

RFSOQ NO. RFSOQ2020-001

Questions/Answers

Updates as of 10/14/2020 5:05:55 PM - - **PLEASE MAKE NOTE OF UPDATED ANSWERS**

1. Does this contract have a DBE or SBE goal? *No.*
2. Including three years of our Audited Financial Statements will add close to 200 pages to our submittal and make the size of the document more than 25 MB, causing us to actually have to split the document into at least 2 emails. Since we are a publicly traded company, can we, instead, reference the SEC website for our reports as is our usual practice? Or alternatively, can we send our submittal to CCJPA via a large document transfer service (we generally use *wetransfer.com*)? *The options for SOQ submittal attachments are explained in the RFSOQ. Options are presented in the RFSOQ to split submittals (e.g., send a series of "X of Y" emails with attachments. Alternatively, large file sharing options are identified in the document. – the option mentioned in this question is not permitted. If you feel a SEC document (perhaps it is a PDF??) meets the financial documentation requirements of the RFSOQ, you must submit it in some email or file transfer system as identified in the RFSOQ.*
3. Does the Project Manager need to be "classified" in one of the 3 Areas of Expertise? And does the Project Manager count as one of the 12 resumes? *That would depend on how you want to structure your projects managed. You could have a high-level project manager that manages across all areas of expertise or one for each. We will leave that to your decision.*
4. Instructions state that a team is limited to 6 project descriptions per firm (prime and sub distinct), and no more than 3 project descriptions per area of expertise. If a team with no subs submits for all three areas of expertise, are they then limited to 2 project descriptions per area of expertise? **ANSWER UPDATED:** *Please see the Addendum supplied October 4, 2020 which revises our prior response. Regardless of the updated project description limits provided in the Addendum and therefore in the SOQ, if moved on to oral interviews, there are no limits to introducing other projects during the presentation or via Q&A.*
5. Is there a page limit for the Section F project descriptions? **ANSWER UPDATED:** *There are no page limits to Section F project descriptions but they must remain in the Section F format. We encourage clear, concise, and relevant information that can hopefully fit to one or two pages per project.*
6. If a firm submits on all three and is highest scorer for one category, can they still perform services under another? *Yes. Even though they won the contract as a leader in one category, any other area they demonstrated expertise can also perform work.*
7. Can you confirm that SF330 sections A-C and G are not required? *This is stated on the RFSOQ "All sections of the SF330 are to be completed as instructed in the SF330 instructions, with the following additional instructions..." therefore all SF330 sections are required.*
8. To what extent are you seeking international expertise? **ANSWER UPDATED:** *There are no requirements for international expertise. Inclusion of international, national, regional, and local expertise should be identified according to the Proposer's own assessment of how to present and utilize their team to be ready to respond to potential future work tasks.*

9. Is there a page limit to the presentation elements? *If we understand this question, the presentation we interpret as the oral presentation phase. There are no pages per se associated with that presentation but there will be time limits to be conveyed for that oral interview phase. There are no page limits to any materials that may be shared for/during the oral interview nor are there any requirements to submit any pages.*
10. Do you need to have a USA business to apply? *No there does not have to be a USA business in order to apply, However, there should be an office for that business somewhere in Northern California. There are no other details as to how extensive that office should be and thus, at a minimum, it could be a business representative's home office in the most extreme case.*
11. Please clarify in one contract for each discipline will be awarded. **ANSWER UPDATED:** *We will reward up to three contracts total. All areas of expertise presented by that Consultant team will be covered in that contract and, in total, CCJPA will seek to have each expertise area covered by the highest scoring in that area of expertise. Other expertise areas covered in addition to the highest ranked area are eligible for subsequent work tasks under a master contract however those that score higher in particular expertise areas are expected to get more work in those expertise areas than other Consultant teams who did not score as highly yet did include the expertise area in their approach.*
12. In Section E, the RFP requests a minimum of 5 resumes per firm, but a maximum of 4 resumes submitted per specialty area. How should we address this if we have more than several firms on our team that would put us past the 12-resume limit? **ANSWER UPDATED:** *Based on numerous subsequent comments and expressed confusion about prior responses relative to the number limitations in the RFSOQ, the CCJPA has issued an Addendum (see CCJPA Opportunities website for this Addendum). The response to Question 28 and 41 below also summarize many portions of the Addendum.*
13. Are you open to remote working for international expertise? *Yes we are.*
14. Is there any split between presentation and Q&A scoring in the oral section? *There is no split expressed in the RFSOQ and we will not do so in the scoring. The presentation and Q&A will be lumped together as the final 50% of the score.*
15. How will the interviews be tailored to the specific areas of expertise each team qualifies for? If someone just qualifies for Planning, but another team qualifies for Planning and Engineering, do they both get the same one-hour long presentation? **ANSWER UPDATED:** *Please see the response for question 24.*
16. Won't Team A potentially get more opportunities to show expertise in Planning, compared to Team B who is trying to speak to Planning and Engineering in the same hour that Team A had? **ANSWER UPDATED.** *Please see the response for question 24.*
17. Does environmental score fall under planning or engineering? *Environmental expertise could be associated with either planning or engineering. Environmental expertise is a good match to both.*
18. Will firms submitting for multiple disciplines be notified of which they are being interviewed for based on rankings? *Yes. Consistent with answers above, firms selected for oral interviews will know where they rank in the disciplines selected. Scores will not be provided but ranking will for any area of expertise for which the firm has applied. See response for Question 24 for more detail.*

19. Is there an incumbent supplier for this expertise? *No. Prior on-call contracts have expired, and work initiated under them will continue but those will be their last work tasks under prior contracts.*
20. To what extent are you looking for Operations & Maintenance expertise to inform the projects phase with 'early operator involvement' on planning and design decisions? *This will depend on the project approach CCJPA is taking and could be adjusted by consultation with one or more of our on-call teams. O&M expertise is a helpful in many project situations, but the use of such analysis will vary based on situation.*
21. How do we get details of interested parties, to help teaming? *We have provided the attendee list to the pre-submittal meeting to assist with teaming.*
22. Whilst I understand that there are no guarantees, do you have any budget allocated for these contracts in 2021. And, if so, in which areas? *CCJPA has funding from State sources planned across every expertise area however we can't say those are committed funds to a project area because we do have flexibility to change our expenditure of those funds unlike the situation with grant fund awards which are far more challenging to modify after the fact. At this point it would be safe to say that CCJPA has an intent to pursue projects across or blending together the expertise areas and that we have multiple millions of funding behind those efforts that will come to CCJPA over time.*
23. We would like to clarify the requirement to input the Total Dollar Amount in the Exhibit 1 form (this was attached but names were removed for answering this question with an example table below). Please confirm that this field is for our team's individual fees should the contract be awarded to our firm.

EXHIBIT 1
PROJECT CONSULTANT TEAM

Name, Address and Telephone Numbers of All Firms Participating on the Project (including Proposer) and Subconsultants	Work Description	Total Dollar Amount
Jane Doe 123 Main Street 510-333-4444	Funding strategies, grant application development, strategic planning	<i>WHAT GOES HERE?</i>

ANSWER UPDATED: *Answer: This form has been adapted from cost specific RFP responses and unfortunately, we did not consider how this would match the RFSOQ process – in short, it does not. For this RFSOQ, we suggest “N/A” or “TBD” be utilized in this \$ amount cell. Rates are not meant to be shown here for an RFSOQ and should only be shown in the Cost Disclosure statement for the oral interview process.*

24. We are concerned about fairness in time to present or answer questions during the oral interview and how CCJPA will fairly allocate time to according to the various expertise areas we present. *CCJPA has carefully re-considered this comment and prior questions and will adopt the following process (or something very similar) for the oral interviews so that each proposing team*

or individual consultant can be treated equally whether applying for one, two, or three expertise areas. This oral interview process will be organized in a format something like the examples below. These are examples only. Number of questions, time allotted for each question, presentation time, and other parameters are subject to change before a final format is provided to each Consulting team qualifying for the oral interviews. The examples are as follows:

- *Each interviewee (a consultant team with a prime, single firm, or a consortium) will have 10 minutes to make their presentation regardless of how many expertise areas they have shown. This is meant to be more of a team introduction, and very high-level summary of the team and approach but it is up to the Consultant team to decide how they want to use this time. Finally, each interviewee will be asked to answer common project management questions (three questions estimated at five minutes to answer each question). TIME ALLOTTED IS EQUAL AMONG ALL INTERVIEWEES; 10 minutes presentation and 3 general project management questions at 5 minutes each equals 25 minutes for this phase)*
- *Each interviewee will be asked several standardized questions for each expertise area they have responded to in their SOQ. The planning questions will be the same for any firm that submitted for planning, the same for engineering, and system operations. In the following examples, we will assume each question and answer will take five minutes and there are three questions each for each expertise area:*
 - *Firm A: Only applied for planning expertise thus 3 planning questions at 5 minute each is 15 minutes total. Overall interview is 40 minutes.*
 - *Firm B: Applied for all three areas of expertise, thus 3 questions each for 3 expertise areas equals 9 questions at 5 minutes each for 45 minutes in the Q&A and thus, overall, the total interview is 70 minutes.*

As noted above, timing and number of questions may change but the basic premise of equal time to each expertise area will persist after a phase that all interviewee have for common presentation/common project management phase. CCJPA will also consider adding a timing pad (e.g., five minutes) to every interview session to account for any extra timed element that the consultant team might request/require.

Since this will be done online via CCJPA's online webinar tool, technical difficulties encountered during the interview sessions will not count against the net time for each interview. We will provide test webinar links in advance and allow for practice in a mock setting so that controls and switching of presenters is available in a dry run setting.

25. *On Page 1 of the RFP (Section B. Funding Sources) there is described possible federal funding. If federal funding is used, will there be a DBE goal assigned per task order? If required via a federal funding resource used for the project, the CCJPA would use the Work Directive process to work with the contracted on-call consultants to fulfill any required DBE goals. There would be an allowance to possibly seek additional subcontractors appropriate to the Work Directive should that be necessary. We are not requiring or giving higher scores for SOQs stating that any prospective DBE goals can be met.*
26. *For Exhibit 1, which requests "Total Dollar Amount" per firm on our team, is it acceptable to put "To Be Determined" because this is an on-call contract and we do not know the scope or expertise required for task orders released through this contract? Please see the response to*

Question 23. A “N/A” or “TBD” will suffice because the observation made in the question is correct.

27. Please confirm that what CCJPA is seeking for Section E of the SF 330 is the submission of a minimum of 5 resumes per firm for all firms. **ANSWER UPDATED:** *Earlier in this response period, CCJPA was seeking a minimum of 5 resumes per firm for all firms, however, situations where this is not realistic or practical have been demonstrated by various questions/comments. Please refer to our response to Question 41 and 28 which effectively indicates that resumes should be shown based on the Organizational Chart plus any of the more limited expertise resumes allowed. Most importantly, we have also posted an Addendum which formally replaces sections of the RFSOQ that concern these matters.*
28. For Section E of the SF 330, if we are only using a subconsultant on one area of specialty, how should we provide a minimum of 5 resumes per firm but adhere to the maximum limit of 4 resumes per firm per specialty area? *CCJPA acknowledges the confusion Section E as written creates, including the matter of the Section D Organization Chart of the Project Team, which are meant to be backed up by resumes. To resolve confusion created by the “no more than four (4) resumes should be shown,” for each expertise area CCJPA waives this limitation for being limited to only four resumes by expertise area as long as those persons are shown on the Section D Organization Chart. In function, those in the Organization Chart (Section D) should have included their resumes (max 2 pages) but designating them as being part of an expertise area is not materially an issue. However, if a prospective firm shows an organization chart, each with a resume (as required), and also wants to include deeper subject matter expertise resumes that are not shown on the required Organizational Chart, we do ask that those are limited to no more than four (4) additional resumes. This adjustment will hopefully provide clarity to how organizational charts could be developed relative to the resumes shared. The main point is to not submit excessive resumes that are superfluous to how the proposed Consulting team is to support CCJPA and the expertise areas they intend to support. ANSWER UPDATED: The prior response holds true but is formally answered in an Addendum to the RFSOQ which memorializes the response. Please see response to Question 51 which asks about a nuance to the scoring with qualifications and experience of the overall team being showcased in the SOQ.*
29. Please confirm that we are still able to submit additional resumes for staff who do not fall into just one area of specialty (e.g., the Project Manager). *As long as staff are shown on the Organizational Chart, they should have a resume included. If they are not on the Organizational Chart, and they do not have an expertise area, then their resume should not be included because they do not materially have any bearing on work to be performed. In the example cited, the Project Manager, we would expect this to be a position shown on the Organizational Chart whether they have an expertise area or not (i.e., they may manage across engineering and planning projects). In short, and per the response to Question 28, include resumes for those on the Organizational Chart and if there are additional experts that you do not want to show, you can include up to four experts and their resumes that are NOT shown on the Organizational Chart. ANSWER UPDATED: Please see the Addendum which formally clarifies the matter of resume numbers consistent with various question responses concerning resume numbers in this Q&A response document.*

30. For Section H of the SF 330, should we assume that there is a 6-page limit for this section (limited to 2-page responses for each specialty area)? **UPDATED ANSWER:** *This has been updated in the Addendum.*
31. Please confirm CCJPA is only seeking responses on Section H of the SF 330 from the prime Proposer and there is no requirement for subconsultants to have any content in this section. *The prime Proposer is the only one meant to respond in Section H of the SF 330. However, they should certainly reflect the role of any potential subconsultants as they see fit. As far as CCJPA is concerned, the Prime Consultant is the one submitting the SOQ to potentially be awarded a contract. There are no materials in the SOQ that should come to CCJPA from any subcontractor other than the Prime.*
32. For Section F of the SF 330, are we limited to submitting 9 total projects for our team (3 per area of expertise)? Is there a limit for number of projects submitted beyond the limitation of no more than 6 total for one firm, and 3 for each area of expertise? **ANSWER UPDATED:** *The Addendum which include a revised Section F instruction is the reference point for our response. Instructions for Section F hold regardless whether the projects “belong to” the Prime, sub-contractor, or Prime and subcontractors and the expertise areas covered – it is the judgement of the Prime to showcase the team’s best projects in Section F. Consistent with what modifications we have made with the oral interview (see Question 24’s response) to better scale interview time and content, the Addendum (the updated Section F) modifies the number of projects according to expertise areas showcased in the SOQ as shown in the following table:*

<i>Expertise areas</i>	<i>Number of Projects to showcase (RFSOQ) AKA BEFORE</i>	<i>Number of Projects to showcase (UPDATED) AKA NOW</i>
<i>One</i>	<i>Up to 3 example projects</i>	<i>Up to 6 example projects</i>
<i>Two</i>	<i>Up to 6 example projects but not more than 3 in any expertise area (e.g., 3+3)</i>	<i>Up to 12 example projects but not more than 6 in any expertise area (6+6)</i>
<i>Three</i>	<i>Up to 6 example projects, but still, no more than 3 in any expertise area (e.g., 3+2+1, or 2+2+2)</i>	<i>Up to 18 example projects, but still, no more than 6 in any expertise area (e.g., 6+6+6)</i>

Please utilize the UPDATED column above as a guide for how many projects can be shown depending on how many expertise areas addressed in the SOQ.

33. Thank you for revising and clarifying the interview process to create a more level playing field for all teams – regardless of whether they are shortlisted for one, two, or three areas of expertise. Based on this new format, will all key personnel be allowed to participate in the interview so that each team has the same number of subject matter experts available to present and answer technical questions in each area of expertise? This would avoid issue of one team able to have four Engineers participate, while another qualifies for multiple Areas of Expertise and is thus limited to fewer Engineers due to restrictions on the size of the overall interview team, which could create an unfair advantage. *Given the interview process will be entirely online we have the opportunity to allow more attendee participation. We had previously limited attendance due to room size and that is not an issue now. We are not giving formal direction on the interview format at this point but we are likely to allow the entire team to attend due to it*

being online, however, it will always be critical to ensure time management and the proper people are presenting and answering questions. That will not change. Unless you want to take the presentation time to introduce a cadre of people who are on a call, we suggest that a slide (that is or looks something like the Organizational Chart) be used to introduce people participating in the interview.

34. Would you consider allowing the submission of an additional resume for the Project Manager (outside the four resumes per area of expertise). Given the inclusion of three project management questions and the standard technical questions in each area, it will be important to have both a PM and a full cadre of technical staff able to participate in each potential interview portion. This would avoid the issue, for example, if the team’s Project Manager is an Engineer and uses one of the available slots on an interview team for a Planning or System Operations interview portion, reducing the number of subject matter experts able to attend, which could create an unfair advantage between the competing teams. *Please see the Addendum (posted October 4, 2020) and responses to Questions 28 and 29 and 41 for guidance but to restate, as long as an individual is listed on the Organizational Chart, their resume is expected to be shown. If they are not on the Organizational Chart then their only other opportunity to have their resume shown is if they are considered an expert in a category and in that case there are only up to four per expertise area of those individuals that should be shared. The response to Question 34 should, in combination with this answer, should allow particular persons to be able to respond during the interview. Again – we will emphasize time management and the proper persons answering. **ANSWER UPDATED:** Please see the Addendum that formally resolves the resume questions/comments.*
35. In your response to question 12, you state: “...the other six names can certainly be listed and even a one-paragraph description of their quals/experience could be added without it being formatted and presented as a resume.” Can you please clarify where in the SF330 submittal these paragraphs should be included if we wish to provide them? Would we add them to Section E after the resumes? Would they go in Section H and count against the two-page limit? Please confirm. **ANSWER UPDATED:** Thank you for asking for that confirmation. We have updated this portion of the RFSOQ with a replacement Addendum which answers to these clarifications. In short, we suggest adding them to Section E after the Organizational Chart/Expertise area resumes. Any such one paragraph summaries about additional personnel should not go in Section H and be counted against the two-page limit. The point of the additional allowed paragraphs is not to overwhelm us with volume but rather round out the team approach with introductions of useful supplemental team members who we might expect to encounter in performing any expertise area or project management work.
36. Good afternoon. Per RFQ Section O.2. I would like to arrange the delivery of our submittal through Microsoft One Drive. Please send the instructions. Thank you!. **ANSWER UPDATED:** We have tested the “CCJPA Opportunities” email with OneDrive and for sharing a folder, we encountered access problems logging in to our OneDrive account using this email. We are issuing the following updated information for those who want to use ONE DRIVE or DROPBOX to submit. If you use either of these methods, we ask that you also email us via the “CCJPA opportunities” email to confirm that you have, in fact, sent a link for either OneDrive or Dropbox – this will help us be on the look-out for those automated emails. The following are the email addresses to use:

<i>For OneDrive please use:</i>	<i>For Dropbox please use:</i>
<i>Creluci@bart.gov</i>	<i>CatherineR@CapitolCorridor.org</i>

37. For Item # 2 response, it states that additional names can be listed with a one-paragraph description of their quals/experience without it being formatted and presented as a resume. Please confirm if we can provide this list on an additional blank page. If so, what is the limit of names and quals we can provide? **ANSWER UPDATED:** *Please look at the response to Question 35 but more importantly, the Addendum. In the response to Question 35 we have given enough direction to help Proposers make well considered choices relative to the anticipated work. We add that if page after page of personnel quals/experience are provided that have dubious relationship to the scope of tasks at hand that it will show that the Proposer has not thought about the work, their personnel, and has demonstrated inability to filter themselves when understanding this opportunity.*
38. Can CCJPA please confirm if prime and subs would all need to sign UP Right of Entry agreement; and if so, can CCJPA please provide a draft contract form of that agreement including all insurance provisions? *Typically, only entities with a physical presence on UP property would need to sign a R/E agreement. This could include entities doing work such as surveying or geotechnical investigations. The instructions for obtaining a R/E agreement can be found in the UP website. The insurance provisions for UP ROE work are not enforced by CCJPA or BART. Our insurance provisions as outlined in our example contracts address our insurance needs. If you check the UP website, additional or different insurance may be required to comply with UP R/E work. Thus, if hired to work as a CCJPA on-call consultant and a work directive requires a UP R/E, it is possible that CCJPA would ask you to fulfill all UP R/E requirements. Especially in engineering work, it is prudent for all prospective firms to be able to be equipped to address this potential situation. We recommend visiting the UP website in this regard.*
39. Will CCJPA be willing to negotiate the financial terms? *The Proposer is requested to provide the Provisional Cost Reimbursement and Rate Data if selected for the oral interviews. This is the Proposer's responsibility and can be at their suggested rates subject to the many parameters surrounding rates, overheads, etc. This will be reviewed for rates so there is a built-in negotiation already when reviewing cost rates. But rates are not the only element in the financial terms. Exceptions to the RFSOQ and proposed contract are meant to be noted in the SOQ response (see Section N of the RFSOQ including section 2).*
40. If we submit financial exceptions with our proposal will our team face disqualification from the procurement process? *Pursuant to Section N, a team may suggest terms that are deemed unacceptable and would therefore no longer be considered for award. In short, it depends on the financial exceptions and CCJPA's review of those exceptions.*
41. Would CCJPA please remove the requirement of 5 resumes per firm for all firms from the RFP (referenced in Question #27 of the Q&A document)? This language is very confusing because as written "a minimum of 5 resumes per firm for all firms" appears to describe a minimum of 5 resumes required for each subconsultant firm on each team. For instance, if our team had 10 subconsultants aboard, we would be required to submit a minimum of 50 resumes for our subconsultants alone just to comply with this specification. This requirement conflicts with other instructions given in Question #28 that we not submit "excessive resumes that are superfluous to how the proposed Consulting team is to support CCJPA and the expertise areas [we] intend to support." We would suggest that the simplest way to resolve this confusion and ensure that CCJPA is not required to review numerous resumes of staff who will "not materially have any bearing on work to be performed" (as stated in Question #29) would be to merely remove the language specifying "a minimum of 5 resumes per firm for all firms" and allow Proposers to

prepare an Organizational Chart and submit resumes for individuals whom they believe best demonstrate their team's capabilities to serve CCJPA. *We agree with these suggestions and apologize for the confusion in not crafting some of the template language appropriately. With this response, we retract the need to show five resumes for each firm involved in the team response. Instead, as noted above in our answer and in the comment, Proposers should prepare and Organizational Chart and submit resumes for individuals whom they believe will best demonstrate and ultimately provide services in the expertise areas to serve CCJPA's needs. This still allows additional expertise resumes to be provided that are off the Organizational Chart subject to the limits expressed in the RFSOQ and in questions responded to above. CCJPA has issued a formal Addendum to replace the RFSOQ language that effectively supports the response above.*

42. Page 9, Section R.5 of the RFSOQ stays that the final day to submit questions re: SOQ is October 2, 2020 by 5 pm. However, page 10, Section U states that "Questions regarding this RFSOQ or requests for additional information shall be directed via email to the CCJPA's Contract Administrator. All inquiries shall be made to CCJPA at least ten (10) calendar days before the SOQ submission date," which would be October 9. Please clarify when questions regarding the RFSOQ are due. **ANSWER UPDATED:** *Questions that CCJPA is committing to responding to in this updated Q&A were due as of COB October 2, 2020. CCJPA will endeavor to respond to additional questions now through October 16, 2020 (due to the SOQ time extension provided on October 5, 2020) but can't commit that we will have the opportunity to respond, however, it is our endeavor to support responses to questions as close to October 16, 2020 as we can.*

43. #27 in the recent Questions/Answers reads as follows:

27. Please confirm that what CCJPA is seeking for Section E of the SF 330 is the submission of a minimum of 5 resumes per firm for all firms. CCJPA is seeking a minimum of 5 resumes per firm for all firms.

Please explain this requirement to submit at least (a minimum of) five resumes for any firm on the team. In many cases this may be impossible or result in resumes for people who are not material to the delivery of this scope of services. For example:

1. Some firms may be small or even a sole proprietor, and thus do not have five staff for whom to submit resumes.
2. Perhaps a firm is providing a limited number of staff (less than five) with specific/niche services that are pertinent to this contract.

Can this requirement to provide a minimum number of resumes for each firm be removed? *Please see the updated response to Question 27 and the response to effectively the similar Question 41. In both questions, points have been well taken and we agree that resumes based on the Organizational Chart and the more limited "Expertise" resumes will allow Proposers to showcase a more suitable and strategic team to respond to the RFSOQ. This is now formalized in a RFSOQ Addendum to rectify the confusion created between the RFSOQ and the evolved responses to posed questions.*

44. [CCJPA NOTE: *To respond to the many comments/questions/requests for the communication below, CCJPA will modify the format of our responses to be in italics immediately following the*

body of the question/comment as opposed to a complete response at the end of the overall comment]

We understand that CCJPA has gone to great lengths to develop a transparent selection process and to explain CCJPA's intent for each question response. However, CCJPA may have inadvertently created confusion, or changed (rather than simply clarified) the requirements of the RFSOQ.

We respectfully request that CCJPA issue a formal Addendum that replaces Part J of the RFSOQ. An Addendum would formally modify the RFSOQ and clarify the requirements for resumes, Organizational Charts, and example projects.

We also respectfully request that CCJPA provide an extension to both the Q&A period and to the submission deadline. **ANSWER UPDATED:** *CCJPA will not extend the formal Q&A period but we did extend the SOQ submission deadline on October 5, 2020 to that shown in Question 50. Please also see the response to Question 42 where we can take questions until October 16, 2020 but are not certifying that we can respond to all questions submitted after October 2, 2020.*

We respectfully suggest the following wording for the Addendum, which would revise RFSOQ, as follows, with strikethrough indicating deleted language and underline indicating added language to Section J.3 of the RFSOQ:

Section D - Organization Chart of Project Team. The firm or the specific branch office of the Proposer shall have an office located within Northern California. Proposer shall submit a proposed Organization Chart showing relevant team members and Key Personnel showing the contractual and reporting relationship of each member and the firm with whom he or she is associated as well as the area(s) of expertise each team member address. A minimum of five (5) team members should be shown on the Organization Chart. There is no maximum to the number of team members shown on the Organization Chart.

Section E - Resumes for Project Team for the Agreement. Resumes are to be submitted for the proposed Key Personnel to be utilized under the Agreement. Every person whose resume is provided shall be shown on the Organization Chart. Resumes submitted for persons who are not shown on the Organization Chart will not be considered. A maximum of sixteen (16) resumes may be submitted, with no limit on the number of resumes from any one firm on a Team. minimum total of five (5) resumes are to be submitted per consultant firm (prime and sub distinct) and Resumes are limited to two pages in length per resume. For each area of expertise shown, no more than six (6) four (4) resumes should be shown. Key Personnel shall not be replaced for the duration of the Project without prior written approval from CCJPA.

Section E-19 - Relevant Projects. A listing of relevant projects, not to exceed three, shall be provided, in which persons listed on the organization chart had a significant role that demonstrates the persons' capability relevant to his/her proposed role relative to the Scope of Services. The listing for each project shall include a brief description (scope, size, cost, etc.) and provide the performance period (beginning date and completion

date) of each project. The project description shall also include the specific role/responsibility of the individual and the duration that the individual worked on the project. In addition, provide a point of contact, telephone number, and email address for each project listed, as the CCJPA may choose to contact these references. Relevant projects should be shown based on the areas of expertise the Consultant(s) are pursuing with the SOQ.

Section F - Example Projects which Best Illustrate Proposer's Qualifications for this Agreement. Projects listed in Section F must be relevant projects, which were completed or are on-going by the Proposer. Select no more than nine (9) projects, total, six (6) projects per consultant firm (prime and sub distinct) that demonstrate the Proposer's experience and capability to perform work similar to that required for this Agreement and no more than three (3) projects in any one area of expertise. In addition, identify which projects, if any, for which Project Team members have worked together.

Section H – Additional Information. Include a narrative in this Section that discusses the Proposer's approach and any proposed innovations in performing planning, system operations, and/or engineering services as required by the Scope of Services. Limit the narrative to two (2) pages for each area of expertise pursued.

CCJPA RESPONSE: CCJPA has issued an Addendum to the RFSOQ developed to address the confusion associated with the resume number limits and the allowances for additional descriptive paragraphs for additional staff not on the Organization Chart. Thank you for this specific wording and to all prior questions/comments about the objectives with resume numbers, etc., and hope that the Addendum will clarify matters consistently with the questions and responses updated in this document.

In the event that CCJPA elects not to use this wording for an Addendum to clarify the requirements, note that CCJPA's responses to previous questions may have inadvertently created some confusion as to how many names can be listed on the Organization Chart and how many resumes can be submitted. Specifically, we have questions about the responses to:

Question 12, which appears to limit the number of resumes to 12, total, but creates a new category of 1-paragraph description of individual, for which there appears to be an unlimited number of individual, though it is not clear whether they should be listed on the Organization Chart

Question 28, which appears to allow an unlimited number of resumes (viz, "CCJPA waives this limitation for being limited to only four resumes by expertise area as long as those persons are shown on the Section D Organization Chart."), but also appears to create a new requirement that the only staff appearing on the Organization Chart are those with resumes.

Question 29, which appears to allow for 4 additional resumes for staff not indicated on the Organization Chart, which, in combination with the response to Question 12 may imply a maximum of 16 resumes, and thus also appears to limit the Organization Chart to 12 people.

If CCJPA elects not to issue an Addendum, could CCJPA answer the following three questions regarding resumes, the Organization Chart, and 1-paragraph descriptions of staff:

How many positions/staff that may be shown on the proposer's Organization Chart? We recommend that CCJPA places no limitation on the number of positions on the Organization Chart, consistent with previous RFSOQ's from CCJPA.

How many resumes may be submitted? We recommend that CCJPA allow a maximum of sixteen (16) resumes, with a maximum of six (6) resumes per Area of Expertise, no minimum number of resumes per Area of Expertise, and no restriction on how many resumes can come from any given firm on the proposer's Team.

If CCJPA intends to allow 1-paragraph descriptions of staff, how many may be included, and should the staff identified in the 1-paragraph descriptions also be listed on the Organization Chart?

CCJPA Response: The above questions have been responded to in other similar questions/comments but consistent with the primary request, CCJPA has issued an Addendum to ensure there is consistent direction regarding resume inclusion as well as additional descriptive paragraphs of non-Organizational Chart personnel whom may be utilized with performing duties under a Master Contract for on-call services but via Work Directives.

45. Question B – Interview Format:

While it is early to discuss interviews, may we respectfully request that CCJPA limit the number of interview team members to a maximum of 5 or 6 persons? CCJPA's statement that "...we are likely to allow the entire team to attend due to it being online..." implies that all 16 persons whose resumes are included could attend the interview. This makes it difficult to select team members and resumes, since all proposers will need to concern themselves with whom of the possible 16 people are available on the November 9, 2020 interview date, as well as how many interviewees their competitors may bring. Sixteen people may also cause something of a "Brady Bunch" effect when viewed screen, making it difficult to know who is speaking. *Interview dates have always been their own limitation with respect to participation and that does not change with an online format. CCJPA's experience with RFSOQ oral interviews was previously limited to room size. With an online presentation, this is no longer a limitation. Our online tool, Zoom, will be run in webinar mode with the ability to share screens and make certain individuals 'panelists' (panelists can speak and request our moderator to allow other persons to be allowed to speak) and make others attendees. While we are still formalizing how the oral interviews will be conducted, we are not at this time expecting to impose attendee limitations like we would in a room setting. At this juncture, we do not anticipate requiring specific oral attendee participation and instead prefer the interviewed teams develop their own strategies for responding to the oral interview opportunity albeit structured into the presentation/PM question phase and expertise question phase indicated previously. Allowing teams to develop their own oral interview participation strategies allows CCJPA to see how the team works together and organizes themselves.*

46. 3.b. The SF330 Section E Resumes form includes a space for 5 projects. 3.c. E-19 Relevant Projects states (page 5 of 10):

"A listing of relevant projects, not to exceed three, shall be provided, in which persons listed on the organization chart had a significant role that demonstrates the persons' capability relevant to his/her proposed role relative to the Scope of Services. The listing

for each project shall include a brief description (scope, size, cost, etc.) and provide the performance period (beginning date and completion date) of each project. The project description shall also include the specific role/responsibility of the individual and the duration that the individual worked on the project. In addition, provide a point of contact, telephone number, and email address for each project listed, as the CCJPA may choose to contact these references.”

Does CCJPA want these three projects in Section E Resumes in place of the typical 5 projects? Please clarify.

This is clarified in the Addendum that is now posted. On the SF330, you are correct that five (5) projects may be listed as per the format of the form. However, the notation in Section E-19 requests that no more than three (3) projects are selected. This is clarified in the Addendum to be clear that the Section E-19 modifies the usual SF330 format so that only three (3) projects are listed per person.

47. 3.e. Section H –

“Additional Information. Include a narrative in this Section that discusses the Proposer’s approach and any proposed innovations in performing planning, system operations, and/or engineering services as required by the Scope of Services. Limit the narrative to two (2) pages for each area of expertise pursued.”

With 3 main service areas (railroad planning, system operations, and engineering services) and 19 expertise areas (as provided in Attachment A Scope of Services) would the CCJPA consider increasing the narrative to 5 pages for each service area since there multiple expertise areas under each service area? For example, railroad planning could have approximately 12 relevant expertise areas. Also, would the CCJPA will be willing to allow two additional pages to discuss project management and quality separate from the services narrative?

To be clear, CCJPA has identified three expertise areas in this RFSOQ and listed in the Scope of Services EXAMPLES of work tasks that might be anticipated, so these are not considered expertise areas in our evaluation and simply are examples of work tasks that might be anticipated. However, the request to provide additional pages for each expertise area is valid and with the breadth of possible tasks under each area of expertise, along with the Project Management, the Addendum outlines the revised page requirements to address these concerns.

48. Q&A stated that we may include additional one-paragraph descriptions of other staff. Do we include staff paragraphs as part of Section E? *This has been discussed above with other responses (as being part of Section E) but it is also clearly updated in the Addendum as an updated Section E.*

49. From Q&A...

To resolve confusion created by the “no more than four (4) resumes should be shown,” for each expertise area CCJPA waives this limitation for being limited to only four resumes by expertise area as long as those persons are shown on the Section D Organization Chart. In function, those in the Organization Chart (Section D) should have included their resumes (max 2 pages) but designating them as being part of a expertise

area is not materially an issue. However, if a prospective firm shows an organization chart, each with a resume (as required), and also wants to include deeper subject matter expertise resumes that are not shown on the required Organizational Chart, we do ask that those are limited to no more than four (4) additional resumes. This adjustment will hopefully provide clarity to how organizational charts could be developed relative to the resumes shared. The main point is to not submit excessive resumes that are superfluous to how the proposed Consulting team is to support CCJPA and the expertise areas they intend to support.

Is there still a requirement for 5 resumes minimum per firm but per the previous Q&A no more than a total of 12? If they are no longer delineated by expertise area, then can the extra 4 be from any firm as long as they don't provide more than 5? The underlined statement implies that CCJPA wants resumes for all staff on the organizational chart. Can the 5-resume minimum requirement be waived for subconsultants? It will not be possible to meet this requirement for independent (sole proprietor) subconsultants and difficult to meet for SBE subconsultants. Please clarify.

The concerns here are consistent with many others (see above) that have been addressed in prior responses as well, as it made sense, in the Addendum CCJPA has issued.

ABOVE are questions posed from October 2, 2020 or before with responses. As mentioned, CCJPA will endeavor to respond to any questions through October 9, 2020. Thank you for everyone's questions to this point. We feel the clarity request especially around the various SF330 suggestions have been helpful and are now captured clearly in the Addendum.

50. Although answered previously, due to the substantial changes to RFQ requirements included in the recent addendum, will CCJPA consider an extension of the submission deadline in order to allow Primes and Subconsultants sufficient time to respond? As significant additional effort will be required to prepare a responsive SOQ, we suggest a minimum two-week extension. *CCJPA agrees that the material changes to clarify SF330 instructions is sufficiently extensive to have potentially affected how Proposers will build their team therefore we are extending the dates according to the following table (updated from the RFSOQ):*

- | | |
|--------------------------------------------------------|---------------------------------------|
| • <i>RFSOQ Release Date</i> | <i>September 18, 2020</i> |
| • <i>Pre-Submittal Meeting Registration Posted</i> | <i>September 22, 2020</i> |
| • <i>Pre-Submittal Meeting</i> | <i>September 25, 2020 (1PM PST)</i> |
| • <i>Final Day to Submit Questions re: SOQ</i> | <i>October 2, 2020 (5 PM PST)</i> |
| • SOQ Submission Date | October 26, 2020 (5 PM PST) |
| • Notification - Short-list for Oral Interviews | November 10, 2020 |
| • Oral Interviews | November 19, 2020 |
| • Firm(s) Selected for Negotiations (up to 3) | November 19, 2020 |
| • <i>All Firm(s) notified of selection status</i> | <i>Pending execution of contracts</i> |

NOTE: These dates above update/supersede the dates in the RFSOQ.

51. The answer to Q&A Question 28 indicates that designating resumes for org chart staff as being part of an expertise area is not a material issue. However, the RFSOQ Evaluation Criteria states scoring will include “Qualifications and relevant experience of the Key Personnel relative to the Scope of Services and the areas of expertise the Project Manager(s) address” and “be able to demonstrate extensive experience in their respective disciplines (based on area of expertise)”. Is the scoring method for resumes changing, and if so, what is the new criteria? *The context of that statement in Question 28 is about the use of a PM in various ways in an Organizational Chart as in some Proposers may have PMs that manage variety of expertise areas and/or some may use PMs in a particular expertise area only and no other expertise areas. Regardless of how PMs and subject matter experts are shown by the Proposer, the scoring for resumes is not changing. Qualifications and experience of the entire team shown to CCJPA in the SOQ responses will remain scored as indicated regardless of how Proposers organize their team.*
52. The possible projects and tasks that could be part of the consulting services are listed as including:
1. Funding strategy development and funding plans
 2. Grant application development
 3. Capital investment alternatives analysis

Does the CCJPA anticipate any of these roles will involve the consultant providing revenue analysis, financial or revenue projections, financial advisement, or similar financial services? If so, while it is possible for an engineering firm to subcontract such roles to a financial services firm, because insurance for such services is not typically commercially available to engineering firms, and because the consulting engineering firm will remain liable for the services even if performed by its subconsultant, the proposing firms are potentially exposed to substantially higher risks than would exist with a typical engineering services program.

If such is the case, would the CCJPA be open to:

1. Contracting directly with a financial advisor firm for these services;
2. Allowing, without penalty or liability on the consultant, a selected consultant to reject a WD for such services; or
3. Limiting the consultant’s and its subconsultant’s liability for these services.

The financial analysis considered in the comment/question submittal above goes beyond what CCJPA intends or has experienced in the past with respect to financial analysis and financial advisors which may be more common in business or personal finance. If, for some reason there became a reason to use financial analysis, then CCJPA would likely select the option 1 from the list of options suggested above if a selected Prime consultant could not successfully provide such services through a subconsultant. Revenue analysis and even economic analysis, however, is very different and it is our experience that in considering team formation, these are the types of services that could assist with the three listed tasks, depending on the circumstances. These are not the tasks that we have relied upon a financial advisor (e.g., investments, retirement

planning, business investment planning) to provide but have been provided by people technically savvy in fare analysis or economists examining potential actions by the CCJPA or CCJPA partners, such as a new station's impact on the community.

53. Section 9.1(A) of the Sample Agreement contains warranty requiring a professional engineering standard of care. We have the following questions:
1. Can CCJPA clarify which types of work listed in Attachment A would require professional engineering services and trigger the warranty clause? *Rather than being specific to the conceptual work tasks shown, we indicate that engineering design work for stations or track infrastructure completed by registered engineers at some percentage of design would require that standard of care clause to be in effect. Projects that involve engineering knowledge and input, such as a study or grant application might need some engineering input (and probably from a registered engineer, hopefully) but would not trigger that warranty clause. In reality, it would be case by case depending on what we are planning to do and regardless, this clause being in effect or not would need to be captured in the SOW for the particular Work Directive.*
 2. Will CCJPA consider modifying Section 9.1(A) for contractors that are not professional engineering firms and that are not providing professional engineering services? *See the answer above in that we would not have that standard apply for primes or subs unless the Work Directive required that warranty of work to be in place. If contractors are not going to provide that service (aka, not proposing on the engineering expertise) then they are free to apply. However, should engineering be in the SOQ, it would be critical that any engineering prime or sub expected to play that role does have the ability to support that standard of care.*
 3. In the event a subcontractor is performing professional engineering services, but not the prime contractor, could the professional engineering standard of care warranty be applied only to the subcontractor performing such services, and not the prime contractor? *Yes. The response to the questions above indicates how that could be the case.*
54. If awarded a contract, would a contractor have the opportunity to decline certain types of work/task orders if the contractor determines that it does not have the appropriate expertise to perform the services. *Absolutely – this is certainly permitted. There could be many other reasons besides expertise that may come into play, such as illustrated in the question/response just below.*
55. Considering that CCJPA is administrated by BART, would participation on the BART NTRC (Transbay Crossing) project by the Consultant be considered as a conflict of interest? *No it would not. CCJPA is also a partner with BART in that NTRC procurement. Both procurements are done for different purposes. The conflict of interest concerns would be if one consultant was writing contract work for themselves in one task that resulted in work under the other contract. This is the 1090 conflict under California law and we would be mindful if BART and CCJPA were to collaborate across the NTRC and any projects done under on-call. This is also an area that (to the question above) that a contractor may call it out themselves that they do not want to perform said work because they feel they might compromise themselves in future work (e.g., not wanting to work on writing an RFP to preserve the opportunity to respond to the future RFP).*

56. Would CCJPA consider waivers of the Individual Direct Labor Rate cap of \$100.00 per hour included in the example Provisional Cost and Reimbursement Agreement (Attachment C) for certain key personnel defined as critical to the project? *CCJPA can permit waivers of certain key personnel to exceed that Rate cap of \$100 but the decision to do this will be based on an audit of the rates by BART staff who have expertise in evaluating rates for professional work. The cap rates that exceed \$100/hour should be noted in the SOQ rate response section and as long as they are market rate and competitive and with good justification, we have seen BART Internal Audit staff approve rates that go above \$100/hour for the cap.*