November 20, 2020

To: **Prospective Respondents**

From: **Mary Talentinow, Interim Construction Contracts Administrative Manager**

Subject: **Addendum No. 2 to RFIF S20183 – Clarification and Question Responses**

Certain revisions, additions, and modifications are hereby incorporated into the Request for Industry Feedback (RFIF) Document. Each Respondent shall acknowledge receipt of this Addendum using the ACKNOWLEDGEMENT FORM and submit it with response.

Replacement or additional text is shown as **bold** and underlined (**added text**). Deleted text is shown with strikethrough (~~deleted text~~) in the "redlined version" attached. **Addendum #1 was released on November 16, 2020 to communicate revisions to the schedule affecting release of the RFIF Clarification Addendum (contractor question responses) and the deadline for receipt of responses to the RFIF.**

The following page(s) contain responses to questions submitted by prospective Respondents. Do not submit the attached "Q&A" document in your response.

QUESTIONS & ANSWERS

The following questions have been submitted by prospective respondents. VTA has provided responses to the following questions to assist respondents in the preparation of their responses. Some questions may have resulted in material changes to the instructions or technical aspects of the RFIF.

Q1. **It is noted that the current BART CBTC contractor (Hitachi) has an option to provide said system under the VTA BART Silicon Valley Phase II Extension Program / Systems Contract. Please confirm if this option is being exercised and the CBTC Systems will be deleted from the VTA BART Silicon Valley Phase II Extension Program / Systems Contract? If said option is exercised, who will be responsible for System Integration under the VTA BART Silicon Valley Phase II Extension Program / Systems Contract?**

A1: a) CBTC Systems for BART Silicon Valley Phase II Extension, an option under BART's contract with Hitachi, soon to be exercised by BART. VTA and BART are working out the details and expect to define the requirements for Systems DB Contractor with the Request for Proposal (RFP) release.

b) The plan to integrate the project's Systems with CBTC will be established and implemented by VTA Systems contractor, in coordination with BART. The integration requirements will be included in the RFP.

Q2. If the CBTC System is to be furnished and installed by the Contractor under the VTA BART Silicon Valley Phase II Extension Program / Systems Contract, will BART supply the CBTC components at no cost to the Contractor for installation?

A2. Refer to the response to Q1.

Q3. VTA appears to have decided to combine many subsystems that would normally be related to the tunnel and stations contracts – specifically conveyance systems; emergency ventilation systems; station and facilities systems and yard systems. While it is imperative that such subsystems are properly integrated under the overall systems package, would VTA consider having the delivery and construction of these subsystems fall under the respective infrastructure package providers where they are traditionally provided?

A3. At this time, it is VTA's intention to have all the systems and subsystems identified in the RFIF included in the Systems contract. However, VTA is open to input from the industry.

Q4. Given the magnitude and the overall duration of the project will VTA consider reduced bond requirements – possibly a split bond approach divided between the design phase and the construction phase?

A4. Submit your recommendations with the RFIF responses. The RFQ and/or RFP bonding requirements will be addressed.

Q5. What level of design will VTA be issuing its procurement with?

A5. Level of design may vary by subsystems. The functional requirements will aligning with BART's operations, maintenance, and safety standards.

Q6. What level of stipend will VTA be proposing for this pursuit?

A6. Whether VTA provides a stipend, and the amount of the stipend, will be determined with the release of the RFP. Please submit your recommendations with the RFIF responses.

Q7. Will the DB contractor be required to PE seal any prescriptive designs and specifications provided by the VTA?

A7. Refer to the fourth bullet under the paragraph starting on page 1, "It is expected that the scope of the Contract will…" and shown on page 2 of the RFIF, starting with "Engineer(s) of Record (EORs) will…" The EORs are required to PE seal all engineered work products.

Q8. Will the DB have to perform any related technical studies and/or calculations related to the prescriptive designs provided by VTA/BART?

A8. Yes, the DB contractor must perform technical studies and calculations related to the technical requirements provided by VTA.

Q9. Given the risk profile of the project and in particular the likelihood of significant project delays related to the heavy Civil construction will VTA consider a non-traditional contracting approach such that during the RFP stage VTA develops an overall risk register with input from each bidder with which it then will have each bidder value the risks as part of its final submission to create a shared contingency fund? This could then be treated as an allowance item under the prime contract that will promote a collaborative approach to solving issues as they arise in the most efficient and cost-effective manner.

A9. A very meaningful and thoughtful question. VTA appreciates industry input on this subject and lessons learned from previous projects.

Q10a. VTA states that the Contract allowances will not exceed 5% of the related pay items. Would VTA consider a less restrictive use of allowances due to the high-risk nature of this project?

A10a. As stipulated on page 5 of the RFIF below the Contract pricing structure table, the percentage of contract value was footnoted, stating that the percentage are an approximation of the percentage of the estimated contract value. VTA appreciates industry input on this subject.

Q10b. Alternatively, how would VTA propose to deal with a situation whereby the allowance amount is exceeded by no fault of the contractor.

A10b. This scenario may be dealt through various project management processes/ procedures such as the change management process and contingency drawdown procedures.

Q11. Under the contract pricing structure is it VTA's intent to provide its own estimated quantities for bidding purposes?

A11. VTA intends to provide estimated quantities for bidding purposes. Allowances defined in the pricing form require the contractor's firm unit prices against estimated quantities per line item. The remaining structure is firm price based on plans, technical requirements, and other requirements provided with the RFP.

Q12. Transit Tunnel projects are notorious for suffering civil infrastructure schedule delays. Will VTA consider some form of up front agreed to extended overhead rate for the systems package to avoid unnecessary dispute if such delays were to occur?

A12. Yes, VTA will consider suggestions for pre-determined overhead rate for the systems

package. Please submit your recommendations with the RFIF responses.

Q13. Is the dry standpipe along the tunnel furnished and installed by Contract 1 or Contract 2?

A13. There is no dry standpipe in the Tunnel.

Q14. Which design/consultant firms are conflicted out of participating on a team for Contract 1?

A14. VTA will consider conflicts on a case-by-case basis. Concerned contractors should seek their own legal guidance on whether they are precluded from participating in this procurement. Concerned contractors are encouraged to present their analysis to VTA for review and consideration.

Q15. The second bullet of page 2 of the RFIF states "The installation phase of the Contract requires the DB Contractor to coordinate and monitor the "hand-off" dates defined in the Contract or discovered during the final design development. Each Program's contract will have these dates and other cross-contract interfaces that will be included in their schedules. The Systems DB Contractor will need to incorporate these schedules as appropriate, to ensure that the overall Program schedule is monitored as progress is achieved."

a. If hand-off dates are not available until schedule integration with other contractors occurs, during the final design development, how is the DB contractor expected to price the project? VTA must at least provide anticipated handovers for all aspects of the systems package scope. In addition is it VTA's expectation that the Systems DB Contractor must have the staffing to constantly monitor and update an overall program schedule or VTA itself will retain responsibility for the overall program schedule updates and coordination.

A15. "Hand-off" dates and significant interface information will be provided in the RFP. These dates serve as a basis for proposals. During the design and construction planning phase, prior to the commencement of construction, the design-build contractors are required to collaborate and establish integrated project schedules. Revisions to the RFP dates and information provided shall be mitigated or modified by change orders. Any changes affecting the program's master schedule after the award of the contract/issuance of NTP1 will be resolved in NTP2. The Systems DB Contractor is expected to take ownership of the schedule and work closely with VTA to update the program schedule on a regular basis.

Q16. You have explained the complications of integration on the project and the plan for the Systems design-builder to manage interfaces with support from the owner's team. Between the various prime agreements and stakeholders, what sort of contractual mechanism(s) or process will exist for the Systems design-builder to implement interface decisions and how will VTA and BART support that integration?

A16. a) VTA will supply an interface management plan and database tool to facilitate the contractor's responsibilities for interface management.

b) VTA will produce a preliminary interface matrix that will be included in all contracts. It will be the design-builder's responsibilities to further develop the matrix to the level of detail required to identify specific scope elements that will be provided and installed in the field. This effort will require development of Interface Control Documents that will establish handshakes between contractors where they exist. VTA has already established an organization within the program, that will be providing oversight and assurance to the interface process and will be actively supporting the integration within and between the contracts. Further, an order of precedence will be established in the four contracts identifying the authority by interface type/category and dictating needs to the other contracts.

Q17. How many stages does VTA anticipate for Notice-to-Proceed?

A17. VTA is considering two NTPs that address the Systems means, methods and schedules based on construction work packages. NTP 1 is for Professional Services to design and support construction scheduling / integration, procurement of long lead items, and any preliminary construction activities deemed essential to alleviate the pressure on the Program's critical path. (b) NTP 2 is for Systems installation and testing. VTA appreciates industry feedback on this subject and lessons learned from other complex projects. Refer to the response to Q15. for additional explanation.

Q18. Both the Tunnel project and the Systems project identify tunnel ventilation in their respective scope. What is the planned division of labor/responsibility with each of these?

A18. Contract 2 provides the ventilation plenums. Contract 1 is responsible for the design, installation and testing for the ventilation system.

Q19. BART has handled integration and expansion differently over the years. How will both technical reviews and coordination with BART be handled for the Phase II Systems Contract? Will there be a BART single point of contact assigned to the project? At what level of design completion can the design-builder expect substantive comments from BART?

A19. VTA and BART have jointly established a Rail System Organization (RSO). VTA is the single point-of-contact for providing requirements, supporting contractor testing and integration, and performing activities associated to acceptance and commissioning. The RSO will provide support and coordination during the Systems DB Contractor's delivery.

Q20. How will technical differences, disagreements, and escalation/resolution, be handled between BART and VTA or any third party and then coordinated with the Systems Contractor?

A20. The project has developed processes/procedures to address technical differences, disagreements, and escalation/resolution.

Q21. How will technical differences or disagreements between the different packages, Tunneling, Systems, Stations and Yard/Shop be managed/resolved?

A21. The project has developed processes/procedures to address technical differences, disagreements, and escalation/resolution. One of the means and methods to resolve technical differences or disagreements is the collaboration and communication required by each contractor implementing the interface management and systems integration, initiating with contract award to contract closeout.

Q22. How is track or construction access handled between contractors when there is an overlap as frequently happens with Systems Work?

A22. A program-wide track or construction access process will be established. The access control will be with the other three contractors (CP2, CP3 and CP4) with access provided to CP1 per a high-level sequence established at the award of the other three contracts during the collaborative integrated schedule development process.

Q23. How will the Systems work be staged to interface with the various other contracts?

A23. Complementing the process described in A22, the Systems contractor is expected to develop staging plans complete with site specific work plans and handoff checklists.

Q24. Currently, individual meetings are being offered for only design-builders and systems installers. Would VTA consider extending this invitation to lead designers or systems integrators?

A24. Yes, VTA will consider extending this invitation to lead designers or systems integrators.

Q25. Will the same systems technologies be implemented on Phase II as Phase I? If new systems are implemented, will a BART design standard be provided as with other systems, or might the design-builder be required to submit their own design for approval?

A25. The RFP will include functional requirements for each system and subsystem. The requirements will be comprehensive and include pertinent criteria, specifications, BART Standards, where applicable.

Q26. What third parties does VTA anticipate the Systems Contract interfacing with?

A26**.** Systems DB Contractor is responsible for interfacing with third parties during the design and construction planning phase, prior to start of construction. VTA has established third party agreements to facilitate such interface following contract award. A list will be provided with the RFP.

Q27. What are the disabled veterans, small business, minority business diversified business goals for this project?

A27. The Disabled Veterans and Minority/Women Business Enterprise Programs will not have any contract goals assigned; however, there will be Small Business and Disadvantaged Business Enterprise Programs goals which have not yet been determined. This will be addressed in the RFP.

Q28. What level of DBE participation should be utilized on this project without impeding in the progress in the project? Do you think DBE requirements should be a goal or a mandate?

A28. VTA will determine DBE goals relevant to the work being performed and will state the goal in the RFP. The goal requirements cannot be considered "mandates" under VTA's or the FTA's diversity program or under the law. However, proposers must, at a minimum, demonstrate good-faith efforts to meet any advertised goals.

Q29. Will the current Consultant(s) to BART under the current CBTC Systems contract be conflicted and unable to participate in the VTA BART Silicon Valley Phase II Extension Program / Systems Contract?

A.29. See the response to Q14, above.

Q30. Do you think VTA should preclude some consultants, contractors and other companies from bidding this project and if so who are they?

A30. See the response to Q14, above.

Q31. Do you think VTA should preclude some consultants, contractors and other companies from bidding this project as a prime or teaming with another firm. Why?

A31. See the response to Q14, above.

Q32. Who will be precluded from offering services in response to the upcoming RFP? Or, how will VTA determine who is precluded?

A32. See the response to Q14, above.

Q33. Does VTA have a draft concept for payment, such as a progress payment schedule?

A33. No concept for payment has been established at this time. Refer to the RFP for the pricing form.

Q34. Is the cover letter included as part of the 20-page limit to the response to this request for Industry Feedback?

A34. No.

Q35. Can VTA provide a copy of its proposed contract form?

A35. A copy of VTA's sample contract is not available at this time but will be included in the RFP documentation.

ACKNOWLEDGMENT FORM

Respondent must sign the ACKNOWLEDGMENT FORM to indicate receipt of Addenda. Please list each Addendum received, sign, and submit this form with your response in order for your response to be accepted.

Acknowledgment of Addendum No: _____

Acknowledgment of Addendum No: _____

Acknowledgment of Addendum No: _____

_____ _____
Respondent's Signature Date

_____
Name and Title

_____
Firm Name

SANTA CLARA VALLEY
TRANSPORTATION AUTHORITY
REQUEST FOR INDUSTRY FEEDBACK (RFIF)

RFIF S20183

Issue Date: October 16, 2020; Conformed per Addendum ~~1~~**2** Issued November ~~16~~**20**, 2020
Requested Response Due Date: December 4, 2020

SUBJECT: BART Silicon Valley Phase II Extension Program / Systems Contract

PURPOSE: The purpose of this Request for Industry Feedback ("RFIF") is to gather information regarding interest from organizations (each an "Organization") in a delivery method described below, for the Systems ("Contract") for the BART Silicon Valley Phase II Program ("Program"). The information obtained pursuant to this RFIF will be considered by VTA in advancing the Program, and may be reflected in subsequent procurement documents, including but not limited to a Request for Qualifications and a Request for Proposals.

VTA will use a Design-Build ("DB") delivery method, whereby VTA will provide the system performance and prescriptive requirements with appropriate space-proofing plans to facilitate a definitive price and schedule proposal.

BART and VTA entered into a Comprehensive Agreement in 2001 that defines the roles and responsibilities of both agencies. Among other things, the Comprehensive Agreement stipulates that BART is the responsible entity and advisor to the Program, providing technical oversight for the BART systems to be procured in the Contract. In this capacity BART will be actively reviewing the contractor's designs, shop drawing submittals, testing procedures and operations & maintenance ("O&M") instructions so that contractual requirements are maintained for the safe and efficient operation of the BART System.

VTA provides overall procurement, management, administration, technical review support, contract interfaces, and systems integration support for the Program. VTA will own the BSVII infrastructure and BART will operate and maintain the infrastructure.

It is expected that the scope of the Contract will include, without limitation, the following roles and responsibilities, but not limited to:

- Management and administration, including contract scheduling, and risk management. The contractor for this Contract ("Systems DB Contractor") is responsible for interface and integration, both in terms of design, installation and testing.
- Quality control, quality assurance, and safety management, including development of relevant plans and procedures consistent with Contract requirements.
- Interface management of systems-to-systems, systems tie-in to existing BART systems/facilities, and systems-to-facilities (tunnel, stations, ventilation and emergency egress facilities, and Newhall yard & shop). The Systems DB Contractor will be required to update/maintain the owner-provided interface matrix. There will be extensive interfaces to manage with multiple "handoffs" that will require designated (or sub-system)

coordinators during design, installation and testing. The Systems DB Contractor's interface specialists will work with the other three Program design-build contractors to ensure seamless interfaces.

- Engineer(s) of Record (EORs) will be the Systems DB Contractor's designer(s) that prepares the plans and specifications for equipment procurement, installation and testing. The EORs' key responsibilities include incorporation of owner-furnished equipment, cross-contract design integration, safety/security certification program, and the preparation of as-constructed documentation, prior to contract closeout as a condition to final acceptance of the systems work.
- The installation phase of the Contract requires the DB Contractor to coordinate and monitor the "hand-off" dates defined in the Contract or discovered during the final design development. Each Program contract will have these dates and other cross-contract interfaces that will be included in their schedules. The Systems DB Contractor will need to incorporate these schedules as appropriate, to ensure that the overall Program schedule is monitored as progress is achieved.
- The Systems DB Contractor's integration team will work directly with VTA and BART for successful commissioning and turnover.

VTA expects that proposals requirements for the Contract will include, at a minimum, each proposer's management approach, efficiency of construction means and methods, and a collaborative strategy for achieving the systems integration, testing, commissioning and safety/security certification to enter into passenger service.

This RFIF has two purposes:

- First, to seek the industry's perspective and feedback on the questions in Appendix A to this RFIF. Interested parties are strongly encouraged to submit written responses to these questions.
- Second, to arrange for individual meetings with qualified Organizations as described in Section 4 below.

VTA anticipates the following schedule for this RFIF:

Milestone	**Date**
RFIF Release	October 16, 2020
Deadline for Receipt of RFIF Questions	5:00 p.m. Pacific Time, October 30, 2020
RFIF Clarification/Addendum Release	November 20, 2020
Deadline for Receipt of RFIF Responses	5:00 p.m. Pacific Time, December 4, 2020
Discretionary Meetings	December 14 – 22, 2020

NOTE TO ORGANIZATIONS: This is an RFIF only and is ***issued solely for market research purposes***. It does not constitute a formal solicitation, nor does it guarantee that a formal solicitation may follow. This RFIF should not be construed as a means to pre-qualify vendors; not responding to

this RFIF does not preclude participation in any future solicitation, if one is issued. Time and resources spent by Organizations in the development of a response to this RFIF are voluntary and solely at that Organization's cost. Any future contract related to the subject of this RFIF that may be awarded must comply with VTA's procurement policies/procedures as well as any other relevant VTA policies/procedures.

SECTION 1: INTRODUCTION

OPPORTUNITY: VTA intends to award the Systems Contract not earlier than Winter of 2021. The Contract budget is approximately $500M in year-of-expenditure dollars.

ABOUT THE PROGRAM: The largest single public infrastructure project ever constructed in Santa Clara County, the Program will extend BART service six miles from the Berryessa/North San José BART station through downtown San José and terminating in the City of Santa Clara. BART will operate and maintain the Extension.

Transit-oriented communities are planned for each of the future station locations, and the completion of the Program will finally "ring the bay" with frequent rail service.

The Program is planned to include, among other things:

- 28th Street/Little Portugal Station
- Downtown San José Station
- Diridon Station
- Newhall Yard & Santa Clara Station
- Mid-Tunnel Ventilation/Egress Facilities
- Transit-Oriented Communities

The Program is proposed to be divided into four discrete projects and corresponding contracts. These will include Contract 1 (Systems), Contract 2 (Tunnels and Trackwork), Contract 3 (Newhall Yard & Santa Clara Station), and Contract 4 (Stations). There will also be contracts associated with Transit-Oriented Communities. **This RFIF covers only Contract Package 1 – Systems.**

There are significant interface and coordination challenges, the resolution of which will be the responsibility of the selected Systems DB Contractor. Aside from coordination of its subcontractors, the Systems DB Contractor must interface and coordinate with the tunnel, trackwork, stations, and Newhall Yard contractors, some of whom will need to concurrently occupy portions of the mainline tunnel during construction. Having the ability to formulate and implement plans to overcome these logistical challenges is critical to the program success.

For more information, please visit https://www.vta.org/projects/bart-sv/phase-ii. Please note that much of the background information contained under this website link was prepared for a prior project configuration (i.e. twin bores rather than the current single bore). Regardless, the information is useful in providing a general understanding of many of the project-related challenges and issues.

ABOUT THE CONTRACT: The scope of the Contract contains all Systems elements.

Systems include:

1. **Traction power** encompasses the 34.5KV AC distribution system; traction power facilities; DC distribution system; protection, metering, control and monitoring; emergency and transfer trip system; sectionalization breaker blocking system, and contact rail system. 34.5kV AC and DC raceways will be generally constructed by others.
2. **Train control** includes conventional yard signaling, and enabling / wayside installation work for the recently awarded BART communication-based train control ("CBTC") equipment on the mainline.
3. **Security systems includes access control,** closed circuit television/video surveillance system; and portal intrusion detection system.
4. **Communications system** includes the display system (dynamic); data communication / operations network; public address system; SCADA system; station agent terminal; telephone system (emergency); private automatic branch exchange (PABX) telephone system; fire-party line telephone system; trunk radio system (above and below ground); unified optical network; and railroad intrusion detection system.
5. **Fare collection system** equipment will be provided by BART. The Systems DB Contractor will provide power and communication connections and install the equipment at the appropriate station locations.
6. **Conveyance systems** includes the elevators, escalators, and the elevator/escalator remote monitoring system (EERMS) (or latest equivalent.)
7. **Emergency ventilation system** includes the tunnel ventilation system; overtrack exhaust system; and the pressurization and/or air release system.
8. **Station and Facilities systems** includes all electrical (lighting, power, grounding); mechanical (HVAC, plumbing, and drainage system); and fire protection systems, along with sump pumps; compressed air systems, and natural gas systems.
9. **Yard systems** include the specialized systems for the Newhall Yard complex, including a control tower along with all electrical, mechanical, and fire protection systems, sump pumps, compressed air systems, and natural gas systems. These systems will be installed in facilities constructed by Contract 3 (Newhall Yard, Shop & Santa Clara Station).
10. **Systems tie-in** include interfacing work to the existing BART operating system. The existing end-of-line operating system needs to be decommissioned and cutover to newly installed systems while maintaining revenue operations.

It is envisioned that the scope of this Contract will consist of various construction packages and associated NTPs integrated and coordinated with the work of other Program contracts. The Systems DB Contractor will be expected to submit a construction schedule to address project goals and constraints related to construction sequencing, logistics, installation, as well as testing means and methods.

The Systems DB Contractor will be responsible for providing verifiable as-built design reflecting what was actually built, including any approved changes, and variances and specifications at the conclusion of construction.

The Contract pricing structure is anticipated to be:

Category of Work	Basis of Payment	% of Contract Value*
PM / Quality & Safety Management and Administration	Fixed Bill Rate against Approved FTE / Hours (includes named Key Personnel) per approved schedule of use	10%
Program Professional Services (Design, Integration and Interface Management, Coordination)	Fixed Bill Rate against Approved FTE / Hours (includes named Key Personnel) per approved schedule of use	15%
System Installation	Fixed Lump Sum Items (includes Contractor-Furnished Equipment & Materials), Fixed Unit Prices against Estimated Quantities	60%
System Testing, Rail Activation, Safety Certification	Fixed Lump Sum Items (includes BART and CPUC involvement)	10%
Contract Allowances	NTE Allowance per pay item	5%

(*) This is an approximation of the percentage of the estimated contract value

VTA expects to enter into a Project Labor Agreement (PLA) to cover all contracts within the Program, including this Contract. It is currently under discussion and, if successfully negotiated, VTA believes that it will be in-place by the end of 2020.

ABOUT VTA: The Santa Clara Valley Transportation Authority, also known as VTA, is the result of a 1995 merger between two previously separate entities: the Santa Clara County Transit District and the Congestion Management Agency for Santa Clara County. VTA is an independent special district responsible for bus and light rail operations, paratransit, congestion management, specific highway improvement projects and countywide transportation planning. As such, VTA is both an accessible transit provider and multi-modal transportation planning organization involved with transit, highways, roadways, bikeways, and pedestrian facilities. Working under the direction of a 12-member Board of Directors ("Board"), VTA's annual operating budget is approximately $400 million, and its currently-approved capital program is approximately $1 billion. VTA's bus fleet of 505 buses serves a 346 square mile urbanized service area and operates approximately 18 million miles annually. The 42.2-mile light rail system is served by 99 rail cars and 5 historic trolley cars and operates approximately 2.2 million miles annually. VTA employs approximately 2,300 people, of whom approximately 700 are administrative, clerical and professional positions and 1,600 are operators and maintenance positions. There are four operating/maintenance facilities located within Santa Clara County. The administrative headquarters is located separately from these four facilities. For more information about VTA, log on to www.VTA.org.

SECTION 2: INSTRUCTIONS & INFORMATION FOR ORGANIZATIONS

ORGANIZATION RESPONSES AND QUESTIONS: Please submit your Organization's response to this RFIF S20183, along with relevant supplemental material if desired, to VTA using the contact information and subject line description below no later than December 4, 2020.

In addition, you may submit questions or comments for clarifications along with your Organization's response. A response to your questions or comments is not guaranteed.

Please send all responses, questions, and correspondence to:

Mary Talentinow, Contracts Manager
Santa Clara Valley Transportation Authority
3331 N. First Street, Bldg. A, Contracts Dept.
San Jose, CA 95134-1906
Email: Mary.Talentinow@vta.org

Re: RFIF S20183 BART Silicon Valley Phase II Systems Contract

VENDOR REGISTRATION: Vendors are advised to register in VTA's vendor portal at www.vta.org/business-center to ensure timely notifications to their e-mail address regarding this RFIF. This RFIF is posted under the following NAICS codes. Vendors should choose at least one of these NAICS codes when registering to enable RFIF-related notifications.

237130 – Power and Communication Line and Related Structures

238220 – Plumbing, Heating, and Air-Conditioning Contractors

238910 – Site Preparation Contractors

RFIF OWNERSHIP: All responses, inquiries, and correspondence related to this RFIF S20183 and all reports, charts, displays, schedules, exhibits, and other documentation submitted by any Organization as part of this RFIF S20183 or in an individual meeting will become the property of VTA when received by VTA and will not be returned. VTA will have the right to use such materials, information and ideas without restriction.

DISCLOSURE OF INFORMATION: All written submissions and all other information submitted to VTA in response to this RFIF or in an individual meeting are subject to applicable public record laws. As a result, participants in this process should not provide any information they are not willing to publicly disclose.

EFFECT OF RESPONSES TO QUESTIONS AND INDIVIDUAL MEETINGS: Neither responding to the questions nor participating in an individual meeting is a prerequisite for participating in any future procurement for the Project. Similarly, responding to the questions or participating in an individual meeting will not confer on the participant any preference, special designation, advantage or disadvantage whatsoever in any subsequent procurement process related

to the Project. VTA will not evaluate responses to the questions or the results of an individual meeting as part of any procurement.

VTA will accommodate meeting requests in its sole discretion and is under no obligation to accommodate any or all meeting requests. VTA may cancel the opportunity to have individual meetings in its sole discretion at any time without any liability.

VTA will not make any commitments at the individual meetings. Similarly, organizations may not rely in any way whatsoever on any statements made by VTA or its representatives related to this RFIF, including any statements at the individual meetings.

VTA makes no representations, warranties, or guarantees that the information contained in this RFIF, on the Project website or discussed at individual meetings is accurate or that such information accurately represents the conditions that would be encountered during any subsequent procurement or contract.

Consistent with applicable law, VTA may communicate with one or more organizations responding to this RFIF, participants in the individual meetings or anyone else regarding the subject matter hereof.

By submitting a response to this RFIF S20183 and/or participating in an individual meeting, each respondent and meeting participant, as applicable, expressly agrees that it will not have any rights against VTA arising from the information provided by VTA, VTA's receipt and use of responses to questions, VTA holding individual meetings or the results of those meetings.

SECTION 3: RESPONSES TO QUESTIONS

In addition to written responses to the questions, respondents should provide a brief cover letter that references "RFIF BART Silicon Valley Phase II: Systems Contract – Responses to Questions," and includes the following descriptive information for itself and its team members (if any):

(1) Name of respondent and its team members (if any).

(2) Principal line of business for respondent and its team members (if any).

(3) Respondent's interest in the Project (i.e., prime contractor, designer, systems integrator, etc.).

(4) Name, title and contact information of the person responsible for submitting the response.

Please send electronic .pdf responses via email to: Mary.Talentinow@vta.org

The subject line of the email transmitting the responses should clearly indicate the respondent's name and "RFIF S20183 BART Silicon Valley Phase II: Systems Contract – Responses to Questions". Please limit your responses to no more than 20 pages total. Please do not include any extraneous marketing or business development collateral materials.

For Office 365 e-mail attachments, a 15MB size limit applies.

Responses may also be submitted on a flash/thumb drive labeled with the respondent's name and "RFIF S20183 – BART Silicon Valley Phase II: Systems Contract – Responses to Questions" and delivered to the address shown in Section 2, above prior to the deadline.

The deadline to submit the cover letter and responses to the questions in Appendix A to this RFIF S20183 is 5:00 p.m. Pacific Time, December 4, 2020.

SECTION 4: INDIVIDUAL MEETINGS

Respondents to this RFIF may be offered an optional follow-up individual meeting (at VTA's sole discretion) to discuss the responses and gain further understanding of issues raised.

VTA will offer such meetings only to Organizations that either (i) are design-build or alternative delivery entities that have proven track records of delivering rail transit projects; or
(ii) are systems installation and testing contractors with the capability of delivering system components suitable for the Contract.

If VTA decides to conduct individual meetings, they will be offered during the following time period: December 14 – December 22, 2020. Meetings may be conducted in a virtual format. Further information regarding any such meetings will be contained in the meeting invite.

Each of the meetings will last up to 90 minutes. We request that Organizations limit their attendees to a maximum of eight (8) participants.

APPENDIX A
ADDITIONAL QUESTIONS AND COMMENTS

Contracting

1. What minimum financial capacity and experience requirements should VTA consider in the shortlisting process for the Project?

2. Based on your experience with other procurements for transit projects, do you have any comments or suggestions on the procurement process VTA is proposing; i.e. to use the following steps in the procurement process RFQ → Shortlist → RFP → Best Value Selection? What are key lessons learned or case studies that VTA should consider to help ensure a successful outcome?

3. In your experience what has been the most effective way to implement the ATC (Alternative Technical Concepts) process in the context of a DB procurement such as what VTA proposes for the Contract? What are some "Best in Class" examples of the ATC process in your experience?

Project Scope and Phasing

4. This will be a very complex systems integration effort both technically and administratively. BART, as the ultimate operator and maintainer of the systems, has very stringent requirements. There will also be three other large DB contractors involved in the Program, often at the same time.

   Please describe the organizational structure you believe should be deployed that will be successful in managing the design and integration across the entire program including BART, VTA and DB Systems Contractor entities.

5. Please identify the major risk areas that you see for this project, such as:

   Design integration

   Scope, schedule and cost certainty

   Other Program contractor schedule/performance issues delaying your work

   Ability to influence interfaces with other Program contracts

   Technological obsolescence

   Other

6. The procurements involved with this Program are extensive and complex.

   What would you do to coordinate the work between your company and other participating companies/vendors?

   How could the Contract be structured to help facilitate such coordination?

7. Do you believe that the anticipated scope of work of the Contract is manageable by one DB Systems Contractor and will be attractive to the industry? How could the scope be changed to make it more attractive to industry?

8. The issue of technological obsolescence is real and must be managed. Equipment specified now may not be available 3+ years from now, updated equipment may require some re-design, etc. What is your recommendation on how to manage technological obsolescence over the course of the project?

9. What form of contract oversight features should VTA build into its Program to balance its need to ensure high quality contractor performance while at the same time offering its contractors flexibility in meeting the design criteria and technical requirements? What QC/QA roles are envisioned to be performed by this Systems DB Contractor?

Schedule

10. What do you believe is the biggest schedule risk to the Systems installation? What do you believe is the biggest schedule risk to Systems testing and turnover? Are there specific tasks VTA can perform or processes it can put in place pre- or post-procurement to facilitate or encourage project delivery within this schedule?

Environmental Considerations

11. What is the ideal method to quantify incorporation of sustainability measures for this Contract?

    The Environmental Impact Report can be found here: https://www.vta.org/projects/documents?document_search=&document_category%5B%5D=3901&project=656

Risk Assessment, Allocation, and Mitigation

12. In preparing the Contract, VTA will be making important decisions about the reasonable allocation of risks among itself, the Systems DB Contractor, and third parties. What would you propose to address the cross-contract coordination and communication so as to proactively manage the "handoffs?"

13. How could the contract be structured in order to make the work more attractive to the industry from a risk perspective?

14. VTA has elected to utilize an Owner Controlled Insurance Program (OCIP) for this project pursuant to the proposed construction contract documents. The OCIP will provide General Liability, Excess Liability, and Workers' Compensation for all eligible contractors of every tier, in addition to a Railroad Protective Liability consolidated insurance program. Contractors will be required to insure their owned tools and equipment and provide evidence of Auto Liability insurance.

    VTA anticipates the OCIP will allow the engagement and participation of eligible contractors in every tier including small, and disadvantaged business enterprises. Please provide your responses to the following questions:

- Describe specifically how you and your subcontractor teams would support the OCIP and cooperate to ensure its success.
- Describe your prior experiences with OCIPs and the key elements that made it successful and/or made it challenging, including how challenges were addressed and resolved.
- Describe your recommendations for a robust safety program that enforces accountability, tracks preventive and non-preventive incidents, and holds contractors responsible for both unfavorable and favorable loss history.

15. What forms of alternative dispute resolution should VTA consider for the Project? How many levels of informal discussions are appropriate for a contract of this size and scope? In your experience, is mediation productive? Some contracts utilize a dispute resolution board (DRB) - what insight do you have on DRBs?