

NOTICE INVITING PROPOSALS

NOTICE IS HEREBY GIVEN THAT PROPOSALS will be received by the Manager, Planning and Development of the San Francisco Bay Area Water Emergency Transportation Authority (hereinafter "WETA") at Pier 9, Suite 111, San Francisco, CA 94111, until **2:00 p.m. on December 18, 2009** for the following project:

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY SOUTH SAN FRANCISCO FERRY TERMINAL GANGWAY AND FLOAT

The work consists, in general, of furnishing all design services, permits, materials, labor, tools, plants, supplies, equipment, transportation and superintendence necessary to design and construct the gangway and float for a new ferry terminal in South San Francisco. The estimated cost of construction is in the range of \$9,229,000.00. This is a design-build project.

Proposals shall be submitted in accordance with the requirements of the Request For Proposals (RFP) Documents. Proposals shall be securely sealed in a suitable envelope marked with the name and address of the Offeror, and marked in capital letters on the front and back of the envelope, as follows:

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY SOUTH SAN FRANCISCO FERRY TERMINAL GANGWAY AND FLOAT

(Name and Address of Offeror)

Whether mailed or personally delivered, all proposals shall be addressed to WETA at Pier 9, Suite 111, San Francisco, CA 94111. Proposals must be received on or before the date and time specified above.

WETA intends to award the Contract to the Offeror whose proposal provides the best value to WETA, based on both the qualitative merits of the Technical Proposal and the Price Proposal. A summary of the evaluation factors and their relative importance, as more fully described in Instructions to Offerors, are provided below. WETA reserves the right, in its sole discretion, to reject any and all proposals, waive any irregularities or informalities in the procurement process, waive deficiencies, informalities and irregularities in any proposal and/or permit corrections to data submitted with any response to the RFP, cancel, modify or withdraw the RFP, terminate this procurement and commence a new procurement for part or all of the project, modify the procurement process, and exercise any other right reserved or afforded to WETA under the RFP and applicable law. WETA specifically reserves the right to not award the contract after the submittal of proposals.

Proposals will be examined and reported to the WETA Board of Directors within one hundred eighty (180) days of the opening of Price Proposals. Except as permitted by applicable law, no Offeror may withdraw its proposal for a period set forth in the Instructions to Offerors ("ITO"). Each Offeror will be notified of any award of the contract by WETA as set forth in the ITO.

An **Offerors (Pre-Proposal) Conference** will be held prior to the date of proposal opening. The conference will take place on **December 1, 2009 from 10:30 am to 12:00 noon** at the Oyster Point Yacht Club, 911 Marina Boulevard, San Francisco, CA 94080. A **site visit** will follow on the same day immediately thereafter. Further information concerning the pre-proposal conference can be found in the ITO "Offeror's Pre-Proposal Conference," section of the RFP Documents.

In connection with the performance of this contract, full compliance with all applicable safety and health standards and with all applicable Governmental Rules concerning Equal Employment Opportunity and Disadvantaged Business Enterprises ("DBE") will be required as set forth in the Contract Documents.

WETA hereby notifies all Offerors that it is the policy of WETA to ensure non-discrimination on the basis of race, color, sex or national origin in the award and administration of contracts that it awards. It is the intention of WETA to create a level playing field on which DBEs can compete fairly for contracts and subcontracts relating to WETA's construction, procurement and professional services activities. WETA's annual overall DBE goal is 22% for FTA-assisted contracts. WETA proposes to meet 100% of its goals

using race-neutral methods. Offerors are urged to obtain DBE participation on this project, although there is no specific DBE contract goal. Offerors are encouraged to attend the pre-proposal conference to better understand the applicable DBE requirements.

Offerors and their proposed Subcontractors shall hold such licenses as may be required by the laws of the State of California for the performance of the work specified in the Contract Documents. Offerors bidding as the prime Contractor shall possess a valid California Contractor's General Engineering License "A" at the time of Contract award and throughout the Contract term, as well as all California engineering licenses required for design-build work. The Contractor will also be required to ensure that all Subcontractors working on this project are holding valid licenses suitable for their trade.

Pursuant to Section 1773 of the Labor Code, the general prevailing wage rates in the county, or counties, in which the work is to be done have been determined by the Director of the California Department of Industrial Relations. The prevailing wage rates may be obtained at www.dir.ca.gov/dlsr/PWD/index.htm. In addition, Federal minimum rates (Davis-Bacon), as predetermined by the U.S. Secretary of Labor, are included in the Contract Documents.

Pursuant to Public Contract Code Section 22300, the successful Offeror may submit certain securities in lieu of the Owner withholding retention of payments during the Project.

Attention is directed to the Contract Documents for complete details and proposal requirements. Said documents, including but not limited to, Instructions to Offerors, General Provisions, Technical Specifications, proposal forms, bonds, and this Notice, shall be considered as a part of any Contract awarded pursuant to this solicitation.

Copies of the Contract Documents will be available for purchase on November 10, 2009 using Planwell/BPS for the management and distribution of the Contract Documents. Offerors are responsible for any and all costs associated with obtaining copies of the Contract Documents and such costs are not a reimbursable expense. Copies from Planwell/BPS may be obtained as follows:

| Online: | Telephone/E-mail: |
|--|--|
| <ul style="list-style-type: none"> • Log on to http://www.bps.com • Along left side of the screen click Planwell Enterprise • Click Enter Plan Room • Guest Access Project Number: BPS_1348 • Guess Access Password: roma • Plans can be purchased using your BPS account or valid credit card. | <p style="text-align: center;">Neal Grace at BPS (415) 512-6556 neal.grace@bps.com</p> |

Contract Documents are also available for review (only) at several Bay Area Plan Rooms.

Addenda, if any, will also be made available on WETA's website at www.watertransit.org and can be downloaded at no cost. Each Offeror has an ongoing responsibility to check WETA's website for Addenda. WETA has no obligation to provide any other notice of Addenda being issued. Only signed Addenda issued by WETA are binding, as set forth in the ITO.

All questions prior to award of the Contract shall be directed to the attention of the undersigned via email to sindzinski@watertransit.org, or by fax to **(415) 291-3388**. The deadline for submissions of questions and clarifications concerning the Contract Documents is **December 4, 2009**.

Date

John Sindzinski
Manager, Planning and Development

EVALUATION FACTORS SUMMARY:

STEP ONE:

| Factor | Category | Possible Points |
|--------|----------|-----------------|
|--------|----------|-----------------|

| Factor | Category | Possible Points |
|--------------------------------|-------------------------------------|------------------------|
| A | Technical Approach/ Management Plan | 25 |
| B | Experience/ References | 35 |
| C | Team Qualifications | 30 |
| D | Environmental Awareness/ Safety | 10 |
| TOTAL POINTS FOR STEP 1 | | 100 |

The PEC will then make a determination of the competitive range of Offerors and list the Offerors that fall within the competitive range. All Offerors will be advised of their status. Those Offerors judged to be in the competitive range will be allowed to submit a Price Proposal for Step 2 of the procurement process.

STEP TWO:

Step 2 of the evaluation process will evaluate the Price Proposals submitted on a 100 point scale, and rank them using the following scoring formula:

$$S = 100 \times (1 - (P - L) / L)$$

Where

S is the score

P is the proposed price being ranked

L is the lowest price proposed

FINAL RANKING

After ranking the Price Proposals, the Technical Proposal point totals will be factored in to determine a final score for each Offeror out of a total possible 100 points. The highest point total will be deemed the "best value" proposal for WETA.

| Category | Key Factors | Possible Points |
|--|--|------------------------|
| Price Proposal | Score for Price Proposal (points awarded in Price Proposal ranking) will be multiplied by 0.60 to arrive at the total for Price Proposal points for Step 2 | 60 |
| Technical Proposal | Score for Technical Proposal (points awarded during Step 1) will be multiplied by 0.40 to arrive at the total for Technical Proposal points for Step 2 | 40 |
| TOTAL POSSIBLE POINTS STEPS 1 AND 2 | | 100 |