



# City of Gilroy

## COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division (408) 846-0440; fax (408) 846-0429  
Engineering Division (408) 846-0450; fax (408) 846-0429  
Building, Life & Environmental Safety (408) 846-0430; fax (408) 846-0429  
Housing & Community Development (408) 846-0290; fax (408) 846-0429

TO: All Prospective Proposers  
FROM: Rick Smelser, City Engineer  
DATE: August 10, 2009

**SUBJECT:** REQUEST FOR PROPOSAL NO. 10-RFP-CDD-342 CONSTRUCTION MANAGEMENT AND RELATED SERVICES FOR THE NEW CITY OF GILROY PUBLIC LIBRARY ADDENDUM #1

All prospective proposers are hereby notified that several questions have been received for the subject RFP. The questions with answers are shown below. Prospective proposers should modify their response to the original RFP based on the answers to these questions.

Receipt of this Addendum must be acknowledged in the Project Statement Section A, Statement of Understanding. The Statement of Understanding should indicate that Addendum No.1 was received and properly evaluated in the proposal. Any proposal not in compliance with this requirement may be rejected.

**QUESTIONS WITH ANSWERS FOR RFP 10-RFP-CDD-342 CONSTRUCTION MANAGEMENT AND RELATED SERVICES FOR THE NEW CITY OF GILROY PUBLIC LIBRARY**

Q: What is the deadline to submit questions?

A: Hopefully this addendum will answer all of your questions regarding this RFP. Due to time constraints, no further questions will be taken.

Q: Will there be a pre proposal project meeting for the RFP?

A: There will be no pre proposal meeting.

Q: Where may I find the RFP posted on line and for posting of any future addendums?

A: The New Library information page on the City Web Site has been moved to a new location. Below is the new link.

[http://www.cityofgilroy.org/cityofgilroy/city\\_hall/community\\_development/engineering/projects/default.aspx](http://www.cityofgilroy.org/cityofgilroy/city_hall/community_development/engineering/projects/default.aspx)

Q: Are Environmental Review Services needed?

A: The CM does not need to provide Environmental Review Services.

Q: Are Geotechnical Review Services needed?

A: The CM does not need to provide Geotechnical Review Services.

Q: Will proposals be non responsive if a firm does not provide experience with a minimum of three (3) Silver LEED Library projects?

A: To help qualifying firms be responsive to the RFP the minimum experience required for the Project Team and Consultant Firm have been changed. Under Project Statement Section E, Project Team References, change the project experience for each key project team member and sub-consultant manager to “a minimum of three (3) LEED projects, two (2) being of a comparable size and scope to this project having a construction cost of \$25 million.”

Under Project Statement Section F, Consultant Firm References, change the Library Project list completed by your firm with demonstrated successful LEED construction, facilitation and commissioning experience to “a minimum of three (3) LEED projects, two (2) being of a comparable size and scope to this project having a construction cost of \$25 million. List Library projects first, list all projects from highest LEED certification to lowest LEED certification and from highest cost to lowest cost.”

Q: Do you have a bid form for the CM to complete? How do you want the pricing to be submitted? Hourly rates for staff? Not to exceed or lump sum? How do you want to account for the general conditions (such as trailers, phones, copiers, supplies)? Included in the hourly rates or bill actual on a monthly basis?

A: This is a qualifications based proposal. There is no bid form. In response to this proposal the CM should provide a schedule of hours and rates for each position expected to be utilized by the CM. The schedule should account for general condition items (such as trailers, phones, copiers, supplies).

Once a firm has been chosen the final contract will be based on a not to exceed Lump Sum amount. See EXHIBIT C – CITY OF GILROY STANDARD CONSULTANT AGREEMENT under “COMPENSATION”, In consideration for the services to be performed by CONSULTANT, CITY agrees to pay CONSULTANT the amounts set forth in Exhibit “D”. In no event however shall the total compensation paid to CONSULTANT exceed\_\_\_\_\_.”

Certain direct expenses will be compensated as provided for in Exhibit “A”, Section IV.

Q: Who will be providing for Special Inspections and Material Testing Services? The second paragraph states that Gilroy will also provide inspection services. How do we price the inspection effort? Are you only requesting hourly rates? (Ref: Page 15 - Item B, Inspection services - the requirement of the CM to provide “on-site inspections”)

A: The City will provide inspections for City Building Permit required inspections only. The CM is expected to provide for and coordinate all on site inspections. Special Inspections and testing deemed necessary by the owner (City) and the Architect will be coordinated by the CM utilizing the attached Special Inspection and Testing Recognition

List. Billings for Special Inspections and Testing from the recognition list will be invoiced to the City and processed by the CM.

Q: Will Gilroy hire a commissioning agent? (Ref: Proposal Content Requirements, Page 5)

A: See Exhibit A, item 7. The City will hire an independent commissioning agent. The CM will assist the City with the LEED certification process and monitor the contractor's activities in the field to promote compliance with the LEED process. The CM will assist the independent commissioning agent by facilitating his work and coordinating it with ongoing project close out activities.

Q: Who will hire services for special inspections/testing?

A: The CM will coordinate all services for Special inspections and testing that cannot be performed by the CM utilizing the attached Special Inspection and Testing Recognition List.

Q: Other than the requirements defined in the RFP, are there restrictions on documents placed in the "Exhibits" section of the CM response? Page 8 - Item G

A: There are no restrictions on documents placed in the "Exhibits" section of the CM response.

Q: Are the contract terms negotiable?

A: The City does not wish to change the terms of the agreement; however, if a proposer wishes to take exception to any of the terms and conditions contained in the consultant agreement, these should be identified specifically; otherwise it will be assumed that the proposer is willing to enter into the agreement as it is written. The City will consider such exceptions as part of the evaluation process which may constitute grounds for rejection of the proposal. The consultant agreement will not be executed by the City without first being signed by the proposer.

Q: Will the City of Gilroy provide Builder's Risk Insurance?

A: The City may purchase Builder's Risk Insurance. This should not affect the CM agreement.

Q: Will this be a traditional Owner / CM project or some other type of project such as CM at risk?

A: This is intended to be a traditional Owner / CM project.

Sincerely,

Richard Smelser, P.E.  
City Engineer