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# **EXHIBIT A - Trade Subcontractor Manual and Forms – Contract # 301000501**

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Request for Proposal Package #  
TG05.1: Survey & Control dated  
~~November 18, 2010~~  
December 13, 2010

**ADDENDUM 01**

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## 1. INTRODUCTION

The Webcor/Obayashi Joint Venture issues this Request for Proposals (RFP) for ON-CALL GENERAL SURVEY AND CONTROL SERVICES for the Transbay Transit Center Project from firms or individuals (Trade Subcontractors) with expertise in general surveying, benchmark and grid control services. The successful Trade Subcontractor must demonstrate experience in its respective field as outlined within this RFP.

Based on its evaluation of the Proposals received in response to this RFP, Webcor/Obayashi Joint Venture may select more than one Trade Subcontractor to enter into negotiations for a Subcontract agreement. The selection of any Trade Subcontractor for negotiations shall not imply Webcor/Obayashi Joint Venture's acceptance of all terms of the Trade Subcontractor's Proposal; terms may be subject to further negotiation. Webcor/Obayashi Joint Venture shall have no obligation unless and until a final agreement is entered into by the parties following approval by the Transbay Joint Powers Authority (TJPA) Board of Directors (TJPA Board).

Once the agreement is executed, Webcor/Obayashi Joint Venture will require the selected Trade Subcontractor(s) to perform the Services upon Webcor/Obayashi Joint Venture's request. The agreement will be for a period not to exceed seven (7) years, although Webcor/Obayashi Joint Venture will have the option to extend the term by a total of two (2) individual one (1) year periods, by mutual agreement of the parties.

There is no guarantee that the Webcor/Obayashi Joint Venture will issue any Notice to Proceed (NTP) and Webcor/Obayashi Joint Venture may terminate the Agreement at any time.

## 2. B... KEY DATES ...B

Each Trade Subcontractor shall submit their Proposals and other applicable sections and forms as required herein.

**Last Day for Questions:** Questions or clarifications regarding the RFP must be submitted in writing no later than **B... 2:00 pm on ~~December 17, 2010~~ January 7, 2011 ...B** to Webcor/Obayashi Joint Venture, 183 Fremont Street, San Francisco, CA, 94105, via email ([TransbayBidding\\_TG05@webcor-obayashi.com](mailto:TransbayBidding_TG05@webcor-obayashi.com)) or fax at (510) 476-3005. Answers will be posted on the TJPA website (<http://transbaycenter.org/> > TJPA > Doing Business with the TJPA > Current Contract Opportunities).

**Pre-Proposal Meeting:** A **mandatory** pre-proposal conference for Trade Subcontractors interested in submitting RFPs will be held on **December 2, 2010**, at **10:00 am** in the **TJPA offices at 201 Mission Street, Suite 2100, San Francisco, California 94105**.

**Proposal Due Date:** Proposals must be received by WEBCOR/OBAYASHI JOINT VENTURE no later than **2:00 p.m.** on **B... January 7-17, 2011 ...B** at the following address:

Attn: Tim Maxwell  
183 Fremont Street  
San Francisco, CA 94105

Responses to this RFP that are not received by the time and date specified, do not contain all the required information and completed forms, or do not meet all minimum qualifications (see Section 5) shall be deemed non-responsive and rejected without consideration.

Trade Subcontractors may obtain copies of this RFP, excluding specifications, by downloading the document from the TJPA website: <http://transbaycenter.org/tjpa/doing-business-with-the-tjpa/current-contract-opportunities>).

**TJPA Board Vote to Approve the Contract Award: February 10, 2011**

**B... Notification of Intention to Award Contract: On or about 1/26/31/2011 ...B**

### **3. COMMUNICATION WITH WEBCOR/OBAYASHI JOINT VENTURE**

At no time during the proposal process (defined as the time between issuance of this RFP and award of Trade Subcontract) shall prospective Trade Subcontractors contact any person(s) or staff of the TJPA Board of Directors, the TJPA, TJPA Program Management/Program Controls (PMPC) team (URS), Construction Manager/General Contractor (CM/GC) Webcor/Obayashi Joint Venture, CM Oversight (CMO) (Turner Construction), the Architect (PCPA or any subconsultant to PCPA), or other TJPA Consultants regarding this RFP. The only contact is for submission of questions using the contact directions below.

Trade Subcontractors shall submit questions using the Question On Proposal Documents (QPD) form through Webcor/Obayashi Joint Venture. Refer to the Request for Proposal Manual for the QPD form.

**Primary:** E-mail Webcor/Obayashi Joint Venture at [TransbayBidding\\_TG05@webcor-obayashi.com](mailto:TransbayBidding_TG05@webcor-obayashi.com).

**Alternate:** Fax Webcor/Obayashi Joint Venture at (510) 476-3005.

### **4. SCOPE OF SERVICES**

#### **4.1 Package Scope Summary**

Trade Subcontractor will furnish all labor, materials, equipment, and other facilities (collectively called the "Work") required to complete Project Work in accordance with Contract Documents and Field Direction. The Trade Subcontractor is recognized as a professional Trade Subcontractor and is required to provide a complete scope of work, including any items not shown in the Contract Documents which are typically included in this scope of work. The Work to be performed by the Trade Subcontractor includes, but is not limited to, the following:

Establish and maintain project Survey and Control in accordance with the Contract Documents including:

- Establish and Maintain Project Benchmarks
- Establish, Set, and Maintain Project Gridlines
- Project QA/QC Survey Management and Documentation

#### **4.2 General Work**

The Trade Subcontractor Work Requirements as established in the Request for Proposal Manual are clarified, modified and supplemented by the following information. If any conflict between this document and the

Request for Proposal Manual exist, the more stringent will apply as determined by Webcor/Obayashi Joint Venture. All necessary work from mobilization to final survey submission shall be included in the scope of work.

- 4.2.1 Pre-Construction Coordination: Trade Subcontractor will meet with Webcor/Obayashi Joint Venture no more than 10 days after contract award regarding project planning and protocol.
- 4.2.2 Surveying services will include, but not necessarily be limited to labor, materials, equipment, supplies, engineering, drafting, travel time, vehicle mileage, and field survey staking.
- 4.2.3 Onsite Surveying activities will occur intermittently and with varying intensities for the entire project duration. Field surveying will occur either as scheduled in advance or on an “as needed” basis with a minimum of 24-hours notification. Number and duration of field surveying events are wholly dependent on scope as defined below and ongoing project conditions.
- 4.2.4 Provide and maintain semi-permanent East/West and North/South gridline benchmarks on permanent offsite structures as coordinated with and directed by Webcor/Obayashi Joint Venture.
- 4.2.5 Transfer and maintain all benchmarks to all newly constructed decks as jobsite conditions allow and as directed by Project supervision. Refer to Exhibit I for reference dates.
- 4.2.6 Provide and maintain eight (8) semi-permanent offsite elevation benchmarks. Coordinate location of benchmarks with project supervision throughout the project duration.
- 4.2.7 Building Control locations and offsets shall be submitted for approval to Webcor/Obayashi Joint Venture two (2) weeks prior to installation.
- 4.2.8 Monthly site visits required for verification and maintenance of benchmarks and monuments for the project duration.
- 4.2.9 Provide control for the installation of shoring, installation of temporary trestle and for excavation. Control for the shoring wall shall be located outside the shoring on a permanent structure, such as sidewalk, and shall be maintained during the shoring phase.
- 4.2.10 Provide elevation benchmarks inside the excavation as it progresses and for above grade structures per Webcor/Obayashi Joint Venture direction.
- 4.2.11 Establish and maintain new vertical and horizontal control lines immediately following concrete pours for mat slabs, lower and upper concourse levels, ground level, bus deck level, roof level and perimeter site work. Refer to Exhibit I for reference dates.
- 4.2.12 Procure any/all permits and fees necessary for scope performance.
- 4.2.13 Include staking survey plans and staking cut sheets with each staking mobilization. This information shall be made available in both hard copy and electronic formats.
- 4.2.14 Provide final, as-built surveys as specified. This scope item must be demonstrated under section 6.1 written submittal.

## 5. SMALL BUSINESS ENTERPRISE (SBE) Goals

**As allowed for under the TJPA Small Business Enterprise Program, this package has been set aside for SBE participation only. Trade Subcontractors are required to be a certified Small Business Enterprise (SBE) in order to propose for this scope of work.** The SBE Program is further defined in contract specification section 00 08 21. If strategy includes using sub-tier Trade Subcontractors, those sub-tier Trade Subcontractors must be classified as SBE.

### Questions Regarding SBE

Written questions concerning SBE, and nondiscrimination requirements should be addressed to:

Tim Maxwell  
Webcor/Obayashi Joint Venture  
183 Fremont Street  
San Francisco, CA 94105  
(415) 978-3030 fax  
Email: [transbaybidding\\_TG05@transbaycenter.org](mailto:transbaybidding_TG05@transbaycenter.org)

## 6. PROPOSAL REQUIREMENTS

### Submission of Proposals

Webcor/Obayashi Joint Venture must receive Proposals at the address identified in Section 2 Key Dates by the "Proposal Due Date". **This is a mandatory requirement and will not be waived by Webcor/Obayashi Joint Venture. Any Proposal received after this deadline will be rejected and returned unopened to the Trade Subcontractor.** Trade Subcontractors choosing to mail their Proposals must allow ample mail delivery time to ensure timely receipt of their Proposals. It is the Trade Subcontractor's responsibility to ensure its Proposal is received prior to the deadline. Postmarking by the due date will not substitute for actual receipt of the Proposal. Electronic mail and faxed Proposals will not be accepted.

### Proposal Opening

Webcor/Obayashi Joint Venture will open Proposals after submission deadline has passed. Proposals will remain confidential until Webcor/Obayashi Joint Venture has reviewed all properly submitted Proposals and Webcor/Obayashi Joint Venture has issued a Notice of Intent to Award a Contract.

### Amendment and Withdrawal of Proposal

The Trade Subcontractor may amend and resubmit its Proposal at any time before Proposals are due. The amendment must be in writing, signed by the Trade Subcontractor and received by the time set for the receipt of Proposals. Electronic mail and faxed amendments will not be accepted. If Trade Subcontractor wishes to withdraw its Proposal it must notify Webcor/Obayashi Joint Venture in writing prior to Proposal due date.

### Proposal Clarification Process

Webcor/Obayashi Joint Venture reserves the right to contact Trade Subcontractors after Proposal submission for the purpose of clarifying a Proposal. This contact may include written questions, interviews, site visits, and/or a review of past performance. Webcor/Obayashi Joint Venture will not consider information received from or through Trade Subcontractor if the information materially alters the content of the Proposal or the type of goods and/or services the Trade Subcontractor is offering to Webcor/Obayashi Joint Venture. An individual authorized to legally bind the Trade Subcontractor shall sign responses to any

request for clarification. Responses shall be submitted to Webcor/Obayashi Joint Venture within the time specified in the Webcor/Obayashi Joint Venture's request. Failure to comply with requests for additional information may result in rejection of the Proposal.

### **Costs of Preparing the Proposal**

The costs of preparation and delivery of Proposals are solely the responsibility of Trade Subcontractors.

### **No Commitment to Contract**

Webcor/Obayashi Joint Venture reserves the right to reject any or all Proposals received in response to this RFP. Issuance of this RFP in no way constitutes a commitment by Webcor/Obayashi Joint Venture to award a contract.

## **6.1 Written Submittal**

Proposals shall adhere to the format and page limitations described in Section 6. The Fee Proposal and other documents required by Section 6.1.6 are not subject to page limitations. Proposals shall be printed on 8½ x 11-inch paper and use both sides of a page (each side counts against the page limit). Typeface shall be no smaller than 11 point; margins shall be no less than 1 inch. Elaborate brochures or other presentation materials are not desired and will not be considered in evaluating Proposals.

Proposals shall be organized in the following sequence:

### **6.1.1 - Introduction and Executive Summary (2 page limit) [5 points]**

Submit a letter of introduction and an executive summary of the Proposal package. The introductory letter must be signed by a person or persons authorized to obligate the firm (or firms if a joint venture) to honor the commitments set forth in the Proposal package and to verify the accuracy of the information included in the Proposal package. Submission of the introductory letter will constitute a representation by the firm or joint venture that it is willing and able to successfully perform the Services, and that all information contained in the Proposal package is true, correct, and not misleading in any material way.

### **6.1.2 - Qualifications and Experience (8 page limit) [75 points]**

Provide descriptions and summaries of the firm's capabilities and experience with emphasis on projects within San Francisco within the last 5 years. Describe major survey projects and any projects relevant to this assignment within San Francisco, limiting each project to one page or less but clearly showing the extent and nature of the involvement of the key team members proposed for assignment to the Program (see Section 6.1.3). Examples should demonstrate experience with a variety of survey services.

Additionally, complete all items noted in **Attachment 1 – Essential Requirements Work Sheet** of this RFP. **Attachment 1** is scored with Pass/Fail and Point accumulation and constitutes 50 of the 75 points required under this Section.

### **6.1.3 – Proposed Staffing Plan (4 page limit) [25 points]**

Describe the staffing plan to complete Proposed Services. Specifically, provide the name, title, business address, and phone number of key staff that would be assigned to provide Services along with qualifications and work experience of each such staff member, including brief résumés if necessary. (Note that the length of résumés may need to be shortened to avoid exceeding the maximum page limit established for this section.) Describe the role each staff member would play in providing Services. There is no restriction on where the Trade Subcontractor firm is headquartered; however, assigned staff must work out of offices within the nine-county San Francisco Bay Area,

which are the counties of San Francisco, Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma, and be able to reach the project Jobsite in a reasonable amount of time when work is needed.

**6.1.4 - Demonstration Survey Data Communication (PDF on CD) [15 points]**

Provide Sampling from at least five separate projects of survey documents based on plan and elevation views to communicate data points in three dimensional X,Y,Z format (see Specification Section 01 10 50 for reference). Additionally, provide a minimum of three (3) examples of surveys prepared by the Trade Subcontractor that meet the following parameters for survey area size and location.

- a. < 10,000 sq ft within an urban area
- b. 10,001–40,000 sq ft within an urban area
- c. Structures over 100 feet above grade.

**6.1.5 - References (3 page limit) [10 points]**

Provide current references that may be contacted by Webcor/Obayashi Joint Venture for at least five (5) recent clients (preferably for public agencies) for the Trade Subcontractor firm and assigned key staff. Include the reference name, position, agency, address, telephone number, email, and specific project for each reference. Trade Subcontractors providing references that do not respond to a Webcor/Obayashi Joint Venture request for a reference may be scored lower or zero in this category.

**6.1.6 - Fee Proposal**

Each Trade Subcontractor shall submit one (1) sealed copy of its internally formatted Fee Proposal detailing the billing rates for direct labor, labor overhead and other direct costs for any Trade Subcontractor and sub-tier Trade Subcontractors listed in the Proposal and for all other staff included in the Trade Subcontractor's organization that will be performing the services described in Section 4.0. The following information shall be included:

- For each firm, including each sub-tier Trade Subcontractor, provide comprehensive hourly rates by crew rates (2 or 3 man crews, etc.), management, technical or professional staff and direct current hourly rates by position for support personnel. Note: if comprehensive crew rates include cost beyond direct employee cost, provide detailed explanation of everything included in the hourly rate.
- For each firm, including each sub-tier Trade Subcontractors, a list of estimated expenses (i.e., vehicles, equipment, printing, etc).

The Proposal shall include contract pricing applicable for the **entire contract period**, including option years. Clearly define all cost escalations on a yearly basis (example: Rates for July 1, 2010 through June 30, 2011, etc).

Fee Proposal shall remain sealed until a Trade Subcontractor is selected and contract negotiations begin. The sealed information of the highest-ranking Trade Subcontractor will be opened at the time the Proposer is selected and asked to enter into negotiations with Webcor/Obayashi Joint Venture. The Fee Proposal will be used as the basis for negotiation. Webcor/Obayashi Joint Venture reserves the right to reject any fee structure deemed non-responsive to this request. The price information of Trade Subcontractors not invited to negotiate will be returned unopened.

### **Proposal Check List**

Trade Subcontractors shall submit their proposals in accordance with RFP submittal requirements. Trade Subcontractors shall refer to the Attachment 2 – Proposal Checklist contained herein for submission requirements. **Attachment 2 requirements supersede the Bidding Manual Checklist (BCL) included within the RFP package.**

### **Rejection of Proposals**

Trade Subcontractors must furnish all information necessary to enable Webcor/Obayashi Joint Venture to evaluate Proposals. Oral information provided at time of proposal submission by any Trade Subcontractor shall not be considered part of the Trade Subcontractor's Proposal. Proposals that fail to meet the mandatory requirements of the RFP will be rejected outright and Webcor/Obayashi Joint Venture will not evaluate a Proposal for reasons including and without limitation:

- Failure to deliver Proposal by the specified deadline and per Submittal Procedures established under **Section 10**.
- Proposal that is incomplete or does not meet minimum qualifications.
- Failure to deliver the cost proposal in a separate envelope (See Section 6.1.6).
- The Trade Subcontractor acknowledges that a mandatory requirement of the RFP cannot be met.
- The Trade Subcontractor's Proposal changes a material requirement of the RFP or the Proposal is not compliant with the mandatory requirements.
- The Trade Subcontractor's Proposal limits the rights of Webcor/Obayashi Joint Venture.
- Failure to include information necessary to substantiate compliance with RFP requirements.
- Failure to timely respond to Webcor/Obayashi Joint Venture's request for information, documents, or references.
- Failure to include any signature, certification, authorization, stipulation, disclosure or guarantee as provided in **Section 6 and Attachment 1** of this RFP.
- Failure to Submitted a completed proposal check list - **Attachment 2** of this RFP.
- The Trade Subcontractor presents the information requested by this RFP in a format inconsistent with the instructions of the RFP or otherwise fails to comply with the requirements of this RFP.
- The Trade Subcontractor initiates unauthorized contact regarding the RFP with Webcor/Obayashi Joint Venture or TJPA employees.
- The Trade Subcontractor provides misleading or inaccurate responses.
- There is insufficient evidence (including evidence submitted by the Trade Subcontractor and evidence obtained by Webcor/Obayashi Joint Venture from other sources) to satisfy Webcor/Obayashi Joint Venture that the Trade Subcontractor is a Responsive Trade Subcontractor.
- The Trade Subcontractor alters the language of form or attachment within this RFP.

### **No Conflict of Interest**

Webcor/Obayashi Joint Venture shall disqualify any Trade Subcontractor to this RFP that has a conflict of interest under Section C8.105 of the San Francisco Charter, Government Code Section 1090, et. seq., the Political Reform Act (Government Code Section 87100 et. seq.), or any other applicable conflict of interest laws. Any false, incomplete, or otherwise unresponsive statements made in connection with a proposal may be cause for its disqualification at Webcor/Obayashi Joint Venture's sole discretion.

Surveyors with contracts with either TJPA or PCPA are not eligible to submit proposals in response to this RFP.

### **Nonmaterial Variances**

Webcor/Obayashi Joint Venture reserves the right to waive or permit cure of nonmaterial variances in the Proposal if, in the judgment of Webcor/Obayashi Joint Venture, it is in Webcor/Obayashi Joint Venture's best interest to do so. Nonmaterial variances include but are not limited to: minor failures to comply that do not affect overall responsiveness, that are merely a matter of form or format, that do not change the relative standing or otherwise prejudice other Trade Subcontractors, that do not change the meaning or scope of the RFP, or that do not reflect a material change in the requirements of the RFP. In the event Webcor/Obayashi Joint Venture waives or permits cure of nonmaterial variances, such waiver or cure will not modify the RFP requirements or excuse the Trade Subcontractor from full compliance with RFP specifications or other Contract requirements if the Trade Subcontractor is awarded the Contract. The determination of materiality is in the sole discretion of Webcor/Obayashi Joint Venture.

### **Reference Checks**

Webcor/Obayashi Joint Venture reserves the right to contact any reference to assist in the evaluation of the Proposal, to verify information contained in the Proposal and to discuss the Trade Subcontractor's qualifications and the qualifications of any Trade Subcontractor identified in the Proposal.

### **Information from Other Sources**

Webcor/Obayashi Joint Venture reserves the right to obtain and consider information from other sources concerning a Trade Subcontractor, such as the Trade Subcontractor's capability and performance under other contracts, the qualifications of any Trade Subcontractor identified in the Proposal, the Trade Subcontractor's financial stability, past or pending litigation, and other publicly available information.

### **Verification of Proposal Contents**

The content of a Proposal submitted by a Trade Subcontractor is subject to verification. If Webcor/Obayashi Joint Venture determines in its sole discretion that the content is in any way misleading or inaccurate, Webcor/Obayashi Joint Venture may reject the Proposal.

### **Appeals Process:**

Where a timely and completed application results in a lower rating than is necessary to qualify, an appeal can be made. The Trade Subcontractor may file an appeal by delivering a completed **Attachment 3 - Request for Appeal** to Webcor/Obayashi Joint Venture, no later than five (5) days after the notification date. Without a timely appeal, the Trade Subcontractor waives any and all rights to challenge the decision of Webcor/Obayashi Joint Venture, whether by administrative process, judicial process or any other legal process or proceeding.

If the Trade Subcontractor files a complete and timely Request for Appeal, a review of the appeal shall be conducted so that it is concluded soon after receipt of the Request. The review shall be an informal process conducted by Webcor/Obayashi Joint Venture and will be based upon the information submitted by the Trade Subcontractor in its Request for Appeal. Webcor/Obayashi Joint Venture will notify the Trade Subcontractor in writing of the decision at the conclusion of the review. The decision of Webcor/Obayashi Joint Venture is final and is not subject to appeal or challenge whether by administrative process, judicial process or any other legal process or proceeding.

### **Disposition of Proposals**

All Proposals become the property of Webcor/Obayashi Joint Venture and shall not be returned to the Trade Subcontractor. Once Webcor/Obayashi Joint Venture issues a Notice of Intent to Award the Contract, the contents of all Proposals will be in the public domain and be available for inspection by interested parties, except for sealed Fee Proposals and proprietary information for which Trade Subcontractor properly requests confidential treatment or according to exceptions provided in applicable State or local laws.

## 7. SCHEDULE AND MILESTONES

A concept schedule is provided for reference only (see Exhibit I). The schedule activities in Exhibit I between the date of the Notice to Proceed and the Completion Date of each Zone should not be assumed to be complete or a binding work plan

## 8. B... CONTRACT DOCUMENTS LIST ...B

The Contract Documents included within this Request for Proposal Package are the following:

Document Name	Description	Revision Name	Issue Date
Long Form Subcontract		Rev 1	11/18/10
Specifications	Defined in Specification 00 01 10	Rev 1	10/6/10
Request for Proposal Manual	Rev. # 6 dated 10/29/2010	Rev 8	12/13/10
Exhibit A	RFP Package – Contract 301000501	0	11/18/10
Exhibit C	Lien Releases	N/A	07/09
Exhibit D	Sample Certificate of Insurance and Additional Insured Endorsement	N/A	11/18/10
Exhibit G	Trade Subcontractor Payment Requisition	N/A	7/21/10
Exhibit H	Site Specific Safety Plan	0	7/30/10
Exhibit I	Concept Schedule	0	11/18/10

## 9. EVALUATION PROCESS

Webcor/Obayashi Joint Venture project team will review and evaluate Proposals and will score Proposals in accordance with the criteria and methodology described in this RFP. Trade Subcontractors that receive the highest scores in the selection process will be selected to negotiate an agreement with Webcor/Obayashi Joint Venture.

### 9.1 Step One: Proposal

#### 9.1.1 Satisfaction of Requirements

Proposals will be evaluated to ensure that the Trade Subcontractor has demonstrated compliance with Section 6 of this RFP. Any non compliant Proposal will be automatically rejected, and the project team will not evaluate the remainder of the Proposal.

#### 9.1.2 Proposal Evaluation and Ranking

Proposals that satisfy the minimum requirements will be scored as follows:

Letter of Introduction and Executive Summary	maximum 5 points
Qualifications and Experience of Trade Subcontractor Firm	maximum 75 points
Proposed Staffing Plan	maximum 25 points
Demonstration Survey Data Communication	maximum 15 points
References	maximum 10 points

The maximum total score possible is 130 points. The Trade Subcontractors' Proposals will be ranked according to total score. Webcor/Obayashi Joint Venture will short-list those Proposals that meet a minimum score (Finalist Trade Subcontractors). Finalist Trade Subcontractors will be invited to participate in the final selection process. The final selection process may include the submission of additional information and/or participation in an oral interview.

## 9.2 Step Two: Interview

Webcor/Obayashi Joint Venture may invite the Finalist Trade Subcontractors to participate in oral interviews at a specified time, date, and location. Webcor/Obayashi Joint Venture shall impose a time limit for each oral interview. During the oral interview, the Finalist Trade Subcontractors shall be required to deliver a brief presentation (20 minutes maximum), and will be required to respond to questions, including questions concerning the Finalist Trade Subcontractor's Proposal and presentation. The proposed key individuals of the Finalist Trade Subcontractor's team will be expected to actively participate in the interviews and to respond to questions. Webcor/Obayashi Joint Venture will assign points to each Finalist Trade Subcontractor based on the oral interview up to a maximum of 50 points as follows:

Presentation	maximum <b>25</b> points
Responses to Questions	maximum <b>25</b> points

At the conclusion of the oral interviews, Webcor/Obayashi Joint Venture will combine the scores for the Proposal and oral interview for each Finalist Trade Subcontractor. The highest-ranking Finalists will be selected to negotiate a professional services agreement with Webcor/Obayashi Joint Venture.

In the event of a tie, Webcor/Obayashi Joint Venture may elect, in its absolute and sole discretion, to break the tie by conducting a tiebreaker between the tied Finalist Trade Subcontractors.

There shall be no binding agreement unless and until approved by the TJPA Board, at its sole discretion. In the event that an agreement cannot be reached with the highest-ranking Finalist Trade Subcontractors, as determined by Webcor/Obayashi Joint Venture in its sole discretion, then negotiations may be entered into with other Finalist Trade Subcontractors in the order of their ranking.

Trade Subcontractor will be notified in writing about their qualification status. Webcor/Obayashi Joint Venture reserves the right to adjust, increase, limit, suspend or rescind the qualification rating based on subsequently learned information. Trade Subcontractor whose rating changes sufficiently to disqualify them will be notified and given an opportunity to appeal that is consistent with the appeal procedures described above.

## 10. SUBMITTAL PROCEDURES

Five (5) copies of the Proposal, one (1) sealed Fee Proposal, and one (1) CD with the Proposal and the data requested in Section 6.1.4 in PDF, must be received by Webcor/Obayashi Joint Venture by the proposal due date and address noted in Section 2.0.

Beginning on the date this RFP is issued and made available to prospective Trade Subcontractors, there will be no communications concerning this RFP between members of Webcor/Obayashi Joint Venture, the TJPA Board, TJPA staff, other consultants already engaged by the TJPA, or members of the Webcor/Obayashi Joint Venture Project Team and prospective Trade Subcontractors and their employees or agents, except as

provided herein. Questions about the RFP may be directed in writing to Webcor/Obayashi Joint Venture. Webcor/Obayashi Joint Venture will consider all questions received by the close of business on the date specified in Section 2, Key Dates and, as appropriate, respond in writing. Any violations of the above restriction will result in the immediate disqualification of the Trade Subcontractor making said contact from further participation in the Program. This restriction will end when contract award notification is made.

Trade Subcontractors shall promptly notify Webcor/Obayashi Joint Venture in writing through the QPD process, if the Trade Subcontractor discovers any ambiguity, discrepancy, omission, or other error in this RFP [See Section 3].

## **11. STANDARD AGREEMENT PROVISIONS**

Following negotiations, the selected Trade Subcontractors will be expected to enter into a subcontract agreement as included within the RFP package. Failure to timely execute the Agreement, or to furnish any and all insurance and other materials required in the Agreement, shall be deemed an abandonment of the Trade Subcontractor's contract offer.

**WEBCOR/OBAYASHI JOINT VENTURE WILL NOT NEGOTIATE DIFFERENT  
SUBCONTRACT TERMS (SEE LONG FORM SUBCONTRACT SECTION)**

## Attachment 1 - Essential Requirements Work Sheet

**PART A:**

Trade Subcontractor will be immediately disqualified if the answer to any question in Part “A” is “No”.

**NO POINTS ASSESSED, ALL QUESTIONS ARE PASS/FAIL.**

Item	Question	SCORE Pass/Fail
A-1	Contractor is either a Licensed Professional (Civil) Engineer or Land Surveyor Registered within the State of California  <input type="checkbox"/> Yes <input type="checkbox"/> No                      No = Not Qualified, FAIL	Pass/Fail
A-2	Trade Subcontractor is a Small Business Enterprise (SBE) as defined by TJPA Board Policy #15.  <input type="checkbox"/> Yes <input type="checkbox"/> No                      No = Not Qualified	Pass/Fail
A-3	Has your Professional License or State Registration been revoked at any time in the last five (5) years?  <input type="checkbox"/> Yes <input type="checkbox"/> No                      Yes = Not Qualified, FAIL	Pass/Fail
A-4	Has your Professional License or State Registration been suspended for any reason within the last five (5) years (other than Contractor State License Board bond related reasons of duration not exceeding 90 days)?  <input type="checkbox"/> Yes <input type="checkbox"/> No                      Yes = Not Qualified, FAIL	Pass/Fail
A-5	At the time of submitting this qualification form, is your firm ineligible to bid on or be awarded a public works contract, or perform as a contractor on a public works contract?  <input type="checkbox"/> Yes <input type="checkbox"/> No                      Yes = Not Qualified, FAIL	Pass/Fail
A-6	Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?  <input type="checkbox"/> Yes <input type="checkbox"/> No                      Yes = Not Qualified, FAIL	Pass/Fail
A-7	Is your firm presently in bankruptcy?  <input type="checkbox"/> Yes <input type="checkbox"/> No                      Yes = Not Qualified, FAIL	Pass/Fail
A-8	Has your firm or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to a public agency or entity?  <input type="checkbox"/> Yes <input type="checkbox"/> No                      Yes = Not Qualified, FAIL	Pass/Fail

**PART B: Licensing; Insurance; Disputes; Claims; Business Organization; Safety**

**Licensing:**

<u>Licensing Scoring Section:</u>	Total Score Possible	<b>10 Pts</b>
<p><u>Provide the following information:</u>                      A. Trade Subcontractor must have a current and valid State of California Professional Engineer License and/or Professional Land Surveyor Registration for the trade they are qualifying. List all license/registration numbers and the name of the qualifying license holder as issued and as on file with the licensing board.</p>		
Issuing Agency	Class	Lic/Reg Number
Date issued	Exp. Date	Name

/ / / /	
/ / / /	
1. Has your Cal-OSHA certificate(s) or registration(s) been revoked at any time in the last 5 years? Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if yes):	
2. Has your firm had a complaint filed with the California Board for Professional Engineers and Land Surveyors that required a formal hearing or inquiry within the last 5 years? Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if yes):	
<b>Section 2.1 Actual Points Earned</b>	

**Insurance:**

<u>Insurance Scoring Section:</u>	Total Score Possible	<b>10 Pts</b>
1. Does your firm currently carry a workers' compensation insurance policy as required by the Labor Code or are they legally self-insured pursuant to current California labor laws and code in effect. Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if no):		
2. In the last five years has there ever been a period when your firm had employees but was without workers compensation insurance or state-approved self-insurance? Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if yes):		
3. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm? Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if yes):		
<b>Actual Points Earned</b>		

**Disputes, Arbitration, and Litigation:**

<u>Disputes, Arbitration and Litigation Scoring Section:</u>	Total Score Possible	<b>10 Pts</b>
1. At any time in the last five (5) years has your firm been assessed liquidated damages (regardless of final settlement) after completion of either a public or private project? Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if yes): If "yes," explain on a separate signed page, identifying all such projects by owner, owner's address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.		
2. In the last five (5) years has your firm, or any firm with which any of your company's owners, officers or partners was associated, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason? Note: "Associated with" refers to another construction firm in which an owner, partner or officer of your firm held a similar position. Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if yes): If "yes," explain on a separate signed page. State whether the firm involved was the firm applying for qualification here or another firm. Identify the name of the company, the name of the person within your firm who was associated with that company, the year of the event, the owner of the project, the project and basis for the action.		
3. In the last five (5) years has your firm been denied an award of a public works contract based on a finding by a public agency, or their agent, that your company was not a responsible Trade Subcontractor? Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if yes): If "yes," explain on a separate signed page. Identify the year of the event, the owner, the project and the basis for the finding by the public agency.		
4. In the past five (5) years has any claim against your firm concerning your firm's work on a construction		

<p>project been filed in court or arbitration with an owner or general contractor?          Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, how many times:          If "yes," on separate signed sheets of paper identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).</p> <p>5. In the past five (5) years has your firm made any claim against a project owner or general contractor concerning work on a project or payment for a contract and filed that claim in court or arbitration?          Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if yes):</p> <p>6. Are there any liens for labor or materials filed against your company, its officers, or any company associated with them?          Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if yes):</p>	
<b>Actual Points Earned</b>	

**Claims:**

<b>Claims Scoring Section:</b>	Total Deductive Score Possible	<b>-30 to 0 Pts</b>																				
<p>Note: The following questions refer only to disputes between your firm and the owner or general contractor of a project that progressed to arbitration or litigation. You need not include information about disputes between your firm and a supplier or Trade Subcontractor. Also, you may omit reference to all disputes where the amounts were \$10,000 or less.</p> <p>1. Enter the number of claims that were made through arbitration or litigation in excess of \$10,000 for additional compensation against owners or general contractors in the past five (5) years. <b>Provide detailed information for each current, pending and resolved dispute.</b>          No. of Claims: _____</p> <p>2. <b>Summary of Claims:</b> Include ALL claims as defined below for completing the following items a. thru f. as they will be used in the table below:          A Claim is a demand or assertion by the Contractor seeking adjustment or interpretation of contract terms, payment of money, extension of time or other relief with respect to the terms of the contract, the Contractor's right to which was disputed by the owner or general contractor, including, but not limited to, disputes subject to arbitration or litigation.</p> <p style="margin-left: 40px;">a. Total Dollar Amount of Claims in past 5 yrs: _____          b. Total Dollar Amount Recovered: _____          c. Percentage of Recovery (b ÷ a): _____ %          d. Total Number of Claims: _____          e. No. of Projects over \$1million in 5 past yrs: _____          f. Percentage of Claims Frequency (d ÷ e): _____ %</p> <p>The following table demonstrates how the information submitted above will be evaluated. The matrix below indicates the points that will be deducted based upon the contractors claim experience.</p>																						
Scoring Range -30 to 0 Points	<table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th colspan="3">% of Recovery</th> </tr> <tr> <th>% of Claims Frequency</th> <th>0 - 33%</th> <th>34 - 66%</th> <th>67 - 100%</th> </tr> </thead> <tbody> <tr> <td>50 - 100 %</td> <td>-30pts</td> <td>-15pts</td> <td>-10pts</td> </tr> <tr> <td>25 - 50 %</td> <td>-20pts</td> <td>-10pts</td> <td>-5pts</td> </tr> <tr> <td>0 - 25 %</td> <td>-10pts</td> <td>-5pts</td> <td>0pts</td> </tr> </tbody> </table>		% of Recovery			% of Claims Frequency	0 - 33%	34 - 66%	67 - 100%	50 - 100 %	-30pts	-15pts	-10pts	25 - 50 %	-20pts	-10pts	-5pts	0 - 25 %	-10pts	-5pts	0pts	
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0 - 25 %	-10pts	-5pts	0pts																			
<b>Actual Points Deducted</b>																						

Disputes, Arbitration, Litigation and Claims Point Summary: **Section 2.5 Actual Points Earned**  
**Section 2.6 Points Deducted**  
**Section 2.5 and 2.6 Total**

+
-

**Business Organization and History**

<b>Business Organization Scoring Section:</b>	Total Score Possible	<b>10 Pts</b>																																
<p>A. Is your company an: <input type="checkbox"/> individual <input type="checkbox"/> partnership <input type="checkbox"/> corporation <input type="checkbox"/> joint venture  <input type="checkbox"/> Subchapter S Corp <input type="checkbox"/> Proprietorship <input type="checkbox"/> LLC</p> <p>B. If firm is a sole proprietor or partnership, list the owner(s) of the company:</p> <p>C. Under the laws of which state is the company organized? State of _____</p> <p>D. Date Founded: _____</p> <p>E. Parent, Affiliate, and/or Subsidiary Companies:</p> <table border="1" style="width:100%; border-collapse: collapse; margin: 5px 0;"> <thead> <tr> <th style="width:15%;">Full Legal Name</th> <th style="width:15%;">Location</th> <th style="width:15%;">Ownership</th> <th style="width:15%;">Operations</th> <th style="width:15%;">Indemnity Available?</th> <th style="width:20%;">Endorsed for Obligation of:</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> <p>F. When did present management assume control? _____</p> <p>G. Name of Predecessor: _____ What happened to Predecessor? _____</p> <p>H. What percentage of your work is public? _____% private? _____%</p> <p>E. Number of Employees by Trade:</p> <table style="margin-left: 40px; margin-bottom: 10px;"> <tr> <td style="text-align: right;">Trade:</td> <td style="text-align: center;">2009</td> <td style="text-align: center;">2008</td> <td style="text-align: center;">2007</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </table> <p>Number of Current Administrative Employees: _____</p> <p>1. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty? Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if yes): _____</p> <p>2. Have there been any changes in the control or management of the company during the last 5 years? Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if yes): _____</p> <p>3. Continuity – Completion of Work?</p> <p style="margin-left: 20px;">a) Is there a buy-sell agreement in effect? Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if yes): _____</p> <p style="margin-left: 20px;">b) Is the agreement funded by life insurance? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, amount of insurance \$ _____</p> <p style="margin-left: 20px;">c) Who are the parties to the buy-sell agreement? Give details if copy not provided.</p> <p>4. What arrangements have been made to assure that contracts are completed if the owners are not available?</p> <p>5. Has your firm been in bankruptcy or a voluntary or involuntary reorganization in the last three years? Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if yes): _____</p>			Full Legal Name	Location	Ownership	Operations	Indemnity Available?	Endorsed for Obligation of:																			Trade:	2009	2008	2007	_____	_____	_____	_____
Full Legal Name	Location	Ownership	Operations	Indemnity Available?	Endorsed for Obligation of:																													
Trade:	2009	2008	2007																															
_____	_____	_____	_____																															
<b>Actual Points Earned</b>																																		

**Safety:**

<b>Safety Scoring Section:</b>	Total Score Possible	<b>10 Pts</b>
<p>1. List your firm’s Experience Modification Rate (EMR) (California workers’ compensation insurance) for each of the past three premium years:  NOTE: An EMR is issued to your firm annually by your workers’ compensation insurance carrier.  Current year EMR: Less than or = 1.00 = Well Qualified                            1.01 TO 1.24 = Generally Qualified                            Equal or Greater than 1.25 = Not Qualified  Year 2009: _____ Year 2008: _____ Year 2007: _____  Should you and/or your sub tier contractors current EMR exceed 1.0, you must demonstrate and document</p>		

<p>that you have or will initiate programs, policies and attitudes that will result in a safety conscious performance. Additional documentation and presentation to Webcor/Obayashi Joint Venture will be required.</p>		
2. Rate Category	2009	3 Yr. Avg.
<p>OSHA Recordable/Injury Rate:  OSHA Lost Workdays Incidence Rate:  OSHA Lost Time Incidence Rate:  Total Man-hours/Year (Field Personnel):</p>		
<p>3. OSHA Citations – Include both California and Federal:</p>		
Year	Number	Code of State or Federal Regs. Sect. Nos.
2009		
2008		
2007		
2006		
2005		
<p>If any citations were noted above, please provide explanation on a separate sheet.</p>		
4. Fatalities Category	Current Year	Total # over past 3 Yrs.
<p>Total Number of Employee Fatalities:  Total Number of Contractor Employee Fatalities:</p>		
		<b>Actual Points Earned</b>

**END OF ATTACHMENT 1**

## **B... Attachment 2 – Request for Proposal Checklist ...B**

1. Each Trade Subcontractor shall **submit with its Proposal** the following forms, properly completed and executed:
  - Proposal Checklist (PC)
  - Proposal
  - Signed Original Acknowledgement of Receipt and Review - Request for Proposal Manual (ARR)
  - Acknowledgment of Receipt of Addenda (ARA)
  - Business Tax Registration Declaration (Section 00 04 54)
  - Current Business Tax Registration Certificate
  - B... CityBuild/First Source Referral Program Certification (Section 00 04 57) ...B**
  - B... Nondiscrimination in Contracts and Benefits (Section 00 04 70) ...B**
  - Noncollusion Affidavit (Section 00 04 80)
  - Fly America Certification (00 08 13/APA)
  - Buy America Certification (00 08 13/APA)
  - New Restrictions on Lobbying Certification (Section 00 08 13/APA)
  - Certification Regarding Debarment, Suspension, and Other Responsibility Matters (Section 00 08 13/APA)Bidders/Proposers Information Request Form (Section 00 08 21/AT\_\_\_\_\_)
  - SBE Participation Good Faith Efforts Form (Section 00 08 21/AT3-C)
2. Webcor/Obayashi Joint Venture reserves the right after opening the Proposals to reject any or all Proposals, and to waive any minor irregularity in a Proposal.

**B... END OF REQUEST FOR PROPOSAL CHECKLIST ...B**



**ISSUANCE LOG**

REV No.	ISSUE	DATE
A	Issued For Request for Proposal TG05.1	11/18/2010
B	Addendum 1	12/13/2010

**END OF EXHIBIT RFP**