

URS-BLL JOINT VENTURE
ON BEHALF OF THE
CALIFORNIA PRISON HEALTH CARE RECEIVERSHIP
CORPORATION
OFFICE OF THE RECEIVER
REQUEST FOR QUALIFICATIONS
FOR
COMMISSIONING CONSULTING SERVICES - 08RFQ013
OCTOBER 14, 2008
QUALIFICATIONS DUE: 2:00 PM PST, NOVEMBER 14, 2008

SUBMISSION PACKAGES SHOULD BE ADDRESSED TO:

Lyndee Berg, Contracts & Procurement Manager
2400 DEL PASO ROAD, SUITE 255
Sacramento, CA 95834
P: (916) 779-6414
F: (916) 779-6470
Email: lyndee.berg@ursblljv.com

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EXHIBIT A: Sample Form of Agreement

REQUEST

On behalf of the Receiver of the California Department of Corrections and Rehabilitation's ("CDCR") prison medical system, the URS/BLL Joint Venture ("URS/BLL") is seeking statements of qualifications from qualified firm(s) to provide commissioning consulting services (the "Services") for seven (7) new prison healthcare facilities on existing state prison sites as CPR's commissioning agent ("CA"). The Services shall be coordinated with, and in support of, the planning, programming, design and construction of the facilities.

URS/BLL is providing program management on the above project on behalf of the California Prison Healthcare Receivership Corporation ("CPR"), which provides staff and infrastructure to support the work of the Receiver. Currently, URS/BLL is developing the planning, programming, pre-design and implementation of facilities for up to 10,000 new medical and mental health beds for correctional patients currently housed in state prisons. Ultimately, URS/BLL will be responsible for the management of the delivery (design and construction) for the entire program. URS/BLL anticipates that this program will utilize Integrated Project Delivery ("IPD") to deliver the facilities (see <http://www.leanconstruction.org/readings.htm#PRIMER> and <http://www.aia.org/ipdg> for background information on Integrated Project Delivery).

URS/BLL and the CPR are seeking firm(s) to provide the Services in connection with this 10,000 bed program to ensure that proper start-up, operations, training, calibrations, and any other similar activities for the facilities are performed and documented in accordance with applicable law. Respondents should note that CPR seeks to attain a minimum LEED Silver designation for all applicable facilities. The CA will serve as an advisor to the Integrated Project Delivery (IPD) teams, URS/BLL and CPR. The seven (7) facilities will range from approximately 800,000 BGSF to 1,200,000 BGSF. Total program will be approximately 7 million BGSF on sites ranging in size from approximately 40 to 120 acres.

I. BACKGROUND

As a result of the State of California's ongoing inability to provide medical care to prison patients at constitutionally acceptable levels, the United States District Court for the Northern District of California has established a Receivership to assume the executive management of the California prison medical system and raise the level of care up to constitutional standards. On February 14, 2006, the Court appointed a Receiver granting, among other powers, the authority to exercise all powers vested by law in the Secretary of the CDCR as they relate to the administration, control, management, operation, and financing of the California prison medical health care system.

The Court's actions stem from the case of *Plata v. Schwarzenegger* -- a class action law suit brought on behalf of the CDCR's adult inmates. Applicants should refer to the Court's October 3, 2005 "Findings of Fact and Conclusions of Law Re Appointment of Receiver" and the Court's February 14, 2006 "Order Appointing Receiver" for further information regarding the conditions underlying the Receivership and the powers and responsibilities of the Receiver. These and other relevant documents can be found on CPR's website at: <http://www.cphcs.ca.gov>.

The CPR is conducting an intensive "Preliminary Design and Validation Phase" or "Co-Opetition", in which three Integrated Project Delivery (IPD) teams are competing and

collaborating in the design of prototype facilities adaptable for the various sites in the 10,000 bed program. Following the Co-Opetition, CPR will select the IPD teams to design and construct individual facilities as sites are available for construction. Among other things, the selected CA will provide support during the Co-Opetition and serve as a Subject Matter Expert (SME) to the IPD teams CPR's Transition, Activation and Operations (TAO) team during all project phases as part of the Services.

II. ANTICIPATED SCOPE OF SERVICES

A. General Scope of Services

Qualified firm(s) will provide the necessary personnel, equipment and material to perform and accomplish the Services during all phases of design from programming through closeout.

B. Specific Scope of Services

The CA shall provide leadership and relevant documentation regarding commissioning activities during the following phases of design and implementation:

- a. Conceptualization
- b. Criteria Design
- c. Detailed Design
- d. Implementation Documents
- e. Agency Review and Buyout
- f. Construction
- g. Activation and Move In
- h. Close Out

The CA shall coordinate their services with CPR's Core Planning Team (consisting of medical delivery and correctional content experts), URS/BLL, and the selected IPD teams for each of the seven (7) facilities to be designed and constructed under this 10,000 bed program. As the facilities approach the estimated operational date(s) (EOD), the CA will coordinate closely with the facility's TAO team to ensure the facility is ready for the planned EOD.

The CA's concepts and work plans shall be formatted to be compatible with the Facility Program Statement (FPS) and subsequent design documents, and will include strategies, tactics and specific implementation plans to reach the optimum operating steady state for each building, facility and the program overall.

When and to the extent requested by CPR, CA shall perform the following:

- Provide all services and expertise required to systemically ensure that all systems and equipment specified by CPR perform interactively according to the approved construction documents and other CPR requirements.
- Provide all services and expertise required to satisfy the selected commissioning requirements of the applicable LEED program for a designated building.
- Work closely and collaboratively with the integrated project delivery team(s) chosen by CPR to deliver facilities under an integrated project delivery ("IPD") approach. To this

- end, CA will consult with and provide support to the IPD teams (as a consultant to CPR) with respect to the commissioning of designated facilities during all phases of design and construction. The CA shall recommend how best (in terms of cost and quality) to achieve the goals of LEED Silver (minimum), lowest operating costs and best return on investment (in cooperation with URS/BLL, IPD teams and CPR) for various building systems and processes. For any projects not delivered under an IPD approach, CA shall work closely and collaboratively with the contractors and design professionals engaged by CPR for such projects.
- CA's interaction with the selected IPD team(s) will be more continuous and collaborative than in traditional delivery methods. Under CPR's IPD approach, the design proceeds with continuous input from CA, and **not** by progressing the design to a certain stage of development and then requesting that the CA review the design only at particular milestones. For projects delivered under an IPD approach, CA will provide its commissioning services continuously throughout development of the design by providing on-going commissioning guidance.
- In collaboration with the applicable IPD team, develop a comprehensive "Commissioning Plan" for each building that addresses roles, responsibilities, LEED requirements, documentation, acceptance criteria, scheduling and commissioning activities.
- Consistent with the Commissioning Plan, develop a comprehensive "Commissioning Specification" for each particular project that sets forth the responsibilities of contractors and subcontractors for, among other things, commissioning-related inspections, start-ups, testing, documentation and satisfying acceptance criteria.
- Review relevant submittals, requests for information, field reports and change orders for any impact on commissioning and advise URS/BLL of any impacts.
- Conduct, coordinate and document commissioning coordination meetings with project participants.
- Perform site visits as necessary to observe installation of systems and components which will be commissioned, designated tests and start-up activities, all in accordance with the approved Commissioning Plan. CA will need to comply with any CDCR requirements governing access to a site that is operated by CDCR.
- Review and comment on proposed operations and maintenance manuals submitted by constructors for the systems to be commissioned.
- Observing the functional performance tests for each system to be commissioned in accordance with the Commissioning Specifications, and tracking and reporting to CPR any failed tests, start-ups or other commissioning issues and their subsequent resolution.
- Prepare and deliver to CPR a "Commissioning Report" in compliance with LEED requirements and the Commissioning Plan.

- Assist the relevant design professional(s) in preparing and completing LEED documentation and submittals for LEED certification, including addressing audit questions from USGBC.
- To the extent provided in the Commissioning Plan, provide or assist with operator training sessions for various building systems to be commissioned.
- Consistent with the Commissioning Plan, make visits to a completed building during the warranty period to review systems & equipment operations and discuss building operations with facility staff. Advise CPR and TAO as to how to best address any issues raised during such visits.

The CA shall provide support to URS/BLL, CPR, and the IPD teams selected for participation in this program, the TAO and others as needed. The CA will be relied on for key advice on all commissioning matters.

C. Timing and Schedule

Time is of the essence. It is anticipated that upon selection of the firm(s) and negotiation of contract scope of work and fees, work will commence October 2008 and continue until program completion (anticipated to be 2013).

III. DELIVERABLES

The deliverables required will be stipulated in conjunction with the approved work plan and associated staffing plans and schedules in a work authorization attached to the awarded contract.

ALL DELIVERABLES CREATED BY THE CA UNDER THE AGREEMENT, WHETHER OR NOT IDENTIFIED AS CONTRACTUAL DELIVERABLES, WILL BE THE PROPERTY OF THE RECEIVER.

IV. SELECTION AND CONTRACTING PROCESS

An evaluation committee (the "Committee") will review the submitted qualifications in accordance with submittal requirements and evaluation criteria set forth below and will identify a short list of firms for further consideration. Upon acceptance of the short list, URS/BLL and/or the CPR may invite short-listed firms to make oral presentations to the Committee.

If URS/BLL and/or the CPR elect to conduct oral interviews, the entire proposed key staff of any short-listed teams must be available to participate in these interviews. The Committee will then conduct a final evaluation, make a final determination and begin negotiations with one or more of the firms that have submitted their qualifications and whose responses are most advantageous to the CPR.

URS/BLL and/or the CPR reserve the right to seek clarification of information submitted in response to this RFQ and/or request additional information during the evaluation process. URS/BLL and/or the CPR reserve the right to accept or reject any or all submissions when it is

determined, in the sole discretion of URS/BLL and/or the CPR to be in the best interest of the Receiver.

URS/BLL and/or the CPR intend to negotiate and enter into a services agreement ("the Agreement") with the selected respondent promptly upon selection. Prior to commencing the Services, the selected respondent must sign the Agreement and provide proof of insurance.

V. EVALUATION CRITERIA

The Committee will review qualifications in accordance with the following criteria:

A. Respondent's proven experience, capabilities and resources, at both the corporate and individual levels, in providing commissioning consulting services to programs comparable in size, scope of work, and urgency.

B. Qualifications, availability and commitment of key staff. Respondents shall clearly identify the key staff that will perform each of the above-described areas of scope, what role each is anticipated to fulfill in connection with the Project, and what percentage of their time will be devoted exclusively to this Project.

C. Proven systems, management techniques, required expertise and resources designed to facilitate timely and effective decision-making and stakeholder coordination.

D. Completeness and comprehensiveness of response to this RFQ and compliance with the submittal requirements.

E. Quality of oral interviews including technical analysis and presentation (if requested by URS/BLL and/or the CPR).

F. Legal actions or adverse events that might affect respondent's ability to perform as contracted.

G. Absence of any relationship that could constitute a conflict of interest or otherwise impede the ability of the respondent to protect the interests of the Receiver.

VII. SUBMITTAL REQUIREMENTS

A. RFQ Schedule

RFQ Issued	October 14, 2008
Deadline for questions regarding RFQ	October 24, 2008
Responses to questions	October 29, 2008
Qualifications due	November 14, 2008
Notification for interviews (estimated)	TBD
Interviews (estimated)	TBD
Selection announced (estimated)	TBD
Estimated project start date	TBD

B. Addenda

Any questions regarding the RFQ should be submitted to URS/BLL and/or the CPR in writing. URS/BLL and/or the CPR will, at its discretion, respond to questions in an addendum. Any necessary information not included in this RFQ that URS/BLL and/or the CPR deem necessary and relevant to responding to the RFQ will also be issued in an addendum. URS/BLL and/or the CPR make no guarantee that all questions submitted will be answered.

Addenda will be sent to all known applicants. If the respondent did not receive this RFQ directly from URS/BLL, notify URS/BLL in writing of a request to receive any addenda by October 21, 2008.

C. Format

Submission packages should be clear, concise, complete, well organized and demonstrate both Respondent's qualifications and its ability to follow instructions.

8 (eight) copies of the submission package should be provided, with all materials bound together in a package of no more than twenty (20) 8-1/2" x 11" single-sided pages. At least one (1) copy must contain original signatures and be marked ORIGINAL. Do not include marketing materials.

Pages must be numbered. We will not count, in the total, the graphic cover sheet, cover letter, table of contents, blank section dividers (tabs), explanations about legal actions, and a maximum of 12 resumes, which may be included in an appendix. The entire submission (the "Submission Package") shall also be submitted in electronic (pdf) format on CD, organized in the same manner as the printed submissions.

The Submission Package shall be placed in a sealed envelope with the submitting firm's name on the outside of the envelope.

All respondents are requested to follow the order and format specified below. Please tab each section of the submittal to correspond to the numbers/headers shown below.

Respondents are advised to adhere to submittal requirements. Failure to comply with the instructions of this RFQ may be cause for rejection of submittals.

URS/BLL and/or the CPR reserve the right to waive any informalities in any submittal and/or to reject any or all submittals. URS/BLL and/or the CPR reserve the right to seek clarification of information submitted in response to this RFQ during the evaluation and selection process. The Committee may solicit relevant information concerning the firm's record of past performance from previous clients or consultants who have worked with the respondent.

D. Contents

The Submission Package must include the following items:

1. A cover letter signed by an officer of the firm submitting the Submission Package, or signed by another person with authority to act on behalf of and bind the firm. The cover letter must contain a commitment to provide the required Services described with the personnel specified in the submission. The letter should certify that the information contained in the Submission Package is true and correct. Please also indicate the contact person(s) for the selection process along with contact information including email address(es).

2. Executive Summary: The executive summary must include a clear description of the primary advantages of contracting with your organization. It should also include a brief explanation of how the respondent satisfies the evaluation criteria, and a brief statement that demonstrates respondent's understanding of the desired Services.

3. Demonstration of the Respondent's Qualifications: Please provide the following information:

- (a) Your company's name, business address and telephone numbers, including headquarters and local offices.
- (b) A brief description of your organization, including names of principals, number of employees, longevity, client base, and areas of specialization and expertise.
- (c) A description of your company's prior experience related to correctional and healthcare facilities.
- (d) A description of your company's prior experience in California.
- (e) A description of your company's specific areas of technical expertise as they relate to this RFQ.
- (f) Professional references: Describe previous work on no more than three (3) projects of comparable scope and magnitude for which you provided similar types of services. Provide complete reference information including project name, location, client, total contract amount (and firm's amount if different), principal-in-charge, day-to-day technical project director/manager, key staff, date completed, client reference (name, current position and phone number), and a brief narrative of project description for each project identified and described above. **Experience may not be considered if complete reference data is not provided or if named client contact is unavailable or unwilling to share required information.**
- (g) Qualifications of Technical Personnel: Submit current resumes for key personnel committed to this project and a statement regarding their local availability. Specifically describe previous related experience, its pertinence to this program, and provide references including name, address and telephone number of a contact person who can verify the information provided. Provide brief description of referenced project(s), as well as any professional certifications, accreditation, special licensing or other qualifications which qualifies the professional to perform in their designated area of responsibility.
- (h) Legal action or adverse events: Respondent must provide a listing and a brief description of all material legal actions or adverse events, together with any fines and

penalties, for the past five (5) years in which (i) respondent or any division, subsidiary or parent company of respondent, or (ii) any member, partner, etc., of respondent if respondent is a business entity other than a corporation, has been:

- (1) A debtor in bankruptcy;
 - (2) A defendant in a legal action alleging deficient performance under a services contract or in violation of any statute related to professional standards or performance;
 - (3) A respondent in an administrative action for deficient performance on a project or in violation of a statute related to professional standards or performance;
 - (4) A defendant in any criminal action;
 - (5) A principal of a performance or payment bond for which the surety has provided performance or compensation to an obligee of the bond; or
 - (6) A defendant or respondent in a governmental inquiry or action regarding accuracy of preparation of financial statements or disclosure documents.
- (i) Default Termination: Disclose whether your company has defaulted in its performance on a contract in the last five years, which has led to the termination of a contract. Describe briefly the circumstances involved.
- (j) Conflict of Interest: Identify any existing financial relationships with other parties that may constitute a real or perceived conflict of interest.
- (k) Proposed Rates: Provide a fee schedule for the specific individuals involved.

E. Modification or Withdrawal of Submission Package.

Prior to the submission due date, respondents may modify or withdraw their submitted qualifications. Such modifications or withdrawals must be submitted to URS/BLL in writing. Any modification must be clearly identified as such and must be submitted in the same manner as the original (e.g., appropriate copies, paper size, etc.). No modifications or withdrawals will be allowed after the submission due date.

F. Public Opening

There will be no public opening of responses to this RFQ. However, after a contract is awarded all Submission Packages may be made available for public review. URS/BLL and the CPR make no guarantee that any or all of a Submission Package will be kept confidential, even if the Submission Package is marked "confidential," "proprietary," etc.

G. General Rules

1. Only one Submission Package will be accepted from any one person, partnership, corporation or other entity.
2. Submission Packages received after the deadline will not be considered.
3. This is an RFQ, not a work order. All costs associated with a response to this RFQ, or negotiating a contract, shall be borne by the Respondent.
4. URS/BLL and/or the CPR's failure to address errors or omissions in the proposals shall not constitute a waiver of any requirement for these Services.

H. Reservation of Rights

URS/BLL and/or the CPR reserve the right to do the following at any time, at its discretion:

1. Reject any and all Submission Packages, or cancel this RFQ.
2. Waive or correct any minor or inadvertent defect, irregularity or technical error in any Submission Package.
3. Request that certain or all candidates supplement or modify all or certain aspects of their respective Submission Packages or other materials submitted.
4. Procure any services specified in this RFQ by other means.
5. Modify the requirements for services defined in this RFQ, or the required contents or format of the Submission Packages prior to the due date.
6. Extend the deadlines specified in this RFQ, including the deadline for accepting Submission Packages.
7. Negotiate with any or none of the respondents.
8. Terminate negotiations with a respondent without liability, and negotiate with other respondents.
9. Award a contract to any respondent.

All technical inquiries with regard to this RFQ should be addressed to:

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EXHIBIT A

Sample Form of Agreement