



YUBA-SUTTER TRANSIT AUTHORITY

REQUEST FOR QUALIFICATIONS TO DESIGN AND BUILD THE NEXT GENERATION TRANSIT FACILITY RFQ No. 05-26

August 21, 2026

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**This project is funded, in whole or in part, by the Federal Transit Administration
(FTA)**

**SEALED REQUESTS FOR QUALIFICATIONS ARE DUE BEFORE 3:00 PM ON
October 2, 2026**

NOTE: Updates, changes, or addendums to the RFQ are posted at:
<https://www.yubasuttertransit.com/current-requests-for-proposals>

TABLE OF CONTENTS

SECTION 1 – INVITATION AND SCHEDULE OF EVENTS	3
SECTION 2 – RFQ INSTRUCTIONS AND REQUIREMENTS	5
2.0 DEFINITIONS	5
2.1 QUESTIONS REGARDING RFQ AND POINT OF CONTACT	6
2.2 QUALIFICATION SUBMITTAL	6
2.3 RFQ FORMS	7
2.4 CONFIDENTIALITY	7
2.5 RESERVATION OF RIGHTS OF THE AUTHORITY	7
2.6 EQUAL OPPORTUNITY	8
2.7 APPEAL PROCEDURES	9
2.8 PRE-CONTRACTUAL EXPENSES	9
2.9 JOINT OFFERS	9
2.10 RFQ PROTEST PROCEDURES	9
2.11 ADDENDA AND INTERPRETATIONS	12
2.12 RFQ RESPONSIVENESS	12
2.13 OBLIGATION TO KEEP THE PROJECT TEAM INTACT	13
2.14 INSURANCE REQUIREMENTS	13
2.15 BONDS	13
2.16 CONFLICT OF INTEREST	13
2.17 INELIGIBLE PARTIES	14
2.18 QUALIFICATIONS SUBMISSION FORMAT AND CONTENT	14
Division 1 – Design-Build Entity (DB Entity) Information and Certification	15
Division 2 – Project Team Information	15
Division 3 – DB Entity Minimum Qualifications – PASS/FAIL	16
Division 4 – General Contractor and Principal Engineering Firm Minimum Qualifications Scored	16
Division 5 – Reference Projects Demonstrating DB Entity and DB Entity’s Team Experience	17
Division 6 - Key Personnel Experience	21
Division 7 – Financial Capability	22
Division 8 – Organizational and Management Approach	23
SECTION 3 – INTENDED PROJECT SCOPE OF WORK	24
3.1 PROJECT BACKGROUND	24
3.2 PROJECT BUDGET	24
3.3 ENVIRONMENTAL REVIEW	25
3.4 PROJECT SCHEDULE	25
3.5 DESIGN-BUILDER ROLE AND RESPONSIBILITIES	25
3.6 AUTHORITY ROLE AND RESPONSIBILITIES	26
SECTION 4 – EVALUATION AND SELECTION CRITERIA	27
4.0 PROCUREMENT PROCESS	27
4.1 EVALUATION OF MINIMUM REQUIREMENTS	27
4.2 RANKING OF RESPONDENTS' QUALIFICATIONS AND SHORTLIST	29
SECTION 5 – REQUIRED FORMS	30
FORM A: TRANSMITTAL COVER PAGE	31
FORM B: CONTACT INFORMATION	35
FORM C: ADDENDA ACKNOWLEDGMENT CONTRACTOR NAME:	38
FORM D: PROJECT TEAM INFORMATION	39
FORM E: DB ENTITY MINIMUM REQUIREMENTS	49
FORM F: GENERAL CONTRACTOR MINIMUM QUALIFICATIONS SCORED QUESTIONS	55
FORM G: PRINCIPAL ENGINEER MINIMUM QUALIFICATION SCORED QUESTIONS	61
FORM H: SCORE SHEET FOR GENERAL CONTRACTOR MINIMUM QUALIFICATIONS	65
FORM I: SCORE SHEET FOR PRINCIPAL ENGINEERING MINIMUM QUALIFICATIONS	67
FORM J: REFERENCE PROJECT DATA SHEET	68
FORM K: KEY PERSONNEL EXPERIENCE	69
ATTACHMENT A: INSURANCE REQUIREMENTS	70
ATTACHMENT B - PHOTOGRAPH	79

SECTION 1 – INVITATION AND SCHEDULE OF EVENTS

1.0 INTRODUCTION

Yuba-Sutter Transit Authority (Authority) is soliciting Request for Qualifications seeking firms for the Design and Construction of the Next Generation Transit Facility (Project) according to the content and format requirements outlined in this Request for Qualifications (RFQ). The Next Generation Transit Facility will be built on vacant land at 6035 Avondale Avenue, Linda, CA 95901, consisting of a new administrative, operations, and maintenance facility for the Authority. Only California-licensed and registered design professionals may perform the completed design work. The respondent must possess either a valid Class A or Class B contractor's license, or may be an engineering firm that partners with a General Contractor holding the appropriate license. This project will be subject to California and Federal prevailing wage requirements. Refer to Section 3 for the intended project scope of work.

This procurement is structured to comply with California Public Contract Code §22160 et seq requirements, which govern the Design-Build process for Local Agencies such as the Yuba-Sutter Transit Authority. The California Public Contract Code requires the Authority to prepare and issue a request for qualifications to prequalify or short-list the Design-build entities whose proposal shall be evaluated for final selection. Only the Respondents shortlisted can submit a proposal for the Next Generation Transit Facility as the Design-build entity. The selected proposer must comply with all applicable California and Federal Transit Administration laws and regulations. Information requested under this RFQ that is not a public record according to the California Government Code §7920 et seq shall not be available for public inspection.

This is a public works Project. The successful awardee shall be responsible for paying prevailing wage rates, training apprentices, and complying with other related requirements. Contractors and subcontractors must be registered with the Department of Industrial Relations (DIR) at the time of contract award. (See Labor Code sections 1725.5 and 1771.1.) Each Respondent must submit proof of contractor registration with the DIR before commencing work (e.g., an electronic copy of the relevant DIR database page found at <https://www.dir.ca.gov/public-works/contractor-registration.html>). The Agreement is subject to monitoring and enforcement by the DIR under Labor Code Section 1771.

The Authority will provide the Project Manual, which establishes the minimum requirements and includes performance specifications for use by the Design-Builder. The Design-Builder will use the Project Manual to finalize the design, specifications, and execute the construction work. The design effort is intended to start in Q1 2027, with construction effort beginning in Q3 2027, and provide for approximately 16 months for construction.

The Authority intends to adhere to the following solicitation schedule, but it is subject to change at the Authority's discretion:

Schedule of Events	Date	Time
RFQ Issue Date	August 21, 2026	Not Applicable
Written Questions for Clarification Due	September 11, 2026	3:00 pm (PST)
Written Responses from the Authority Provided	September 18, 2026	3:00 pm (PST)
Completed Qualifications Due	October 2, 2026	3:00 pm (PST)

QUESTIONS WILL ONLY BE ACCEPTED IF EMAILED TO ADAM HANSEN AT ADAM@YUBASUTTERTRANSIT.COM.

Responses to questions and addenda will be posted at
<https://www.yubasuttertransit.com/current-requests-for-proposals>

SUBMITTAL PACKAGES NOT RECEIVED BY THE DATE AND TIME SPECIFIED MAY BE REJECTED. IT IS THE SOLE RESPONSIBILITY OF THE RESPONDENT TO ENSURE THAT THEIR SUBMITTAL IS RECEIVED BY THE AUTHORITY NO LATER THAN THE STATED DUE DATE AND TIME.

FAILURE TO DELIVER A RESPONSIVE SUBMITTAL PACKAGE BY THE DATE AND TIME SPECIFIED IN THE SOLICITATION SCHEDULE ABOVE MAY PRECLUDE THE DESIGN-BUILD ENTITY FROM SUBSEQUENT PARTICIPATION IN THE PROPOSAL PROCESS FOR THE PROJECT.

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SECTION 2 – RFQ INSTRUCTIONS AND REQUIREMENTS

The following instructions and conditions apply when responding to this RFQ:

2.0 DEFINITIONS

For this RFQ:

1. "Authority" shall mean Yuba-Sutter Transit Authority, Purchaser, Owner, Buyer, FTA Recipient, or Grantee.
2. "Design-build" shall mean a project delivery process in which a project's design and construction are procured from a single entity.
3. "Design-build entity" or "Design-builder" shall mean a corporation, limited liability company, partnership, joint venture, or other legal entity that can provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design-build contract.
4. "Design-build team" shall mean the design-build entity itself and the individuals and other entities identified by the design-build entity as members of its team. Members shall include the general contractor and, if utilized in the design of the project, all electrical, mechanical, and plumbing contractors.
5. "Project" shall mean the permitted design and complete construction of the Yuba Sutter Next Generation Transit Facility.
6. "Project Manual" shall mean a set of documents setting forth the scope and estimated price of the Project. The documents may include, but need not be limited to, the size, type, and desired design character of the Project, performance specifications covering the quality of materials, equipment, and workmanship, preliminary plans or building layouts, or any other information deemed necessary to adequately describe the local agency's needs.
7. "Respondent" means the individual or firm submitting a Qualifications Statement in response to this solicitation.
8. "Submittal Package" means all forms included in Section 5 – Required Forms submitted in accordance with the requirements outlined in 2.2 Qualification Submittal.

2.1 QUESTIONS REGARDING RFQ AND POINT OF CONTACT

Any questions, interpretations, or clarifications, either administrative or technical, about this RFQ must be requested in writing no later than the date indicated in Section 1, Schedule of Events. All written questions will be answered in writing and conveyed to all Respondents. Oral statements concerning the meaning or intent of the contents of this RFQ by any person are not considered binding. The point of contact for this RFQ shall be:

Adam Hansen
Planning Manager
(530)-634-6880
adam@yubasuttertransit.com
<https://www.yubasuttertransit.com/current-requests-for-proposals>

All communications regarding this solicitation shall be made directly with the designated point of contact. Any verbal or written communications between any potential or actual Respondent, or its representatives, and any Authority Board Member, staff member, committee member, or consultant regarding this procurement are strictly prohibited from the date of the RFQ advertisement through the date of execution of the Agreement. The only exception is communications at a publicly-noticed meeting of the Authority's Board of Directors.

Any violation of the requirements outlined in this section shall constitute grounds for immediate and permanent disqualification of the Respondent from participation in this procurement.

2.2 QUALIFICATION SUBMITTAL

Qualifications must be submitted strictly in compliance with the Qualification Instructions prescribed within this RFQ. Two (2) copies of the completed Questionnaire, supplemented by supporting documentation, shall be on standard letter size (8.5" x 11") paper, and one (1) electronic copy in PDF format on a USB drive shall be submitted to the Authority. The hard copies and USB drive shall be mailed or hand-delivered to the Yuba-Sutter Transit Authority, 2100 B Street, Marysville, CA, and received before 3:00 PM on October 2, 2026. Any unrequested documentation, such as corporate brochures, publications, etc., will not be considered in the Authority's evaluation and shall not be included in the submittal. Qualifications shall be submitted in a sealed envelope marked **Yuba-Sutter Transit Next Generation Transit Facility Design-Build Qualifications** and addressed as follows:

Yuba-Sutter Transit Authority
ATTN: Adam Hansen, Planning Manager
2100 B Street Marysville, CA 95901

Any Qualifications received before the time and date specified for the Qualifications Due Date in the Schedule of Events above may be withdrawn or modified by the Respondent's written request. To be considered, however, the modified Qualifications must be received before 3:00 PM on October 2, 2026.

Unsigned qualifications or qualifications signed by an individual not authorized to bind the prospective Respondent may be considered nonresponsive and rejected.

This RFQ does not commit the Authority to award a contract, to pay any costs incurred in the preparation of qualifications for this request, or to procure or to contract for services. The Authority reserves the right to accept or reject any or all qualifications received in response to this request, to negotiate with any qualified Respondent, or to modify or cancel in part or its entirety the RFQ if it is in the best interests of the Authority to do so.

2.3 RFQ FORMS

Responsive qualifications must include all forms provided and requested by the Authority. Qualification submissions that do not incorporate all forms may be considered non-responsive and rejected.

2.4 CONFIDENTIALITY

All information submitted to the Authority under this RFQ process becomes the exclusive property of the Authority but, if not otherwise a public record under the California Government Code §7920 et seq, shall not be open to public inspection. All submissions and other correspondence will be subject to the following requirements:

- A. Under Public Contract Code Section 20101(a), it is the Authority's position that all Respondents Qualifications and related information submitted in response to this RFQ "shall not be public records and shall not be open to public inspection." Barring a court order to the contrary, the Authority will treat all Respondent's Qualifications and related documents as confidential and will not disclose them.
- B. California also recognizes an exception to disclosure of records that contain confidential trade secrets. The Authority cannot determine what information in a submission, if any, may be subject to one of these exceptions. Accordingly, if a DB Entity believes that any specific portion of its submission is exempt from disclosure, the DB Entity must mark the part of the submission as such and state the specific provision that provides the exemption and the factual basis for claiming the exemption. For example, suppose a DB Entity believes a submission contains trade secret information. In that case, the DB Entity must mark the information as "Trade Secret" and refer to the appropriate section of the California law, which provides the exemption for such information and the factual basis for claiming the exemption.

2.5 RESERVATION OF RIGHTS OF THE AUTHORITY

Any verbal modifications of the conditions or specifications documented herein shall be considered void and ineffective for Qualification preparation and evaluation purposes. Only changes issued as written addenda from the Authority to this RFQ shall be deemed valid and binding. In connection with this procurement, the Authority reserves to itself all rights (which rights shall be exercisable by the Authority in its sole discretion) to:

- A. issue addenda, supplements, and modifications to this RFQ;

- B. add or delete DB Entity responsibilities from the information stated in this RFQ or the subsequent RFP;
- C. withdraw or cancel this RFQ or the subsequent RFP in whole or in part at any time before the execution by the Authority of a Design-Build Contract without incurring any cost obligations or liabilities to any other party;
- D. revise and modify at any time factors the Authority will consider in evaluating responses to this RFQ and the subsequent RFP and to otherwise revise its evaluation methodology;
- E. modify all dates set or projected in this RFQ;
- F. waive minor defects or irregularities in the Respondent's Qualifications or non-material deviations from the requirements outlined in this RFQ;
- G. requests supplemental information, hold meetings, conduct discussions, and exchange correspondence with one or more of the DB Entities responding to this RFQ to seek an improved understanding and evaluation of the responses to this RFQ;
- H. seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to this RFQ;
- I. examine any of the facilities referenced in each Respondent's Qualifications and observe and investigate the operations of such facilities;
- J. conduct investigations of the DB Entities and their Qualifications (including, but not limited to, contacting references) to clarify the information provided ~~under~~ this RFQ and to request additional evidence to support the information included in any Respondent's Qualifications;
- K. adjust, increase, limit, suspend, or rescind the Respondent's Qualifications rating based on subsequently learned information;
- L. add the next highest scoring DB Entity (or DB Entities) to the short-list at any time during the procurement process if a short-listed DB Entity (or DB Entities) withdraws from the procurement process;
- M. Add or modify its reserved rights in the subsequent RFP and make all final determinations.

2.6 EQUAL OPPORTUNITY

The Authority, at this moment, notifies potential Respondents that all firms will be afforded equal opportunity to submit Qualifications in response to this request and will not be discriminated against based on race, religion, color, sex, creed, marital status, ancestry, physical or mental disability, medical condition, sexual orientation, national origin, age, or any other consideration made unlawful by federal, state or local laws.

While this Project does not currently have a specific Disadvantaged Business Enterprise (DBE) goal, DBE participation is strongly encouraged.

2.7 APPEAL PROCEDURES

- (1) The Authority must receive all requests for clarifications of specifications and protests of specifications in writing via mail or e-mail addressed to the Planning Manager at the following:

Yuba-Sutter Transit Authority

ATTN: Adam Hansen

2100 B Street

Marysville, California 95901

Email Address: adam@yubasuttertransit.com

Protests must be submitted no later than the date specified on the "Written Questions Due" date on the Schedule of Events. Verbal inquiries will not be accepted.

- (2) Authority replies to requests under paragraph 2.10 (1) above will be dated no later than the "Written Answers Due" date as specified in the Schedule of Events. Any verbal replies are not to be considered valid.
- (3) Any requests for clarifications and protests of specifications must be clearly labeled "Not A Bid" and submitted on or before the Written Questions due date mentioned in Section 1. The Authority is not responsible for failure to address an appeal that has not been labeled as such.

2.8 PRE-CONTRACTUAL EXPENSES

The Authority will be under no obligation to pay pre-contractual expenses. No stipend will be paid to Respondents for any costs associated with preparing and submitting Respondents Qualifications in response to this RFQ or proposals in response to the RFP to be issued. Pre-contractual expenses are defined as expenses incurred by the Respondent for the following:

- A. Preparing the Qualifications in response to this solicitation;
- B. Submitting those Qualifications to the Authority;
- C. Other expenses incurred by the Respondent before the date of award.

2.9 JOINT OFFERS

Where two or more Proposing Companies desire to submit a single Qualification in response to this RFQ, they should do so on a prime-subcontractor basis rather than a joint venture. The Authority intends to contract with a single firm, not multiple firms doing business as a joint venture.

2.10 RFQ PROTEST PROCEDURES

A protest is a potential bidder's or contractor's remedy for correcting a perceived procurement mistake. There are three basic types of protests, based on the time in the procurement cycle when they occur:

1. A pre-bid or solicitation phase protest is received before the Qualification's due date.
2. A pre-award protest is a protest against making an award and is received after the receipt of qualifications or bids but before the award of a contract.
3. A post-award protest is a protest received after the award of a contract.

All protests must be submitted in writing via mail or e-mail addressed to the Executive Director at the following:

Yuba-Sutter Transit Authority
ATTN: Executive Director
2100 B Street
Marysville, California 95901
Email Address: matt@yubasuttertransit.com

Required Contents—To be deemed substantive, a written protest must include, at minimum, the name of the protester; the applicable solicitation title, number, or description; a statement of grounds for the protest; adequate contact information; and a preferred delivery method for the response/determination.

The Yuba-Sutter Transit Board of Directors is responsible for awards to a vendor or contractor financed with Federal assistance or otherwise subject to Federal and State Third Party Contract provisions.

Request for Reconsideration—Yuba-Sutter Transit will allow a request for reconsideration if data that was not previously known becomes available or if there has been an error of law or regulation. Requests for reconsideration should be submitted in writing within five (5) working days of the date the protester learned or should have learned of an error or other basis of appeal.

Pre-Bid Protests - Unless otherwise explicitly stated in the public solicitation document, the deadline for the submission of a pre-bid protest shall be the close of regular business hours, no later than ten (10) working days after the publication/release date of the respective solicitation document(s). When a solicitation document expresses a specific date and deadline for submission of pre-bid protest, the published deadline shall take precedence over the ten (10) working day policy.

Responses - The Executive Director shall respond to each substantive issue raised in the protest in detail. Written responses/determinations will be mailed or emailed (according to the protestor's preference) during regular business hours, no later than five (5) working days after receiving the pre-bid protest or before the published qualification due date, whichever is first. Responses to any substantive questions received by Yuba-Sutter Transit may be sent to all interested parties or published as an addendum to the original solicitation.

Pre-Award Protests—To be considered, a pre-award protest must be received in writing before the close of business, within three (3) working days of the date the protester learned or should have learned of a recommendation to award, or before the date of the award, whichever is first.

Responses - The Executive Director shall respond, in detail, to each substantive issue raised in the protest. Written responses/determinations will be mailed or emailed (according to the protestor's preference) before the close of regular business hours, within three (3) working days of receipt of the protest, or before the date of the award, whichever is first.

Post-Award Protests—To be considered, a post-award protest must be received before the close of business and within five (5) working days of the date the protester learned or should have learned of an adverse decision or other basis of appeal.

Responses - The Executive Director shall respond, in detail, to each substantive issue raised in the protest. Written responses/determinations will be mailed or emailed (according to the protester's preference) before the close of regular business hours, within three (3) working days of receipt of the protest.

Protests dealing with restrictive specifications or alleged improprieties in a solicitation must be filed no later than ten (10) working days before the bid opening or closing date for receipt of qualifications. Any other protest must be filed no later than three (3) working days after:

1. Notification of Intent to Award is issued for the award of a contract if the contract is awarded by the Yuba-Sutter Transit Board per staff recommendation or
2. Notification of Award is issued if the Yuba-Sutter Transit Board has delegated award authority to the Purchasing Agent or does not award the contract according to the Notification of Intent to Award.

Protests shall be in writing and addressed to the Executive Director.

The protest shall identify the protestor, contain a statement officially declaring a protest and describing the reasons for the protest, and provide any supporting documentation. Additional materials in support of the initial protest will only be considered if filed within the time limit specified above. The protest shall indicate the ruling or relief desired from Yuba-Sutter Transit.

Requirements for the Protester

The protester must:

- A. Qualify as an "Interested Party." Only an "interested party" qualifies for FTA review of its appeal. An "interested party" is an actual or prospective bidder whose direct economic interest would be affected by the award or failure to award the third-party contract.
 1. Subcontractors. A subcontractor does not qualify as an "interested party" because it has no direct economic interest in the procurement results.
 2. Consortia/Joint Ventures/Partnerships/Teams. An established consortium, joint venture, partnership, or team that is an actual bidder and is acting in its entirety would qualify as an "interested party" because it has a direct economic interest in the procurement results. An individual member of a consortium, joint venture, partnership, or team acting solely in its capacity does not qualify as an "interested party" because it does not have a direct economic interest in the procurement results.

3. Associations or Organizations. An association or organization that does not perform contracts does not qualify as an “interested party” because it has no direct economic interest in the procurement results.

- B. Exhaust Administrative Remedies. The protester must exhaust its administrative remedies by completing the recipient’s protest procedures.

2.11 ADDENDA AND INTERPRETATIONS

- A. No interpretation of the meaning of any plans, specifications, or other pre-qualification documents will be made to any Respondent orally. Every request for such interpretations shall be in writing and addressed to the attention of the Authority listed above. Such requests must be received before the date fixed for “Written Questions Due” in Section 1 listed above. Any such interpretations and supplemental instructions will be issued as written addenda to the specifications and, if issued, will be posted at <https://www.yubasuttertransit.com/current-requests-for-proposals>. It is the Respondent’s responsibility to ensure all requests are received and answered by the Authority promptly.
- B. Failure of any Respondent to receive any such addendum or interpretation shall not relieve such Respondent from any obligation. All addenda so issued shall become part of the Contract Documents. Respondent shall assume full responsibility for becoming fully aware of the existence and contents of all addenda. Each Respondent will be presumed to have inspected any relevant site and to have read and be thoroughly familiar with any associated or referenced plans, specifications, or other documentation (including all addenda) and referenced legal provisions. The failure or omission of any Respondent to examine any form, instrument, document, or referenced applicable legal requirements shall in no way relieve any Respondent from any obligation with respect to the Qualifications submitted.

2.12 RFQ RESPONSIVENESS

Respondents shall respond to this RFQ with respect to all sections, terms, conditions, requirements, specifications, and the like. Failure to submit a complete response will likely result in rejection.

By submitting a submittal package, a Respondent represents that:

- The RFQ is sufficient in scope and detail to indicate and convey a reasonable understanding of all requirements, terms, and conditions for the performance of the services required in this Project;
- The Respondent has exercised all necessary due diligence in making investigations and inquiries and examining documents for this Project;
- The Respondent is thoroughly familiar with—and has fully considered—all facts, conditions, circumstances, and matters that may affect, in any way, the Respondent’s services or costs;
- The Respondent is and will comply with the RFQ’s requirements, terms, and conditions; and
- All personnel designated to work on this Project will possess valid licensing throughout the Project.

2.13 OBLIGATION TO KEEP THE PROJECT TEAM INTACT

Respondents are advised that all firms and Key Personnel identified in the Respondents Qualifications shall remain on the Project Team for the duration of the procurement process and execution of the Project. If extraordinary circumstances require a change, it must be submitted in writing to the Authority Contact. At its sole discretion, the Authority will determine whether to authorize a change, recognizing that certain circumstances (such as termination of employment) may occur beyond the Design-Builder's control. Unauthorized modifications to the Project Team at any time during the procurement process may result in the elimination of the Respondent from further consideration.

2.14 INSURANCE REQUIREMENTS

- A. The Design-Builder, at the Design-Builder's sole cost and expense and for the entire term of the Design-Build Contract or any extension thereof, will be required to obtain and maintain, at a minimum, all of the insurance requirements outlined in *Attachment A Insurance Requirements*. Additional details will be provided during the RFP process.
- B. Certain certifications regarding insurance are required as a part of this RFQ process, as provided in Division 3 (Minimum Requirements for Qualification) of the Respondent's Qualifications.

2.15 BONDS

- A. The Design-Builder will be required to deliver to the Authority performance and payment bonds in forms acceptable to the Authority in the full amount of the estimated construction costs to guarantee faithful performance and payments. To provide performance and payment bonds, the estimated construction cost for this Project is 100% of the Project Value indicated in Section 3, Intended Project Scope of Work.
- B. Certain bond certifications are required as described in Division 3.

2.16 CONFLICT OF INTEREST

Each DB Entity submitting a Respondent Qualifications is responsible for determining whether or not its participation or the participation of other DB Team members in the proposed Design-Build Contract constitutes a conflict of interest or a potential conflict of interest under California Government Code Sections 1090, 87100 et seq., and other applicable law. Each DB Entity must investigate and manage any potential conflicts of interest when considering whether to submit a Respondent Qualifications and when assembling its project team.

The existence of such a conflict of interest is a basis for the Authority to disqualify a DB Entity's participation in this RFQ process. Suppose the Authority determines that a DB Entity is disqualified because of such a conflict of interest. In that case, it will provide the DB Entity with a written statement of the facts leading to that conclusion.

2.17 INELIGIBLE PARTIES

The following individuals and firms (including parent or subsidiary organizations) serve in an advisory capacity to the Authority for this Project. They are, therefore, prohibited from participating in any capacity as a member of the Design-Build team:

- AECOM Technical Services, Inc
- WSP USA, Inc

The Authority may issue an addendum to add or remove additional persons or firms from the list during any stage of the competitive selection process.

2.18 QUALIFICATIONS SUBMISSION FORMAT AND CONTENT

The Design-build entity will execute the Design-Build contract. If the legal entity constituting the Design-build entity has not yet been formed, questions referring to it should be answered as if it has been formed.

Inquiries are separated by divisions, with titles describing each division's focus area. Each division requires fill-in and supplemental information. A separate tab shall separate the Divisions in the Respondents Qualifications submittal. Proposing Companies are urged to be thorough in presenting their Qualifications; however, Qualifications should not include any unnecessarily elaborate or promotional material.

Below is an explanation of each division, with instructions in the intro section. Failure to comply with these instructions may result in disqualification.

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DIVISION 1 – DESIGN-BUILD ENTITY (DB ENTITY) INFORMATION AND CERTIFICATION

Division 1 seeks information about the makeup of the DB Entity and is for identification purposes only. *There is no evaluative scoring value for Division 1.*

The DB Entity must complete *Form A Transmittal Cover Page*. The signatory to the Transmittal Cover Page is certifying that the statements and information contained in the Request for Qualifications are complete and accurate and that the submittal contains no false or deliberately misleading information. By signing the Transmittal Cover Page, the DB Entity acknowledges that receipt of this submittal by the Authority does not constitute a direct or implied guarantee to the DB Entity that it will be short-listed. By signing the Transmittal Cover Page and submitting the Respondents' Qualifications, the DB Entity further agrees to be bound by the procedures and conditions described in this RFQ.

Submit a notarized affidavit as indicated for *Form A Transmittal Cover Page*.

Provide organizational documentation if the DB Entity is a privately held corporation, Limited Liability Company, Partnership, Joint Venture, or other legal entity. Provide a copy of the organizational documents or agreement to form the DB Entity. Indicate all shareholders, partners, or members who will perform work on the Project.

The DB Entity must complete *Form B Contact Information*. The DB Entity should list primary and secondary contact persons who will be the key contacts for all communications related to this RFQ and subsequent Respondents' Qualifications. The DB Entity must provide contact information for the members of the DB team. The contact(s) do not need to be an Owner or Officer. Add additional contacts as needed to describe key participants in the DB team.

The DB Entity must complete *Form C Addenda Acknowledgement*, *transmit the completed form with the Division 1 requirements*, and include the form in the Division 1 Tab.

DIVISION 2 – PROJECT TEAM INFORMATION

Division 2 seeks information about the makeup of the DB team members and is for identification purposes only. It does not have an evaluative scoring value.

The DB Entity must complete *Form D Project Team Information*. The DB Entity should provide contact information for the members with significant roles on the DB team. At a minimum, provide contact information for the General Contractor, principal engineering firm, and design firm(s). The contact(s) do not need to be an Owner or Officer. Add additional contacts as needed to describe key participants in the DB team.

Provide any explanations or documentation to "Yes" answers as indicated.

DIVISION 3 – DB ENTITY MINIMUM QUALIFICATIONS – PASS/FAIL

Division 3 seeks information about various members of the DB Entity to assess whether they meet the minimum qualifications to work on the Project. Firms intending to prepare Respondents Qualifications are encouraged to self-evaluate their responses on Form E DB Entity Minimum Qualifications to determine whether they meet the minimum qualifications required to submit a Respondents Qualifications.

Evaluation of the responses on *Form E DB Entity Minimum Requirements* is the first step in qualifying potential DB Entities for the Project. A DB Entity that “fails” any one of the questions 1-20 listed on *Form E DB Entity Minimum Qualifications* is automatically disqualified from further evaluation and selection (except for Question 20 to the extent the DB Entity is a party to an alternative dispute resolution system as identified in Question 20).

The DB Entity must complete *Form E DB Entity Minimum Requirements*. Provide any documentation and explanation to “Yes” answers as indicated.

DIVISION 4 – GENERAL CONTRACTOR AND PRINCIPAL ENGINEERING FIRM MINIMUM QUALIFICATIONS SCORED

Division 4 seeks information about the General Contractor and the principal engineering firm's qualifications to assess whether they meet the minimum qualifications to work on the Project. It is important to note that the DB Entity is responsible for submitting a fully qualified team. Unqualified individual team members will disqualify the DB Entity.

Evaluation of the responses to Form F, General Contractor Minimum Qualifications Scored Questions, and Form G, Principal Engineer Minimum Qualifications Scored Questions, is the second step in qualifying potential DB firms for the Project. A DB Entity that “fails” any questions from 2 to 14 on *Form F Project General Contractor Minimum Qualifications Scored Questions* will be disqualified. Failure to explain a “Yes” answer to questions 4 to 6 on *Form G Principal Engineer Minimum Qualifications Scored Questions* may result in DB Entity disqualification.

The DB Entity must complete *Form F, General Contractor Minimum Qualifications*, and *Form G, Principal Engineer Minimum Qualifications*. Provide any documentation and explanations or documentation to “Yes” answers as indicated.

The DB Entity must complete *Form H Score Sheet for General Contractor Minimum Qualifications*. Scoring for this form is based on the answers prepared on *Form F Project Team Minimum Qualifications*. A minimum score of 100 or more must be attained on this score sheet to rate the General Contractor as qualified—a contractor score of 99 or less will rate the General Contractor as unqualified, disqualifying DB Entity.

The DB Entity must complete the *Form I Score Sheet for Principal Engineer Minimum Qualifications*. The scoring for each of these forms is based on the answers prepared on *Form G Principal Engineer Minimum Qualifications Scored Questions*. A minimum score of 67 or more must be attained on this score sheet to rate the Principal Engineer

as qualified—a score of 66 or less will rate the Principal Engineer as unqualified, disqualifying the DB Entity.

DIVISION 5 – REFERENCE PROJECTS DEMONSTRATING DB ENTITY AND DB ENTITY’S TEAM EXPERIENCE

Division 5 seeks information to evaluate the DB Entity’s and DB Entity’s Team’s experience in completing Projects similar to the project. The DB Entity shall submit complete project experience information per the following instructions.

Failure to provide complete project experience information demonstrating comparable experience required by the Project will disqualify the DB Entity.

“Completed Project” as used in this Division 5 means:

- 1). For the General Contractor, the construction work is 100% complete, and the Project has passed the start-up, testing, and commissioning for all facility system components and
- 2) For the Principal Engineering Firm and Other Design Firms, the Project design work is complete, and the construction is either in progress or completed.

“Project Value,” as used in Division 5, represents the individual project cost, including engineering design costs, construction costs, start-up, testing, commissioning, and post-construction tasks such as initial operation support or process optimization services.

The DB Entity will submit reference projects demonstrating expert knowledge and experience in designing and constructing, detailing your ability to accomplish the required services. Direct design and construction experience with Transit Facilities is highly desirable. Experience with alternative project delivery methods (i.e., Design-Build, Progressive Design-Build, Design-Build-Operate, Construction Manager at Risk, etc.) is also highly desirable. In the reference projects, the DB Entity must demonstrate qualifications and experience relevant to the design and construction of this Project (i.e., Transit Administrative, Operation, and Maintenance Facilities).

Each reference project must have been completed within the past fifteen (15) years immediately before issuing this RFQ. Projects must demonstrate the DB Entity’s experience designing and constructing similar facilities in the United States and be over \$5,000,000.

The Authority’s assessment of project experience will also include, but are not limited to, reference checks from project owners. For at least two (2) reference projects, the Authority may interview the Owner Reference identified on *Form J Reference Project Data Sheet* to verify the information provided. The Authority reserves the right to disqualify a project for consideration where the Owner Reference demonstrates a lack of knowledge regarding the specifics of the project in question and for the DB Entity’s performance on that project.

A. General Contractor's Construction Experience and Principal Engineering Firm's Design Experience

The DB Entity shall identify at least four (4) and no more than eight (8) completed projects by the General Contractor and the Principal Engineering Firm. Any project beyond the eighth will not be read nor considered.

Submit a completed *Form J Reference Project Data Sheet* for each reference project. Of the projects submitted,

1. At least three (3) projects must be attributed to the General Contractor of the DB Team. However, only three (3) projects will be considered for Respondents Qualification's evaluation and scoring purposes. Check the appropriate box on *Form J Reference Project Data Sheet* indicating which three (3) projects are attributable to the General Contractor for evaluation and scoring by the Selection Committee.
2. Provide the owner's contact name, agency, address, phone number, and e-mail address. The owner's contact shall be the Project Manager or the best-qualified person to answer project-related questions.

Submit a Project narrative following each Project form. Identify the narrative with the Project number and Project name. The narrative is limited to two (2) pages per Project.

Project Narrative requires the following information in the order listed.

Description of Project. Describe the objectives of the Project, type of Project, size, capacity, and significant challenges during design and construction.

Relevance to the Project. Describe how the Project is applicable and relevant to the Project in terms of scope and size, Project delivery method, technical requirements, regulatory and environmental requirements, and operations and maintenance requirements.

Scope of Services. Describe the scope of services and construction work relative to all phases of Project delivery.

Responsible Firms Role. Describe responsible firms' specific roles in the project's design and construction. Describe team structure and management.

Contract Amount, Change Orders. Explain if the Project was completed within the original construction contract amount. Describe the differences between the final contract amount and the award amount. Identify/describe causes such as owner-added scope, unforeseen conditions, design-related issues, or other circumstances.

Contract Schedule. Provide the current completion status per the "Completed Project" definition above. Explain the Project schedule and schedule challenges. Explain why the actual or Projected completion date

differs from the initial scheduled completion date, including approved time extensions.

Project Data Sheets for Other Design Firms may leave schedule information blank.

Claims and Liquidated Damages. For the reference Project, describe the history of claims, disputes, and litigation over \$50,000 and how they were resolved. State if any liquidated damages were assessed; state if no liquidated damages were assessed.

DB Entity Key Personnel. Indicate the involvement and responsibilities of the DB Entity's key personnel, highlighting Project experiences where they have previously worked together.

Self-Performance and Participation by DB Team Members. If applicable, identify how the DB Entity held a prime role as the General Contractor, the Principal Engineering Firm, or both. Describe the extent of self-performance by the General Contractor, and include a description of the self-performed work. Describe the work that was subcontracted. In addition, describe participation by members of the DB Team's Key Personnel and respective role(s).

Permitting and Compliance. Describe the history of compliance with permit conditions.

Design and Construction Management Techniques. Explain the design collaboration approach and Project delivery strategy; provide an overview of design and construction challenges and how those challenges were addressed; describe any innovative solutions employed.

A. Other Design Firm Experience

For each of the Other Design Firms identified in Division 1, the DB Entity shall locate a minimum of one (1) and no more than two (2) completed Projects by each Other Design Firms. Only reference Projects from a maximum of two (2) Other Design Firms will be considered for evaluation and scoring purposes. If more than two (2) Other Design Firms are listed in Division 1, DB Entity must identify which (2) Other Design Firms it wants to have their reference Project evaluated by the Selection Committee.

These reference Projects shall demonstrate design experience applicable to the requirements for this Project, including design and construction experience with Transit facilities.

Submit a completed *Form J Reference Project Data Sheet* for each reference Project.

1. Provide the owner's contact name, agency, address, phone number, and e-mail address. The owner contact is the Project manager or someone best qualified to answer project-related questions.

Submit a Project Narrative following each Project form. Identify the narrative with the Project number and Project name. The narrative is limited to two (2) pages per Project.

Project Narrative requires the following information in the order listed.

Description of Project. Describe the objectives of the Project, type of Project, size, capacity, and significant challenges during design and construction.

Relevance to the Project. Describe how the Project is applicable and relevant to the Project in terms of scope and size, Project delivery method, technical requirements, regulatory and environmental requirements, and operations and maintenance requirements.

Scope of Services. Describe the scope of services and design work relative to all phases of Project delivery.

Responsible Firms Role. Describe responsible firms' specific roles in the project's design and construction. Describe team structure and management.

Contract Amount, Change Orders. Explain if the Project was completed within the original construction contract amount. Describe the differences between the final contract amount and the award amount. Identify/describe causes such as owner-added scope, unforeseen conditions, design-related issues, or other circumstances.

Contract Schedule. Project Data Sheets for Other Design Firms may leave schedule information blank.

Claims and Liquidated Damages. For the reference Project, describe the history of claims, disputes, and litigation over \$50,000 and how they were resolved. State if any liquidated damages were assessed; state if no liquidated damages were assessed.

DB Entity Key Personnel. Indicate the involvement and responsibilities of the DB Entity's key personnel, highlighting Project experiences where they have previously worked together.

Self-Performance and Participation by DB Team Members. If applicable, identify how the DB Entity held a prime role as the General Contractor, the Principal Engineering Firm, or both. Describe the extent of self-performance by the General Contractor, and include a description of the self-performed work. Describe the work that was subcontracted. In addition, describe participation by members of the DB Team's Key Personnel and respective role(s).

Permitting and Compliance. Describe the history of compliance with permit conditions.

Design and Construction Management Techniques. Explain the design collaboration approach and Project delivery strategy; provide an overview of design and construction challenges and how those challenges were addressed; describe any innovative solutions employed.

DIVISION 6 - KEY PERSONNEL EXPERIENCE

Division 6 will gather information to determine the experience of the key personnel proposed for the DB Team. The Authority may interview the Owner Reference provided in the Division 6 Key Personnel Project Data Sheet to verify the information provided for each Key Personnel listed.

The Authority considers the Key Personnel material to the success of the project's construction. Pre-qualified DB Entities will be required to retain the Key Personnel proposed as part of this RFQ process on their proposals. Should any changes to Key Personnel be required, the DB Entity must resubmit all applicable qualification documents and be subject to a revised qualification score. The Design-Build Contract will include a provision requiring the DB Entity to assign the personnel identified in this RFQ to the Project.

The DB Entity's proposed Project Manager, Principal Engineer, Lead Design Engineer, On-Site Project Manager, and Start-Up Manager for the Project must each have at least six (6) years of relevant professional experience and have worked on a minimum of two (2) Projects that are comparable to this Project, and in the same role as proposed for this Project. Failure to meet the above minimum requirements for Key Personnel experience will disqualify the DB Entity.

Key Personnel for this Project are:

1. Project Manager (having overall responsibilities for design and construction);
2. Principal Engineer (Engineer of Record, having primary responsibilities for Design Services under the Design-Build Contract);

Submit DB Entity's proposed Project team on *Form K – Key Personnel Experience* describing all the key personnel or equivalent positions listed above. For each person on Form K, indicate the role or responsibility this person will have for the Project. If any persons on Form K provided the same/similar role on a Reference Project submitted in Division 5, Form J, indicate the Project number on Form K.

Provide resumes for each person listed on *Form K - Key Personnel Experience*.

If any key personnel listed on Form K did not participate in a reference Project in Division 5, additional Project experience must be submitted. For Project Manager and Principal Engineer, submit three (3) Projects using *Form J Reference Project Data Sheet*. Provide one (1) Project using *Form J Reference Project Data Sheet* for each of all other remaining Key Personnel.

DIVISION 7 – FINANCIAL CAPABILITY

The data provided in Division 7 will be used to determine the scores for the Financial Capability criterion. The financial information requested will be confidential and not subject to the California Public Records Act.

The DB Entity shall provide financial information for each of the following DB Team members:

A. DB Entity

1. A copy of the most recent Dunn and Bradstreet report. If such a report is unavailable, please provide a statement in your response. The financial information must be for the company(s) that comprise the DB Entity, not the parent company unless the parent company acts as the Guarantor.
2. A copy of the most recent long-term issuer credit rating report from Fitch, Moody's, or S&P. If such report is unavailable, please provide a statement to that effect in your response.
3. A copy of the most recent audited financial statements for the past three (3) fiscal years (U.S. GAAP basis) or verified balance sheets. Including the balance sheet, income statement, statement of cash flows, and notes on the financial statements.

B. General Contractor

1. A copy of the most recent Dunn and Bradstreet report. If such a report is unavailable, please provide a statement in your response.
2. A copy of the most recent long-term issuer credit rating report from Fitch, Moody's, or S&P. If such report is unavailable, please provide a statement to that effect in your response.
3. A copy of the most recent audited financial statements for the past three (3) fiscal years (U.S. GAAP basis) or verified balance sheets. Including the balance sheet, income statement, statement of cash flows, and notes on the financial statements.

C. Principal Engineering Firm

1. A copy of the most recent Dunn and Bradstreet report. If such a report is unavailable, please provide a statement in your response.
2. A copy of the most recent long-term issuer credit rating report from Fitch, Moody's, or S&P. If such report is unavailable, please provide a statement to that effect in your response.
3. A copy of the most recent audited financial statements for the past three (3) fiscal years (U.S. GAAP basis) or verified balance sheets. Including the balance sheet, income statement, statement of cash flows, and notes on the financial statements.

DIVISION 8 – ORGANIZATIONAL AND MANAGEMENT APPROACH

The information provided in Division 8 will facilitate understanding the proposed DB Entity and Team structure and the reporting relationships of individual Key Personnel within that structure. However, this division does not have a direct evaluative scoring value.

This description and the organization chart(s) shall be limited to ten pages.

A. Organizational Chart(s)

1. Include an organizational chart(s) showing the “chain of command” flow with lines identifying participants responsible for performing the primary functions and reporting relationships in managing, designing, and constructing the Project.
2. Provide Stage 1 and Stage 2 organizational charts showing the reporting relationships and responsibilities of the DB Entity and any other firms, and describe the DB Entity’s approach to managing such firms.
3. Provide Stage 1 and Stage 2 organizational charts showing the reporting relationships and responsibilities of all Key Personnel (along with their firm affiliations) and briefly describe the DB Entity’s approach to managing such Key Personnel on a separate sheet.

B. Description Of Design-Build Management Approach

1. Provide a narrative description of the DB Entity’s management and organizational approach for accomplishing the Project. The narrative description should describe the methodology for integrating the DB Entity and the different areas of expertise within the team into an efficient and effective organization. The management approach must reflect an understanding of using the design-build project delivery methodology for projects with scope and complexity comparable to this Project.
2. The narrative description shall also briefly describe the significant functional relationships among participants outlined in the organization chart below and how the proposed organization will function as an integrated Design-Build Team.

A completed submission consists of all completed Divisions 1 - 8, including all requested attachments as required.

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SECTION 3 – INTENDED PROJECT SCOPE OF WORK

3.1 PROJECT BACKGROUND

To address significant fleet capacity and operational constraints, the Authority needs to construct a new, purpose-built operations, maintenance, and administration facility. The project site is 19.72 acres and will accommodate future system growth.

The Yuba-Sutter Next Generation Transit Facility (NextGen Facility) is to include the following facilities and functions:

- Administration and Operations Building
- Vehicle Maintenance Building
- Vehicle fueling and wash facilities
- Agency revenue and non-revenue vehicle parking
- Mobility hub with shared-ride vehicle parking and enhanced bus stop on North Beale Road
- Battery electric bus (BEB), cutaway shuttle, and van charging infrastructure and accommodations for future charging infrastructure expansion.
- *Non-revenue electric vehicle (EV) private and public charging infrastructure (Refer to drawings for quantity and locations of partial non-revenue charging infrastructure installed with this project's construction and accommodations for future charging infrastructure expansion.)
- Employee/visitor parking, including electric vehicle charging
- *Provisions for future trailered hydrogen mobile fueler and/or future fixed liquid hydrogen storage and compression yard to supply hydrogen dispensers at vehicle service facility
- *Provisions for a public hydrogen fueling facility
- A new signalized intersection at North Beale Road and Avondale Avenue
- Site and street lighting, including new street lighting and road and sidewalk improvements on Avondale Avenue

****These items may or may not be included in the base scope at the sole discretion of the Authority.***

The Authority is now seeking firms for the final design and construction of the NextGen Facility in accordance with the content and requirements outlined in this Request for Qualifications (RFQ). The Authority will provide the full Project Manual, which includes performance specifications to be used by the Design-Builder. The Design-Builder will use the performance specifications to finalize the design and specifications and execute the construction work.

3.2 PROJECT BUDGET

The Project Design-Build budget is \$50,000,000 - \$60,000,000. This is considered the total Project Value for this project.

This Project is funded by the State of California, Federal Transit Administration (federal) funds, and Yuba-Sutter Transit Authority funds and is subject to defined federal

implementation and reporting requirements. Federal “Buy America” requirements in accordance with 49 CFR 661 and “Build America Buy America” requirements in accordance with 2 CFR Part 184 will apply to this project.

This Project is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs. A separate goal has not been established for this procurement.

3.3 ENVIRONMENTAL REVIEW

It is not anticipated that the Design-Builder will be required to conduct any environmental studies relating to the construction project.

3.4 PROJECT SCHEDULE

The construction effort is intended to have a duration of approximately 16 months.

3.5 DESIGN-BUILDER ROLE AND RESPONSIBILITIES

The Design-Builder (DB) will cooperate with the Authority and promptly provide the work and services necessary to complete the Project. Design-Builder responsibilities may include:

- Use the project manual provided to complete the final design and construction documents.
- Obtain all necessary site investigations, studies, and all other information to design and construct the Project.
- Provide pre-construction services, including cost estimating, procurement planning, constructability, and value engineering.
- Procure all non-authority-provided permits, licenses, and approvals required for the construction processes.
- Provide construction services, supervising Design-Builder personnel and subcontractors.
- Establish and implement quality-management procedures, including Project health and safety practices.
- Construct the Project and meet specified construction milestones and the agreed-upon completion date.
- Conduct acceptance testing, startup, and commissioning for the facility as instructed by the Authority.
- Provide County-approved as-built record drawings and specifications in physical and digital formats.
- Provide warranty coverage.

3.6 AUTHORITY ROLE AND RESPONSIBILITIES

The Authority will cooperate with the Design-Builder and will fulfill its responsibilities promptly to facilitate the timely and efficient performance of work and services. Authority or Authority's designated representatives' responsibilities may include:

- Review submissions and provide comments to Design-Builder.
- Provide Authority requirements and preferences including, but not limited to, performance requirements, operations and maintenance preferences, equipment requirements, and single-source equipment preferences.
- Furnish existing studies and provide complete, accurate, and reliable data and information regarding the Project, preliminary studies, and environmental studies.
- Provide information and provide (or engage the Design-Builder to perform) additional studies necessary to complete the Project.
- Provide access to the Project site.
- Obtain the governmental approvals and permits the Authority is responsible for, and assist the Design-Builder in obtaining governmental approvals and permits for which it is responsible.
- Provide adequate funding.

- END OF ANTICIPATED SCOPE OF WORK -

SECTION 4 – EVALUATION AND SELECTION CRITERIA

4.0 PROCUREMENT PROCESS

The Authority's selection committee will review and evaluate the respondents' qualifications to create a short list of no more than six highly qualified respondents. The rating of the Design-Build Entity will be based on the top six total scores for the individual sections of the questionnaire.

All Respondents' qualifications will first be reviewed for their responsiveness outlined in Section 2, including timely receipt of the package and inclusion of all required forms. Any incomplete Respondent Qualification in any material respect may be deemed non-responsive and rejected.

Responses to any Authority-issued Request for Proposals (RFP) will only be accepted by qualified short-listed Respondents.

The RFP is not anticipated to limit the number of services and work that the Design-Builder (DB) Entity may propose to self-perform.

All subcontracts not listed by the design-build entity shall be awarded by the design-build entity. The design-build entity shall do both of the following:

- (1) Provide public notice of the availability of work to be subcontracted following the publication requirements applicable to the competitive bidding process of the Authority.
- (2) Provide a fixed date and time on which the subcontracted work will be awarded. Subcontractors bidding on contracts under this article shall be afforded the protections in Chapter 4 (commencing with Section 4100) of Part 1 of Division 2 of the Public Contract Code.

The Authority will require all subcontractors providing construction work exceeding \$250,000 to have had a prior working relationship with the prime contractor within the past 10 years.

The RFQ requires the DB Entity to identify and supply information regarding the DB Entity (which is the entity that will execute the Design-Build Contract), the General Contractor, the Principal Engineering Firm, and Other Design Firms (if any).

4.1 EVALUATION OF MINIMUM REQUIREMENTS

The Authority's selection committee will review and evaluate the Respondents' qualifications according to the requirements and criteria outlined in this section.

All Respondents' Qualifications will be reviewed for responsiveness, including timely receipt of the package and all required forms. Any Respondents' incomplete Qualifications in any material respect may be deemed non-responsive and rejected.

The initial evaluation of DB Entities will be based on information provided in response to the minimum requirements outlined in Division 3. If the DB Entity "fails" any questions posed in Division 3 or does not obtain the minimum score in Division 4, they will be disqualified from further consideration.

Those DB Entities that pass the minimum requirements outlined in Divisions 3 and 4, will be further evaluated on the Respondents Qualification's submittal information for Divisions 5, 6, and 7. Ranking will be based on earning up to 100 points as follows:

- ✓ DB Entity and DB Team Experience: 40% of total scores for all criteria,
- ✓ Key Personnel Experience: 40% of total scores for all criteria, and
- ✓ Financial Capability: 20% of total scores for all criteria.

A. DB Entity and DB Team Experience Evaluation:

The information provided in Division 5, DB Entity and DB Team Experience will be used to evaluate the DB Entity's and DB Team's experience based on the following criteria:

1. Experience of the DB Entity and firms comprising the DB Entity and DB Team with alternative Project delivery methods (i.e., Design-Build, Progressive Design-Build, Design-Build-Operate, Construction Manager at Risk, etc.). Specific experience with the Design-Build Project delivery method is highly desirable.
2. Prior working relationships of the DB Entity and DB Team firms.
3. Experience with planning and design of Projects similar in size and scope to this Project.
4. Experience with construction and construction management of Projects similar in size and type to this Project.
5. Demonstrated experience in outreach efforts with the public, agencies having jurisdiction, and other interested public and private agencies and parties during design and construction of similar Projects.

B. Key Personnel Experience Evaluation:

The information provided in Division 6: Key Personnel Experience will be used to evaluate the DB Entity's Key Personnel experience using the following criteria:

1. Key Personnel's design and design management experience and past performance on Projects of size and scope comparable to this Project.
2. Key Personnel's construction and construction management experience and past performance on Projects of size and scope comparable to this Project.
3. Key Personnel have had prior working relationships on the referenced Projects.
4. Key Personnel's experience with alternative Project delivery methods (Design-Build, Progressive Design-Build, Design-Build-Operate, Construction Manager at Risk, etc.). Specific experience with the Design-Build Project delivery method is highly desirable.
5. Successful implementation of quality control management plans during Project design.
6. Successful implementation of construction quality control management plans during Project construction.
7. Key Personnel's experience in planning, managing, and performing plant startup,

commissioning, and owner staff training.

8. Key Personnel's experience providing post-construction services such as initial operations and process optimization support.

C. Financial Capability Evaluation:

The information provided in Division 7: Financial Capability will be used to evaluate the DB Entity's financial capability using the following criteria:

1. Profitability and growth
2. Solvency
3. Financial efficiency
4. Bond, credit, and other ratings

4.2 RANKING OF RESPONDENTS' QUALIFICATIONS AND SHORTLIST

DB Entities that meet the minimum requirements in Section 4.1 will continue to be assessed based on their responses in Divisions 5, 6, and 7, and will be ranked according to their final evaluation scores from those divisions.

The Authority expects to shortlist the most qualified DB Entities (up to six) based on the highest evaluation scores. Upon conclusion of the Respondents' Qualifications evaluation process, the Authority will notify all respondents of the evaluation results.

The shortlisted DB Entities will be issued a Request for Proposal on the Project.

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SECTION 5 – REQUIRED FORMS

Division 1: DB Entity Information and Certification

- Form A Transmittal Cover Page
- Form B Contact Information
- Form C Addenda Acknowledgment

Division 2: Project Team Information

- Form D Project Team Information

Division 3: DB Entity Minimum Qualifications

- Form E DB Entity Minimum Requirements

Division 4: General Contractor and Principal Engineering Firm Minimum Qualifications

- Form F General Contractor Minimum Qualifications Scored Questions
- Form G Principal Engineer Minimum Qualifications Scored Questions
- Form H Score Sheet For General Contractor Minimum Qualifications
- Form I Score Sheet For Principal Engineer Minimum Qualifications
- Form J Reference Project Data Sheet
- Form K Key Personnel Experience

FORM A: TRANSMITTAL COVER PAGE

Response To Request For Qualifications To Design and Build the Yuba Sutter Next Generation Transit Facility

DB Entity Legal Name	
Principal Office Street Address	
City, ST, Zip	
Phone Number	
DB Entity Legal Structure	() Corporation () Sole Proprietorship
	() Joint Venture () Other (Specify)_____
Date of Formation or Incorporation	
Under the Laws of	
Which State	

CERTIFICATION

The undersigned is/are a legally authorized representative(s) of the DB Entity, and at this moment, certify that I am/we are submitting this Request for Qualifications; I am/we are duly authorized to sign this Request for Qualifications on behalf of the firm named above; that the statement has been checked for errors and omissions; I/we have read all the answers herein and know all of their contents; and that all information outlined in this Request for Qualifications and all attachments hereto are, to the best of my/our knowledge, true, accurate, current and complete as of its submission date.

I/We certify that this DB Entity is NOT on the U.S. Comptroller General's list of ineligible firms for federally financed and assisted construction, materials, equipment contracts, or services.

The undersigned certifies and declares under penalty of perjury under the laws of the State of California that the preceding is true and correct and that this declaration was executed in Yuba County, California, on

_____(Date).

DB ENTITY SIGNATURE(S)

No Request for Qualifications not signed in ink in the appropriate space below shall be accepted.
Select the appropriate legal structure for the execution of the certification.

1. If DB Entity is an **INDIVIDUAL**, sign here (include a notarized affidavit attesting to the authenticity of said signature):

Printed Name: _____ Title: _____

Signature: _____ Date: _____

2. If DB Entity is a **PARTNERSHIP** or **JOINT VENTURE**, all general Partners or members shall sign here (include a notarized affidavit attesting to the authenticity of said signatures).

Partnership/Joint Venture Name: _____

Member/Partner Name: _____ Title: _____

Member/Partner Signature: _____

Date: _____

Member/Partner Name: _____ Title: _____

Member/Partner Signature: _____

Date: _____

Member/Partner Name: _____ Title: _____

Member/Partner Signature: _____

Date: _____

3. If DB Entity is a **CORPORATION**, the duly authorized officer (s) shall sign as follows:

The undersigned certify that they are, respectively _____(Title) and _____ (Title) of the corporation named below; that they are designated to sign this RFQ Transmittal Cover Page by resolution (*attach a certified copy, with corporate seal, if applicable, notarized as to its authenticity or Secretary's certificate of authorization*) for and on behalf of the below named CORPORATION, and that they are authorized to execute same for and on behalf of said CORPORATION.

Corporation Name: _____

Printed Name: _____ Title: _____

Signature: _____ Date _____

Printed Name: _____ Title: _____

Signature: _____ Date _____

4. If the Respondent is an **OTHER legal entity**, an authorized representative of the entity shall sign here (include a notarized affidavit attesting to the authenticity of said signatures).

Entity Name: _____

Printed Name: _____ Title: _____

Signature: _____ Date _____

5. If the DB Entity is a **FIRM THAT HAS NOT YET BEEN FORMED**, all entities and other parties proposed to comprise such DB Entity shall sign here (include a notarized affidavit attesting to the authenticity of said signatures), the individual signatories making the certification described above on behalf of such entities/parties:

Proposed DB Entity Name: _____

On Behalf of Proposed Member/Partner Name: _____

Printed Name: _____ Title: _____

Signature: _____ Date _____

On Behalf of Proposed Member/Partner Name: _____

Printed Name: _____ Title: _____

Signature: _____ Date _____

On Behalf of Proposed Member/Partner Name: _____

Printed Name: _____ Title: _____

Signature: _____ Date _____

On Behalf of Proposed Member/Partner Name: _____

Printed Name: _____ Title: _____

Signature: _____ Date _____

– End of FORM A –

FORM B: CONTACT INFORMATION

The DB Entity must provide all of the following contact information for the DB Entity team: List the person(s) who will be the key contacts for the Design Team. The contact (s) do not need to be the Owner or Officer.

CONTACT INFORMATION FOR DB ENTITY

The DB Entity's primary and secondary contacts will be the key contacts for all communications related to this RFQ and subsequent Respondent Qualifications.

Firm Name: _____

Primary Representative Name: _____

Primary Representative Title: _____

Telephone Number: _____

Email Address: _____

Secondary Representative
Name: _____

Secondary Representative Title: _____

Telephone Number: _____

Email Address: _____

Is the firm a qualified DBE? ☐ No ☐ Yes, Qualifying Agency: _____

CONTACT INFORMATION FOR GENERAL CONTRACTOR (if different from DB Entity)

Firm Name: _____

Primary Representative Name: _____

Primary Representative Title: _____

Telephone Number: _____

Email Address: _____

Is the firm a qualified DBE? ☐ No ☐ Yes, Qualifying Agency: _____

CONTACT INFORMATION FOR PRINCIPAL ENGINEERING FIRM (if different from DB Entity)

Firm Name: _____

Primary Representative Name: _____

Primary Representative Title: _____

Telephone Number: _____

Email Address: _____

Is the firm a qualified DBE? ☐ No ☐ Yes, Qualifying Agency: _____

CONTACT INFORMATION FOR DESIGN FIRM(S) (if different from DB Entity)

Firm Name: _____

Primary Representative Name: _____

Primary Representative Title: _____

Telephone Number: _____

Email Address: _____

Is the firm a qualified DBE? ☐ No ☐ Yes, Qualifying Agency: _____

Work to be performed: _____

Firm Name: _____
Primary Representative Name: _____
Primary Representative Title: _____
Telephone Number: _____
Email Address: _____
Is the firm a qualified DBE? ☐ No ☐ Yes, Qualifying Agency: _____
Work to be performed: _____

Firm Name: _____
Primary Representative Name: _____
Primary Representative Title: _____
Telephone Number: _____
Email Address: _____
Is the firm a qualified DBE? ☐ No ☐ Yes, Qualifying Agency: _____
Work to be performed: _____

Firm Name: _____
Primary Representative Name: _____
Primary Representative Title: _____
Telephone Number: _____
Email Address: _____
Is the firm a qualified DBE? ☐ No ☐ Yes, Qualifying Agency: _____
Work to be performed: _____

NOTE: Attach additional pages for additional DB Entity team members as necessary.

–End of FORM B–

FORM C: ADDENDA ACKNOWLEDGMENT

CONTRACTOR NAME:

The contractor hereby acknowledges that it has received and read the following Addenda:

Addendum # **Signature** _____

Addendum # **Signature** _____

Addendum # **Signature** _____

Addendum # **Signature** _____

Addendum # **Signature** _____

–End of FORM C–

FORM D: PROJECT TEAM INFORMATION

1. GENERAL CONTRACTOR INFORMATION

General Contractor Legal Name _____

Principal Office Street Address _____

City, ST, Zip _____

Phone Number _____

General Contractor Legal Structure ☐ Corporation ☐ Partnership
☐ Joint Venture ☐ Other (Explain)

Date of Formation or Incorporation _____

Under the Laws of Which State _____

- A.** If the General Contractor is a **corporation**, provide all the following information as of the date of issuance of this RFQ for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer) or (b) the owner of at least 10% of the corporation's stock.

[illegible]

Identify every construction firm that any person listed above has been associated with as owner, general partner, limited partner, or officer at any time during the last five years immediately before this RFQ's issuance date.

For this information, "owner" and "partner" refer to ownership of ten percent (10%) or more of the business or ten percent (10%) or more of its stock if the company is a corporation.

NOT A PUBLIC RECORD

Person's Name	Construction Firm	Dates of Person's Participation with Firm

B. If the General Contractor is a **sole proprietorship**, complete the following:

Owner Name	Years as Owner

Identify every construction firm that the business owner has been associated with (as owner, general partner, limited partner, or officer) at any time during the last five years (immediately before the date of issuance of this RFQ).

For this information, "owner" and "partner" refer to ownership of ten percent (10%) or more of the business or ten percent (10%) or more of its stock if the company is a corporation.

NOT A PUBLIC RECORD

Person's Name	Construction Firm	Dates of Person's Participation with Firm

- C. If the General Contractor is a **joint venture, partnership, or other legal entity (other than a corporation)**, provide all the following information as of the date of issuance of this RFQ for each member of the joint venture, each partner or each other legal entity member who owns ten percent (10%) or more of the firm (attach additional pages if necessary).

Name of Individual or Entity	Principal Contact Name	Position	Years with JV / Partnership / Association	% Ownership / Interest

Identify every construction company that any partner has been associated with (as owner, general partner, limited partner, or officer) at any time during the last five years immediately before this RFQ's issuance date.

For this information, "owner" and "partner" refer to ownership of ten percent (10%) or more of the business or ten percent (10%) or more of its stock if the company is a corporation.

NOT A PUBLIC RECORD

Person's Name	Construction Firm	Dates of Person's Participation with Firm

- D.** Has there been any change in ownership of the General Contractor at any time during the last three (3) years immediately before this RFQ's issuance date? A corporation whose shares are publicly traded is not required to answer this question but must check the "Publicly Traded" box.

☐ Yes

☐ No

☐ Publicly Traded

If "yes," explain on a separate page.

- E.** Is the General Contractor a subsidiary, parent, holding company, or affiliate of another construction or design firm?

If "yes," include information about other firms, such as if one firm owns 50 percent or more of another or if an owner, partner, or officer of your firm holds a similar position in another firm.

- F.** Are any corporate officers, partners, or owners connected to other design or construction firms?

☐ Yes

☐ No

If "yes," include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.

- G.** List, all license numbers, classifications, and expiration dates of the California contractor's licenses held by the General Contractor, including any licenses or registration with the California Department of Industrial Relations required under SB 854:

License Number	Trade Classification	Date Issued	Expiration Date

- H.** If any of your firm's license(s) are held in the name of a corporation or partnership,

list below the names of the qualifying individual(s) listed on the California State Licensing Board (CSLB) records who meet(s) the experience and examination requirements for each license.

License Number	Trade Classification	Qualifying Individual Name

- I. Has the General Contractor changed names or license numbers in the past five (5) years immediately before this RFQ's issuance date?

☐ Yes

☐ No

If "yes," explain on a separate page, including the reason for the change.

- J. Has any owner, partner, or, for corporations, an officer of your firm operated a construction firm under any other name in the last five (5) years immediately before this RFQ's issuance date?

☐ Yes

☐ No

If "yes," explain on a separate page.

- K. Provide surety information for the General Contractor.

Bonding Company/Surety Name: _____

Surety Agent name: _____

Surety Agent Street Address: _____

City, ST, Zip: _____

Phone Number: _____

- L. Provide all other sureties (name and full address) that have written bonds for the

General Contractor during the last five years (immediately before the date of issuance of this RFQ). Include the periods during which each wrote the bonds.

Surety Company Name	Street Address City, ST, ZIP	Periods of Coverage

- M.** Describe your worker safety program on a separate page and explain how it is monitored to ensure its effectiveness.

(REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

2. INFORMATION ABOUT THE PRINCIPAL ENGINEERING FIRM

A. Provide the following:

Name of Principal Engineering Firm: _____

Name of Principal Engineer: _____

License Number: _____

Years in Practice: _____

B. Is the Principal Engineering Firm different from that of the General Contractor?

☐ Yes; answer all questions

☐ No; proceed to Question 11

C. Date of company formation or incorporation: _____

D. Under the laws of what state: _____

E. Principal Engineering Firm is a (select one and provide requested information):

☐ Corporation – provide information in 5a

☐ Sole proprietorship – provide information in 5b

☐ Joint Venture, Partnership, or Other legal entity – provide information in 5c

E1. If the Principal Engineering Firm is a **corporation**, provide all the following information as of the date of issuance of this RFQ for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least 10% of the corporation's stock.

Person's Name	Position	Years with Co.	% Ownership
	CEO		
	President		
	Secretary		
	Treasurer		

E2. If the Principal Engineering Firm is a **sole proprietorship**, complete the following:

Owner	Years as Owner

E3. If the Principal Engineering Firm is a ***joint venture, partnership, or other legal entity (other than a corporation)***, provide all the following information as of the date of issuance of this RFQ for each member of the joint venture, each partner, or each other legal entity member who owns ten (10) percent or more of the firm (*attach additional pages if necessary*).

Name of Individual or Entity	Principal Contact	Position	Years with JV/ Partnership/ Association	% Ownership Interest

F. Has there been any change in ownership of the Principal Engineering Firm during the last three (3) years (immediately before the date of issuance of this RFQ)?

NOTE: A corporation whose shares are publicly traded is not required to answer this question but must check the "Publicly Traded" box.

- ☐ Yes (*If "yes," explain on a separate page.*)
☐ No
☐ Publicly Traded

G. Is the Principal Engineering Firm a subsidiary, parent, holding company, or affiliate of another design or construction firm?

NOTE: Include information about other firms, such as if one firm owns fifty (50) percent or more of another or if an owner, partner, or officer of your firm holds a similar position in another firm.

- ☐ Yes (*If "yes," explain on a separate page.*)
☐ No

H. Has any corporate officers, partners, or owners of the Principal Engineering Firm worked for any other engineering or architectural firms in the past five (5) years (immediately before the date of issuance of this RFQ)?

NOTE: If an owner, partner, or officer of your firm holds a similar position in another firm, include information about other firms.

- ☐ Yes (*If "yes," explain on a separate page.*)
☐ No

- I. Has the Principal Engineering Firm changed names in the past five (5) years (immediately before the date of issuance of this RFQ)?
- ☐ Yes (If "yes," explain on a separate page, including the reason for the change.)
- ☐ No

Provide the following information for all known Engineers and Architects who will be working on the design for this Project: *(attach additional pages if necessary)*

Engineer/ Architect	Discipline	License Number	Years in Practice

3. INFORMATION ABOUT THE OTHER DESIGN FIRMS, IF ANY

Provide the information below for each other design firm identified in the contact information section of Form B.

1. Name of Other Design Firm: _____
- Element of Design to be Performed: _____

Provide the following information for all known Engineers and Architects of this Other Design Firm who will be working on the design for this Project: *(attach additional pages if necessary)*

Engineer/ Architect	Discipline	License Number	Years in Practice

2. Name of Other Design Firm: _____
- Element of Design to be Performed: _____

Provide the following information for all known Engineers and Architects of this Other Design Firm who will be providing detailed design for this Project: *(attach additional pages if necessary)*

Engineer/ Architect	Discipline	License Number	Years in Practice

NOTE: Attach additional pages for additional Other Design Firms if necessary.

–End of FORM D–

FORM E: DB ENTITY MINIMUM REQUIREMENTS

THE DB ENTITY IS AUTOMATICALLY DISQUALIFIED IF THE ANSWER TO ANY QUESTIONS 1 THROUGH 5 IS "NO. "

1. Does the General Contractor possess a valid and current California Class "B" General Building Contractor's License for this Project for which the DB Entity intends to submit a proposal?

☐ Yes

☐ No

2. Refer to Attachment A – Insurance Requirements of this RFQ regarding insurance requirements for this Project. Can the DB Entity obtain (or has) insurance in the limits stated in Attachment A – Insurance Requirements?

☐ Yes

☐ No

If "Yes," provide a notarized declaration from the Insurance Company or the broker/agent stating that the DB Entity can obtain or has insurance in the limits stated in Attachment A – Insurance Requirements.

3. Does the General Contractor and each proposed subcontractor have current workers' compensation insurance coverage as the Labor Code requires, or are they legally self-insured under Labor Code section 3700 et. seq.?

☐ Yes

☐ No

4. Can the DB Entity obtain performance and payment bonds for the Project, which is expected to involve a construction contract cost as defined in Section 2.3 of this RFQ?

☐ Yes

☐ No

If "Yes," provide surety information for DB Entity.

Bonding Company/Surety Name: _____

Surety Agent name: _____

Surety Agent Street Address: _____

City, ST, Zip: _____

Phone Number: _____

Provide a notarized statement from the Surety Company stating the amount of bonding currently available to the DB Entity for this estimated construction contract cost. The notarized statement must be from the surety company, not an agent or broker.

5. Has the financial information required in Section 5, Division 7: Financial Capability been provided?

☐ Yes

☐ No

Note: Include the financial information in DIVISION 7: FINANCIAL.

THE DB ENTITY IS AUTOMATICALLY DISQUALIFIED IF THE ANSWER TO ANY QUESTIONS 6 THROUGH 12 IS "YES".

6. Has any contractor license held by the General Contractor or any member of the proposed DB Team been revoked or suspended without a successful appeal for reinstatement within the last five (5) years immediately before the issuance of this RFQ?

☐ Yes

☐ No

7. Within the last five (5) years, immediately before the issuance of this RFQ, has a surety firm completed a contract or paid for completion of a contract on behalf of the General Contractor or any member of the DB Team?

☐ Yes

☐ No

8. At the time of submitting this Respondent Qualification, is the General Contractor or any member of the DB Team ineligible to bid on or be awarded a public works contract with the Authority or any other public agency, for any reason, including as a result of a voluntary settlement agreement?

☐ Yes

☐ No

9. When submitting this Respondent Qualification, is the General Contractor or any member of the DB Team ineligible to bid on or be awarded a public works contract under either Labor Code section 1777.1 or Labor Code section 1777.7?

☐ Yes

☐ No

10. At any time during the last five (5) years immediately before the issuance of this RFQ, has the General Contractor or any member of the DB Team 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?

☐ Yes

☐ No

11. Has any professional license, credential, or registration held by any Architect who will provide services been revoked or suspended at any time in the last five years immediately before the issuance of this RFQ?

☐ Yes

☐ No

12. Has any professional license, credential, or registration held by any Engineer who will provide services been revoked or suspended at any time in the last five years immediately before the issuance of this RFQ?

☐ Yes

☐ No

THE DB ENTITY IS AUTOMATICALLY DISQUALIFIED IF THE ANSWER TO QUESTIONS 13 THROUGH 16 ARE "NO".

13. Do all architects, lead design engineers, and the principal engineer expected to work on the Project possess current California professional licenses for the services they intend to provide?

☐ Yes

☐ No

14. Under Public Contract Code Section 22164(c), the DB Entity and all subcontractors hereby agree to use a "skilled and trained safety" to perform all work on the Project that falls within an "apprenticeable occupation" in the building and construction trades.

☐ Yes, the DB Entity and all subcontractors will use a "skilled and trained workforce."

☐ No

15. Has the principal engineering firm that will design the Project completed the design of at least three similar structures within the last 15 years before issuance of this RFQ?

For this question, the design work must be 100% complete, and construction must be either in progress or completed.

☐ Yes

☐ No

State the name of the Projects below and list the Projects in Form J Reference Project Data Sheet and Form K Key Personnel Experience:

16. Has the General Contractor that will construct the Project completed the construction of at least three similar Projects in the United States with a final Project value of at least \$5,000,000 within the last 15 years before issuance of this RFQ?

Refer to Division 5 for the definition of "Project value." For this question, the construction work is 100% complete, and the Project has passed the start-up, testing, and commissioning for all facility system components.

☐ Yes

☐ No

State the name of the Projects below and list the Projects in Form J Reference Project Data Sheet and Form K Key Personnel Experience:

17. Experience Modification Rate (EMR). **The DB Entity may be disqualified if the three-year average EMR exceeds 1.0.**

- A. Provide the required EMR rate for the general contractor who has performed work in California. List the General Contractor's EMR (California workers' compensation insurance rate) for the past three premium years and calculate the three-year average.

	Premium Year	EMR
The most recent available year		
Previous year		
The year before the previous year		
Three-year average EMR:		

- B. Provide the required Interstate EMR Rate for the General Contractor that has not performed work in California. If your firm has not performed work in California during at least the three most recent years, you must list below your firm's Interstate Experience Modification Rate for each of the past three premium years and calculate the three-year average.

You must also attach to this submittal documentation clearly showing an Interstate Experience Modification Rate for the past three premium years.

Leave the following table empty if you have performed work in California during the three most recent years.

	Premium Year	Interstate EMR
The most recent available year		
Previous year		
The year before the previous year		
Three-year average Interstate EMR:		

For questions 18 through 20: The average total recordable injury and illness rate (also known as OSHA Incidence Rate) and average lost work rate (also known as the Lost Workday Incidence Rate) for the most recent three-year period must not exceed the applicable statistical standards for its business category. As an alternative, a DB Entity may be deemed to have an acceptable safety record in those categories if the DB Entity is a party to an alternative dispute resolution system, as provided for in Section 3201.5 of the Labor Code. The DB Entity is automatically disqualified if none of these requirements are met.

18. List the General Contractor's total recordable injury/illness rate for the past three premium years; include the applicable statistical standard for that year of the appropriate category; and calculate the three-year average.

	Premium Year	Average total recordable injury/illness rate	Applicable statistical standard for that year	Applicable business category (describe category)
Most Recent available year				
Previous year				
Year before previous year				
Three-year average:				

19. List the General Contractor's lost work rate for the past three premium years and include the applicable statistical standard for that year's appropriate category; calculate the three-year average.

	Premium Year	Average lost work rate	Applicable statistical standard for that year	Applicable business category (describe category)
Most Recent available year				
Previous year				
Year before previous year				
Three-year average:				

20. Is your firm a party to an alternative dispute resolution system as provided for in Section 3201.5 of the Labor Code?

☐ No

☐ Yes

If "yes," attach a separate page describing how your firm is a party to an alternative dispute resolution system.

– End of FORM E –

FORM F: GENERAL CONTRACTOR MINIMUM QUALIFICATIONS SCORED QUESTIONS

Provide the following information about the General Contractor that will construct the Project. If the General Contractor is the DB Entity, provide all requested information related to the DB Entity.

Name of General Contractor: _____

F-1. How long has the General Contractor been licensed in California under their present business name and license number?

☐ 10 years or more ☐ 8 to 9 years ☐ 6 to 7 years ☐ 5 years or less

Failure to provide documentation for a “Yes” answer to Questions F-2 and F-3 may result in immediate DB Entity disqualification.

F-2. Is the General Contractor currently the debtor in a bankruptcy case?

☐ Yes ☐ No

If “yes,” provide a copy of the bankruptcy petition, showing the case number and the date the petition was filed.

F-3. Was the General Contractor in bankruptcy during the last five (5) years immediately before the issuance of this RFQ? This question refers only to a bankruptcy action not described in answer to question F-2 above.

☐ Yes ☐ No

If “yes,” provide a copy of the bankruptcy petition, showing the case number and the date on which the petition was filed, and a copy of the Bankruptcy Court’s discharge order or any other document ending the case if no discharge order was issued.

Failure to explain a “Yes” answer to Questions F-4 to F-14 may result in immediate DB Entity disqualification.

F-4. At any time in the last five (5) years, immediately before the issuance of this RFQ, has the General Contractor been assessed and paid liquidated damages of more than \$100,000 on a construction contract with either a public or private owner?

☐ Yes ☐ No

If “yes,” explain on a separate page. Identify all such projects by the owner, owner’s address, completion date, amount of liquidated damages assessed, and all other information necessary to explain the full assessment of liquidated damages.

F-5. Has the General Contractor ever defaulted on a construction contract?

☐ Yes ☐ No

If “yes,” explain on a separate page.

F-6. In the last five (5) years, immediately before the issuance of this RFQ, has the General Contractor been debarred, disqualified, removed, or otherwise prevented from bidding on or completing any government agency or Transit Project for any reason?

☐ Yes ☐ No

If “yes,” explain on a separate page. State the name of the organization debarred, the name of the person within your firm who was associated with that organization, the year of the event, the owner of the Project, and the basis for the action.

The following two questions refer only to disputes between contractors and owners of Projects. You need not include information about disputes with suppliers, other contractors, or subcontractors. You need not include information about “pass-through” disputes in which the actual dispute is between a subcontractor and a Project owner.

F-7. In the past five (5) years, immediately before the issuance of this RFQ, has any claim, dispute, or lawsuit over \$50,000 been filed in court or arbitration against the General Contractor concerning their work on a Construction Project?

☐ Yes ☐ No

If “yes,” on a separate page, identify the claim(s) by providing the Project name, date of the claim, name of the claimant, a brief description of the nature of the

claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

- F-8. In the past five (5) years, immediately before the issuance of this RFQ, has the general contractor made any claim, dispute, or lawsuit over \$50,000 against a Project owner concerning work on a Project or payment for a contract and filed that claim in court or arbitration?

☐ Yes ☐ No

If "yes," on a separate page, identify the claim by providing the Project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim if pending, or if resolved, a brief description of the resolution.

- F-9. At the time of submitting this Respondent's Qualifications, does the General Contractor or any first- or second-tier subcontractor or supplier anticipated to be utilized on this Project by the General Contractor currently have an unresolved Stop Notice filed on any Agency or other public agency Projects?

☐ No
☐ Yes, one unresolved Stop Notice
☐ Yes, two or more unresolved Stop Notices

If "yes," explain on a separate page. Identify the event year, the owner, the Project, and the detailed explanation for the Stop Notice.

- F-10. In the last five (5) years, immediately before the issuance of this RFQ, has any insurance carrier, or any form of insurance, refused to renew the insurance policy for the General Contractor due to non-payment or contractor losses?

☐ Yes ☐ No

If "yes," on a separate page, provide the insured's name, the insurance carrier's name, the form of insurance, and the year of the refusal.

- F-11. During the last five (5) years immediately before the issuance of this RFQ, has the General Contractor ever been denied bond coverage by a surety company, or has there ever been a period when your firm had no surety bond in place during a public construction project when one was required?

☐ Yes ☐ No

If yes, provide details on a separate page indicating the date when your firm was denied coverage, the name of the company or companies that denied coverage, and the period during which you had no surety bond in place.

F-12. Has the General Contractor **ever** been found liable in a civil suit or guilty in a criminal action for making any false claim or material misrepresentation to any private or public agency or entity?

☐ Yes ☐ No

If “yes,” explain on a separate page, including identifying who was found liable or guilty, the court and case number, the name of the public entity, the civil or criminal verdict, the date, and the basis for the finding.

F-13. Has the General Contractor **ever** been convicted of a crime involving any federal, state, or local law related to construction?

☐ Yes ☐ No

If “yes,” explain on a separate page, including identifying who was convicted, the victim's name, the date of the conviction, the court and case number, the crimes, and the grounds for the conviction.

F-14. Has the General Contractor ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

☐ Yes ☐ No

If “yes,” identify on a separate page the person or persons convicted, the year, the court (the county if a state court; the City or location of the federal court), the case number, the crimes, and the grounds for conviction.

F-15. Has CAL OSHA or any other state OSHA agency cited and assessed penalties against the General Contractor for any “serious,” “willful,” or “repeat” violations of its safety or health regulations in the past five (5) years?

If the General Contractor has filed an appeal of a citation and the state’s Occupational Safety and Health Appeals Board has not yet ruled on the appeal, the General Contractor need not include information about it.

☐ Yes ☐ No

If “yes,” attach a separate page describing all citations, including information about the dates of the citations, the nature of the violation, the Project on which the citation(s) was or were issued, and the amount of penalty paid, if any. If any citation was appealed to the Occupational Safety and Health Appeals Board and a decision has been issued, state the case number and the decision date.

F-16. Has the Federal Occupational Safety and Health Administration cited and assessed penalties against the General Contractor in the past five (5) years immediately before the issuance of this RFQ?

If the General Contractor has filed an appeal of a citation and the Appeals Board has not yet ruled on the appeal, or if a court appeal is pending, the General Contractor need not include information about the citation.

☐ Yes ☐ No

If "yes," on a separate page, describe the citations, the party against whom the citation was made, the date of the citation, the nature of the violation, the Project on which the citation was issued, the owner of the Project, and the amount of penalty paid, if any. State the case number and date of any decision.

F-17. Has the EPA, any Air Quality Management City, or any Regional Water Quality Control Board cited and assessed penalties against either the General Contractor or the owner of a Project on which the preceding parties were performing on a contract in the past five (5) years?

If an appeal of a citation has been filed and the Appeals Board has not yet ruled on the appeal, or if a court appeal is pending, you need not include information about the citation.

☐ Yes ☐ No

If "yes," on a separate page, describe the citations, the party against whom the citation was made, the date of the citation, the nature of the violation, the Project on which the citation was issued, the owner of the Project, and the amount of penalty paid, if any. State the case number and date of any decision.

F-18. Do you require documented safety meetings for construction employees and field supervisors during a Project? (*select one*)

- ☐ Yes, at least once a week
- ☐ Yes, every two weeks
- ☐ Yes, less than every two weeks

F-19. Within the last five (5) years immediately before the issuance of this RFQ, has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance?

☐ Yes ☐ No

If "yes," please explain why workers' compensation insurance is absent on a separate page. If "No," please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five years. (If your firm has been in the construction business for less than five years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period your firm has been in the construction business.)

F-20. In the past five (5) years, immediately before the issuance of this RFQ, has the General Contractor been assessed any penalties and/or liquidated damage over

\$15,000 due to the failure to pay prevailing wage or failure to submit Certified Payroll Reports?

- ☐ No
- ☐ Yes, one penalty has been assessed
- ☐ Yes, two or more penalties have been assessed

If "yes," explain on a separate page. Identify the year of the event, the owner, the Project, and the basis for the finding by the public agency.

F-21. If the General Contractor operates its own State-approved apprenticeship program, provide the following information on a separate page and insert it in Division 4:

- (a) Identify the craft or crafts for which you provided apprenticeship training in the past year.
- (b) State the year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s).
- (c) State the number of individuals employed by your firm as apprentices at any time during the past three years in each apprenticeship and the number of persons who, during the past three years, completed apprenticeships in each craft while employed by your firm.

F-22. At any time during the last five years, immediately before the issuance of this RFQ, has the General Contractor been found to have violated any provision of California apprenticeship laws or regulations or the laws pertaining to the use of apprentices on similar Projects?

☐ Yes ☐ No

If "yes," provide the date of the findings below and attach a copy of the final decision.

Date of Findings:

– End of FORM F –

FORM G: PRINCIPAL ENGINEER MINIMUM QUALIFICATIONS SCORED QUESTIONS

Provide information about the Principal Engineering Firm ("Firm") that will design the Project. If the Principal Engineering Firm is itself the DB Entity, provide all requested information related to it.

Name of Principal Engineering Firm: _____

Name of Principal Engineer: _____

G-1. How many years has the Principal Engineer been licensed and practicing in California?

☐ 15 years or more ☐ 10 to 14 years ☐ Less than 10 year

G-2. Is the Firm currently the debtor in a bankruptcy case?

☐ Yes ☐ No

If "yes," please attach a copy of the bankruptcy petition showing the case number and the date it was filed.

G-3. Was the Firm in bankruptcy during the last five (5) years immediately before the issuance of this RFQ?

This question refers only to a bankruptcy action *not* described in answer to question G-2 above.

☐ Yes ☐ No

If "yes," please attach a copy of the bankruptcy petition, showing the case number and the date on which the petition was filed, and a copy of the Bankruptcy Court's discharge order or of any other document that ended the case if no discharge order was issued.

Failure to explain a “yes” answer to Questions G-4 to G-6 may result in immediate DB Entity disqualification.

- G-4. In the last five (5) years, immediately before the issuance of this RFQ, has the Principal Engineer or the Firm been debarred, disqualified, removed, or otherwise prevented from bidding on or completing any government agency or public works Project for any reason?

☐ Yes ☐ No

If “yes,” explain on a separate page. State the name of the organization debarred, the event's year, the Project's owner, and the basis for the action.

- G-5. In the past five (5) years, immediately before the issuance of this RFQ, has any claim, has a dispute or lawsuit over \$50,000 been filed in court or arbitration against the principal engineer or the firm concerning its design work on a Construction Project?

☐ Yes ☐ No

If “yes,” on a separate page, identify the claim(s) by providing the Project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

- G-6. In the past five (5) years (immediately before the issuance of this RFQ), has the principal engineer or the firm made any claim, dispute, or lawsuit over \$50,000 against a Project owner concerning its design work on a Project or payment for a contract and filed that claim in court or arbitration?

☐ Yes ☐ No

If “yes,” on a separate page, identify the claim by providing the Project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

- G-7. In the last five (5) years, immediately before the issuance of this RFQ, has any insurance carrier, or any form of insurance, refused to renew the insurance policy for the Principal Engineer or the Firm, based on non-payment or losses?

☐ Yes ☐ No

If "yes," on a separate page, provide the insured's name, the insurance carrier's name, the form of insurance, and the year of the refusal.

- G-8. Within the last five (5) years immediately before the issuance of this RFQ, has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance?

☐ Yes ☐ No

If "yes," please explain why workers' compensation insurance is absent on a separate page. If "No," please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five years.

- G-9. Has the Principal Engineer or the Firm ever been found liable in a civil suit or guilty in a criminal action for making any false claim or material misrepresentation to any private or public agency or entity?

☐ Yes ☐ No

If "yes," explain on a separate page, including identifying who was found liable or guilty, the court and case number, the name of the public entity, the civil or criminal verdict, the date, and the basis for the finding.

- G-10. Has the Principal Engineer or the Firm **ever** been convicted of a crime involving any federal, state, or local law related to design?

☐ Yes ☐ No

If "yes," explain on a separate page, including identifying who was convicted, the victim's name, the date of the conviction, the court and case number, the crimes, and the grounds for the conviction.

- G-11. Has the Principal Engineer or the Firm **ever** been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

☐ Yes ☐ No

If "yes," identify on a separate page the person or persons convicted, the year, the court (the county if a state court; the City or location of the federal court), the case number, the crimes, and the grounds for conviction.

G-12. Has the California Department of Consumer Affairs, or an equivalent agency in any other state, taken any disciplinary action against the Principal Engineer?

☐ Yes ☐ No

If "yes," please explain on a separate page.

- End of FORM G -

FORM H: SCORE SHEET FOR GENERAL CONTRACTOR MINIMUM QUALIFICATIONS

A minimum score of 100 or more must be attained on this score sheet to rate the General Contractor as qualified. A contractor score of 99 or less will rate the General Contractor as unqualified, disqualifying the DB Entity.

Scoring for this form is based on the answers prepared on *Form F Project Team Minimum Qualifications*.

Failure to explain a “Yes” answer to Questions F-2 to F-14 may disqualify DB Entity.

Question #	Score Value Per Answer	Score
Form F-1	10 years and more = 5 pts 8 to 9 years = 4 pts 6 to 7 years = 3 pts 5 years or less = 2 pts	
Form F-2	Yes = 0 pts No = 10 pts	
Form F-3	Yes = 0 pts No = 10 pts	
Form F-4	0 Project = 10 pts 1 Project = 7 pts 2 Projects = 3 pts More than 2 Projects = 0 pts	
Form F-5	Yes = 0 pts No = 5 pts	
Form F-6	Yes = 0 pts No = 10 pts	
Form F-7	5 pts for 0 or 1 instance 3 pts for two instances 0 pts for more than two instances	
Form F-8	5 pts for 0 or 1 instance 3 pts for two instances 0 pts for more than two instances	
Form F-9	Yes = 0 pts No = 5 pts	
Form F-10	Yes = 0 pts No = 5 pts	
Form F-11	Yes = -5 pts No = 10 pts	
Form F-12	Yes = -10 pts No = 5 pts	

Question #	Score Value Per Answer	Score
Form F-13	Yes = -10 pts No = 5 pts	
Form F-14	Yes = -10 pts No = 5 pts	
Form F-15	5 pts for 0 instance -5 pts for one or more instances	
Form F-16	5 pts for 0 or 1 instance 3 pts for two instances 0 pts for more than two instances	
Form F-17	5 pts for 0 to 1 instance 3 pts for two instances 0 pts for more than two instances	
Form F-18	10 pts for at least once a week 5 pts for every two weeks 0 pts for less than every two weeks	
Form F-19	5 pts for 0 instance 0 pts for greater than 0	
Form F-20	5 pts for 0 instance 3 pts for one instance 0 pts for two instances or more	
Form F-21	N/A	
Form F-22	5 pts for 0 to 2 instances 3 pts for three instances 0 pts for more than three instances	
Total Score		

The maximum possible total score is 135 (**Disqualified if less than 100**)

- End of FORM H -

FORM I: SCORE SHEET FOR PRINCIPAL ENGINEERING MINIMUM QUALIFICATIONS

A minimum score of 67 or more must be attained on this score sheet to rate the principal engineering firm as qualified. A score of 66 or less will rate the principal engineering firm as unqualified, disqualifying the DB Entity.

Scoring for this form is based on the answers prepared on *Form G, Principal Engineer Minimum Qualifications*.

Question #	Score Value Per Answer	Score
Form G-1	15 years or more = 5 pts 10 to 14 years = 4pts Less than 10 years = 3 points	
Form G-2	Yes = 0 pts No = 12 pts	
Form G-3	Yes = 0 pts No = 12 pts	
Form G-4	7 pts for 0 instances 4 pts for 1-3 instances 0 pts for more than three instances	
Form G-5	7 pts for 0 instances 4 pts for 1-2 instances 0 pts for more than two instances	
Form G-6	7 pts for 0 or 1 instance 4 pts for two instances 0 pts for more than two instances	
Form G-7	Yes = 0 pts No = 7 pts	
Form G-8	7 pts for 0 instance 0 pts for greater than 0	
Form G-9	Yes = -5 pts No = 7 pts	
Form G-10	Yes = -10 pts No = 7 pts	
Form G-11	Yes = -10 pts No = 7 pts	
Form G-12	Yes = -10 pts No = 7 pts	
Total Score		

The maximum possible total score is 92 (Disqualified if less than 67)

- End of FORM I -

FORM J: REFERENCE PROJECT DATA SHEET

Project Number: _____

Attribute Project To

☐ **Principal Engineering Firm**

☐ **General Contractor**

Project Name: _____(Design-Build)

Project Location (City, State): _____

Owner Agency Name: _____

Owner Contact Name: _____

Owner Street Address: _____

City, ST, Zip: _____

**Owner Contact Phone
Number:** _____

Owner Contact Email: _____

Project Delivery Method ☐ Corporation ☐ Sole Proprietorship ☐ Corporation

☐ **Other (Specify):** _____

Project Delivery Method: _____

**Contract Value at Time of
Award:** \$ _____

Final Contract Value: \$ _____

**Scheduled Completion Date at
Award** _____

Number of Time Extensions: _____

Total Number of Days Extended: _____

Contract End Date: _____

Actual Completion Date: _____

**Date of Recorded Notice of
Completion:** _____

General Contractor: _____

Principal Engineer: _____

Principal Design: _____

: _____

: _____

- End of FORM J -

FORM K: KEY PERSONNEL EXPERIENCE

FORM K: Key Personnel Experience							
Key Personnel Name	Firm Name	Experience in Years			Assignment for this Project		Reference Project Data Sheet No.*
		Professional	Transit Projects	Design Build Projects	Role & Responsibility	% of Time	

– End of FORM K –

ATTACHMENT A: INSURANCE REQUIREMENTS

(Design-Build)

1.0 REQUIRED INSURANCE POLICIES

At its own expense, DB Entity shall obtain, pay for, and maintain— and shall require each of its Subcontractors to obtain and maintain— for the duration of the Construction Contract, policies of insurance meeting the following requirements:

- A. Workers' Compensation/Employer's Liability Insurance.
 - 1. Complete Workers' Compensation insurance, meeting or exceeding the coverages and amounts that California law requires and
 - 2. Employer's Liability insurance must be in an amount not less than:
 - a. ONE MILLION DOLLARS (\$1,000,000) per accident for bodily injury or disease;
 - b. ONE MILLION DOLLARS (\$1,000,000) per employee for bodily injury or disease; and
 - c. ONE MILLION DOLLARS (\$1,000,000) policy limit.
- B. Commercial General Liability ("CGL") Insurance (primary).
 - 1. (CGL) written on an occurrence basis, and such coverage shall be at least as broad as the broadest available version of Insurance Services Office form CG 00 01 or equivalent with no amending or exclusionary endorsements material to any parties' obligations in the Contract may be attached. There shall be no endorsement or modification of the CGL limiting the scope of coverage for liability assumed under an insured contract. The policy shall provide for the separation of insureds and contain no insured vs. insured exclusion.

The policy shall be endorsed using Insurance Services Office (ISO) forms CG 20 10 and GC 20 37 (or their equivalent if acceptable to the Authority) to add the Authority and its officers, agents, employees, and representatives as additional insureds for ongoing and completed operations under the CGL policy. The additional insured endorsement shall not limit coverage for the additional insured to "ongoing operations" or in any way exclude coverage for completed operations. Coverage must apply on a primary, noncontributing basis about any other insurance or self-insurance, primary or excess, available to the Authority or any officer, agent, employee, or representative of the Authority (collectively, "Authority and its representatives"). Coverage must not be limited to the vicarious liability or supervisory role of any additional insured.

2. The policy shall allow for or be endorsed to provide a Waiver of Transfer of Rights of Recovery Against Others to Us, form CG2404, or equivalent endorsement in favor of the Authority and its officers, agents, employees, and representatives. Coverage afforded to the “Authority and its representatives” must be at least as broad as that afforded to DB Entity. If DB Entity has higher limits than the limits specified in these insurance requirements, or has additional broader coverage, or has both, the insurer shall make available the higher limits and broader coverage to the “Authority and its representatives.”
3. Coverage must not contain a contractors’ limitation or other endorsement limiting the scope of coverage for liability arising from explosion, collapse, or underground property damage.
4. CGL insurance must be written in an amount not less than:
 - a. five million dollars (\$5,000,000) for each occurrence of bodily injury and property damage or the full occurrence limit of the policy, whichever is greater
 - b. five million dollars (\$5,000,000) personal and advertising injury liability of any one person or organization or the full personal and advertising injury liability limit of the policy, whichever is greater
 - c. ten million dollars (\$10,000,000) general aggregate or the full general aggregate limit of the policy, whichever is greater
 - d. five million dollars (\$5,000,000) products-completed operations aggregate or the policy's full products-completed operations aggregate limit, whichever is greater.

The policy shall contain an endorsement granting a general aggregate limit for the Project per project or location.

5. CGL insurance must include all major divisions of coverage and must cover the following:
 - a. Premises Operations (including Explosion, Collapse, and Underground [“X, C, U”] coverages as applicable;
 - b. Independent Contractors;
 - c. Personal and Advertising Injury (with Employer’s Liability Exclusion deleted);
 - d. Contractual Liability (including specified provision for DB Entity’s obligation under the General Conditions); and
6. Additional insured coverage for all completed work (including fueling stations) operations shall be maintained at the limit required

above until five (5) years after the recordation of the Notice of Completion.;

If provided, Umbrella or Excess Liability Insurance (over primary) must be at least as broad as any underlying coverage. Umbrella or excess liability coverage must apply on a primary, non-contributory basis for the benefit of the "Authority and its representatives" before the umbrella or excess liability insurer calls upon the "Authority and its representatives" primary insurance policy, or self-insurance program, or umbrella or excess liability insurance, or any combination of these insurance policies or programs. Coverage must be provided on a "pay on behalf" basis, with defense costs payable in addition to policy limits. The policy must not have a cross-liability exclusion, a contractor's limitation endorsement, or both. The policy must have starting and ending dates concurrent with the underlying coverages. The Named Insured may determine the layering of primary and excess liability insurance provided that if such layering differs from that described here, the actual coverage program meets the minimum total required limits and complies with all other requirements listed here.

C. Professional Liability Insurance.

1. Without limiting DB Entity's liability, DB Entity (at DB Entity's sole expense) shall obtain, pay for, and maintain— and shall require each of its subcontractors, who provide professional design services, to obtain and maintain— a Professional Liability Insurance policy.
2. The Professional Liability policy must:
 - a. Include "errors and omissions coverage" or "malpractice" coverage, and coverage shall apply to liability for a professional error, act, omission, or negligence arising out of the DB's services or any person or entity for whose performance the DB is legally liable. If coverage is written on a claims-made basis, any retroactive date shall be no later than the effective date of the Contract;
 - b. Cover a claim or claims arising out of the performance of professional services by DB Entity, its Subcontractors, or by anyone it directly or indirectly employs, or by anyone for whose acts any of them may be liable, including liability assumed under and arising from the Contract;
 - c. Provide limits of liability in an amount not less than TWO MILLION DOLLARS (\$2,000,000) per claim; and

TWO MILLION DOLLARS (\$2,000,000) in the aggregate; and

- d. Provide coverage throughout the term of the Contract and for at least five (5) years after the Project's completion:
 - i. DB Entity shall obtain, pay for, and maintain an endorsement that adds an "extended reporting period" ("ERP") or a "discovery" feature— to allow the Authority to report a claim— for not less than five (5) years following the initial policy's expiration, or following the Authority's recordation of its "notice of completion" for the Project, whichever date is later. The endorsement for the ERP or discovery feature must provide identical policy limits and meet the conditions described in subparagraphs C.1.a. through C.1.c. above; or
 - ii. DB Entity shall obtain, pay for, and maintain successive renewal or replacement policies (with "prior acts" coverage) for five (5) years following the initial policy's expiration or the Authority's recordation of its "notice of completion" for the Project, whichever date is later. Each policy must have a "retroactive date" that coincides with or is earlier than the Contract's Effective Date. Additionally, each policy must provide identical limits and meet the conditions described in subparagraphs C.1.a. through C.1.c. above.
- 3. All ERP or discovery endorsements, renewal policies, and replacement coverage policies are subject to the Authority's review and approval in its sole discretion.
- 4. DB Entity shall pay the full amount of a deductible, self-insured retention, or both per claim for coverage under the Professional Liability Insurance policy.

D. Business Automobile Liability Insurance

- 1. Business Automobile Liability Insurance must cover all vehicles, whether rented, leased, hired, scheduled, owned, or non-owned. If DB Entity does not own any vehicles, this requirement may be satisfied by a non-owned and hired vehicle endorsement to the general and umbrella liability policies. Business Automobile Liability Insurance coverage amounts must not be less than the following:
 - a. FIVE MILLION DOLLARS (\$5,000,000) per occurrence for bodily injury (including accidental death) to any one person; and
 - b. FIVE MILLION DOLLARS (\$5,000,000) per occurrence for property damage; or
 - c. FIVE MILLION DOLLARS (\$5,000,000) combined single

limit.

E. Contractors Pollution Liability Insurance (CPL). –

1. DB Entity or Subcontractor shall obtain, pay for, and maintain for the duration of the Contract Contractor Pollution Liability insurance that provides coverage for liability caused by pollution conditions arising out of the operations of the DB Entity. Coverage must be included on behalf of the insured for covered claims arising out of the actions of independent contractors. If the insured is using Subcontractors, the policy must include work performed “by or on behalf” of the insured.
2. The policy limit must provide coverage of at least two million dollars (\$2,000,000) per occurrence and in the aggregate. Coverage must apply to bodily injury, property damage, including loss of use of damaged property or property that has not been physically injured, cleanup costs, and costs of defense, including costs and expenses incurred in the investigation, defense, or settlement of claims.
3. All activities contemplated in the Contract must be specifically scheduled on the CPL policy as “covered operations.” In addition, the policy must provide coverage for the hauling of waste from the Project site to the final disposal location, including non-owned disposal sites.
4. The policy must specifically provide for a duty to defend on the insurer's part. By endorsement, the Authority, its officers, agents, employees, and representatives must be added to the policy as additional insureds. Coverage afforded to the “Authority and its representatives” must be at least as broad as that afforded to DB Entity. If DB Entity has higher limits than the limits specified in these insurance requirements, or has additional broader coverage, or has both, the insurer shall make available the higher limits and broader coverage to the “Authority and its representatives.”

F. Builder's Risk Insurance.

1. The Authority will purchase a builder's risk policy for the Project instead of a contractor-purchased policy. The bidder should not include the cost of this coverage in the bid.

2.0 GENERAL REQUIREMENTS—ALL POLICIES

A. Qualifications of Insurer. At all times during the term of this Contract, DB Entity's insurance company must meet all of the following requirements:

1. “Admitted” insurer by the State of California Department of Insurance or be listed on the California Department of Insurance's “List of Approved Surplus Line Insurers” (“LASLI”);

2. Domiciled within and organized under the laws of a State of the United States; and
 3. Carry an A.M. Best & Company minimum rating of “A-: VII.”
- B. Continuation Coverage. For insurance coverages required to remain in force after the Final Payment, and if reasonably available, DB Entity shall submit to the Authority, with the final Application for Payment, all certificates and additional insured endorsements evidencing the continuation of such coverage.
 - C. Deductibles or Self-Insured Retentions. All deductibles or self-insured retentions are subject to the Authority's review and approval at its sole discretion. Any “self-insured retention” must be declared. The Authority reserves the right to require the self-insured retention to be eliminated or replaced by a deductible. Self-funding, policy fronting, or other mechanisms to avoid risk transfer are not acceptable. If DB Entity has such a program, DB Entity shall fully disclose such a program to the Authority.
 - D. Commercial General Liability and Business Automobile insurance policies must be written on an “occurrence” basis. They must add the Authority and its officers, agents, employees, and representatives as additional insureds as described in (Section 1.0 Required Insurance Policies) above.
 - E. DB Entity's Insurance Primary. Other insurance (whether primary, excess, contingent, or self-insurance, or any other basis) available to the “Authority and its representatives” is excess over DB Entity's insurance (whether primary, excess, contingent, or self-insurance or any other basis). The “Authority and its representatives” insurance (whether primary, excess, contingent, self-insurance, or any other basis) will not contribute to DB Entity's insurance policy or policies.
 - F. Waiver of Subrogation. DB Entity and DB Entity's insurance company waive— and shall not exercise— any right of recovery or subrogation that DB Entity or the insurer may have against the “Authority and its representatives.”
 - G. Separation of Insureds. DB Entity's insurance policy applies separately to each insured or additional insured seeking coverage against whom a claim is made or a suit is brought, except that naming multiple insureds will not increase an insurance company's liability limits.
 - H. Claims by Other Insureds. DB Entity's insurance policy applies to a claim or suit brought by an additional insured against a Named Insured or other insured, arising from bodily injury, personal injury, advertising injury, or property damage.
 - I. A liability policy must not contain any provision or definition that would eliminate so-called “third party action over” claims, including any exclusion for bodily injury to an employee of the insured or any contractor or subcontractor.
 - J. Premiums. The Authority is not liable for a premium payment or another

expense under DB Entity's policy.

- K. At any time during the duration of this Contract, the Authority may do any one or more of the following:
 - 1. Review the insurance coverage requirements;
 - 2. Require that DB Entity obtain, pay for, and maintain more insurance depending on the Authority's assessment of any one or more of the following factors:
 - a. Authority's risk of liability or exposure arising out of or in any way connected with the services of DB Entity under the Contract;
 - b. The nature or number of accidents, claims, or lawsuits arising out of, or in any way connected with, the services of DB Entity under the Contract; or
 - c. The availability, affordability, or both of increased liability insurance coverage.
 - 3. Obtain, pay for, or maintain a bond (as a replacement for insurance coverage) from a California corporate surety, guaranteeing payment to the Authority for liability, costs, or both, that the Authority incurs during the Authority's investigation, administration, or defense of a claim or a suit arising out of the Contract; or
- L. DB Entity shall maintain the insurance policy without interruption from the Project's commencement date to the Final Payment date or until a date that the Authority specifies for any coverage that DB Entity must maintain after the Final Payment.
- M. DB Entity shall not allow any insurance to expire, cancel, terminate, lapse, or not renew. Design-Builder's insurance company shall mail the Authority written notice at least thirty (30) days in advance of the policy's cancellation, termination, non-renewal, or reduction in coverage and ten (10) days before its insurance policy's expiration, cancellation, termination, or non-renewal, DB Entity shall deliver to the Authority evidence of the required coverage as proof that DB Entity's insurance policy has been renewed or replaced with another insurance policy which, during the duration of the Contract, meets all of these insurance requirements.
- N. At any time, upon the Authority's request, DB Entity shall furnish satisfactory proof of each type of insurance coverage required—including a certified copy of the insurance policy or policies; certificates, endorsements, renewals, or replacements; and documents comprising DB Entity's self-insurance program—all in a form and content acceptable to the Authority's Attorney or the Authority's Risk Manager.
- O. If DB Entity hires, employs, or uses one or more Subcontractor(s) to perform work, services, operations, or activities on DB Entity's behalf,

DB Entity shall enter into a written agreement with each party, including an indemnification in favor of the Authority's and attaching these requirements and:

1. Ensure and verify that the Subcontractor meets and fully complies with these insurance requirements. DB Entity shall monitor and review all such coverage and assumes all responsibility for ensuring that all required coverage is provided and
 2. Furnish the Authority at any time upon request with a complete copy of the Subcontractor's insurance policy or policies for the Authority's review, approval, or both. Failure of the Authority to request copies of the documents does not impose any liability on the Authority or its employees.
- P. DB Entity shall immediately notify the Authority of any claim or loss against DB Entity that includes the Authority or any other indemnitee as a defendant. The Authority assumes no obligation or liability by such notice. Still, it has the right (but not the duty) to monitor the handling of any such claim or claims if they are likely to involve the Authority.
- Q. DB Entity's failure to comply with an insurance provision constitutes a material breach upon which the Authority may immediately terminate or suspend DB Entity's performance of the Contract or invoke another remedy that the Contract or the law allows. At its discretion and without waiving any other rights it may have under law, the Authority has the right but not a duty to obtain or renew the insurance and pay all or part of the premiums. Upon demand, DB Entity shall repay the Authority for all sums or monies that the Authority paid to obtain, renew, or reinstate the insurance. Alternatively, the Authority may offset the premium cost against any sums or monies that the Authority may owe DB Entity.

3.0 DESIGN-BUILDERS SUBMITTAL OF CERTIFICATES AND ENDORSEMENTS

- A. DB Entity shall have its insurance carrier(s) or self-insurance administrator(s) complete and execute the following insurance documents and shall deliver the documents at the same time DB Entity delivers the Contract to the Authority. The Authority will neither sign the Contract nor issue a "Notice to Proceed" until the Authority Attorney or Risk Manager has reviewed and approved all insurance documents. The Authority's decision regarding the acceptability of all insurance documents is final.
- B. Required Submittals for Commercial General Liability, Business Automobile Insurance, and DB Entity's Pollution Liability Insurance. The following submittals must be on forms satisfactory to the Authority Attorney or Risk Manager and signed by the insurance carrier or its authorized representative – which fully meet the requirements of and contain provisions entirely consistent with all of the insurance requirements outlined in this document:

1. "Certificate of Insurance";
 2. "Additional Insured Endorsement"; and
 3. Subrogation Endorsement: "Waiver of Transfer to Rights of Recovery Against Others."
- C. Certificates of Insurance and Additional Insured Endorsements must read: "The Authority and its officers, agents, employees, and representatives are included as additional insureds under the policy(s). This insurance is primary to all other insurance of the Authority. The Authority's insurance and self-insurance will apply in excess of and will not contribute to this insurance. This insurance applies separately to each insured or additional insured seeking coverage or against whom a claim is made or a suit is brought. The issuing company shall mail thirty (30) days advance notice to the Authority for any policy cancellation, termination, non-renewal, or reduction in coverage."
- D. Required Submittals for Workers' Compensation Insurance. DB Entity shall provide the Authority with a certificate of insurance and a subrogation endorsement on forms satisfactory to the Authority Attorney or Risk Manager and signed by the insurance carrier or its authorized representative – which fully meet the requirements of and contain provisions entirely consistent with the worker's compensation insurance requirements. If DB Entity is self-insured for workers' compensation, a copy of the "Certificate of Consent to Self-insure" from the State of California is required; or if DB Entity is lawfully exempt from workers' compensation laws, an "Affirmation of Exemption from Labor Code § 3700" form is required.

- END OF ATTACHMENT A -

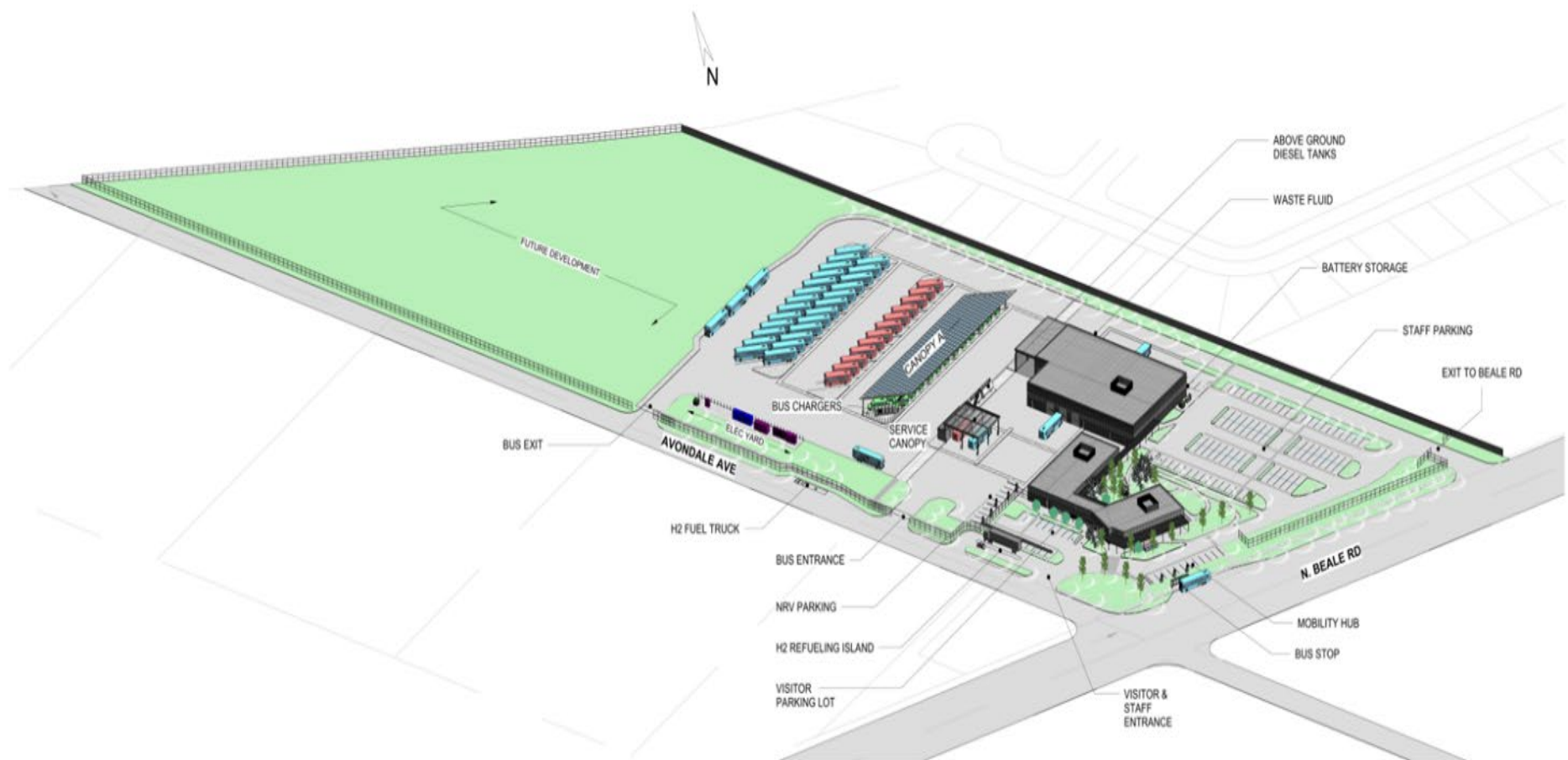
ATTACHMENT B - PHOTOGRAPH

The photographs included herein are provided for reference only and should not be relied upon for accurate information by any Respondent.

Aerial View (for reference only)



Aerial View of the subject 19.2-acre parcel at 6035 Avondale Ave., Linda, CA., future home of the Yuba-Sutter NextGen Transit Facility.



3D Site Diagram (for reference only)

- END OF ATTACHMENT B -