### logo_ebmud-dual color EXHIBIT A

**RFP RESPONSE PACKET**

**RFP For As-Needed Cost Estimating, Constructability and Scheduling Review**

To: The EAST BAY MUNICIPAL UTILITY District (“District”)

From:

(Official Name of Proposer)

**RFP RESPONSE PACKET GUIDELINES**

* **AS DESCRIBED IN SECTION IV- RFP RESPONSE SUBMITTAL INSTRUCTIONS AND INFORMATION, PROPOSERS ARE TO SUBMIT ONE (1) ORIGINAL HARDCOPY RFP RESPONSE WITH ORIGINAL INK SIGNATURES, ONE COPY, AND ONE (1) ELECTRONIC COPY (preferably in PDF format and on a CD or flash drive) CONTAINING THE FOLLOWING, IN THEIR ENTIRETY:**
  + **EXHIBIT A – RFP RESPONSE PACKET**
    - **INCLUDING ALL REQUIRED DOCUMENTATION AS DESCRIBED IN “EXHIBIT A- REQUIRED DOCUMENTATION AND SUBMITTALS”**
* **PROPOSERS THAT DO NOT COMPLY WITH THE REQUIREMENTS, AND/OR SUBMIT AN INCOMPLETE RFP RESPONSE MAY BE SUBJECT TO DISQUALIFICATION AND THEIR RFP RESPONSE REJECTED IN WHOLE.**
* **IF PROPOSERS ARE MAKING ANY CLARIFICATIONS AND/OR AMENDMENTS, OR TAKING EXCEPTION TO ANY PART OF THIS RFP, THESE MUST BE SUBMITTED IN THE EXCEPTIONS, CLARIFICATIONS, AND AMENDMENTS SECTION OF THIS EXHIBIT A – RFP RESPONSE PACKET. THE DISTRICT, AT ITS SOLE DISCRETION, MAY ACCEPT AMENDMENTS/EXCEPTIONS, OR MAY DEEM THEM TO BE UNACCEPTABLE, THEREBY RENDERING THE RFP RESPONSE DISQUALIFIED.**
* **BIDDERS SHALL NOT MODIFY DISTRICT LANGUAGE IN ANY PART OF THIS RFP OR ITS EXHIBITS, NOR SHALL THEY QUALIFY THEIR RFP RESPONSE.**

#### logo_ebmud-dual color PROPOSER INFORMATION AND ACCEPTANCE

1. The undersigned declares that all RFP documents, including, without limitation, the RFP, Addenda, and Exhibits, have been read and that the terms, conditions, certifications, and requirements are agreed to.
2. The undersigned is authorized to offer, and agrees to furnish, the articles and services specified in accordance with the RFP documents.
3. The undersigned acknowledges acceptance of all addenda related to this RFP. List Addenda for this RFP on the line below:

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| --- | --- |
| **Addendum #** | **Date** |
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1. The undersigned hereby certifies to the District that all representations, certifications, and statements made by the Proposer, as set forth in this RFP Response Packet and attachments, are true and correct and are made under penalty of perjury pursuant to the laws of California.
2. The undersigned acknowledges that the Proposer is, and will be, in good standing in the State of California, with all the necessary licenses, permits, certifications, approvals, and authorizations necessary to perform all obligations in connection with this RFP and associated RFP documents.
3. It is the responsibility of each Proposer to be familiar with all of the specifications, terms, and conditions and, if applicable, the site condition. By the submission of an RFP response, the Proposer certifies that if awarded a contract it will make no claim against the District based upon ignorance of conditions or misunderstanding of the specifications.
4. Patent indemnity: General or Professional Service Providers who do business with the District shall hold the District, its Directors, officers, agents, and employees harmless from liability of any nature or kind, including cost and expenses, for infringement or use of any patent, copyright or other proprietary right, secret process, patented or unpatented invention, article, or appliance furnished or used in connection with the contract or purchase order.
5. Insurance certificates are not required at the time of submission. However, by signing Exhibit A – RFP Response Packet, the Proposer agrees to meet the minimum insurance requirements stated in the RFP. This documentation must be provided to the District prior to execution of an agreement by the District, and shall include an insurance certificate which meets the minimum insurance requirements, as stated in the RFP.
6. The undersigned acknowledges that RFP responses, in whole or in part, are NOT to be marked confidential or proprietary. The District may refuse to consider any RFP response or part thereof so marked. RFP responses submitted in response to this RFP may be subject to public disclosure. The District shall not be liable in any way for disclosure of any such records.
7. The undersigned Proposer hereby submits this RFP response and binds itself to the District. The RFP, subsequent Addenda, Proposers Response Packet, and any attachments, shall be used to form the basis of a Contract, which once executed shall take precedence.
8. The undersigned acknowledges ***ONE*** of the following (please check only one box)\*:

Proposer is not an SBE nor a DVBE and is ineligible for any Proposal preference; **or**

Proposer is an SBE or DVBE as described in the Contract Equity Program (CEP) and Equal Employment Opportunity (EEO) Guidelines, and has completed the CEP and EEO forms at the hyperlink contained in the CEP and EEO section of this Exhibit A.

\*If no box is checked it will be assumed that the Proposer is ineligible for Proposal preference and none will be given. For additional information on SBE/DVBE Proposal preference please refer to the Contract Equity Program and Equal Employment Opportunity Guidelines at the above referenced hyperlink.

Official Name of Proposer (exactly as it appears on Proposer’s corporate seal and invoice):

Street Address Line 1:

Street Address Line 2:

City:  State:  Zip Code:

Webpage:

Type of Entity / Organizational Structure (check one):

Corporation  Joint Venture

Limited Liability Partnership  Partnership

Limited Liability Corporation  Non-Profit / Church

Other:

Jurisdiction of Organization Structure:

Date of Organization Structure:

Federal Tax Identification Number:

Department of Industrial Relations (DIR) Registration Number (if applicable):

**Proposer Experience:**

*Indicate the specific engineering discipline(s) your firm/entity specializes in:*

Civil Engineering  Structural Engineering  Mechanical Engineering

Electrical Engineering  Instrumentation Engineering

Facilities/Building Engineering  Other

*Indicate the specific area(s) your firm/entity is proposing to provide services in:*

Cost Estimating  Constructability and Scheduling Review  Value Engineering

*Indicate the specific type(s) of facilities that your firm/entity has experience providing the requested services in:*

Water Treatment Plants  Pipelines  Pumping Plants  Reservoirs/Tanks

Rate Control Stations  Office Buildings

Primary Contact Information:

Name / Title:

Telephone Number:  Fax Number:

E-mail Address:

Street Address Line 1:

City:  State:  Zip Code:

**SIGNATURE:**

Name and Title of Signer (printed):

Dated this  day of  20

#### PROPOSAL FORM

Unit costs shall be submitted on this Proposal Form as is. The proposer may modify the listed Descriptions, or include additional staff, subconsultants, as appropriate to perform described scope of work. The prices quoted shall not include Sales Tax or Use Tax; said tax, wherever applicable, will be paid by the District to the General or Professional Service Provider, if licensed to collect, or otherwise directly to the State.

If subconsultants are utilized, the primary proposer’s markup shall be provided below:

% . Markups are limited to ten (10) percent of subconsultants’ billing rates.

No alterations or changes of any kind to the Proposal Form(s) are permitted, other than the ones listed in the paragraph above. RFP responses that do not comply may be subject to rejection in total. The unit costs quoted below shall be the costs the District will pay for the term of any contract that is a result of this RFP process.

There is no minimum or maximum amount of hours, guaranteed or implied.

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| --- | --- | --- |
| **Description** | **Unit of Measure** | **Hourly Billing Rate** |
| Principal | hour | **$** |
| Senior Consultant | hour | **$** |
| Associate Consultant | hour | **$** |
| Assistant Consultant | hour | **$** |
| Junior Consultant | hour | **$** |
| Other (specify) | hour | **$** |
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#### logo_ebmud-dual color REQUIRED DOCUMENTATION AND SUBMITTALS

**All of the specific documentation listed below is required to be submitted with the Exhibit A – RFP Response Packet. Proposers shall submit all documentation, in the order listed below, and clearly label each section of the RFP response with the appropriate title (i.e. Table of Contents, Letter of Transmittal, Key Personnel, etc.).**

* 1. **Letter of Transmittal**: RFP response shall include a description of the Proposer’s capabilities and approach in providing its services to the District, and provide a brief synopsis of the highlights of the RFP response and overall benefits to the District.

The letter shall include a description of your firm’s capabilities for the services your firm proposes to provide. The description shall not exceed one page for each of the services (constructability and scheduling review/cost estimating/value engineering).

The letter should not exceed five (5) pages in overall length (excluding resumes, references, and any forms) and should be easily understood.

* 1. **Key Personnel**: RFP response shall include a complete list of all key personnel associated with the RFP. Provide an organizational chart and staffing plan identifying key personnel, related lines of authority and responsibility of those team members who will provided the services described in this RFP. Identify any subconsultants and their roles. For each person on the list, the following information shall be included:

1. The person’s relationship with the Proposer, including job title and years of employment with the Proposer;
2. The role that the person will play in connection with the RFP;
3. The person’s telephone number, fax number, and e-mail address;
4. The person’s educational background; and
5. The person’s relevant experience, certifications, and/or merits
   1. **References:**

List references sufficient references to demonstrate that the proposer meets the minimum qualifications described in this RFP, and the required expertise in the discipline(s) and task areas indicated on the proposal response.

1. Proposers must use the templates in the “References” section of this Exhibit A – RFP Response Packet to provide references.
2. References should have similar scope and requirements to those outlined in these specifications, terms, and conditions.
   * Proposers must verify the contact information for all references provided is current and valid.
   * Proposers are strongly encouraged to notify all references that the District may be contacting them to obtain a reference.
3. The District may contact some or all of the references provided in order to determine Proposer’s performance record on work similar to that described in this RFP. The District reserves the right to contact references other than those provided in the RFP response and to use the information gained from them in the evaluation process.
   1. **Exceptions, Clarifications, Amendments:**
4. The RFP response shall include a separate section calling out all clarifications, exceptions, and amendments, if any, to the RFP and associated RFP documents, which shall be submitted with the proposer’s RFP response using the template in the “Exceptions, Clarifications, Amendments” section of this Exhibit A – RFP Response Packet.
5. **THE DISTRICT IS UNDER NO OBLIGATION TO ACCEPT ANY EXCEPTIONS, AND SUCH EXCEPTIONS MAY BE A BASIS FOR RFP RESPONSE DISQUALIFICATION.**
   1. **Contract Equity Program:**
6. Every proposer must fill out, sign, and submit the appropriate sections of the Contract Equity Program and Equal Employment Opportunity documents located at the hyperlink contained in the last page of this Exhibit A. Special attention should be given to completing Form P-25, "Employment Data and Certification". Any proposer needing assistance in completing these forms should contact the District's Contract Equity Office at (510) 287-0114 prior to submitting an RFP response.

RFP For As-Needed Cost Estimating, Constructability and Scheduling Review

Proposer Name:

Proposer must provide a minimum of 3 references.

|  |  |
| --- | --- |
| Company Name: | Contact Person: |
| Address: | Telephone Number: |
| City, State, Zip: | E-mail Address: |
| Project Name and Description: | |
| Services Provided / Date(s) of Service: | |
| Total Contract Amount (Prime Consultant): | |
| Your Firm’s Contract Amount (if Sub-consultant): | |

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| --- | --- |
| Company Name: | Contact Person: |
| Address: | Telephone Number: |
| City, State, Zip: | E-mail Address: |
| Project Name and Description: | |
| Services Provided / Date(s) of Service: | |
| Total Contract Amount (Prime Consultant): | |
| Your Firm’s Contract Amount (if Sub-consultant): | |
| Company Name: | Contact Person: |
| Address: | Telephone Number: |
| City, State, Zip: | E-mail Address: |
| Project Name and Description: | |
| Services Provided / Date(s) of Service: | |
| Total Contract Amount (Prime Consultant): | |
| Your Firm’s Contract Amount (if Sub-consultant): | |

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| --- | --- |
| Company Name: | Contact Person: |
| Address: | Telephone Number: |
| City, State, Zip: | E-mail Address: |
| Project Name and Description: | |
| Services Provided / Date(s) of Service: | |
| Total Contract Amount (Prime Consultant): | |
| Your Firm’s Contract Amount (if Sub-consultant): | |

RFP For As-Needed Cost Estimating, Constructability and Scheduling Review

Proposer Name:

List below requests for clarifications, exceptions, and amendments, if any, to the RFP and associated RFP documents, and submit with your RFP response.

The District is under no obligation to accept any exceptions and such exceptions may be a basis for RFP response disqualification.

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| --- | --- | --- | --- |
| **Reference to:** | | | **Description** |
| Page No. | Section | Item No. |  |
| **p. 23** | **D** | **1.c.** | ***Proposer takes exception to…*** |
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\*Print additional pages as necessary

**CONTRACT EQUITY PROGRAM & EQUAL EMPLOYMENT OPPORTUNITY**

The District’s Board of Directors adopted the Contract Equity Program (CEP) to enhance equal opportunities for business owners of all races, ethnicities, and genders who are interested in doing business with the District. The program has contracting objectives, serving as the minimum level of expected contract participation for the three availability groups: white-men owned businesses, white-women owned businesses, and ethnic minority owned businesses. The contracting objectives apply to all contracts that are determined to have subcontracting opportunities, and to all General or Professional Service Providers regardless of their race, gender, or ethnicity.

All Contractors and their subcontractors performing work for the District must be Equal Employment Opportunity (EEO) employers, and shall be bound by all laws prohibiting discrimination in employment. There shall be no discrimination against any person, or group of persons, on account of race, color, religion, creed, national origin, ancestry, gender including gender identity or expression, age, marital or domestic partnership status, mental disability, physical disability (including HIV and AIDS), medical condition (including genetic characteristics or cancer), genetic information, or sexual orientation.

**Contractor and its subcontractors shall abide by the requirements of 41 CFR §§ 60-1.4(a), 60-300.5(a) and 60-741.5(a). These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color, religion, sex, sexual orientation, gender identity, or national origin in the performance of this contract. Moreover, these regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, national origin, protected veteran status or disability.**

All Contractors shall include the nondiscrimination provisions above in all subcontracts.

Please include the required completed forms with your proposal. Non-compliance with the Guidelines may deem a proposal non-responsive, and therefore, ineligible for contract award. Your firm is responsible for:

1. Reading and understanding the CEP guidelines.
2. Filling out and submitting with your bid the appropriate forms.

The CEP guidelines and forms can be found at the following direct link:

[**Contract Equity Program Guidelines and Forms**](https://www.ebmud.com/index.php/download_file/force/6935/821/?Contract_Equity_Guidelines_Jan_2019.pdf)

The CEP guidelines and forms can also be downloaded from the District website at the following link:

[**http://ebmud.com/business-center/contract-equity-program/**](http://ebmud.com/business-center/contract-equity-program/)

If you have questions regarding the Contract Equity Program please call (510) 287-0114.