



Transcript of Pre-bidders Conference

Tuesday, October 2, 2018

US Department of Veterans Affairs Pre-bidders Conference

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DEPARTMENT OF VETERANS AFFAIRS

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COMMUNITY BASED OUTPATIENT CLINIC

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SANTA ROSA, CA

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RLP NO. 36C10F18Q0571

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PRE-BID CONFERENCE

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OCTOBER 2, 2018

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1 LOS ANGELES, CALIFORNIA; TUESDAY, OCTOBER 2, 2018

2 10:11 A.M. - 10:57 A.M.

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6 MS. WITT: All right, we're going to get
7 started. Can everyone hear me? Okay.

8 Welcome, and thank you for coming. My name a
9 Kelli Witt. I'm the project manager for the Santa Rosa
10 V.A. CBOC procurement. This is Anntwinette Dupree-Hart.
11 She's the contracting officer.

12 Let's go to the first slide.

13 All right. So we have a court reporter
14 today. Laura is here. So we'll need you to make sure,
15 when you're asking questions or making comments, please
16 reference the RLP section number to which your question
17 pertains.

18 Please speak clearly.

19 State your name and your company affiliation.

20 Our goal is, obviously, to answer your
21 questions. What we can't answer here, we'll ask that you
22 put in writing and submit it to Cindy Schneider from
23 Carpenter/Robbins. She's at cschneider@crcrc.com.

24 And we're at cutting off questions on October
25 12th. So that's the last day for questions, so we can

1 make sure we're getting them answered and sending out
2 amendments, if necessary.

3 Okay. This is the agenda. We'll be going
4 through the welcome, the introductions, objectives, the
5 overview. We'll review the RLP package and conceptual
6 plans, and then you'll have an opportunity to ask
7 questions at the end.

8 Okay. Like I said, this is Anntwinette
9 Dupree-Hart. She's the contracting officer for both Santa
10 Rosa and Oxnard, if you're here for both.

11 I am the project manager, Kelli Witt. Kimber
12 Kay (phonetic) is the facility planner here for the San
13 Francisco Medical Center. Andy Lamendola and Ryan
14 Anderson will be assisting us as the resident engineers on
15 both projects.

16 Linda Chan couldn't be here, but she is the
17 planner and architect for these projects.

18 Pat Moran is also assisting, and we have Mark
19 Mueda here, somewhere -- here, who is also assisting.

20 All right. Carpenter/Robbins Commercial Real
21 Estate will be assisting us with the procurement. Cindy
22 Schneider is the lead on this.

23 We have the A.E. Commanders Concepts
24 Commissioning did the conceptual plan, the appendices for
25 us.

1 Rich Diddams couldn't be here. Rob Forney is
2 here. And oh -- and Christy Johnson. That is not what I
3 remember you saying. So they will be assisting in
4 answering questions as well.

5 MS. DUPREE-HART: Okay. And we'll do a
6 procurement overview, which will, kind of, give you an
7 outline of our expectations for the procurement and how we
8 expect it to go and if you have any feedback on the time
9 lines.

10 So the purpose of this new facility is to
11 expand capacity and services in Santa Rosa. It's a 53,870
12 ANSI/BOMA square foot maximum. So that's the maximum
13 amount of ANSI/BOMA, which is a change from the way we
14 would used to do -- the V.A. used to procure an a net
15 usable.

16 Now, we're doing at ANSI/BOMA, American
17 Building -- Office Area. So thank you for that. It's new
18 to me. I have a reason for not knowing it, although I
19 have seen it on the last 30 procurements that I've done.

20 We have a minimum of 420 outside surface
21 parking spaces reserved for the exclusive use of the
22 government. The parking spaces must be secure and well
23 lit.

24 The site must be controlled by the successful
25 Offeror. When we say "control," it means that you must

1 have ownership or a ground lease for a time outside of our
2 lease -- I mean outside of the V.A.'s lease.

3 V.A. plans to lease the premises for a term
4 of up to 20 years.

5 Occupancy is preferred within 540 calendar
6 days but no latter than 730 calendar days following the
7 lease award. 540 days is what we're looking for.

8 Offeror finances the project through
9 completion of construction. So it is the responsibility
10 of you all to finance this project. That's very important
11 to know. It is something that we have the expectation
12 that will be met.

13 So our "Offer Requirements." It's due -- our
14 offer here is due November 13th, by 4:00 p.m. Eastern
15 Standard Time. That's very important, because although
16 we're on the West Coast, Eastern Standard Time here would
17 be 1:00 p.m. So be sure to have it in to -- on this side
18 by 1:00 p.m.

19 You submit your compact disk to
20 Carpenter/Robbins as follows:

21 We need two separate -- we need two separate
22 disk types. We need the technical proposal and the price
23 proposal. Those must be separated.

24 For the technical proposal, it's very
25 important that you send us six CDs. No hard copies will

1 be accepted.

2 We're trying to really start doing this
3 paperless environment that the government has been
4 discussing for years. We are going to achieve that. I
5 don't know if on here, but we're definitely going to
6 achieve that.

7 We have one CD for the price proposal. No
8 hard copy as well.

9 So submit to my office -- directly to me,
10 please submit one set of compact disks, Volume 1 and
11 Volume 2, to myself and to Kelli Witt. So you would
12 submit -- that's actually two disks that need to come; one
13 for myself, and one to Kelli.

14 CDs. It's very important. They must be
15 bookmarked, and we only want CDs. We do not want DVDs.
16 So please ensure that you bookmark them.

17 It makes it very easy for us to go to what we
18 need to do, because there is a technical evaluation. And
19 in order for your CD to be reviewed thoroughly, we need to
20 make sure that we can go to the areas that we need to go
21 to. So please bookmark them.

22 Initial and sign all pages of your submittal.

23 Offers that do not comply specifically and
24 correctly with the RLP directions are at risk of being
25 determined to be non-responsive.

1 And I kind of just want to go and emphasize
2 one thing. When we say offers are supposed to be specific
3 and correct, that means -- and this is a sidebar. She's
4 going to get into this a little later on, Cindy will.

5 But please ensure that the name -- the
6 Offeror's named is consistent throughout the proposal.
7 Every document must have the same Offeror's name. If it's
8 a joint venture, it must be the same Offeror. The naming
9 convention must be exactly the same.

10 So we can't see "John Doe Company, LLC,"
11 versus "John Doe, Incorporated." That is not complete.
12 And being as I'm telling you all this now, it's not going
13 to be considered a clarification that needs to be made.
14 It's an actual non-responsive. So ensure that your names
15 are consistent throughout the entire offer.

16 V.A. will award based on best value, price
17 and other factors considered.

18 We may award this contract based on initial
19 offers. That's our goal. Our goal is to award on initial
20 offers. So put your best foot forward your first time.

21 We may elect to establish a competitive range
22 if we are not able to award on initial offers. We will
23 establish a competitive range.

24 Negotiations may be conducted with only the
25 most highly qualified bidders in order to determine the

1 best value to the government. That's -- in any instance,
2 put your best foot forward. I can't emphasize that
3 enough.

4 Price evaluation is based on net present
5 value per ANSI BOA square foot basis. And you can refer
6 to Section 4.05 of the RLP for that.

7 Awards occurs upon execution of the lease by
8 the contracting officer. So until I execute, there's no
9 award. There's -- there has been a little confusion.
10 Until it's executed by the V.A. by the contracting
11 officer, there is no award.

12 So you may receive a document that we ask you
13 to sign, maybe two months, more than likely, everyone in
14 the competitive range has received that same documentation
15 to award -- I mean to sign. It's to prepare for an award.
16 Until it's signed by the contracting officer, whomever
17 that may be, it is not awarded.

18 So Cindy is going to take it from here.
19 Thank you.

20 MS. SCHNEIDER: Good morning. I hope you are
21 all as excited as I am to be here. This is an important
22 project for Santa Rosa and your Veterans that are there.
23 We are thrilled to have you all interested and
24 participating in this proposal. So we'll talk a little
25 bit about the project overview and the best value source

1 selection procurement.

2 Best value source selection means that your
3 proposal is looked at in two different ways, technical
4 evaluation and a price proposal.

5 The technical evaluation is looked at by a
6 board of people who review all your submittals, and they
7 rate your proposal.

8 The pricing is only looked at by our
9 contracting officer. And those two are then married
10 together and a determination is made for best value.

11 So you could have the highest technical
12 evaluation, you could have the highest price, and it
13 doesn't mean that you are going to be the selected person.
14 It's a best value. So it is a determination made by the
15 contracting officer marrying those two together.

16 So it's interesting that this slide is just
17 one bold sentence, "Submittals Disk Must Be Indexed."
18 That tells me that we got disks that weren't indexed.

19 So, please, this is critical and important
20 for us to be able to go through those disks in an easy
21 manner and find the information that you're proposing.

22 If you don't index them, and we're searching
23 all over, we could miss something during our reviews. So
24 it's critical for you to make sure that they are indexed.
25 Make sure they are real easy to go through.

1 Technical factors. The RLP spells out the
2 four technical factors that are going to be evaluated by
3 the TEB Board. So the first thing I want to recommend to
4 everyone in here is to read the RLP. And when you're
5 done, read it again.

6 There are changes in the RLP to the way V.A.
7 is doing their process. So even if you had done these,
8 you think you can do them in your sleep, you understand
9 what are the technical factors, you know what you're
10 looking for, you might not. So please, please, read them.

11 MS. DUPREE-HART: Cindy?

12 MS. SCHNEIDER: Yes.

13 MS. DUPREE-HART: There are no subfactors. I
14 guess that was probably -- that's an error. We don't have
15 subfactors anymore.

16 MS. SCHNEIDER: Okay.

17 MS. DUPREE-HART: We have what we call areas
18 of configuration. Subfactors are no longer rated, so what
19 they do is --

20 MS. SCHNEIDER: Can you all hear Toni?

21 I'm sorry to interrupt.

22 MS. DUPREE-HART: This is important.

23 MS. SCHNEIDER: Please.

24 MS. DUPREE-HART: So we -- this is an error.

25 "Clear responses to each factor and subfactor

1 are critical -- are critical to proper evaluation of the
2 offer." There are no subfactors.

3 The V.A. does not have subfactors in our
4 technical evaluation. What we do is we look at all
5 factors. And in those factors, we have things that we
6 call areas of consideration, which are rated, but they are
7 not subfactors.

8 And I'm not sure if you all are familiar with
9 what a subfactor would be. It would be area within a
10 subfactor that is rated. We do not rate subfactors at
11 this point.

12 What we do is we look at the -- we look at
13 the factor as a whole, and we make a determination of
14 areas that we need to consider based on the proposal
15 itself. We find that it's a much more fair way to
16 evaluate a proposal.

17 So please just disregard that. Because in
18 the actual -- in the actual RLP, it does not state
19 subfactors. They are areas of consideration that we look
20 at when we're evaluating a factor.

21 So that's a very important nuance that we
22 don't want you to hang your hat on. If you have a
23 strong -- say there's architectural concept, quality of
24 site characteristic and sustainability, we don't want you
25 to think that any point architect concept is going to be

1 rated higher, as a general rule, than sustainable.

2 So, you know, just ensure that's just part of
3 the technical evaluation. So we don't want you to, kind
4 of, hang your hat on that. You know, if you have a
5 strong, sustainable design that's absolutely fabulous, we
6 do take that into consideration, you know, just as
7 equally.

8 So that's something that we, as an evaluation
9 board, feel strongly about. So we don't want to -- you
10 know, we don't want it to be something that you
11 don't -- emphasize, if that's something that you know
12 works for your organization.

13 So it's a little -- it seems like a small
14 thing, but, believe me, it can be hung up in evaluations
15 for a very long time, so I just wanted to emphasize that.

16 MS. SCHNEIDER: Okay. So we will go onto the
17 factors. They are spelled out. We asked for very
18 specific information for you to show and tell us.

19 So the first thing to emphasize is to please
20 read it.

21 The second thing to remember is we need you
22 to show us and tell us. Don't assume we know anything
23 about you, your company, the site, what you're proposing.
24 Show us everything. Tell us everything.

25 Give the TEB Board, those folks that are

1 sitting there looking at it, all the information that they
2 need to give you a fair rating on what you're proposing.

3 Factor four, the Socioe-Economic Status.

4 This has to do with small business and your status.

5 I'm going to say again, read the RLP.

6 Understand what you need to do to be rated on these.

7 If you call yourself small business, if you
8 call yourself service disabled veteran owned business, and
9 you haven't registered properly, you haven't gone into the
10 right sites, you haven't provided that information to us,
11 we won't be able to give you credit for that.

12 So, please, I'll stay again, read the RLP.

13 Read the documentation and follow the instructions.

14 Some additional information on here about
15 service-disabled veteran-owned small business. It's in
16 the RLP. It tells you what website you have to go to.

17 And to emphasize that, at initial offer and
18 the final revision proposals, we need to see this
19 information. Don't wait. It needs to be in with your
20 initial offer. That November 13th date is critical. If
21 you need to do this, get on it, get it done. Pay
22 attention. It's for you.

23 Joint Ventures. Partly what Toni was talking
24 about, the consistency in your paperwork. If you're doing
25 a joint venture, make sure that all the paperwork that you

1 have is consistent with that joint venture name.

2 Also, in SAM registration. I'm sure that's
3 one of your favorite things to go play with and go do is
4 SAM. But it's important that that joint venture is in
5 there properly, and that it matches all the paperwork that
6 you are submitting, so we can give you full credit, and we
7 can look at your offer as a responsive offer.

8 If you are not a small business and you are
9 coming in as a large business, with your initial offer, we
10 must have your small business subcontracting plan. That
11 can't be something you think about later and you send in
12 later.

13 I'll remind you that Toni said her goal is to
14 award on initial offers. She is looking for a full and
15 complete offer with your best price on the table. She's
16 not looking for a long negotiation.

17 For our veterans, we need to move these
18 projects forward, and she is committed to that. Initial
19 offers are critical, and we are hopeful that we can make
20 an award based on initial offers.

21 Again, just going on to more information
22 about technical factors, the V.A. goals are listed. Pay
23 attention to those. Make sure your submittals address
24 them.

25 Technical and Price Proposals. We need

1 technical and price proposals. Toni has reviewed this
2 with the number of the CDs that we have.

3 All the information is in your RLP. Read
4 your RLP and follow the instructions. Show and tell us
5 everything that you need. Make sure those proposals are
6 in on time and consistency of your Offeror's names. Focus
7 on those details.

8 Okay. We'll talk about some drawings, and
9 we'll have Rob Forney coming up and talk about that.

10 MR. FORNEY: Hello. So I'm going to go over
11 a little bit of the process we've gone through so far to
12 arrive at these plans.

13 So we have had several meetings with the V.A.
14 Medical Center to create this diagram, really, of the
15 floor plan, and it starts with the program for design.

16 So that was issued to us, but we have gone
17 through with the staff and vetted the program, made sure
18 this is the spaces that they want.

19 So all the spaces that are on these diagrams
20 are going to be on the program for design. And those
21 square footages that are on the program for design are
22 what you need to meet to comply with what we're asking
23 for.

24 So we worked with the staff. What we're
25 trying to work out is adjacencies, flow of the building,

1 the way that staff moves in, and the way that the public
2 and the patients move through the entry.

3 There is a main -- one main entry for the
4 patients to flow through. And that, of course, leads you
5 to the lobby, which is the big common space in the lower
6 half of this diagram.

7 Some of the departments are off of that
8 lobby, that they -- that the staff feels important that
9 patients going can go and get to easily, like blood draw,
10 pharmacies, radiology, those kind of things, and physical
11 therapy. So those want to be in that first common space.

12 Then there's a, kind of, horizontal line
13 across the building, left to right. That's really the
14 more of a semi-public space. That's where the patients
15 get escorted back to the clinic and to the mental health
16 specialty care, those kind of facilities.

17 It's a two-PACT model. It's based on the
18 PACT prototype, and that basically allows for two large
19 team rooms in the middle for staff. And the exams and
20 counsel rooms that -- that are around those team rooms
21 let's the staff go in from one side and let's the patients
22 go in from the corridor on the side. So that's the
23 concept of a PACT and one of the important features of
24 pack.

25 Also, we looked at staff flow and logistics

1 and supplies, those things coming in from the back, in a
2 separate, kind of, circulation space. So that's kind of
3 some key important parts of that plan.

4 We also worked with the staff and went room
5 by room and went to the room contents, determined what's
6 in the T.I., and what's by the V.A. -- supplied by the
7 V.A. So all of that is in the Room Contents Report,
8 another appendix that's included.

9 So what we don't have is a site plan shown.
10 We used to do that in the SFO process, but the same
11 concepts apply. If we have agency-specific requirements
12 that are also in the -- that are off-site, you need to
13 read and understand.

14 Those are really the important key points
15 that the Medical Center wants to make sure that you're
16 achieving in your design. And those will be listed in the
17 narrative.

18 So, for instance, like the main entry, having
19 one main entry point, the site -- we'll give you the
20 parking requirements and the drive-up canopy and drop-off
21 areas, those kind of things.

22 So those are all covered, kind of, more like
23 in the narrative form, written form, than in the diagram.
24 And then you'll need to take this and develop it into your
25 particular version.

1 But I just want to emphasize that the plan
2 has been gone through and is a good plan -- a good plan to
3 go with. I think that's about it. Thanks.

4 Yeah, you can scroll through. The enlarged
5 plans are there, but it's kind of hard to read on the
6 screen.

7 MS. SCHNEIDER: So they provided, kind of,
8 blowups of the spaces.

9 Okay. Ryan, do you want to talk about the
10 building codes and standards, please?

11 MR. ANDERSON: Okay. So for those of you who
12 may have been involved with the V.A. leasing in the past,
13 we have a fairly significant departure from what we had as
14 requirements in this area.

15 So, just reading from the slide here,

16 "The Lessor shall design and construct the
17 building and site work in accordance with
18 this solicitation. All applicable federal
19 regulations, local Building and Zoning Codes
20 and ordinances, and applicable utility
21 company requirements.

22 "The term 'local building and zoning codes
23 ordinances,' or similar text, shall be
24 understood to mean in the current codes and
25 regulations as provided and as administered

1 by the A.H.J. at the project location at the
2 time of permitting. Where there is a
3 conflict between the various codes and
4 standards, the most stringent shall apply."

5 So we used to have but no longer have a bunch
6 of V.A.-specific criteria, the V.A. Standards, the V.A.'s
7 HVAC Design Manual, V.A.'s Plumbing Design Manual, and so
8 forth, those are no longer in these leases anymore.

9 You can see the requirements there. They are
10 list there on the screen. And you consult the appendices
11 for the specific codes that we're referencing in these new
12 ones. Some of the cornerstones, of course, there are the
13 Joint Commission, NEPA 99 and FGI out of that list there.

14 But you'll see, for instance, the ABAAS
15 requirements for disability. We no longer have the
16 V.A.'s-specific disability documents anymore. PGAD 13,
17 whatever the number is.

18 We're going with more industry standards so
19 we'll be more in line with how industry procures
20 facilities like this and more in line with how the GSA
21 works, so --

22 MS. SCHNEIDER: Okay. Thank you, Ryan.

23 Point out again that there are some changes
24 in this document, so read the RLP. Read it again. Look
25 through changes and differences.

1 Design Concept. Emphasized here is we need
2 you to include your site design. If you are looking at a
3 building suit above the ground, we need to know what that
4 site design looks like.

5 We are also accepting existing buildings for
6 renovation. We would at least like to know what that site
7 looks like, what's on the site, how many parking spaces,
8 entrances, exits, all those things, even if it's an
9 existing building.

10 If you are developing, you're going to be
11 evaluated on the ability to develop the site, and
12 landscaping as well. So we need all that information. Go
13 back to show and tell. Show us what you're going to do.
14 Tell us about it in a narrative.

15 Stick with the plan. V.A. spent a lot of
16 time working on these plans. They know what they're
17 doing. That's know what their customers want. They know
18 what the veterans in Santa Rosa need. Follow the plans.
19 Stick to the plans.

20 Okay. Now, here's a lovely form that we all
21 know and enjoy. GSA Form 1217. It can be confusing if
22 you haven't used it before. And you might have heard some
23 of us in GSA-land say "Above the line," or "Below the
24 line." What does it mean if it's above the line and below
25 the line?

1 It's actually Section 1 and Section 2. And
2 Section 1 is where you will show us, in numbers, what your
3 operating costs are for the building. That is your
4 operating costs. That is escalated in CPI. That's in the
5 RLP.

6 Below the line are numbers that we want to
7 look at and evaluate, but those numbers need to be in your
8 base rent. Those numbers will not be escalated. Those
9 numbers will not be included in your operating rent. And
10 there has been confusion on that. So it should be pretty
11 clear. Above the line is operating, below the line.

12 Question?

13 MR. RICHIE: Mark Richie, Newmark Realty
14 Capital. My question is in regards to line 28, property
15 taxes.

16 And in past -- in past SFO's, there's always
17 been an amendment, in the case of California, as far as
18 coming up with one property tax number for all the bidders
19 to use as a base and then a true-up over that number.

20 I've not seen that documentation yet. And
21 for an Offeror, until that amendment comes out, that
22 causes quite a bit of consternation on the project.

23 And, Anntwanette, is that going to the
24 included in this SFO?

25 MS. DUPREE-HART: I believe that it will be.

1 I need to get authority to do that, but that should be
2 included -- that we provide a baseline, so that everyone
3 will know.

4 Because what happens is we pay the property
5 tax anyway. So we need to ensure that everyone has it
6 consistently. So, yeah, that's just something that we did
7 not put in this RLP, but that's something likely that we
8 will do. But by the time the responses come out, you will
9 have the answer.

10 MR. RICHIE: Okay. Thank you.

11 MS. SCHNEIDER: SAM Registration. Another
12 fun thing. Very important. Needs to be completed by
13 initial offer. There has been some changes in registering
14 in SAM. Please go to their site. Follow their
15 directions.

16 Make sure your name is consistent. If it's a
17 joint venture, you've got to have good names, got to be
18 there, and match everything in your offer.

19 Make sure you're registered under the proper
20 NAICS code, 531120. You need to know your small business
21 status within that Sam registration. Important that it's
22 done by your initial offer.

23 Past Performance and Reference Checks. The
24 forms are there. We need a minimum of three references.
25 If we didn't get three references, you could be considered

1 non-responsive. Again, it's a timely issue.

2 Yes?

3 MR. SHIFF: In the past, there's been a
4 question about the references. My understanding is that
5 the intent of these forms is references for the offering
6 entity, right?

7 But the question is for contractors,
8 architects, other members of the team, what is the current
9 position about references there?

10 MS. SCHNEIDER: Toni, are you just looking
11 for references for the entire team or for the
12 individual.

13 MS. DUPREE-HART: We're looking for the
14 Offeror, the references from the Offeror.

15 MS. SCHNEIDER: And if it's a new entity,
16 they have no references.

17 And so I misspoke. They wouldn't be
18 considered non-responsive. They would just get a neutral
19 rating on that references.

20 MS. DUPREE-HART: It wouldn't be negative if
21 they don't have it.

22 MS. SCHNEIDER: We have another question.

23 MR. BRAGOTTE: To clarify, so if you did
24 another V.A. project under a single-purpose entity -- if
25 you have a new single-purpose entity for this, is it still

1 okay to do it under the entity you originally did it under
2 or the umbrella organization for consistency? Because the
3 names are going to probably change between deals.

4 MS. SCHNEIDER: Right.

5 MR. PAVEK: What is your name?

6 MR. BRAGOTTE: Bragotte.

7 Thank you, Tim.

8 MS. DUPREE-HART: Can I get back to you with
9 that?

10 MR. BRAGOTTE: Yeah.

11 MS. SCHNEIDER: That is a good question.

12 We'll get that answered.

13 MR. BRAGOTTE: Yeah, to keep -- you want the
14 name going the same.

15 MS. SCHNEIDER: I understand what you're
16 saying. You did an LLC, and if the LLC has a different
17 name, you want make sure you'd be able to --

18 MS. DUPREE-HART: So cross-reference?

19 MS. SCHNEIDER: Yeah. Okay. We will answer
20 that question.

21 Davis-Bacon. Davis-Bacon applies on this
22 project, as it does on most large Federal projects. You
23 need to be aware of what Davis-Bacon is and make sure that
24 you comply with that.

25 It also needs to comply with Davis-Bacon as

1 it changes. If it increases or changes through the life
2 of the project, you need to make sure that your records
3 indicate that you're paying those proper wages.

4 It doesn't end at lease award. It doesn't
5 end at issuance of RLP. It follows you all the way
6 through the construction phase.

7 Another change for V.A. here is they are
8 shifting the responsibility of the due diligence for NEPA,
9 cultural resources, to the developer. V.A. used to do
10 that themselves. They are asking the developer to do that
11 now.

12 They will require that for off-site
13 improvements and any other due diligence that you need to
14 do on your site. Come back and make sure you read the
15 RLP, and you'll understand what your responsibilities are
16 in that regard. So that is a change.

17 Yes, question?

18 MR. CUNNINGHAM: Bill Cunningham, Cunningham
19 Development Company.

20 Cindy, could you clarify what level of NEPA
21 screening, clearance, documentation are expected as the
22 initial offer versus as we go through the process?

23 MS. SCHNEIDER: Toni.

24 NEPA initial offer, how much is required,
25 specifically?

1 MS. DUPREE-HART: I will need to get back to
2 you.

3 MS. SCHNEIDER: We'll get back to you on
4 that. Good question.

5 MR. CUNNINGHAM: Thank you.

6 MS. DUPREE-HART: Can you email that
7 question, please?

8 MR. CUNNINGHAM: Yes, I will.

9 MS. DUPREE-HART: Thank you.

10 MS. SCHNEIDER: Any other questions about due
11 diligence?

12 Toni, another comment. It is a change. It
13 is a change. V.A. used to do it. They are now requiring
14 Offerors to do it.

15 "Section 503 and Applicable Law. Any
16 provision in the lease that purports to assign liability
17 or require expenditure of funds to the Lessor shall be
18 governed by the Contract Disputes Act."

19 That's not a change. Just read your RLP and
20 understand what your responsibilities are, what your risks
21 are.

22 Waiver of Restoration. The government is not
23 going to come in and restore anything.

24 Budget Scorekeeping, and Operating Lease
25 Treatment. It has to be an operating rent. Your numbers

1 cannot score, and it will be looked at carefully. You can
2 look at Office of Management and Budget Circular A-11.

3 If you need more to read, pull that up and
4 read it. And it will help you understand what
5 scorekeeping does. The Government looks at that
6 carefully. You must be an operating lease in order to be
7 eligible for the board.

8 So here's some "Minimum Requirements." "Life
9 Safety Protected" at occupancy.

10 You need a certificate of occupancy is
11 required.

12 Seismic design requirements.

13 GREEN GLOBES.

14 Center for Disease Control requirements for
15 Tuberculosis.

16 Federal regulations.

17 We already talked about local building codes.

18 David-Bacon.

19 Uniform Accessibility Standards, (UFAS) and
20 (ABAAS).

21 V.A. Barrier Free Program Guide.

22 It should all be spelled out for you in the
23 RLP and attachments. Make sure you understand what those
24 are and make sure you can meet all those minimum
25 requirements.

1 Okay. The first line, "Read all parts of the
2 RLP in their entirety." I'll say it again. Read it all.
3 It's boring, but it's important. Read it all.

4 Make certain all documents that require
5 signature have been signed by the signature authority for
6 the Offering Entity. Make sure they are signed. Initial
7 where you need to initial.

8 The DUNS number has to be registered in SAM.
9 We talked about SAM and how important that was. Get
10 started on it, especially if you're creating a new entity.
11 It needs to be in SAM in the initial offer. We need to
12 see that.

13 The 1364, you need to complete one for each
14 pricing structure, along with the attachments. Read your
15 RLP. It will tell you the different structures.

16 V.A. will not accept conditional offers.

17 Make sure, if you're a small business, you
18 submit the documentation.

19 Evidence of capability to perform. Again, if
20 you're creating a new entity, Toni needs to be able to see
21 that that new entity is capable of performing. Not the
22 old entity, not a piece of the entity. She needs to have
23 that consistency on all documents. Get started soon on
24 this, so you can have it all by the initial offer.

25 And then that timely offer. We can't stress

1 that enough. That if the offer doesn't come in to
2 Carpenter/Robbins on time at 1:00 o'clock on November
3 13th, it has to be set aside and not opened. If you come
4 in at 2:00, all that work -- and you guys worked hard at
5 it -- will just be set aside.

6 Yes, question?

7 MR. CARLSON: Eric Carlson with Hamstra.

8 On the bottom line, "Submittal," it says,
9 "Late submittal may not be considered." Does that mean
10 you can consider them?

11 MS. DUPREE-HART: There's circumstances
12 within the FAR that allows us to accept an offer. Usually
13 when that happens, it's a lack of competition.

14 So, in other words, if we have no submittals
15 and yours come in late, we do have the option of
16 accepting. That is really one of the very few.

17 There may be some coastal issues that we
18 will, you know, allow a submittal that comes in late, or
19 we just make those exceptions. Those are very rare. I
20 would not hang my hat on that. If we have more than one
21 offer, then that will, very likely, not apply.

22 MR. CARLSON: Thank you. I was just trying
23 to clarify what this meant.

24 MS. DUPREE-HART: Sure.

25 MR. FORNEY: So I just noticed one thing on

1 the second to last slide. The top line, about Life Safety
2 Protected Occupancy," that really isn't a requirement
3 anymore in the RLP.

4 So I just want to make sure everyone knows
5 about that. That has a lot to do with the blast
6 resistance, construction, progressive collapse, and the 25
7 foot setback requirements. Those are all in that Life
8 Safety Manual for the V.A. So that is not a requirement
9 of this.

10 That's backed up in the narrative and the
11 appendixes, but I just missed that on the slide. So I
12 think it's going to help, in general, bring the costs
13 down. That's really -- the purpose of this is to, kind
14 of, control costs where it's not -- you know, because it
15 escalates a lot of costs.

16 MR. SHIFF: If I can restate your question,
17 you're concerned with? Are you saying that, other than
18 local codes and federal codes, in terms of seismic,
19 there's no ATFP requirements, no Anti-Terrorism Force
20 Protection?

21 MR. LAMENDOLA: It's considered PSTM-Level 2.

22 MR. SHIFF: Okay. And the other question,
23 then, is as far as Life Safety Protected in terms of glass
24 protection, the 25-foot setback doesn't exist?

25 MR. FORNEY: No.

1 MR. SHIFF: Okay. That's a big change.

2 MR. LAMENDOLA: The whole idea behind the new
3 model now is to deliver more in line with GSA and to strip
4 away a lot of the V.A. standards that typically cost the
5 projects much more money.

6 It's a quicker delivery model and very well
7 thought out. I think that the architects in the room that
8 know the business will figure that out real quick.

9 MR. O'CONNOR: This is Michael O'Connor of
10 NMR.

11 There is a fragment in the RLP, off the top
12 of my memory, like 3.1-A, that actually refers to the
13 setback still, although it's not through the Physical
14 Security Guide. But it refers you to the lease to see
15 what the distance is. But I've never found an RLP lease
16 that actually states what that number is.

17 I'll send it in as an email question.

18 MS. SCHNEIDER: Thank you.

19 MR. FORNEY: I mean, there are security
20 requirements that are in Appendix D, and there are some,
21 but they are not the blast-related or the --

22 MS. SCHNEIDER: Yes.

23 MR. CUNNINGHAM: Bill Cunningham, Cunningham
24 Development.

25 I don't want to belabor the point of security

1 levels, but it's a big one. And the mistakes along those
2 lines can be costly delays, bad pricing, all manner of
3 things. So let me just take a minute further on that, if
4 I can add for the clarification.

5 So the Interagency Security Guidelines, by
6 which GSA is following still, occasionally, there are
7 waivers, you know, at a Level 2, do, in fact, have
8 setbacks, glazing, facade protection, barrier
9 requirements, and so forth.

10 So am I to understand that there's a
11 different standard being applied? And by the way, in the
12 lens of this, we spent some time with some of the firms
13 with respect to the blast and those protections, and they
14 are being achieved other ways today.

15 So getting to the goal is the trend. But can
16 we get a specific answer with respect to this requirement?

17 I think glazing is easy to deal with. Facade
18 is easy. Structural usually gets covered because of
19 California's Earthquake Standards kind of hit that all at
20 one time.

21 But can we get a specific answer with respect
22 to setback? Is there or isn't there one for this
23 building?

24 MR. LAMENDOLA: I think it's more in tune
25 with an email response with very detailed information

1 going to all the Offerors.

2 MR. CUNNINGHAM: Which will address
3 specifically a "yeah" or "nay" on --

4 MS. SCHNEIDER: Yes.

5 MR. CUNNINGHAM: -- on setbacks?

6 MS. SCHNEIDER: Yes.

7 Okay. Opportunity to ask any questions. We
8 have the contracting officer here. We've got our
9 technical folks.

10 Does anyone have any other questions that
11 they would like to ask at this time? And if you think of
12 some, you can always send them to me, and we will make
13 sure to get those answered.

14 Yes?

15 MR. O'CONNOR: Michael O'Connor with NMR.

16 The canopy drop-off vehicle protection. And
17 let's suppose that you're to allow like a 3-foot overlap
18 to the passenger side of the vehicles, but that language
19 is removed on the current RLPs.

20 Full vehicle coverage, or is that overlap to
21 the passenger side from prior SFOs allowed, or is that
22 something I should send in?

23 MR. FORNEY: Yeah, I'm not familiar with the
24 language exactly on that. So we can probably expand on
25 that, so we know that.

1 MR. O'CONNOR: Okay. Thank you.

2 MS. SCHNEIDER: If we have no more
3 questions -- we have another question.

4 MR. SHIFF: Do you have a sense of what their
5 time frame is to award it?

6 MS. DUPREE-HART: We expect to award next
7 summer. Sooner, possibly, if we can award initial
8 offers.

9 MR. SHIFF: If you award on initial offers,
10 do you have a sense of the time frame on that?

11 MS. DUPREE-HART: Spring, we're looking at.

12 MR. SHIFF: First quarter?

13 MS. DUPREE-HART: We're looking at March.
14 March or April.

15 MS. SCHNEIDER: Maybe March or April for
16 initial offers, and then summer if we have to go into
17 negotiations.

18 MS. DUPREE-HART: Right. And it also is
19 going to depend on the environmental.

20 Back to the question on the NEPA, we're
21 looking for a phase one, which is mostly just research on
22 the site.

23 MS. SCHNEIDER: Thank you all very, very much
24 for coming.

25 For those who are staying for Oxnard, it will

1 be in this room. Thank you, everyone.

2 (Ending time: 10:57 a.m.)

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3 I, the undersigned, a Certified Shorthand Reporter
4 for the State of California, do hereby certify:

5 That prior foregoing proceedings were taken before
6 me at the time and place herein set forth; that any
7 witnesses in the foregoing proceedings, prior to
8 testifying, were placed under oath; that a verbatim record
9 of the proceedings was made by me using machine shorthand
10 which was thereafter transcribed under my direction;
11 further, that the foregoing is an accurate transcription
12 thereof.

13 I further certify that I am neither financially
14 interested in the action nor a relative or employee of any
15 attorney of any of the parties.

16 IN WITNESS WHEREOF, I have this date subscribed my
17 name.

18
19 Dated: _____

20
21 
22 Laura A. Rutherford, RPR
23 CSR No. 9266
24
25