



CALIFORNIA
High-Speed Rail Authority

CALIFORNIA HIGH-SPEED RAIL AUTHORITY
Pre-Bid Conference
Request for Qualifications
Design Services for Track and Overhead Contact
Systems

Wednesday, November 15, 2023

WELCOME AND AGENDA

- HSR Project Overview
 - » Melissa Figueroa, Chief of Strategic Communications
- Small Business Program Overview
 - » Chardena Valley, Small Business Advocate
- Procurement Overview
 - » Bruce Armistead, Chief of Rail and Operations Delivery
- Organizational Conflicts of Interest Overview
 - » Katherine Cook, Attorney IV

TODAY'S PROCUREMENT EVENTS

- Now
 - » Virtual Pre-Bid for Design Services for Track and Overhead Contact Systems

- 10:30 – 11:30 a.m.
 - » Virtual Small Business Workshop (attendance is not mandatory)
 - » To Register:
 - Go to www.hsr.ca.gov, then [Business Opportunities](#), then [Design Services for Track and Overhead Contact Systems](#) under “Contract Opportunities”

- 1:30 – 4:30 p.m.
 - » Hybrid – In-Person and Virtual Industry Awareness Day for Upcoming Rail Procurements (attendance is not mandatory)
 - » To Join Virtually (Note: program begins at 2:00pm):
 - Go to www.hsr.ca.gov, then [Business Opportunities](#), then [Events](#) under “Small Business Program”
 - » To Join In-Person:
 - California Department of Health Care Services Auditorium
 - 1500 Capitol Avenue, Sacramento, CA 95814

PROCUREMENT PROCESS DETAILS

Webpage:

<https://hsr.ca.gov/business-opportunities/contract-opportunities/design-services-for-track-and-overhead-contact-systems-ocs/>

Or, go to www.hsr.ca.gov, then [Business Opportunities](#), then [Design Services for Track and Overhead Contact Systems](#) under “Contract Opportunities”

This webpage will include:

- Video of this Pre-Bid Conference and Small Business Workshop
- PowerPoint presentations
- Registrant lists

Submit procurement questions to trackdesign@hsr.ca.gov

Questions due by Wednesday, November 22, 2023





CALIFORNIA HIGH-SPEED RAIL: PROJECT OVERVIEW

Design Services for Track and Overhead Contact Systems Pre-Bid

Melissa Figueroa

Chief of Strategic Communications



CONNECTING CALIFORNIA PROGRAM HIGHLIGHTS

• Phase 1

- 500 Miles
- San Francisco to Los Angeles/Anaheim

• Phase 2

- After Phase 1 - Extends 300 Miles
- Connections to Sacramento and San Diego

Travels at approximately 220 mph
Up to 24 Stations



WHERE WE ARE TODAY

2023 PROGRESS

- 119 Miles Under Construction
- 52 miles under advanced design (north into Merced and South into Bakersfield)
- Environmentally Clearing Full 500 Miles Between San Francisco and Los Angeles Basin
 - Approximately 422 Miles Environmentally Cleared To-Date
- **Bookend Projects:**
 - Caltrain Electrification
 - Los Angeles Union Station Improvements
 - Statewide Grade Separations
- **Station Design for four Central Valley Stations**
 - Merced, Fresno, Kings/Tulare and Bakersfield
- **Memorandum Of Understanding with Brightline West**



LOOK AHEAD

Upcoming Milestones:

- Completion of the first Central Valley construction segment CP4
- Caltrain electrification (Completion anticipated in late 2024)
- Rosecrans/Marquardt grade separation (completion anticipated in 2024)
- Continued advance station design of Central Valley stations (Contract awarded Oct 2022)



PROGRAM UPDATE HIGHLIGHTS

- **11,400+ Construction Jobs Created Since Construction Began**
 - 1,400+ Construction Workers Dispatched to Sites Daily
 - 25 Active Construction Sites
 - 70% Workers from Disadvantaged Communities
- **812 Small Businesses Employed**
 - 282 are Disadvantaged Business Enterprises
 - 99 Disabled Veteran Business Enterprises
- **Leading In Sustainability**
 - Run on 100% Renewable Energy
 - Currently Using Tier IV Equipment on Construction
 - Will Reduce VMT by taking 400k cars off the road annually





CALIFORNIA HIGH-SPEED RAIL: SB, DVBE, DBE PROGRAM OVERVIEW Design Services for Track and Overhead Contact Systems Pre-Bid

Chardena Valley, Small Business Advocate
Process & Program Development Branch
sbprogram@hsr.ca.gov

Small Business By the Numbers



Small Business Participation

(as of August 31, 2023)

812 Certified Small businesses working on the high-speed rail program statewide

282 Certified Disadvantaged Business Enterprises (DBE)

99 Certified Disabled Veteran Business Enterprises (DVBE)

285 Certified Small Businesses

▲ NORTHERN CALIFORNIA

OUTSIDE OF CALIFORNIA

28 Certified Small Businesses

● CENTRAL VALLEY

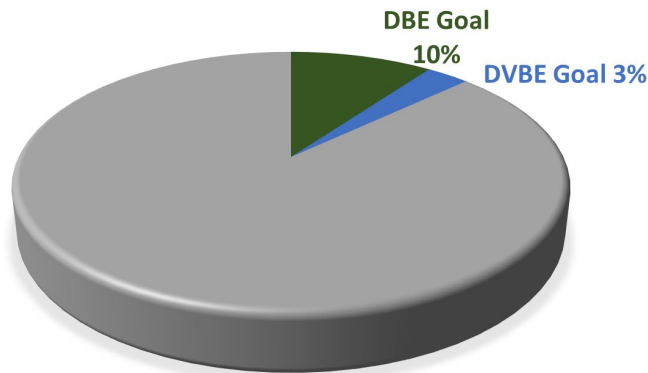
219 Certified Small Businesses

■ SOUTHERN CALIFORNIA

280 Certified Small Businesses

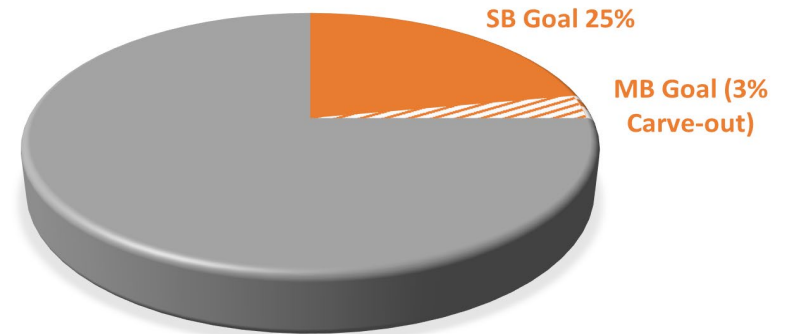
SB/DVBE/DBE Contract Goals: Blended Contracts

GOALS CALCULATED AGAINST
TOTAL CONTRACT DOLLARS



Combined Total: 13%

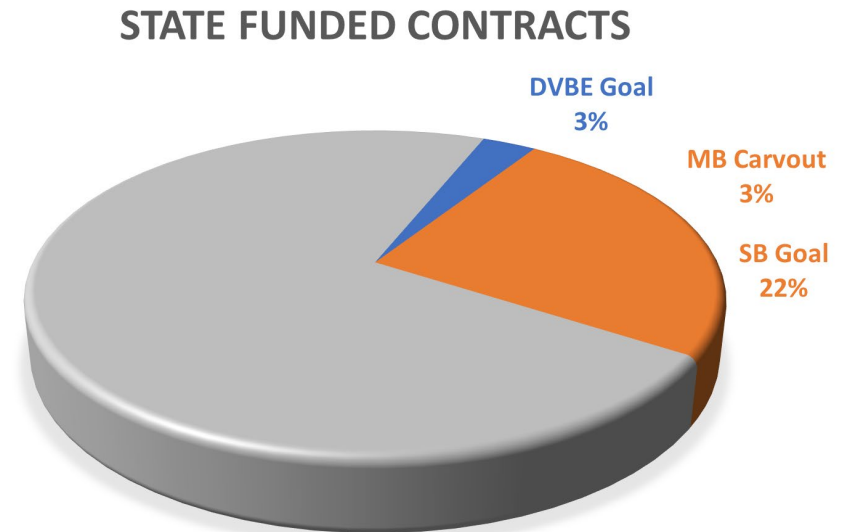
GOALS CALCULATED AGAINST
STATE CONTRACT DOLLARS ONLY



Total: 25%

SB/DVBE Contract Goals: State Funded Contracts

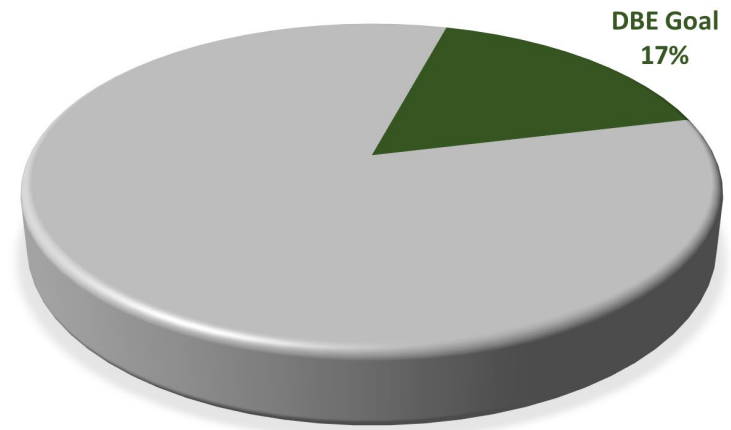
- 3 percent DVBE Goal
- 25 percent SB Goal
 - » 3 percent MB carveout



DBE Contract Goals: Federally Funded Contracts

17 percent DBE Goal

FEDERALLY FUNDED CONTRACTS



Commitment to Diversify

Small Business Certification Overview

Certifications That Count Toward the Overall Goal:

- **California Department of General Services**

- Small and Micros Businesses (SB/MB)
- Disabled Veteran Business Enterprises (DVBE)
- Small Business for Public Works (SB-PW)

state

- **California Unified Certification Program**

- Disadvantaged Business Enterprises (DBE)

federal



Small Business Teams

Exclusivity

- **There is no prohibition against Subconsultants/Subcontractors being exclusive to one Offeror, however, exclusivity is strongly discouraged for SB/DBE/DVBE Subconsultants/Subcontractors**



CONNECT HSR

High-Speed Rail Vendor Registry

Free Online Tool to Connect with Business Opportunities

Open to All Businesses, Large & Small

- **List Your Business:**
 - Type of Business
 - Services Offered or Supplies Sold
 - Service Counties
 - Certifications
- **Learn About:**
 - Future Contracting Opportunities
 - Training/Workshops
- **Register At:**
 - www.connecthsr.com





CALIFORNIA HIGH-SPEED RAIL: PROCUREMENT OVERVIEW

Design Services for Track and Overhead Contact Systems Pre-Bid

Bruce Armistead

Chief of Rail and Operations Delivery



Purpose

- The Authority has issued a Request for Qualifications (RFQs) to receive Statements of Qualifications (SOQs) from qualified firms (Offerors) for Track and Overhead Contact Systems(OCS) Design Services.
- The purpose of this RFQ is to award an agreement (Agreement) to one successful Offeror (Consultant) to design track and overhead contact system elements that cover the entire guideway from Merced to Bakersfield.
- This professional services contract is critical for achieving certification from the Federal Railroad Administration.

Background

- New procurement strategy

Package	Scope	Description	Indicative Timing
Package 1 <i>(broken up into two separate contracts)</i>	Track and Overhead Contact System (OCS) (Track Civil Works, Track Bed, Track, and OCS)	Package 1A: Design <i>Architectural & Engineering contract</i>	Nov 03, 2023
		Package 1B: Construction Manager/General Contractor (CM/GC) <i>CM/GC contract</i>	Q2 2024
Package 2	Systems (Signaling, train control, core communications and traction power system, Supervisory Control and Data Acquisition)	Package 2: Systems <i>Progressive Design-Build contract</i>	Q2 2024
Package 3	Trainsets	Package 3: Trainsets <i>Supply-Maintain contract</i>	RFQ: Q3 2023 RFP: Q1 2024
Package 4	Depots/Facilities	Package 4: Depots/facilities <i>[Packaging and scope of depots/facilities subject to ongoing discussion]</i>	Q3 2024 (Design) 2026 (Construction)
Additional Contracts	Program-wide support for Track and Systems	Integration Support	Q1 2024
		Independent Safety Assessor (ISA)	Q4 2023
		Independent Cost Estimator (ICE)	Q2 2024
		Construction Manager	Q2 2024

Draft Contract Terms:

- Contract term will be 6-years, 8 months
- Initial contract value is up to \$131.2 million (not to exceed)
- Total contract value is up to \$161 million (not to exceed) with potential extension options
- This is a qualifications-based procurement; fair and reasonable fees and costs will be negotiated with the top-ranked Offeror prior to executing a contract
- Comply with current Small Business Program requirements

Scope of Work

- Produce high-level designs for track and OCS elements that cover the entire 171-mile guideway from Merced to Bakersfield; detailed designs for the 119-mile Section from Madera to Poplar Ave.
- Design of the track system, including the sub-ballast layer, OCS, along-track cable containment, across-track ducts, access walkways, fencing, and drainage.
- Manage technical and non-technical interfaces with interfacing contractors/consultants.
- Work collaboratively with Interfacing Contractors, including the CM/GC selected to construct the track and OCS systems designed under this contract.

Scope of Work

- NTP 1
 - » Initial Deliverables
 - » High-Level Design for EOS
 - » Detailed Design for FCS
- NTP 2
 - » Detailed Design for M-M
- NTP 3
 - » Detailed Design for LGA



Scope of Work



Evaluation and Performance

- The Statements of Qualifications will be evaluated and scored by an Evaluation Selection Committee pursuant to established criteria in the RFQ.
- Pre-award audits will be conducted concurrently with negotiations prior to execution.
- The contract includes provisions for a performance-based fee structure. Key performance indicators must be met to earn the fee.
- The performance-based fee range negotiated in the Task Order is limited to between 8% to 11% based on excellent performance and other factors.

Procurement Process Details

California State Contracts Register

- The Request for Qualifications (RFQ) can be downloaded from the event webpage on the California State Contracts Register (CSCR):
- RFQ No. HSR23-32: www.caleprocure.ca.gov/event/2665/HSR23-32
- Updates, including responses to written questions and any RFQ addenda, will be posted on the CSCR event webpage.

Authority's Webpage and Email Address to Submit Questions

- The Authority's webpage for this procurement:
<https://hsr.ca.gov/business-opportunities/contract-opportunities/design-services-for-track-and-overhead-contact-systems-ocs/>
- Information from the Pre-Bid Conference and Small Business Workshop will be posted on the Authority's webpage with the following items:
 - » Presentations (PowerPoints)
 - » Videos
 - » Registration Lists

Submit procurement questions to trackdesign@hsr.ca.gov

Procurement Schedule

Activity	Date
RFQ advertised on Cal eProcure	November 3, 2023
Virtual Pre-Bid Conference and Small Business Informational Workshop	November 15, 2023
Deadline for Questions	November 22, 2023
Statements of Qualifications Due	January 22, 2024
Anticipated Notice of Proposed Award Released	February 16, 2024
Board Meeting	April 2024
Contract Execution and Issuance of NTP1	April 2024
NTP2	TBD
NTP3	TBD

See Table 1 of the RFQ for additional details





CALIFORNIA HIGH-SPEED RAIL: ORGANIZATIONAL CONFLICTS OF INTEREST OVERVIEW

Design Services for Track and Overhead Contact Systems Pre-Bid

Katherine Cook
Attorney IV



ORGANIZATIONAL CONFLICTS OF INTEREST

- All entities desiring to enter into an Authority contract must comply with its Organizational Conflict of Interest (OCOI) Policy (Policy).
- Why is the OCOI Policy necessary?
 - » Our federal grants require it;
 - » Ensures a fair and transparent procurement process, maximizing competition and minimizing exposure to bid protests; and
 - » Ensures compliance with state and federal procurement laws and regs.

OCOI POLICY DEFINITION

An “Organizational Conflict of Interest” is defined as:

“...a circumstance arising out of a Contractor’s existing or past activities, business or financial interests, familial relationships, contractual relationships, and/or organizational structure (i.e., parent entities, subsidiaries, Affiliates, etc.) that results or would result in:

- **impairment or potential impairment of a Contractor’s ability to render impartial assistance or advice to the Authority or of its objectivity in performing work for Authority**
- **an unfair competitive advantage for any Contractor bidding or proposing on an Authority procurement, or**
- a perception or appearance of impropriety with respect to any of the Authority’s procurements or contracts or a perception or appearance of unfair competitive advantage with respect to a procurement by the Authority (regardless of whether any such perception is accurate).”

ORGANIZATIONAL CONFLICTS OF INTEREST

- **Two general situations in which an organizational conflict of interest will be found to exist for a contractor:**
 - » **1. A contractor has an unfair competitive advantage**
 - *Example: A contractor has inside or non-public information about a procurement*
 - *Example: A contractor provides services related to a procurement and then bids on it*
 - » **2. A contractor's objectivity in performing its contractual obligations for the Authority would be compromised such that it could not provide impartial assistance**
 - *Example: A contractor on Contract A is in a position to oversee its own work on Contract B and mitigation is not possible*

OCOI POLICY FLEXIBILITY

- A common misperception is that Contractors are generally “conflicted” out simply because of prior work on the Project.
- The vast majority of OCOI determinations find that a contractor may participate in the desired procurement and/or contract.
- The Policy states that “the Authority recognizes that its goals must be balanced against the need to not unnecessarily restrict the pool of potential proposers or bidders available to participate in Authority procurements and contracts.”
- If a potential conflict is recognized, the Policy requires consideration of numerous factors to determine whether the contractor may participate in the contract and whether mitigation or safeguards may be implemented to permit participation.
- Such safeguards are commonly applied to allow participation and include measures like ethical walls and release of work product.

OCOI REVIEW PROCESS

- Interested Contractors should review Section 3.7 of the RFQ and the Authority's Organizational Conflict of Interest Policy: <https://hsr.ca.gov/business-opportunities/general-info/organizational-conflict-of-interest-policy/>
- If the interested Contractor has any concerns that it may have an actual or perceived OCOI, it should request a determination from the Authority (instructions on next slide).
- Advanced or pre-clearance is not necessary if there are no concerns regarding an actual or perceived OCOI.
 - » *Example: a Contractor has never worked on the CAHSR project nor a related project and has no financial affiliations with CAHSR Contractors*
- In conjunction with its participation in the SOQ submission, all interested Contractors will submit Form C: Organizational Conflicts of Interest Disclosure Statement in which it will either disclose potential OCOIs or indicate that it has none to disclose.
 - » *Current HSR contracts should be disclosed on this form*

HOW TO REQUEST AN OCOI DETERMINATION

- Requests for Organizational Conflict of Interest determinations should be submitted to the Authority's Chief Counsel, Alicia Fowler, at Legal@hsr.ca.gov, referencing the RFQ No. HSR23-32.
- The Authority's OCOI determination process includes the following steps:
 - After the request is received, an investigation and analysis, including potential mitigation options, is performed by the attorneys.
 - The requestor will often be asked for additional information and/or documents necessary for the OCOI determination.
 - The Chief Counsel makes the final determination and informs the requestor by letter, which discusses the relevant facts and applicable Policy provisions.
 - A requestor who does not agree with an OCOI determination may contact the Chief Counsel to raise additional relevant facts and information.

QUESTIONS AND RESOURCES

Questions regarding this procurement should be emailed to:

trackdesign@hsr.ca.gov

Due: Wednesday,
November 22, 2023

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- PowerPoints
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