



Questions and Answers for As-needed Engineering RFQ Revised

Deadline for Questions: July 6, 2012

Submittal Deadline: July 20, 2012 12 pm

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Question 4 answer revised

Question 18 answer revised

Question 25 question and answer revised

Additional questions

Revised **July 12, 2012**

1. Regarding using Port reference for our submittal, should we not use Port employees as references even though they supervised the work?

Per Addendum #1 section 3.3 e and section 5.0, firms can now use Port employees as references for prior projects that you've done for the Port of San Francisco.

2. Do firms need to have subs for all the types of engineering services mentioned including the "other specialized services" on page 4.

Yes. Please include subs to cover all the services mentioned in the RFQ.

3. Is the 21% LBE goal for each CSO or for the entire contract?

The 21% is for the entire contract. The Port encourages firms to maintain a high percentage of LBE use for each CSO in order to work towards the goal.

4. The statement regarding substitutes is unclear? How many substitute firms do we need for each service?

You will need one additional substitute for the three main services including construction management, electrical engineering, and structural engineering.

The RFQ reads on page 9 section 4(a)(v) " provide at least one alternate subconsultant resource on the team for construction management, electrical engineering, and structural engineering.

Please note that you are required to include two highly qualified coastal engineering firms on your team.
See page 9 section 4(a)

5. Why is there no cap on the billable amounts?

The Port will submit an addendum on our website regarding the billable hourly rate caps. It should be set at \$210.

6. Can you clarify the fee schedule requirements and make a word document version of the example table available online?

Please provide a fee schedule per the example table. Please make sure to include fees for all subconsultants and alternatives. The Port will make available the fee schedule in a word document on the Port's website.

7. Do we get bonus points for being a MBE, WBE, LBE?

Bonus points are only allotted to LBEs.

8. What if only one of the JV firm has the 7 years continuous experience and the other JV firm does not, will that JV still be qualified as Prime (a.k.a. Can the collective experience of the JV qualify for the 7 continuous years of experience)?

All Prime Consultants must have 7 years of verifiable experience whether or not they are in a joint venture. Subconsultants are required to have at least 3 years of experience.

9. Please confirm 7 years of "accumulated" maritime port project experience does not need to cover every major work categories listed in RFP (Civil, Structure, Mechanical, Electrical, Marine, Dredge Inspection)

Please make sure to follow the RFQ which requires 7 years of continuous experience in complex maritime/port related projects, rather than accumulated experience.

10. If a firm has 5 + years of qualified project experience at submittal date and a continual port project contract for another 2 years that will not count as qualified?

No. All requirements need to be met at the time of submittal.

11. Also, if the lead JV firm does not have the seven years continuous experience, but the collective JV meets the qualification, will that JV team still be qualified?

No. You can't combine two firms that are unqualified into one and reason the new entity is qualified.

12. Do firms need to be ready to sign the P-500? There are concerns about investing time into the proposal if there are clauses in the RFQ that will need to be negotiated.

The P-500 contract is the City's standard contract and will need to be signed upon contract award. If the terms cannot be negotiated the City has the right to choose the next highly qualified team. Please email the Port directly if you foresee any specific concerns.

13. Section 16 (Indemnification) of the Contract imposes Incidental and Consequential Damages upon the contractor. We request this requirement be deleted from the Contract. These damages are not covered by professional liability insurance and do not typically apply to engineering services. In addition, because of the indirect nature of consequential damages, they can be very remote and therefore unforeseeable. In addition, they can significantly exceed the value of the work performed.

Section 16 Indemnification at certain times has been waived or negotiated. When multiple contracts are pending, the Port may, however choose not to do so. An Indemnity clause waiver requires approval from City Risk Manager based upon a specified evaluation in section 1.24 of the Admin Code.

14. Section 18 (Liquidated Damages) of the Contract requires the inclusion of Liquidated Damages. As noted above, such damages are also not covered by professional liability insurance, and we request this requirement is deleted. Liquidated damages are not normally included in an engineering services contract, in part because professional engineering services typically require reliance upon activities of contractors or other third parties over which we have no control.

Liquidated Damages are not required by ordinance for A&E contracts. The Port will negotiate with successful consultants the liquidated damages clause.

15. Will the Port allow that a LBE firm be a partner to a joint venture in one team, while being a sub consultant in other teams? In the past for some contracts the City of SF has accepted this arrangement, while in some other contracts this was not allowed. So, I am wondering what the Port's position for this contract is?

Yes, the Port will allow LBE firms to partner with a joint venture and be a sub for another consulting team.

16. How does the Port define key employees?

In section 4. (a) on page 9 the Port refers to key persons as those staff who will spend at least 25% of their employment time on this contract.

17. Will the anticipated "dredging inspection" tasks require bathymetric/hydrographic surveying? Will we need to list a subconsultant that provides this service?

No surveying, but the inspectors will need to be able to demonstrate actual dredging inspection work. Typical construction inspectors are not sufficient.

18. If we worked as a sub-consultant for a project and I was the project manager/ Engineer of record, does the fees earned on that project count toward your minimum \$500K 1 year / 1.5M over 3 years fee requirement?

If the fees earned on the project meet the minimum \$500,000 in one year or 1.5M over 3 years fee, **and you were the project manager**, you will have met that requirement, whether or not you were a sub or prime.

19. Also regarding \$500K in one year in the minimum qualification on page 12, is it the last year or any year starting any month or a calendar year?

You must have a contract value of \$500k in a continuous 12 month period.

20. If we were a prime on a project where we were a JV with another firm, and managed the project for the whole team, can the fee amount of the entire contract go towards this \$500K 1 year / 1.5M over 3 years or only the work performed by the Prime.

If you managed the project for the whole team, and can verify with references, you can claim the entire project.

21. If a JV is proposed with a micro LBE firm, would both firms need to meet the minimum qualifications for prime as stated on page 12 of the RFQ? If so, this would preclude many micro LBE firms from participating as a JV partner with another firm that does meet the minimum qualifications.

Yes. All Prime Consultants must have 7 years of verifiable experience whether or not they are in a joint venture. Subconsultants are required to have at least 3 years of experience.

22. Are the LBE compliance requirements for these contracts only met by small and micro LBEs? HRC form 2a states that this assumption is made unless the RFQ specifies that SBA LBEs are acceptable. The RFQ as issued by the Port has no specific statement allowing the LBE participation goal to include SBA LBEs.

No. SBA cannot be used to meet the LBE participation goal.

23. The example fee schedule on page 11 of the RFQ includes detailed job descriptions and assigned staff names. Is this information required for our fee schedule submittals or are categories and rates sufficient? If the descriptions and names are required, are they required from all subconsultant disciplines or just those meeting major categories of work?

The description and names are required. This information is required to be included in the fee schedule for the prime and all subconsultants.

24. Please confirm 7 years of “accumulated” maritime port project experience does not need to cover every major work categories listed in RFP (Civil, Structure, Mechanical, Electrical, Marine, Dredge Inspection)

The prime consultant must have verifiable experience of at least seven continuous years consulting on complex maritime/port related projects. This experience will need to involve multiple disciplines but does not necessarily need to cover all major work categories.

25. Can you please clarify what type of engineering services are required for: 1. Railroad Consulting, and 2. Cruise Terminal Operations 3. Archeologist work?

Railroad consulting will include providing architectural and engineering services for the maintenance, repair, and installation of railroad tracks within the Port’s jurisdiction.

Cruise Terminal Operations will include providing architectural and engineering services for the planning, design, and construction relating to cruise terminal facilities.

Archeology work will include providing archeological services for the planning, design, and construction of Port related projects. For example: an archeological study may need to be performed before geotechnical borings are done; or before excavation work is performed in areas where archeological concerns are suspected to be present.

26: Do the following requirements of HRC Attachment 2, need to be completed prior to the submittal of the proposal; after we are shortlisted; or after we are selected? At which stage do we need to complete those tasks?,

1. A JV must submit an executed JV agreement and management plan detailing each JV partner's responsibilities and tasks.

The HRC requires the JV to submit an executed JV agreement and management plan detailing each partners responsibilities and tasks included with the prospers response to the Port's RFQ

2. A JV must obtain a Federal ID number for that entity.

The HRC may require the JV to provide proof of the Federal ID number at a later date.

3. A JV must obtain a tax registration certificate from the City Tax Collectors Office for that entity.

The HRC may require the JV to provide proof that they obtained a tax registration certificate from the tax collector's office at a later date

27. Will the Port allow a prime (who is not a LBE but is JV with a LBE) submit as a prime on one submittal, and as a sub consultant on other teams?

Yes.