
EXHIBIT A - Trade Subcontractor Manual and Forms – Contract # 301000507

Request for Proposals Package #
TG05.7: Site Maintenance & Control
Services dated April 8, 2011



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1. INTRODUCTION

The Webcor/Obayashi Joint Venture issues this Request for Proposals (RFP) for ON-CALL SITE MAINTENANCE & CONTROL SERVICES for the Transbay Transit Center Project from firms or individuals (Trade Subcontractors) with expertise in Construction Staging Area Maintenance 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 one or more Trade Subcontractors to enter into negotiations based on the scope of services described in Section 4 below. The selection of any Trade Subcontractor to enter into 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. Such Services will be authorized through the issuance of task orders. The agreement will be for a period not to exceed two (2) years, although Webcor/Obayashi Joint Venture will have the option to extend the term for five 1-year options, by mutual agreement of the parties.

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

2. KEY DATES

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 **2:00 pm on April 22, 2011** to Webcor/Obayashi Joint Venture, 183 Fremont Street, San Francisco, CA, 94105, via email (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 > Site Logistics Site Maintenance).

Pre-Proposal Meeting: An optional pre-proposal conference for Trade Subcontractors interested in submitting Proposals will be held on **April 19, 2011, 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 May 6, 2011** 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 qualifications shall be deemed non-responsive and rejected without consideration.

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

Notification of Intention to Award Contract: On or about May 19, 2011

TJPA Board Vote to Approve the Contract Award: June 9, 2011

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 (Pelli Clarke Pelli Architects (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 Questions On Proposal Documents (QPD) form through Webcor/Obayashi Joint Venture. Refer to the Request for Proposals Manual for the QPD form.

Primary: E-mail Webcor/Obayashi Joint Venture at 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 services (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:

General cleaning and maintenance services for all construction staging and storage yards.

4.2 General Work

The Trade Subcontractor Work Requirements as established in the Request for Proposals Manual are clarified, modified and supplemented by the following information. If any conflict between this document and the Request for Proposals Manual exists, the more stringent will apply as determined by Webcor/Obayashi Joint Venture. All necessary work from mobilization to final completion shall be included in the scope of work.

General Scope: The Trade Subcontractor shall provide general site and offsite maintenance including, but not limited to, the following:

- 4.2.1 Pre-Construction Coordination: Trade Subcontractor will meet with Webcor/Obayashi Joint Venture no more than 10 days after contract award regarding logistical planning and all applicable coordination.
- 4.2.2 Clean rubbish and debris daily from all staging areas and perimeter barricades and entry gates for all construction zones and staging areas (this includes, but is not limited to, human & food waste).
- 4.2.3 Graffiti Control: Remove all graffiti daily from all walls adjacent to staging areas, equipment, barricade perimeters, entry gates and Webcor/Obayashi Joint Venture site office trailers. Graffiti removal methods shall cause no damage to property or existing facilities. Include painting over graffiti where acceptable to Webcor/Obayashi Joint Venture.
- 4.2.4 Remove and control weeds within staging areas and along barricade perimeters. Staging sites are to remain cosmetically acceptable to Webcor/Obayashi Joint Venture.
- 4.2.5 Provide miscellaneous dust control measures in staging areas not occupied or being used by other subcontract trades. This will include, but is not limited to, using water hoses or water trucks to facilitate this scope of work. If implementation of this scope requires the use of fire hydrants, the Trade Subcontractor will be responsible for managing the processing of meter procurement.
- 4.2.6 Inspect, maintain and conduct miscellaneous repairs to perimeter barricades and gates per Webcor/Obayashi Joint Venture direction. This will include, but is not limited to, all fencing and gate enclosures around temporary power gear platforms.
- 4.2.7 Provide a minimum of daily sweeping/cleaning of sidewalks and public rights of ways immediately adjacent to staging area perimeters. At no time shall dirt and mud accumulate on driveway entries into staging areas.
- 4.2.8 Provide SWPP plans as directed (see Specification 01 15 61) for general contract compliance.
- 4.2.9 Provide weekly curb & gutter machine street sweeping for areas immediately adjacent to staging area perimeters.
- 4.2.10 Provide weekly machine sweeping of all paved staging areas. This includes moving all equipment and materials that are reasonably accessible from all staging area traffic thoroughfares in preparation for sweeping activity.
- 4.2.11 Provide daily inspection and maintenance of all sewer, catch basin or storm water inlets within 100 feet of all staging and construction limits. Remove any/all debris that accumulates near inlets. Provide SWPP plans as necessary (see Specification 01 15 61) per City and State codes.
- 4.2.12 Provide, maintain and manage all debris bins and disposal thereof as required for this contract scope. All bins shall be lockable and in control of this contract scope and shall be located as directed by Webcor/Obayashi Joint Venture.
- 4.2.13 Provide vermin control of all staging areas. This involves ensuring all staging areas remain free of food debris and setting of code and local ordinance compliant vermin traps.
- 4.2.14 Provide all mobilizations necessary to complete this subcontract scope. (Refer to Specification 01 14 19 for staging area start dates and locations).
- 4.2.15 Daily activity for selected activities shall be as directed by Webcor/Obayashi Joint Venture. All Daily Reports and Field tickets shall be reviewed and signed daily by an approved Webcor/Obayashi Superintendent. Failure to submit fully compliant daily reports may result in partial payment denial.
- 4.2.16 Provide on-call emergency site control with one hour response time.
- 4.2.17 Permits & Fees: the Trade Subcontractor shall obtain and pay for any required applications, permits, utility connection fees & costs, and inspections pertaining to this work. All Permit Fees are reimbursable per contract documents.

4.2.18 Access to adjacent properties must be maintained at all times for pedestrian entries, vehicle entries and loading docks of all adjacent properties during any stage of this contract scope. The Trade Subcontractor will coordinate deliveries to neighboring properties as necessary.

Site Logistics: The Trade Subcontractor is responsible for any/all traffic control, signage, arrow points, flagmen, pedestrian control and protection, and barricade/fence/gate removals, replacement and/or repair associated with this scope of work. All traffic control is per specification or City Ordinance; whichever is the more stringent shall apply.

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 TJPA accepts certifications from the following as SBEs: California Unified Certification Program, California Department of General Services, and the San Francisco Human Rights Commission. If strategy includes using sub-tier Trade Subcontractors, those sub-tier Trade Subcontractors must be certified as SBEs. The SBE Program is further defined in Contract Specification Section 00 08 21.

Webcor/Obayashi Joint Venture recommends that Proposers review the TJPA's SBE Program, available on the TJPA website: <http://www.transbaycenter.org> > TJPA > Doing Business with the TJPA (<http://transbaycenter.org/tjpa/doing-business-with-the-tjpa>).

Questions Regarding SBE

Written questions concerning SBE and nondiscrimination requirements shall be on QPD forms and addressed to:

Tim Maxwell
Webcor/Obayashi Joint Venture
183 Fremont Street
San Francisco, CA 94105
(510) 476-3005 fax
Email: TransbayBidding_TG05@webcor-obayashi.com

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. In submitting proposals, the Bidder accepts the terms and conditions of the Webcor/Obayashi Joint Venture Long Form Subcontract attached herein. Proposals which are in any way conditional or

which make alterations, omissions, or qualifications to the terms of the RFP documents shall be rejected as incomplete, unqualified or non-responsive.

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 6.1.5 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) [10 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) [100 points]

Provide descriptions and summaries of the firm's capabilities and experience with emphasis on projects within San Francisco in the last 5 years. Describe all major 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 Site Maintenance/Labor 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 100 points required under this Section.

6.1.3 – Proposed Staffing Plan (4 page limit) [15 points]

Describe the staffing plan to complete Proposed Services. Specifically, provide the name, title, business address, and phone number of key management staff that would be assigned to provide Services along with qualifications and work experience of each such management 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 - References (3 page limit) [25 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.

6.1.5 - Fee Proposal (5 page limit) [50 points]

Each Trade Subcontractor shall submit within its Proposal 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 for all proposed staff members including, but not limited to, management, technical or professional staff and direct current hourly rates by position for any support personnel where applicable.

- For each firm, including each sub-tier Trade Subcontractors, a list of estimated expenses (i.e., vehicles, equipment, tools, supplies, 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, 2011 through June 30, 2012, etc).

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.

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.
- 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 submit 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 TIPA 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 responsible Trade Subcontractor and/or that the Proposal is responsive.
- The Trade Subcontractor alters the language of forms or attachments 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.

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.

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. CONTRACT DOCUMENTS LIST

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

Document Name	Description	Revision Name	Issue Date
Long Form Subcontract		Rev G	4/8/11
Specifications	Defined in Specification 00 01 10	Rev 2	12/13/10
Request for Proposal Manual		Rev 10	2/11/11
Exhibit A	RFP Package – Contract 301000507	0	4/8/11
Exhibit C	Lien Releases	N/A	07/09
Exhibit D	Sample Certificate of Insurance and Additional Insured Endorsement	N/A	11/18/10
Exhibit E	LEED	N/A	7/30/10
Exhibit G	Trade Subcontractor Payment Requisition	N/A	7/21/10
Exhibit H	Site Specific Safety Plan	Rev 3	2/14/11
Exhibit I	Concept Schedule	0	3/14/11

9. EVALUATION PROCESS

Webcor/Obayashi Joint Venture intends to select one or more Trade Subcontractors. A Selection Committee will review and evaluate Proposals and will score Proposals in accordance with the criteria and methodology described in this RFP. Trade Subcontractor(s) that receive the highest scores in the selection process will be selected to negotiate an agreement with Webcor/Obayashi Joint Venture. The Agreement will require specific task orders to be authorized prior to issuance of a Notice to Proceed.

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 10 points
Qualifications and Experience of Trade Subcontractor Firm	maximum 100 points
Proposed Staffing Plan	maximum 15 points
References	maximum 25 points
Fee Proposal	maximum 50 points

The maximum total score possible is **200** 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 **100** points as follows:

Presentation	maximum 50 points
Responses to Questions	maximum 50 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.

10. SUBMITTAL PROCEDURES

Five (5) hardcopies of the Proposal and one (1) CD with the Proposal in PDF must be received by Webcor/Obayashi Joint Venture by the proposal due date and address noted in Section 2.

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

By submitting proposals Trade Subcontractors acknowledge and agree to execute the enclosed and non-negotiable RFP Subcontract 301000507 language and terms. Following fee and scope of services 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” results in a “Not Qualified, FAIL” response.

NO POINTS ASSESSED, ALL QUESTIONS ARE PASS/FAIL.

Item	Question	SCORE Pass/Fail
A-1	Contractor possesses a valid and current California Contractor’s license for the project or projects for which it intends to submit a bid with the appropriate classifications required. <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, FAIL	Pass/Fail
A-3	Has your 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 License 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
	Contractor has or can obtain a liability insurance policy issued by an insurance company licensed in the state of California with limits and ratings as noted below and with a Waiver of Subrogation: All insurance companies shall have a current A.M. Best Rating not less than “A,X” and shall be satisfactory to Contractor. -Worker’s Compensation & Employer’s Liability: WC – Statutory Limit; EL - \$1M, including coverage for U.S. Long Shore and Harbor Workers’ Act benefits, and Jones Act benefits, and Federal Employees Liability Act -General Liability + Umbrella or Excess Liability (Minimum Rating- A- and Class VI): Non Hazardous - \$25M (each occurrence and aggregate), including coverage for Contractual Liability, Independent Contractors, Explosion, Collapse, and Underground (XCU), Personal Injury, Broadform Property Damages, and completed operations -Automobile Liability (Minimum Rating- A- I): \$1M combined single limit <input type="checkbox"/> Yes <input type="checkbox"/> No No = Not Qualified, FAIL	
	Contractor provides health and pension benefits for its employees and their families through an ERISA approved program <input type="checkbox"/> Yes <input type="checkbox"/> No No = Not Qualified, FAIL	
	Contractor has an existing agreement with a registered apprenticeship program(s) which has been approved by the California Apprenticeship Council, and the program(s) has graduated apprentices in the preceding five years for the apprenticeable craft(s) which may be employed by your firm? <input type="checkbox"/> Yes <input type="checkbox"/> No No = Not Qualified, FAIL	

	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	
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	5 Pts
<u>Provide the following information:</u>		
A. Trade Subcontractor must have a current and valid State of California License 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.		
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 State License Board that required a formal hearing or inquiry within the last 5 years?		
Yes <input type="checkbox"/> No <input type="checkbox"/> Explain (if yes):		
Section 2.1 Actual Points Earned		

Insurance:

<u>Insurance Scoring Section:</u>	Total Score Possible	10 Pts
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):	
	Actual Points Earned

Disputes, Arbitration, and Litigation:

<u>Disputes, Arbitration and Litigation Scoring Section:</u>	Total Score Possible	5 Pts
<p>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.</p> <p>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.</p> <p>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.</p> <p>4. In the past five (5) years has any claim against your firm concerning your firm’s work on a construction 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>		
	Actual Points Earned	

Claims:

<u>Claims Scoring Section:</u>	Total Deductive Score Possible	-30 to 0 Pts
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.

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. **Provide detailed information for each current, pending and resolved dispute.**
 No. of Claims: _____

2. **Summary of Claims:** 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.

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): _____ %

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.

% of Claims Frequency	% of Recovery		
	0 - 33%	34 - 66%	67 - 100%
50 - 100%	-30pts	-15pts	-10pts
25 - 50%	-20pts	-10pts	-5pts
0 - 25%	-10pts	-5pts	0pts

Scoring Range -30 to 0 Points

Actual Points Deducted

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

Business Organization Scoring Section:	Total Score Possible	5 Pts																										
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 B. If firm is a sole proprietor or partnership, list the owner(s) of the company: C. Under the laws of which state is the company organized? State of _____ D. Date Founded: _____ E. Parent, Affiliate, and/or Subsidiary Companies: <table border="1" style="width: 100%; margin-top: 5px;"> <thead> <tr> <th>Full Legal Name</th> <th>Location</th> <th>Ownership</th> <th>Operations</th> <th>Indemnity Available?</th> <th>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>			Full Legal Name	Location	Ownership	Operations	Indemnity Available?	Endorsed for Obligation of:																				
Full Legal Name	Location	Ownership	Operations	Indemnity Available?	Endorsed for Obligation of:																							
F. When did present management assume control? _____ G. Name of Predecessor: _____ What happened to Predecessor? _____ H. What percentage of your work is public? _____% private? _____% I. Number of Employees by Trade: _____																												

	Actual Points Earned
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Financial Information:

<u>Financial Information</u>	Total Score Possible	<u>10 Pts</u>									
<p>Federal Tax ID No.: _____ General Tax Exemption No.: _____</p> <p>Dun and Bradstreet No.: _____ Income/Balance Sheet Preparation Method: _____</p> <p>Name of Bank: _____ Branch: _____ Line of Credit Amount: \$ _____</p> <p>Revenue: 2010: (Projected) \$ _____ 2009: (Actual)\$ _____ 2008: (Actual)\$ _____ 2007: (Actual)\$ _____</p> <p>The apparent low bidder will be required to furnish their audited financial statement prior to the award of contract to confirm the ratios below. Confirm that it will be provided upon request: <input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>Based on your most recent audited or reviewed financial statement(s), provide the following summary financial information: Note: If Trade Contractor is EXEMPT read definition below.</p> <p>The apparent low bidder will be required to provide actual financials prior to the award of contract.</p> <p><i>Public Contract Code section 20101(e)</i> <i>(e) For the purposes of subdivision (a), a financial statement shall not be required from a contractor who has qualified as a Small Business Administration entity pursuant to paragraph (1) of subdivision (d) of Section 14837 of the Government Code, when the bid is no more than 25 percent of the qualifying amount provided in paragraph (1) of subdivision (d) of Section 14837 of the Government Code.</i></p> <p><i>Government Code section 14837 (d) (1)</i> <i>(d) (1) "Small business" means an independently owned and operated business that is not dominant in its field of operation, the principal office of which is located in California, the officers of which are domiciled in California, and that, together with affiliates, has 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or is a manufacturer, as defined in subdivision(c), with 100 or fewer employees</i> <i>SF Administrative code Chapter 14B(3)(b) applies for HRC certified contractors</i></p> <p>Enter Financial Ratios Below</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; text-align: center;">Working Capital</td> <td style="width: 33%; text-align: center;">Current Ratio</td> <td style="width: 33%; text-align: center;">Leverage</td> </tr> <tr> <td style="text-align: center;"><input style="width: 100px; height: 40px;" type="text"/></td> <td style="text-align: center;"><input style="width: 100px; height: 40px;" type="text"/></td> <td style="text-align: center;"><input style="width: 100px; height: 40px;" type="text"/></td> </tr> <tr> <td style="text-align: center;">Current Assets (minus) Current Liabilities (divided by) 2009 Volume</td> <td style="text-align: center;">Current Assets (divided by) Current Liabilities</td> <td style="text-align: center;">Total Liabilities divided by) Equity</td> </tr> </table>	Working Capital	Current Ratio	Leverage	<input style="width: 100px; height: 40px;" type="text"/>	<input style="width: 100px; height: 40px;" type="text"/>	<input style="width: 100px; height: 40px;" type="text"/>	Current Assets (minus) Current Liabilities (divided by) 2009 Volume	Current Assets (divided by) Current Liabilities	Total Liabilities divided by) Equity		
Working Capital	Current Ratio	Leverage									
<input style="width: 100px; height: 40px;" type="text"/>	<input style="width: 100px; height: 40px;" type="text"/>	<input style="width: 100px; height: 40px;" type="text"/>									
Current Assets (minus) Current Liabilities (divided by) 2009 Volume	Current Assets (divided by) Current Liabilities	Total Liabilities divided by) Equity									
Section 2.8 Actual Points Earned:											

Prevailing Wage and Apprenticeship Compliance

Prevailing Wage and Apprenticeship Compliance Scoring:	Total Score Possible	5 Pts
<p>1. Has there been more than one occasion during the last five years in which your firm was required to pay either back wages or penalties for your own firm's failure to comply with the State's prevailing wage</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Explain and note how often (if yes): _____</p>		

	<p>2. During the last five years, has there been more than one occasion in which your own firm has been penalized or required to pay back wages for failure to comply with the Federal Davis-Bacon prevailing wage requirements? Yes <input type="checkbox"/> No <input type="checkbox"/> Explain and note how often (if yes):</p> <p>3. At any time during the last five years, has your firm been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works? Yes <input type="checkbox"/> No <input type="checkbox"/> Explain and note how often (if yes): If "yes," also provide the date(s) of such findings, and attach copies of the Department's final decision(s).</p>	
	Section 2.10 Actual Points Earned:	

Summary and Scoring Totals

	Total Score Possible	Score Received
Licensing	05	_____
Insurance	10	_____
Disputes, Arbitration and Litigation	05	_____
Claims	0	_____
Business Organization	05	_____
Safety	10	_____
Financial Information	10	_____
Prevailing Wage and Apprentice Comp.	<u>05</u>	_____
Total Possible Score:	50	Total Score Received: _____

END OF ATTACHMENT 1

Attachment 2 – Request for Proposal Checklist

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)
 - Subcontractor Request (SR)
 - Business Tax Registration Declaration (Section 00 04 54)
 - Current Business Tax Registration Certificate
 - Highest Prevailing Rate Certification (Section 00 04 60)
 - CityBuild/First Source Referral Program Certification (Section 00 04 57)
 - Certificate of Proposer Apprenticeship Training Program (00 04 65)
 - 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/AT3-B)
 - 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.

END OF REQUEST FOR PROPOSAL CHECKLIST

ISSUANCE LOG

REV No.	ISSUE	DATE
A	Issued For Request for Proposal TG05.7	4/8/2011

END OF EXHIBIT RFP