

**In the Matter Of:**

*DEPARTMENT OF VETERAN'S AFFAIRS*

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*PRE-BID APRIL 11, 2017*

*April 11, 2017*

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VERBATIM REPORTING

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CONFERENCE PRE-BID APRIL 11, 2017

DEPARTMENT OF VETERAN AFFAIRS  
COMMUNITY BASED OUTPATIENT CLINIC

PONCE, PUERTO RICO

SFO No. VA101-16-R-0028

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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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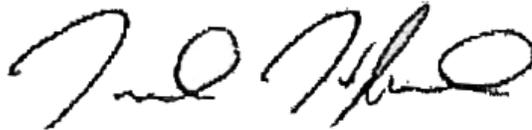
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REPORTER'S CERTIFICATE

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.



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DEREK L. HOAGLAND

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