



CALIFORNIA
High-Speed Rail Authority

**CALIFORNIA HIGH-SPEED RAIL:
Station Delivery Support and
Technical Planning Services Pre-Bid**

January 5, 2022

WELCOME AND AGENDA

- Moderator
 - » Alice Rodriguez, Deputy Director of External Affairs
- HSR Project Overview
 - » Meg Cederoth, Director of Planning and Sustainability
- Small Business Program Overview
 - » Ashley Mistler, Small Business Advocate
- Procurement Overview
 - » Meg Cederoth, Director of Planning and Sustainability
- Organizational Conflicts of Interest Overview
 - » Lisa Crowfoot, Attorney IV

PROCUREMENT PROCESS DETAILS

- **Station Delivery Support and Technical Planning Services Webpage**

» <https://hsr.ca.gov/business-opportunities/contractors/station-delivery-support-and-technical-planning-services/>

Or go to: www.hsr.ca.gov, then [Business Opportunities](#), then, [Contractors](#) then [Station Delivery Support and Technical Planning Services](#)

This webpage will include:

- Pre-Bid Video
- PowerPoint
- Registrant List
- Responses to Questions
- Request for Qualification Updates
- **Submit questions to StationPlan@hsr.ca.gov (Note: this is a new email address)**
- **Questions due by January 12, 2023**



CALIFORNIA HIGH-SPEED RAIL: Project Overview

Meg Cederoth

Director of Planning and Sustainability



CONNECTING CALIFORNIA

Program Highlights

- **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.
- **Phase 1**
 - » 494 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**



SUBJECT TO CHANGE - AUGUST 2021





Bay Area Valley to Valley Segment

- 159 Miles
- 100% environmentally cleared
- Eligible to begin advanced design in 2022/2023
- Corridor electrification underway on 51 miles through Caltrain Electrification Project
- Segment construction is unfunded

Goal: Advance design work in 2023; identify “shared corridor” early capital investments; develop funding plan options



Southern California Complete Phase 1

- 164 Miles
- 92 miles (56%) environmentally cleared in 2022 (remainder in 2023/24)
- Some advanced design could begin in 2023
- Segment construction is unfunded

Goal: Complete all environmental; begin advanced design in 2023; identify “shared corridor” early capital investments; develop segment funding plan options

Program Update

Highlights

- **9,900+ Construction Jobs Created Since Construction Began**
 - 1,000+ Construction Workers Dispatched to Sites Daily
 - 34 Active Construction Sites
- **752 Small Businesses Employed**
 - 247 Disadvantaged Business Enterprises
 - 90 Disabled Veteran Business Enterprises
- **Leading In Sustainability**
 - Run on 100% Renewable Energy
 - Currently Using Tier IV Equipment on Construction
 - Will Reduce VMT by taking 400k cars off the road annually





CALIFORNIA HIGH-SPEED RAIL: Small Business Program

Ashley Mistler, Small Business Advocate
Process & Program Development Branch
sbprogram@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 DIVERSITY

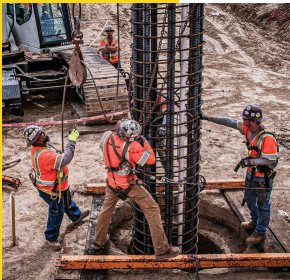
Small Business Certification Overview

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
 - Service Disabled Veteran-Owned SB (SDVSOB)

state

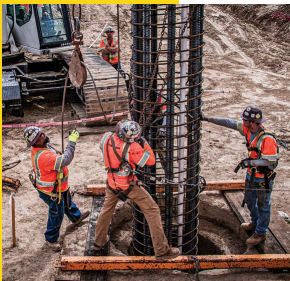
federal



SMALL BUSINESS 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, Large & Small

- **List 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





CALIFORNIA HIGH-SPEED RAIL: Station Delivery Support and Technical Planning Services

Meg Cederoth

Director of Planning and Sustainability



AGENDA

- Station Delivery Support and Technical Planning Services
 - » Scope
 - » Contract Schedule & Value
- Procurement Process
- Procurement Schedule



THE PLANNING SUPPORT PROVIDES CRITICAL TECHNICAL SKILLS FOR THE AUTHORITY

- Architectural design support to assist with station delivery in the Central Valley
- Real estate analysis, market analysis support to stand up and mature a station TOD program
- Urban design prowess to communicate station context, Authority requirements and establish system TOD guidelines
- Support in administering land use reviews and communicating outcomes to executives and Board.
- Transit planning, traffic analysis, active transportation, and transportation planning skills to support station delivery and station area planning at the range of scales across the state
- Planning modelling, GIS and other technical skills required for the production of detailed land use and transportation maps that assist in working with local jurisdictions on complex station and station area issues

These skills support the Authority planning team in detailed conversations with local jurisdictions on station delivery and long-term planning issues in the station area.

PLANNING SCOPE OF SERVICES: TASKS

These are the specific tasks this consultant, or group of consultants, will perform

Project Management

- » Standard contract management activity: development of a project management plan, and monitoring progress against the PMP, including contract items and deliverables, budget, schedule, human resources, and quality of work produced by the project team

Planning Technical Support

- » Provide technical assistance to Authority Staff for ongoing planning discussions and plan making activities with local and regional stakeholders; includes technical assistance and advice to support agency coordination with the objective of improving rail, intercity, and local bus service connectivity with HSR

Station Delivery Support

- » Provide technical assistance for day-to-day station site design delivery work; review technical drawings, manage architectural services, and confirm completeness of design documents for stations



Deliverables include project management plans, specifications review and other technical documents.

PLANNING SCOPE OF SERVICES: TASKS

These are the specific tasks this consultant, or group of consultants, will perform

Transit-Oriented Development (TOD) Master Plans and Urban Design Guidelines

- » Develop TOD master plans at and around HSR stations that enable increased development intensities; Assist the Authority in coordinating with the station jurisdictions in consideration of beneficial changes to City and County General Plans and zoning codes and/or adoption of Specific Plans; develop a set of systemwide urban design guidelines for HSR stations that address built form, station integration into the surrounding communities, transit facility design, prioritizes active transportation facilities, and supports surrounding land uses

Transportation Planning and Other Technical Services

- » Conduct Multimodal Station Access Planning at various HSR station sites; Coordinate district-scale investment charrettes with station communities to identify opportunities for the Authority to facilitate station area development and advance ancillary revenue concepts; Provide technical assistance including reviewing and writing partnership agreements, such as funding reimbursement contracts and Memorandums of Understandings (MOUs) with other public sector entities; provide technical skills such as Geographic Information Systems (GIS) mapping; Renderings and imagery; Travel Demand Modeling (TDM); Information, signage, and wayfinding; Passenger/User experience



Deliverables include multimodal access plans, TOD plans, guidelines, specifications and other technical documents.

PLANNING SCOPE OF SERVICES: TASKS

Real Estate Analysis and Support

- » Conduct technical financial analyses of various real estate parcels near HSR stations; Provide advice on real estate strategy development, land use policy development, outreach to developers and station commercial planning; Provide recommendations for site specific early site activation projects; Identify development challenges; Provide recommendations for the Authority to share investments in capital; Evaluate best practices and make recommendations related to value capture strategies; Market analysis; Financial Analysis; Transaction and partnership negotiation support.

Policy and Procedure Implementation

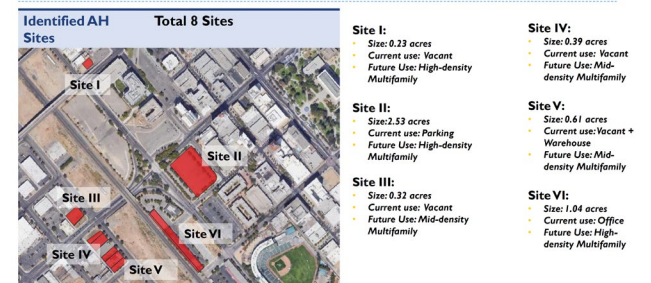
- » Develop policies for adoption of procedures that define the Authority's decisions and actions for land development and related infrastructure in station areas; Revise land use master plan at least annually; Provide administrative assistance with the management of Authority Board of Directors and Committee meeting materials; Provide technical assistance on the Authority's adoption of a range of policy and administrative procedures to carry out station planning and delivery

Guidance Development and Grant Application Support

- » Research grant opportunities (federal, State, regional, and local) that support the Authority and its partner's funding needs and priorities; Provide technical content and prepare grant applications on behalf of the Authority, which shall include the preparation of funding abstracts, production, and submittal of applications to funding resources.

Deliverables include market studies, financial analyses, procedure recommendations, power point presentations, scopes of work to support grant activities, and other and other technical documents.

Site Identification and Prioritization



CONTRACT DETAILS

Station Delivery Support and Planning Technical Services

- Contract Schedule: Three years
 - » May 2023 - May 2026
 - » Plus, two one-year extension options
 - » Scope is consistent with existing activities, program baseline, and Authority policies.
- Contract Budget: \$14.2 million



THE SELECTION PROCESS CONSIDERS STATEMENTS OF QUALIFICATIONS

Evaluation will be done by a selection committee

- This is a qualifications-based procurement.
- Offerors submit a Statement of Qualifications (SOQ).
- Evaluation will be a two-step process:
 - » Review of SOQs
 - » Discussions
- An evaluation committee will be comprised of at least 5 members reviewing the SOQs and participating in discussions (interviews) for the qualified proposers.
- The final score is based on the assessment of SOQ and the interviews.
- Pre-award reviews will be conducted concurrently with limited negotiations prior to execution.
- Fair and reasonable compensation will be negotiated, and a recommendation presented to the CEO for consideration prior to award.

OTHER REQUIREMENTS

- Environmental, social, and governance (ESG) efforts, which may include any environmental sustainability efforts, socio-economic equity policies, and governance policies, are 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

Key Dates	Activity Description
December 23, 2022	RFQ advertised.
January 5, 2023	Virtual Pre-Bid conference.
January 12, 2023	Last day to submit written questions.
February 22, 2023	SOQs due by 12 noon Pacific Time.
March 15, 2023	Notice of Proposed Award.
April 2023	Execution of Agreement and Notice to Proceed Issued.



CALIFORNIA HIGH-SPEED RAIL: Organizational Conflicts of Interest Overview

Lisa Crowfoot
Attorney IV



ORGANIZATIONAL CONFLICTS OF INTEREST

- All entities desiring to enter into an Authority contract must comply with its Organizational Conflict of Interest (OCOI) Policy.
- Why is the OCOI Policy necessary?
 - » Our federal grants require it;
 - » Ensures a fair and transparent procurement process, maximizing competition and minimizing exposure to bid protests; and
 - » Ensures compliance with state and federal procurement laws and regs.
- U.S. Supreme Court recognizes that such policies are "...directed not only at dishonor, but also at conduct that tempts dishonor. This broad prescription embodies a recognition of the fact that an impairment or 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)

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).”**

ORGANIZATIONAL 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

OCOI POLICY FLEXIBILITY

- A common misperception is that Contractors are generally “conflicted” out simply because of prior work on the Project.
- The vast majority of OCOI determinations find that a contractor may participate in the desired procurement and/or contract.
- 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 mitigation or safeguards may be implemented to permit participation.
- Such safeguards are commonly applied to allow participation and include measures like ethical walls and release of work product.

OCOI REVIEW PROCESS

- Interested Contractors should review Section 3.7 of the RFQ regarding Organizational Conflicts of Interest.
- Interested Contractors should review the Authority's Organizational Conflict of Interest Policy (the link is in Section 3.7).
- If, after reading the above information, the interested Contractor has any concerns that it may have an actual or perceived OCOI, it may request a determination from the Authority (instructions on next slide).
- Advanced or pre-clearance is not necessary if there are no concerns regarding an actual or perceived OCOI.
- In conjunction with its participation in the SOQ submission, all interested Contractors will submit Form B: Organizational Conflicts of Interest Disclosure Statement in which it will either disclose potential OCOIs or indicate that it has none to disclose.

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 RFQ(s) of interest.
- 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
 - » 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

QUESTIONS AND RESOURCES

- Questions regarding this procurement can be emailed to:
 - » StationPlan@hsr.ca.gov
 - (**Note: this is a new email address**)
- Responses to questions, Registrant List, Pre-Bid Video and PowerPoint, and Request for Qualifications updates will be posted soon



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 Assistance Form	 CONTRACTORS Contracts Out for Bid Construction Management Services for Rail Design-Build-Maintain Contracts Design-Build Construction Packages Design Services for Central Valley Stations Design Services for Locally Generated Alternative Design Services for Merced to Madera Environmental Services for Merced to Fresno Program Delivery Support Rail Systems Engineering Services Track & Systems
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