



REQUEST FOR QUALIFICATIONS
CONSTRUCTION MANAGER AT RISK:
BRACKISH GROUNDWATER DESALINATION PROGRAM
Solicitation Number: B-12-001-DD
Job Nos.: 12-8607 and 12-8609

Addendum #2

May 16, 2012

This addendum includes revisions and clarifications to the RFQ.

CHANGES TO THE RFQ

1. Page 6, Section I. L. Program Schedule, that reads:

Operational activities will be required for a minimum of six (6) months.

Is amended to read:

Commissioning activities will be required for a minimum of six (6) months and may extend for a period of up to one (1) year following completion of major construction activities.

2. Page 6, Section I. M. Office Location, that reads:

The CMAR is required to occupy a shared field office to be utilized during construction with the PM. The field office shall be located in Bexar County within 20 miles of the ASR, which is located at 4588 Hardy Road, Elmendorf, Texas.

Is amended to read:

The CMAR will be provided work space in the PM's office to be utilized by the CMAR and necessary staff during the design and pre-construction phases of the program. The CMAR is required to occupy a shared field office to be utilized during construction with the PM. The field office shall be located near the work site in southern Bexar County.

3. Page 7, Section I. N. Dedicated Construction Management Staff, paragraph 2, that reads:

If the CMAR formally or informally replaces the PM Representative absent SAWS' request and absent good cause shown, a deduction of \$150,000 shall be applied to the compensation otherwise payable by SAWS to the Program Manager.

Is amended to read:

If the CMAR formally or informally replaces the Construction Manager at Risk Representative absent SAWS' request and absent good cause shown, a deduction of \$150,000 shall be applied to the compensation otherwise payable by SAWS to the CMAR.

4. Page 9, Section II. A. 14. System Operations, that reads:

The CMAR shall provide for the operations of the system for a duration of approximately one (1) year. The operations shall be fully in compliance with the TCEQ requirements for groundwater treatment operations. During this operational phase, the SMAR shall provide training to the SAWS staff to transition the ownership of the system.

Is amended to read:

The CMAR shall provide for the startup, commissioning and testing of the system for a commissioning and testing for a minimum of six (6) months and may extend for a period of up to one (1) year. Commissioning shall include operating and maintaining the system during the period prior to completion of testing and transfer of control to SAWS and shall be fully in compliance with the TCEQ requirements for groundwater treatment operations. During this commissioning phase, the CMAR shall provide training to the SAWS staff to transition the control of the system upon successful completion of testing activities.

5. Page 15, Section II. C. Construction Management Costs, that reads:

The CMAR General Conditions Cost and Construction Management Services Fee will not be paid for any self performed work.

Is amended to read:

The CMAR Construction Management Services Fee and General Condition costs will not be paid under the CMAR contract as related to any work that is self performed. These costs must be included in the bid for each work package that the CMAR is bidding to self-perform.

6. Page 16, Section II. C. 8. System Operator, that reads:

The CMAR shall designate a Plant Operator with no less than an "A" Water Operator License and will maintain the highest level of licensing as required by TCEQ for membrane plant operations. The Plant Operator shall be in place during the Start-up, Testing and Commissioning periods, which may encompass about one (1) year.

Is amended to read:

The CMAR shall designate a System Commissioning Manager with no less than an "A" Water Operator License and will maintain the highest level of licensing as required by the TCED for membrane plant operations. The Systems Commissioning Manager shall be in place during the Start-up, Testing and Commissioning period, which may encompass up to one (1) year following completion of the major construction activities.

7. Page 21, Section IV. A. 1. Evaluation Criteria Summary, remove and replace with the following:

Evaluation Criteria	Points	Notes: Information required may also be found in the Response Format of the RFQ.	Max number of pages
Project Team	20	Team Qualifications <ul style="list-style-type: none">• Provide an organizational chart of the key staff of the team, detailing the personnel that will be assigned to the Program and the component or tasks to which they will be assigned. This should include at least the Principal in Charge, Program Manager, Engineer, Team Leads, On-site Foreman and specialists.• Identify key staff as proposed in the organizational chart to be assigned to the Program and describe their professional qualifications (to include licenses, certifications, and associations) and relevant experience to the scope of services specified in this RFQ.• Provide resumes of key staff of not more than one (1) page per person on the capabilities and relevant experience. Resumes should include the team member's name, title, education, and brief overview of professional experience. Full resumes may be submitted under a separate "Supplemental" section, which may or may not be	14

Evaluation Criteria	Points	Notes: Information required may also be found in the Response Format of the RFQ.	Max number of pages
		<p>reviewed.</p> <ul style="list-style-type: none"> • Identify the percentage of time that each key staff will be committing to the Program. • Submit an example of a Key Personnel Succession Plan to identify the process for replacement of key staff from a previous successful project. <u>The example may be submitted in a separate appendix and will not be included in the overall page limitations.</u> • Identify any subcontractors that are included as part of the proposed team, their role, and related experience for this Program. • Provide a history of the relationships among team members including a description of past working relationships and working relationships on similar projects. • Disclose all current and recent relationships with Program Manager firms in municipal Construction Manager at Risk projects. • Identify any additional skills, experiences, and qualifications that distinguish your firm or team related to the specific scope of service contained in this RFQ. 	
Past Projects' Approach	35	<p>Summary of Program</p> <ul style="list-style-type: none"> • Provide a summary of your understanding of the scope and goals of the Program. <p>Pre-Construction Approach</p> <p>Provide a summary of your team's approach to the completion of a previous successful project of the Pre-Construction Services. Identify any specialized skills needed or special considerations necessary that your firm was able to provide.</p> <p>Construction Approach</p> <ul style="list-style-type: none"> • Provide your team's approach to the completion of the construction of a previous successful project similar to the scope presented in this RFQ. Identify any specialized skills needed or special considerations necessary that your firm was able to provide. • Provide a summary your approach to facilitating the permitting process, including local, state, and federal agencies, from a previous successful project. Describe your method for tracking and reporting on the permitting process. • Provide a summary of your approach used on a previous successful project to assure timely completion of the Program, including methods for schedule recovery. <p>General Coordination</p> <p>Describe your experience in coordinating tasks with that of your sub-contractors, client and PM/designers. Describe how your efforts were able to achieve high quality and on-time delivery of work products.</p> <p>Plan Examples and Summaries Required</p> <p>The following example plans may be submitted in a separate appendix</p>	15

Evaluation Criteria	Points	Notes: Information required may also be found in the Response Format of the RFQ.	Max number of pages
		<p>and will not be included in the overall page limitations:</p> <ul style="list-style-type: none"> • Key Personnel Succession Plan (see Project Team above) • Risk Identification, Assessment, Analysis and Mitigation Plans • Guaranteed Maximum Price (GMP) Submittal • Value Analysis • Recovery Schedule • Monthly Reports • Safety Program and Records <p>Risk Identification, Assessment, Analysis and Mitigation Plans</p> <ul style="list-style-type: none"> • Provide an example of a Risk Management plan from a previous project. Also provide a summary of your approach to the Risk Management process to include identification, assessment, analysis and mitigation. <p>Guaranteed Maximum Price (GMP) Submittal</p> <ul style="list-style-type: none"> • Provide a summary of your approach in general terms to the GMP Submittal Development process. <u>Do not include any fees or prices as part of this summary.</u> <p>Value Analysis</p> <ul style="list-style-type: none"> • Provide an example or summary of your experience with providing a value engineering analysis on a previous project. <p>Recovery Schedule</p> <ul style="list-style-type: none"> • Provide three examples of previous instances where a recovery schedule was needed and an explanation of the implementation of the recovery process. (Refer to Section II. C. 6) <p>Monthly Reports</p> <ul style="list-style-type: none"> • Provide an example monthly status report. The example monthly report shall also include an example of a schedule status summary. (Refer to Section II. C. 6) <p>Safety Program and Records</p> <ul style="list-style-type: none"> • Provide a summary of the CMAR's safety record and a list of client references, awards, and commendations. • The CMAR shall submit an example Safety Procedures Plan from a previous project, which should include: <ul style="list-style-type: none"> • Emergency Procedures • Safety Permits and Procedures • General Safety Requirements • Safety Program and Procedures • Safety Procedures • Job Site Inspections • Fall Protection Policy • Lockout Tag Out Procedure • Confined Space Entry • Written Hazard Communication Program • Violation and Safety Assessment Procedure 	

Evaluation Criteria	Points	Notes: Information required may also be found in the Response Format of the RFQ.	Max number of pages
		<ul style="list-style-type: none"> • Competent Person Verification Form • Site Inspection Report • Safety Check • Safety Manual and Health Policy 	
Comparable Experience	15	<ul style="list-style-type: none"> • List and describe five (5) relevant projects of similar size and scope performed within the past ten (10) years detailing team members, their specific roles on the project, and duration of project(s). Specifically, list projects of which the team members performed similar scope of services as requested in this RFQ, work with public utilities, similar funding sources, or water supply projects. Include contract value and identify project owner, contact name, current phone number, and e-mail address. • Describe your team’s experience relevant to the scope of services requested by this RFQ. • Describe your team’s previous project experience working with a Program Manager. • Demonstrate a record of performance, including completion schedule and quality of work product. 	15
Quality Assurance/Quality Control	15	<ul style="list-style-type: none"> • Provide a summary of the Quality Management processes to include, but not limited to, the inspection and testing of construction materials and processes (Refer to Section II.C.6) • Describe your existing internal Quality Control Process. Who handles Quality Control reviews and when are they conducted? • Describe your process for construction administrative review of items such as project submittals, change orders, and/or RFI reviews. <ul style="list-style-type: none"> ○ How will these reviews be coordinated between program components and various subcontractors? ○ How will you ensure a timely response? • Describe the process you will utilize during construction phase services. How will field observations be conducted? How will any concerns regarding construction be conveyed to the PM and SAWS? • Describe your approach to ensure timely completion of the Program, including methods for schedule recovery. • Describe how you will manage and monitor start-up and commissioning – acceptance testing services to ensure success of the Program. • Describe how you will coordinate your tasks with your subcontractors, the PM, and the design teams. How will you interact with your subcontractors to guarantee quality and on-time delivery of work products? • Describe how you will encourage and ensure efficient coordination between yourself, the PM and SAWS. 	10
SMWB	15	<ul style="list-style-type: none"> • Describe, in detail, methods you have utilized and/or programs you have created to promote the utilization of Small, Minority, and Woman-owned Businesses (SMWBs) on your prior CMAR project/s. How successful were your efforts? Please identify the projects and provide reference contact information for these projects. • Describe efforts that you have made or will make to specifically reach out to <u>local</u> SMWBs for the Program. • Describe your plan to package the various work elements into economically feasible units to facilitate the most SMWB participation. 	6

Evaluation Criteria	Points	Notes: Information required may also be found in the Response Format of the RFQ.	Max number of pages
		<ul style="list-style-type: none"> Describe your plan to include SMWB participants in the packages that will be self-performed. Describe any SMWB assistance programs you are planning for this project for issues such as bonding, insurance, payment terms, etc. 	

8. Page 25, Section IV. A. 2., Financial Resources, remove and replace with the following:

The Respondent must clearly indicate the entity being proposed to enter into the CMAR Agreement. In order to supplement the financial strength of the entity being proposed to enter into the CMAR Agreement, the Respondent may, but is not required to, propose a guarantor who will guaranty the CMAR's obligations under the CMAR Agreement through a separately executed guaranty agreement in favor of SAWS. Only the financial information of (1) the entity being proposed to enter into the CMAR Agreement, and (2) a guarantor, if proposed, will be considered in the financial evaluation of the SOQ.

SAWS in its sole discretion will reject any Respondent that does not possess the financial strength and capacity to undertake this project and the obligations and liabilities thereof. Subject to the complete review and finding of acceptability of the submitted financial information, Respondents demonstrating an ability to provide the required performance and payment bonds and the ability to maintain a minimum aggregate net worth sufficient to undertake this project, as measured by either the Respondent or a proposed Guarantor, shall be deemed to have the financial strength and capacity to undertake the project.

Financial Information to be Submitted:

The Respondent shall submit the financial information set forth below for the entity being proposed to enter into the CMAR Agreement and any proposed guarantor. If Respondent is not a public company and believes any of its financial information is exempt from disclosure to third parties under the Texas Public Information Act in Chapter 552 of the Texas Government Code, the Respondent must clearly label the specific portions sought to be kept confidential and specify the exemption that the Respondent is relying upon. However, SAWS does not represent or guarantee in any way that Respondent's financial statements will be protected from disclosure, even if identified by Respondent as confidential or proprietary, in the event of a Public Information Request under Texas Government Code Chapter 552. SAWS will notify the Respondent of any public information requests relating to financial information marked as confidential by the Respondent, and the Respondent shall be responsible for defending its basis for exemption from disclosure in accordance with the Act.

- If Respondent is organized as a corporation, partnership, LLP, LLC or joint venture, submit complete financial statements, including a Balance Sheet, Income Statement and Statement of Cash Flows, prepared in accordance with generally accepted accounting principles, for the current fiscal year-to-date, and the most recent three complete fiscal years. Footnote disclosures must accompany the submitted year to date financial statements. If available, financial statements audited or certified by an independent certified public accountant should be submitted; otherwise, a notarized statement certifying the accuracy of the financial information and signed by an officer of the proposing entity must accompany the financial information. If any entity has been in existence less than three years, the information shall be provided for the period of existence.*
- If Respondent intends to organize as a partnership, LLP, LLC, or joint venture, then the above- referenced financial information of each partner, LLC/LLP member or joint-venture member must be submitted.*
- Respondent must provide a letter or letters from a surety company or companies evidencing the ability of Respondent to obtain separate performance and payment bonds in accordance Section 2267.258 of the Texas Government Code, each in an amount equal to the Project Budget, if the Respondent is awarded the CMAR Agreement. The surety company must be duly licensed and authorized by law to do business in the State of Texas, must be listed in the Department of Treasury's Circular 570, must have an A.M. Best Rating of A- or better and comply with the requirements of the Article 7-19-1, Texas Insurance Code (1997).*

- SAWS reserves the right to obtain a Dun and Bradstreet financial report, or other credit report, at its own cost, and all members of your Team, responding to this RFQ agrees to allow SAWS to obtain such report(s) on your Team members and all partners, affiliates and sub-consultants, if any, to facilitate SAWS' financial evaluation of the Respondent.

9. Page 25, Section IV. B. Selection, 6., that reads:

Upon receiving the proposals from the shortlisted firms, the TEC will evaluate and rank the responses utilizing a numerical scoring system that will be outlined in the RFP.

Is amended to read:

Upon receiving the proposals from the shortlisted firms, SAWS will evaluate and rank the responses utilizing a numerical scoring system that will be outlined in the RFP.

10. Page 25, Section IV. C. Interviews that reads:

SAWS may interview with any, all or none of the Respondents to the RFQ in its sole discretion. If requested, Respondents will provide clarification regarding the submittal with respect to their qualifications and their understanding of the solicitation's scope of services.

Is amended to read:

SAWS may interview with any, all or none of the Respondents to the RFQ in its sole discretion. If requested, Respondents will provide clarification regarding the submittal with respect to their qualifications, understanding of the solicitation's scope of services, and/or project approach.

11. Page 28, Section VI. B. Submission, 6.,that reads:

Responses are limited to a maximum of 57 pages per submittal. A single side equals to a single page. Checklists, required forms, illustrations, cover letters, tape separation sheets and Small, Minority and Woman-owned Business (SMWB) documentation will not count towards the page limit of 57 pages. The use of recycled paper is encouraged.

Is amended to read:

Responses are limited to a maximum of 60 pages per submittal. A single side equals to a single page. Checklists, required forms, illustrations, cover letters, tape separation sheets and Small, Minority and Woman-owned Business (SMWB) documentation will not count towards the page limit of 60 pages. The use of recycled paper is encouraged.

12. Page 29, Section VI., C. 4. Statement of Qualifications (100 points), that reads:

- a. Project Team (20 points)
 - Team Qualifications
 - Safety Program and Records
- b. Project Approach (35 points)
 - Summary of Program
 - Scope of Work Enhancements
 - Construction Approach
 - Operations Approach
 - Training Approach
 - General Consideration
 - Quality Assurance/Quality Control Program
 - Plan Examples and Summaries Required
- c. Comparable Experience (15 points)
 - Five (5) similar projects within the last then (10) years

- d. Quality Assurance/Quality Control (15 points)
- e. SMWB (15 points)

Is amended to read:

- a. *Project Team (20 points)*
 - *Team Qualifications*
- b. *Project Approach (35 points)*
 - *Summary of Program*
 - *Pre-Construction Approach*
 - *Construction Approach*
 - *General Coordination*
 - *Plan Examples and Summaries Required (As Appendix)*
- c. Comparable Experience (15 points)
 - Five (5) relevant projects of similar size and scope within the last then (10) years
- d. Quality Assurance/Quality Control (15 points)
- e. SMWB (15 points)

13. Page 31, Section X. D., that reads:

This RFQ does not commit SAWS to enter the CMAR Agreement.

Is amended to read:

This RFQ does not commit SAWS to enter into the CMAR Agreement.

14. Page 31, Section X. E. Reservation of Rights, that reads:

All responses to this RFQ will be considered public information pursuant to the terms of the Texas Public Information Act in Chapter 554 of the Texas Government Code (the Act). By submitting a response to this RFQ, Respondents expressly waive any exceptions to disclosure to which it may be entitled under the Act, including, without limitation, a claim that any material submitted in response to this solicitation is proprietary or is a trade secret or otherwise confidential under the Act or otherwise. Respondents recognize and agree that SAWS will not be responsible or liable in any way for any losses that the Respondent may suffer from the disclosure of information or materials to third parties.

Is amended to read:

All responses to this RFQ will be considered public information pursuant to the terms of the Texas Public Information Act in Chapter 552 of the Texas Government Code (the Act). Except as provided in Part IV (A) (2) of this RFQ, by submitting a response to this RFQ, Respondents expressly waive any exceptions to disclosure to which it may be entitled under the Act, including, without limitation, a claim that any material submitted in response to this solicitation is proprietary or is a trade secret or otherwise confidential under the Act or otherwise. Respondents recognize and agree that SAWS will not be responsible or liable in any way for any losses that the Respondent may suffer from the disclosure of information or materials to third parties.

15. Page 37, Attachment D - Acknowledgement of Texas Public Information Act Requirements and Release Form, remove and replace in its entirety with the revised version attached to this Addendum.

END CHANGES TO RFQ

No other items, dates, or deadlines for this RFQ are changed.

END ADDENDUM #2

Attachment "D"- Acknowledgement of Texas Public Information Act Requirements and Release Form

(Rev. 5/16/12 –Addendum #2)

All responses to this RFQ will be considered public information pursuant to the terms of the Texas Public Information Act in Chapter 552 of the Texas Government Code (the Act). Except as provided in Part IV (A)(2) of this RFQ, by submitting a response to this RFQ, Respondents expressly waive any exceptions to disclosure to which it may be entitled under the Act, including, without limitation, a claim that any material submitted in response to this solicitation is proprietary or is a trade secret or otherwise confidential under the Act or otherwise.

I acknowledge the aforementioned statement and understand that my submittal is subject to being made available to requestors of public information.

Signature

Printed Name and Title

Date