



AFFILIATED AGENCIES

*Orange County
Transit District*

*Local Transportation
Authority*

*Service Authority for
Freeway Emergencies*

*Consolidated Transportation
Service Agency*

*Congestion Management
Agency*

November 21, 2022

**SUBJECT: Request for Proposals (RFP) 2-2643
“Construction Management Services for Transit Security and Operations
Center”**

Gentlemen/Ladies:

This letter and its attachments comprise **Addendum No. 1** to the above captioned Request for Proposals issued by the Orange County Transportation Authority (“Authority”).

1. Offerors are advised that the pre-proposal conference will be held on November 22, 2022, at 10:00 am, attendance will be strictly limited to **teleconference. Prospective offerors may join or call-in using the following credentials:**
 - [Click here to join the meeting](#)
 - Or Call-in Number: +1 916-550-9867
 - Conference ID: 683 544 529#
2. Offerors are advised that a copy of the pre-proposal conference presentation is presented as Attachment A to this Addendum No. 1.
3. **Offerors who plan to attend the pre-proposal conference remotely are requested to submit via e-mail to mle1@octa.net, no later than Tuesday, November 22, 2020 at 5:00 pm, the Pre-Proposal Conference Registration Sheet which is presented as Attachment B to this Addendum No. 1.**

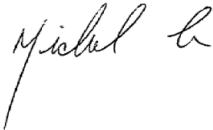
Offerors are reminded to acknowledge receipt of this **Addendum No. 1** in their Letter of Transmittal, which is to accompany the proposal. Offerors are advised that all changes addressed in this **Addendum No. 1** shall be incorporated into the final Agreement.

November 21, 2022

Page 2

Questions regarding this Addendum No. 1 should be directed to the undersigned at 714-560-5314 or mle1@octa.net.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Le".

Michael Le

Senior Contract Administrator

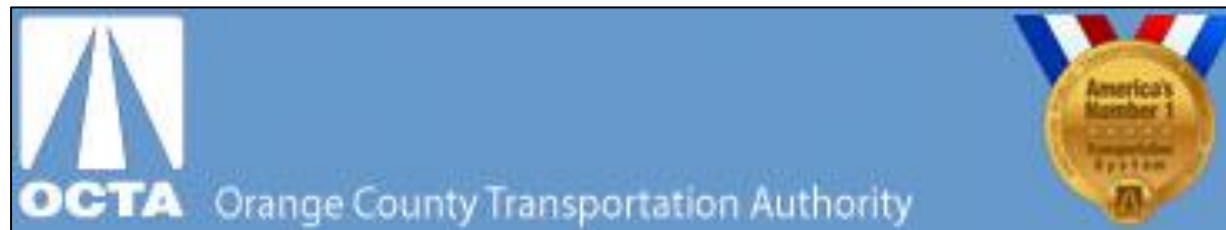
Contracts Administration and Materials Management

Attachments:

Attachment A: Pre-Proposal Conference Presentation

Attachment B: Pre-Proposal Conference Registration Sheet

Pre-Proposal Conference for RFP 2-2643 Construction Management Services for Transit Security and Operations Center



Agenda

- Online Business and Networking Tools
- Key Procurement Information & Dates
- Review of RFP Documents
- Review of Health and Safety Requirements
- Scope of Work
- Review of DBE Requirements
- Questions and Answers



CAMM NET Registration

Why register on CAMM NET?

<https://cammnet.octa.net/>

- To receive e-mail notifications of Solicitations, Addenda and Awards
- View and update your vendor profile
- Required for Award

Online Business & Networking Tools

RFP 2-2643
ADDENDUM NO. 1
ATTACHMENT A

- CAMM NET Connect
 - <https://www.facebook.com/CammnetConnect>
- Working with OCTA
 - <https://cammnet.octa.net/about-us/working/>
- Planholder's List
 - <https://cammnet.octa.net/procurements/planholders-list-selection/>

Key Procurement Dates

RFP 2-2643
ADDENDUM NO. 1
ATTACHMENT A

Written Questions Due:

November 29, 2022

OCTA Responds:

December 6, 2022

Proposals Due:

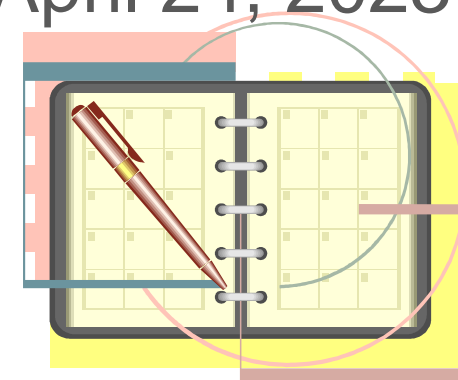
December 19, 2022, 2:00 PM

Interviews:

February 1, 2023

Board of Directors Meeting:

April 24, 2023



Key Procurement Information

- All questions/contact with Authority staff should be directed to the assigned Contract Administrator, Michael Le
- Next Addendum will contain a copy of the Pre-Proposal sign-in sheet
- Award based on prime-sub relationship, not joint ventures
- Contract term is for three years
- Funded through a combination of FTA and CA SB1 Grant funds

Guidelines for Written Questions

- Questions must be submitted directly to Michael Le, Contract Administrator, in writing, by: **November 29, 2022, 5:00 p.m.**
- E-mail recommended: mle1@octa.net
- Any changes Authority makes to procurement documents will be by written Addenda only
- Addenda will be issued via CAMM NET
- Today's Verbal discussions today are non-binding

Next...
Proposal Instructions

Followed by...
Review of HSE Requirements

Proposal Submittal Instructions

(Refer to RFP Section I, pp. 1-9)

- Proposals are due by 2:00 p.m., **December 19, 2022**
- Proposals are to be submitted to the address specified in the RFP
- Submit **one (1) original** and **five (5) copies of proposal** sealed and clearly identified on exterior of package as specified in the RFP.
- Proposers shall also include **one (1) electronic copy** of their submittal package in PDF format on a CD, DVD, or flash drive.
- Proposal package to be clearly marked with RFP number and title

Proposal Submittal Instructions (continued)

(Refer to RFP Section I, p. 5)

- Authority has the right to:
 - accept or reject any and all proposals;
 - withdraw or cancel the RFP;
 - postpone proposal opening for its own convenience.
- Proposals received are considered public information
- Proposals are not to be copyrighted

Proposal Content

(Refer to Section II, pp. 10-17)

- Letter of Transmittal
- Technical Proposal
 - a) Qualifications, related experience and references of Offeror
 - b) Proposed staffing and project organization
 - c) Work plan
 - d) Exceptions / Deviations (Technical vs. Contractual)

Proposal Content (continued)

(Refer to Section II, p. 15)

- Cost and Price Proposal
 - Only technical qualifications are to be submitted at this time
 - No cost/price information is to be submitted
 - Only highest ranked Offeror will be asked to submit a detailed cost proposal
 - Negotiations will commence based on both the cost and technical proposals

Proposal Content (continued)

(Refer to Section II, pp. 15-17)

Forms:

- Exhibit C – Campaign Contribution Disclosure Form
- Exhibit D – Status of Past and Present Contracts
- Exhibit E – DBE Requirements and Forms
- Exhibit F – Restrictions on Lobbying
- Exhibit G – Safety Specifications (not submitted with proposal)
- Exhibit H – Certification of Indirect Costs and Financial Management System
- Exhibit I – Proposal Exceptions and/or Deviations

Note: Forms excluded from 50-page proposal limit.

Evaluation and Award

(Refer to Section III, pp 18-21)

- All proposals, timely received, will be evaluated using the following evaluation criteria:

Qualifications of the firm	20%
Staffing and project organization	40%
Work plan	40%

- Evaluation Committee comprised of internal OCTA staff

Evaluation and Award (continued)

- “Short-Listed” firms will be invited to interview
- Interviews are scheduled for **February 1, 2023**
- Offerors are requested to keep this date available

- Award Process

- Evaluation Committee will select highest ranking Offeror for to the Transit Committee
- Transit Committee makes recommendation to the Board of Directors (BOD)
- BOD may accept/reject staff's recommendation
- All firms submitting a proposal will be notified of Award via CAMM NET

Proposed Agreement

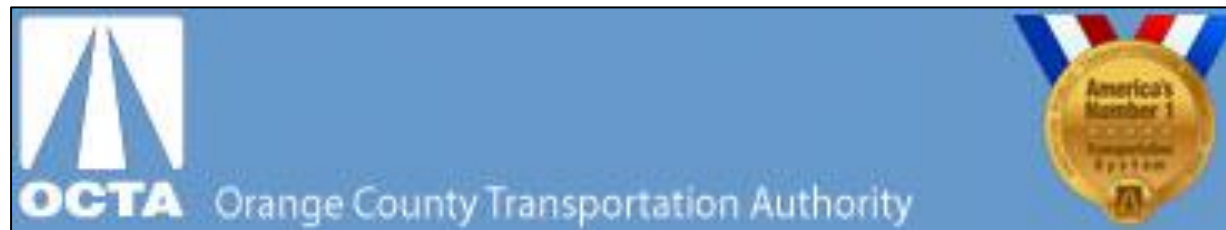
- Proposed Agreement
 - Please review the Proposed Agreement (Exhibit B) so you are aware of the contractual requirements of the solicitation
- Exceptions
 - Any exceptions/deviations must be identified in Exhibit I – Proposal Exceptions and/or Deviations Form and submitted with the proposal



Proposed Agreement

- Offerors are encouraged to review:
 - Article 3 – Scope of Work
 - Article 5 – Allowable Costs and Payment
 - Article 10 – Insurance
 - Article 38 – Health and Safety Requirements
 - Article 60 – Prohibition

Health, Safety and Environment (HSE)



Regulatory and Safety

- Please review OCTA's Level 3 Health, Safety and Specifications for required submittal documentation. Plan to prepare and submit in a timely manner in advance of the work the required safety submittal documentation.
- OCTA compliance review of Contractor safety submittal documentation is required prior to Contractor mobilizing and performing work on OCTA property.
- An on-site Health, Safety, and Environmental (HSE) Representative compliant with requirements of OCTA's Level 3 HSE Specifications is required to be at the job site at all time during scope site activities. Multiple active scope locations shall require a qualified HSE Representative for each separate worksite location.
- The Contractor's designated HSE Representative is a key position and is expected to participate in the initial pre-mobilization kick-off meeting.

Regulatory and Safety (Cont.)

Submittals

- Company's Injury Illness Prevention Program, CCR Title 8, 3203
- Company HSE Policy/Procedure Manual
- Substance Abuse Prevention Program
- Hazard Communication Program, CCR Title 8, 5194
- Company Heat Illness Prevention Program, CCR Title 8, 3395
- NFPA 70-E training certificate(s)
- Health, Safety Environmental (HSE) Representative Resume
- A Detailed Site Specific HSE Work Implementation Plan
- Public Hazard Control Plan (ANSI/ASSE A10.34) (as Necessary)
- Storm Water Pollution Prevention Plan (SWPPP), Qualified QSP

Regulatory and Safety (Cont.)

- Established programs and plans shall comply with California Code of Regulations (CCR) Title 8 regulatory standards, and applicable regulatory requirements.
- The Contractor's designated HSE representative shall review and acknowledge by signature the Contractor's submitted HSE documents prior to formal transmitting to the Authority for review, submittals should be in a complete submittal package.
- Contractor employees shall comply with scope training requirements (i.e., SCRRRA, BNSF, HAZWOPER, etc.) as determined by scope hazards.
- At the determination of the Authority Project Manager, development of project specific HSE plans may require a Certified Safety Professional (CSP) in current standing with the Board of Certified Safety Professionals (BCSP), or a Certified Industrial Hygienist (CIH) in current standing with American Board of Industrial Hygiene (ABIH) that has experience developing compliant written HSE scope policies, programs and procedures in the State of California (i.e., Site Specific HSE Work Plans, Rail Compliance, JHA's, Environmental Plans, Crane & Hoisting Plans, etc.).

Regulatory and Safety – Capital Program BCSP Certifications

Certified Safety Professional (/Certifications/Certified-Safety-Professional)



A Certified Safety Professional or CSP is a safety professional who has met education and experience standards, has demonstrated by examination the knowledge that applies to professional safety practice, continues to meet Recertification requirements established by the Board of Certified Safety Professionals, and is authorized by BCSP to hold the Certified Safety Professional certification.

Associate Safety Professional (/Certifications/Associate-Safety-Professional)



An Associate Safety Professional or ASP is a certification awarded by BCSP. It denotes that an individual has met academic requirements and has passed the ASP examination—an examination that leads to the CSP.

Construction Health and Safety Technician (/Certifications/Construction-Health-and-Safety-Technician)



Construction Health and Safety Technician or CHST is a certification awarded to safety practitioners who meet and continue to meet all requirements established by BCSP. BCSP awards CHST certification to individuals who demonstrate competency and work part-time or full-time in health and safety activities devoted to the prevention of construction illness and injuries.

Source: <http://bcsp.org/Certifications>

Regulatory and Safety – Facility Modifications BCSP Certifications

(Include Capital Program Certifications)

RFP 2-2643
ADDENDUM NO. 1
ATTACHMENT A

Occupational Health and Safety Technologist (/Certifications/Occupational-Health-and-Safety-Technologist)



Occupational Health and Safety Technologist or OHST is a title awarded to safety practitioners who meet and continue to meet all requirements established for the OHST by BCSP. Some examples of occupational health and safety activities are making worksite assessments to determine risks, potential hazards and controls, evaluating risks and hazard control measures, investigating incidents, maintaining and evaluating incident and loss records, and preparing emergency response plans.

Safety Trained Supervisor (/Certifications/Safety-Trained-Supervisor)



The Safety Trained Supervisor or STS certification is intended for managers at all levels, first line supervisors of work groups or organization units or have a safety responsibility for a work group that is part of other work duties. Safety Trained Supervisors are not necessarily safety specialists or safety practitioners. Typical candidates have a safety responsibilities that is adjunct, collateral or ancillary to their job duties. Their main job duties are in a craft or trade, in leadership, supervision or management, or in a technical specialty.

Construction Health and Safety Technician (/Certifications/Construction-Health-and-Safety-Technician)



Construction Health and Safety Technician or CHST is a certification awarded to safety practitioners who meet and continue to meet all requirements established by BCSP. BCSP awards CHST certification to individuals who demonstrate competency and work part-time or full-time in health and safety activities devoted to the prevention of construction illness and injuries.

Safety Trained Supervisor Construction (/stsc)



The Safety Trained Supervisor Construction or STSC certification is intended for those working in construction who are managers at all levels, first line supervisors of work groups or organization units or have a safety responsibility for a work group that is part of other work duties. Typical candidates have a safety responsibilities that is adjunct, collateral or ancillary to their job duties. Like STSs, STSCs main job duties are in a craft or trade, in leadership, supervision or management, or in a technical specialty.

Source: <http://bcsp.org/Certifications>

Monthly Safety Report Submittal:

- A monthly accident/incident summary report that includes number of workers on project, a list of subcontractors, work hours (month, year to date, & project cumulative) of each contractor, labor designation, OSHA Recordable injuries and illnesses segregated by medical treatment cases, restricted workday cases, number of restricted days, lost workday cases, and number of lost work days, and recordable incident rate.

Regulatory and Safety (Cont.)

- Implementation and compliance with Storm Water Best Management Practices (SWPPP BMP's) is required.
- Contractor shall prepare and submit a project best management practices (BMP) plan for OCTA's review and acceptance and the Contractor shall implement its BMP plan and maintain the BMPs for the duration of the project.

Scope of Work

Nhatran Do, P.E.
Project Manager

Project Overview and Scope of Work

- Expecting address change per City of Anaheim



TSOC Project Overview

- Transit Security and Operations Center (TSOC)
- Site is approximately 3 acres
- New two-story building, approximately 30,000 square feet, housing the following OCTA functions:
 - Emergency Operations Center (EOC)
 - Central Communications (Dispatch)
 - Field Operations (Transit)
 - Security and Emergency Preparedness (SEP)
 - Transit Police (TPS)



TSOC rendering – View from Lincoln Ave.

TSOC Project Delivery Schedule

Current project schedule:

- Construction Management Services

- Construction Management Services Project Advertisement: November 2022
- Construction Management Services Contract Award: April 2023
- Construction Management Services NTP: **July 2023**

- Project Design and Construction

- 100% Design March 2023
- Construction Project Advertisement: April 2023
- Construction Start: **February 2024**
- Construction completion: January 2026
- Construction Closeout Finish: June 2026

- Task 1 – Construction Management
- Task 2 – Coordination with Agencies and other project stakeholders
- Task 3 – Construction Field Inspections and Observations
- Task 4 – Materials Testing and Inspection Services
- Task 5 – Quality Assurance Surveying
- Task 6 – Health, Safety and Environmental Compliance
- Task 7 – On-call Specialists
 - Biological Monitoring
 - Architectural/Historical Monitoring
 - Cultural Resources, Archaeological/Paleontological Monitoring
 - SWPPP
 - Hazardous Soils Services
 - Building Commissioning
 - Utility Locating Services
- Task 8 – Project Closeout

Refer to RFP documents for a complete Scope of Work

Anticipated Level of Supports Under CM Agreement

- One (1) fulltime Construction Manager/Resident Engineer (CM/RE).
- One (1) full time Assistance Resident Engineer (Assistant RE)
- Three (3) field inspectors with disciplines based on project needs.
- One (1) full time Health, Safety and Environmental (HSE) Representative.
- Materials Testing Personnel – based on project needs.
- Surveying crew – based on project needs.
- On-call Specialists – based on project needs.
- One (1) fulltime Administration/Document Controls personnel.

Refer to RFP documents Scope of Work – for required personnel resources and qualifications

DBE Requirements and Forms Overview

Laura Foster
DBE Specialist

Conditions of Responsiveness

The Authority is utilizing Federal funds toward this project and is required to implement the DOT Disadvantaged Business Enterprise (DBE) Program Plan, based on U.S. DOT, 49 CFR, Part 26 requirements.

Demonstration of Responsiveness

In order to demonstrate responsiveness, Proposers must:

Meet the 14% DBE contract-specific goal by proposing sufficient DBE participation (with certified **DBE** firms)

OR

Demonstrate good faith efforts were undertaken to achieve the DBE goal.

Conditions of Responsiveness

The following conditions must be met for responsiveness:

- Timely submission of “Exhibit E-1” - Consultant Proposal DBE Commitment Form. This form should identify **all** DBE firms proposed to participate in the project regardless of tier.
- Timely submission of "DBE Letter of Acknowledgement and Commitment" from each proposed DBE, completed in its entirety and signed.
- Timely submission of “Bidders List”
- Timely Submission of “DBE Information - Good Faith Efforts” form (if the proposer did not meet or obtain enough DBE participation the meet the 14% goal)

DBE Required Forms Checklist

REQUIRED	FORM NAME	<u>DUE DATE</u>	CONFIRM BEFORE SUBMITTING
YES	Exhibit E-1 Consultant Proposal DBE Commitment Form	Required to be submitted with proposal, on proposal due date	<ul style="list-style-type: none"> Are all firms DBE certified through CUCP? Are NAICS/WCC codes applicable to proposed scopes? Are my totals and listed percentages correctly calculated?
YES	Exhibit E-2 DBE Letter of Acknowledgement and Commitment	Required no later than 4:00 p.m. on the 2nd business day after the proposal due date	<ul style="list-style-type: none"> Have I submitted a DBE Letter of Acknowledgement for each proposed DBE on the “Exhibit E-1 Consultant Proposal DBE Commitment” form ? Is it signed? Does it match the “Exhibit E-1 Consultant Proposal DBE Commitment” form?
If DBE goal not met.	Exhibit E-3 DBE Information – Good Faith Efforts	Required no later than 4:00 p.m. on the 2 nd business day after the proposal due date	<ul style="list-style-type: none"> Have I reviewed all examples provided in this power point? Have I reviewed the GFE Toolkit and CUCP Database DBE Search Instructional Guides on OCTA’s website? Have all statements and efforts been documented?
YES	Exhibit E-4 Bidders List	Required no later than 4:00 p.m. on the 2 nd business day after the proposal due date	<ul style="list-style-type: none"> Does it include all firms who submitted a bid/quote/proposal, DBE and not DBE? Are any DBE firms listed who I have not proposed to utilize or did not list in item C of my good faith efforts?

If an “Exhibit E-1 Consultant Proposal DBE Commitment” form is not submitted with the proposal, you will be found non-responsive.

Please Note: OCTA recommends submission of Exhibit E-3 even when submitting an Exhibit E-1 that appears to meet the goal, as noted within Exhibit E-3 instructions: *Although not required, proposer should submit the following information even if the “DBE Participation Commitment Form” indicates that the proposer has met the DBE goal. This will protect the proposer’s eligibility for award of the contract if Authority determines that the proposer failed to meet the goal for various reasons, e.g., a DBE firm was not certified at proposal submission, is not certified in the scope of work, or the proposer made a mathematical error.*

“Exhibit E-1 Consultant Proposal DBE Participation Commitment” Form



RFP 2-2643
EXHIBIT E-1

DBE PARTICIPATION COMMITMENT FORM

THIS FORM MUST BE COMPLETED AND SUBMITTED WITH THE PROPOSAL AS A
CONDITION OF DBE RESPONSIVENESS

NOTE: Refer to instructions on the reverse side of this form.

Offeror to Complete this Section				
1. RFP No.: _____				
2. Project Name/Description: _____				
3. Prime Offeror Name: _____				
4. Contract DBE Goal %: _____				
5. Offeror's Total Bid Price: _____ (If applicable)				
Required DBE Commitment Information				
6. DBE Firm (Name and Address)	7. DBE Certification Number	8. Description of Scope of Services/Work	9. Dollar Value (\$) or Percent (%) of Participation	10. Dollar Value (\$) or Percent (%) of Eligible DBE Participation/Commitment
Note: As a condition of responsiveness, the offeror is required to <u>submit with the Proposal</u> a written confirmation signed and dated from each DBE listed in Column 6 acknowledging that the DBE is participating in the contract for the specified dollar value (\$) or percent (%) and scope of work.			11. Total Dollar Value (\$) or Percent (%) of Eligible DBE Participation: \$ _____	
A quote or proposal from the DBE firm can serve in lieu of the written confirmation; however, the dollar and/or percentage amount in the written confirmation or quote/proposal and the amount shown on this form MUST match identically.			12. Eligible DBE Participation Represented as a Percentage (%) of Offeror's Total Proposal Price _____ %	
Offeror Assurance: The offeror certifies that information on this form is complete and accurate, that it has verified the listed DBE(s) certification status and is only crediting eligible DBE participation towards meeting the contract DBE goal.				
13. Preparer's Name (Print) _____	14. Preparer's Signature _____	15. Preparer's Title _____		
16. Date _____	17. Telephone No. _____	18. Email Address _____		

- All areas must be properly completed.
- If proposing as a DBE Prime click “Prime Certified DBE” in the upper right side of the Form and list yourselves in the DBE Contract Information Section (Boxes 7, 8 , 9 & 10)
- Ensure the DBE certification number in Box 8 is the DBE firms CUCP certification number.
- Only count a DBE firm’s eligible participation in Box 10 (e.g. 60% credit as a supplier, only count mark up fees for brokers or facilitation of supply).
- It is the Prime’s responsibility to determine if a firm is working as a supplier or a broker to calculate the eligible participation.
- Box 11 should only reflect the eligible portion of DBE participation and equal the sum of the values listed in in Box 10.
- Ensure the percentage of eligible participation in Box 11 is calculated against the total cost proposal including any allowances and options.

Counting DBE Participation



DBE Subcontractor/ Subconsultant -DBE provides a bonafide Service

DBE Manufacturer:
Materials or supplies obtained from a DBE Manufacturer



DBE Supplier:
Materials or supplies obtained from a DBE Regular Dealer. Supplier NAICSs does not confirm they are acting as a supplier, this is confirmed on a per-project basis.



DBE Brokers
receive DBE credit for Fees and commissions if determined to be within industry standard.



DBE Truckers: All transportation provided by DBE Trucking Firms can be counted toward the DBE goal

DBE must own and operate at least one truck used on the contract

DBE leasing trucks from other DBEs – 100% counts toward DBE goal

DBE leasing trucks from non-DBE firm without DBE drivers – only fees and commissions counted toward DBE goal

Conditions of Responsiveness (Cont)

- **At time of proposal submission**, DBEs must possess a valid DBE Certification from the California Unified Certification Program (CUCP) (<https://dot.ca.gov/programs/civil-rights/dbe-search>).
- A firm's participation is only eligible to count towards DBE credit in the work code category (WCC) or the North American Industry Classification System (NAICS) codes contained within their CUCP DBE Profile:

DBE NAICS	541611; 541620; 541910;
ACDBE NAICS	
Work Codes	C8713 CONSULTANT, ENVIRONMENTAL; I8750 Market Research & FOCUS Groups; C8700 CONSULTANT, NON ENGINEERING;
Licenses	
Trucks	
Gender	F
Ethnicity	HISPANIC
Firm Type	DBE

- Services subcontracted by DBE firms to non-DBE firms may not be credited towards DBE participation.

“DBE Letter of Acknowledgement and Commitment”

RFP 2-2643
ADDENDUM NO. 1
ATTACHMENT A



RFP 2-2643
Exhibit E-2

DBE LETTER OF ACKNOWLEDGMENT AND COMMITMENT

1. RFP NO.: _____
2. Project Name/Description: _____
3. Offeror: _____
4. DBE Commitment Information

(A) Description of work to be performed by DBE firm (include bid item number on the DBE Participation Commitment Form as applicable):

(B) Percentage of work to be performed _____ (For Architectural & Engineering Services Proposals)

OR

Dollar value of work to be performed \$ _____ (For Professional Services Proposals)

5. DBE ACKNOWLEDGMENT*

I acknowledge that my firm has been listed by the Offeror named above, and is committed, to perform the scope and portion of work (A and B) stated above.

DBE Firm's Name: _____

Name: _____

Signature: _____

Title: _____

Telephone: _____

*If the offeror does not receive award of the prime contract, any and all representations in this letter of Acknowledgment and Commitment shall be null and void.

This form may be used to fulfill the DBE Participation Commitment Letter requirement as stated in the RFP instructing that the "the offeror is required to submit with the proposal a DBE Letter of Acknowledgement and Commitment signed and dated from each DBE acknowledging that the DBE is participating in the contract for the specified value and scope of work."

- This Form must be submitted for each DBE firm proposed and listed on the “Exhibit E-1 Consultant Proposal DBE Commitment” form
- Form must be signed by each DBE firm
- Value listed must match the “Total” value of proposed participation listed on the “Exhibit E-1 Consultant Proposal DBE Commitment” form
- Form must be submitted no later than 4:00 p.m. on the 2nd business day after the proposal due date



Good Faith Efforts (GFE) Requirements

- Proposer must demonstrate REAL and SUBSTANTIVE Efforts
- Proposer must have undertaken all necessary and reasonable steps to achieve the DBE goal that by their scope, intensity, and appropriateness to the objective of meeting the goal could reasonably be expected to obtain sufficient DBE Participation.
- Authority will consider the quality, quantity, and intensity of the different kinds of efforts undertaken by Proposer.
- Authority will examine GFE made by other Proposers, for the same solicitation, for comparison.
- A GFE Toolkit is available on CAMMNET for additional guidance.
<https://cammnet.octa.net/dbe/files/GFE%20Toolkit.pdf>

Good Faith Efforts (GFE) Requirements

RFP EXHIBIT E-3 “DBE Information - Good Faith Efforts” (Exhibit E-3)

If the offeror has met the DBE goal based on the participation of DBEs listed on the offeror’s “Consultant Proposal DBE Commitment Form 10-O1”, it is at the offeror’s discretion (i.e. this is not mandatory) to submit “DBE Information – Good Faith Efforts,” form.

However, the submission of good faith efforts documentation can protect the offeror’s eligibility for award of the contract if the Authority determines that the offeror failed to meet the goal for various reasons (e.g., a DBE firm was not certified at proposal submission, or the offeror made a mathematical error).

Submittal of only the “DBE Information – Good Faith Efforts,” form may not provide sufficient documentation to demonstrate that adequate good faith efforts were made; therefore, the offeror is encouraged to attach additional information and supporting documents as necessary.

Requirements for Good Faith Efforts (GFE) When Goal Not Met

(refer to the DBE Information-Good Faith Efforts form in the RFP)

A. Items of Work the Proposer Made Available to DBE Firms;

The percentage of work made available should exceed the DBE contract goal

- The scopes of work made available should match what was listed on the proposer's Request for Proposal, Advertisement and solicitation e-mails
- Proposer should unbundle larger scope items to facilitate DBE participation.

Requirements for Good Faith Efforts (GFE) When Goal Not Met

B. Solicitation Effort Documentation;

- A reasonable amount of DBEs must be solicited from the available firms per scope area (NAICS/WCC) made available. If OCTA's DBE Listing includes 300 DBE firms in a NAICS or WCC category, contacting 50 firms would not demonstrate an adequate good faith effort in this GFE area.
- Proposer to ensure they are conducting accurate searches, CUCP Database DBE Search Instructional Guides are available on the Authority's website: <https://cammnet.octa.net/dbe/>
- If Proposer prepares a summary sheet of written solicitations that occurred, evidence of the individual solicitations should be submitted with the summary sheet. A summary sheet and a template of the solicitation language does not demonstrate adequate GFE unless the individual solicitations are also submitted.
- Call logs must include type date, time and who was spoken to and results of the communication (e.g. interested, proposing, not proposing).

Requirements for Good Faith Efforts (GFE) When Goal Not Met

B. Solicitation Effort Documentation (continued);

- Proposers should solicit firms at a minimum no later than 14 calendar days prior to the Authority's proposal due date and follow up to the solicitations should allow DBE firms reasonable time to respond.
- If a firm was contacted and identified to be interested or if no response was yet received, call-log or e-mail documentation must be included to show a timely follow-up was made.
- Proposer must include within their GFE documentation efforts to identify correct numbers or e-mails if numbers were out of service or e-mails were returned.
- DBE firms solicited must be advised if the original proposal due date has been extended.

Requirements for Good Faith Efforts (GFE) When Goal Not Met

C. Rejected DBE Proposal Documentation;

- Proposer MUST include quote(s) from rejected DBE firm(s), the quote from the firm selected for the work AND an explanation of why the selected firm was chosen over the rejected DBE.
- If the reason for rejection was “price” the quotes must be “like” in comparison? If the DBE was offered proposal items 1-5 and Non-DBE firm was offered proposal items 1-20, they may have an ability to offer a lower rate for items 1-5 as they can absorb the cost in other areas. These are not “like” quotes.
- If the reason for rejection was “price“, the cost differential should be greater than 10%? If not, it would be reasonable to conclude the proposer should have given cognizance to the goal and opted to go with the DBE.
- Proposer to provide efforts made (and documented) to communicate, clarify and/or bring rejected DBE firms on the team.

Requirements for Good Faith Efforts (GFE) When Goal Not Met

D. Publication Efforts Made to Advertise the Projects to Solicit DBE Participation;

- To demonstrate responsiveness in this area, proposer must not place publications on a media that requires a fee to view.
- Publications must be posted a minimum of 14 calendar days before the proposal due date.
- Publications must include information about the contract (location of project, contract number, proposal due date, scope of work made available and contact information.)
- If the proposal due date is extended, publication should be re-run to ensure potential proposers are also notified.

Requirements for Good Faith Efforts (GFE) When Goal Not Met

E. Agencies, Organizations, or Groups Contacted to Provide Assistance in Contracting, Recruiting, and Using DBEs;

- Proposer must reach out to local Agencies, Chambers or Minority Associations and submit documentation of these efforts.
- If assistance was provided by an agency, organization and/or group, the proposer must show they have utilized or followed-up with the assistance provided.

Examples:

District 12, District Local Assistance Engineer: Tifini Tran at (949) 756-7805 or at Tifini.Tran@dot.ca.gov

District Small Business Liaisons (DSBL): Brian G. Walsh, DSBL #12 (949) 724-2332, Brian.G.Walsh@dot.ca.gov.

California Construction Contracting Program (CCCP): Peg Bergmann, Project Director, at (916) 445-3512 or at peg_bergmann@dot.ca.gov.

SCORE Orange County

List of California Chambers by County: <http://advocacy.calchamber.com/resources/local-chambers/>

Construction Management Association of America (So Cal Chapter): www.cmaasc.org

Requirements for Good Faith Efforts (GFE) When Goal Not Met

F. Efforts to Provide Information About the Plans, Specifications, and Contract Requirements;

- Assistance should be documented in the publication and Proposer's Requests For Proposal.
- Proposer to provide e-mails or faxes to document assistance was provided.
- Efforts should exclude supplies and equipment the DBE subconsultant purchases or leases from the prime consultant or its affiliate(s).

G. Assistance with Lines of Credit, Insurance, and/or other Services;

- Assistance should be documented in the publication and Proposer's Requests For Proposal.
- Proposer to provide e-mails or faxes to document assistance was provided.
- Proposer to submit documentation of innovative measures to assist DBEs with bonding, lines of credit or insurance.
- Proposer should provide a link to the plans and specifications in their solicitation or document how plans and specifications were made available to prospective proposers by some other means.

Requirements for Good Faith Efforts (GFE) When Goal Not Met

H. Additional Data to Support a Demonstration of Good Faith Efforts;

- Any additional good faith efforts demonstrated that do not fall into categories A through G.
- The DBE participation commitment of the other proposers is the primary consideration for this category. The Authority will determine what the average commitment of the proposers is and if this proposer met that average. If the proposer did not meet the average, it can be reasonably assumed that their good faith efforts were not sufficient in this area.

Example:

- 1st proposer: 3% commitment
- 2nd proposer : 6% commitment
- 3rd proposer : 10% commitment

In the above scenario the average of the proposers is 6.3%, as the 1st proposer came in below the average, they did not sufficiently demonstrate good faith efforts in relation to the other proposer.

Bidders List

(refer to the Bidders List in the RFP)

- Proposer is required to complete and submit the DBE Form E-4 form (titled Bidders List) to Authority no later than 4:00 p.m. on the 2nd business day after the proposal due date via email to mthreats@octa.net.
- Bidders List is to include all firms (DBE and non-DBE) that submitted quotes or proposals to act as subconsultants, suppliers or brokers, whether or not you elected to use them in your proposal.

Bidders List

RFP 2-2643
Exhibit E-4



Bidders List

The Department of Transportation requires the Authority to create and maintain a "Bidders List" containing information about all firms (DBE and Non-DBE) that bid, propose or quote on the Authority's DOT-assisted contracts, in accordance with 49 CFR Part 26.11. The "Bidders List" is intended to be a count of all firms that are participating, or attempting to participate, on DOT-assisted contracts, whether successful or unsuccessful in their attempt to obtain a contract. The proposer is to complete all requested information for every firm who submitted a bid, proposal or quote, including the primary proposer, and submit this information to the Authority no later than 4:00 p.m. on the 2nd business day after the Authority's proposal due date, or as otherwise specified in the solicitation. The Authority will utilize this information to assist in the Authority's DBE goal-setting process.

Prime Name and Location	Type of Work/Services/Materials Provided:	Agreement Amount	Percentage of Bid Item Sub-consulted	Consultant License No.	DBE (Y/N)	Phone:	Annual Gross Receipts
	NAICS/WCC			DIR Reg Number	DBE Certification ID	E-mail:	
Prime Proposer:							<input type="checkbox"/> Less than \$1 million
Contact Name:							<input type="checkbox"/> Less than \$5 million
Address:							<input type="checkbox"/> Less than \$10 million
							<input type="checkbox"/> Less than \$15 million
							<input type="checkbox"/> More than \$15 million
							Age of Firm: _____ yrs.

Subconsultant Name and Location	Type of Work/Services/Materials Provided:	Agreement Amount	Percentage of Bid Item Sub-consulted	Consultant License No.	DBE (Y/N)	Phone:	Annual Gross Receipts
	NAICS/WCC			DIR Reg Number	DBE Certification ID	E-mail:	
Firm Name:							<input type="checkbox"/> Less than \$1 million
Contact Name:							<input type="checkbox"/> Less than \$5 million
Address:							<input type="checkbox"/> Less than \$10 million
							<input type="checkbox"/> Less than \$15 million
							<input type="checkbox"/> More than \$15 million
							Age of Firm: _____ yrs.

- Questions?



- Reminder.... Proposals are due @ 2:00 pm on December 19, 2022
- Please submit a completed registration sheet
- Please register on CAMM NET



PRE-PROPOSAL REGISTRATION

RFP 2-2643
ADDENDUM NO. 1
ATTACHMENT B

RFP 2-2643

Date: November 22, 2022

Title: Construction Management Services for Transit Security and Operations Center

1. Company Name: _____
Attendee: _____
Address: _____
City, State Zip: _____
Phone Number: () _____ Registered on CAMM NET? ☐ Yes ☐ No
E-Mail Address: _____

2. Company Name: _____
Attendee: _____
Address: _____
City, State Zip: _____
Phone Number: () _____ Registered on CAMM NET? ☐ Yes ☐ No
E-Mail Address: _____

3. Company Name: _____
Attendee: _____
Address: _____
City, State Zip: _____
Phone Number: () _____ Registered on CAMM NET? ☐ Yes ☐ No
E-Mail Address: _____

4. Company Name: _____
Attendee: _____
Address: _____
City, State Zip: _____
Phone Number: () _____ Registered on CAMM NET? ☐ Yes ☐ No
E-Mail Address: _____