

City of San Diego

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NB/RIR

REQUEST FOR QUALIFICATIONS (RFQ)



FOR

LA JOLLA CHILDREN'S POOL LIFEGUARD STATION DESIGN-BUILD CONTRACT

RFQ NO.:	5521DB
BID NO.:	K-12-5521-DB2-C
SAP NO. (WBS/IO/CC):	S-00644
CLIENT DEPARTMENT:	1912
COUNCIL DISTRICT:	2
PROJECT TYPE:	BT

STATEMENT OF QUALIFICATIONS (SOQ) DUE:

**12:00 NOON
OCTOBER 4, 2011
CITY OF SAN DIEGO
PURCHASING & CONTRACTING DEPARTMENT
1200 THIRD AVENUE, SUITE 200, MS 56P
SAN DIEGO, CA 92101
ATTN: CONTRACT SPECIALIST**

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Note: The City’s standard Front End Contract Documents and Supplementary Special Provisions are available upon request from the City’s Project Manager.

1.0 INTRODUCTION:

1.1 The City of San Diego, Engineering & Capital Projects Department (E&CP) is requesting Statement of Qualifications (SOQ) for Design-Build services for the La Jolla Children’s Pool Lifeguard Station (Project). This Request for Qualifications (RFQ) is the first step in the City of San Diego’s (City) procurement process for the selection of a qualified Design-Builder for the Project. The Design-Builders will be issued RFQ’s for this project pursuant to public advertisement for the Project. The City will not reimburse the Design-Builders for costs incurred in the preparation, submittal and participation in the RFQ process.

Class “B” contractor’s license will be required.

1.2 Engineer’s Estimate – The Engineer’s estimate of the most probable price for this contract is \$1,800,000.00.

1.3 This RFQ describes the proposed project and an example project (if applicable), the required scope of services, the selection process, and the minimum information that shall be included in the SOQ. Failure to submit information in accordance with this RFQ’s requirements, and procedures may be cause for disqualification.

1.4 Any architectural firms, engineering firms, specialty consultants, or individuals retained by the City to assist in drafting the RFPs or the Project’s preliminary design shall not be eligible to participate in the competition with any Design-Build Entity without the prior written consent of City. Any architectural firms, engineering firms, specialty consultants, or individuals retained by the City to assist in drafting any Reference Documents, such as the Water Department’s Master Plan and any other document that was not prepared specifically for this contract, are considered to be eligible to participate.

2.0 EQUAL OPPORTUNITY:

As set forth in this RFQ and The WHITEBOOK, the City is dedicated to the principles of equal opportunity in the workplace and in subcontracting. It is the City’s expectation that firms doing business with the City have and are able to demonstrate the same level of commitment.

The City is strongly committed to equal opportunity in solicitation of the Design-Builders. The City encourages the Design-Builders to share this commitment. The Design-Builders are encouraged to take positive steps to diversify and expand their Subcontractor solicitation base and to offer subcontracting opportunities to all eligible Subcontractors. The Design-Builder shall comply with requirements of San Diego Municipal Code §§ 22.2701 through 22.2708, Equal Employment Opportunity Outreach Program (EEO Program).

2.1 Design-Builder’s Work Force

- a. The Design-Builders shall submit with its SOQ a Work Force Report (EOC Form BB05) and prior to award of contract, the successful Design-Builder shall submit to the City’s EOCP office an updated Work Force Report or an Equal Employment Opportunity (EEO) Plan (see Attachment “D”).
- b. If under representations are noted in the Work Force Report when compared to County Labor Force Availability data, the Design-Builder shall submit an

Equal Opportunity Plan. Any Equal Employment Opportunity Plan submitted shall include the elements as outlined in the EOCP Requirements included in The WHITEBOOK.

2.2 Nondiscrimination Ordinance (Municipal Code §§ 22.2701-22.2708)

The Design-Builder shall not discriminate on the basis of race, gender, religion, national origin, ethnicity, sexual orientation, age or disability in the solicitation, selection, hiring or treatment of the Subcontractors and Suppliers. The Design-Builder shall provide equal opportunity for Subcontractors to participate in subcontracting opportunities. The Design-Builder understands and agrees that violation of this clause shall be considered a material breach of the contract and may result in contract termination, debarment or other sanctions.

2.2.1 This language shall be in contracts between the Design-Builder and any Subcontractors and Suppliers.

2.2.2 As part of its SOQ and Proposal, the Design-Builder shall provide to the City a list of all instances since it became pre-qualified under the City's Prequalification Program where a complaint was filed or pending against Design-Builder in a legal or administrative proceeding alleging that Design-Builder discriminated against its employees, the Subcontractors, or Suppliers, and a description of the status or resolution of that complaint, including any remedial action taken. If there have not been any complaints filed or pending against Design-Builder, a written statement from the Design-Builder to confirm shall be included in the SOQ and Proposal.

2.3 Questions

For assistance or further information about the Equal Opportunity Contracting Program (EOCP) Requirements, Equal Employment Opportunity (EEO), or both contact Henry Foster III, EOC Program Manager at (619) 236-7161.

3.0 PROJECT DESCRIPTION:

3.1 Background

The existing site within the project boundary consists of approximately 0.19 acres of developed land located along Coast Blvd just south of Jenner Street, on a bluff overlooking the La Jolla Children's Pool Beach. The existing improvements consist of a two-story concrete, masonry and wood lifeguard tower, concrete plaza and landscaped planters. The lifeguard tower was constructed in the 1970's and renovated in the 1980's.

The lower level consists of men's and women's restrooms, showers and dressing areas and a sewage pump room. Masonry retaining walls on the east, south and west sides retain the stone bluff. The wall to the north is open to an existing walkway facing the Children's Pool beach.

The upper level consists of a Lifeguard tower extending over the bluff and a raised public observation deck.

The building is in disrepair and was condemned by the City in 2009. Temporary restroom and lifeguard facilities currently occupy the plaza area.

The proposed improvements will replace the existing lifeguard tower building and will include site improvements

3.2 Facility Description

Demolition of the existing lifeguard station and construction of a new, three-story, 1877 square-foot lifeguard station. The new lifeguard station is partially subterranean and is generally located in the same location as the existing facility. The existing below grade retaining walls will remain in place. Lower Level improvements include new beach access restrooms and showers, lifeguard lockers and a sewage pump room. The plaza Level plan includes two work stations, a Ready/Observation Room, Kitchenette, Restroom and First Aid station. The Observation level includes a single occupancy Observation space, Radio Storage closet, and exterior Catwalk. Interior stairs link the floors.

The existing plaza will be reconfigured to provide a ramp for emergency vehicles to the beach and pedestrians to the Lower Level accessible restrooms and showers. Enhanced paving, seating and viewing space, drinking fountains, adapted landscaping and water efficient irrigation is also included. The limits of work for this project are shown on Site Plan A-1.1 included in Part 5 Attachments.

The project is located in Zone 5 of the La Jolla Planned District, the Coastal Overlay Zone (Appealable Area), The Coastal Height Limit Overlay Zone, the First Public Roadway, the Beach Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, the Transit Area Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The project site contains Environmentally Sensitive Lands (ELS), including Coastal Bluffs and Coastal Beaches. The project is considered an essential public facility and is identified for this use in the La Jolla Community Plan (LJCP). It is therefore not subject to the 40-foot Coastal Bluff Edge setback per SDMC Sec. 143.0144(h).

4.0 SCOPE OF REQUIRED WORK AND SERVICES:

Work and Services required of the Design-Builder include those during design, construction, and startup of the Project. The Design-Builder shall provide all management, supervision, labor, services, temporary facility, equipment, tools, supplies, and any other item of every kind and description required for the complete design, construction, and start-up of the Project.

4.1 Design Phase Services

4.2 Permits

4.3 Construction Phase Services

4.4 Start-Up Phase Services

5.0 PROJECT SCHEDULE:

The following milestones are provided for reference only. The dates beyond the SOQ due date are tentative and will be determined later.

A.	Advertise and Issue RFQ	August 26, 2011
B.	Pre-submittal Meeting	September 13, 2011
C.	SOQ due date	October 4, 2011
D.	Shortlist Finalists	October 11, 2011
E.	Issue RFP	November 22, 2011
F.	Pre-proposal Meeting	December 6, 2011
G.	Proposal Due Date	December 20, 2011
H.	Interviews	December 28, 2011
I.	Selection and Notification	January 5, 2012
J.	Receipt of Bonds and Insurance Certifications	January 12, 2012
K.	Notice to Proceed	January 19, 2012
L.	Issue Notice of Completion	February 19, 2012

6.0 STATEMENT OF QUALIFICATION REQUIREMENTS:

6.1 General

6.1.1 The Design-Builders interested in bidding this project shall be pre-qualified in a two-step process.

Step 1 requires that all Design-Build applicants submit a complete prequalification application to the City of San Diego, Engineering & Capital Projects Department, Pre-Qualification Program, 1010 Second Avenue, Suite 1200, San Diego, CA 92101. Information about the Pre-Qualification Program and the required application materials are available on the City's web site. Please contact David Stucky at (619) 533-3474 or dstucky@sanidiego.gov for additional information about the Pre-Qualification Program.

D/Bs shall receive Step 1 prequalification clearance **no later than the SOQ due date and time**. In order to ensure timely completion of Step 1, prequalification materials shall be received at the above address no later than 2 weeks prior to the SOQ due date.

Step 2 requires that all Design-Build candidates include in the SOQ all information required by this RFQ.

6.1.2 The City desires to receive SOQ's from only qualified and experienced Design-Builders who demonstrate significant knowledge of Design-Build construction projects, and extensive experience and successful performance on public works infrastructure projects of comparable magnitude and scope.

6.1.3 The SOQ shall be concise, well organized, and demonstrate the Design-Builder's qualifications and experience applicable to the Project. The SOQ shall be limited to **25** one-sided pages (8 & 1/2" x 11"), inclusive of resumes, graphics, forms, pictures, photographs, dividers, front and back cover, etc., that address the SOQ contents identified in Section 6.2 below. Type size and margins for text pages should be in keeping with accepted standard formats for desktop publishing and word processing and should result in no more than 500 words per page. SOQ's that exceed the page or word count per page limitation will not be considered.

NOTE: A cover letter may be submitted but SHALL not contain any information that is a required element of the SOQ (i.e. acknowledgement of addenda).

Documentation required under Attachment 'C', Section 9, Work Force Report/Equal Employment Opportunity Plan, Attachment 'C', Section 10, Financial Information and Arrangements (when specified) and Attachment 'C', Section 9, Subcontractor Documentation of this RFQ shall be in addition to the page limit stated above.

6.1.4 One executed original, clearly marked on the cover, and six (6) copies of the SOQ shall be submitted.

6.1.5 The SOQ shall be signed by an individual or individuals authorized to execute legal documents on behalf of the Design-Builder.

6.1.6 The SOQ shall be received no later than the time and place specified on the cover of this RFQ.

6.1.7 SOQ's are to be submitted in sealed packages with the following information clearly marked on the outside of each package:

Name of Design-Builder
Project Title
Package Number (e.g., 1 of __, 2 of __, etc.)
A red "CONFIDENTIAL"

6.1.8 Failure to comply with the requirements of this RFQ may result in disqualification.

6.1.9 SOQs and related materials received subsequent to the hour and date specified above will not be considered.

6.2 Contents

SOQ submittal shall be as detailed in Attachment 'C' of this RFQ. SOQ's submitted in response to this RFQ shall be in the following order and shall include:

- a. Executive Summary
- b. Identification of Design-Builder
- c. Experience and Technical Competence
- d. Proposed Method to Accomplish Work

- e. Knowledge and Understanding of Local Environment
- f. Project Organization and Key Personnel
- g. Work Force Report/Equal Opportunity Plan
- h. Financial Arrangements
- i. Change Order and Litigation History
- j. Exceptions to the RFQ
- k. RFQ Addenda Acknowledgment

The contents shall be subject to the page and word count limitations identified in Section 6.1.3.

SOQs that do not contain the aforementioned components will not be considered

7.0 NOMINATING AND SELECTION PROCESS:

The Program's Nominating and Selection Process is based on the policies, procedures, and guidelines contained in San Diego Municipal Code §§ 22.3301 through 22.3309. A 2 step nominating and selection process has been established, as follows:

7.1 Step 1: RFQ

- 7.1.1** A Nominating Panel (Panel) has been established and includes representatives from the City, Public Works, and EOC office, the participating agencies, and a representative from the Community at Large, as required.
- 7.1.2** After the City receives the SOQs, the Panel will review the qualifications based on the established evaluation criteria set forth in Attachment 'C' of this RFQ.
- 7.1.3** The Panel will recommend to the E&CP Director (Director) or designee the short-listing, no more than 5 of the most highly qualified Design-Builders and upon approval only those firms will be allowed to participate in the Request for Proposal (RFP) process.
- 7.1.4** The Director or designee shall have the sole discretion to ratify the short-list submitted by the Panel.

7.2 Step 2: RFP

- 7.2.1** Following the Director's approval of the recommended short-listed Design-Builders, the City will issue an RFP to short-listed Design-Builders.
- 7.2.2** The Panel will review Proposals received and interview each Design-Builder. The Panel will rank the Proposals based on the criteria in San Diego Municipal Code section 22.3308, the interview score, and other criteria considered relevant to the Panel.
- 7.2.3** The Panel will forward its ranked listing to the Director or designee with a recommendation for the highest ranking proposal. The Mayor or designee has final authority for selection.

8.0 PRE-SUBMITTAL ACTIVITIES:

8.1 Questions Concerning RFQ

Questions regarding the RFQ shall be submitted in writing as soon as possible, but no later than the pre-submittal meeting date shown in subsection 8.2 below to:

City of San Diego
Engineering & Capital Projects (E&CP) Department
ATTN: JIHAD SLEIMAN
600 B STREET SUITE 800, MS 908A
San Diego, CA 92101

8.2 Pre-Submittal Meeting and Site Tour

A Pre-submittal meeting will be held *from 10:00 A. M. to 11:00 A. M.*, 1200 Third Avenue, Suite 200, Large Conference Room, San Diego, CA, 92101. All potential responders are strongly encouraged to attend. A site tour will immediately follow. Maps will be distributed at the meeting. Any materials distributed at the meeting and site tour will be issued to all RFQ recipients in the form of an Addendum to this RFQ.

8.3 Revision to the RFQ

The City reserves the right to revise the RFQ prior to the date that SOQ's are due. Revisions, in the form of an Addendum, to the RFQ shall be mailed to all RFQ holders who acquired the RFQ directly from the City. The City reserves the right to extend the date by which the SOQ's are due.

9.0 SPECIAL CONDITIONS:

9.1 General

9.1.1 RFQ does not commit the City to award a contract, to defray any costs incurred in the preparation of a SOQ pursuant to RFQ, or to procure or contract for work.

9.1.2 SOQ's submitted in response to RFQ become the property of the City and public records, and as such may be subject to public review.

9.1.3 The City reserves the right to cancel, in part or in its entirety, RFQ including but not limited to: selection schedule, submittal date, and submittal requirements. If the City cancels or revises the RFQ, all potential Design-Builders will be notified in writing by the City.

9.1.4 The City reserves the right to interview and request additional information and clarifications from any responders to RFQ.

9.1.5 Release of Public Information - Selection announcements, contract awards, and all data provided by the City shall be protected from public disclosure. Design-Builder's desiring to release information to the public, shall receive prior written approval from the City.

9.2 Risk Posture

- 9.2.1** The selected Design-Builder shall indemnify and hold harmless the City for claims, suits, losses or damages arising out of the negligent acts, errors, or omissions of the Design-Builder, Subcontractors, or Subcontractors attributable to the design effort.
- 9.2.2** This RFQ contains a preliminary risk matrix for the project, which summarizes the anticipated allocation of risk between the City and the selected firm. This preliminary risk matrix is not intended to describe all anticipated risk for the Project. As Project activities progress, the risk allocation will be expanded and revised as necessary to ensure the most efficient allocation of risk between the City and the Design-Builder.
- 9.2.3** The selected firm will enter into an agreement with the City. A draft agreement including the terms and conditions is included in the City's standard front end contract documents i.e., Volume 1, and is available for review by sending an email request to Project Manager. Additional City's standards provisions are included in The GREENBOOK Part 1, The City's WHITEBOOK e.g., City Supplement, Supplementary Special Provisions, and Front End Volume 2.

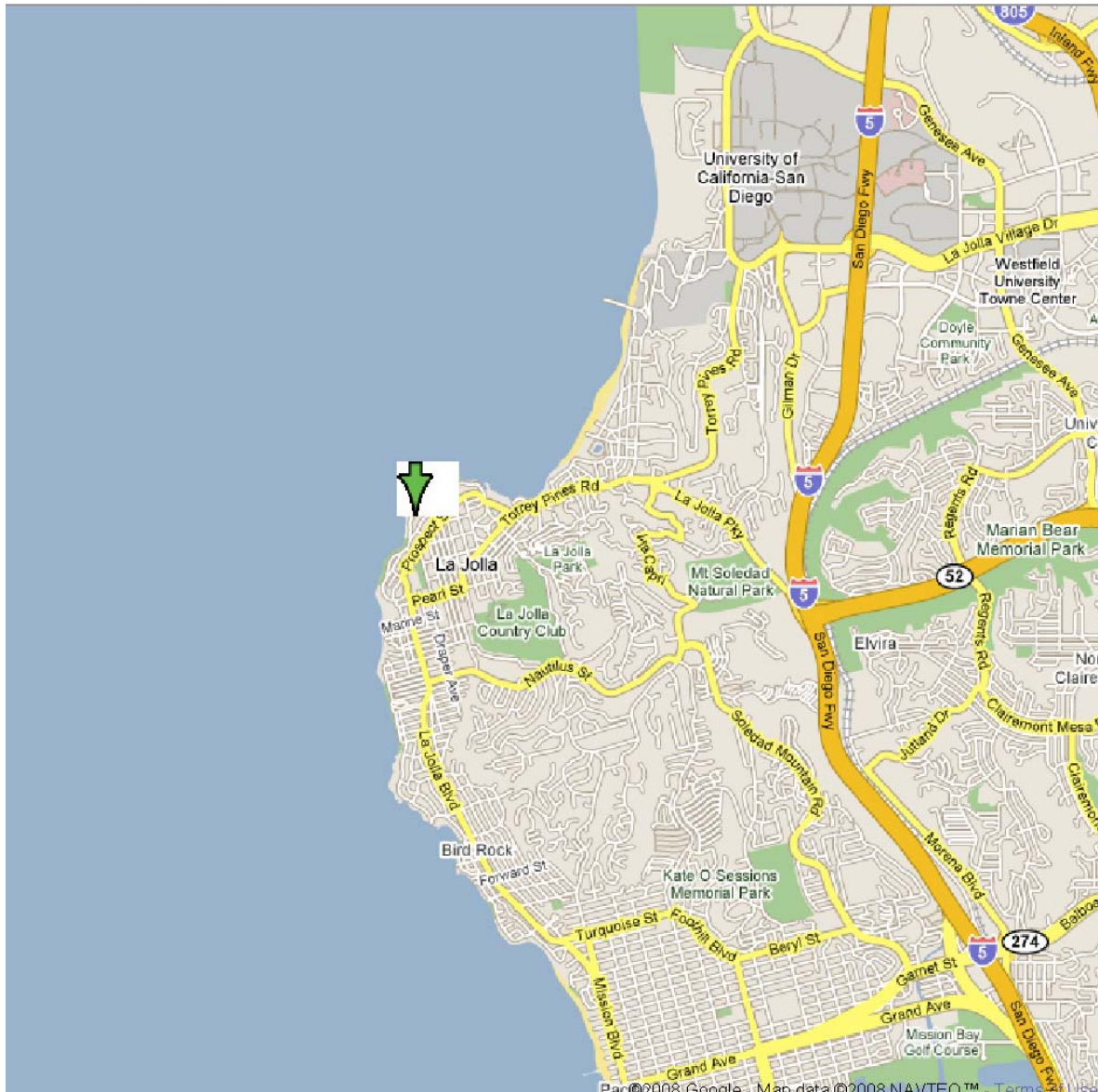
9.3 Acknowledgement of Addenda

The Design-Builder shall confirm in its SOQ the receipt of all addenda issued to this RFQ. Failure to acknowledge all addenda issued, will result in the SOQ being considered non-responsive and ineligible for further consideration.

9.4 Use of Pre-Design and Design Reports

[Reserved]

ATTACHMENT A
PROJECT LOCATION MAP



ATTACHMENT B
PRELIMINARY RISK MATRIX

RISK	ALLOCATION	REMARKS
<p><u>Design</u></p> <ol style="list-style-type: none"> 1. Technology Selection 2. Unforeseen Sub-surface Conditions: <ol style="list-style-type: none"> a) Contaminated Soils b) Utilities c) Geotechnical d) Ground Water 	<ol style="list-style-type: none"> 1. Design-Builder 2. Varies: <ol style="list-style-type: none"> a) City b) City c) Design-Builder d) Design-Builder 	<p>Design-Builder is responsible for selecting technology that is proven, will be permitted by agencies and the City, and will meet performance guarantees</p> <p>NTS:</p> <p>This may be revisited. Usually the GMP is given prior to an independent Geotechnical report is done by each of the Design-Builder qualifying Design-Builder firms (In Proposal). So it is impractical and unfair to say that conditions that the City's Geotechnical report did not find is not a true unforeseen condition.</p>
<p><u>Construction/Start-up</u></p> <ol style="list-style-type: none"> 1. Adherence to construction period/schedule 2. Selection of construction methods 3. Site Security 4. Repair and replacement during one-year warranty period 5. Repair and replacement after one-year warranty period 6. Odor Complaints during Construction and one-year warranty period 	<ol style="list-style-type: none"> 1. Design-Builder 2. Design-Builder 3. Design-Builder 4. Design-Builder 5. City 6. Design-Builder 	<p>NTS:</p> <p>Confirm that all Design-Builder contracts will have a one year warranty; some work may have in the past it is common to have a 2 year warranty.</p>
<p><u>Environmental</u></p> <ol style="list-style-type: none"> 1. Environmental Documentation 2. Compliance with Mitigation Requirements 	<ol style="list-style-type: none"> 1. City 2. Design-Builder 	<p>NTS:</p> <p>Some env. docs. are prepared by the City such as SWPPP documentation and testing and verification documentation required during construction by CEQA</p> <p>The City will be solely responsible for</p>

RISK	ALLOCATION	REMARKS
		<p>the preparation of all environmental documents</p> <p>Design-Builder will be responsible for staying within the defined limits of work for the project. Any impacts outside the defined limits of work shall be mitigated by the Design-Builder. Any fines or penalties levied as a result of non-compliance with any mitigation measures shall be paid by the Design-Builder.</p>
<p><u>Permitting</u></p> <ol style="list-style-type: none"> 1. Obtaining Permits 2. Permit Compliance 	<ol style="list-style-type: none"> 1. Design-Builder or City as specified. 2. Design-Builder 	<p>NTS: There are some permits that the Design-Builder should be responsible for; such as APCD, OSHA, and Traffic Control. And as designer, the Design-Builder should be responsible for RWQCB permits and Building Permits. All other permits: City</p> <p>Design-Builder shall comply with conditions of all regulatory permits. Any fines or penalties levied as a result of non-compliance shall be paid by the Design-Builder.</p>
Financing	City	
Natural Disaster	Design-Builder	<p>NTS: Determine if this insurance is required.</p> <p>Insurance: The Design-Builder shall provide all required insurance, and shall be responsible for costs which exceed insured limits. City assumes delay costs associated with a natural disaster.</p>

ATTACHMENT C

SUBMITTAL REQUIREMENTS AND EVALUATION CRITERIA

DESIGN-BUILDER NOMINATING
SUBMITTAL REQUIREMENTS & EVALUATION CRITERIA

1. Addenda to this RFQ (PASS/FAIL)

The Design-Builder shall confirm in its SOQ the receipt of all addenda issued to this RFQ. Failure to acknowledge all addenda issued, will result in the SOQ being considered non-responsive and ineligible for further consideration.

The Design-Builder is not required to include copies of the actual addenda in its SOQ.

2. Identification of the Design-Builder (PASS/FAIL)

Failure to provide the Identification of the Design-Builder will result in the SOQ being considered non-responsive and ineligible for further consideration.

- a. Legal name and address of company
- b. Legal form of company (partnership, corporation, joint venture, etc.). If joint venture identify the members of the joint venture and provide all information required under this section for each member.
- c. If company is wholly owned subsidiary of a “parent company,” identify the “parent company.”
- d. Addresses of offices located in San Diego County.
- e. Number of years that company has maintained office in San Diego County.
- f. Number of employees in San Diego County.
- g. City of San Diego Business License Number, State Contractor’s License Number (include date of expiration), and Professional Engineering/Architect License Number (include date of expiration).
- h. Name, title, address and telephone number of person to contact concerning the SOQ.

3. Exceptions to this RFQ (PASS/FAIL)

The Design-Builder shall certify that it takes no exceptions to this RFQ and its attachments by signing and submitting Attachment ‘E’ of this RFP in its SOQ. If the Design-Builder does take exception(s) to any portion of the RFQ, the specific portion of the RFQ to which exception is taken shall be submitted to the City in writing prior to the Pre-submittal Meeting. Although the “Exceptions to the RFQ” is an evaluation criterion, an exception may be determined by the City to be of such a material nature that such exception may cause the SOQ to be considered at the sole discretion of the City, non-responsive.

4. Executive Summary (5 Points Max)

Include a one- to two-page overview of the entire SOQ describing the highlights of the SOQ. Failure to provide the executive summary will result in the SOQ being considered non-responsive and ineligible for further consideration.

5. Experience and Technical Competence (25 Points Max)

Describe Design-Builder’s experience in completing similar Design-Build efforts. List three (3) successfully completed projects within the past 5 years for both public and private clients of a similar nature with name of Owner’s Project Manager, phone numbers, project type, total

value of completed construction and identify whether the work was for a public or private client. Projects currently in process may be submitted for consideration. Include in your client references projects and clients where the team has worked together.

The Design-Builder shall demonstrate experience with projects on occupied sites with significant factors and limitations including sensitive environmental and biological issues, inadequate construction staging areas, project phasing requirements, and public safety protection in and around the site.

6. Proposed Method to Accomplish the Work (10 Points Max)

Describe in narrative form the Design-Builder’s technical and management approach to the design, construction, and start-up of the facilities. Discuss lines of communications necessary to maintain design schedule and construction schedules. This should not be a design concept, but rather a general discussion of how the team will execute the project.

7. Knowledge and Understanding of Local “Environment” (10 Points Max)

Describe experience working in the local “environment” and proposed local presence for interfacing with the City’s project management staff. The “environment” includes but is not limited to: City and other local agencies regulations and policies; local environmental documentation requirements; geotechnical conditions in project area; biological protection requirements in the project area; local building codes; and other local design criteria and community issues.

8. Project Organization and Key Personnel (10 Points Max)

Describe proposed project organization and provide an organizational chart, including identification and responsibilities of key personnel. Indicate role and responsibilities of the Design-Builder. Indicate how local firms are being utilized to ensure a strong understanding of local laws, ordinances, regulations, policies, requirements, permitting, etc. Indicate extent of commitment of key personnel for duration of project and furnish resumes of key personnel. Provide indication of staffing level for the project. The City’s evaluation of the Design-Builder will consider the entire team, therefore no changes in team composition will be allowed without prior written approval of the City. Describe Design-Builder’s capacity to perform the work within the time limitations, considering and identifying Design-Builder’s current and planned workload and Design-Builder’s workforce.

9. Equal Employment and Contracting Opportunity: (25 Points Max)

a. Work Force Report

Include a completed Work Force Report found in Attachment ‘D’ of this RFQ for its employees located within San Diego County only. The selected firm may be required to submit workforce data for a regional office prior to contract award.

b. Equal Opportunity Assurances

The Design-Builder shall include in its SOQ’s the following:

1. Specific actions consistently taken to ensure equal opportunity in their employment and subcontracting practices, including past performance and actions to be taken on this project.
2. Listing of Proposer's strategies to recruit, hire, train and promote a diverse workforce. These efforts will be considered in conjunction with Design-Builder's Workforce Report as compared to the County's Labor Force Availability.
3. Listing of Design-Builder's current community activities such as membership and participation in local organizations, associations, scholarship programs, mentoring, apprenticeships, internships, community projects, charitable contributions and similar endeavors.

c. Subcontractor Documentation - Past Participation Levels during the RFP phase

Documentation submitted in accordance with this section shall be included in an attachment, which shall be titled "Subcontractor Documentation" to the SOQ.

1. Past Participation Levels - Listing of Design-Builder's Subcontractor (including constructors and design professionals) and Supplier past participation levels on each project (preferably in the City or County of San Diego) listed in response to this RFQ (Attachment 'C', Section 3). The Design-Builder shall use the Subcontractor (Constructors) Past Participation List, Subcontractor (Design Professionals) Past Participation List, and the Supplier Past Participation List for this purpose (refer to Attachment 'D'). Include the name of project, type of project, value of project, Subcontractor and Supplier firm name, percentage of participation, and identification of the firm's ownership as a certified Minority Enterprise (MBE), Women Business Enterprise (WBE), Disadvantaged Business Enterprise (DBE), Disabled Veteran Business Enterprise (DVBE), or Other Business Enterprise (OBE) or Emerging Local Business Enterprise (ELBE) or Small Local Business Enterprise (SLBE). Design-Builder should demonstrate a consistent pattern of including certified MBE, WBE, DBE, DVBE, and OBE or ELBE and SLBE.
2. Subcontractors (constructors and designers) Proposed Participation Level - For the RFP phase only Design-Build contracts valued at \$100,000 or more have a mandatory Subcontractor participation goal of 10% (including 5% SLBE-ELBE) and a voluntary Subcontractor participation goal of 10%. Goals are achieved by contracting with the certified Small Local Business Enterprise (SLBE), Emerging Local Business Enterprise (ELBE) or both."

d. Non-Discrimination in Contracting

Upon the City's request, Design-Builder agrees to provide to the City, within 60 days, a truthful and complete list of the names of all Subcontractors and Suppliers that Design-Builder has used in the past 5 years on any of its contracts that were undertaken within San Diego County, including the total dollar amount paid by the Design-Builder for each subcontract or supply contract. The Design-Builder further agrees to fully cooperate in any investigation conducted by the City pursuant to the City's Nondiscrimination in Contracting Ordinance (Municipal Code Sections 22.3401 - 22.3417). The Design-Builder understands and agrees that violation of this

clause shall be considered a material breach of the Contract and may result in remedies being ordered against the Design-Builder up to and including contract termination, debarment, and other sanctions for violation of the provisions of the Nondiscrimination in Contracting Ordinance. The Design-Builder further understands and agrees that the procedures, remedies and sanctions provided for in the Nondiscrimination Ordinance apply only to violations of said Nondiscrimination Ordinance.

e. Disclosure of Discrimination Complaints

A list of complaints filed or pending against Design-Builder or a written statement from the Design-Builder in accordance with the Section 2.2.2.

Failure to submit the required EOCP information will result in SOQ being determined as non-responsive.

10. Financial Information and Arrangements (10 Points Max)

If the Design-Builder is a Joint Venture, the Design-Builder shall address the proposed financial arrangements between the Joint Venture members as they relate to liability to the City for work to be performed under this Project.

11. Change Order and Litigation History (10 Points Max)

a. Change Order History

Provide a spreadsheet that outlines the projects the Design-Builder has completed over the last 3 years; the original contract value of the list projects; the quantity of change orders for each project; and, the percentage of total change order dollar amounts to original contract value for each project. Provide non-owner initiated change order activity as a percentage of the total change order activity. Provide any explanation of change order activity by project that Design-Builder deems appropriate.

b. Litigation History

Provide a sealed letter that lists all litigations (since your last pre-qualification clearance from the City) your firm or firms, if organized as a joint venture, was a party.

Total Points 105

SOQs that do not contain the aforementioned components will not be considered.

ATTACHMENT D

EQUAL OPPORTUNITY CONTRACTING PROGRAM REQUIREMENTS

**CITY OF SAN DIEGO
EQUAL OPPORTUNITY CONTRACTING PROGRAM REQUIREMENTS
CONSTRUCTION CONTRACTOR REQUIREMENTS**

- **THIS DOCUMENT SETS FORTH THE FOLLOWING SPECIFICATIONS:**
 1. **CITY OF SAN DIEGO'S GENERAL EQUAL OPPORTUNITY CONTRACTING PROGRAM FOR ALL CONSTRUCTION CONTRACTS.**
 2. **SPECIAL PROVISIONS FOR CONTRACTS SUBJECTS TO SLBE AND ELBE REQUIREMENTS ONLY.**
 3. **SPECIAL PROVISIONS FOR CONTRACTS SUBJECT TO SCOPe REQUIREMENTS ONLY.**
- **REFER TO:**
 - **THE "WHITEBOOK" FOR MORE INFORMATION**

SUBCONTRACTORS PAST PARTICIPATION LIST

The Design-Builder shall complete this form for each project listed in response to RFQ or a 1 step process for a RFP. Subcontractors Past Participation List shall include name, address and telephone number (including area code) for each Subcontractor who participated in the referenced project. The Design-Builder shall list all SLBE, ELBE, DBE, DVBE, MBE, WBE, OBE, WoSB, HUBZone, and SDVOSB Subcontractors that Design-Builder are seeking recognition towards achieving any mandatory, voluntary, or both subcontracting participation percentages.

NAME OF PROJECT: _____

TYPE OF PROJECT: _____

DOLLAR VALUE OF PROJECT: _____

NAME, ADDRESS AND TELEPHONE NUMBER OF SUBCONTRACTOR	CONSTRUCTOR OR DESIGNER	TYPE OF WORK PERFORMED	PERCENT OF SUBCONTRACTOR PARTICIPATION	MBE, WBE, DBE, DVBE, OBE, ELBE, SLBE, WoSB, HUBZone, OR SDVOSB ^①	WHERE CERTIFIED ^②
Name: _____ Address: _____ City: _____ State: _____ Zip: _____ Phone: _____					
Name: _____ Address: _____ City: _____ State: _____ Zip: _____ Phone: _____					
Name: _____ Address: _____ City: _____ State: _____ Zip: _____ Phone: _____					

① As appropriate, Design-Builder shall identify Subcontractor as one of the following and shall include a valid proof of certification (except for OBE, SLBE and ELBE):

Certified Minority Business Enterprise	MBE	Certified Woman Business Enterprise	WBE
Certified Disadvantaged Business Enterprise	DBE	Certified Disabled Veteran Business Enterprise	DVBE
Other Business Enterprise	OBE	Certified Emerging Local Business Enterprise	ELBE
Certified Small Local Business Enterprise	SLBE	Small Disadvantaged Business	SDB
Woman-Owned Small Business	WoSB	HUBZone Business	HUBZone
Service-Disabled Veteran Owned Small Business	SDVOSB		

② As appropriate, Design-Builder shall indicate if Subcontractor is certified by:

City of San Diego	CITY	State of California Department of Transportation	CALTRANS
California Public Utilities Commission	CPUC	San Diego Regional Minority Supplier Diversity Council	SRMSDC
State of California's Department of General Services	CADoGS	City of Los Angeles	LA
State of California	CA	U.S. Small Business Administration	SBA

The Design-Builder will not receive any subcontracting participation percentages if the Design-Builder fails to submit the required proof of certification (except for OBE, SLBE and ELBE).

Form Title: SUBCONTRACTORS PAST PARTICIPATION LIST

(Rev. March 2011)

Form Number: AA50

Attachment D

La Jolla Children's Pool Lifeguard Station Design – Build Contract

SUPPLIERS PAST PARTICIPATION LIST

The Design-Builder shall complete this form for each project listed in response to RFQ or a 1 step process for a RFP. Suppliers Past Participation List shall include name, address and telephone number (including area code) for each participant in the referenced project. The Design-Builder shall list all SLBE, ELBE, DBE, DVBE, MBE, WBE, OBE, WoSB, HUBZone, and SDVOSB Suppliers that Design-Builder are seeking recognition towards achieving any mandatory, voluntary, or both subcontracting participation percentages.

NAME OF PROJECT: _____

TYPE OF PROJECT: _____

DOLLAR VALUE OF PROJECT: _____

NAME, ADDRESS AND TELEPHONE NUMBER OF SUPPLIERS	TYPE OF MATERIALS OR SUPPLIES	PERCENTAGE VALUE OF MATERIALS OR SUPPLIES	MBE, WBE, DBE, DVBE, OBE, ELBE, SLBE, WoSB, HUBZone, OR SDVOSB ^①	WHERE CERTIFIED ^②
Name: _____ Address: _____ City: _____ State: _____ Zip: _____ Phone: _____				
Name: _____ Address: _____ City: _____ State: _____ Zip: _____ Phone: _____				
Name: _____ Address: _____ City: _____ State: _____ Zip: _____ Phone: _____				

① As appropriate, Design-Builder shall identify Suppliers as one of the following and shall include a valid proof of certification (except for OBE, SLBE and ELBE):

- | | | | |
|---|--------|--|---------|
| Certified Minority Business Enterprise | MBE | Certified Woman Business Enterprise | WBE |
| Certified Disadvantaged Business Enterprise | DBE | Certified Disabled Veteran Business Enterprise | DVBE |
| Other Business Enterprise | OBE | Certified Emerging Local Business Enterprise | ELBE |
| Certified Small Local Business Enterprise | SLBE | Small Disadvantaged Business | SDB |
| Woman-Owned Small Business | WoSB | HUBZone Business | HUBZone |
| Service-Disabled Veteran Owned Small Business | SDVOSB | | |

② As appropriate, Design-Builder shall indicate if Suppliers is certified by:

- | | | | |
|--|--------|--|----------|
| City of San Diego | CITY | State of California Department of Transportation | CALTRANS |
| California Public Utilities Commission | CPUC | San Diego Regional Minority Supplier Diversity Council | SRMSDC |
| State of California’s Department of General Services | CADoGS | City of Los Angeles | LA |
| State of California | CA | U.S. Small Business Administration | SBA |

The Design-Builder will not receive any subcontracting participation percentages if the Design-Builder fails to submit the required proof of certification (except for OBE, SLBE and ELBE)..



City of San Diego
**EQUAL OPPORTUNITY CONTRACTING
PROGRAM**
1200 Third Avenue, Suite 200, San Diego, CA 92101
(619) 236-6000 FAX: (619) 235-5209

WORK FORCE REPORT

The objective of the *Equal Employment Opportunity Outreach Program*, San Diego Municipal Code Sections 22.3501 through 22.3517, is to ensure that contractors doing business with the City, or receiving funds from the City, do not engage in unlawful discriminatory employment practices prohibited by State and Federal law. Such employment practices include, but are not limited to unlawful discrimination in the following: employment, promotion or upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rate of pay or other forms of compensation, and selection for training, including apprenticeship. Contractors are required to provide a completed *Work Force Report*.

CONTRACTOR IDENTIFICATION

Type of Contractor: Construction Supplier Financial Institution Lessee/Lessor
 Consultant Grant Recipient Insurance Company Other

Name of Company: _____

AKA/DBA: _____

Address (Corporate Headquarters, where applicable): _____

City _____ County _____ State _____ Zip _____

Telephone Number: () _____ FAX Number: () _____

Name of Company CEO: _____

Address(es), phone and fax number(s) of company facilities located in San Diego County (if different from above):

Address: _____

City _____ County _____ State _____ Zip _____

Telephone Number: () _____ FAX Number: () _____

Type of Business: _____ Type of License: _____

The Company has appointed: _____

as its Equal Employment Opportunity Officer (EEOO). The EEOO has been given authority to establish, disseminate, and enforce equal employment and affirmative action policies of this company. The EEOO may be contacted at:

Address: _____

Telephone Number: () _____ FAX Number: () _____

For Firms: San Diego Work Force and/or Managing Office Work Force

I, the undersigned representative of

(Firm Name)

_____, _____ hereby certify that information provided
(County) (State)

herein is true and correct. This document was executed on this day of _____,

200_____.

(Authorized Signature)

(Print Authorized Signature Name)

WORK FORCE REPORT - Page 2

NAME OF FIRM: _____ DATE: _____

INSTRUCTIONS: For each occupational category, indicate number of males and females in every ethnic group. Total columns in row provided. Sum of all totals should be equal to your total work force. Include all those employed by your company on either a full or part-time basis. The following groups are to be included in ethnic categories listed in columns below:

- (1) African-American, Black
- (2) Latino, Hispanic, Mexican-American, Puerto Rican
- (3) Asian, Pacific Islander
- (4) American Indian, Eskimo
- (5) Filipino
- (6) Caucasian
- (7) Other ethnicity; not falling into other groups

OCCUPATIONAL CATEGORY	(1) African-American		(2) Latino		(3) Asian		(4) American Indian		(5) Filipino		(6) Caucasian		(7) Other Ethnicities	
	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)
Executive, Administrative, Managerial														
Professional Specialty														
Engineers/Architects														
Technicians and Related Support														
Sales														
Administrative Support/Clerical														
Services														
Precision Production, Craft and Repair														
Machine Operators, Assemblers, Inspectors														
Transportation and Material Moving														
Handlers, Equipment Cleaners, Helpers and Non-construction Laborers*														

*Construction laborers and other field employees are not to be included on this page

TOTALS EACH COLUMN														
--------------------	--	--	--	--	--	--	--	--	--	--	--	--	--	--

GRAND TOTAL ALL EMPLOYEES														
---------------------------	--	--	--	--	--	--	--	--	--	--	--	--	--	--

INDICATE BY GENDER AND ETHNICITY THE NUMBER OF ABOVE EMPLOYEES WHO ARE DISABLED:

DISABLED														
----------	--	--	--	--	--	--	--	--	--	--	--	--	--	--

NON-PROFIT ORGANIZATIONS ONLY:

BOARD OF DIRECTORS														
VOLUNTEERS														
ARTISTS														

WORK FORCE REPORT - Page 3

NAME OF FIRM: _____ DATE: _____

INSTRUCTIONS: For each occupational category, indicate number of males and females in every ethnic group. Total columns in row provided. Sum of all totals should be equal to your total work force. Include all those employed by your company on either a full or part-time basis. The following groups are to be included in ethnic categories listed in columns below:

- (1) African-American, Black
- (2) Latino, Hispanic, Mexican-American, Puerto Rican
- (3) Asian, Pacific Islander
- (4) American Indian, Eskimo
- (5) Filipino
- (6) Caucasian
- (7) Other ethnicity; not falling into other groups

OCCUPATIONAL CATEGORY	(1) African-American		(2) Latino		(3) Asian		(4) American Indian		(5) Filipino		(6) Caucasian		(7) Other Ethnicities	
	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)
Carpenter														
Drywall Installer														
Electrician														
Elevator Installers														
Finishers, Concrete or Terrazzo														
Glaziers														
Helpers, Construction Trade														
Ironworkers, Structural Metal Workers														
Laborers														
Millwrights														
Masons, Bricklayers														
Tilesetters														
Operators														
Painters														
Pipefitter, Plumbers														
Plasterers														
Roofers														
Security, Protective Services														
Sheet Metal, Duct Installers														
Welders, Cutters														
TOTALS EACH COLUMN														
GRAND TOTAL ALL EMPLOYEES														

INDICATE BY GENDER AND ETHNICITY THE NUMBER OF ABOVE EMPLOYEES WHO ARE DISABLED:

DISABLED														
----------	--	--	--	--	--	--	--	--	--	--	--	--	--	--

ATTACHMENT E
CERTIFICATION OF EXCEPTIONS TO RFQ DOCUMENTS

**CERTIFICATION OF EXCEPTIONS
TO THE REQUEST FOR QUALIFICATIONS
LA JOLLA CHILDREN'S POOL LIFEGUARD STATION**

The undersigned, a duly authorized representative of _____
(Company Name)

hereby stipulates that _____ takes no exceptions to this
(Company Name)

Request for Qualifications, its attachments, and the City's standard Front End Contract Documents (i.e., Volume 1 and Volume 2) as referenced in this RFQ.

Authorized Representative

Date

Authorized Representative's Title

Company

OR

The undersigned, a duly authorized representative of _____
(Company Name)

hereby stipulates that _____ takes the following exceptions
(Company Name)

to this Request for Qualifications, its attachments, and the City's standard Contract Front End Documents (i.e., Volume 1 and Volume 2) as referenced in this RFQ.

Authorized Representative

Date

Authorized Representative's Title

Company