



CALIFORNIA
High-Speed Rail Authority

**CALIFORNIA HIGH-SPEED RAIL:
Base Building Plan Development Services Pre-Bid
Meeting**

April 3, 2024



WELCOME AND AGENDA

- Moderator
 - » Richard Yost, Capital Contracts Procurement Manager
- Small Business Program Overview
 - » Chardena Valley, Small Business Advocate
- Procurement Overview
 - » Brenda McKenzie, Supervising Right of Way Agent
- Organizational Conflicts of Interest Overview
 - » Elena Pacheco, Attorney

PROCUREMENT PROCESS DETAILS

- **Base Building Plan Development Services Webpage**

» <https://hsr.ca.gov/business-opportunities/contract-opportunities/base-building-plan-development-services/>

Or go to: www.hsr.ca.gov, then [Business Opportunities](#), then, [Contract Opportunities](#) then [Base Building Plan Development Services](#)

This webpage will include:

- Pre-Bid Video
 - PowerPoint presentations
 - Registrant list
- **Submit procurement questions to capitalprocurement@hsr.ca.gov**
 - **Questions due by Wednesday, April 10, 2024**





California High-Speed Rail Base Building Plan Development Services Contract

Small Business Program Overview

Chardena Valley, Small Business Advocate

Process & Program Development Branch

Small Business Program

sbprogram@hsr.ca.gov



Small Business By the Numbers



SMALL BUSINESS PARTICIPATION

(as of January 2024)

840 Certified Small Businesses working on the high-speed rail program statewide

291 Certified Disadvantaged Business Enterprises

103 Certified Disabled Veteran Business Enterprises

NORTHERN CALIFORNIA:

302 Certified Small Businesses

CENTRAL VALLEY:

223 Certified Small Businesses

SOUTHERN CALIFORNIA:





286 Certified Small Businesses

OUTSIDE OF CALIFORNIA:

29 Certified Small Businesses

01/1624

Small Business Participation Goal Breakdown

 Blended State and Federal 	 100% State Funded	 100% Federal Funded (including grants)
<p align="center">3%</p> <p>Disabled Veteran Business Enterprise (DVBE) goal, which will be applied across the total contract value.</p>	<p align="center">3%</p> <p>DVBE goal</p>	<p align="center">17%</p> <p>Disadvantaged Business Enterprise (DBE) goal</p>
<p align="center">10%</p> <p>DBE goal, which will also be applied across the total contract value.</p>	<p align="center">25%</p> <p>Small Business goal using all categories that qualify under the state standard, which includes certified Small Business and SB-PW.</p> <ul style="list-style-type: none"> Of that 25% we will designate 3% microbusiness 	
<p align="center">25%</p> <p>Small Business goal using all categories that qualify under the state standard, which includes certified Small Business and SB-PW.</p> <ul style="list-style-type: none"> Of that 25% we will designate 3% microbusiness 		

Commitment to Diversify

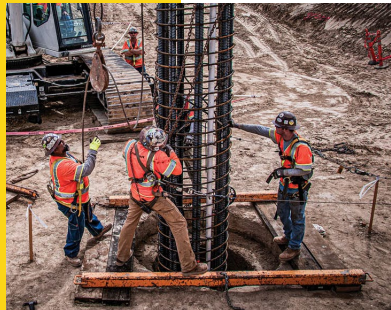
Small Business Certification Overview

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)

state
- **California Unified Certification Program**
 - Disadvantaged Business Enterprises (DBE)

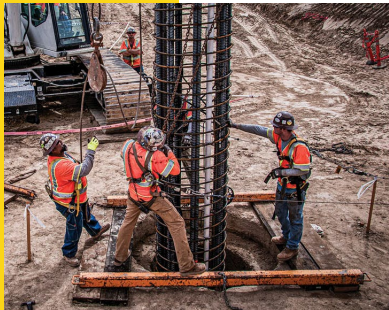
federal



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**



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: Request for Qualifications for Base Building Plan Development Services

**Brenda McKenzie, Supervising Right of Way
Agent**



Scope of Work



Base Building Plan Development Services

Scope of Work

- The Consultant is responsible for providing all architectural and engineering services to create base building as-built plans for an Authority-owned commercial building located at 5661 N Golden State Blvd, Fresno, CA 93722 (Authority Property).
- The base building plans are as-built plans developed with details as required by OSFM, based on the Authority Property. The base building plans will show the two (2) newly installed HVAC systems, roofing structure, fire alarm system (including fire sprinklers), duct systems, and electrical systems. Base building plans will indicate how the current fire alarm system and current duct detection system are connected.
- As-built plans will be drafted in an electronic CAD program that is compatible with the Office of the State Fire Marshal (OSFM) website's formatting requirements. GOVMOTUS website: <https://calfire.govmotus.org/>. The Consultant will also, develop fire alarm and fire sprinkler plans in an electronic CAD program, (like the As-built plans), indicating how the current fire alarm system and the current duct detection system are connected.
- The Consultant will conduct an inspection on the Authority's Property giving the Contract Manager 48 hours of notice, (via call or email), of the start and completion of the inspection and will follow all safety guidelines set forth by the Department of Industrial Relations, Division of Occupational Safety and Health (DOSH). The roof system will be inspected to ensure that the two (2) newly installed HVAC units are included into the base building plans.
- The Consultant will submit all developed plans to the Authority Contract Manager for approval. Upon approval, the Consultant will submit all developed plans to the Office of the State Fire Marshal (OSFM) via the GOVMOTUS website: <https://calfire.govmotus.org/> and will monitor the submitted plans for OSFM approval. The Consultant will keep the Authority Contract Manager apprised of the status of approval.

Base Building Plan Development Services

Contract Terms

- Term of the contract is one year.
- Total contract value is not to exceed \$100,000 dollars.
- This is an A&E qualifications-based procurement.
- The Authority will enter into limited negotiations with the top-ranked Offeror.
- The Fee percentage is advertised as 9.0% in accordance with the RFQ.
- A pre-award review will be conducted concurrently with negotiations prior to execution of the contract

Base Building Plan Development Services

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 and Disabled Veteran Business Enterprise (DVBE) utilization goals are also included in the requirements
- 25% Small Business utilization goal, inclusive of a 3% MB goal and 3% DVBE utilization goal

Key RFQ Procurement Dates

Key Dates	Activity Description
Wednesday, March 27, 2024	RFQ advertised.
Wednesday, April 3, 2024	Virtual Pre-Bid conference.
Wednesday, April 10, 2024	Last day to submit written questions.
Tuesday, May 14, 2024	SOQs due by 12:00 PM Pacific Time.
Thursday, June 13, 2024	Notice of Proposed Award.
July 2024	Notice to Proceed Issued.



CALIFORNIA HIGH-SPEED RAIL AUTHORITY

Organizational Conflicts of Interest Overview

Elena Pacheco
Attorney III

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 regulations.
- The OCOI Policy was originally adopted in 2011 and was last updated in 2023.

OCOI POLICY DEFINITION

An “Organizational Conflict of Interest” is defined in the OCOI Policy 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 current or prior work on the Project.
- While some conflicts cannot be mitigated, the vast majority of OCOI determinations find that a contractor may participate in the desired procurement and resulting 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 and the Authority's Organizational Conflict of Interest Policy: <https://hsr.ca.gov/business-opportunities/general-info/organizational-conflict-of-interest-policy/>
- If 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 high-speed rail project nor a related project and has no financial affiliations with Authority Contractors*
- In conjunction with its participation in the SOQ submission, all interested Contractors will submit Form C: 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 No. HSR23-13.
 - When submitting the determination request, please provide a response to the information requested in the Organizational Conflict of Interest Checklist, items 1-8, in RFQ Section 3.7.
- 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 OCOI 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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