

During the period of time the five teams were preparing their Proposals, they took full advantage of the opportunity to submitting RFIs. Authority staff supported by their financial, legal and program management consultants responded to more than 750 RFIs in total. In the event a RFI raised a valid issue requiring a modification to the RFP, after due consideration by senior Authority staff, changes to the RFP were made by way of Addenda to the RFP.

In addition to communications from the five teams through RFIs, the Authority conducted three different “One-on-One” sessions with the teams. These sessions, common in design-build procurements, involved each team separately and confidentially bringing their key personnel to the Authority office to meet with senior Authority staff to discuss the technical or procedural elements of the RFP. One-on-One sessions are valuable tools for communication to assure that the procurement is fair and that at the end of the process the best possible result for the state is obtained. As a result of the sessions, certain modifications were made to the RFP by way of Addenda and taken into consideration by the Proposers in the final Proposals.

As a result of information received in RFIs or One-on-One sessions, and as a result of development and refinements in the Preliminary Engineering work of the Regional Consultants, a total of nine addenda were made to the RFP. Each addendum was posted on the Authority’s public website.

Evaluation of the Technical Proposals

To ensure the integrity and confidentiality of the evaluation process, prior to receipt of proposals the Authority worked with the Department of General Services (DGS) to obtain use of excess state-owned office space in a secure building conveniently located within walking distance of the Authority’s offices.

On January 18, 2013 Proposals were received at the Authority’s office from all five design-build teams. As required by the terms of the Instructions to Proposers, within three days of the Proposal due date, all five teams delivered their Escrowed Proposal Documents to the secure location at which the evaluation process was conducted.

Upon receipt of the five Proposals, and pursuant to the procedure established in the ITP, Authority staff separated the sealed price proposal envelopes for each of the five teams and placed them in a locked safe located in the Authority’s offices. The key to the safe remained under the control of Authority staff at all times.

With the sealed price envelopes secure in the Authority’s office, Authority staff transported the binders containing the teams’ Technical Proposals to the secure location. Procedures were instituted to control ingress and egress to the location. Each individual who would participate in the process received training in the process with particular emphasis on maintaining confidentiality in the process. Each individual participating in the process signed an Evaluation Confidentiality Agreement as well as a Disclosure Statement to ensure that he or she had no financial interest in the outcome of the award.

Review of the technical proposals occurred in three stages as follows:

- “Pass/Fail” review to ensure that all administrative requirements for the Proposals were met and to ensure that there had been no material changes in the financial position of the teams since they submitted their Statements of Qualifications which would negatively affect their ability to deliver CP 1;
- Review of the Technical Proposal by the “Technical Advisory Panel” for evaluation of the technical responses according to the stated evaluation criteria;
- Final review of the Technical Proposal by the “Evaluation Selection Committee” which had ultimate responsibility for all aspects of the evaluation process.

The Pass/Fail review for responsiveness, administrative compliance and financial capability was conducted by two committees, each chaired by a senior member of the Authority’s staff supported by financial, legal and program management consultants to the Authority.

The Pass/Fail committee reviewing the five proposals found that each was responsive and met all of the administrative requirements in the ITP.

The Pass/Fail committee reviewing the financial capabilities of the five proposers found that none had material changes in their financial status which would affect their ability to deliver CP 1.

The Technical Advisory Panel was chaired by a senior member of the Authority staff. As stated in the ITP, the Proposers were asked to technically address six specific topics. Consideration of each topic was managed by a public employee. Both the chair of the Technical Advisory Panel and the manager of each technical topic were supported by the financial, legal and program management consultants of the Authority.

Using the criteria given to the Proposers the Technical Advisory Panel reviewed in detail the technical responses provided by each of the five teams to each of the six topics. Each response was evaluated against the pre-established, pre-announced criteria.

The final report of the chair of the Technical Advisory Committee was completed and transmitted to the chair of the Evaluation Selection Committee (ESC).

The ESC consisted of five members, all public employees. It was chaired by the Authority’s Risk Manager, a senior member of Authority staff. The other members were senior Authority staff and senior staff at other public agencies.

Pursuant to the established procedures, the ESC received and considered the report of the chair of the Technical Advisory Committee. As the entity with ultimate responsibility to evaluate the Technical Proposals, the ESC conducted its own independent review of the Proposals.

Using a 100 point scale, the ESC assigned a numeric score on each of the five Proposals, and then, according to the established formula reduced that number proportionately based on the 30%

weight given the technical component. The scores derived in this manner were as follows:

- California Backbone Builders – 27.71 of 30 points