

February 10, 2023

SOLICITATION ADDENDUM NO. 3
RFP 22-0020
Multiple CM/GC Projects- Project Group 1

THE FOLLOWING CHANGES/ADDITIONS TO THE ABOVE CITED SOLICITATION ARE ANNOUNCED:

This Addendum modifies the Request for Proposal (RFP) document(s) only to the extent indicated herein. All other areas not changed or otherwise modified by this Addendum shall remain in full force and effect. This Addendum is hereby made an integral part of the RFP document. Proposers must be responsive to any requirements of this Addendum as if the requirements were set forth in the RFP. Failure to do so may result in Proposal rejection. See the RFP regarding requests for clarification or change and protests of this Addendum, and the deadlines for the foregoing.

This addendum is to be acknowledged in the space provided on the Bidder Certification form supplied in the solicitation document. Failure to acknowledge receipt of this addendum may be cause to reject your offer.

The closing date **Remains:**
February 21, 2023 at 2:00 PM Pacific Time

CLARIFICATIONS/CHANGES

- 1) Seismic Upgrade Projects is hereby added to the RFP as a class of projects for which PSPs may be requested, and Contracts subsequently awarded under this RFP. If the District's estimated value of any other project described by the classes of projects listed in the District's exemption findings for this RFP, the District may request a PSP for that project, and subsequently award a contract for that project under this RFP.
- 2) The below changes (noted in bold font) are hereby made to the Section I, 7. PROJECT AWARD PROCESS:

If the District, in its sole discretion, determines that it will request a PSP for a Project, then the District will first request it from the highest-scoring successful Proposer that is named in the Notice of Intent to Award or any revised Notice of Intent to Award which is effective at the time of the PSP request ("Prospective CM/GC"). Until such a time when all Prospective CM/GCs have executed a Contract for a Project, each subsequent PSP that the District may request will be requested from the highest-scoring Prospective CM/GC that has not executed a Contract for a Project. ~~If and when all Prospective CM/GCs have executed a Contract for a Project, then the District will repeat the foregoing process by requesting any subsequent PSPs from the highest-scoring Prospective CM/GC that has not yet executed two Contracts for two Projects, provided however, that the District may deviate from this selection order so as to request PSPs in a manner that achieves optimal value, utility, and substantial fairness. Examples of this may include, but not be limited to, changing the order of PSP requests so as to balance the total project value awarded to each Prospective CM/GC, forgo requesting a PSP from a Prospective CM/GC due to its poor performance on a previous Project, etc. Nothing in this Section I, 7. PROJECT AWARD PROCESS shall limit the District's right to~~ **terminate contract negotiations and reject a PSP at its sole discretion,** procure a Project ~~through~~ **throughout** a solicitation process other than this RFP (e.g., if the Project's design has been completed but the Project's CM/GC failed to execute a GMP, etc.), or any other rights found in this RFP or the Sample Contract. See SECTION II STATEMENT OF WORK for additional information regarding PSPs. For the purposes of this process, the District will consider a **its rejection of a Prospective CM/GC's PSP due to the Prospective CM/GC's failure to provide/negotiate** a PSP in accordance with the requirements found in the District's PSP request, as well as any circumstance in which the District does not accept a Prospective CM/GC's PSP in the same manner as if the Prospective CM/GC has executed a Contract for a Project. The District Reserved the right to reject a Prospective CM/GC's PSP for any reason.

- 3) If one or more members of the typical project team included in a Proposer's Proposal are not available to be included in a requested PSP, then the Prospective CM/GC's PSP should contain staff with substantially similar experience and qualifications (as determined by the District) to the staff included in the respective Proposer's Proposal (i.e., the typical project team) submitted in response to this RFP.

QUESTIONS/ANSWERS

Question: Can we submit a cover letter with our response? Will it be included or excluded from page count?

Answer: Proposers may submit a cover letter (though this is not mandatory). Any cover letters received will neither be scored nor included in the page count. Any cover letters received may, however, be considered in other aspects of evaluation (e.g., when determining responsiveness).