

WORCESTER, MASSACHUSETTS

CBOC

SFO VA-101-15-R-0158

Questions & Answers

1. Will the VA accept a submission that proposes a multi-story building versus the single story building conceptually developed and contained within the RFP documentation?

RESPONSE:

The requirement is for a one-story building. VA will not accept a multi-story building.

2. In line with question (#1) stated above, does the RFP allow the use of an adjacent parking structure to accommodate the required number of spaces?

RESPONSE:

Yes. VA will allow structured parking on the site or immediately adjacent to the site. See SFO Amendment No. 1 for minimum technical requirements.

3. Will the VA consider extending the current response date of 5-31-2016 by 60 calendar days?

RESPONSE:

See SFO Amendment No. 1 which identifies an amended Initial Offer Due Date of June 30, 2016.

4. Section 1.1, Amount and Type of Space, (p. 2): The original Expressions of Interest for the project indicated that the "space must be contiguous and on no more than two (2) floors;" that "New construction requires a minimum of 5 acres of developable land;" and that parking should "total no less than 270 spaces." While reading the recently released SFO, we immediately noticed that Section 1.1 of the document states that the space must be "located on one (1) contiguous floor," and that "Parking will be the greater of 270 spaces, or as required by local codes." Section 5.2.9 calls for "the greater of 320 spaces, or as required by local code." Meanwhile, Drawing A-101 (Site Plan), included in the SFO, shows a schematic site plan covering approximately 12.0 acres and notes that the VA is requesting 320 parking spaces. Which requirements are correct? Why do the spatial requirements appear to have expanded between the issuance of the Expressions of Interest and the SFO? Can consideration be given to returning to the requirements originally stated in the Expressions of Interest? Since they would make it easier to develop the site without resorting to structured parking, the original requirements would result in a lower cost to the VA.

RESPONSE:

Regarding the number of floors allowed under this procurement, one (1) contiguous floor is correct. Your question incorrectly references the advertisement language for the number of acceptable floors for an existing building rather than the requirement for number of floors for a building offered on a land. Below is the excerpt from the ad that states the requirement is for one floor:

"Land:

New construction requires a minimum of 5 acres of developable land. Complying with all local laws, rules and regulations, the land must be sufficient size and proportions to accommodate the required space on one floor as well as provide sufficient security setbacks. The land must also accommodate the parking requirement as surface parking."

Regarding parking, the parking authorization has changed since the requirement was first advertised. 320 parking spaces are required to accommodate patients, visitors, staff and official government vehicles. Please see SFO Amendment No. 1 for the correction to SFO 1.1.

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Regarding the site plan included with the SFO, it is simply a conceptual plan. Offerors must address the requirements of the SFO within the context of the offered site.

5. Section 1.2, Site Location, (pp. 2-3): Although the written description of the delineated area appears to be the same as in the Expressions of Interest, the drawing on p. 3 does not reflect the written description. The southern range of the delineated area, south of Massachusetts Route 9 (Belmont Street), is no longer shown within the area delineated in red. Has the delineated area been altered by the VA since the Expressions of Interest was issued?

RESPONSE:

No. See Amendment No. 1, which replaces the map to reflect the delineated area narrative description.

6. **Section 1.5, Offer Due, (p. 5):** Offers are noted as being due on May 31st, 2016, award is estimated on or before March 2017, and the Offers must remain valid for 60 days following award. The summation of these dates mean that offers will have to remain open, and pricing remain valid, for a year. Are Offerors expected to cover the pricing risk for such a lengthy period by building the cost of possible construction escalation into their budget numbers?

RESPONSE:

Yes.

7. Section 1.11, Lease Acquisition Fee, (p. 14): This Section notes that 75% of the Lease Acquisition Fee (LAF) "shall be paid to Savills Studley within thirty (30) calendar days following lease execution between Lessor and VA." The 75% component of the LAF could total \$750,000 (at a maximum). Since this component of the LAF is due thirty (30) days after the lease execution, it is highly unlikely that site plan approvals, and therefore financing, will be in place before the first installment of the LAF is due. It is quite an imposition upon the Offerors to ask them to go at risk for this amount of money. Does the VA have the ability to make the payment contingent upon site plan and financing approval? Please note that we are not challenging the validity or magnitude of the fee, just the timing of the initial payment.

RESPONSE:

Offerors are required to comply with SFO Section 1.11. VA will not make the commission payment. Also, refer to SFO 2.2.2 TECHNICAL EVALUATION FACTORS (B) CAPABILITIES (2) Financial Resources Plan, which requires that the Offeror "clearly and specifically identify how it will meet the near-term funding requirements of the project including, but not limited to land acquisition, payment of commissions and professional fees..."

8. Section 1.17, Budget Scorekeeping; Operating Lease Treatment, (p. 16): The Government will award a lease "only if the Lease will score as an operating lease under Office of Management and Budget Circular A-11." Given some of the criteria in Circular A-11 governing the classification of operating leases, does the VA or Savills Studley have any guidance regarding how they would like to see the rental payments structured?

RESPONSE:

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The only additional guidance that VA can provide is as follows:

A Capital Lease is defined as a lease that fits any one of the following criteria: (a) if the lease life exceeds 75% of the life of the asset (b) if there is a transfer of ownership to the lessee at the end of the lease term (c) if there is an option to purchase the asset at a "bargain price" at the end of the lease term. (d) if the present value of the lease payments, discounted at an appropriate discount rate, exceeds 90% of the fair market value of the asset (e) The leased space cannot be used for any non-Governmental purpose at the end of the term of the lease.

9. Section 2.2, Evaluation of Offers, (p. 17): What is the composition of the Technical Evaluation Board?

RESPONSE:

VA cannot provide you with specific information on the composition of the Technical Evaluation Board (TEB) as the information is procurement sensitive.

10. Section 2.2.2.B.(1), Technical Evaluation, (p. 21): This Section notes that the Offeror (inclusive of the offering entity, key personnel, and predecessor companies) must provide examples of and references for past performance as a prime contractor during the past three (3) years. Does the term "Offeror" in this instance refer to the Developer, the Contractor, or both?

RESPONSE:

The Offeror is the entity that is submitting the offer.

11. Section 3.17.2, Independent Technical Review, (p. 46): Considering that the Worcester VA facility is slated to be a 40,000 NUSF building, the time and cost involved in having to undergo three (3) independent technical reviews seem quite extensive. Is the scope of work under Section 3.17.2 set in stone, or is it open for reevaluation? We are simply thinking of time and schedule savings which could accrue to the benefit of the VA. The SFO allocates 45 days for technical review; our team has seen complete sets of construction documents completed in 90 days for similar-sized medical office buildings.

RESPONSE:

The requirement is as stated in SFO 3.17.2.

12. Section 6.8.2, Telecommunications/Special Systems Rooms and Space Requirements, (pp. 151-158): There are thirteen (13) instances on these pages where the following message occurs in relationship to a reference to Paragraph 6.8.2: "Error! Reference source not found. Error! Reference source not found." Perhaps this is an automatically generated error message for circular references, since the error messages all occur in various subsections of Paragraph 6.8.2. Can these references be revised to reflect the proper subsections of Paragraph 6.8.2?

RESPONSE:

Please see SFO Amendment No. 1 for SFO 6.8.2 TELECOMMUNICATIONS/SPECIAL SYSTEMS ROOMS AND SPACE REQUIREMENTS corrected for the proper references.