

APPENDIX C
RFQ No. RFQ-HRT-857111

HONOLULU RAIL TRANSIT PROJECT

CONSTRUCTION ENGINEERING AND INSPECTION (CE&I) "II"
CONTRACT

PROFESSIONAL SERVICES CONTRACT

**HONOLULU AUTHORITY FOR RAPID
TRANSPORTATION**

HONOLULU RAIL TRANSIT PROJECT

**CONSTRUCTION ENGINEERING AND
INSPECTION (CE&I) II CONTRACT**

PROFESSIONAL SERVICES CONTRACT

REQUEST FOR QUALIFICATIONS

NO. RFQ-HRT-857111

March 25, 2015

QUESTIONS RELATING TO THIS SOLICITATION, CONTACT:

**HONOLULU AUTHORITY FOR RAPID TRANSPORTATION
1099 ALAKEA STREET, SUITE 1700
HONOLULU, HAWAII 96813
TRANSITMAILBOX@HONOLULU.GOV**

**NOTICE OF REQUEST FOR QUALIFICATIONS
FOR
CONSTRUCTION ENGINEERING AND INSPECTION (CE&I) II CONTRACT
HONOLULU RAIL TRANSIT PROJECT
PROFESSIONAL SERVICES CONTRACT
REQUEST FOR QUALIFICATIONS NO. RFQ-HRT-857111
HONOLULU AUTHORITY FOR RAPID TRANSPORTATION**

LETTERS OF INTEREST and STATEMENTS OF QUALIFICATIONS responding to this Request for Qualifications (RFQ) will be accepted up to 2:00 p.m. Hawai'i Standard Time (HST) on April 29, 2015, addressed to Honolulu Authority for Rapid Transportation (HART), 1099 Alakea Street, Suite 1700, Honolulu, Hawai'i 96813 Attn: Procurement Division.

Because the Honolulu Rail Transit Project will be funded with Federal assistance, the selected offeror is expected to comply with applicable Federal Transit Administration (FTA) requirements.



DANIEL A. GRABAUSKAS
Executive Director and CEO
Honolulu Authority for Rapid Transportation

NOTICE TO OFFERORS REQUEST FOR QUALIFICATIONS

The Honolulu Authority for Rapid Transportation (HART) is seeking professional services in the fields of architecture and engineering for a Construction Engineering and Inspection (CE&I) Consultant (Contractor) for the Honolulu Rail Transit Project (HRTTP). Under the CE&I II Contract (Contract), the successful Offeror (or the “Contractor”) will provide CE&I services primarily in the East Section of the HRTTP which includes Airport Guideway and Stations design-build contracts, City Center Guideway and Stations design-build contracts, Airport Utilities Relocation contracts, City Center Utilities Relocation contracts, Elevators and Escalators Design-Furnish-Install-Maintain contract (construction phase only) and Construction On-Call work.

It is expected that interested offerors understand the scope of work and develop a team considering the level of effort required to perform the scope of work.

The Contractor shall, within three (3) business days upon notice of award of the Contract, furnish proof of compliance with the requirements of Hawaii Revised Statutes (“HRS”) Section 103D-310(c):

- HRS Chapter 237, tax clearance;
- HRS Chapter 383, unemployment insurance;
- HRS Chapter 386, workers’ compensation;
- HRS Chapter 392, temporary disability insurance;
- HRS Chapter 393, prepaid health care; and
- One of the following:
 - (a) Registered and incorporated or organized under the laws of the State of Hawaii, hereafter referred to as a “Hawaii business”; or
 - (b) Registered to do business in the State of Hawaii, hereafter referred to as a “compliant non-Hawaii business.”

Offerors may choose to use the Hawaii Compliance Express (HCE), which allows businesses to register online at <http://vendors.ehawaii.gov> to acquire a single, printable electronic “Certificate of Vendor Compliance.” The HCE provides current compliance status as of the issuance date. The “Certificate of Vendor Compliance,” indicating that the offeror’s status is compliant with the requirements of HRS Section 103D-310(c), will be accepted for both contracting purposes and final payment. Vendors that elect to use the new HCE services will be required to pay an annual fee of twelve dollars (\$12.00) to the Hawaii Information Consortium, LLC (HIC). Offerors choosing not to participate in the HCE program will be required to provide the paper certificates as specified above.

HART is receiving funding assistance from the United States Department of Transportation, Federal Transit Administration (FTA) and must comply with the applicable statutory, regulatory, and administrative requirements including FTA third-party contracting requirements.

H RTP BACKGROUND

The H RTP is described in the Final Environmental Impact Statement (FEIS) as the design, construction and operation of a twenty (20) mile grade-separated fixed guideway transit system between East Kapolei and Ala Moana Center. All parts of the guideway will be elevated, except near Leeward Community College, where it will be at-grade. The system will incorporate steel wheel-on-steel rail technology. The H RTP includes twenty-one (21) stations, one (1) Maintenance and Storage Facility (MSF), and eighty (80) light metro vehicles and associated core systems.

The H RTP, as evaluated in the FEIS, has logical termini and independent utility from any extensions that may be constructed in the future.

The FEIS and additional information on the H RTP can be found at: <http://honolulutransit.org>.

Guideway and Stations

The H RTP's guideway and stations are planned to be constructed starting from the western terminus of East Kapolei to Ala Moana, as follows:

- West Oahu/Farrington Highway ("WOFH") Guideway from East Kapolei Station to Pearl Highlands Station;
- Kamehameha Highway ("KHG") Guideway from Pearl Highlands Station to Aloha Stadium Station;
- Farrington Highway Stations Group ("FHSG"): West Loch, Waipahu Transit Center, and Leeward Community College stations;
- West Oahu Stations Group ("WOSG"): East Kapolei, UH West Oahu, and Ho'opili stations;
- Kamehameha Highway Stations Group ("KHSG"): Pearl Highlands, Pearlridge Center, and Aloha Stadium stations;
- Airport Guideway from Aloha Stadium Station to the Middle Street Transit Center and the associated stations (Pearl Harbor Naval Base, Honolulu International Airport, Lagoon Drive and Middle Street Transit Center stations); and
- City Center Guideway from the Middle Street Transit Center Station to Ala Moana Center Station and the associated stations (Kalihi, Kapalama, Iwilei, Chinatown, Downtown, Civic Center, Kakaako, and Ala Moana Center stations).

HART has entered into design-build ("DB") contracts for the WOFH and KHG guideway sections. The nine stations within these sections will be completed using the design-bid-build ("DBB") contract delivery method. The Pearl Highlands Garage and Bus Terminal will be completed using the DB contract delivery method.

The Airport and City Center section guideway and associated stations will be completed using a DB contract delivery method. HART has entered into DBB contracts for the Airport section utility relocation and Airport 7 piers construction. The City Center section utilities and civil work will be completed using a DBB contract delivery method.

Core Systems

The Core Systems will be constructed under a design-build-operate-maintain (DBOM) contract. The major subsystems and other end-products to be acquired under the contract include the

revenue vehicles, train control, traction power facilities, and manufactured products required for operation and maintenance of the system. HART has entered into a DBOM contract for the Core Systems.

Maintenance and Storage Facility (MSF)

The MSF will be constructed under a DB contract. The MSF DB contractor will be responsible for completing design, site work construction of various maintenance buildings, and purchasing, storing, and distribution of rail, special trackwork, switch machines, contact rail and appurtenances for the entire HRT. HART has entered into a DB contract for the MSF.

Elevators and Escalators

HART has entered into a design-furnish-install-maintain (“DFIM”) contract to provide project wide elevators and escalators.

Fare Collection System

On behalf of the Department of Transportation Services (DTS) of the City and County of Honolulu, Oahu Transit Services (OTS) operates and maintains fixed route services (TheBus) and paratransit services (TheHandi-Van), serving 71 million bus customers and 800,000 paratransit customers. DTS and OTS are partners with HART in the implementation of the multi-modal, smart card Fare Collection System.

SCOPE OF WORK

An indicative list of tasks relating to the Contract scope of work (“Work”) for this RFQ is attached hereto as Appendix A, Exhibit 1. A final determination of levels of effort, work, scope, responsibilities and schedule will be negotiated with the selected offeror pursuant to Hawai‘i Revised Statutes (HRS) §103D-304(h) (Supp. 2012).

CONTRACT TYPE AND TERM OF CONTRACT

This Contract is a Cost-Plus-Fixed Fee contract.

The term of this Contract shall be for a period of six (6) years with the option to extend the Contract for up to two (2) years.

ORGANIZATIONAL CONFLICT OF INTEREST AND NON-DISCLOSURE REQUIREMENTS

- A) Each of the following circumstances will be deemed an organizational conflict of interest and the affected offerors will be not considered:
- 1) Participation by Persons on more than one offeror’s team performing more than fifteen percent (15%) of the Work; or
 - 2) A contractor who produced design plans or deliverables under an existing HART Contract, which could be the subject of review, approval and/or management by the same contractor (the awarded offeror) under this Contract.

- B) Non-Disclosure: The Contractor may be given access to confidential records solely for the purpose of performing the required services under the Contract. The Contractor may be required to sign a non-disclosure statement prior to receipt of such documents obligating each employee, agent, or subcontractor of the Contractor not to make inappropriate use of or improperly disclose any of the contents of such documents.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

HART has established a DBE program in accordance with the regulations of the U.S. Department of Transportation (USDOT), Title 49, Code of Federal Regulations, Part 26 (49 C.F.R. Part 26). HART has received federal financial assistance from USDOT, and as a condition of receiving this assistance, HART has signed an Assurance with the USDOT that it will comply with 49 C.F.R. Part 26.

The selected offeror and its subcontractors shall not discriminate on the basis of race, color, national origin, or sex in the performance of the Contract. The Contractor shall carry out applicable requirements of 49 C.F.R. Part 26 in the award and administration of USDOT-assisted contracts. Failure by the Contractor to carry out these requirements will be a material breach of the Contract, which may result in termination of the Contract or such other remedy, as HART deems appropriate.

HART has established an overall DBE Project goal of 13.00% for the duration of this Contract. A separate Contract Goal has not been established for this Contract. DBE firms and small businesses shall have an equal opportunity to participate in the Contract.

SUBMITTAL MATERIALS REQUIREMENTS

1. Letter of Interest. The Letter of Interest must include contact information (name, title, name of firm, mailing address, phone number, and email address) for the authorized representative(s) of the firm(s) submitting the Letter of Interest. Please ensure that contact information is up-to-date. Should HART need to contact you regarding your submittal materials it will be through the contact person named in the Letter of Interest. In the case of a team approach the prime firm, which could be a corporation, joint venture, partnership, etc., and the major subcontractor firm(s), must be clearly identified. The experience and qualification of a subcontractor who is not identified will not be evaluated.

The Letter of Interest must be signed in ink by a person authorized to commit the offeror. For joint ventures the Letter of Interest must be signed by all joint venture partners. Signing the Letter of Interest attests that the information provided therein is current and factual. **Evidence of the signer's authority to act on behalf of the offeror sufficient to satisfy HART must be submitted.**

The Letter of Interest and the Statement of Qualifications shall be date- and time-stamped by a HART officer or employee at the time of receipt by HART. It is the responsibility of the offeror to ensure that the Letter of Interest and Statement of Qualifications is submitted on or before the time specified for receipt.

An offeror may submit a maximum of one (1) Letter of Interest. An offeror shall be considered to have more than one Letter of Interest if an offeror submits more than one

Letter of Interest: (i) in the same name; (ii) by an agent of the offeror; (iii) by a partnership or joint venture of which the offeror is a member in which an offeror holds more than twenty-five percent (25%) interest in the offeror's name or in the name of others for the offeror in any manner; (iv) by a corporation in which an offeror owns more than twenty-five percent (25%) of the shares of stock in the offeror's name or in the name of others for the offeror in any manner; or (v) by any combination of the entities described in (iii) and (iv), above in this paragraph, in which an offeror holds a total of more than twenty-five percent (25%) combined interest in an offeror's name or in the name of others for an offeror in any manner.

2. Information on the offeror: (In the case of a partnership or joint venture, submit information for the respective partnership or joint venture entity itself and for each member firm making up the partnership or joint venture.)
 - A. Name of the firm, the year the firm was established under the current name, the principal place of business, and the location of all its offices.
 - B. Former firm names. Indicate any other previous names for the firm during the last five (5) years and the year the name change was effective.
 - C. Type of ownership or legal structure of the firm (sole proprietor, partnership, corporation, joint venture, etc.). Provide a copy of the firm's organizational documents (such as articles of incorporation, operating agreement, partnership agreement, and registration, etc.). Organizational documents may be submitted as an appendix to your qualifications.
 - D. The annual revenues and average number of employees over the past five (5) years. A current Balance Sheet certified to be an accurate and true copy signed by the firm's Chief Financial Officer, or another corporate executive of the firm who has knowledge of the firm's financial position. The Balance Sheet must be dated to reflect the ending period to which the Balance Sheet information applies. At a minimum the Balance Sheet must reflect current assets, long term assets, current liabilities, long term liabilities, and owner's equity. The Balance Sheet may be submitted as an appendix to your qualifications. The Balance Sheet is not required to be an audited Balance Sheet, but must be a true certified copy by an authorized person as set forth above.
 - E. The names and phone numbers of a maximum of five (5) clients who may be contacted, including at least two (2) for whom services were rendered during the past twelve (12) months, preferably for services similar to those required for the Contract.
 - F. An affirmative statement as to whether the firm, its principals or key employees presently, or in the past, are, or have been, involved in any debarment or suspension proceedings. See Exhibits 5 and 6, Certificate of Ineligible Contractors and Certificate of Ineligible Subcontractors.
 - G. An affirmative statement identifying any contract involving the firm or any team members, including subcontractors, that was terminated for default within the past three (3) years.
 - H. Provide a list of example projects which best illustrate the firm's relevant qualifications for this Contract. The list must not exceed five (5) recent projects that

include major projects undertaken within the past ten (10) years. Provide succinctly, the following information for each project listed:

- 1) Title and location of the project;
 - 2) Project owner;
 - 3) Specific roles of the firm;
 - 4) Brief description of the work;
 - 5) Period of performance (start and end dates);
 - 6) Final contract value;
 - 7) Percent of work completed by the firm under the contract;
 - 8) Identify any project claims and litigation involving your firm (if none, so state); and
 - 9) Did the project involve federal funds (yes or no)?
- I. Provide the Bidder Registration Form completed by the offeror (including its partner or members, if the offerors is a partnership or joint venture). During the course of the Contract, the Bidders Registration Form will be required for each subcontractor retained by the successful offeror.

3. Required Positions:

- A. Identify the persons who will be assigned to the positions listed below. Please indicate if the same person will be performing more than one role. Key Personnel positions are identified in italics. For each person clearly state the *current* employer and location of each person.
- 1) *Construction Manager*
 - 2) *Resident Engineer – Airport Guideway and Stations*
 - 3) *Resident Engineer – City Center Guideway and Stations*
 - 4) *Resident Engineer – Airport and City Center Section Utilities*
 - 5) Project Controls Manager
 - 6) Lead Engineer(s)
 - 7) Office Engineer(s)
 - 8) Claims and Changes Engineer(s)
 - 9) Scheduler(s)
 - 10) Cost Estimator(s)
 - 11) Lead Construction Compliance Monitor/Inspector(s)
 - 12) Environmental Compliance Monitor
 - 13) Maintenance of Traffic Engineer
 - 14) Others as described in Exhibit 1 or deemed appropriate
- B. Staff consistency is important for this Project. Key Personnel shall be assigned to this project throughout the duration, unless contractually released. Removal or replacement of any of the submitted Key Personnel will require prior approval by HART and may be subject to costs as identified in Appendix A.
- C. Provide résumés for the Required Positions identified above and for any other individuals the offerors deems to have a major role in providing the services, which should include the following:
- 1) Total years of experience, number of years with the current firm, name of the current employer, and current assignment location of Required Positions named;
 - 2) Education (highest relevant academic degree(s) and specialization for each degree);

- 3) For individuals who hold current professional registration identify the registration number, state, and discipline. The name on the professional registration must match the name in Section 3.A, above;
 - 4) Work experience on up to five (5) recent relevant projects. Include a brief description of the project (scope, size, cost, etc), the Individual's specific role on the project, the year the Individual's work on the project was completed, and the Individual's employer for the project; and
 - 5) Names, titles, and contact information for a maximum of three (3) references.
- D. If the Required Positions is provided through a subcontractor, provide the name of the subcontract firm and the firm's relevant qualifications and whether the offeror has had prior projects with the subcontract firm.
4. Other related information:
- 1) Identification and roles of each subcontractor firm proposed to work on the Contract (this section should not exceed two (2) pages);
 - 2) An organization chart of the proposed offeror's team which includes the Required Positions identified in Section 3.A, above;
 - a. Describe how the organizational chart operates in terms of geographical location(s) and describe the interfaces between the prime and its subcontractor(s).
 - 3) Demonstrate the capacity to provide the necessary staff resources to accomplish the Work; and
 - 4) Project Approach:
 - a. Provide any unique approaches or solutions the offeror will undertake to accomplish the work;
 - b. Identify the top risks and/or challenges associated with this Contract, not to exceed five (5) identified risks/challenges. Describe the offeror's approach or solution; and
 - c. Describe the offeror's plan or practices for change management and claims avoidance.

In accordance with HAR §3-122-63(b), the Statements of Qualifications and related information submitted by the offerors (Submittal Materials), except those portions designated "**confidential**," will be open to public inspection upon posting of the award of this Contract. Offerors shall designate in writing those portions of their Submittal Materials that contain trade secrets, proprietary, confidential commercial and financial information, or information that is confidential due to privacy interests, that are to remain confidential, subject to HAR §3-122-58. The specific proprietary information, trade secrets, confidential commercial and financial information, or information with privacy interests, must be clearly identified as such. Material designated as confidential must be **readily separable** from the Submittal Materials to facilitate inspection of the non-confidential portion of the Submittal Materials. Designation of the entire Submittal Materials as confidential will not be acceptable.

SELECTION

HART will evaluate and rank the Submittal Materials according to the criteria identified below. The criteria are listed in descending order of importance.

Evaluation Criteria

1. Experience and professional qualifications relevant to the Contract;
2. Past performance on projects of similar scope for public agencies or private industry, including corrective actions and other responses to notices of deficiencies;
3. Capacity to accomplish the work in the required time; and
4. Project Approach.

Negotiations are first conducted with only the most qualified offer ranked highest in the evaluation. Only after failing to agree on a fair and reasonable price may negotiations be conducted with the next most qualified offeror. Then, if necessary, negotiations with successive offerors in descend order may be conducted until contract award can be made to the offeror whose price HART believes is fair and reasonable.

These proceeding will be confidential until HART issues a notice of award. A copy of the award letter will be posted on HART's bulletin board. Written notices will be transmitted to non-selected offerors with an invitation to request a debriefing pursuant to Hawaii Administrative Rules 3-122-70. Offerors should refer to Hawaii Revised Statutes 103D-701 relative to protested solicitations and awards.

DEADLINE

An **original and seven (7) copies** of the Submittal Materials packet shall be submitted not later than April 29, 2015, 2:00 p.m. HST to:

HART Procurement Division
RFQ-HRT-857111
Honolulu Authority for Rapid Transportation
1099 Alakea Street, Suite 1700
Honolulu, Hawai'i 96813

Submittals by facsimiles are not acceptable. The Contract will only be awarded to an offeror that demonstrates the ability to provide all of the services required for the Contract. Submittal Materials received for only part of the required services will be considered non-responsive to this Notice.

Any inquiry regarding the services required should be in writing and sent to the Transit Mailbox at the following email address: transitmailbox@honolulu.gov. Questions may also be sent to the HART address provided above.

All contact between offerors and HART shall only be in writing to HART's Transit Mailbox, transitmailbox@honolulu.gov, or by mail. Offerors may not contact HART employees or board members or HART's representatives concerning this RFQ while the solicitation process is in progress.

Any contact determined to be improper, at the sole discretion of HART, may result in disqualification.

ATTACHED DOCUMENTS

- Appendix A - Special Provisions
 - Exhibits to Special Provisions
 - Exhibit 1 - Indicative List of Tasks
 - Exhibit 2A - Cost Estimate
 - Exhibit 2B - Compensation and Invoicing
 - Exhibit 2C - Overhead Rate Schedule
 - Exhibit 2D - Approved Personnel List
 - Exhibit 3 - Certification Regarding Conflict of Interest
 - Exhibit 4 - Letter of Subcontract Intent
 - Exhibit 5 - Certificate Regarding Ineligible Contractors
 - Exhibit 6 - Certificate Regarding Ineligible Subcontractors
 - Exhibit 7 - Certification Regarding Lobbying
 - Exhibit 8 - Federal Requirements
 1. Attachment 1.6a) - DBE Participation Report
 2. Attachment 1.6b) - Final Report of DBE Participation and Instructions for completion of the Final Report of DBE Participation
- Appendix B - General Terms and Conditions for Professional Services
- Appendix C - Bidders Registration Form
- Appendix D - Contract Consultant Matrix
- Appendix E - Agreement for Professional Services