



CALIFORNIA
High-Speed Rail Authority

**Request for Qualifications for Design
Services for Merced to Madera Project
and Fresno To Bakersfield Locally Generated
Alternative Project Virtual Pre-Bid**

Tuesday, March 29, 2022

WELCOME

- **Virtual Pre-Bid: 11:00 a.m. – 12:00 p.m.**
- **Break: 12:00 p.m. – 1:00 p.m.**
- **Virtual Small Business Workshop: 1:00 p.m. – 2:30 p.m.**
 - » Informational workshop hosted by the Authority's Small Business Team
 - *A detailed overview of the Small Business Program*
 - *Information on small business compliance*
 - *A certification workshop with the Department of General Services and the Department of Transportation*
 - *A Small Business Q & A session*
 - » Access SB Workshop via this same Zoom link

VIRTUAL PRE-BID AGENDA

- **HSR Project Overview**
 - » Brian Annis, Chief Financial Officer
- **Small Business Program Overview**
 - » Catrina Blair, MBA, Chief of Process & Program Development Branch
- **Procurement Overview**
 - » Christine Inouye, Chief Engineer of Strategic Delivery
- **Organizational Conflict of Interest Policy**
 - » Tawnya Southern, Attorney IV, California High-Speed Rail Authority's Legal Office

PROCUREMENT PROCESS DETAILS

Merced to Madera Design Services

- **Merced to Madera Design Services Webpage**

- » <https://hsr.ca.gov/business-opportunities/contractors/merced-madera-design-services/>
- » Or: www.hsr.ca.gov > Business Opportunities > Design Services for Merced to Madera
- » Will Include:
 - *Presentation PowerPoint*
 - *Event Video*
 - *Event Registrant List*
 - *Responses to Questions*
 - *RFQ Updates*

- **Submit questions to CapitalProcurement@hsr.ca.gov**

- **Questions due by Friday, April 15, 2022**

PROCUREMENT PROCESS DETAILS

Fresno to Bakersfield Locally Generated Alternative Design Services

- **Locally Generated Alternative Design Services Webpage**

- » <https://hsr.ca.gov/business-opportunities/contractors/lga-design-services/>

- » Or: www.hsr.ca.gov > Business Opportunities > Design Services for Locally Generated Alternative

- » Will Include:

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HOW TO ASK A QUESTION?

- **M-M Design Services questions submitted by Friday, April 15, 2022:**
 - » CapitalProcurement@hsr.ca.gov
- **LGA Design Services questions submitted by Tuesday, April 19, 2022:**
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- **Small Business Program Questions:**
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 - » Legal@hsr.ca.gov



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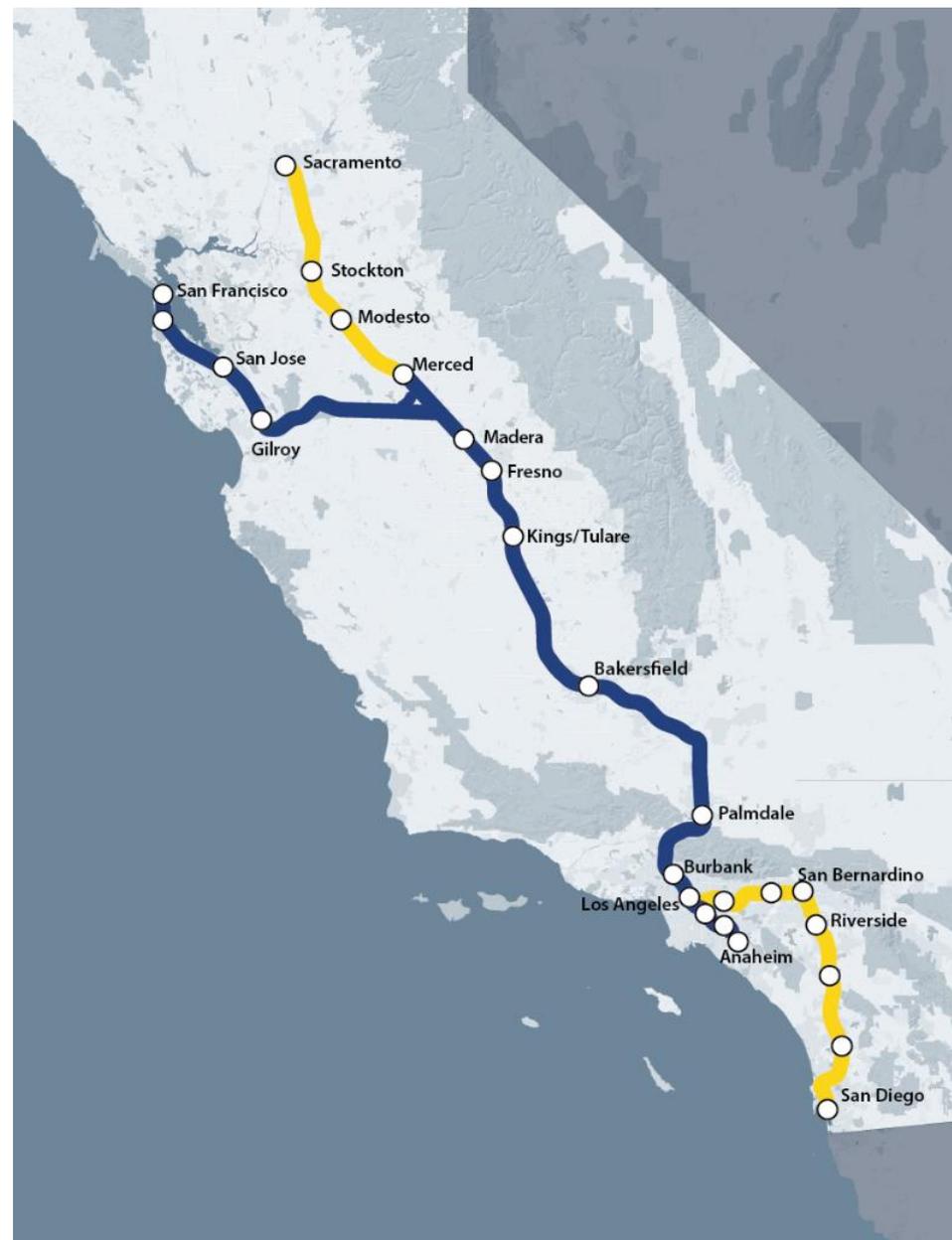
HSR Project Overview

Brian Annis

Chief Financial Officer

MISSION

- To initiate the construction of a high-speed train system that utilizes an alignment and technology capable of sustained speeds of 200 miles per hour or greater.
- Three principles guide our decisions:
 - » Initiate high-speed rail service in California as soon as possible.
 - » Make strategic, concurrent investments that will be linked over time and provide mobility, economic and environmental benefits at the earliest possible time.
 - » Position ourselves to construct additional segments as funding becomes available.



CONNECTING CALIFORNIA

Program Highlights

- **Phase 1**

- » 520 Miles
- » San Francisco to Los Angeles/Anaheim

- **Phase 2**

- » After Phase 1 - Extends 300 Miles
- » Connections to Sacramento and San Diego

**Travels at approximately 200 mph
Up to 24 Stations**



BUILDING BLOCK APPROACH

Projects Underway

- **Today:**

- » 119 Miles Under Construction
- » Environmentally Clearing Full 500 Miles Between SF and LA – Approximately 300 Miles Cleared
- » Bookend Projects:
 - *Caltrain Electrification*
 - *LAUS Improvements*
 - *Grade Separations*

- » Station Planning
- » MOU with Brightline West



Updated: Jan. 2022

PROGRAM UPDATE

Highlights

- **7,500+ Construction Jobs Created Since Construction Began**
 - » 1,000+ Construction Workers Dispatched to Sites Daily
 - » 34 Active Construction Sites
- **698 Small Businesses Employed**
 - » 224 are Disadvantaged Business Enterprises
 - » 79 Disabled Veteran Business Enterprises
- **CA High-Speed Rail will be 100% Electric Run on Renewable Energy**
 - » Currently Using Tier IV Equipment
 - » Will Reduce VMT by taking 400k cars off the road annually



ENVIRONMENTAL WORK ADVANCING

Schedule For Records of Decision

Project Section	Draft EIR/EIS	Projected ROD Date
Bakersfield to Palmdale	Complete (February 2020)	Complete (August 2021)
Burbank to Los Angeles	Complete (May 2020)	Complete (January 2022)
San Jose to Merced	Complete (April 2020)	Q2 2022
San Francisco to San Jose	Complete (July 2020)	Q3 2022
Palmdale to Burbank	Q2 2022	Q2 2023
Los Angeles to Anaheim	Q23 2023	Q2 2024

CONSTRUCTION PACKAGES

119-Miles of Construction

- **CONSTRUCTION PACKAGE 1**
 - » 32 Miles – Northern Segment

- **CONSTRUCTION PACKAGE 2-3**
 - » 65 Miles – Middle Segment

- **CONSTRUCTION PACKAGE 4**
 - » 22 Miles – Southern Segment



CENTRAL VALLEY UPDATE

Construction Package 1

		CP 1
	Design Completed	95.0%
	Right-Of-Way Parcels Delivered to DB	91.7%
	Utility Relocation	59.5%
	Structures Complete/In Progress	79.0%
	Miles of Guideway Complete/In Progress	50.0%
	Overall Contract	66.0%



Tulare Street Underpass



CENTRAL VALLEY UPDATE

Construction Package 2-3

CP 2-3



Design Completed

97.2%



Right-Of-Way Parcels
Delivered to DB

85.3%



Utility Relocation

58.5%



Structures
Complete/In Progress

59.2%



Miles of Guideway
Complete/In Progress

73.8%



Overall Contract

67.0%



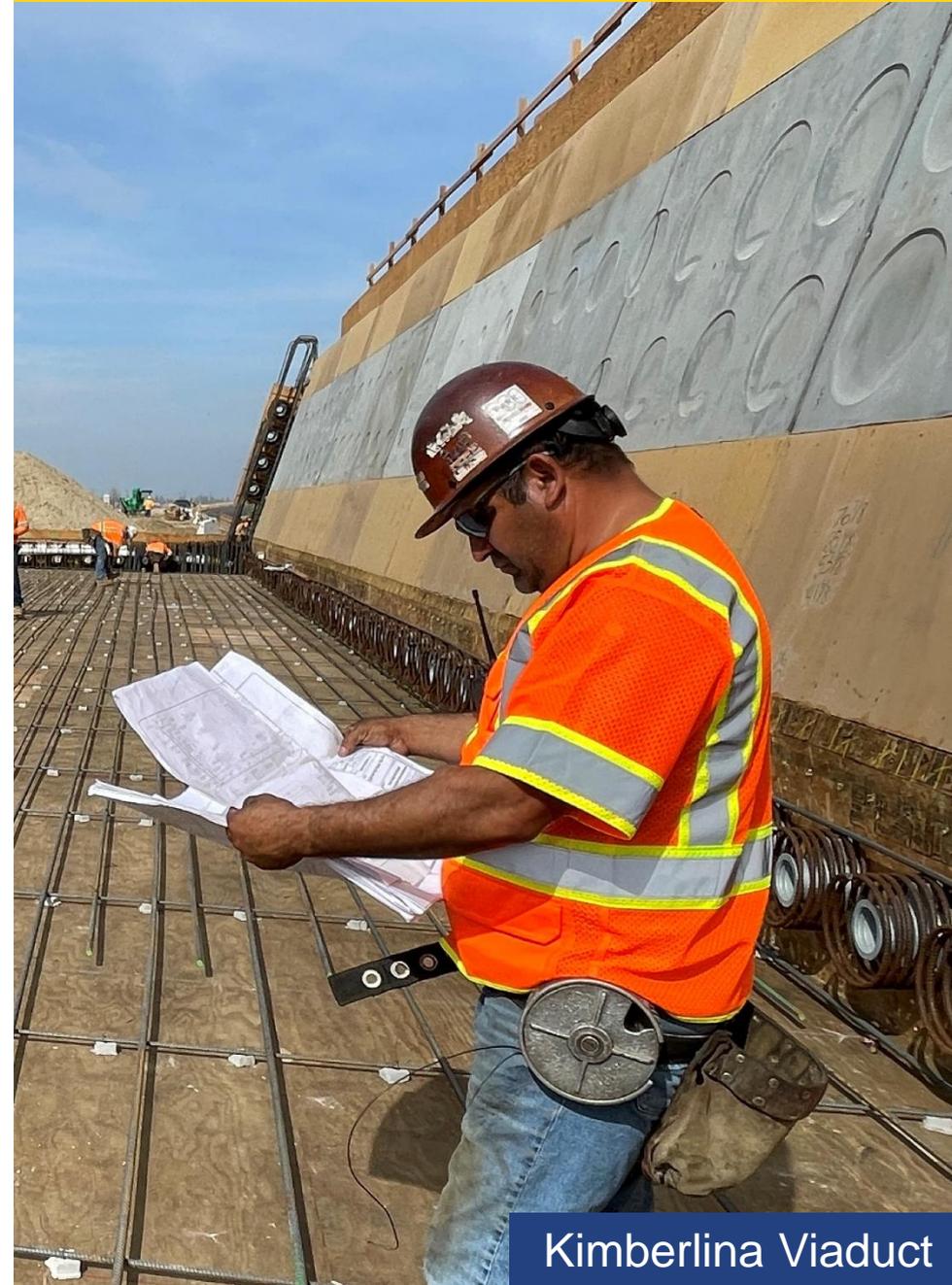
Adams Avenue



CENTRAL VALLEY UPDATE

Construction Package 4

		CP 4
	Design Completed	100%
	Right-Of-Way Parcels Delivered to DB	81.8%
	Utility Relocation	83.7%
	Structures Complete/In Progress	91.7%
	Miles of Guideway Complete/In Progress	97.5%
	Overall Contract	73.2%



Kimberlina Viaduct



DRAFT 2022 BUSINESS PLAN

What Is Ahead

- **With State Funds and New Federal Funds from the Bipartisan Infrastructure Bill, the Authority will work to:**
 - » Deliver an electrified, two-track initial operating segment connecting Merced, Fresno and Bakersfield as soon as possible
 - » Invest statewide to advance engineering and design work as every project section is environmentally cleared
 - » Leverage new federal and **state funds** for targeted statewide investments, particularly in shared corridors in the Bay Area and Los Angeles Basin
 - » Advance a longer-term funding strategy to extend high-speed rail beyond the Central Valley to the Bay Area as soon as possible



CALIFORNIA
High-Speed Rail Authority

Request for Qualifications for Design Services for Merced to Madera (M-M) Project and Fresno To Bakersfield Locally Generated Alternative (LGA) Project

Small Business Program Overview

Catrina Blair, MBA

Chief of Process & Program Development Branch

SBAadvocate@hsr.ca.gov

SMALL BUSINESS PROGRAM



- **30% Goal for Small Business Participation**
 - » 10% Disadvantaged Business Enterprises (DBE)
 - » 3% Disabled Veteran Business Enterprises (DVBE)

COMMITMENT TO DIVERSE SMALL BUSINESSES

- **Certifications That Count Toward the Overall Goal:**
 - » California Department of General Services
 - *Small & Micro Businesses (SB / MB)*
 - *Disabled Veteran Business Enterprises (DVBE)*
 - *Small Business for Public Works (SB-PW)*
 - » California Unified Certification Program
 - *Disadvantaged Business Enterprises (DBE)*
 - » US Small Business Administration
 - *8(a) Disadvantaged Business Program*

SMALL BUSINESSES TEAMS

Exclusivity

- » There is no prohibition against Subconsultants/Subcontractors being exclusive to one Offeror, however, exclusivity is strongly discouraged for SB/DBE/DVBE Subconsultants/Subcontractors

CONNECT HSR: HIGH-SPEED RAIL VENDOR REGISTRY

- **Free Online Tool to Connect with Business Opportunities**
- **Open to All Businesses, Both Large & Small**
- **Describe Your Business:**
 - » Type of Business
 - » Services Offered or Supplies Sold
 - » Service Counties
 - » Certifications
- **Learn About:**
 - » Future Contracting Opportunities
 - » Trainings/Workshops
- **Register at www.connecthsr.com**
- **All State Contracts are Advertised Through:**

<https://caleprocure.ca.gov>





CALIFORNIA
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**Request for Qualifications for Design Services for
Merced to Madera (M-M) Project
and Fresno To Bakersfield Locally Generated
Alternative (LGA) Project**

Procurement Overview

Christine Inouye

Chief Engineer of Strategic Delivery

Design Services Contracts

Agenda

Purpose

Project Section Overview

Scope of Work

Contract Terms

Procurement Schedule

Design Services Contracts

- Two Request for Qualifications (RFQ) for Design Services for the following project sections:
 - » Merced to Madera
 - » Fresno to Bakersfield Locally Generated Alternative
- These RFQs would result in architectural and engineering consultant services to progress design to configuration footprint (minimum 30% design), value engineering, cost refinements, travel time enhancements, right-of-way mapping, and utility relocation requirements

Project Section Overview

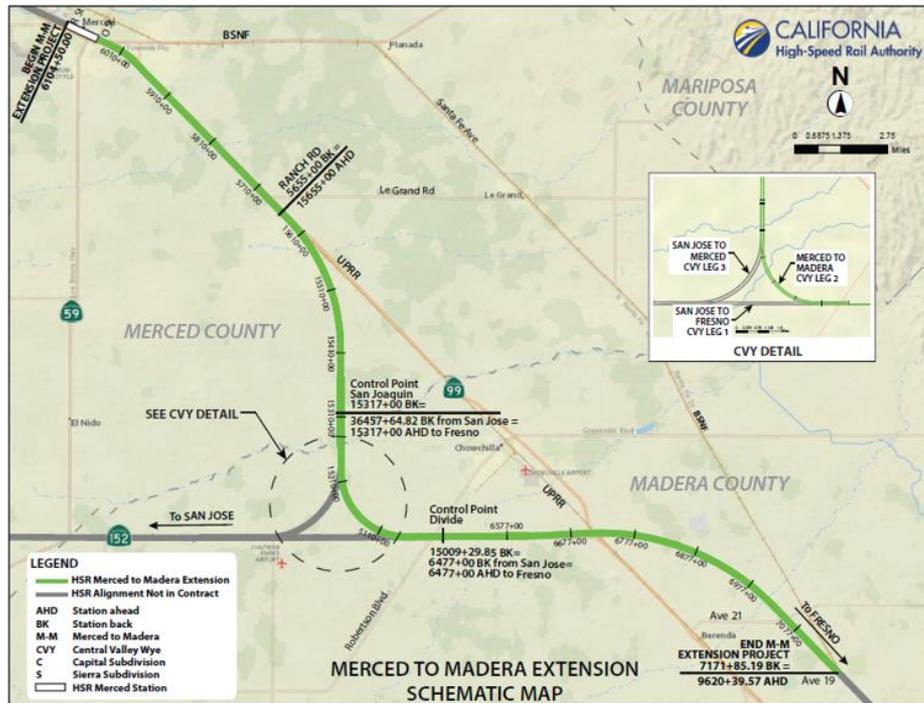
Merced to Madera (M-M)

Fresno to Bakersfield Locally Generated Alternative (LGA)



Merced to Madera (M-M)

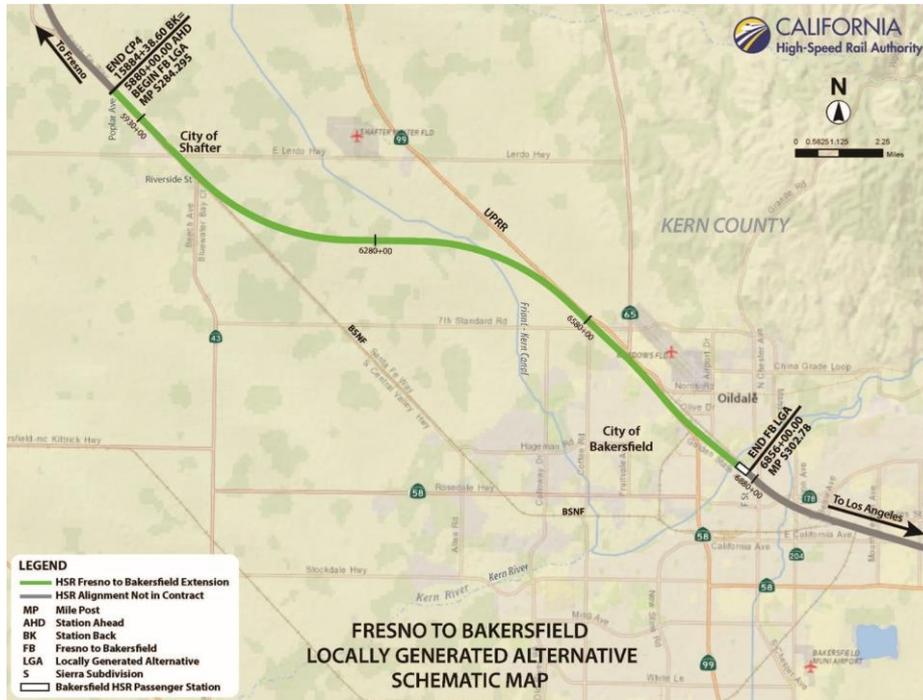
- Project Section Overview



- » Total length is approximately 33.9 miles
- » Located within the counties of Merced in the north and Madera in the south
- » Begins at R Street in Downtown Merced and concludes at Avenue 19 in Madera
- » Includes 40 structures with three long viaducts, 29.9 miles of embankment

Fresno to Bakersfield Locally Generated Alternative (LGA)

- Project Section Overview



- » Total length is approximately 18.5 miles
- » Located in Kern County within Cities of Shafter and Bakersfield
- » Begins at southern limit of CP 4 at Poplar Avenue in Shafter and ends at the Bakersfield Station at F Street
- » Includes 31 structures with two long viaducts, 12 miles of embankment

Scope of Work

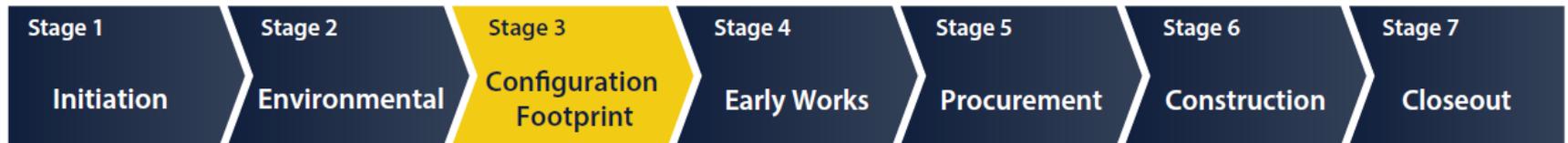
Notice to Proceed - 1

Notices to Proceed -2 and 3 (Options)



Design Services Contracts

Merced to Madera and Fresno to Bakersfield LGA



NTP-1

NTP-3 (OPTION)

Advance design
to configuration
footprint

- » M-M (NTP-1) – Martin Luther King Jr. Way in Merced to Madera
- » M-M (NTP-3) – R Street to Martin Luther King Jr. Way in Merced
- » LGA (NTP-1) – Poplar Avenue to Bakersfield

Notices to Proceed 1 and 3 advance design in stage 3

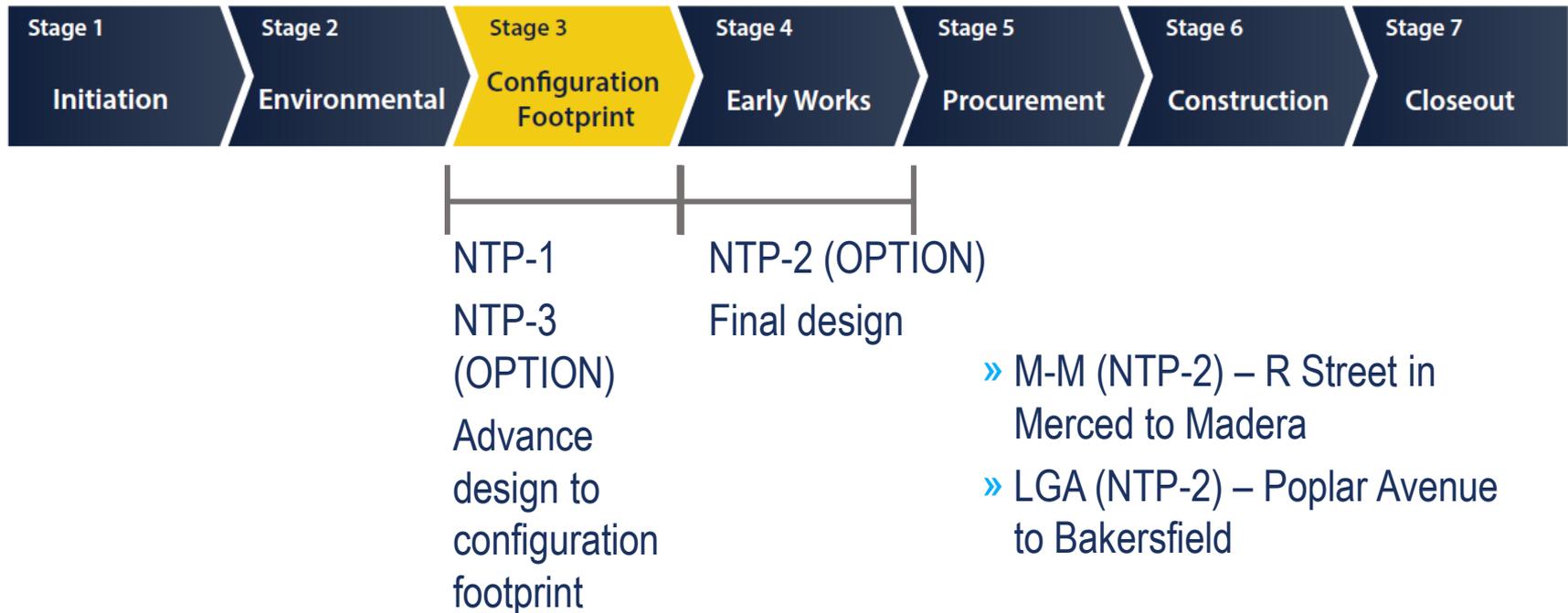
Design Services Contracts

Scope of Work for Notices to Proceed 1 and 3, stage 3 configuration footprint

- » Establish project configuration footprint (progress design to minimum 30%)
- » Value engineering
- » Refine project cost
- » Study travel time enhancements
- » Update project risk assessment and schedule
- » Right-of-Way mapping
- » Identify utility conflicts/relocations
- » Develop third party agreements including those with railroads, local jurisdictions, and utilities

Design Services Contracts

Merced to Madera and Fresno to Bakersfield LGA



NTP-2 provides options to complete design in stage 4

Design Services Contracts

Scope of Work for Notice to Proceed 2, stage 4 final design

- » Prepare final design and construction ready documents
- » Prepare construction staging plans and review for constructability
- » Study travel time enhancements
- » Update project risk assessment and schedule
- » Begin securing environmental permits from federal and state agencies

Right of way acquisition and utility relocations (to be done by the Authority and others) can begin late in stage 3 or by stage 4

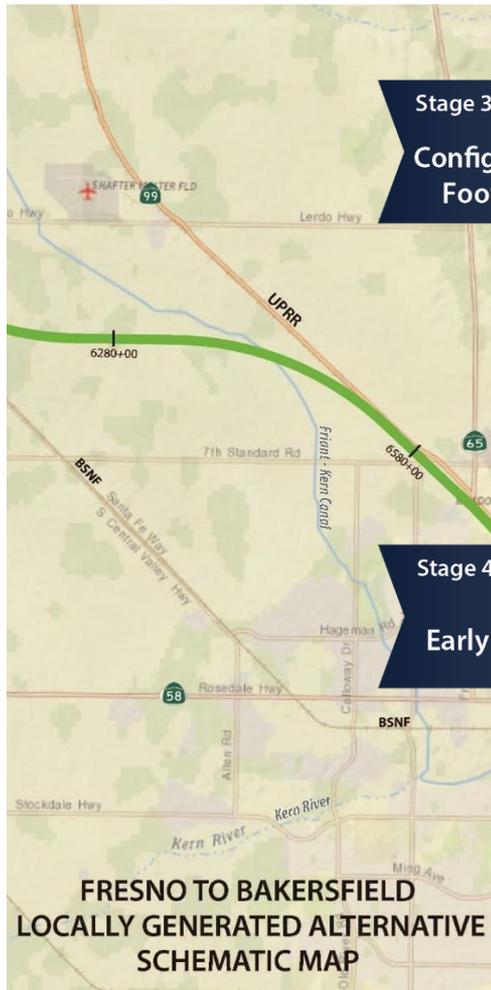
Contract Terms

Merced to Madera

Fresno to Bakersfield LGA



Fresno to Bakersfield LGA



Stage 3

Configuration
Footprint

NTP-1 - configuration footprint design, value engineering, refined costs, schedule, risk, study travel time enhancements

- 2 years, 3 months, \$44.9 million
- Consistent with the Expenditure Authorization approved by the Board in December 2021

Stage 4

Early Works

NTP-2 (OPTION) - At the sole discretion of the Authority, final design and construction ready documents

- 2 years, some work to be done concurrently, \$72.0 million

Design Services Contracts

Evaluation and Performance

- This is a qualifications-based procurement. The actual contract amount will be negotiated, and a recommendation presented to the Board for consideration to award.
- The contract includes provisions for a performance-based fee structure. Details of performance criteria to be developed as part of annual work plan process.
- The performance-based fee range is limited to between 8% to 11% based on performance, quality, cost, schedule, and other factors.
- The Authority will evaluate teams for the full scope of work but intends to only fund and execute NTP-1 at this time.
- Pre-award audits will be conducted concurrently with negotiations prior to execution.

Design Services Contracts

Evaluation and Performance

- Environmental, social, and governance (ESG) efforts, which may include any environmental sustainability efforts, socio-economic equity policies, and governance policies, will be incorporated as a pass/fail requirement in the Request for Qualifications
- Offerors shall provide information on their ESG efforts which may include any efforts, policies, or reports
- Small Business, Disadvantaged Business Enterprise (DBE), and Disabled Veteran Business Enterprise (DVBE) utilization goals are also included in the requirements
- 30% Small Business utilization goal, inclusive of 10% DBE utilization goal, and 3% DVBE utilization goal

Key RFQ Procurement Dates

Merced to Madera

Fresno to Bakersfield LGA



Key RFQ Procurement Dates

Activity	Merced to Madera	Fresno to Bakersfield LGA
RFQ Release Date	March 18, 2022	March 18, 2022
Pre-Bid Conference and Small Business Information Workshop	March 29, 2022	March 29, 2022
Offeror Questions Due	April 15, 2022	April 19, 2022
SOQs Due	May 26, 2022	June 10, 2022
Anticipated Notice of Proposed Award Released	June 2022	July 2022
Contract Execution / NTP Issuance	August 2022	August 2022

Questions and Resources

Written questions regarding the procurement can be emailed to:

- capitalprocurement@hsr.ca.gov

Answers to questions and any RFQ updates will be posted to Cal eProcure.

M-M Procurement Webpage:

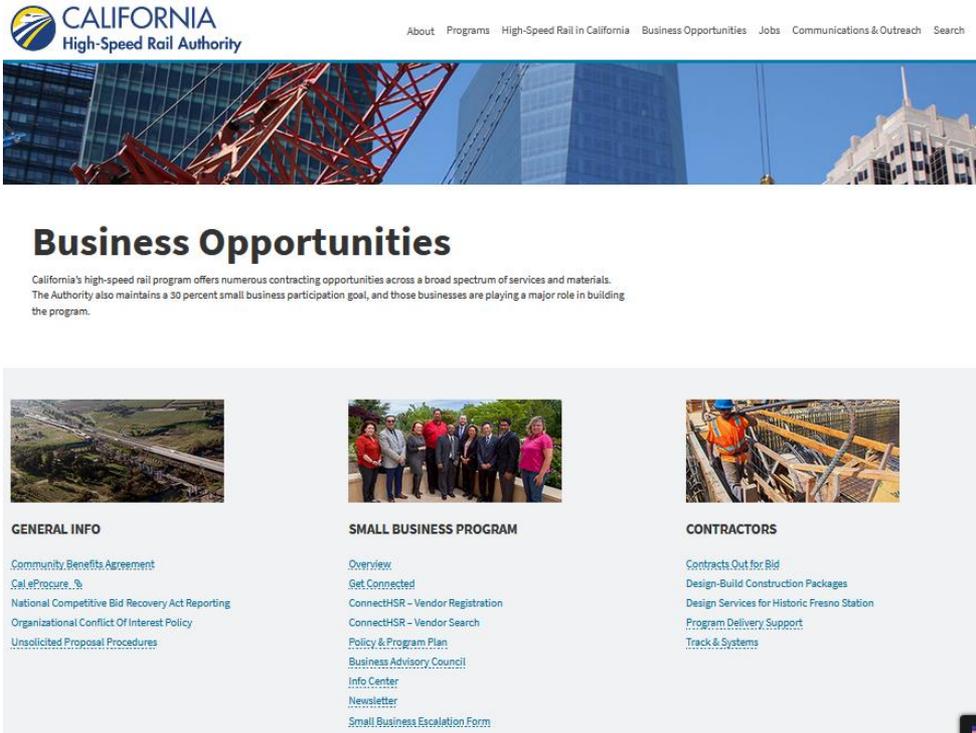
- <https://hsr.ca.gov/business-opportunities/contractors/merced-madera-design-services/>

LGA Procurement Webpage:

- <https://hsr.ca.gov/business-opportunities/contractors/lga-design-services/>

Can be found by going to: **hsr.ca.gov**

- Select *Business Opportunities*, listed under *Contractors*
- Registration list and PPT will be posted to the webpage



The screenshot shows the California High-Speed Rail Authority website. At the top, the logo and navigation menu are visible. The main heading is "Business Opportunities". Below this, a paragraph states: "California's high-speed rail program offers numerous contracting opportunities across a broad spectrum of services and materials. The Authority also maintains a 30 percent small business participation goal, and those businesses are playing a major role in building the program." The page is divided into three columns: "GENERAL INFO", "SMALL BUSINESS PROGRAM", and "CONTRACTORS". Each column contains a list of links to various resources.

CALIFORNIA High-Speed Rail Authority

About Programs High-Speed Rail in California Business Opportunities Jobs Communications & Outreach Search

Business Opportunities

California's high-speed rail program offers numerous contracting opportunities across a broad spectrum of services and materials. The Authority also maintains a 30 percent small business participation goal, and those businesses are playing a major role in building the program.

GENERAL INFO

- [Community Benefits Agreement](#)
- [Cal eProcure](#)
- [National Competitive Bid Recovery Act Reporting](#)
- [Organizational Conflict Of Interest Policy](#)
- [Unsolicited Proposal Procedures](#)

SMALL BUSINESS PROGRAM

- [Overview](#)
- [Get Connected](#)
- [ConnectHSR - Vendor Registration](#)
- [ConnectHSR - Vendor Search](#)
- [Policy & Program Plan](#)
- [Business Advisory Council](#)
- [Info Center](#)
- [Newsletter](#)
- [Small Business Escalation Form](#)

CONTRACTORS

- [Contracts Out for Bid](#)
- [Design-Build Construction Packages](#)
- [Design Services for Historic Fresno Station](#)
- [Program Delivery Support](#)
- [Track & Systems](#)



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Organizational Conflict of Interest Policy

Tawnya Southern

Attorney IV, California High-Speed Rail Authority's Legal Office

OCOI POLICY DEFINITION

An “Organizational Conflict of Interest” is defined as:

“...a circumstance arising out of a Contractor’s existing or past activities, business or financial interests, familial relationships, contractual relationships, and/or organizational structure (i.e., parent entities, subsidiaries, Affiliates, etc.) that results or would result in:

- impairment or potential impairment of a Contractor’s ability to render impartial assistance or advice to the Authority or of its objectivity in performing work for Authority
- an unfair competitive advantage for any Contractor bidding or proposing on an Authority procurement, or
- a perception or appearance of impropriety with respect to any of the Authority’s procurements or contracts or a perception or appearance of unfair competitive advantage with respect to a procurement by the Authority (regardless of whether any such perception is accurate).”

WHY IS AN ORGANIZATIONAL CONFLICT OF INTEREST (OCOI) POLICY NECESSARY?

- **As the U.S. Supreme Court explained in the context of a federal conflict of interest statute, conflict of interest rules are:**
 - » “...directed not only at dishonor, but also at conduct that tempts dishonor. This broad proscription embodies a recognition of the fact that an impairment of impartial judgment can occur in even the most well-meaning men when their personal economic interests are affected by the business they transact on behalf of the Government.” (United States v. Mississippi Valley Co. (1961) 364 U.S. 520, 549, 81 S.Ct. 294, 5 L.Ed.2d 268, emphasis added)
- **The OCOI Policy:**
 - » Fulfills the Authority’s federal grant agreement obligations, which require procedures for identifying and preventing real and apparent organizational conflicts of interest
 - » Complies with state and federal law, including procurement laws, regulations, court and administrative decisions, and best practices
 - » Ensures a fair and transparent procurement process, maximizes competition and minimizes exposure to bid protests and litigation

ORGANIZAITONAL CONFLICTS OF INTEREST

- Two general situations in which an organizational conflict of interest will be found to exist for a contractor:
 - 1. A contractor has an unfair competitive advantage**
 - » Example: A contractor has inside or non-public information about a procurement
 - » Example: A contractor provides services related to a procurement and then bids on it
 - 2. A contractor's objectivity in performing its contractual obligations for the Authority would be compromised such that it could not provide impartial assistance**
 - » Example: A contractor on Contract A is in a position to oversee its own work on Contract B and mitigation is not possible

THE POLICY HAS NECESSARY FLEXIBILITY

- The Policy states that “the Authority recognizes that its goals must be balanced against the need to not unnecessarily restrict the pool of potential proposers or bidders available to participate in Authority procurements and contracts.”
- If a potential conflict is recognized, the Policy requires consideration of numerous factors to determine whether the contractor may participate in the contract and whether any mitigation or safeguards may be implemented to permit participation despite a conflict.
- Such safeguards can be applied where appropriate to allow participation and include measures like ethical walls and release of work product.
- Contractors are generally not “conflicted” out simply because they’ve done prior work on the Project.
- Many contractors do work on several different areas of the Project under separate contracts. The majority of OCOI determinations find that a contractor may participate in the desired procurement and/or contract.

HOW TO REQUEST AN OCOI DETERMINATION

- Requests for Organizational Conflict of Interest determinations should be submitted to the Authority's Chief Counsel, Alicia Fowler, at Legal@hsr.ca.gov, referencing the relevant procurement
- Any questions about the Authority's OCOI Policy may also be directed to Legal@hsr.ca.gov
- The Authority's OCOI determination process includes the following steps:
 - » After the request is received, an investigation and analysis, including potential mitigation options, is performed by the attorneys
 - *The requestor will often be asked for additional information and/or documents necessary for the OCOI determination*
- After the analysis is completed, the Chief Counsel makes the final determination and informs the requestor by letter, which discusses the relevant facts and applicable Policy provisions
- A requestor who does not agree with an OCOI determination, may contact the Chief Counsel to raise additional relevant facts and information

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- **Organizational Conflict of Interest Questions:**
 - » Legal@hsr.ca.gov

**REMINDER: Virtual Small Business Informational Workshop
will begin at 1:00pm via this same Zoom link**