults that are located within the footprint of the proposed Downtown Rail Extension (DTX) project in San Francisco. PG&E has requested that [firm] engineers visually evaluate these vaults and provide an opinion on the feasibility of supporting existing vaults during construction. [Please advise if this is a conflict of interest.]*

Answer:

TJPA Board Policy No. 022, Conflict of Interest Policy for Design-Build Procurements (<https://www.tjpa.org/media/39110/download?inline>), at Section 6 describes the process for Respondents to disclose to the TJPA a potential Organization Conflict of Interest and receive TJPA's determination if the Respondent is disqualified from participating in this procurement. Respondents seeking such a determination should submit their written request (including all of the information specified in the Policy at Section 6) via email to: RFP@tjpa.org. Respondents are encouraged to submit their request as soon as possible.