

**SON 101 HOV Lane Widening Design
Pre-Proposal Meeting
October 11, 2005
Questions & Answers**

Please note: Answers to questions were edited as needed for clarification.

Question #1:

Will Caltrans administer the construction? In other words will Caltrans put the package out to bid?

Answer #1:

Assume Caltrans will put the package out to bid.

Question #2:

What are the DBE Requirements or goals of this project?

Answer #2:

Since we are using strictly Measure M money we will not have a DBE requirement.

Question #3:

Please clarify the liquidated damages clause.

Answer #3:

Maintaining the project schedule is a high priority of the SCTA. We expect the selected consultant to take ownership of the schedule they develop as part of the scope of work. The intent of the specification is for the consultant to have accountability for the schedule and any delays that are the result of THEIR failure to meet critical deadlines and key milestone dates. It is NOT the intent to penalize the consultant for delays that are outside of their control (i.e. delays caused by other agencies). Time extensions will be allowed for delays caused by the SCTA, Caltrans, and other agencies. Therefore, it will be critical to agree on baseline schedule activities, logic, responsibilities, and time durations.

During the course of the contract, we expect to be notified immediately of any delays, so that we can be involved in mitigating delays to the project. Therefore, anticipated liquidated damages and liquidated damages have both been written into the Contract.

We are open to suggestions on alternate Contract language to control contract time and schedule; and, it should also be noted, comments regarding concerns about the standard agreement language will not cause a proposal to be disqualified or scored lower in any fashion.

Question #4:

Will there be a bonus if finished early?

Answer #4:

You will not be assessed liquidated damages.

Question #5:

In the RFP under the Section 7.5 liquidated damages, it states that we would be assessed for all the deliverables. In looking through the RFP there are 75 deliverables including the monthly schedule. Are you looking to assess \$4,000 per calendar day for each one of those deliverables?

Answer #5:

The intent is that liquidated damages apply only if the Consultant fails to complete all deliverables (through Final PS&E and Right-of-Way certification) by the final computed completion date, including all time extensions. During the course of the contract, if a deliverable is not met or mitigated on a monthly schedule update, anticipated liquidated damages will be withheld, until such time that the overall completion date is back on schedule. If at the end of the project, the overall schedule is met, the consultant would not be assessed liquidated damages.

Question #6:

In Attachment C, Form of Agreement for PS&E Consultant Services, Article 7.1, page 9 of 16 clearly states "Failure to submit a required schedule or if a schedule indicates a late completion date, SCTA may deduct anticipated liquidated damages from payments due the consultant pursuant to paragraphs 2.6 and 7.5." Can you clarify?

Answer #6:

We want to know your approach to schedule control. It is important to note that this sample contract is simply that - - a sample contract. Comments on the sample contract should be made as part of your proposal. If you feel as if the language in the sample contract does not create the desired intent, or if you have another approach to ensuring compliance with the schedule, please provide suggested changes as part of your proposal.

Question #7:

Following the draft Project Report / Environment Document what level do you expect the engineering to be at since I see in the proposal your first deliverable is really 65%? Do you expect that the Environmental Document engineering would get you 35% or GAD level?

Answer #7:

After further consideration, the SCTA has added an addendum to the RFP to include Preliminary Engineering (35% Submittal). Addendum No. 2 is posted on the SCTA's website. (www.sctainfo.org)

Question #8:

How many teams will you invite to the interview?

Answer #8:

We have not set any limits. We have set aside 2 days for potential interviews. It will depend on the number of proposals we get and the quality of the proposals. From there, we will determine how many firms we will interview.

Question #9:

Will this be in English or Metric units?

Answer #9:

We are right on the cutoff. Our delivery date is March of the year in which Caltrans will switch over and they have not stated for sure whether it will be English or metric units. For the purpose of the proposal assume that the project will be done in metric units.

Question #10:

Can you explain what your intent is for management from your side during the course of the contract? Will the consulting team report to Connie or Guy?

Answer #10:

The team will report to Guy. Vali Cooper and Associates is helping with project management in general on a variety of different items. But these contracts will be under Guy.

Question #11:

Who is mapping the project and has it been done and is it in English or metric?

Answer #11:

Caltrans did the mapping in metric.

Question #12:

We understand that Caltrans will be doing the acquisitions, are you suggesting they are doing the right of way engineering as well?

Answer #12:

We are still negotiating with Caltrans as to what tasks they may perform on these projects. For the right of way, we are currently discussing whether or not they would perform all of the right of way activities. Whether or not they will do any other project element is yet to be determined and will be sorted out within the next few months. By the time a firm is selected and a contract is negotiated, we will know what tasks Caltrans will be doing.

Question #13:

What is the time line with the Cooperative Agreement with Caltrans?

Answer #13:

We have an existing Cooperative Agreement with Caltrans and we are going into an amendment process now. We anticipate it in the next month or so.

Question #14:

Will Caltrans do all of the right of way engineering and acquisition?

Answer #14:

It is possible that Caltrans will do both. However, it is still under negotiation. For the purpose of responding to this RFP, assume what is stated in the RFP's "Scope of Work". Therefore, you should be able to demonstrate the ability to staff or sub-consult out this work, if needed.

Question #15:

Would Caltrans do all of the utility coordination?

Answer #15:

Because we do not have a final Cooperative Agreement with Caltrans, use what is in the RFP.

Question #16:

What is the requirement for submitting copies of all the certificates of registration for all our staff?

Answer #16:

Yes, we do require them and you do have to submit copies of certificates, but you do not have to submit them for all of your staff – only for the person stamping your drawings.

Question #17:

Will the sign-up sheet for today's Pre-Proposal Meeting be made available on the SCTA web site?

Answer #17:

Yes, within a few days it will be posted along with the questions and answers from today's meeting.