

**Imperial County
Community & Economic Development**

**County of Imperial
Construction Management Services
Water/Sewer Improvement Projects**

ADDENDUM NO. 1

January 17, 2017

This ADDENDUM is hereby made part of the Request for Proposals and Scope of Services to the same extent as if originally included therein, and shall be signed by the Bidder and included with the proposal.

Revision No. 1: REVISION - EXHIBIT 1

Exhibit 1, paragraph 7 notes that the bidder shall file a payment bond. The need of a payment bond will be on a case-by-case basis. Therefore, this paragraph shall now read as follows:

In contracts involving an expenditure in excess of \$10,000, the successful bidder may be required to file a payment bond in a sum at least equal to the final contract value as awarded. The bond shall be approved by the County and shall be in the form provided and/or approved by the County. The bidder may also be required to file a performance bond in a penal sum at least to the full contact value as awarded.

Revision No. 2: REVISION - EXHIBIT 1

Exhibit 1, paragraph 8 notes that performance bonds must be filed for contracts involving an expenditure in excess of \$25,000. The need of a performance bond will be on a case-by-case basis. Therefore, this paragraph shall now read as follows:

A performance bond may be required for contracts involving an expenditure in excess of \$25,000, and may be required for contracts involving smaller expenditures at the discretion of the County.

Revision No. 3: CORRECTION - EXHIBIT 2 – 1.0 PURPOSE

The last paragraph of this section notes these services will be for a period of one year. Please note, this should be a period of three (3) years.

Question No. 1: On previous projects for consulting services, I have not seen the requirement of providing a payment bond or a performance bond. Isn't this a requirement only for contractors bidding a construction project?

Response No. 1: While payment and performance bonds are primarily requirements for contractors for construction projects, there have been cases in which these bonds were necessary for consultant services. However, these bonds are not always required to provide consultant services. Therefore, the provision of bonds will not be required to be included with your proposal at this time. Alternatively, please be aware that, if you are selected, you may be asked to provide bonds prior to beginning a project. As mentioned during the pre-bid meeting, counsel will be sought for further clarification and determination regarding this matter. The selected consultant will be notified of the County Counsel's findings.

Question No. 2: Will a payment bond be required for consulting services?

Response No. 2: The requirement of a payment bond regarding construction management services for a project is very rare, but may be required depending on the project at hand. Thus, the provision of a payment bond will be on a case-by-case basis depending on the project. The County Counsel will be requested to review this matter for further clarification and a determination. The selected consultant will be notified of their findings.

- Question No. 3:** The 7th paragraph of Exhibit 1 of the RFP mentions that the payment bond will be required for an expenditure in excess of \$10,000 and indicates that the payment bond shall be in the form set for in the contract documents. The sample county agreement for services does not contain a clause nor does it include a form for a payment bond. If the payment bond for consulting services will be required, do you have a sample from previous projects or previous consultants that you can share?
- Response No. 3:** Unfortunately, a sample cannot be provided at this time. Should a bond be required, the required documentation will be discussed with the selected consultant after direction is provided from County Counsel.
- Question No. 4:** If the payment bond for consulting services is required, at what point time must it be submitted to the County?
- Response No. 4:** If a payment bond will be required, as it will be on a case-by-case basis depending on the project, the bond should be submitted to the County prior to construction.
- Question No. 5:** The 8th paragraph of Exhibit 1 on the RFP mentions that a performance bond will be required for an expenditure in excess of \$25,000. The last sentence appears incomplete when it indicates, "...smaller expenditures at the open of the County. Will a performance bond be required?
- Response No. 5:** The requirement of a performance bond in regards to providing construction management services for a project is rare. However, at the present time, this is on a case-by-case basis. A performance bond may be required depending on the project at hand. The County Counsel will be requested to review this matter for further clarification and a determination. The selected consultant will be notified of their findings.
- Question No. 6:** At what point in time must the performance bond be submitted to the County?
- Response No. 6:** If a performance bond will be required, as it will be on a case-by-case basis depending on the project, the bond should be submitted to the County prior to construction.
- Question No. 7:** Is there an estimate for the total value of the current projects?
- Response No. 7:** Each of the current projects is approximately \$400,000 - \$500,000. However, depending on the bids received, the cost can be up to \$500,000 - \$600,000.
- Question No. 8:** Are the current project solely funded by CDBG?
- Response No. 8:** Yes.
- Question No. 9:** Page 5 of the RFP reads the services will be for a period of up to one year. The next page reads a period of three years. Which is it?
- Response No. 9:** These on-call services will be for a period of three (3) years. This correction has been made through this addendum.
- Question No. 10:** What is the project for Winterhaven?
- Response No. 10:** Improvements to the water treatment plant and the lift station.
- Question No. 11:** There is Winterhaven and Palo Verde. What was the other location?
- Response No. 11:** The other location for these projects is Poe Colonia, which is a subdivision approximately 4 miles from Brawley near Cady Road.
- Question No. 12:** Will there need to be a DBE goal met for these CM services? Is there a goal percentage that needs to be met? For example, geological testing or labor compliance services.
- Response No. 12:** No, the duties of the CM should not trigger DBE. Services other than CM are procured separately.

- Question No. 13:** Are the contractors that bid on these projects required to do DBE? Would managing that be a part of the services? Will the CM be responsible for reviewing bids?
- Response No. 13:** The contractor should do their due diligence in assuring to notice for DBE, however, this would not need to be monitored by the Construction Manager. A list of subcontractors is required to be submitted with the bids. Bids are usually reviewed in our office by County staff. Although, it is possible that the CM be requested to review a bid if any complications arise, it is generally not the Construction Manager's responsibility to review bids.
- Question No. 14:** As far as the bidding services go, wouldn't that be referred back to the engineer?
- Response No. 14:** During the bidding process potential bidders are given an opportunity to submit questions regarding the project by a certain deadline. After the deadline has passed, the project coordinator will defer questions to the appropriate party (engineer, labor compliance monitor, etc.) to obtain accurate responses if the answers are not available in-house.
- Question No. 15:** How many consultants will be selected through this RFP?
- Response No. 15:** Two.
- Question No. 16:** If we were to do the engineering for one job, will we be able to do CM on a different job?
- Response No. 16:** Yes. County policy is that the agency providing the engineering for a project cannot provide Construction Management services for the same project. You will still be able to provide Engineering and Construction Management Services so long as they are for separate projects.
- Question No. 17:** Are these projects ready to go out to bid?
- Response No. 17:** Two of the three projects are ready to go out to bid. The Palo Verde Water Well Improvements still needs engineering. However, the environmental documents are still being completed for all three projects. These projects could begin construction in June or July, but may start earlier depending on the level of environmental documents needed.
- Question No. 18:** Could you confirm with CDBG if the wages for Construction Inspectors working under Construction Management should be paid State Prevailing Wages.?
- Response No. 18:** In order to assure a response in a timely manner, these questions were referred to our Labor Compliance consultant. Prevailing wages for construction management is triggered when additional work, such as inspections, material testers, etc. is performed by the Construction Manager. Construction management services through this RFP is contracted to protect the interests of the County, by ensuring the project is constructed in compliance with the project specifications drawings and details. A Construction Manager performs the activities of interpreting the project specifications, drawings and details and providing construction information to the contractors and subcontractors. The Construction Manager is required to keep a daily diary (Construction Activities Log) utilizing 'photographs, video tapes, descriptions and details, itemized the contractors & subcontractors and equipment and individual workmen in a daily report. The Construction Manager may also receive and review submittals for specific materials and supplies provided by the General Contractor to ensure the quality of the specified materials and supplies. There will be no inspections, testing, etc. performed by the construction manager; and, therefore, prevailing wages for construction management should not be triggered. All inspections should be conducted by Imperial County Planning & Development Services and other agencies as necessary/required.
- Question No. 19:** Could you confirm with the CDBG Program the pre-determined percentage for Construction Management/Inspection and Engineering Design Fees based on the project total cost?
- Response No. 19:** Historically, the County has received a range of 10-13% in other similar projects.

**Imperial County
Construction Management Services
Water/Sewer Improvements Projects
ADDENDUM NO. 1
ACCEPTANCE OF NOTICE**

Please acknowledge receipt of this Addendum No. One (1) consisting of four (4) pages, by signing and returning a copy of this Acceptance of Notice by fax to (442) 265-1118. Each bidder must acknowledge receipt of this addendum in the noted space below and on the signature page of the Bid Form. Include a copy of this addendum with your Bid Proposal Package. It is the Contractor's responsibility to notify its sub-contractors about changes based all addendums.

By:  _____
Esperanza Colio Warren
Community & Economic Development Manager

Date: January 17, 2017

ACCEPTANCE OF NOTICE

Receipt of the ADDENDUM No. 1 is hereby acknowledged by

Company Name

Date

By: _____
Print Name & Title

Signature