

**The Regents of the University of California  
UC Merced 2020 Project  
Addendum No. 2 to Request for Qualifications # UCM20200414 – Issued July 3, 2014**

**RFQ Question and Answer Matrix #3 (Issued on July 17, 2014)**

**(Questions Submitted between July 8, 2014 and July 10, 2014)**

No.	Issue	RFQ Section No.	Question/Comment	Regents Response
71.	Definition of Developer	Part A, Definition	The term "Developer" has multiple definitions that might be applicable for this project. Please clarify your definition of "Developer" with an example of the anticipated function.	Please refer to <u>Part A, Definitions and Acronyms</u> for the definition of Developer. The anticipated responsibilities of the Developer are set forth in <u>Part A, Sections 2.1 and 3.3</u> . Additional details will be provided in the RFP.
72.	Definition and Licensing	Part A, Definition Part A, Section 7.4.1	Would you consider the combined "Equity Members" in the form of an LLC, also known in the P3 sector as a "special purpose vehicle", as a developer?  If so, if the equity team does not form the special purpose vehicle until later in the procurement process, as so common practice in the P3 sector, can the team qualify without "holding a valid class "A" General Engineering Contractor license and a Class "B" General Building Contractor license issued by the California Contractors State License Board at the date of any submission of the Developer's proposal."?	The Developer may be organized as a limited liability company.  The Developer must hold the requisite contractor's licenses at the time of Proposal submission. Therefore, the special purpose vehicle will need to be organized prior to Proposal submission.
73.	Format	Part A, Section 7.4.1 Prequalification and Licensing Requirements	Please confirm if it is acceptable for the licensing requirements applicable to Key Personnel to be in effect by the time work is performed and that they are NOT required as of the SOQ due date.	The licensing requirements for Key Personnel set forth in <u>Part B, Volume 3, Section C.1</u> must be met at the time of SOQ submittal, as these requirements form part of the pass-fail criteria under <u>Part A, Section 6.2.3(2)(a)</u> .

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74.	Prequalification and Licensing Requirements	Part A, Section 7.4.1. (page A-37)	<p>Regarding the change under Addendum No. 2 to require that the Developer hold a Class “A” General Engineering Contractor license and a Class “B” General Building Contractor license, could the Regents clarify whether these licenses ultimately can be held by the Lead Contractor of the Respondent team (such as a design-build entity) as opposed to the Developer? We note that the definition of “Developer” refers to a developer to whom the Project Agreement is awarded; and the term “Preferred Respondent” also refers to a Shortlisted Respondent (which can be a consortia) selected for award of the Project Agreement. Is the requirement that the actual developer entity, which could be an entity separate from the design-build entity, also must hold the stated Class “A” and Class “B” licenses, or would it be sufficient that a member of the Preferred Respondent consortium holds these licenses to the extent they are performing services which involve engineering and/or general building (such as the design-build entity)?</p> <p>In addition, if the Developer is required to hold the stated Class “A” and Class “B” licenses (in addition to the Lead Contractor under the Respondent team), then would the Regents permit the Developer to be named within the SOQ as a separate firm, but potentially reorganize as a joint venture with the Lead Contractor named within such SOQ prior to submission of the Proposal in the event the originally named developer is unable to procure the stated Class “A” and Class “B” licenses in advance of the Proposal submission date?</p>	<p>The Developer must hold the requisite contractor’s licenses at the date of Proposal submission. In addition, the Lead Contractor must hold its contractor’s license at the time of award.</p> <p>The RFQ does not require the Developer (special purpose vehicle) to be organized and identified in the SOQ. Such entity, however, will need to be organized and hold the requisite licenses by the time of Proposal submission, irrespective of the legal structure of the entity.</p>
75.	Personal Qualifications	Part B, Volume 3; Section C; Form H-Item (b); Page B-20 and Part C, Form H,	Please clarify that the projects listed in Form H for the Project Manager do not require inclusion as one of the 15 projects required in Form E. According to Part B, Volume 3, Section C – Personnel Qualifications, 1(b). Form H, page B-	Respondents must comply with the requirement in Form H that “[a]t least one of the projects listed must be a project listed on Form E or F” for each Key Personnel, including the Project Manager.

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		Page C-21	<p>20, the Project Manager is not held to this requirement.</p> <p>However, Form H itself states that "At least one of the projects listed must be a project listed on Form E or F."</p>	