



AFFILIATED AGENCIES

*Orange County
Transit District*

*Local Transportation
Authority*

*Service Authority for
Freeway Emergencies*

*Consolidated Transportation
Service Agency*

*Congestion Management
Agency*

*Service Authority for
Abandoned Vehicles*

October 10, 2024

SUBJECT: Request for Qualifications (RFQ) 4-2448, "Design-Build of Hydrogen Fueling Station and Facility Modifications at Garden Grove Base"

Gentlemen/Ladies:

This letter and its Attachments comprise **Addendum No. 3** to the above captioned Request for Qualifications issued by the Orange County Transportation Authority ("Authority").

1. Offerors are advised that questions have been received by the Authority. Those questions and Authority's written responses are presented as Attachment A to this Addendum No. 3.

Offerors are reminded to acknowledge receipt of this **Addendum No. 3** on Form C, "Addenda Acknowledgement", which is to accompany the Statement of Qualifications.

Questions regarding this **Addendum No. 3** should be directed to Megan Bornman at 714-560-5064.

Sincerely,

Megan Bornman
Senior Contract Administrator
Contracts Administration and Materials Management

Attachments:

Attachment A: Questions Received & Authority's Responses

Questions Received (Q) and Authority Answers (A)

- Q1. Can OCTA please advise the required limits of insurance for Builder's Risk required coverage for the perils of EQ and Flood? Is it the full contract price or is a certain sublimit acceptable?**
- A1. The builder's risk insurance limit amount is the full project cost.
- Q2. Under the Contact Information section for each of the Design-Build team members, the last line reads "Is firm a qualified Design-Build Entity? No / Yes, Qualifying Agency". Is the question meant to read Disadvantaged Business Enterprise?**
- A2. The question is not meant to read "Disadvantaged Business Enterprise". The design-build entity should indicate whether they have previously been pre-qualified by another agency for a design-build project.
- Q3. The RFQ requires: "Each of the reference projects must have been completed in the past seven (7) years immediately before the issuance of this RFQ. Projects must demonstrate the Design-Build Entity's experience with design and construction of public works projects (new or retrofit) in the United States and be over \$6 million project value in 2024 Dollars." Would it be acceptable to include relevant fuel station projects of lesser value and over a longer past time period?**
- A3. Offeror shall include project experience information that demonstrates its qualifications for delivering this project.
- Q4. Offeror requests clarification and further details be provided on the authority's preference for selecting a "Design-Build Entity" for delivery of this project?**
- A4. The Authority is seeking a qualified design-build team to design, construct and deliver a turnkey hydrogen fueling station and facility modifications, as defined in the RFQ. Authority has no preference for the selection of the team. The SOQs will be reviewed and evaluated based on their qualifications and in accordance with the criteria outlined in the RFQ.
- Q5. Offeror requests clarification on the authority's openness to proposals that offer other project delivery team formats?**
- A5. Please see the answer to Q4, above.

- Q6. Offeror requests the addition of a second round of Questions at least two (2) weeks after receiving the Authority's responses to the first round of questions. The offeror's primary objective is to accurately capture all possible questions and clarifications that will allow to prepare the best value proposal to the authority. Additionally, a full and complete review of the specification by subject matter experts and key suppliers is paramount for developing a compliant, robust, and accurate proposal submission devoid of any specification discrepancies. The current procurement timeline (with SOQ due date of October 22nd) does not provide sufficient time to obtain critical feedback and necessary price quotes from key suppliers.**
- A6. Due to the project schedule, a change to the SOQ due date of October 22, 2024 cannot be accommodated. The RFQ step of the procurement process seeks SOQs that only showcase the qualifications of design-build teams. Pricing is not required for this step. The project specifications will be made available in the Request for Proposals (RFP) step of the procurement process which will require submission of price.
- Q7. Offeror requests an extension of at least four (4) weeks for the statement of qualification due date. This time is required to allow all Offerors, to review Authority's responses and make sure all requirements are captured accordingly to provide a thorough, complete, and accurate proposal for the team at Orange County Transportation Authority to review based on specification and all confirmed requirements.**
- A7. Please see the answer to Q6, above.
- Q8. Who currently maintains the CNG station equipment at the Garden Grove bus base?**
- A8. Trillium USA Company, LLC maintains the CNG station equipment at the Garden Grove bus base.
- Q9. When the RFP is released in January 2025, will it include a request for hydrogen supply?**
- A9. Yes. It is anticipated that the selected contractor will provide a training and transition period up to 18 months after the construction of the project that will include fuel supply and operations and maintenance. Future, long-term contract(s) for fuel supply and operations and maintenance will be procured separately.

Q10. Section G Submission of Statements of Qualifications, part 1. Date and Time states that SOQs should be submitted electronically and the authority will not accept hard copies. Part 2. Identification of SOQs gives instructions for submitting a hard copy and flash drive. How should this SOQ be submitted?

A10. The SOQ shall be submitted electronically as described in Section I, "Instructions to Offerors" paragraph G.1.

The financial information requested by the Authority in Section II, "Statement of Qualification Content" paragraph A.9. should be submitted in a separate sealed envelope per the instructions of Section I, "Instructions to Offerors" paragraph G.2.

Q11. We are a privately held company and therefore do not have audited financial statements. Would a financial wherewithal letter and summary of our past three years of financial statements be sufficient?

A11. As noted in Section II, "Statement of Qualification Content" paragraph A.9., "If audited financial statements are not available for an entity, the SOQ shall include unaudited financial statements for such entity, certified as true, correct and complete by the chief financial officer or treasurer of that entity."

Q12. Will OCTA please confirm this project is subject to Davis Bacon Prevailing Wage Rates?

A12. The project will be subject to California Prevailing Wage Law.

Q13. Will OCTA please confirm this project is subject to California State Prevailing Wage Rates Determination #ORA-2024-2?

A13. The Offeror to whom a contract for the work is awarded by the Authority shall comply with the provision of the California Labor Code, including, without limitation, the obligation to pay the general prevailing rates of wages in the locality in which the work is to be performed in accordance with, without limitation, Sections 1773.1, 1774, 1775 and 1776 of the California Labor Code governing employment of apprentices. The Offeror shall utilize the relevant prevailing wage determinations in effect on the date of the Notice Inviting Proposals.

Q14. Does OCTA anticipate there will be a DBE utilization goal for this project?

A14. There will not be a Disadvantaged Business Enterprise (DBE) goal for this project.

Q15. Will this project be subject to Skilled and Trained Requirements?

A15. Please see the answer to Q13, above.

Q16. Does this project include the supply of Hydrogen once the Fueling station is built?

A16. Please see the answer to Q9, above.

Q17. For how long would the contract to supply Hydrogen be if that was the case?

A17. Please see the answer to Q9, above.

Q18. When submitting a reference project, and the project is one in which we were the lead of the design-build entity and our Lead Designer did the design work, then when submitting Form H projects, can we (as the General Contractor / design-build entity) submit one as the lead of the design-build entity and our Designer submits one as the Lead Designer? In other words, can we each submit a Form H for the same project?

A18. The different entities of the design-build team can each submit a Form H for the same project describing its individual role and responsibilities for that project.

Q19. The RFQ notes that Form H is to show the design-build entity's experience with design/build of public works projects. Can this include work for federal agencies? For state agencies? For utility companies (like Southern California Edison and Pacific Gas and Electric?

A19. Please see response to Q3, above.

Q20. Is there any further information about the scope / design concept / etc? Or will that only be available for Phase II of procurement at RFP time.

A20. The conceptual plans and full scope of work will be available for RFP step of the procurement.