



**Judicial Council of California**  
ADMINISTRATIVE OFFICE OF THE COURTS

455 Golden Gate Avenue • San Francisco, California 94102-3688  
Telephone 415-865-4200 • Fax 415-865-4205 • TDD 415-865-4272

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## ADDENDUM 1

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Date	Action Requested
February 11, 2010	Please review the change below
To	Please review Q&A attached
Potential Proposers	
From	Deadline
Judicial Council of California	N/A
Administrative Office of the Courts, Office of Court Construction and Management	Contact
	<a href="mailto:occm_solicitations@jud.ca.gov">occm_solicitations@jud.ca.gov</a>
Subject	
<b>Addendum No. 1</b> <b>Q &amp;A</b>	
<b>Program, Project and Construction</b> <b>Management IDIQ Services</b> Solicitation Number: OCCM-2009-10-GS	

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1. Please replace the heading of RFQ, 7.2, with the following:

**7.2 Standard Form 330**, (U.S. General Services Administration)

<http://www.gsa.gov/Portal/gsa/ep/formslibrary.do?viewType=DETAIL&formId=21DBF5BF7E860FC185256E13005C6AA6>:

Program, Project, and Construction Management ID/IQ Services  
RFP # OCCM-2009-10-GS

#	RFQ Reference	Question	Answers
1	RFQ # OCCM-2009-10-GS	Are firms that are or have been CM-at-risk contractors on other courts projects be eligible to be Agency PM/CM owing to their inherent conflict of interest?	Yes. Once firms are selected for each region, as projects become active each firm in that region will be evaluated specifically on how they can contribute to those projects.
2	RFQ # OCCM-2009-10-GS	If a DVBE is selected as a prime consultant, will this count toward AOC's 3% DVBE goal? Is the AOC only likely to contract with large, non-DVBE firms? (There are no large DVBE PM/CM firms.)	Yes. No, the AOC will be contracting with both small and large firms. If a small DVBE PM/CM firm is qualified, they will be considered along with all firms submitting SOQs.
3	RFQ # OCCM-2009-10-GS;	Does AOC have a DVBE Advocate? If so, who is it and what is their contact information? If not, can we contact the RFQ project manager or some other designated person to discuss ideas as to how AOC can (1) meet DVBE goals and (2) provide effective outreach.	No, the AOC does not have an in-house DVBE advocate nor do we have specific designated point person for DVBE.
4	RFQ # OCCM-2009-10-GS	What steps will the OCCM be taking to provide effective DVBE outreach?	We take the DVBE goal seriously and are open to moving towards more effective DVBE outreach.
5	RFQ # OCCM-2009-10-GS	It appears that AB4x 21, which eliminated the "good faith effort" for State agencies, may not apply to the Judicial Branch. Do you intend to implement the intent of that law for this and other solicitations?	We intend to include DVBE participation where appropriate, qualified DVBE firms are available. The law that eliminates the requirement of "good faith efforts," is not applicable to the Judicial Branch.
6	RFQ # OCCM-2009-10-GS	Will OCCM provide points-of-contact for prospective primes, especially those that are already under contract to the Judicial Branch for similar services?	Yes, a list of firms with intent to submit SOQs will be published on our web site.

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7	RFQ # OCCM-2009-10-GS;	<p>We are a DVBE PM/CM firm and feel we can bring useful services to the AOC under the subject RFQ. Since there is no pre-proposal conference it is not possible for us to identify the prospective prime proposers. Can you help us with this? We have worked with a number of large firms that will probably propose, but would like to know from you which firms are currently on-board with OCCM. A couple of other questions:</p> <p>Does OCCM have a DVBE Advocate or other DVBE contact person named?</p> <p>And, can that person meet with us to discuss how we can get on teams?</p>	<p>See answer to question number 6.</p> <p>See answer to question number 3.</p>
8	RFQ # OCCM-2009-10-GS	<p>Because there is no pre-proposal conference or list of RFQ-holders available, this makes it difficult for DVBEs to identify and contact prospective prime consultants. Can AOC provide points-of-contact for prospective primes, especially those that are already under contract to AOC for similar services? Can AOC provide a bulletin board or RFQ amendment on the RFQ website where interested DVBEs can post their information?</p>	<p>See answer to question number 6.</p>
9	RFQ # OCCM-2009-10-GS	<p>AB 21 signed into law last year eliminates "good faith effort" as a means for state agencies to meet DVBE 3% content required by law. However, the RFQ states that "good faith effort" is still an option for the PM/CM contractor for this contract. Is AOC exempt from this law?</p>	<p>Yes, the judicial branch is not a state agency nor is it governed by the Public Contracts Code. At this time, a responsive "good faith effort" is still an option. However, we do seek active DVBE participation in our program and strive to meet the Judicial Branch's 3% goal.</p>

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#	RFQ Reference	Question	Answers
10	RFQ # OCCM-2009-10-GS	<p>We have DVBE that are interested in this ID/IQ but your solicitation appears to allow primes to submit a Good Faith Effort (GFE) to meet DVBE participation goals.</p> <p>GFE has been eliminated from the Public Contracting Code and is not longer a legitimate avenue for obtaining DVBE participation in any state contracts.</p> <p>Also I don't see this solicitation on the state EProcurement system at Bid Sync.</p> <p>Can someone contact me and help me understand the issues here</p>	See answers to questions number 5 and 9.
11	RFQ # OCCM-2009-10-GS	For the subject RFQ, can a proposing firm propose the same team for all regions?	Yes, a firm can propose the same team for all regions. However, the projects are located across the entire state and, given the specific project under consideration, the individuals proposed will have to work in one of AOC's regional offices as well as work with courts and project locations throughout the state.
12	RFQ # OCCM-2009-10-GS	<p>The RFQ mentions Construction Inspection, is this in addition to the Materials Testing and Special Inspections Master Contracts already in place by the AOC, with Moore Twining and Ninyo-Moore?</p> <p>Or is it referring to something along the line of Contractor Quality Control/Quality Assurance?</p>	No, this is not a construction inspection RFQ. Typical on-site activity would be as described in Section 4.5. Item f.

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#	RFQ Reference	Question	Answers
13	RFQ # OCCM-2009-10-GS	For the subject RFQ, can a proposing firm propose the same team for all regions?	See answer to question number 11.
14	Section 6.0 indicates where Service Provider personnel assigned as the project/construction manager on a specific capital project will be located. There is no indication where Service Provider personnel providing program management services will be located.	Will Service Provider personnel providing program management services be located in the applicable region office(s) or elsewhere?	The service provider personnel will be located in one of the regional offices.
15	Section 7.2.2 requires examples of the prospective Service Providers projects (at least 10 projects).	Are there any criteria regarding how recent the 10 example projects must be (e.g. completed within the past five years)?	Please submit projects completed within the past five years or still active.
16	RFQ # OCCM-2009-10-GS	It was our understanding that in addition to DVBE requirements being applicable to this RFQ that the OCCM was going to employ SBE requirements too. As an SBE firm, that is not a DVBE, we urge reconsideration so that the SBE designation will be sought after and valued by the prime contractors pursuing this RFQ.	SBE firms with applicable experience and credentials should submit SOQs in response to this RFQ. We are not simply looking for large firms. Any qualified SBE firm will be considered. However, we have not implemented any specific SBE requirements.
17	General	Are separate submissions required for Program Management and Project/Construction Management?	No. However please designate which of the two areas are of primary interest if that is the case or indicate that service provider personnel are available for both areas.
18	General	Will the program management submission cover all three AOC regions?	The program management component is a statewide effort and covers all three AOC regions.

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#	RFQ Reference	Question	Answers
19	General	Is there a date established for interviews or will selections be made from RFQ?	There will be no interviews. Firms will be evaluated and selected based on their statement of qualifications.
20	4.1 Basic Services for Project and/or Construction Management	Which staff performing the services in Section 4.1 require licenses? Is the intent that only the leadership have licenses and / or Engineering peer reviewers?	The service provider's personnel providing the actual services shall have appropriate licenses. See Section 5.0.
21	4.1 Basic Services for Project and/or Construction Management	Do licenses include CM certification?	Appropriate experience and CMAA certification will be sufficient.
22	5.0 Qualification Requirement for Personnel	Most inspectors are not graduated professionals nor licensed PEs. Does this requirement apply to Inspectors?	This is not an RFQ for construction inspectors. See answer to question number 12.
23	OCCM-2009-10-GS; Page 11, item 7.2.1	There is no Standard Form 330 attached to this RFP. Please submit the form to use. We found one under RFQ-2009-09-JMG but that is for the architect and engineer RFP.	We use the architect and engineer 330 for all SOQs. Please see Addendum Item #1 above.
24	RFQ, 7.2.3 Part 1 (H) on page 11 of 26	Section 8.0 (shown below) does not appear to include material to which we would be able to respond. Is it possible that the AOC intended to reference Section 9.0 EVALUATION OF SOQs instead.	Correct. Paragraph 7.2.3 should have referred to Section 9.0.
25	RFQ	Is it permissible to use the Judicial Council of America logo in our proposal and presentation materials	NO!
26	RFQ	Do you anticipate interviews prior to notice of intent to award?	NO.
27	SF 330 Part I (H)	Is the Part I (H) page limited?	See answer to question number 23.
28	SF 330 Part I (F)	The RFQ states that in Part I (F) we are required to include at least 10 projects. Is there a maximum number of projects allowed?	Please limit your SOQ to 10 projects. See answer to question number 15.

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#	RFQ Reference	Question	Answers
29	RFQ Schedule – Submittal Due Date	The Submittal deadline for Statement of Qualifications (SOQ) is listed as 1PM on 2/19/2010. The State of California List of Furlough Fridays includes Friday February 19th. Will the Judicial Council of California AOC in San Francisco be open on Friday 02/19/2010 to accept a hand delivered SOQ?	You may be looking at the schedule for the Executive Branch. The Administrative Office of the Courts/Judicial Council of California is part of the Judicial Branch. We will be open for business on Friday, 2/19/10, and will accepted hand delivered proposals if they are timely and delivered as directed in this RFQ.
30	SF 330 Part I (H)	Is the Part I (H) page limited?	See answer to question number 23.
31	SF 330 Part I (F)	The RFQ states that in Part I (F) we are required to include at least 10 projects. Is there a maximum number of projects allowed?	See answer to question number 28.
32	Section 2.0 - Purpose of RFQ	Will a single Program Manager be chose for all three regions? If a single Program Manager, will that Service Provider manage all Service Providers with Project/Construction Managers in the three regions?	If a program manager is selected, he/she will be overseeing the statewide program for all three regions. The project/construction managers provided by service providers will be managed by AOC/OCCM managers located at the regional offices.
33	Section 2.0 – Purpose of RFQ	How many service providers does AOC expect to qualify for one or more of the three regions?	Each region will have as many as five selected service providers.
34	Section 3.0 – Scope of Services for Program Management Section 4.0 – Scope of Services Project and/or Construction Management	Are there any internal AOC or OCCM technology systems the Program Manager or Project/Construction Manager would be required to access/manage under the scope of work outlined in the RFQ?	CAFM (Computer Aided Facility Management) system is in use and the service provider's personnel, after training, will have to access and use the system.

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#	RFQ Reference	Question	Answers
35	Section 3.0 – Scope of Services for Program Management  Section 4.0 – Scope of Services Project and/or Construction Management	The RFQ does not mention LEED requirements. If LEED certification is part of a new site requirement, is the service provider responsible to manage the application process?	All projects will be minimum LEED silver. Each project's A/E firm manages the LEED application process.
36	Section 4.0 – Scope of Services Project and/or Construction Management	The RFQ mentions the Project/Construction manager will manage the selection process for CM, At-Risk, and General Contractor delivery models. Are there projects where a developer model would be used?	None at this time.
37	Section 4.8 – Compensation	We understand that compensation will be based on time and materials or fixed price, however we need to know if we will be allowed reimbursable expenses and travel costs provided they have been preapproved by AOC.	Please refer to Attachment D, Sample Agreement in this RFQ, Exhibit C, paragraph .2.v.c on page C-2, for the process.
38	RFQ	Provided we are selected as the AOC Program, Project, and Construction Manager for a region or regions, will we still be able to respond to local solicitations for "Program Management/Construction Management Services" for other California Courts projects? (Example: Alameda County, East County Courthouse)	Provided there is no conflict of interest for the other Project, there would be nothing to preclude a firm from proposing on other <b>AOC</b> solicitations.
39	RFQ	Are separate submissions required for Program Management and Project and/or Construction Management?	No. See answer to question number 17.
40	RFQ, Page 5, Paragraph 3.2b, and Page 8.	Contract for or employ at SP's expense, subcontractors to the extent necessary to do the work." This is unclear. Assume this means that rates and mark-up values which are pre-negotiated and part of the contract would include these subcontractors?	Correct. Any subcontractors to the service provider including their scope of services and rates will be negotiated in the service request process.



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#	RFQ Reference	Question	Answers
41	RFQ, Page 5, Paragraph 3.2d	Who will prepare the initial Management Plan?	The management plan has been prepared by AOC/OCCM.
42	RFQ, Page 7, Paragraph 4.3h	Are peer reviews intended to be for design and construction documents? Or for cost? Or both?	Peer reviews are primarily intended for design and construction documents. However, we may require some cost review as well.
43	RFQ	Are all team personnel required to have to have degrees in Architecture, Engineering or Construction Management? Or only the leadership staff?	All personnel provided by the service provider shall have degrees. See answer to question number 20.