

CAW DRAFT 3/18/13

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE**



REQUEST FOR QUALIFICATIONS

Request for Qualifications from
Prospective Design-Build Entities

April 1, 2013

Pacific Grove, California

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

TABLE OF CONTENTS

1.0	Introduction	1
2.0	Utilization of Women, Minority, And Disabled Veteran Owned Business Enterprises (WMDVBE) Participation	2
3.0	Project Overview	3
4.0	Schedule Summary	7
5.0	Qualification and Proposal Process Overview	8
5.1	Request For Qualifications	8
5.1.1	Questionnaire	9
5.1.2	Experience	12
5.1.3	Interview	18
5.1.4	Selection.....	Error! Bookmark not defined.
6.0	Selection Criteria.....	19
7.0	Other Rules and Procedures	

EXHIBITS

Exhibit A – Design-Build Entity’s Proposal Manager

Exhibit B – Questionnaire

1. Declaration
2. Design-Build Team
 - a. Design-Build Entity
 - b. Design Consultants
 - c. Specialty Consultants
 - d. Construction Subcontractors
3. Licensure
4. Financial Information
5. Safety
6. Insurance
7. Termination/Failure to Complete; Violations; Claims, Arbitration and Litigation

Exhibit 1 – General Statement of Bank Credit

Exhibit 2 – Bonds and Insurance

Exhibit C – Experience

Project Profiles – General Engineering Contractor

Project Profiles – General Engineering Contractor

Project Profiles – Other Team Members

Exhibit D – Ineligible Firms

Exhibit E – Illustrative list of Permits

Exhibit F – Guarantor Acknowledgment Form

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

Introduction

Project: DESALINATION INFRASTRUCTURE

To: PROSPECTIVE DESIGN-BUILD ENTITIES

Subject: REQUEST FOR QUALIFICATIONS FOR A QUALIFIED FIRM TO DESIGN AND CONSTRUCT THE MONTEREY PENINSULA WATER SUPPLY PROJECT DESALINATION INFRASTRUCTURE (“RFQ”)

This RFQ is being issued by California American Water in anticipation of the issuance of a request for proposals (“RFP”) for the Monterey Peninsula Water Supply Project Desalination Infrastructure (“Project”). Design-Build Entities interested in submitting proposals in response to the anticipated RFP must submit a Statement of Qualifications (“SOQ”) in response to this RFQ. The SOQ must be received by California American Water (“CAW”) no later than **4:00 p.m. Pacific Time on Wednesday, May 1, 2013**, at the following address:

CALIFORNIA AMERICAN WATER
511 FOREST LODGE ROAD, SUITE 100
PACIFIC GROVE, CA 93950
Attn: Lori Girard, Corporate Counsel

CAW is expected to shortlist and request Proposals for the Project from the four (4) highest scoring Design-Build Entities that submitted SOQs in response to this RFQ, but reserves the right to request proposals from more or less entities as deemed appropriate by CAW in its sole discretion. An RFQ point scoring evaluation will be completed to short-list the Design-Build Entities that will proceed into the RFP phase.

The following capitalized terms shall have the meanings identified below:

“Design-Build” means a project delivery method in which both the design and construction of a project are procured from a single entity.

“Design-Build Entity” means a partnership, corporation, or other legal entity that is able to provide appropriately licensed design, contracting, and commissioning. For purposes of this RFQ to the extent a Design-Build Entity is intending to utilize a contractor or subcontractor to deliver a significant component of the services, information regarding such contractor or subcontractor must be provided as if such entity were part of the Design-Build Entity.

“Desalinization Infrastructure” means the desalination plant and the facilities located within the desalination plant site that are used to create potable water from either an ocean source water, brackish source water or a combination thereof, and appurtenant facilities needed to dispose of brine to the brine discharge infrastructure, dispose of wastewater (i.e. process water and sanitary discharge), and any needed facilities that may be required to prevent export of native Salinas River Groundwater Basin water.

MONTEREY PENINSULA WATER SUPPLY PROJECT

DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

The firms listed in Exhibit D have been involved in the analysis of the Monterey Peninsula Water Supply Project (“MPWSP”) and will not be allowed to participate as part of any Design Build Entity in any capacity.

Immediately upon receipt of the RFQ, each Design-Build Entity interested in participating in the RFQ process shall (1) designate one individual as its Proposal Manager who will be responsible for all communications during the RFQ process, (2) shall complete EXHIBIT A, Design-Build Entity’s Proposal Manager, attached to this RFQ, and (3) e-mail the completed form to Lori Girard, Corporate Counsel, California American Water, at Lori.Girard@amwater.com

The Design-Build Entity’s Proposal Manager shall be the single point of contact for questions, inquiries, clarifications, and correspondence (including RFQ and RFP addenda) during the entire RFQ and RFP process. Any substitution of Design-Build Entity’s Proposal Manager during the RFQ and RFP process shall be made in writing to CAW.

This Project budget is estimated to be within a range of \$70,000,000 to \$100,000,000.

The Project is a significant component of the MPSWP described in Section 3.0 below. CAW, the Monterey Peninsula Regional Water Authority, the Monterey Peninsula Water Management District, and the County of Monterey have formed an oversight committee (“Governance Committee”) to ensure efficient and effective public input into the development and operation of the MPSWP. The Governance Committee was formed pursuant to agreement of the Governance Committee members dated March 8, 2013 (“Governance Committee Agreement”).

Additional information concerning the Project history, site conditions, background technical and environmental compliance documents, procurement, the Governance Committee Agreement and public outreach are available on the project website at www.watersupplyproject.org.

Utilization of Women, Minority, And Disabled Veteran Owned Business Enterprises and Local Contractors/Suppliers

2.1 Utilization of Women, Minority, and Disabled Veteran Owned Business Enterprises

CAW acknowledges the contributions of women, minority and disabled veteran business enterprises (“WMDVBE”) to California’s economy, in part, through California Public Utilities Commission (“CPUC”) General Order 156. In accordance with General Order 156, CAW is committed to promote and facilitate full participation in these programs. Please also refer to the 2012 Annual Report to the CPUC on Diversity and Inclusion. This report can be found on the project website.

CAW has established a combined WMDVBE participation goal for the Project of twenty-one and one-half percent (**21.5%**) of the contract price.

Proposers will be required to prepare and submit a WMDVBE Subcontracting Commitment Utilization and Reporting Plan (“WMDVBE Utilization Plan”) as part of its response to the RFP. The WMDVBE Utilization Plan is a written commitment to contract with Women Owned Business Enterprises, Minority Owned Business Enterprises, and Disabled Veteran Business Enterprises that have been certified through the CPUC’s Supplier Clearinghouse, as part of the Project..

MONTEREY PENINSULA WATER SUPPLY PROJECT

DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

CAW will require that the Design-Build Entity monitor and report the continued implementation of the WMDVBE program goals, as stated in the WMDVBE Utilization Plan, throughout performance of the contract.

2.2 Utilization of Local Contractors and Suppliers

CAW and the local stakeholders acknowledge the benefit that the local community receives through utilization of local contractors, laborers, and suppliers.

The Design-Build Entity will be required to prepare and submit a Local Resources Utilization and Reporting Plan ("Local Resources Utilization Plan") as part of its response to the RFP. The Local Resources Utilization Plan is a written commitment to contract with local contractors, subcontractors, sub-consultants, vendors, suppliers, and labor forces.

CAW will require that the Design-Build Entity monitor and report the continued implementation of the Local Resources Utilization Plan throughout performance of the contract.

Project Overview

3.1 Introduction

CAW submitted an application to the CPUC for the MPWSP in April 2012. As part of this application, an Environmental Impact Report ("EIR") will be prepared by the CPUC pursuant to the California Environmental Quality Act ("CEQA"). The EIR will analyze and assess the potential environmental impacts of a proposed new water supply project for the Monterey Peninsula. The water supply is needed to replace existing surface and groundwater supplies. The Project will produce desalinated water, convey it to the existing CAW distribution system, and increase the system's use of storage capacity in the Seaside Groundwater Basin. The MPWSP consists of several distinct components: a source water intake system consisting of slant wells; a 9.6 million gallons per day ("MGD") desalination plant; a brine discharge system; product water conveyance pipelines and storage facilities; and an aquifer storage and recovery ("ASR") system. In addition, the Monterey Regional Water Pollution Control Agency ("PCA") is pursuing a 3,500 acre foot per year ("AFY") groundwater replenishment ("GWR") project that if it is implemented will reduce the size of CAW's proposed desalination plant from 9.6 MGD to 6.4 MGD.

The CPUC, as the Lead Agency under CEQA, is actively working on the EIR and expects to issue a Draft EIR in July 2013, followed by a Final EIR (FEIR) in November 2013. With the FEIR date approaching, CAW would like to have it's Desalination Infrastructure design-build team in place so as to begin the design and permitting of the Desalination Infrastructure as soon as possible upon issuance of the FEIR. A final order from the CPUC approving the entire MPWSP is expected in January or February of 2014.

MONTEREY PENINSULA WATER SUPPLY PROJECT

DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

3.2 Project Background and Objectives

CAW has served the Monterey Peninsula since it acquired properties from California Water and Telephone Company in 1966. CAW's Monterey service area is located in the semi-arid central California coastal area that is entirely dependent on local rainfall for its water supply; imported water is not an available option. By reason of its geography and rainfall patterns, the area is prone to severe droughts. Wells located along the Carmel River that draw water from the Carmel River Aquifer are the primary source of water for CAW. An additional source of water for CAW is a network of eight wells located in the Seaside Basin, which CAW shares with a number of users and purveyors. The CAW Monterey service area, also known as the Monterey District, includes six incorporated cities, the Monterey Airport District, the unincorporated areas of Carmel Highlands, Carmel Valley, and Pebble Beach, and other unincorporated areas in Monterey County. The City of Marina, unincorporated Castroville, and other areas of unincorporated Monterey County lie north of the CAW service area. The proposed water supply is needed to replace existing supplies that are constrained by recent legal decisions affecting the Carmel River and Seaside Groundwater Basin water resources: State Water Resources Control Board ("SWRCB") Order No. WR 95-10 ("Order 95-10"); and, the Monterey County Superior Court adjudication of water rights in the Seaside Groundwater Basin. Both rulings reduce CAW's use of its two primary sources of supply for the Monterey District and provide the most immediate impetus for the MPWSP. In addition, in October 2009, the SWRCB issued a Cease and Desist Order ("CDO") claiming that CAW had not complied with Order 95-10 requiring CAW to terminate unauthorized diversions from the Carmel River, and that these diversions constitute a trespass of water. The CDO imposed a deadline of December 31, 2016 for CAW to reduce by approximately 70% its diversion of water from the Carmel River. The MPWSP is the result of a multi-year planning effort that has considered several different proposed projects and various related documents. Since 1989, several options have been proposed that proponents have hoped would meet the water supply needs of the Monterey Peninsula and address the impacts on the Carmel River underlying Order 95-10, as well as the Seaside Basin adjudication. The objectives that were considered during development of the MPWSP projects are as follows:

- Satisfy CAW's obligations to meet the requirements of Order 95-10;
- Diversify and create a reliable drought-proof water supply;
- Protect the Seaside Groundwater Basin for long-term reliability;
- Protect the local economy from the effects of an uncertain water supply;
- Minimize water rate increases by creating a diversified water supply portfolio;
- Minimize energy requirements and greenhouse gas emissions per unit of water delivered to the extent possible;
- Provide facilities that can accommodate sea level changes;
- Explore opportunities for regional partnerships; and
- Provide flexibility to incorporate alternative water supply sources, such as GWR.

3.3 Project Description

The Design-Build entity will be asked to provide all necessary permitting, engineering and construction services to bring the Desalination Infrastructure on-line as close as possible to the

MONTEREY PENINSULA WATER SUPPLY PROJECT

DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

CDO deadline of December 31, 2016. The paragraphs below contain a narrative description of the nature and composition of the facilities that are included as part of this procurement. Please note that certain permits that relate to the entire MPWSP, such as the Coastal Development Permit, will not be the responsibility of the Design-Build Entity, however, certain information from the Design-Build Entity will be required to assist CAW in obtaining such permit. Refer to Exhibit E for an illustrative list of permits. The Design-Build Entity will not finance, own, operate or maintain the Project.

The desalination plant will be required to achieve specified performance standards during Acceptance Testing (Potentially through the Design-Build Entity's management of CAW personnel) and for a warranty period following Acceptance. The specific standards that will be required will be set forth in the RFP. A portion of the technical evaluation points under this RFQ will be dedicated to the demonstrated ability of the Design-Build Entity's facilities to meet required performance standards. Design-Build Entities are informed that the RFP will seek the best proposals as evaluated over the life cycle of the Project. The evaluation of proposals submitted pursuant to the RFP will take into account capital costs as well as anticipated electricity, operation, maintenance, repair and replacement costs.

For detailed information on the project description, estimated costs, and project size please refer to the Attachments in the Supplemental Testimony of Richard C. Svindland which can be found under the "Download" area of the project website.

3.3.1 Brine Conveyance Pipeline

The Brine Conveyance Pipeline is needed to convey brine or concentrate from the desalination plant to the headworks of the PCA's outfall, where it will mix with effluent from PCA's Regional Treatment Plant ("RTP") and be discharged to the ocean through the existing outfall diffusers. For this Project, the Design-Build Entity is to assume the pipeline terminates at the fence line of the desalination plant property.

3.3.2 Salinas Valley Desalinated Water Return Pipeline

The Return Pipeline is needed to convey desalinated water to the Salinas Valley Groundwater Basin. For this Project, the Design-Build Entity is to assume the pipeline terminates at the fence line of the desalination plant property.

3.3.3 Desalination Plant

The desalination plant is to be constructed on an approximately 46 acre site of currently vacant and disturbed land owned by CAW located west of the RTP and adjacent to Charles Benson Road. For most of the site, ground elevations range from 90 feet to 114 feet above sea level. Structures and facilities at the site would consist of the following: feedwater receiving tanks; pre-treatment process; filter backwash supply system; waste washwater storage and settling basin; desalination process; post-treatment process and chemical systems; brine storage tanks; desalinated water storage tanks and pumping station; and non-process facilities.

The following sections describe in concept each of these facilities

MONTEREY PENINSULA WATER SUPPLY PROJECT

DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

Feedwater Receiving Tanks

Feedwater will be pumped from the feedwater intake wells directly to two above-ground feedwater receiving tanks at the desalination plant site.

Pretreatment Process

Feedwater from the feedwater receiving tanks will be piped directly to pressure or gravity multimedia sand filters for removal of small particles that could otherwise foul the downstream cartridge filters and/or reverse osmosis (“RO”) membranes.

Filter Backwash Supply System

The filters will be backwashed periodically (approximately once per day) using process filtrate as backwash supply.

Waste Backwash Storage/Settling Basin

Waste from the backwashing process will flow from the filters by gravity to a 0.5-acre 6-foot deep basin.

Desalination Process

RO is a molecular separation process that uses semi-permeable membranes to remove salts in saltwater and produce desalinated water (which is also called “product water” or “permeate”). Pretreated seawater is forced at very high pressures through the membranes, and the water molecules, smaller than almost all impurities, including salts, are selectively able to pass through the membranes. The remaining impurities and residual water are discharged as concentrate, which is commonly called “brine”.

Post-Treatment and Chemical Systems

Hardness, alkalinity, and pH of the product water would be adjusted after the RO process to protect piping and plumbing materials and to make the water more compatible with the other sources of supply in the CAW system. Facilities will be included at the desalination plant to add carbon dioxide (to adjust alkalinity), followed by filtration through calcite beds (to adjust hardness), and addition of sodium hydroxide (to adjust pH). Sodium hypochlorite will also be added for disinfection.

Brine Storage Basin

If there is an interruption of brine discharge, brine would be diverted to a 3 million-gallon lined open basin, on the desalination plant site. This storage will provide time for the plant to remain in operation for a short period to allow plant personnel to adjust or cease production and for system personnel to increase production from other sources (ASR wells, Seaside wells, Begonia Iron Removal Plant).

Desalinated Water Storage Tanks and Pumping Stations

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

Following post-treatment, desalinated water would flow by gravity to on-site storage tanks, called “clearwells”. Two clearwells will provide a total storage volume of 2 million gallons of water.

Non-Process Facilities

A building to house visitor reception, offices, restrooms, locker rooms, break rooms, conference rooms, control room, laboratory, equipment storage and maintenance area, and electrical service equipment for the adjacent Desalination/Post-Treatment/Chemical Building is required.

Power Supply

Power to the MPWSP intake wells and desalination plant would be supplied by the existing power grid and no new power plant or other industrial emissions sources would be constructed.

3.3.4 Desalinated Water Conveyance

CAW Supply

Desalinated water will be pumped by the desalinated water pump station at the desalination plant into a, 36-inch diameter product water pipeline. For this Project, the Design-Build Entity should assume the pipeline terminates at the fence line of the desalination plant property.

4.0 Schedule Summary

The following table is a summary of the anticipated timeline for the events in the RFQ and RFP process (all of which are subject to change at CAW’s sole discretion):

RFQ Process	Due Date	Due Time (all Pacific)
Published date	April 1, 2013	N/A
Briefing Conference Call (not mandatory)	April 12, 2013	11:00 am
Written questions due	April 15, 2013	5:00 pm
Distribute answers to written questions	April 19, 2013	5:00 pm
Submit SOQ	May 1, 2013	4:00 pm
Interviews (if needed)	May 6 – May 24, 2013	TBD
Shortlist Notification	May 31, 2013	5:00 pm

RFP Process	Approximate Date	Due Time
RFP and Draft DB Contract issued to short-listed entities	June 17, 2013	TBD
Mandatory RFP Pre-proposal conference	July 9, 2013	TBD
Meetings with proposers to discuss technical issues	July 9 – July 12, 2013	TBD
Meetings with proposers to discuss	July 15 – July 18, 2013	TBD

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

legal/contractual issues		
Proposer comments on DB Contract and written questions due	July 31, 2013	TBD
CAW issues revised DB Contract and distributes answers to written questions	August 16, 2013	TBD
Project Proposals due	September 17, 2013	TBD
Proposal Interviews	September 30 – October 3, 2013	TBD
Selection of preferred proposer	October 9, 2013	TBD
Final DB Contract and all proposals to Governance Committee for recommendation	October 21, 2013	TBD
Agreement Execution	November 15, 2013	TBD

5.0 Submission Instructions and Requirements

5.1 Instructions

As part of the procurement process, it is important to maintain the same firms and personnel identified as part of the SOQ when submitting a proposal in response to the RFP. Therefore, any Design-Build Entity (firm) or team members (key personnel) listed and proposed in the SOQ must be listed by the Design-Build Entity in the Proposal submitted during the subsequent RFP process. Design-Build Entities must submit requests to substitute teams and team members for good cause to CAW in writing for approval. Design-Build team and team member substitution requests will cause CAW to re-evaluate a Design-Build Entity's SOQ and may cause CAW to rescind a Design-Build Entity's invitation to participate in the RFP process, and possibly offer an invitation to participate in the RFP process to another Design-Build Entity.

All prospective Design-Build Entities must complete EXHIBIT B - Questionnaire set forth in this RFQ. Design-Build Entities not completing EXHIBIT B - Questionnaire, will not be evaluated under EXHIBIT C – Experience, as set forth in this RFQ, and their SOQ will not be further evaluated.

Questions: Any questions arising during the RFQ process must be submitted in writing by email to:

Lori Girard, Corporate Counsel
Email: Lori.Girard@amwater.com
Please no telephone calls.

Submit written questions as required in the Schedule Summary table above. Questions received after the date indicated may not be considered. Copies of all the questions CAW chooses to answer, and the answers, will be distributed by the date indicated in the Schedule Summary table above, in a written clarification document to all Design-Build Entities' Proposal Managers that have submitted Exhibit A.

MONTEREY PENINSULA WATER SUPPLY PROJECT DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

Except as outlined above, prospective Design-Build Entities or anyone receiving the RFQ, shall not contact, discuss with, or inquire of any CAW employee, any ineligible firm, County of Monterey, official, representative or staff member, Monterey Peninsula Regional Water Authority official, representative or staff member, or Monterey Peninsula Water Management District official, representative or staff member on any matter relating to the Project, the MPWSP or this procurement process. This requirement is to ensure the integrity of the procurement process. Failure to comply with this requirement may result in immediate disqualification from the procurement process. Information obtained outside this RFQ process cannot be relied upon as accurate.

The completed SOQ package which shall include one (1) original 3-ring binder and five (5) Compact Discs (CDs) each with an electronic file copy in "PDF-format" must be received by:

CALIFORNIA AMERICAN WATER
Attention: Lori Girard, Corporate Counsel
511 FOREST LODGE ROAD, SUITE 100
PACIFIC GROVE, CA 93950

4:00 p.m. Pacific Time on Wednesday, May 1, 2013

The SOQ shall be limited to 25 pages plus an Appendix. All forms, resumes, and project experience should be included in the Appendix. Electronic PDF shall be one compiled PDF document for ease of distribution. If file size is restrictive (>10 MB), the PDF may be split into no more than three (3) separate PDF documents.

No faxed copies will be accepted. Submittals shall be provided in sealed packaging that is clearly marked with the Design-Build Entities' firm name, address, contact person(s), and phone number, as well as "Statement of Qualifications for Design-Build of the Monterey Peninsula Water Supply Project Desalination Infrastructure".

Submittals received after the specified time and date will not be considered and will be returned unopened to the sender. **THIS SUBMISSION DEADLINE WILL BE STRICTLY ENFORCED.**

5.2 Submission Requirements

5.2.1 Questionnaire

Design-Build Entities must complete and submit the declaration and qualifications as described in detail in the attached EXHIBIT B - Questionnaire. If the Design-Build Entity submits a questionnaire that is incomplete, CAW reserves the right to request additional information from the Design-Build Entity or to reduce the evaluation score.

The SOQ Evaluation Team will evaluate the Questionnaire for completeness, conformance to project requirements, safety records, and history of violations, claims, arbitration and/or litigation. A general description of the questions is provided below:

1. **Declaration:** The Design-Build Entity shall declare that the information provided in the Questionnaire has been prepared using reasonable diligence and is true and complete to the best of the signer's knowledge.

MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

2. **Design-Build Team:** Identify firms proposed by the Design-Build Entity to be part of the Design-Build Team. Each responding Design-Build Entity must submit qualifications (as described in EXHIBIT C - Experience) for firms, including: a General Engineering Contractor, appropriately licensed in California, as well as an Engineer of Record, a Process Design Lead, an Electrical Design Lead, a Design Project Manager, and a Commissioning Manager, all of which must also be appropriately licensed in California. In addition, the Design-Build Entity should submit qualifications for other firms and the qualifications each brings to the team, or any other notable design consultant(s), each appropriately licensed in California. These or combinations of the above disciplines may be provided by a single firm or by several firms.
3. **Licensure:** Submission of evidence demonstrating possession of all required licenses, registration, and credentials that are required to design and construct the Project in California.
4. **Financial Information:** Submission of evidence, including financial statements, that establishes that the Design-Build Entity has the capacity to perform the work under the Project and obtain all required payment and performance bonding as identified in EXHIBIT B - Questionnaire. To this end, the Design-Build Entity may propose to supplement its financial strength by proposing a parent or affiliate company Guarantor to guarantee all of the obligations of the Design-Build Entity under the Design-Build Contract. A Design-Build Entity will not be pre-qualified pursuant to this RFQ based on financial information provided by an entity that will not have a contractual relationship with CAW (either through the Design-Build Contract or through a parent company Guaranty Agreement). Accordingly, a parent company guaranty will be required if a Design-Build Entity chooses to submit financial information for pre-qualification from an entity other than the entity proposed to serve as the Design-Build Entity under the Design-Build Contract with the City.

All of the financial information provided in Exhibit B for the Design-Build Entity shall also be provided for the Guarantor, including a Guarantor Acknowledgment Form as set forth in Exhibit F signed by a representative of the Guarantor who is authorized to sign such form and to commit the Guarantor of its obligations contained in the Guarantor Acknowledgment. A Certificate of Authorization (Attachment 1 to the Guarantor Acknowledgment) attesting to such authorization must also be submitted. If the Guarantor is a partnership, the Guarantor Acknowledgment shall be signed by one or more of the general partners. If the Guarantor is a corporation, an authorized officer shall sign his or her name and indicate his or her title beneath the full corporate name. If the Guarantor is a joint venture, an authorized representative of each firm in the joint venture shall sign a separate Guarantor Acknowledgment. Anyone signing as an agent must file with it legal evidence of his or her authority to execute such Guarantor Acknowledgment. If there are multiple Guarantors, each shall be jointly and severally liable and each shall enter into an independent Guaranty Agreement. If the Guarantor is a joint venture, each member firm of the joint venture shall independently execute the Guaranty Agreement.

5. It is CAW's preference that the Design-Build Entity or, if applicable, the Guarantor be a sufficiently capitalized United States entity. If either the Design-Build Entity or the Guarantor is other than a United States entity, the respondent shall describe any

MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

procedural or substantive limitations on the ability of CAW to enforce the DB Contract or Guaranty Agreement against the Design-Build Entity or the Guarantor, as applicable. For purposes hereof, a United States entity is one that is incorporated domestically or otherwise duly organized under the laws of the United States. **Safety:** Submission of evidence indicating safety performance of the Design-Build Entity. Refer to EXHIBIT B - Questionnaire for specific questions relating to safety.

6. **Insurance:** Submission of evidence that establishes that the Design-Build Entity has the capacity to obtain liability insurance, Worker's Compensation, and errors and omissions insurance, and other insurance requirements as identified in EXHIBIT B - Questionnaire.

7. **Termination/Failure to Complete; Violations; Claims, Arbitration and Litigation:**

Submission of information and details concerning all of the following (including similar laws and regulations in states other than California and countries other than the United States of America):

- 7.1 Any bid, performance or payment bond called or a surety company required to finish work, on any project by any member of the Design Build Entity on or after January 1, 2003.
- 7.2 Construction or design claims or litigation with alleged damages totaling more than five hundred thousand dollars (\$500,000) against any member of the Design-Build Entity on or after January 1, 2003.
- 7.3 Violations of the California Occupational Safety and Health Act, as provided in Part 1 (commencing with Section 6300) of Division 5 of the Labor Code, settled against any member of the Design-Build Entity.
- 7.4 Violations of federal, state or local law, including, but not limited to, those laws governing the payment of wages, benefits, or personal income tax withholding, or of Federal Insurance Contributions Act withholding requirements, state disability insurance withholding, or unemployment insurance payment requirements, settled against any member of the Design-Build Entity on or after January 1, 2003. For the purposes of this sub-clause, only violations by a Design-Build Entity member as an employer shall be deemed applicable, unless it is shown that the Design-Build Entity member, in his or her capacity as an employer, had knowledge of his or her subcontractor's violations or failed to comply with the conditions set forth in subdivision (b) of Section 1775 of the Labor Code.
- 7.5 Information and details that the Design-Build Entity or its members, any officer of the Design-Build Entity or its members, or any employee of the Design-Build Entity or its members who has a propriety interest in the Design-Build Entity, has ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation on or after January 1, 2003.
- 7.6 Violations of the Contractor's State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code), excluding alleged violations or complaints.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

- 7.7 Conviction of any member of the Design-Build Entity of submitting a false or fraudulent claim to a public agency on or after January 1, 2003.
- 7.8 Violations of environmental compliance conditions resulting in issuance of a Notice of Violation or other action on or after January 1, 2003.
- 7.9 Declaration that the Design-Build Entity will comply with all other provisions of law applicable to the Project, including, but not limited to, the requirements of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

CAW, when requested by the Design-Build Entity, shall use reasonable efforts to hold in confidence any information provided in response to items 7.1 to 7.8, above. Notwithstanding the foregoing, CAW will not be responsible or liable in any way for any losses that the Design-Build Entity may suffer from the disclosure of information or materials to third parties.

5.3.2 Experience

Design-Build Entities must complete and submit its experience as described below and in the attached EXHIBIT C - Experience. The Design Build Entity, its team, and key personnel experience will be evaluated by the SOQ Evaluation Team and allocated points for the relative merit of written data and responses to the following sections.

- 1. Design-Build Team:
 - a. Organizational Chart
 - b. Firm Profiles
- 2. Personnel Resumes:
 - a. Key Design-Build Entity Management Personnel Resumes
 - b. Key Design Team Personnel Resumes
 - c. Key Construction Team Personnel Resumes
- 3. Project Profiles:
 - a. Design Experience
 - b. Construction Experience
- 4. Project References
- 5. Project Approach

Submit evidence that establishes the Design-Build Entity and the Design-Build team (firms) have completed, or demonstrate the capability to complete, projects of similar size, scope, or complexity, and that proposed key personnel have sufficient experience and training to competently manage and complete the design and construction of the Project.

Submit any evidence that establishes the Design-Build Entity, the Design-Build team (firms) and key personnel have completed projects with any of the following characteristics: water/wastewater facilities; water/wastewater facilities in California; desalination facilities and related infrastructure; facilities with SCADA systems; facilities with post-treatment for corrosion control and stability; LEED certified facilities; and/or extensive/complex permitting requirements.

MONTEREY PENINSULA WATER SUPPLY PROJECT

DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

Submit evidence that projects designed, built and/or commissioned (or operated if a Design-Build-Operate project) by the Design-Build Entity have successfully passed acceptance testing and have performed following testing in accordance with expected performance standards.

Submit evidence of the Design-Build Team's experience obtaining regulatory approvals for similar projects.

Submit evidence of the Design-Build Team's experience commissioning similar projects.

If the Design-Build Entity does not submit all necessary information, CAW reserves the right to request additional information from the Design-Build Entity or to reduce the evaluation score.

Firm Profiles, Personnel Resumes, and Project Profiles must clearly identify the relevance of specific project experience to the requirements of the proposed Project.

The information provided must clearly identify the relevance of each example in regard to the requirements of the Project. The Design-Build Entity should provide specific project-related experience and individual team histories in Design-Build delivery, relevance of size, scope, and complexity. In order for a project to qualify as relevant, the information submitted must demonstrate that the teams or the individual key personnel's involvement with the project began at the initial stages and extended through completion and acceptance of the project by the owner. If applicable, provide examples of projects the team members and key personnel have previously completed together.

1 – Design-Build Team:

- A. Provide an organizational chart demonstrating the proposed make-up of the participants in the Design-Build Entity's team. The organizational chart assists the evaluators in understanding how the team envisions working together. The RFP phase will include the development of a detailed management plan. The organizational chart will be scored based upon its clarity in identifying the key teams and key personnel, and in describing the relationships between the team members during design, construction, and commissioning. Identify the firms in the Design-Build Entity and their anticipated contractual relationship. List major sub-consultants and subcontractors on the team.
- B. For each Design-Build team (firm) listed in EXHIBIT B - Questionnaire, submit firm profiles with company history and significant accomplishments, providing evidence that establishes the firm has completed or demonstrates that the firm has the capability to complete projects of similar size, scope and complexity to the proposed Project. Submit any evidence that establishes the Design-Build Entity and the Design-Build team (firms) have completed projects with any of the following characteristics: water/wastewater facilities; California water/wastewater facilities; desalination facilities and related infrastructure; facilities with SCADA systems; facilities with post-treatment for corrosion control and stability; LEED certified facilities; and/or extensive/complex permitting requirements. The profile for the Design-Build Entity shall be limited to fifteen (15) pages. The profiles for other Design-Build team members shall be limited to two (2) pages for each profile.

2 – Key Personnel Resumes:

MONTEREY PENINSULA WATER SUPPLY PROJECT

DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

Submit resumes of key personnel who will be assigned to this Project and who will contribute a significant effort. Each resume must include name, qualifications and the anticipated degree of involvement during each of the design, construction, and commissioning phases of the Project. The resumes should provide evidence that the key personnel have sufficient experience and training to competently manage and complete the design and construction of the Project. Personnel resumes shall be limited to two (2) pages in length for each resume. Submit the following resumes:

- A. Key Design-Build Entity Management Personnel Resumes: Key personnel include: Project Executive, Design Principal, Construction Principal, and any other management team leaders with key responsibility for day-to-day execution of the Project.
- B. Key Design Team Personnel Resumes: Key personnel include professionals who will be assigned to this Project to provide quality control, and design leadership. Identify any specialty design consultants, or any other notable design consultant(s).
- C. Key Construction Team Personnel Resumes: Key personnel include professionals who will be assigned to this Project to provide schedule, quality control, safety and construction leadership in specific areas of the work.
- D. Key Commissioning Team Personnel Resumes: Key personnel include professionals who will be assigned to this Project to provide schedule, quality control, and commissioning leadership.

Design-Build Entities are encouraged to submit additional resumes as necessary to fully communicate any special knowledge or capabilities to be provided by the team.

3 – Project Profiles:

Each Design Build Entity's SOQ shall include the design and construction project profiles described herein. Project profiles must be completed using the applicable Project Profile Information Sheet provided in EXHIBIT C – Experience.

Each project profile should clearly identify the relevance of the project described to this Project. Include a narrative addressing the design/construction philosophy and salient features for each project. Indicate the degree of involvement by key construction personnel proposed in the SOQ for each project. Additional information, photos and other graphic materials may be included. Project profiles shall be limited to projects completed on or after January 1, 2002. Project profiles are to be limited to three pages total per submitted project.

Each Design-Build Entity shall provide design and construction project profiles for five (5) projects completed on or after January 1, 2003. These profiles are independent from Specialty Consultant and Contractor profiles discussed separately below. Clearly identify the relevance of each project. Project profiles are to demonstrate the team's design, construction and commissioning experience on similar projects in terms of significant new construction, complexity, scope, function, size, fixed price, cost control, dollar value, and Design-Build experience. Provide information regarding any national, regional, or local awards or recognitions received for exceptional design, construction, architectural, or environmental achievements.

MONTEREY PENINSULA WATER SUPPLY PROJECT

DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

Project experience may be shown for design, construction and maintenance of all projects, public and private.

For each project, complete and submit the Project Profile Information Sheet provided in attached EXHIBIT C – Experience.

Submit the following project profiles:

- A. Design-Build Entity's Experience: Submit a portfolio of project profiles representative of the Design-Build Entity's experience.
- B. Engineer of Record's Experience: Submit a portfolio of project profiles representative of the Engineer of Record's ability. List at least two (2) projects with a construction cost each in excess of \$50 million dollars. List at least **two (2) projects** using the **Design-Build delivery method**.

Provide examples of completed projects of similar complexity to this Project and describe the design approach. Include information that addresses the General Engineering Contractor's ability to create a project demonstrating:

- 1. Commitment to complete the work in good faith to meet the stakeholders' vision for the site, and as articulated in the project goals, objectives and design criteria, and in a partnership, collaborative approach with project Owners.
- 2. Demonstrated experience and expertise in the following areas:
 - a. Analysis and Design
 - i. Design of water and wastewater facilities, particularly those in California.
 - ii. Design of desalination facilities
 - iii. Design of water treatment facilities utilizing post-treatment application of chemicals to the water for corrosion control and stability.
 - iv. Design of LEED certified facilities.
 - v. Knowledge of treatment of water for the purpose of meeting water quality standards
 - vi. Knowledge of SCADA/Control Experience for water treatment facilities.
 - vii. Ability to successfully manage multiple, complex permit process.
 - b. Construction and Field Engineering
 - i. Field engineering and construction implementation of large-scale projects. To include conforming and adapting the design to unknowable/ unknown subsurface and field conditions, and/or field conditions which may change during the course of the construction phase, in a manner that does not compromise prevailing design criteria.
 - ii. Development of construction documents and other resources to enable systematic adaptation of the design to unknown/unknowable subsurface conditions in real time during construction, in a manner that does not compromise prevailing design criteria.
 - iii. Successful sustained design collaboration with construction contractor to optimize designs with respect to field conditions during the construction period,

MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

- including development and implementation of design adjustments within short timeframes.
- iv. Proactive management, anticipation of long-lead items, and identification and resolution of construction and design bottlenecks to limit delays in construction progress.
3. Ability to discuss and review project issues with stakeholder groups having diverse technical backgrounds, organizational mandates and interest levels relative to the project.
 4. Coordination with permitting and regulatory agencies, and successful negotiation and completion of permit modifications while minimizing schedule effects.
- C. General Engineering Contractor's Construction Experience: Submit a portfolio of project profiles representative of the Constructor's ability to provide construction excellence. List at least three (3) projects with a construction cost each in excess of \$50 million dollars. List at least **three (3)** projects using the **Design-Build delivery method**.

Provide examples of projects completed or projects of similar complexity to this Project and describe the construction approach. Include information that addresses the General Engineering Contractor's ability to construct a project demonstrating:

1. Commitment to complete the work in good faith to meet the stakeholders' vision for the site, and as articulated in the project goals, objectives and design criteria.
2. Demonstrated experience and expertise in the following areas:
 - a. Construction implementation of large-scale projects. To include conforming and adapting the design to unknowable/ unknown subsurface and field conditions, and/or field conditions which may change during the course of the construction phase, in a manner that does not compromise prevailing design criteria.
 - b. Successful sustained collaboration with other contractors to optimize designs with respect to field conditions during construction, including development and implementation of design adjustments within short timeframes
 - c. Proactive management, anticipation of long-lead items, and identification and resolution of construction and design bottlenecks to limit delays in construction progress.
 - d. Construction of water/wastewater facilities, particularly those in California.
 - e. Construction of desalination facilities.
 - f. Construction of LEED certified facilities.
 - g. Ability to adjust operations to changing field conditions in order to expeditiously complete the work.
 - h. Post-construction testing, start-up and commissioning.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

3. Ability to discuss and review project issues with stakeholder groups having diverse technical backgrounds, organizational mandates and interest levels relative to the project.
 4. Coordination with permitting and regulatory agencies, and successful negotiation and completion of permit modifications while minimizing schedule effects.
- D. Other Major Team Members' Experience: Submit a portfolio of project profiles representative of the abilities of other major team member firms' and major sub-consultants and subcontractors.

Provide examples of projects completed where the firm performed a role similar to their proposed involvement in this Project.

4 – Project References:

Provide Project References for each project submitted. The reference should be from the project's Owner or the project Owner's project representative. Each reference must include at least the following information:

- Project name and the reference's firm name, contact name, contact's title, phone number, e-mail address and relationship to the project.
- Design-Build Entity shall provide references for Project designers and General Engineering Contractors with whom they have completed similar projects.
- Design-Build Entity shall provide references for the General Engineering Contractor and Project Owners with whom they have completed similar projects.
- Design-Build Entity shall provide references for Specialty Consultants, Engineers and other Contractors and Projects Owners with whom they have completed similar projects

5 - Project Approach:

Provide the Design-Build Entity's approach to addressing Design-Build projects including the philosophy and approach to the design of projects similar in size, scope, and complexity. This section is limited to five (5) pages. The Design-Build Entity shall also demonstrate its understanding of Design-Build projects by identifying those features and risks that are critical to Design-Build projects with a description of how those features and risks have been addressed to ensure successful projects.

The Design-Build Entity shall demonstrate a clear understanding of the need and process for ensuring that CAW receives the quality product required in design, construction, and commissioning. Each Design-Build Entity shall identify specifically who will be responsible for its quality program and how it will be developed and managed. In particular, each Design-Build

MONTEREY PENINSULA WATER SUPPLY PROJECT

DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

Entity shall define its internal and external design review process, field inspection process, submittal review process, deficiency identification, correction and tracking process, non-conformance process, and level of senior management involved. The Design-Build Entity shall also identify the Quality Assurance/Quality Control (“QA/QC”) officer for the Project and their projected time on-site during design and construction of the Project. This individual must have experience as a QA/QC officer during at least two (2) similar projects.

The design member of the Design-Build Entity shall submit a summary of its standard QA/QC plan, which outlines the design quality management program to be used on the Project. The builder member of the Design-Build Entity shall submit an example of a QA/QC plan, which demonstrates the construction quality management program to be used on the Project.

Points will be allocated based upon the Design-Build Entity’s response to the following items:

1. How has the Design-Build Entity ensured the design was in conformance with the contract, complied with CEQA and other environmental requirements, and addressed the risks involved with this type of work?
2. How has the Design-Build Entity ensured a high level of quality and that the intent of the design was fulfilled during construction. Describe the Design-Build Entity’s philosophy to producing quality projects and the approach to quality control that ensures the highest level of design and construction. Provide information on the approach to minimizing warranty callbacks and provide documentation to attest to the success of this approach. Describe how good coordination has been achieved between design disciplines and how it was communicated to the construction team(s). Include documentation illustrating how the Design-Build Entity minimizes design errors and omissions in the construction documents
3. How has the Design-Build Entity limited the impact on adjacent neighborhoods and ensured good relations with the community.
4. How has the Design-Build Entity addressed safety and security on site?
5. How has the Design-Build Entity addressed its commitment to complete the project within the contract time with specialized phasing or a seasonal approach to construction?
6. How has the Design-Build Entity addressed its commitment to work collaboratively and in partnership with Project Owners? Does the Design-Build Entity have any experience with utilizing a formal Partnering process on previous projects?
7. How has the Design-Build Entity addressed its method of managing sub-consultants, subcontractors and suppliers?

5.1.3 Interview

MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

If CAW determines interviews with one or more respondents to this RFQ are desired, the interviews would provide the opportunity to clarify and elaborate on the written material previously submitted in the SOQ and to give the Selection Committee the opportunity to meet key personnel. Key personnel as identified in the SOQ should attend the interview. Additional personnel from the Design-Build team may attend the interview as determined by the Design-Build Entity.

6.0 Selection Criteria

The SOQs will be evaluated based on two major categories: technical and financial. For purposes of selecting the shortlisted firms that will receive the RFP, SOQs will be evaluated using the following criteria:

Team/Technical Qualifications - 70 points

- Design-Build Entity/Project Team
- Project Manager
- Key Project Staff
- Design Experience
- Construction Experience
- Schedule Management Experience
- DB or DBO Experience
- Regulatory Compliance and Permitting Experience
- Commissioning Experience
- Safety Experience
- QA/QC Experience and Program
- Satisfaction of Acceptance and Performance Requirements
- Project Approach
- References

Financial Qualifications - 30 points

- Financial Strength (Design-Build Entity and Guarantor, if applicable)
- Ability to obtain required security for performance

Total - 100 points

The evaluation of the technical and financial qualifications will be based on the SOQs received, correspondence with the Design-Build Entity and personnel references, and an analysis of other publicly available information.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

CAW may conduct such investigations, as it deems necessary or appropriate, to assist in the evaluation of any submittal and to establish to CAW's satisfaction the responsibility, qualifications, and financial ability of any Design-Build Entity.

CAW, at its sole discretion, has the right to seek clarifications from each of the Design-Build Entities that submits an SOQ in order to fully understand the nature of the submissions and evaluate the Design-Build Entities.

7.0 Other Rules and Procedures

7.1 CAW Rights and Procurement Conditions

CAW reserves, holds without limitation, and may exercise, at its sole discretion, the rights and conditions with regard to this RFQ set forth below. Such rights and conditions are in addition to and shall not serve to limit any of the specific rights and conditions set forth in this RFQ. By responding to this RFQ, respondents acknowledge and consent to the following CAW rights and conditions:

1. CAW reserves the right to terminate the procurement process by written notice to the respondents at any time for any reason whatsoever.
2. CAW reserves the right, for any reason, to decide not to award a contract as a result of this procurement process.
3. CAW reserves the right to waive any defect, technicality or any other minor informality or irregularity in any SOQ.
4. CAW reserves the right to change or alter the schedule for any events associated with this procurement process upon notice to the respondents, and a respondent by submitting the SOQ agrees to be bound by any schedule modification made by CAW.
5. CAW reserves the right to eliminate any respondent that submits an incomplete or inadequate response, or is not responsive to the requirements of this RFQ, or is otherwise deemed to be unqualified during any stage of the procurement process.
6. CAW reserves the right, at any time, to determine that any or all respondents will not be qualified for further consideration and to notify such respondents of CAW's determination.
7. CAW reserves the right to require respondents to send representatives for interviews and presentations.
8. CAW reserves the right to request additional information and to conduct clarification discussions, at any time, with one or more respondents.
9. CAW reserves the right, at any time prior to execution of a contract, to change the required services, to omit services, or to include services not currently contemplated.

MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

10. CAW reserves the right, without prior notice, to supplement, amend or otherwise modify this RFQ, or otherwise request additional information.
11. CAW reserves the right to receive questions concerning this RFQ from potential respondents and to provide such questions, and CAW's responses, if any, to all registered respondents.
12. CAW reserves the right to visit and examine any of the facilities referenced in the SOQs and to observe and investigate the operations of such facilities.
13. CAW reserves the right throughout the procurement process to conduct independent investigations with respect to the qualifications and experience of each respondent included in its SOQ, by contacting project references, accessing public information, contacting independent parties, or any other means, and reserves the right to request additional evidence to support any such information.
14. CAW reserves all rights to take any action affecting the RFQ process, the RFP process, or the Project that is determined to be in CAW's best interests.

7.2 Expenses of the Design-Build Entities

CAW accepts no liability for the costs and expenses incurred by the Design-Build Entities in responding to this RFQ, the RFP, responses to clarification requests and resubmittals, interviews, clarification meetings or negotiations. Each Design-Build Entity that enters into the procurement process shall prepare the required materials and submittal at its own expense and with the express understanding that it cannot make any claims whatsoever for reimbursement from CAW for the costs and expenses associated with the process.

7.3 Use of Information

Regardless of whether CAW awards a Design-Build Contract, all SOQs submitted in response to this RFQ and proposals submitted in response to the forthcoming RFP, including the data, information, concepts and ideas contained therein, will become the property of CAW shall have the right to use such SOQs and proposals in any manner or combination it so elects, without notice or the consent of the respondent(s). Notwithstanding the foregoing, CAW agrees that any use of such SOQs or proposals by CAW without the Design-Build Entity's verification or adaption for the specific purpose intended shall be in the sole risk of CAW.

7.4 Confidential Information

Per section V(D) of the Governance Committee Agreement, at the appropriate time CAW will provide the Governance Committee a copy of all responsive SOQs, proposals or bids received for the pertinent work, except for any proprietary information provided by contractors submitting responsive SOQs, proposals or bids. If respondents identify such proprietary information in their SOQs, CAW will use reasonable efforts to hold in confidence such proprietary information. Notwithstanding the foregoing, CAW will not be responsible or liable in any way for any losses

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

that the Design-Build Entity may suffer from the disclosure of information or materials to third parties.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE**



REQUEST FOR QUALIFICATIONS

EXHIBIT A - DESIGN-BUILD ENTITY'S PROPOSAL MANAGER

April 1, 2013

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

DESIGN-BUILD ENTITY'S PROPOSAL MANAGER

Name of Design-Build Entity:

Design-Build Entity's Proposal Manager:

Name: _____

Title: _____

Firm/Company: _____

Address: _____

Telephone No.: _____ **Fax No.:** _____

Email address: _____

E-mail this form to:

CALIFORNIA AMERICAN WATER
Attention: Lori Girard, Corporate Counsel
511 FOREST LODGE ROAD, SUITE 100
PACIFIC GROVE, CA 93950
Email: Lori.Girard@amwater.com

Note: Any substitution of Design-Build Entity's Proposal Manager for the RFQ and RFP process shall be made in writing to CAW and shall subject the DB Entity to re-evaluation. Submit written request to the above address.

MONTEREY PENINSULA WATER SUPPLY PROJECT DESALINATION INFRASTRUCTURE



REQUEST FOR QUALIFICATIONS

EXHIBIT B - QUESTIONNAIRE

1. DECLARATION
2. DESIGN-BUILD TEAM
3. LICENSURE
4. FINANCIAL INFORMATION
5. SAFETY
6. INSURANCE
7. TERMINATION/FAILURE TO COMPLETE:VIOLATION; CLAIMS

EXHIBIT 1 – GENERAL STATEMENT OF BANK CREDIT

EXHIBIT 2 – BONDS AND INSURANCE

April 1, 2013

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE**

NOTICE TO DESIGN BUILD ENTITIES

EXHIBIT B - QUESTIONNAIRE

Name of Design-Build Entity: _____

**IMPORTANT – PLEASE READ AND COMPLETE QUESTIONNAIRE
BEFORE SIGNING:**

Design-Build Entity must sign the declaration below, in addition to specific declarations as required, that the information provided in EXHIBIT B - Questionnaire is true and correct.

1. DECLARATION

I, _____, authorized agent of the
Design-Build Entity,

_____ (Design-Build Entity), hereby declare
that the information provided in EXHIBIT B - Questionnaire has been prepared using reasonable
diligence and is true and complete to the best of my knowledge.

Signed: _____ Dated: _____

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

2. DESIGN-BUILD TEAM

Organization: (Check the applicable organization.) Corporation_____,
Partnership_____, Joint-Venture_____, Sole Proprietor_____, Other_____

Design-Build Entity

Role: D-B Entity	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	

General Engineering Contractor

Role: D-B Entity	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	

Number of years in business under current Company name:_____

Other

Role: D-B Entity	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	

Identify the other firms proposed for this Design-Build Entity:

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

2. DESIGN-BUILD TEAM – (continued)

Design Consultants:

Indicate the role in the Design-Build team by circling either D-B Entity or Sub-consultant.

Engineer of Record

Role: (D-B Entity or Sub-consultant)	Primary Contact	License Class/No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

Type: _____

Role: (D-B Entity or Sub-consultant)	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

Type: _____

Role: (D-B Entity or Sub-consultant)	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

2. DESIGN-BUILD TEAM – (continued)

Other: _____

Role: (D-B Entity or Sub-consultant)	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

Other: _____

Role: (D-B Entity or Sub-consultant)	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

Other: _____

Role: (D-B Entity or Sub-consultant)	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

Other: _____

Role: (D-B Entity or Sub-consultant)	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

2. DESIGN-BUILD TEAM – (continued)

Specialty Consultants:

Type: : _____

Role: (D-B Entity or Sub-consultant)	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

Type: : _____

Role: (D-B Entity or Sub-consultant)	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

Type: : _____

Role: (D-B Entity or Sub-consultant)	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

Type: _____

Role: (D-B Entity or Sub-consultant)	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

2. DESIGN-BUILD TEAM – (continued)

Construction Subcontractors:

Type : _____

Role: (D-B Entity or Sub-consultant)	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

Type : _____

Role: (D-B Entity or Sub-consultant)	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

Type : _____

Role: (D-B Entity or Sub-consultant)	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

Type : _____

Role: (D-B Entity or Sub-consultant)	Primary Contact	License No.
Name/Firm/Address:		
Phone No.:	Fax No.	
Email:	Website:	

ATTACH ADDITIONAL SHEETS AS REQUIRED.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

3. LICENSURE

1. All Design-Build Entities must have a **General Engineering Contractor** actively licensed in the State of California. Provide the following information.

Company Name:
(under which license is held)

Contractor's State of California A or B License Number, name under which license is held, and expiration date:

License No. _____

Name: _____ **Exp. Date:** _____

- a. Has this license ever been revoked?

Yes _____ No _____

If so, please explain below or on a separate attachment:

- b. Has the company had any violations of the Contractors' State License Law (Chapter 9 – commencing with Section 7000) of Division 3 of the Business and Professional Code), excluding alleged violations or complaints?

Yes _____ No _____

If so, please explain each incident below or on a separate attachment:

ATTACH ADDITIONAL SHEETS AS REQUIRED.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

3. LICENSURE (continued)

2. All Design-Build Teams must include an **Engineer of Record** licensed in the State of California. Provide the following information:

Company Name:

Engineer's License Number, name under which license is held, and expiration date:

SE No. _____

Name: _____ **Exp. Date:** _____

- a. Has this license ever been revoked?

Yes _____ No _____

If so, please explain below or on a separate attachment:

- b. Has the company had any violations, disciplinary, citations, and/or criminal action from the California Board of Professional Engineers and Land Surveyors, excluding alleged violations or complaints?

Yes _____ No _____

If so, please explain each incident below or on a separate attachment:

ATTACH ADDITIONAL SHEETS AS REQUIRED.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

3. LICENSURE (continued)

3. **Other firms** licensed in the State of California. Provide the following information:

Company Name:

License Number, name which license is held, and expiration date:

License No. _____

Name: _____ **Exp. Date:** _____

a. Has this license ever been revoked?

Yes _____ No _____

If so, please explain below or on a separate attachment:

b. Has a complaint ever been filed with the State License Board against you or your company that required a formal hearing or inquiry?

Yes _____ No _____

If so, please explain each incident below or on a separate attachment:

ATTACH ADDITIONAL SHEETS AS REQUIRED.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

4. FINANCIAL INFORMATION

1. Financial Statements and Supplementary Information

Financial pre-qualification will be established by determining capacity to perform the contract in the following manner:

- a. Working capital is determined from the most recent balance sheet submitted, by subtracting current liabilities from current assets.
- b. Available lines of credit or other credit facilities are then added to the working capital, and the sum is multiplied by ten.
- c. Uncompleted work on contracts, which have been awarded to you (backlog), will be subtracted from the amount determined in paragraph "b." above.
- d. The number resulting from paragraph "c." above must be greater than \$70,000,000.

Should the Design-Build Entity not qualify on the basis of the above calculation, CAW will consider any alternative information the Design-Build Entity can provide that, in its sole judgment, assure CAW the Design-Build Entity has the capacity to perform the Project Agreement. This information must include the required data described below, and sufficient supplementary analysis and description as needed to clearly present the Design-Build Entity's position. This information must be submitted with the SOQ. It is the Design-Build Entity's responsibility to make the above-described calculation and determine if additional information will be required to demonstrate the Design-Build Entity's ability to perform the Project Agreement.

2. Information you must submit includes:

- a. Full set of financial statements for the Design-Build Entity's (each member if partnership or joint venture) most recent three (3) complete fiscal years, accompanied by either an audit or review report prepared by an independent Certified Public Accountant. **Compiled or internally prepared financial statements will not be accepted.** Statements, which are older than six months, must be supplemented by internally prepared financial statements, which update the information to no more than six months from the date of submission. Such statements must be prepared in accordance with generally accepted accounting principles, including all required informative disclosures.
- b. Letter from a financial institution in support of available lines of credit or other facilities, if the Design-Build Entity wishes them to be considered in qualification. See Exhibit 1 (General Statement of Bank Credit) for example.
- c. Schedule indicating contracts, which have been awarded to the Design-Build Entity, and reconciling the original award, any amendments, completed portion and uncompleted portion of such contracts. This is the Design-Build Entity's backlog of work awarded but not yet complete.
- d. D&B rating, credit scores, annual reports for publicly traded firms, and a breakdown of what is owned versus what is leased, in the way of equipment/buildings.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

4. FINANCIAL INFORMATION (continued)

3. Surety and Bonding Requirements

- a. Approximate bonding capacity: \$_____per project, aggregate \$_____
- b. Attach a notarized statement from the bonding company the Design-Build Entity proposes to use indicating the bonding company's commitment to provide a performance and payment bond for at least \$100,000,000. Refer to Exhibit 2 (Bonds and Insurance) attached to this Qualification Questionnaire for bonding requirements for this project.
- c. List the names of bonding companies utilized by the firm in the last five (5) years, for projects over \$70 million. (State the number of times the bonding company has completed any part of your work during the last five (5) years.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

5. SAFETY

1. Provide a written safety policy, mission statement or other document addressing the company's attitude and responsibility towards worker safety and the safety of the general public during construction. (**NOTE:** Please do not send full copies of safety manuals. If desired, in addition to the above, an index or Table of Contents from the manual is sufficient.)
2. Provide your Safety Officer's qualifications, work experience, authority, job duties, percentage of time spent in fulfilling his duties as safety officer, and who this individual reports to.

3. Safety Performance

- a. Please consolidate your firm's injury and illness data for the last five (5) years, on or after January 1, 2008, for the **General Engineering Contractor** and complete the table below. The information provided must be for your company as a whole, not individual office locations. **Provide copies of your OSHA 300 and OSHA 300A logs for the last 3 years.**

Event	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012
A. Average Number of Employees.					
B. Number of Fatalities. (Total from Column G of OSH 300 Log)					
C. No. of cases that involved days away from work, or cases with job transfer or restrictions, or both. (Totals from Columns H and I of OSH 300 Log)					
D. Other Recordable Cases – Medical Only. (No. of cases without lost or restricted workdays.) (Totals from Column J of OSH 300 Log)					
E. Total Recordable Cases. (Totals from Columns G +H+I+J of OSH 300 Log)					
F. Total Hours Worked.					
G. OSHA Total Recordable Incident Rate: (E above) x 200,000/Employed Hours Worked (Given Year)					
H. OSHA Lost Workday Case Incident Rate: (C above) x 200,000/Employed Hours Worked (Given Year)					

For each fatality, please attach a description of the accident, including cause, actions taken resulting from that fatality and actions taken to prevent future fatalities.

- b. Please list all OSHA (or other health and safety agency) violations issued against your company for the last five (5) years, on or after January 1, 2008. Please include a description for each offense. Also, please provide us with all the names of legal entities under which you perform work.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

5. SAFETY (continued)

c. Please provide your Worker's Compensation Experience Ratings (Experience Modifier) for the past five (5) years, on or after January 1, 2008.

1.	_____	_____
	(Year)	(EMR)
2.	_____	_____
	(Year)	(EMR)
3.	_____	_____
	(Year)	(EMR)
4.	_____	_____
	(Year)	(EMR)
5.	_____	_____
	(Year)	(EMR)

Please attach the endorsement page from your policy listing your EMR, or have your insurance carrier or broker provide this information on their letterhead.

If your EMR exceeds 1.0 for any one or more years, please explain:

d. Please have each subcontractor fill out this questionnaire as well.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

6. INSURANCE

Refer to Exhibit 2 (Bonds and Insurance) attached to this Qualification Questionnaire for insurance requirements for this project. Each policy of insurance carried by the Design-Build Entity for this project shall be issued by an insurance company approved to do business in California with a rating classification of "A-" or better and a financial size category rating of "VII" or better according to the latest addition of "AM Bests."

Attach a notarized statement from the Workers' Compensation carrier specifying contractor's current Experience Modification Rating for Workers' Compensation for the State of California. Also, attach a declaration from an insurance broker that such limits as described in Exhibit 2 are obtainable by the Design-Build Entity submitting this application from an insurance company as described above.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

**7. TERMINATION/FAILURE TO COMPLETE; VIOLATIONS; CLAIMS,
ARBITRATION AND LITIGATION**

1. Provide a declaration certifying that applying members of the Design-Build Entity have not had a performance or payment bond called, or a surety company finish work on any project on or after January 1, 2008.

Declaration:

I, _____, authorized agent of the
Design-Build Entity, hereby certifies that the members of
_____ (Design-Build Entity),
have not had a performance or payment bond called, or a surety company finish work on any
project on or after January 1, 2008. I hereby declare that the above information has been
prepared using reasonable diligence and is true and complete to the best of my knowledge.

Signed: _____ Dated: _____

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

**7. TERMINATION/FAILURE TO COMPLETE; VIOLATIONS; CLAIMS,
ARBITRATION AND LITIGATION (continued)**

2. Provide information and details below for any construction or design claim, arbitration or litigation with alleged damages totaling more than five hundred thousand dollars (\$500,000) or five (5) percent of the annual value of work performed, whichever is less, settled against any member of the Design-Build Entity on or after January 1, 2008.

a. PROJECT: _____

Location: _____

Amount of Claim: \$ _____ Resolution Yes No Date: _____

Nature of Claim: _____

Final Status: _____

b. PROJECT: _____

Location: _____

Amount of Claim: \$ _____ Resolution Yes No Date: _____

Nature of Claim: _____

Final Status: _____

c. PROJECT: _____

Location: _____

Amount of Claim: \$ _____ Resolution Yes No Date: _____

Nature of Claim: _____

Final Status: _____

ATTACH ADDITIONAL SHEETS AS REQUIRED.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

**7. TERMINATION/FAILURE TO COMPLETE; VIOLATIONS; CLAIMS,
ARBITRATION AND LITIGATION (continued)**

3. Provide information and details below for any serious violations of the California Occupational Safety and Health Act, as provided in Part 1 (commencing with Section 6300) of Division 5 of the Labor Code, settled against any member of the Design-Build Entity.

4. Provide information and details of any violations of federal or state law, including, but not limited to, those laws governing the payment of wages, benefits, or personal income tax withholding, or of Federal Insurance Contributions Act (FICA) withholding requirements, state disability insurance withholding, or unemployment insurance payment requirements, settled against any member of the Design-Build Entity on or after January 1, 2008. For the purposes of this subclause, only violations by a Design-Build Entity member as an employer shall be deemed applicable, unless it is shown that the Design-Build Entity member, in his or her capacity as an employer, had knowledge of his or her subcontractor's violations or failed to comply with the conditions set forth in subdivision (b) of Section 1775 of the Labor Code.

ATTACH ADDITIONAL SHEETS AS REQUIRED.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

**7. TERMINATION/FAILURE TO COMPLETE; VIOLATIONS; CLAIMS,
ARBITRATION AND LITIGATION (continued)**

5. Provide information and details that the Design-Build Entity or its members, any officer of the Design-Build Entity or its members, or any employee of the Design-Build Entity or its members who has a propriety interest in the Design-Build Entity, has ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation on or after January 1, 2008, and if so explain the circumstances (Public Contract Code Section 10162).

6. Provide information and details of any violations by the Design-Build Entity of the Contractor's State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code), excluding alleged violations or complaints.

ATTACH ADDITIONAL SHEETS AS REQUIRED.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

**7. TERMINATION/FAILURE TO COMPLETE; VIOLATIONS; CLAIMS,
ARBITRATION AND LITIGATION (continued)**

7. Provide information and details of any conviction of any member of the Design-Build Entity of submitting a false or fraudulent claim to a public agency on or after January 1, 2008.

8. Violations of environmental compliance conditions resulting in issuance of a Notice of Violation or other action on or after January 1, 2008.

DECLARATION

I, _____, authorized agent of the
Design-Build Entity,

_____ *Design-Build Entity), hereby declare
that the information provided in EXHIBIT B - Questionnaire, questions 7.2 to 7.7 has been
prepared using reasonable diligence and is true and complete to the best of my knowledge.

Signed: _____ Dated: _____

ATTACH ADDITIONAL SHEETS AS REQUIRED.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

**7. TERMINATION/FAILURE TO COMPLETE; VIOLATIONS; CLAIMS,
ARBITRATION AND LITIGATION (continued)**

8. Provide a declaration that the Design-Build Entity will comply with all other provisions of law applicable to the project, including, but not limited to, the requirements of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

Declaration:

I, _____, authorized agent of the Design-Build Entity, hereby declare that _____

(Design-Build Entity) will comply with all other provisions of law applicable to the Project, including, but not limited to, the requirements of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

Signed: _____ Dated: _____

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

EXHIBIT 1

GENERAL STATEMENT OF BANK CREDIT

.....
(Date)

Bank Reference #

Gentlemen:

In connection with the pre-qualification of

.....
(Name of Design-Build Entity)

We hereby declare that said Design-Build entity has been extended a line of credit in a total amount not exceeding \$ _____, and that such credit will not be withdrawn or reduced without notice to CAW.

This letter is signed with the understanding that it is a document to be used by CAW only for the purpose of determining the financial resources of said Design-Build Entity available for use in performing a Design-Build Agreement on the Project, which may be awarded by CAW.

This General Statement of Bank Credit supersedes and replaces any General Statement of Bank Credit from the same Bank, which may have been filed with the current Design-Build Entity's Statement of Experience and Financial Condition and will EXPIRE with the Annual Contractor's Statement of Experience and Financial Condition for which the line of credit was issued.

.....
(Name of Bank)

.....
(Address)

By
(Signature of Bank Representative)

.....
(Printed name and Title)

.....
(Phone)

PLEASE NOTE: This form is optional and **may** be used to augment your Working Capital or **help** your firm establish a rating when completed by your bank; if they prefer, one with the **same provisions** may be issued on the bank's own letterhead.

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

EXHIBIT 2

INSURANCE

Insurance

This Exhibit 2 is illustrative of the types of insurance CAW expects to require for the Project. The specific insurance coverage required shall be identified in the RFP.

At no expense to CAW, DESIGN/BUILDER shall (1) obtain and keep in force during the term of this Agreement, and any renewals or extensions hereof, and (2) either extend its own insurance such that it covers its subcontractors or require its subcontractors to obtain and keep in force during the terms of their respective contracts, the following minimum insurance limits and coverage. The insurance coverage limits stated below are minimum coverage requirements, not limitations of liability, and shall not be construed in any way as American Water's acceptance of the responsibility of DESIGN/BUILDER. This exhibit is illustrative of the requirements, the RFP will indicate the specific insurance requirements for the project.

1. Commercial General liability:

- \$1,000,000 per occurrence Combined Single Limits
- \$1,000,000 General Aggregate
- \$1,000,000 Products and Completed Operations Aggregate

CGL ISO 1996 or later Occurrence form including Premises and Operations Coverage, Products and Completed Operations, Coverage for Independent contractors, Personal Injury Coverage and Blanket Contractual Liability, and Contractors Protective Liability if the DESIGN/BUILDER subcontracts to another all or any portion of the Work. Completed Operations shall be maintained for a period of three (3) years following Final Completion for any construction, renovation, repair or maintenance service.

2. Workers' Compensation

A. Applicable Federal or State Requirements: Statutory Minimum Employer's Liability:

- | | |
|---------------------------|-------------|
| ▪ Each Accident | \$1,000,000 |
| ▪ Each Employee – Disease | \$1,000,000 |
| ▪ Policy Limit – Disease | \$1,000,000 |

B. Other States insurance.

The Workers' Compensation policy shall also include U.S. Longshoreman and Harbors Workers' Compensation Act Coverage, **if** any Work shall be done over or within 100 feet of any body of water, or otherwise at the sole discretion of Water Company. It shall provide maritime (Jones Act) coverage **if** a boat or vessel of any type is used

3. Automobile Liability (including owned, hired, borrowed and non-ownership liability)

Bodily Injury and Property Damage \$1,000,000 each accident Combined Single Limits

4. Umbrella Liability

\$50,000,000 each occurrence and annual aggregate in excess of Employer's Liability, General Liability and Automotive Liability (no more restrictive than underlying insurance)

5. Professional Liability – Professional Liability or Errors and Omissions insurance acceptable to American Water covering DESIGN/BUILDER's liabilities for loss due to error, omission, negligence,

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

mistakes, or failure to take appropriate action in the performance of business or professional duties of their employees in the amount of at least \$10,000,000 per claim and in the aggregate shall be procured and maintained during the contract term and for a period of at least one (1) year after completion of the contract evidenced either by renewal of the policy for one year or by endorsement or addition of an Extended Reporting (or Discovery) Period for at least one year following the policy expiration date. Policy shall be endorsed to provide contingent bodily injury and property damage liability coverage.

6. Builders' Risk – The DESIGN/BUILDER shall be required to obtain and maintain the required insurance to be specified in the Design-Build Contract, including builders' risk insurance during construction.
7. Environmental Impairment Liability (EIL) or Pollution Liability - The DESIGN/BUILDER shall be required to obtain and maintain insurance covering losses caused by pollution conditions that arise from the DESIGN/BUILDER's work.

MONTEREY PENINSULA WATER SUPPLY PROJECT DESALINATION INFRASTRUCTURE



REQUEST FOR QUALIFICATIONS

EXHIBIT C - EXPERIENCE

- A. PROJECT PROFILES (DESIGN-BUILD ENTITY)
- B. PROJECT PROFILES (ENGINEER OF RECORD)
- C. PROJECT PROFILES (GENERAL ENGINEERING CONTRACTOR)
- D. PROJECT PROFILES (OTHER TEAM MEMBERS)

April 1, 2013

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

PROJECT PROFILES - INFORMATION SHEET

A. DESIGN BUILD ENTITY

Name of Firm: _____

Submit profiles for five (5) projects completed on or after January 1, 2002 or under current contracts that represent similar type work as this Project. Clearly identify the relevance of each project. Photos and other graphic materials may be included. Water/wastewater experience is of importance. Submittal of an equivalent project listing form is acceptable, provided it contains the requested information.

Project Manager (for Architect): _____

Principal In Charge: _____

Project Name & Description: _____

Location: _____

Owner: _____ Representative: _____ Telephone: _____

General Contractor: _____ Engineer of Record: _____

Mechanical Engineer: _____ Electrical Engineer: _____

Structural Engineer: _____ Other Relevant Consultants: _____

Project Type: _____ Capacity (if applicable): _____

Scheduled Completion Date: _____ Actual Completion Date: _____

Explain Difference, if any: _____

Original Contract Amount: _____ Final Contract Amount: _____

Explain Difference, if any: _____

Delivery Method: Design/Build Design/Bid/Build Other: _____

Describe role in the Delivery Method: _____

Other Items Incorporated:

1. Desalination (describe) _____
2. SCADA (describe) _____
3. LEED certification (describe) _____
4. Post-treatment for corrosion control/stability (describe) _____
5. Complex permitting (describe) _____

Other Relevant Factors: (Managing the design & construction process, cost estimating, Project Controls, etc.) _____

ATTACH ADDITIONAL SHEETS AS REQUIRED

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

PROJECT PROFILES – INFORMATION SHEET

B. ENGINEER OF RECORD

Name of Firm: _____

Submit examples of relevant projects completed on or after January 1, 2002 or under current contract (at least one must be in California). Clearly identify the relevance of each project. Photos and other graphic materials may be included. Water/wastewater experience is of importance. Submittal of an equivalent project listing form is acceptable, provided it contains the requested information.

Project Manager (for _____): _____

Principal in Charge: _____

Project Name & Description: _____

Location: _____

Owner: _____ Representative: _____ Telephone: _____

General Contractor: _____ Engineer of Record: _____

Structural Engineer: _____ Mechanical Engineer: _____

Civil Engineer: _____ Electrical Engineer: _____

Other Relevant Consultants: _____

Project Type: _____ Capacity: (if applicable) _____

Scheduled Completion Date: _____ Actual Completion Date: _____

Explain Difference, if any: _____

Original Contract Amount: _____ Final Contract Amount: _____

Explain Difference, if any: _____

Delivery Method: Design/Build Design/Bid/Build Other: _____

Describe role in the Delivery Method: _____

Sustainable Building Measure Incorporated:

1. Desalination (describe) _____
2. SCADA (describe) _____
3. LEED certification (describe) _____
4. Post-treatment for corrosion control/stability (describe) _____
5. Complex permitting (describe) _____

Other Relevant Factors: (Managing the design & construction process, cost estimating, Project Controls, etc.) _____

PROJECT PROFILES – INFORMATION SHEET

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

C. GENERAL ENGINEERING CONTRACTOR

Name of Firm: _____

Submit examples of relevant projects completed on or after January 1, 2002 or under current contract (at least one must be in California). Clearly identify the relevance of each project. Photos and other graphic materials may be included. Water/wastewater experience is of importance. Submittal of an equivalent project listing form is acceptable, provided it contains the requested information.

Project Manager (for _____): _____

Principal in Charge: _____

Project Name & Description: _____

Location: _____

Owner: _____ Representative: _____ Telephone: _____

General Contractor: _____ Engineer of Record: _____

Structural Engineer: _____ Mechanical Engineer: _____

Civil Engineer: _____ Electrical Engineer: _____

Other Relevant Consultants: _____

Project Type: _____ Capacity: (if applicable) _____

Scheduled Completion Date: _____ Actual Completion Date: _____

Explain Difference, if any: _____

Original Contract Amount: _____ Final Contract Amount: _____

Explain Difference, if any: _____

Delivery Method: Design/Build Design/Bid/Build Other: _____

Describe role in the Delivery Method: _____

Sustainable Building Measure Incorporated:

1. Desalination (describe) _____
2. SCADA (describe) _____
3. LEED certification (describe) _____
4. Post-treatment for corrosion control/stability (describe) _____
5. Complex permitting (describe) _____

Other Relevant Factors: (Managing the design & construction process, cost estimating, Project Controls, etc.) _____

PROJECT PROFILES – INFORMATION SHEET

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

**D. OTHER TEAM MEMBERS (PERMITTING, PROCESS, SCADA,
ELECTRICAL, ETC.)**

Name of Firm: _____

Submit examples of relevant projects completed on or after January 1, 2002 or under current contract (at least one must be in California). Clearly identify the relevance of each project. Photos and other graphic materials may be included. Water/wastewater experience is of importance. Submittal of an equivalent project listing form is acceptable, provided it contains the requested information.

Project Manager (for _____): _____

Principal in Charge: _____

Project Name & Description: _____

Location: _____

Owner: _____ Representative: _____ Telephone: _____

General Contractor: _____ Engineer of Record: _____

Structural Engineer: _____ Mechanical Engineer: _____

Civil Engineer: _____ Electrical Engineer: _____

Other Relevant Consultants: _____

Project Type: _____ Capacity: (if applicable) _____

Scheduled Completion Date: _____ Actual Completion Date: _____

Explain Difference, if any: _____

Original Contract Amount: _____ Final Contract Amount: _____

Explain Difference, if any: _____

Delivery Method: Design/Build Design/Bid/Build Other: _____

Describe role in the Delivery Method: _____

Sustainable Building Measure Incorporated:

1. Desalination (describe) _____
2. SCADA (describe) _____
3. LEED certification (describe) _____
4. Post-treatment for corrosion control/stability (describe) _____
5. Complex permitting (describe) _____

Other Relevant Factors: (Managing the design & construction process, cost estimating, Project Controls, etc.) _____

ATTACH ADDITIONAL SHEETS AS REQUIRED

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE**



REQUEST FOR QUALIFICATIONS

EXHIBIT D - INELIGIBLE FIRMS

April 1, 2013

MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS

Ineligible Firms

The following firms are ineligible from the Design-Build Entity, or the Design-Build Entity's team:

- ***RBF Consulting***
- ***Trussell Technologies***
- ***URS Corporation***
- ***Separation Processes, Inc.***

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE**



REQUEST FOR QUALIFICATIONS

EXHIBIT E – ILLUSTRATIVE LIST OF PERMIT

April 1, 2013

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

Illustrative List of Permits

The following is an illustrative list of permits that could be expected for the Project and the party anticipated to be responsible for obtaining such permits. The final list of permits, and the entity responsible for obtaining such permits will be provided in the RFP.

Federal Agencies		
Regulatory Agency	Regulatory Permit, Authorization or Approval	Responsible Party
U.S. Fish and Wildlife Service (USFWS), Ecological Services Branch	Biological Opinion or letter of concurrence and Incidental Take Statement as a result of coordination under Section 7 Endangered Species Act, (ESA)	CAW
National Oceanic & Atmospheric Administration (NOAA)	Consultation under Section 305(b), Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. Section 1855(b))	CAW
National Oceanic & Atmospheric Administration (NOAA), National Marine Sanctuary Program (NMSP), Monterey Bay National Marine Sanctuary (MBNMS)	Authorization under the MBNMS Management Plan and the National Marine Sanctuary Program (15 Code Fed. Regs. Part 222)	CAW
U.S. Army Corps of Engineers (USACE)	Individual or Nationwide Permit in accordance with Section 404 Clean Water Act (33 U.S.C. Section 1344)	CAW

State Agencies		
Regulatory Agency	Regulatory Permit, Authorization or Approval	Responsible Party
Regional Water Quality Control Board (RWQCB)	National Pollutant Discharge Elimination System (NPDES) General Permit For Storm Water Discharges Associated With Construction Activity (WQO No. 2009-0009-DWQ)	D/B Firm
	Waste Discharge Requirements (WDR) per Porter-Cologne Water Quality Control Act. (Water Code Section 13000 et seq.)	D/B Firm
	Water Quality Certification in accordance with Section 401 Clean Water Act (33 U.S.C. Section 1341)	D/B Firm
California State Lands Commission	Land Use Lease (Right-of-Way Permit) (Pub. Res. Code Section 6000 et seq.; 14 Cal. Code Regs. Section 1900 et seq.)	CAW
California Department of Fish and Game (CDFG)	Incidental Take Permit in accordance with the California Endangered Species Act (CESA) (Fish & Game Code Section 2081)	CAW

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

California Coastal Commission (CCC)	Coastal Development Permit in accordance with the California Coastal Act (Pub. Res. Code Section 30000 et seq.)	CAW
California Department of Public Health (CDPH)	Permit to Operate a Public Water System (Health & Safety Code Section 116525)	D/B Firm
California Department of Parks and Recreation Office of Historic Preservation	Coordination under Section 106 of the National Historic Preservation Act (NHPA) (16 USC 470 et seq.)	CAW
California Department of Transportation (Caltrans)	Encroachment Permit (Streets & Highway Code Section 660 et seq.)	D/B Firm

Local/Regional Agencies		
Regulatory Agency	Regulatory Permit, Authorization or Approval	Responsible Party
Monterey County	Encroachment Permit (Monterey County Code Title 14 Chapter 14.040)	D/B Firm
	Use Permit (Monterey County Code Chapter 21.74)	D/B Firm
	Combined Development Permit Process (Monterey County Code Chapter 21.76)	D/B Firm
	Coastal Development Permit (See CCC Above)	CAW
	Grading Permit (Monterey County Code Chapter 16.60)	D/B Firm
	Erosion Control Plan (Monterey County Code Chapter 16.12)	D/B Firm
	Protected Tree Removal Permit (Monterey County Code Chapter 16.60)	D/B Firm
	Permit to Construct Desalination Treatment Facilities (Monterey County Code Chapter 10.72)	CAW
Monterey Peninsula Water Management District (MPWMD)	Water Quality Certification in accordance with section 401 Clean Water Act (33 U.S.C. Section 1341)	CAW
Monterey Bay Unified Air Pollution Control District (MBUAPCD)	Authority to Construct in accordance with Local Rule 3.1	D/B Firm
	Permit to Operate in accordance with Local Rule 3.2	D/B Firm

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE**



REQUEST FOR QUALIFICATIONS

EXHIBIT F – GUARANTOR ACKNOWLEDGMENT FORM

April 1, 2013

**MONTEREY PENINSULA WATER SUPPLY PROJECT
DESALINATION INFRASTRUCTURE - REQUEST FOR QUALIFICATIONS**

GUARANTOR ACKNOWLEDGMENT FORM (if applicable)

(to be typed on Guarantor's Letterhead)

_____ (the "Design-Build Entity") has submitted herewith a Statement of Qualifications ("SOQ") in response to the Request for Qualifications from Prospective Design-Build Entities for the Monterey Peninsula Water Desalination Project, as amended (the "RFQ") issued by California American Water ("CAW"), pursuant to which it is seeking to be qualified by CAW to provide the Contract Services described in the RFQ. CAW will issue a Request for Proposals ("RFP") from the pre-qualified Design-Build Entities that will require the Selected Design-Build Entity to enter into an agreement to perform the Contract Services, to comply with all applicable permits, licenses, approvals and other Applicable Law, and to perform the other related and ancillary services described in the RFP.

The Guarantor has reviewed the Design-Build Entity's SOQ which will form the basis for pre-qualification. The Guarantor hereby certifies that it will irrevocably, absolutely and unconditionally guarantee pursuant to a Guaranty Agreement the performance of all of the Design-Build Entity's obligations under the Design-Build Contract agreed upon by the Design-Build Entity and CAW, which contract will be based on the draft Design-Build Contract issued with the RFP, in the event the Design-Build Entity is issued an RFP by CAW and selected for negotiation and execution of the Design-Build Contract.

Name of Guarantor

Name of Authorized Signatory

Signature

Title