

June 18, 2019

QUESTIONS AND ANSWERS

SET # 4

TO : All Prospective Bidders
FROM : Ehab Azab, Contracts Administrator
SUBJECT : Set #4 - Contract C19010 – Cerone Division Emergency Generator Replacement

Q5. VTA’s Request for Pre-Qualification of Bidders (RFQ) issued on 04-26-2019 requires that all firms intending to bid on the Project must first complete and submit a Pre-Qualification Questionnaire and be approved by VTA in order to be included on the qualified bidders list.

VTA’s approval is issued through a Pre-Qualification Notification which tells the bidder it has successfully pre-qualified for participation on the Project as a prime contractor.

However, the Invitation to Bid (IFB), added additional licensing and experience requirements not included in the RFQ, which are that:

- The prime contractor bidder must have a Class A license and the prime contractor or prime contractor’s subcontractor(s) must have the HAZ certification, C-10 classification and C-22 asbestos classification.
- The prime contractor bidder must certify on Bid Form 10, or otherwise be deemed non-responsive, that it meets minimum experience requirements of having completed in the past 5 years:
 - Installation of a stand-by generator
 - Removal of a petroleum storage tank system
 - Installation of a storage tank diesel dispensing facility

Bid Form 10 requires the bidder to certify that either the bidder itself or its key personnel have this experience. There is no allowance for the bidder to provide the experience/deliver the work using subcontractors.

These licensing and experience requirements in the IFB are unanticipated because they are subsequent and in addition to the requirements in the RFQ. We assumed that pre-qualified for participation on the project as a prime contractor, as stated in VTA’s Pre-Qualification Notice, meant just that, and did not mean pre-qualification was also contingent on the bidder meeting some further licensing and experience requirements to be contained in the IFB.

Furthermore, Class A or general engineering contractors typically don’t self-perform electrical, mechanical and plumbing work and generally wouldn’t have the experience of self-performing the work described on Bid Form 10.

In view of this, we request that a bidder that has received a Pre-Qualification Notification and been pre-qualified by VTA as a prime contractor for this project, be allowed to provide

sub-components of the project (i.e., electrical, mechanical or plumbing) using subcontractors with the requisite experience.

- A5. Please review Section 1.5 (Licenses) of Volume 1 of the Contract Documents which indicates that “A combination of prime Contractor and subcontractor license is acceptable only when each subcontractor’s scope of work is identified in Bid Form #3 and each subcontractor is properly licensed at the time of Bid submittal. Regardless of whether a subcontractor must be identified at the time of bid, all of Contractor’s subcontractors must also be properly licensed.”

Therefore, VTA does permit pre-qualified prime contractors to satisfy the minimum requirements set forth in the Contract Documents by using subcontractors who are properly qualified to perform the work assigned to them.

However, Bidders/prime contractors should also note the following requirement in Section 1.5 (Licenses) of Volume 1 of the Contract Documents: “The Bidder itself, as the prime contractor, must possess a Class A (General Engineering) license, meaning the Class A (General Engineering) license requirement cannot be satisfied merely by identifying a subcontractor with a Class A (General Engineering) license.”

See Addendum #1 for changes made to Bid Form 10.

- Q6. We submitted our prequalification package last week, but would like to confirm if a new addendum has been released? I looked through Pre-Qualification Requirements Rev5 – Final_Advertised_04262019 pdf and did not see any new items to submit when I compared it to our submission.

- A6. Addendum #1 (referred to in answer A5) is the only addendum released as of today.

If you have any questions, please do not hesitate to contact me at (408)321-5835.

Sincerely,



Ehab Azab
Construction Contracts Administrator