

General Contractors for the Facility Modification and Tenant Improvements  
Solicitation Number: OCCM-FY2008-01  
Addendum No. 2

Date  
August 7, 2008

Action Requested  
Please review the attached responses to questions regarding the RFP

To  
Qualified General Contractors

Deadline  
See attached addendum

From  
Judicial Council of California  
Administrative Office of the Courts,  
Office of Court Construction and  
Management

Contact  
[occm\\_solicitations@jud.ca.gov](mailto:occm_solicitations@jud.ca.gov)

Subject  
**Addendum No. 2**  
**Request for Proposal for General Contractors**  
**for the Facility Modification and Tenant**  
**Improvements**  
Solicitation Number: OCCM-FY2008-01

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1. RFP, Attachment C, Fee Rates – Overhead and Profit %, is deleted and replaced in its entirety by the attached Attachment C, Fee Rates – Overhead and Profit %, Addendum 2.
  2. RFP, 4.0, Responding to this RFP, paragraph 4.4. Delete the last sentence. The requirement to submit Management Staffing rates has been removed from this RFP.
  3. RFP, 6.0, Evaluation of Proposals, the scoring table is replaced in its entirety with the following:

“Points	Criteria	100 points maximum
25	<b><u>Experience of the Firm:</u></b> Demonstrated experience of the firm in relation to the scope of potential work, and quality of service provided to customers in the past;	
25	<b><u>Expertise of Personnel:</u></b> Demonstrated expertise of the key personnel in relation to the scope of potential work; including relative degrees, licenses and certifications;	
20	<b><u>Project Experience:</u></b> Demonstrated record that the Contractor has delivered high quality services on projects of similar scope on budget and with a good history as far as change orders, claims and safety records;	
20	<b><u>Availability of resources:</u></b> Ability of the GC to provide staff and resources necessary to deliver facility modifications, management oversight and administrative support	

General Contractors for the Facility Modification and Tenant Improvements

Solicitation Number: OCCM-FY2008-01

Addendum No. 2

on projects located within the counties identified in Attachment 1.

10

**Overhead and Profit rates.**

Proposed fee rates for corporate overhead and profit, per completed Attachment C, Addendum 2 proposal sheet which Contractor will use for cost proposals submitted for projects authorized through Task Orders.”

4. Application for Prequalification of General Contractors, Part IV. Please delete the introductory paragraph to Part IV and the first paragraph to 1. Relevant Projects with the following:

“Provide information on projects completed or currently in progress that demonstrate your organization’s experience with projects of similar scope, size and complexity. Provide specific project related experience, relevance of scope, size and complexity. Please label responses consistent to the categories listed below and include project name, location, construction value, and owner contact information.

**1. Relevant Projects**

Submit at least **six (6)** examples of your organization’s relevant projects with construction values **up to \$1,000,000** completed within the last five (5) years. Relevant projects shall include as many of the following components and construction types, as applicable:”

5. Application for Prequalification of General Contractors, Part II. Please delete the introductory two paragraphs to Part II and replace with the following:

**“Contractor will be immediately disqualified if the answer to any of questions 1 through 6 is “no.”**

**Contractor will be immediately disqualified if the answer to any of questions 8, 9, 10 or 11 (previously the second #8 on page 6) is “yes.” If the answer to question 8 is “yes,” and if debarment would be the sole reason for denial of pre-qualification, any pre-qualification issued will exclude the debarment period.”**

Please see Addendum Item 7 for question 4 below, changing Commercial Automobile Liability to \$1,000,000 per accident.

6. Application for Prequalification of General Contractors, Part II. Renumber the item #8 on page 6 of 28 to “11 as follows:

“**§11.** At any time during the last five years, has your firm or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?<sup>3</sup>  
 Yes       No”

7. Application for Prequalification of General Contractors, Part II. Please delete question 4 and replace with the following:

General Contractors for the Facility Modification and Tenant Improvements

Solicitation Number: OCCM-FY2008-01

Addendum No. 2

“4. Contractor maintains business automobile liability insurance with a policy limit of at least \$1,000,000.00 per accident.

Yes  No“

Legal Agreement, Exhibit B, Section 20, Insurance Claims, B.ii on page B-13 is also changed for Commercial Automobile to have a level of not less than \$1,000,000 per accident.

8. Legal Agreement, Exhibit B, Special Provisions, insert new special provision 23 below on page B-16 and renumber the special provisions following:

“23. Security Clearance

The Contractor will comply with the security clearance requirements of the Task Orders.”

9. Legal Agreement, Exhibit C, Task Order Authorization Process, paragraph B, page C-1 insert “security clearance”:

"The State's Project Manager will provide Contractor on the job walk with and unsigned Services Request form, describing the Construction Project, along with any Project specific drawings, specifications, **security clearance** and permitting information."

10. Legal Agreement, Exhibit D, Statement of Work, paragraph 3. Statement of Work, second paragraph, page D-1 insert “security clearance”:

"Depending on the job, the PM will also provide any appropriate drawings, specs, **security clearance** and permitting information. The contractors will then develop and submit proposals based upon information received at the site walk."

11. Legal Agreement, Exhibit F, Task Order, Attachment B, Provisions to Task Order/Payment Terms, 7. Safety Precautions and Programs, page F-B-3, insert the new 7.2 below and renumber 7.2 Emergencies to 7.3:

“7.2 SECURITY CLEARANCE

The Contractor will comply with the security requirements applicable to the specific Task Order as set out in the solicitation documents Construction Project Request Form.”

12. RFP, 3.0, Scope of Services, 3.1 Services, second paragraph, insert “security clearance”:

“The AOC Project Manager will notify three Contractors with a basic description of the job, including time and place to meet. Contractors will meet with the AOC Project Manager at the site and the PM will tell the contractor what needs to be done while walking around the site. Depending on the job, the PM will also provide any appropriate drawings, specs, **security clearance** and permitting information.”

General Contractors for the Facility Modification and Tenant Improvements

Solicitation Number: OCCM-FY2008-01

Addendum No. 2

**ATTACHMENT C, ADDENDUM 2**

**FEE RATES - OVERHEAD & PROFIT %**

**CORPORATE OVERHEAD & PROFIT PERCENTAGE**

Please quote a corporate overhead and profit percentage based upon the following project cost ranges: please note that the percentage rates should include any bond costs associated with the given cost range. Contractors may submit up to three (3) Attachment Cs (one for each Zone/Region). **Insurance will be identified as a separate line item in the cost proposal**

<b>Project Costs:</b>	<b>OH &amp; P %</b>
\$10,000 up to \$50,000	
\$100,000 up to \$250,000	
\$250,000 up to \$500,000	
\$500,000 up to \$700,000	

**The following cost items shall be considered project General Conditions and not part of above OH & P % rate for the purposes of this proposal:**

Office Trailer	First Aid Equipment & Supplies	Architectural & Engineering Services
Job Site Signage	Security	
Field Office Furnishings	Fire Protection & Extinguishers	
Field Office Equipment	Street Cleaning & Good Neighbor Policies	
Field Office Supplies	Dust Control	
Temporary Protection	Plans / Printing	
Misc. Equipment rental	Temporary Hand Rails and Safety Cables	
Temporary Power	Project Photographs/ Video	
Temporary Lighting	Dumpster Rental	
Daily Clean-up	Hand Tools/Disposables	
Final Power Bill	Storage Bins	
Temporary Heat	Weather Protection	
Portable Toilets	Temporary Parking/ Metered Stall Rental	
Postage, Courier & Shipping	Final Cleanup	
Temporary Fencing	Safety Equipment	
Water Service	Travel & Subsistance	

General Contractors for the Facility Modification and Tenant Improvements  
Solicitation Number: OCCM-FY2008-01  
Addendum No. 2

#	RFQ Reference	Question	Answers
1	RFP Schedule	Can you please tell me when the pre-qual is due? We were looking at bidding on the facility modifications and tenant improvements, which bids on the 22 <sup>nd</sup> .	As this is an RFP, all proposal package documents including the Application for Prequalification are due by 2:00 PM on August 22, 2008. Please review carefully section 4.0, Responding to This RFP in the RFP document.
2	Application for Prequalification of General Contractors, Part IV	In the Application form for Prequalification of General Contractors, Part IV, the introductions states "As a minimum, provide information on six most recently completed public works projects and three largest completed private projects within the last three years." Part IV, Item 1 states: "Submit at least (3) examples of your organization's relevant projects with construction values in excess of \$1,000,000 completed within the last five (5) years, including at least one (1) project, which is a public works project in the state of California with a construction value in excess of \$1,000,000." Which guidelines are we to follow? Please advise.	Please see Addendum Item 4 above. Contractors will now need to submit at least six (6) examples of your organization's relevant projects with construction values up to \$1,000,000 completed within the last five (5) years. There is no longer any reference to any of the examples having to be public works projects.
3	RFP	In the RFP, it reads that most jobs will be from 40K to 700K. We will participate in this RFP and job range. My question is,-----Will there be another more complicated RFP's coming out in the future for jobs (lets say) 700K to 10M and from 10M to 50 M????? etc, etc, etc.....  OR will those simply be if you can bond it you can bid it?	We don't have any kind of if you can bond it you can bid it procurement policy. This RFP is solely for jobs that will be mostly in the \$40,000 to \$700,000 range. We will advertise, are advertising and have advertised jobs that are the ranges you've asked about. For those larger projects we have and we will use a variety of contracting methods: CM @ Risk, RFP, and RFQ leading to an IFB. We may use others. We have Contractors proposing on this RFP who are currently working on larger projects for us. We suggest you regularly monitor our website: <a href="http://www.courtinfo.ca.gov/reference/rfp/">http://www.courtinfo.ca.gov/reference/rfp/</a>

General Contractors for the Facility Modification and Tenant Improvements  
Solicitation Number: OCCM-FY2008-01  
Addendum No. 2

#	RFQ Reference	Question	Answers
4	RFP, Attachment 1, County by County Service Listing and Attachment C, Fee Rates – Overhead and Profit %	Will we be able to submit multiple Attachment 'C's for different Zones and/or Counties in which we are interested in working?	Please see Addendum Item 1 above. Yes. Contractors may submit up to three (3) Attachment C, Addendum 2 (one for each Zone/Region).
5	RFP, 5.0, Selection Process	When a firm is selected to be short-listed and interviewed, will there be separate interview panels for each geographic location (San Francisco, Burbank and Sacramento) that will develop their own Awarded General Contractors List, or will there be one master list of awarded General Contractors? Will we need to interview with each panel to be awarded in multiple geographic locations?	The geographical location of the interview panels is solely for the convenience of short-listed contractors. Multiple interviews in multiple locations will not be required.
6	Application for Prequalification of General Contractors	Because in the past we have done both private and public, at some points we have not had bonding. Last year we again established bonding. We are not a large firm with multi million bonding capabilities, our bonding agent looks at each project with us. We feel that the project amounts between \$50,000. and \$700,000. are between our range, and we would like to have an opportunity to bid on these projects but I don't know if you will accept our application with qualifications. Also, are you set in the amounts of liability insurance we carry a million per occurrence and 2 million general aggregate, for these smaller projects will you accept any thing less on insurance requirements.	The AOC does not intend for bond capacity to be an artificial barrier to a contractor being include on the qualified provider list. However, at the time of the award of a job order each project the contractor must have sufficient bond capacity to provide the necessary performance and payment bonds.  No. The limits of liability stated for Commercial General Liability are the minimum limits that are required of qualified contractors.
7	Application for Prequalification of General Contractors, Part II	Please refer to Application for Prequalification, Part II< Page 5 of 28: Why would contractor be immediately disqualified for answering "yes" to questions 6 or 7? (Shouldn't the statement read "...if the answer to any of questions 8, 9, 10 or 11...?")	Please see Addendum Items #5 and "6 above. Contractors will be immediately disqualified if they answer " <b>no</b> " to questions <b>1 through 6</b> or for answering " <b>yes</b> " to questions <b>8 through</b>

General Contractors for the Facility Modification and Tenant Improvements  
Solicitation Number: OCCM-FY2008-01  
Addendum No. 2

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			<b>11</b> (renumbered from the previous second #8).
<b>8</b>	Application for Prequalification of General Contractors, Part II and Legal Agreement, Exhibit B, Article 19, Insurance Requirements, paragraph B.ii	Question 4 of the Pre-Qual questions ask for \$2,000,000 auto liability. We have only been required to carry \$1,000,000. Would the \$1,000,000 be sufficient coverage?	Please see Addendum Item 7. Yes. The AOC will accept Automobile Liability limits in an amount of \$1 million per accident.
<b>9</b>	Prequalification of General Contractors, Part IV	Please refer to Application for Prequalification of General Contractors, Part IV (page 15 of 28,) Section 1, Relevant Projects. <ul style="list-style-type: none"> <li>- The first paragraph asks for projects completed in the past 5 years with values <b>in excess of</b> \$1,000,000.</li> </ul> The first of the desired project components and construction types listed below the first paragraph asks for projects with construction costs of <b>up to</b> \$1,000,000.	Please see Addendum Item 4 above and our response to question 2 also above.
<b>10</b>	Application for Prequalification of General Contractors, Part III	Please refer to Application for Prequalification of General Contractors, Part III, Questions 4 and 12 (pages 8 and 9 of 28.) Do these two questions refer only to other general contracting companies owned or operated by principles of the responding general contractor? What is the essential difference between the two questions?	Question 4 concerns the relation of a firm's principals to other firms; i.e, owning another firm.  Question 12 asks whether the firm has operated under another name.
<b>11</b>	Application for Prequalification of General Contractors, Part II	I'm enclosing a copy of the scanned portion of the RFP, pages 5 & 6 of 28 with the request to clarify.... See numbers 6,7,8 & 9, also, 8 follows 10 on the next page. 6 & 7 should be yes and we should not be disqualified to answer such, there is an error in either the numbering or the statement. I'm assuming truly a yes answer will not DQ us on these questions, but please clarify.	Please see Addendum Item 5 above and our response to question 7 above.
<b>12</b>	RFP, DVBE Participation Form	Subject: "DVBE Participation Form" Observation: There is a "DVBE Participation Form" provided with the RFP.	Only those Contractors who are awarded IDIQ Master Agreements need

General Contractors for the Facility Modification and Tenant Improvements  
Solicitation Number: OCCM-FY2008-01  
Addendum No. 2

#	RFQ Reference	Question	Answers
		It appears that this form is a project specific form. Question: Does this form need to be submitted with our proposal on August 22, 2008 or is this a per project requirement?	submit the form. The AOC is under the State of California's overall goal of 3%. There will be no project specific goals for projects awarded through Task Orders through Master Agreements awarded through this RFP.
13	RFP, 3.0. Scope of Services and Legal Agreement, Exhibit C, Task Order Authorization Process and Payment Provisions	Award of a Specific Project Question: During the Project Development and Specific Project award process, will award be based on best value, most complete proposal or lowest price?  Will project specific technical proposals become public knowledge? Will project specific proposal prices become public knowledge?	Specific project awards, Task Orders, will be based on the most complete proposal providing best value to the AOC as determined by the Project Manager. Please refer to our policy on release of public information: <a href="http://www.courtinfo.ca.gov/pubaccess-guide.htm">http://www.courtinfo.ca.gov/pubaccess-guide.htm</a> .
14	RFP, Attachment C - Management Staffing – Hourly Rates	Subject: Attachment C - Management Staffing – Hourly Rates Observation: During the Pre-bid conference, it was discussed that Architectural and Engineering services may be required for some projects. No lines are provided for Architectural or Engineering Hourly Rates. Question: Are we to provide Hourly Rates for Architectural and Engineering Services?	No. Please see Addendum Item #1 above and revised Attachment C, Addendum 2, attached to this addendum.
15	RFP, Attachment C	Attachment C - Corporate Overhead and Profit Percentages Observation: One Contractor may have a lower OH & P percentage but have higher direct costs and general conditions and thus may have a higher total cost.  Question: How will Attachment C – Overhead and Profit Percentages be used in the selection and prequalification of a “select list” of General Contractors? How will Attachment C – Overhead and	Please see Addendum Item #3 above. As described in the RFP, 6.0, those rates will be used as one of the criteria for evaluating the RFP.  As for our selection process for the specific projects please review our response to question 13 above, RFP, 3.0, Scope of Services and Exhibits C,

General Contractors for the Facility Modification and Tenant Improvements  
Solicitation Number: OCCM-FY2008-01  
Addendum No. 2

#	RFQ Reference	Question	Answers
		Profit Percentages be used in deciding the award of a specific construction project?	D, E & F of the Legal Agreement.
16	RFP, Attachment C - Management Staffing – Hourly Rates	<p>Subject: Attachment C - Management Staffing – Hourly Rates</p> <p>Observation: One Contractor may have lower hour rates but take longer and thus cost more.</p> <p>Question: How will Attachment C – Hourly Rates be used in the selection and prequalification of a “select list” of General Contractors?</p> <p>How will Attachment C – Hourly Rates be used in deciding the award of a specific construction project?</p>	No. Please see Addendum Item #1 above and revised Attachment C, Addendum 2, attached to this addendum. Information regarding Management Staffing – Hourly Rates is no longer a requirement in responding to this RFP.
17	RFP, Attachment C	<p>Subject: Attachment C - Corporate Overhead and Profit Percentages</p> <p>Observation: There was no mention of Architectural Services, Engineering Services, Site Supervision or Site Quality Control in the General Conditions paragraph.</p> <p>Question: Does this contract consider Architectural Services, Engineering Services, Site Supervision, Site Quality Control and Site Safety Inspections as General Conditions?</p>	<p>Please see Addendum Item #1 above and revised Attachment C, Addendum 2, attached to this Addendum.</p> <p>Architectural &amp; Engineering Services have been adding in the General Conditions section of Attachment C, Addendum 2.</p> <p>Site supervision, quality control and safety are the responsibility of the Contractor.</p>
18	RFP, 3.0. Scope of Services and Legal Agreement, Exhibit C, Task Order Authorization Process and Payment Provisions	<p>Subject: Proposal Submittal Requirement for Specific Projects</p> <p>Question: Will General Contractors be required to provide bid proposals for all projects within their prequalified approved region?</p>	<p>As for our selection process for the specific projects, please review carefully RFP, 3.0, Scope of Services and Exhibits C, D, E &amp; F of the Legal Agreement. Briefly stated, It is intended that for most projects:</p> <p>The AOC Project Manager will notify three Contractors with a basic description of the</p>

General Contractors for the Facility Modification and Tenant Improvements  
Solicitation Number: OCCM-FY2008-01  
Addendum No. 2

#	RFQ Reference	Question	Answers
			<p>job, including time and place to meet. There will be no general posting of projects for all Contractors prequalified and signed to master agreements in each Zone to bid on.</p>
19	RFP and Legal Agreement	<p>Subject: Security Clearances Question: What type of security clearance is required for workers at project sites?</p> <p>What will the process be for obtaining the required security clearance?</p>	<p>Please see Addendum Items 8, 9, 10, 11 &amp; 12</p> <p>Depending on the nature and location of the work the security requirements may entail a complete background check pursuant to Department of Justice standards.</p> <p>With each job solicitation the security requirements will be set forth as well as the requirements for obtaining the necessary security requirements. In general, the procedure will require the AOC to make a pre-bid determination of the security requirements applicable to the specific work. These requirements will be set out in the solicitation documents. In certain instances some or all of the contractor's employees and subcontract employees will need to obtain security clearance. In such an event contractor will be directed to an appropriate facility, which will do the background check at no additional cost to the contractor. Depending on the results of the security check certain employees may be barred from the work site. In addition, or in lieu, of the security clearance the AOC may designate certain quarantined areas of the work site where the contractor's employees and</p>

General Contractors for the Facility Modification and Tenant Improvements  
Solicitation Number: OCCM-FY2008-01  
Addendum No. 2

#	RFQ Reference	Question	Answers
			subcontractors are barred not allowed to enter without meeting certain pre-designated security requirements.
20	Legal Agreement, Exhibit C, Task Order Authorization Process and Payment Provisions	Subject: Invoicing Question: Who will be approving invoices, and what will their involvement be in the construction process? What is the anticipated time frame for invoice approval and payment?	Please carefully review Exhibit C in the Legal Agreement – especially Paragraph 4, Invoicing Requirements, which describes submitting the invoice to the Project Management for the Task Order for that Project and Paragraph 6, Payment where we indicate that “The AOC will endeavor to pay invoices within thirty (30) days after receipt of a correct, itemized invoice. In no event will the AOC be liable for interest or late charges for any payment.”
21	RFP package	Subject: Pre-Qualification Proposals Question: Will the Contractors’ Pre-Qualification Proposals be made public knowledge?	Please refer to our policy on release of public information: <a href="http://www.courtinfo.ca.gov/pubaccess-guide.htm">http://www.courtinfo.ca.gov/pubaccess-guide.htm</a> .
22	RFP	Never before has there been more attention focused on how buildings and workspaces can be more environmentally friendly, energy-sustainable and functionally superior than today. As an alternative for your Building improvement projects, would you consider the possibility of certifying some of the buildings to minimal Leed (Leadership in Energy and Environmental Design) Standard certification?	Within the limits of these relatively small renovation projects we will aim to be as environmentally friendly, energy-sustainable and functionally superior to the buildings or sections of buildings being renovated.
23	Application for Prequalification of General Contractors, Part II	On the application for Pre-Qualification of General Contractors, on page 5 of 28, Essential requirements for qualification, there is a statement that reads, “Contractor will be immediately disqualified if the answer to any of questions 6,7,8	Please see Addendum Item 5 above and our response to question 7 above.

General Contractors for the Facility Modification and Tenant Improvements  
Solicitation Number: OCCM-FY2008-01  
Addendum No. 2

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		<p>or 9 is 'yes'."Question 6 is deceiving. The question reads, "Contractor has reviewed and understands the requirements of Exhibit B, Section 7 safety Requirements." I have read Attachment "B" on Page F-B—1 on the Provisions to task order/payment terms in the State of California Standard Agreement. So for Question 6 on your Essential Requirements for Qualification, the answer is "Yes". Will I be disqualified? Please Clarify.</p>	
24	Application for Prequalification of General Contractors, Part IV	<p>In addition to the Portola/Loyalton Courthouse RFQ (OCCM-FY-2008-02) we are also working on the ID/IQ General Contractors for Facility Modifications and Tenant Improvements RFQ (OCCM-FY-2008-01). This RFQ has similar direction regarding Part IV. Organization's Statement of Experience Recent Construction Projects Completed. Will the answers provided to the questions above be relevant to the ID/IQ General Contractors for Facility Modifications and Tenant Improvements RFQ?</p>	<p>We are happy that some Contractors are interested in both solicitations. However, we would caution Contractors to carefully review both solicitations and our responses to Contractor questions for both. Our responses may similarly clarify both but our solicitations are tailored to the two projects and so are asking for different things in some cases including in Part IV of our Application for Prequalification of General Contractors.</p>