Architectural Services for State Funded Projects

ADDENDA

RFP NO. 19-20/06

Peralta Community College District

333 East 8th Street, Oakland, CA 94606

November 19, 2019

ADDENDUM No. 2

This addendum supersedes items of the original contract documents wherein it is inconsistent with it. All other conditions remain unchanged. The following changes, modifications, corrections, additions or clarifications shall apply to the contract documents and shall be made a part of and subject to all of the requirements thereof as if originally specified or shown. It is the responsibility of the proposer to review the list of attachments to ensure that the addendum is full and complete. This Addendum modifies the original RFP Documents for the above RFP. Acknowledge receipt of this addendum in the space provided on the Acknowledgement and Signature Form. Failure to do so may subject Proposer to disqualification.

General Requests for Information:

1. We are reviewing RFP #19-20/06 – Architectural Services for State Funded Projects. Are you able to provide JCAF32 for all three projects listed? RESPONSE: Yes.

2. Can the District please provide the JCAF 32 form for each project? RESPONSE: See answer to item 1.

3. Is there any site work required for the Laney College Theater Modernization? Are Civil Engineering and Landscape Architecture services required for this project? RESPONSE: No site work or landscaping is anticipated.

4. Are there any structural studies available for the Laney College Theater project? Will a seismic retrofit be required as part of this project? RESPONSE: Specific structural studies were not executed for this project.

5. Articles 10.1 and 12.1 of the Sample Agreement reference consequential damages. Consequential damages are not insurable, and are entirely out of proportion to the design professional’s fee. Can the references to consequential damages be replaced by a mutual waiver of consequential damages? RESPONSE: These articles may be discussed after the selection process, though in general, the District does not modify its base contract terms.

6. Can the $25,000 per claim deductible limit for professional liability insurance in Exhibit E Section B.5 of the Sample Agreement be increased to a $75,000 or $100,000 per claim
7. Exhibit A, Section C of the sample agreement lists Pre-Design and Start-Up Services as a Basic Service. Our understanding is that the program for these projects has already been completed. Typically we would provide Program Verification services prior to the start of Schematic design. However the Agreement lists preparation of an architectural program as a requirement for this phase. The agreement also lists a site plan, construction cost budget and renderings as deliverables for this phase. Please confirm that a program, site plan, construction cost budget and renderings will be required for the Pre-Design phase or whether this phase will be limited to Program Verification and other start-up services. **RESPONSE:** State funded projects have program requirements organized by “top code.” These requirements must be met, but the details of the program may be modified during a programming confirmation phase.

8. For Tab 1. Strength of Respondent Entity, we have more than 20 currently active Principals in our firm, and would like clarification on whether you need us to list profiles for all, or if we can list only the active principals on this RFP? Or, we can list active principals just for the education sector, which is still a high number. With the page limit of 15, we’d like to make sure we’re maximizing our space for remaining content. **RESPONSE:** The intent is to judge the team that the District will work with. Therefore, list only the active principles (or staff) that will be working on the project.

9. The Agreement for Architectural Services includes language which is not insurable according to our insurance carrier. Is the Peralta Community College District open to modifying or negotiating certain passages in the Agreement to omit the consequential damages in Article 10.1 and limit liability to the compensation received? **RESPONSE:** See response to item 5.

10. We assume that we will be billing against our lump sum on a monthly basis – please confirm. **RESPONSE:** Yes

11. Can you give us a template or an example of the schedule of values requested in section 4 of III. Proposal Format and Content? We assume that you will want the Fee Proposal to match the Payment Schedule in Exhibit D of the Agreement for Architectural Services. **RESPONSE:** A schedule of values is not necessary, other than to identify the fee per phase. Invoicing will be based on % complete per phase.

12. Please provide the milestone schedule for state funding via addendum as noted in Attachment X. **RESPONSE:** See tables, below:

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<tr>
<th>COA Replacement of Bldgs. B and E (Auto/Diesel Tech)</th>
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<tbody>
<tr>
<td><strong>Peralta DGS Anticipated Time Schedule</strong></td>
</tr>
<tr>
<td>Start Preliminary Plans</td>
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<tr>
<td>Start Working Drw</td>
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<tr>
<td>Complete Working Drw</td>
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<tr>
<td>DSA Final Approval</td>
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$25,000 deductibles are very low by today’s standards. **RESPONSE:** See answer to item 5.
Merritt College Horticulture Bldg. Replacement

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Laney College Modernize Theater Bldg.

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13. Please clarify the SLBE/SELBE Self Certification Affidavit – does “25% of subcontractors are SLBE” indicate: the number of subconsultants (1 of 4), the percentage of subconsultant fee ($25 out of $100 of subconsultant fee), or the percentage of overall fee ($25 out of $100 of the overall fee). **RESPONSE:** Replace page 32 with Exhibit G, attached to this addendum. Add five (5) points to the score sheet, for an overall point total of 105 points possible.

14. May we request a sample schedule of values from the District? Perhaps from a different contract? **RESPONSE:** See answer to item 11, above.

15. Per the RFP, we are including our request for exceptions to the RFP. We respectfully request the following changes in the attached. **RESPONSE:** See answer to item 5, above.

16. Exhibit E Insurance Requirements has highlights for the projected requirements. Will these insurance limits be included during the RFP process? **RESPONSE:** See answer to item 7, Laney College Theater Modification.

17. A Schedule of Values is not typical in professional services fees and our fee will likely be a percentage of construction and therefore not aligned with this style of invoice evaluation. Given the detailed outline of Exhibit A of the District’s agreement, would a fixed fee, phase based proposal be acceptable based on that scope of work? We expect that once more information is known on the project, we could develop a more detailed fee and plan against which invoices could be evaluated. **RESPONSE:** See answer to item 11, above.

18. What percentage of the scoring rubric is assigned to the fee? **RESPONSE:** 15 points out of a total of 105 points. See answer to item 13, above.

19. Also attached are suggested contract modifications as detailed in Section 5 of the RFP which instructs proposers to: Raise (and ideally also resolve) objections or proposed edits to the Agreement through the Questions process. **RESPONSE:** See answer to item 5, above.

20. Could the District please clarify why type of business license they are looking for? The State of California does not issue business licenses as requirements vary by region. Are Articles of
Incorporation which show we are a registered business, acceptable? **RESPONSE:** Please provide a valid business license for the city in which your firm it housed.

**Laney College – Theater Modernization project.**

1. Does the 5% bidding preference for SLBE apply only to the Prime Architectural firm? **RESPONSE:** Yes.

2. Can the design team get the 5% SLBE bidding preference by including SLBE firms on the team? **RESPONSE:** See answer to item 13, above.

3. Do tabs/dividers count in the 30 page limit for Sections 1 – 4? **RESPONSE:** No

4. Is there a page limit for Section #5? **RESPONSE:** The overall page limit is 30 pages.

5. May we submit resumes for more than 3 key personnel? **RESPONSE:** The District will assume that the resume(s) included in your proposal will be the staff working on the project. If selected, staffing changes must be approved by the District.

6. RFQ says “optional” for profiles of subconsultants and other team members - are we to list all design team consultants and include fees for full services, or only for Architectural Services? **RESPONSE:** Design team consultants should be listed.

7. What are the District’s specific insurance requirements for this project? **RESPONSE:** $2M/$5M professional liability, $1M auto.

8. Is demolition part of the scope of work, and included in the $19.5M construction cost? **RESPONSE:** Yes

9. Will the District be contracting directly for any Haz Mat abatement work? **RESPONSE:** The District is responsible for hazardous abatement of existing buildings. However, the architect is expected to provide document coordination, bid documents, specifications and other project material for all items related to the project.

10. When was the 10 page 7.1 Narrative for this project written? **RESPONSE:** Project narratives are part of the state funding submittal.

11. Exhibit 1 of the RFP lists Construction Cost Budget at $19.5M - and the “Economic Analysis Matrix on page 8 of 10 of item 7.1 “Narrative” shows the “total construction costs as $21,272,337 - Please confirm the Construction cost/budget for this project and if there will be scope/budget reconciliation period since escalation would have had an impact on budget from previous study. **RESPONSE:** The construction budget is established by the State, and modified annually, which may explain the discrepancy.
12. Re: CEQA – the RFP says the District will have CEQA review requirement completed prior to request for Preliminary Plans approval – what is the status of the CEQA review? **RESPONSE:** The CEQA process is in progress

13. Will any work happen outside the building line necessitating a civil engineer? (7.1 Narrative, Page 4 of 10 Alternative 1 describes, “…increasing the lobby with a transparent façade….”, 7.1 Narrative, Page 9 of 10 Scope of Work #5 describes a Lobby Extension into the courtyard to support theater events and also mentioned on Page 10 of 10.) If so, is the 1,370 SF from JCAF31 Summary p. 1 for this added lobby space or is this the net add for re-capturing non-public space within the building footprint? **RESPONSE:** The program and project budget is established by the State. Generally speaking, the State does not allow modifications to the program.

14. Four additional classrooms are requested. Is this for a total of 40-50 students or per classroom? **RESPONSE:** The overall program for classrooms is expressed in the State’s “top codes.” The size of rooms will be developed (or confirmed) during the programming confirmation process.

**College of Alameda New Auto/Diesel Complex:**

1. In Section VIII. Proposal Format and Content, Organization, 1. Strength and Respondent Entity, bullet one, the RFP asks for “Brief profiles of currently active principals.” Is it acceptable to list only those Principals located in the office location that will deliver this project? **RESPONSE:** Please provide the profiles of the team members that will perform the work on the project.

2. In Section VIII. Proposal Format and Content, Organization, 1. Strength and Respondent Entity, bullet five, the RFP asks proposers to “Identify any and all K-12 and community college educational projects that have not been closed-out by DSA and provide explanation.” Is it acceptable to provide projects only from the office location that will deliver this project? **RESPONSE:** Yes.

3. Our firm did not attend the mandatory preproposal meeting, but our partner architectural firm did. Can the firm that did not attend the mandatory preproposal meeting be the prime architect or will the two firms be required to form a Joint Venture or Association? **RESPONSE:** The firm submitting must have attended the mandatory pre-submittal meeting. A joint venture is allowed.

4. In the certification status for SELB firms, please explain how the item that reads "25% of subcontractors are SLBE/SELBE" is calculated? Is it calculated to be 25% of the total fee submitted with the proposal? Or is it calculated in other way? **RESPONSE:** See answer to item 13, in the “general” question section of this addendum.

5. The RFP indicates that employees of Peralta Community College District are precluded from being part of a submitting firm. Can an employee of a California Community College District, other than Peralta Community College District, be a consultant to a submitting firm? Or are employees of other California Community College Districts also precluded from being part of a submitting firm? **RESPONSE:** The composition of the team is the responsibility of the submitting firm. The submission must not violate the anti-lobbying and conflict of interest statements in the RFP.
**Merritt College New Horticulture Complex.**

1. There are several existing courtyards with well-maintained mature plantings (some bonsai). Is the intent to maintain and preserve these gardens or remove them? **RESPONSE:** Unknown at this time, the program confirmation process with end-users and stakeholders will determine the answer to this question.

2. The proposed greenhouses are located on community demonstration garden. Is it the intent that this garden will be eliminated or moved to the located labeled ‘edible garden’ on the proposed plan? **RESPONSE:** See answer to item 1, New Horticulture Complex.

3. There are a few places labelled orchard on the proposed plans but the site does not have a orchard there to speak of. Is it the intent that these areas are be orchards in the future (not necessarily as part of the project). **RESPONSE:** See answer to item 1, New Horticulture Complex.

4. Are we to include a Table of Contents in our response? **RESPONSE:** The response should be easy to read and find the information requested. How that is done is up to the submitter.
EXHIBIT G – SLBE / SELBE SELF CERTIFICATION AFFIDAVIT

I certify that my firm meets the District’s definition of a Small Local Business Enterprise (SLBE) or a Small Emerging Local Business Enterprise (SELBE) and resides in the geographic location of the District’s market area and qualifies for the preference. Points will be awarded as shown in the scoresheet, up to the maximum allowed. If the prime contractor is a SLBE or SELBE, the firm will be awarded the full five (5) points. If the vendor is a Joint Venture (JV) entity with the SLBE or SELBE performing 25% of the contract value, the JV entity will be awarded the full five (5) points. Prime contractors may also add consultants to the team and will be awarded two (2) points for each vendor up to four (4) points total. If the total amount of work awarded to the sub consultants is 25% of the contract value, then one (1) additional point will be awarded.

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<tr>
<th>Certification Status</th>
<th>Preference</th>
<th>Points claimed (fill in points)</th>
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<tbody>
<tr>
<td>Firm is a SLBE or SELBE</td>
<td>Five (5) points awarded</td>
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<tr>
<td>Joint venture entity, with SLBE or SELBE receiving 25% of work</td>
<td>Five (5) points awarded</td>
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<tr>
<td>Sub consultants on Team</td>
<td>Two (2) points awarded per consultant, up to four (4) points total</td>
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<tr>
<td>Total value of work awarded to sub consultants meets 25% goal</td>
<td>One (1) point awarded</td>
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<tr>
<td>Not Applicable</td>
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1. I acknowledge and am hereby advised that upon a finding of perjury with the claims made in this self-certification affidavit the District is authorized to impose penalties which may include any of the following: 1) Refusal to certify the award of a contract, 2) Suspension of a contract, 3) Withholding of funds, 4) Revision of a contract for material breach of contract, 5) Disqualification of my firm from eligibility for providing goods and services to the District for a period of up to five (5) years.

2. I acknowledge and have been advised and hereby agree that my firm will be required to provide proof (and if applicable, my SLBE and SELBE subcontractors will provide proof) of the status claimed on this self-certification affidavit 48 hours after the notice of award of contract. Proof of status claimed includes tax returns from the previous three years and past contracts to determine the size and geographical location of my firm.

3. I declare that the above provisions are attested to under penalty of perjury under the laws of the State of California.

____________________________________
Signed & Dated

____________________________________
Printed name & Title