



QUESTIONS AND ANSWERS ALAMEDA CTC RFP NO. R21-0001

The following answers are in response to questions submitted by prospective proposers for Alameda County Transportation Commission (Alameda CTC) Request for Proposals (RFP) No. R21-0001 for Project Management and Project Controls Services. This document provides the written responses to all questions that were received by Alameda CTC on or before August 17, 2020. Questions may have been edited for grammar and clarity.

Q1. If a DBE subconsultant is proposing to use a Safe Harbor Rate, is there a replacement form for Caltrans Exhibit 10-K?

A1. Yes, please see the Safe Harbor Rate application, which is available on the Alameda CTC contracting forms webpage at www.alamedactc.org/contracting-forms.

Q2. Do all subconsultants have to provide an Exhibit 10-K Consultant Annual Certification of Indirect Costs and Financial Management System, even if the firm has no employees other than the owner and has no accounting staff? If the information requested in the form is unavailable because there is no financial management system, is there a way to be exempt from completing the form?

A2. Per RFP Table 3, Caltrans LAPM Exhibit 10-K is required for all firms unless a firm is eligible for, and requesting, a Safe Harbor Rate. Please also see the Safe Harbor Rate application, which is available on the Alameda CTC contracting forms webpage at www.alamedactc.org/contracting-forms.

Q3. Would a contract with BART to provide construction management oversight services for projects with similar partners or stakeholders as Alameda CTC projects constitute a conflict of interest in Alameda CTC's opinion? If so, is a conflict of interest mitigation plan necessary to include as part of the proposal?

A3. Based on the limited description provided in this question, we do not anticipate the above scenario leading to a conflict of interest. As noted in the RFP, Alameda CTC's main concern is situations where the selected consultant or other member of the consultant team is placed in a position where that team member is responsible for reviewing its own work for a specific project, and that concern does not seem to apply based on this limited description. However, Alameda CTC reserves the right to request additional detail in order to analyze the situation further should this consultant team be selected. Alameda CTC cannot provide a thorough review and analysis of individual conflict of interest scenarios except for the selected consultant team.

Please see RFP Section I.1.F. (Conflict of Interest) for requirements, including but not limited to the requirement for proposers to identify any other clients that would pose a potential conflict of interest as well as a brief description of work you provide to these clients.

Q4. Are firms who are subconsultants to the Project Management and Project Controls contract precluded from bidding on design work due to a conflict of interest?

A4. Alameda CTC cannot provide a thorough review and analysis of individual conflict of interest scenarios except for the selected consultant team. In general, Alameda CTC is open to working with the selected consultant team to reduce instances where subconsultants are precluded from pursuing other professional services opportunities with Alameda CTC. However, these will be handled on a case-by-case basis, and all requests may not be able to be accommodated.

Q5. Our firm (as proposed prime consultant) is under contract to another agency in Alameda County to provide services that include reviewing the design work from Alameda CTC's current consultant team for a project shown in Table A-1 of the RFP. The reviews are to inform the local agency of any impacts the design may have on their facilities and operations. Our firm also has an optional task to that same agency to perform similar services during construction to monitor the work for conformance with the local agency standards, conformance to project agreements and to minimize impacts to operations. No common staff are proposed between the two projects and internal protocols can be established, as for other agencies, to avoid a perceived conflict of interest. We request Alameda CTC review this example and provide clarification. Is this an acceptable situation to continue should we be selected for the services requested under this RFP?

A5. Based on the limited description provided in this question, there is potential for this scenario to lead to a conflict of interest. Alameda CTC reserves the right to request additional detail in order to analyze the situation further should this consultant team be selected, and is open working with the selected consultant team to consider protocols to eliminate this potential conflict of interest. Alameda CTC cannot provide a thorough review and analysis of individual conflict of interest scenarios except for the selected consultant team.

Please see RFP Section I.1.F. (Conflict of Interest) for requirements, including but not limited to the requirement for proposers to identify any other clients that would pose a potential conflict of interest as well as a brief description of work you provide to these clients.

Q6. Our firm (prime consultant) would like to include a specialty SBE subconsultant that provides services on numerous Alameda CTC capital projects shown in Table A-1. The SBE subconsultant is also under contract to either Alameda CTC or other prime consultant design firms to provide similar services for several future projects listed in Table A-3. Our team's hope is to confirm our understanding of the Conflict of Interest language in the RFP. Specifically, that this SBE subconsultant would not be precluded from continuing to provide services under their existing contracts for both existing and future projects if selected for this contract. Our team would also like to confirm that the SBE subconsultant could provide services under the Project Management and Project Controls contract resulting from RFP 21-0001, as long as, the subconsultant is not reviewing or managing their own work. Is Alameda CTC able to confirm that by not reviewing or managing their own work, that the subconsultant would avoid a conflict of interest as established by the requirements in the RFP?

A6. Alameda CTC cannot provide a thorough review and analysis of individual conflict of interest scenarios except for the selected consultant team. In general, Alameda CTC is open to working with the selected consultant team to reduce instances where subconsultants are precluded from working on or pursuing other professional services opportunities with Alameda CTC. However, these will be handled on a case-by-case basis, and Alameda CTC may not be able to accommodate all requests.

Q7. Our firm (prime consultant) wishes to include a DBE subconsultant on our team proposing on RFP 21-0001. The DBE subconsultant is currently providing specialty services to Alameda CTC under another contract for a project shown in Table A-1. Do providing those services on a separate contract with Alameda CTC preclude that DBE firm from working on this contract?

A7. Based on the limited description provided in this question, there is potential for this scenario to lead to a conflict of interest. Alameda CTC reserves the right to request additional detail in order to analyze the situation further should this consultant team be selected, and we are open working with the selected consultant team to consider protocols to eliminate this potential conflict of interest. Alameda CTC cannot provide a thorough review and analysis of individual conflict of interest scenarios except for the selected consultant team.

Q8. We are a small business delivering services on current Alameda CTC projects. We are also subcontracted for upcoming work. Our understanding of the Conflict of Interest language in the RFP is that, if we are a subcontractor on the selected project management team, we can still provide services under separate contracts (both directly with Alameda CTC and under other design firm contracts) as long as we are not managing our own company or reviewing our own work on a specific project under the project management contract. Can you please confirm that our understanding is correct?

A8. Based on the limited description provided in this question, there is potential for this scenario to lead to a conflict of interest. Alameda CTC reserves the right to request additional detail in order to analyze the situation further should this consultant team be selected, and we are open working with the selected consultant team to consider protocols to eliminate this potential conflict of interest. Alameda CTC cannot provide a thorough review and analysis of individual conflict of interest scenarios except for the selected consultant team.

Q9. Is there a total cap to limit of liability for this contract?

A9. The Alameda CTC Standard Form Agreement template does not contain language capping limits of liability, and Alameda CTC does not anticipate including any such cap in the final agreement.

Q10. What is the annual escalation and profit billing rate limits for this contract?

A10. Escalation rates may not exceed 3% and the profit rates may not exceed 8-10%. To justify and support a profit rate exceeding 8%, consideration will be given based on the complexity of the work to be performed, the risk borne by the consultant, the amount of subcontracting, and industry profit rates in the surrounding geographical area for similar work. See RFP Section II.2.E.5, Cost Proposal.

Q11. Is there an overhead percentage limit for this contract?

A11. There is no limit to the fringe and overhead rates, since that must be part of a Federal Acquisition Regulation (FAR) compliant indirect cost rate. See Caltrans LAPM Exhibit 10-A, referenced in Appendix C of the RFP.

Q12. How do you want Optional Tasks priced?

A12. For Construction Oversight, you may assume 1 full-time staff person a year. For Potholing, you may assume 20 potholes per year. For the new project controls database, please provide a scope and fee for the proposed work as described in the RFP. The actual pricing will be determined if and when a task order is executed for each optional task.

Q13. Can you provide the approximate contract value?

A13. Alameda CTC will not be releasing an approximate contract value.

Q14. Since there are no designated projects for the contract within the RFP, project tasks and other cost details are difficult to identify with the limited information given. Does the cost proposal need to include task and work breakdown for assigned tasks or is Alameda CTC looking for billing rates only and the required forms to present them?

A14. Proposers may assume 3 full-time project managers for the capital projects.

Q15. For our subconsultants that are on-call (on our bench) and may be needed only occasionally, if at all, can we estimate the total budget for all of them in one on-call subconsultant budget that is for on-call technical services, rather than for one firm, for example? Or what is the best way to prevent the administration of adding several personnel to the contract who may not be needed in certain years or are only needed infrequently?

A15. You may provide the budget as described for the technical services. As to contract administration, that will be determined during contract negotiations.

Q16. If our team does not have any prevailing wage workers, do we still need to submit Exhibit 10-H4 for the prime consultant and show all contractors as non-prevailing wage workers?

A16. It is Alameda CTC's understanding that the Optional Task of Potholing necessarily involves prevailing wage work and a contractor's license as described in RFP Section I.1.N. Per RFP Table 3, Caltrans LAPM Exhibit 10-H4 is only required for the firms performing prevailing wage work. Accordingly, Caltrans LAPM Exhibit 10-H4 must be submitted for the firm proposed to perform the Potholing task, and any other prevailing work identified by the prime consultant. Note also the requirement in RFP Section I.1.N that the prime consultant and the specific team member performing the prevailing wage work must be registered with the DIR prior to submittal of the proposal.

Q17. For key personnel references, is the RFP requirement 3 references within the past 5 years? If so, will Alameda CTC accept less than 3 references for a key staff that's currently on a project for more than 5 years?

A17. Per RFP Section II.2.G, "Proposer shall ensure that Alameda CTC receives a minimum of three (3) completed Reference Questionnaires from appropriate client references for each key team member on the proposal, related to previous projects similar to this project, or elements of this project, on which the key team member had significant involvement within the past five (5) years."

Submittal of Reference Questionnaires to Alameda CTC is not required for proposal acceptance; per RFP Section II.3.I, "A proposal that fails to include one or more items requested in Section II.2 (Proposal Content and Format), may be considered complete and generally responsive, if evaluation in every criterion is possible."

Q18. If a team staff member has worked exclusively with Alameda CTC for the past five years, what additional requirements would be necessary to consider when requesting references on behalf of said key staff, knowing those references would come from Alameda CTC?

A18. Per RFP Section II.2.G, “None of the references shall be from Alameda CTC.” Submittal of Reference Questionnaires to Alameda CTC is not required for proposal acceptance; per RFP Section II.3.I, “A proposal that fails to include one or more items requested in Section II.2 (Proposal Content and Format), may be considered complete and generally responsive, if evaluation in every criterion is possible.”

Q19. Can you recap the “third party” arrangement for obtaining references?

A19. This question was submitted at the Pre-Proposal Meeting and addressed at the meeting. Proposer shall ensure that Alameda CTC receives a minimum of three (3) completed Reference Questionnaires from appropriate client references for each key team member on the proposal, related to previous projects similar to this project, or elements of this project, on which the key team member had significant involvement within the past five (5) years. None of the references shall be from Alameda CTC. Proposers shall include, as an appendix to the proposal, reference project information. Client references shall complete and submit the web-based Reference Questionnaire by or before the proposal due date. The proposer is responsible for communicating to the referenced party the instructions and requirements for this process as outlined in the RFP. Please see RFP Section II.2.G for detailed requirements.

Q20. I am a DBE and will most likely work as a subcontractor. I am not sure how to complete the reference questionnaire, can you please guide me on how to complete this?

A20. If you are a sub on the proposal, you would not complete the Reference Questionnaire. Reference Questionnaires are completed by client references for each key team member, as designated by the prime proposer. The link to the Reference Questionnaire is identified in the cover letter of the RFP.

Q21. Do references have to be submitted to register as a company interested in pursuing this opportunity?

A21. No, references are only required when submitting a proposal. For more information on references, see RFP Section II.2.G, References.

Q22. My company will be on multiple teams as a subconsultant. In the reference questionnaire, the referrer is required to list the Prime Company's name. Please see below:

*Company name of the prime consultant proposer for this RFP: **

This is required and must be accurate. If you do not know who the prime consultant proposer is, please ask the person who asked you to complete this questionnaire.

Since my company will be on multiple teams, is it okay to list the prime name as "multiple," instead of listing individual (prime) company name? If that will not work, is it okay to list the names of all prime companies in one questionnaire form (i.e. list them as X/Y/Z in a single form)? That way, each referrer does not have to fill the reference questionnaire form multiple (# of primes) times. Please advise.

A22. The company name of the prime consultant proposer for this RFP must be entered into the appropriate field on the Reference Questionnaire. If you are asking one client to serve as a reference for multiple prime proposers, the reference would need to complete multiple forms – one form for per key personnel and prime.

Q23. If a subconsultant is teaming with multiple prime firms, would it be acceptable for the subconsultant to cite on the reference request form "Various Primes in Pursuit of RFP No. R21-0001" or similar verbiage rather than citing the prime by name?

A23. Please see A22 above.

Q24. With respect to the References Request Online Questionnaire, will we be notified when a survey has been completed?

A24. Alameda CTC will not notify proposers regarding the status of Reference Questionnaires. The proposer is responsible for communicating with the party submitting the Reference Questionnaire.

Q25. Will a recording of the Pre-Proposal Presentation be provided?

A25. No. Alameda CTC did not record the Pre-Proposal Meeting.

Q26. When will answers to the questions be published?

A26. By or before the "Final Addendum issued" due date in RFP Table 1.

Q27. Which firms are currently contracted with Alameda CTC for similar contracts?

A27. Here are the firms currently contracted with Alameda CTC for similar contracts:

Overall Program Management:

- Robert Half/Accountemps - Temporary administrative help with AP invoice review
- Robert Half/Office Team - Temporary Administrative Support Services; Project Delivery
- VSCE, Inc. - Temporary On-call and Staffing; supported projects

Programming and Project Controls:

- VSCE, Inc. - Project Control and Funding/Financial Management Services
- HDR Engineering, Inc. - On-call Planning and Programming Services

Project Development and Management:

- DMR Management Consultants, Inc. - Project Delivery Management Services
- Sidhu Consulting, LLC - Project Delivery Management Services
- VSCE, Inc. - Project Delivery Management Services

Construction Oversight/Management

- VSCE, Inc. - Construction Management Services
- VSCE, Inc. - Construction Management Services for the I-680 Northbound Express Lanes Phase 1
- WSP USA, Inc. - Construction Management Services for 7th St. Grade Separation East

Project Controls Database

- Acumen - On-Call Professional and Administrative Services

Potholing

- Oberkamper Associates - I-880/Mission Boulevard (Route 262) Interchange Project for Right of Way Services
- Associated R/W Services - Right of Way Support Services for the East Bay Greenway

Q28. I am reaching out today because I had signed up for the Online Pre-Proposal Meeting and never received a calendar invite or email confirmation, and now looking on the site realized that I missed it yesterday! Are there any materials you can provide me about this proposal?

A28. The RFP documents, including the Pre-Proposal Presentation and Interested Parties List, are available at <https://www.alamedactc.org/contracting-opportunities/>.

Q29. Could you please provide the attendee list for the subject pre-proposal meeting?

A29. An Interested Parties List, which includes individuals that were registered for the pre-proposal meeting, is posted and available on the Alameda CTC Contracting Opportunities webpage at <https://www.alamedactc.org/contracting-opportunities/>.

Q30. How can I connect with potential Primes?

A30. An Interested Parties List is posted and available on the Alameda CTC Contracting Opportunities webpage at <https://www.alamedactc.org/contracting-opportunities/>.

Q31. Is there a reference document for the forms required?

A31. Please see RFP Table 3.

Q32. On page 42 of the RFP, it says "The Resources Form is available at or from the RFP Web Page identified in the cover letter of this RFP." But I don't see the Excel file on that page (<https://www.alamedactc.org/get-involved/contracting-opportunities/>).

Could you please send me the link or email the Resources Form to me?

A32. The Resources Form is available at the Contracting Forms web page linked from the RFP web page listed in the cover letter. Here is the direct link to the Resources Form:
https://www.alamedactc.org/wp-content/uploads/2019/10/Resources_Form.xlsm

Q33. Should we include the PDF pages from the Resources Form in the proposal?

A33. Yes. Per RFP Section II.2.A (General Instructions), the Resources Form (Appendix D) shall be provided in source (i.e., XLS/XLSX) and PDF formats. Per RFP Table 2, the Resources Form is not included in the page limit.

Q34. The RFP states proposals shall not exceed 10 pages, excluding sections or content as indicated in Table 2 – Page Limit Requirements. In an effort to sufficiently respond to your requirements, would Alameda CTC consider increasing the page limit for the above mentioned sections to 25 pages?

Additional justification: the prior RFP for project management and construction management services followed a two-step process where qualifications were submitted initially as part of an SOQ, followed by a separate RFP/proposal that had more of the focus on the approach. Each had the 10 page limits.

Also, this RFP has combined scope that previous unbundled RFP requested in separate proposals, thus our team's size would require more pages.

A34. Alameda CTC will increase the page limit to 15 pages. Please see RFP Addendum No. 1.

Q35. In order to fulfill all the requirements of the RFP and provide the most complete response and ideal teaming arrangements to fulfill Alameda CTC's needs, we respectfully request an extension for 2 weeks of the submission date.

A35. No. Alameda CTC is unable to provide the requested extension.

Q36. Please define the type of design samples and writing samples you would like to see.

A36. Design samples and writing samples should be relevant and related to the scope of work being requested in this RFP (i.e., design and delivery of transportation projects).

Q37. To address the requirements of the RFP, 2. Proposal Content and Format, Section E. Proposal Content, 4. Staffing Plan and Availability part b., Would it be sufficient to include the qualifications and expertise of the non-key team members in a table format?

A37. Use of a table for non-key team members is acceptable.

Q38. Does Alameda CTC have a specific number of project managers they expect to have assigned?

A38. It is up to the prime to determine how many project managers will be required, but it would be appropriate to assume three full-time equivalent project managers for the capital projects.

Q39. Under Task 3, for the bullet “Ensuring Compliance with all funding terms and conditions”, what level of consultant support will Alameda CTC require for preparation and submittal of invoices to MTC/Caltrans for federal funds re-imburement? Is this task done entirely house? Or does it require consultant support?

A39. Invoices are intended to be prepared by Alameda CTC staff, with project-related input, such as project status, provided by consultant project managers, as needed, to comply with invoicing requirements.