

ANSWERS TO SUBMITTED QUESTIONS

Q #	Questions	RFP Reference (Document & Page-Section-Item)	Answers
1	<p>We are requesting clarification regarding the definition of a “Design Build Entity” as referenced in Government Code Section 70398, subdivision (c). The current language defines a Design Build Entity as “a corporation, limited liability company, partnership, joint venture, or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design-build contract.”</p> <p>Can you please confirm the following:</p> <p>1. Does the Design Build Entity itself need to directly hold all required licenses (contracting, architectural, and engineering), or can it meet this requirement through its team members' or subcontracted entities that individually hold these licenses?</p> <p>2. Would a general contractor teaming with licensed design and engineering professionals under contract satisfy the legal definition of a Design Build Entity?</p>	<p>Attachment 1 to RFQ for Design build Entity Firm Prequalification Questionnaire Introduction and Overview of the Prequalification Questionnaire</p> <p>Page 1 b. Definition of What Comprises a Design Build Entity and Other Prequalification Definitions</p>	<p>1. The Project's licensing requirements can be satisfied either by the Design Build Entity (if jointly formed) holding the necessary licenses itself as applicable or by the individual members of the Design Build Entity (if not jointly formed) respectively holding the necessary licenses. See RFQ §§ 1.2 (<i>Purpose/Eligibility</i>) and 1.3 (<i>Licensing and Labor Compliance</i>).</p> <p>2. Yes. See Gov. Code § 70398(d) [defining "Design-build entity"] and (e) [defining "Design-build team"].</p>
2	<p>How many projects for public entities approved by OSFM, of similar size, scope and complexity has the Design Build Entity, or any member of the Design Build Entity, constructed in California?</p> <p>Would design build entity team members experience at prior firms be allowed to be included for the following question?</p>	<p>Attachment 1 to RFQ for Design build Entity Firm Prequalification Questionnaire Section III. Scored Questions</p> <p>Page 11 Subpart A Statutory Questions. Question 1</p>	No.
3	<p>Please confirm if we need to include business licenses for each team member or only the contractor and design/engineering disciplines?</p>	<p>RFQ for Design Build Entity New Fort Ord Courthouse 5. Organization and Content of SOQ</p> <p>Page 7 5.1.7. Copies of Current Business Licenses</p>	Copies of business licenses should be provided for each applicable member of the Design Build Team.
4	<p>Please confirm if we need to include a completed Attachment 6 for each team member or just the Design Build Entity.</p>	<p>RFQ for Design Build Entity New Fort Ord Courthouse 5. Organization and Content of SOQ</p> <p>Page 7 5.1.4. The completed Disclosure of Potential Conflict of Interest (Attachment 6)</p>	A completed Disclosure of Potential Conflict of Interest form included in Attachment 6 must be provided by each member of the Design Build Entity.
5	<p>Please confirm if we need to include a completed Payee Data Record (STD 204) for each team member or just the Design Build Entity.</p>	<p>RFQ for Design Build Entity New Fort Ord Courthouse 5. Organization and Content of SOQ</p> <p>Page 7 5.1.5. Payee Data Record (STD 204)</p>	A completed Payee Data Record (STD 204) (and the Payee Data Record Supplement (STD 205) if required) must be completed in the exact name of the Design Build Entity’s business under which the Design Build Entity proposes to do business with the Judicial Council (i.e., the Payee Data Record needs to be provided for the exact entity to which the Judicial Council will be making remittance).

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6	Please confirm if creating an Appendix suffices for Attachment 6, business licenses, Payee Data Record (STD 204), and the design build entity's financial statements.	RFQ for Design Build Entity New Fort Ord Courthouse 5. Organization and Content of SOQ Page 7. 5.1.4. The completed Disclosure of Potential Conflict of Interest (Attachment 6); Page 7. 5.1.5. Payee Data Record (STD 204); Page 7. 5.1.7. Copies of Current Business Licenses Attachment 1 Prequalification Questionnaire Page 7. Section I Information About the Design Build Entity, Page 7. Number 14. Financial Information	The SOQs must include the information, organized and tabbed, described in RFQ § 5.2 (<i>SOQ Content & Organization</i>); however, an appendix of items not otherwise designated to be included in a specific Tab (e.g., Payee Data Record, business licenses, etc.) will suffice.
7	Tab 5: Certifications states that "scanned copies of the signed original forms are sufficient." Does this apply to all signatures in the SOQ or just Tab 5? Would electronic signatures suffice since this is an electronic submittal?	RFQ for Design Build Entity New Fort Ord Courthouse 5. Organization and Content of SOQ Page 9 5.2.5. Tab 5: Certifications.	Electronic signatures and scanned copies of the signed original on all SOQ items are sufficient. Design Build Entity's original wet- or electronic-signed hardcopies may be required upon request if selected as the successful Design Build Entity.
8	On page 73, it is recommended that the building design "incorporate Monterey Revival Style characteristics," with Spanish mission-style buildings shown as examples. Page 75 talks about the building having "the clean and modern aesthetic of the exterior . . . reflected in the interior design." On this page, modern, non-mission-style buildings are shown as examples. The criteria seem contradictory. Is any particular design style going to be enforced on the DB team?	Attachment 8, Section 5.1 Architectural Performance Criteria Pages 73-75	The Architectural Performance Criteria in § 5.1 of Attachment 8 is not contradictory. On page 73 of the Performance Criteria, it states that the building design "could incorporate Monterey Revival Style characteristics <u>outlined below and mold them into a modern and timeless solution.</u> " (Emphasis added.) The referenced characteristics are outlined on page 74 of the Performance Criteria, as follows: a. Clean and simple forms b. Long vertical windows c. Warm colors and material tones d. Inclusion of natural materials - stone e. Arches and/or columns (square) f. Large, glazed openings to allow for daylit interiors The modern images on pages 74 and 75 of § 5.1 are described as "examples of varied building exterior elements considered as desirable architectural attributes and could inform and influence the design of the New Fort Ord courthouse exterior." The examples also suggest how the Monterey Revival Style characteristics might be translated into a modern and timeless solution. The Architectural Performance Criteria in § 5.1 must be utilized in the design of the Project by the Design Build Entity.
9	For Attachment 1, Prequalification Questionnaire, Subpart C, Recent Project Completed Information Sheet, is the Judicial Council requesting a total of 10 projects split between the general contractor and architect of record, or 10 projects for each member of the Design Build Entity, so 10 from the general contractor, and 10 from the architect of record if they do not have 10 projects they've worked on collectively? And if there are some projects that were completed collectively by both AOR and GC, would those be counted as part of the 10 for each?	Attachment 1, Prequalification Questionnaire, Subpart C, Recent Project Completed Information Sheet	Information on a total of and no more than ten (10) of the largest completed public and/or private projects within the last seven (7) years should be provided. The ten (10) projects may have been completed either by the Design Build Entity itself if jointly formed, or by the general contractor and the architect respectively if the Design Build Entity is not jointly formed.

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10	Would the JCC consider allowing our design-build team to submit projects from the past 10 years, rather than the past 7 years?	Attachment 1, Prequalification Questionnaire, Subpart C, Recent Project Completed Information Sheet	No, the information provided must be on projects completed in the last seven (7) years.
11	How is the JCC defining the DBE? Regarding Subpart A of the prequalification questionnaire, should both the general contractor and the architect of record be filling out this section?	Attachment 1, Prequalification Questionnaire, Subpart A	See RFQ § 1.2 (<i>Purpose/Eligibility</i>); Government Code § 70398(d) [defining "Design-build entity"] and (e) [defining "Design-build team"]. Yes, Design Build Entities should provide responses for "the Design Build Entity, or any member of the Design Build Entity." If the projects included in the response to Prequalification Questionnaire Section III, Subpart A, Question 1 are itemized for individual Design Build Entity members, the Design Build Entity should provide the information for each Design Build Entity member.
12	Could you please clarify the following statement: "On a separate sheet of paper, please describe the scope of work for each project. Each description shall not exceed one-half of a page." Specifically, are images of the proposed project considered part of the one-half page limit, or may they be included in addition to the written description?	Attachment 1. Sec. III. Sub Part A. 1.; Page 11	For the three (3) largest public entity projects approved by the OSFM that the Design Build Entity, or any member of the Design Build Entity, has designed and constructed within California that the Design Build Entity lists in response to Prequalification Questionnaire Section III, Subpart A, Question 1, the Design Build Entity must also provide a description of each project's scope of work on a separate page and each description is not to exceed one-half page, which would include any images or depictions thereof.
13	Is there a page limit for each project we list in our Project Experience section?	Attachment 1. Sec. III. Sub Part C.; Page 18	For the information about Design Build Entity's ten (10) largest completed public and/or private projects within the last seven (7) years that the Design Build Entity lists in response to Prequalification Questionnaire Section III, Subpart C, the Design Build Entity may use separate sheets of paper to provide the required information for each project. It is preferred and recommended to limit the separate sheets of paper to two (2) pages per project.
14	Are we permitted to include additional materials beyond resumes to further describe the qualifications and roles of our team?	RFQ 1.4.3. DB Team Info and key Personnel	In addition to the Key Personnel Schedule (Attachment 4), Design Build Entities must provide in SOQ Tab 3 the resumes of the listed Design Build Team's key personnel along with specifically defining the role of each person and outlining each person's individual experience and responsibilities, including experience with the design build delivery method for public works projects of similar size and complexity as the Project. See RFQ § 5.2.3.1. In doing so, it is acceptable to include an organizational chart of the Design Build Team's key personnel.
15	Please confirm and list all subconsultants to the Criteria Architect that are prohibited from participating on the DBE team.	RFQ Page 2- Section-1.4.3	See Performance Criteria (Attachment 8), § 1.1.12 (<i>Participants and Performance Criteria Documents Consultant Team</i>).

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16	Attachment 1: For subpart C “Recent Project Completed Information Sheet” indicates the largest projects. Is it a reasonable interpretation to prioritize large projects that have relevance to the New Fort Ord Courthouse rather than strictly the largest projects, which may have different program uses and requirements?	Attachment 1, Prequalification Questionnaire Page 18-Subpart C	Design Build Entities may use reasonable judgment in interpreting which of the Design Build Entity's (or, as applicable, its members') ten (10) largest public and/or private projects completed in the last seven (7) years will be included in response to Prequalification Questionnaire Section III, Subpart C.
17	For Attachment 1: For subpart C “Recent Project Completed Information Sheet,” can you please confirm if we should be listing 10 projects for the general contractor and 10 projects for the architect (total of 20 projects), or five each for a total of 10 projects?	Attachment 1, Prequalification Questionnaire Page 18-Subpart C	Information on a total of and no more than ten (10) of the largest completed public and/or private projects within the last seven (7) years should be provided. The ten (10) projects may have been completed either by the Design Build Entity itself if jointly formed, or by the general contractor and the architect respectively if the Design Build Entity is not jointly formed.
18	Are audited financial statements required for all members of the Design Build Entity?	Attachment 1, Section I (Pg. 7)	If the Design Build Entity is jointly formed and has prepared the required financial statements for the Design Build Entity, then the Design Build Entity's financial statements must be included. If the Design Build Entity is not jointly formed and/or has not prepared the required financial statements for the Design Build Entity, then each member of the Design Build Entity must provide the required financial statements.
19	Is the DBE required to identify design-build trade partners with the SOQ, or will the DBE have an opportunity to do so if short listed, during the RFP phase?	Attachment 1, Section I, Proposed Firms (Pg. 3)	Design Build Entities must "list all known entities and/or firms that shall perform work for the Design Build Entity to complete the Project, including the general contractor and architect of record" and "should also include any other known consultants selected by the Design Build Entity at the time the SOQ is submitted." (RFQ Attachment 8, Prequalification Questionnaire, Section I.)
20	Should the number of OSFM projects and OSFM design-build projects provided in the cells be cumulative of the Design Build Entity, architect of record, and all consultants, or would the JCC prefer to see those numbers broken out for each member of the DBE?	Attachment 1, Section II, Subpart A, Item 1 (Pg. 11)	Design Build Entities should provide responses for "the Design Build Entity, or any member of the Design Build Entity." If the projects included in the response to Prequalification Questionnaire Section III, Subpart A, Question 1 are itemized for individual Design Build Entity members, the Design Build Entity should provide the information for each Design Build Entity member. If the Design Build Entity is not jointly formed or as applicable, each member of the Design Build Entity should respond, broken out respectively, in addition to the total number.
21	Should the listing of the three largest public entity projects approved by the OSFM be projects completed by the DBE only? Would the JCC like to see three projects for each member of the DBE? If the preference is for three projects total, should teams include a sampling of projects completed by the DBE and their members?	Attachment 1, Section II [sic], Subpart A, Item 1 (Pg. 11)	Design Build Entities should provide responses for "the Design Build Entity, or any member of the Design Build Entity." If the projects included in the response to Prequalification Questionnaire Section III, Subpart A, Question 1 are itemized for individual Design Build Entity members, the Design Build Entity should provide the information for each Design Build Entity member. If the Design Build Entity is not jointly formed or as applicable, each member of the Design Build Entity should respond (i.e., six (6) total).

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22	Should the listing of the ten largest public and/or private projects within the last seven years be projects completed by the DBE only? Would the JCC like to see ten largest projects for each member of the DBE? If the preference is for ten projects total, should teams include a sampling of the largest projects completed by the DBE and their members?	Attachment 1, Section II [sic], Subpart C (Pg. 18)	Information on a total of and no more than ten (10) of the largest completed public and/or private projects within the last seven (7) years should be provided. The ten (10) projects may have been completed either by the Design Build Entity itself if jointly formed, or by the general contractor and the architect respectively if the Design Build Entity is not jointly formed.
23	Should the SOQ Certification and Declaration form be completed and submitted for each member of the DBE, or the DBE only?	Attachment 1, Section II [sic], SOQ Certification and Declaration (Pg. 19)	The SOQ Certification and Declaration form should be completed, executed, and provided by the Design Build Entity itself if jointly formed in addition to each member of the Design Build Entity.
24	Would the JCC consider providing a maximum number of design-build projects to be included for the general contractor and architect of record? With dozens of design-build projects completed over the past seven years, we would like to understand if the JCC has suggestions for how we might filter and prioritize the best projects to showcase in this portion of the submission. Perhaps projects completed in California, or projects of a certain scale, or dollar value, as examples.	RFQ, Section 5.2.4. Tab 4: Prior Project Experience (Page 8)	No. The Design Build Entity should list "ALL design build projects completed within the past seven (7) years individually for the (i) general contractor and (ii) architect of record." (RFQ § 5.2.4.) Other portions of the SOQ (e.g., Attachment 8 Prequalification Questionnaire) will specifically showcase the Design Build Entity's qualifications for the Project.
25	Please confirm the Conflict-of-Interest Policy applies to Dreyfuss+Blackford Architects and not to the Performance Criteria Consultants noted on Page 18 of the 100% Performance Criteria Document/Attachment 8.	None provided.	"The Criteria Architect and consultants that prepared the Performance Criteria Documents for the Project cannot be a member of the Design Build Team or key personnel for the Project." (RFQ § 1.4.3.) See Performance Criteria (Attachment 8), § 1.1.12 (<i>Participants and Performance Criteria Documents Consultant Team</i>); Attachment 6 (<i>Conflict of Interest Policy</i>).
26	We interpret the Prequalification Questionnaire Subpart C: Recent Project Completed Information Sheet and RFQ Section 5.2.4 / Tab 4: Prior Project Experience to request the (10) most relevant projects to the New Fort Ord Courthouse. Please confirm.	None provided.	That is incorrect. Per RFQ § 5.2.4, Design Build Entities must provide a listing of "ALL design build projects completed within the past seven (7) years individually for the (i) general contractor and (ii) architect of record."; additionally and separately, per Prequalification Questionnaire Section III, Subpart C, Design Build Entities must provide "information about Design Build Entity's ten (10) largest completed public and/or private projects within the last seven (7) years," all as more fully set forth in and required by the RFQ.
END OF QUESTIONS AND ANSWERS			