

FORM F – BUSINESS ORGANIZATION

Team Member:

Business Organization: Corporation Joint Venture Partnership - General Partnership - Limited Partnership - Association Limited Liability Company Other:

Year Established:

Federal Tax ID:

State of Incorporation:

Date of Incorporation:

DUNS Number (if any):

Name of Chair or Chief Executive Officer:

Name of Chief Financial Officer:

Team Member Representative

Name:

Firm:

Address:

Email:

Phone:

Complete the following sections for entities comprising the Team Member, only needed if the Team Member is a Joint Venture or Partnership

Team Member Entity 1

Firm (or other):

Business Organization: Corporation Joint Venture Partnership - General Partnership - Limited Partnership - Association Limited Liability Company Other:

Roles:

Equity Member: Yes, percent equity interest: No

Contact Name:

Contact Address:

Contact Email:

Contact Phone:

Team Member Entity 2

Firm (or other):

Business Organization: Corporation Joint Venture Partnership - General Partnership - Limited Partnership - Association Limited Liability Company Other:

Roles:



FORM F – BUSINESS ORGANIZATION

Team Member:

Equity Member: Yes, percent equity interest:
 No

Contact Name:

Contact Address:

Contact Email:

Contact Phone:

Team Member Entity 3

Firm (or other):

Business Organization: Corporation Partnership - General Limited Liability Company
 Joint Venture Partnership - Limited Other:
 Partnership - Association

Roles:

Equity Member: Yes, percent equity interest:
 No

Contact Name:

Contact Address:

Contact Email:

Contact Phone:

Under penalty of perjury, I certify that the foregoing is true and correct, and that I am an Authorized Representative of the Team Member to which this form relates:

Signature: _____
Printed Name: _____
Title: _____
Date: _____

REQUEST FOR QUALIFICATIONS No. 23-04 – Addendum 4 – 2024-01-17

FORM G – SURETY LETTER

[Instructions: Include a letter on Surety Company letterhead 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 Issue Security

Dear Transbay Joint Powers Authority,

_____ (the Respondent) has submitted this letter in support of the Statement of Qualifications (SOQ), submitted in response to the Request for Qualifications (RFQ) for The Portal civil and tunnel project (Project) issued by the Transbay Joint Powers Authority (TJPA) on October 27, 2023, as amended. Respondent seeks to be included in the short list of Respondents invited to propose on the Project described in the Request for Qualifications.

The Surety has reviewed the TJPA’s RFQ and the Respondent's SOQ. The Surety hereby certifies that it intends to issue on behalf of the Respondent, as security for performance under the Progressive Design-Build agreement, a Performance Bond and a Payment Bond for the benefit of the Owner each in the amount of \$1,900,000,000, in the event the Respondent is selected for final negotiations and execution of the Progressive Design-Build agreement, and which will be revised to reflect any price adjustment.

This commitment is subject to standard underwriting requirements at the time of the bond request, including a review of acceptable bond forms, contract terms, and our standard underwriting considerations. This letter is not an assumption of liability, nor is it a bid bond.

Regards,

Signature
Name of Authorized Signatory
Title
Name of Surety Company

REQUEST FOR QUALIFICATIONS No. 23-04 – Addendum 4 – 2024-01-17

FORM H – INSURANCE LETTER

[Instructions: Include a letter on your insurance broker’s 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.]

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 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, 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.

Regards,

Signature
Name of Authorized Signatory
Title
Name of Insurance Brokerage

REQUEST FOR QUALIFICATIONS No. 23-04 – Addendum 4 – 2024-01-17

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]

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FORM J – ORGANIZATIONAL CONFLICTS OF INTEREST

Organizational conflict of interest means that because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to the TJPA, or the person's objectivity in performing work is or might be otherwise impaired, or a person has an unfair competitive advantage.

[Instructions: For each Team Member, include an organizational conflict of interest letter covering the items below]

1. Name of Team Member and name of the Respondent Team.
2. The name, address, telephone number, and federal taxpayer identification number, if applicable.
3. A description of the nature of the services rendered by or to be rendered on the Project or related thereto.
4. A statement of any past (within the past three years), present, or currently planned financial, contractual, organizational, or other interests relating to the performance of the Work of the Project.
 - a. For contractual interests, such statement must include the name, address, telephone number of the client or client(s), a description of the services rendered to the previous client(s), and the name of a responsible officer or employee who is knowledgeable about the services rendered to each client, if, in the three years preceding the date of the statement, services were rendered to the TJPA or any other client respecting the same subject matter of the Project, including planning, financing, and approvals. The client and contract number under which the services were rendered must also be included, if applicable.
 - b. For financial interests, the statement must include the nature and extent of the interest and any entity or entities involved in the financial relationship. For these and any other interests enough such information must be provided to allow a meaningful evaluation of the potential effect of the interest on the performance of the work of the Project.
5. A statement that no actual or potential conflict of interest or unfair competitive advantage exists with respect to the services to be provided in connection with the contract.
6. A signature by an authorized representative, including typed name, title, and date.

Failure to provide the required statement may result in a Respondent being determined ineligible for award. Misrepresentation or failure to report any fact may result in the assessment of penalties associated with false statements or such other provisions provided for by law or regulation.

FORM K – CERTIFICATIONS AND QUESTIONNAIRE

Team Member:

General

Team Member has the ability to procure and obtain a valid and current California Contractor’s license with a Class A designation: Yes No n/a If no, explain:

Team Member has the ability to provide engineering or architectural services per California law: Yes No n/a If no, explain:

Safety

Team Member’s Experience Modification Rate (EMR)s for the most recent three years:

Team Member’s average total recordable incident rate (TRIR) for the most recent three years:

Team Member’s average lost time incident rate (LTIR) for the most recent three years:

The undersigned certifies that the Team Member has an acceptable safety record. A Team Member’s safety record shall be deemed acceptable if its experience modification rate for the most recent three-year period is an average of 1.00 or less, and its average total recordable injury or illness rate and average lost time incident rate for the most recent three-year period does not exceed the applicable statistical standards for its business category or if the Team Member is a party to an alternative dispute resolution system as provided for in Section 3201.5 of the Labor Code.

Business Matters

Team Member has defaulted on any loans in last five years: Yes No If yes, explain:

Team Member has no outstanding unsatisfied judgments or liens with a right of enforcement (i.e., where the underlying loan is in default): Yes No If yes, explain:

Team Member is currently for sale or involved in potential expansion, acquisition or merger that might impact its ability to perform this Project: Yes No If yes, explain:

Team Member can provide needed services to this Project considering its current and projected work backlog: Yes No If no, explain:

Team Member has failed to complete a contract or been removed from a project in the last five years: Yes No If yes, explain:

Team Member has been assessed liquidated damages for failing to complete a project within the contract time within the last five years (subject to the following allowances: one project, up to five percent of the contract time allowed; two additional projects, up to two percent of the contract time allowed): Yes No If yes, explain:

Team Member has had any citation or penalties assessed against it by the Environmental Protection Agency, Air Quality Management District, or any Regional Water Quality Control Board for the past three years: Yes No If yes, explain:

Team Member has had any instances of having to pay back wages or penalties for willfully failing to comply with state prevailing wage laws or federal Davis-Bacon prevailing wage requirements in the last three years: Yes No If yes, explain:

FORM K – CERTIFICATIONS AND QUESTIONNAIRE

Team Member:

Team Member, any of its officers, supervisors, managers, or any firm or individual has been convicted of a crime involving the awarding of a contract of a government construction project, the bidding or performance of a government contract, antitrust statutes, racketeering statutes, safety and health regulations, environmental laws, laws banning workplace discrimination, laws governing wages, hours or labor standards, or laws involving fraud, theft, or any other act of dishonesty:

Yes
 No If yes, explain:

Team Member's officers, supervisors, managers, or any firm or individual currently have any delinquent liability to an employee, the state, or any awarding body for any assessment of back wages or related damages, interest, fines or penalties pursuant to any final judgment, order, or determination by any court or any federal, state, or local administrative agency, including a confirmed arbitration award:

Yes
 No If yes, explain:

Debarment, Suspension, and Other Responsibility Matters

"Principals," for the purposes of this certification, means officers; directors; owners; partners; and persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions).

The Signatory certifies, to the best of its knowledge and belief, that the Team Member and/or any of its Principals:

- a) Have Have not been debarred, suspended, proposed for debarment, declared ineligible for the award of contracts, or otherwise prevented from proposing, bidding on, performing as a subcontractor, or completing by any Federal, state, or local agency within the three (3) year period preceding this offer;

- b) Have Have not had a professional or business license suspended or revoked within the three (3) year period preceding this offer;

- c) Have Have not been declared non responsible by any public agency in the context of a procurement within the three (3) year period preceding this offer;

- d) Have Have not, within the three (3) year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) contract or sub-contract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; violation of labor, employment, health, safety or environmental laws or regulations, including, without limitation, laws pertaining to use of apprentices on a public work project, federal or state prevailing wage laws;

- e) Have Have not, within the three (3) year period preceding this offer, been indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in subparagraph d) above;

- f) Has Has not, within the three (3) year period preceding this offer, received a notice of default by any private owner, Federal, state, or local agency.

- g) Has Has not been a debtor in a bankruptcy proceeding or receivership at any time during the last five years.

- h) In the last five years an insurance carrier has has not refused to renew any insurance policy, for any form of insurance.

- i) Within the last five years, a surety firm has has not completed a contract or made payments toward the completion of a contract on behalf of the Team Member.

- j) Within the last five years there was was not a period in which the Team Member had employees but was without workers' compensation insurance or state-approved self-insurance.

- k) During the last five years, there was was not a period of time when the Team Member had no surety bond in place during a public works project when one was required.

FORM K – CERTIFICATIONS AND QUESTIONNAIRE

Team Member:

The Team Member shall provide immediate written notice to the TJPA if, at any time prior to contract award, the Team Member learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

Team Members may provide clarifying information regarding any of their responses on a separate page. The TJPA reserves the right to request additional information about any response. Failure of the Team Member to furnish a certification or provide such additional information as requested by the TJPA may render the SOQ being deemed nonresponsive.

Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by this provision. The knowledge and information of a Signatory is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

The certification of this provision is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Signatory knowingly rendered an erroneous certification, the TJPA may terminate the contract resulting from this solicitation for default.

Under penalty of perjury, I certify that the foregoing is true and correct, and that I am an Authorized Representative of the Team Member to which this form relates:

Signature: _____
Printed Name: _____
Title: _____
Date: _____

REQUEST FOR QUALIFICATIONS No. 23-04 – Addendum 4 – 2024-01-17