

REGIONAL TRANSIT AUTHORITY

PUBLIC NOTICE

RFQ 2025-029 Program Management

Addendum V

Acknowledge receipt of this addendum in the bid submission. This addendum is a part of the Contract Documents and shall be included in the Contract Documents. Changes made by the addenda take precedence over information published at an earlier date.

1. Proposals for the EAST-WEST BANK BUS RAPID TRANSIT PRELIMINARY ENGINEERING AND NEPA CLEARANCE (RFQ 2025-018) were submitted almost two months ago on June 26th. The decision on the designer for the BRT system is a very important one, and worthy of deliberation. But, it would be ideal to know who is selected for that project, so that firms can make decisions about the new Program Management opportunity (RFQ 2025-029). It is presumed that the team selected for the BRT project could not be selected for the Program Management role, and perhaps subconsultants could be similarly impacted. This leaves firms, including DBEs, in a difficult decision. So, we kindly ask that either the BRT team be identified or that the date for the decision be disclosed. Is it possible to delay the Program Manager solicitation until the BRT award has been preliminarily made, even if not fully Board approved? **The award for BRT will not be announced until it has been approved by the Board. As for the timing of the Program Manager solicitation, we do not anticipate delaying the submission due date.**
2. The RFQ identifies the procurement as a Brooks Act procurement and will be a qualifications-based selection. The RFQ also requests Exhibit A Rate Sheet and Task Order 1 pricing. Please confirm the rate sheet and Task Order 1 pricing requirements, because they appear to be inconsistent with the qualifications-based selection intent. **Confirmed that the rate sheet and Task Order 1 pricing information are submission requirements. This information will not be factored into the selection and is intended to provide both the RTA and selected consultant with a starting point for task order negotiations upon selection of the winning consultant team.**
3. The RFP identifies a 37.5% DBE Goal. Is this goal an overall contract goal? Will RTA set individual goals for each task order based on the task order specific scope of and associated DBE availability calculations? **Yes, this is the overall contract goal.**
4. Attachment 1: Scope of Services includes final design in the second paragraph on page 3. However, the only final design in the detailed scope of services is Task 2 Contract Administration for final design (Scope page 4). Please confirm the scope is contract

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administration of final design ONLY. That is correct. The second paragraph on page three of the Scope of Services should now read: “The PMC may undertake direct execution of key phases of CIP projects including Preliminary Design, Construction Management Oversight, Environmental Services, Quality Assurance/Quality Control, Traffic Engineering, Survey, Public and Private Utility Coordination, Procurement Assistance, Small Business, Urban Design, Marketing, Communications and Public Engagement.”

5. With NORTA's recent (spring and summer) procurements for transit improvements and management/process assessment, please clarify if any of the selected prime firms or their subconsultants are precluded from proposing on this program management RFQ.

Please refer to the following language on page 3 of the Scope of Services:

Limitation of Future Contracting: The PMC and its sub-consultants participating in the preliminary engineering and environmental review work on a particular capital project will not be permitted to perform detailed design on that project. Furthermore, if the PMC and its sub-consultants are required to develop specifications or statements of work that are to be incorporated into a solicitation, the PMC and its sub-consultants shall be ineligible to perform the work described in that solicitation under an ensuing RTA contract. This restriction shall remain in effect for a reasonable time, as agreed to by the RTA in consultation with the FTA, sufficient to avoid unfair competitive advantage or potential bias. The RTA shall not unilaterally require the PMC to prepare such specifications or statements of work under this contract.

Therefore, there is a risk that the prime contractor and the sub-consultants selected for the PMC role may not be able to participate in the detailed design of future, unannounced capital projects.

Of the RTA projects currently or imminently in the procurement pipeline for design services, prime contractors may not serve in the role of PMC while also serving as the prime contractor for the design of the Downtown Transit Center (DTC) or the preliminary design of the East-West BRT. For these capital projects, the lead consultant for the PMC must be distinct and unrelated to the lead consultant for DTC or BRT.

There may be overlap in sub-consultants in the composition of teams for PMC, DTC, and BRT. However, subconsultants on the PMC team may not play a role as part of the PMC team in the oversight and management of the DTC and/or BRT projects if they are part of the DTC and/or BRT design teams. Thus, the lead consultant for the PMC may want to include multiple sub-consultants on their team to fill certain roles in the event that certain sub-consultants are precluded from working on the DTC or BRT projects or future, unannounced capital projects. As task orders for the PMC are formulated, RTA will work with the selected PMC prime contractor to ensure that the composition of staff for task orders does not

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present any conflicts of interest with the composition of staff for capital projects that the PMC will be tasked with reviewing or managing.

6. The RFQ requests submission of a fee estimate for TO 1 and a billing rate schedule (Exhibit A), while also stating the procurement will follow the Brooks Act, which requires qualifications-based selection without consideration of price during evaluation. To ensure compliance with the Brooks Act, should these two price-based elements be removed from the RFQ procurement and only be submitted by the most qualified firm post-selection? If not, and to ensure submittals are fully Brooks Act compliant, could you please clarify how the fee estimate and rates will be used in the selection process? Specifically: Will these documents be reviewed only after the most qualified firm is identified? If so, how will NORTA ensure the data is not shared/viewed prior to selection with this being a single electronic submittal? • Are they intended solely for post-selection negotiations and contract structuring? If so, should they be submitted at that time? • Should we expect any evaluation or scoring based on these documents prior to the qualifications-based ranking? **Please see the response to #2 above.**
7. Please advise if attending the pre-bid meeting is mandatory for an offeror to be eligible for award. **No, attendance at the pre-bid meeting is not mandatory.**
8. Please advise if the meeting minutes from the pre-bid meeting will be shared to all offerors via an addendum. **No**
9. Since this is a Brooks Act / Qualifications-Based Evaluation, why are the hourly rate and price forms (Exhibit A / Attachment A) required for Task 1 (EXHIBIT B)? **Please see the response to #2 above.**
10. If hourly rates and price proposal forms are required, these documents should be in a separate document from the qualifications package. However, ProcureWare only allows 1 .pdf file to be uploaded. Please clarify how we can submit these documents separately (see attached "Response" tab screenshot). **Please see the response to #2 above. RTA Procurement will ensure that the rates and price proposal forms are not evaluated by the evaluation panel.**
11. If required, can hourly rates and price proposal forms be marked as confidential? **The rate is no longer required and should not be completed with proposal.**
12. Per Page 5, Table of Contents, please provide the Supplier Checklist attachment. **Supplier checklist can be found on page 2 of the solicitation.**
13. Per Page 6, Section 1.1, can proposers use a smaller font on forms, resumes, org charts, graphics, and captions? **Yes**
14. Per Page 6, Section 1.1, can proposers include a Table of Contents (TOC)? If yes, will it be excluded from page counts? **Yes and Yes**

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15. Is a landscape document format allowed? **Portrait**
16. Are 11x17 pages allowed (for example, an organization chart)? **Yes**
17. May we use RTA's logo? **Yes**
18. Per Form 11, page 3, Section IV: what are the criteria for Past Performance DBE %? How many completed projects does RTA want to see? Our firm has hundreds of projects and would like to narrow our list down to completed projects that are relevant to RTA's Scope of Services. **Provide details of your firm's past performance in compliance with DBE goals. List any projects that you worked on that you had to comply with a DBE goal.**
19. Per Page 40, Section 4.5: Must the audited overhead rate be based on Federal Acquisition Regulation (FAR) or may we use an internal audited rate? **The rate is no longer required and should not be completed with the proposal**
20. Per Page 45, Section 4.6 - PLACE OF PERFORMANCE. Is this information required for professional services? If yes, where should this "form" be included in the order of information required? **Please disregard Section 4.6 Place of Performance**
21. Per page 12, Section 1.15 - ADDENDA: Should proposers use this page to respond, or will RTA provide a separate form? Where should this information be included in the order of required documents? **Please use addenda page to respond**
22. We respectfully request that the submittal of the rates for the proposal be submitted separately in sealed file with password and if selected for negotiation for the first task order. **The rate is no longer required and should not be completed with the proposal.**
23. For RTA consideration. Response form 1 for the percentage and dollar amount related to the scope of work provided (currently on the first task order as defined in the proposal). Would it be appropriate to only provide the dollar and percentage amounts for this task order as defined. The difficulty is to predict future task order work until issued which may cause hardship for subcontractor expectations.. A possible solution would be to require goal and guarantee with each task order with updated total against the contract value to maintain or exceed the goal the level and the subcontractor expectations. **The rate is no longer required and should not be completed with the proposal.**
24. Exhibit A PMC Rate Sheet and Schedule requires both on-site (at the contractor's facilities) and off-site (not at the contractor's facilities) rates. Please confirm that the ONLY information required for off-site rates is the sentence at the bottom of Exhibit A. For example, The off-site hourly overhead and profit rate is calculated as 110% of hourly salary rate. **The rate is no longer required and should not be completed with the proposal.**

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25. Given the space available on the forms required by the RFQ, would it be permissible to use a font size smaller than 12pt for the forms only, provided it is still legible? **Yes**

26. Will NORTA permit the use of 11x17 pages for org charts/larger graphics? **Yes**

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