



May 24, 2021

Yerba Buena Gardens Conservancy
750 Howard Street
San Francisco, CA 94103

Ref. Yerba Buena Gardens Perimeter Project – 3rd Street – Administrative RFIs

Attn: Mr. Tony Pelligrini: Director of Operations & Capital Projects

Dear Mr. Pelligrini,

My company, Avcon Constructors, Inc. is interested in providing a bid proposal for the above referenced project at YBGC. We attended the mandatory walk on May 11, 2021, which described scope of work and coordination requirements.

While the work itself is not overly complex, we have concern over potential start up delays relative to administrative procedures, referenced in the project specifications. With the upcoming events at Moscone Center beginning in September, there's potential for extended on-site duration and efficiency impacts with increased pedestrian and traffic interference.

We estimate the on-site scope of work to take roughly 3 months (excluding maintenance). If the project Award/NTP is received no later than July 1, there would be opportunity to achieve substantial completion without Moscone Center impacts. In contrast, if award and notice to proceed is received at a later date, the project duration could feasibly double or triple.

Our challenge is to provide YBGC with a competitive bid which fits within budget. The shorter duration scenario has best chance of achieving this.

To help facilitate, we have listed the below clarification requests to assist with our bid process.

**RE: Yerba Buena Gardens
Perimeter Project – 3rd Street
Invitation for bids**

- **General Conditions and Instruction for Bidders**

- #6. Permits & Taxes

- This paragraph requires the contractor to “secure permit and pay all fees including street opening permit”

Question:

Temporary closures of sidewalks and street access/parking will be necessary throughout work activities. Duration and permit fees are unknown. Will YBGC re-imburse contractor for these costs? How long should we assume for city approvals and permits?

Please include in your bid an Allowance for permit fees. If additional permit fees are needed after using up the Allowance, it will be a Change Order

#7. Cash Discount

We do not see reference to a "Cash Discount" with the Bid Form. Please advise where we can locate, and intent of requirements.

Please disregard this item

#13. Bid Opening

This paragraph refers to bid opening and examination of bids which "usually" is done within 30 days. Can we assume contract award and notice to proceed will be completed within 30 days as well? If not, what is anticipated timeline?

YBGC will try to complete within 30 days or less

#14. Sole Bid Evaluation

This paragraph states that in the case of a single bid receipt, that analysis and comparison of previous similar projects, will be required prior to award. How long will this process take, if needed?

YBGC will try to expedite and complete this process within 30 days or less

Special Provisions

#5. Permits and Inspections

Similar to above, this paragraph requires Contractor to "pay for all permits, licenses, and inspections" as required. Please clarify YBGC intent here, as estimating these items would be difficult, not to mention potential schedule impacts and coordination. Does this include third party "Special Inspections"?

It will be the same response YBGC gave for #6 Permits & Taxes

#10. Bid Prices / Completion of Bid Form

Please confirm the "Grand Total Bid Price" will be used to determine low responsive bidder.

YBGC is confirming that Grand Total Bid Price will be used to determine low responsive bidder.

There are no quantities noted on the Bid Form, which would leave bid total open for interpretation and/or estimating discrepancies. Please clarify evaluation procedures. Are bid form quantities available? If so, please provide.

Quantities to be provided by bidder based on bid documents.

Survey noted in Section 012200.3.1.A2 refers to contractors measurement of excavated soil and is to be provided as a service by the bidder.

Section 012200 – Unit Prices references 3.1 "Schedule of Unit Prices". Noted are survey procedures for Soil Excavation and Soil Amendments. Please confirm YBGC will coordinate and/or pay for services. How are other quantities confirmed?

Paragraph states "Bidder must offer price quotation for all items shown". In the case where no quantity is anticipated, should \$0 or N/A be noted? Is lump sum acceptable as a quantity amount?

N/A is acceptable where no quantity is anticipated. Please provide unit price for bid items. If lump sum is required, note as such.

Is there a quantity percentage procedure for items excessively above or below bid amount which can be used for adjusting bid values if needed? (i.e. 15%)

Not applicable in this project.

Specifications require a 6 month landscape maintenance period, yet there is no line item in Bid Form. How should this be included in Bid? Add a line item? Pro-rate through other items?

Add as a line item, and any other additional items, as needed.

#15. Award of Contract or rejection

Paragraph notes bids cannot be withdrawn for 120 days. Currently labor and material escalation has been volatile. Will the Contractor be allowed to adjust bid if award exceeds 30 days? YBGC will try to award the contract within 30 days or less

#17. Insurance

Paragraph 17.C.1, General Liability, define parameters for umbrella and excess liability insurance on the project. Please confirm this project falls within a "non-demolition" project, and therefore requires the lesser insurance coverage requirement.

Section 32-01-90 – Landscape Operation and Maintenance

1.2 Summary

This paragraph requires a minimum of 180 days maintenance period. Will the Contract, and therefore Bond, remain open until the end of this period? Is retention released prior to maintenance period?

If there is any demolition work that needs to be done to complete the project, it will be a "demolition" project.

Contract and bond will be closed and retention released once the project is complete. Maintenance will be dealt with separately.

Section 32-84-00 – Irrigation

3.16 Guarantee

This paragraph requires a one year guarantee requiring incidental maintenance and repairs of system. Will the Contract, and therefore bond and retention, remain open until end of this period?

Similar response to the item above regarding maintenance.

Thank you for anticipated response. Please do not hesitate to contact me if you have any questions or comments.

Best Regards,



Arthur L. Vollert
President
Avcon Constructors, Inc.
707-695-3369 cell