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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
COMMUNITY BASED OUTPATIENT CLINIC
SANTA ROSA, CA
RLP NO. 36C10F18Q0571

PRE-BID CONFERENCE

OCTOBER 2, 2018

Reported by:
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<p>1 LOS ANGELES, CALIFORNIA; TUESDAY, OCTOBER 2, 2018</p> <p>2 10:11 A.M. - 10:57 A.M.</p> <p>3</p> <p>4 ---oOo---</p> <p>5</p> <p>6 MS. WITT: All right, we're going to get</p> <p>7 started. Can everyone hear me? Okay.</p> <p>8 Welcome, and thank you for coming. My name a</p> <p>9 Kelli Witt. I'm the project manager for the Santa Rosa</p> <p>10 V.A. CBOC procurement. This is Anntwinette Dupree-Hart.</p> <p>11 She's the contracting officer.</p> <p>12 Let's go to the first slide.</p> <p>13 All right. So we have a court reporter</p> <p>14 today. Laura is here. So we'll need you to make sure,</p> <p>15 when you're asking questions or making comments, please</p> <p>16 reference the RLP section number to which your question</p> <p>17 pertains.</p> <p>18 Please speak clearly.</p> <p>19 State your name and your company affiliation.</p> <p>20 Our goal is, obviously, to answer your</p> <p>21 questions. What we can't answer here, we'll ask that you</p> <p>22 put in writing and submit it to Cindy Schneider from</p> <p>23 Carpenter/Robbins. She's at cschneider@crcr.com.</p> <p>24 And we're at cutting off questions on October</p> <p>25 12th. So that's the last day for questions, so we can</p>	<p>1 Rich Diddams couldn't be here. Rob Forney is</p> <p>2 here. And oh -- and Christy Johnson. That is not what I</p> <p>3 remember you saying. So they will be assisting in</p> <p>4 answering questions as well.</p> <p>5 MS. DUPREE-HART: Okay. And we'll do a</p> <p>6 procurement overview, which will, kind of, give you an</p> <p>7 outline of our expectations for the procurement and how we</p> <p>8 expect it to go and if you have any feedback on the time</p> <p>9 lines.</p> <p>10 So the purpose of this new facility is to</p> <p>11 expand capacity and services in Santa Rosa. It's a 53,870</p> <p>12 ANSI/BOMA square foot maximum. So that's the maximum</p> <p>13 amount of ANSI/BOMA, which is a change from the way we</p> <p>14 would used to do -- the V.A. used to procure an a net</p> <p>15 usable.</p> <p>16 Now, we're doing at ANSI/BOMA, American</p> <p>17 Building -- Office Area. So thank you for that. It's new</p> <p>18 to me. I have a reason for not knowing it, although I</p> <p>19 have seen it on the last 30 procurements that I've done.</p> <p>20 We have a minimum of 420 outside surface</p> <p>21 parking spaces reserved for the exclusive use of the</p> <p>22 government. The parking spaces must be secure and well</p> <p>23 lit.</p> <p>24 The site must be controlled by the successful</p> <p>25 Offeror. When we say "control," it means that you must</p>
<p>1 make sure we're getting them answered and sending out</p> <p>2 amendments, if necessary.</p> <p>3 Okay. This is the agenda. We'll be going</p> <p>4 through the welcome, the introductions, objectives, the</p> <p>5 overview. We'll review the RLP package and conceptual</p> <p>6 plans, and then you'll have an opportunity to ask</p> <p>7 questions at the end.</p> <p>8 Okay. Like I said, this is Anntwinette</p> <p>9 Dupree-Hart. She's the contracting officer for both Santa</p> <p>10 Rosa and Oxnard, if you're here for both.</p> <p>11 I am the project manager, Kelli Witt. Kimber</p> <p>12 Kay (phonetic) is the facility planner here for the San</p> <p>13 Francisco Medical Center. Andy Lamendola and Ryan</p> <p>14 Anderson will be assisting us as the resident engineers on</p> <p>15 both projects.</p> <p>16 Linda Chan couldn't be here, but she is the</p> <p>17 planner and architect for these projects.</p> <p>18 Pat Moran is also assisting, and we have Mark</p> <p>19 Mueda here, somewhere -- here, who is also assisting.</p> <p>20 All right. Carpenter/Robbins Commercial Real</p> <p>21 Estate will be assisting us with the procurement. Cindy</p> <p>22 Schneider is the lead on this.</p> <p>23 We have the A.E. Commanders Concepts</p> <p>24 Commissioning did the conceptual plan, the appendices for</p> <p>25 us.</p>	<p>1 have ownership or a ground lease for a time outside of our</p> <p>2 lease -- I mean outside of the V.A.'s lease.</p> <p>3 V.A. plans to lease the premises for a term</p> <p>4 of up to 20 years.</p> <p>5 Occupancy is preferred within 540 calendar</p> <p>6 days but no latter than 730 calendar days following the</p> <p>7 lease award. 540 days is what we're looking for.</p> <p>8 Offeror finances the project through</p> <p>9 completion of construction. So it is the responsibility</p> <p>10 of you all to finance this project. That's very important</p> <p>11 to know. It is something that we have the expectation</p> <p>12 that will be met.</p> <p>13 So our "Offer Requirements." It's due -- our</p> <p>14 offer here is due November 13th, by 4:00 p.m. Eastern</p> <p>15 Standard Time. That's very important, because although</p> <p>16 we're on the West Coast, Eastern Standard Time here would</p> <p>17 be 1:00 p.m. So be sure to have it in to -- on this side</p> <p>18 by 1:00 p.m.</p> <p>19 You submit your compact disk to</p> <p>20 Carpenter/Robbins as follows:</p> <p>21 We need two separate -- we need two separate</p> <p>22 disk types. We need the technical proposal and the price</p> <p>23 proposal. Those must be separated.</p> <p>24 For the technical proposal, it's very</p> <p>25 important that you send us six CDs. No hard copies will</p>

<p>1 be accepted.</p> <p>2 We're trying to really start doing this</p> <p>3 paperless environment that the government has been</p> <p>4 discussing for years. We are going to achieve that. I</p> <p>5 don't know if on here, but we're definitely going to</p> <p>6 achieve that.</p> <p>7 We have one CD for the price proposal. No</p> <p>8 hard copy as well.</p> <p>9 So submit to my office -- directly to me,</p> <p>10 please submit one set of compact disks, Volume 1 and</p> <p>11 Volume 2, to myself and to Kelli Witt. So you would</p> <p>12 submit -- that's actually two disks that need to come; one</p> <p>13 for myself, and one to Kelli.</p> <p>14 CDs. It's very important. They must be</p> <p>15 bookmarked, and we only want CDs. We do not want DVDs.</p> <p>16 So please ensure that you bookmark them.</p> <p>17 It makes it very easy for us to go to what we</p> <p>18 need to do, because there is a technical evaluation. And</p> <p>19 in order for your CD to be reviewed thoroughly, we need to</p> <p>20 make sure that we can go to the areas that we need to go</p> <p>21 to. So please bookmark them.</p> <p>22 Initial and sign all pages of your submittal.</p> <p>23 Offers that do not comply specifically and</p> <p>24 correctly with the RLP directions are at risk of being</p> <p>25 determined to be non-responsive.</p>	<p>1 best value to the government. That's -- in any instance,</p> <p>2 put your best foot forward. I can't emphasize that</p> <p>3 enough.</p> <p>4 Price evaluation is based on net present</p> <p>5 value per ANSI BOA square foot basis. And you can refer</p> <p>6 to Section 4.05 of the RLP for that.</p> <p>7 Awards occurs upon execution of the lease by</p> <p>8 the contracting officer. So until I execute, there's no</p> <p>9 award. There's -- there has been a little confusion.</p> <p>10 Until it's executed by the V.A. by the contracting</p> <p>11 officer, there is no award.</p> <p>12 So you may receive a document that we ask you</p> <p>13 to sign, maybe two months, more than likely, everyone in</p> <p>14 the competitive range has received that same documentation</p> <p>15 to award -- I mean to sign. It's to prepare for an award.</p> <p>16 Until it's signed by the contracting officer, whomever</p> <p>17 that may be, it is not awarded.</p> <p>18 So Cindy is going to take it from here.</p> <p>19 Thank you.</p> <p>20 MS. SCHNEIDER: Good morning. I hope you are</p> <p>21 all as excited as I am to be here. This is an important</p> <p>22 project for Santa Rosa and your Veterans that are there.</p> <p>23 We are thrilled to have you all interested and</p> <p>24 participating in this proposal. So we'll talk a little</p> <p>25 bit about the project overview and the best value source</p>
<p>1 And I kind of just want to go and emphasize</p> <p>2 one thing. When we say offers are supposed to be specific</p> <p>3 and correct, that means -- and this is a sidebar. She's</p> <p>4 going to get into this a little later on, Cindy will.</p> <p>5 But please ensure that the name -- the</p> <p>6 Offeror's named is consistent throughout the proposal.</p> <p>7 Every document must have the same Offeror's name. If it's</p> <p>8 a joint venture, it must be the same Offeror. The naming</p> <p>9 convention must be exactly the same.</p> <p>10 So we can't see "John Doe Company, LLC,"</p> <p>11 versus "John Doe, Incorporated." That is not complete.</p> <p>12 And being as I'm telling you all this now, it's not going</p> <p>13 to be considered a clarification that needs to be made.</p> <p>14 It's an actual non-responsive. So ensure that your names</p> <p>15 are consistent throughout the entire offer.</p> <p>16 V.A. will award based on best value, price</p> <p>17 and other factors considered.</p> <p>18 We may award this contract based on initial</p> <p>19 offers. That's our goal. Our goal is to award on initial</p> <p>20 offers. So put your best foot forward your first time.</p> <p>21 We may elect to establish a competitive range</p> <p>22 if we are not able to award on initial offers. We will</p> <p>23 establish a competitive range.</p> <p>24 Negotiations may be conducted with only the</p> <p>25 most highly qualified bidders in order to determine the</p>	<p>1 selection procurement.</p> <p>2 Best value source selection means that your</p> <p>3 proposal is looked at in two different ways, technical</p> <p>4 evaluation and a price proposal.</p> <p>5 The technical evaluation is looked at by a</p> <p>6 board of people who review all your submittals, and they</p> <p>7 rate your proposal.</p> <p>8 The pricing is only looked at by our</p> <p>9 contracting officer. And those two are then married</p> <p>10 together and a determination is made for best value.</p> <p>11 So you could have the highest technical</p> <p>12 evaluation, you could have the highest price, and it</p> <p>13 doesn't mean that you are going to be the selected person.</p> <p>14 It's a best value. So it is a determination made by the</p> <p>15 contracting officer marrying those two together.</p> <p>16 So it's interesting that this slide is just</p> <p>17 one bold sentence, "Submittals Disk Must Be Indexed."</p> <p>18 That tells me that we got disks that weren't indexed.</p> <p>19 So, please, this is critical and important</p> <p>20 for us to be able to go through those disks in an easy</p> <p>21 manner and find the information that you're proposing.</p> <p>22 If you don't index them, and we're searching</p> <p>23 all over, we could miss something during our reviews. So</p> <p>24 it's critical for you to make sure that they are indexed.</p> <p>25 Make sure they are real easy to go through.</p>

<p>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.</p> <p>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.</p> <p>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</p>	<p>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.</p> <p>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.</p> <p>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</p>
<p>1 are critical -- are critical to proper evaluation of the 2 offer." There are no subfactors.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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</p>	<p>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 Socio-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</p>

<p>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</p>	<p>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</p>
<p>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,</p>	<p>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.</p>

<p>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</p>	<p>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?</p>
<p>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.</p>	<p>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.</p>

<p>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</p>	<p>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</p>
<p>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</p>	<p>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?</p>

<p>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</p>	<p>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</p>
<p>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.</p>	<p>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</p>

<p>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 AFTP 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.</p>	<p>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</p>
<p>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</p>	<p>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.</p>

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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 2
 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

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