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CITY OF LOMITA

DEPARTMENT OF PUBLIC WORKS

LOMITA CITY HALL HVAC UPGRADE

ADDENDUM No. 1

DATE: May 2, 2024
TO: ALL PROSPECTIVE PARTICIPANTS
SUBJECT: CLARIFICATIONS TO THE REQUEST FOR PROPOSAL

Please note the following changes and/or additions to the Request for Proposal (RFP) for the project indicated above. The proposer shall execute the certification at the end of this addendum and shall attach the executed addendum to the documents submitted with the proposal.

QUESTIONS

The following are the responses to the questions received from prospective proposers:

1. The RFP states that the selected firm is to provide a full-time inspector and Resident Engineer to provide project management for the duration of the project. Does the Resident Engineer have to be onsite through the entirety of the project or are they just a point of contact?
→ The Resident Engineer does not have to be stationed at City Hall the entire time but needs to be available as a point of contact when needed.
2. Does the City have a specific amount budgeted for this project? If so, what is the anticipated budget?
→ The City of Lomita has a **maximum** budget of 1,500,000 dollars.
3. Will the design need to go through Plan Check?
→ The Design will have to go through the review and approval process by Los Angeles County Division of Building and Safety.

4. Does the design need to maintain the same number of zones (15 to 20 zones) in other words, do we need to keep the same number of thermostats?
 - It is desired to have one thermostat in each room as opposed to the existing situation where there is on average one thermostat for every 2 to 3 rooms.
5. Does the new Design need to have the same system capacity of 50 tons, or do we need to run a full load calculation again for the whole building?
 - The City believes that 50-ton capacity is sufficient unless the selected firm advises otherwise. Nevertheless, the selected firm is still expected to run some calculations to present to the City what the expected output will be.
6. Does the City have a type of system already in mind picked for this project? Like VAV or Chilled water fan coils.... etc?
 - The City prefers a system that is more efficient than the Variable Air Volume (VAV). The City is open to consider alternatives such as a Variable Refrigerator Flow system.
7. With regards to the audited financial statements, would the City consider entering into mutual non-disclosure agreement for proposers to provide audited financial statements, or will the City be willing to work with proposers in some alternate manner to provide financial information that shows ability to perform?
 - Financial statements are required, however if proposers would like this information not to be disclosed due to trade secrets, then the proposers shall submit the following:
 - A second copy of the financial statement document with **redactions** in addition to an unredacted version. Only the redacted version would be subject to public record requests.
 - A cover letter explaining the basis for these redactions.In the event of an action brought for a public record request, the proposers shall indemnify the City for the documents with financial information withheld. All confidential financial documents should be labeled accordingly.
8. With regards to the Economic Performance Evaluation, please confirm that no pricing information is to be submitted at this time.
 - The proposals to be submitted will not include any pricing at this time. Pricing will be presented to the City only after a Letter of Intent is issued to the selected firm.
9. With regards to the RFP Questionnaire (page 67 of the PDF) "History of Your Firm" section, a note appears: "Note: at least one project must satisfy the requirements listed in Part 1, Question 12" – Cannot find where this references, please clarify.
 - The RFP Questionnaire has been revised as attached.

Please sign the attached acknowledgement of receipt of Addendum and enclose the original copy of the acknowledgement in your proposal. If you have any questions or concerns, please call me at (310) 304-4968.

Sincerely,

A handwritten signature in blue ink that reads "F. Aboujaoude". The signature is written in a cursive style with a large, stylized initial "F" and a long, sweeping underline.

Frederic Aboujaoude, P.E.
Principal Engineer

ACKNOWLEDGEMENT OF ADDENDUM

LOMITA CITY HALL HVAC UPGRADE

Complete and sign this acknowledgement form. Enclose the original copy of the acknowledgement in your proposal. Failure to do so may result in disqualification of your firm's proposal.

The undersigned acknowledges receipt of **Addendum No. 1** dated May 2, 2024.

ATTEST:

Principal:

Address:

By:

Title:

ATTACHMENT - D

RFP QUESTIONNAIRE

RFP QUESTIONNAIRE

1. Background Information

- a. Provide firm name as it appears on license: _____
- b. Contact person and title: _____
- c. Address: _____
- d. Phone: _____ Fax: _____ Email: _____
- e. Indicate legal status of the firm (Corporation, Partnership, Sole Proprietor, Etc.): _____

- f. If firm is a Corporation, indicate President and Secretary: _____

- g. If firm is a Partnership, indicate partners: _____

- h. If firm is a Sole Proprietor, indicate owner: _____

- i. Current Proposer's license numbers and classifications: _____

- j. How long have you had this license: _____

Have any of the principals of the firm had another Proposer's license or have they been listed on any other Proposer's license: If the answer is "Yes", provide the license numbers and explain the circumstances on attached sheets.

Yes No

2. History of Your Firm

- a. How long ago was Proposer's firm founded under current Proposer's license number: **(Please provide appropriate evidence of date.)** (1 point per year up to maximum of 10 pts.)
- b. For the categories of projects listed below identify the number of projects that your firm has **completed in last five (5) years**. For each project listed, provide a list of project names, contract amounts, completion dates and Owner contact information to substantiate the information provided in this section.

3. Project List and References

Attach sheets showing the **last** ten (10) largest California public construction projects your firm has completed within the last five (5) years. Information must include the following: Name of Owner, Owner Contact and Phone Number, Project Name and Description, Original Contract Amount and Final Contract Amount. *Of the projects listed, the original contract amounts of the projects will be averaged and scored on the following basis:*

_____ Average equal to or greater than \$7.5 million. **(25 pts.)**

_____ Average equal to or greater than \$5 million **(20 pts.)**

_____ Average equal to or greater than \$3 million **(10 pts.)**

_____ Less than \$3 million. **(Zero)**

4. OSHA Violations

a. Has CAL OSHA cited and assessed penalties against your firm for any “serious,” “willful,” or “repeat” violations of its safety or health regulations in the last five (5) years: *(If answer is “Yes,” Proposer is automatically disqualified.)*

Yes No

b. Has the federal OSHA cited and assessed penalties against your firm in the last five (5) years: *(If answer is “Yes,” Proposer is automatically disqualified.)*

Yes No

5. Labor Code and Apprenticeship Violations

a. At the time of submitting this prequalification form, is your firm ineligible to bid on or be awarded a Public Works contract, or perform as a subcontractor on a Public works contract, pursuant to either Labor Code Section 1777.1 or Labor Code Section 1777.7? *(If answer is “Yes”, Proposer is automatically disqualified.)*

Yes No

b. Has there *been* any occasion during the last five (5) years on which your firm was required to pay either back wages or penalties for your own firm’s failure to comply with the state or federal (Davis-Bacon) prevailing wage laws/requirements? *(5 points for either “No” or “Yes” indicating 1 such instances; 3 points for “Yes” indicating 2 such instances; 0 points for “Yes” and more than 2 such instances.)*

Yes No Number of Instances: _____

6. Claims History

- a. In the last ten (10) years, has your firm or any of its owners, officers or partners, ever been found liable in a civil suit, or convicted/found guilty in a criminal *action*: (a) involving the awarding of a contract of a government construction project, (b) involving the bidding or performance of a government contract, or (c) involving fraud, theft or any other act of dishonesty, including but not limited to the California False Claims Act, or Federal False Claims Act? *(If answer is "Yes", Proposer is automatically disqualified.)*

Yes No

- b. At any time in the last five years has the Proposer been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner? *(5 points for either "No" or "Yes" indicating 1 such instances; 3 points for "Yes" indicating 2 such instances; 0 points for "Yes" and more than 2 such instances.)*

Yes No

If yes, explain on a separate signed page, identifying all such projects by owner, owner's address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

- c. In the last five years has the Proposer, or any firm with which any of the Proposer's owners, officers or partners was associated, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason? NOTE: "Associated with" refers to another construction firm in which an owner, partner or officer of the Proposer held a similar position as in (1) on this form. *(5 points for "No"; 0 points for "Yes".)*

Yes No

If "yes," explain on a separate signed page. State whether the Proposer involved was the Proposer applying for prequalification here or another firm. Identify by name of the company, the name of the person within the Proposer who was associated with that company, the year of the event, the owner of the project, the project and the basis for the action.

- d. In the last five years has the Proposer been denied an award of a public works contract based on a finding by a public agency that the Proposer was not a responsible bidder?

Yes No

If "yes," explain on a separate signed page. Identify the year of the event, the owner, the project and the basis for the finding by the public agency. (5 points for "No"; 0 points for "Yes".)

NOTE: The following two questions refer only to disputes between the Proposer and the owner of a project. The Proposer need not include information about disputes between the Proposer and a supplier, another Proposer, or subcontractor. Also, the Proposer may omit reference to all disputes about amounts of less than \$25,000.

- e. In the past five years has any claim **against** the Proposer concerning the Proposer's work on a construction project been **filed in court or arbitration?**

Yes No

If "yes," on separate signed sheets of paper identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution). If "yes", are there any current claims against the Proposer that should you lose the claim(s), would adversely affect the Proposer's financial position or the Proposer's ability to meet the Proposer's obligations if awarded the contract for this project? If so, please explain.

- f. In the past five years has the Proposer made any claim against a project owner concerning work on a project or payment for a contract and **filed that claim in court or arbitration?** (5 points for either "No" or "Yes" indicating 1 such instances; 3 points for "Yes" indicating 2 such instances; 0 points for "Yes" and more than 2 such instances.)

Yes No

If "yes," on separate signed sheets of paper identify the claim by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution). If "yes", are there any current claims against a project owner that should the Proposer lose the claim(s), would adversely affect the Proposer's financial position or the Proposer's ability to meet the Proposer's obligations if awarded the contract for this project? If so, please explain.

- g. At any time during the past five years, has any surety company made any payments on the Proposer's behalf, to satisfy any claims made against a performance or payment bond issued on the Proposer's behalf, in connection with a construction project, either public or private? (5 points for "No"; 0 points for "Yes".)

Yes No

If "yes," explain on a separate signed page the amount of each such claim, the name and telephone number of the claimant, the date of the claim, the grounds for the claim, the present status of the claim, the date of resolution of such claim if resolved, the method by which such was resolved if resolved, the nature of the resolution and the amount, if any, at which the claim was resolved.

- h. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for the Proposer? (5 points for "No"; 0 points for "Yes".)

Yes No

If "yes," explain on a separate signed page. Name the insurance carrier, the form of insurance and the year of each refusal.

7. **Surety Company Information**

- a. At any time during the past ten (10) years, has any surety company made any payments on your firm's behalf as a result of a default or to satisfy any claims made against a payment bond issued on your firm's behalf? (5 points for "No"; 3 points for "Yes" indicating no more than 1 such claim; 0 points for 2 or more claims.

Yes No Indicate Number of Claims: _____

If your firm was required to pay a premium of more than one percent (1%) for a performance and payment bond on any project(s) on which your firm worked at any time during the last three years, state the percentage that your firm was required to pay. You may provide an explanation for a percentage rate higher than one percent, if you wish to do so. (5 points if the rate is no more than 1.0 percent; 3 points if the rate was no higher than 1.10 percent; 0 points for any other answer.) _____%

- b. During the last five (5) years, has your firm ever been denied bond credit by a surety company or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required? ("No" = 5 points; "Yes" = 0 points.)

Yes No

8. **Insurance/Worker's Compensation Experience Modification Rate**

- a. In the last five (5) years, has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm? (5 points for "No", 3 points for "Yes" indicating 2 such instances; 0 points for "Yes" or if more than 2 such instances.)

Yes No Number of instances: _____

- b. What is your firm's current worker's compensation experience modification rate? (*Less than 1.00 - 5 pts.; 1.01 < or = 1.25 - 2 pts.; If > 1.25 Proposer is automatically disqualified.*)
Please provide evidence from your insurance carrier of this modification rate.

CERTIFICATION UNDER PENALTY OF PERJURY

I, the undersigned, certify and declare that I know the contents of all documents submitted pursuant to the Prequalification Documents, have read all the foregoing answers to the Prequalification Questionnaire included in the Prequalification Documents and any attached sheets and know their contents. The matters contained in, or submitted pursuant to the Prequalification Documents, all documents submitted herewith, and all Prequalification Questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

Signature

Print Name

Title

(Must be Signed by an Owner, Partner, or Corporate Officer Authorized to Sign on behalf of the Corporation, which Signature Must be Notarized.)