

Community Facilities District No. 1 (CFD 1) Request for Proposals (RFP)
Responses to Questions-#4
September 29, 2023

- 1. It seems that the C-27 bidder will take the role of prime contractor to act as property manager and might not be able to self-perform landscape work if the monthly recurring amount is over \$5,000. Is that correct? Clarify the \$5,000 threshold.**

The Contractor will be able to self-perform the services listed under Scope of Services Section I, "Recurring Maintenance Services." The \$5,000 threshold, which is set under public contracting law, doesn't apply to the recurring maintenance services. (The \$5,000 threshold applies to As-Needed Services)

- 2. If a partnership association is formed, then for each partner, the \$5,000 monthly recurring threshold cannot be exceeded, in order to self-perform. Is this correct? Please clarify.**

The \$5,000 threshold is a per occurrence threshold for work performed under the Contract, not on a per-partner basis. As stated above, the \$5,000 threshold doesn't apply to the Recurring Maintenance Services.

- 3. If the contract is a partnership association, how does OCII deal with each partner in terms of invoicing and communication?**

OCII will not enter into separate contracts for this work. The prime Contractor will submit a monthly invoice for all work performed under the Contract and be responsible for communications with OCII.

- 4. Can the prime contractor select its subcontractors for routine recurring maintenance, or must it be bid out?**

The Prime Contractor does not need to use the bidding process to select its subcontractors for the Recurring Maintenance Services.

- 5. Under recurring maintenance services, are ordinary repairs to be factored into the monthly rate with no extra billing? Then when does the as needed \$5K budget kick in?**

Ordinary repairs are included in the monthly billing rate with no extra billing. The \$5,000 cost threshold applies to each individual repair/replacement under As-Needed Services. For example, if the lighting system needs to be repaired, and the cost is under \$5,000, the Contractor will provide the services. If the repair cost is over \$5,000, the Contractor will administer a bid for the work, execute a contract, and oversee the work to completion.

- 6. Is the as needed services budget not to exceed \$5,000 an annual amount, or the 3-year duration of the contract?**

The RFP does not request multiple year cost estimates, only estimates for Contract Year 1.

As-Needed Services are unanticipated, and thus cannot be fully budgeted for. Thus, based on OCII's experience with the Facilities, we assume there will be approximately \$10,000 of small (i.e., less than \$5,000 per occurrence) As-Needed Services work that arises per year. All applicants are asked to assume that amount. Thus, the Budget Worksheet Line III.A assumes four repairs and/or replacements of \$2,500 to be performed by the Contractor

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during Contract Year 1, totaling \$10,000. You do not need to provide a different amount for this budget line.

The Contract will require the Contractor to notify OCII of damage to a Facility prompting an As-Needed Service, and OCII will review and authorize specific As-Needed Services and specific not-to-exceed budget based on that notification.

7. What happens if the \$5,000 as-needed budget gets exhausted before the term ends?

Please see answer no. 6 for a discussion of As-Needed Services. The Contract will require the Contractor to notify OCII of damage to a Facility prompting an As-Needed Service, and OCII will review and authorize specific As-Needed Services and specific not-to-exceed budget based on that notification. OCII may authorize As-Needed Services to the extent there are CFD funds available.

8. Under the Reserve Budget, is the estimated amount to be for the first 3-year term?

No. The Reserve Budget will be a long-term budget estimating the remaining useful life of the Facilities and the cost of replacement for those Facilities, so that OCII can prepare a long-term budget to cover those costs as they arise. The Contract Year 1 budget should include an estimate for the cost to prepare the Reserve Budget; not an estimate of the Reserve Budget itself.

9. Confirm that for Capital Repairs Administration, only a cost for administration of this work in its entirety for 3 years is required with the RFP submittal.

OCII's goal is to have the Capital Repairs completed by the second year of the Contract. The cost estimate to be included in the Budget Worksheet is the cost for administering the capital repairs described in Scope of Services Section IV, Administration of Capital Repairs.

10. Will a spreadsheet/bid sheet be sent for inputting of bid items?

Attachment 3A, CFD 1 Budget Estimate for Services, is the worksheet to be used for the budget.

11. How many trees need to be manually watered and where are they located?

Three Currently, three newly planted trees are being watered. The trees are in the Beale Street/Beale Plaza area.

12. Are there accessible water connections for manual watering or must a water truck be used?

A truck is used.

13. Does this RFP differ from the current contract? If so, in what way?

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The current contract doesn't include Administration of As-Needed Services over \$5,000 or the Administration of Capital Repairs. Otherwise, the Scope of Services in the current contract is similar to the Scope of Services included in the RFP.

14. We had discussed during the site walk if city owned street trees were to be included for tree pruning maintenance. The RFP says to include them. Can you please confirm?

Please include an estimate for tree pruning for plaza trees and street trees.

15. Of the 350 total trees, how many are street trees and how many are plaza trees?

There are 55 plaza trees, and approximately 300 street trees.

16. How would emergency tree removals work? If the work is an emergency, there likely won't be time to administer a bidding process should the scope of work be greater than \$5,000.

The public contracting law has exceptions for emergencies allowing for no bid work to address the emergency.