



**TOWN OF CLAYTON**  
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## ADDENDUM #01

To: Prospective Respondents/Bidders

From: Rich Cappola, PE – Deputy Town Manager / Public Services Director

Copy: File

Date: February 16, 2021

Project: New Neuse River Water Reclamation Facility Design-Build Bridging  
Request for Proposals – Addendum

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Listed below you will find answers to the questions received during the RFQ process for the above referenced project, and additional changes to the Request identified by the Town. Please note that all other terms and conditions given in the RFQ are in full effect unless amended below.

### QUESTION & ANSWERS:

1. **Please confirm that Public Outreach Services are being managed by Town of Clayton (ToC) and not part of this Scope of Work (SOW).**
  - a. Public Outreach will be managed by the Town's Public Information Office. The Design-Builder is expected to provide information as requested to support the Public Information plan developed for this phase of the project.
2. **Please confirm that Appendix F, Attachment A and any of the requested attachments noted within that document are not part of the forty (40) single sided page limit.**
  - a. Correct, the additional pages requested do not count towards the total page limit.
3. **In Appendix F, Attachment A, 2-II. Proposed Project Personnel, the “second” subsection D asks for a Resident Project Representative (RPR). Is this the ToC’s representative “Project Engineer”, Jacobs/CH2M Hill? If not, can you please further explain the role and responsibility of this person(s).**
  - a. This section is removed and can be disregarded. A revised Appendix F, Attachment B Fee and Rate Proposal Form will be provided under separate addendum.

4. **Please confirm that under the Design-Build Bridging Method (NC GS 143.128.1B), the design criteria design professionals of Jacobs/CH2M Hill, Withers Ravenel, and Froehling & Robertson that participated in generating the Preliminary Basis of Design Report are not eligible to submit a response nor be part of a Design-Build Team response for this RFQ.**
  - a. Jacobs/CH2M and WithersRavenel are not eligible as indicated in the G.S. Froehling & Robertson's work was completed outside of the solicitation for Basis of Design Development therefore they are still eligible to be part of the D-B team.
5. **Please confirm that the Civil Engineering drawings from the Early Site work and Preliminary Basis of Design drawings will be provided in an ACAD format to the selected DB firm.**
  - a. Preliminary Basis of Design drawings will be provided to the successful bidder, subject to an electronic files release agreement.
6. **Are the Outreach Plans and Guidelines for MBE also applicable to the award of design services under the prime contractor?**
  - a. North Carolina General Statute § 143-128.2 indicates that the municipality “shall have a verifiable ten percent (10%) goal for participation by minority businesses in the total value of the work. It is for the project overall, however, the Town is required to utilize its outreach program in the bidding/selection process for the “designer”.
7. **Please clarify the required permits that we are to include.**
  - a. The D-B team’s project response should identify permits required to complete the process. The Town has obtained the updated NPDES permit (attached to the original RFQ), Land Disturbance permit associated with the Access & Early Grading permit (D-B to obtain new permit or determine potential to transfer), Public Water Supply extension permit associated with bring a waterline to the site, and local site permit associated with tree clearing.
8. **Please provide Appendix H.**
  - a. See attached “Appendix H - Contract Documents”
9. **Can experience be in both Wastewater and Water Treatment since Water Treatment plants tend to be more complex than wastewater plants and the management experience is still relevant?**
  - a. Respondents can choose to include projects that are not Wastewater Plant if they feel the experience is representative of the needs of this project.
10. **Due to the limited amount of design build contracts for wastewater treatment plants that have been awarded in the state of North Carolina, can the actual amount of design build projects be reduced to 1-2 design build wastewater plants? This will allow firms headquartered in North Carolina to be more competitive.**
  - a. Respondents can choose to include projects that are not Design-Build if they feel the experience is representative of the needs of this project.

11. Do items provide in Appendix F (such as project personnel) count towards the overall 40-page limit?
  - a. The additional pages requested do not count towards the total page limit.
12. Will the Owner make AutoCAD files available for the Basis of Design drawings produced by CH2M Hill and W&R?
  - a. Preliminary Basis of Design drawings will be provided to the successful bidder, subject to an electronic files release agreement.
13. Please clarify the following phrase in Appendix F “This proposed individual shall be available to work full time on this Project for its entire duration and shall not be reassigned without the expressed written concurrence of the Town”. Dedicating our highest quality, most experienced individuals “full time...for its entire duration” to this project will increase management costs significantly. Please clarify if the intention of this phrase is that the key project individuals are made available as required and hold the Town of Clayton project as the top priority. Please clarify the intention of this phrase.
  - a. The words “full-time” can be removed from the statement. The intent is as noted in the question.
14. Please provide the anticipated completion schedule for the sitework package?
  - a. The Access Road and Early Grading package is scheduled to bid in March 2021 and work to be completed by October 2021.
15. Appendix B of the RFQ contains unsealed drawings for P&ID, Hydraulic Profile, and Electrical Single-Line Diagrams. Does the Town plan to provide sealed drawings for these items? Or is the Design-Build engineer producing and accepting full responsibility for the complete design including process?
  - a. Drawings included in the Preliminary Basis of Design package are preliminary in nature and will not be signed/sealed by the previous consultant(s). The successful bidders shall complete the design and serve as the Engineer of Record. The Engineer of Record shall be responsible for signing/sealing the design documents.
16. Under Appendix F, Fee & Rate Proposal page 2 The requirements for the project General Conditions are presented in a very subjective manner that will make it difficult to evaluate proposals. For example, as a Proposer, it is somewhat troubling to see erosion control methods to be presented as a component of the General Conditions, but only “if not part of the civil work.” Please provide an objective, detailed listing of items that should be included in the General Conditions of each Proposer.
  - a. See attached “Appendix H - Contract Documents” for clarification of General Conditions.
17. Under Appendix F, Fee & Rate Proposal page 3 The General Construction Services listing of fees and markups include both lump sum items (Pre-Construction Fee, Construction

Management Fee, etc.) and fixed percentage items (Contractor Change Order Markup, Self-Performed Work Markup). Please advise as to how we are to present the Proposed Fee for general construction services, shown on the first page of Appendix F, Attachment B. Expanding this single item into a listing of lump sum and fixed percentage items may be helpful when evaluating proposals.

- a. A revised Appendix F, Attachment B Fee and Rate Proposal Form will be provided under separate addendum.
18. Under Appendix F, Fee & Rate Proposal page 2 reads: The design Builder's price for providing the general conditions of the contract shall "include at a minimum": We request that the wording "include at a minimum be removed" so that all bidders are held to the same standard.
- a. This phrase is hereby removed.
19. Under Appendix F, Fee & Rate Proposal page 2 reads: 9. "Design Builder to list any additional items not listed above" We request that Item #9 be removed in its entirety.
- a. This item is hereby removed.
20. Item 1 on Page 2 of the Fee and Rate Proposal Form indicates that the cost for safety officers can be part of the General Conditions fee while Item 3 on Page 3 of the Form indicates that the cost for safety officer should be included as part of the Construction Supervision Cost within the General Construction Services Fee. Please clarify.
- a. Safety Officers shall be included as part of the General Conditions.
21. The Form identifies the following fees and markups that fall under the General Construction Services fee: Pre-Construction Fee, Construction Management Fee, Construction Supervision Cost, Contractor Change Order Markup, Self-Performed Work Markup, Cost of Insurance Premiums, Cost of Bonds. It is our understanding that the lump sum General Construction Services fee comprises all the above items. However, two of the items, Change Order Markup and Self-Perform Work Markup, are requested to be furnished at fixed percentages (markup values). We currently anticipate creating an attachment to the Form that simply lists these markup percentages. Cost values for these two items will not be include within the General Construction Services fee. Please confirm that this structure is acceptable.
- a. A revised Appendix F, Attachment B Fee and Rate Proposal Form will be provided under separate addendum.
22. In reference to Appendix F, Attachment B Fee and Rate Proposal Form in the RFP, what level of design should this pricing be based on (i.e. 60% or 100%)?
- a. Per section III Project Scope, B, i, 8, the Design-phase services shall be bid through GMP development at 60%. Final design through 100% and construction phase services will be negotiated with successful completion of the GMP.
23. When will we receive the proposed Design-Build contract? We will need the contract in order to more accurately provide pricing and a response to some of the project approach.

- a. See attached “Appendix H - Contract Documents”
- 24. Please clarify the project budget as there is a discrepancy in the project cost. As an example, Part IV. Project Schedule & Budget of the RFP states the project budget to be \$65M and then in Appendix F, Attachment B Fee and Rate Proposal Form the Cost of Bonds section states the cost should be based on \$60M**
- a. The Project budget is \$65M to include all General Conditions, Construction Services, Design Services, construction, and commissioning.
- 25. In reference to Appendix F, Attachment A Statement of Qualifications Questionnaire and more specifically project experience, is the RFP asking for 3 examples per Design-Build Team member (i.e. Contractor and Designer) or 3 total for both combined? In the case that 3 is required for each Design-Build team member, if a representative project included both the contractor and designer does that meet the requirement for one project each?**
- a. Yes, if they worked together as the Prime members of the Design-build team
- 26. Can project experience include any alternate delivery method (i.e. CMAR, etc.), or do projects specifically need to be design-build.**
- a. Respondents can choose to include projects that are not Design-Build if they feel the experience is representative of the needs of this project.
- 27. On page 15 of the RFP, paragraph V.C. states, “Proposal shall not exceed forty (40) single-sided pages.” On page 17 in the Project Approach Section Requirements the section is limited to 40 pages for the for the Project Approach. Is there a maximum page count for our RFP response or is the page limitation on the Project Approach Section?**
- a. The limit includes the Cover Letter and Project Approach. Forms and associated additional information are not included the limit.
- 28. Please confirm the extend of design and construction relative to the preliminary stormwater management plans provided in the Basis of Design documents will be performed by the Town outside of the scope of this RFP. As an example, design and construction of wet detention pond, stormwater piping, riser structure and outfall, etc.**
- a. Final stormwater management plans and permitting will be the responsibility of the D-B team. The Land Disturbance Permit associated with the early grading package will be transferred to the Design-Builder and final design and conversion of any stormwater ponds will need to be included.
- 29. Part III - Project Scope, B.i. Design Phase Services states 'The Town and/or Town's Advisor will be responsible for coordinating site survey, materials testing and any geotechnical exploration and analysis.' In its scope during design. Please confirm or clarify to what extend any of these services should be provided by the Design-Builder to support its design efforts.**
- a. All these services should be provided by the Design-Builder. The Town and/or Town’s Advisor will coordinate access to the site for these efforts as there will likely be active

construction associated with the Early Grading and Access Road project (addressed under separate RFP) and active utilities on-site that will need to remain accessible throughout the project duration.

- 30. Appendix F, Attachment B Fee and Rate Proposal Form: On the Form, there is no space to write in the Contractor Change Order Mark-up Percentage (General Construction Services Item 4) or the Self-Performed Work Mark-up Percentage (General Construction Services Item 5). Should these percentages be broken out and shown separately, or converted into a lump sum amount based on an allowed direct cost for these items and included in the proposed fee and price indicated on the Proposal Form? If these are to be based on an allowed direct cost, please provide one for each self-performed work and change the order scope amounts.**
- a. A revised Appendix F, Attachment B Fee and Rate Proposal Form will be provided under separate addendum.
- 31. Appendix F, Attachment B Fee and Rate Proposal Form: On the Form (General Construction Services), there was no fee or markup identified to be applied toward potential work that is subcontracted. Please clarify the intent of how or where this should be included.**
- a. Please include a fee percentage (%) for sub-contractor mark-up. A revised Appendix F, Attachment B Fee and Rate Proposal Form will be provided under separate addendum.
- 32. Appendix F, Attachment B Fee and Rate Proposal Form: General Conditions Item 1 (Project and Administrative Staff Wages) and General Construction Services Item 3 (Construction Supervision Cost) appears to account for some of the same work classifications. Can you provide further direction or granularity on where these costs should be applied and what specifically are the differences between the two sections? As an example, safety officers were used in both places.**
- a. Safety Officers shall be included as part of the General Conditions. The General conditions costs should be as noted in the Contract supplied in Appendix H. The General Construction Services fees should include the project personnel associated with the construction activities (Project Manager for Construction Phase Services, the Site Superintendent, etc.).
- 33. Appendix F, Attachment B Fee and Rate Proposal Form: There is no identified location for cost of engineering support during construction (RPR, submittal review, etc.) Please indicate where this cost should be accounted for.**
- a. Per section III Project Scope, B, i, 8, the Design-phase services shall be bid through GMP development at 60%. Final design through 100% and construction phase services will be negotiated with successful completion of the GMP.
- 34. Appendix F, Attachment B Fee and Rate Proposal Form: Item 2.3.2 Erosion Control in the design documents, indicate that an erosion control plan shall be prepared and submitted. As such, the overall scope of General Conditions Item 5 (Stormwater Pollution Prevention Plan) is**

**currently undetermined. Please confirm that this item should be removed from the General Conditions price and included in the future cost of work.**

- a. This item should be removed from the General Conditions price and included in the future cost of work.
35. Appendix F, Attachment B Fee and Rate Proposal Form: The DBIA contract document typically has an insurance exhibit that provides additional detail relating to the required insurance for the project. This will be needed to provide pricing for General Construction Services Item 6 (Cost of Insurance Premiums). Please confirm the types of required insurances (including maximum deductibles and covered perils) or confirm that this will be considered in the future cost of work.
- a. See attached “Appendix H - Contract Documents”
36. Appendix F, Attachment B Fee and Rate Proposal Form: **Please confirm that permit fees shall be developed as a cost of work and not included in the Fee and Rates Proposal Form.**
- a. Permit fees do not need to be included in the Fee proposals. They should be developed as a cost of work/direct expense
37. **Has the CH2M Preliminary Basis of Design Report been submitted to and reviewed by DEQ?**
- a. No, the document has not been formal submitted to DEQ however it was developed based on the Preliminary Engineering Report and other documentation associated with the environmental document.
38. **Will there be an approved sedimentation and erosion control plan permit acquired for the project by the sitework package that will be used on this project?**
- a. The Land Disturbance Permit associated with the early grading package may be transferred to/assumed by the Design-Builder (pending review and negotiation) or a new permit will need to be obtained. Final stormwater management plans and permitting will be the responsibility of the D-B team.
39. **The SRF funding may have an impact on the project schedule for the completion of the WRF. Please address the following:**
- **The final sentence under 6. Permitting on page 11 of the RFP “All permits required to achieve approval to construct...shall be acquired prior to the GMP development and negotiations” seems to be in conflict with the requirement to submit a GMP based on 60% documentation. Based on our experience, the Engineer will not be able to obtain an Authorization to Construct for CWSRF Funded projects without final electrical and structural drawings, which will not be complete with the 60% submittal. Please confirm permits will be required prior to negotiating a GMP.**
  - **Has the funding been arranged in such manner that the SRF funding requirements for document approval and permitting will not impact the schedule of WRF Facility Design Build portion of the work? As an example, if the Contractor is**

**allowed to negotiate the GMP prior to issuance of a Approval to Construct, will the Contractor be allowed to begin purchasing equipment without SRF approval.**

- a. The Town has discussed the need for an alternative review process based on the Design-Build delivery of the project with DEQ staff associated with the SRF reviews. It is anticipated that we will be able to get the ATC in stages due to the alternative delivery method. Respondent should include any thoughts or concerns regarding this process in their project approach.

**40. Will the deadline for the RFP be extended to allow for time to adjust our responses based on the responses to the questions?**

- a. The deadline has been extended and additional opportunity to ask questions added to the schedule. See attached revised schedule.

**41. Can you please provide the layout and basic design of the new plant access road, along with final grading plans for the sitework package?**

- a. The access road alignment is shown in the ER/EID document (see link below), which follows the existing Duke Energy powerline easement from N. O'Neil Street towards the existing Town power sub-substation then follows the existing access road down to the river. The early grading plan is as shown in the Basis of Design document and is intended to rough-grade the site to allow for the D-B team to conduct fine grading as the design is finalized. Final plans & specification are in the process of being reviewed by permitting agencies and will be made available during contract negotiation.

- i. <https://www.townofclaytonnc.org/Public-Works/water-reclamation-.aspx>



**AMENDMENTS TO RFQ:**

1. Section VII ANTICIPATED RFP SCHEDULE amended as follows: **(Changes in RED)**

<b>Sequence of Activity</b>	<b>Schedule</b>
Issue RFP	January 20, 2021
Pre-proposal meeting & Site Visit	February 1, 2021
Deadline for written questions and clarifications on RFP (Via Email)	February 5, 2021
Town of Clayton issues any addenda or response to questions	<b>February 16, 2021</b>
Deadline for written questions Round 2 and clarifications on RFP (Via Email)	<b>February 23, 2021</b>
Town of Clayton issue Final addenda or response to questions	<b>February 26, 2021</b>
Deadline for submission of Proposal	<b>March 4, 2021</b>
Notify Teams shortlisted for interviews (Town discretion) by	<b>March 12, 2021</b>
Interviews (Week of)	<b>March 15, 2021</b>
<b>Notify Selected Firm or Team</b>	April 5, 2021

2. Section IV. PROJECT SCHEDULE & BUDGET amended as follows: **(Changes in RED)**:

- a. The current budget for the Project is \$65 million and the current schedule is to complete construction by **December 30, 2023**. For financing reasons, the Town expects to negotiate a GMP within 6-months of execution of the Design-Build Contract.