



CALIFORNIA
High-Speed Rail Authority

CALIFORNIA HIGH-SPEED RAIL AUTHORITY
Pre-Bid Conference
Request for Qualifications
High-Speed Trainsets and Related Services

Wednesday, September 6, 2023

WELCOME AND AGENDA

- HSR Project Overview
 - » Melissa Figueroa, Chief of Strategic Communications
- Small Business Program Overview
 - » Catrina Blair, Chief of Process and Program Development
- Procurement Overview
 - » Bruce Armistead, Chief of Rail and Operations Delivery
- Organizational Conflicts of Interest Overview
 - » Katherine Cook, Attorney IV

PROCUREMENT PROCESS DETAILS

Webpage

www.hsr.ca.gov/business-opportunities/contract-opportunities/high-speed-trainsets-and-related-services

Or, go to www.hsr.ca.gov, then [Business Opportunities](#), then [High-Speed Trainsets and Related Services](#) under “Contract Opportunities”

This webpage will include:

- Videos of this Pre-Bid Conference and Small Business Workshop
- PowerPoint presentations
- Registrant lists

Submit procurement questions to trainsets@hsr.ca.gov

Questions due by September 19, 2023



CALIFORNIA HIGH-SPEED RAIL: PROJECT OVERVIEW

Trainsets and Related Services Pre-Bid

Melissa Figueroa

Chief of Strategic Communications

CONNECTING CALIFORNIA PROGRAM HIGHLIGHTS

- **Phase 1**
 - 500 Miles
 - San Francisco to Los Angeles/Anaheim
- **Phase 2**
 - After Phase 1 - Extends 300 Miles
 - Connections to Sacramento and San Diego

Travels at approximately 220 mph
Up to 24 Stations



WHERE WE ARE TODAY

2023 PROGRESS

- 119 Miles Under Construction
- 52 miles under advanced design (north into Merced and South into Bakersfield)
- Environmentally Clearing Full 500 Miles Between San Francisco and Los Angeles Basin
 - Approximately 422 Miles Environmentally Cleared To-Date
- **Bookend Projects:**
 - Caltrain Electrification
 - Los Angeles Union Station Improvements
 - Statewide Grade Separations
- **Station Design for four Central Valley Stations**
 - Merced, Fresno, Kings/Tulare and Bakersfield
- **Memorandum Of Understanding with Brightline West**



LOOK AHEAD

Upcoming Milestones:

- Completion of the first Central Valley construction segment CP4 (Fall 2023)
- Draft Palmdale to Burbank Environmental Impact Report/Statement issued (late 2023)
- Caltrain electrification (Completion anticipated in late 2024)
- Rosecrans/Marquardt grade separation (completion anticipated in 2024)
- Continued advance station design of Central Valley stations (Contract awarded Oct 2022)



PROGRAM UPDATE HIGHLIGHTS

- **11,000+ Construction Jobs Created Since Construction Began**
 - 1,000+ Construction Workers Dispatched to Sites Daily
 - 34 Active Construction Sites
 - 70% Workers from Disadvantaged Communities
- **779 Small Businesses Employed**
 - 265 are Disadvantaged Business Enterprises
 - 97 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

Catrina Blair, Chief

Process & Program Development Branch

sbprogram@hsr.ca.gov

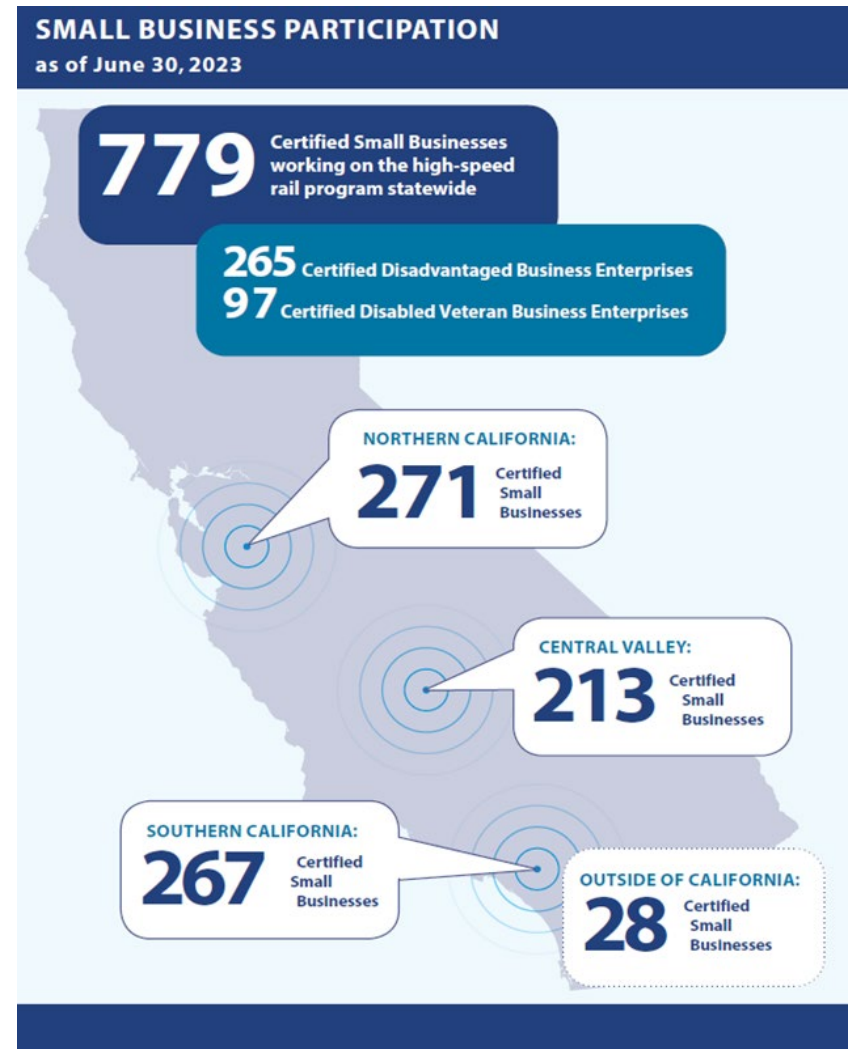


COMMITMENT TO DIVERSITY

Small Business Participation

- 779 Small Businesses
 - » 10% DBE
(Disadvantaged Business Enterprises)
 - » 3% DVBE
(Disabled Veteran Business Enterprises)

- 30% Goal for Small Business Participation
 - » (DBE)
 - » (DVBE)



SMALL BUSINESS BY THE NUMBERS

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
- } 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 AUTHORITY

High-Speed Trainsets and Related Services

Procurement Overview

Bruce Armistead

Chief of Rail and Operations Delivery



HIGH-SPEED TRAINSETS AND RELATED SERVICES CONTRACT

Procurement Overview and Purpose

- The Authority has issued a Request for Qualifications (RFQ) to receive Statements of Qualifications (SOQs) from qualified firms (Offerors). This RFQ is step one of a two-step best value procurement.
- The Authority will evaluate SOQs to establish a Shortlist of Offerors who will be eligible to participate in the second step.
- In the second step, shortlisted Offerors will be invited to submit detailed Proposals in response to a Request for Proposals.
- The Authority anticipates selecting the Proposer whose Proposal offers the best value to the Authority and the State for award of a supply and maintain contract for the provision of Trainsets and related services.

HIGH-SPEED TRAINSETS AND RELATED SERVICES CONTRACT

Contract Terms

- The high-speed trainsets will be capable of operating at 220 mph and will be Buy America and FRA Tier III compliant.
- Two prototype trainsets will be delivered by 2028 to support static/dynamic testing and trial running.
- Four additional trainsets will be delivered by the end of 2030 to support revenue operations.
- This Contract will have multiple Notices to Proceed, Delivery Period(s), and Service Period(s). The estimated budget for the Delivery Periods of Notices to Proceed 1 through 4 are as indicated in the Authority's [2023 Project Update Report](#).

HIGH-SPEED TRAINSETS AND RELATED SERVICES CONTRACT

Contract Terms, continued

- The Authority's Small Business (SB) Program will be incorporated by reference into the Contract.
- Currently, the Authority's SB Program establishes a 30% SB utilization goal, inclusive of a 10% Disadvantaged Business Enterprise utilization goal and a 3% Disabled Veterans Business Enterprise utilization goal
- Any Board-approved updates to the SB Program and goals will apply to the RFP and Contract.

HIGH-SPEED TRAINSETS AND RELATED SERVICES CONTRACT

Procurement of six trainsets capable of operating at 220 mph, tested to 242 mph

- » Two prototypes to support static/dynamic testing and trial running on the First Construction Segment
 - *Delivery to Authority by 2028*
- » Four additional trainsets to support revenue operations of the Early Operating Segment (Merced to Bakersfield)
 - *Revenue service between 2030-2033*



HIGH-SPEED TRAINSETS AND RELATED SERVICES CONTRACT

The Contractor will:

- Provide trainsets;
- Provide a driving simulator;
- Support development of design criteria for facilities, track and systems contracts, and stations;
- Participate in the testing and commissioning of the facilities, track, and systems;
- Develop and provide information to support the certification and subsequent commissioning of the trainsets;
- Maintain each trainset for 30 years and provision of all spares (i.e., interchangeable parts) for such trainsets; and
- Operate and maintain the Heavy Maintenance Facility, Light Maintenance Facility, and Trainset Certification Facility (to be built by others).

HIGH-SPEED TRAINSETS AND RELATED SERVICES CONTRACT

California State Contracts Register

The Request for Qualifications (RFQ) may be downloaded from the event webpage on the California State Contracts Register (CSCR): www.caleprocure.ca.gov/event/2665/HSR23-18

RFQ updates, including answers to written questions about the RFQ and any RFQ addenda, will be posted on the CSCR event webpage.

Authority's Webpage and Email Address

The Authority's webpage for this procurement is as follows:

www.hsr.ca.gov/business-opportunities/contract-opportunities/high-speed-trainsets-and-related-services

Information from the Pre-Bid Conference and Small Business Workshop will be posted on the Authority's webpage and will include videos, PowerPoint presentations, and registrant lists.

Submit procurement questions to trainsets@hsr.ca.gov

HIGH-SPEED TRAINSETS AND RELATED SERVICES CONTRACT

Procurement Schedule for Step One of the Trainsets Procurement

Activity	Date
RFQ advertised on CSCR	August 25, 2023
Virtual Pre-Bid Conference and Small Business Workshop	September 6, 2023
Deadline for questions	September 19, 2023 5:00 p.m. Pacific Time
Statements of Qualifications due	November 14, 2023 12:00 noon Pacific Time
Anticipated shortlisting of Offerors	January 2024

See Table 1 of the RFQ for additional details.



CALIFORNIA HIGH-SPEED RAIL AUTHORITY

Organizational Conflicts of Interest Overview

Katherine Cook
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 (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 5.2 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 5.2).
- If, after reading the above information, the interested Contractor has any concerns that it may have an actual or perceived OCOI, it should 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.
 - » *Example: a Contractor has never worked on the HSR project nor a related project (Caltrain, Link U.S.) and has no financial affiliations with HSR Contractors*
- In conjunction with its participation in the SOQ submission, all interested Contractors will submit Form F: Organizational Conflicts of Interest Disclosure Statement in which it will either disclose potential OCOIs or indicate that it has none to disclose.
 - » *Current HSR contracts should be disclosed on this form*

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 should be emailed to:

trainsets@hsr.ca.gov

The Authority's webpage will include:

- Videos
- PowerPoints
- Registrant lists

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

[Dashboard](#)
[Overview](#)
[Policy & Program Plan](#)
[Get on Board](#)
[Get Connected](#)
[Events](#)
[Newsletter](#)
[Factsheets](#)
[Info Center](#)
[Business Advisory Council](#)
[Small Business Assistance Form](#)
[Contract Compliance](#)
[Frequently Asked Questions](#)
[Contact Us](#)



CONTRACT OPPORTUNITIES

[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 and Preliminary Engineering Services for the Central Valley Heavy Maintenance Facility](#)
[Environmental Services for Merced to Fresno](#)
[High-Speed Trainsets and Related Services](#)
[Program Delivery Support](#)
[Rail Systems Engineering Services](#)
[Right of Way Engineering and Survey Support Services](#)

Visit www.hsr.ca.gov, then [Business Opportunities](#), then [High-Speed Trainsets and Related Services](#) under "Contract Opportunities"