

Draft Resolution #HSRA 22-17

Approval to Amend Resolution HSRA 19-11 to Adjust Proposer Stipend Amounts for the Request for Proposals for Track and Systems Contract

Whereas, the Board of the California High-Speed Rail Authority (Authority) unanimously approved Resolution #HSRA 19-11 at its December 10, 2019, meeting; and

Whereas, Resolution #HSRA 19-11 authorized the Authority's Chief Executive Officer (CEO) to issue the Request for Proposals (RFP) to prequalified shortlisted firms for the Track and Systems Contract; and

Whereas, Resolution #HSRA 19-11 also authorized the CEO to include in the RFP a stipend amount of "\$2 million for each responsive proposal submitted to the Authority by any prequalified shortlisted Proposer that is not awarded the contract, or, in the case of termination of the RFP, proven costs not to exceed \$2 million"; and

Whereas, since 2019 the Authority has been engaged in the Track and Systems procurement process leading to the award of the Design-Build-Maintain contract designated as Track and Systems, with a scope of work that includes design and construction of trackwork, railway systems, and electrification, the operations control center, as well as testing and commissioning, maintenance of the underlying civil works and the track and systems work, and construction of necessary maintenance facilities; and

Whereas, of the three prequalified shortlisted teams, two remain active in the procurement; and

Whereas, the procurement has been delayed some 24 months due to impacts from the Covid pandemic, market changes, delays and changes to the civil construction packages, and inflation and undergone 16 addenda to the RFP; and

Whereas, the proposer teams have dedicated innumerable hours and effort to the procurement, participated in more than 30 commercial and technical meetings with the Authority and offered valuable feedback for the project, and in return for the stipend the Authority receives valuable consideration in the form of a responsive bid; and

Whereas, staff recommends that the Authority adjust the stipend amounts available to proposers without increasing the previously approved total stipend budget of \$6 million, as detailed below.

Therefore, it is resolved:

The CEO, or designee of the CEO, is hereby authorized to adjust the stipend amounts set forth in Resolution #HSRA 19-11 as follows:

- 1) For a responsive Proposal submitted to the Authority by any prequalified shortlisted Proposer that is not awarded the contract, the stipend shall be \$4 million; and,
- 2) In the case of termination of the RFP, each proposer may receive proven costs not to exceed \$3 million; and
- 3) All such stipends shall be subject to the appropriate terms and conditions set forth in the RFP and above.

Vote:
Yes:
No:
Absent:
Date:

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