

In the Matter Of:

DEPARTMENT OF VETERAN'S AFFAIRS

PRE-BID APRIL 11, 2017

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VERBATIM REPORTING

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DEPARTMENT OF VETERAN AFFAIRS
COMMUNITY BASED OUTPATIENT CLINIC

PONCE, PUERTO RICO

SFO No. VA101-16-R-0028

was held at Department of Veteran Affairs Medical Center, 10 Casia Street, San Juan, Puerto Rico, on Tuesday, April 11, 2017, at 10:06 a.m.

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1 SAN JUAN, PUERTO RICO, TUESDAY, APRIL 11, 2017

2 P R O C E E D I N G S

3 MR. SEIFERT: Welcome, good
4 morning. Sorry for the delay. We
5 had a little bit of trouble getting
6 the slides up on to the screen
7 here.

8 This is the prebid conference
9 for the Ponce Department of
10 Veterans Affairs. Like we were
11 just talking about, there is a
12 court reporter here. If you can
13 just state your name and your
14 company affiliation when you have a
15 question. The only reason the
16 court reporter is here is so we
17 have a record for folks that aren't
18 able to attend in person, and if
19 they want to know what was
20 discussed during the meeting, they
21 have the ability to go back and
22 read through this.

23 You know speak up so we can
24 hear your questions, and then we
25 are going to try to answer as many

1 of the questions as we can today.
2 Some questions we may ask to submit
3 in writing and at the end of the
4 meeting, we will talk about the
5 process for submitting additional
6 questions in writing. We had the
7 first date. Before this meeting,
8 we will have another date going
9 forward for questions to come in.

10 And lastly if you have a
11 question and it is referencing a
12 specific area of the solicitation
13 document, if you wouldn't mind,
14 just stating what that section is,
15 so we have that in the record as
16 well.

17 There are different folks here
18 that will be doing some speaking,
19 myself from Public Properties. We
20 are the VA's broker on the project.

21 Eric Roberts is the contracting
22 officer from the Department of
23 Veterans Affairs' central office in
24 D.C.

25 Jeff Leikin is acting as the

1 realty specialist. Mayra García
2 will be the realty specialist on
3 this project going forward.

4 Walter Winchester is the
5 resident engineer for the project.
6 Once we get to the construction
7 portion of the project, he will be
8 very hands-on and involved day to
9 day.

10 Alan Toland from Toland Mizel
11 is the architect on the project.
12 He has put together the plans that
13 will go together later on in the
14 meeting, and then he will also
15 involved through design review
16 drawings after award.

17 And Jaime Marrero is the
18 associate director here at the VA
19 Caribbean Medical Center. And he
20 is going to say a couple of words
21 on behalf of the medical center.

22 MR. MARRERO: Good morning to
23 all. Welcome. Jaime Marrero, on
24 behalf of the director. I started
25 working with this very important

1 project for the VA Caribbean
2 Healthcare System since the
3 beginning, okay? Our veterans, our
4 visitors, our staff deserve a nice
5 facility, a bigger facility, and a
6 state-of-the-art facility, soon.
7 You know, my expectation is that
8 this building get constructed on a
9 timely manner and within budget. I
10 wish you, everybody here, good
11 luck, and we need to get this
12 rolling, and we need to get this
13 project awarded, designed,
14 constructed, and activated, okay?

15 Thank you very much for coming.

16 MR. ROBERTS: Thanks.

17 MR. SEIFERT: So we will just
18 talk through kind of the agenda.
19 We put out some printed-out
20 versions of the agenda. Hopefully
21 folks were able to grab those. It
22 has an outline for the meeting and
23 also has names and positions of
24 some of the folks who I just
25 introduced, and also a lot of the

1 folks locally, either here in the
2 medical center or in Ponce that
3 will be involved in the project as
4 well.

5 So the goal today is to talk
6 through the solicitation itself,
7 the large 200-page document. We
8 are just going to hit all the
9 highlights, talk about the award
10 factors, we will talk about sites,
11 you know, some other items,
12 teaming. Eric will get into that.
13 We will go through the schedules,
14 schedules A, B, C, and D. We will
15 talk about some of the other
16 standard forms that are part of the
17 submittal that you guys would be
18 presented back to us.

19 And then, Alan will talk about
20 the design. We will go over the
21 floor plans, the site plans, and
22 some other documents if he wants to
23 touch on it.

24 So with that, I am going to
25 turn it over to Eric to talk a

1 little bit about the NAICS Code,
2 teaming, small business
3 arrangements.

4 MR. ROBERTS: So the slide to
5 reference is through the CO. It is
6 I am the contracting officer of
7 record for this procurement. It is
8 not Zebulon Fox. I work with Zeb,
9 great guy, but we are splitting the
10 procurement, so we have, and I am
11 the one that will be taking this.
12 So we will change this on the slide
13 before we issue this on FBO.

14 Office of small and
15 disadvantaged business utilization,
16 if you are going to -- if you are
17 going to make a bid and you want to
18 be registered as a small business,
19 you need to do it through the SBA.
20 We go on there and we search the
21 NAICS Code, we search the
22 Dunce (phonetic) number, we make
23 sure that you're registered. So if
24 you want to have credit towards
25 being a small business, then you

1 must be registered, you must be
2 active as a small business.

3 This procurement is full and
4 open. Anyone can play, large
5 businesses, small businesses, this
6 is not a set aside at this time.
7 Our recommendation through our
8 ODSBU, which is our Internal Office
9 of Disadvantaged Small Business
10 Unit, we made a recommendation to
11 go full and open here and let
12 everybody compete so everybody can
13 play.

14 Teaming arrangements are
15 popular these days. We ask that if
16 you do have a teaming arrangement,
17 that you do verify that.

18 Next slide. I'm sorry. Go
19 back. My fault.

20 Tyrone Laster, he is our small
21 business connection. If you have
22 questions related to being a small
23 business, any questions related
24 towards applying as a small
25 business, you go through Tyrone.

1 He is a fantastic individual. He
2 will get back to you same day, so
3 that's his information. And,
4 again, we will post this on FBO.
5 You will get a copy of it.

6 Section 1.1A service disabled
7 veteran owned, veteran owned small
8 business. If you want preferential
9 treatment as an SDVO, VOSB you need
10 to be registered in Vet-Biz,
11 mandatory. You have to be
12 registered in Vet-Biz or I will not
13 consider you as a service disabled
14 veteran-owned or veteran owned
15 small business, okay?

16 This just goes through
17 requirements, section 2.4.4, what
18 we try to do on these slides is
19 give you exactly what's in the SFO.
20 We don't want to deviate much from
21 what's in the SFO at this time. I
22 will say this will be extended. I
23 have not sent an amendment out to
24 refer to that, but this will be
25 extended. You should see an

1 amendment with that forthcoming, I
2 want to say in the next week or so.
3 So make sure you look under the
4 solicitation number on FBO, and you
5 should see that very soon. And
6 there are reasons for that. We are
7 not going to get into too many
8 details right now.

9 MR. SEIFERT: And one thing to
10 add to that that's important with
11 the SDVOB, VOSB, and small business
12 piece is that as we get into the
13 award factors, although this is not
14 set aside for one of those types of
15 firms, there is an award factor
16 geared towards a preference for
17 service disabled veteran owned
18 businesses, veteran owns
19 businesses, and small businesses.

20 And so as Eric pointed out, to
21 get that kind of extra points or,
22 you know, the award factor for that
23 item, you need to be registered,
24 and that's how we get through that.

25 MR. ROBERTS: And feel free to

1 chime in any time. Next slide, Ed.

2 So we need three alternates,
3 three offers. We need a 15-year
4 firm, we need a 15-year firm with
5 five one-year options or anything
6 similar. Just read the SFO, you
7 will see the criteria involved.
8 And we need a 20-year firm. We
9 need proposals on all three of
10 those, so three 1364s, guys.

11 I have seen it before, submit
12 one, it is not going to work. Our
13 goal here is to award this all from
14 initial offers, so we want to put
15 your best foot forward to begin
16 with. Cross all your T's dot all
17 your I's. Make sure things are
18 signed by the individual that can
19 obligate for your company, okay? I
20 don't know how many times we have
21 seen signatures for folks that
22 aren't qualified to carry that, so
23 make sure you are.

24 Go ahead.

25 MR. SEIFERT: While we are on

1 this slide, let's talk about the
2 operating lease.

3 So one of the reasons that
4 we -- really, the main reason that
5 we ask for these different terms is
6 that by law, the lease has the
7 scores with the government
8 classified as an operating lease.
9 And basically that means that the
10 discounted lease payments over the
11 term of the lease, they net out
12 operating expenses, taxes,
13 insurance, management so really
14 kind of the hard costs.

15 Once you net those out, the
16 value of those discounted lease
17 payments can be no more than
18 90 percent of what the government
19 comes up with as the fair market
20 value for the building, so,
21 essentially, the analysis is like,
22 does it make sense for the
23 government to lease this building
24 or would it make sense to the
25 taxpayer to buy the building -- or

1 build the building as a
2 construction project if the
3 government had the ability to do
4 that?

5 And so that's why just by logic
6 of a 15-year term, there is only
7 15-year terms of discounted cash
8 flow. That's going to be easier to
9 score than a 20-year discounted
10 cash flow. And that's why we ask
11 for the 15 with the five one-year
12 options, because if we can do 15
13 with two one-year options, that's
14 better than just doing 15, because
15 it gives the government more
16 flexibility in that facility going
17 forward. So it is kind of -- you
18 know, a government thing, but
19 that's kind of the general gist of
20 why we ask for that and how an
21 operating lease fits into this.

22 And then the bottom piece of
23 the slide, 2.9 just talks about the
24 award, which in this case is going
25 to be a best value, meaning that

1 technical factors are going to be
2 considered and price factors are
3 going to be considered. In this
4 case, technical and price are
5 approximately equal. So that's not
6 to say they are exactly equal, but
7 approximately 50 percent of the
8 award is going to be based on
9 price, 50 percent is going to be
10 based on technical.

11 MR. ROBERTS: The CO has
12 discretion on weighing those. Just
13 keep in mind they are not equal.
14 As Brad suggested, there is a
15 little bit of wiggle room to make a
16 determination.

17 MR. SEIFERT: If there are
18 questions regarding that, feel free
19 to interrupt or you can wait until
20 the end, whatever is easier for
21 everybody.

22 We will get now into the
23 solicitation. There is a link
24 that's part of the slide. The
25 whole document, there are 30

1 documents that's part of the
2 solicitation package. That's all
3 on Fed Biz Opps, so hopefully you
4 have all had a chance to look at
5 that. But any updates going
6 forward, what we will do is we will
7 post them to Fed Biz Opps. We will
8 also physically email them to
9 anybody that's in the room and
10 signed in in the sign-in sheet so
11 you won't have to go to Fed Biz
12 Opps to look for any changes. You
13 will get notified straight away on
14 that.

15 So the first thing in the
16 solicitation we want to talk about
17 is how to offer. It is fairly
18 straightforward. There are
19 basically two different submittals,
20 one will be going to the central
21 office and one will be going to
22 Public Properties. There is a
23 chance that this gets amended if we
24 are going to do the technical
25 evaluation board.

1 Here in San Juan we may have
2 some documents sent directly here
3 so we don't have to fly with them
4 from D.C., but this is kind of a
5 break down. The sections that --
6 it is kind of long and can be
7 confusing, but there is a price
8 submittal and a technical
9 submittal. Those are two separate
10 documents, and the reason that is
11 is when the technical evaluation
12 board sits down and looks at the
13 proposals, they don't see the price
14 at all. So they go into this and
15 they are strictly looking at the
16 technical portion of the offer. So
17 to Public Properties's office, we
18 are going to have a technical, hard
19 binder of all the documents for
20 both technical and price. And we
21 will also have eight CDs of
22 technical, three price CDs.

23 And then in section 10, it goes
24 into the larger scale drawings and
25 the renderings that are part of

1 this submittal, so those would be
2 the architectural drawings, and
3 then the renderings are -- I think
4 there is two or three that are
5 required as part of the submittal
6 process, and then to VA central
7 office, to Mayra, one technical CD
8 and one price CD.

9 So we started this process over
10 a year ago with site consideration.
11 And through that, we have narrowed
12 it down to seven sites that are
13 able to be put forward as part of
14 this lease proposal process. Here
15 is kind of a summary of what the
16 site -- minimum site requirements
17 were. All seven sites that have
18 been approved meet these
19 requirements, so you can submit on
20 any of the seven.

21 But this just kind of gives an
22 outline of what the delineated area
23 was that we started with. Note
24 that the sites have to be outside
25 of the flood plain, that you did

1 receive a letter. And you
2 personally don't have to receive
3 the letter, you just have to show
4 the ability to offer on a site,
5 either through an option to
6 purchase contract or long-term
7 ground lease, which we will get
8 into here in a second. But you
9 need to be able to show that you
10 have that ability to put the site
11 forward. The zoning has all been
12 checked through the process of
13 doing the market survey.

14 MR. ROBERTS: And make sure,
15 too, that there is evidence. We
16 need to see evidence. Look at that
17 last bullet down there. Offer must
18 provide evidence of the right to
19 ownership or control. So make sure
20 you provide that.

21 MR. SEIFERT: Next, here is
22 just an overview of the seven sites
23 that have been approved. If this
24 is on Fed Biz Opps, if people don't
25 have access to this, we can get you

1 the list with more information.
2 This is just kind of a quick
3 overview. But, yeah, come up to
4 any of us after the meeting, we are
5 happy to get you a list of these
6 sites and contact points for site
7 representation or ownership, if you
8 would like to talk to the person
9 who represents the site.

10 So for the submittal going
11 forward, there is a couple of
12 additional items that we need for
13 the site. Two of the most
14 important are phase 1 environmental
15 assessment. It needs to be
16 current, you know, within the last
17 couple of months. Sometimes we get
18 phase 1s from like 2005. That's
19 not going to work for the project.

20 And then in addition to that,
21 we need a title report showing
22 chain of title within the last
23 90 days. And that helps us when we
24 get the point of award, general
25 counsel wants to be able to review

1 this and be sure that whoever is
2 going to purchase the land is going
3 to be purchasing land that has
4 clean and clear title.

5 And then lastly, not on here,
6 but what Eric was talking about, it
7 is very, very important to either
8 have an option-to-purchase
9 agreement or a long-term ground
10 lease. And the most important
11 piece of that is that the entity
12 that is offering, so whoever is
13 signing the 1364, if it was like we
14 were submitting, we would be Public
15 Properties, LLC. Properties
16 Public, LLC has to be the entity
17 that has the ability to purchase
18 that site through the ground lease.

19 So sometimes we will see a
20 different entity on the ground
21 lease than is on the offer, and
22 when we get down to the point of
23 trying to make an award, that
24 always comes back as something
25 general counsel is, like, well,

1 these two things are different, so
2 how can you award to a group that
3 doesn't have the ability to
4 purchase the land?

5 So make sure that everything
6 that you are signing, ground lease,
7 offer, how you are registered on
8 either Vet-Biz or in SAM all needs
9 to be the same entity as we go
10 through the proposal.

11 Any questions on the sites or
12 what needs to be submitted as part
13 of the site submittal? Okay.

14 Next, we will talk about
15 evaluation of offers. Like we said
16 from the beginning, technical
17 evaluations is going to be
18 approximately half of the total
19 evaluation. There are four areas
20 of technical evaluation, technical
21 quality, qualifications and past
22 performance, operation and
23 maintenance plan, and
24 socio-economic status. Those four
25 are listed in descending order of

1 importance. So technical --
2 quality is more important than the
3 following three. Operation -- or
4 qualifications of past performance
5 is more important than the next
6 two, and down the list it goes.

7 Next slide. And so we will get
8 into the individual subfactors that
9 fall underneath that in one second.
10 The price piece of this is done as
11 a net-present value analysis on a
12 per square foot rental rate. So
13 what we do is we will -- it is
14 basically explained here, but in
15 this case, the numbers are -- the
16 offer will be discounted at
17 2.5 percent annually. The
18 operating expenses will be
19 escalated at 2 percent annually,
20 that's to simulate the CPI increase
21 that will be part of the lease
22 going forward on your operating
23 expenses. There will be a base
24 number that gets a CPI increase, so
25 that's why we put that in there.

1 Any lump sum costs which there
2 will be plenty to be able to get to
3 this to score. Those are a year
4 zero cost. So there is a part of
5 the analysis that's just factored
6 in in the financial analysis. It
7 is a year zero cost paid lump sum
8 upfront. So although some folks
9 think it is very good to be able to
10 put a bunch of cost into the lump
11 sum, because it is going to lower
12 their overall rental rate, that
13 does get factored into the
14 financial analysis. And because it
15 is not discounted there, it can
16 hurt your number.

17 MR. ROBERTS: Those rates are
18 available online, as well O&B, so
19 if new ones come out, we will
20 certainly be using those before we
21 award on a net-present value basis.

22 So evaluation of offers, again
23 as Brad mentioned, factor No. 1 is
24 worth more than factor No. 2,
25 factor No. 2 is worth more than

1 factor No. 3. Factor No. 3 is
2 worth more than factor No. 4;
3 therefore, you can infer that
4 factor No. 1 is worth more than
5 factor No. 4. Within the factors,
6 keep this in mind too, A is going
7 to be worth more than B, C and D.
8 B is going to be worth more than C
9 and D, so on and so forth, so you
10 see our information here. It is a
11 descending order of value.

12 MR. SEIFERT: And can you go
13 back? We will just kind of quickly
14 talk through what we are looking
15 for in each of these factors here,
16 and the subfactors. Most of these
17 are pretty straightforward.

18 Quality of site development and
19 physical security, we are looking
20 at the physical development of the
21 site, so that will include, you
22 know, your parking plan,
23 circulation, access to the site
24 from the major thoroughfare, you
25 know, landscaping plan, any

1 amenities that you have added to
2 the site, outdoor walking areas,
3 picnic areas, things like that.
4 And also how secure is the site.
5 There is minimum requirements for
6 the site in terms of setbacks,
7 bollards, things like that. You
8 need to meet those minimum
9 requirements. It is just how far
10 do you go beyond that to make the
11 site secure.

12 Building design is the exterior
13 of the building. So this is really
14 kind of where the development
15 team's architect has liberty to
16 kind of design what they think fits
17 in the Ponce market. And so, you
18 know, it is really aesthetically,
19 what does the building look like?
20 What are the materials? How
21 durable are they? What's the
22 roofing system? What's the
23 mechanical system? Those types of
24 items.

25 Architectural concept is, now

1 we are inside the building and we
2 are talking about the floor plan.
3 Alan and his team have taken quite
4 some time putting together the
5 floor plan. I have had lots of
6 meetings with the end users, and so
7 my recommendation would be to not
8 deviate too much from what he has
9 put together. He will talk about
10 the rationale and why is the
11 interior of the building layed out
12 the way it is when he discusses
13 that as part of the presentation.

14 And then last one under
15 technical quality sustainable
16 design and energy efficiency.
17 Again, the solicitation has minimum
18 requirements, such as lead, an
19 improvement off the ASHRAE
20 standard, things like that. You
21 have to meet those. So those are
22 kind of -- that gets you into the
23 game, and then from there, how do
24 you do above that?

25 Factor 2, qualifications and

1 past performance. Past performance
2 is really important. We are
3 looking at the developer. So this
4 isn't people looking at the
5 architect. We are not looking at
6 the general contractor. This is
7 the developer, who is going to be
8 owning the building and owning the
9 building going forward.

10 And we are looking here, do you
11 have projects of similar size and
12 scope? So have you worked in the
13 market before? Have you built
14 projects for the Federal
15 Government? Because it is a unique
16 beast, and, you know, have you done
17 projects of this size? This is a
18 fairly large project at 114,000
19 usable square feet. And so those
20 are kinds of the things that we are
21 looking for in past performance.
22 And we will get into past
23 performance a little bit more in a
24 second. There is a form that we
25 are going to ask you to submit from

1 references, and that's how we will
2 judge the past performance.

3 MR. ROBERTS: Just a quick note
4 on past performance. Keep in mind
5 it does not affect you negatively
6 if you do not have past
7 performance, okay? So it is looked
8 at neither negatively nor favorably
9 if you don't have past performance.
10 If you do have it, you will be
11 considered as someone that gets
12 credit for it. But if you don't
13 have it, it is not going to hurt
14 you. Just keep that in mind.

15 MR. SEIFERT: It is basically
16 like neutral if you don't have any
17 past performance.

18 Financial resources, pretty
19 straight forward. We are looking
20 for the capacity to build this
21 project, so that's equity and debt,
22 both. We look for different
23 sources. We would like to see,
24 obviously, a fair amount of cash on
25 hand, probably somewhere in the

1 20 percent range to be able to
2 complete the project.

3 And then in terms of debt, we
4 are looking for multiple debt
5 options. We have done a lot of
6 these projects before where the
7 first lender, for whatever reason,
8 isn't ready and able to
9 participate. So we want to make
10 sure that we are covered that
11 whoever we award this project to is
12 going to have the financial
13 capabilities to be able to carry it
14 out. So in this -- read through
15 the section, look at what we are
16 asking for, but definitely more is
17 better when it comes to financial
18 capabilities, so we have a comfort
19 level in awarding the lease.

20 And then C and D design team
21 qualifications and contractor
22 qualifications. Similar to past
23 performance, we are looking for
24 firms that have worked on projects
25 of similar and size and similar

1 scope, you know, medical
2 facilities, government facilities,
3 built to suit facilities in Puerto
4 Rico, and in Ponce, if applicable.

5 On No. 3 operation and
6 maintenance plan. You know, these
7 three together are kind of, you
8 know, we look at them almost as a
9 bunch. Interior and exterior
10 maintenance, there is a requirement
11 in lease section 8 that goes into
12 what the maintenance requirements
13 are. We are looking for preventive
14 maintenance. How are you going to
15 take care of a building that the
16 government is obligating themselves
17 to lease for a significant term, 15
18 or 20 years. And we want to make
19 sure that there is a plan in place
20 that in year 14 of this place the
21 building is going to function as
22 well as it does in year one of this
23 lease.

24 Routine and emergency calls.
25 If there is a problem on site, what

1 happens? Somebody from the team
2 goes in, the pipes burst, it is
3 obviously an emergency. Who does
4 he call or who does she call? And
5 what is the process going forward
6 from there to get somebody on site
7 and get that problem fixed as soon
8 as possible.

9 And then staffing and quality
10 control. This is just who is going
11 to be there to take care of the
12 building? Is there going to be a
13 day porter on site? Is there going
14 to be a primary person who is a
15 property manager that's going to be
16 on site? This kind of ties in a
17 little bit with the routine
18 emergency calls as well and what
19 that chain of command is.

20 And then lastly, socio-economic
21 status. We talked about at the
22 beginning, this is, you know, the
23 award factor that's a preference
24 for SDVOSB, VOSB, small business.
25 And then if you are a large

1 business, you just get zero for
2 that, basically.

3 So this is the past
4 performance. So as part of the
5 solicitation package, there is a
6 past performance form that's to be
7 sent out. We are looking for a
8 minimum of three to be sent back to
9 us. The past performance forms
10 need to be sent -- this will be
11 Eric and we will change this, but
12 you still have --

13 MR. ROBERTS: There will be a
14 minimum. We will address the
15 change in the CO.

16 MR. SEIFERT: So -- and myself.
17 And so those would be directly sent
18 from whoever you send the form to,
19 to give you, I am sure, very high
20 ratings on a project that they have
21 worked with you in the past on.
22 And this is just a clean way for us
23 to make sure we have, in theory,
24 kind of communicated with the
25 person who filled out the form.

1 In terms of communications, we
2 are now in an act of procurement,
3 so you have to follow all the
4 federal acquisition regulations and
5 laws at this point, so all
6 communication is very structured.
7 You know, at this point
8 communication will be in writing,
9 outside of this meeting, and it
10 will be through the questions and
11 answers that we will be getting
12 from y'all in getting and sending
13 out to the group in whole.

14 So anybody shat submits a
15 question, just know everybody
16 participating in this project will
17 have the answer -- will see that
18 question and will also see the
19 answer to that question. So if
20 there is something proprietary to
21 your design or your setup that you
22 don't want the group to see,
23 certainly don't submit that as a
24 question because it will be
25 available to everyone.

1 MR. ROBERTS: And any questions
2 posed here also, please, put in
3 writing, as well. So whether we
4 answer it or not, it is going to
5 need to go in writing.

6 MR. SEIFERT: And then Garret
7 pointed out the goal would be to
8 award off of initial offers. It
9 doesn't always happen. And if it
10 doesn't happen in this case, what
11 we will do is, depending on the
12 number of offers and quality of
13 offers, we complete a competitive
14 range. We then go into discussions
15 with the highest rated offers, and
16 give you feedback on your
17 proposals, both price and
18 technical, and give you a chance to
19 submit a revised offer.

20 If you don't get into the
21 competitive range, you have the
22 ability, of course, through
23 FAR (phonetic) to request a
24 debriefing. And also down the
25 road, if you made it in the

1 competitive, but not fortunate
2 enough to win the award, you will
3 also have a chance to request a
4 debriefing at that point.

5 So to talk a little bit about
6 how the lease is going to be
7 structured in terms of operating
8 costs, this is a full-service
9 lease, and so the government would
10 like to just have one check that
11 they are going to write every
12 month. And that's going cover
13 everything, from all their
14 utilities, electric, gas, water,
15 maintenance, interior janitorial,
16 taxes, insurance, everything that
17 goes into the facility is going to
18 be covered under this lease.

19 Go back up.

20 The operating cost, you will
21 submit as an annual cost and also
22 as per square foot cost, that
23 number is set, and then you get a
24 CPI increase. So you are not
25 getting, you know, actuals where

1 you submit your bills every year
2 and the government then pays you
3 kind of whatever the total is. We
4 want to know -- you know, and this
5 is really important for the
6 government to be able to project
7 out the cost over a lease that
8 these are set. You will get a CPI
9 increase, so if the CPI is 2 and it
10 goes to 3, whatever that percentage
11 changes, you will get a bump on
12 your operating expenses, which will
13 just be a lump sum check that you
14 will get at the end of the calendar
15 year when you invoice for that.

16 Next slide.

17 MR. ROBERTS: And those are
18 predicated on inflation rates,
19 pretty obvious, right?

20 MR. SEIFERT: The other thing
21 when it comes to the rate,
22 obviously this is a build-to-suit
23 facility. The government is going
24 to lease the entire building, but
25 the government only really pays on

1 their net usable space, so the rate
2 that will be part of the lease will
3 be based on the net usable. And
4 this is just an outline of what
5 gets taken out when we go from
6 rentable, which is kind of your
7 traditional commercial real estate
8 measurement, to usable,
9 housekeeping closets, public
10 restrooms, corridors that are
11 required by fire code, parts of the
12 entrance lobby. This is going to
13 be a single-story building, so
14 there won't be any stair shafts,
15 risers, or anything like that.

16 I think, Alan, one of your
17 drawings I think you outline what
18 is usable and what is not usable
19 within the building.

20 I guess the usable number, just
21 so everybody knows, and this is one
22 of the things we will talk about in
23 the amendment, but that number is
24 set. So like the government is
25 allowed to lease that amount of

1 square footage, and they don't have
2 the authority or the ability to
3 lease anything above that.

4 Because this is a government
5 project, contractors will be paid
6 Davis-Bacon wages. We will update
7 the Davis-Bacon wages as we go
8 throughout the project here. The
9 most current version is the
10 January 6, 2017, and that was part
11 of the solicitation package that
12 went out. I am sure all the folks
13 that work in construction know what
14 Davis-Bacon wages are. I just
15 wanted to point that out, because
16 it can trip you up. Usually they
17 are a little more expensive than
18 whatever the prevailing wage rate
19 is.

20 And then off-site improvements,
21 this is another one I wanted to
22 point out, because it is something
23 we have seen become a problem on
24 leases throughout the country. And
25 that's that this is what the

1 government calls a one-step
2 procurement. So the government is
3 not saying, developer, you have to
4 build on this specific site or this
5 specific site. We are saying these
6 are the approved sites. Developer,
7 you have to do your homework to
8 understand, you know, what the soil
9 is like, what the local
10 municipality is going to require in
11 terms of off-site, if they are
12 going to require you to pay for
13 part of the road, require you to
14 pay for a bus stop. Whatever those
15 things are, those are on the
16 developer and should be considered
17 when you put your proposal
18 together, because those costs need
19 to be captured in the lease rate.

20 We don't want to have a
21 situation where we make an award,
22 we are through the design, the
23 development, and then the developer
24 comes back and says, oh, by the
25 way, I need a quarter of a million

1 dollars. I didn't realize I was
2 going to have to build this road up
3 to the site. So you need to
4 consider all those things when you
5 are putting your proposal together.

6 A couple other items just to
7 point out post-award meetings. So
8 whoever the group is that
9 ultimately gets the award, the very
10 first step after making an award is
11 going on the phone and we schedule
12 a post-award meeting, likely to
13 occur either here or in Ponce. And
14 that really kicks the project off.
15 So it is a requirement for not only
16 the developer to be there, but we
17 really like to see their entire
18 team, their contractor if they have
19 one -- well, they will have one at
20 that point -- and also the
21 architect to be part of that. That
22 sets the schedule moving forward.
23 It is kind of a meet and greet,
24 points of contact, and just next
25 steps discussion.

1 And then once that happens,
2 there is, you know, throughout the
3 solicitation there is dates and
4 requirements scattered. But
5 there's a couple important ones to
6 look at at 2.6. We are looking for
7 a firm commitment of funds in
8 90 days. So once you are awarded
9 the project, 90 days happens a lot
10 faster than you think it would, so
11 that's an important date. And also
12 control of property within 90 days,
13 so, again, that's when it kinds of
14 comes up on you quick as well.

15 You can go to the next slide.

16 That's kind of --

17 MR. BRENNAN: Toland Mizell.

18 MR. SEIFERT: So Alan is going
19 to talk about the drawings, and
20 then we will talk about the
21 different schedules after that.

22 MR. TOLAND: Let's look at the
23 slide first.

24 MR. BRENNAN: Site?

25 MR. TOLAND: Please.

1 And just for everybody's
2 information, again, I am Alan
3 Toland from Toland & Mizell
4 Architects. We are based in
5 Atlanta, Georgia. We are an
6 ongoing private sector firm that
7 works under contract for the VA.
8 We have done this for about eight
9 years and have done 15 different
10 developments for SFO drawing
11 scenarios.

12 We also write the technical
13 sections. Be aware that we are a
14 nonvoting member of the technical
15 evaluation board, so we will be, in
16 conjunction with the users in the
17 facility here, looking at the
18 submittals to come in. We are sort
19 of the police, if you will, for
20 compliance with the SFO. Likewise,
21 we will continue in that role
22 through the course of the
23 development of the project.

24 We will be reviewing at various
25 milestones, which are set out in

1 the SFO, so it is a continuous
2 process. You will need to adhere
3 to the requirements in the SFO,
4 because we will be the folks
5 letting the VA know how you have
6 done in that respect. So please
7 recognize that all of the
8 components that are in there are in
9 there for a reason. If anything
10 concerns you or you have questions
11 about it, you should raise
12 questions to those elements in the
13 meantime.

14 Starting with the site,
15 understand that this is just a
16 generic site. It is not based on
17 any one of the sites that were
18 approved. It is merely there to
19 indicate intent. The concept --
20 there are several concepts here.

21 One is an appropriate location
22 of handicap parking. We want that
23 as close to the facility as we can
24 get it. We want to minimize
25 crossover from handicap parking

1 spaces to the building itself. The
2 VA's handicap requirements are more
3 substantial than any code you will
4 find out there, including ADA. So
5 you need to be aware of that. They
6 are their own barrier free guide
7 that you can see at the VA's
8 website, at VA.gov, you want to
9 look in the technical information
10 library, or the TIL. Our documents
11 are based on those requirements.

12 The second thing is we want to
13 keep general patient and visitor
14 traffic separate from all other
15 forms of vehicle traffic to the
16 best extent we can. That includes
17 staff. We like to separate staff
18 parking, preferably behind a
19 security gate where we can do that.
20 We also like to separate the coming
21 and going of service vehicles.
22 Obviously, you can get into
23 problems if you have got crossover
24 between private sector vehicles and
25 those associated with services to

1 the facility, so the plan that we
2 have indicated here sort of
3 demonstrates that.

4 Again, it is not based on any
5 parcel that's out there now. It is
6 conceptual in nature. You do need
7 to meet all the parking
8 requirements. Be aware, too,
9 again, of the van, motorcycle, and
10 other handicap vehicle
11 requirements, because they are
12 not -- they are per VA standards
13 and not necessary per any vehicle
14 code. You are going to find the
15 numbers are higher, and we expect
16 to see that met.

17 There is also a physical
18 security manual you need to be
19 aware of. That's also available on
20 the TIL. These types of facilities
21 are under the sections that's
22 entitled, life safety protected.
23 That means there are mandatory
24 requirements for set back from
25 vehicular movement and parking.

1 This is obviously for any
2 terrorism-related kinds of threats.
3 There are different types of blast
4 criteria that have to be met,
5 depending on the location of other
6 things on the site to this
7 facility.

8 We also like to see a nice
9 landscaping on these sites. As
10 Mr. Marrero mentioned, VA
11 outpatient clinics have come a long
12 way. They are much more
13 state-the-art facilities. They are
14 much more user-friendly and more
15 health-oriented environments than
16 they have ever been. If you could
17 see some of the new clinics that I
18 see get built today, they are
19 absolutely marvelous and they have
20 created an environment of healing
21 for our veterans that they have
22 never seen before. It is a
23 wonderful improvement in the
24 system. So bear in mind we are
25 looking for some site improvements

1 that's in keeping with that same
2 improved philosophy and approach to
3 design.

4 Questions on site? Yes, sir.

5 MR. ROBERTS: State your name
6 and state your affiliation.

7 MR. COLÓN: My name is Edmundo
8 Colón. I am a landscape architect.
9 I am with the Site Five team as per
10 now. And there are -- I can't
11 remember exactly where it mentions
12 that we need outdoor spaces, but it
13 doesn't mention type or quantity
14 or -- so is that up for --

15 MR. TOLAND: The intent is to
16 give you some latitude there,
17 rather than dictate how it is done.
18 I have seen all kinds of things
19 over time, landscaping -- true
20 landscaping, flowering plants, nice
21 walkways, waterfalls. I have seen
22 labyrinths. I have seen, just sort
23 of peaceful gatherings. Someone
24 else mentioned picnic areas
25 earlier, those kinds of things. I

1 have seen all of those in prior
2 designs and all of those would fit
3 the bill as far as what we are
4 looking for, but we have left
5 latitude there with respect to
6 that.

7 There is a philosophy out there
8 known as plain tree concepts that's
9 attached to healthcare design.
10 That's a great place to start if
11 you get into plain tree concepts in
12 healthcare design. That will help
13 in some ways for you to address
14 that.

15 Yes, ma'am?

16 MS. DORTA: Yes, Enery,
17 E-n-e-r-y, Dorta. It is "energy"
18 without a "G," and Dorta,
19 D-o-r-t-a.

20 On the site plan, it shows that
21 we need, approximately, more or
22 less, 772 parking, but then on the
23 document 20, it says 19 -- 15 --
24 915.

25 MR. TOLAND: And there were

1 some developments, if you recall,
2 where there was a change. If there
3 is a conflict --

4 MR. ROBERTS: Put that in
5 writing and we will --

6 MS. DORTA: We sent a letter
7 already.

8 MR. ROBERTS: Okay.

9 MR. TOLAND: And the some of
10 the prior SFO folks, some numbers
11 did change over time, as time
12 passes. So we will look into that.

13 MS. DORTA: Okay.

14 MR. TOLAND: And verify it.
15 Thank for bringing that up.

16 MR. MARTÍNEZ: Peter Martínez,
17 CSA. There was -- there is a
18 water, that the VA will not pay for
19 some uses of water. What are those
20 uses, just landscape? Or any other
21 uses that they won't pay for the
22 water?

23 MR. SEIFERT: So, yeah, for the
24 separate meter for the exterior
25 water, because that's not something

1 they are not really controlling the
2 use of, it is something that you
3 would be controlling.

4 MR. MARTÍNEZ: Just landscape?

5 MR. SEIFERT: Yeah, any
6 other --

7 MR. ROBERTS: Any --

8 MR. SEIFERT: To me it would
9 just be landscape. But any
10 exterior water uses that would be
11 on a separate meter.

12 MR. TOLAND: In other words, if
13 you are keeping up your property --

14 MR. SEIFERT: Right.

15 MR. TOLAND: -- with the water,
16 it is not paid for. If it is as a
17 part of the service of healthcare,
18 then it is. Yeah.

19 MR. COLÓN: That's included the
20 mechanical areas of --

21 THE REPORTER: Name, please?

22 MR. COLÓN: Aristides Colón,
23 A-r-i-s-t-i-d-e-s, C-o-l-ó-n, and I
24 am the architect of VA.

25 I am just saying that also the

1 water that the developer uses in
2 their premises, like mechanical
3 rooms and all those areas should be
4 part of the exterior?

5 MR. TOLAND: Depending on the
6 metering, that may not --

7 MR. SEIFERT: Actually, we --

8 MR. TOLAND: That may not be
9 separated.

10 MR. SEIFERT: Yeah, because
11 even the mechanical -- and we talk
12 about this all the time -- but even
13 in the mechanical systems, that's
14 going to be based on usage of those
15 systems.

16 MR. ROBERTS: We can have a
17 conversation.

18 MR. COLÓN: Okay.

19 MR. TOLAND: Others? All
20 right. I think we want to go to an
21 overall.

22 MR. BRENNAN: Okay.

23 MR. TOLAND: Okay. I get this
24 question from time to time, what do
25 the colors mean? My kids think I

1 color for a living at work.

2 UNIDENTIFIED SPEAKER: He's a
3 fun guy.

4 MR. TOLAND: They think so.
5 They did when they were younger.
6 They are not that young anymore.

7 Basically, these represents
8 departments within the facility.
9 They are not -- if you go to a just
10 the plan, be aware that departments
11 should stay attached to
12 departments. It is a bad idea to
13 take some of my green and put it
14 too far away and inside of my blue.
15 It doesn't mean you can't make
16 adjustments, it just means that --
17 you know, normally departments are
18 held together in one area because
19 these are people who are in the
20 process of providing one kind of
21 service in healthcare, hence the
22 reason for that.

23 You will also notice some of
24 those areas out in the lobby
25 spaces, and Brad sort of alluded to

1 this earlier, we start with what
2 you know as the net usable square
3 footage. And even in the lobby
4 areas, some areas -- some waiting
5 areas are considered a part of net
6 usable, hence the outlines in the
7 public area spaces. Notice that it
8 doesn't cover much of the lobby.
9 It covers a small portion, but
10 that's what's involved in that
11 process.

12 We did calculate this as
13 virtually bid on, as I recall, in
14 the process. So I don't think you
15 are going to come up with any
16 surprises there with respect to
17 what the square footages equate to.
18 Likewise, overall in the facility,
19 some of the adjacencies are
20 important. This plan was vetted
21 over time, not just one, but a
22 series of meetings with every user
23 group that will be involved there,
24 including Aristides and some of the
25 other VA staff. So it has been

1 looked at in some detail. It
2 wasn't just kind of slapped
3 together over a couple of weeks.

4 There are, in addition to this
5 overall, there are a number of part
6 plans, which will drill down into
7 room names by type, what they are.
8 Those, in turn, correlate to a set
9 of equipment plans that you have,
10 and those will show you the
11 elements that get installed inside
12 of most of the rooms within the
13 facility. There are three
14 different types of nomenclature for
15 the equipment.

16 There is VV, which is VA
17 furnished, VA installed. And
18 that's identified in the documents.
19 There is VL, which is VA furnished,
20 lessor installed, and there is LL,
21 which means it is all your, lessor
22 acquired, lessor installed. So
23 just be aware of that in the
24 process, the equipment plans are
25 pretty detailed in that sense.

1 They do have what's called JSN
2 numbers. There is such a thing as
3 a JSN catalog which will give you a
4 direct correlation to what those
5 pieces and parts are all about.
6 And what's entailed in there, in
7 their make up and their
8 installation.

9 Questions on overall floor
10 plan?

11 MS. DORTA: Enery Dorta again.
12 I was wondering if we would receive
13 CAD drawings.

14 MR. TOLAND: The CAD drawings
15 are available. They are in
16 AutoCAD. The VA has those. We can
17 certainly -- if you guys can't
18 immediately put your hands -- they
19 are available. They are in
20 AutoCAD. They are three
21 dimensional in their nature in
22 AutoCAD. They were developed in
23 AutoCAD, ACA.

24 MS. DORTA: Oh, yes.

25 MR. TOLAND: I think we are

1 using 15 now. I don't know. It
2 changes constantly.

3 MS. DORTA: Because in the SFO,
4 we only received the pdf.

5 MR. TOLAND: Yes, the CAD
6 drawings are available. They
7 belong to the government, and the
8 government does normally make those
9 available for your use.

10 MR. SEIFERT: And we will for
11 this project as well.

12 MR. ROBERTS: Yeah, we will get
13 those out ASAP.

14 MR. TOLAND: These documents
15 were, in fact, used to develop the
16 schedules that you have. If you
17 are not familiar with this process,
18 you bid schedules straight up,
19 including the quantities. The
20 quantities are based on the
21 documents there. If I have heard
22 it once, I have probably heard it
23 in every SFO we ever looked at,
24 someone comes up with a slightly
25 different number.

1 The government is looking to
2 bid this project apples to apples,
3 hence, you use the numbers that
4 have been provided in those
5 schedules, for those particular
6 elements.

7 MR. SEIFERT: We got a couple
8 slides to go through that for folks
9 that aren't as familiar with that.

10 MR. TOLAND: Okay. Questions
11 on the plan? All right. Ed, let's
12 go to elevations.

13 MR. BRENNAN: Uh-huh.

14 MR. TOLAND: Okay. The
15 elevations that have been developed
16 in this process are purely block
17 elevations. They have no real
18 interest or development to them.
19 That is intentional. What we have
20 found over time is, no matter what
21 I draw, we architects have egos and
22 we tend to change it.

23 The concept is we would like to
24 see changes in elevation, both in
25 horizontal relief and in vertical

1 relief. We want to see spans of
2 windows where they are appropriate,
3 including in lobby areas. We want
4 you to use day lighting to the
5 extent you can in a big facility.
6 Obviously, that will be -- you will
7 not be able to get it to all areas
8 of the facility.

9 There are some materials listed
10 inside the text of the SFO, please
11 adhere to those. Don't go off the
12 scale and use elements that haven't
13 been discussed in the general
14 architectural concepts. You do run
15 into problems with some types of
16 materials, particularly when it
17 comes to maintenance, things like
18 eaves, those kinds of things. They
19 either get beat up, stained, they
20 tend to have problems over time.

21 The VA wants your building to
22 look just as nice for them 20 years
23 down the line as it did the day you
24 opened it. And I can assure you,
25 when it comes to technical

1 evaluation, everybody will remember
2 the effort put into those
3 elevations and consideration of the
4 materials involved.

5 So, again, the intent is to let
6 your architects develop this to
7 make it the kind of facility that
8 fits in the areas, the types and
9 the levels of materials we have
10 included in the text of the SFO.

11 Happy hunting on that one.
12 Questions on elevations? Yes, sir.

13 MR. MARTÍNEZ: Peter Martínez,
14 CSA. Is there a possibility that
15 this building can go up in floors,
16 you know, up or never done it.

17 MR. TOLAND: I'm sorry. Say
18 that again?

19 MR. MARTÍNEZ: If there is a
20 future possibility that it will add
21 floors to the building.

22 MR. TOLAND: Oh, vertically?

23 MR. ROBERTS: No.

24 MR. TOLAND: Yeah. That's not
25 the intent. Obviously, that puts a

1 whole different set of design
2 parameters on the thing, so no.

3 Any other questions on the
4 elevations?

5 MR. SEIFERT: Ed, you can go
6 back.

7 MR. ROBERTS: Overview
8 schedule, A funded maintenance
9 account. I will say, too, I had a
10 question come in a few months ago
11 on another procurement, asking me
12 to unlock the schedules. That's
13 not going to happen. So don't ask,
14 right, I guess. They are locked
15 for a reason. That's to protect
16 ourselves. So if you can't figure
17 any of the schedules out, ask a
18 question. They are pretty much
19 self-explanatory boiler plate plug
20 and chuck type of stuff, nothing
21 too complicated.

22 So funded maintenance account,
23 pay close attend to B here. The
24 lessor's obligations with respect
25 to the FMA, pay close attention to,

1 lessor shall initially place a sum
2 equivalent to 125 percent of the
3 annual reserve grand total. So
4 people -- there was confusion
5 around what that actually means.
6 It is like a full cup of water for
7 your fund and maintenance. You
8 need to use some of those funds to
9 take care of something, you pour a
10 little bit of the water out, just
11 fill it back up. You are going to
12 get up to the 125 percent on a
13 quarterly basis. You are not going
14 to go above that. You are not
15 constantly putting anything above
16 125 percent. You are marrying that
17 back up to the 125 percent, so keep
18 that in mind. I have had several
19 questions on that in the past, so
20 just giving you a heads up on that.

21 MR. SEIFERT: And then also on
22 the fund and maintenance account,
23 just another point to kind of the
24 idea behind the account is that
25 back in the mid 2000s, VA was

1 having trouble with facilities and
2 maintenance of facilities, and
3 things would happen to the
4 building. And we would go to the
5 lessor and they would say, oh, we
6 don't have any money to make this
7 change, and we don't have any to
8 update the HVAC system.

9 So this is to give us peace of
10 mind that that money is going to be
11 there. This is your account. I
12 mean, this is your money. So
13 that's the other thing to keep in
14 mind, that's there so we know it is
15 there. But, ultimately, at the end
16 of the day, when the lease is over,
17 that's your money to take away with
18 you. And as Eric was saying, as
19 long as you keep it at that
20 threshold, quarterly you can use it
21 to pay utilities, maintenance,
22 upkeep, anything that you want with
23 that money, as long it continues at
24 the end of the quarter to get back
25 updated.

1 All right. The next schedule
2 we will talk about is schedule B.
3 So schedule B, there are two parts
4 to it. You have the functional
5 room list piece, and then we have
6 the special requirements piece.
7 Schedule B almost always is going
8 to be paid lump sum, so we will ask
9 you to price this.

10 There is two ways we will ask
11 for the pricing, with the lump sum
12 paid upfront, and the lump sum
13 built in. But 9 -- pretty much 10
14 times out of 10, this gets paid
15 lump sum. These are items within
16 the building that are basically
17 like fixtures.

18 If you took the building and
19 you turned it upside down and you
20 shook it, if these things weren't
21 kind of connected to the walls or
22 the ground, they would fall out.
23 That's the best way I would try to
24 describe it, like mirrors,
25 dispensers, coat hooks, you know,

1 shelving like this, built-in
2 cabinets, things like that.

3 So as Alan was pointing out,
4 you don't touch the quantities.
5 The quantities are based on the
6 drawings, and that is what
7 everybody is going to be pricing,
8 so it will be an apples to apples
9 comparison. What you are going to
10 put in is you are going to put in
11 the unit cost.

12 So unit cost is going to
13 include your overhead and your
14 profit. Those are not separate
15 line items. So both of those need
16 to be included and it is a fully
17 loaded number, not just the cost of
18 the material, but your total cost
19 to install whatever item it is.
20 And make sure that you have
21 overhead and profit covered in
22 there as well.

23 Ultimately, what happens is we
24 try to kind of outline it here on
25 this piece. Once you put that

1 number in, the way that the formula
2 works is that you are going to have
3 your unit cost, and the unit cost
4 is going to multiply by the
5 extension, quantity to get your
6 extension here. So here,
7 obviously, 200 times 1, you are
8 going to get 200. Here you see 100
9 times 10, you get 1,000. And then
10 this number, once you get this
11 whole thing, this is one room up
12 here. There are ten of these types
13 of these rooms. So rather than
14 having you price it ten times, what
15 you do is you take these, multiply
16 it ten times and you get your
17 subtotal there.

18 That then carries on to the
19 next page, which we will sum up.
20 And this is not particular to this
21 project. This is just a slide, so
22 if you see different room areas,
23 don't freak out. But this sums up
24 all of the different rooms so we
25 have a break down of every

1 functional area in the facility.
2 And what we use this for, if we do
3 have negotiations after initial
4 proposals, we will give you
5 feedback on this and let you know,
6 hey, your schedule B is high in
7 this area or low in this area. It
8 might be something you want to look
9 at.

10 And then the second part of
11 schedule B are these special items.
12 In here, again, the quantity is
13 listed here. You are just going to
14 list the unit cost. This is kind
15 of an easier calculation, where it
16 is going to take your unit cost
17 times your quantity, and then total
18 it up right there.

19 So those two items, the
20 functional room list, the specialty
21 items, they get combined together
22 to get your total cost for
23 schedule B. Are there any
24 questions about schedule B?

25 All right. As you get into the

1 documents, if you have questions
2 definitely submit those because I
3 know this is unique to VA kind of
4 built-to-suit project.

5 Next is schedule C. Schedule C
6 is a list, pretty much, of unit
7 cost for construction. These are
8 interior items for the building.
9 So things like doors, partitioning,
10 flooring in the building, other
11 items, you know, Brazilian or
12 bumper guards, things like that.
13 And you will see the full list.

14 Again, these are loaded
15 numbers. You have cost of
16 materials, number of labor hours,
17 and then cost of labor per hour.
18 And it takes those numbers and
19 multiplies them across. And it
20 will get you a total.

21 Again, we don't change the
22 quantity there. Something to point
23 out here, and this is both for
24 schedule B and schedule C, after
25 the award, I mean, these are

1 estimates based on Alan's drawings,
2 so, of course, they are not going
3 to be perfect. And as he pointed
4 out, everybody is probably going to
5 have different numbers when they
6 run their designs and have a
7 quantity take off. But go off of
8 these.

9 When we go through and make an
10 award, we build out the entire
11 building, we are going to go back
12 and figure out exactly how many of
13 these 3 by 7 doors, and if it is
14 less than 260, there is going to be
15 a reconciliation process. So if it
16 is less than 260, the lessor, the
17 developer is going to get a credit.
18 If it is more than the VA is going
19 to pay for those additional items,
20 so let's say it is 300, we are
21 going to look at this and say, we
22 know what the cost per door is. It
23 is \$500, so 300 -- you know, the
24 difference is 40, we will take the
25 money, multiply by the number of

1 additional items, and we will get a
2 total. And we are going to do that
3 for every single line item through
4 this process. So even though you
5 are bidding these numbers and we
6 have an apples to apples
7 comparison, ultimately what's going
8 to be paid for is what is built.
9 And so Walter will be very
10 influential in that process.

11 We will be look working with
12 you as the on-site residential
13 engineer in tracking this as we go.
14 And that's the same as schedule B.
15 So we are not going to pay for
16 items that we don't put into the
17 facility. And the design changes,
18 we know, of course, the quantities
19 can change. And conversely, we
20 don't expect you to give us
21 anything for free, so we will go
22 through that process down the road.

23 So schedule D, this is really
24 more of like an informational
25 schedule than anything else, where

1 schedule B and C and A all become
2 part of the lease, schedule D is
3 really for us to give you feedback
4 during negotiations. This is for
5 us to be able to say, all right,
6 here is what our total costs are
7 and here is what your total costs
8 are. So we think you are kind of
9 missing the boat here on what your
10 overall construction costs are,
11 what your site costs are, and
12 things like that.

13 And because of that, we want
14 the information to be apples to
15 apples, so it is a best value the
16 folks we are giving that
17 information to. So it says, you
18 know, don't put in the cost of site
19 for site 1, because everybody knows
20 what the cost of their site is, and
21 that's going to be different than
22 what the cost of somebody else's
23 site is going to be. So I don't
24 think the information is relevant.
25 We want to see, like, what the cost

1 is that you are putting into
2 improvements of the site.

3 And additionally, down at
4 No. 6, it is, you know, kind of all
5 other costs, excluding financing
6 cost because that really is another
7 item that is particular to how a
8 developer is going to structure the
9 deal, if they are going to use a
10 certain percentage of cash or
11 different debt structures that you
12 have for these kinds of projects,
13 whether it is a bond debt or
14 traditional bank debt. Things like
15 that are going to differ. We don't
16 want that to kind of skew the
17 numbers as we are looking at these.

18 All right. Standard forms,
19 here is a list, and there is a much
20 more complete list of everything
21 that needs to be submitted with the
22 offer. I am just going to talk
23 about a couple of these that we
24 have been getting questions on,
25 starting with the bid bond.

1 Section 1.10.1 talks about the
2 bid bond. The most important thing
3 for the bid bond, I know that the
4 bid bond -- we get this kind of
5 question all the time. It is kind
6 of a construction idea. General
7 contractors are the ones that take
8 out bid bonds. In this case, we
9 are asking for the developer to
10 have a bid bond.

11 And so the bid bond for, in
12 this case, 100,000 dollars needs to
13 be in the name of the developer.
14 So the group that's submitting the
15 proposal gets one of those things,
16 like the land contract, the 1364,
17 that needs to match. So if we did
18 ever have to come back and call on
19 the bond, we would have the ability
20 to do so, to the developer and not
21 to the contractor, that doesn't any
22 agreement directly with the
23 government to them.

24 MR. ROBERTS: This is just a
25 layered security, basically that

1 the VA requires. People that are
2 well seasoned and they know real
3 property GSA doesn't necessarily
4 require something like that, but VA
5 does.

6 (A recess transpires.)

7 MR. SEIFERT: We will just keep
8 going.

9 Performance bond, I know this
10 is very small and you slightly
11 can't see it. But performance
12 bonds in 1.10.2, and there are two
13 things that I wanted to point out
14 in the performance bond. The first
15 is that it is kind of a two-step
16 process. Within the first 30 days
17 after award, a performance bond in
18 the amount listed in that
19 schedule D form that we just had up
20 a second ago, that outlines the
21 total project cost. That needs to
22 be provided to the contracting
23 officer, so that's step 1.

24 And, again, 30 days seems like
25 a long time, but it happens very

1 quick when an award happens, so
2 make sure that's kind of on your
3 tickler if you are awarded the
4 project. And then that stays in
5 place until we get through the
6 design intent drawings, the
7 construction drawings. And then
8 once we have the construction
9 drawings and those have been
10 priced, then we put the payment
11 bond into place. And the payment
12 bond is for 100 percent of the
13 construction costs that are bid on
14 based on the drawings. So first,
15 it is the bid bond, then the
16 performance bond, then the payment
17 bonds is kind of the way that
18 works.

19 So we have an attachment to
20 form 1364. This is the main
21 pricing form, so there is the
22 actual GSA form 1364, which you
23 will need to submit three of, one
24 for the 15-year, one for the
25 15-year with the five one-year

1 options, one for the 20-year. This
2 form has been created to gather all
3 the relevant information on -- for
4 all three options, you will just
5 submit one of these. So it will
6 have all of the lump sum items
7 priced.

8 And as you read through the
9 solicitation, we have the areas
10 here. These are items that, for
11 scoring purposes, have been taken
12 out of the lease cost and are paid
13 upfront as a lump sum.

14 And if you go to the next
15 slide.

16 You will see here that we have
17 the pricing for the 15-year and the
18 20-year, both with -- for rentable
19 and usable square footage, and then
20 with or without the lump sum items
21 being paid upfront, or if they are
22 built into the lease.

23 And then the form also has the
24 15 years right here. And then the
25 past performance survey, we talked

1 a little bit about this earlier,
2 but these are the forms you will be
3 sending out to your contacts, and
4 they will send back directly to
5 Eric and I, that we will use during
6 the technical evaluation board.

7 And then before we get to this
8 slide, I mean, one thing, kind of
9 big picture that I want to stress,
10 is that, you know, the government
11 wants the best facility they can
12 possibly have, but at the same
13 point, we want to make sure, as
14 Jamie said at the beginning, that
15 this gets done in a fairly quick
16 manner, meaning it needs to score
17 as an operating lease. And we have
18 had issues specifically on projects
19 here in Puerto Rico in having
20 projects scored as operating
21 leases.

22 So when everybody gets together
23 with their teams and you start to
24 think, oh, man we have this blank
25 slate, we can design this and we

1 can do this landscaping plan,
2 obviously, all that's great when
3 you get your technical evaluation.
4 You will be rewarded for that. But
5 ultimately the government can't
6 award a lease that's not operating.

7 So you can have the highest
8 scoring proposal, can hit 10s on
9 everything across the board, but if
10 the price is so high that it
11 doesn't score as an operating
12 lease, you are not even in
13 consideration. So my big picture
14 advice is to create a project that
15 is unique and distinct, and, you
16 know, highlight certain
17 characteristics of the local market
18 and is a building that's going to
19 last, but do it always with having
20 price in the back of your mind.

21 Make sure that you are doing
22 this -- find the areas that you can
23 add to your building, but you are
24 not doing it at a ridiculous cost,
25 because you are going to set

1 yourself up for failure. And then
2 along those same lines, one thing
3 we see on one-story facilities like
4 this and you can see it a little
5 bit on the drawing here -- you can
6 see it a little bit is that the
7 lobby is fairly -- the rentable
8 portion of the lobby is large, the
9 white area that really isn't in the
10 rent.

11 If there is ways you can make
12 your common area factor smaller,
13 so, you know, the difference
14 between your usable number and your
15 rentable number. If that's 35 or
16 40 percent, you are -- we are
17 asking for a building that's
18 basically 150,000 square feet, but
19 we are only paying for 114,000
20 square feet, that's going to be
21 really, really hard to score. So
22 if you can find areas that you can
23 maybe cut out some of that rentable
24 square footage, the lobby, to me,
25 is the main area. But there are

1 others throughout the facility to
2 be able to get that common area
3 factor down into the 15, 20 percent
4 mark. You are creating a smaller
5 building, and, ultimately, you have
6 to fit these costs into that,
7 whatever our usable square footage
8 is, and so which is going to help
9 it score. So those would be two
10 big picture things to focus on when
11 you do this project.

12 MR. ROBERTS: And also I forgot
13 to mention this earlier, but make
14 sure you are registered the
15 required NAICS Code. The NAICS
16 code is 531120. If you are not
17 registered under that NAICS code,
18 you will not be considered. Early
19 on in this process with the VA and
20 with this specific procurement, I
21 noticed a lot of these folks
22 weren't registering. You got to be
23 registered. It is a requirement.

24 MR. SEIFERT: Just to repeat
25 it, it is 531120. And we will give

1 you this whole presentation.

2 MR. ROBERTS: Just as soon as
3 the court reporter sends us this,
4 we will make it available. You
5 will have, you know, everything
6 from this meeting, also as an
7 amendment on Fed Biz Opps.

8 MR. SEIFERT: I think we have a
9 question over here.

10 MR. COLÓN: Edmundo Colón
11 again. Who is the one that has to
12 be registered under that NAICS
13 Code?

14 MR. SEIFERT: The developer.

15 MR. COLON: The developer.

16 MR. SEIFERT: So whoever is
17 sending the proposal.

18 Yes, ma'am?

19 MS. PEÑA: María Christina
20 Peña, lead AP for GDT Arquitectos
21 and Engineers. I have four
22 questions regarding lead. Should I
23 put it here or in written?

24 MR. ROBERTS: Are they related,
25 besides it being lead? I just want

1 to answer -- answering one, does
2 that help get to the second or are
3 they separate?

4 MS. PEÑA: Yes, kind of.

5 MR. ROBERTS: Why don't you put
6 it in writing. That would be
7 better.

8 MS. PEÑA: Okay.

9 MR. SEIFERT: Thanks.

10 MS. PEÑA: I'm sorry. It is
11 very important, the only thing I do
12 want to get out --

13 MR. ROBERTS: Sure.

14 MS. PEÑA: -- here is that I
15 want to confirm that the guiding
16 principles checklist is the one for
17 healthcare 2009.

18 MR. TOLAND: You want to hold
19 on that? Are you asking, are we
20 using lead for healthcare in this
21 versus a different form of lead?
22 Is that the question?

23 UNIDENTIFIED SPEAKER: Score
24 card.

25 MS. PEÑA: It is that they

1 are -- on the website there are
2 different checklists, and since
3 this is a clinic, I thought
4 healthcare --

5 MR. TOLAND: Right?

6 UNIDENTIFIED SPEAKER: Is the
7 one to choose.

8 MR. TOLAND: That's healthcare
9 versus business.

10 MR. SEIFERT: This has been an
11 issue on a lot of projects because
12 leads, since they have changed,
13 they have a newer version that has
14 come out, and they have this
15 healthcare as part of it. And so
16 if you submit that in writing,
17 because project by project we are
18 answering it, it seems --

19 MR. TOLAND: We understand the
20 concern.

21 MR. ROBERTS: Yeah, these
22 things are like an evolving animal.
23 You are going to see amendments,
24 so, I mean, it is a 200-page
25 document.

1 UNIDENTIFIED SPEAKER: That's a
2 big deal.

3 MS. PEÑA: It is a big deal.

4 MR. ROBERTS: I am not saying
5 it is not. But you get it in
6 writing, get it to us, and we will
7 make the necessary changes.

8 MS. PEÑA: It is not that it
9 makes a difference for us, the
10 guiding checklist is what really
11 concerns us, is that on the SFO
12 section 11.3, it says that it is
13 going to be registered and
14 certified nine months after
15 occupancy, but it refers to
16 commercial interiors, not the
17 construction or healthcare, which
18 is totally different. And it is
19 going to be version 4, mandatory.

20 MR. ROBERTS: Understood.

21 MS. PEÑA: Okay. So put in --

22 MR. ROBERTS: Yeah, and as I
23 mentioned earlier, you will see an
24 amendment extending this out as
25 well.

1 MS. PEÑA: Super.

2 MR. ROBERTS: We have a few
3 things that we need to really focus
4 on as a group internally to VA, so.
5 Yeah, be looking for that. We are
6 going to give you ample time. We
7 want to be really reasonable here.
8 If we do that, the trade off is put
9 your best foot forward. These are
10 vets. This is serious stuff. This
11 is a major facility.

12 MS. PEÑA: It is.

13 MR. ROBERTS: Million and
14 millions of dollars are going
15 dedicated to the folks who serve
16 our country. So put your best foot
17 forward, and we will be reasonable.

18 MS. PEÑA: Super.

19 MR. SEIFERT: To kind of
20 piggy-back on the amendment, we are
21 not going to get into a lot of
22 details now, but there is going to
23 be a slight reduction in square
24 footage. We are talking in the
25 couple thousand square feet. It is

1 not a huge reduction, but before
2 people leave here and start to do a
3 lot of work on documents that are
4 going to change, this is a heads
5 up, you know, part of the building
6 is going to change slightly. But
7 what it really affects are the
8 schedules. So, I mean, the
9 quantities in schedule B and
10 schedule C, those are going to
11 change. So I just want to give you
12 a fair warning. We are hoping to
13 have the amendment out in the next
14 two weeks or so.

15 MR. ROBERTS: Yes, we are going
16 to put Alan to work here.

17 MR. SEIFERT: It will come out
18 soon. We will extend the date, but
19 before everybody rushes back and
20 starts to really dive into this
21 thing, just kind of fair warning
22 this will be coming out shortly.

23 MR. ROBERTS: And I plan on
24 with Brad and with everyone's help
25 to extend this probably sooner,

1 rather than wait for, you know,
2 Alan or whoever to make the
3 changes, so.

4 MR. SEIFERT: And once that
5 comes out, we will set the time
6 frame for questions to be fair to
7 everybody. So that amendment will
8 also get a new date, so feel free
9 to submit any questions between now
10 and then, of course. But that will
11 also set kind of the last date for
12 questions to be submitted, and then
13 we will work as earnest as possible
14 to get those turned around and back
15 to everybody, so you will have
16 plenty of time to put your full
17 proposals together.

18 MR. GAUTIER: Yes, my name is
19 Carlos Gautier, G-a-u-t-i-e-r, and
20 I am from Norte Ponce Investment
21 and site 5.

22 My question is, does the SFO
23 require a facility commissioner and
24 a lead commissioner, both, or
25 separate or?

1 MR. TOLAND: No. Do you mean a
2 commissioner, and a lead
3 practitioner to check the block for
4 an integrated team? Those are two
5 different things.

6 MS. PEÑA: No, that usually
7 buildings are not lead certified.
8 Sometimes YOU have building
9 conditioning, which includes fire
10 protection.

11 MR. TOLAND: Yes.

12 MS. PEÑA: And all the things,
13 besides the one that lead requires
14 which is building systems, like
15 energy consuming systems.

16 MR. TOLAND: Right.

17 MS. PEÑA: So there was a
18 confusion in our group if it could
19 be the same person.

20 MR. SEIFERT: It can.

21 MS. PEÑA: Or do you want it
22 separate?

23 MR. ROBERTS: Yeah.

24 MR. TOLAND: We are looking for
25 you to get points in both basic and

1 enhanced commissioning.

2 MS. PEÑA: Enhanced, uh-huh.

3 MR. TOLAND: In which case, you
4 are going to need a CSX. You are
5 going to need a commissioning
6 agents.

7 MR. SEIFERT: It can be the
8 same person.

9 MR. ROBERTS: It can be the
10 same person.

11 MS. PEÑA: Yes.

12 MR. SEIFERT: Per the document
13 minimum, you are going to have to
14 have a commissioning agent
15 commissioning the building before
16 we start, and if they meet the
17 additional requirement --

18 MR. TOLAND: And I believe the
19 specific systems were identified in
20 the text, if I am not mistaken.

21 MS. PEÑA: I haven't read it
22 all but, yes.

23 MR. TOLAND: Yeah, I am pretty
24 sure the specific systems are
25 identified for commissioning in the

1 text.

2 MR. GAUTIER: Okay. Thank you.

3 MR. SEIFERT: Any other
4 questions?

5 MR. ROBERTS: Any other
6 questions?

7 MR. SEIFERT: Thank you,
8 everyone, for coming. We really
9 appreciate it, and we look forward
10 to working with you all on this
11 project.

12 (The proceeding concluded
13 at 11:18 a.m.)

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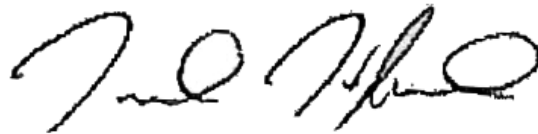
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REPORTER'S CERTIFICATE

I, DEREK L. HOAGLAND, Certified Shorthand Reporter #13445, State of California, do hereby certify that the foregoing is a true and correct transcript of the proceedings had in the within-entitled and numbered cause on the date hereinbefore set forth; and I do further certify that the foregoing transcript has been prepared under my direction.



DEREK L. HOAGLAND

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